

ORDINANCE NO. 2026-06

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF WAUCHULA, FLORIDA, SPECIFICALLY CHANGING THE FUTURE LAND USE CLASSIFICATION FROM COUNTY TOWN CENTER TO CITY MEDIUM DENSITY RESIDENTIAL (MDR) ON A PORTION OF ONE PARCEL OF LAND CONTAINING APPROXIMATELY +/-2.2 ACRES OF LAND LOCATED AT 119 OHIO AVENUE (PARCEL NUMBER 04-34-25-0000-02670-0000), AS IDENTIFIED IN EXHIBIT "A" HEREOF; ; PROVIDING FOR A BUSINESS IMPACT ESTIMATE, PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and mandates the City of Wauchula, Florida, (the "City") 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 City; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Commission held meetings and hearings on **Amendment 26-01SS**, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, in exercise of its authority the City Commission has determined it necessary to adopt this **Amendment 26-01SS** to the Comprehensive Plan, which map is marked as Exhibit "A" and is attached and made a part hereof, to ensure that the 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 City of Wauchula; and

WHEREAS, 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 City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting on March 16, 2026, at which time interested parties and citizens had the opportunity to be heard and such amendments were recommended to the City Commission for adoption; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the

Commission held a meeting and hearing on this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents.

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

Section 1. AMENDMENT TO THE FUTURE LAND USE MAP. the Commission of the City of Wauchula, Florida, amends its Comprehensive Plan in the following specific manner: The Future Land Use Map is amended to specifically change the Future Land Use Classification from County Town Center to City Medium Density Residential (MDR) on a portion of one parcel of land containing approximately +/-2.2 acres located at 119 Ohio Avenue, (eastern portion of Parcel Number 04-34-25-0000-02670-0000). and shown on the Legal Description and Proposed Future Land Use Map attached as Composite Exhibit "A".

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. 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. BUSINESS IMPACT ESTIMATE. Pursuant to Section 166.041(4), Florida Statutes, the City of Wauchula is required to prepare a business impact estimate for certain proposed ordinances. This proposed ordinance amends the Future Land Use of the property in accordance with the owner's proposed use. Such an amendment to the City's Plan (1) serves a public purpose by serving the public health, safety, morals, and welfare of the City, (2) has no direct negative economic impact on private, for-profit businesses in the city, (3) will not result in direct compliance costs by businesses, (4) does not impose any new charge or fee or businesses for which businesses will be financially responsible, and (5) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City. Thus, it is estimated that neither residents nor any business will incur additional costs. The City does not seek to impose any additional user or regulatory fees or charges, nor are any direct compliance costs expected. The Business Impact Estimate form for this ordinance is on file with the City Clerk.

Section 5. 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. EFFECTIVE DATE. The ordinance shall take effect as provided for in 163.3187(5)(c), Florida Statutes.

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

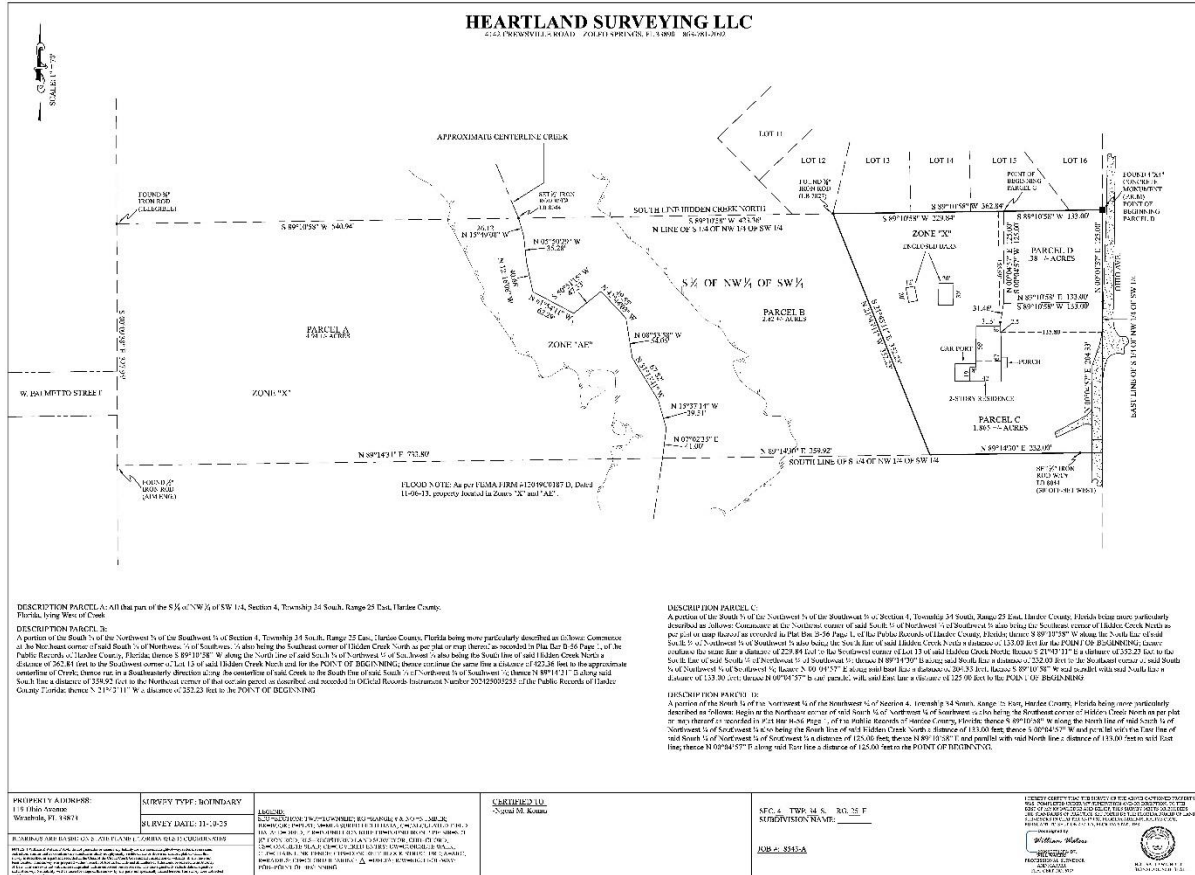
Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney

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119 Ohio Avenue Eastern Portion of Parcel 04-34-25-0000-02670-0000



DESCRIPTION PARCEL A: All that part of the SW 1/4 of SW 1/4, Section 4, Township 24 South, Range 28 East, Hardee County, Florida, being the West of Centerline of Middle Creek.

DESCRIPTION PARCEL B: A portion of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 4, Township 24 South, Range 28 East, Hardee County, Florida being more particularly described as follows: Commencing at the Northeast corner of said South 1/2 of Northwest 1/4 of Southwest 1/4 of Section 4, Township 24 South, Range 28 East, Hardee County, Florida, thence S 89°10'58\"/>

DESCRIPTION PARCEL C: A portion of the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 4, Township 24 South, Range 28 East, Hardee County, Florida being more particularly described as follows: Commencing at the Northeast corner of said South 1/2 of Northwest 1/4 of Southwest 1/4 of Section 4, Township 24 South, Range 28 East, Hardee County, Florida, thence S 89°10'58\"/>

<p>PROPERTY ADDRESS: 119 Ohio Avenue Wesley, FL 32787</p>	<p>SURVEY TYPE: BOUNDARY</p> <p>SURVEY DATE: 11-19-25</p>	<p>CLIENT: HEARTLAND SURVEYING LLC 2525 PENNSYLVANIA ROAD, ZEPHYRUS, FL 33088</p>	<p>SECTION, TOWNSHIP, RANGE: SECTION 4, TWP. 24 S., R. 28 E.</p> <p>SECTION NUMBER: 4</p>	<p>DATE OF RECORDING: 11/19/25</p> <p>RECORDING OFFICE: HARDEE COUNTY, FLORIDA</p>
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