

# CITY OF LABELLE



## AGENDA

**Local Planning Agency Meeting**  
Thursday, June 12, 2025, at 5:30 PM

LaBelle Commission Chambers  
481 West Hickpochee Ave  
LaBelle, FL 33975

### **CITY COMMISSION:**

Julie C. Wilkins., Mayor  
Kevin Holland, 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 2025 - 02 (first reading) LABELLE CHAPTER 144 DISABLED AMERICAN VETERANS PLANNED UNIT DEVELOPMENT AMENDMENT AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING ORDINANCE 2020-14 FOR THE DISABLED AMERICAN VETERANS FLEA MARKET PLANNED UNIT DEVELOPMENT; ADDING 0.48+/- ACRES TO THE PLANNED UNIT DEVELOPMENT FOR PARKING; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
- B. ORDINANCE 2025 - 03 (first reading) AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA; AMENDING THE CITY OF LABELLE CODE, CHAPTER 11, ARTICLE V, STREET VENDING; AND AMENDING APPENDIX B, LAND DEVELOPMENT CODE, CHAPTER 4, ARTICLE V, SUPPLEMENTARY DISTRICT REGULATIONS, CREATING SECTION 4-92; AMENDING REGULATIONS RELATING TO MOBILE VENDING; PROVIDING FOR RATIFICATION OF PRIOR ACTIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.
- C. ORDINANCE 2025 - 04 (first reading) THE RESIDENCES AT GRANDE OAKS ANNEXATION AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, ANNEXING A 26.26+/--ACRE PROPERTY LOCATED ¼ MILE SOUTH OF HELMS ROAD AND WEST OF STATE ROAD 29, INTO THE CORPORATE LIMITS OF THE CITY OF LABELLE, FLORIDA; IN ACCORDANCE WITH THE ANNEXATION PROVISIONS OF CHAPTER 171, PART II, FLORIDA STATUTES; REDEFINING THE BOUNDARY LINES OF SAID CITY IN CONFORMANCE THEREWITH; AMENDING THE OFFICIAL BOUNDARY MAP OF THE CITY OF LABELLE, FLORIDA, PROVIDING THAT EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS REMAIN UNTIL CHANGED BY THE CITY ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE 13 DATE.
- D. ORDINANCE 2025 - 05 (first reading) THE RESIDENCES AT GRANDE OAKS SMALL-SCALE COMPREHENSIVE PLAN MAP AMENDMENT AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP FOR A 26.26+/--ACRE PROPERTY LOCATED ¼ MILE SOUTH OF HELMS ROAD AND WEST OF STATE ROAD 29; AMENDING THE COMPREHENSIVE PLAN DESIGNATION FOR THE PROPERTY FROM UNINCORPORATED HENDRY COUNTY COMPREHENSIVE PLAN "HIGH DENSITY RESIDENTIAL" DESIGNATION TO THE CITY OF LABELLE "OUTLYING MIXED USE" DESIGNATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
- E. ORDINANCE 2025 - 06 (first reading) THE RESIDENCES AT GRAND OAKS PLANNED UNIT DEVELOPMENT AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR A 26.26+/--ACRE PROPERTY LOCATED ¼ MILE SOUTH OF HELMS ROAD AND WEST OF STATE ROAD 29, AMENDING THE ZONING DESIGNATION FROM UNINCORPORATED HENDRY COUNTY GENERAL AGRICULTURE (A-2) ZONING DISTRICT TO CITY OF LABELLE PLANNED UNIT DEVELOPMENT (PUD)

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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**  
**LaBelle Chapter 144 Disabled American Veterans**  
**PUD Amendment**

**TYPE OF CASE:** Planned Unit Development Amendment

**STAFF REVIEWER:** Alexis Crespo, AICP

**DATE:** June 12, 2025

**APPLICANT:** LaBelle Chapter 144 Disabled American Veterans Dept. of Florida, Inc. (Privately Initiated)

**AGENT:** Bob Schall

**REQUEST:** Amend the DAV Planned Unit Development (PUD) to add 0.48 acres to the PUD zoning district to allow for an expansion of parking lot used for the Applicant’s flea market use located at 220 Selma Daniels Avenue.

**LOCATION:** South of Miller Avenue between Martin Luther King Jr. Blvd. and Selma Daniels Avenue, Labelle, FL 33935 (See Location Map, Exhibit A)

**PROPERTY SIZE:** 1.8+/- acres

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

Existing Future Land Use Designation: Residential  
Existing Zoning: Residential Neighborhood Urban (RNU)  
Land Use: Vacant

**SURROUNDING LAND USE:**

**North:** FLU – Outlying Mixed Use  
Zoning – Commercial (B-2)  
Land Use – Public Right-of-Way (Miller Avenue); Flea Market

**South:** FLU – Residential  
Zoning – Residential Neighborhood Urban (RNU)  
Land Use – Mobile Home; Church; Vacant

**East:** FLU – Residential  
 Zoning – Residential Neighborhood Urban (RNU)  
 Land Use – Vacant

**West:** FLU – Outlying Mixed-Use  
 Zoning – Commercial (B-2)  
 Land Use – Public Right-of-Way (Selma Daniels Avenue); Vacant

**STAFF NARRATIVE:**

LaBelle Chapter 144 of the Disabled American Veterans, LLC (“Applicant”) is seeking amendments to the Planned Unit Development approved per Ordinance 2019-24, and amended by Ordinance 2020-14, to allow for an expansion of the flea market parking lot. See Exhibit A for a Location Map depicting the DAV PUD.

The Subject Property is generally located south of SR 80/Hickpochee Avenue, east of Selma Daniels Avenue, south of Miller Avenue, and west of Martin Luther King Jr. Blvd. The subject property is vacant/undeveloped and contains existing vegetation including several significant oak trees. The parcels are accessed from Miller Avenue and Selma Daniels Avenue.

The Applicant currently hosts an outdoor flea market on Saturdays from approximately 7 a.m. until 4 p.m. at their property located at 228 Miller Avenue – immediately north of the subject property. The Applicant acquired an additional 0.48-acre property, contiguous to the existing PUD boundary and immediately north of Manatee Avenue. The Applicant intends to limit use of this additional property to parking lot to serve the flea market and adjacent commercial use at 220 Selma Daniels (as approved by Ordinance 2020-14.

**STAFF RECOMMENDATION:**

Staff finds that the proposed PUD amendment is consistent with the Land Development Code and the Comprehensive Plan and recommends APPROVAL to allow the flea market parking lot to be expanded, subject to all conditions of approval from Ordinance 2020-14. No changes to the adopted conditions are proposed to accommodate the expansion of the parking lot, as reflected below.

1. The PUD rezone applies to the property as described in Exhibit ‘A’.
2. The only allowable use granted by this PUD is “Parking lot”, ancillary to flea market and commercial office uses at 220 Selma Daniels Avenue. Any other use of the property will require PUD rezoning approval. If the flea market use to the north of Miller Avenue discontinues in accordance with LDC Section 4-108, the zoning of this property will revert back to Residential Neighborhood Urban (RNU).
3. Parking is only permitted during hours of operation for the Disabled American Veterans flea market on Saturdays only, from 7 a.m. to 4 p.m., with the exception of vendor loading/unloading and set-up, and daily from 7 a.m. to 9 p.m. for the real estate sales office located at 220 Selma Daniels Avenue.
4. No vertical structures may be developed on the site with the exception of fencing complying the Land Development Code; one (1) 20’ x 30’ storage building; and ancillary trash receptacles. The storage building must have permissible veneer or siding set forth in LDC Sec. 4-63, limited to lathe and stucco, block and stucco, lap siding, brick, vinyl lap siding, wood, any composite materials specifically manufactured or designed as siding. The façade facing SR 80 (north) must

- include a minimum of one (1) window not less than 3' X 3'. The accessory storage building must maintain 20' street/front setback; 10' rear setback; and 15' side yard setbacks.
5. Parking spaces may be delineated by wood post, log or other mechanism to ensure orderly parking on the site. The site will be maintained with grass and/or stabilized material subject to approval by the Superintendent of Public Works.
  6. A minor site clearing permit must be obtained from the City prior to the clearing of vegetation from the site. The Applicant will make every reasonable effort to preserve existing vegetation on the site, particularly along the south and east property lines. All significant oak trees must be preserved/protected in accordance with the Land Development Code and are not authorized for removal via this PUD.

**SUGGESTED MOTION(S):**

**APPROVAL:**

I make a motion to recommend approval of the rezoning of the Subject Property from RNU and PUD to PUD.

**APPROVAL WITH CONDITIONS:**

I make a motion to recommend approval of the rezoning of the Subject Property from RNU and PUD to PUD 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:

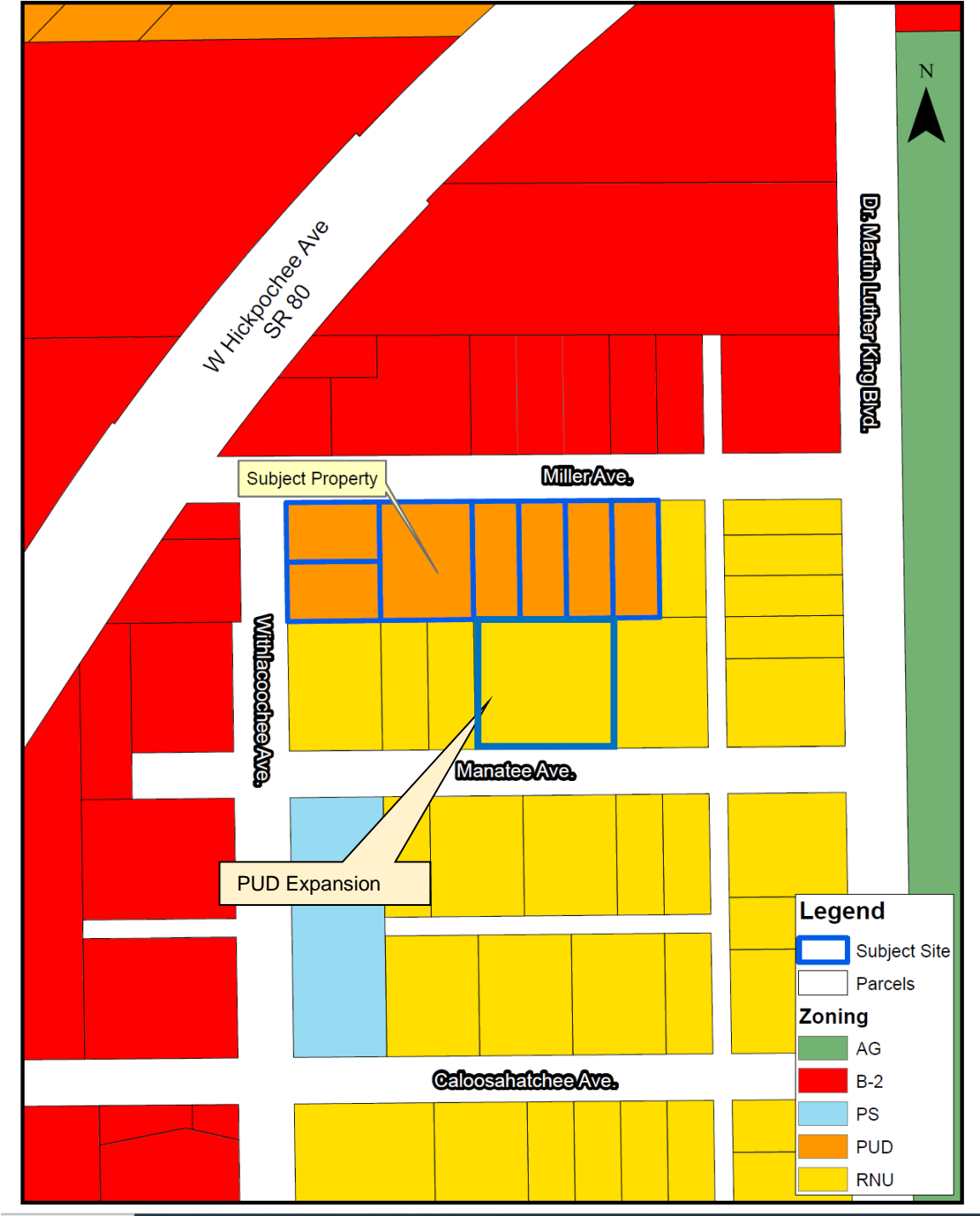
**DENIAL:**

I make a motion to recommend denial of the rezone request from RNU & PUD to PUD.

The request does not meet the rezoning/PUD criteria:

- 1) .... Why?

EXHIBIT A  
CURRENT ZONING MAP/LOCATION MAP



CITY OF LABELLE  
ORDINANCE 2025-02  
LABELLE CHAPTER 144 DISABLED AMERICAN VETERANS  
PLANNED UNIT DEVELOPMENT AMENDMENT

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING ORDINANCE 2020-14 FOR THE DISABLED AMERICAN VETERANS FLEA MARKET PLANNED UNIT DEVELOPMENT; ADDING 0.48+/-ACRES TO THE PLANNED UNIT DEVELOPMENT FOR PARKING; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, LaBelle Chapter 144 Disabled Veterans Dept. of Florida, Inc. is the “Owner” of real property, generally located south of Miller Avenue and east of Selma Daniels Avenue, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto, and

**WHEREAS**, the Owner acquired an additional 0.48+/-acre property north of Manatee Avenue and immediately contiguous to the PUD established by Ordinance 2019-24, and amended by Ordinance 2020-14, to accommodate temporary overflow parking for the principal flea market use; and

**WHEREAS**, after duly advertised public hearings held on June 12, 2025 before the Local Planning Agency “LPA”, and a public hearing on August 14, 2025 before the City Commission; and,

**WHEREAS**, the City Commission for the City of LaBelle has determined that the requested rezoning is in compliance with the land use designation of “Residential” due to the limited hours of operation and scope of the flea market use, and approval of the rezoning application will further the goals and objectives of the City of LaBelle Comprehensive Plan; and,

**WHEREAS**, the City Commission for the City of LaBelle has determined the amendment to conditions contained in PUD Ordinance 2025-02 will allow for appropriate use of the property and will protect the health, safety, comfort, good order, appearance, convenience and general welfare of the public.

**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.

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



1. The PUD rezone applies to the property as described in Exhibit ‘A’.
2. The only allowable use granted by this PUD is “Parking lot”, ancillary to flea market and commercial office uses at 220 Selma Daniels Avenue. Any other use of the property will require PUD rezoning approval. If the flea market use to the north of Miller Avenue discontinues in accordance with LDC Section 4-108, the zoning of this property will revert back to Residential Neighborhood Urban (RNU).
3. Parking is only permitted during hours of operation for the Disabled American Veterans flea market on Saturdays only, from 7 a.m. to 4 p.m., with the exception of vendor loading/unloading and set-up, and daily from 7 a.m. to 9 p.m. for the real estate sales office located at 220 Selma Daniels Avenue.
4. No vertical structures may be developed on the site with the exception of fencing complying the Land Development Code; one (1) 20’ x 30’ storage building; and ancillary trash receptacles. The storage building must have permissible veneer or siding set forth in LDC Sec. 4-63, limited to lathe and stucco, block and stucco, lap siding, brick, vinyl lap siding, wood, any composite materials specifically manufactured or designed as siding. The façade facing SR 80 (north) must include a minimum of one (1) window not less than 3’ X 3’. The accessory storage building must maintain 20’ street/front setback; 10’ rear setback; and 15’ side yard setbacks.
5. Parking spaces may be delineated by wood post, log or other mechanism to ensure orderly parking on the site. The site will be maintained with grass and/or stabilized material subject to approval by the Superintendent of Public Works.
6. A minor site clearing permit must be obtained from the City prior to the clearing of vegetation from the site. The Applicant will make every reasonable effort to preserve existing vegetation on the site, particularly along the south and east property lines. All significant oak trees must be preserved/protected in accordance with the Land Development Code and are not authorized for removal via this PUD.

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

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

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

**PASSED AND ADOPTED** in open session this \_\_\_\_ day of \_\_\_\_\_, 2025.

**CITY COMMISSION OF THE CITY OF LABELLE,  
FLORIDA**

By: \_\_\_\_\_  
Julie C. Wilkins, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Tijauna Warner, Deputy Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

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

| Vote:                | AYE   | NAY   |
|----------------------|-------|-------|
| Mayor Wilkins        | _____ | _____ |
| Commissioner Vargas  | _____ | _____ |
| Commissioner Ratica  | _____ | _____ |
| Commissioner Holland | _____ | _____ |
| Commissioner Spratt  | _____ | _____ |

**EXHIBIT A**

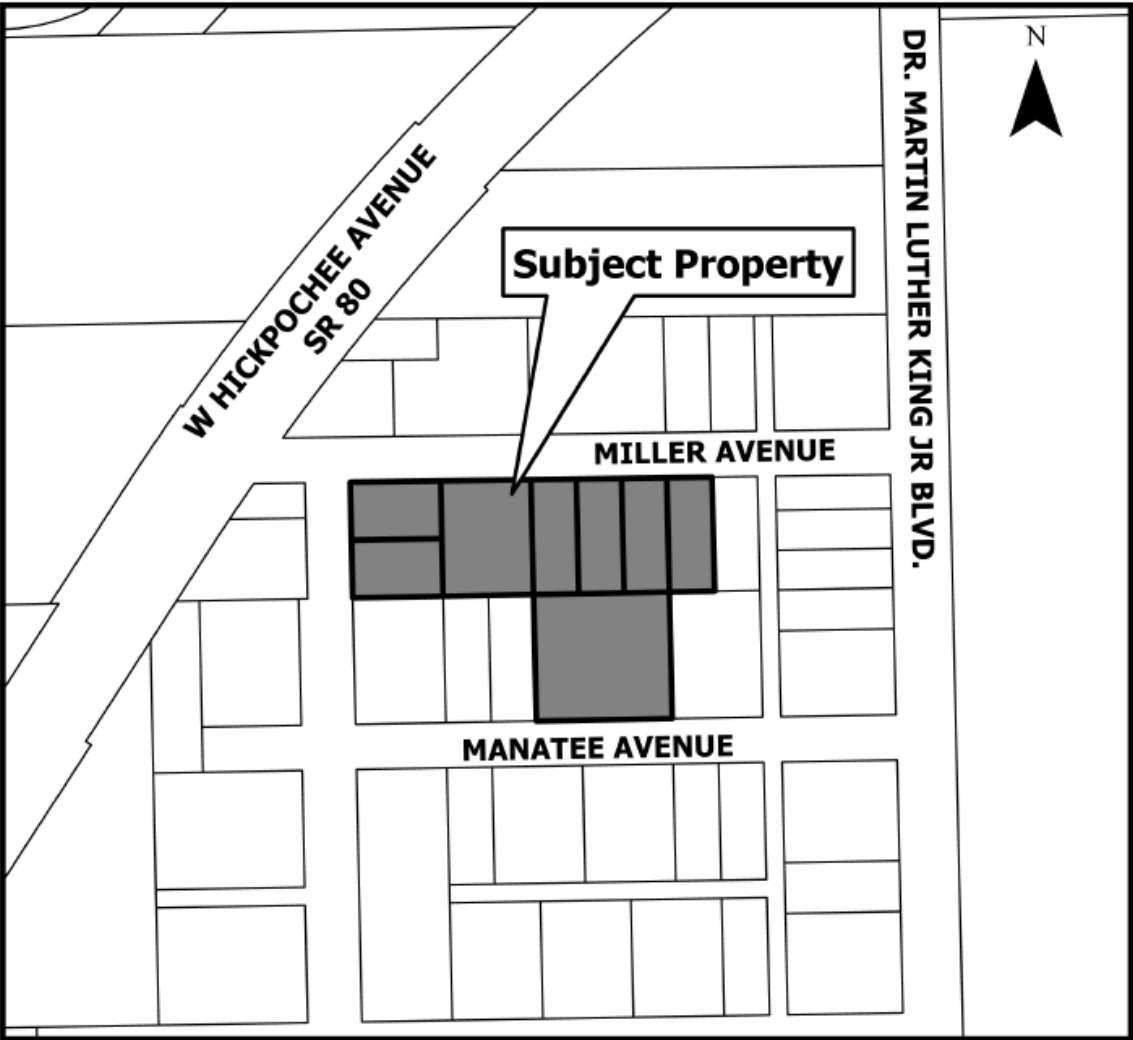
LOTS 9, 11, 13, 15, 17, 19, NORTH ½ OF LOTS 21 AND 23, AND SOUTH ½ OF LOTS 21 AND 23, MILLER'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 67 OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

AND

LOTS 24, 25 AND 26, FORD PARK SECTION ONE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 48 OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

136  
137

EXHIBIT B  
LOCATION MAP



138



**CITY OF LABELLE, FLORIDA**  
**Planning Staff Report**  
**for**  
**Mobile Food Vending Ordinance**

**TYPE OF CASE:** Land Development Code Amendment

**STAFF REVIEWER:** Alexis Crespo, AICP

**DATE:** June 12, 2025

**APPLICANT:** City of LaBelle City Commission

**AGENT:** City of LaBelle City Commission

**REQUEST:** Amend the City of LaBelle Land Development Code to amend the standards for mobile food vending

**LOCATION:** City-wide

**PROPERTY SIZE:** N/A

**STAFF NARRATIVE:**

The City of LaBelle City Commission requested that Staff prepare an ordinance providing amendments to the standards for mobile food vending, more commonly known as food trucks. The current regulations require a Special Exception to establish a food truck use on a property, unless the use is otherwise allowed by a Planned Unit Development zoning district.

A Special Exception requires a minimum application fee of \$1,500 and creates uncertainty for Applicants due to the public hearing process.

Food trucks continue to be a highly demanded use in the City and creates opportunities for restauranteurs to start a food-based business without the upfront capital costs of establishing a “brick and mortar” restaurant. Food trucks also provide the public with diversity of food options.

The amendment as proposed is intended to provide a predictable permitting process that would allow for mobile food vending on non-residentially zoned properties throughout the City, while establishing meaningful regulations to ensure the food trucks do not detract from the local character, public viewsheds and functionality of the subject property as well as abutting rights-of-ways.

The following are the key changes proposed via this amendment:

- Move mobile food vending standards from Chapter 11 of the Code of Ordinances to the Supplementary Regulations Section in Chapter 4 of Land Development Code, as the standards directly relate to land development.
- Establishes an administrative permitting process to allow mobile food vendors to locate on a specified subject site. The process includes required materials to evaluate the appropriateness of the request including site plan, hours of operation, insurance coverage, application fee (to be established by the City Commission) and demonstration that the required agency permits have been obtained, such as health department authorization.
- Establishes limitations on allowable locations based upon the official Zoning Map, access and circulation, adequate parking, and distance separation from other food trucks to avoid proliferation of the use, particularly along the SR 80 and SR 29 corridors, where the highest demand to locate food trucks exists.
- Prohibits food trucks on residentially-zoned property and the Downtown Business District, except Barron Park, where food trucks can operate in accordance with the approved/vested Special Exception approval. Additionally, leniency for food trucks at clubhouses within residential communities has been included. This is allowed in numerous master-planned communities in Southwest Florida, such as Babcock Ranch, and can contribute to community-building and “sense of place”.
- Establishes numerous operating standards to ensure the mobile food vending is functional, attractive and well-maintained. Standards address setbacks, on-site refuse/waste disposal, signage, hours of operation, and prohibition on alcohol consumption, outdoor seating areas and amplified music to avoid competition with “brick and mortar” restaurants, address compatibility, and preclude the need for additional longer-term parking.
- Establishes review criteria and process for addressing violations of these standards.

**STAFF RECOMMENDATION:**

Staff finds that the proposed ordinance is consistent with the Comprehensive Plan and Land Development Code and recommends **APPROVAL**.

**SUGGESTED MOTION(S)**

**APPROVAL:**

I make a motion to recommend approval of the proposed Mobile Food Vending Ordinance.

**APPROVAL WITH MODIFICATION(S):**

I make a motion to recommend approval of the proposed Mobile Food Vending Ordinance with the following changes:

1) ....

**DENIAL:**

I make a motion to recommend denial of the proposed Mobile Food Vending Ordinance.

The request does not meet the intent of the Comprehensive Plan and Land Development Code.

1) ....

ORDINANCE  
NUMBER 2025-03

AN ORDINANCE OF THE CITY OF LABELLE,  
FLORIDA; AMENDING THE CITY OF LABELLE  
CODE, CHAPTER 11, ARTICLE V, STREET  
VENDING; AND AMENDING APPENDIX B, LAND  
DEVELOPMENT CODE, CHAPTER 4, ARTICLE V,  
SUPPLEMENTARY DISTRICT REGULATONS,  
CREATING SECTION 4-92; AMENDING  
REGULATIONS RELATING TO MOBILE  
VENDING; PROVIDING FOR RATIFICATION OF  
PRIOR ACTIONS; PROVIDING FOR  
CODIFICATION, SEVERABILITY, CONFLICTS  
AND AN EFFECTIVE DATE.

RECITALS

**WHEREAS**, the City of LaBelle, Florida has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida; Chapters 163 and 166; and Section 381.986 Florida Statutes; and

**WHEREAS**, the City Commission desires to amend the regulations relating to the mobile vending in the City to allow for the expansion and incubation of local businesses, while ensuring protecting the character of the City and ensuring an attractive and functional built environment; and

**WHEREAS**, the City of LaBelle desires to maintain minimum siting regulations and design standards to ensure compatibility and consistency amongst buildings in the City, and to ensure the protection of public health, safety and welfare; and

**WHEREAS**, the proposed ordinance was properly advertised and has received public hearings before the Local Planning Agency on June 12, 2025, and before the City Commission on July 10, 2025 and August 14, 2025; and

**WHEREAS**, the City finds that this Ordinance is in the interests of the public health, safety, and welfare.

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

**Section 1.** Recitals. The forgoing recitals are hereby ratified and confirmed as being true and correct and hereby made a part of this Ordinance and adopted as legislative findings.

**Section 2.** Amendment to the City Code of Ordinances. Chapter 11, Licenses And Business Regulations, Article V - Street Vending, and the Land Development Code, Chapter



4, Article IV, Zoning, of the City of LaBelle is hereby amended as set forth in Exhibit A attached hereto.

**Section 3. Codification.** This ordinance shall be incorporated into the City of LaBelle Land Development Code. The sections of this Ordinance can be renumbered or re-lettered to the appropriate word or phrase to accomplish codification. Omissions, grammatical, and typographical errors, as well as clarifications of ambiguous wording that do not affect the intent of this Ordinance, may be authorized by the Mayor without need for a public hearing.

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

**Section 5. Conflicts.** The provisions of this article shall supersede any provisions of existing ordinances in conflict herewith to the extent of said conflict.

**Section 6. Effective Date.** This Ordinance shall take effect immediately upon its adoption by the City Commission.

**PASSED AND DULY ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

CITY COMMISSION OF THE CITY OF LABELLE,  
FLORIDA

By: \_\_\_\_\_  
Julie C. Wilkins, Mayor

ATTEST:

By: \_\_\_\_\_  
Tijauna Warner, Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

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

|     |                      |       |       |
|-----|----------------------|-------|-------|
| 93  | Vote:                | AYE   | NAY   |
| 94  |                      |       |       |
| 95  | Mayor Wilkins        | _____ | _____ |
| 96  | Commissioner Vargas  | _____ | _____ |
| 97  | Commissioner Ratica  | _____ | _____ |
| 98  | Commissioner Holland | _____ | _____ |
| 99  | Commissioner Spratt  | _____ | _____ |
| 100 |                      |       |       |

## EXHIBIT A

## THE LABELLE CODE

## CHAPTER 11 - LICENSES AND BUSINESS REGULATIONS

## ARTICLE V. STREET VENDING

**Sec. 11-121. Purpose and intent.**

~~The purpose of this article is to promote public interest and economic development opportunities for the City of LaBelle by providing for an active and attractive pedestrian environment while protecting the health, safety and welfare of its residents.~~

~~Vending operations as described in this article are not permitted on any publicly owned property including, but not limited to, sidewalks, rights of way or parks, except as provided for in section 11-124, Exemptions.~~

**Sec. 11-122. Definitions.**

~~*Mobile vending cart.* An accessory use, consisting of a portable stand and any related accessory appurtenances such as an awning, canopy, or seating, used for the retail sales of goods including, but not limited to, beverages, food, and flowers.~~

~~*Mobile vending trailer.* A mobile trailer operated by a vendor standing on or within the frame of the trailer.~~

~~*Mobile vending vehicle.* Same as above, only motorized.~~

~~*Sidewalk vending.* The peddling, vending, selling, displaying or offering for sale, any item of tangible personal property or other thing of value from a mobile vending cart, by a vendor, to persons on the public right of way, including sidewalks.~~

~~*Street vending.* The peddling, vending, selling, displaying or offering for sale, any item of tangible personal property or other thing of value from a mobile vending trailer or vehicle on the public rights of way, between the curblines, by a vendor, to persons on the sidewalk.~~

~~*Vendor.* Any person or entity that exhibits, displays, offers for sale or sells any food, beverages, goods, wares or merchandise from a mobile vending cart, mobile vending vehicle, or mobile vending trailer.~~

**Sec. 11-123. Permits, application and insurance.**

~~(a) *Special exception permit required.* It shall be unlawful for any person to engage in the business of vending without first obtaining a special exception approval by the city commission.~~

~~(1) A special exception issued under this section shall permit the applicant to conduct operations at the vendor site designated in the permit and only at this site.~~

~~(2) Every special exception shall be nonassignable and nontransferable.~~

~~(3) Proof of special exception approval shall be carried with the vendor when he/she is engaged in vending.~~

~~(4) If the vendor is engaged in the sale of food and beverage for human consumption, a certificate of health inspection shall also be properly and conspicuously displayed at all times during the operation of business.~~

~~(5) Expiration and renewal. The special exception shall require review and renewal by the city commission each year on the anniversary date of the issuance of the permit. Application for renewal must be received no later than the expiration date of the current permit. Any application received after that date shall be processed as a new application.~~

~~(b) Application. In addition to the criteria established in Appendix B, subsection 4-41(b), the special exception application must provide the following information:~~

~~(1) Name and description of the applicant;~~

~~(2) Contact information of the applicant;~~

~~(3) A brief description of the nature of the business and the goods to be sold;~~

~~(4) A certificate of health inspection, or other required inspection, if applicable;~~

~~(5) The proposed method of operation, length of time desired to do business, if a motorized vehicle is to be used, a description of such vehicle, including license number and other means of identification;~~

~~(6) The place where the goods are to be sold, to include the physical location of the vending vehicle;~~

~~(7) Proposed hours of operation; and~~

~~(8) Payment of application fees.~~

~~(c) Insurance.~~

~~(1) Prior to operation, vendors shall obtain any necessary licenses, permits and tax information from appropriate governmental agencies.~~

~~(2) Vendor applicants shall be required to maintain in full force and effect, comprehensive general liability insurance with liability limits of not less than five hundred thousand dollars (\$500,000.00) for the term of the permit.~~

~~(3) Vendors that are engaged in low-risk endeavors such as advertising or advocacy, involving no physical equipment, displays or distribution of ingestible/inhalable items, shall be permitted to sign a hold harmless agreement in lieu of meeting the insurance requirements above. The city attorney shall make a determination if the hold harmless agreement is sufficient based on information supplied by the applicant.~~

~~(4) Once the permit is issued, the applicant has an affirmative duty to maintain all applicable licenses and certifications and to notify the city in writing of any material change in the information provided by the applicant in the original application.~~

~~(5) The applicant shall immediately notify the city of a lapse in insurance coverage.~~

#### **Sec. 11-124. Exemptions.**

~~(a) The provisions of this article do not apply to the following:~~

(1) ~~Goods, wares or merchandise temporarily deposited on the sidewalk in the ordinary course of delivery, shipment or transfer.~~

(2) ~~The placing and maintenance of unattended stands or sales devices for the sale, display or offering for sale of newspapers, magazines, periodicals and paperbound books.~~

(3) ~~Special events authorized by a temporary use permit by the city in accordance with section 4-83 of the Land Development Code.~~

(4) ~~The distribution of free samples of goods, wares and merchandise by any individual from his person.~~

(b) ~~Claims of exemption.~~ Any person claiming to be legally exempt from the regulations set forth in this article shall demonstrate the statute or legal authority under which the exemption is claimed and shall provide to the city proof of qualification of such exemption.

#### **Sec. 11-125. General restrictions.**

(a) ~~Size restrictions.~~

(1) ~~Mobile vending cart/handcart/pushcart.~~ Dimensions shall not exceed five (5) feet in width, nine (9) feet in length, seven (7) feet in height (exclusive of canopies or umbrellas), and must be able to be pushed by one (1) person.

(2) ~~Mobile vending trailer/stand/vehicle.~~ Dimensions shall not exceed sixteen (16) feet in length and eight (8) feet in height.

(b) ~~Location restrictions.~~ No vendor shall be permitted to operate in the following locations:

(1) ~~Within an R (residential) zoning district;~~

(2) ~~Within twenty (20) feet of any street intersection or pedestrian crosswalk;~~

(3) ~~Within fifteen (15) feet of any driveway, loading zone or bus stop;~~

(4) ~~Within fifteen (15) feet of a building entrance;~~

(5) ~~On the median strip of a divided roadway;~~

(6) ~~Against display windows of a fixed location business;~~

(7) ~~Any area within one hundred (100) feet of a hospital, college, elementary school, middle school or high school;~~

(8) ~~Within twenty (20) feet of any fire hydrant or fire escape; or~~

(9) ~~Within ten (10) feet of any parking space or access ramp designed for persons with disabilities.~~

(c) ~~Hours of operation.~~ Hours of operation shall be limited to between the hours of 6:00 a.m. to 9:00 p.m., unless otherwise restricted by special exception.

#### **Sec. 11-126. Littering and trash removal.**

(1) ~~Vendors shall be responsible for keeping sidewalks within fifteen (15) feet of their stands clean of all trash generated by their vending operations.~~

- (2) ~~Vendors must take with them at the end of each day, all trash, litter, garbage, refuse and waste generated by their vending operations. No vendor may use any public receptacle or receptacle on private property without the express permission of the property owner.~~

**~~Sec. 11-127. Prohibited conduct.~~**

- (a) ~~No vendor shall:~~

- ~~(1) Unduly obstruct pedestrian or motor vehicle traffic flow, except for up to ten (10) minutes to load/unload vending stations and/or merchandise;~~
- ~~(2) Obstruct traffic signals or regulatory signs;~~
- ~~(3) Leave any stand unattended at any time;~~
- ~~(4) Connect to utility services without the express permission of the property owner;~~
- ~~(5) Provide off cart signage; and~~
- ~~(6) [Make] excessive noise as described and enforced in chapter 12, article II, division I, of the Code of Ordinances.~~

- (b) ~~Vendors shall be limited to the display or sale of products or services as specified by their special exception approval.~~

**~~Sec. 11-128. Suspension and revocation of permit.~~**

- (a) ~~[Reasons for suspension or revocation.] In addition to the penalties punishable as set forth in the City of LaBelle Code of Ordinances, any permit issued under these regulations may be suspended or revoked for any of the following reasons:~~

- ~~(1) Fraud, misrepresentation, or knowingly making a false statement contained in the application, presented at the special exception public hearing, or presented in the course of carrying on the business of vending;~~
- ~~(2) Conducting the business of vending in any manner contrary to the conditions of the permit;~~
- ~~(3) Conducting the business of vending in such a manner as to create a public nuisance, cause a breach of the peace, constitute danger to public health, safety, welfare or morals, or interfere with the rights of property owners; or~~
- ~~(4) Cancellation of health department authorization for food or beverage vending.~~

~~The vendor's cart/trailer/vehicle may be impounded by code enforcement if the vendor is found to be operating without a permit.~~

- (b) ~~Notification of suspension or revocation. Code enforcement may conduct site checks to determine if vendors are in compliance with the Code. Upon inspection, vendors will be issued a site check notification letter which indicates specific violations. Vendors will be given five (5) working days to correct cited violations. If the violation is not corrected within the five (5) days, the permit may be revoked by code enforcement.~~

- (c) ~~Appeal process. A vendor may appeal the revocation to the city council within thirty (30) days. The city council's decision will be deemed final. An appeal of the city council's final decision may be filed in a court of competent jurisdiction as an appeal of a final order.~~

\*\*\*\*\*

## APPENDIX B - LAND DEVELOPMENT CODE

### CHAPTER 4 - ZONING

#### ARTICLE V. - SUPPLEMENTARY DISTRICT REGULATIONS

**Sec. 4-78 through Sec. 4-91. [NO CHANGES]**

#### **Sec. 4-92. Mobile Food Vending.**

##### **Sec. 4-92.1. Intent and applicability.**

- (a) The City of LaBelle recognizes that the use of mobile food vending, commonly referred to as “food trucks”, is temporary and mobile in nature. These regulations are intended to define the appropriate locations and minimum required development standards for a site to be permitted for mobile food vendors. The standards established in these regulations are intended to allow mobile food vendors to operate while mitigating impacts to the site in which they operate and adjacent properties and rights-of-way. These regulations do not address mobile food carts, or mobile vendors that visit sites to temporarily vend for a period of minutes and not days or hours (i.e. ice cream trucks, construction or work site vendors). These vehicles are permitted by other agencies and cannot operate in the same manner as a mobile food vendor.
- (b) No mobile food vendor location is permitted without an approved administrative permit from the City. Such a permit may only address the location and operational standards relating to the location. Food vendors are required to provide evidence of all applicable inspections and permits with the City required by other governmental agencies, and which are not regulated through this Section.
- (c) Property owners that have a Special Exception approved by the City Commission for mobile food vending permitted before August 14 2025, may continue to have a mobile food vendor on that site for the duration authorized by the Special Exception resolution.
- (d) Exemptions. The provisions of this Section do not apply to the following:
  - i. Goods, wares or merchandise temporarily deposited on the sidewalk in the ordinary course of delivery, shipment or transfer.
  - ii. The placing and maintenance of unattended stands or sales devices for the sale, display or offering for sale of newspapers, magazines, periodicals and paperbound books.
  - iii. Special events authorized by a temporary use permit by the City in accordance with Section 4-83 of the Land Development Code.

##### **Sec. 4-92.2. Definitions.**

The following words, terms and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commissary means an approved facility that provides support services for specific required functions of a mobile food vendor, including, but not limited to, mobile food vehicles and mobile food carts. Any food establishment permitted or licensed by a regulatory agency, such as a catering operation, restaurant, grocery store or similar establishment or any otherwise approved facility by FDACS in which food, containers, or supplies are kept, handled, prepared, packaged or stored can be considered for approval as a commissary. When not required at the mobile food establishment, commissaries may provide a three (3) compartment sink for washing, rinsing and sanitization of equipment/utensils in addition to hand wash and rest room facilities. Services required of the commissary will be based on the food sold and the mobile food establishment type and capabilities. A private residence may not be used as a commissary (See Chapter 500, Florida Statutes).

Food stand means a temporary, non-motorized food unit with limited infrastructure, which serves food and/or beverage intended for immediate consumption and does not provide indoor seating.

Mobile food cart means any non-motorized mobile food unit with limited infrastructure, which serves food and/or beverages intended for immediate consumption. Mobile food carts may not exceed six (6) feet in length, three (3) feet in width (exclusive of wheels), or four (4) feet in height (exclusive of wheels and umbrellas), and must be able to be pushed by one (1) person.

Mobile food vehicle means a motorized mobile food unit commonly referred to as a food truck, which may be self-sufficient in terms of potable water, sanitary sewer and electric utilities, and generally consists of an enclosed truck, trailer or similar vehicle, where food may be stored, prepared, cooked, and/or served. An open bed truck, van or converted automobile is not considered a mobile food vehicle and is not eligible for a mobile food vending permit pursuant to this division. Dimensions shall not exceed sixteen (16) feet in length and eight (8) feet in height.

Mobile food vendor means any person or business selling foods other than fresh fruits or vegetables from a mobile food vehicle, mobile food cart or food stand.

### **Sec. 4-92.3. Permit required.**

(a) No mobile food vendor shall be permitted to operate within the City unless a permit has been obtained for the proposed location upon which the vendor will operate, and subject to the following:

- i. A permit issued under this section shall permit the applicant to conduct operations at the vendor site designated in the permit, and only at this site.
- ii. Every permit shall be non-assignable and nontransferable to another mobile food vendor.
- iii. Proof of permit approval shall be carried with the vendor when he/she is engaged in vending.
- iv. If the vendor is engaged in the sale of food and beverage for human consumption, a certificate of health inspection shall also be properly and conspicuously displayed at all times during the operation of business.
- v. Expiration and renewal. The permit shall require review and renewal by the City each year on the anniversary date of the issuance of the permit. Application for



renewal must be received no later than the expiration date of the current permit.  
Any application received after that date shall be processed as a new application.

**(b) Permit submittal requirements:**

- 1) Completed application form provided by the City.
- 2) Signed authorization from the property owner or authorized representative.
- 3) Proof of insurance for the property, issued by an insurance company that is licensed to do business in the state.
- 4) Site plan based on a valid survey, approved development order, or master concept plan with dimensions and infrastructure identified, including the proposed location of the mobile food vendor in relation to property lines. The plan must depict the location of all sidewalks, driveways/access points to the site, rights-of-way, parking areas, outdoor seating areas, and entry location to the principal building(s) on the site.
- 5) If required parking spaces are to be utilized, the application must provide the times principal businesses use those spaces, and the proposed times the spaces would be used for mobile food vending.
- 6) A brief description of the nature of the business and the goods to be sold;
- 7) Proposed hours of operation; and
- 8) Payment of application fees.

If a permit holder is found to operating inconsistent with the standards of the permit, as documented by a violation notice by the City's Code Enforcement Officer, the permit may be suspended or revoked by the Special Magistrate or City Commission after hearing evidence of the violation in a public hearing. The burden to maintain the permit will be with the permit holder.

**Sec. 4-92.4. General locational standards.**

- (a) The following standards apply to the general location and siting of mobile food vending on a property:
  - i. Eligible sites must be zoned B-2, B-3, I-1A, I-2 or PUD.
  - ii. Locations must not interfere with vehicular access, multi-modal and pedestrian access such as sidewalks, and access ways.
  - iii. This use cannot be located in a required parking space or driveway, unless it is specifically demonstrated the parking or driveway is not used during the time and/or days the mobile food vendor location is permitted.
  - iv. This use must be located on property or within a development with completed infrastructure improvements, and not on a vacant lot or the site of an abandoned/permanently closed principal business.
  - v. All mobile food vendors shall be located in areas and in a manner that they do not create an adverse view or vista. More specifically, the food truck or anything associated with its operation shall block the view of signs or vehicular or multi-modal access ways.
  - vi. A mobile food vending permit cannot be approved on abutting property, or within 250 feet of another permitted location for mobile food vending, whichever is more stringent.

**Sec. 4-92.5. Prohibited locations.**

(a) Mobile food vending is expressly prohibited on all parcels within a residential zoning district or parcels with existing residential uses, except as authorized under this Code pursuant to the special event or temporary use permit. Notwithstanding, mobile food vending may also be authorized at clubhouse or other portion of a residential community separate from the residences with the authorization of the homeowners association.

(b) Mobile food vending is prohibited within the Downtown Business District on the official Zoning Map, except as authorized in LDC Section 4-83 and under this Code pursuant to a special event or temporary use permit, or a Special Exception approved by the City Commission in accordance with LDC Section 3-21.

**Sec. 4-92.6. General operational standards.**

(a) The following standards apply to the general operations of the mobile food vending use:

- i. No more than one (1) mobile food vendor can be permitted on a single site. For purposes of this specific requirement, a site includes an entire commercial development as delineated on the site construction permit, even if that development consists of more than one parcel.
- ii. The mobile food vending vehicle must be removed from the site when not operational. In no case shall hours of operation exceed 7 a.m. to 10 p.m., Monday through Thursday, and 10 a.m. to 8 p.m. on Sundays.
- iii. The mobile food vending vehicle, cart or stand must adhere to all principal structure setbacks of the underlying zoning district, and any overlay districts, where applicable.
- iv. Advertising signs may be permitted upon the mobile food vending vehicle, cart or food stand, but there will not be additional signage installed in any other location, except for one (1) A-frame or sandwich board sign, limited to ten (10) square feet, and only displayed when the mobile food vendor is on-site.
- v. The mobile food vending vehicle, cart or food stand must be removed at the end of permitted operating hours on a daily basis.
- vi. Vendors shall be responsible for keeping sidewalks within fifteen (15) feet of their stands clean of all trash generated by their vending operations. Vendors must take with them at the end of each day, all trash, litter, garbage, refuse and waste generated by their vending operations. No vendor may use any public receptacle or receptacle on private property without the express permission of the property owner.
- vii. No piped/amplified music is permitted from the mobile food vending vehicle, cart or food stand or associated speakers.
- viii. No outdoor seating ancillary to the mobile food vending operation is permitted.
- ix. Alcohol shall not be sold or consumed from a mobile food vendor.

**Sec. 4-92.7. Review criteria and enforcement.**

- (a) The Director of Public Works shall not issue an administrative permit for mobile food vending unless the application demonstrates the following criteria are met:
- i. The use does not impact safe traffic ingress and egress to the site, and internal to the site, including pedestrian traffic.
  - ii. The use will not cause visual blight to the abutting properties and rights-of-way.
  - iii. The use will be compatible with abutting properties.
  - iv. The use meets all operational, separation and locational criteria set forth herein.
  - v. The location of the use and operations will not negatively impact public health, safety or welfare.
- (b) This section shall be enforced by the Code Enforcement Official in accordance with the process and procedures of this Code.



**CITY OF LABELLE, FLORIDA**  
**Planning Staff Report**  
**For**  
**Annexation, Comprehensive Plan Amendment,**  
**and Planned Unit Development PUD Rezone**

**TYPE OF CASE:** Annexation, Comprehensive Plan Amendment, & PUD Rezone

**STAFF REVIEWER:** Patty Kulak

**DATE:** June 12, 2025

**APPLICANT:** Dan-Nico Properties

**AGENT:** Justyna Gale, Forward Planning & Design

**REQUEST:** Annex a 26.12± acre property from unincorporated Hendry County into the City of LaBelle municipal boundary; amend the City of LaBelle Comprehensive Plan Future Land Use Map designation from Hendry County "High Density Residential" to the City of LaBelle "Outlying Mixed Use"; and rezone the subject property from Hendry County General Agriculture (A-2) to the City of LaBelle Planned Unit Development (PUD) zoning district, to facilitate development of a mixed-use community known as The Residences at Grand Oaks.

**LOCATION:** 2250 State Road 29

**PROPERTY SIZE:** 26.26+/-acres

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

|                                       |   |
|---------------------------------------|---|
| Existing Future Land Use Designation: | High Density Residential ( <i>Hendry County</i> ) |
| Existing Zoning:                      | A-2 ( <i>Hendry County</i> )                      |
| Land Use:                             | Vacant / Agricultural                             |

**SURROUNDING LAND USE:**

|               |            |                       |
|---------------|------------|-----------------------|
| <b>North:</b> | FLU –      | Employment Village    |
|               | Zoning –   | Agriculture (Ag)      |
|               | Land Use – | Vacant / Agricultural |

|               |            |  |
|---------------|------------|--|
| <b>South:</b> | FLU –      | Residential                              |
|               | Zoning –   | Residential (R-3)                        |
|               | Land Use – | Multifamily Residence                    |
| <b>East:</b>  | FLU –      | Employment Village                       |
|               | Zoning –   | DG Lender Planned Unit Development (PUD) |
|               | Land Use – | Undeveloped                              |
| <b>West:</b>  | FLU –      | South LaBelle Community                  |
|               | Zoning –   | Agriculture                              |
|               | Land Use – | Undeveloped                              |

**STAFF NARRATIVE:**

Dan-Nico Properties (“Applicant”) is requesting approval to:

1. Annex 26.26+/- acres from unincorporated Hendry County into the City of LaBelle municipal boundary;
2. Amend the City of LaBelle Future Land Use Map to designate the subject property to the City’s Outlying Mixed-Use future land use category;
3. Rezone the subject property to the City’s Planned Unit Development (PUD) zoning district. The PUD will consist of a phased development including a total of 408 affordable, multi-family dwelling units, 10,000 square feet of commercial uses, and 5,000 square feet of on-site amenities.

**BACKGROUND**

The subject property consists of approximately 26.26 acres of vacant land located within unincorporated Hendry County and is contiguous to the City of LaBelle municipal boundaries on all sides (north, east, south, and west). The property includes approximately 0.63 acres of wetlands, which will remain undisturbed as part of the proposed development. Additionally, the site hosts a small population of protected gopher tortoises. A formal wildlife survey will be required prior to site development to determine the number of tortoises and to secure appropriate relocation permits from regulatory agencies.

According to the Hendry County Future Land Use Map, the property is designated as High Density Residential. The current zoning classification for the property under Hendry County’s zoning regulations is General Agricultural (A-2).

**ANNEXATION REQUEST**

The Applicant’s Voluntary Annexation Petition meets the stated annexation rules outline in Chapter 171, Part II, Florida Statutes as follows:

- The Property boundary is contiguous to the City of LaBelle municipal boundary, which runs along the eastern, western, northern, and southern property boundaries.
- The Property is intended for development of urban land uses (multifamily with 10,000 SF of commercial), as demonstrated through the concurrent Comprehensive Future Land Use Map Amendment and PUD rezoning request.

The Property will not create an enclave, or isolated area of unincorporated lands surround by City lands, per Section 171.031(13), Florida Statutes. In fact, the annexation will resolve the site's current status as an enclave.

Based on the above analysis the application meets the criteria for annexation into the City of LaBelle municipal boundary.

### **COMPREHENSIVE PLAN AMENDMENT REQUEST**

The subject property currently has a Hendry County Future Land Use designation of High Density Residential, permitting residential development at a maximum density of 15 dwelling units per acre. The applicant has filed for annexation into the City of LaBelle, accompanied by a request for a Comprehensive Plan Amendment to designate the property within the City's Outlying Mixed Use future land use category. This category provides for residential development at a base density of six (6) dwelling units per acre, with provisions available for bonus density upon meeting specific criteria outlined in the Comprehensive Plan.

Concurrent with the Comprehensive Plan Amendment, the applicant has submitted a rezoning request to establish a Planned Unit Development (PUD) zoning district. The proposed PUD, named Residences at Grand Oaks, encompasses a mixed-use project consisting of 408 affordable multi-family residential units, approximately 10,000 square feet of neighborhood-oriented commercial space, and approximately 5,000 square feet of on-site amenities such as a clubhouse, community park, and recreational facilities. The project is proposed to be completed in two development phases.

The proposed residential density for the project, approximately 16 dwelling units per acre, requires approval of bonus density. The applicant's justification for bonus density includes providing affordable housing units, site design considerations that promote pedestrian access and connectivity, preservation of approximately 0.63 acres of wetlands, and the establishment of publicly accessible civic and open space areas. Additionally, the applicant plans for the preservation of existing significant oak trees and environmentally sensitive areas identified on-site.

The affordable housing commitment includes renting 100% of the proposed dwelling units to households earning less than 80% of the Area Median Income (AMI). This would result in a maximum monthly rental rate of \$ 1,282 for a 2-bedroom unit based upon the 2025 Hendry County approved "Income Limits and Rent Limits" published by the Florida Housing Finance Corporation.

The property has direct frontage and access onto State Road 29, classified as an arterial roadway with capacity anticipated to support the proposed development. Utility services, including potable water and future sanitary sewer, are available or planned to be provided to meet required level-of-service standards for the proposed uses.

Environmental assessments conducted for the property indicate the presence of protected gopher tortoises. Prior to any site development activities, a formal wildlife survey and appropriate relocation permits will be required in accordance with applicable regulatory guidelines.

Adjacent existing and future land uses include the Employment Village category to the north and east, and the South LaBelle Community future land use category to the west. The proposed Outlying Mixed Use category serves as a transitional land use category between these areas, providing for compatible residential and neighborhood-oriented commercial uses along the SR 29 corridor.

### **PUD REZONING REQUEST**

The subject property, approximately 26.26 acres in size, is currently zoned General Agricultural (A-2) under Hendry County regulations. Agricultural zoning is primarily suited for agricultural activities and does not align with the proposed mixed-use residential and neighborhood commercial development along State Road 29. The applicant is requesting rezoning to the City of LaBelle's Planned Unit Development (PUD) zoning district, consistent with the proposed Outlying Mixed Use future land use category.

The proposed PUD will enable development of a mixed-use project known as The Residences at Grand Oaks, featuring a phased development approach:

- Phase 1 & 2: Includes 288 multi-family dwelling units and 10,000 square feet of neighborhood-oriented commercial uses.
- Phase 3: Proposes an additional 120 multi-family dwelling units.

Total residential units will be 408 dwelling units, complemented by 5,000 square feet of community amenities including a clubhouse and recreational facilities, and 10,000 square feet of neighborhood-oriented commercial uses. As noted above, all units must meet conditions relating to affordability to meet the Outlying Mixed Use bonus density criteria.

### **Access**

Primary access to the property will be provided via State Road 29, an arterial roadway, with driveway connections subject to review and approval by the Florida Department of Transportation (FDOT). A submitted Traffic Impact Study confirms adequate capacity and infrastructure to support proposed access points along SR 29. All ingress/egress points will adhere to applicable FDOT and City requirements to maintain traffic safety and operational efficiency.

### **Landscape Buffers**

The development will incorporate landscape buffers to enhance compatibility and visual aesthetics:

- External roadway frontage buffers: A minimum buffer width of 30 feet along State Road 29 will be provided, featuring enhanced landscaping consistent with the City's regulations for gateway corridors.
- Internal buffers: A minimum of 20-foot-wide landscaped buffers and setbacks will be provided between residential and commercial uses, ensuring internal compatibility.
- Preservation of significant oak trees, including multiple large oaks identified onsite (ranging from 14 inches to 48 inches DBH), is proposed to be incorporated into buffer areas and open spaces to maintain existing natural aesthetics.

### **Compatibility**

The proposed development includes specific development regulations to ensure compatibility internally and with surrounding uses. The submitted Schedule of Uses limits commercial activities to neighborhood-oriented and compatible uses, such as business and medical offices, personal services, pharmacies, retail sales, and restaurants (subject to additional review for alcohol service). Residential

uses are limited to multi-family dwellings, designed with Old Florida Vernacular architectural elements to blend into the local character.

Enhanced setbacks, landscape treatments, and building separation standards outlined in the applicant's development regulations (Exhibit C) are proposed to address compatibility with adjacent residential developments and potential future employment-oriented uses nearby. The development's internal design incorporates pedestrian walkways, parks, and civic spaces, promoting connectivity and a cohesive community environment.

Service availability letters from Hendry County School District and Hendry County Sheriff's Office confirm adequate capacity for educational services and public safety.

Overall, the proposed Residences at Grand Oaks PUD will provide a mixed-use, pedestrian-oriented affordable residential community compatible with existing and planned surrounding land uses, supported by suitable infrastructure, landscape buffering, and carefully defined development regulations.

### **Comprehensive Plan Consistency:**

The request is consistent with the following objectives and policies of the City's Comprehensive Plan as follows:

#### **Future Land Use Policy 1.2.1**

The PUD will provide opportunities for planned growth and support the expansion of the local economy and anticipated population growth in the South LaBelle Village area, which is targeted for long-term growth.

#### **Policy 1.3.2 Outlying Mixed Use Land Use Category**

The proposed Outlying Mixed Use Future Land Use Category is appropriate for the subject property, given its proximity and transitional role between the Employment Village designation to the north and east and the South LaBelle Community category to the west. This category supports a balanced mix of residential and neighborhood-oriented commercial uses suitable along the SR 29 corridor, contributing positively to the economic and land use continuity of the City.

The Outlying Mixed-Use Category provides opportunities for integrated, planned developments featuring a combination of land uses. Predominantly residential, the category also allows for neighborhood commercial uses, provided they comply with the applicable development standards. The City's Comprehensive Plan states that no more than 30% of this category may be single-use commercial development, and no more than 70% single-use residential, calculated on a city-wide basis. The proposed mixed-use project at Grand Oaks, with 408 residential units and 10,000 square feet of neighborhood-oriented commercial space, complies with these standards.

Staff finds that the proposed mix of residential units, commercial uses, and community amenities aligns consistently with the intent of the City's Outlying Mixed-Use category and contributes to balanced and compatible growth along the SR 29 corridor.

Based on the criteria set forth in the City of LaBelle's Comprehensive Plan for granting bonus density within the Outlying Mixed Use future land use category, the applicant is requesting to increase the allowable residential density from the base of 6 units per acre to a maximum of 16 units per acre. The



project site totals approximately 26.26 acres, which would allow for a base density of 157 dwelling units. The applicant is requesting a total of 408 dwelling units, which equates to approximately 15.54 dwelling units per acre.

The justification for bonus density is summarized below:

Direct Access to Arterial Roadway: The project fronts directly onto SR 29, a designated arterial roadway, satisfying the access requirement.

Mixed-Use Development: The proposed project includes a combination of uses, 408 residential units, 10,000 square feet of neighborhood commercial, and 5,000 square feet of civic/amenity space, qualifying as a horizontally integrated mixed-use development.

Minimization of Impacts to Significant Oaks: The site plan preserves a heavily wooded area on the western portion of the site containing mature oak trees, as well as existing trees surrounding the on-site pond.

Publicly Accessible Civic Space: A civic space is proposed near the entrance, featuring benches, flagpoles, and a nature trail intended for public use.

Enhanced Architectural Design: Buildings will incorporate Old Florida vernacular elements, such as pitched roofs, covered walkways, and decorative architectural features.

Enhanced Landscape Design: The applicant proposes landscaping that exceeds minimum code requirements, particularly in pedestrian areas and buffer zones.

Compatibility Measures: The project incorporates buffers and setbacks that exceed minimum requirements, especially where adjacent to existing single-story residential development. Building height is limited to three-story structures (maximum 36 feet).

Based on the information provided and the project’s response to the bonus density criteria, the application meets the conditions necessary to request bonus density up to the maximum of 16 units per acre as permitted under the Comprehensive Plan.

**Traffic Circulation Element Policy 2.5.2 & 2.5.3**

The applicant has submitted a Traffic Impact Study (TIS) for the proposed project, demonstrating that adjacent roadway segments along State Road 29 will continue to operate at an acceptable Level of Service with the proposed project impacts. Specific requirements for driveway access and potential turn-lane improvements will be evaluated in coordination with the Florida Department of Transportation (FDOT) during the permitting phase. At this time, the analysis provided does not indicate the need for significant off-site roadway capacity improvements.

**Infrastructure Element Policy 4.1**

Currently, utilities are available near the property; however, extension of utility lines will be required to serve the proposed residential and commercial development. The applicant is responsible for the cost of extending the potable water and sanitary sewer infrastructure to serve the property per Staff conditions of approval. Prior to construction, the applicant will be required to demonstrate adequate infrastructure capacity and confirm service availability from the City of LaBelle through the site construction permitting process.

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

The Master Concept Plan provided by the applicant indicates stormwater management facilities will be located on-site to provide water quality treatment and attenuation. These facilities include water management lakes, which will serve dual purposes of stormwater management and on-site fill. Stormwater discharge from the project site is planned to be directed toward the existing conveyance ditch along the eastern boundary of the property, following appropriate permitting and water quality standards.

### **STAFF RECOMMENDATION**

Staff finds that the proposed annexation; Comprehensive Plan Amendment to designate the property within the City's Outlying Mixed Use future land use category; and rezoning to the Planned Unit Development (PUD) zoning district is consistent with the City of LaBelle's Land Development Code and Comprehensive Plan, and recommends APPROVAL, subject to the following conditions:

1. The PUD zoning approval applies specifically to the subject property as described in Exhibit 'A'.
2. Allowable uses shall be limited to those specified in the approved Schedule of Uses (Exhibit 'B').
3. Development shall conform to standards identified in the Development Regulations Table (Exhibit 'C').
4. All development must adhere to the design and phasing detailed in the approved Master Concept Plan (MCP), identified as Exhibit 'D', and comply with applicable City Land Development Code regulations.
5. The maximum permitted number of residential dwelling units shall not exceed 408 units. Commercial development shall be limited to a maximum of 10,000 square feet. Residential amenities shall not exceed 5,000 square feet.
6. 100% of the dwelling units will be rent restricted for households earning up to and including 80% Area Median Income (AMI) for Hendry County.
7. Any time that a unit becomes vacant, the next available unit will be offered to a qualifying household subject to the specified thresholds. This restriction shall remain in place for no less than thirty (30) years from the date of the issuance of the first Certificate of Occupancy. AMI income limits and rent limit adjustments will be made on an annual basis according to the most recent Hendry County approved "Income Limits and Rent Limits" published by the Florida Housing Finance Corporation. See table below depicting the current 2025 limits:

| County (Metro) | Percentage Category | Income Limit by Number of Persons in Household |        |        |        |         |         |         |         |              |         | Rent Limit by Number of Bedrooms in Unit |       |       |       |       |       |
|----------------|---------------------|--|--------|--------|--------|---------|---------|---------|---------|--------------|---------|--|-------|-------|-------|-------|-------|
|                |                     | 1  | 2      | 3      | 4      | 5       | 6       | 7       | 8       | 9            | 10      | 0  | 1     | 2     | 3     | 4     | 5     |
| Hendry County  | 30%                 | 15,650   | 21,150 | 26,650 | 32,150 | 37,650  | 41,300  | 44,150  | 47,000  | Refer to HUD |         | 391                                      | 460   | 666   | 872   | 1,032 | 1,139 |
|                | 50%                 | 24,950   | 28,500 | 32,050 | 35,600 | 38,450  | 41,300  | 44,150  | 47,000  | 49,840       | 52,688  | 623                                      | 668   | 801   | 925   | 1,032 | 1,139 |
|                | 80%                 | 39,900   | 45,600 | 51,300 | 56,950 | 61,550  | 66,100  | 70,650  | 75,200  | 79,744       | 84,301  | 997                                      | 1,068 | 1,282 | 1,481 | 1,652 | 1,823 |
|                | 120%                | 59,880   | 68,400 | 76,920 | 85,440 | 92,280  | 99,120  | 105,960 | 112,800 | 119,616      | 126,451 | 1,497                                    | 1,603 | 1,923 | 2,221 | 2,478 | 2,734 |
| Median: 62,400 | 140%                | 69,860   | 79,800 | 89,740 | 99,680 | 107,660 | 115,640 | 123,620 | 131,600 | 139,552      | 147,526 | 1,746                                    | 1,870 | 2,243 | 2,591 | 2,891 | 3,190 |

8. The owner will include an annual report that provides the progress and monitoring of occupancy of the income-restricted units, including rent data for rented units, or homestead data for owner-occupied units, in a format approved by the City of LaBelle. The Owner agrees to annual on-site monitoring by the City, or its designee.
9. Development must connect to the City's potable water and sanitary sewer system. The developer shall be responsible for the extension of utilities to serve the subject property. Proof of adequate service capacity shall be required prior to issuance of site construction permits, including a hydrant system demonstrating adequate and continuous water flow for firefighting purposes.

10. Site construction plans must demonstrate the provision of an internal sidewalk and pedestrian network connecting residential units, amenities, commercial spaces, parking areas, and perimeter sidewalks.
11. Parking shall be provided on-site in accordance with the City's Land Development Code requirements for all residential and commercial uses.
12. Access to the property shall be from State Road 29, subject to approval by the Florida Department of Transportation (FDOT). This approval does not guarantee, or grant access as depicted on the MCP without FDOT approval.
13. A unified Master Signage Plan consistent with the City's Land Development Code shall be required at the time of site construction permitting to ensure cohesive signage design throughout the residential and commercial areas.
14. Consistent with LDC Sec. 4-93, the architectural theme for all non-residential buildings shall reflect an Old Florida vernacular style with inclusion of roof overhangs, porches, covered corridors, covered walkways, and pitched roofs
15. Residential structures shall also adhere to an Old Florida vernacular architectural style, incorporating at least three (3) of the following features: front porches, pitched and/or metal roofs, shutters, gabled rooflines, and paneled siding.
16. The developer/owner or established Property Owners Association (POA) shall maintain all common areas, infrastructure, amenities, parking facilities, and landscaped buffers. POA documentation, if applicable, must be provided at the site construction permitting phase.
17. Consistent with LDC 4-88 a minimum of 30% usable open space must be dedicated exclusively to passive and active recreation areas. This area shall exclude perimeter buffers, stormwater management areas, and other non-usable lands. The usable open space must include a clubhouse with swimming pool as shown on the MCP.
18. Dumpsters, recycling containers, and service areas must be set back a minimum of 25 feet from the PUD boundaries and appropriately screened with opaque walls or fencing.
19. Landscaping buffers shall be provided as follows, consistent with the approved Master Concept Plan:
  - A 20-foot-wide landscape buffer along the State Road 29 frontage with enhanced plantings per City requirements.
  - A Type B Option 2 Landscape buffer as outlines in LCD 4-80 Table L6 along the north and south properties lines.
  - Preservation of identified significant oak trees within open space areas and buffers.
20. Prior to site construction permitting, the developer shall complete required wildlife surveys, including gopher tortoise surveys, and obtain any necessary relocation permits from applicable regulatory agencies.
21. 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.
22. The approved PUD Master Concept Plan shall remain valid for five (5) years from the date of City Commission approval. Horizontal site construction must commence within this period, or the MCP shall expire. Extensions may be administratively approved once for an additional two (2) years; further extensions require City Commission approval.

#### **SUGGESTED MOTION(S):**

#### **APPROVAL:**

I make a motion to **APPROVE** annexation of the 26.26+/- acres from unincorporated Hendry County into the City of LaBelle municipal boundary; amend the City of LaBelle Future Land Use Map to

designate the subject property within the Outlying Mixed Use future land use category; and rezone the subject property to the Planned Unit Development (PUD) zoning district.

**DENIAL:**

I make a motion to **DENY** annexation of the 26.26+/- acres from unincorporated Hendry County into the City of LaBelle municipal boundary; amend the City of LaBelle Future Land Use Map to designate the subject property within the Outlying Mixed Use future land use category; and rezone the subject property to the Planned Unit Development (PUD) zoning district.

The request does not meet the annexation & rezoning criteria:

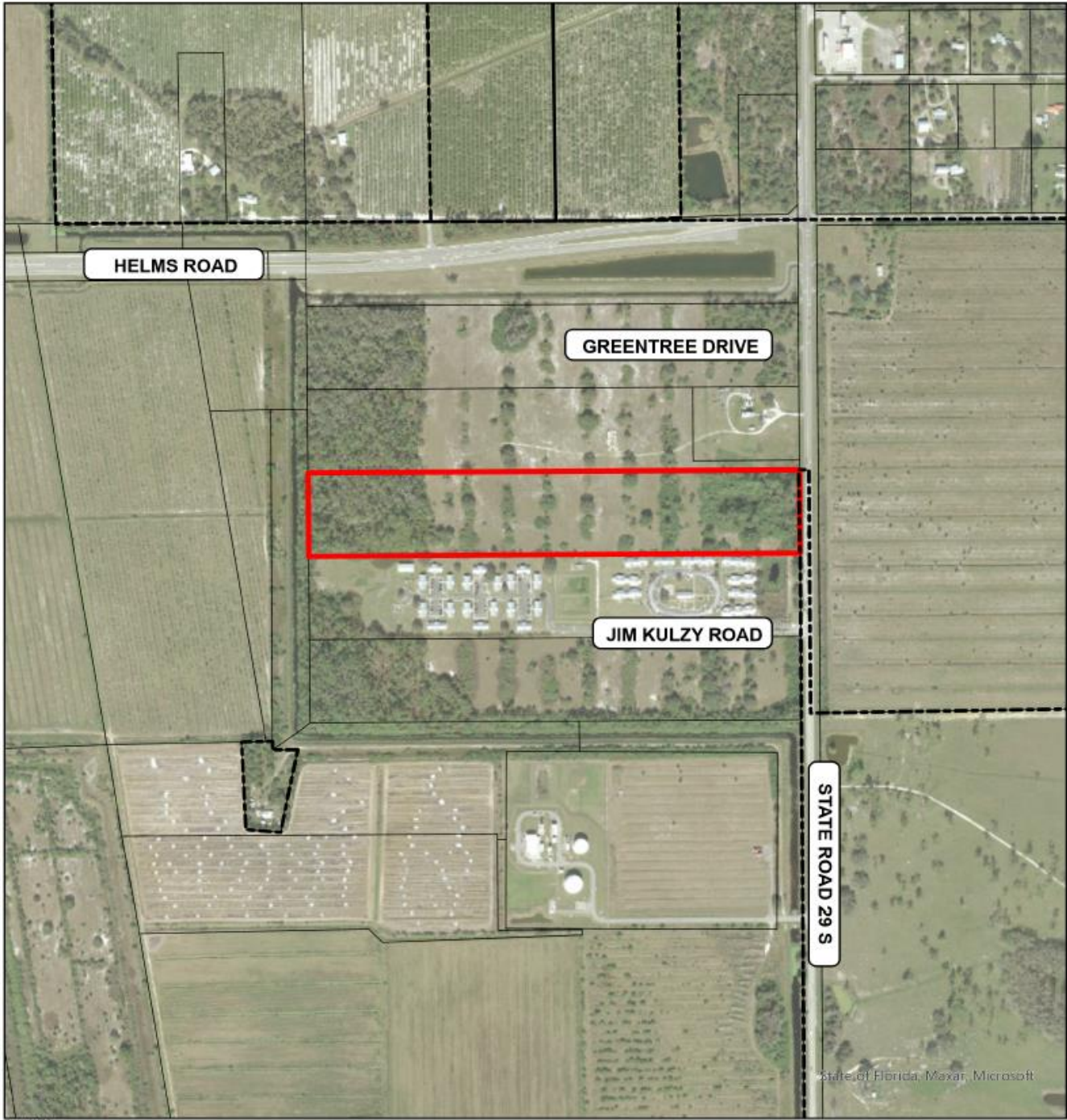
1)

**APPROVAL WITH CONDITIONS:**

I make a motion to approve Residences at Grande Oak Comprehensive Plan Amendment & PUD Rezone Amendment, with the following condition(s):

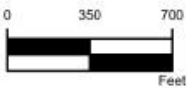
- 1) as outlined in the staff report;
- OR**
- 2) as outlined in the staff report and amended as follows;
- OR**
- 3) with the following conditions:

LOCATION MAP / EXISTING CITY LIMITS



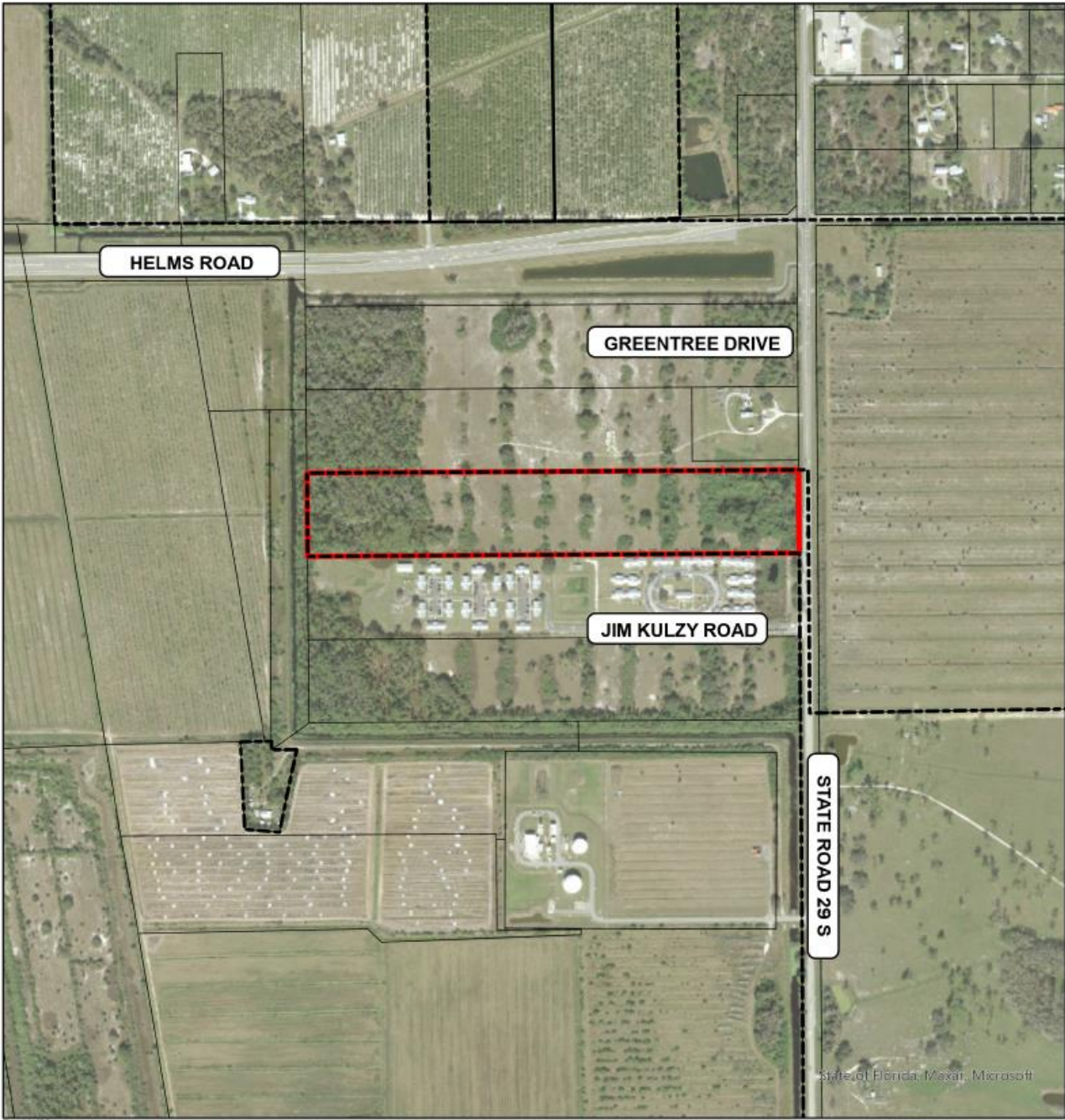
Legend

- Subject Property
- LaBelle City Limits
- Parcels








PROPOSED CITY LIMITS

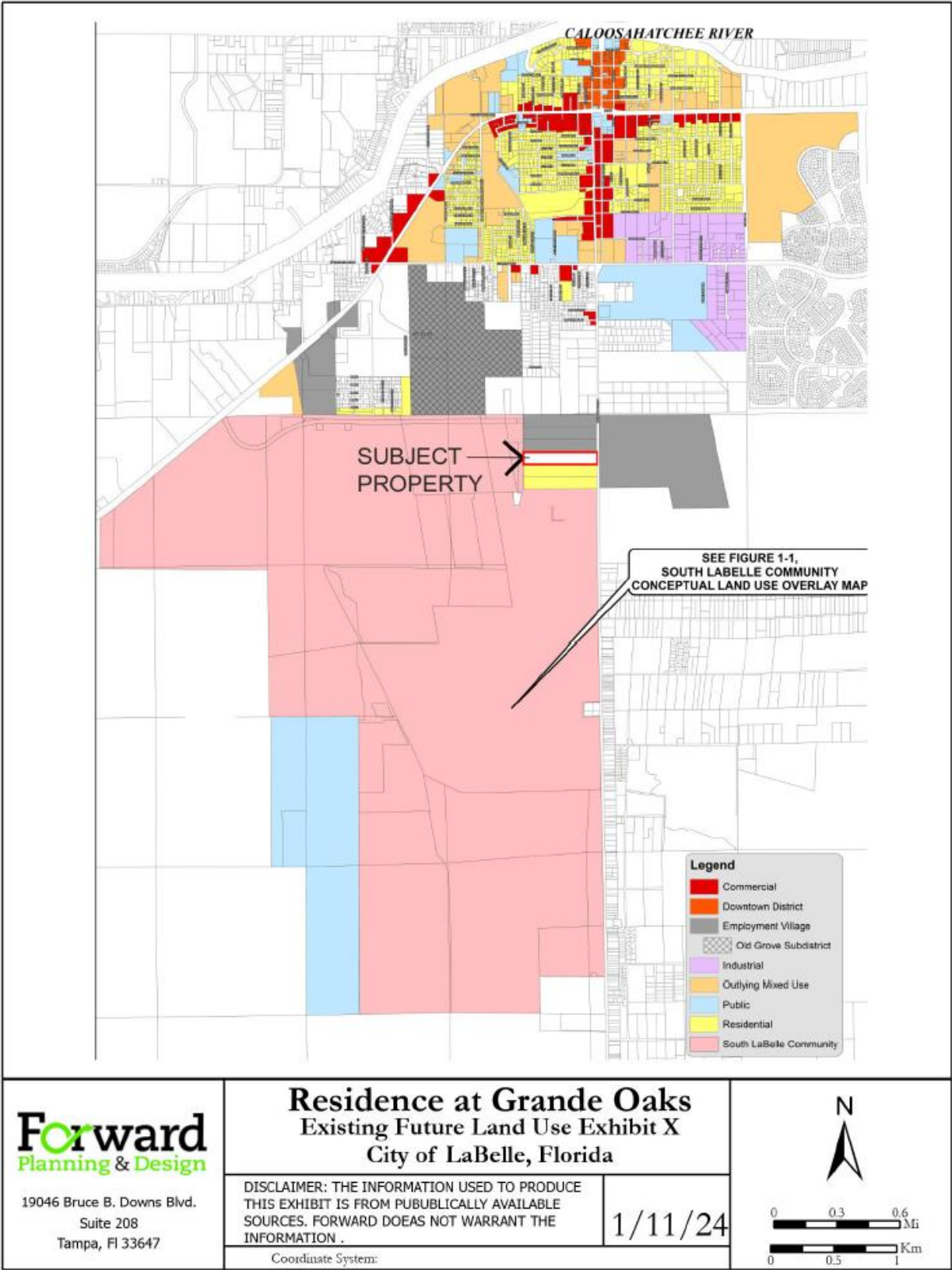


Legend

-  Subject Property
-  LaBelle City Limits
-  Parcels

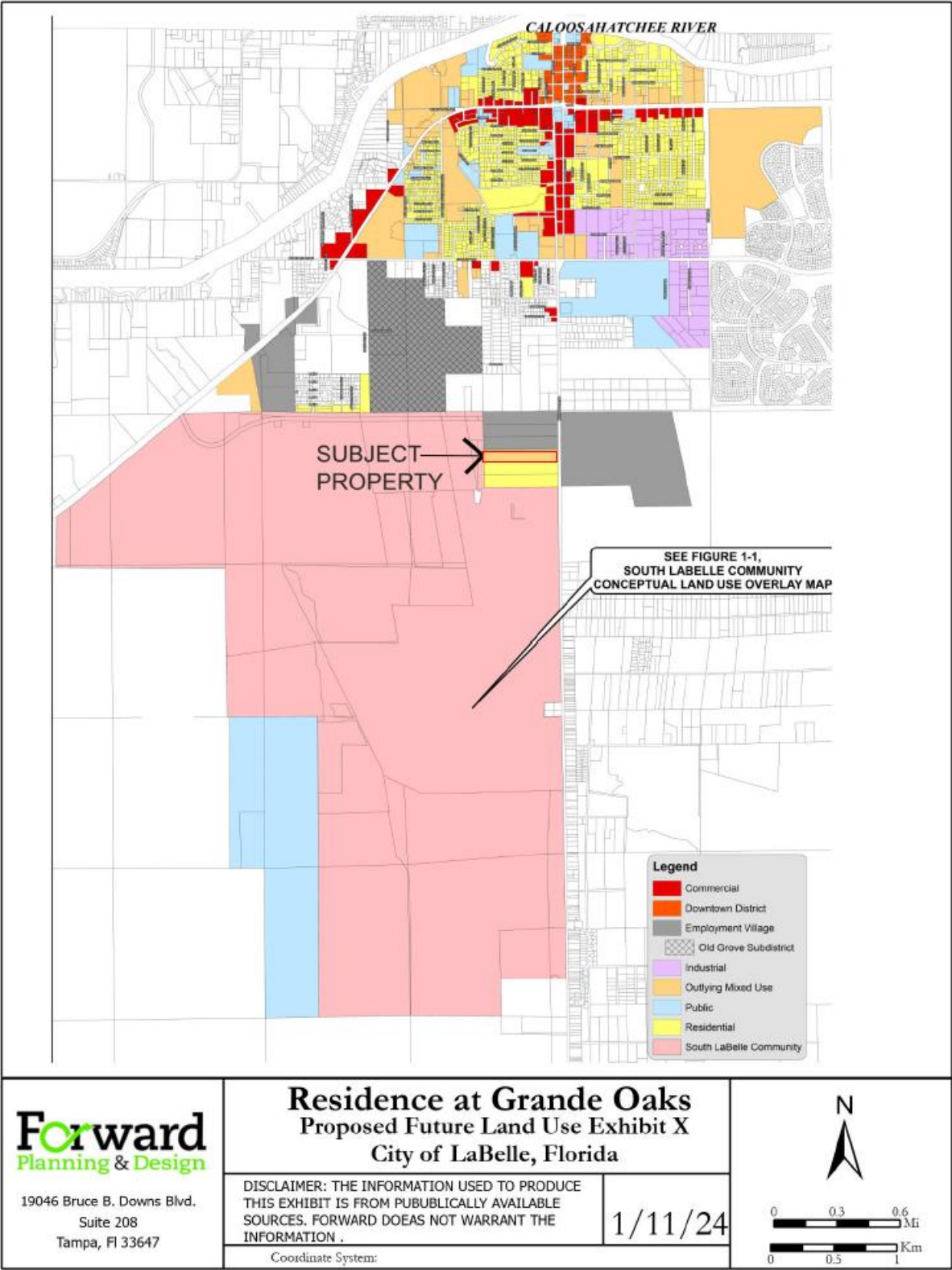


CURRENT FUTURE LAND USE MAP



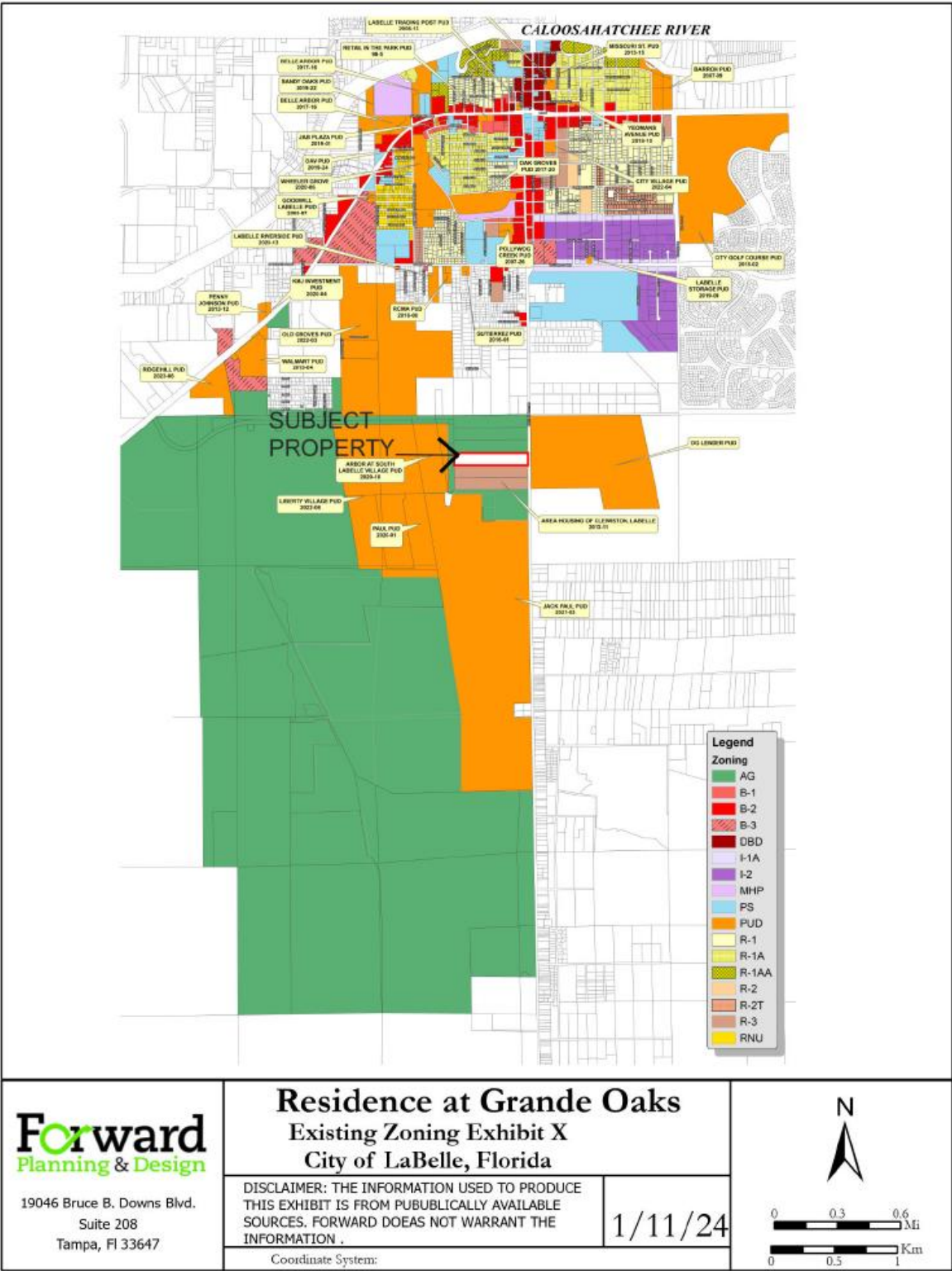


PROPOSED FUTURE LAND USE MAP

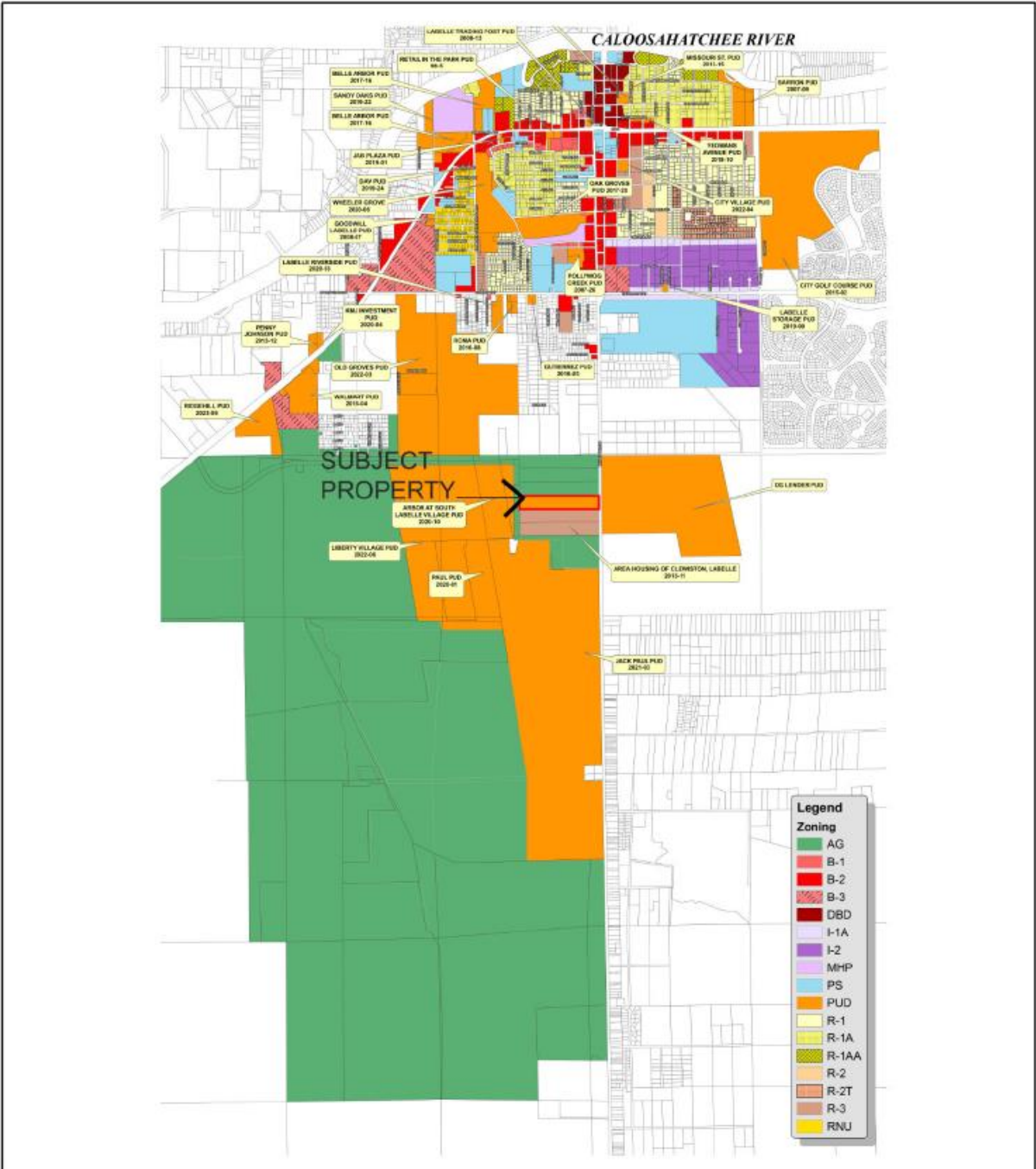




CURRENT ZONING MAP



PROPOSED ZONING



|   |  |         |                                     |
|---|--|---------|-------------------------------------|
| <b>Forward</b><br>Planning & Design<br>19046 Bruce B. Downs Blvd.<br>Suite 208<br>Tampa, FL 33647 | <b>Residence at Grande Oaks</b><br>Proposed Zoning Exhibit X<br>City of LaBelle, Florida   |         | <br>N<br>0 0.3 0.6 Mi<br>0 0.5 1 Km |
|   | DISCLAIMER: THE INFORMATION USED TO PRODUCE THIS EXHIBIT IS FROM PUBLICLY AVAILABLE SOURCES. FORWARD DOES NOT WARRANT THE INFORMATION. | 1/11/24 |                                     |
| Coordinate System:  |  |         |                                     |

**EXHIBIT A  
LEGAL DESCRIPTION**

(O.R.B. 628, PG. 884)

THAT PART OF THE NORTH 1/3, OF THE SOUTH 1/2, OF THE NORTHEAST 1/4,  
OF SECTION 20, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY,  
FLORIDA, LYING WEST OF STATE ROAD

## **EXHIBIT B SCHEDULE OF USES**

### **Residential**

Accessory Uses and Structures  
Administrative Offices  
City of LaBelle Essential Public Utility Stations  
Excavation, Water Retention  
Fences, Walls  
Dwellings, Multi-Family  
Parking Lot, Accessory  
Recreational Facilities (private)  
Signs (in accordance with Appendix B, Section 4-81)

### **Commercial**

Accessory Uses and Structures  
Business Services  
Clubs/Lodges  
Cultural institutions  
Financial Institutions  
Health Care Facilities  
Government Offices  
Medical Offices  
Professional Offices  
Personal Services  
Pharmacies  
Retail Sales  
Food and Beverage Sales/Establishments, Restaurants Only (no outdoor seating, on-site or off-site consumption of alcohol)

### EXHIBIT C SITE DEVELOPMENT REGULATIONS

| SITE DEVELOPMENT REGULATIONS TABLE |            |              |
|------------------------------------|------------|--------------|
| Site Acres                         | 26.26 ac   |              |
| Wetland Area                       | ± 0.63 ac  |              |
| Upland Acreage                     | ± 25.63 ac |              |
|                                    |            |              |
|                                    | Commercial | Multi-family |
| Proposed Units                     |            |              |
| Phase 1 & 2                        | 10,000 sf  | 288 du       |
| Phase 3                            |            | 120 du       |
| Clubhouse and Site Amenities       |            | 5,000 sf     |
| Parking                            | As per LDC | As per LDC   |
|                                    |            |              |
| Min. Lot Area                      | 22,000     | N/A          |
| Min. Lot Width                     | 75 ft      | 100 ft       |
| Min. Lot Depth                     | 100 ft     | 100 ft       |
| Max. Lot Coverage                  | 70%        | 50%          |
| Max. Height                        | 35 ft*     | 35 ft*       |
| Min. Setbacks                      |            |              |
| Front (External ROW)               | 30 ft      | 20 ft        |
| Front (Internal ROW)               | 15 ft      | 15 ft        |
| Side                               | 20 ft      | 15 ft        |
| Rear                               | 15 ft      | 20 ft        |
| Minimum Building Separation:       | 20 ft      | 20 ft        |

\*Measured from the average finish grade at the base of the structure to the midpoint of the roof





CITY OF LABELLE  
ORDINANCE 2025-04  
THE RESIDENCES AT GRANDE OAKS ANNEXATION

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, ANNEXING A 26.26+/-ACRE PROPERTY LOCATED ¼ MILE SOUTH OF HELMS ROAD AND WEST OF STATE ROAD 29, INTO THE CORPORATE LIMITS OF THE CITY OF LABELLE, FLORIDA; IN ACCORDANCE WITH THE ANNEXATION PROVISIONS OF CHAPTER 171, PART II, FLORIDA STATUTES; REDEFINING THE BOUNDARY LINES OF SAID CITY IN CONFORMANCE THEREWITH; AMENDING THE OFFICIAL BOUNDARY MAP OF THE CITY OF LABELLE, FLORIDA, PROVIDING THAT EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS REMAIN UNTIL CHANGED BY THE CITY ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Dan-Nico Properties LLC, has initiated a voluntary annexation of real property located ¼ mile south of Helms Road and west of State Road 29, City of LaBelle, Florida, “the property” as described and depicted in Exhibit “A”, Exhibit “B” and Exhibit “C”, attached hereto; and,

**WHEREAS**, the City and the County have identified certain lands that are logical for annexation into the City, the appropriate land uses and infrastructure needs for said area, and the provider of services and infrastructure for said areas; and,

**WHEREAS**, the properties to be annexed shall retain the comprehensive plan future land use and zoning classifications existing at the time this ordinance is approved; unless otherwise requested by the property owner, the properties will become subject to the City Comprehensive Plan Future Land Use and zoning classifications most consistent with the retained classifications upon subsequent action by the City.

**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.

**Section 2.** The City Commission, after duly advertised public hearings on June 12, 2025, and July 10, 2025, Ordinance 2025-04 is hereby adopted, annexing the property in the City of LaBelle municipal boundary.

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

**Section 4. Severability.** In the event that any portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a

separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 5. Effective Date.** This Ordinance shall become effective in accordance with Florida Statutes.

**PASSED AND ADOPTED** in open session this \_\_\_\_ day \_\_\_\_, 2025.

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 Holland | _____ | _____ |
| Commissioner Spratt  | _____ | _____ |



**EXHIBIT A**

**LEGAL DESCRIPTION**

(O.R.B. 628, PG. 884)

THAT PART OF THE NORTH 1/3, OF THE SOUTH 1/2, OF THE NORTHEAST 1/4,  
OF SECTION 20, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY,  
FLORIDA, LYING WEST OF STATE ROAD

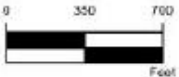
92  
93

**EXHIBIT B**  
**LOCATION MAP/CURRENT MUNICIPAL BOUNDARY MAP**



**Legend**

-  Subject Property
-  LaBelle City Limits
-  Parcels



94  
95  
96

97  
98

**EXHIBIT C**  
**PROPOSED MUNICIPAL BOUNDARY MAP**



**Legend**

-  Subject Property
-  LaBelle City Limits
-  Parcels



99  
100



## Residences at Grande Oak PUD Rezoning Petition and Small Scale Comprehensive Plan Amendment

### **PUD PROJECT SUMMARY**

The Applicant, Dan-Nico Properties, LLC is requesting a simultaneous Annexation, Small Scale Comprehensive Plan Amendment and a Rezoning Petition on the subject Parcel located on the west side of State Road 29 approximately 0.25 miles south of Helms Road on approximately 26.12 acres of land. The subject Parcel is currently located in Unincorporated Hendry County. Concurrent with this application is a Voluntary Annexation Petition requesting the property to be annexed into the City of Labelle.

The requested Zoning amendment is from General Agriculture (A-2) to Planned Unit Development District (PUD). Requested concurrently, is a Small-Scale Comprehensive Plan Amendment to the Future Land Use from Hendry County - Residential High Density to Outlying Mixed Use Future Land Use Category.

This application requests approval of a PUD Mixed-Use project inclusive of the following uses:

- Commercial - 10,000 sq. ft.
- Affordable Multi-family Apartments
  - Phase I & II - 288 units
  - Phase III - 120 units
- Clubhouse and Site Amenities - 5,000 sq. ft.

The proposed Residences at Gande Oak PUD focuses on a mixed-use development that provides a benefit in terms of a walkable community, neighborhood park and amenities, employment opportunities, and affordable multi-family housing. The affordable housing project shall meet or exceed the minimum threshold of affordability as outlined in the City of Labelle and Hendry County Comprehensive Plan and the Hendry County Housing Authority.

A Rezoning amendment to PUD is consistent with the proposed underlying Future Land Use (FLU) Outlying Mixed Use category. The Outlying Mixed Use category allows for mixed-use development with a maximized density up to 16 du/acre which is a total of 408 dwelling units for the development and allows for 10,000 sq. ft. of neighborhood commercial. The proposed development will provide bicycle/pedestrian connectivity, a clubhouse including amenities and neighborhood park, and provide enhanced landscape buffers around the perimeter of the subject site.

A pre-application conference was held on December 29th, 2022, with City and County Staff. A FDOT pre-application conference was held on February 14, 2023. A pre-application conference was held with the South Florida Water Management District on May 23rd, 2023.

Table 1: Site Information

|   |   |
|---|---|
| <b>Parcel #:</b>                          | 29 43 20 A00 0002.0200                    |
| <b>Gross Acreage:</b>                     | 26.12 acres                               |
| <b>Estimated Wetlands:</b>                | 1.3 acres                                 |
| <b>Net Developable Area:</b>              | 24.84 acres                               |
| <b>Existing Future Land Use Category:</b> | Hendry County- Residential High Density   |
| <b>Proposed Future Land Use Category:</b> | Outlying Mixed Use                        |
| <b>Existing Zoning:</b>                   | Hendry County - General Agriculture (A-2) |
| <b>Proposed Zoning:</b>                   | Planned Unit Development District (PUD)   |

**SMALL SCALE COMPREHENSIVE PLAN AMENDMENT**

The properties current Future Land Use is Hendry County - Residential High Density which allows for up to 15 du/acre. The property is located adjacent to properties with a FLU of Residential to the south, Employment Center to the north and east, and the South LaBelle Community to the west.

The concurrent Small Scale Comprehensive Plan Future Land Use amendment request is to designate the property to the **Outlying Mixed Use** FLU category. Residential and Commercial Uses are specifically listed as allowable uses in the Outlying Mixed Use FLU category. The Outlying Mixed Use category requires rezoning to the PUD zoning district.

The Outlying Mixed Use Future Land Use category provides a logical transition of mixed uses from the Employment Village located to the north and east, and the South Labelle Community Land use located to the west. The proposed density of 16 du/acres on the Residences at Grande Oaks PUD is consistent with the adjacent South LaBelle Community which allows for up to 16 du/acre. It is also compatible with existing multi-family development located to the south.

The applicant proposes a mixed-use development with a maximum of 10,000 sq.ft. neighborhood commercial and a maximum of 408 multi-family units on 26.12 +/- acres which is a proposed density of 16 du/acre. The Outlying Mixed Use category allows for a base density of 6 du/acre. Additional bonus density may be requested up to 16 units per acre provided the project meets the criteria as follows.

- **The property has direct access to the collector or arterial roadways** – SR-29 is designated as a main arterial roadway and with recent improvements provides adequate capacity to serve this project.
- **Mixed-Use** – The property proposes a mix of neighborhood commercial, residential, and amenity/recreational uses. The proposed commercial outparcel is designed to serve this property as well as the adjacent Greentree South complex located directly to the south.

## Forward Planning & Design

RESIDENCES AT GRANDE OAKS PUD AMENDMENT  
REVISED NARRATIVE [01/26/25]  
PAGE 3 OF 9

- **Minimization of Impacts on the Existing Oak Trees** – The project proposes to maintain a heavily forested portion of the western property as a wetland and uplands preserve. Many of the trees in this area are oak trees that will be preserved. Additionally, the area around the existing pond has oak trees that will also be preserved. These are identified as the larger, orange-colored trees on the conceptual landscape plan submitted as an attachment to this application. The remainder of the site was previously used for agricultural purposes and is void of significant trees.
- **Publicly Accessible Civic Space** – The project proposes a publicly accessible civic space conveniently located at the entry to the development and overlooking the pond and features. Currently, the proposed space is designed to honor hometown heroes such as police, firefighters or military personnel and will have benches and lit flag poles, additionally it will include a nature trail around the pond.
- **Enhanced Architectural Design** – The project is proposed to be designed in the Old Florida Vernacular including such elements as decorative brackets and balcony features. A pleasant pastel color palette and quality architectural materials. In addition to the aesthetic value, the project proposes a community clubhouse, pool, BBQ picnic area, tot lot and a community garden area. A tree lined linear park “central walk” will create a sense of community area for residents to meet and mingle in a front porch type atmosphere.
- **Enhanced Landscape Design** – Mostly native tree species will be used in the landscape design including preservation of the existing oak trees. It is the owner’s intent to exceed the city’s minimum landscape code especially within the key pedestrian areas of the site.
- **Enhanced compatibility measures** – The project has been designed with compatibility to the adjacent land uses. A larger buffer is provided between the buildings and the property to the south since the adjacent buildings are single story structures. There is the proposed preserve and gopher tortoise habitat to the west which will completely buffer the properties from the west. The remaining property to the north and east has a FLU designation of Employment Center which will eventually be larger commercial uses. We have proposed a smaller buffer to the north and east but will still be exceeding the code requirements for setbacks while also allowing for future connectivity to these commercial uses. Furthermore, we are limiting the building to three story garden style apartments which will have a maximum height of 36 feet.
- The development is not located near downtown but will aim to create a compact mixed-use community. It will offer walkable retail options within the neighborhood and encourage community interaction through centrally located parks, open spaces, and amenities. The integrated layout of the development will provide easy access supporting a pedestrian-friendly environment.

## PUD REZONING REQUEST

Currently, the subject Parcel is located in unincorporated Hendry County and the Zoning designation for the subject site is General Agriculture (A-2). The Parcel is surrounded by LaBelle city limits to the north, east, south and west and is requested to be annexed into the City of LaBelle. The request is to Rezone the subject Parcel to PUD to allow for a mixed-use development inclusive of neighborhood commercial, affordable multi-family apartments and civic amenity elements. The proposed PUD is compatible with the requested Outlying Mixed Use Future Land Use category.

This application requests approval of a PUD Mixed-Use project inclusive of the following uses:

- Commercial – 10,000 SF
- Affordable Multi-family Apartments –
  - Phase I & II - 288 units
  - Phase III – 120 units
- Clubhouse and Site Amenities – 5,000 SF

The PUD Conceptual Plan demonstrates a mixed-use development program, with neighborhood commercial, multi-family dwelling units, clubhouse, neighborhood park and project amenities. The proposed density is 16 du/acre which is a maximum of 408 multi-family dwelling units (Phase I & II - 288 units and Phase III - 120 units).

The proposed development is a compact design, providing a mix of uses and connectivity that will enhance the area. A review of the project development site plan will reveal a well thought out design as follows:

- Is compatible with the surrounding areas,
- Provides adequate ingress and egress to the site,
- Provides logical and efficient on-site traffic patterns,
- Adequate access for emergency and service vehicles,
- Will not adversely impact traffic patterns on local roadways,
- Will have adequate public utilities upon completion of the proposed sewage treatment plant,
- Provides adequate property buffers to adjacent properties. and
- Will provide necessary off-site improvement.

We believe the high-quality design considerations of the PUD project as listed above and shown on the PUD Plan, warrant a maximum density of 16 du/acre. As such, the Residences of Grande Oaks is proposed as a phased development that will be constructed over several years as the need for affordable housing grows. The project will include the following:

- Two (2) Acre commercial lot – This commercial lot is intended to serve the proposed development as well as the existing Greentree South Apartments. Potential uses include a daycare center and retail, or conveniences type uses.
- Phase I Residential - 144-unit rental apartment complex, clubhouse, and amenities.
- Phase II Residential - 144-unit rental apartment complex
- Phase III Residential - 120-unit rental apartment complex
- +/- 3.12 acre wildlife and wetland/upland preserve area.

## COMPATIBILITY WITH ADJACENT FUTURE LAND USE AND ZONING

**Table 2: Adjacent Future Land Use, Zoning, and Existing Uses**

| Direction | FLU Category            | Zoning District                    | Existing Use                                      |
|-----------|-------------------------|------------------------------------|---|
| North     | Employment Village      | AG                                 | Residential home and Vacant                       |
| East      | Employment Village      | PUD                                | Vacant  |
| South     | Residential             | R-3                                | Multi-family Apartments, Water Treatment Facility |
| West      | South LaBelle Community | Arbor at South LaBelle Village PUD | Vacant  |

The site is located on the west side of State Road 29 approximately 0.25 miles south of Helms Road. The property is currently designated as Residential High Density under the Hendry County Comprehensive Plan which currently allows up to 15 du/acre. The proposed PUD and Outlying Mixed Use future land use is a good transitional use to the Future Land Use is Employment Village to the north and east of the subject site, South LaBelle Community FLU designation to the west and Residential FLU developed as multi-family to the south.

The proposed density of 16 du/acre on the Residences at Grande Oaks PUD is consistent with the adjacent South LaBelle Community which allows for up to 16 du/acre. It is also compatible with existing multi-family development located to the south.

Furthermore, the FLU designation of Employment Center surrounding the property to the North and East creates an opportunity for large employment centers directly adjacent to this project. The City of LaBelle's proximity to the Fort Myers/Cape Coral metropolitan area makes it an ideal location for large business or production centers and given the sites location, just south of the new Helms Road Extension allows for easier access to the west coast.

## PUD SITE ANALYSIS

### Access

The property is located on the west side of State Road 29 approximately 0.25 miles south of Helms Road, which is a major collector roadway. Therefore, the proposed project has direct access to collector/ arterial roadways. State Road 29 is designated as a main arterial roadway, and with recent improvements provides adequate capacity to serve this project. The professionally prepared Traffic Impact Statement concludes that there is available capacity on the surrounding road network to accommodate the proposed dwelling units and commercial development.

The proposed project allows for uninterrupted pedestrian connections and creates internal connections between the residential, commercial, preserve and civic amenity elements of the development.



## Landscape Buffers

To address external compatibility between existing adjacent uses, a 15-foot-wide, Type C buffer will be provided around the northern, southern and eastern boundary. While not required by the LDC, the applicant is proposing an enhanced 15-foot-wide Type C buffer along the northern, southern, and eastern property lines. There will be a 75' natural vegetative buffer on the western boundary of the project site.

## Open Space and Amenities

The project proposes a preserve area at the western end of the property which will serve as both wetlands/uplands preserve and a gopher tortoise refuge. This area and an existing pond on the parcel will be kept in its natural state to the greatest extent possible. The pond will include a nature trail that will be the focal point and a civic amenity element. In addition to these preserved areas, the development proposes open space elements such as the central community walk, a community garden, tot lot, picnic area and passive open space. These combined areas make up well over 30% of the site area; therefore, exceeding the open space and preservation objectives of the land development code.

## Compatibility

The proposed residential uses will be compatible with the surrounding area and provide for alternative affordable housing options. The development proposes additional development regulations in the form of additional setbacks and buffer enhancements. There is a larger buffer provided between the proposed buildings and the apartments to the south since those buildings are single story structures. Proposed is a natural vegetative buffer on the western boundary of the project site which will completely buffer the properties to the west. The remaining property to the north and east has a FLU designation of Employment Center which will eventually be larger commercial uses. The proposed buffer exceeds the code for setbacks and landscape buffers, and the design allows for future connectivity to these commercial uses. Furthermore, the building height is limited to three story garden style apartments which will have a maximum height of 36 feet.

## Natural Features and Wildlife

An Environmental Assessment Report was conducted on January 2023 by Andrew Conklin Environmental Services for the project site, and is submitted as part of this application.

In conclusion, there are approximately 24.84 acres of uplands, 0.63 acres of wetlands, and 0.65 acres of upland-cut surface waters are present on the site. If impacts are proposed to wetlands or surface waters, then a permit will be needed from SFWMD. However, no wetland mitigation is expected to be required if no impacts are proposed to the Cypress wetland. In the event that SFWMD requires some mitigation for impacts to the pond, the placement of a conservation easement around the Cypress wetland and its surrounding upland buffer is expected to suffice. A small population of protected gopher tortoises is present on the site; a formal gopher tortoise survey will need to be completed prior to site development to determine the number of tortoises that will need to be permitted for relocation.

## Utilities

The applicant will be connecting to the City of Labelle’s Water and Sewer services subject to availability at the time of site construction permitting. It is understood that sanitary sewer service is not available to the site at this time, however there are plans and funding in place to construct a wastewater treatment facility to the south of this property and a sewage conveyance line will be installed adjacent to the property for future tie in.

## COMPREHENSIVE PLAN CONSISTENCY

**Future Land Use Policy 1.2.1** The City will promote varied and balanced growth to enhance the community both fiscally and physically, providing for housing and employment needs.

- The PUD will provide opportunities for planned growth and support additional affordable housing opportunities to accommodate the anticipated population growth along State Road 29 and Helms Road in an area intended for development. The Residences at Grande Oaks PUD will provide for much needed affordable multi-family apartment units.

### Policy 1.3.2 Outlying Mixed Use Land Use Category

The Outlying Mixed-Use Land Use Category is the logical land use category for the property since the project is a mixed-use development. Outlying Mixed Use future land use is a good transitional use to the Employment Village located to the north and east, and the South Labelle Community Land use located to the west. Residential and Commercial Uses are specifically listed as allowable uses in the Outlying Mixed Use FLU category. The Outlying Mixed Use category requires rezoning to the PUD zoning district.

The Outlying Mixed-Use Land Use Category is also appropriate for properties located along the SR 29 and Helms Road, as the site is surrounded by employment opportunities, multi-family apartments to the south and proposed high density residential to the west.

### Traffic Circulation Element Policy 2.1 and 2.1.1

The application includes a Traffic Impact Analysis and indicates that all the adjacent roadway segments will operate at an acceptable Level of Service. An analysis of potential turn lane improvements will be provided during permitting with FDOT, but no roadway capacity improvements are expected.

### Infrastructure Element Policy 4.1

The applicant will be connecting to the City of Labelle’s Water and Sewer services subject to availability at the time of site construction permitting. It is understood that sanitary sewer service is not available to the site at this time, however there are plans and funding in place to construct a wastewater treatment facility to the south of this property and that sewage conveyance line will be installed adjacent to the property for future tie in.

Additional letters of availability have also been obtained by EMS, Fire, and from the Hendry County’s Sheriff Office.

## Forward Planning & Design

RESIDENCES AT GRANDE OAKS PUD AMENDMENT  
REVISED NARRATIVE [01/26/25]  
PAGE 8 OF 9

### Housing Element Policy 3.11.1

The Residences at Grande Oaks PUD will provide for much needed affordable multi-family apartment units. Currently, there is an affordable housing crisis in the State of Florida, and we are experiencing an unprecedented shortage of affordable housing in the State. The proposed site lies within a Qualified Census Tract as well as an area of concentrated poverty making this site an ideal location for quality affordable housing.

Development standards are provided in the attached Exhibits which includes the lot sizes, setbacks, and building heights appropriate for multi-family dwelling types in the area.

### Recreation and Open Space Policy 6.7.2 and 6.7.3

The proposed Master Conceptual Plan demonstrates the layout of the open space areas, including usable open space, exceeding the LDC requirements. The development proposes a civic amenity element as well as a nature trail around a pond. There is preserved land located on the west portion of the Parcel and additional open space elements such as the central community walk, a community garden, tot lot, picnic area and passive open space. These combined areas make up well over 30% of the site area therefore, meeting and exceeding the open space and preservation objectives of the Comprehensive Plan, Land Development Code and Ordinance.

### Objective 9.4 School Capacity

Coordinate petitions for changes to future land use, zoning, subdivision and site plans for residential development with adequate school capacity. This objective will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the City's authority for land use, including the authority to approve or deny petitions for comprehensive plan amendments, re-zonings or final subdivision and site plans that generate students and impact the school system. Manage the timing of comprehensive plan amendments and other land use decisions to coordinate with adequate school capacity.

- According to the Letter of Availability from the Superintendent of Hendry County School District, it is the policy of the Hendry County School District to support community growth. The district is willing to meet with the applicant and address the fiscal impact of a new school. The applicant is actively coordinating with the Hendry County School District to discuss providing for fiscal impacts of a new school.
- The planning of a residential development could provide affordable housing options for teachers and support staff. The Hendry County School District supports the proposed project within their capacity and looks forward to the expansion of housing choices available to the workforce community.

### New Housing Developments Policy 3.11.2 and Potable Water Supply Policy 4.3.5

**Policy 3.11.2** The City will require all housing developments, on a fair and consistent basis, to provide adequate and necessary public facilities and services, or funds (fee-in-lieu) to provide for their proportionate share of such facilities and services. In order to prepare the infrastructure for the future needs, the City will annually evaluate the need for impact fees or suitable alternatives.

RESIDENCES AT GRANDE OAKS PUD AMENDMENT  
REVISED NARRATIVE [01/26/25]  
PAGE 9 OF 9

- The applicant will be connecting to the City of Labelle's Water and Sewer services subject to availability at the time of site construction permitting. It is understood that sanitary sewer service is not available to the site at this time, however there are plans and funding in place to construct a wastewater treatment facility to the south of this property and a sewage conveyance line will be installed adjacent to the property for future tie in.
- The applicant will provide the required funds (fee-in-lieu) to provide for their proportionate share of such facilities and services.

**Policy 4.3.5** The City will continue to require development proposals to meet City level of service standards for potable water as specified in this Comprehensive Plan.

- Acknowledged. The applicant will be connecting to the City of Labelle's Water services subject to availability at the time of site construction permitting.

CITY OF LABELLE  
ORDINANCE 2025-05  
THE RESIDENCES AT GRANDE OAKS SMALL-SCALE  
COMPREHENSIVE PLAN MAP AMENDMENT

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP FOR A 26.26+/-ACRE PROPERTY LOCATED ¼ MILE SOUTH OF HELMS ROAD AND WEST OF STATE ROAD 29; AMENDING THE COMPREHENSIVE PLAN DESIGNATION FOR THE PROPERTY FROM UNINCORPORATED HENDRY COUNTY COMPREHENSIVE PLAN “HIGH DENSITY RESIDENTIAL” DESIGNATION TO THE CITY OF LABELLE “OUTLYING MIXED USE” DESIGNATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of LaBelle has considered an amendment to the Future Land Use Map for real property located ¼ mile south of Helms Road and west of State Road 29, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto; and has considered public comment on the same, and,

**WHEREAS**, in the exercise of its authority pursuant to Sections 163.3187 and 1643.3184, Florida Statutes, the City has determined it necessary and desirable to amend the City Comprehensive Plan Future Land Use Map so that the property for comprehensive planning purposes is changed from the Hendry County “High Density Residential” to the “Outlying Mixed Use” future land use category as shown on Exhibit “B” attached hereto; a

**WHEREAS**, amending the City Comprehensive Plan Future Land Use Map is appropriate in consideration of the property’s access and frontage on State Road 29; adjacency to lands designated in Residential and Employment Village future land use categories on the adopted future land use map; and the amendment will promote, protect, and improve the general health, safety, good order, appearance, convenience, and general welfare of the public, and will help accomplish the goals of the objectives of the City’s Comprehensive Plan.

**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.

**Section 2.** After being read by title at a public hearing on June 12, 2025 before the Local Planning Agency, and duly advertised public hearing on July 10, 2025, Ordinance 2025-05, is hereby adopted, amending the City Comprehensive Plan Future Land Use Map so that the Comprehensive Plan designation for the property is “Outlying Mixed Use”.

**Section 3.** The City has determined that the Comprehensive Plan designation of “Outlying Mixed Use” as shown in the proposed City Comprehensive Plan Future Land Use Map attached

hereto as Exhibit “B”, is the most appropriate comprehensive plan designation for the affected property and that such comprehensive plan designation will promote, protect, and improve the general health, safety, good order, appearance, convenience, and general welfare of the public and will help accomplish the goals and objectives of the City Comprehensive Plan.

**Section 4.** The small-scale comprehensive plan amendment shall apply to the real property described in Exhibit “A”.

**Section 5.** This ordinance shall become effective in accordance with Florida Statutes.

**Section 6.** If any Court of competent jurisdiction shall determine any portion or provision of this ordinance unconstitutional or invalid, that portion shall be severed, and the remainder of the ordinance shall remain in full force and effect and given its ordinary meaning.

**Section 7.** The City Commission hereby directs the Deputy Clerk to forward certified copies of this adopted ordinance within seven (7) days of the effective date hereof, to the Clerk of Circuit Court of Hendry County and the County Administrator for Hendry County.

66 **PASSED AND ADOPTED** in open session this \_\_\_\_ day \_\_\_\_\_, 2025.

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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 Spratt  | _____ | _____ |
| Commissioner Holland | _____ | _____ |
| Commissioner Ratica  | _____ | _____ |

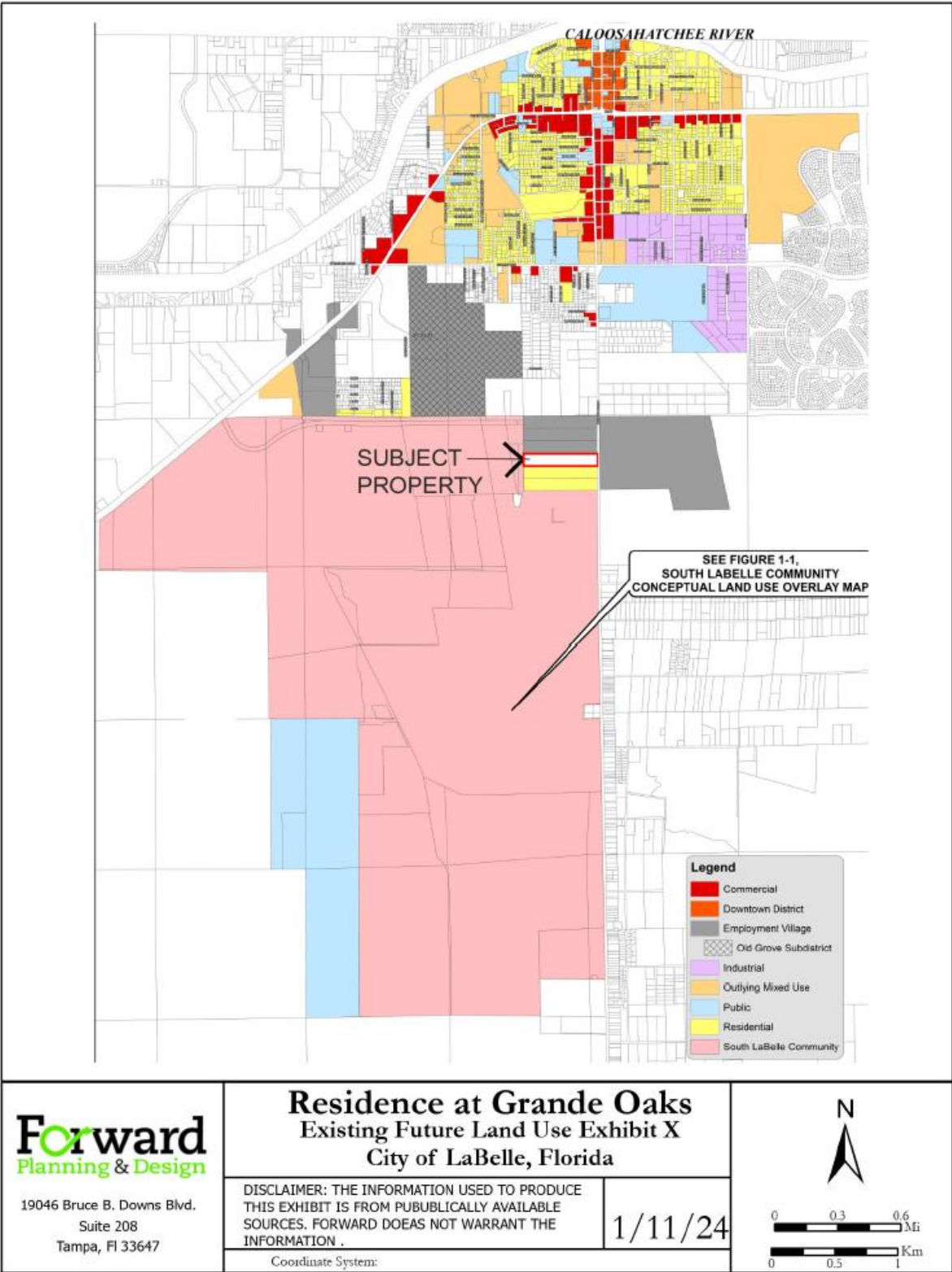
**EXHIBIT A**  
**LEGAL DESCRIPTION**

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99 (O.R.B. 628, PG. 884)  
100 THAT PART OF THE NORTH 1/3, OF THE SOUTH 1/2, OF THE NORTHEAST 1/4,  
101 OF SECTION 20, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY,  
102 FLORIDA, LYING WEST OF STATE ROAD



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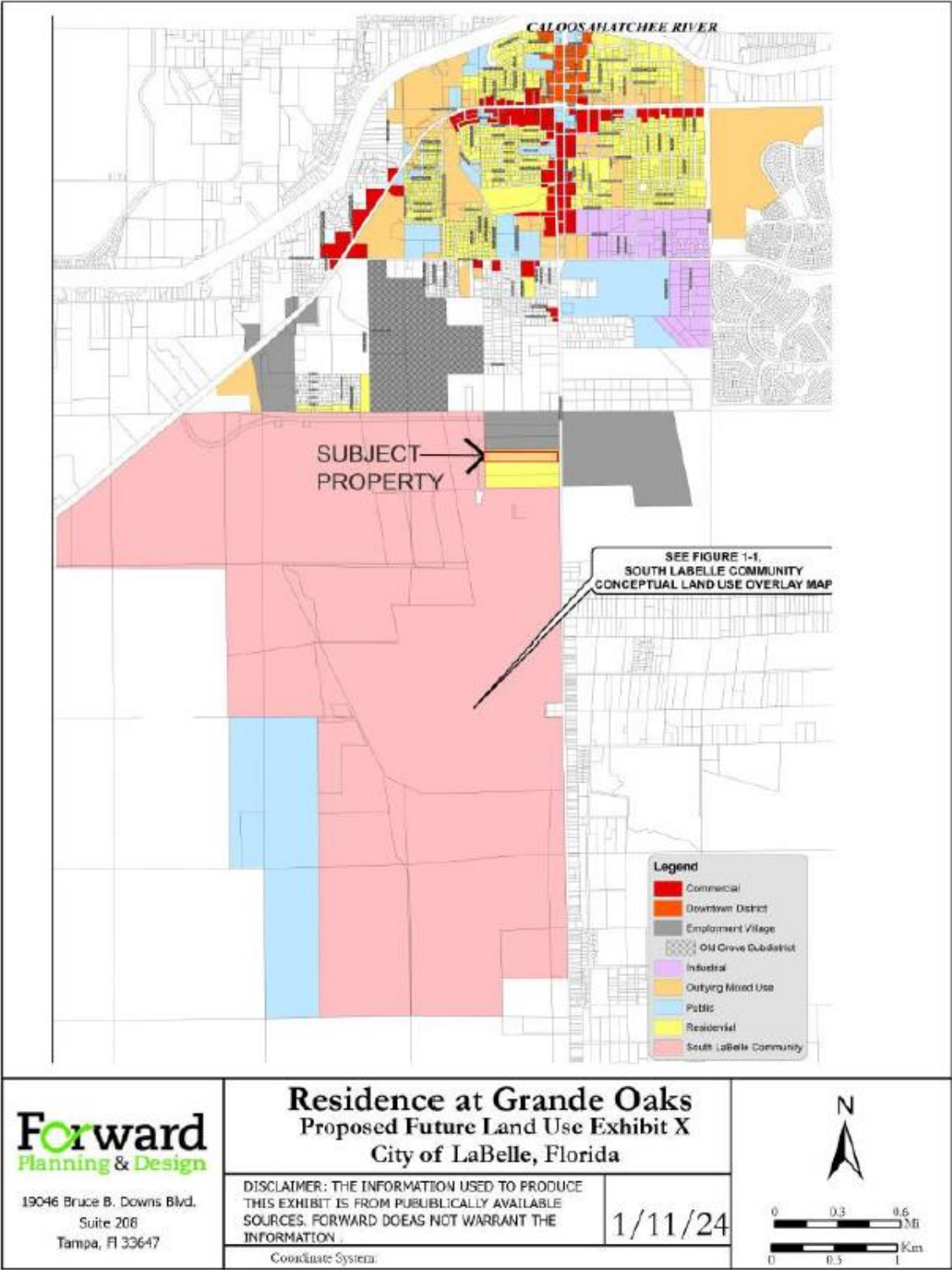
**EXHIBIT B**  
**CURRENT FUTURE LAND USE MAP**



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EXHIBIT C  
PROPOSED FUTURE LAND USE MAP



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CITY OF LABELLE  
ORDINANCE 2025-06  
THE RESIDENCES AT GRAND OAKS PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR A 26.26+/-ACRE PROPERTY LOCATED ¼ MILE SOUTH OF HELMS ROAD AND WEST OF STATE ROAD 29, AMENDING THE ZONING DESIGNATION FROM UNINCORPORATED HENDRY COUNTY GENERAL AGRICULTURE (A-2) ZONING DISTRICT TO CITY OF LABELLE PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT, PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Dan-Nico Properties LLC, is the “Owner” of the real property located ¼ mile south of Helms Road and west of State Road 29, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto;

WHEREAS, the Owner, filed an application to rezone the subject property to Planned Unit Development to allow for the development of a mixed-use project with the City’s intent for the Outlying Mixed Use future land use category; and

WHEREAS, after duly advertised public hearings held on June 12, 2025 before the LaBelle Local Planning Agency, and on August 14, 2025 before the City Commission; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested PUD rezoning is in compliance with the annexation and future land use designation of “Outlying Mixed Use” and approval of the PUD rezoning application 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.

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

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

1. The PUD zoning approval applies specifically to the subject property as described in Exhibit 'A'.
2. Allowable uses shall be limited to those specified in the approved Schedule of Uses (Exhibit 'B').
3. Development shall conform to standards identified in the Development Regulations Table (Exhibit 'C').
4. All development must adhere to the design and phasing detailed in the approved Master Concept Plan (MCP), identified as Exhibit 'D', and comply with applicable City Land Development Code regulations.
5. The maximum permitted number of residential dwelling units shall not exceed 408 units. Commercial development shall be limited to a maximum of 10,000 square feet. Residential amenities shall not exceed 5,000 square feet.
6. 100% of the dwelling units will be rent restricted for households earning up to and including 80% Area Median Income (AMI) for Hendry County.
7. Any time that a unit becomes vacant, the next available unit will be offered to a qualifying household subject to the specified thresholds. This restriction shall remain in place for no less than thirty (30) years from the date of the issuance of the first Certificate of Occupancy. AMI income limits and rent limit adjustments will be made on an annual basis according to the most recent Hendry County approved "Income Limits and Rent Limits" published by the Florida Housing Finance Corporation. See table below depicting the current 2025 limits:

| County (Metro) | Percentage Category | Income Limit by Number of Persons in Household |        |        |        |         |         |         |         |              |         | Rent Limit by Number of Bedrooms in Unit |       |       |       |       |       |
|----------------|---------------------|--|--------|--------|--------|---------|---------|---------|---------|--------------|---------|--|-------|-------|-------|-------|-------|
|                |                     | 1  | 2      | 3      | 4      | 5       | 6       | 7       | 8       | 9            | 10      | 0  | 1     | 2     | 3     | 4     | 5     |
| Hendry County  | 30%                 | 15,650   | 21,150 | 26,650 | 32,150 | 37,650  | 41,300  | 44,150  | 47,000  | Refer to HUD |         | 391                                      | 460   | 666   | 872   | 1,032 | 1,139 |
|                | 50%                 | 24,950   | 28,500 | 32,050 | 35,600 | 38,450  | 41,300  | 44,150  | 47,000  | 49,840       | 52,688  | 623                                      | 668   | 801   | 925   | 1,032 | 1,139 |
|                | 80%                 | 39,900   | 45,600 | 51,300 | 56,950 | 61,550  | 66,100  | 70,650  | 75,200  | 79,744       | 84,301  | 997                                      | 1,068 | 1,282 | 1,481 | 1,652 | 1,823 |
|                | 120%                | 59,880   | 68,400 | 76,920 | 85,440 | 92,280  | 99,120  | 105,960 | 112,800 | 119,616      | 126,451 | 1,497                                    | 1,603 | 1,923 | 2,221 | 2,478 | 2,734 |
|                | 140%                | 69,860   | 79,800 | 89,740 | 99,680 | 107,660 | 115,640 | 123,620 | 131,600 | 139,552      | 147,526 | 1,746                                    | 1,870 | 2,243 | 2,591 | 2,891 | 3,190 |
| Median: 62,400 |                     |  |        |        |        |         |         |         |         |              |         |  |       |       |       |       |       |

8. The owner will include an annual report that provides the progress and monitoring of occupancy of the income-restricted units, including rent data for rented units, or homestead data for owner-occupied units, in a format approved by the City of LaBelle. The Owner agrees to annual on-site monitoring by the City, or its designee.
9. Development must connect to the City's potable water and sanitary sewer system. The developer shall be responsible for the extension of utilities to serve the subject property. Proof of adequate service capacity shall be required prior to issuance of site construction permits, including a hydrant system demonstrating adequate and continuous water flow for firefighting purposes.
10. Site construction plans must demonstrate the provision of an internal sidewalk and pedestrian network connecting residential units, amenities, commercial spaces, parking areas, and perimeter sidewalks.
11. Parking shall be provided on-site in accordance with the City's Land Development Code requirements for all residential and commercial uses.
12. Access to the property shall be from State Road 29, subject to approval by the Florida Department of Transportation (FDOT). This approval does not guarantee, or grant access as depicted on the MCP without FDOT approval.

13. A unified Master Signage Plan consistent with the City's Land Development Code shall be required at the time of site construction permitting to ensure cohesive signage design throughout the residential and commercial areas.
14. Consistent with LDC Sec. 4-93, the architectural theme for all non-residential buildings shall reflect an Old Florida vernacular style with inclusion of roof overhangs, porches, covered corridors, covered walkways, and pitched roofs
15. Residential structures shall also adhere to an Old Florida vernacular architectural style, incorporating at least three (3) of the following features: front porches, pitched and/or metal roofs, shutters, gabled rooflines, and paneled siding.
16. The developer/owner or established Property Owners Association (POA) shall maintain all common areas, infrastructure, amenities, parking facilities, and landscaped buffers. POA documentation, if applicable, must be provided at the site construction permitting phase.
17. Consistent with LDC 4-88 a minimum of 30% usable open space must be dedicated exclusively to passive and active recreation areas. This area shall exclude perimeter buffers, stormwater management areas, and other non-usable lands. The usable open space must include a clubhouse with swimming pool as shown on the MCP.
18. Dumpsters, recycling containers, and service areas must be set back a minimum of 25 feet from the PUD boundaries and appropriately screened with opaque walls or fencing.
19. Landscaping buffers shall be provided as follows, consistent with the approved Master Concept Plan:
- a. A 20-foot-wide landscape buffer along the State Road 29 frontage with enhanced plantings per City requirements.
  - b. A Type B Option 2 Landscape buffer as outlines in LCD 4-80 Table L6 along the north and south properties lines.
  - c. Preservation of identified significant oak trees within open space areas and buffers.
20. Prior to site construction permitting, the developer shall complete required wildlife surveys, including gopher tortoise surveys, and obtain any necessary relocation permits from applicable regulatory agencies.
21. 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.
22. The approved PUD Master Concept Plan shall remain valid for five (5) years from the date of City Commission approval. Horizontal site construction must commence within this period, or the MCP shall expire. Extensions may be administratively approved once for an additional two (2) years; further extensions require City Commission approval.

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

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

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

**PASSED AND ADOPTED** in open session this \_\_\_\_\_ day \_\_\_\_\_, 2025.

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 Holland | _____ | _____ |
| Commissioner Spratt  | _____ | _____ |

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**EXHIBIT A**  
**LEGAL DESCRIPTION**

(O.R.B. 628, PG. 884)  
THAT PART OF THE NORTH 1/3, OF THE SOUTH 1/2, OF THE NORTHEAST 1/4,  
OF SECTION 20, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY,  
FLORIDA, LYING WEST OF STATE ROAD

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

**Residential**

- Administrative Offices
- Accessory Uses and Structures
- City of LaBelle Essential Public Utility Stations
- Excavation, Water Retention
- Fences, Walls
- Dwellings, Multi-Family
- Parking Lot
- Public/Quasi-Public Utilities
- Recreational Facilities (private)
- Signs (in accordance with Appendix B, Section 4-81)

**Commercial**

- Accessory Uses and Structures
- Business Services
- City of LaBelle Utilities
- Clubs/Lodges
- Cultural institutions
- Financial Institutions
- Health Care Facilities
- Government Offices
- Medical Offices
- Professional Offices
- Personal Services
- Pharmacies
- Retail Sales
- Restaurants (no outdoor seating, on-site or off-site consumption of alcohol requires a PUD Amendment requiring public hearing)



**EXHIBIT C**  
**SITE DEVELOPMENT REGULATIONS**

| SITE DEVELOPMENT REGULATIONS TABLE |            |              |
|------------------------------------|------------|--------------|
| Site Acres                         | 26.26 ac   |              |
| Wetland Area                       | ± 0.63 ac  |              |
| Upland Acreage                     | ± 25.63 ac |              |
|                                    |            |              |
|                                    | Commercial | Multi-family |
| Proposed Units                     |            |              |
| Phase 1 & 2                        | 10,000 sf  | 288 du       |
| Phase 3                            |            | 120 du       |
| Clubhouse and Site Amenities       |            | 5,000 sf     |
| Parking                            | As per LDC | As per LDC   |
|                                    |            |              |
| Min. Lot Area                      | 22,000     | N/A          |
| Min. Lot Width                     | 75 ft      | 100 ft       |
| Min. Lot Depth                     | 100 ft     | 100 ft       |
| Max. Lot Coverage                  | 70%        | 50%          |
| Max. Height                        | 35 ft*     | 35 ft*       |
| Min. Setbacks                      |            |              |
| Front (External ROW)               | 30 ft      | 20 ft        |
| Front (Internal ROW)               | 15 ft      | 15 ft        |
| Side                               | 20 ft      | 15 ft        |
| Rear                               | 15 ft      | 20 ft        |
| Minimum Building Separation:       | 20 ft      | 20 ft        |

\*Measured from the average finish grade at the base of the structure to the midpoint of the roof

[illegible]