

ORDINANCE NO. 2026-10

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE ZONING MAP OF THE CITY OF WAUCHULA, FLORIDA, FROM 17.3 ACRES COUNTY GENERAL COMMERCIAL (C-2) AND 17.4 ACRES COUNTY AGRICULTURE (A-1) TO 11.7 ACRES PLANNED UNIT DEVELOPMENT (PUD) AND 23.0 ACRES AGRICULTURE (AG) ON TWO PARCELS OF LAND CONTAINING APPROXIMATELY +/- 34.7 ACRES LOCATED AT 0 US HIGHWAY 17 NORTH, (PARCEL NUMBERS 33-33-25-0000-08410-0000 AND 33-33-25-0000-00978-0000), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Hardee County Board of County Commissioners (the "Applicant") requests a change of zoning from 17.3 acres County General Commercial (C-2) and 17.4 acres County Agriculture (A-1) to 11.7 acres Planned Unit Development (PUD) and 23.0 acres Agriculture (AG) on two parcels of land containing approximately +/- 34.7 acres located at 0 US Highway 17 North, (Parcel Numbers 33-33-25-0000-08410-0000 and 33-33-25-0000-00978-0000). and

WHEREAS, the real property which is the subject of this Ordinance constitutes less than five percent (5%) of the municipally zoned area of the City; and

WHEREAS, on June 15, 2026, in accordance with Section 163.3174, Florida Statutes, and applicable law, the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting considered the Applicant's request for rezoning as set forth in this Ordinance which included, but is not limited to, testimony and argument(s) from interested and/or aggrieved parties; and

WHEREAS, on June 15, 2026, the interested and/or aggrieved parties and citizens in attendance were provided with an opportunity to be heard and present testimony to the City's Planning and Zoning Board; and

WHEREAS, on June 15, 2026, after considering all the facts and testimony presented by the City, interested and/or aggrieved parties, and citizens in attendance, the City's Planning and Zoning Board voted to recommend approval/approval with changes/denial of the Applicant's request for the rezoning as set forth in this Ordinance to the City Commission; and

WHEREAS, as a result of this Ordinance being initiated by the Applicant (not the municipality), the City Commission of the City of Wauchula held duly noticed public hearings regarding the parcel shown on Exhibit "A" in accordance with Section 166.041 (3), Florida Statutes, to provide the public an opportunity to be heard, obtain public

comment, and receive and consider all written and oral testimony presented during such public hearings, including supporting documentation; and

WHEREAS, in exercise of its authority, the City Commission of the City of Wauchula has determined it necessary to amend the Official Zoning Map to change the City zoning classifications assigned to this property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WAUCHULA, FLORIDA, AS FOLLOWS:

Section 1. AMENDMENT TO THE OFFICIAL ZONING MAP. the Commission of the City of Wauchula, Florida, amends its Official Zoning Map in the following specific manner:

The Official Zoning Map is amended to specifically change the zoning from 17.3 acres County General Commercial (C-2) and 17.4 acres County Agriculture (A-1) to 11.7 acres Planned Unit Development (PUD) and 23.0 acres Agriculture (AG) on two parcels of land containing approximately +/- 34.7 acres located at 0 US Highway 17 North, (Parcel Numbers 33-33-25-0000-08410-0000 and 33-33-25-0000-00978-0000).

Section 2. RECITALS. The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the Commission as the legislative findings and intent pertaining to this Ordinance.

Section 3. PLANNED UNIT DEVELOPMENT The Master Development Plan (MDP) for this Planned Development attached hereto as Exhibit "C" is approved for the portion of the total property known as the Hardee County Sheriff's Office and Jail PUD, including development requirements and additional special conditions attached hereto as Exhibit "D" and made a part hereof.

Section 4. SEVERABILITY. 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 City of Wauchula, 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 unconstitutional.

Section 4. 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 City's Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

Section 6. This Ordinance shall not be codified in the Code of Ordinances of the City of Wauchula, Florida. A certified copy of this enacting ordinance shall be located in the Office of

the City Clerk of Wauchula. The City Clerk shall also make copies available to the public for a reasonable publication charge.

Section 7. 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 City Administrator or his designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon adoption.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Wauchula, the ____ day of ____, 2026.

PASSED on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this ____ day of ____, 2026.

This ordinance was moved for adoption by Commissioner _____.
The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Anne Miller	_____	insert yes or no
Commissioner Russell Graylin Smith	_____	insert yes or no
Commissioner Keith Nadaskay, Jr	_____	insert yes or no
Commissioner Dr. Sherri Albritton	_____	insert yes or no
Commissioner Gary Smith	_____	insert yes or no

(SEAL)

ATTEST:

APPROVED:

Stephanie Camacho, City Clerk

Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney

Exhibit "A"
Ordinance No. 2026-10
LOCATION MAP AND LEGAL DESCRIPTION
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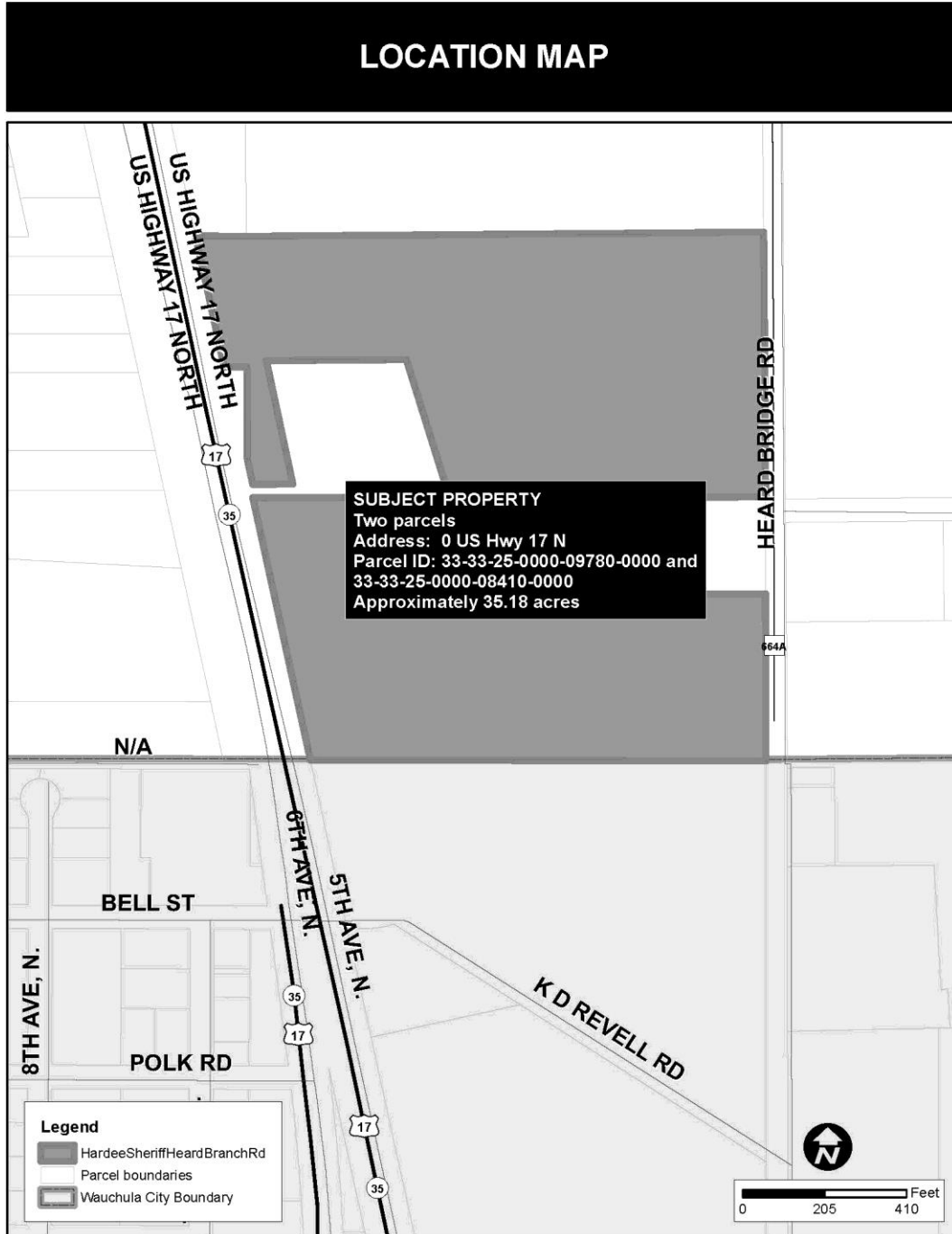


Exhibit "A"
Ordinance No. 2026-10
LOCATION MAP AND LEGAL DESCRIPTION
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Description: (As Surveyed Description)

A parcel of land being a portion of Section 33, Township 33 South, Range 25 East, Hardee County, Florida, being more particularly described as follows:

BEGIN at the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 33; thence South 89°51'51" West along the North line of the Southwest 1/4 of the Southeast 1/4 of said Section 33, 116.37 feet to the intersection with the Easterly right-of-way line of State Road 35 (U.S. 17), as depicted on the Florida Department of Transportation right-of-way Map Section Number 06010-2532; thence South 12°13'13" East along said Easterly right-of-way line, 324.83 feet to the intersection with the North line of the South 247.67 feet of the Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 33; thence North 89°32'11" East, 51.54 feet to the East line of the Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 33; thence South 00°25'51" East along said East line, 247.86 feet to the intersection with said Easterly right-of-way line of State Road 35 (U.S. 17); thence South 12°10'44" East along said Easterly right-of-way line, 65.31 feet to the intersection with the North line of "Parcel 121" as described in Official Records book 642, pages 1234 through 1238, Public Records of Hardee County, Florida; thence North 89°52'52" East along said North Line, 100.66 feet to the Westerly line of said "Parcel 121"; thence North 12°11'38" West along said Westerly line, 318.75 feet to the North line of said "Parcel 121"; thence North 89°52'22" East along said North line, 351.21 feet to the Northeast corner of said "Parcel 121"; thence South 12°11'38" East along the Easterly line of said "Parcel 121", 352.25 feet to the South line of the North 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 33; thence South 89°52'22" West along said South line, 452.14 feet to the intersection with said Easterly right-of-way line of State Road 35 (U.S. 17); thence South 12°10'44" East along said Easterly right-of-way line, 675.89 feet to the South line of the Southeast 1/4 of the Southeast 1/4 of said Section 33; thence North 89°55'20" East along said South line, 1128.01 feet to the intersection with the West right-of-way line of Heard Bridge Road, having a 70 foot right-of-way based on the right-of-way notecard provided by Hardee County Public Works Division; thence North 00°10'43" West along said West right-of-way line, 416.87 feet to the South line the North 245.00 feet of the Southeast 1/4 of the Southeast 1/4; thence South 89°59'05" West along said South line, 149.29 feet to the West line of the East 190.00 feet of the Southeast 1/4 of the Southeast 1/4 of said Section 33; thence North 00°19'06" West along said West line, 244.64 feet to the South line of the North 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 33; thence North 89°53'15" East along said South line, 149.89 feet to the intersection with said West right-of-way line of Heard Bridge Road; thence North 00°10'43" West along said West right-of-way line, 661.92 feet to the intersection with the North line of the Southeast 1/4 of the Southeast 1/4 of said Section 33; thence South 89°52'41" West along said North line, 1292.85 feet to the POINT OF BEGINNING.

Said parcel containing 34.69 acres more or less.

Description: (Title commitment number 2024020175)

Legal 1:

The SW 1/4 of the SE 1/4 of the SE 1/4, LESS Railroad right-of-way. AND The SE 1/4 of the SE 1/4 of the SE 1/4 LESS the North 245.00 feet of the East 190.00 feet thereof and subject to road right of way. All in Section 33, Township 33 South, Range 25 East, Hardee County, Florida.

Legal 2:

All that part of the Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4 lying Easterly of U.S. Highway No. 17 right of way, and LESS Atlantic Coast Line Railroad right of way and LESS the South 247.67 feet thereof, lying in Section 33, Township 33 South, Range 25 East, Hardee County, Florida.

Exhibit "A"
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LOCATION MAP AND LEGAL DESCRIPTION
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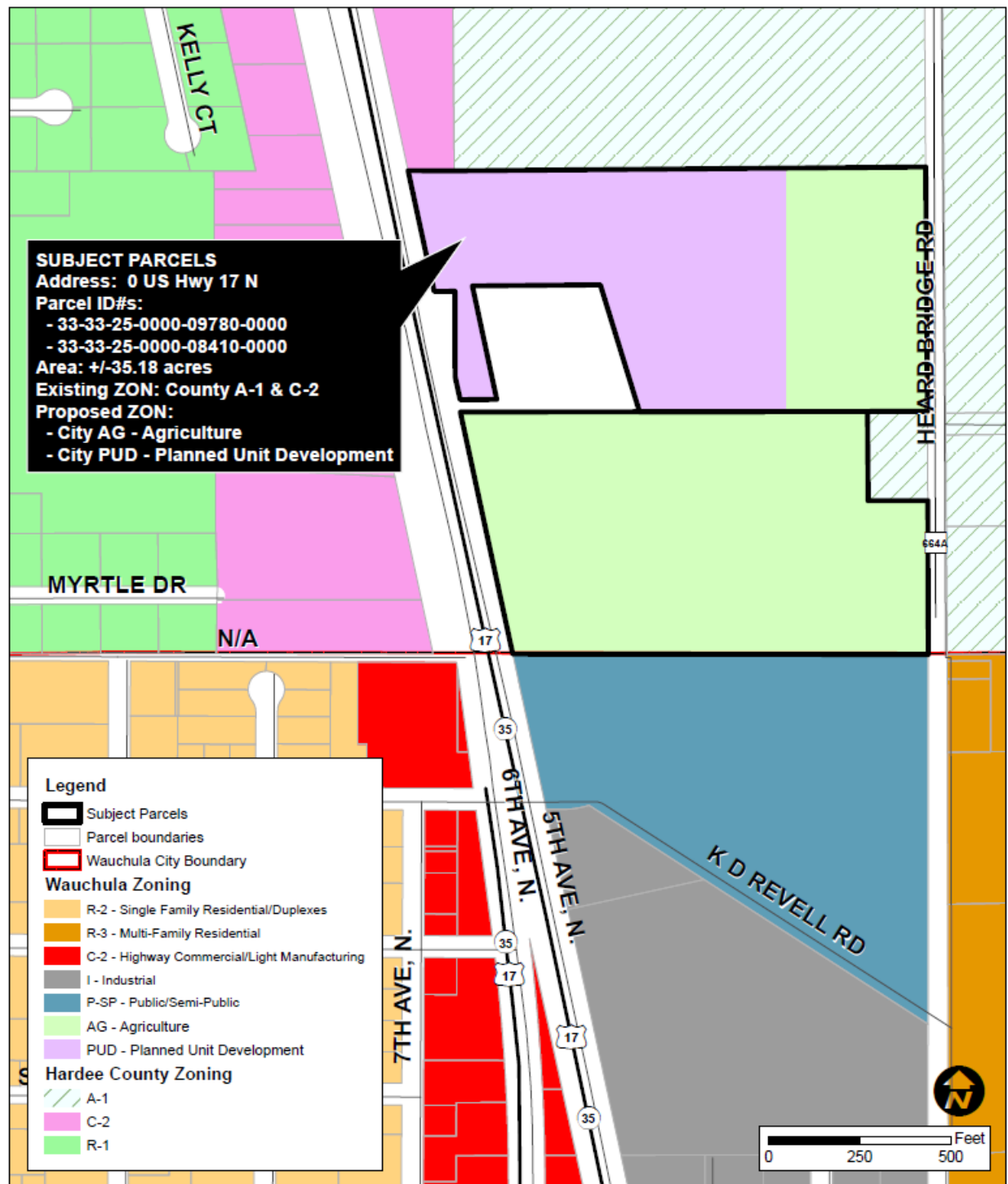
Together with:

A portion of the North 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 33, Township 33 South, Range 25 East, Hardee County, Florida, and being more particularly described as follows: Begin at the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 33; thence S 00°26'27" E, a distance of 564.72 feet to a point on the Easterly right of way line of U.S. Highway No. 17; thence S 12°12'02" E along said Easterly right of way line, a distance of 65.31 feet; thence N 89°51'58" E a distance of 100.66 feet; thence North 12°12'02" W a distance of 318.75 feet; thence N 89°51'58" E a distance of 351.21 feet; thence S 12°12'02" E, a distance of 353.25 feet to a point on the South line of the North 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 33; thence N 89°52'21" E along said South line, a distance of 851.31 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 33; thence N 00°10'38" W along the East line of the Southeast 1/4 of said Section 33, a distance of 661.79 feet to the Northeast corner of the North 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 33; thence S 89°51'20" W along the North line of the Southeast 1/4 of the Southeast 1/4 of said Section 33, distance of 1327.75 feet to the Point of Beginning. LESS AND EXCEPT road right-of-way on the East side for Heard Bridge Road.

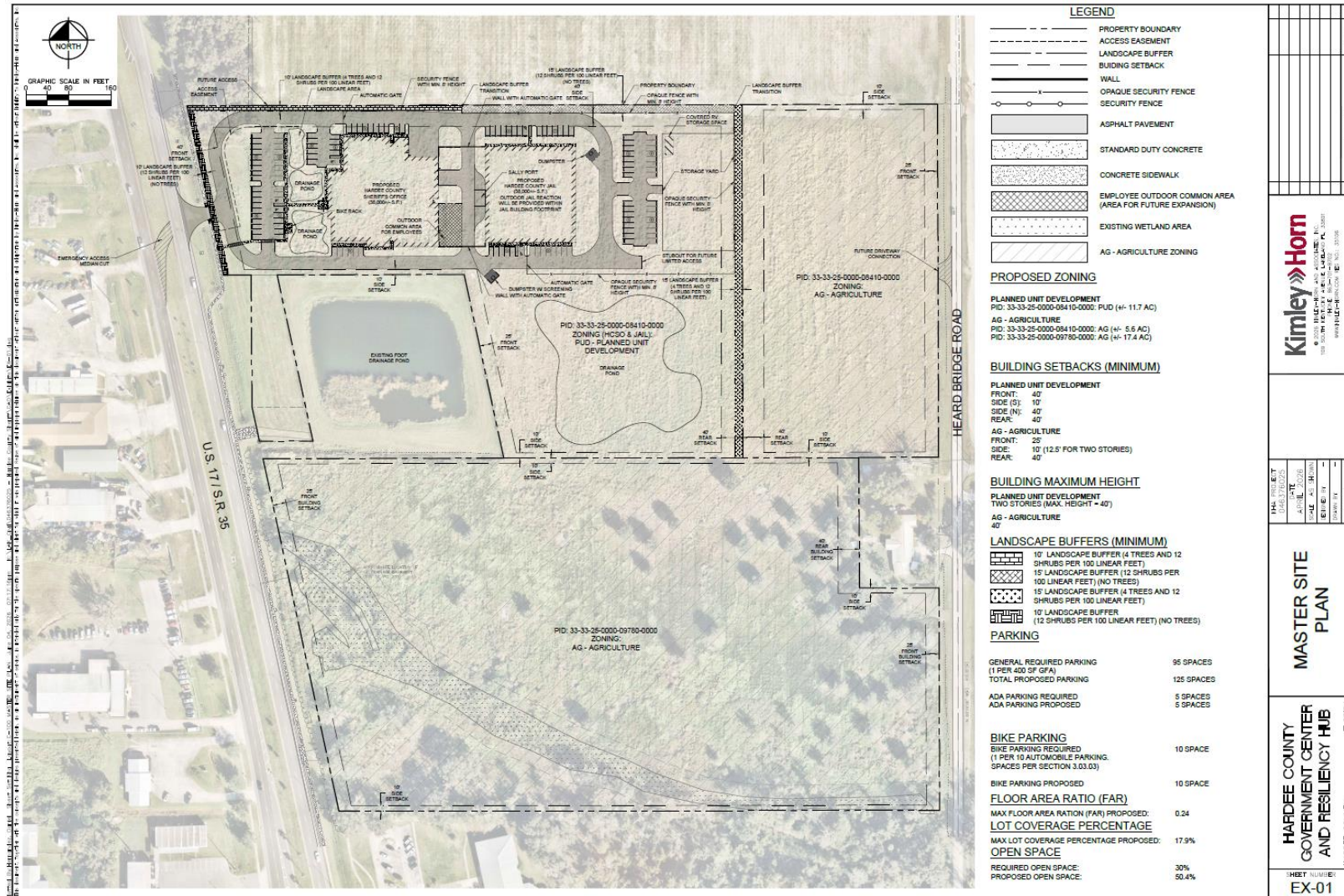
ORDINANCE 2026-10
EXHIBIT "B"
ZONING MAP

DRAFT

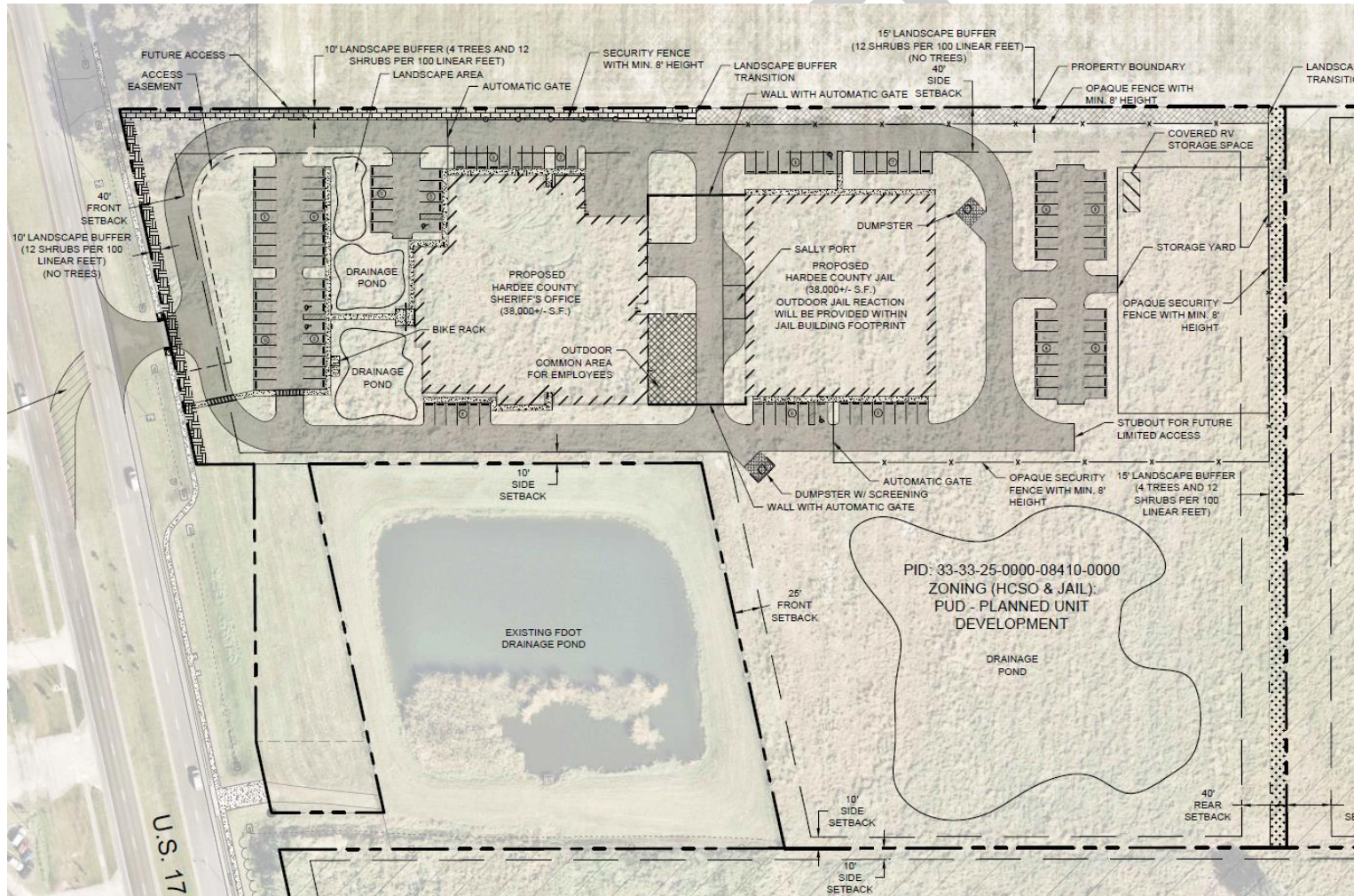
PROPOSED ZONING MAP



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EXHIBIT "C"
MASTER DEVELOPMENT PLAN
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EXHIBIT "C"
MASTER DEVELOPMENT PLAN
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ORDINANCE 2026-10
EXHIBIT "D"
PD DEVELOPMENT REQUIREMENTS AND SPECIAL CONDITIONS

The Hardee County Resiliency Hub PUD will meet the following conditions.

1. The Planned Unit Development shall meet the following requirements as established in the Master Development Plan (Exhibit "C") and as shown below.

<u>BUILDING SETBACKS (MINIMUM)</u>	
PLANNED UNIT DEVELOPMENT	
FRONT:	40'
SIDE (S):	10'
SIDE (N):	40'
REAR:	40'
AG - AGRICULTURE	
FRONT:	25'
SIDE:	10' (12.5' FOR TWO STORIES)
REAR:	40'
<u>BUILDING MAXIMUM HEIGHT</u>	
PLANNED UNIT DEVELOPMENT	
TWO STORIES (MAX. HEIGHT = 40')	
AG - AGRICULTURE	
40'	
<u>LANDSCAPE BUFFERS (MINIMUM)</u>	
	10' LANDSCAPE BUFFER (4 TREES AND 12 SHRUBS PER 100 LINEAR FEET)
	15' LANDSCAPE BUFFER (12 SHRUBS PER 100 LINEAR FEET) (NO TREES)
	15' LANDSCAPE BUFFER (4 TREES AND 12 SHRUBS PER 100 LINEAR FEET)
	10' LANDSCAPE BUFFER (12 SHRUBS PER 100 LINEAR FEET) (NO TREES)
<u>PARKING</u>	
GENERAL REQUIRED PARKING (1 PER 400 SF GFA)	95 SPACES
TOTAL PROPOSED PARKING	125 SPACES
ADA PARKING REQUIRED	5 SPACES
ADA PARKING PROPOSED	5 SPACES
<u>BIKE PARKING</u>	
BIKE PARKING REQUIRED (1 PER 10 AUTOMOBILE PARKING. SPACES PER SECTION 3.03.03)	10 SPACE
BIKE PARKING PROPOSED	10 SPACE
<u>FLOOR AREA RATIO (FAR)</u>	
MAX FLOOR AREA RATION (FAR) PROPOSED:	0.24
<u>LOT COVERAGE PERCENTAGE</u>	
MAX LOT COVERAGE PERCENTAGE PROPOSED:	17.9%
<u>OPEN SPACE</u>	
REQUIRED OPEN SPACE:	30%
PROPOSED OPEN SPACE:	50.4%

2. The maximum building height of 40 feet shall not apply to accessory vertical elements, including but not limited to observation decks and similar structures.
3. The **xx** sf area depicted on the Master Development Plan as the employee outdoor common area may be utilized for future expansion of the Hardee County Sheriff's Office, provided such development remains within the designated common area. Future expansion within this area shall be permitted without a PUD amendment, subject to compliance with all applicable development standards as noted on the site plan.
4. A minimum of approximately **xx** percent of the required open space shall be provided as common recreational space in lieu of the 50 percent requirement of Section 2.02.02.15(F)(4).
5. If connected to the area in the PUD, the future driveway connection in the Agricultural Zoned area adjacent to Heard Bridge Road shall be limited to emergency access only. In the event the drive aisle is extended to connect the PUD to Heard Bridge Road, such modification shall constitute a PUD amendment and shall require formal review and approval in accordance with the applicable procedures.
6. Landscaping and Buffering. The following conditions are illustrated on the Master Development Plan.
 - a. US 17 Boundary: In consideration of the operational characteristics of the government and correctional facility use and the internal landscaping and drainage pond features, the PUD conditions amend the landscaping requirements along the property boundary fronting U.S. 17, pursuant to Sections 2.02.02.15(I) and 3.07.07.05(A), are to preserve visibility. The boundary fronting U.S. 17 shall provide a 10-foot landscape buffer and 12 shrubs per 100 linear feet.
 - b. Northern Property Boundary: From the western property boundary to Landscape Buffer Transition (prior to the gate for the Sally Port), a 10-foot wide landscape buffer with 4 trees and 12 shrubs per 100 linear feet shall be provided. From the Landscape Transition Buffer (prior to the gate for the Sally Port) to the eastern boundary of the property, a 15-foot wide landscape buffer opaque fence and 12 shrubs per 100 feet and no trees shall be provided. Trees are not provided in this buffer for security reasons related to the jail.
 - c. Eastern PUD Boundary. The Eastern PUD boundary includes a 15-foot wide landscape buffer with opaque fence including four trees and one shrub per 100 linear feet.
7. An eight-foot tall opaque fence shall be provided as illustrated on the Master Development Plan. When placed with landscape buffers, the fence shall be located inside

all landscape buffers. The design, location, and configuration of the automatic security fence is subject to modification and shall be finalized at the time of site and development.

8. Internal traffic circulation located behind the automatic security fence may be modified and shall be finalized at the time of site and development, subject to review by the Sheriff and the Development Director. Modifications to internal circulation within the secured area shall not be considered a PUD amendment, as such adjustments do not alter external traffic patterns or trip generation.
9. The location of the dumpster, situated behind the automatic security fence, shall be configured in accordance with the final internal circulation layout.
10. Prior to site and development, the Applicant shall coordinate with the City to ensure the proposed Hardee County Sheriff's Office and Hardee County Jail building designs are consistent, to the extent practicable, with the intent and applicable provisions of Section 2.06.00. Alternative façade materials and design standards may be considered recognizing the operational requirements and security limitations associated with the correctional facility use.