

ORDINANCE NO. 26-06

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE TOWN OF DUNDEE COMPREHENSIVE PLAN; CHANGING THE FUTURE LAND USE DESIGNATION OF PORTIONS OF PARCELS: 272836-000000-040000, 272901-000000-013000, 272902-000000-011010, AND 272902-000000-011040 FROM MULTI-USE VILLAGE CENTER (MU-VC) TO LOW DENSITY RESIDENTIAL (LDR); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Dundee (the "Town") is a Florida municipal corporation vested with home rule authority pursuant to the Municipal Home Rule Powers Act (F.S. Chapter 166) and Article VIII, §2 of the Florida Constitution; and

WHEREAS, pursuant to Section 2(b), Article VIII of the Florida Constitution and Chapter 166, Florida Statutes, the Town is vested with governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, including the general exercise of any power for municipal purposes; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, commonly referred to as the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and mandates the Town of Dundee, Florida, to plan for future development and growth and to adopt and amend comprehensive plans, or elements, or portions thereof, to guide the future growth and development of the Town; and

WHEREAS, the applicant request to amend the Future Land Use designation from Multi-Use Village Center (MU-VC) to Low Density Residential (LDR) on portions of land legally described in **Composite Exhibit "A"** is consistent with the Future Land Use Element of the 2030 Comprehensive Plan of the Town of Dundee (the "Comprehensive Plan") and provides consistency between the existing land use and the surrounding area; and

WHEREAS, on May 21, 2026, pursuant to Section 163.3184 and Sections 166.041(3)(c)2, Florida Statutes, the Planning and Zoning Board, serving as the Local Planning Agency designated by the Town, and the Town Commission held duly noticed public meetings and hearings on the Town-initiated amendment to the Town of Dundee 2030 Comprehensive Plan Future Land Use Map, which is legally described in **Composite Exhibit "A"** and attached hereto and made a part hereof by reference; and

WHEREAS, on May 21, 2026, in accordance with the procedures required by

Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this Ordinance were considered by the Town's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the Town, and such amendments were recommended to the Town Commission for adoption; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Town Commission held duly noticed public meetings and hearings on **Ordinance 26-06**, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents; and

WHEREAS, in exercise of its authority the Town Commission has determined it necessary to adopt this **Amendment 26-06** to the Comprehensive Plan, which map is marked as **Composite Exhibit "C"** and is attached and made a part hereof, to ensure that the Comprehensive Plan is in full compliance with the Laws of the State of Florida; to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the corporate limits of the Town of Dundee, Florida; and

WHEREAS, in accordance with the Expedited State Review procedures required by Section 163.3184(3), the Town of Dundee transmitted the proposed amendment and supporting data and analysis to the applicable review agencies; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that the enactment and adoption of this Ordinance No. 26-06 is intended and necessary to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; is consistent with the public interest and preserves, enhances, and encourages the most appropriate use of land; and this Ordinance No. 26-06 is intended to promote, protect, and improve the public health, safety, and general welfare of the citizens and residents of the Town of Dundee, Florida.

NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE TOWN OF DUNDEE, FLORIDA:

Section 1. Incorporation of Recitals. The above-referenced factual recitals (WHEREAS clauses) and referenced exhibits are incorporated herein as true and correct statements which form a factual and material basis for the adoption of this Ordinance, and the Town Commission of the Town of Dundee, Florida, hereby adopts the above-referenced factual recitals as the legislative findings supporting the adoption of this Ordinance.

Section 2. Future Land Use Map. The Town of Dundee 2030 Comprehensive Plan Future Land Use Map is hereby amended to specifically reflect the assignment of

the Future Land Use designation of Low Density Residential (LDR) on portions of land as legally described and depicted in **Composite Exhibit "A"** which is attached hereto and made a part of this Ordinance by reference.

Section 3. Conflicts. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the 2030 Comprehensive Plan of the Town of Dundee, unless such repeal is explicitly set forth herein.

Section 4. Severability. The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase of this Ordinance, or the application thereof shall be held invalid, unenforceable, or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby. The Town Commission of the Town of Dundee, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared invalid, unenforceable, or unconstitutional. If any word, sentence, clause, phrase, or provision of this Ordinance for any reason is declared by any court of competent jurisdiction to be invalid, unenforceable, unconstitutional, then all remaining provisions and portions of this Ordinance shall remain in full force and effect. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town of Dundee, Florida, by and through its Town Commission, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Administrative Correction of Scrivener's Errors and Codification. It is the intention of the Town Commission that the provisions of this Ordinance shall become and be made a part of the 2030 Comprehensive Plan of the Town of Dundee, Florida; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the 2030 Comprehensive Plan of the Town of Dundee is accomplished, sections of this Ordinance may be renumbered or re lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Manager or his or her designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk. A certified copy of this enacting Ordinance and certified copy of the Town of Dundee Future Land Use Map and Comprehensive Plan shall be located in the Office of the Town Clerk of Dundee. The Town Clerk shall also make copies available to the public for a reasonable publication charge.

Section 6. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged by an affected party, shall be 31 days after adoption. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

INTRODUCED AND PASSED, on First Reading and public hearing this 2nd day of June, 2026.

PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting, by the Town Commission of Dundee, Florida, 7th day of July, 2026.

TOWN OF DUNDEE

MAYOR – Joseph Garrison

Attest:

TOWN CLERK – Erica Anderson

Approved as to Form:

TOWN ATTORNEY – Markeishia Smith

Composite Exhibit "A"
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Parcel A: As Written by SurvTech Solutions

A parcel of land being the South 1/2 of the Northwest 1/4, and the Southwest 1/4 of the Northeast 1/4, of Section 1, Township 29 South, Range 27 East, Polk County, Florida, said parcel of land also being a portion of the Southeast 1/4 of the Northeast 1/4 of Section 2, Township 29 South, Range 27 East, Polk County, Florida, being more particularly described as follows:

BEGIN at a point marking the Southwest corner of the Northwest 1/4 of Section 1, Township 29 South, Range 27 East, Polk County, Florida; thence coincident with the South boundary of the Northeast 1/4 of Section 2, Township 29 South, Range 27 East, Polk County, Florida, S 89°24'05" W a distance of 25.04 feet to a point coincident with the East Maintained Right-of-way boundary of Lake Mabel Loop Road per Map Book 11, Page 144, of the Public Records of Polk County, Florida; thence departing said South boundary, coincident with said East Maintained Right-of-way boundary for the following fourteen (14) courses: 1.) N 00°36'58" W a distance of 44.93 feet; 2.) thence N 00°03'17" E a distance of 100.00 feet; 3.) thence N 00°10'09" E a distance of 100.00 feet; 4.) thence N 00°17'02" E a distance of 100.00 feet; 5.) thence N 00°37'39" E a distance of 100.00 feet; 6.) thence N 00°34'13" E a distance of 100.00 feet; 7.) thence N 00°41'06" E a distance of 100.00 feet; 8.) thence N 00°41'06" E a distance of 100.00 feet; 9.) thence N 00°41'06" E a distance of 100.00 feet; 10.) thence N 00°20'28" E a distance of 100.00 feet; 11.) thence N 00°20'28" E a distance of 100.00 feet; 12.) thence N 00°10'09" E a distance of 100.00 feet; 13.) thence N 00°30'47" E a distance of 100.00 feet; 14.) thence N 00°19'48" E a distance of 82.35 feet to a point coincident with the North boundary of the Southeast 1/4 of the Northeast 1/4 of said Section 2; thence departing said East Maintained Right-of-way boundary, coincident with said North boundary, N 89°22'14" E a distance of 4.18 feet to a point marking the Northwest corner of the South 1/2 of the Northwest 1/4 of said Section 1; thence departing said North boundary, coincident with the North boundary of the South 1/2 of the Northwest 1/4 of said Section 1, N 89°29'30" E a distance of 2632.67 feet to a point marking the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 1; thence departing said North boundary, coincident with the North boundary of the Southwest 1/4 of the Northeast 1/4 of said Section 1, N 89°29'30" E a distance of 1313.78 feet to a point marking the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 1; thence departing said North boundary, coincident with the East boundary of the Southwest 1/4 of the Northeast 1/4 of said Section 1, S 00°24'10" E a distance of 1320.87 feet to a point marking the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 1; thence departing said East boundary, coincident with the South boundary of the Northeast 1/4 of said Section 1, S 89°24'05" W a distance of 1306.51 feet to a point marking the Southeast corner of the Northwest 1/4 of said Section 1; thence departing said South boundary, coincident with the South boundary of the Northwest 1/4 of said Section 1, S 89°24'05" W a distance of 2637.36 feet to the POINT OF BEGINNING.

Containing an area of 5243507.78 square feet, 120.374 acres, more or less.

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Parcel C: As Written by SurvTech Solutions

A parcel of land being a portion of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 2, Township 29 South, Range 27 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at a point marking the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 2, Township 29 South, Range 27 East, Polk County, Florida; thence coincident with the South boundary of the Northeast 1/4 of the Northeast 1/4 of said Section 2, S 89°22'14" W a distance of 49.08 feet to a point coincident with the West Maintained Right-of-way boundary of Lake Mabel Loop Road per Map Book 11, Page 144, of the Public Records of Polk County, Florida, said point being the POINT OF BEGINNING; thence continue coincident with said South boundary, S 89°22'14" W a distance of 610.16 feet to a point marking the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 2; thence departing said South boundary, coincident with the West boundary of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 2, N 00°31'31" W a distance of 1000.97 feet to a point marking the Northwest corner of the South 331 feet of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 2; thence departing said West boundary, coincident with the North boundary of the South 331 feet of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 2, N 89°17'00" E a distance of 628.42 feet to a point coincident with the aforesaid West Maintained Right-of-way boundary of Lake Mabel Loop Road; thence departing said North boundary, coincident with said West Maintained Right-of-way boundary for the following eleven (11) course: 1.) S 00°20'50" W a distance of 83.69 feet; 2.) thence S 00°08'57" W a distance of 100.00 feet; 3.) thence S 01°03'57" W a distance of 100.01 feet; 4.) thence S 01°28'01" W a distance of 100.01 feet; 5.) thence S 00°19'16" W a distance of 100.00 feet; 6.) thence S 00°22'42" W a distance of 100.00 feet; 7.) thence S 00°22'42" W a distance of 100.00 feet; 8.) thence S 00°22'42" W a distance of 100.00 feet; 9.) thence S 00°22'42" W a distance of 100.00 feet; 10.) thence S 00°19'16" W a distance of 100.00 feet; 11.) thence S 00°21'56" W a distance of 18.44 feet to the POINT OF BEGINNING.

Containing an area of 619675.01 square feet, 14.226 acres, more or less.

TOGETHER WITH

BEGIN at a point marking the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 2, Township 29 South, Range 27 East, Polk County, Florida; thence coincident with the South boundary of the Northeast 1/4 of the Northeast 1/4 of said Section 2, S 89°22'14" W a distance of 4.17 feet to a point coincident with the East Maintained Right-of-way boundary of Lake Mabel Loop Road per Map Book 11, Page 144, of the Public Records of Polk County, Florida, said point being the POINT OF BEGINNING; thence departing said South boundary, coincident with said East Maintained Right-of-way boundary for the following five (5) courses: 1.) N 00°19'48" E a distance of 1.24 feet; 2.) thence N 00°22'42" E a distance of 16.41 feet; 3.) thence N 00°12'23" E a distance of 100.00 feet; 4.) thence N 00°22'42" E a distance of 100.00 feet; 5.) thence N 00°15'50" E a distance of 79.60 feet to a point coincident with the East boundary of the Northeast 1/4 of said Section 2; thence departing said East Maintained Right-of-way boundary, coincident with said East boundary, S 00°30'54" E a distance of 297.21 feet to the POINT OF BEGINNING.

Containing an area of 627.54 square feet, 0.014 acres, more or less.

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Parcel 27-29-01-000000-013000: As Written by SurvTech Solutions

A parcel of land being the Northwest 1/4 of the Northeast 1/4, and a portion of the North 1/2 of the Northwest 1/4, of Section 1, Township 29 South, Range 27 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at a point marking the Northwest corner of the Northwest 1/4 of Section 1, Township 29 South, Range 27 East, Polk County, Florida; thence coincident with the West boundary of the Northwest 1/4 of said Section 1, S 00°30'54" E a distance of 1029.88 feet to a point coincident with the East Maintained Right-of-way boundary of Lake Mabel Loop Road per Map Book 11, Page 144, of the Public Records of Polk County, Florida, said point being the POINT OF BEGINNING; thence departing said West boundary, coincident with said East Maintained Right-of-way boundary for the following eleven (11) courses: 1.) N 00°15'50" E a distance of 20.40 feet; 2.) thence N 00°33'01" E a distance of 100.00 feet; 3.) thence N 00°15'50" E a distance of 100.00 feet; 4.) thence N 00°26'09" E a distance of 100.00 feet; 5.) thence N 00°19'16" E a distance of 100.00 feet; 6.) thence N 00°26'09" E a distance of 100.00 feet; 7.) thence N 00°15'50" E a distance of 100.00 feet; 8.) thence N 00°29'35" E a distance of 100.00 feet; 9.) thence N 00°19'16" E a distance of 100.00 feet; 10.) thence N 00°53'39" E a distance of 100.00 feet; 11.) thence N 01°30'16" E a distance of 81.91 feet to a point coincident with the South Maintained Right-of-way boundary of Canal Road per Map Book 2, Page 4, of the Public Records of Polk County, Florida; thence departing said East Maintained Right-of-way boundary, coincident with said South Maintained Right-of-way boundary for the following fifty-two (52) courses: 1.) N 41°52'56" E a distance of 1.31 feet; 2.) thence N 44°56'11" E a distance of 5.00 feet; 3.) thence N 49°42'38" E a distance of 4.89 feet; 4.) thence N 54°41'55" E a distance of 5.11 feet; 5.) thence N 59°26'17" E a distance of 5.00 feet; 6.) thence N 64°22'02" E a distance of 5.00 feet; 7.) thence N 69°15'50" E a distance of 5.00 feet; 8.) thence N 74°04'10" E a distance of 5.00 feet; 9.) thence N 78°52'30" E a distance of 5.00 feet; 10.) thence N 83°40'50" E a distance of 5.00 feet; 11.) thence N 07°46'57" E a distance of 1.05 feet; 12.) thence S 89°21'58" E a distance of 31.97 feet; 13.) thence S 80°13'51" E a distance of 9.14 feet; 14.) thence N 89°48'11" E a distance of 100.00 feet; 15.) thence N 89°55'03" E a distance of 100.00 feet; 16.) thence N 89°31'00" E a distance of 100.00 feet; 17.) thence N 89°34'26" E a distance of 100.00 feet; 18.) thence N 89°27'33" E a distance of 100.00 feet; 19.) thence N 89°41'18" E a distance of 100.00 feet; 20.) thence N 89°51'37" E a distance of 100.00 feet; 21.) thence N 89°44'45" E a distance of 100.00 feet; 22.) thence N 89°41'18" E a distance of 100.00 feet; 23.) thence N 89°31'00" E a distance of 100.00 feet; 24.) thence N 89°24'07" E a distance of 100.00 feet; 25.) thence N 89°27'33" E a distance of 100.00 feet; 26.) thence N 89°34'26" E a distance of 100.00 feet; 27.) thence N 89°31'00" E a distance of 100.00 feet; 28.) thence N 89°37'52" E a distance of 100.00 feet; 29.) thence N 89°51'37" E a distance of 100.00 feet; 30.) thence N 89°20'41" E a distance of 100.00 feet; 31.) thence N 89°20'41" E a distance of 100.00 feet; 32.) thence N 89°51'37" E a distance of 100.00 feet; 33.) thence N 89°44'45" E a distance of 100.00 feet; 34.) thence N 89°41'18" E a distance of 100.00 feet; 35.) thence N 89°41'18" E a distance of 100.00 feet; 36.) thence N 89°51'37" E a distance of 100.00 feet; 37.) thence N 89°31'00" E a distance of 100.00 feet; 38.) thence N 89°34'26" E a distance of 100.00 feet; 39.) thence S 89°54'38" E a distance of 100.00 feet; 40.) thence N 89°51'37" E a distance of 100.00 feet; 41.) thence N 89°34'26" E a distance of 100.00 feet; 42.) thence N 89°44'45" E a distance of 100.00 feet; 43.) thence N 89°17'15" E a distance of 100.00 feet; 44.) thence N 89°41'18" E a distance of 100.00 feet; 45.) thence N 89°37'52" E a distance of 100.00 feet; 46.) thence N 89°37'52" E a distance of 100.00 feet; 47.) thence N 89°31'00" E a distance of 100.00 feet; 48.) thence N 89°41'18" E a distance of 100.00 feet; 49.) thence N 89°34'26" E a distance of 100.00 feet; 50.) thence N 89°34'26" E a distance of 100.00 feet; 51.) thence S 89°51'12" E a distance of 100.00 feet; 52.) thence S 87°54'46" E a distance of 56.40

feet to a point coincident with the East boundary of the Northwest 1/4 of the Northeast 1/4 of said Section 1; thence departing said South Maintained Right-of-way boundary, coincident with said East boundary, S 00°04'59" E a distance of 1304.50 feet to a point marking the Southeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 1; thence departing said East boundary, coincident with the South boundary of the Northwest 1/4 of the Northeast 1/4 of said Section 1, S 89°29'30" W a distance of 1313.78 feet to a point marking the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 1; thence departing said South boundary, coincident with the South boundary of the North 1/2 of the Northwest 1/4 of said Section 1, S 89°29'30" W a distance of 2632.67 feet to a point marking the Southwest corner of the North 1/2 of the Northwest 1/4 of said Section 1; thence departing said South boundary, coincident with the West boundary of the Northwest 1/4 of said Section 1, N 00°30'54" W a distance of 297.22 feet to the POINT OF BEGINNING.

Containing an area of 5178484.47 square feet, 118.882 acres, more or less.