

# CITY OF LABELLE



## AGENDA

**Local Planning Agency Meeting**  
Thursday, October 24, 2024, at 5:30 PM

LaBelle Commission Chambers  
481 West Hickpochee Ave  
LaBelle, FL 33975

### **CITY COMMISSION:**

Julie C. Wilkins., Mayor  
Daniel Akin, Commissioner  
Jackie Ratica, Commissioner  
Bobbie Spratt, Commissioner  
Hugo Vargas, Commissioner

### **ADMINISTRATION:**

Tijauna Warner, BAS, MMC, Deputy City Clerk  
Derek Rooney, Esq., City Attorney  
Mitchell Wills, Superintendent PW

## Agenda

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Roll Call**
4. **New Business**
  - A. ORDINANCE 2024-10 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.
  - B. ORDINANCE 2024-11 AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR A 56+/--ACRE PROPERTY LOCATED IMMEDIATELY EAST OF DR. MARTIN LUTHER KING JR. BLVD. AND SOUTH OF STATE ROAD 80; AMENDING THE ZONING DISTRICT FROM AGRICULTURE (AG), SINGLE FAMILY-LOW DENSITY (R-1A), AND SINGLE-FAMILY MEDIUM DENSITY (R-1) TO THE PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT; PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
5. **Adjournment**

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### Meeting Records Request

Any person requesting the appeal of a decision of the Planning Agency will require a verbatim record of the proceedings and for that purpose will need to ensure that such verbatim record is made. Pursuant to FS. 286.0105, the record must include the testimony and evidence upon which the appeal is to be based. The City of LaBelle does not prepare or provide such verbatim record.

### Americans with Disabilities Act

In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format upon request. Special accommodations can be provided upon request with five (5) days advance notice of any meeting, by contacting Deputy City Clerk Tijauna Warner at LaBelle City Hall, 481 W. Hickpochee Avenue, LaBelle, Florida. Phone No. 863-675-2872. Hearing Assistance: If hearing impaired, contact Florida Relay at 800-955-8771 (TDD) or 800-955-8770 (Voice), for assistance. (Reference: Florida Statute 286.26)



**CITY OF LABELLE, FLORIDA**  
**Planning Staff Report**  
**For**  
**Old Groves PUD Amendment**

**TYPE OF CASE:** PUD Amendment

**STAFF REVIEWER:** Alexis Crespo, AICP

**DATE:** October 10, 2024

**APPLICANT:** Hendry County School District c/o Michael Swindle

**AGENT:** Same as Applicant

**REQUEST:** Amend PUD Ordinance 2022-03 to update the allowable uses and conditions of approval to permit a public school in the Residential tracts.

**LOCATION:** South of Cowboy Way, north of Helms Road, and west of SR 29

**PROPERTY SIZE:** 332+/-acres

**FUTURE LAND USE DESIGNATION, CURRENT ZONING AND LAND USE:**

Existing Future Land Use Designation: Employment Village  
Existing Zoning: Planned Unit Development (Expired)  
Land Use: Undeveloped Vacant Land/Agriculture

**SURROUNDING LAND USE:**

**North:** FLU – Commercial and Outlying Mixed Use  
Zoning – Commercial (B-3)  
Land Use – Right-of-Way (Cowboy Way), Vacant, Light Industrial

**South:** FLU – South LaBelle Village  
Zoning – Agriculture (A), Planned Unit Development (PUD)  
Land Use – Right-of-Way (Helms Road)/Vacant Agricultural Land

**East:** FLU – Multi-Use, Residential Low Density, Residential High-Density  
Recreation (Hendry County)

Zoning – Agricultural (A-2) Hendry County  
Land Use – Agriculture, Recreation, Single-Family Residential

**West:** FLU – Residential, Multi-Use & Commercial (Hendry County)  
Zoning – Agricultural (A-2) Hendry County  
Land Use – Agriculture, Vacant Residential

**STAFF NARRATIVE:**

The Hendry County School District (“Applicant”) is requesting approval to amend the Old Groves Planned Unit Development (PUD), approved in 2022 per Ordinance 2022-03. The PUD was approved for 1,249 dwelling units and 80,000 SF of commercial uses. The Applicant is also seeking to add “schools, public” as an allowable use in the southwestern Residential Tract, to be developed as a high school serving the LaBelle area.

**BACKGROUND**

The Property consists of four (4) abutting parcels located north of Helms Road, east of State Road 29, and south of Cowboy Way. The subject property consists of undeveloped agricultural land.

The Property was annexed into the City to allow for annexation of the South LaBelle Village property to the south of Helms Road (as South LaBelle Village was not contiguous to the municipal boundary). Upon annexation, the Property was designated in the Old Groves Mixed Use Subdistrict future land use category and rezoned Planned Unit Development per Ordinance 2007-18. The PUD permitted the development of a maximum of 1,249 dwelling units and 80,000 SF of commercial uses subject to conditions.

In 2011, the City adopted amendments to the Comprehensive Plan following their Evaluation and Appraisal Report (EAR) process. The EAR-Based amendments eliminated the Old Groves Mixed Use Subdistrict and re-designated the Property as Employment Village. While Employment Village allows a mix of uses, the category does not permit single-family residential uses and limits density to 3 du/acre. Thus, the City-initiated EAR-Based amendments created an inconsistency between the PUD approval the underlying future land use category.

In 2022, the Applicant filed to redesignate the site in a newly created Old Groves Mixed Use Subdistrict to correct the issues associated with the EAR-based amendments, as well as reinstate the PUD and MCP approvals along with an interim horticultural use on the northern portion of the site.

**PROPOSED DEVELOPMENT**

The School District provided a preliminary layout of the school campus attached hereto as Exhibit F. The site is 40+/- acres in size and is generally located in the far southeastern corner of the PUD, fronting on Helms Road. The site plan depicts two (2) points of ingress/egress from Helms Road, along with surface parking, school buildings, accessory buildings, sports courts and recreational fields.

Building height is limited to 35'. Setbacks and landscape buffers must comply with the PUD conditions as well as the Helms Road Overlay established by Ordinance 2023-21.

Conditions are proposed to ensure interconnection when adjacent residential tracts in the PUD are developed in the future to facilitate access by students of the development.

Additionally, the owner of the PUD intends to maintain the interim agricultural use upon commencement of the school construction. Thus, the condition that requires the horticultural recycling use to cease upon commencement of development of the first phase has been modified to allow continuation of the horticultural recycling use so long as development is not closer than 1,500 feet to the facility.

A minor change to the landscaping condition is proposed to address adoption of the Helms Road Overlay standards that requires a 20-foot-wide enhanced right-of-way buffer. Additionally, a minor change is proposed to address the School District's independent maintenance of their school site.

**FUTURE LAND USE/COMPREHENSIVE PLAN COMPLIANCE**

The proposed PUD is consistent with the following Goals, Objectives and Policies of the City's Comprehensive Plan.

**Future Land Use Objective 1.2 (Balanced Urban Growth)**

*The PUD will facilitate a compact development pattern that provides opportunities to more efficiently use and develop infrastructure, land and other resources and services by concentrating a well-planned, amenitized mixed-use project in the Employment Village future land use category, Old Groves Mixed Use Subdistrict, with access to utilities, services, and major public roadways.*

**Future Land Use Policy 1.3.2 (Employment Village Land Use Category – Old Grove Mixed Use Subdistrict)**

*The PUD is consistent with the allowable uses, density, intensity and intent of the Employment Village future land use category, Old Groves Mixed Use Subdistrict.*

**Transportation Element Objective 2.4 (Provision of Multi-modal Transportation)**

*As conditioned, the PUD will ensure that sidewalks are constructed along street frontages to connect to the internal sidewalk system to provide a variety of transportation opportunities for residents and future students. The site has excellent access to the public roadway network and will provide a publicly accessible spine road to increase the City's network.*

**Housing Element Policies 3.11.2 & 3.11.3 (New Housing Developments)**

*The PUD will allow for development of a public school to support future growth in the City as well as western Hendry County, in an appropriate location proximate to planned residential areas and where adequate and necessary public facilities and services are available.*

**Infrastructure Element Policy 4.3.2 (Surface Water & Groundwater Quality)**

*The PUD will connect to potable water and sanitary sewer services, eliminating the potential for well and septic tanks on the property, and thereby supporting the City's policy to uphold the quality of public surface and groundwater supply sources.*

**Recreation and Open Space Element Policy 6.7.1 & 6.7.3 (Private Parks)**

*As conditioned, the PUD will provide for private, on-site recreation space and landscaping for aesthetic and energy conservation purposes. Of note, the PUD provides a nature trail, community facility with pool, park, and greenbelt. The school site also provides recreational space for school-age children.*

**STAFF RECOMMENDATION:**

Staff finds that the PUD is consistent with the Land Development Code and the Comprehensive Plan and recommends **APPROVAL** with the following conditions:

1. The Rezone request applied to the property is described in Exhibit 'A'.
2. The PUD is limited to a maximum of 1,249 dwelling units and 80,000 SF of commercial uses.
3. A minimum of 10% of the land area shall be used for multi-family residential development.
4. Commercial development shall not exceed 10 acres with a maximum of 8,000 square feet per acre up to a maximum of 80,000 gross square feet of commercial uses. A maximum FAR of 0.35 is allowed for commercial development. No single commercial use shall exceed 10,000 square feet of gross floor area, except that a grocery store or supermarket may not exceed 45,000 gross square feet.
5. Residential density within the commercial component of the project is limited to multi-family and will not exceed 336 units.
6. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit 'B'.
7. Development Standards will conform to the Development Standards Table, attached as Exhibit 'C'.
8. All development must conform to the general design of the Master Concept Plan contained in Exhibit 'D' and the requirements of the Land Development Code.
9. Design elements of the PUD will be based on a common architectural theme with emphasis on a pedestrian friendly development. The unified theme shall be reflected through colors, materials, details, signage, lighting and any other elements or materials that visibly impact the unity of the development. The project development will include sidewalks, bicycles lanes, and other types of pedestrian connectivity between the commercial and residential components of the project and where possible, will connect or provide for future connection to pedestrian linkages off-site. All common areas and structures shall be complimentary to the architectural theme of the overall development. Site construction plans must demonstrate an internal sidewalk system to connect the residential buildings to on-site amenities and recreational areas, parking, and to the external sidewalk network.
10. Development must connect to the City's potable water and sanitary sewer system. A demonstration of capacity will be required at the time of development,

- in addition to sufficient water pressure for a hydrant system and sprinklers within the building, if required by the Florida Building Code and NFPA Fire Prevention Code.
11. The developer/owner or their designee, which may include a property owners association (POA) or homeowner's association (HOA) must maintain common areas, parking areas, and infrastructure within the community, except for the Hendry County school site which will be independently owned and maintained by the School District. If a POA/HOA is established, documents must be provided to the City at the time of site construction plan permitting.
  12. A minimum of 35% of the development of open space shall be provided within the PUD. At minimum of 10% of the site must be in the form of useable open space as defined in the Land Development Code, and which may include both passive and active recreational uses.
  13. Residential front yards shall maintain an average five-foot wide landscape area.
  14. The Developer may construct a minimum 5-foot-wide concrete sidewalk within the rights-of-way or, at the Developer's discretion, the sidewalk may meander onto the Developer's property. The Developer shall provide the City with an easement for placement of any portion of the sidewalk placed on private property. The easement shall be recorded prior to issuance of Certificate of Completion. At the time of site construction permitting, future sidewalk connections must be provided from the school site to the future development tracts in the PUD.
  15. Lake maintenance easements with a minimum width of 20 feet shall be provided.
  16. The developer shall make every attempt to preserve the existing native trees on site. Construction plans shall include a tree preservation plan and a tree protection detail indicating how trees will be preserved during construction. This approval does not authorize the removal of any significant oak trees.
  17. A minimum of 5.47 acres of preserve area shall be provided on site.
  18. Minimum width of preserve areas shall be an average of 25 feet.
  19. Landscaping and buffering shall be in compliance with LDC Section 4-80 and 4-8590, except that streetscape buffers must be provided along Cowboy Way and Helms Road, consisting of a 15-foot-wide buffer with a double hedgerow planted at 24 inches and maintained at 48 inches, two (2) large trees, and two (2) medium trees per 100 linear feet.
  20. Primary entrances to all retail and commercial uses shall be designed for access from the interior of the site. Pedestrian and bicycle access shall be provided to Cowboy Way and the proposed Helms Road.
  21. All buildings shall be interconnected with ground level pedestrian walkways.
  22. Parking areas shall be screened from Cowboy Way and proposed Helms Road and from any properties adjacent to this development.
  23. All necessary easements, dedications or other instruments shall be granted to the City of LaBelle as necessary to insure continued operation and maintenance of all service utilities.
  24. All private roadways and common areas shall be continually maintained, at the Developer's or private entity's expense. The City of LaBelle shall have not responsibility for maintenance of privately owned facilities.
  25. The horticultural waste recycling facility is permitted as an interim use until such time as the first certificate of occupancy is issued for the first phase of development within 1,500 feet of the limits of the facility, at which time the operation must cease, or upon approval of a PUD amendment to allow the use on permanent basis.

26. Hours of operation for the horticultural waste recycling facility are limited to 7 a.m. to 5 p.m. Monday through Friday, and 8 a.m. to 2 p.m. on Saturdays.
27. The operations will consist of horticultural debris piles no greater than 25 feet in height and approximately 200' x 150' in size. Piles must be separated by a minimum of 30 feet.
28. Debris will be processed by an on-site emission free incinerator to be operated a minimum of 700 feet from the PUD boundaries. The burning of debris with emissions or grinding of materials on site is prohibited.
29. On-site retail sales of horticultural materials is prohibited. A maximum of 40 truck trips per day are allowed and must be documented by the Applicant and/or operator via a daily log.
30. The Applicant must provide the City with copies of all required state and federal agency permits, including a Florida Department of Environmental Protection permit prior to commencement of any interim horticultural waste recycling facility activities.
31. Approval of this PUD does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the permit if the Applicant fails to obtain the requisite approvals or fulfill obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development.
32. All development and activities within the PUD must comply with all applicable NFPA standards, including but not limited to NFPA 1, Chapter 31, as may be amended, and the Operating Plan and Fire Protection, Control & Mitigation Plan.
33. Internal roadways and all access roads to the site from Cowboy Way and Helms Road to serve the interim horticultural waste recycling facility must be stabilized to accommodate emergency vehicles and be a minimum of 20 feet in width. No staging of trucks outside the PUD boundaries is permitted at any time.
34. Prior to issuance of a site construction permit for residential or commercial uses, a detailed site plan demonstrating the proposed residential and commercial development areas, including building footprints, must be scheduled for one (1) public meeting before the City Commission.
35. The PUD Master Concept Plan will remain valid for not more than five (5) years from the date of City Commission approval. Horizontal construction must commence within five (5) years or the MCP will be deemed vacated. Upon such time a new PUD zoning approval must be filed and approved by the City Commission.

**SUGGESTED MOTION(S):**

**APPROVAL:**

I make a motion to **APPROVE** the Old Groves PUD amendment.

**APPROVAL WITH CONDITIONS:**

I make a motion to **APPROVE** the Old Groves PUD amendment. the following condition(s):

- 1) as outlined in the staff report;
- OR**



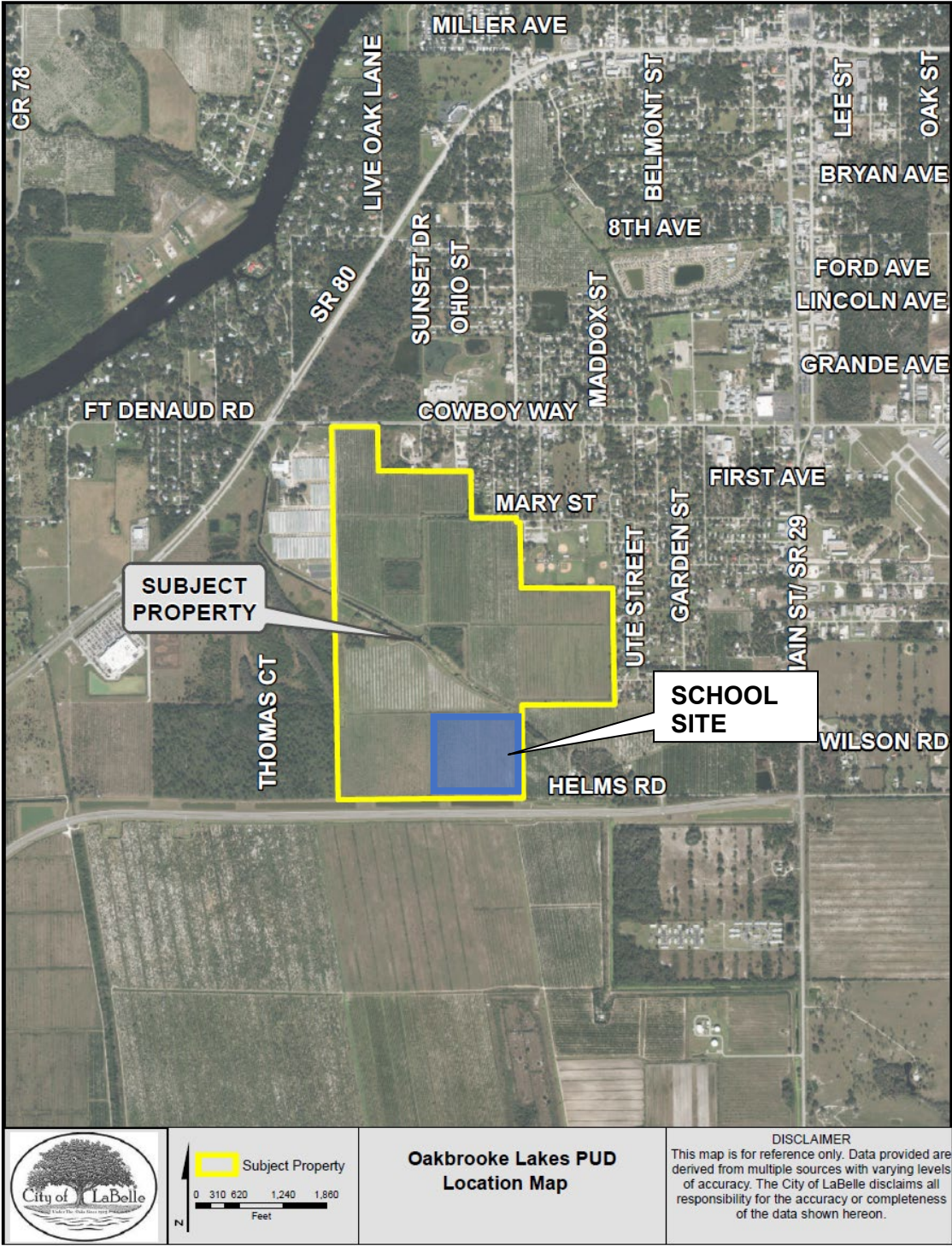
- 2) as outlined in the staff report and amended as follows;
- OR**
- 3) with the following conditions:

**DENIAL:**

I make a motion to **DENY** the Old Groves PUD amendment. The request does not meet the rezoning/PUD criteria:

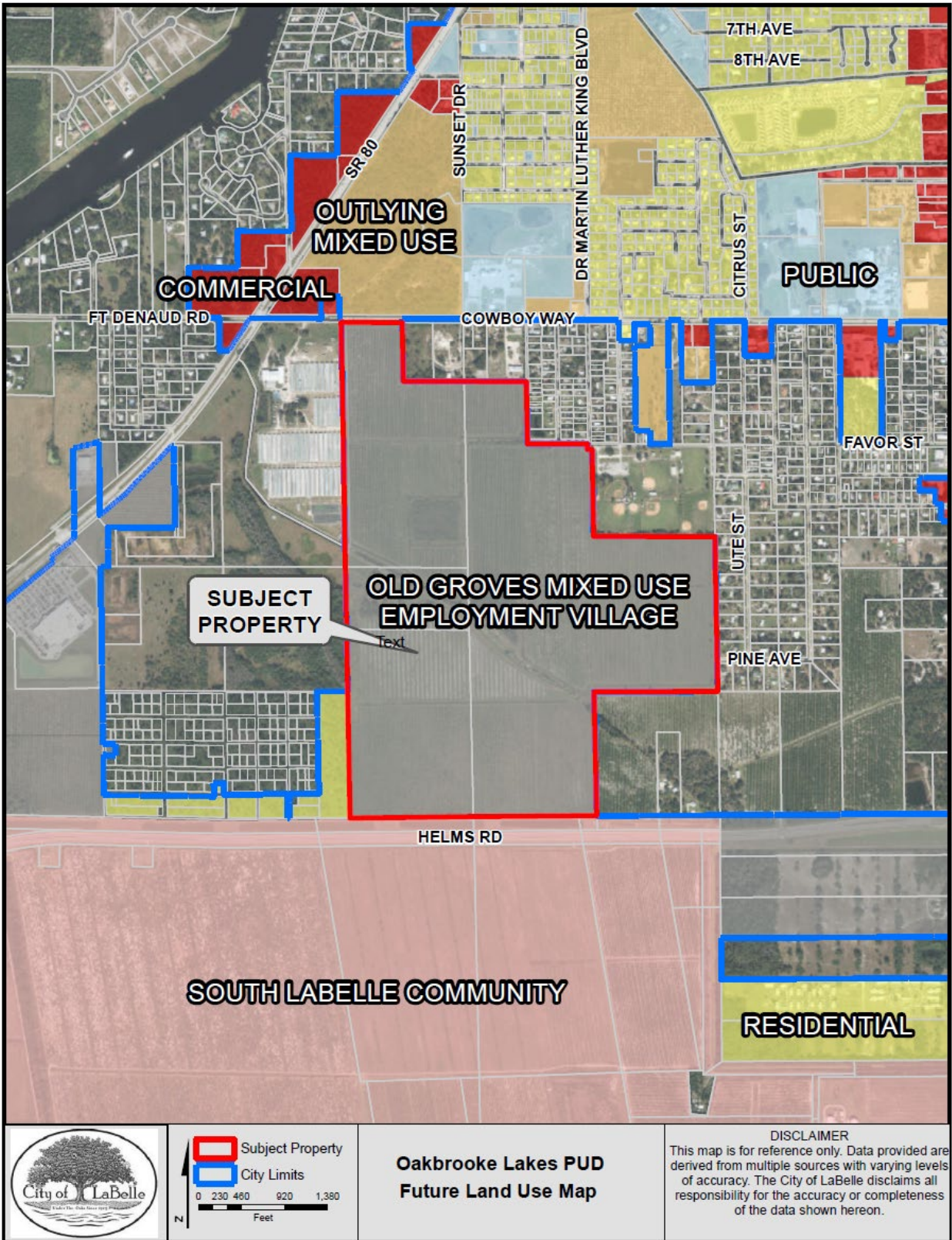
- 1) .... Why?

LOCATION MAP



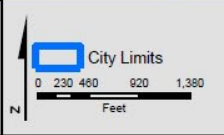
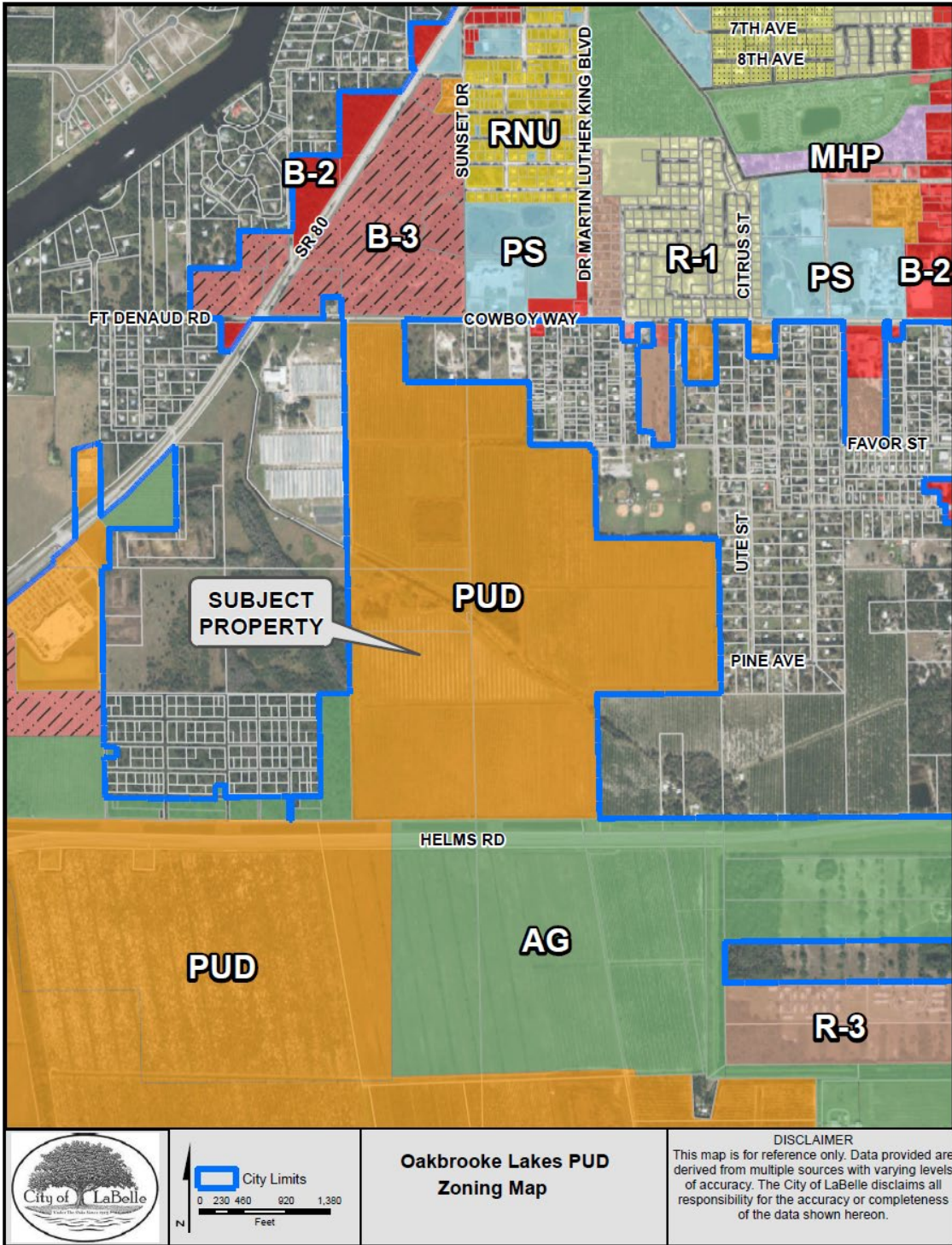


### FUTURE LAND USE MAP





### ZONING MAP



**Oakbrooke Lakes PUD  
Zoning Map**

**DISCLAIMER**  
This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. The City of LaBelle disclaims all responsibility for the accuracy or completeness of the data shown herein.

**EXHIBIT A  
LEGAL DESCRIPTION**

**PARCEL 1**

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

**PARCEL 2**

THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA.

**PARCEL 3,**

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

**PARCEL 4,**

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

**PARCEL 5,**

THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 ; EXCEPT THE NORTH 60 FEET OF THE EAST 30 FEET THEREOF; AND THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4; AND THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4; AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4; AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL LYING IN SECTION 17, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA.

**PARCEL 6**

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

## EXHIBIT B SCHEDULE OF USES

### *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 336 units
- 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
- Photographic studios
- Gyms
- Supermarkets and pharmacies

Communication facilities – require Special Exception approval  
Clubs, lodges  
Congregate living facilities  
Animal sales and services  
Convenience stores with gas pumps – limited to 8 two-sided pumps  
Day Care  
Drinking establishments as per LDC Chapter 3  
Alcoholic beverage establishments, bars (neighborhood only, limited to max. 5,000 gross square feet)  
Outdoor sales, service or storage areas – only as accessory uses, must be screened from public areas  
Temporary Uses, as per LDC Section 4-70.9[5]  
Accessory Uses  
Outdoor restaurant seating  
Signs per LDC Chapter 4-81

*Interim Agricultural:*

Agricultural uses  
Horticultural Waste Recycling, limited to the location shown on Exhibit E

## 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:**

<b>Residential Development Standards</b>							
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

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

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

**Interim Agricultural:**

Minimum 100 foot setback from all property lines for structures and material piles. The fully-enclosed incinerator must be a minimum of 700 feet from all property lines.



EXHIBIT D - MASTER CONCEPT PLAN

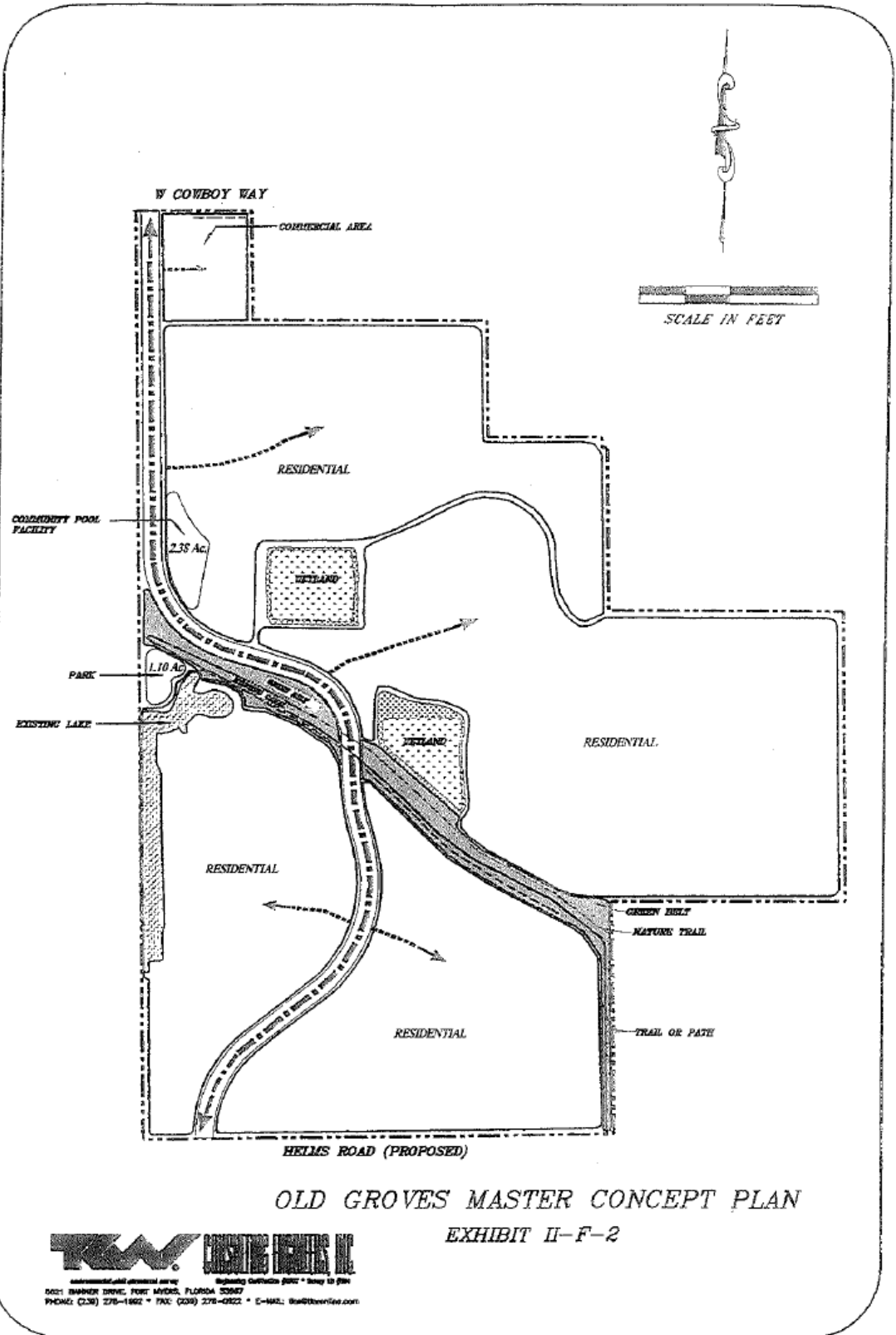
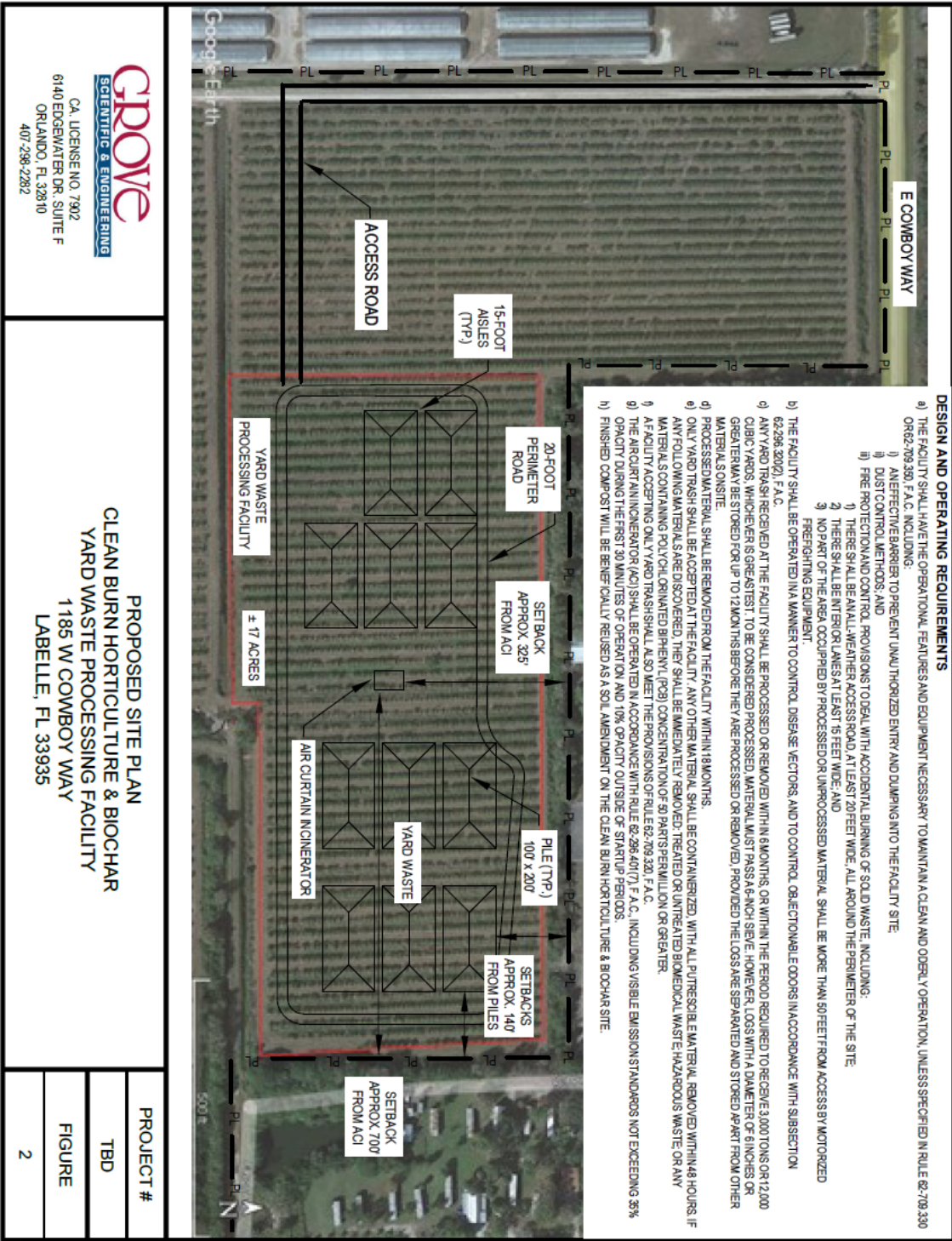


EXHIBIT E - INTERIM HORTICULTURAL RECYCLING SITE PLAN



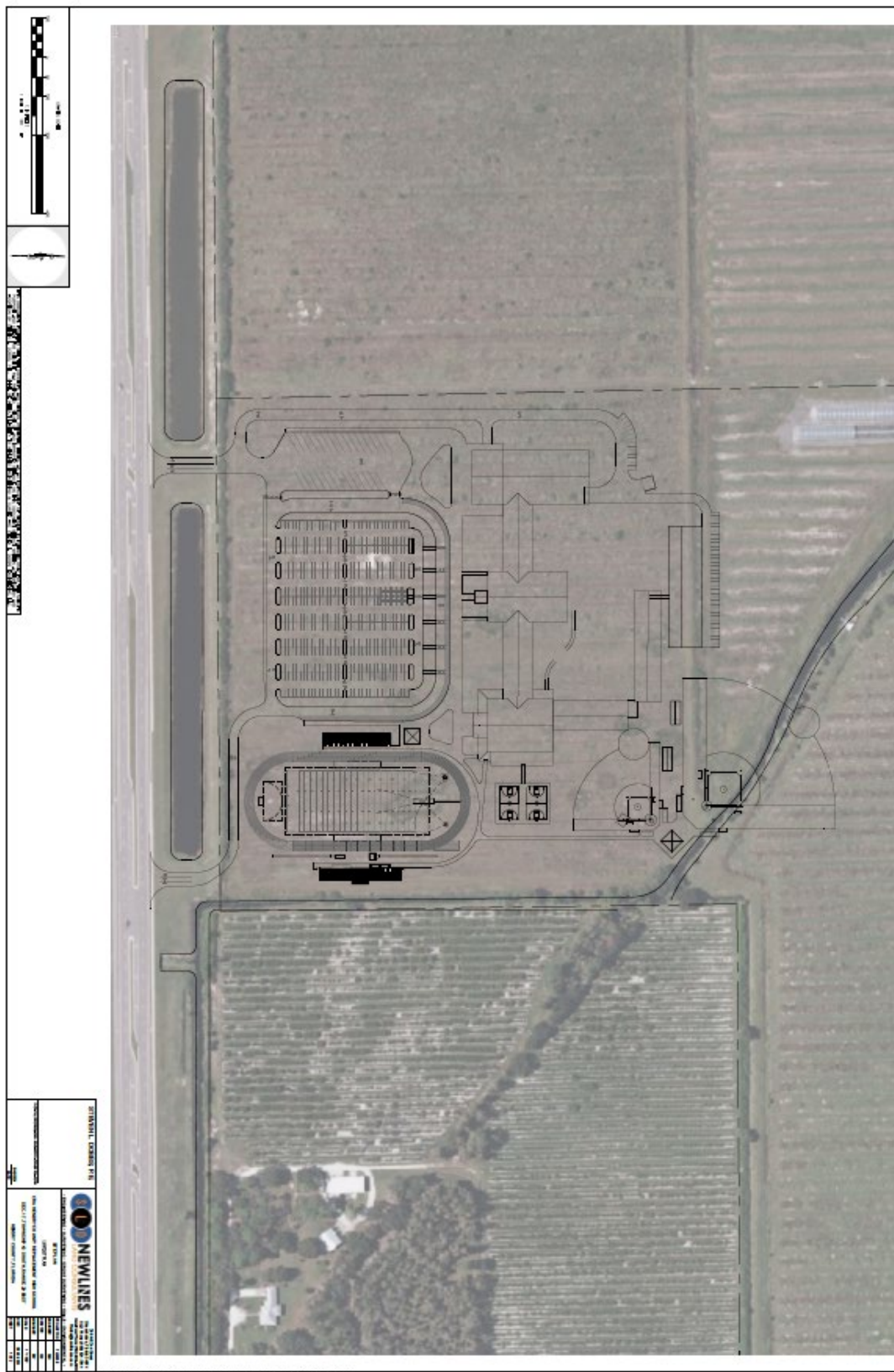
- DESIGN AND OPERATING REQUIREMENTS**
- a) THE FACILITY SHALL MAINTAIN THE OPERATIONAL FEATURES AND EQUIPMENT NECESSARY TO MAINTAIN A CLEAN AND ORDERLY OPERATION, UNLESS SPECIFIED IN RULE 62-709.330 OR 62-709.350, F.A.C., INCLUDING:
    - 1) DUST CONTROL METHODS; AND
    - 2) FIRE PROTECTION AND CONTROL PROVISIONS TO DEAL WITH ACCIDENTAL BURNING OF SOLID WASTE, INCLUDING:
      - 1) THERE SHALL BE AN ALL-WEATHER ACCESS ROAD, AT LEAST 20 FEET WIDE, ALL AROUND THE PERIMETER OF THE SITE
      - 2) THERE SHALL BE INTERIOR LANES AT LEAST 15 FEET WIDE; AND
      - 3) NO PART OF THE AREA OCCUPIED BY PROCESSED OR UNPROCESSED MATERIAL SHALL BE MORE THAN 50 FEET FROM ACCESS BY MOTORIZED FIREFIGHTING EQUIPMENT.
  - b) THE FACILITY SHALL BE OPERATED IN A MANNER TO CONTROL DISEASE VECTORS, AND TO CONTROL OBJECTIVE UNDESIRABLE ODOORS IN ACCORDANCE WITH SUBSECTION 62-296.30(2), F.A.C.
  - c) ANY YARD TRASH RECEIVED AT THE FACILITY SHALL BE PROCESSED OR REMOVED WITHIN 6 MONTHS, OR WITHIN THE PERIOD REQUIRED TO RECEIVE 3,000 TONS OR 12,000 CUBIC YARDS, WHICHEVER IS GREATER, TO BE CONSIDERED PROCESSED. MATERIAL MUST PASS A 6-INCH SCREEN, HOWEVER LOGS WITH A DIAMETER OF 6 INCHES OR GREATER MAY BE STORED FOR UP TO 12 MONTHS BEFORE THEY ARE PROCESSED OR REMOVED, PROVIDED THE LOGS ARE SEPARATED AND STORED APART FROM OTHER MATERIALS ON SITE.
  - d) PROCESSED MATERIAL SHALL BE REMOVED FROM THE FACILITY WITHIN 18 MONTHS.
  - e) ONLY YARD TRASH SHALL BE ACCEPTED AT THE FACILITY. ANY OTHER MATERIAL SHALL BE CONTAMINATED WITH ALL PUTRESCIBLE MATERIAL REMOVED WITHIN 48 HOURS. IF ANY FOLIOWING MATERIALS ARE DISCOVERED, THEY SHALL BE IMMEDIATELY REMOVED, TREATED OR UNTREATED BIOMEDICAL WASTE, HAZARDOUS WASTE OR ANY MATERIALS CONTAINING POLYCHLORINATED BIPHENYL (PCB) CONCENTRATION OF 50 PARTS PER MILLION OR GREATER.
  - f) A FACILITY ACCEPTING ONLY YARD TRASH SHALL ALSO MEET THE PROVISIONS OF RULE 62-709.320, F.A.C.
  - g) THE AIR CURTAIN INCINERATOR (ACI) SHALL BE OPERATED IN ACCORDANCE WITH RULE 62-296.40(7), F.A.C., INCLUDING VISIBLE EMISSION STANDARDS NOT EXCEEDING 35% OPACITY DURING THE FIRST 30 MINUTES OF OPERATION AND 10% OPACITY OUTSIDE OF STARTUP PERIODS.
  - h) FINISHED COMPOST WILL BE BENEFICALLY REUSED AS A SOIL AMENDMENT ON THE CLEAN BURN HORTICULTURE & BIOCHAR SITE.

**GP GROVE**  
 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



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.**

**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;

**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 10, 2024 before the LaBelle Local Planning Agency “LPA”, and on October 10, 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:  
50

51 **BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF LABELLE,**  
52 **FLORIDA, that:**  
53

- 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 13. Residential front yards shall maintain an average five-foot wide landscape area.
- 95 14. The Developer may construct a minimum 5-foot-wide concrete sidewalk within the rights-  
96 of-way or, at the Developer's discretion, the sidewalk may meander onto the Developer's  
97 property. The Developer shall provide the City with an easement for placement of any  
98 portion of the sidewalk placed on private property. The easement shall be recorded prior to  
99 issuance of Certificate of Completion. At the time of site construction permitting, future  
100 sidewalk connections must be provided from the school site to the future development  
101 tracts in the PUD.
- 102 15. Lake maintenance easements with a minimum width of 20 feet shall be provided.
- 103 16. The developer shall make every attempt to preserve the existing native trees on site.  
104 Construction plans shall include a tree preservation plan and a tree protection detail  
105 indicating how trees will be preserved during construction. This approval does not  
106 authorize the removal of any significant oak trees.
- 107 17. A minimum of 5.47 acres of preserve area shall be provided on site.
- 108 18. Minimum width of preserve areas shall be an average of 25 feet.
- 109 19. Landscaping and buffering shall be in compliance with LDC Section 4-80 and 4-90, except  
110 that streetscape buffers must be provided along Cowboy Way, consisting of a 15-foot-wide  
111 buffer with a double hedgerow planted at 24 inches and maintained at 48 inches, two (2)  
112 large trees, and two (2) medium trees per 100 linear feet.
- 113 20. Primary entrances to all retail and commercial uses shall be designed for access from the  
114 interior of the site. Pedestrian and bicycle access shall be provided to Cowboy Way and  
115 the proposed Helms Road.
- 116 21. All buildings shall be interconnected with ground level pedestrian walkways.
- 117 22. Parking areas shall be screened from Cowboy Way and proposed Helms Road and from  
118 any properties adjacent to this development.
- 119 23. All necessary easements, dedications or other instruments shall be granted to the City of  
120 LaBelle as necessary to insure continued operation and maintenance of all service  
121 utilities.
- 122 24. All private roadways and common areas shall be continually maintained, at the Developer's  
123 or private entity's expense. The City of LaBelle shall have not responsibility for  
124 maintenance of privately owned facilities.
- 125 25. The horticultural waste recycling facility is permitted as an interim use until such time as  
126 the first certificate of occupancy is issued for the first phase of development within 1,500  
127 feet of the limits of the facility, at which time the operation must cease, or upon approval  
128 of a PUD amendment to allow the use on permanent basis.
- 129 26. Hours of operation for the horticultural waste recycling facility are limited to 7 a.m. to 5  
130 p.m. Monday through Friday, and 8 a.m. to 2 p.m. on Saturdays.
- 131 27. The operations will consist of horticultural debris piles no greater than 25 feet in height  
132 and approximately 200' x 100' in size. Piles must be separated by a minimum of 30 feet.
- 133 28. Debris will be processed by an on-site emission free incinerator to be operated a minimum  
134 of 700 feet from the PUD boundaries. The burning of debris with emissions or grinding of  
135 materials on site is prohibited.

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

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

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

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 172 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its  
 173 adoption.

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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  
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242 60 FEET OF THE EAST 30 FEET THEREOF; AND THE SOUTH 1/2 OF THE SOUTH 1/2 OF  
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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
- 317
- 318 *Interim Agricultural:*
- 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:*

<b>Residential Development Standards</b>							
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.

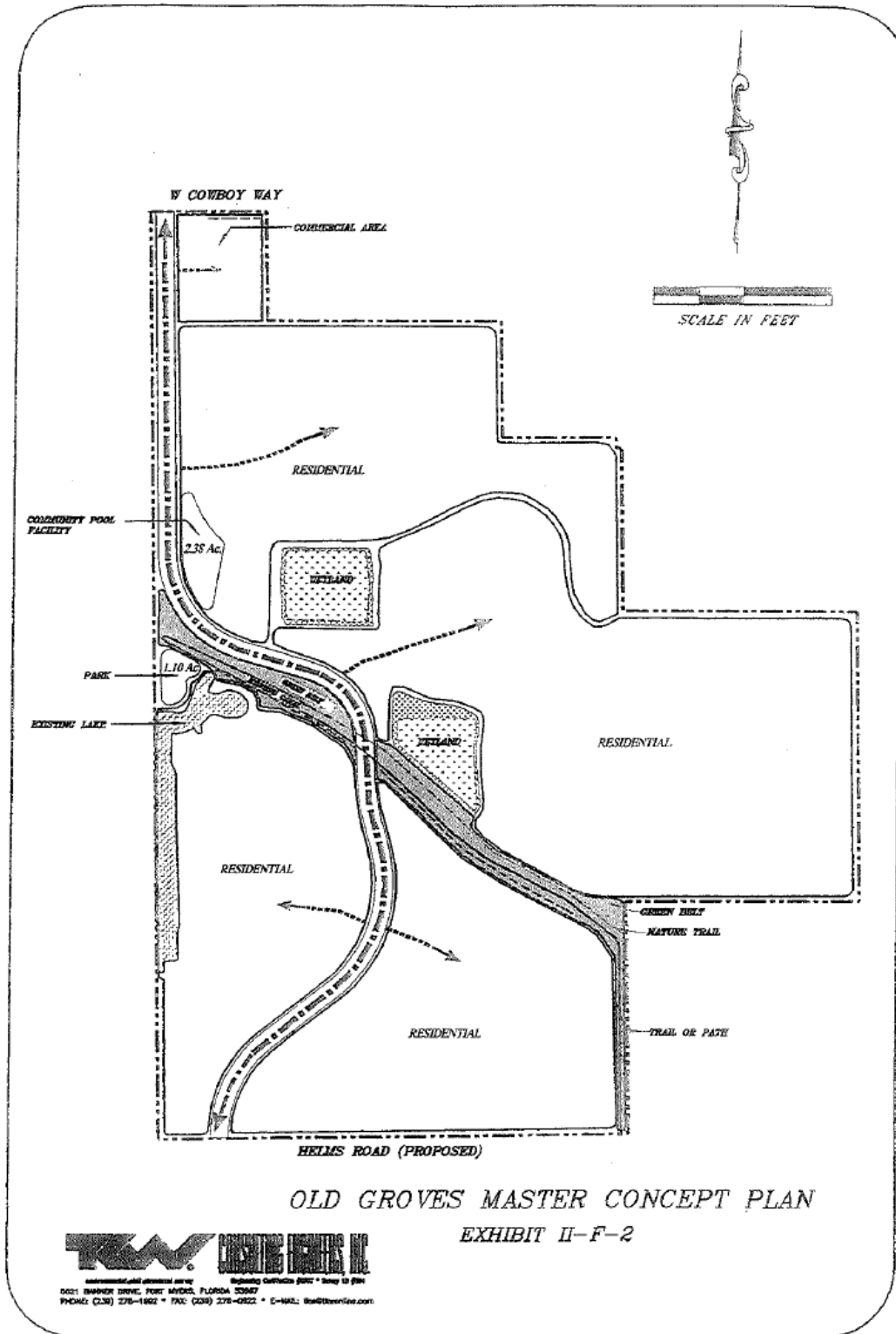
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*Interim Agricultural:*

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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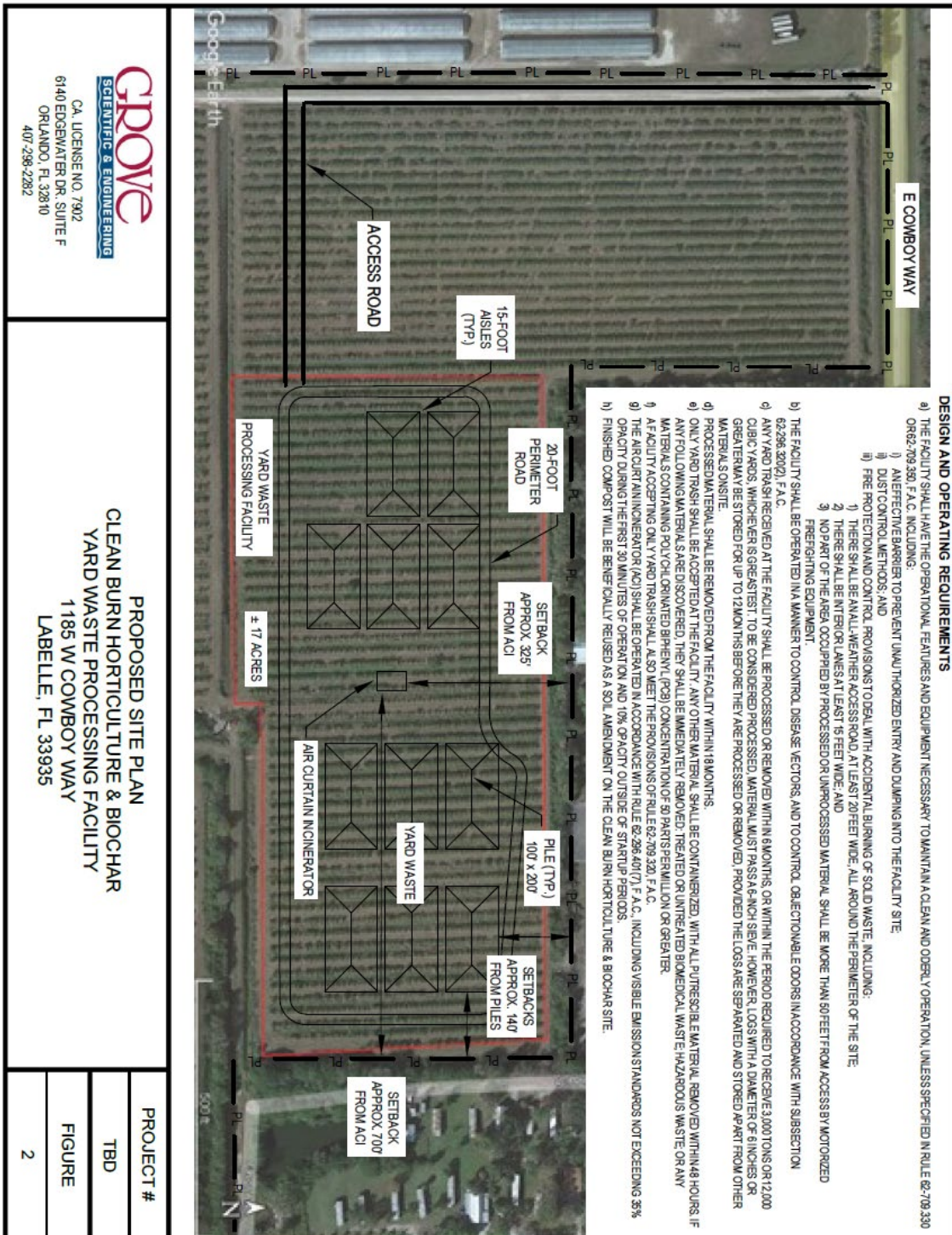
### EXHIBIT D - MASTER CONCEPT PLAN



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EXHIBIT E – INTERIM HORTICULTURAL RECYCLING SITE PLAN



- DESIGN AND OPERATING REQUIREMENTS**
- a) THE FACILITY SHALL HAVE THE OPERATIONAL FEATURES AND EQUIPMENT NECESSARY TO MAINTAIN A CLEAN AND ORDERLY OPERATION, UNLESS SPECIFIED IN RULE 62-709.330 OR 62-709.339, F.A.C., INCLUDING:
    - 1) AN EFFECTIVE BARRIER TO PREVENT UNAUTHORIZED ENTRY AND DUMPING INTO THE FACILITY SITE
    - 2) DUST CONTROL METHODS, AND
    - 3) FIRE PROTECTION AND CONTROL PROVISIONS TO DEAL WITH ACCIDENTAL BURNING OF SOLID WASTE, INCLUDING:
      - 1) THERE SHALL BE AN ALL-WEATHER ACCESS ROAD AT LEAST 20 FEET WIDE, ALL AROUND THE PERIMETER OF THE SITE;
      - 2) THERE SHALL BE INTERIOR LANES AT LEAST 15 FEET WIDE; AND
      - 3) NO PART OF THE AREA OCCUPIED BY PROCESSED OR UNPROCESSED MATERIAL SHALL BE MORE THAN 50 FEET FROM ACCESS BY MOTORIZED FIRE-FIGHTING EQUIPMENT.
  - b) THE FACILITY SHALL BE OPERATED IN A MANNER TO CONTROL DISEASE VECTORS, AND TO CONTROL OBJECTIONABLE ODORS IN ACCORDANCE WITH SUBSECTION 62-296.200(2), F.A.C.
  - c) ANY YARD TRASH RECEIVED AT THE FACILITY SHALL BE PROCESSED OR REMOVED WITHIN 6 MONTHS, OR WITHIN THE PERIOD REQUIRED TO RECEIVE 3,000 TONS OR 12,000 CUBIC YARDS, WHICHEVER IS GREATER, TO BE CONSIDERED PROCESSED. MATERIAL MUST PASS A 6-INCH SIEVE. HOWEVER, LOSS WITH A DIAMETER OF 6 INCHES OR GREATER MAY BE STORED FOR UP TO 12 MONTHS BEFORE THEY ARE PROCESSED OR REMOVED, PROVIDED THE LOSSES ARE SEPARATED AND STORED APART FROM OTHER MATERIALS ON-SITE.
  - d) PROCESSED MATERIAL SHALL BE REMOVED FROM THE FACILITY WITHIN 18 MONTHS.
  - e) ONLY YARD TRASH SHALL BE ACCEPTED AT THE FACILITY. ANY OTHER MATERIAL SHALL BE CONTAINERIZED WITH ALL PUTRESCEBLE MATERIAL REMOVED WITHIN 48 HOURS. IF ANY FOLLOWING MATERIALS ARE DISCOVERED, THEY SHALL BE IMMEDIATELY REMOVED, TREATED OR UNTREATED BIOMEDICAL WASTE, HAZARDOUS WASTE OR ANY MATERIALS CONTAINING POLYCHLORINATED BIPHENYL (PCB) CONCENTRATION OF 30 PARTS PER MILLION OR GREATER.
  - f) AT FACILITY ACCEPTING ONLY YARD TRASH SHALL ALSO MEET THE PROVISIONS OF RULE 62-296.400(7), F.A.C., INCLUDING VISIBLE EMISSIONS STANDARDS NOT EXCEEDING 35% OPAQITY DURING THE FIRST 30 MINUTES OF OPERATION AND 10% OPAQITY OUTSIDE OF STARTUP PERIODS.
  - g) THE AIR CURTAIN INCINERATOR (ACI) SHALL BE OPERATED IN ACCORDANCE WITH RULE 62-296.400(7), F.A.C., INCLUDING VISIBLE EMISSIONS STANDARDS NOT EXCEEDING 35% FINISHED COMPOST WILL BE BENEFICIALLY REUSED AS A SOIL AMENDMENT ON THE CLEAN BURN HORTICULTURE & BIOCHAR SITE.

**GP GROVE**  
 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 COMBOY WAY  
 LABELLE, FL 33935

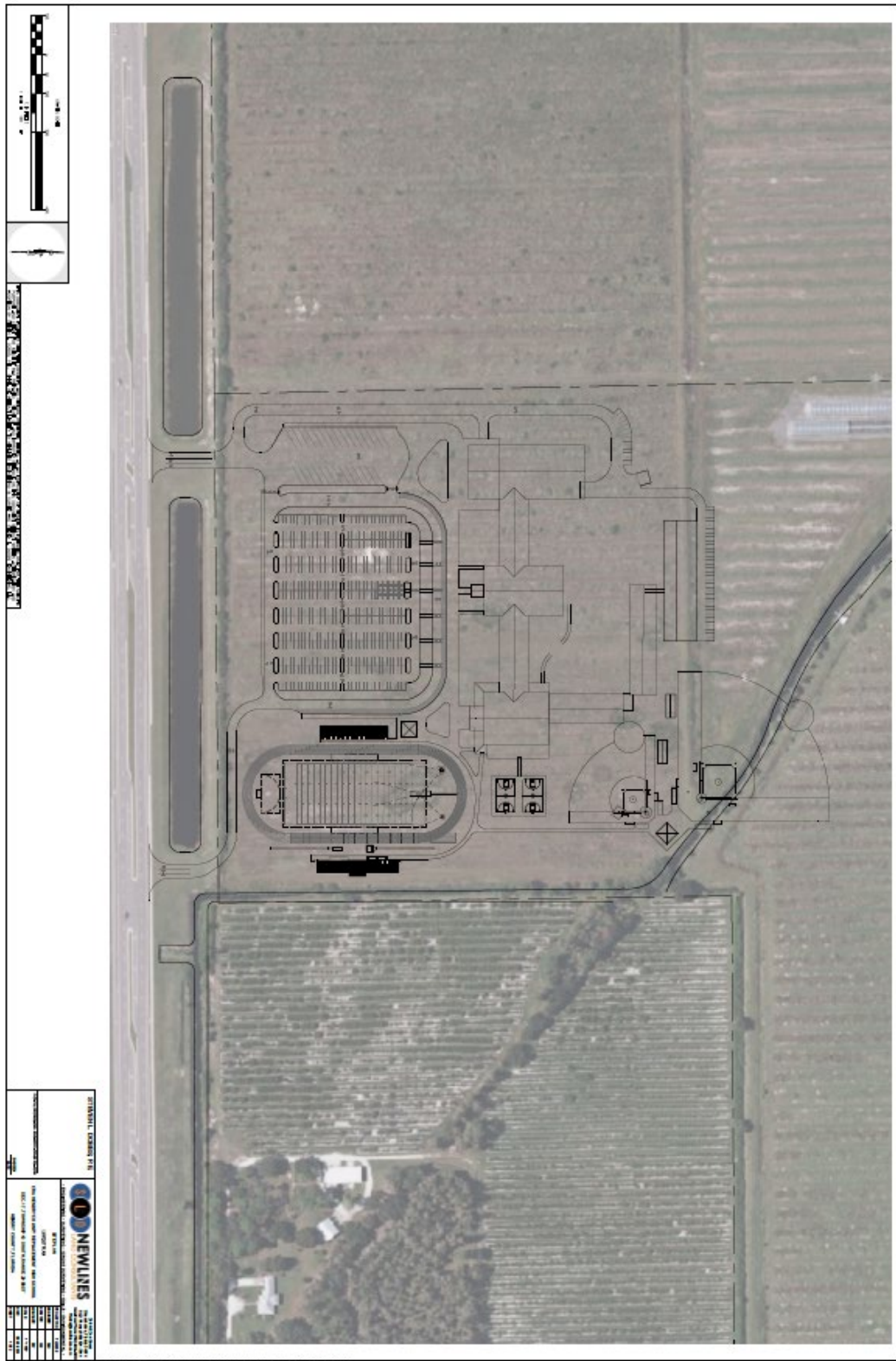
PROJECT #	TBD
FIGURE	2

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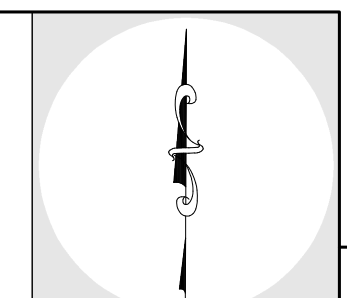
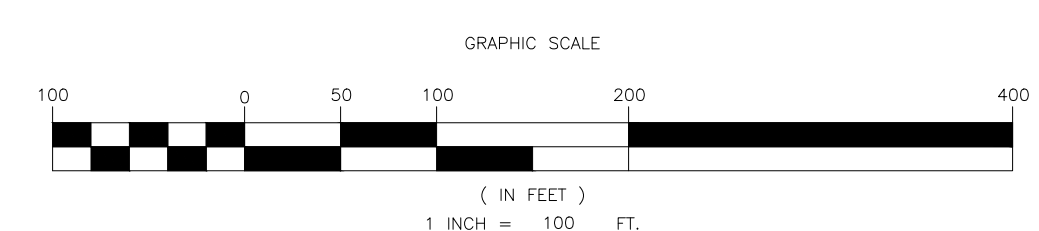
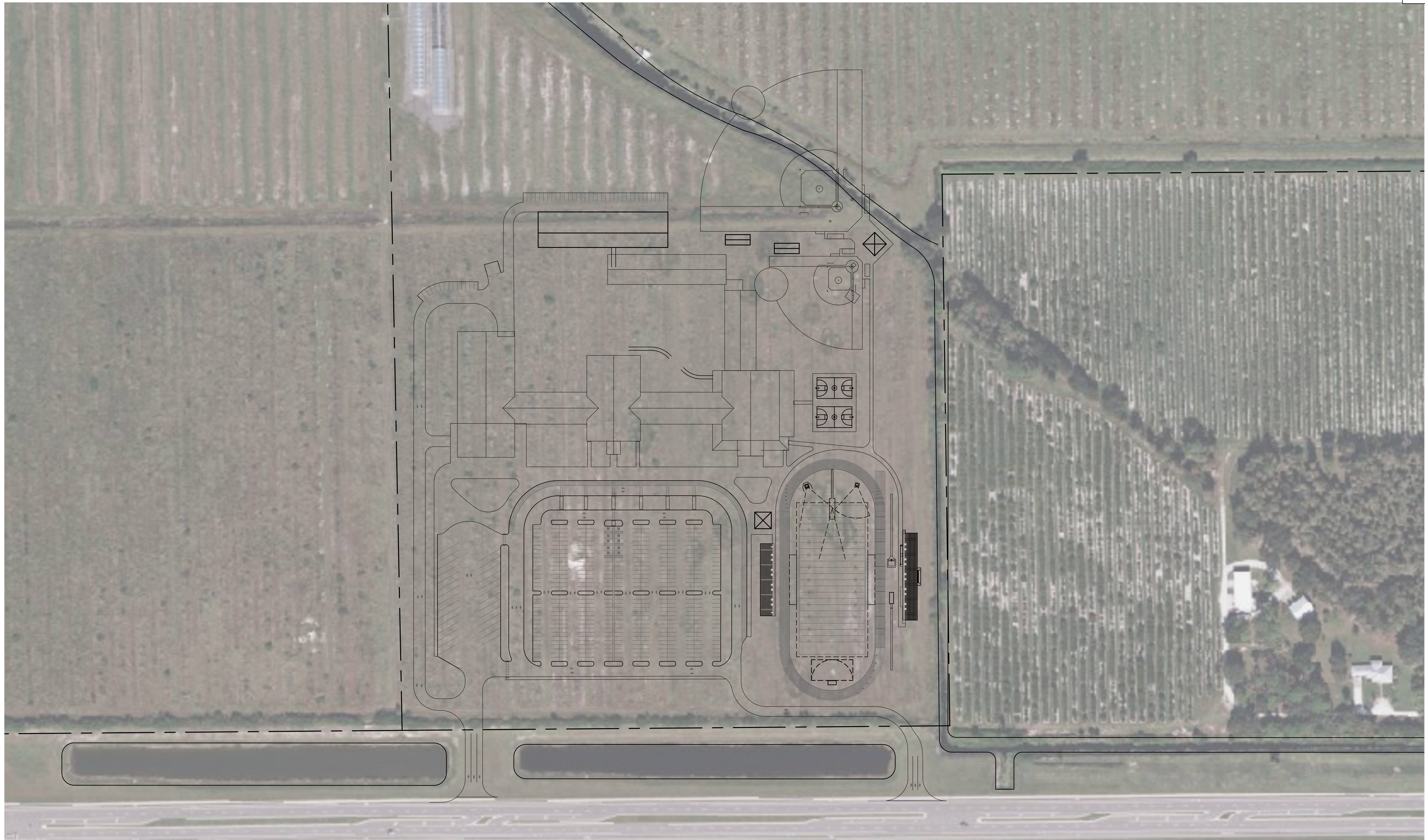
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### EXHIBIT F – SCHOOL SITE PLAN



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THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADOPTION BY STEVEN L. DOBBS, P.E., SHALL BE WITHOUT LIABILITY TO NEWLINES ENGINEERING & SURVEY AND STEVEN L. DOBBS ENGINEERING, LLC.

STEVEN L. DOBBS, P.E.

FLORIDA PROFESSIONAL ENGINEER LICENSE NO. 48134



ENGINEERING • SURVEYING • DRONE SURVEYING • SOILS • ENVIRONMENTAL

SITE PLAN  
LAYOUT PLAN  
CRA HENDRY COUNTY REPLACEMENT HIGH SCHOOL  
SEC. 17, TOWNSHIP 43 SOUTH, RANGE 29 EAST  
HENDRY COUNTY, FLORIDA

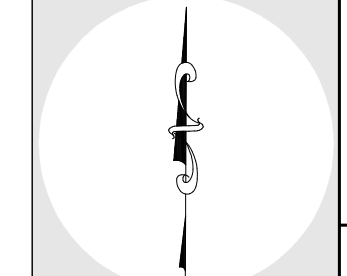
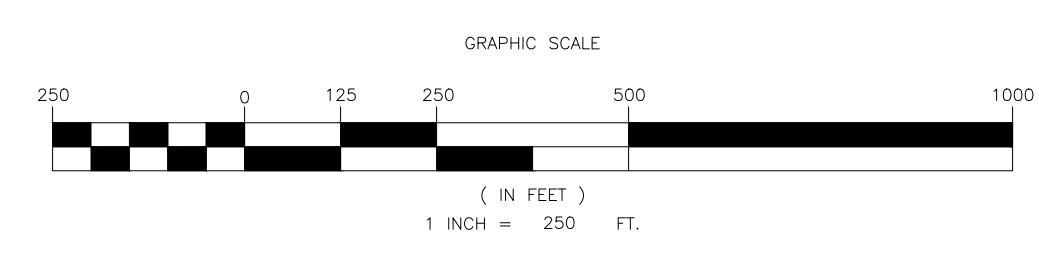
209 NE 2nd Street  
Okeechobee, Florida 34974  
SLD Phone (863) 824-7644  
Newlines Phone (732) 994-4599  
Florida@newlinesco.com

PROJECT NO.	FL24038
ENGINEER	SLD
DRAFTER	xxx
MANAGER	EW
SCALE	1" = 100'
DATE	09-18-2024
SHEET	1 OF 2

9/18/2024  
DATE

2024 - Florida - FL24038 - CRA - Hendry County Replacement High School - Engineering - plans\CAD\DWG\FL24038-03-LAYOUT.dwg 2024-09-18





THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADOPTION BY STEVEN L. DOBBS, P.E., SHALL BE WITHOUT LIABILITY TO NEWLINES ENGINEERING & SURVEY AND STEVEN L. DOBBS ENGINEERING, LLC.

STEVEN L. DOBBS, P.E.

FLORIDA PROFESSIONAL ENGINEER LICENSE NO. 48134



ENGINEERING • SURVEYING • DRONE SURVEYING • SOILS • ENVIRONMENTAL •

**SITE PLAN**  
**LAYOUT PLAN**  
**CRA HENDRY COUNTY REPLACEMENT HIGH SCHOOL**  
 SEC. 17, TOWNSHIP 43 SOUTH, RANGE 29 EAST  
 HENDRY COUNTY, FLORIDA

PROJECT NO.	FL24038
ENGINEER	SLD
DRAFTER	xxx
MANAGER	EW
SCALE	1" = 250'
DATE	09-18-2024
SHEET	2 OF 2





**CITY OF LABELLE, FLORIDA**

**Planning Staff Report  
For  
Wheeler Grove PUD Amendment**

**TYPE OF CASE:** PUD Amendment

**STAFF REVIEWER:** Alexis Crespo, AICP

**DATE:** October 10, 2024

**APPLICANT:** Wheeler Properties, LLC and Town Grove, LLC

**AGENT:** Same as Applicant

**REQUEST:** Allow for an extension of the effective date of the PUD zoning approval and corresponding Master Concept Plan from October 8, 2025 to October 8, 2030.

**LOCATION:** East of Dr. Martin Luther King Jr. Blvd. & south of SR 80

**PROPERTY SIZE:** 56+/-acres

**FUTURE LAND USE DESIGNATION, CURRENT ZONING AND LAND USE:**

Existing Future Land Use Designation:	Outlying Mixed Use
Existing Zoning:	Planned Unit Development
Land Use:	Vacant/Agriculture

**SURROUNDING LAND USE:**

**North:** FLU – Outlying Mixed Use  
Zoning – Business General (B-2)  
Land Use – Vacant

**South:** FLU – Residential; Public  
Zoning – Multi-Family (R-3) & Single Family Residential (R-1)  
Land Use – Single-Family Residential; Duplex

**East:** FLU – Residential; Public  
Zoning – Single Family Residential (R-1A); Public Services (PS); Business Professional (B-1)  
Land Use – Single-Family Residential; Public

**West:** FLU – Residential; Public  
 Zoning – Residential (RNU); Public (PS); Business General (B-2)  
 Land Use – Single-Family Residential; Commercial; Public

**STAFF NARRATIVE:**

The 56-acre subject property was rezoned to Planned Unit Development (PUD) by the City Commission in October 2020, allowing for development of a maximum of 335 dwelling units, including a mix of single-family attached, detached and multi-family dwelling types. The maximum height was limited to 45 feet and the zoning ordinance contained numerous conditions relating to enhanced buffers, setbacks, sidewalks and other requirements.

The property owners conveyed a utility easement to the City of LaBelle to allow for access to the City's wastewater treatment plant facility to the east of the subject property.

Due to changes in market conditions, the Applicant is seeking a five (5) year extension to the PUD approval, extending the expiration date from October 8, 2025 to October 8, 2030. In addition to this modification to the zoning conditions, Staff has included minor changes to reflect current condition language relating to fire prevention and impact fees. The changes to conditions are shown in strikethrough/underline format below.

1. The Rezone request applied to the property is described in Exhibit 'A'.
2. The PUD is limited to a maximum of 335 dwelling units, limited to 110 single-family and 225 multi-family or townhouse dwelling units.
3. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit 'B'.
4. Development Standards will conform to the Development Standards Table, attached as Exhibit 'C'.
5. All development must conform to the general design of the Master Concept Plan contained in Exhibit 'D' and the requirements of the Land Development Code.
6. All buildings (including residential and any recreational amenity structures), signage and accessory structures within the development must have consistent architectural theme and color palette.
7. Site construction plans must demonstrate an internal sidewalk system to connect the residential buildings to on-site amenities and recreational areas, parking, and to the external sidewalk network.
8. A 5-foot-wide sidewalk must be installed along the Martin Luther King Jr. Blvd. frontage.
9. Residential buildings must be located a minimum of 100 feet from the City Wastewater Treatment Facility to the east of the project.
10. Development must connect to the City's potable water and sanitary sewer system. A demonstration of capacity will be required at the time of development, in addition to sufficient water pressure for a hydrant system and sprinklers within the building, if required by the Florida Building Code and NFPA fire prevention code.
11. The requirement for traffic signals and/or turn lanes at the project entrances will be evaluated at the time of site construction permit review.
12. The developer shall be required to obtain all necessary local, state, and federal permits for development prior to construction activities, including local site construction plan permit, plat (if applicable), and building permits.
13. The developer/owner or their designee, which may include a property owners association (POA) or homeowner's association (HOA) must maintain common areas, parking areas, and

- infrastructure within the community. If a POA/HOA is established, documents must be provided to the City at the time of site construction plan permitting.
14. A minimum of 30% of the development, or 16.8+/- acres, of open space shall be provided within the PUD. A minimum of 5 acres must be usable open space, which may include active and passive recreation areas.
  15. Parking for residential dwelling unit shall be provided in accordance with the Land Development Code. In addition, any common residential recreation area on the site must include a minimum of three (3) parking spaces including one (1) ADA space.
  16. Dumpsters, recycling facilities and service areas must be located a minimum of 25 feet from the PUD perimeter and be screened via an opaque wall, fence or enclosure that is a minimum 6-feet in height.
  17. The three (3) building areas located at the south of the PUD must be setback a minimum of 50 feet from the PUD boundary.
  18. An enhanced 25-foot right-of-way buffer must be provided on the Dr. Martin Luther King Jr. Blvd. frontage. The buffer must include a double-staggered hedgerow, two (2) large trees, and two (2) medium trees per per 100 linear feet. The double-staggered hedgerow must be 36-inches at time of planting and maintained at 48 inches.
  19. 25-foot-wide buffers must be provided along the southern, northern, and eastern boundaries of the PUD. The buffer must include a double-staggered hedgerow, and three (3) large trees per 100 linear feet. The double-staggered hedgerow must be 36-inches at time of planting and maintained at 48 inches.
  20. A 50-foot-wide buffer must be provided where the project abuts the City wastewater treatment plan in the area shown on the Master Concept Plan. The buffer must include an 8-foot tall opaque wall or fence and five (5) large medium trees per 100 linear feet.
  21. The site construction plan permits must demonstrate one (1) covered bus stop for school-age children at one (1) of the project entrances on Dr. Martin Luther King, Jr. Blvd.
  22. The PUD Master Concept Plan will remain valid for not more than ~~five (5)~~ ten (10) years from the date of City Commission approval. Horizontal construction must commence within ~~five (5)~~ ten (10) years or the MCP will be deemed vacated. Upon such time a new PUD zoning approval must be filed and approved by the City Commission. A one (1) time extension two (2) years may be submitted to the City prior to vacation of the MCP.
  23. The City is conducting a risk assessment and capital planning for adequate fire protection. The project may be subject in the future to impact fees or capital assessments to address the project impact.

**SUGGESTED MOTION(S):**

**APPROVAL:**

I make a motion to approve the Wheeler Grove PUD Amendment.

**APPROVAL WITH CONDITIONS:**

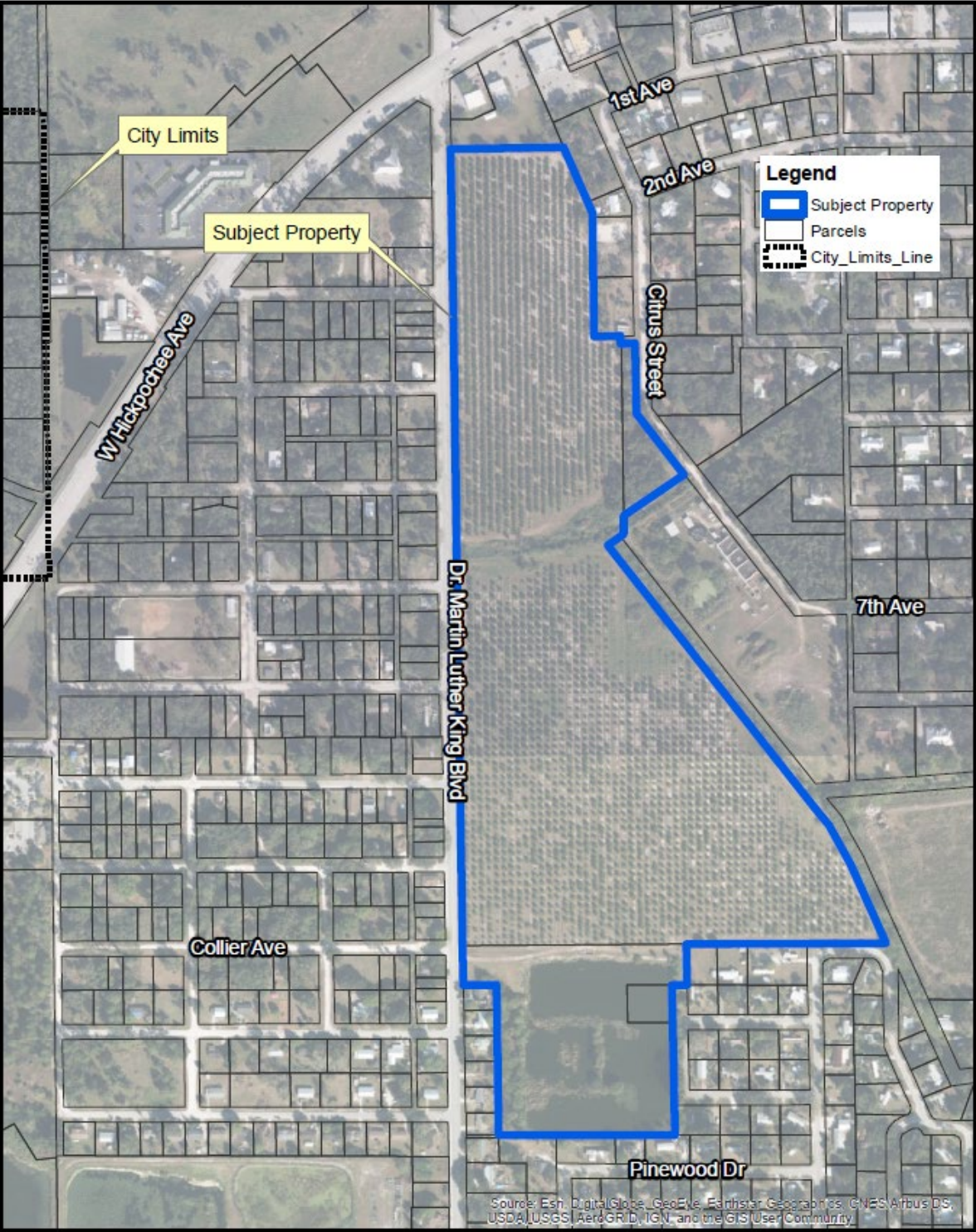
I make a motion to approve the Wheeler Grove PUD Amendment, with the following condition(s):

- 1) as outlined in the staff report;
- OR**
- 2) as outlined in the staff report and amended as follows;
- OR**
- 3) with the following conditions:

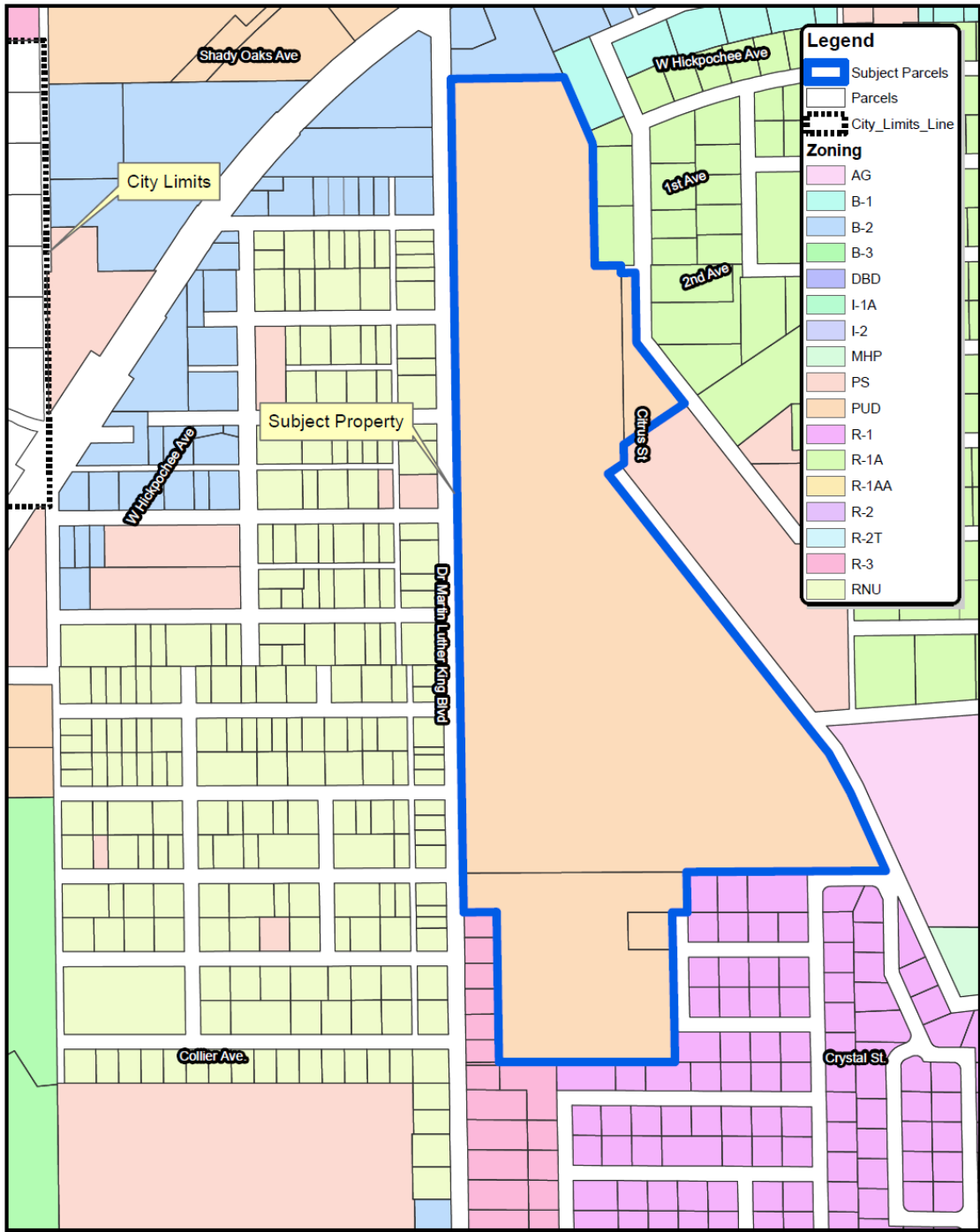
**DENIAL:**

I make a motion to deny the Wheeler Grove PUD Amendment. The request does not meet the criteria:

LOCATION MAP



### CURRENT ZONING MAP



**EXHIBIT A  
LEGAL DESCRIPTION**

**PARCEL 1 (O.R.B. 800, PG. 326)**

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST, IN LABELLE, HENDRY COUNTY, FLORIDA. AND RUN NORTH 89 DEGREES 34 MINUTES 30 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4-NORTHWEST 1/4, 33 FEET TO THE EAST RIGHT OF WAY LINE OF STATE ROAD S731 AND POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE NORTH 0 DEGREES 48 MINUTES 20 SECONDS WEST, ALONG SAID EAST RIGHT OF WAY LINE, 1950.9 FEET; THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS EAST 375.4 FEET; THENCE SOUTH 23 DEGREES 33 MINUTES 40 SECONDS EAST, 237 FEET; THENCE SOUTH 0 DEGREES 59 MINUTES EAST, 411.01 FEET; THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS EAST 87.64 FEET; THENCE SOUTH 0 DEGREES 50 MINUTES 30 SECONDS EAST, 658.4 FEET; THENCE SOUTH 55 DEGREES 46 MINUTES WEST, 65.22 FEET; THENCE SOUTH 38 DEGREES 12 MINUTES EAST, 1107.55 FEET; THENCE SOUTH 39 DEGREES 19 MINUTES EAST, 78.31 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES EAST, 139.66 FEET; THENCE SOUTH 24 DEGREES 25 MINUTES EAST, 296.88 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 30 SECONDS WEST, 1406.7 FEET TO THE EAST R/W LINE OF STATE ROAD S731; THENCE NORTH 0 DEGREES 50 MINUTES WEST, ALONG SAID EAST R/W LINE, 709.5 FEET TO THE POINT OF BEGINNING. CONTAINING 46.0 ACRES AND SUBJECT TO A STATE ROAD DEPARTMENT DRAINAGE EASEMENT AS RECORDED IN DEED BOOK 18, PAGE 564, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

AND

**PARCEL 2 (O.R.B. 645, PG. 120)**

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8 AND RUN S 89°12'30" W, ALONG THE SOUTH LINE OF W.T. MADDOX'S FIRST ADDITION TO BELMONT, AS RECORDED IN PLAT BOOK 3, PAGE 8, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA, (SAID LINE ALSO BEING THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4), A DISTANCE OF 685.08 FEET TO THE WESTERLY RIGHT OF WAY LINE OF A FIFTY (50) FOOT WIDE STREET AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE S 00°59'16" E, ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 257.88 FEET; THENCE S 38°13'13" E, CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 308.45 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF A STATE ROAD DEPARTMENT DITCH EASEMENT AS MAINTAINED, AND OCCUPIED AND MONUMENTED AND THE NORTHEASTERLY CORNER OF THE CITY OF LABELLE SEWER PLANT PROPERTY; THENCE S 55°43'11" W, ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE NORTHERLY LINE OF THE CITY OF LABELLE SEWER PLANT PROPERTY, A DISTANCE OF 281.96 FEET TO THE EAST LINE OF A CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 139, PAGE 304, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA; THENCE N 00°49'47" W, ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 139, PAGE 304, A DISTANCE OF 658.40 FEET TO THE SOUTH LINE OF SAID W.T. MADDOX'S FIRST ADDITION TO BELMONT; THENCE N 89°12'30" E, ALONG THE SOUTH LINE OF SAID W.T. MADDOX'S FIRST ADDITION TO BELMONT, A DISTANCE



OF 47.25 FEET TO THE POINT OF BEGINNING. SUBJECT TO A STATE ROAD DEPARTMENT DRAINAGE DITCH EASEMENT AS RECORDED IN DEED BOOK 18, PAGE 564, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.  
AND

**PARCEL 3 (O.R.B. 746, PG. 174)**

BEGINNING 709 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA; THENCE RUN EAST 730.10 FEET; THENCE RUN SOUTH 122.95 FEET; THENCE RUN WEST 200 FEET; THENCE SOUTH 125.00 FEET; THENCE RUN EAST 150 FEET; THENCE RUN SOUTH 375 FEET; THENCE RUN WEST 570 FEET; THENCE RUN NORTH 500 FEET; THENCE RUN WEST 110 FEET; THENCE RUN NORTH 130 FEET TO THE POINT OF BEGINNING.  
AND

**PARCEL 4 (O.R.B. 746, PG. 172)**

LOT 1, BLOCK 12, W.T. MADDOX'S FIRST ADDITION TO ENGLEWOOD TERRACE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 107, OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

**EXHIBIT B  
SCHEDULE OF USES**

Residential Accessory Structures

Residential Dwelling Units

North of Primary Entrance:

Single-Family Detached

Single-Family Attached

Duplex

Triplex

Quadraplex

Townhouse

South of Primary Entrance:

Single-Family Detached

Single-Family Attached

Duplex

Triplex

Quadraplex

Townhouse

Multi-Family

Essential services, such as but not limited to cable, fiber optic, public utilities

Fences and walls in accordance with LDC Chapter 4

Gates and gatehouses

Model Home/Unit

Recreational amenities, private, on-site

Community Structures, including but not limited to clubhouse, pool

Playgrounds

Signs per Chapter 4 of LDC

**EXHIBIT C  
SITE DEVELOPMENT REGULATIONS**

	Single-Family Detached	Single-Family Attached	Duple x	Townhouse	Triplex Quadplex	Multi-Family	Amenity/ Clubhouse
Min. Lot Size	5,000 SF	1,950 SF	5,000 SF/ building	1,600 SF	N/A	N/A	10,000 SF
Min. Depth	100'	65'	100'	100'	N/A	N/A	N/A
Min. Width	50'	30'	50'	16'	N/A	N/A	N/A
Max. Height <sup>(1)</sup>	35'	35'	35'	35'	35'	45'	35'
Max. Lot Coverage	50%	65%	65%	70%	70%	70%	50%
Min. Unit Size	1,200 SF	800 SF	800 SF	800 SF	750 SF	750 SF	N/A
<b>BUILDING SETBACKS</b>							
Martin Luther King Jr. Blvd.	25'	25'	25'	25'	25'	25'	25'
Street/Front(1)	20'	20'	20'	20'	20'	20'	20'
Side	6'	0'/7.5'	0'/7.5'	0'/7.5'	½ Building Height	½ Building Height	½ Building Height
Rear (Principal)	15'	15'	10'	10'	10'	10'	10'
Rear (Accessory)	5'	5'	5'	5'	5'	5'	5'
Waterbody	25'	25'	25'	25'	25'	25'	25'
PUD Perimeter Setbacks (2)	25'	25'	25'	25'	25'	25'	25'

(1) Secondary front yards on corner lots may be reduced to 15 feet.

Residential buildings must be setback a minimum of 100 feet from the shared property line with the City wastewater treatment facility, and 50 feet from the southern property line



1 CITY OF LABELLE  
2 ORDINANCE 2024-11  
3 WHEELER GROVE PLANNED UNIT DEVELOPMENT  
4

5 AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF  
6 LABELLE ZONING MAP FOR A 56+/-ACRE PROPERTY LOCATED IMMEDIATELY  
7 EAST OF DR. MARTIN LUTHER KING JR. BLVD. AND SOUTH OF STATE ROAD 80;  
8 AMENDING THE ZONING DISTRICT FROM AGRICULTURE (AG), SINGLE-  
9 FAMILY-LOW DENSITY (R-1A), AND SINGLE-FAMILY MEDIUM DENSITY (R-1) TO  
10 THE PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT; PROVIDING FOR  
11 IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT;  
12 PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

13  
14 WHEREAS, Wheeler Properties, LLC and Town Grove, LLC are the “Owners” of real  
15 property, located south of State Road 80/West Hickpochee Avenue and east of Dr. Martin Luther  
16 King Jr. Blvd., City of LaBelle, Florida, further described in Exhibit “A”, attached hereto;

17  
18 WHEREAS, the City of LaBelle adopted the Outlying Mixed-Use future land use category  
19 to allow for development of master-planned communities providing a full range of housing types;  
20 and

21  
22 WHEREAS, the Owner, filed an application to rezone the subject property to Planned Unit  
23 Development to allow for the development of a residential community consistent with the City’s  
24 intent for the Outlying Mixed-Use future land use category; and

25  
26 WHEREAS, after duly advertised public hearings held on July 9, 2020 before the LaBelle  
27 Local Planning Agency “LPA”, and on August 13, 2020 and October 8, 2020 before the City  
28 Commission; and,

29  
30 WHEREAS, the City Commission for the City of LaBelle has determined that the requested  
31 PUD rezoning is in compliance with the land use designation of “Outlying Mixed-Use” and  
32 approval of the rezoning application will further the goals and objectives of the City of LaBelle  
33 Comprehensive Plan; and,

34  
35 WHEREAS, the subject application and plans have been reviewed by City of LaBelle  
36 Planning Department in accordance with applicable regulations for compliance with all terms of  
37 the administrative approval procedures; and

38  
39 NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of LaBelle,  
40 Florida:

41  
42 Section 1. The forgoing recitals are true and correct and are incorporated herein by this  
43 reference.  
44

45           **Section 2.** The above-mentioned Planned Unit Development (PUD) is hereby amended,  
46 upon a finding that this is the most appropriate use of the property and this use will promote,  
47 protect and improve the health, safety, comfort, good order, appearance, convenience and general  
48 welfare of the public subject to the following conditions:  
49

- 50           1. The Rezone request applied to the property is described in Exhibit ‘A’.
- 51           2. The PUD is limited to a maximum of 335 dwelling units, limited to 110 single-family and  
52           225 multi-family or townhouse dwelling units.
- 53           3. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit  
54           ‘B’.
- 55           4. Development Standards will conform to the Development Standards Table, attached as  
56           Exhibit ‘C’.
- 57           5. All development must conform to the general design of the Master Concept Plan contained  
58           in Exhibit ‘D’ and the requirements of the Land Development Code.
- 59           6. All buildings (including residential and any recreational amenity structures), signage and  
60           accessory structures within the development must have consistent architectural theme and  
61           color palette.
- 62           7. Site construction plans must demonstrate an internal sidewalk system to connect the  
63           residential buildings to on-site amenities and recreational areas, parking, and to the external  
64           sidewalk network.
- 65           8. A 5-foot wide sidewalk must be installed along the Martin Luther King Jr. Blvd. frontage.
- 66           9. Residential buildings must be located a minimum of 100 feet from the City Wastewater  
67           Treatment Facility to the east of the project.
- 68           10. Development must connect to the City’s potable water and sanitary sewer system. A  
69           demonstration of capacity will be required at the time of development, in addition to  
70           sufficient water pressure for a hydrant system and sprinklers within the building, if required  
71           by the Florida Building Code and NFPA fire prevention code.
- 72           11. The requirement for traffic signals and/or turn lanes at the project entrances will be  
73           evaluated at the time of site construction permit review.
- 74           12. The developer shall be required to obtain all necessary local, state, and federal permits for  
75           development prior to construction activities, including local site construction plan permit,  
76           plat (if applicable), and building permits.
- 77           13. The developer/owner or their designee, which may include a property owners association  
78           (POA) or homeowner’s association (HOA) must maintain common areas, parking areas,  
79           and infrastructure within the community. If a POA/HOA is established, documents must  
80           be provided to the City at the time of site construction plan permitting.
- 81           14. A minimum of 30% of the development, or 16.8+/- acres, of open space shall be provided  
82           within the PUD. A minimum of 5 acres must be usable open space, which may include  
83           active and passive recreation areas.
- 84           15. Parking for residential dwelling unit shall be provided in accordance with the Land  
85           Development Code. In addition, any common residential recreation area on the site must  
86           include a minimum of three (3) parking spaces including one (1) ADA space.
- 87           16. Dumpsters, recycling facilities and service areas must be located a minimum of 25 feet  
88           from the PUD perimeter and be screened via an opaque wall, fence or enclosure that is a  
89           minimum 6-feet in height.

- 90 17. The three (3) building areas located at the south of the PUD must be setback a minimum  
91 of 50 feet from the PUD boundary.
- 92 18. An enhanced 25-foot right-of-way buffer must be provided on the Dr. Martin Luther King  
93 Jr. Blvd. frontage. The buffer must include a double-staggered hedgerow, two (2) large  
94 trees, and two (2) medium trees per per 100 linear feet. The double-staggered hedgerow  
95 must be 36-inches at time of planting and maintained at 48 inches.
- 96 19. 25-foot wide buffers must be provided along the southern, northern, and eastern boundaries  
97 of the PUD. The buffer must include a double-staggered hedgerow, and three (3) large trees  
98 per 100 linear feet. The double-staggered hedgerow must be 36-inches at time of planting  
99 and maintained at 48 inches.
- 100 20. A 50-foot wide buffer must be provided where the project abuts the City wastewater  
101 treatment plan in the area shown on the Master Concept Plan. The buffer must include an  
102 8-foot tall opaque wall or fence and five (5) large medium trees per 100 linear feet.
- 103 21. The site construction plan permits must demonstrate one (1) covered bus stop for school-  
104 age children at one (1) of the project entrances on Dr. Martin Luther King, Jr. Blvd.
- 105 22. The PUD Master Concept Plan will remain valid for not more than five (5) years from the  
106 date of City Commission approval. Horizontal construction must commence within five  
107 (5) years or the MCP will be deemed vacated. Upon such time a new PUD zoning approval  
108 must be filed and approved by the City Commission. A one (1) time extension two (2)  
109 years may be submitted to the City prior to vacation of the MCP.

110  
111 **Section 3. Conflict with other Ordinances.** The provisions of this article shall supersede any  
112 provisions of existing ordinances in conflict herewith to the extent of said conflict.

113  
114 **Section 4. Severability.** In the event that any portion of this ordinance is for any reason held  
115 invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a  
116 separate, distinct and independent provision, and such holding shall not affect the validity of the  
117 remaining portions of this ordinance.

118  
119 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its  
120 adoption.

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123

124 **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, MMC, Deputy City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

By: \_\_\_\_\_  
Derek Rooney, City Attorney

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



**EXHIBIT A  
LEGAL DESCRIPTION**

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PARCEL 1 (O.R.B. 800, PG. 326)

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST, IN LABELLE, HENDRY COUNTY, FLORIDA. AND RUN NORTH 89 DEGREES 34 MINUTES 30 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4-NORTHWEST 1/4, 33 FEET TO THE EAST RIGHT OF WAY LINE OF STATE ROAD S731 AND POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE NORTH 0 DEGREES 48 MINUTES 20 SECONDS WEST, ALONG SAID EAST RIGHT OF WAY LINE, 1950.9 FEET; THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS EAST 375.4 FEET; THENCE SOUTH 23 DEGREES 33 MINUTES 40 SECONDS EAST, 237 FEET; THENCE SOUTH 0 DEGREES 59 MINUTES EAST, 411.01 FEET; THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS EAST 87.64 FEET; THENCE SOUTH 0 DEGREES 50 MINUTES 30 SECONDS EAST, 658.4 FEET; THENCE SOUTH 55 DEGREES 46 MINUTES WEST, 65.22 FEET; THENCE SOUTH 38 DEGREES 12 MINUTES EAST, 1107.55 FEET; THENCE SOUTH 39 DEGREES 19 MINUTES EAST, 78.31 FEET; THENCE SOUTH 28 DEGREES 25 MINUTES EAST, 139.66 FEET; THENCE SOUTH 24 DEGREES 25 MINUTES EAST, 296.88 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 30 SECONDS WEST, 1406.7 FEET TO THE EAST R/W LINE OF STATE ROAD S731; THENCE NORTH 0 DEGREES 50 MINUTES WEST, ALONG SAID EAST R/W LINE, 709.5 FEET TO THE POINT OF BEGINNING. CONTAINING 46.0 ACRES AND SUBJECT TO A STATE ROAD DEPARTMENT DRAINAGE EASEMENT AS RECORDED IN DEED BOOK 18, PAGE 564, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

AND

PARCEL 2 (O.R.B. 645, PG. 120)

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8 AND RUN S 89°12'30 W, ALONG THE SOUTH LINE OF W.T. MADDOX'S FIRST ADDITION TO BELMONT, AS RECORDED IN PLAT BOOK 3, PAGE 8, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA, (SAID LINE ALSO BEING THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4), A DISTANCE OF 685.08 FEET TO THE WESTERLY RIGHT OF WAY LINE OF A FIFTY (50) FOOT WIDE STREET AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE S 00°59'16" E, ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 257.88 FEET; THENCE S 38°13'13" E, CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 308.45 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF A STATE ROAD DEPARTMENT DITCH EASEMENT AS

199 MAINTAINED, AND OCCUPIED AND MONUMENTED AND THE NORTHEASTERLY  
200 CORNER OF THE CITY OF LABELLE SEWER PLANT PROPERTY; THENCE S 55°43'11"  
201 W, ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE NORTHERLY LINE OF  
202 THE CITY OF LABELLE SEWER PLANT PROPERTY, A DISTANCE OF 281.96 FEET TO  
203 THE EAST LINE OF A CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS  
204 BOOK 139, PAGE 304, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA; THENCE N  
205 00°49'47" W, ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN  
206 OFFICIAL RECORDS BOOK 139, PAGE 304, A DISTANCE OF 658.40 FEET TO THE  
207 SOUTH LINE OF SAID W.T. MADDOX'S FIRST ADDITION TO BELMONT; THENCE N  
208 89°12'30" E, ALONG THE SOUTH LINE OF SAID W.T. MADDOX'S FIRST ADDITION TO  
209 BELMONT, A DISTANCE OF 47.25 FEET TO THE POINT OF BEGINNING. SUBJECT TO  
210 A STATE ROAD DEPARTMENT DRAINAGE DITCH EASEMENT AS RECORDED IN  
211 DEED BOOK 18, PAGE 564, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

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214 PARCEL 3 (O.R.B. 746, PG. 174)

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216 BEGINNING 709 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4  
217 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST,  
218 HENDRY COUNTY, FLORIDA; THENCE RUN EAST 730.10 FEET; THENCE RUN SOUTH  
219 122.95 FEET; THENCE RUN WEST 200 FEET; THENCE SOUTH 125.00 FEET; THENCE  
220 RUN EAST 150 FEET; THENCE RUN SOUTH 375 FEET; THENCE RUN WEST 570 FEET;  
221 THENCE RUN NORTH 500 FEET; THENCE RUN WEST 110 FEET; THENCE RUN NORTH  
222 130 FEET TO THE POINT OF BEGINNING.

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225 PARCEL 4 (O.R.B. 746, PG. 172)

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227 LOT 1, BLOCK 12, W.T. MADDOX'S FIRST ADDITION TO ENGLEWOOD TERRACE,  
228 ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 107, OF  
229 THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

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**EXHIBIT B**  
**SCHEDULE OF USES**

- Residential Accessory Structures
- Residential Dwelling Units
  - North of Primary Entrance:
    - Single-Family Detached
    - Single-Family Attached
    - Duplex
    - Triplex
    - Quadraplex
    - Townhouse
  - South of Primary Entrance:
    - Single-Family Detached
    - Single-Family Attached
    - Duplex
    - Triplex
    - Quadraplex
    - Townhouse
    - Multi-Family
- Essential services, such as but not limited to cable, fiber optic, public utilities
- Fences and walls in accordance with LDC Chapter 4
- Gates and gatehouses
- Model Home/Unit
- Recreational amenities, private, on-site
  - Community Structures, including but not limited to clubhouse, pool
  - Playgrounds
- Signs per Chapter 4 of LDC

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### EXHIBIT C SITE DEVELOPMENT REGULATIONS

	Single-Family Detached	Single-Family Attached	Duplex	Townhouse	Triplex Quadplex	Multi-Family	Amenity/Clubhouse
Min. Lot Size	5,000 SF	1,950 SF	5,000 SF/ building	1,600 SF	N/A	N/A	10,000 SF
Min. Depth	100'	65'	100'	100'	N/A	N/A	N/A
Min. Width	50'	30'	50'	16'	N/A	N/A	N/A
Max. Height <sup>(1)</sup>	35'	35'	35'	35'	35'	45'	35'
Max. Lot Coverage	50%	65%	65%	70%	70%	70%	50%
Min. Unit Size	1,200 SF	800 SF	800 SF	800 SF	750 SF	750 SF	N/A
<b>BUILDING SETBACKS</b>							
Martin Luther King Jr. Blvd.	25'	25'	25'	25'	25'	25'	25'
Street/Front(1)	20'	20'	20'	20'	20'	20'	20'
Side	6'	0'/7.5'	0'/7.5'	0'/7.5'	½ Building Height	½ Building Height	½ Building Height
Rear (Principal)	15'	15'	10'	10'	10'	10'	10'
Rear (Accessory)	5'	5'	5'	5'	5'	5'	5'
Waterbody	25'	25'	25'	25'	25'	25'	25'
PUD Perimeter Setbacks (2)	25'	25'	25'	25'	25'	25'	25'

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- (1) Secondary front yards on corner lots may be reduced to 15 feet.
- (2) Residential buildings must be setback a minimum of 100 feet from the shared property line with the City wastewater treatment facility, and 50 feet from the southern property line.

