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**CITY OF LABELLE
ORDINANCE 2024-10
OLD GROVES PLANNED UNIT DEVELOPMENT AMENDMENT**

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AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING ORDINANCE 2022-03 FOR THE OLD GROVE PLANNED UNIT DEVELOPMENT (AKA OAKBROOKE LAKE) LOCATED NORTH OF HELMS ROAD, SOUTH OF COWBOY WAY, AND ¾ MILES WEST OF STATE ROAD 29, CITY OF LABELLE, HENDRY COUNTY, FLORIDA; AMENDING THE CONDITIONS AND SCHEDULE OF USES; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, Deanna Hansen is the “Owner” of real property, located at 1185 W. Cowboy Way, generally to the north of Helms Road, south of Cowboy Way and ¾ miles west of SR 29, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto;

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WHEREAS, the City of LaBelle adopted the Employment Village Old Groves Mixed Use Subdistrict future land use category to allow for development of master-planned communities providing a range of housing types; and

WHEREAS, the Hendry County School District, filed an application to amend the property’s Planned Unit Development zoning district to allow for the development of a public school facility on the site consistent with the City’s intent for the Old Groves Mixed Use Subdistrict future land use category; and

WHEREAS, after duly advertised public hearings held on October 24, 2024 before the LaBelle Local Planning Agency “LPA”, and on October 24, 2024 and November 14, 2024 before the City Commission; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested PUD amendment is in compliance with the land use designation of “Old Groves Mixed Use Subdistrict” and intent for the Planned Unit Development to provide for requisite infrastructure within the property, which will further the goals and objectives of the City of LaBelle Comprehensive Plan; and,

WHEREAS, the subject application and plans have been reviewed by City of LaBelle Planning Department in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of LaBelle, Florida:

Section 1. The forgoing recitals are true and correct and are incorporated herein by this reference.

46 **Section 2.** The above-mentioned Planned Unit Development (PUD) is hereby amended,
47 upon a finding that this is the most appropriate use of the property and this use will promote,
48 protect and improve the health, safety, comfort, good order, appearance, convenience and general
49 welfare of the public subject to the following conditions:
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51 **BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF LABELLE,**
52 **FLORIDA, that:**
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- 54 1. The Rezone request applied to the property is described in Exhibit ‘A’.
- 55 2. The PUD is limited to a maximum of 1,249 dwelling units and 80,000 SF of commercial
56 uses.
- 57 3. A minimum of 10% of the land area shall be used for multi-family residential development.
- 58 4. Commercial development shall not exceed 10 acres with a maximum of 8,000 square feet
59 per acre up to a maximum of 80,000 gross square feet of commercial uses. A maximum
60 FAR of 0.35 is allowed for commercial development. No single commercial use shall
61 exceed 10,000 square feet of gross floor area, except that a grocery store or supermarket
62 may not exceed 45,000 gross square feet.
- 63 5. Residential density within the commercial component of the project is limited to multi-
64 family and will not exceed 6 dwelling units per acre.
- 65 6. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit
66 ‘B’.
- 67 7. Development Standards will conform to the Development Standards Table, attached as
68 Exhibit ‘C’.
- 69 8. All development must conform to the general design of the Master Concept Plan contained
70 in Exhibit ‘D’ and the requirements of the Land Development Code.
- 71 9. Design elements of the PUD will be based on a common architectural theme with emphasis
72 on a pedestrian friendly development. The unified theme shall be reflected through colors,
73 materials, details, signage, lighting and any other elements or materials that visibly impact
74 the unity of the development. The project development will include sidewalks, bicycles
75 lanes, and other types of pedestrian connectivity between the commercial and residential
76 components of the project and where possible, will connect or provide for future
77 connection to pedestrian linkages off-site. All common areas and structures shall be
78 complimentary to the architectural theme of the overall development. Site construction
79 plans must demonstrate an internal sidewalk system to connect the residential buildings to
80 on-site amenities and recreational areas, parking, and to the external sidewalk network.
- 81 10. Development must connect to the City’s potable water and sanitary sewer system. A
82 demonstration of capacity will be required at the time of development, in addition to
83 sufficient water pressure for a hydrant system and sprinklers within the building, if required
84 by the Florida Building Code and NFPA Fire Prevention Code.
- 85 11. The developer/owner or their designee, which may include a property owners association
86 (POA) or homeowner’s association (HOA) must maintain common areas, parking areas,
87 and infrastructure within the community, except for the Hendry County school site which
88 will be independently owned and maintained by the School District. If a POA/HOA is
89 established, documents must be provided to the City at the time of site construction plan
90 permitting.

- 91 12. A minimum of 35% of the development of open space shall be provided within the PUD.
92 At minimum of 10% of the site must be in the form of useable open space as defined in the
93 Land Development Code, and which may include both passive and active recreational uses.
94 Open space areas within the school site shown in the Exhibit F shall not contribute to this
95 requirement for remaining portions of the PUD.
- 96 13. Residential front yards shall maintain an average five-foot wide landscape area.
- 97 14. The Developer may construct a minimum 5-foot-wide concrete sidewalk within the rights-
98 of-way or, at the Developer's discretion, the sidewalk may meander onto the Developer's
99 property. The Developer shall provide the City with an easement for placement of any
100 portion of the sidewalk placed on private property. The easement shall be recorded prior to
101 issuance of Certificate of Completion. At the time of site construction permitting, future
102 sidewalk connections must be stubbed out on the school site to the future development
103 tracts in the PUD. Sidewalk connections in the remaining portions of the PUD must be
104 constructed by the developer.
- 105 15. Lake maintenance easements with a minimum width of 20 feet shall be provided.
- 106 16. The developer shall make every attempt to preserve the existing native trees on site.
107 Construction plans shall include a tree preservation plan and a tree protection detail
108 indicating how trees will be preserved during construction. This approval does not
109 authorize the removal of any significant oak trees.
- 110 17. A minimum of 5.47 acres of preserve area shall be provided on site.
- 111 18. Minimum width of preserve areas shall be an average of 25 feet.
- 112 19. Landscaping and buffering shall be in compliance with LDC Section 4-80 and 4-90, except
113 that streetscape buffers must be provided along Cowboy Way, consisting of a 15-foot-wide
114 buffer with a double hedgerow planted at 24 inches and maintained at 48 inches, two (2)
115 large trees, and two (2) medium trees per 100 linear feet.
- 116 20. Primary entrances to all retail and commercial uses shall be designed for access from the
117 interior of the site. Pedestrian and bicycle access shall be provided to Cowboy Way and
118 the proposed Helms Road.
- 119 21. All buildings shall be interconnected with ground level pedestrian walkways.
- 120 22. Parking areas shall be screened from Cowboy Way and proposed Helms Road and from
121 any properties adjacent to this development.
- 122 23. All necessary easements, dedications or other instruments shall be granted to the City of
123 LaBelle as necessary to insure continued operation and maintenance of all service
124 utilities.
- 125 24. All private roadways and common areas shall be continually maintained, at the Developer's
126 or private entity's expense. The City of LaBelle shall have not responsibility for
127 maintenance of privately owned facilities.
- 128 25. The horticultural waste recycling facility is permitted as an interim use until such time as
129 the first certificate of occupancy is issued for the first phase of development within 1,500
130 feet of the limits of the facility, at which time the operation must cease, or upon approval
131 of a PUD amendment to allow the use on permanent basis.
- 132 26. Hours of operation for the horticultural waste recycling facility are limited to 7 a.m. to 5
133 p.m. Monday through Friday, and 8 a.m. to 2 p.m. on Saturdays.
- 134 27. The operations will consist of horticultural debris piles no greater than 25 feet in height
135 and approximately 200' x 100' in size. Piles must be separated by a minimum of 30 feet.

- 136 28. Debris will be processed by an on-site emission free incinerator to be operated a minimum
137 of 700 feet from the PUD boundaries. The burning of debris with emissions or grinding of
138 materials on site is prohibited.
- 139 29. On-site retail sales of horticultural materials is prohibited. A maximum of 40 truck trips
140 per day are allowed and must be documented by the Applicant and/or operator via a daily
141 log.
- 142 30. The Applicant must provide the City with copies of all required state and federal agency
143 permits, including a Florida Department of Environmental Protection permit prior to
144 commencement of any interim horticultural waste recycling facility activities.
- 145 31. Approval of this PUD does not in any way create any rights on the part of the applicant to
146 obtain a permit from a state or federal agency and does not create any liability on the part
147 of the City for issuance of the permit if the Applicant fails to obtain the requisite approvals
148 or fulfill obligations imposed by a state or federal agency or undertakes actions that result
149 in a violation of state or federal law. All other applicable state or federal permits must be
150 obtained before commencement of the development.
- 151 32. All development and activities within the PUD must comply with all applicable NFPA
152 standards, including but not limited to NFPA 1, Chapter 31, as may be amended, and the
153 Operating Plan and Fire Protection, Control & Mitigation Plan.
- 154 33. Internal roadways and all access roads to the site from Cowboy Way and Helms Road to
155 serve the interim horticultural waste recycling facility must be stabilized to accommodate
156 emergency vehicles and be a minimum of 20 feet in width. No staging of trucks outside
157 the PUD boundaries is permitted at any time.
- 158 34. Prior to issuance of a site construction permit for residential or commercial uses, a detailed
159 site plan demonstrating the proposed residential and commercial development areas,
160 including building footprints, must be scheduled for one (1) public meeting before the City
161 Commission.
- 162 35. The PUD Master Concept Plan will remain valid for not more than five (5) years from the
163 date of City Commission approval. Horizontal construction must commence within five
164 (5) years or the MCP will be deemed vacated. Upon such time a new PUD zoning approval
165 must be filed and approved by the City Commission.

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167 **Section 3. Conflict with other Ordinances.** The provisions of this article shall supersede any
168 provisions of existing ordinances in conflict herewith to the extent of said conflict.

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170 **Section 4. Severability.** In the event that any portion of this ordinance is for any reason held
171 invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a
172 separate, distinct and independent provision, and such holding shall not affect the validity of the
173 remaining portions of this ordinance.

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175 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its
176 adoption.

181 **PASSED AND ADOPTED** in open session this _____ day _____, 2024.

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THE CITY OF LABELLE, FLORIDA

By: _____
Julie C. Wilkins, Mayor

Attest: _____
Tijauna Warner, Deputy City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Derek Rooney, City Attorney

Vote:	AYE	NAY
Mayor Wilkins	_____	_____
Commissioner Vargas	_____	_____
Commissioner Ratica	_____	_____
Commissioner Akin	_____	_____
Commissioner Spratt	_____	_____

**EXHIBIT A
LEGAL DESCRIPTION**

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213 PARCEL 1
214 THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION
215 17, TOWNSHIP 42 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA.

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217 PARCEL 2
218 THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE
219 NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST
220 1/4 OF SECTION 17, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY,
221 FLORIDA.

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223 PARCEL 3
224 THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4
225 OF SECTION 17, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA.
226 A/K/A/ LOT 16, W.T. WILLIAMS UNRECORDED SUBDIVISION.

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228 PARCEL 4
229 THE EAST 1/2 OF THE NORTHEAST 1/4; EXCEPT THE NORTHEAST 1/4 OF THE
230 NORTHEAST 1/4 OF THE NORTHEAST 1/4; EXCEPT ROAD RIGHT OF WAY, AS
231 DESCRIBED IN OFFICIAL RECORDS BOOK 513, PAGE 313; EXCEPT THE NORTH 7.00
232 FEET THEREOF AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE
233 NORTHEAST 1/4 OF THE SOUTHEAST 1/4; EXCEPT LOTS 1 AND 2, BLOCK 1, BELLE
234 LA CASA SUBDIVISION; EXCEPT LOT 1, BLOCK B, BELLE LA CASA SUBDIVISION,
235 ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 26, ALL
236 LYING IN SECTION 18, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY,
237 FLORIDA.

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239 PARCEL 5
240 THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE
241 NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 ; EXCEPT THE NORTH
242 60 FEET OF THE EAST 30 FEET THEREOF; AND THE SOUTH 1/2 OF THE SOUTH 1/2 OF
243 THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4; AND THE SOUTH 1/2 OF THE
244 SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4; AND THE
245 SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; AND THE SOUTHEAST 1/4 OF THE
246 NORTHWEST 1/4 OF THE SOUTHWEST 1/4; AND THE NORTHEAST 1/4 OF THE
247 SOUTHWEST 1/4, ALL LYING IN SECTION 17, TOWNSHIP 43 SOUTH, RANGE 29 EAST,
248 HENDRY COUNTY, FLORIDA.

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250 PARCEL 6
251 LOTS 1 AND 2, BLOCK 1, BELLE LA CASA SUBDIVISION. ACCORDING TO THE PLAT
252 THEREOF RECORDED IN PLAT BOOK 2, PAGE 26, PUBLIC RECORDS OF HENDRY
253 COUNTY, FLORIDA.

EXHIBIT B
SCHEDULE OF USES

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General:

- Essential Services
- Water management facilities and features, such as lakes or fountains
- Temporary construction, sales and administrative offices
- Model homes (limited to 8)
- Kiosks
- Ornamental towers such as clock towers, flagpoles, etc., limited to a height of 30 feet
- Temporary uses as defined in LDC Section 4-70

Residential:

- Single –family dwellings
- Two-family dwellings
- Multi-family dwellings, including condominiums, lofts, apartments
- Townhouses
- Community and recreational facilities
- Accessory uses
- Manager’s office (limit 1)
- Gatehouse
- Signs per LDC Chapter 4-81
- Schools, public

Recreational:

- Food and confectionary kiosks
- Band shell/stage, gazebo and other similar structures
- Recreational facilities such as bocce ball, shuffleboard, lawn bowling courts, swimming pools
- Parking lots and parking structures that service the recreational amenities
- Community buildings
- Pumping stations, emergency generators – must be screened from public view
- Outdoor dining areas
- Sidewalk sales areas – require Special Exception approval
- Parks, passive areas, trails, etc.
- Accessory uses

Commercial:

- Multi-family dwellings, above commercial uses or as stand-alone buildings, not to exceed 6 du/acre
- Uses allowed in the B-1 zoning district, with or without Special Exception as described in the Use Table, LDC Section 4-70.9[5]
- Restaurants– no drive-throughs
- Personal services
- Museums, art galleries

299	Photographic studios
300	Gyms
301	Supermarkets and pharmacies
302	Communication facilities – require Special Exception approval
303	Clubs, lodges
304	Congregate living facilities
305	Animal sales and services
306	Convenience stores with gas pumps – limited to 8 two-sided pumps
307	Day Care
308	Drinking establishments as per LDC Chapter 3
309	Alcoholic beverage establishments, bars (neighborhood only, limited to max.
310	5,000 gross square feet)
311	Outdoor sales, service or storage areas – only as accessory uses, must be screened
312	from public areas
313	Temporary Uses, as per LDC Section 4-70.9[5]
314	Accessory Uses
315	Outdoor restaurant seating
316	Signs per LDC Chapter 4-81
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318	<i>Interim Agricultural:</i>
319	Agricultural uses
320	Horticultural Waste Recycling, limited to fully enclosed incinerator and to be
321	sited on the location shown on Exhibit E
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**EXHIBIT C
 SITE DEVELOPMENT REGULATIONS**

Commercial/School Tracts:

Site development regulations must comply with the B-2 zoning district standards set forth in the LDC

Residential:

Residential Development Standards							
Allowable Use	Max. Bldg. Lot Coverage	Min. Living Area (sq. ft. per unit)	Min. Lot Width (feet)	Minimum Setbacks (feet)			Max. Height
				Front	Side	Rear	
Single Family up to 2 Bedrooms	45%	700	60	15	7.5	20	35
Single Family, 3 bedrooms	45%	900	60	15	7.5	20	35
Two-Family, up to 2 Bedrooms	45%	900	70	15	7.5	20	35
Two-Family, max. 3 Bedrooms	45%	1,020	70	15	7.5	20	35
Multi-family Studio*	70%	500	N/A	20	25	20	35
Multi-family, One Bedroom	70%	750	N/A	20	25	20	35
Multi-family, Two Bedroom	70%	900	N/A	20	25	20	35
Multi-Family, Three Bedroom	70%	1,100	N/A	20	25	20	35
Townhouse, Two Bedroom	70%	900	15	20	0/25**	20	35
Accessory Structures				Same as above	Same as above	5	35

332 *Living area with kitchenette, minimum of stove and refrigerator, sink in kitchen area, separate
 333 full bath, no separate bedroom.

334 **Requires a minimum 25-foot setback between structures, 0 feet between attached units.

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Interim Agricultural:

Minimum 100 foot setback from all property lines for structures and material piles. The fully-enclosed incinerator must be a minimum of 250 feet from all property lines.

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EXHIBIT D - MASTER CONCEPT PLAN

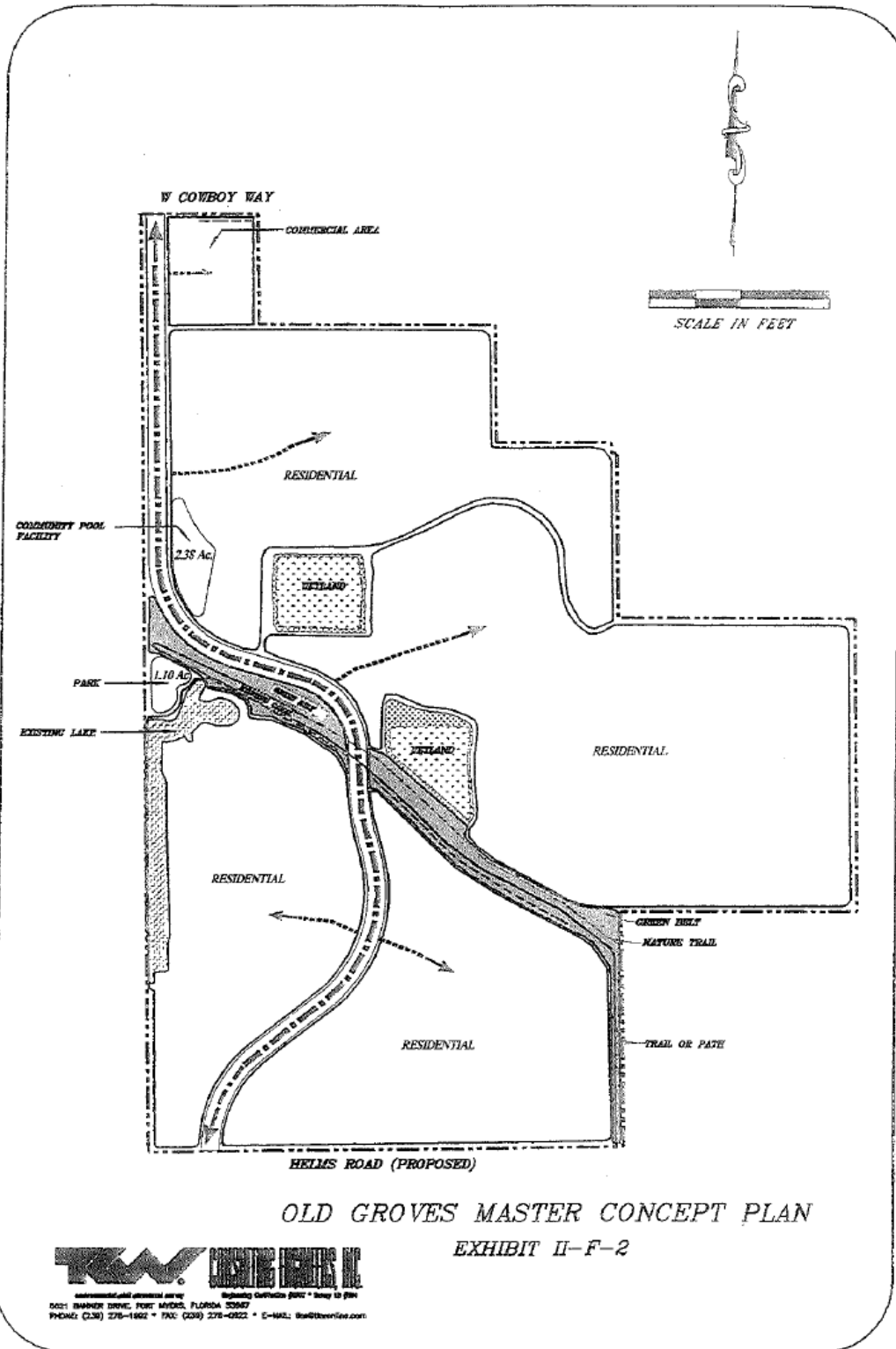
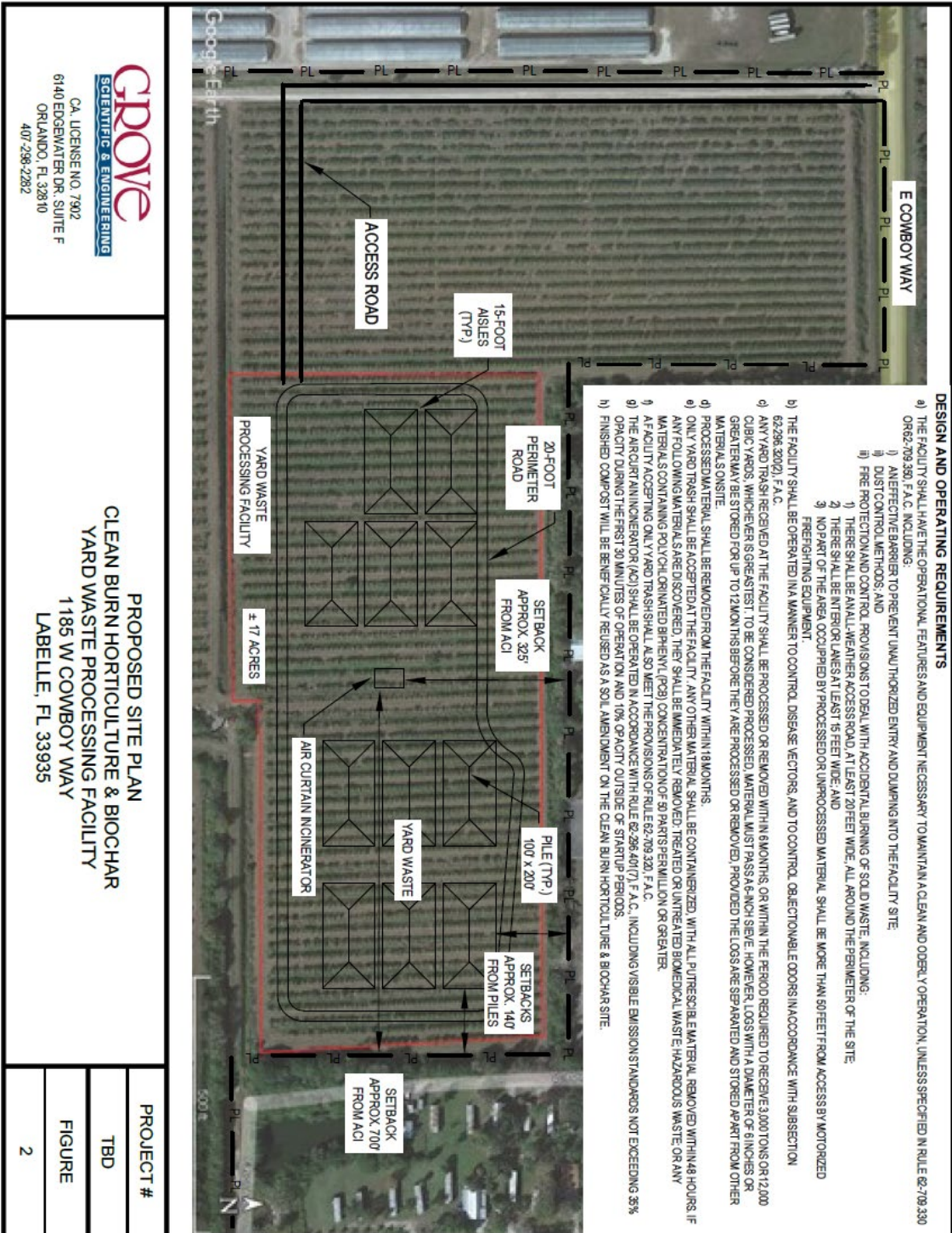


EXHIBIT E – INTERIM HORTICULTURAL RECYCLING SITE PLAN



GPORVE
 SCIENTIFIC & ENGINEERING
 CA. LICENSE NO. 7902
 6140 EDGEWATER DR. SUITE F
 ORLANDO, FL 32810
 407-298-2282

PROPOSED SITE PLAN
 CLEAN BURN HORTICULTURE & BIOCHAR
 YARD WASTE PROCESSING FACILITY
 1185 W COWBOY WAY
 LABELLE, FL 33935

PROJECT #	TBD
FIGURE	2

EXHIBIT F – SCHOOL SITE PLAN

