



AMENDED

PLANNING AND ZONING BOARD MEETING AGENDA

May 21, 2026 at 5:30 PM

COMMISSION CHAMBERS - 202 E. MAIN STREET, DUNDEE, FL 33838

Phone: 863-438-8330 | www.TownofDundee.com

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

(Each speaker shall be limited to three (3) minutes)

APPROVAL OF MINUTES

1. PLANNING & ZONING BOARD MEETING MINUTES

1. April 16, 2026

PUBLIC HEARINGS

2. DISCUSSION & ACTION, ORDINANCE 26-06, AN APPLICANT-INITIATED FUTURE LAND USE MAP AMENDMENT FOR ESTES GROVE SUBDIVISION.

3. DISCUSSION & ACTION, ORDINANCE 26-09 – AN APPLICANT-INITIATED MAJOR PUD AMENDMENT TO ORDINANCE 15-05 FOR ESTES GROVE SUBDIVISION.

4. DISCUSSION AND ACTION, ORDINANCE 26-07-TOWN-INITIATED TEXT AMENDMENT TO SECTION 3.06.07 OF THE LAND DEVELOPMENT CODE

DISCUSSION ITEMS

REPORTS FROM OFFICERS

Planning Department Comments

Town Administration Comments

Board Member Comments

Chairperson Comments

ADJOURNMENT

PUBLIC NOTICE: *Please be advised that if you desire to appeal from any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases, a verbatim record is required. You must make your own arrangements to produce this record. (Florida statute 286.0105)*

If you are a person with disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the town clerk's office at 202 east main street, Dundee, Florida 33838 or phone (863) 438-8330 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771.



PLANNING AND ZONING BOARD MEETING MINUTES

April 16, 2026, at 5:30 PM

COMMISSION CHAMBERS - 202 E. MAIN STREET, DUNDEE, FL 33838

Phone: 863-438-8330 | www.TownofDundee.com

CALL TO ORDER by Chair Michelle Thompson at 5:31 P.M.

PLEDGE OF ALLEGIANCE led by Chair Michelle Thompson

ROLL CALL given by Deputy Town Clerk Melissa Glogowski

PRESENT

- David Joubert
- Drecextel Robinson
- Michelle Thompson

It was noted for the record that Board Member Julia Hunt had resigned her seat on the board due to being elected to the Town Commission on April 7th, 2026.

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

(Each speaker shall be limited to three (3) minutes)

Board member Joubert opened the floor for public comments, being none, the floor was closed.

APPROVAL OF MINUTES

1. February 19, 2026

Motion to approve the minutes of the February 19, 2026, Planning & Zoning meeting, made by Chair Thompson .

Motion Seconded by Vice-Chair Joubert.

Voting in favor: Joubert, Robinson, Thompson

The motion passed unanimously

Board Chair Thompson opened the floor for public comments, being none, the floor was closed.

NEW BUSINESS

1. **DISCUSSION & ACTION, ORDINANCE 26-05, 706 CITRUS AVENUE FUTURE LAND USE MAP AMENDMENT**

Board Chair Thompson put it on the that she has a personal relationship with the property owner of 706 Citrus, but she has not discussed this item with him and therefore remain impartial.

Motion for approval of Ordinance 26-05, a request by the Town of Dundee to amend the Future Land Use Map for property located in the Town of Dundee from Commercial Industrial Corridor to Medium Density Residential (MDR) on approximately 1.57 +/- acres. The subject property is located east of Highway 27, north of Dundee Road, and on the north side of Citrus Avenue, in the Town of Dundee in Section 29, Township 28, Range 27, further described as parcel 27-28-29-848000-000060, was made by Chair Thompson.

Motion Seconded by Vice-Chair Joubert.

Voting in favor: Joubert, Robinson, Thompson

The motion passed unanimously

REPORTS FROM OFFICERS

Planning Department Comments-New things and people coming, APA conference in the fall has classes for P&Z Board members that would be beneficial.

Town Administration Comments – New P&Z board member application for Donaldson Barclay & Virginia Shuff-Dowd approved by Town Commission at April meeting.

Board Member Comments – Thanked Lorraine Peterson for the YouTube videos.

Chairperson's Comments – None

ADJOURNMENT at 5:58 PM

Respectfully submitted,

Melissa Glogowski

Melissa Glogowski, Deputy Town Clerk

APPROVAL DATE:

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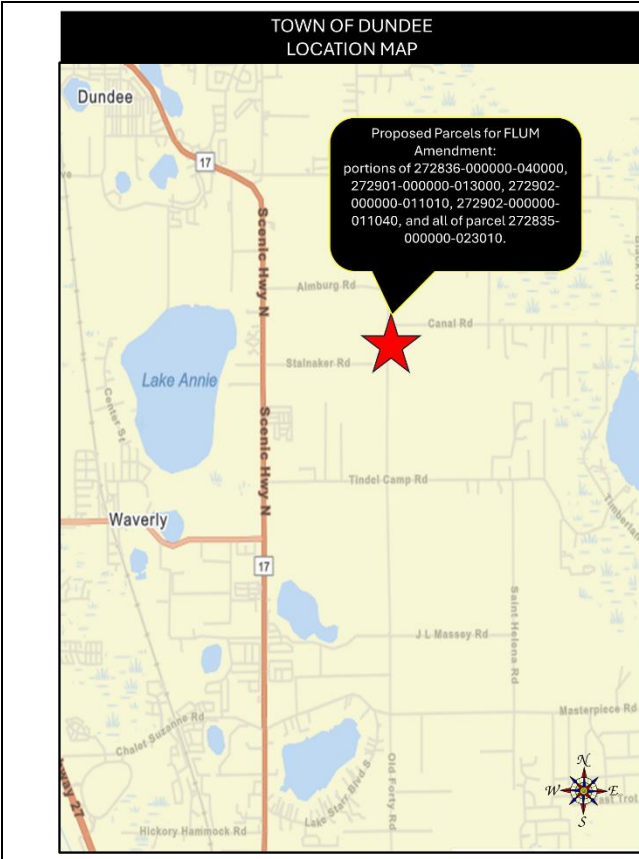


Meeting Agenda Coversheet

MEETING DATE:	May 21, 2026	Submitted By: Lorraine Peterson- Planning & Zoning	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>	DISCUSSION & ACTION, ORDINANCE 26-06, AN APPLICANT-INITIATED FUTURE LAND USE MAP AMENDMENT FOR ESTES GROVE SUBDIVISION.		
STAFF RECOMMENDATION: (MOTION READY)	I move the Planning and Zoning Board recommend approval of Ordinance 26-06 to Town Commission, a request by Heather Wertz of Absolute Engineering, Inc. to amend the Future Land Use Map for property located in the Town of Dundee from Multi-Use Village Center (MU-VC) to Low Density Residential (LDR) on portions of 638.76 +/- acres. The subject property is located on the east and west sides of Lake Mabel Loop Road, and on the north and south sides of Canal Road, in Sections 36,01, and 02 Townships 28 and 29, Range 27, further described as parcels: 272836-000000-040000, 272901-000000-013000, 272902-000000-011010, and 272902-000000-011040.		
SUMMARY and/or JUSTIFICATION:	<p>The Applicant, Heather Wertz of Absolute Engineering, Inc., is requesting an amendment to the Future Land Use Map for property located in the Town of Dundee. The current FLU is Multi-Use Village Center (MU-VC) with the proposed FLU being Low Density Residential (LDR) it would be consistent with the Town of Dundee's Comprehensive Plan, Land Development Code and compatible with the surrounding land uses.</p> <p>The proposed site is located in the southeast quadrant of the Town of Dundee, on the east and west sides of Lake Mabel Loop Road and the north and south sides of Canal Road, in Sections 36,01, and 02, Townships 28 and 29, Range 27, further described as portions of parcels: 272836-000000-040000, 272901-000000-013000, 272902-000000-011010, 272902-000000-011040, and all of parcel 272901-000000-012000.</p>		
SELECT, if applicable	AGREEMENT:		BUDGET:
	STAFF REPORT:	X	PROCLAMATION:
	EXHIBIT(S):	X	OTHER:

<p>IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i></p>	<p>Staff Report Ordinance 26-06 BIE</p>			<p>Item 2.</p>
<p>SELECT, if applicable</p>	<p>RESOLUTION: N/A</p>	<p>ORDINANCE: 26-06</p>		
<p>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(If Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank.)</i></p>	<p style="text-align: center;">ORDINANCE NO. 26-06</p> <p>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.</p>			
<p>FISCAL IMPACT (if any):</p>	<p>This Ordinance will not produce any fiscal impacts to the Town.</p>		<p>\$0.00</p>	

Town of Dundee
 Planning and Zoning Board Staff Report
 Estes Grove
 Future Land Use Map Amendment



To: Planning and Zoning Board
Agenda Date: May 21, 2026
Department: Planning and Zoning
Discussion Topic: Future Land Use Map Amendment change from Multi-Use Village Center to Low Density Residential-Ordinance 26-06
Applicant: Town of Dundee
Property Owner: McGrady Road Investment LLC
Planning & Zoning Board Recommendation: Pending Hearing
Town Commission Transmittal Hearing: Pending Hearing
Town Commission Adoption Hearing: Pending Hearing
DEO Comments: Pending
Prepared By: Lorraine Peterson, Development Director



SITE LOCATION

The proposed site is located in the southeast quadrant of the Town of Dundee, on the east and west sides of Lake Mabel Loop Road and the north and south sides of Canal Road, in Sections 36, 01, and 02, Townships 28 and 29, Range 27, further described as portions of parcels: 272836-000000-040000, 272901-000000-013000, 272902-000000-011010, 272902-000000-011040, and all of parcel 272901-000000-012000.

BACKGROUND

The Applicant, Heather Wertz of Absolute Engineering, Inc., is requesting an amendment to the Future Land Use Map for property located in the Town of Dundee. The current FLU is Multi-Use Village Center (MU-VC) with the proposed FLU being Low Density Residential (LDR) it would be consistent with the Town of Dundee’s Comprehensive Plan, Land Development Code and compatible with the surrounding land uses.

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ANALYSIS

This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Current Future Land Use

Policy 2.9: Multi Use Village Center

The primary function of the Multi Use Village Center (MUVC) classification is to promote a balanced mix of activities including residential, shops, schools, workplaces, parks and other urban uses that make up the fabric of a growing Town. It allows residential use with densities ranging from **5 dwelling units per acre up to 12 dwelling units per acre**. It also allows for nonresidential uses with intensities ranging up to 1.0 FAR. The development opportunities afforded by the mixed-use classification's wide range of densities and intensities require the statement of an integrated development strategy with standards that promote diversity, and the approval of an overall development design. To provide an orderly framework for public and

private development decisions, development activity within the Mixed-Use Village Center classification shall support and further the design characteristics specified in the following:

Proposed Future Land Use

Policy 2.3: Low Density Residential

The primary function of the Low-Density Residential classification is accommodating low density residential development consisting primarily of single-family dwellings. **Maximum density is 5.0 residential dwelling units per acre**; Agricultural uses are permissible in this category.

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Surrounding Uses

Table 1 lists the Future Land Uses (FLU) for the surrounding areas adjacent to the subject site.

Table 1: Surrounding Uses

Northwest Dundee Residential FLU-LDR Zoning-	North Polk County Residential/Ag. Land A/RR	Northeast Polk County Residential/ Ag. Land A/RR
West Dundee Residential/Ag. Land FLU-LDR, MUVC, and Commercial/Industrial Corridor Zoning-RSF-2, RMF, Service Commercial	Subject Site Vacant Agriculture Land Current FLU-Multi-Use Village Center (MUVC) Current Zoning- PUD-MU Proposed FLU-LDR	East Polk County Residential/Ag. Land A/RR
Southwest Dundee and Polk County Residential FLU-LDR, MDR, PC-INST-1, and PC-A/RR Zoning-PUD, RMF, and RSF-2	South Dundee Residential/Ag. Land FLU- LDR Zoning-RSF-2 and PUD	Southeast Polk County Residential/Ag. Land A/RR

Sources: Town of Dundee FLU and Zoning Maps, Polk County Property Appraiser, Polk County Geographical Information System

Potable Water and Sanitary Sewer

At the time of subdivision development plan review applicant must provide potable water and sanitary sewer.

Solid Waste

Dundee transfers solid waste collected in the Town to the Polk County Landfill. As the operators of the landfill, the County plans for capacity for all municipalities in the county, as well as unincorporated areas. Polk County determined that there is sufficient landfill

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space for the county, including Dundee, to dispose of household garbage for approximately 65 years.

Roads

A current transportation study will be required at the time of subdivision site development plan.

Recreation

The Town currently meets the level of service requirement of 4.5 acres per 1,000 residents as established in the Comprehensive Plan. The applicant will be required to provide recreational opportunities per the Land Development Code. The dedication of land for park and recreation services is 0.0116 acres/dwelling unit. The Town Commission may approve a dedication of land, a fee paid in lieu of dedication, or a combination of the two. The Town Commission makes this determination at time of concept plan.

Environmental Impacts

According to the Fish and Wildlife Service (FWS), the sand skink (endangered species) is endemic to the sandy ridges of central Florida, occurring in Highlands, Lake, Marion, Orange, Osceola, Polk, and Putnam counties. The proposed site is in an area identified as potential habitat for the Gopher Turtles, Sand Skinks and threatened species, once the proposed project continues through to subdivision site development plan review process, specific environmental studies will be required.

School Impacts

A binding school concurrency determination letter will be required during the subdivision site plan process and are valid for 18 months.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The following Town of Dundee Comprehensive Plan policies are relevant to the proposed request. The policy is provided with an analysis of how the request may or may not be consistent with the Town's Comprehensive Plan. The request is consistent with the Comprehensive Plan.

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 Estes Grove

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Table 2: Consistency with the Comprehensive Plan

Comprehensive Plan Policy	Analysis
<p>FLU Policy 5.1: Direct higher densities and intensity of use to areas where public facilities and services are available or are projected to be available. Limit the density and intensity of use in areas where public facilities and services are not available.</p>	<p>Public facilities are projected to be available at the time of subdivision development plan approval.</p>
<p>FLU Policy 5.2: Ensure that development orders or permits for future development and redevelopment are issued only if the public facilities and services necessary to meet the adopted level of service standards are available concurrent with the impacts of the development as established within all Elements of the Town of Dundee Comprehensive Plan, including the level of service standards listed within the following Elements:</p> <ol style="list-style-type: none"> 1. Infrastructure Element 2. Transportation Element 3. Capital Improvements Element 4. Public School Facilities Element 	<p>The proposed impacts of the potential Future Land Use map amendment can be facilitated.</p>
<p>FLU Policy 6.1: Locate Future Land Uses at densities and intensities that will reduce greenhouse gas emissions while encouraging energy efficiency and will discourage urban sprawl and leap-frog development that unduly depletes the physical, social, and fiscal resources of the Town.</p>	<p>The property is located in an area of the Town where growth is already occurring.</p>
<p>CIE Policy 2.3: At the time a development permit is issued, adequate facility capacity is available or will be available when needed to serve the development.</p>	<p>Adequate public facilities will be available concurrently with the subdivision site development plan</p>

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PSFE Policy 2.4.1: Final subdivision and site plan approvals for residential development shall be conditioned upon the availability of adequate school capacity as per the adopted level of service standards (LOS) of this element and as required by Section 163.3180(13) F.S.	The School Board will review any proposed projects for concurrency determination during the subdivision review process.
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DEVELOPMENT REVIEW COMMITTEE

As required by Section 7.02.03.01 (c) of the LDC, DRC members have reviewed the Future Land Use Map Amendment for Hunter Engineering, LLC with specific regard to the codes and ordinances of the Town of Dundee and have given their approval.

DRC Team:

- TOD Fire Chief- Chief Joseph Carbone
- TOD Public Works Director-Johnathan Vice
- TOD Utilities Director-Tracy Mercer
- TOD Utilities Supervisor- Raymond Morales
- TOD Development Director-Lorraine Peterson
- TOD Consulting Engineering Firm- Rayl Engineering and Surveying, LLC
- TOD Consulting Attorney- The Law Offices of Markeishia L. Smith, P.A.

MOTION OPTIONS:

1. I move the Planning and Zoning Board recommend **approval of Ordinance 26-06** to Town Commission, a request by Heather Wertz of Absolute Engineering, Inc. to amend the Future Land Use Map for property located in the Town of Dundee from Multi-Use Village Center (MU-VC) to Low Density Residential (LDR) on portions of 638.76 +/- acres. The subject property is located on the east and west sides of Lake Mabel Loop Road, and on the north and south sides of Canal Road, in Sections 36,01, and 02 Townships 28 and 29, Range 27, further described as parcels: 272836-000000-040000, 272901-000000-013000, 272902-000000-011010, and 272902-000000-011040.
2. I move the Planning and Zoning Board recommend **approval with changes of Ordinance 26-06** to Town Commission, a request by Heather Wertz of Absolute

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Engineering, Inc. to amend the Future Land Use Map for property located in the Town of Dundee from Multi-Use Village Center (MU-VC) to Low Density Residential (LDR) on portions of 638.76 +/- acres. The subject property is located on the east and west sides of Lake Mabel Loop Road, and on the north and south sides of Canal Road, in Sections 36,01, and 02 Townships 28 and 29, Range 27, further described as parcels: 272836-000000-040000, 272901-000000-013000, 272902-000000-011010, and 272902-000000-011040.

3. I move the Planning and Zoning Board **recommend denial of Ordinance 26-06** to Town Commission, a request by Heather Wertz of Absolute Engineering, Inc. to amend the Future Land Use Map for property located in the Town of Dundee from Multi-Use Village Center (MU-VC) to Low Density Residential (LDR) on portions of 638.76 +/- acres. The subject property is located on the east and west sides of Lake Mabel Loop Road, and on the north and south sides of Canal Road, in Sections 36,01, and 02 Townships 28 and 29, Range 27, further described as parcels: 272836-000000-040000, 272901-000000-013000, 272902-000000-011010, and 272902-000000-011040.

Attachments: Legal Descriptions

Location Map

Aerial Map

Existing Future Land Use Map

Proposed Future Land Use Map

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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.

Legal Description

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 Estes Grove
 Future Land Use Map Amendment

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.

Legal Description

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Estes Grove
Future Land Use Map Amendment

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:

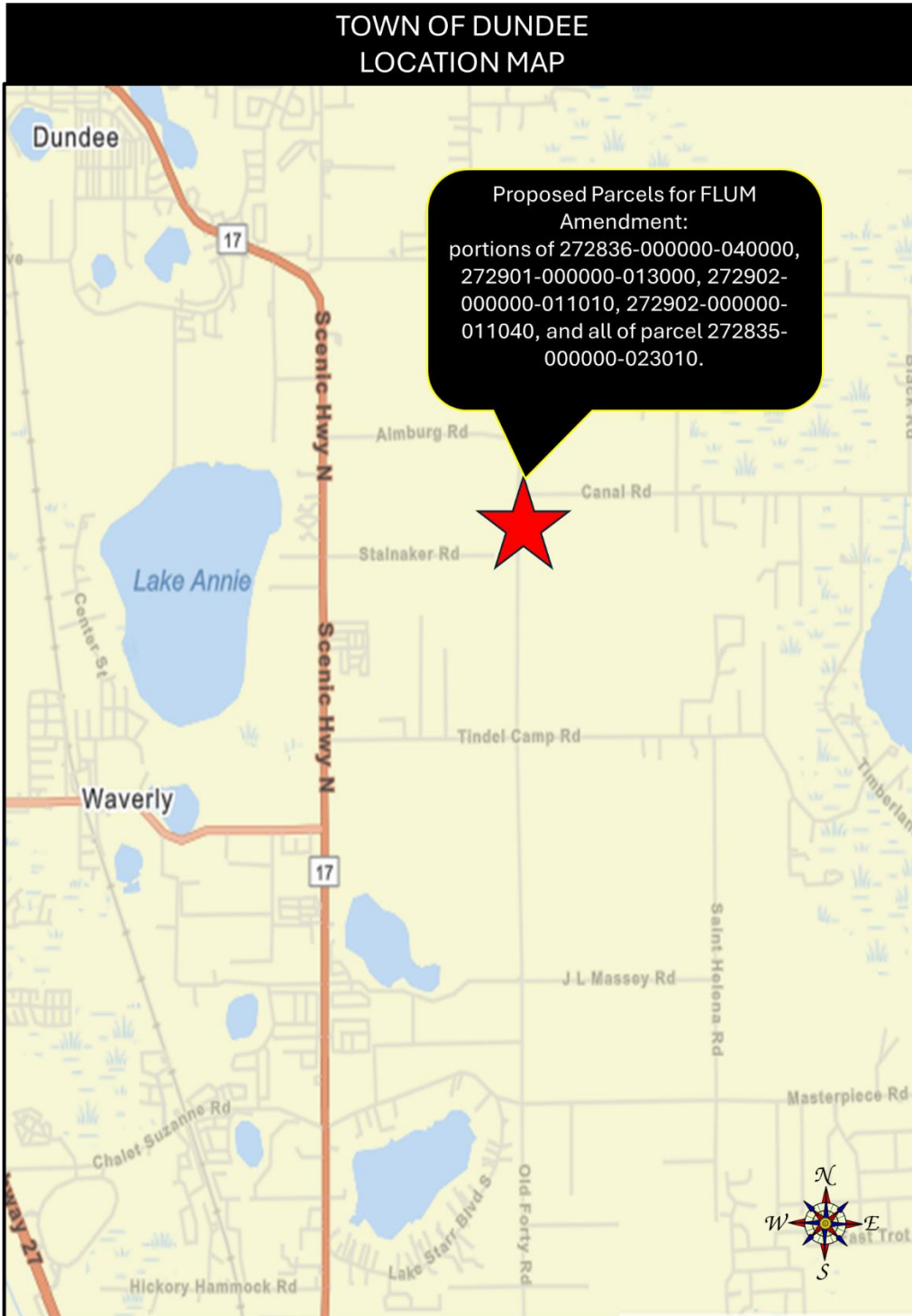
COMMENCE at a point marking the Northwest corner of the Northwest 1/4 of Section 1, Township 29 South, Range 27 East, Polk County, Florida; thence coincident with the West boundary of the Northwest 1/4 of said Section 1, S 00°30'54" E a distance of 1029.88 feet to a point coincident with the East Maintained 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.

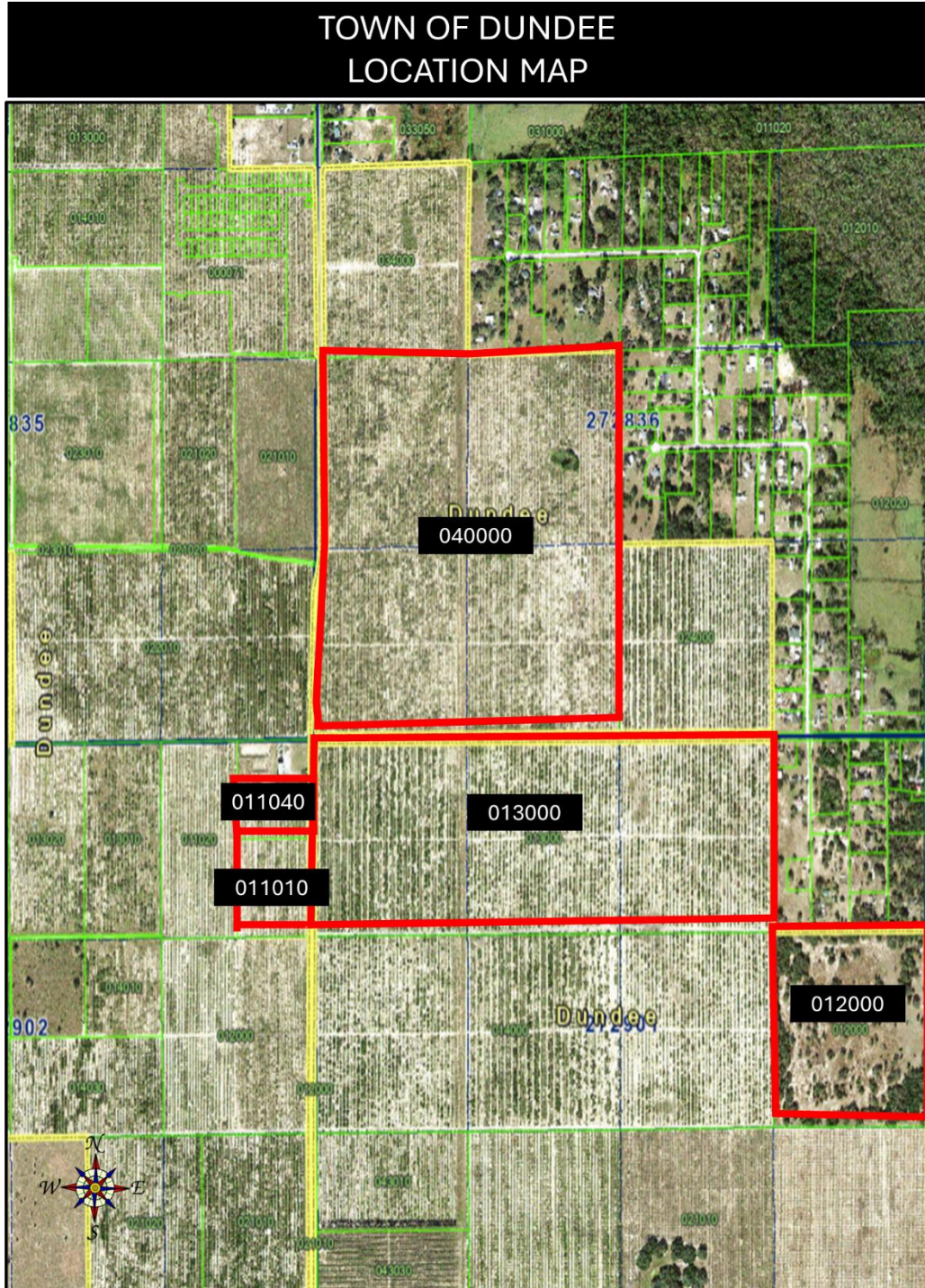
Legal Description

Town of Dundee
Planning and Zoning Board Staff Report
Estes Grove
Future Land Use Map Amendment



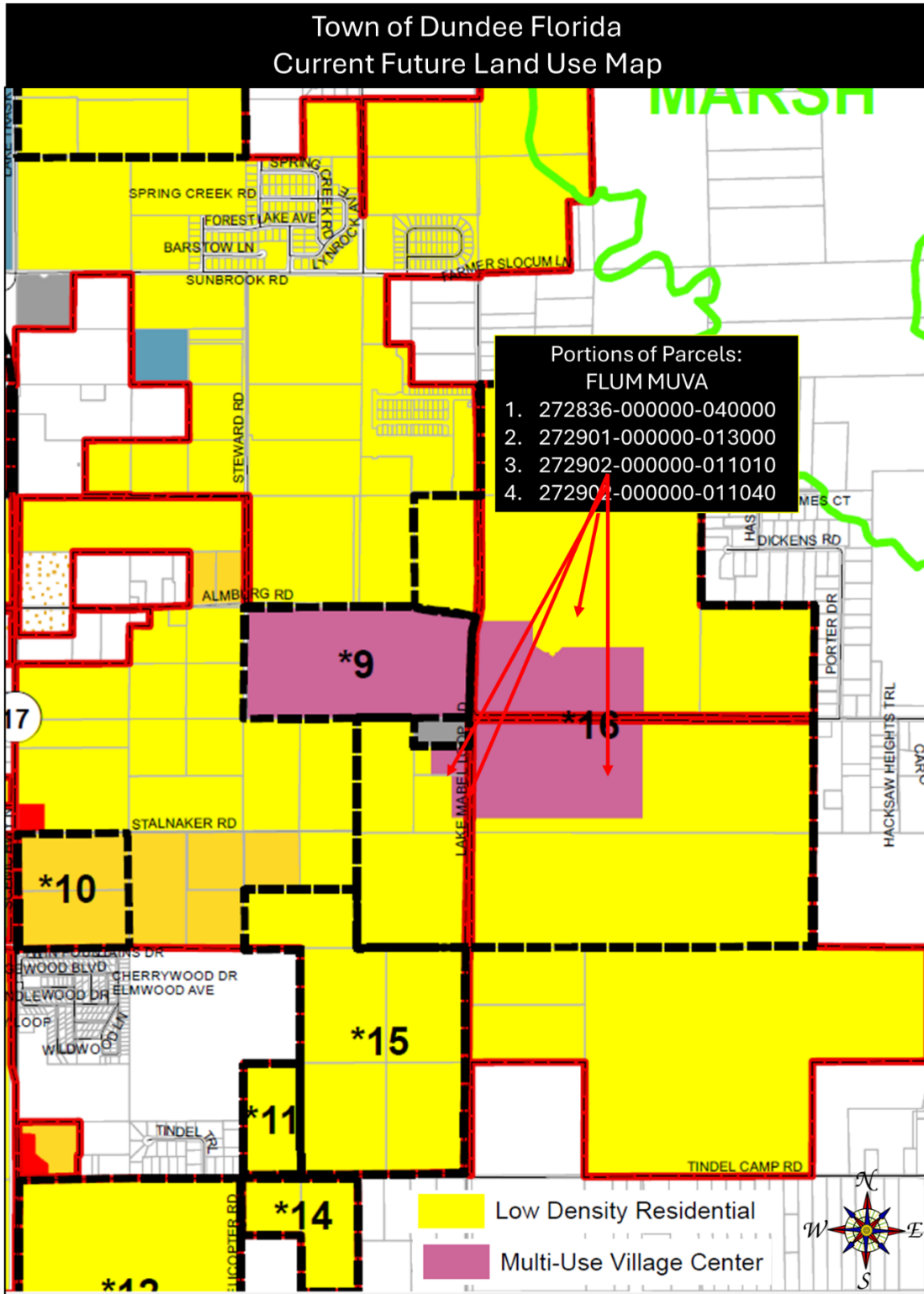
Location Map

Town of Dundee
Planning and Zoning Board Staff Report
Estes Grove
Future Land Use Map Amendment



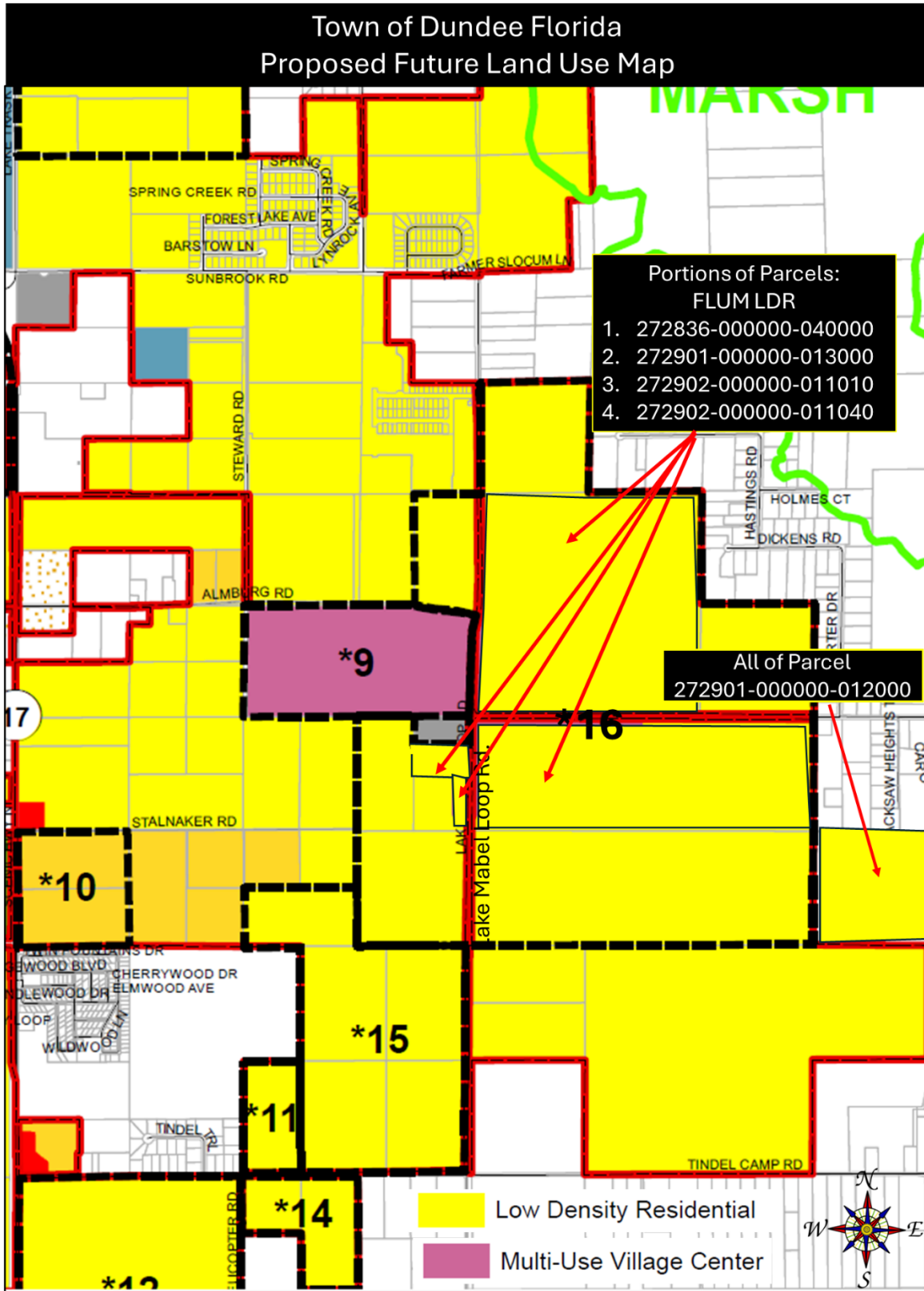
Aerial Map

Town of Dundee
Planning and Zoning Board Staff Report
Estes Grove
Future Land Use Map Amendment



Existing FLUM Map

Town of Dundee
Planning and Zoning Board Staff Report
Estes Grove
Future Land Use Map Amendment



Proposed Future Land Use Map

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 ___day of
, 2026.

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

TOWN OF DUNDEE

MAYOR – Sam Pennant

Attest:

TOWN CLERK – Erica Anderson

Approved as to Form:

TOWN ATTORNEY – Markeishia Smith

Composite Exhibit "A"
Ordinance No. 26-06
Legal Descriptions
Page 1 of 3

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.

Composite Exhibit "A"
Ordinance No. 26-06
Legal Descriptions
Page 2 of 3

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.

Composite Exhibit "A"
Ordinance No. 26-06
Legal Descriptions
Page 3 of 3

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.

Town of Dundee, Florida
Business Impact Estimate
§166.041(4), Fla. Stat. (2024)

On October 1, 2023, Senate Bill 170 (“SB 170”), *Chapter 2023-309, Laws of Florida*, was enacted amending Section 166.041, Florida Statutes, requiring a local government to prepare a *business impact estimate* before the enactment of an ordinance.

On October 1, 2024, Senate Bill 1628 (“SB 1628”), as codified under *Chapter 2024-145, Laws of Florida*, becomes effective and further amends Section 166.041, Fla. Stat. (2023).

This *Town of Dundee Business Impact Estimate* (“BIE”) is provided in accordance with Section 166.041(4), Florida Statutes (2024); and Section 166.041(a) of the Florida Statutes states, in pertinent part, as follows:

Before the enactment of a proposed ordinance, the governing body of a municipality shall prepare or cause to be prepared a *business impact estimate* in accordance with this subsection. The *business impact estimate* **must be** posted on the municipality’s website *no later than the date the notice of proposed enactment is published pursuant to paragraph (3)(a)¹* and must include all of the following:

1. A summary of the Ordinance, including a statement of the *public purpose* to be served by the Ordinance, such as serving the public health, safety, morals, and welfare of the *Town of Dundee, Florida*.
2. An *estimate of the direct economic impact* of the Ordinance on *private, for-profit businesses in the Town of Dundee, Florida*, including the following, if any:
 - a. An estimate of *direct compliance costs* that businesses may reasonably incur if the Ordinance is enacted;
 - b. Identification of any *new charge or fee on businesses* subject to the Ordinance, or for which businesses will be financially responsible; and
 - c. An *estimate of the municipality’s regulatory costs*, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.
3. A *good faith estimate* of the number of businesses likely to be impacted by the Ordinance.
4. Any additional information the *Town Commission of the Town of Dundee* determines may be useful.

If one (1) or more boxes are checked below, this means the *Town of Dundee* is of the view that a *business impact estimate* is not required pursuant to applicable Florida law; however, the *Town of Dundee* is,

¹ Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category, or ordinances initiated by the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to §166.041(3)(c), Fla. Stat. (2024).

Town of Dundee, Florida
Ordinance No. 26-06
Estes Grove Future Land Use Map Amendment

nevertheless, providing this BIE to avoid any procedural issue(s) that may impact the enactment of *Town of Dundee Ordinance No. 26-06* (hereafter the “Ordinance”).

This BIE may be revised following its initial posting.

- The Ordinance is required for compliance with Federal or State law or regulation;
- The Ordinance relates to the issuance or refinancing of debt;
- The Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The Ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the *Town of Dundee, Florida*;
- The Ordinance is an emergency ordinance;
- The Ordinance relates to procurement; or
- The Ordinance is enacted to implement the following:
 - a. *Development orders and development permits*, as those terms are defined in §163.3164, *Florida Statutes (2024)*, and *development agreements*, as authorized by the Florida Local Government Development Agreement Act under §§ 163.3220 – 163.3243, *Florida Statutes (2024)*;
 - b. Comprehensive plan amendments and Land Development regulation amendments *initiated by an application by a private party other than the municipality*;
 - b. §§ 190.005 and 190.046, *Florida Statutes (2024)*;
 - c. §553.73, *Florida Statutes (2024)*, relating to the Florida Building Code; or
 - d. §633.202, *Florida Statutes (2024)*, relating to the Florida Fire Prevention Code.

Notwithstanding the identified and noted exemption(s) above, if applicable, pursuant to the provisions of §166.041(4), *Florida Statutes (2024)*, and applicable Florida law, the *Town of Dundee* hereby publishes the following information:

1. Summary of the Ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

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.

The purpose is to:

To amend the Future Land Use from Multi-Use Village Center to Low Density Residential for land located in the Town of Dundee, Florida.

2. An estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the *Town of Dundee, Florida*, if any:

This ordinance pertains to a applicant-initiated Future Land Use Map amendment and does not impose any operational or financial requirements on other private businesses.

Estimated Impact:

- Direct Costs to Businesses: \$0
- Indirect Costs to Businesses: \$0
- New Fees or Charges: None
- Compliance Requirements: None

No private businesses will be required to take any action, submit documentation, or alter operations as a result of this ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed *Town of Dundee Ordinance No. 26-06*:

Estimated number of impacted businesses: 0

There are no anticipated impacts on any for-profit businesses operating within the Town of Dundee or its service area.

4. Additional information the *Town Commission of the Town of Dundee* deems useful (if any):

None currently.

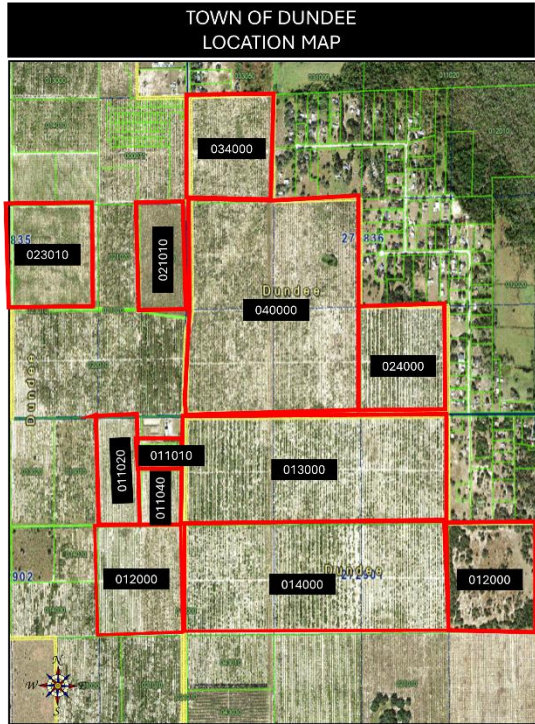


Meeting Agenda Coversheet

MEETING DATE:	May 21, 2026	Submitted By: Lorraine Peterson- Planning & Zoning	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>	DISCUSSION & ACTION, ORDINANCE 26-09 – AN APPLICANT-INITIATED MAJOR PUD AMENDMENT TO ORDINANCE 15-05 FOR ESTES GROVE SUBDIVISION.		
STAFF RECOMMENDATION: (MOTION READY)	I move the Planning and Zoning Board recommend approval of Ordinance 26-09 to the Town Commission, a Major Amendment to PUD-MU 15-05, for Estes Grove Subdivision, a request by Heather Wertz of Absolute Engineering, Inc., amending the Master Development Plan, special conditions, adding parcels 272835-000000-023010 and 272901-000000-012000, moving the 15 acre school site and the 5 acre public use site from the eastside of Lake Mabel Loop Road to the westside of Lake Mabel Loop Road, adding project phasing, reducing the overall project density, redefining the lot layout and lot sizes per original PUD conditions, changes to the external access points, and adding the Welsh Road extension right-of-way dedication.		
SUMMARY and/or JUSTIFICATION:	<p>The developer is requesting a Major Modification to PUD Ordinance No. 15-05, including:</p> <ul style="list-style-type: none"> •Addition of Parcels- 272835-000000-023010& 272901-000000-012000 •Moving a 15-acre school site & 5-acre public use site from east side of Lake Mabel Loop Road to west side of Lake Mabel Loop Road North of Almburg Road. •Defining lot layout and lot sizes per original PUD conditions. •Changes to external access points. •Reduction in overall project density. •Add Welsh Road extension right-of-way dedication. •Adding project phasing. <p>The total acreage of the parcels is 638.76. The parcels are on the southeast side of the Town of Dundee, west of Lake Pierce and east of Lake Annie. They are located on the east and west side of Lake Mabel Loop Road and on the north and south side of Cana Road. The present use of the parcels is citrus groves. The adjacent parcels have land use designations of Dundee LDR to the west and south, and County A/RR to the north and east. The proposed land use change to LDR designates 5 units per acre. The Major Modification of PUD Ordinance 15-05 will satisfy the intent of the land development code, as well as meeting the need for residential, commercial, and school property growth in the area. Roadway and utility infrastructure will be determined based on detailed traffic analysis and engineered construction plans. The project will be constructed in 4 phases starting in 2026 and will complete each phase per year thereafter, ending in 2030</p>		
SELECT, if applicable	AGREEMENT:		BUDGET:
	STAFF REPORT:	X	PROCLAMATION:

	EXHIBIT(S):	X	OTHER:	Item 3.
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Staff Report Ordinance 26-09 BIE			
SELECT, if applicable	RESOLUTION: N/A		ORDINANCE: 26-09	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(If Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank.)</i>	<p style="text-align: center;">ORDINANCE 26-09</p> <p>AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING ORDINANCE 15-05, A PLANNED UNIT DEVELOPMENT - MIXED USE (PUD-MU) ZONING CLASSIFICATION FOR THE ESTES GROVE SUBDIVISION; AMENDING THE MASTER DEVELOPMENT PLAN AND SPECIAL CONDITIONS REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; 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.</p>			
FISCAL IMPACT (if any):	This Ordinance will not produce any fiscal impacts to the Town.		\$0.00	

Town of Dundee Town Commission Staff Report Estes PUD Major Amendment to Ordinance 15-05



To: Planning and Zoning Board
Agenda Date: May 21, 2026
Department: Planning and Zoning
Discussion Topic: Major Amendment to Ordinance 15-05-PUD-MU-Estes Grove Subdivision
Applicant: Heather Wertz, Absolute Engineering, INC.
Property Owner: Cassidy Land Development, LLC
Planning & Zoning Board Recommendation: Pending
Town Commission Hearing: Pending
Town Commission Adoption Hearing: N/A
DEO Comments: N/A
Prepared By: Lorraine Peterson, Development Director



SITE LOCATION

The proposed site is located on 638.76 +/- acres of land, on the east and west sides of Lake Mabel Loop Road, north and east sides of Canal Road in the Town of Dundee in Sections 35,36,02, and 01 Townships 28 and 29, Range 27, further described as parcels:

- | | |
|----------------------|----------------------|
| 272835-000000-023010 | 272902-000000-011040 |
| 272836-000000-034000 | 272836-000000-024000 |
| 272836-000000-040000 | 272902-000000-011010 |
| 272902-000000-012000 | 272901-000000-013000 |
| 272835-000000-021010 | 272902-000000-011020 |
| 272901-000000-014000 | 272901-000000-012000 |

Town of Dundee

Town Commission Staff Report

Estes PUD Major Amendment to Ordinance 15-05

BACKGROUND

The proposed residential/commercial development known as Estes Groves Subdivision originally annexed ten (10) parcels totaling approximately 560.5 +/- acres into the Town of Dundee through **Ordinance No. 07-27**, approved on December 11, 2007.

Subsequently, **Ordinance No. 09-03**, approved on October 26, 2010, as part of the EAR-based Comprehensive Plan amendments, amended the Future Land Use Map (FLUM) designation from Agricultural/Rural Residential (A/RR) to Low Density Residential on approximately 393 +/- acres and Multi-Use Village Center on approximately 167.5 +/- acres.

Thereafter, **Ordinance No. 15-05**, approved on May 9, 2015, amended the Official Zoning Map to designate the approximately 560.5 +/- acre property as Planned Unit Development Mixed Use (PUD-MU).

Additionally, **Ordinance No. 15-04**, approved on May 26, 2015, amended site-specific Future Land Use Policy 2.14(p) by removing the maximum development limitation of 786 dwelling units and 25,000 square feet of non-residential uses associated with the Multi-Use Village Center future land use designation through the 2030 planning horizon for the Estes Groves property.

Most recently, **Ordinance No. 25-05**, approved on January 13, 2026, annexed Parcel No. 27-29-01-000000-012000 into the Town of Dundee as an expansion of the Estes Groves project area, increasing the total project acreage to approximately 638.76 +/- acres.

ANALYSIS

The developer is requesting a Major Modification to PUD Ordinance No. 15-05, to include the following:

- Addition of Parcel #s 272835-000000-023010 & 272901-000000-012000 to the PUD Boundary
- Moving the 15-acre school & 5 acre commercial from the east side of Lake Mabel Loop Road to the west side of Lake Mabel Loop Road North of Almburg Road.
- Defining lot layout and lot sizes per original PUD conditions.
- Changes to external access points.
- Reduction in overall project density.
- Add Welsh Road extension right-of-way dedication.
- Adding project phasing.

Town of Dundee

Town Commission Staff Report

Estes PUD Major Amendment to Ordinance 15-05

The property consists of approximately 638.76 acres located within the southeastern portion of the Town of Dundee, west of Lake Pierce and east of Lake Annie. The property is situated on both the east and west sides of Lake Mabel Loop Road and is bisected by Canal Road in an east-west direction.

The current use of the property is citrus groves. The adjacent properties carry Future Land Use designations of Dundee Low Density Residential (LDR) to the west and south, and Polk County Agricultural/Rural Residential (A/RR) to the north and east.

The proposed Future Land Use amendment to Low Density Residential (LDR) permits a maximum density of up to five (5) dwelling units per acre. The proposed rezoning to Residential Single-Family-3 (RSF-3) is consistent with the allowable density established under the LDR Future Land Use designation.

The requested Future Land Use amendment and Major Modification to PUD Ordinance No. 15-05 are intended to support planned residential, commercial, and educational growth within the area while remaining consistent with the intent and objectives of the Town's Land Development Code and Comprehensive Plan.

Roadway improvements, utility capacity, stormwater infrastructure, and other public facility requirements will be evaluated through detailed traffic analyses, concurrency review, and engineered construction plans during development review phases.

Development of the project will occur in four (4) phases beginning in 2026, with each phase to be completed sequentially through final buildout in 2030.

7.09.04 – Amendment of termination of a PUD

Amendment or termination of a PUD. Once PUD approval is granted, all development within the PUD development site shall be in conformity with the approved master development plan. In the event a developer wishes to deviate significantly from the approved development pattern, he shall either submit an amended master development plan or apply for a conventional zoning classification through the normal rezoning process.

The addition to or removal of any tract or parcel from a PUD shall require an amendment to the master development plan. Any amendment, variation, or adjustment of a master development plan shall require approval according to the following:

1. *Major amendment.* Submission for review and approval by the planning and zoning board and the town commission.
2. *Minor amendment.* Submission for review and approval by the development director.

The development director shall determine whether a proposed master development plan amendment is a major amendment or a minor amendment. The determination shall be based on, but not limited to the following: Any substantial change to the MDP, including increase in

Town of Dundee

Town Commission Staff Report

Estes PUD Major Amendment to Ordinance 15-05

density, change in permitted uses, change in stormwater runoff characteristics, rearrangement of designated open space or recreation areas, change in traffic patterns and trip generation, or other similar changes shall be considered a major amendment to the plan; any proposed minor changes in configuration or similar changes shall be considered a minor amendment to the plan. The development director may, at his discretion, forward any application for plan amendment to one or more individual departments for review and recommendation both as to its classification as a major or minor amendment and as to whether it should be approved, approved with conditions, or denied. (Ord. No. 13-09, § 1(Exh. A), 12-10-13)

DEVELOPMENT REVIEW COMMITTEE

As stated in Section 7.09.04 of the LDC, The development director may, at his/her discretion, forward any application for plan amendment to one or more individual departments for review and recommendation both as to its classification as a major or minor amendment and as to whether it should be approved, approved with conditions, or denied. The development director did forward the application for PUD amendment as a major amendment and the DRC members have reviewed the application with specific regard to the codes and ordinances of the Town of Dundee and have given their approval.

DRC Team:

TOD Fire Chief- Chief Joseph Carbone

TOD Public Works Director-Johnathan Vice

TOD Utilities Director-Tracy Mercer

TOD Utilities Supervisor- Raymond Morales

TOD Development Director-Lorraine Peterson

TOD Consulting Engineering Firm- Rayl Engineering and Surveying, LLC

TOD Consulting Attorney- The Law Offices of Markeishia L. Smith, P.A.

MOTION OPTIONS:

1. I move the Planning and Zoning Board recommend **approval of Ordinance 26-09** to the Town Commission, a Major Amendment to PUD-MU 15-05, for Estes Grove Subdivision, a request by Heather Wertz of Absolute Engineering, Inc., amending the Master Development Plan, special conditions, adding parcels 272835-000000-023010 and 272901-000000-012000, moving the 15 acre school site and the 5 acre public use site from the eastside of Lake Mabel Loop Road to the westside of Lake Mabel Loop Road, adding project phasing, reducing the overall project density, redefining the lot layout and lot sizes per original PUD conditions, changes to the external access points, and adding the Welsh Road extension right-of-way dedication.

Town of Dundee
Town Commission Staff Report
Estes PUD Major Amendment to Ordinance 15-05

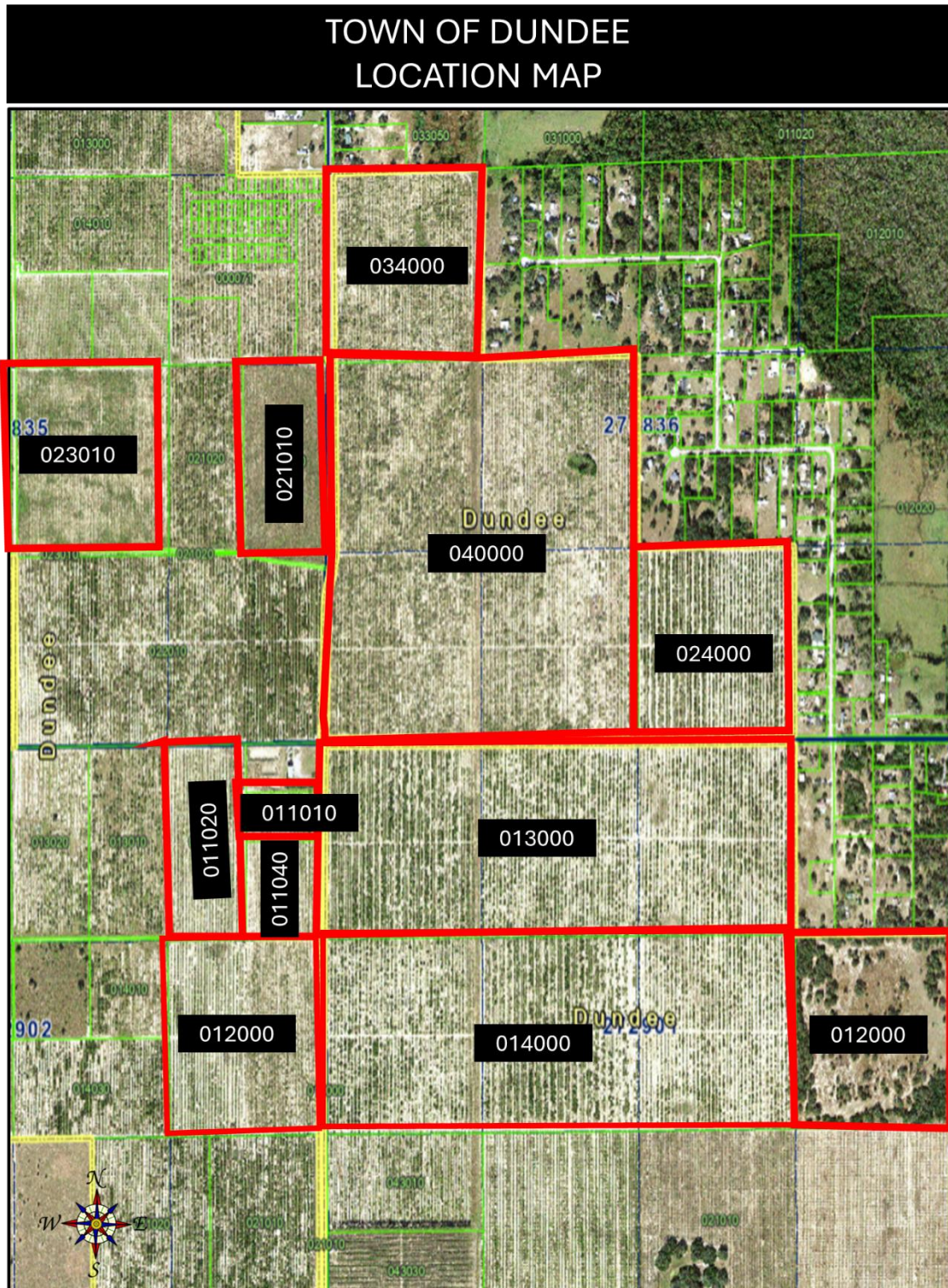
2. I move the Planning and Zoning Board recommend **approval with changes of Ordinance 26-09** to the Town Commission, a Major Amendment to PUD-MU 15-05, for Estes Grove Subdivision, a request by Heather Wertz of Absolute Engineering, Inc., amending the Master Development Plan, special conditions, adding parcels 272835-000000-023010 and 272901-000000-012000, moving the 15 acre school site and the 5 acre public use site from the eastside of Lake Mabel Loop Road to the westside of Lake Mabel Loop Road, adding project phasing, reducing the overall project density, redefining the lot layout and lot sizes per original PUD conditions, changes to the external access points, and adding the Welsh Road extension right-of-way dedication.

3. I move the Planning and Zoning Board **recommend denial of Ordinance 26-09** to the Town Commission, a Major Amendment to PUD-MU 15-05, for Estes Grove Subdivision, a request by Heather Wertz of Absolute Engineering, Inc., amending the Master Development Plan, special conditions, adding parcels 272835-000000-023010 and 272901-000000-012000, moving the 15 acre school site and the 5 acre public use site from the eastside of Lake Mabel Loop Road to the westside of Lake Mabel Loop Road, adding project phasing, reducing the overall project density, redefining the lot layout and lot sizes per original PUD conditions, changes to the external access points, and adding the Welsh Road extension right-of-way dedication.

ATTACHMENTS:

- Exhibit A-Location Map
- Exhibit B- Ordinance 15-05
- Exhibit C-Amended Ordinance 15-05
- Exhibit D-New Master Development Plan
- Exhibit E- Applicant's Application

Town of Dundee Town Commission Staff Report Estes PUD Major Amendment to Ordinance 15-05 Exhibit A-Location Map



Town of Dundee Town Commission Staff Report Estes PUD Major Amendment to Ordinance 15-05 Exhibit B-Ordinance 15-05

ORDINANCE NO. 15-05
Page 1

ORDINANCE NO. 15-05

AN ORDINANCE AMENDING THE TOWN OF DUNDEE OFFICIAL ZONING MAP TO CHANGE THE ZONING FROM POLK COUNTY AGRICULTURE/RURAL-RESIDENTIAL (A/RR) TO PLANNED UNIT DEVELOPMENT-MIXED-USE (PUD-MU) ZONING CLASSIFICATION FOR A ±560.5 ACRE PROPERTY (10 PARCELS) LOCATED AT THE INTERSECTION OF LAKE MABEL LOOP ROAD AND CANAL ROAD; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there has been a request for approval of a Master Development Plan for a Planned Unit Development (PUD) to be known as the Estes Grove PUD and to assign the zoning of the property described below; and

WHEREAS, the zoning change requested by the applicant is consistent with the Future Land Use Element of the Dundee Comprehensive Plan; and

WHEREAS, the applicant is working with the Polk County School Board to address school concurrency issues through the donation of up to 20 acres of land for a school site with potential co-location of a neighborhood park, which will count towards the open space/recreation requirements for the project; and

WHEREAS, the Town Commission of the Town of Dundee held meetings and hearings regarding the parcels show on Exhibit "A", 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 of the Town of Dundee has determined it necessary to amend the Official Zoning Map to change the Town zoning classification assigned to these properties.

NOW, THEREFORE, be it enacted by the Town Commission of the Town of Dundee, Florida:

Section 1. The official zoning map of the Town of Dundee is amended so as to change the Town zoning classification from Polk County Agriculture/Rural-Residential (A/RR) to Planned Unit Development (PUD) on approximately ±560.5 acres of land located at the intersection of Lake Mabel Loop Road and Canal Road, as shown in Exhibit "A".

Town of Dundee Town Commission Staff Report Estes PUD Major Amendment to Ordinance 15-05

ORDINANCE NO. 15-05
Page 2

Section 2. The Master Development Plan-General (MDP-General) for this Planned Unit Development attached hereto as Exhibit "B" is approved in accordance with Article 2.02.03 of the Unified Land Development Code of the Town of Dundee for the total property known as the Estes Grove PUD, including additional special conditions all of which are attached hereto as Exhibit "C" and made a part hereof. Said property is hereby zoned Planned Unit Development-Mixed-Use (PUD-MU) Zoning District and the provisions of Article 2.02.03 and special conditions attached hereto shall govern further public review and development of the property within this District.

Section 3. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

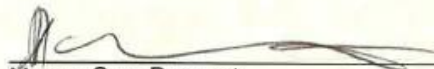
Section 5. The effective date of this ordinance shall coincide with the effective date of the companion Future Land Use amendment Ordinance 15-04.

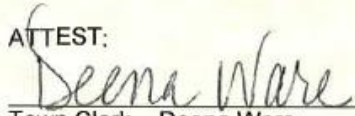
Section 6. This Ordinance shall be codified in the Code of Ordinances of the Town of Dundee, Florida. A certified copy of this enacting ordinance shall be located in the Office of the Town Clerk of Dundee. The Town Clerk shall also make copies available to the public for a reasonable publication charge.

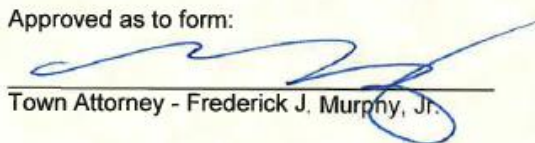
INTRODUCED on first reading this 10th day of March, 2015.

PASSED on second reading this 9th day of June, 2015.

TOWN OF DUNDEE, FLORIDA


Mayor- Sam Pennant

ATTEST:

Town Clerk – Deena Ware

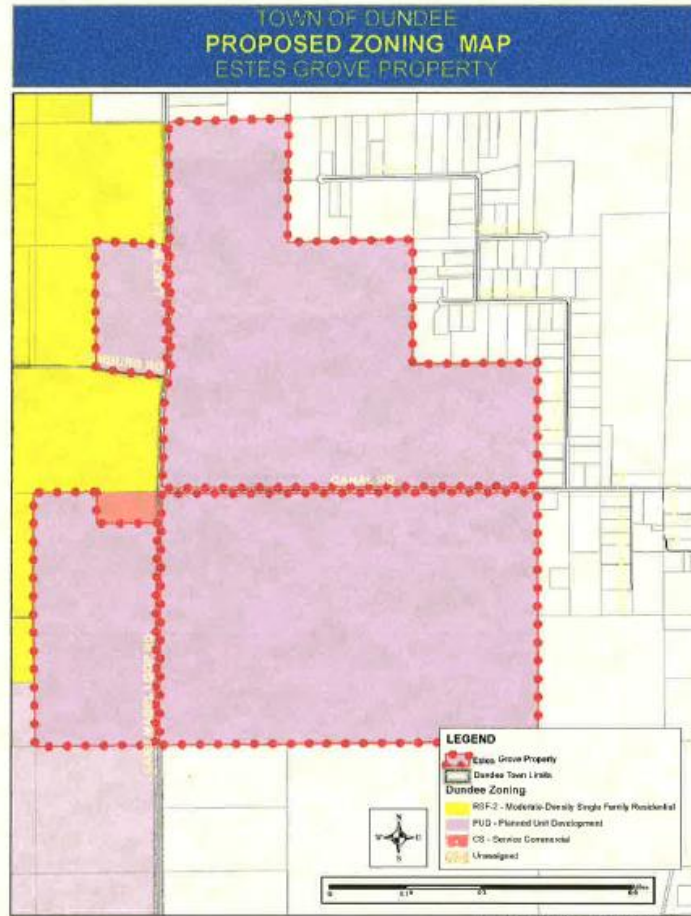
Approved as to form:

Town Attorney - Frederick J. Murphy, Jr.

Town of Dundee Town Commission Staff Report Estes PUD Major Amendment to Ordinance 15-05

ORDINANCE NO. 15-05
Page 3

Ordinance No. 15-05
Composite Exhibit "A"
Legal Description and Zoning Map
Page 1 of 1

Parcels:
272835000000021010, 272836000000024000, 272836000000034000,
272836000000040000, 272901000000013000, 272901000000014000,
272902000000011010, 272902000000011020, 272902000000011040,
272902000000012000.



Town of Dundee Town Commission Staff Report Estes PUD Major Amendment to Ordinance 15-05

ORDINANCE NO. 15-05
Page 4

Ordinance No. 15-05
Exhibit "B"
Estes Grove Master Development Plan-General
Page 1 of 1

(See attached larger print for clarity)



Town of Dundee
Town Commission Staff Report
Estes PUD Major Amendment to Ordinance 15-05

ORDINANCE NO. 15-05

Page 5

**Ordinance 15-05
Exhibit "C"
Estes Grove PUD Special Conditions
Page 1 of 2**

1. As noted on the Master Development Plan-General, the project is restricted to the following development, based on the Future Land Use designations of the property:
 - a. Low Density Residential (393 acres): 5 du/acre not to exceed 1,965 single family units.
 - b. Multi-Use Village Center (167.5 acres)
 - i. 12 du/ac not to exceed 302 multi-family units
 - ii. Non-Residential Multi-Use/Institutional Development to potentially include General office, Medical Office, Commercial Shopping Center, Gas Station, and Light Manufacturing not to exceed 315,000 s.f.
 - iii. A 20-acre combined Recreation/ Elementary School Site
2. The applicant/developer shall provide water and wastewater connections to the site.
3. At time of Detailed Master Development Plan and/or site plan, the applicant shall complete a more detailed traffic analysis.
4. Development-required transportation infrastructure improvements will be determined at time of detailed transportation study and site plan review.
5. At time of Detailed Master Development Plan and/or site plan, the applicant shall complete environmental studies, specifically related to sand skinks and gopher tortoises.
6. The applicant shall complete a Detailed Master Development Plan and Site Plan prior to any development.
7. The applicant shall address school impacts prior to approval of a Detailed Master Development Plan.
 - The applicant will donate up to 20 acres to provide an elementary school site. A portion of this site will serve as a co-location for a neighborhood park.
 - This site will be transferred to the PCSB ownership during the construction and at time of final plat for Phase 1 of the development.
 - The School Board shall have final determination as to whether the site proposed for donation is a viable site for the construction of a school. The approval shall be based on size, configuration and environmental factors associated with the proposed site

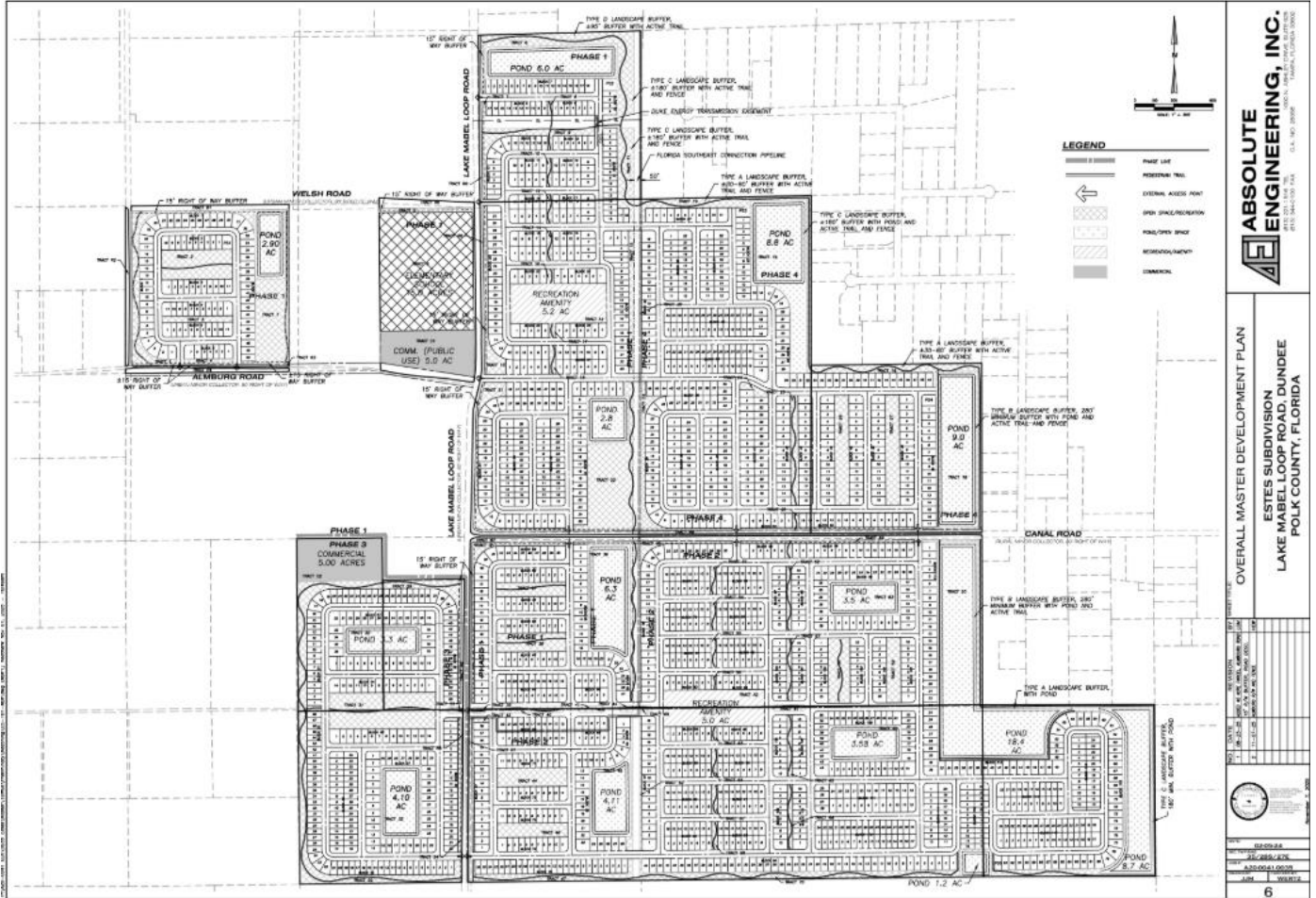
Town of Dundee
Town Commission Staff Report
Estes PUD Major Amendment to Ordinance 15-05

ORDINANCE NO. 15-05
Page 6

Ordinance 15-05
Exhibit "C"
Estes Grove PUD Special Conditions
Page 2 of 2

8. The applicant shall provide perimeter buffers as illustrated on the Master Development Plan-General adjacent to the northern and eastern boundaries of the property to provide compatibility spacing from the existing residential development in unincorporated Polk County.
9. The applicant shall address the proposed Florida Southeast Connection pipeline prior to approval of a Detailed Master Development Plan.
10. The applicant shall provide a point of connection for off-site connectivity and access for future development at the southeastern corner of the property; specifically to parcel 272901-000000-012000.

Town of Dundee Town Commission Staff Report Estes PUD Major Amendment to Ordinance 15-05 Exhibit D-New Master Development Plan



Town of Dundee Town Commission Staff Report Estes PUD Major Amendment to Ordinance 15-05



Town of Dundee

00000 • 0202 E. Main Street • PO Box 1000 • Dundee, Florida 33838 • (863) 438-8330 • Fax (863) 438-8338

Application for Planned Unit Development (PUD) Zoning and Master Development Plan Approval (FORM 0204)

Applicant

The following information is required for submission of an application for a Planned Unit Development (PUD) zoning district and Master Development Plan for the Town limits of Dundee, Florida. **Please print or type the required information below. Attach three copies of the current survey of subject property along with an aerial photograph and location map and all requirements as outlined in the Land Development Regulations.**

Name of Property Owner: Cassidy Land Development, LLC

Mailing Address: 346 E. Central Ave., Winter Haven, FL 33880 Phone: (863) 324-3698

Name of Representative, if applicable: Heather E. Wertz

Mailing Address: 1000 N. Ashley Dr., Suite 925; Tampa, FL 33602 Phone: (813) 221-1521

Reason for Request: Major modification to PUD - See Project Narrative for details

Property Identification

Property Address or General Location: SW side of the Town of Dundee, W of Lake Pierce & E of Lake Annie

Present Use of the Property: Citrus Groves

Existing Structures Located on the Site: None

Total Acreage: 638.76 Number of Residents on Site: -0-

Parcel I.D.#: See attached listing

Legal Description of the Property: See attached listing

Range: _____ Township: _____ Section: _____

Subdivision: Estes Property

Planning and Zoning Information

Current City Future Land Use Designation: Low Density Residential (LDR)

Current City Zoning Classification: RSF-3

Note: An application fee will be assessed on all requests for land use and zoning changes in accordance with the most recent Resolution of the Dundee Town Council establishing such fees.

Date Received: _____ Received By: _____ File #: _____

Amount Paid: _____ Check #: _____ Receipt #: _____

Town of Dundee Town Commission Staff Report Estes PUD Major Amendment to Ordinance 15-05

Town of Dundee
page 2

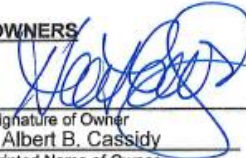
Planned Unit Development (PUD) Application

OWNER'S SIGNATURE PAGE

(I) (We), Cassidy Land Development, LLC being duly sworn, depose and say that (I) (we) own one or more of the properties involved in this petition and that (I) (we) authorize the Town of Dundee to process this petition for Re-zoning and/or Comprehensive Plan Amendment, in accordance with all adopted Town rules and regulations, and in conformance with State law.

Further (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file this petition, deposes and say that the statements and answers contained in the application and any information attached thereto, present the arguments in behalf of this petition to the best of (my) (our) ability; and that the statements and information referred to above are in all respects true and correct to the best of (my) (our) knowledge and belief.

OWNERS



Signature of Owner
Albert B. Cassidy
Printed Name of Owner

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this 28th day of August, 2025, by Heather E. Wertz, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.





Notary Public
Notarial Seal and Commission
Expiration Date

(FORM 9204)

Town of Dundee Town Commission Staff Report Estes PUD Major Amendment to Ordinance 15-05

Town of Dundee
page 3

Planned Unit Development (PUD) Application

AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE

(I) (We), Heather E. Wertz being
duly sworn, depose and say that (I) (we) serve as agent for the owner(s)
(agent or lessee)
in making this petition and that the owner(s) (has) (have) authorized (me) (us) to act in this
capacity.

Further, (I) (we) depose and say that the statements and answers herein contained and other
information attached hereto present the arguments in behalf of the petition herein requested to
the best of (my) (our) ability and that the statements and information above referred to are in all
respects true and correct to the best of (my) (our) knowledge and belief.

AGENT, LESSEE, OR BUYER(S)



Signature of Agent, Lessee, or Buyer(s)
Heather E. Wertz, as agent

Printed Name of Agent, Lessee, or Buyer(s)

Signature of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

Signature of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

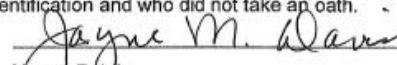
Signature of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

STATE OF FLORIDA
COUNTY OF POLK

AGENT, LESSEE, OR BUYER(S) NOTARIZATION

The foregoing instrument was acknowledged before me this 28th day of August,
2025, by Heather E. Wertz, who is personally known
to me or who has produced a driver's license as identification and who did not take an oath.



Notary Public
Notarial Seal and Commission
Expiration Date



(FORM 9204)

ORDINANCE 26-09

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING ORDINANCE 15-05, A PLANNED UNIT DEVELOPMENT - MIXED USE (PUD-MU) ZONING CLASSIFICATION FOR THE ESTES GROVE SUBDIVISION; AMENDING THE MASTER DEVELOPMENT PLAN AND SPECIAL CONDITIONS REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; 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, 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, at a duly advertised public meeting on May 21, 2026, at which time interested parties and citizens had the opportunity to be heard and such amendments were recommended to the Town Commission for adoption; and

WHEREAS, Cassidy Land Development, LLC (the "Property Owner") and Heather Wertz of Absolute Engineering, Inc. (the "Applicant") requested a Major Modification to Planned Unit Development (PUD) Ordinance No. 15-05, governing the development known as the Estes Grove Subdivision; and

WHEREAS, the proposed project amendment incorporates two additional parcels, specifically Parcel ID Nos. 272835-000000-023010 and 272901-000000-

012000, expanding the total project site boundaries to encompassing approximately 638.76 +/- acres; and

WHEREAS, the proposed Major Amendment modifies the previously approved layout by shifting the designated 15-acre school site and 5-acre public use/commercial site from the east side of Lake Mabel Loop Road to the west side of Lake Mabel Loop Road, north of Almburg Road; and

WHEREAS, Ordinance No. 15-05 is hereby amended to approve a Major Modification to the Planned Unit Development-Mixed Use (PUD-MU) zoning status for the Estes Grove Subdivision. The official zoning map of the Town of Dundee is modified to formally add and absorb Parcel No's. 272835-000000-023010 and 272901-000000-012000 into the PUD framework, adjusting the complete project area to approximately 638.76 +/- acres across the following aggregate property descriptions:

- | | |
|----------------------|----------------------|
| 272835-000000-023010 | 272901-000000-013000 |
| 272835-000000-021010 | 272901-000000-012000 |
| 272836-000000-034000 | 272902-000000-012000 |
| 272836-000000-040000 | 272902-000000-011040 |
| 272836-000000-024000 | 272902-000000-011010 |
| 272901-000000-014000 | 272902-000000-011020 |

WHEREAS, The new Overall Master Development Plan for Estes Groves (prepared by Absolute Engineering, Inc.) attached hereto as Exhibit "D" is hereby approved and supersedes all prior iterations of the Master Development Plan layout. This approval captures and validates the following physical plan restructuring parameters:

1. ****Site Relocations:**** Moving the designated 15-acre elementary school parcel and the 5-acre public use/commercial asset from the east side of Lake Mabel Loop Road to the west side of Lake Mabel Loop Road, just north of Almburg Road.
2. ****Access Points:**** Reconfiguring all designated external entrance and exit access corridors connecting the interior grid network to adjacent arterial roadways.
3. ****Density & Sizing:**** Restructuring baseline lot configurations and individual lot dimension standards while reducing overall gross development density metrics down to a threshold matching Low-Density Residential maximum allocations (not to exceed 5 dwelling units per acre).
4. ****Right-of-Way Dedication:**** Formally dedicating and carving out the land parameters required for the Welsh Road extension right-of-way alignment.

WHEREAS, the Town of Dundee, Florida, has complied with all requirements and procedures in processing and adopting this Ordinance No. 26-09; 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. 26-09 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. 26-09 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 RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AS FOLLOWS:

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. 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 3. 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 at a duly called meeting of the Town Commission of the Town of Dundee, Florida, assembled on the _____ day of _____, 2026.

TOWN OF DUNDEE, FLORIDA

Joseph Garrison, Mayor

ATTEST WITH SEAL:

Erica Anderson, Town Clerk

Approved as to form:

Markeishia Smith, Town Attorney

**Ordinance 26-09
Exhibit A**

Exhibit A
Ordinance 15-05

ORDINANCE NO. 15-05
Page 1

ORDINANCE NO. 15-05

AN ORDINANCE AMENDING THE TOWN OF DUNDEE OFFICIAL ZONING MAP TO CHANGE THE ZONING FROM POLK COUNTY AGRICULTURE/RURAL-RESIDENTIAL (A/RR) TO PLANNED UNIT DEVELOPMENT-MIXED-USE (PUD-MU) ZONING CLASSIFICATION FOR A ±560.5 ACRE PROPERTY (10 PARCELS) LOCATED AT THE INTERSECTION OF LAKE MABEL LOOP ROAD AND CANAL ROAD; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there has been a request for approval of a Master Development Plan for a Planned Unit Development (PUD) to be known as the Estes Grove PUD and to assign the zoning of the property described below; and

WHEREAS, the zoning change requested by the applicant is consistent with the Future Land Use Element of the Dundee Comprehensive Plan; and

WHEREAS, the applicant is working with the Polk County School Board to address school concurrency issues through the donation of up to 20 acres of land for a school site with potential co-location of a neighborhood park, which will count towards the open space/recreation requirements for the project; and

WHEREAS, the Town Commission of the Town of Dundee held meetings and hearings regarding the parcels show on Exhibit "A", 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 of the Town of Dundee has determined it necessary to amend the Official Zoning Map to change the Town zoning classification assigned to these properties.

NOW, THEREFORE, be it enacted by the Town Commission of the Town of Dundee, Florida:

Section 1. The official zoning map of the Town of Dundee is amended so as to change the Town zoning classification from Polk County Agriculture/Rural-Residential (A/RR) to Planned Unit Development (PUD) on approximately ±560.5 acres of land located at the intersection of Lake Mabel Loop Road and Canal Road, as shown in Exhibit "A".

ORDINANCE NO. 15-05
Page 2

Section 2. The Master Development Plan-General (MDP-General) for this Planned Unit Development attached hereto as Exhibit "B" is approved in accordance with Article 2.02.03 of the Unified Land Development Code of the Town of Dundee for the total property known as the Estes Grove PUD, including additional special conditions all of which are attached hereto as Exhibit "C" and made a part hereof. Said property is hereby zoned Planned Unit Development-Mixed-Use (PUD-MU) Zoning District and the provisions of Article 2.02.03 and special conditions attached hereto shall govern further public review and development of the property within this District.

Section 3. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

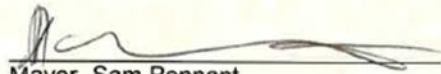
Section 5. The effective date of this ordinance shall coincide with the effective date of the companion Future Land Use amendment Ordinance 15-04.

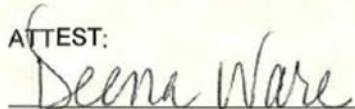
Section 6. This Ordinance shall be codified in the Code of Ordinances of the Town of Dundee, Florida. A certified copy of this enacting ordinance shall be located in the Office of the Town Clerk of Dundee. The Town Clerk shall also make copies available to the public for a reasonable publication charge.

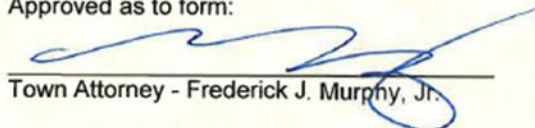
INTRODUCED on first reading this 10th day of March, 2015.

PASSED on second reading this 9th day of June, 2015.

TOWN OF DUNDEE, FLORIDA


Mayor- Sam Pennant

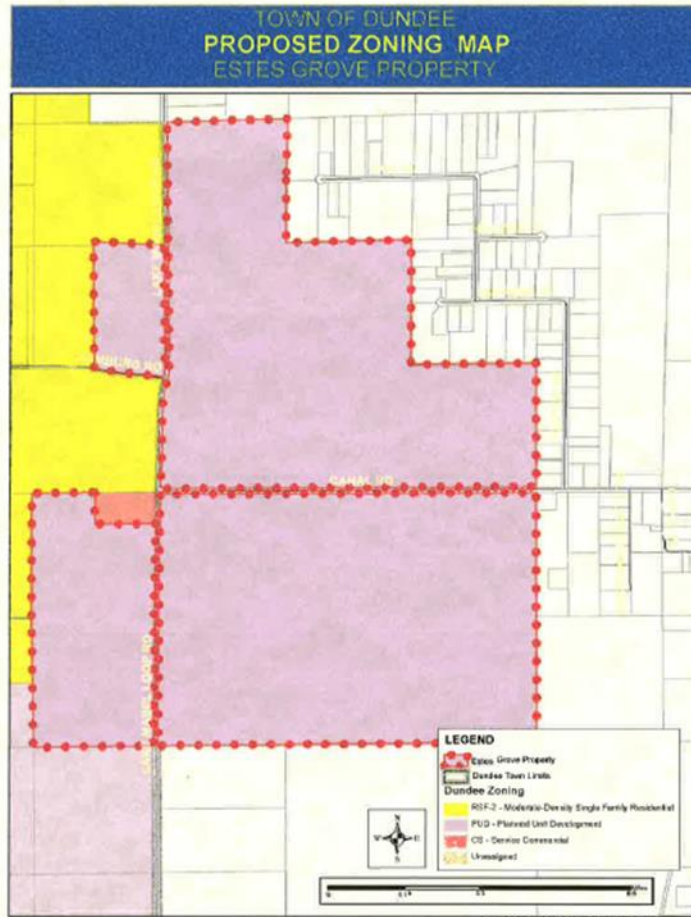
ATTEST:

Town Clerk – Deena Ware

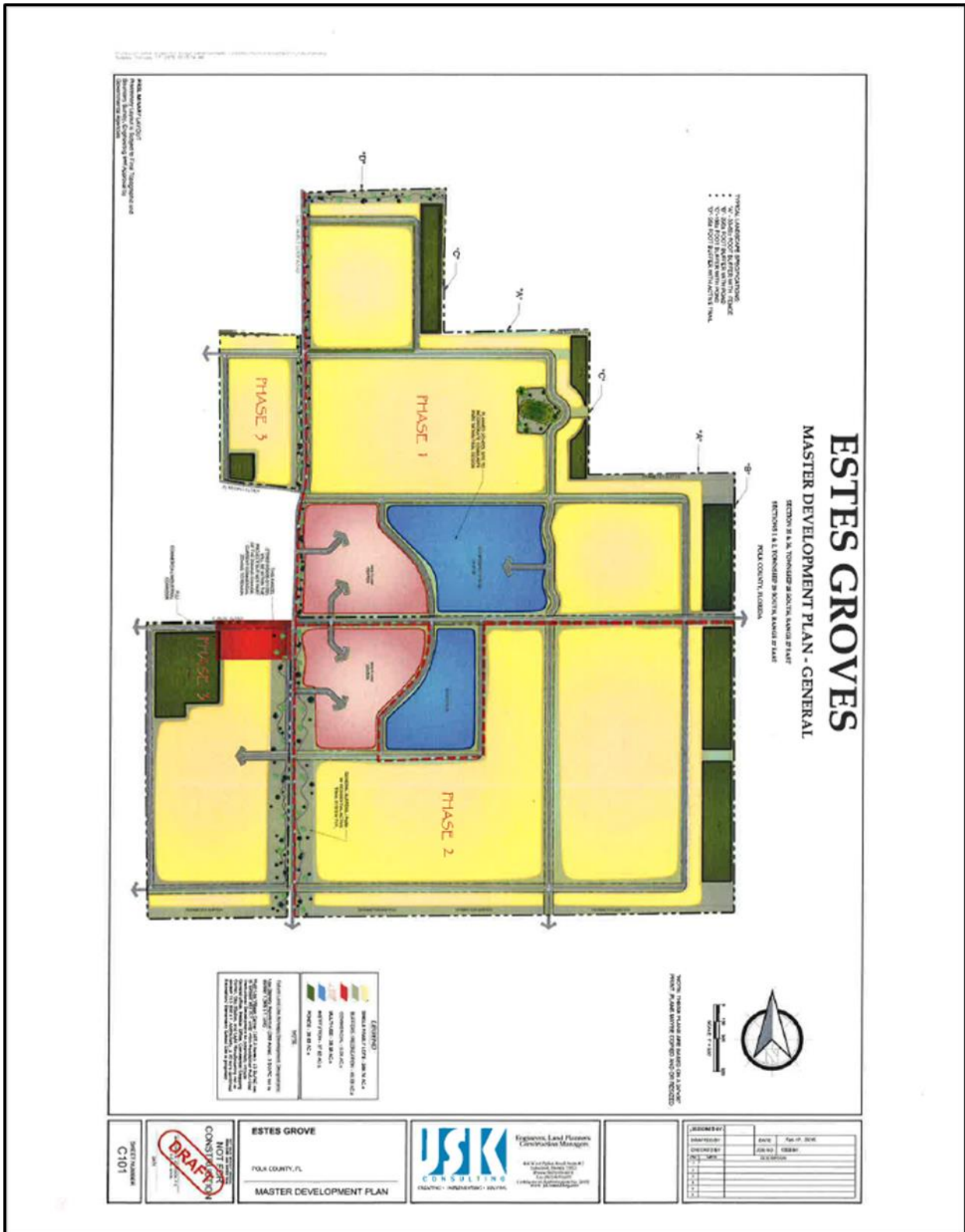
Approved as to form:

Town Attorney - Frederick J. Murphy, Jr.

ORDINANCE NO. 15-05
Page 3

Ordinance No. 15-05
Composite Exhibit "A"
Legal Description and Zoning Map
Page 1 of 1

Parcels:
27283500000021010, 272836000000024000, 272836000000034000,
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272902000000011010, 272902000000011020, 272902000000011040,
272902000000012000.





ORDINANCE NO. 15-05
Page 5

Ordinance 15-05
Exhibit "C"
Estes Grove PUD Special Conditions
Page 1 of 2


1. As noted on the Master Development Plan-General, the project is restricted to the following development, based on the Future Land Use designations of the property:
 - a. Low Density Residential (393 acres): 5 du/acre not to exceed 1,965 single family units.
 - b. Multi-Use Village Center (167.5 acres)
 - i. 12 du/ac not to exceed 302 multi-family units
 - ii. Non-Residential Multi-Use/Institutional Development to potentially include General office, Medical Office, Commercial Shopping Center, Gas Station, and Light Manufacturing not to exceed 315,000 s.f.
 - iii. A 20-acre combined Recreation/ Elementary School Site
2. The applicant/developer shall provide water and wastewater connections to the site.
3. At time of Detailed Master Development Plan and/or site plan, the applicant shall complete a more detailed traffic analysis.
4. Development-required transportation infrastructure improvements will be determined at time of detailed transportation study and site plan review.
5. At time of Detailed Master Development Plan and/or site plan, the applicant shall complete environmental studies, specifically related to sand skinks and gopher tortoises.
6. The applicant shall complete a Detailed Master Development Plan and Site Plan prior to any development.
7. The applicant shall address school impacts prior to approval of a Detailed Master Development Plan.
 - The applicant will donate up to 20 acres to provide an elementary school site. A portion of this site will serve as a co-location for a neighborhood park.
 - This site will be transferred to the PCSB ownership during the construction and at time of final plat for Phase 1 of the development.
 - The School Board shall have final determination as to whether the site proposed for donation is a viable site for the construction of a school. The approval shall be based on size, configuration and environmental factors associated with the proposed site

ORDINANCE NO. 15-05
Page 6

Ordinance 15-05
Exhibit "C"
Estes Grove PUD Special Conditions
Page 2 of 2

8. The applicant shall provide perimeter buffers as illustrated on the Master Development Plan-General adjacent to the northern and eastern boundaries of the property to provide compatibility spacing from the existing residential development in unincorporated Polk County.
9. The applicant shall address the proposed Florida Southeast Connection pipeline prior to approval of a Detailed Master Development Plan.
10. The applicant shall provide a point of connection for off-site connectivity and access for future development at the southeastern corner of the property; specifically to parcel 272901-000000-012000.

**Ordinance 26-09
Exhibit D
Applicant's Application**

 **Town of Dundee**
00000 • 0202 E. Main Street • PO Box 1000 • Dundee, Florida 33838 • (863) 438-8330 • Fax (863) 438-8338

**Application for Planned Unit Development (PUD) Zoning and Master
Development Plan Approval** (FORM 0204)

Applicant
The following information is required for submission of an application for a Planned Unit Development (PUD) zoning district and Master Development Plan for the Town limits of Dundee, Florida. **Please print or type the required information below. Attach three copies of the current survey of subject property along with an aerial photograph and location map and all requirements as outlined in the Land Development Regulations.**

Name of Property Owner: Cassidy Land Development, LLC
Mailing Address: 346 E. Central Ave., Winter Haven, FL 33880 Phone: (863) 324-3698
Name of Representative, if applicable: Heather E. Wertz
Mailing Address: 1000 N. Ashley Dr., Suite 925; Tampa, FL 33602 Phone: (813) 221-1521
Reason for Request: Major modification to PUD - See Project Narrative for details

Property Identification
Property Address or General Location: SW side of the Town of Dundee, W of Lake Pierce & E of Lake Annie
Present Use of the Property: Citrus Groves
Existing Structures Located on the Site: None
Total Acreage: 638.76 Number of Residents on Site: -0-
Parcel I.D.#: See attached listing
Legal Description of the Property: See attached listing
Range: _____ Township: _____ Section: _____
Subdivision: Estes Property

Planning and Zoning Information
Current City Future Land Use Designation: Low Density Residential (LDR)
Current City Zoning Classification: RSF-3
Note: An application fee will be assessed on all requests for land use and zoning changes in accordance with the most recent Resolution of the Dundee Town Council establishing such fees.
Date Received: _____ Received By: _____ File #: _____
Amount Paid: _____ Check #: _____ Receipt #: _____

Town of Dundee
page 2

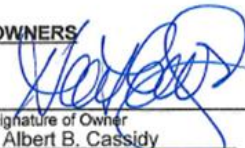
Planned Unit Development (PUD) Application

OWNER'S SIGNATURE PAGE

(I) (We), Cassidy Land Development, LLC being duly sworn, depose and say that (I) (we) own one or more of the properties involved in this petition and that (I) (we) authorize the Town of Dundee to process this petition for Re-zoning and/or Comprehensive Plan Amendment, in accordance with all adopted Town rules and regulations, and in conformance with State law.

Further (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file this petition, deposes and say that the statements and answers contained in the application and any information attached thereto, present the arguments in behalf of this petition to the best of (my) (our) ability; and that the statements and information referred to above are in all respects true and correct to the best of (my) (our) knowledge and belief.

OWNERS



Signature of Owner
Albert B. Cassidy

Printed Name of Owner

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this 28th day of August, 2025, by Heather E. Wertz, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.





Notary Public
Notarial Seal and Commission
Expiration Date

Town of Dundee, Florida
Business Impact Estimate
§166.041(4), Fla. Stat. (2024)

On October 1, 2023, Senate Bill 170 (“SB 170”), *Chapter 2023-309, Laws of Florida*, was enacted amending Section 166.041, Florida Statutes, requiring a local government to prepare a *business impact estimate* before the enactment of an ordinance.

On October 1, 2024, Senate Bill 1628 (“SB 1628”), as codified under *Chapter 2024-145, Laws of Florida*, becomes effective and further amends Section 166.041, Fla. Stat. (2023).

This *Town of Dundee Business Impact Estimate* (“BIE”) is provided in accordance with Section 166.041(4), Florida Statutes (2024); and Section 166.041(a) of the Florida Statutes states, in pertinent part, as follows:

Before the enactment of a proposed ordinance, the governing body of a municipality shall prepare or cause to be prepared a *business impact estimate* in accordance with this subsection. The *business impact estimate* **must be** posted on the municipality’s website *no later than the date the notice of proposed enactment is published pursuant to paragraph (3)(a)¹* and must include all of the following:

1. A summary of the Ordinance, including a statement of the *public purpose* to be served by the Ordinance, such as serving the public health, safety, morals, and welfare of the *Town of Dundee, Florida*.
2. An *estimate of the direct economic impact* of the Ordinance on *private, for-profit businesses in the Town of Dundee, Florida*, including the following, if any:
 - a. An estimate of *direct compliance costs* that businesses may reasonably incur if the Ordinance is enacted;
 - b. Identification of any *new charge or fee on businesses* subject to the Ordinance, or for which businesses will be financially responsible; and
 - c. An *estimate of the municipality’s regulatory costs*, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.
3. A *good faith estimate* of the number of businesses likely to be impacted by the Ordinance.
4. Any additional information the *Town Commission of the Town of Dundee* determines may be useful.

If one (1) or more boxes are checked below, this means the *Town of Dundee* is of the view that a *business impact estimate* is not required pursuant to applicable Florida law; however, the *Town of Dundee* is,

¹ Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category, or ordinances initiated by the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to §166.041(3)(c), Fla. Stat. (2024).

Town of Dundee, Florida
Ordinance No. 26-09
Estes Grove Major PUD Amendment to Ordinance 15-05

nevertheless, providing this BIE to avoid any procedural issue(s) that may impact the enactment of *Town of Dundee Ordinance No. 26-09* (hereafter the “Ordinance”).

This BIE may be revised following its initial posting.

- The Ordinance is required for compliance with Federal or State law or regulation;
- The Ordinance relates to the issuance or refinancing of debt;
- The Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The Ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the *Town of Dundee, Florida*;
- The Ordinance is an emergency ordinance;
- The Ordinance relates to procurement; or
- The Ordinance is enacted to implement the following:
 - a. *Development orders and development permits*, as those terms are defined in §163.3164, *Florida Statutes (2024)*, and *development agreements*, as authorized by the Florida Local Government Development Agreement Act under §§ 163.3220 – 163.3243, *Florida Statutes (2024)*;
 - b. Comprehensive plan amendments and Land Development regulation amendments *initiated by an application by a private party other than the municipality*;
 - b. §§ 190.005 and 190.046, *Florida Statutes (2024)*;
 - c. §553.73, *Florida Statutes (2024)*, relating to the Florida Building Code; or
 - d. §633.202, *Florida Statutes (2024)*, relating to the Florida Fire Prevention Code.

Notwithstanding the identified and noted exemption(s) above, if applicable, pursuant to the provisions of §166.041(4), *Florida Statutes (2024)*, and applicable Florida law, the *Town of Dundee* hereby publishes the following information:

1. Summary of the Ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING ORDINANCE 15-05, A PLANNED UNIT DEVELOPMENT - MIXED USE (PUD-MU) ZONING CLASSIFICATION FOR THE ESTES GROVE SUBDIVISION; AMENDING THE MASTER DEVELOPMENT PLAN AND SPECIAL CONDITIONS REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; 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.**

The purpose is to:

To amend Ordinance 15-05, and Ordinance designating a zoning of PUD-MU to land located in the Town of Dundee, Florida.

2. An estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Town of Dundee, Florida, if any:

This ordinance pertains to a town-initiated text amendment and does not impose any operational or financial requirements on other private businesses.

Estimated Impact:

- Direct Costs to Businesses: \$0
- Indirect Costs to Businesses: \$0
- New Fees or Charges: None
- Compliance Requirements: None

No private businesses will be required to take any action, submit documentation, or alter operations as a result of this ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed Town of Dundee Ordinance No. 26-09:

Estimated number of impacted businesses: 0

There are no anticipated impacts on any for-profit businesses operating within the Town of Dundee or its service area.

4. Additional information the Town Commission of the Town of Dundee deems useful (if any):

None currently.



Meeting Agenda Coversheet

MEETING DATE:	May 21, 2026	Submitted By: Lorraine Peterson- Planning & Zoning	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>	DISCUSSION & ACTION, ORDINANCE 26-07 - TOWN-INITIATED TEXT AMENDMENT TO SECTION 3.06.07 OF THE LAND DEVELOPMENT CODE		
STAFF RECOMMENDATION: (MOTION READY)	I move the Planning and Zoning Board recommend adoption to the Town of Dundee, Town Commission for the proposed Town – Initiated request for a Land Development Code Text Amendment to section 3.06.07-Underground Seepage Systems.		
SUMMARY and/or JUSTIFICATION:	The Town is proposing a text amendment to the Town of Dundee Land Development Code (LDC) specifically regarding Section 3.06.07. Currently, the code contains a blanket prohibition on underground seepage systems. The proposed amendment seeks to allow these systems under strict engineering and environmental criteria to provide developers and the Town with modern, space-efficient stormwater management options.		
SELECT, if applicable	AGREEMENT:		BUDGET:
	STAFF REPORT:	X	PROCLAMATION:
	EXHIBIT(S):	X	OTHER:
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Staff Report Ordinance 26-07 BIE		
SELECT, if applicable	RESOLUTION: N/A		ORDINANCE: 26-07

IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE

*(If Item is **not** a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank.)*

ORDINANCE 26-07

Item 4.


AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING THE TOWN OF DUNDEE LAND DEVELOPMENT CODE; SPECIFICALLY AMENDING SECTION 3.06.07, "UNDERGROUND SEEPAGE SYSTEMS," TO PERMIT THE UTILIZATION OF UNDERGROUND SEEPAGE SYSTEMS SUBJECT TO SPECIFIED CRITERIA; 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.

FISCAL IMPACT *(if any):*

This Ordinance will not produce any fiscal impacts to the Town.

\$0.00

Town of Dundee
 Planning and Zoning Board
 Staff Report
 Town – Initiated Texted Amendment to 3.06.07
 Underground Seepage Systems

To: Planning and Zoning Board
Agenda Date: May 21, 2026
Department: Planning and Zoning
Discussion Topic: Town-Initiated Text Amendment to 3.06.07-Underground Seepage Systems
Applicant: Town of Dundee
Planning & Zoning Board Recommendation: Pending
Town Commission Transmittal Hearing: Pending Hearing
Town Commission Adoption Hearing: Pending Hearing
DEO Comments: Pending
Prepared By: Lorraine Peterson, Development Director


REQUESTED ACTION

The proposed amendment to section 3.06.07 of the Land Development Code regarding the allowance of Underground Seepage Systems.

The Town is proposing a text amendment to the Town of Dundee Land Development Code (LDC) specifically regarding Section 3.06.07. Currently, the code contains a blanket prohibition on underground seepage systems. The proposed amendment seeks to allow these systems under strict engineering and environmental criteria to provide developers and the Town with modern, space-efficient stormwater management options.

BACKGROUND

Existing language in Section 3.06.07 states: *"Underground seepage systems are not allowed."* This restriction was historically implemented to protect the local water table and ensure ease of maintenance for surface-level retention ponds.

Town of Dundee
 Planning and Zoning Board
 Staff Report
 Town – Initiated Texted Amendment to 3.06.07
 Underground Seepage Systems

However, as land availability for traditional open-air ponds decreases and stormwater technology improves, many municipalities have transitioned to allowing underground systems. These systems allow for "hidden" drainage under parking lots or green spaces, facilitating higher-density development while maintaining recharge rates for the Floridan Aquifer.

PROPOSED LANGUAGE- LAND DEVELOPMENT CODE

~~**3.06.07. Underground seepage systems.**~~

3.06.07 Underground Stormwater Tank Systems

~~Underground seepage systems are not allowed.~~

- A. Permitted Use: underground stormwater tank systems, including but not limited to exfiltration pipes, chambers, and vaults, may be permitted for the management of stormwater runoff, provided they meet the design and performance standards set forth in this Code and the Town's engineering manual.
- B. Design Requirements: All underground stormwater tank systems must be designed by a Florida Licensed Professional Engineer. The design must account for:
1. Soil Suitability: A geotechnical report must be submitted proving that the soil conditions and seasonal high-water table (SHWT) levels are suitable for the proposed seepage rate.
 2. Pre-treatment: To prevent clogging and system failure, all systems must include a pre-treatment mechanism (such as a baffle box or sediment trap) to remove debris and oils before the water enters the seepage chamber.
 3. Vertical Clearance: A minimum of two (2) feet of separation is required between the bottom of the storm water tank system and the seasonal high-water table.
- C. Maintenance: The property owner shall be responsible for the perpetual maintenance of the underground stormwater tank system. An Operation and Maintenance (O&M) plan must be adhered to and every five years a civil

Town of Dundee
Planning and Zoning Board
Staff Report
Town – Initiated Texted Amendment to 3.06.07
Underground Seepage Systems

engineer must inspect the system to ensure that it is working as it was designed to do, the inspection report must be sent to the Public Works Director.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed amendment is consistent with the following goals of the Town of Dundee Comprehensive Plan:

1. **Infrastructure Element:** Encourages the use of innovative drainage techniques to manage stormwater runoff efficiently.
2. **Conservation Element:** Protects groundwater quality through required pre-treatment and vertical clearance from the water table.
3. **Future Land Use Element:** Supports the efficient use of land within the Town's limits.

FISCAL IMPACT

There is no direct fiscal impact on the Town. All costs associated with the design, installation, and maintenance of these systems will be the responsibility of the private developer or property owner.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Ordinance 26-07 to go to Town Commission.

Town of Dundee
Planning and Zoning Board
Staff Report
Town – Initiated Texted Amendment to 3.06.07
Underground Seepage Systems

MOTION OPTIONS:

1. I move the Planning and Zoning Board recommend **adoption** to the Town of Dundee, Town Commission for the proposed Town – Initiated request for a Land Development Code Text Amendment to section 3.06.07- Underground Seepage Systems.

2. I move the Planning and Zoning Board recommend **adoption with changes** to the Town of Dundee, Town Commission for the proposed Town - Initiated request for a Land Development Code Text Amendment to section 3.06.07- Underground Seepage Systems.

3. I move the Planning and Zoning Board **does not recommend adoption** to the Town of Dundee, Town Commission for the proposed Town- Initiated request for a Land Development Code Text Amendment to section 3.06.07-Underground Seepage Systems.

ATTACHMENTS:

Ordinance 26-07

BIE Report

ORDINANCE 26-07

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING THE TOWN OF DUNDEE LAND DEVELOPMENT CODE; SPECIFICALLY AMENDING SECTION 3.06.07, "UNDERGROUND SEEPAGE SYSTEMS," TO PERMIT THE UTILIZATION OF UNDERGROUND SEEPAGE SYSTEMS SUBJECT TO SPECIFIED CRITERIA; 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, 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, at a duly advertised public meeting on May 21, 2026, at which time interested parties and citizens had the opportunity to be heard and such amendments were recommended to the Town Commission for adoption; and

WHEREAS, the Town Commission of the Town of Dundee recognizes the need to update its Land Development Code to reflect modern engineering standards and stormwater management practices; and

WHEREAS, underground seepage systems can provide effective solutions for drainage and groundwater recharge when properly designed and maintained; and

WHEREAS, the Town Commission finds that allowing such systems, where appropriate, serves the health, safety, and welfare of the residents of Dundee.

WHEREAS, the Town of Dundee, Florida, has complied with all requirements and procedures in processing and adopting this Ordinance No. 26-07; 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. 26-07 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. 26-07 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 RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AS FOLLOWS:

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. Commission Support. The Town Commission of the Town of Dundee, Florida, hereby authorizes, directs, and supports the recommended Text Amendment (see **Exhibit “A”**) which will amend the Town of Dundee 2030 Comprehensive Plan, the Code of Ordinances of the Town of Dundee, Florida, and the Land Development Code of Dundee, which is attached hereto and made part hereof by reference (stricken words are deleted).

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 at a duly called meeting of the Town Commission of the Town of Dundee, Florida, assembled on the _____ day of _____, 2026.

TOWN OF DUNDEE, FLORIDA

Joseph Garrison, Mayor

ATTEST WITH SEAL:

Erica Anderson, Town Clerk

Approved as to form:

Markeishia Smith, Town Attorney

Ordinance 26-07
Exhibit A

~~3.06.07. Underground seepage systems.~~

3.06.07 Underground Stormwater Systems

~~Underground seepage systems are not allowed.~~

- A. Permitted Use: underground stormwater systems, including but not limited to exfiltration pipes, chambers, and vaults, may be permitted for the management of stormwater runoff, provided they meet the design and performance standards set forth in this Code, the Town's engineering manual, and the requirements of the Southwest Florida Water Management District (SWFWMD).

- B. Design Requirements: All underground stormwater systems must be designed by a Florida Licensed Professional Engineer. The design must account for:
 - 1. Soil Suitability: A geotechnical report prepared by a Florida Licensed Professional Engineer must be submitted supporting that the soil conditions and seasonal high-water table (SHWT) levels are suitable for the proposed system including but not limited to soil characteristics, infiltration rates, and confining layers.

 - 2. Debris Removal: To prevent clogging and system failure, all systems must include a mechanism for debris removal up stream of any underground storage or infiltration components.

 - 3. Vertical Clearance: If infiltration is utilized by the proposed underground stormwater system, a minimum of one (1) foot of separation is required between the bottom of the system and the seasonal high-water table.

- C. Maintenance: The property owner shall be responsible for the perpetual maintenance of the underground stormwater tank system. An Operation and Maintenance (O&M) plan must be approved by the Town. Every five years, or more frequently if required by SWFWMD, a civil engineer or Qualified Inspector as defined by the Florida Department of Environmental Protection (FDEP) must inspect the system to ensure conformance with the approved O&M plan that it is working as permitted, a copy of the inspection report must be sent to the Public Works Director.

- D. Additional Requirements: The Town Engineer may require additional analysis, inspection access, maintenance provisions, or monitoring where site conditions warrant.

Town of Dundee, Florida
Business Impact Estimate
§166.041(4), Fla. Stat. (2024)

On October 1, 2023, Senate Bill 170 (“SB 170”), *Chapter 2023-309, Laws of Florida*, was enacted amending Section 166.041, Florida Statutes, requiring a local government to prepare a *business impact estimate* before the enactment of an ordinance.

On October 1, 2024, Senate Bill 1628 (“SB 1628”), as codified under *Chapter 2024-145, Laws of Florida*, becomes effective and further amends Section 166.041, Fla. Stat. (2023).

This *Town of Dundee Business Impact Estimate* (“BIE”) is provided in accordance with Section 166.041(4), Florida Statutes (2024); and Section 166.041(a) of the Florida Statutes states, in pertinent part, as follows:

Before the enactment of a proposed ordinance, the governing body of a municipality shall prepare or cause to be prepared a *business impact estimate* in accordance with this subsection. The *business impact estimate* **must be** posted on the municipality’s website *no later than the date the notice of proposed enactment is published pursuant to paragraph (3)(a)¹* and must include all of the following:

1. A summary of the Ordinance, including a statement of the *public purpose* to be served by the Ordinance, such as serving the public health, safety, morals, and welfare of the *Town of Dundee, Florida*.
2. An *estimate of the direct economic impact* of the Ordinance on *private, for-profit businesses in the Town of Dundee, Florida*, including the following, if any:
 - a. An estimate of *direct compliance costs* that businesses may reasonably incur if the Ordinance is enacted;
 - b. Identification of any *new charge or fee on businesses* subject to the Ordinance, or for which businesses will be financially responsible; and
 - c. An *estimate of the municipality’s regulatory costs*, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.
3. A *good faith estimate* of the number of businesses likely to be impacted by the Ordinance.
4. Any additional information the *Town Commission of the Town of Dundee* determines may be useful.

If one (1) or more boxes are checked below, this means the *Town of Dundee* is of the view that a *business impact estimate* is not required pursuant to applicable Florida law; however, the *Town of Dundee* is,

¹ Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category, or ordinances initiated by the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to §166.041(3)(c), Fla. Stat. (2024).

Town of Dundee, Florida
Ordinance No. 26-07
3.06.07 Underground Seepage System Text Amendment

nevertheless, providing this BIE to avoid any procedural issue(s) that may impact the enactment of *Town of Dundee Ordinance No. 26-07* (hereafter the “Ordinance”).

This BIE may be revised following its initial posting.

- The Ordinance is required for compliance with Federal or State law or regulation;
- The Ordinance relates to the issuance or refinancing of debt;
- The Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The Ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the *Town of Dundee, Florida*;
- The Ordinance is an emergency ordinance;
- The Ordinance relates to procurement; or
- The Ordinance is enacted to implement the following:
 - a. *Development orders and development permits*, as those terms are defined in §163.3164, *Florida Statutes (2024)*, and *development agreements*, as authorized by the Florida Local Government Development Agreement Act under §§ 163.3220 – 163.3243, *Florida Statutes (2024)*;
 - b. Comprehensive plan amendments and Land Development regulation amendments *initiated by an application by a private party other than the municipality*;
 - b. §§ 190.005 and 190.046, *Florida Statutes (2024)*;
 - c. §553.73, *Florida Statutes (2024)*, relating to the Florida Building Code; or
 - d. §633.202, *Florida Statutes (2024)*, relating to the Florida Fire Prevention Code.

Notwithstanding the identified and noted exemption(s) above, if applicable, pursuant to the provisions of §166.041(4), *Florida Statutes (2024)*, and applicable Florida law, the *Town of Dundee* hereby publishes the following information:

1. **Summary of the Ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING THE TOWN OF DUNDEE LAND DEVELOPMENT CODE; SPECIFICALLY AMENDING SECTION 3.06.07, "UNDERGROUND SEEPAGE SYSTEMS," TO PERMIT THE UTILIZATION OF UNDERGROUND SEEPAGE SYSTEMS SUBJECT TO

SPECIFIED CRITERIA; 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.

The purpose is to:

Change the Town of Dundee Land Development code to reflect modern stormwater management options. Changing the language in section 3.06.07-Underground Seepage Systems, from not allowing the systems to allowing the systems.

2. An estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Town of Dundee, Florida, if any:

This ordinance pertains to a town-initiated text amendment and does not impose any operational or financial requirements on other private businesses.

Estimated Impact:

- Direct Costs to Businesses: \$0
- Indirect Costs to Businesses: \$0
- New Fees or Charges: None
- Compliance Requirements: None

No private businesses will be required to take any action, submit documentation, or alter operations as a result of this ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed Town of Dundee Ordinance No. 26-07:

Estimated number of impacted businesses: 0

There are no anticipated impacts on any for-profit businesses operating within the Town of Dundee or its service area.

4. Additional information the Town Commission of the Town of Dundee deems useful (if any):

None currently.