



TOWN COMMISSION MEETING AGENDA

September 01, 2026 at 6:30 PM

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

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

RECOGNITION OF SERGEANT AT ARMS

ORDINANCE #13-08, PUBLIC SPEAKING INSTRUCTIONS

ROLL CALL

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

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

APPROVAL OF CONSENT AGENDA: CONSENT AGENDA FOR SEPTEMBER 01, 2026

A. MINUTES

1. August 4, 2026, TC Meeting Minutes

APPROVAL OF AGENDA

PUBLIC HEARING

- 1. DISCUSSION & ACTION, ORDINANCE 26-14 CENTRAL FLORIDA OUTDOOR STORAGE, INC, VOLUNTARY ANNEXATION 2ND READING**
- 2. DISCUSSION & ACTION, TOWN OF DUNDEE EVALUATION AND APPRAISAL REPORT (EAR) – COMPREHENSIVE PLAN UPDATE**

NEW BUSINESS

- 3. DISCUSSION AND ACTION, RESOLUTION 26-24 VISTA DEL LAGO PHASE IV
SUBDIVISION SITE DEVELOPMENT PLAN**
- 4. DISCUSSION & ACTION TUCKER PAVING CHANGE ORDER**

REPORTS FROM OFFICERS

Polk County Sheriff's Office

Dundee Fire Department

Town Attorney

Town Clerk

Town Manager

Commissioners

Mayor

ADJOURNMENT

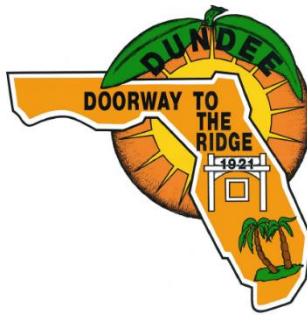
PUBLIC NOTICE: Please be advised that if you desire to appeal from any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases, a verbatim record is required. You must make your own arrangements to produce this record. (Florida statute 286.0105)

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.



Meeting Agenda Coversheet

MEETING DATE:	September 1, 2026	Submitted By: Erica Anderson, Town Clerk		
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>	Approval of the consent agenda			
STAFF RECOMMENDATION: (MOTION READY)	Staff recommends approval of the 9.1.2026 TC Consent Agenda			
SUMMARY and/or JUSTIFICATION:	A. Minutes 1. August 4, 2026, TC Meeting Minutes			
SELECT, if applicable	AGREEMENT:	X	BUDGET:	
	STAFF REPORT:		PROCLAMATION:	X
	EXHIBIT(S):		OTHER:	X
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	August 4, 2026, Meeting Minutes			
SELECT, if applicable	RESOLUTION:		ORDINANCE:	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(If Item is not a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank.)</i>				
FISCAL IMPACT (if any):	N/A			



TOWN COMMISSION MEETING MINUTES

August 4, 2026, at 6:30 PM

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

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

CALL TO ORDER at 6:36 p.m.

PLEDGE OF ALLEGIANCE led by Mayor Garrison

INVOCATION Bishop Meaux

RECOGNITION OF SERGEANT AT ARMS, Deputy Nixon

ORDINANCE #13-08, PUBLIC SPEAKING INSTRUCTIONS provided by Mayor Garrison

ROLL CALL taken by Town Clerk Erica Anderson

PRESENT

Mayor Joe Garrison

Vice Mayor Ray Hunt

Commissioner Julia Hunt

Commissioner Annette Wilson

Commissioner Mary Richardson

ALSO PRESENT:

Town Manager Ken Cassel

Town Attorney Markeishia Smith

Town Clerk Erica Anderson

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

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

PRESENTATION – Provided by Daxton Ball and Deklin Ball for The Skatepark of Dundee Project.

APPROVAL OF CONSENT AGENDA: CONSENT AGENDA FOR AUGUST 4, 2026

The minutes being reviewed include minutes from the following meetings:

A. MINUTES

1. June 23, 2026, Budget Strategy Meeting Minutes
2. July 7, 2026, Town Commission Meeting Minutes

B. AGREEMENTS

1. ASRUS LLC Scope of Work Agreement
2. PRWC Ingress & Egress Agreement
3. AAA Top Quality Asphalt IFB 26-01
4. RFP 26-02 Construction Agreement

C. BOARD RE-APPOINTMENT

1. David Joubert – Planning and Zoning Board

Mayor Garrison opened the floor for public comment; being none, the floor was closed.

Commissioner Wilson moved to approve the August 4, 2026, Consent Agenda, seconded by Commissioner Richardson.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

APPROVAL OF AGENDA

Mayor Garrison opened the floor for public comment; being none, the floor was closed.

Commissioner Wilson moved to approve the Agenda without changes, seconded by Vice Mayor Hunt.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

1. PROCLAMATIONS

- A. Florida Water Professionals Proclamation – Accepted by Johnathan Blackburn

PUBLIC HEARINGS

2. DISCUSSION & ACTION, ORDINANCE 26-11, TOWN-INITIATED TEXT AMENDMENT TO TABLES 2.03 (A) THROUGH 2.03 (C) 2ND READING

Attorney Smith read the ordinance title into the record. Development Services Director Peterson presented the item.

The Town is proposing a text amendment to the Town of Dundee Land Development Code (LDC) specifically regarding tables 2.03 (A) through 2.03 (C) Canopy Trees, Small Trees for Buffer yards, and Shrubs. The Town's current landscaping tables have not been updated in several years. The added small trees and shrubs can be found in red, the proposed additions align with a more modern and aesthetic look along with sustainable water use.

Mayor Garrison opened the floor for public comment; seeing none, the floor was closed.

Vice Mayor Hunt moved to approve Ordinance 26-11, seconded by Commissioner Wilson.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

3. DISCUSSION & ACTION, ORDINANCE 26-12 OFFICE OF THE TOWN CLERK 2ND READING

Attorney Smith read the ordinance title into the record.

The Town Commission has requested consideration of an ordinance establishing the Office of the Town Clerk and defining the appointment, authority, duties, and responsibilities of that office. The proposed ordinance is intended to provide a clear governance structure for the Office of the Town Clerk, ensure continuity in the administration of the Town's legislative and records management functions, and clarify the reporting relationship between the Town Clerk and the Commission.

Ordinance No. 26-12 supplements the Charter of the Town of Dundee by creating Section 3.12 establishing the Office of the Town Clerk. The ordinance provides for the appointment, powers, duties, and responsibilities of the Town Clerk; establishes the Town Clerk as the administrative head of the Office of the Town Clerk under the general direction and supervision of the Commission; and authorizes the Town Clerk to administer and supervise the Office of the Town Clerk and its personnel.

The ordinance further provides for the uninterrupted continuation of the individual serving as Town Clerk immediately preceding the effective date of the ordinance, ensuring there is no interruption in service, no break in employment, and no loss of compensation, accrued leave, retirement benefits, years of service, or other employment rights and benefits. The ordinance also preserves the Commission's authority to consider and approve an employment agreement with the Town Clerk at a future meeting, should the Commission determine such action to be appropriate.

The proposed ordinance is intended to clarify the administration of the Office of the Town Clerk while preserving continuity of municipal operations and uninterrupted public services. If approved, the Town Manager, Town Clerk, and Town Attorney will be authorized to take all administrative actions necessary to implement the ordinance.

Mayor Garrison opened the floor for public comment; seeing none, the floor was closed.

Commissioner Wilson moved to approve Ordinance 26-12, seconded by Commissioner Richardson.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

NEW BUSINESS

4. DISCUSSION & ACTION, ORDINANCE 26-14 CENTRAL FLORIDA OUTDOOR STORAGE, INC, VOLUNTARY ANNEXATION

Attorney Smith read the ordinance title into the record. Development Services Director Peterson presented the item. The Applicant, Central Florida Outdoor Storage, Inc. through Donielle Mixon is requesting a Voluntary Annexation from Unincorporated Polk County to the corporate limits of the Town of Dundee.

The proposed site is located on Almburg Road, east of Scenic Highway and west of Steward Road, in Unincorporated Polk County, Section 35. Township 28 South, Range 27 East, further described as parcel: 272835-000000-044040.

Mayor Garrison opened the floor for public comment; the following persons spoke before the commission.

Michelle Smith

Alethea Pugh

Danielle

Mayor Garrison closed public comments.

Vice Mayor Hunt moved to approve Ordinance 26-14, seconded by Commissioner Hunt.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

5. DISCUSSION & ACTION, RESOLUTION 26-22 CORE IMPROVEMENT TERMINATION AGREEMENT

Attorney Smith read the Resolution title into the record. Town Manager Cassel presented the analysis.

The Town of Dundee and Polk County entered into an interlocal agreement on February 20, 2008, as amended May 11, 2010, establishing a joint Core Improvement Area to coordinate growth and development incentives.

Resolution 26-22 finds that the Town's economic conditions and planning priorities have changed and that the joint framework is now administratively obsolete. Approval will authorize the parties to mutually terminate the agreement, return the affected area to standard local zoning and impact-fee regulations, and release both jurisdictions from future obligations while safeguarding previously grandfathered development approvals.

Mayor Garrison opened the floor for public comment; seeing none the floor was closed.

Commissioner Wilson moved to approve Resolution 26-22, seconded by Commissioner Hunt.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

6. DISCUSSION & ACTION, RESOLUTION 26-23 CREATION OF COMMISSION & COMMUNITY ENGAGEMENT COORDINATOR

Attorney Smith read the Resolution title into the record.

The Mayor/Commission respectfully requests approval of Resolution No. 26-23 establishing the position of Commission & Community Engagement Coordinator within the Town Clerk's Office.

The proposed position is intended to provide dedicated administrative, communications, community engagement, and event coordination support to the Town Commission while allowing the Town Clerk to remain focused on statutory responsibilities, including records management, elections, agendas, minutes, public records compliance, ordinances, resolutions, and other duties prescribed by Florida law and the Town Charter.

The position will coordinate official Commission travel, conferences, community outreach initiatives, public engagement events, promotional materials, photography, approved social media content, constituent outreach coordination, and other administrative projects assigned through the Town Clerk.

The position reports directly to the Town Clerk. Day-to-day direction may be provided by the Deputy Town Clerk when designated by the Town Clerk. Requests from individual Commissioners will be coordinated through the Town Clerk to ensure proper workload management and preserve the Town's Commission-Manager form of government.

Mayor Garrison opened the floor for public comment; seeing none, the floor was closed.

Commissioner Hunt moved to approve Resolution 26-23, seconded by Commissioner Richardson.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

7. DISCUSSION & ACTION, WASTEWATER PLANT MAINTENANCE & REPAIRS

Public Works Director Vice provided the analysis.

Town staff has identified items at the Wastewater Treatment Facility that will need to be to have maintenance or repairs completed. Staff has identified five (5) different projects at this time and has received quotes from three different companies for each project. Staff is requesting approval to move forward with the repairs, selecting the lowest-cost proposal from each quote.

Projects:

- Chlorine Storage Building
- Chlorine Contact Chamber
- Digesters

- Plant
- Generator

Mayor Garrison opened the floor for public comment; being none, the floor was closed.

Vice Mayor Hunt moved to approve the wastewater plant maintenance & repairs, seconded by Commissioner Richardson.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

8. DISCUSSION & ACTION, DUNDEE 2026 DUNDEE TRUCKS/ EQUIPMENT SURPLUS ITEMS

Public Works Director Vice provided the analysis.

Town staff has prepared a list of trucks/ equipment that are no longer needed or are not in compliance with operations standards. Staff is seeking permission to send the following items to auction in the month of August to sell these items. The town will be sending these items to a local Auction and one that we have used in the past. The vendor will be Central Florida Auction LLC, located at 4445 US-17, Haines City, Florida 33844. Below is a list of items that are intended to be sold.

2019 Nautic Star Rescue Boat - \$30,000 – Fire Department
 2005 Sterling Grapple Truck - &10,000 - \$15,000 – Stormwater
 2008 Ford F-150 4X4 XL - \$2,000 – Streets Department

Commission and Mayor will need to approve purposed sell price and set a limit that they may not want to go below.

Mayor Garrison opened the floor for public comment; being none, the floor was closed.

Vice Mayor Hunt moved to approve the 2026 Dundee Trucks and Equipment Surplus items and give authority to the town manager to negotiate a lower price if the asking price is not offered, seconded by Commissioner Wilson.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

9. DISCUSSION & ACTION, IFB 26-02 COMMERCIAL SOLID WASTE COLLECTIONS

Public Works Director Vice provided the analysis.

Town staff has prepared and reviewed Invitation for Bid (IFB) No. 26-02 for the Sanitation Department Solid Waste Collections for the FY 26-27 budget. IFB 26-02 was approved for release at the 07/07/26 TC Meeting and was released. On 07/23/2023, the Purchasing Review Committee met and opened the two bids received bids These companies included Waste Pro of Florida, Inc. DBA Trash Taxi of Florida and Republic Services of Florida, LP.

The Purchasing Evaluation Committee scored both proposals. Waste Pro DBA Trash Taxi earned an average of 383 points, while Republic Services earned an average of 400 points.

Proposed total costs from each company are as follows:

- Waste Pro DBA Trash Taxi - \$341,742.24 / year (\$28,478.52 / month)
- Republic Services - \$281,426.00 / yr (\$281,426.00 / month)

Mayor Garrison opened the floor for public comment; the following persons spoke before the commission

Curtis Ageis

Platt Loftis

Mayor Garrison closed public comment.

Commissioner Hunt to approve IFB 26-02 Commercial Solid Waste Collections, seconded by Commissioner Wilson.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt and Mayor Garrison

The motion passed unanimously.

10. DISCUSSION & ACTION, TOWN OF DUNDEE EVALUATION AND APPRAISAL REPORT(EAR) – COMPREHENSIVE PLAN UPDATE

Development Services Director Peterson presented the analysis.

The EAR evaluates the Town's Comprehensive Plan against current conditions and Florida law. It identifies updates needed for the required 10- and 20-year planning horizons; statutory references and definitions; levels of service; administrative, concurrency, mobility, and transportation provisions; site-specific policies; utilities; housing; resiliency infrastructure; and capital improvements. The proposed process includes drafting, staff review, Planning and Zoning Board review, Town Commission transmittal review, state coordinated review, and final adoption.

Florida Commerce acknowledged receipt of the Town's notification on September 24, 2024, and stated that the EAR-based amendments were to be transmitted by September 24, 2025, in a single plan-amendment cycle. Because that date has passed, staff and the Town Attorney should confirm the Town's compliance status and corrective schedule with Florida Commerce before formal processing.

Mayor Garrison opened the floor for public comment; the following persons spoke before the commission.

Junior Jaramillo

Curtis Gibson

Vice Mayor Hunt moved to approve the EAR Report, seconded by Commissioner Wilson.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

11. DISCUSSION & ACTION, VISTA DEL LAGO PHASE 4 OFFSITE POTABLE WATER MAIN EXTENSION AND REIMBURSEMENT AGREEMENT

Utilities and Special Project Director Mercer provided the analysis.

Town staff has requested that the developer extend the proposed water main approximately 270 linear feet beyond the northern terminus of the Phase 4 water main, continuing north along Race Road to connect with the town's existing water main near Camp Endeavor Blvd. in order to create a fully looped water system and improve reliability of service to Phases 3 and 4 and the surrounding area.

Mayor Garrison opened the floor for public comment; being none, the floor was closed.

Commissioner Wilson moved to approve Vista Del Lago Phase 4 Offsite Potable Water Main Extension and Reimbursement Agreement, seconded by Commissioner Richardson.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

12. DISCUSSION & ACTION, CLARIFICATION OF RESOLUTION 26-21 CODE REVIEW COMMITTEE

Town Manager Cassel presented the analysis.

Clarification that the committee will operate as an advisory committee under the sunshine law provisions, or as a group of individuals willing to work with staff reviewing changes to the code. Mayor Garrison opened the floor for public comment; seeing none, the floor was closed.

Commissioner Wilson moved to approve the Code Review Committee to operate as a committee under the Sunshine Law, seconded by Commissioner Hunt.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

13. DISCUSSION & ACTION, REGARDING CODE COMPLIANCE DEPARTMENT

Mayor Garrison presented this item before the commission.

This item is to discuss and possibly take action on what to do with the code compliance department and personnel while the codes are being reviewed and rewritten over the next six to nine months.

Mayor Garrison opened the floor for public comment; the following persons spoke before the commission.

Junior Jaramillo

Alethea Pugh

Michelle Thompson

Michael Glassford

Commissioner Hunt moved to reallocate funds for the code compliance department for a period of up to nine months for the rewriting of the code, seconded by Vice Mayor Hunt.

Voting in favor: Commissioner Hunt, Vice Mayor Hunt, and Mayor Garrison

Voting against: Commissioner Wilson and Commissioner Richardson

The motion passed 3-2.

14. DISCUSSION & ACTION, CHARTER REVIEW COMMITTEE

Commissioner Richardson presented this item before the commission.

This item is to discuss and appoint a charter review committee.

Discussion surrounding the need for a Code Review Committee was had amongst the commission.

Mayor Garrison opened the floor for public comment; seeing none, the floor was closed.

A consensus was reached among the commission for the attorney to bring steps to the commission for the charter review process and committee in December, January, or February.

15. DISCUSSION & ACTION, HIGHLANDS AVENUE DOG PARK

Mayor Garrison presented this item to the commission.

This item is to discuss and make any necessary changes to the Highlands Avenue [Johnson] Dog Park.

Mayor Garrison opened the floor for public comment; being none, the floor was closed.

Commissioner Hunt motioned to move the Johnson Dog Park to Lake Menzie, seconded by Vice Mayor Hunt.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

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16. DISCUSSION & ACTION, CLIFTON, LARSON, AND ASSOCIATES (CLA)

Town Manager Cassel presented this item before the commission.

The Town Commission is being asked to consider a proposal from CliftonLarsonAllen LLP (CLA) to provide recurring professional accounting and advisory services for the Town of Dundee.

The proposed engagement is intended to assist the Town in addressing past, current, and future financial and operational needs and challenges.

Mayor Garrison opened the floor for public comment; being none, the floor was closed.

Vice Mayor Hunt moved to approve CLA to provide professional services, seconded by Commissioner Wilson.

Voting in favor: Commissioner Hunt, Commissioner Wilson, Commissioner Richardson, Vice Mayor Hunt, and Mayor Garrison

The motion passed unanimously.

REPORTS FROM OFFICERS

Polk County Sheriff's Office – No Report

Dundee Fire Department – Report for July 2026

- 105 calls for service
- 6 fires
- 2 hazardous situations
- 69 medical
- 10 public services
- 18 non-emergencies

Town Attorney – Assisted with a foreclosure for which the Town has a lien on the property. She said she would email the commission some of the rules for Robert's Rules of Order.

Town Manager – Received a notice from the auditor; the amounts have triggered a single audit, which requires a budgetary impact of an additional \$5,000.00. He said that he would like to move forward with the search for an assistant town manager. Also, the Camp Endeavour/Lincoln Rd. project requires the town to remove (6) poles. The town will need to update its fire assessment methodology. He spoke with the commission concerning the visioning retreat and alternate ideas to consolidate holiday functions. He asked the commission to appoint a member of the commission to assist with event planning; Commissioner Julia Hunt was appointed.

Commissioners

Commissioner Hunt: thanked staff for their continued work and provided brief comments regarding matters of interest to the community.

Commissioner Wilson: expressed appreciation to Town staff and shared general comments concerning the Town and its residents.

Commissioner Richardson: thanked staff for their efforts and provided brief updates and comments regarding community matters. She spoke briefly concerning the Visioning Committee consisting of staff, residents, and the commission, which was put on hold for lack of funds.

Vice Mayor Hunt: thanked staff for their continued efforts and briefly addressed matters of community interest. He also proposed a new Town initiative, "On Watch," aimed at promoting responsible adult supervision of children while swimming and helping prevent drownings.

Mayor Garrison: Mayor Garrison thanked the Commission, Town staff, and residents for their participation and continued commitment to the Town of Dundee. He also provided general remarks regarding Town and community matters. He announced that Lt. Governor Jay Collins would be attending the Prayer Breakfast in Dundee.

ADJOURNMENT at 10:19 p.m.

Respectfully submitted,

Erica Anderson

Erica Anderson, Town Clerk

APPROVAL DATE: _____

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DRAFT



Meeting Agenda Coversheet

MEETING DATE:		September 1, 2026		Submitted By: Alison Claremont- Planning & Zoning	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		DISCUSSION & ACTION, ORDINANCE 26-14, A VOLUNTARY ANNEXATION 2 nd READING			
STAFF RECOMMENDATION: (MOTION READY)		I move approval of Ordinance 26-14 a Voluntary Annexation request as made by Central Florida Outdoor Storage, Inc., through Donielle Mixon adding parcel 272835-000000-044040 to the corporate limits of the Town of Dundee. The Subject property is located on 4.72 +/- acres of land on Almburg Road, east of Scenic Highway and west of Steward Road in Unincorporated Polk County, Section 35. Township 28 South, Range 27 East.			
SUMMARY and/or JUSTIFICATION:		The Applicant, Central Florida Outdoor Storage, Inc. through Donielle Mixon is requesting a Voluntary Annexation from Unincorporated Polk County to the corporate limits of the Town of Dundee. The proposed site is located on Almburg Road, east of Scenic Highway and west of Steward Road, in Unincorporated Polk County, Section 35. Township 28 South, Range 27 East, further described as parcel: 272835-000000-044040.			
SELECT, if applicable		AGREEMENT:		BUDGET:	
		STAFF REPORT:		PROCLAMATION:	
		EXHIBIT(S):		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 26-14 BIE			
SELECT, if applicable		RESOLUTION: N/A		ORDINANCE: 26-12	

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>	ORDINANCE NO. 26-14 AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, EXTENDING THE CORPORATE LIMITS OF THE TOWN OF DUNDEE, FLORIDA, SO AS TO INCLUDE THEREIN ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE PRESENT BOUNDARIES OF THE TOWN OF DUNDEE, FLORIDA; DESCRIBING SAID ADDITIONAL TERRITORY; REDEFINING THE BOUNDARIES OF THE TOWN OF DUNDEE TO INCLUDE SAID PROPERTY; PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING BUSINESS IMPACT ESTIMATE; AND PROVIDING FOR AN EFFECTIVE DATE.		Item 1.
	FISCAL IMPACT <i>(if any):</i>	This Ordinance will not produce any fiscal impacts to the Town.	\$0.00

ORDINANCE NO. 26-14

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, EXTENDING THE CORPORATE LIMITS OF THE TOWN OF DUNDEE, FLORIDA, SO AS TO INCLUDE THEREIN ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE PRESENT BOUNDARIES OF THE TOWN OF DUNDEE, FLORIDA; DESCRIBING SAID ADDITIONAL TERRITORY; REDEFINING THE BOUNDARIES OF THE TOWN OF DUNDEE TO INCLUDE SAID PROPERTY; PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING BUSINESS IMPACT ESTIMATE; 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, on or about June 1st, 2026, pursuant to Section 171.044, Florida Statutes (2024), the owner/applicant, Central Florida Outdoor Storage, Inc., an active and authorized to transact business in the State of Florida, submitted an applicant-initiated petition (the "Petition") to voluntarily integrate territory into the corporate limits of the Town of Dundee, Florida; and

WHEREAS, a copy of the Petition is attached hereto as **Composite Exhibit "A"** and made a part hereof by reference; and

WHEREAS, pursuant to Section 171.044 of the Florida Statutes, the real property which is the subject of this Ordinance is *reasonably compact* and *contiguous* to the

corporate limits of the Town of Dundee, Florida; and the subject real property will become a part of the unified corporate area with respect to municipal services and benefits; and

WHEREAS in accordance with the *Town of Dundee Townwide Traffic Analysis and Adequacy Determination Technical Report 7.1*, the owner/applicant is required to dedicate land on the northern right of way of parcel 27-28-35-000000-044040 as per **Exhibit “D” Proposed 80’ Almburg Road Corridor**, intended to provide standard roadway width and pavement from SR 17 (Scenic Highway) to Lake Mable Loop Road; and

WHEREAS, on September 1st, 2026, after considering all the facts and testimony presented by the Town, interested and/or aggrieved parties, and citizens in attendance, the Town Commission voted to approve the applicant-initiated request for voluntary annexation as set forth in this **Ordinance No. 26-14**; and

WHEREAS, on September 1st, 2026, the Town Commission, at a duly noticed public meeting, found that the approval of this **Ordinance No. 26-14** preserves, enhances, and encourages the most appropriate use of land consistent with the public interest and the *Town of Dundee 2030 Comprehensive Plan* policies, goals, and objectives; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that the approval and adoption of this **Ordinance No. 26-14** is intended and necessary to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; and this **Ordinance No. 26-14** 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 ORDAINED 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. Voluntary Annexation Petition.

Pursuant to Section 171.044, Florida Statutes (2024), the *applicant-initiated* petition to voluntarily integrate territory into the corporate limits of the Town of Dundee, Florida, is attached hereto as **Composite Exhibit “A”** and incorporated herein by reference.

Section 3. Annexation.

The Town Commission of the Town of Dundee, Florida, does hereby annex into the corporate limits of the Town of Dundee, Florida, the real property as legally described and depicted (i.e., location map) in **Exhibit "B"** attached hereto and made a part hereof by reference.

Section 4. Conflicts.

All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided, however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the *Town of Dundee Land Development Code* (LDC) unless such repeal is explicitly set forth herein.

Section 5. 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, or unenforceable. 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, or 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 6. Administrative Correction of Scrivener's Errors and Codification.

It is the intention of the Town Commission 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 Code of Ordinances 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 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 shall be located in the Office of the Town Clerk of the Town of Dundee, Florida.

Pursuant to Section 171.044, Florida Statutes (2024), within seven (7) days after this **Ordinance No. 26-14** is passed and adopted by the Town Commission, copies of this **Ordinance No. 26-14** shall be filed with the Clerk of the Circuit Court in and for Polk County, Florida; Polk County, a political subdivision organized and existing under the laws of the State of Florida; and the Department of State. The Town Clerk shall also make copies available to the public for a reasonable publication charge.

Section 7. Business Impact Estimate.

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. Section 166.041(4)(c)1, as amended, provided that municipal ordinances enacted to implement Part II of Chapter 163, Florida Statutes, were not subject to the *business impact estimate* requirement.

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), by creating express exclusion(s) for *comprehensive plan* and *land development regulation amendments* initiated by an application by a private party other than the municipality.

In this instance, this Ordinance is enacted pursuant to an applicant-initiated request to amend the corporate limits of the Town of Dundee, Florida for municipal ordinances enacted to implement *development orders* and *development permits*, as defined by Section 163.3164, Florida Statutes (2024) and certain amendments to the Town of Dundee 2030 Comprehensive Plan which are *applicant-initiated*.

In this instance, **Ordinance No. 26-14** arises out of an *applicant-initiated* request for voluntary annexation of certain real property into the corporate limits of the Town of Dundee, Florida. **Ordinance No. 26-14** is an official action of the Town Commission which enables the Town to issue development approval(s) and permit(s) for the development of the subject real property; and, at the same time, **Ordinance No. 26-14** operates to amend the legal description for the Town's corporate limits.

Section 8. Effective Date.

This **Ordinance No. 26-14** shall become effective upon passage by the Town Commission of the Town of Dundee, Florida, immediately following second reading and adoption public hearing.

INTRODUCED AND PASSED, on First Reading and public hearing with a quorum present and voting, by the Town Commission of the Town of Dundee, Florida, this August 4th, 2026.

PASSED AND DULY ADOPTED, on Second Reading and public hearing with a quorum present and voting, by the Town Commission of the Town of Dundee, Florida, this September 1, 2026.

TOWN OF DUNDEE

MAYOR – Joe Garrison

Attest:

TOWN CLERK – Erica Anderson

Approved as to Form:

TOWN ATTORNEY – Markeishia Smith

**Ordinance No. 26-14
Exhibit "A"**

Applicant-Initiated Annexation Petition



Town of Dundee

Voluntary Annexation Application

124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

In addition to the application, please provide all materials as listed on the application checklist. It is important that all information be complete and accurate when submitted to the Town. Additional pages may be attached to provide necessary information. The project name should be based on the ownership of the property. This name will be used for companion Future Land Use and Zoning applications.

SITE INFORMATION

Project Name: CFOS
Parcel I.D.#: 27-28-35-000000-044040
Site Address or General Location: 0 ALMBURG RD, LAKE WALES, FL 33838
Present Use of the Property: OUTDOOR STORAGE
Existing Structures Located on the Site: _____
Total Acreage: 4.72 Number of Residents on Site: 0
Legal Description of the Property: _____

PROPERTY OWNER:

Name: CENTRAL FLORIDA OUTDOOR STORAGE INC.
Mailing Address: PO BOX 952
City: DUNDEE State: FL Zip: 33838
Home/Mobile Phone: 863-845-0657 Email Address: centralfloridaoutdoorstorage@gmail.com

APPLICANT/AGENT:

Name: DONIELLE MIXON
Mailing Address: 5720 WATER TANK RD
City: HAINES CITY State: FL Zip: 33844
Home/Mobile Phone: _____ Office: 863-845-0657
Email Address: centralfloridaoutdoorstorage@gmail.com
Applicant is: ☒ Owner ☐ Agent/Representative ☐ Purchaser ☐ Lessee

Date Application Accepted by Town: _____
Project ID Number: _____
Application Fee Amount Paid: _____ Review Deposit Amount Paid: _____



Town of Dundee

Voluntary Annexation Application

124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

STATEMENT OF OWNERSHIP AND DESIGNATION OF AUTHORIZED AGENT

(I) (We), _____ 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 annexation into the Town, 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 for annexation, 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

Donielle Mixon
Signature of Owner

DONIELLE MIXON / PRESIDENT
Printed Name/Title of Owner

Donielle Mixon
Signature of Owner

Donielle Mixon
Printed Name of Owner

Nelson Zenteno
Signature of Owner

NELSON ZENTENO / VP
Printed Name/Title of Owner

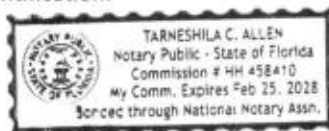
Nelson Zenteno
Signature of Owner

Nelson Zenteno
Printed Name of Owner

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☒ online notarization, this 1 day of June, 2026 by, as, on its behalf, who is personally known to me or who has produced _____ as identification.



Notary Public, State of Florida

Tarneshila C. Allen
Printed Name

My commission expires: 2/25/2028

Voluntary Annexation Application

Page 2 of 4



Town of Dundee

Voluntary Annexation Application

124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE

(I) (We), Central Florida Outdoor Storage Inc being duly sworn, depose and say that (I) (we) serve as _____ 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)

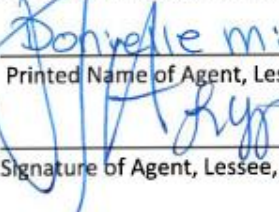
Nelson Zenteno
Printed Name of Agent, Lessee, or Buyer(s)


Signature of Agent, Lessee, or Buyer(s)

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

Signature of Agent, Lessee, or Buyer(s)

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

 — owners & applicant
Signature of Agent, Lessee, or Buyer(s)

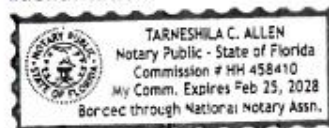
Printed Name of Agent, Lessee, or Buyer(s)

STATE OF FLORIDA

COUNTY OF POLK

AGENT, LESSEE, OR BUYER(S) NOTARIZATION

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☒ online notarization, this 24 day of June, 2026 by, as, on its behalf, who is personally known to me or who has produced _____ as identification.



Notary Public, State of Florida



Printed Name

My commission expires: 2/25/28

Voluntary Annexation Application

Page 3 of 4



Town of Dundee

Voluntary Annexation Application

124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

FINANCIAL RESPONSIBILITY FORM

The undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all Town expenses associated with the referenced application, including time spent by the Town's consultants consistent with the Town's adopted application fee schedule, extraordinary expenses, and development review deposit policies (Section 8.08.00 of the Land Development Code and Resolution 2007-02).

Name: NELSON ZENTENO Title: VP

Company: CENTRAL FLORIDA OUTDOOR STORAGE INC.

Company Address: 0 ALMBURG RD

City/State/Zip Code: LAKE WALES, FL 33898

Telephone Number: 863-845-0657

Email Address: centralfloridaoutdoorstorage@gmail.com

I hereby certify that all information contained herein is true and correct.

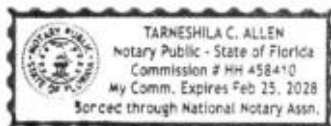
1. Signed this 1st day of June, 2026.

[Signature]
Signature of Property Owner, Lessee, Contract Purchase, or Applicant (circle one)

STATE OF FLORIDA

COUNTY OF POLK

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☒ online notarization, this 1 day of June, 2026, by, as, on its behalf, who is personally known to me or who has produced _____ as identification.



[Signature]
Notary Public, State of Florida

Tarneshila C. Allen
Printed Name

My commission expires: 2/25/2028



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation
CENTRAL FLORIDA OUTDOOR STORAGE INC.

Filing Information

Document Number	P21000024408
FEI/EIN Number	86-2942816
Date Filed	03/09/2021
Effective Date	03/09/2021
State	FL
Status	ACTIVE

Principal Address

0 ALMBURG RD.
LAKE WALES, FL 33898

Mailing Address

PO Box 952
Dundee, FL 33838

Changed: 02/01/2022

Registered Agent Name & Address

MIXON, DONIELLE N
5720 WATER TANK RD
HAINES CITY, FL 33844

Address Changed: 02/01/2022

Officer/Director Detail

Name & Address

Title P

MIXON, DONIELLE N
5720 WATER TANK RD
HAINES CITY, FL 33844

Title VP

Ordinance No. 26-14
Exhibit “B”
Location Map



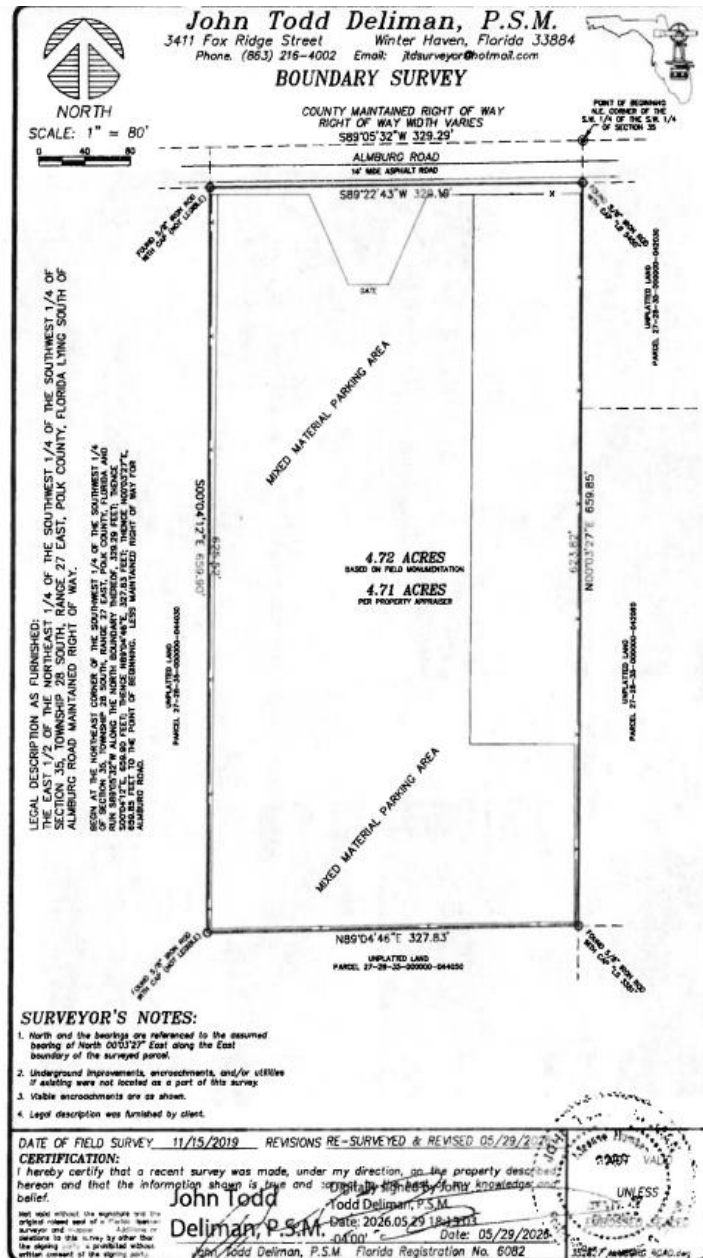
Ordinance No. 26-14

Exhibit “C”

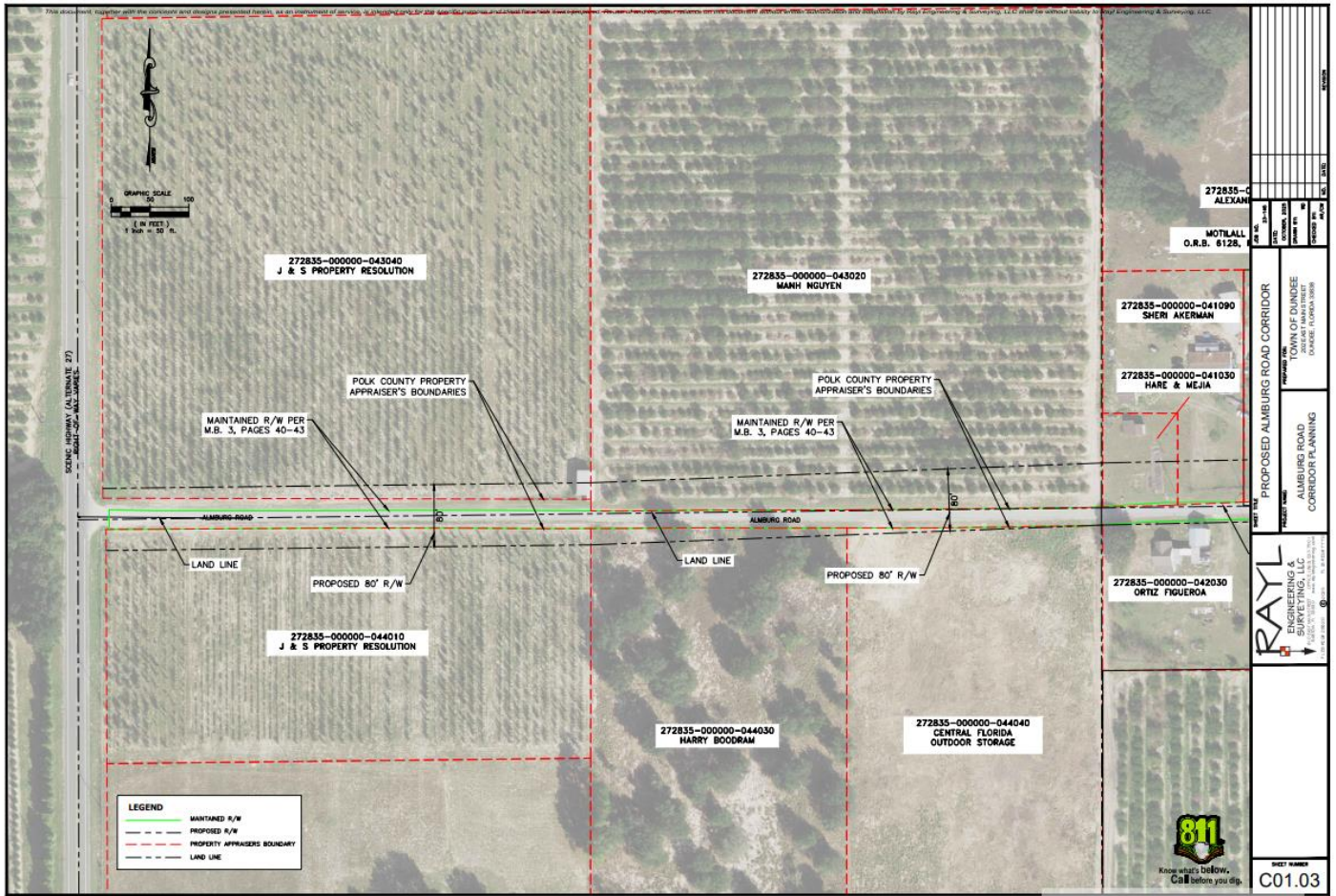
Legal Description and Survey

Parcel Number: 27-28-35-000000-044040

The East half of the NE ¼ of the SW ¼ of the SW ¼ of Section 35, Township 28 South, Range 27 East, Polk County, Florida less road Right of Way.



Ordinance No. 26-14 Exhibit "D" Proposed Almburg Road Corridor



Town of Dundee

TOWN COMMISSION

CFOS Voluntary Annexation Ordinance 26-14



To: Town Commission
Agenda Date: September 1, 2026
Department: Planning and Zoning
Discussion Topic: Voluntary Annexation Ordinance 26-14 Central Florida Outdoor Storage, Inc. -Second Reading
Applicant: Central Florida Outdoor Storage, Inc. through Donielle Mixon
Property Owner: Central Florida Outdoor Storage, Inc.
Planning & Zoning Board Recommendation: Approved 3-0
Town Commission Hearing: Approved 5-0
Town Commission Adoption Hearing: N/A
DEO Comments: N/A
Prepared By: Alison Claremont, Planner I



SITE LOCATION

The proposed site is located on 4.72 +/- acres of land on Almburg Road, east of Scenic Highway and west of Steward Road, in Unincorporated Polk County, Section 35, Township 28 South, Range 27 East, further described as parcel: 27-28-35-000000-044040

BACKGROUND

The proposed Voluntary Annexation into the Town of Dundee was first submitted in March of 2021 with an insufficient application. Fees were returned to the applicant, and a new application was submitted on June 1, 2026. The proposed Ordinance 26-14 was reviewed by Town of Dundee staff and consultants. If approved at the first reading, the public hearing for the second (adoption) and final reading will be held on September 01, 2026.

ANALYSIS

The owner is requesting a Voluntary Annexation of 4.72 +/- acres further described as Parcel ID 27-28-35-000000-044040

The parcel is in Unincorporated Polk County at 0 Almburg Road, east of Scenic Highway North and west of Steward Road. The subject parcel abuts parcels to the east and south that are within

Town of Dundee TOWN COMMISSION

CFOS Voluntary Annexation Ordinance 26-14

the Town of Dundee limits and therefore deemed contiguous [F.S. 171.044] Further the parcel is reasonably compact with no interruptions that affect contiguity [F.S. 171.044].

Though the parcel meets the requirements of annexation, the consulting engineer for the Town of Dundee submitted a previous comment as follows:

5. Please provide an acknowledgement of dedication of r/w for the future Almburg Road corridor per the map prepared by Rayl Engineering and Surveying, LLC, dated October 2025 and as approved by the Town Development Director (attached).

The applicant's response to comment 5. Is stated below:

5. Future Almburg Road Right-of-Way Dedication: The dedication of any future roadway right-of-way (R/W) shall be contingent upon approval of the PUD and land-use change allowing the property to continue operating and conducting business as it currently does. Dedication shall also be contingent upon determining and addressing the costs of any changes required to accommodate the R/W.

As the dedication request has not been fully satisfied by the most recent survey, Mr. Rayl further states:

"The Town is free to move forward with the annexation without my 'blessing'. It would not be professionally appropriate for me to accept the applicant's response as addressing the Town's best interests."

It is the consensus of the DRC Team that the dedication will be satisfied as a condition of any future PUD allowing the existing use of outdoor storage to continue on the parcel once annexation has commenced.

171.044 – Voluntary annexation

1. The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality [F.S. 171.044].

CONCURRENCY:

Potable Water-

- There is no water service to site nor existing well.
- There is a 10" water main 1.04 miles north on Lake Mable Loop Road for future connection to Almburg Road.
- The Town of Dundee will be the service provider for future use.

Sanitary Sewer-

Town of Dundee

TOWN COMMISSION

CFOS Voluntary Annexation Ordinance 26-14

- There is no sanitary sewer service to the site, nor septic system.
- There is a 16" force main 1.04 miles north on Lake Mable Loop Road for future connection to Almburg Road.
- The Town of Dundee will be the service provider for future use.

Solid Waste-

- There is a four-yard commercial dumpster on site with service provided by Republic Refuse.

Parks, Recreation and Open Space-

- East Central Park is the nearest recreational area at 2.41 +/- miles southwest of the proposed annexation site. East Central Park is located at the corner of Lake Mable Loop Rd. and Lake Trask Rd. The park consists of the following:
 - Three 200 foot and one 300-foot lit baseball fields
 - Basketball court
 - Racquetball court
 - Football/Soccer fields
 - Two sand volleyball courts
 - Five horseshoe pits
 - Seven small picnic pavilions
 - Nearly mile long jogging and walking trail with 14 fitness stations
 - Four press boxes
 - Seating for 200
 - Two playgrounds with rubberized surfaces

Roads-

- Almburg Road
 - town road, current LOS is an urban minor collector, partially paved road, 25 mph, at 15' wide
- SR 17 (Scenic Highway) 5206 N & S Segment
 - state road, urban major collector, LOS C. 5206N = 305 capacity, 5206S = 291 capacity
- Steward Road
 - town road, current LOS is an urban collector road, paved road, 25mph, at 20' wide

Town of Dundee

TOWN COMMISSION

CFOS Voluntary Annexation Ordinance 26-14

SURROUNDING USES:

Table 1 below lists the Future Land Use (FLU) designations, zoning and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

Northwest Town of Dundee FLU: Unassigned Zoning: Unassigned Vacant Land	North Unincorporated Polk County Zoning: A/RR (Agricultural Rural Residential)	Northeast Unincorporated Polk County Zoning: SFR/M.H. (Single Family Residential/Mobile Home)
West Unincorporated Polk County Zoning: A/RR (Agricultural Rural Residential)	Subject Site Unincorporated Polk County Zoning: A/RR (Agricultural Rural Residential)	East (North Parcel) Unincorporated Polk County Zoning: A/RR (Agricultural Rural Residential) East (South Parcel) Town of Dundee FLU: LDR/Low Density Residential ZONING: RSF3 (Moderate Density Single Family Residential)
Southwest Town of Dundee FLU: LDR/Low Density Residential Zoning: RSF-3 (Moderate Density Single Family Residential)	South Town of Dundee FLU: LDR/Low Density Residential Zoning RSF-3 (Moderate Density Single Family Residential)	Southeast Town of Dundee FLU: LDR/Low Density Residential Zoning: RSF-3 (Moderate Density Single Family Residential)

Source: Central Florida Regional Planning Council, Florida Department of Transportation, Polk County Property Appraiser, Town of Dundee and site visit by Town staff

DEVELOPMENT REVIEW COMMITTEE

As stated in Section 14-239 of the LDC, areas that are annexed into the incorporated area of the Town of Dundee are subject to finance infrastructure, capital improvements and capital facilities therefore the development director may, at his/her discretion, forward any application for Voluntary Annexation to one or more individual departments for review and as to whether it should be approved, approved with conditions, or denied. The development director did forward the application for Voluntary Annexation, 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:

Town of Dundee
TOWN COMMISSION

CFOS Voluntary Annexation Ordinance 26-14

TOD Fire Chief- Chief Joseph Carbon

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.

STAFF RECOMMENDATION:

Staff recommends approval

ATTACHMENTS:

Exhibit A-Location Map

Exhibit B- Application

Exhibit C – Proposed Almburg Road Improvement

Town of Dundee
TOWN COMMISSION

CFOS Voluntary Annexation Ordinance 26-14

MOTION OPTIONS:

1. I move the Town Commission recommend **approval of Ordinance 26-14** to the Town Commission, a Voluntary Annexation request as made by Donielle Mixon of Central Florida Outdoor Storage, inc. adding parcel 27-28-35-000000-044040 to the corporate limits of the Town of Dundee.
2. I move the Town Commission recommend **approval with changes of Ordinance 26-14** to the Town Commission, a Voluntary Annexation request as made by Donielle Mixon of Central Florida Outdoor Storage, inc. adding parcel 27-28-35-000000-044040 to the corporate limits of the Town of Dundee.
3. I move the Town Commission recommend **denial of Ordinance 26-14** to the Town Commission, a Voluntary Annexation request as made by Donielle Mixon of Central Florida Outdoor Storage, inc. adding parcel 27-28-35-000000-044040 to the corporate limits of the Town of Dundee.

Town of Dundee
TOWN COMMISSION
CFOS Voluntary Annexation Ordinance 26-14
Exhibit A-Location Map



Town of Dundee
TOWN COMMISSION
CFOS Voluntary Annexation Ordinance 26-14
Exhibit B Application



Town of Dundee

Voluntary Annexation Application

124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

In addition to the application, please provide all materials as listed on the application checklist. It is important that all information be complete and accurate when submitted to the Town. Additional pages may be attached to provide necessary information. The project name should be based on the ownership of the property. This name will be used for companion Future Land Use and Zoning applications.

SITE INFORMATION

Project Name: CFOS

Parcel I.D.#: 27-28-35-000000-044040

Site Address or General Location: 0 ALMBURG RD, LAKE WALES, FL 33838

Present Use of the Property: OUTDOOR STORAGE

Existing Structures Located on the Site: _____

Total Acreage: 4.72 Number of Residents on Site: 0

Legal Description of the Property: _____

PROPERTY OWNER:

Name: CENTRAL FLORIDA OUTDOOR STORAGE INC.

Mailing Address: PO BOX 952

City: DUNDEE State: FL Zip: 33838

Home/Mobile Phone: 863-845-0657 Email Address: centralfloridaoutdoorstorage@gmail.com

APPLICANT/AGENT:

Name: DONIELLE MIXON

Mailing Address: 5720 WATER TANK RD

City: HAINES CITY State: FL Zip: 33844

Home/Mobile Phone: _____ Office: 863-845-0657

Email Address: centralfloridaoutdoorstorage@gmail.com

Applicant is: ☒ Owner ☐ Agent/Representative ☐ Purchaser ☐ Lessee

Town of Dundee

TOWN COMMISSION

CFOS Voluntary Annexation Ordinance 26-14



Town of Dundee

Voluntary Annexation Application

124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

STATEMENT OF OWNERSHIP AND DESIGNATION OF AUTHORIZED AGENT

(I) (We), _____ 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 annexation into the Town, 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 for annexation, 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

Donielle Mixon
Signature of Owner

DONIELLE MIXON / PRESIDENT
Printed Name/Title of Owner

Donielle Mixon
Signature of Owner

Donielle Mixon
Printed Name of Owner

Nelson Zenteno
Signature of Owner

NELSON ZENTENO / VP
Printed Name/Title of Owner

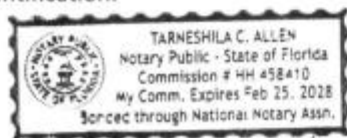
Nelson Zenteno
Signature of Owner

Nelson Zenteno
Printed Name of Owner

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

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Notary Public, State of Florida

Tarneshila C. Allen
Printed Name

My commission expires: 2/25/2028

Town of Dundee
TOWN COMMISSION
CFOS Voluntary Annexation Ordinance 26-14



Town of Dundee

Voluntary Annexation Application

124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE

(I) (We), Central Florida Outdoor Storage Inc being duly sworn, depose and say that (I) (we) serve as _____ 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)

Signature of Agent, Lessee, or Buyer(s)

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

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

Signature of Agent, Lessee, or Buyer(s)

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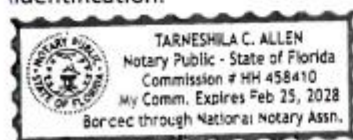
Printed Name of Agent, Lessee, or Buyer(s)

STATE OF FLORIDA

AGENT, LESSEE, OR BUYER(S) NOTARIZATION

COUNTY OF POLK

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Notary Public, State of Florida

Printed Name

My commission expires: 2/25/28

Voluntary Annexation Application

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Town of Dundee
TOWN COMMISSION
CFOS Voluntary Annexation Ordinance 26-14



Town of Dundee

Voluntary Annexation Application

124 Dundee Road • PO Box 1000 • Dundee, FL 33838 • (863) 438-8335 • Fax (863) 438-8335

FINANCIAL RESPONSIBILITY FORM

The undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all Town expenses associated with the referenced application, including time spent by the Town's consultants consistent with the Town's adopted application fee schedule, extraordinary expenses, and development review deposit policies (Section 8.08.00 of the Land Development Code and Resolution 2007-02).

Name: NELSON ZENTENO Title: VP

Company: CENTRAL FLORIDA OUTDOOR STORAGE INC.

Company Address: 0 ALMBURG RD

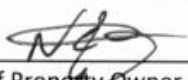
City/State/Zip Code: LAKE WALES, FL 33898

Telephone Number: 863-845-0657

Email Address: centralfloridaoutdoorstorage@gmail.com

I hereby certify that all information contained herein is true and correct.

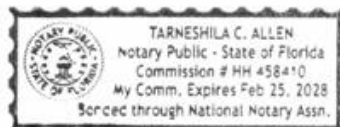
1. Signed this 1st day of June, 2026.


Signature of Property Owner, Lessee, Contract Purchase, or Applicant (circle one)

STATE OF FLORIDA

COUNTY OF POLK

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☒ online notarization, this 1 day of June, 2026, by, as, on its behalf, who is personally known to me or who has produced _____ as identification.




Notary Public, State of Florida

Tarneshila C. Allen
Printed Name

Town of Dundee
TOWN COMMISSION
CFOS Voluntary Annexation Ordinance 26-14



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation
CENTRAL FLORIDA OUTDOOR STORAGE INC.

Filing Information

Document Number P21000024408
FEI/EIN Number 86-2942816
Date Filed 03/09/2021
Effective Date 03/09/2021
State FL
Status ACTIVE

Principal Address

0 ALMBURG RD.
LAKE WALES, FL 33898

Mailing Address

PO Box 952
Dundee, FL 33838

Changed: 02/01/2022

Registered Agent Name & Address

MIXON, DONIELLE N
5720 WATER TANK RD
HAINES CITY, FL 33844

Address Changed: 02/01/2022

Officer/Director Detail

Name & Address

Title P

MIXON, DONIELLE N
5720 WATER TANK RD
HAINES CITY, FL 33844

Title VP

Town of Dundee
TOWN COMMISSION
CFOS Voluntary Annexation Ordinance 26-14

ZENTENO, NELSON D
5804 DRIFTWOOD DR
WINTER HAVEN, FL 33884

Annual Reports

Report Year	Filed Date
2024	04/01/2024
2025	04/13/2025
2026	02/19/2026

Document Images

02/19/2026 -- ANNUAL REPORT	View image in PDF format
04/13/2025 -- ANNUAL REPORT	View image in PDF format
04/01/2024 -- ANNUAL REPORT	View image in PDF format
04/05/2023 -- ANNUAL REPORT	View image in PDF format
02/01/2022 -- ANNUAL REPORT	View image in PDF format
03/09/2021 -- Domestic Profit	View image in PDF format

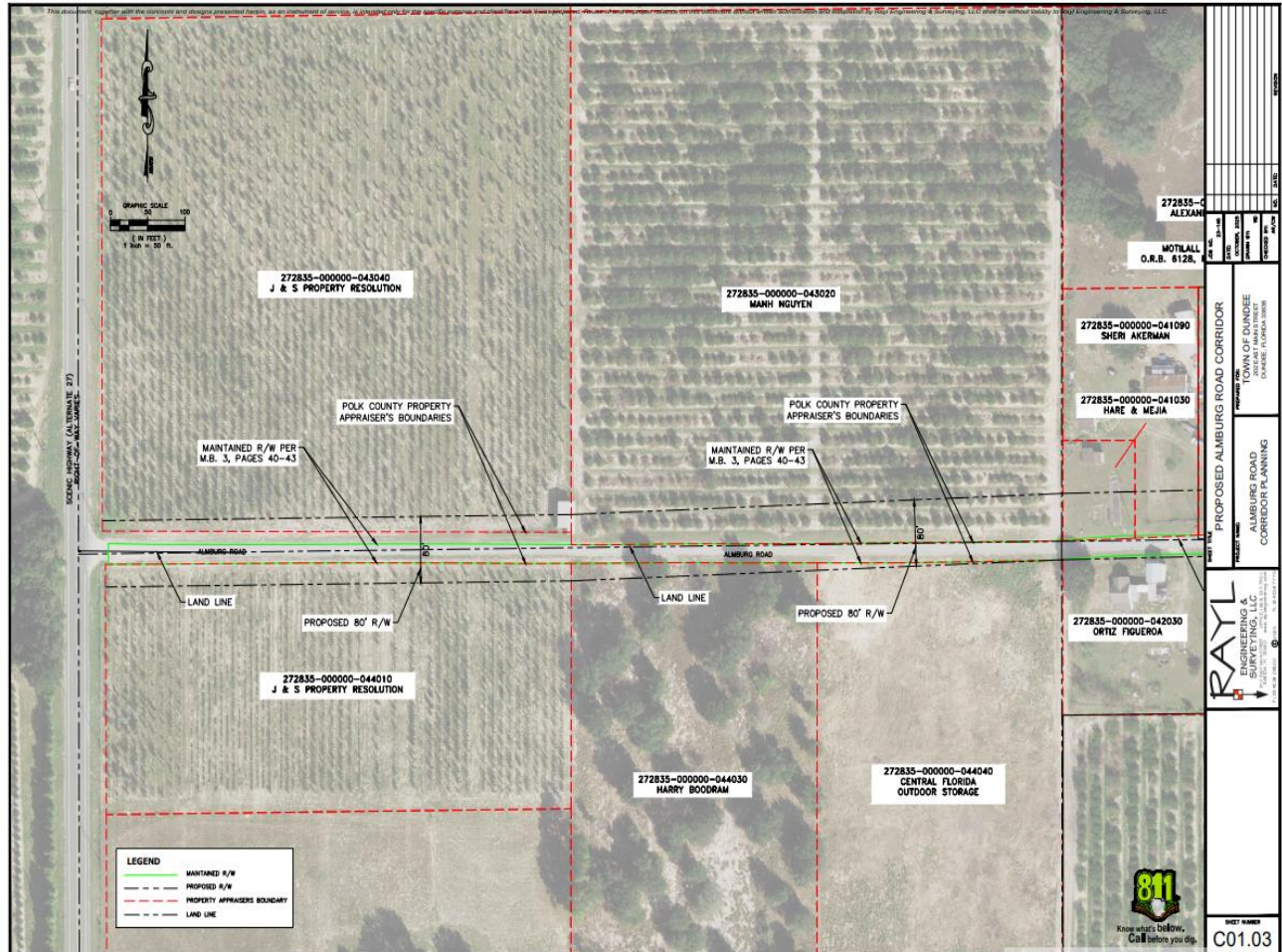
Town of Dundee
TOWN COMMISSION
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Town of Dundee TOWN COMMISSION CFOS Voluntary Annexation Ordinance 26-14

Exhibit C – Proposed Almburg Road Improvements





Meeting Agenda Coversheet

MEETING DATE:	August 4, 2026	Submitted By: Lorraine Peterson, Development Director	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>	DISCUSSION & ACTION, TOWN OF DUNDEE EVALUATION AND APPRAISAL REPORT (EAR) – COMPREHENSIVE PLAN UPDATE		
STAFF RECOMMENDATION: (MOTION READY)	Motion to accept the Evaluation and Appraisal Report presentation and direct staff and the Town's planning consultant to proceed with preparation and processing of the required EAR-based Comprehensive Plan amendments.		
SUMMARY and/or JUSTIFICATION:	The EAR evaluates the Town's Comprehensive Plan against current conditions and Florida law. It identifies updates needed for the required 10- and 20-year planning horizons; statutory references and definitions; levels of service; administrative, concurrency, mobility, and transportation provisions; site-specific policies; utilities; housing; resiliency infrastructure; and capital improvements. The proposed process includes drafting, staff review, Planning and Zoning Board review, Town Commission transmittal review, state coordinated review, and final adoption. Florida Commerce acknowledged receipt of the Town's notification on September 24, 2024, and stated that the EAR-based amendments were to be transmitted by September 24, 2025, in a single plan-amendment cycle. Because that date has passed, staff and the Town Attorney should confirm the Town's compliance status and corrective schedule with Florida Commerce before formal processing.		
SELECT, if applicable	AGREEMENT:		BUDGET:
	STAFF REPORT:		PROCLAMATION:
	EXHIBIT(S):		OTHER:
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	EAR Summary and statutory requirements table Florida Commerce acknowledgment letter dated September 30, 2024 Related EAR correspondence included with the report		
SELECT, if applicable	RESOLUTION:		ORDINANCE:
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(If Item is not a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank.)</i>			
FISCAL IMPACT (if any):	There is no immediate fiscal impact.		\$0.00

Town of Dundee Evaluation & Appraisal Report (EAR) Summary

Executive Summary

This report summarizes the Evaluation and Appraisal Report (EAR) information for the Town of Dundee, prepared by Ameé Bailey of GeoPlanning Solutions. The primary agenda of this review covers the Comprehensive Plan, the EAR Process, Current Conditions, Statutory Requirements, and Next Steps.

Comprehensive Plan Overview

The Comprehensive Plan is required by Florida Statutes and provides a long-term vision for the town. Its primary purposes include:

- It identifies long-term needs and community resources.
- It guides future growth and public infrastructure investment.
- It creates Goals, Objectives, and Policies.
- It serves as the basis for the Land Development Code.

The 2030 Comprehensive Plan for the Town of Dundee was originally adopted on October 26, 2010, and later updated on June 28, 2022. The plan consists of an Administrative Section along with multiple specific elements, including Future Land Use, Transportation, Housing, Infrastructure, Conservation, Recreation and Open Space, Intergovernmental Coordination, Capital Improvements, Public School Facility, and Property Rights, as well as Definitions, Acronyms, and the Evaluation & Appraisal Report.

Twenty-four Comprehensive Plan Amendments have been processed between 2018 to 2024. Fifteen of the amendments were related to Future Land Use Map Amendments, six (6) were Site Specific amendments and three (3) were text amendments. Additional Town

ordinances have been adopted that will need to be incorporated into the Comprehensive Plan. Such ordinances are associated with the studies listed below.

Evaluation and Appraisal Report

- Required by Florida Statutes
- Completed every 7 years
- Update minimum 10-year planning period
- Reflect changes in state requirements
- Opportunity to address new community concerns
- Single amendment to address all changes

The timeline for addressing the Evaluation and Appraisal Report is established by statutes. The seven (7) year period identifies when each community must report to the state. The Letter was due to the Florida Commerce by October 1, 2024. After which the Town has eighteen (18) months after the Letter to address the required amendments.

The Town will proceed with the EAR process through the following stages:

- Draft Amendments.
- Staff Review.
- Planning and Zoning Board review.
- Town Commission review.

Current Conditions & Town Profile

The Town of Dundee encompasses approximately 12 square miles and is located in Southwest Polk County, nestled between US 27 and US 17. Born from the citrus industry,

the town was initially incorporated in 1921 and then incorporated as the Town of Dundee in 1924.

The presentation outlined the following demographic and socioeconomic data for the town:

- **Population:** As of 2020, the total population is 5,235, with a median age of 33. The population demographics show 25.1% are under 18 years old, and 16.5% are over 65.
- **Language:** The primary languages are English (54.5%) and Spanish (45.4%).
- **Housing:** There are 2,242 total housing units, with 1,853 occupied, yielding an average of 3.25 individuals per unit. The median rent is \$1,600, and the home ownership rate is 67%.
- **Employment:** The town has an employment rate of 56%. Commuting statistics indicate 35.8% commute, with the breakdown being 76.2% driving alone, 11.5% carpooling, 1.9% walking/biking, and 7.7% working from home.
- **Income:** The median income is \$41,550, while the poverty rate sits at 28%.
- **Education:** Educational attainment rates show 39% hold a High School diploma, 7.5% hold an Associate's degree, and 9.3% hold a Bachelor's degree or higher. The K-12 enrollment rate is 71.7%.

Recent Studies and Infrastructure Analysis

Several recent studies have been completed or are underway to analyze current data and infrastructure facilities:

- **Potable Water & Wastewater:** Infrastructure planning is supported by the 2023 Water Supply Plan, the 2023 Wastewater Study, the 2024 Polk County Utility Rate and Connection Fee Study, and the 2024 Riner Water Treatment Plant Capacity Evaluation. These analyses focus on updating the Level of Service (LOS), projected demands, capital improvements, and reclaimed water feasibility.

- **Transportation:** The 2024 Transportation Impact Fee Study and Fee Schedule Update assess roadway classifications and capacity, as well as proposed roadway improvements.

Additional data and analysis cover Parks, Recreation & Cultural resources (such as parks, the community center, the library, and amenities), Public Safety (the fire station and PCSO), Utilities/Administration (stormwater), and Facilities (encompassing budget, finance, and the Capital Improvement Plan).

Each of the studies also include population projections for the Town. The studies provide a range of projections for 2030 to 2063. This information provides sufficient projects to support the comprehensive planning requirements to reflect the mandatory 10- and 20-year statutory planning parameters from 2030 to 2040 and 2060.

The 2023 Wastewater Study provides for a growth rate of 5.02% from 2016-2023. The projections for 2022-2033 were based on functional population growth and the 2034-2063 projections were based on development build-out. The 2024 Transportation Impact Fee Study and Fee Schedule Update – Technical Report provides for a growth rate of 4.2% between 2023-2045. The studies provide a projection for 2040 of between 10,000 to 25,000 people. The Town's Low Density Residential (LDR) Future Land Use allows for a maximum of 5 residential dwellings per acre. The LDR accounts for 4,681 acres within the Town, which holds the possibility of 23,405 units. Therefore, the Town already has sufficient land use allocations to support the projected population.

- **Existing Land Use:** The majority of existing land use is designated as Agricultural (AGR), which represents 3,973 units or 57% of the total.
- **Future Land Use:** Looking ahead, the predominant future land use is designated as Low Density Residential (LDR), projected at 4,681 units or 75%.

Next Steps

Based on the legislative shifts provided in the statutory requirements table attached, the EAR amendment should address updated definitions and references, Administrative Procedures and Concurrency (CMS), site specific policies and definitions, updated planning horizons with related maps, and incorporate Study details and updated Levels of Service (LOS). A breakdown of the specific sections and elements of the Town of Dundee 2030 Comprehensive Plan that require updates, modifications, or reviews are as follows:

1. Global Updates (Applicable to All Elements)

- **Planning Horizons:** Update all planning periods and horizons across every element to reflect the mandatory 10- and 20-year statutory planning parameters (F.S. 163.3177 & 163.3191).
- **Agency Nomenclature:** Update statutory references and definitions across all elements to match updated agency titles: change "Department of Economic Opportunity" to "Department of Commerce" (F.S. 163.3164).
- **City and County Nomenclature:** Updates references and definitions across all elements to match updated agency titles.
- **Provide for updated Level of Service Standards:** Incorporate updated levels of service based on adopted studies for the Town.

2. Future Land Use Element

- **Alternative Transportation & Mobility Systems:** Incorporate administrative and policy changes to allow alternative mobility-plan and fee-based systems, ensuring that single applicants satisfying proportionate-share requirements are not blocked from proceeding (F.S. 163.3180).
- **Accessory Dwelling Units (ADUs):** Conduct an optional review of Housing Policy 1.10 to evaluate options for permitting ADUs in any single-family residential zone without needing to prove a local shortage of affordable rentals (F.S. 163.31771).
- **Solar Generation Facilities:** Review site-specific policies to formally establish allowances for traditional solar facilities in all agricultural land use categories (F.S. 163.3205).
- **Floating Solar Facilities:** Review site-specific policies to ensure floating solar facilities are classified as a permitted use in appropriate land use categories (F.S. 163.32051).

- **Electrical Substations:** Review and update site-specific policies to accommodate approval processes for changes to existing distribution electric substations (F.S. 163.3208).
- **Sanitary Sewer and Basin Management Planning:** Update element features if the Town is subject to a Basin Management Action Plan and integrate a requirement for wastewater plans to directly address sanitary systems for developments exceeding 50 lots (F.S. 163.3177).
- **Natural Gas Resiliency Infrastructure:** Review land use categories to ensure natural gas resiliency facilities are classified as a permitted/allowable use within all commercial, industrial, and manufacturing designations (F.S. 163.3210).
- **Site Specific Policies:** Review information regarding the Towns' goals for these projects and determine if the goals and policies should be kept as is and leave current 2030 references, update, or removed.

3. Transportation Element

- **Administrative Procedures & Mobility Compliance:** Modify language regarding compliance requirements for funding systems, transitioning to mobility fee-based and mobility plan-based transportation models (F.S. 163.3180).
- **Deficiency Funding Restrictions:** Ensure policies prohibit alternative transportation systems from assigning the financial responsibility of clearing existing transportation deficiencies onto new developments (F.S. 163.3180).

4. Housing Element

- **Housing Policy 1.10 Evaluation:** Review Policy 1.10 regarding accessory dwelling units and evaluate affordable housing incentives (F.S. 163.31771).
- **Impact Fees Mitigation:** Note where impact fee updates align with statutory changes, keeping in mind that Capital Improvements Element (CIE) Policy 3.1 defers directly to the local Impact Fee Ordinance (F.S. 163.31801).

5. Infrastructure Element / Capital Improvements Element (CIE)

- **CIE Policy 3.1 Alignment:** Update or cross-reference policies to reinforce that CIE Policy 3.1 defers directly to the local Impact Fee Ordinance regarding minimum conditions, credit transfers, and calculating impact fees using localized data less than 4 years old (F.S. 163.31801).

- **Pollutant Load Projects:** Incorporate a schedule of required infrastructure projects geared toward achieving pollutant load reductions if the Town falls under a basin management action plan (F.S. 163.3177).
- **Mobility Infrastructure Fees:** Update administrative funding procedures to recognize mobility-plan and fee-based alternative transportation options (F.S. 163.3164 & 163.3180).

6. Conservation Element

- **Onsite Sewage & Septic System Approvals:** Update reference terminology within environmental policies to clarify that the Department of Environmental Protection (FDEP) rather than the Department of Health (DOH)—now regulates and approves onsite sewage treatment and disposal systems (F.S. 163.3180).

7. Recreation and Open Space Element

- **Administrative Mobility Frameworks:** Adjust administrative language to maintain consistency with the updated mobility fee frameworks and concurrency system modifications across the broader plan (F.S. 163.3180).

8. Intergovernmental Coordination Element (ICE)

- **County Interlocal Agreements:** Establish and confirm administrative procedures to execute interlocal agreements with Polk County regarding joint transportation impact fees and shared mobility frameworks (F.S. 163.3180).
- **Multijurisdictional Mobility Systems:** Address intergovernmental coordination workflows to seamlessly handle alternative mobility-plan models across overlapping municipal or county boundaries (F.S. 163.3180).

9. Public School Facilities Element

- **School Concurrency & Clearances:** Update administrative procedures requiring the district school board to notify the local government regarding available development capacity within 30 days of receiving a developer's binding commitment (F.S. 163.3180).
- **Mitigation Set-Asides:** Incorporate strict rules requiring any proportionate-share mitigation funds directed toward school capacity enhancements outside the active 5-year educational facilities plan to be safely set aside and held unspent until the project is formally identified (F.S. 163.3180).

10. Definitions and Acronyms Section

Update the section to append or refine definitions for the following state-mandated terms:

- **Development:** Revise definition parameters under subsection (4)(b) (F.S. 163.3221).
- **Sector Plans:** Introduce standard terminology definitions (F.S. 163.3245).
- **Master Development Plan / Master Plan:** Add statutory definitions (F.S. 163.3164).
- **Farm Operation:** Update to align with uniform agricultural land definitions (F.S. 163.3162 & 163.3163).
- **Solar Facility & Floating Solar Facility:** Integrate precise facility definitions (F.S. 163.3205 & 163.32051).
- **Distribution Electric Substation:** Clarify parameters for utility changes (F.S. 163.3208).
- **Resiliency Facility:** Define under new natural gas infrastructure protocols (F.S. 163.3210).
- **Mobility Fee & Mobility Plan:** Define explicitly to support alternative transportation systems (F.S. 163.3164).
- **State Land Planning Agency / Department / Office:** Formal update to signify the Department of Commerce (F.S. 163.3164).

11. Administrative Section

- **Small-Scale Amendments Limit:** Update the standard small-scale development amendment land limitations to a maximum of 50 acres or fewer, altering the administrative approval rules accordingly (F.S. 163.3187).
- **Legal Challenges & Cost Recovery:** Revise procedural text to address updated summary court rules and clarify that prevailing parties in plan compliance challenges are legally entitled to recover attorney fees and associated costs (F.S. 163.3215 & 163.3184).
- **Plan Transmission Deadlines:** Insert explicit compliance timelines requiring the Town to transmit finalized, adopted comprehensive plan amendments to the state land planning agency within 10 working days of the final adoption hearing to prevent them from being automatically deemed withdrawn (F.S. 163.3184).

Last EAR update

1. Ordinance 18-07
2. Updated Definitions
3. 1/22/19

Amendments since EAR

1. 13 FLUM amendments
 - a. Ordinance 19-05
 - b. Ordinance 19-13
 - c. Ordinance 20-08
 - d. 20-10
 - e. 20-12
 - f. 21-02
 - g. 21-09
 - h. 21-17
 - i. 21-31
 - j. 21-33
 - k. 22-08
 - l. 22-13
 - m. 22-19
2. Removal of Site Specific Amendments – FLU Element
 - a. Ordinance 19-12 - Condition 2.14(C)
 - b. Ordinance 21-01 - Condition 2.14(B)
 - c. Ordinance 21-15 - Condition 2.14(L)
 - d. Ordinance 21-16 - Condition 2.14(N)
 - e. Ordinance 22-09 - Condition 2.14(F)
3. Property Rights Element
 - a. Added
 - b. 11/09/21
4. Last Amendment
 - a. Incorporated
 - i. Ordinance 22-19 06/28/22
 - b. Outstanding
 - i. Ordinance 23-02 – 04/11/23
 1. Water LOS – 115 gpcd
 - ii. Ordinance 23-10 – 05/14/24

Com Plan Observations

1. Chapter 9J-5 repealed in 2011
 - a. Remove measurable targets
 - b. Update definitions
2. Similar pattern since 2010 EAR
 - a. Update to 2030 Plan
 - b. FLUM
 - c. Removal of Site Specific Conditions
 - d. Update CIP
 - e. Water Supply Plan update
3. Administrative Section should be removed and used as administrative policies
4. Plans and required studies search
5. Update goals with year for attainment
6. Site Specific conditions through the 2030 Planning Horizon
7. Defer to School Board plans rather than have outdated info

Other Studies

1. 2005 Water, Wastewater and Reclaimed water Master Plan
2. 2025 WUP 2045
3. 2024 Polk County Utility Rate and Connection Fee Study
 - a. LOS
 - i. Water 250 GPD
 - ii. Wastewater 200 GPD
4. 2024 Transportation Impact Fee Study and Fee Schedule Update – Technical Report
 - a. September 2024
 - b. ESRP
 - c. Population
 - i. 2000-2022
 - ii. 2023-2045 estimate Growth rate of 4.2%
 - d. Proposed roadway improvements
 - e. Roadway classifications and capacity
5. 2024 Riner Water Treatment Plant Capacity Evaluation
 - a. Capacity to Serve Woodland Ranch Estates
6. 2023 Water Supply Plan
 - a. 10-year study
 - b. Population projections 2040
 - c. Projected Water Demand
 - d. Amendments to Comprehensive Plan
 - e. LOS – 115 gdc

7. 2023? Wastewater Study
 - a. Chapter 6 of CHA
 - b. Population projections
 - i. Sources
 1. Another study
 2. Public Supply Annual Report
 3. SWFWMD calculator
 4. Buildout of FLU and know developments
 - ii. 2016-2023 Historic growth rate of 5.02%
 - iii. 2022-2033 Functional population growth
 - iv. 2034-2063 Development build out
 - c. Wastewater flow projections
 - d. Reclaimed water use feasibility
 - i.

F.S. 163	Chapter law Changes Since 2017	Description	Related Comp Plan Element	Comment
163.3221	2018-34, section 1	Florida Local Government Development Agreement Act, • Amends the definition of “development” within subsection (4)(b)	Definitions and Acronyms Section	Update definitions
163.3245	2018-158, section 7,	Sector Plans, • Updates statutory cross references within subsection (3)(e) and subsection (12). • Revises subsection (6) to amend the requirements associated with a master development approval.	N/A Definitions and Acronyms Section	No Sector Plans adopted Add definition
163.3246	2018-158, section 8,	Local Government Comprehensive Planning Certification Program, • Updates the Local Government Comprehensive Planning Certification Program to modify language of subsections (11), (12), and (14) referencing Developments of Regional Impact.	N/A	The City is not Certified
163.3164	2018-158, section 21	Community Planning Act; Definitions, • Renumbers existing subsections (31) through (51) as (32) through (52) and adds a new subsection (31) to define “master development plan” or “master plan”.	Definitions and Acronyms Section	Add definition
163.3177	2019-3, section 31	Required and Optional Elements of Comprehensive Plan; Studies and Surveys, • Updates statutory reference related to affordable workforce housing within subsection (6)(f).	Housing Element	No changes needed
163.31801	2019-106, section 1	Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges • Revises the section’s title.	Housing Element, Capital Improvement Element, Public School Element	Later revisions supersede

		• Amends language of paragraphs (a) through (d) of subsection (3) to clarify the local government responsibilities related to impact fees. • Adds new paragraphs (e) through (i) to subsection (3) to amend the minimum requirements for the adoption of impact fees by specified local governments and note restrictions to the allowable uses of those impact fees. • Adds a new subsection (6), which exempts water and sewer connection fees from the Florida Impact Fee Act.		
163.3175	2019-144, section 1	Legislative Findings on Compatibility of Development with Military Installations; Exchange of Information Between Local Governments and Military Installations, • Redesignates existing paragraphs (i) through (n) of subsection (2) as paragraphs (j) through (o). • Adds new paragraphs (i) and (p) to subsection (2) to specify additional local governments that must coordinate with certain military installations regarding the compatibility of land development.	N/A	
163.3209	2019-155, section 2	Electric Transmission and Distribution Line Right-of-way Maintenance, • Removes language the requiring local government approval of a property owner's request for electric utilities to perform certain right-of-way vegetation and tree maintenance.	Definitions and Acronyms Section	No changes needed
163.3187	2019-157, section 1	Process for Adoption of Small-Scale Comprehensive Plan Amendment, • Removes subsection (1)(b), which specified the cumulative annual acreage maximum of adopted small-scale comprehensive plan amendments.	Administrative Section	No Changes needed
163.3167	2019-165, section 3	Scope of Act,	N/A	

		• Amends subsection (3) to require local governments that have adopted comprehensive plans after January 1, 2019 to incorporate into their comprehensive plans development orders that existed before the comprehensive plan's effective date.		
163.3180	2019-165, section 4	Concurrency (Chapter 2019-165, section 4, Laws of Florida) • Amends subsection (5)(i) to clarify compliance requirements for a mobility fee-based funding system. • Revises subsection (6)(h)2.b. to require a local government to credit certain contributions, constructions, expansions, or payments toward any other impact fee or exaction imposed by local ordinance for public educational facilities and provides the requirements for the basis of that credit.	Future Land Use Element, Transportation Element, Recreation and Open Space Element, Intergovernmental Coordination Element, Capitol Improvement Element, Public School Facilities Element, Administrative Section	Address Administrative Procedures
163.31801	2019-165, section 5	Impact Fees; Short Title; Minimum Requirements; Audits; • Amends subsection (3) to add minimum conditions that certain impact fees must satisfy. • Renumbers existing subsections (4) and (5) as subsections (6) and (7). • Adds a new subsection (4) to require local governments to credit against the collection of an impact fee any contribution related to public education facilities.	Housing Element, Capital Improvement Element, Public School Element	CIE Policy 3.1 Defers to impact Fee Ordinance

		• Adds subsection (5) so that if a local government increases its impact fee rates then the holder of impact fee credits is entitled to the full benefit of the intensity or density of the credit balance as of the date it was established and renumbers subsequent subsections. • Amends renumbered subsection (7) to provide that in certain actions, the local government has the burden of proving by a preponderance of the evidence that the imposition or amount of certain required dollar-for-dollar credits for the payment of impact fees meets certain requirements and prohibits the court from using a deferential standard for the benefit of the government. • Adds subsection (8) to authorize a local government to provide an exception or waiver for an impact fee for the development or construction of affordable housing, and in doing such is not required to use any revenues to offset the impact. • Adds subsection (9) to clarify that this section does not apply to water and sewer connection fees.		
163.3202	2019-165, section 6	Land Development Regulations • Adds paragraph (j) to subsection (2) to require preexisting development orders to be incorporated into local land development regulations.	N/A	
163.3215	2019-165, section 7	Standing to Enforce Local Comprehensive Plans Through • Amends subsection (8)(a) to provide that either party is entitled to a certain summary procedure in certain court proceedings. • Adds subsection (8)(b) clarifying how a court may find a summary procedure does not apply.	Administrative Section	Address Administrative Procedures

		• Adds subsection (8)(c), which provides that a prevailing party in a challenge to certain development orders can be entitled to recover certain fees and costs.		
163.3178	2020-2, section 27	Coastal Management • Amends subsection (2)(k) to update statutory references. • Revises paragraphs (b) and (c) within subsection (8) to remove outdated deadlines.	N/A	
163.31771	2020-27, section 4	Accessory Dwelling Units • Amends subsections (3) and (4) to allow a local government to adopt an ordinance allowing accessory dwelling units to be located in any area zoned for single family residential use and removes the requirement that the ordinance be conditioned upon a finding that there is a shortage of affordable rentals within the jurisdiction.	Future land Use Element, Housing Element	Optional: Review Housing Policy 1.10, add definition, evaluate options
163.31801	2020-27, section 5	Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges • Adds subsection (10) and supporting paragraphs (a) through (e) to address the data on impact fee charges that must be reported in an annual financial report by a county, municipality, or special district. • Amends subsection (3)(d) to specify that a new or increased impact fee may not be charged to current or pending permit applications submitted before the effective date of an ordinance or resolution imposing such an impact fee unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant. • Amends subsection (4) to clarify that a local government must provide credit against the collection of an impact fee of any contribution related to public education facilities	Housing Element, Capital Improvement Element, Public School Element	CIE Policy 3.1 Defers to impact Fee Ordinance

		regardless of any charter provision, comprehensive plan policy, ordinance, or resolution. • Renumbers existing subsections (8) and (9) as subsections (9) and (10). • Adds a new subsection (8) that sets forth the provisions by which impact fee credits are assignable and transferable and renumbers subsequent subsections.		
163.3168	2020-122, section 2	Planning Innovations and Technical Assistance • Adds subsection (4) providing guidance to the state land planning agency when selecting applications for technical assistance funding to give preference to counties with a population of 200,000 or less, and to municipalities located within such counties, in determining whether the area in and around a proposed multiuse corridor interchange as described in section 338.2278, F.S., contains appropriate land uses and protections and aiding in amending a comprehensive plan to provide such appropriate land uses and protections.	N/A	
163.3180	2020-150, section 28	Concurrency (Chapter 2020-150, section 28, Laws of Florida) • Amends subsection (2) to alter the governmental entity that approves onsite sewage treatment and disposal systems from the Department of Health to the Department of Environmental Protection.	Conservation Element, Definitions and Acronyms Section	Update references
163.3162	2021-7, section 6	Agricultural Lands and Practices, • Reenacts subsection (2)(b) to provide a definition for “Farm operation.”	Definitions and Acronyms Section	Update definition
163.3163	2021-7, section 7	Applications for Development Permits; Disclosure and Acknowledgement of Contiguous Sustainable Agricultural Land,	Definitions and Acronyms Section	Update definition

		• Reenacts subsection (3)(b) to provide a definition for “Farm operation.”		
163.31801	2021-63, section 1	Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges, • Adds a new subsection (3) to define “Infrastructure” and “Public facilities.” • Renumbers existing subsections (3) through (11) and rewords existing subsections (3), (5), (6), (8), and (11) for clarity. • Amends existing subsection (4) to provide additional regulations pertaining to impact fee credits. • Adds a new subsection (6), which prescribes the circumstances under which impact fees may be increased, sets forth limitations on those fee increases, and notes that this section applies retroactively to January 1, 2021.	Housing Element, Capital Improvement Element, Public School Element	CIE Policy 3.1 Defers to impact Fee Ordinance
163.3168	2021-161, section 1 and 2021-186, section 1	Planning Innovations and Technical Assistance • Repeals existing subsection (4) that directed the state land planning agency to give preference when selecting applications for funding for technical assistance to counties with a population of 200,000 or less, and to municipalities within those counties, for assistance in determining whether the area in and around a proposed multiuse corridor interchange contains appropriate land uses and natural resource protections and amending a comprehensive plan to provide for such land uses and protections.	N/A	
163.3205	2021-178, section 1	Solar Facility Approval Process, • Creates section 163.3205, F.S., which applies to sites that are subject to an application to construct a solar facility submitted to a local government on, or after, July 1, 2021, to encourage renewable solar electrical generation, define	Future land Use Element, Definitions and Acronyms Section	Review site specific policies and definition

		“solar facility”, and set forth an allowance for solar facilities in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts in an unincorporated area.		
163.3167	2021-195, section 1	Scope of Act Amends subsection (3) to clarify that requirements pertaining to development orders and their incorporation and interaction with comprehensive plans are specifically related to plans for municipalities incorporated after January 1, 2016.	N/A	
163.3177	2021-195, section 2	Required and Optional Elements of Comprehensive Plan; Studies and Surveys Adds subsection (6)(i) which requires each local government to include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision making. The statute also provides a statement of rights local governments may adopt in order to meet these requirements.	Property Rights Element	No Changes needed
163.3237	2021-195, section 3	Amendment or Cancellation of a Development Agreement Amends this section to allow a party to a development agreement and a local government to amend or cancel a development agreement without consent of other affected property owners unless the amendment or cancellation will modify the allowable uses or entitlements on such owner’s property.	N/A	
163.3202	2021-201, section 1	Land Development Regulations Adds new subsection (5) to specify that land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling except under certain listed conditions.	Future Land Use Element	No changes needed

163.3167	2021-206, section 1	Scope of Act Revises subsection (5) to allow landowners with a development order approved before the municipality was incorporated to abandon said development order and develop the order's vested density and intensity as long as the vested uses, density, and intensity are consistent with the municipality's comprehensive plan and all existing concurrency obligations in the development order remain in effect.	N/A	
163.3187	2021-206, section 3	Process for Adoption of Small-Scale Comprehensive Plan Amendment - Amends subsection (1)(a) to increase the small-scale development amendment limit to 50 acres or fewer. - Revises subsection (3) pertaining to small-scale development amendments for sites within a rural area of opportunity to allow a 100 percent increase to the 50-acre acreage limit now included in subsection (1)(a).	Administrative Section	Address Administrative Procedures
163.32051	2022-83, section 1	Floating Solar Facilities, - Creates 163.32051, which provides legislative findings regarding floating solar facilities. - Defines the term "floating solar facility." - Requires a floating solar facility to be a permitted use in the appropriate land use categories and requires local governments to amend their land development regulations to promote expanded uses of floating solar facilities. - Authorizes a county or municipality to specify buffer and landscaping requirements, which may not exceed the requirements for similar uses involving the construction of other solar facilities permitted in agricultural land use categories and zoning districts.	Future land Use Element, Definitions and Acronyms Section	Review site specific policies and definition

		Provides exceptions to the construction of floating solar facilities in an Everglades Agricultural Area reservoir project if it is determined to have negative impacts on the project.		
163.3180	2022-122, section 1	Amending Concurrency, - Amends subsection (6)(h)2. to revise provisions specifying when school concurrency is deemed satisfied. - Requires the district school board to notify the local government that capacity is available for development within 30 days after receipt of the developer's legally binding commitment. - Specifies that any proportionate-share mitigation directed toward a school capacity improvement not identified in the 5-year school board educational facilities plan must be set aside and not spent until such an improvement has been identified.	Future Land Use Element, Transportation Element, Recreation and Open Space Element, Intergovernmental Coordination Element, Capitol Improvement Element, Public School Facilities Element, Administrative Section	Address Administrative Procedures and Public School Facilities Element
163.3175	2022-183, section 5	Updating Military Base Names, Amends paragraph (n) subsection (2) to update two military base names to Patrick Space Force Base and Cape Canaveral Space Force Station, associated with Brevard County and Satellite Beach.	N/A	
163.3178	2022-204, section 2	Coastal Management, Reenacts Subsections (2)(k), (5), and (6) to incorporate the amendment made to Section 311.09 by Chapter 2022-204, Laws of Florida, adding Putnam County to the Florida Seaport Transportation and Economic Development Council.	N/A	

163.3177	2023-31, section 1	Required and optional elements of comprehensive plan; studies and surveys • Revision to Paragraph (a) of subsection (5) the planning periods that must be included in a comprehensive plan (10 and 20 years)	All Elements	Update Planning Horizons
163.3191	2023-31, section 2	Evaluation and appraisal of comprehensive plan • Revision to Subsection (1) the planning periods that must be included in a comprehensive plan (10 and 20 years), requiring affidavit attesting compliance and 10 year planning period. • Amending Subsection (1), (2), (3), language requiring, rather than encouraging. • Amending Subsection (3) requiring elements must be processed in the same plan amendment cycle • Amending Subsection (4) setting one-year deadline from affidavit for amendments, otherwise prohibiting a local government from initiating or adopting any publicly initiated plan amendments to its comprehensive plan under certain circumstances • Creates Subsection (5) requiring the state land planning agency to provide population projections if a local government fails to update its comprehensive plan; requiring the local government to update its comprehensive plan within 3 months after receiving the population projections and to transmit the update within a 12 months; and authorizing the local government to provide certain alternative population projections under certain circumstances;	All Elements	Update Planning Horizons
163.3202	2023-31, section 3	Land development regulations • Amending Subsection (5)(a) items (6) and (7) revising exceptions to add dates for applicability of land	N/A	No Arc Board

		development regulations by 07/01/2023 and an Arc Board prior to 01/01/2020		
163.3208	2023-31,	Substation approval process • Amends Subsection (2) definitions “distribution electric substation”; • Amends Subsection (3), (4), (5), (6), (7) and (8) revising the substation approval process to include applications for changes to existing electric substations;	Future Land Use Element, Definitions and Acronyms Section	Review site specific policies and definition
163.3184	2023-115; Section 1	Process for adoption of comprehensive plan or plan amendment • Amends Subsection (5)(g) providing that the prevailing party in a challenge to a plan or plan amendment is entitled to recover attorney fees and costs;	N/A	
163.3187	2023-115; Section 2	Process for adoption of small scale comprehensive plan amendment • Amends Subsection (5)(a) providing that the prevailing party in a challenge to the compliance of a small scale development order is entitled to recover attorney fees and costs;	N/A	
163.3202	2023-115; Section 3	Land development regulations • Amends Subsection (6) applicability of regulations land development regulations relating to any characteristic of development other than use, or intensity or density of use, do not apply to Florida College System institutions as defined in s. 1000.21(3).	N/A	
163.3215	2023-115; Section 4	Standing to enforce local comprehensive plans through development orders • Amends Subsection (3) and (4) making technical changes; Removes consistency with comp plan for appeals requirement	N/A	

163.3177	2023-169, Section 1	Required and optional elements of comprehensive plan; studies and surveys • Amends Subsection (3)(a) revising the schedule to include a list of projects necessary to achieve the pollutant load reductions attributable to the local government, as established in a basin management action plan pursuant to s. 403.067(7) • Amends Subsection (6)(c) prioritize advances waste treatment and address sewer treatment plans for development over 50 lots with on-site treatment by 07/01/24 unless a rural area of opportunity under s. 288.0656	Capital Improvement Element Future Land Use Element,	Update if Town has a Basin Management Plan Add requirement for Waste Water Plan to addresses sanitary system requirements
163.2517	2023-309, Section 8	Designation of urban infill and redevelopment area. • Amends cross reference in Subsection (5)	N/A	
163.3181	2023-309, Section 9	Public participation in the comprehensive planning process; intent; alternative dispute resolution • Amends cross reference in Subsection (3)(a)	N/A	
163.321	2023-309, Section 10	Standing to enforce local comprehensive plans through development orders • Amends cross reference in Subsection (4)(a)	N/A	
163.3167	2023-305	Scope of act • Creating Subsection (8) prohibiting an initiative or referendum process in regard to any land development regulation	N/A	
163.11	2024-2	Biscayne Bay • Amends Subsection (7) to remove initial report date • Amends cross reference in Subsection (6) • Remove Subsection (6)	N/A	

163.3164 163.3756 163.503 163.5055 163.506 163.508 163.511 163.512	2024-6, Section 26 - 35	Community Planning Act; definitions • Amends definitions • “State land planning agency” means the Department of Commerce • “Department” means the Department of Commerce Economic Opportunity. Economic Opportunity. • “Office” means the Office of Urban Opportunity within the Department of Commerce Economic Opportunity.	All Elements	Update references and definitions
163.3175	2024-22, Section 1	Legislative findings on compatibility of development with military installations; exchange of information between local governments and military installations and ranges. • Amends Subsection (2) adding ranges to the requirement for local governments to cooperate with certain major military installations <u>and ranges</u> to encourage compatible land use in associated areas	N/A	
163.3756	2024-136 Section 1	Inactive community redevelopment agencies • Section 163.3756 repealed	N/A	
163.504	2024-136 Section 2	Safe neighborhood improvement districts; formation authorized by ordinance; jurisdictional boundaries; prohibition on future creation. • Creating Subsection (2) A safe neighborhood improvement district may not be created on or after July 1, 2024. A safe neighborhood improvement district in existence before July 1, 2024, may continue to operate as provided in this part.	N/A	No designated areas
165.0615	2024-136 Section 3	Municipal conversion of independent special districts upon elector-initiated and approved referendum • Section 165.0615 repealed	N/A	

163.3210	2024-186, Section 1	Natural gas resiliency and reliability infrastructure. • Creating Section • Creating Definitions, natural gas, natural gas reserve, public utility, and resiliency facility. • Creating Subsection (3) A resiliency facility is a permitted use in all commercial, industrial, and manufacturing land use categories in a local government comprehensive plan and all commercial, industrial, and manufacturing districts. Limited buffering • Creating Subsection (4) After July 1, 2024, a local government may not amend its comprehensive plan, land use map, zoning districts, or land development regulations in a manner that would conflict with a resiliency facility's classification as a permitted and allowable use.	Future land Use Element, Definitions and Acronyms Section	Review site specific policies and definition
163.211	2024-212 Section 1	Licensing of occupations preempted to state. • Amends Subsection (2)(a) extending the preemption of occupational licenses to the state to July 1, 2025	N/A	
163.3167	2024-234 Section 1	Scope of act • Creating Subsection (8)(d) A citizen-led county charter amendment that is not required to be approved by the board of county commissioners preempting any development order, land development regulation, comprehensive plan, or voluntary annexation is prohibited unless expressly authorized in a county charter that was lawful and in effect on January 1, 2024.	N/A	
163.3175	2024-234 Section 2	Legislative findings on compatibility of development with military installations; exchange of information between local governments and military installations. • Amends Subsection (3) redefine Florida Defense Support Task Force as direct-support organization created in s. 288.987	N/A	

163.3184	2024-234 Section 3	Process for adoption of comprehensive plan or plan amendment Amends Subsection (3)(c) and (4)(e) providing that amendments are deemed withdrawn if the local government fails to transmit the comprehensive plan amendments to the department, within 10 working days after the final adoption hearing, the amendments are deemed withdrawn	Administrative Section	Address Administrative Procedures
163.3164	2024-266 Section 1	Community Planning Act; definitions Creating Definitions, mobility fee, mobility plan	Future Land Use Element, Transportation Element, Intergovernmental Coordination Element, Capitol Improvement Element, Definitions and Acronyms Section Administrative Section	Address Administrative Procedures and add definitions
163.3180	2024-266 Section 2	Concurrency Amends Subsection (5)(h) and (i) revising requirements relating to agreements to pay for or construct certain improvements; authorizing certain local governments to adopt an alternative transportation system that is mobility-plan and fee-based in certain circumstances; A local government may not prevent a single applicant from proceeding after the applicant has satisfied its proportionate-share requirement if the applicant has satisfied all other local government development	Future Land Use Element, Transportation Element, Intergovernmental Coordination Element, Capitol Improvement Element, Definitions and	Address Administrative Procedures and add definitions Confirm adoption of Interlocal with Polk County

		requirements for the project. prohibiting an alternative transportation system from imposing responsibility for funding an existing transportation deficiency upon new development; • Creating Subsection (5)(j) requiring counties and municipalities to create and execute interlocal agreements if a developer is charged a fee for transportation impacts for a new development or redevelopment; providing requirements for such agreements; providing requirements for when such interlocal agreements are not executed by a specified date; authorizing a local government that issues the building permit to collect a fee for transportation impacts under certain circumstances unless otherwise agreed; Update Interlocal with county by 10/1/25	Acronyms Section Administrative Section	
163.31801	2024-266 Section 3	Impact fees; short title; intent; minimum requirements; audits; challenges • Amends Subsection (4)(a) Ensure that the calculation of the impact fee is based on a study using the most recent and localized data available within 4 years of the current impact fee update. The new study must be adopted by the local government within 12 months of the initiation of the new impact fee study if the local government increases the impact fee • Amends Subsection (5)(a) requiring local governments transitioning to alternative transportation systems to provide holders of impact fee credits with full benefit of intensity and density of prepaid credit balances as of a specified date in certain circumstances	Housing Element, Capital Improvement Element, Public School Element	CIE Policy 3.1 Defers to impact Fee Ordinance

September 30, 2024

RESPONSE VIA E-MAIL ONLY

Ms. Lorraine Peterson
Assistant Town Manager
Town of Dundee
555 East Church Street
Bartow, Florida 33830

Subject: Evaluation and Appraisal Notification Acknowledgement Letter

Dear Ms. Peterson:

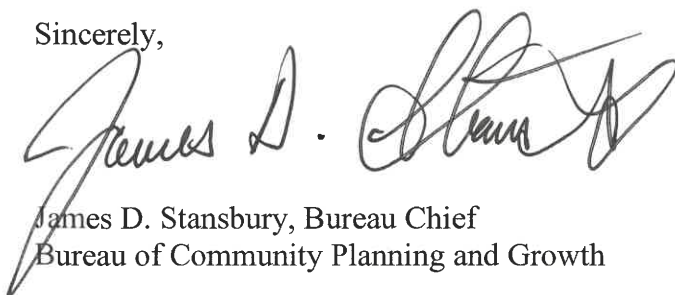
This is to acknowledge receipt of your Evaluation and Appraisal Notification Letter, which was due on October 1, 2024 and received by FloridaCommerce on September 24, 2024.

Please note that your proposed comprehensive plan amendments based on your Evaluation and Appraisal should be transmitted to FloridaCommerce by September 24, 2025, within one year of your notification, pursuant to Section 163.3191(2), Florida Statutes (F.S.). The amendments are subject to the State Coordinated Review Process as outlined in Section 163.3184(4), F.S. Please also be aware that Section 163.3191, F.S., was amended to read in part “updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.”

Scott Rogers of FloridaCommerce’s staff is available to assist and provide technical guidance to your questions concerning the contents of the Evaluation and Appraisal based comprehensive plan amendments and may be reached at (850)717-8510.

If you have any questions concerning the processing of the Evaluation and Appraisal based amendment, please contact Donna Harris, Plan Processor, at (850)717-8491 or by email at Donna.Harris@Commerce.fl.gov.

Sincerely,



James D. Stansbury, Bureau Chief
Bureau of Community Planning and Growth

JDS/dh

September 24, 2024

Via Upload and Email

Donna Harris
Plan Review and Processing
Florida Commerce
The Caldwell Building
107 E. Madison Street – MSC 160
Tallahassee, Florida 32399-4120

RE: Town of Dundee 2024 Evaluation and Appraisal Report (EAR) Notification Letter

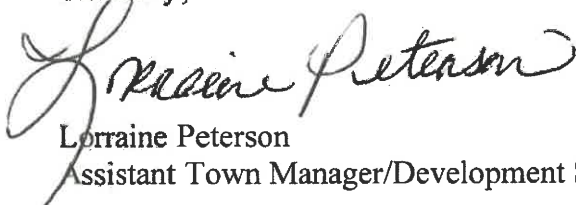
Dear Ms.Harris:

Per the Evaluation and Appraisal Notification Schedule posted on the Florida Commerce's website, the Town of Dundee must make a determination as to whether the need exists to amend the Comprehensive Plan to reflect changes in state requirements since the last time the Town's Comprehensive Plan was updated by October 1, 2024.

Based upon thorough evaluation of the Town's Comprehensive Plan, it has been determined that comprehensive plan amendments are necessary to address changes to state planning requirements which have occurred since the update of the Town's Comprehensive Plan, to extend the Comprehensive Plan to the required minimum planning periods, and to update the population projections as required through Florida Statutes. The Town is working to complete amendments by October 1, 2025.

Should you have any questions, please contact me at (863) 438-8330 ext 233 or at lpeterson@townofdundee.com.

Sincerely,



Lorraine Peterson
Assistant Town Manager/Development Services Director

Attachment: 2024 Town of Dundee Evaluation and Appraisal Report Affidavit

cc: Sam Pennant, Mayor Town of Dundee



TOWN OF DUNDEE EVALUATION AND APPRAISAL AFFIDAVIT

I, Sam Pennant, Mayor of the Town of Dundee, Polk County, Florida and do hereby certify, swear, or affirm under the penalty of perjury that I am competent to give the following declaration based on my personal knowledge, and that the following statement is true and correct to the best of my knowledge:

1. This affidavit is provided consistent with the requirements of Florida Statute 163.3191(1).
2. The Town of Dundee Comprehensive Plan must be updated to address changes to state planning requirements which have occurred since the update of the Town's Comprehensive Plan, to extend the Comprehensive Plan to the required minimum planning periods, and to update the population projections as required through Florida Statutes.
3. As Part of the Evaluation and Appraisal Report based amendments, all elements of the Town of Dundee Comprehensive Plan will comply with Florida Statute 163.3191(1).
4. As Part of the Evaluation and Appraisal Report based amendments, the adopted Comprehensive Plan will cover a planning period of 10 years occurring after the plan's adoption and an additional 20-year period, as provided in required by s. 163.3177(5)(a), F.S.
5. The Evaluation and Appraisal Report based amendments will cite the source and date of the population projections used in establishing the 10-year planning period.

Further the affiant saith naught.

Samuel Pennant

(Print Name)

[Signature]

(Sign Name)

9-24-2024

(Date)

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 24 day of September, 2024, by, as, on its behalf, who is personally known to me or who has produced _____ as identification.



Notary Public, State of Florida

Melissa Glogowski

Printed Name

My commission expires: 12/13/2024



TOWN OF DUNDEE
EVALUATION AND APPRAISAL REPORT (EAR) OF THE TOWN'S COMPREHENSIVE PLAN
EAR LETTER AND AFFIDAVIT

TO: Town of Dundee, Town Commission

AGENDA DATE: September 24, 2024

REQUESTED ACTION: **APPROVE THE EAR AFFIDAVIT AND AUTHORIZE THE MAYOR TO SIGN**

Evaluation and Appraisal Report (EAR):

Pursuant to Chapter 73C-49, Florida Administrative Code, at least every seven years, local governments shall determine whether the need exists to amend their Comprehensive Plan to reflect changes in state requirements and local trends since the last time the Comprehensive Plan was updated.

In addition, the EAR evaluates how successful the Town has been in addressing identified major land use planning issues through the implementation of its Comprehensive Plan. Based on this evaluation, the EAR recommends how the plan should be updated to further address objectives, changing conditions and trends affecting the community and changes in state requirements.

Submittal of EAR Notification Letter:

According to Florida Commerce Evaluation and Appraisal Report Notification Schedule, Dundee's Evaluation and Appraisal Affidavit is due October 1, 2024. The Town will submit an Evaluation and Appraisal notification letter to the State consistent with Florida Statutes 163.3191(1) to keep the Town in compliance with this due date. The notification letter package will include:

- Notification that amendments are necessary to reflect a minimum planning period of at least 10 years and to reflect changes in state requirements.
- An affidavit, signed by the mayor, attesting that all elements of the comprehensive plan will comply, will certify that the adopted comprehensive plan contains the minimum planning period of 10 years, and will cite the source and date of the population projections used in establishing the 10-year planning period.

Attachments:

Evaluation and Appraisal Affidavit
 Section 163.3191, Florida Statutes



Meeting Agenda Coversheet

MEETING DATE:		September 01, 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, RESOLUTION 26-24 - AN APPLICANT-INITIATED REQUEST FOR SUBDIVISION SITE DEVELOPMENT PLAN (SSDP) APPROVAL, VISTA DEL LAGO PHASE IV SUBDIVISION			
STAFF RECOMMENDATION: (MOTION READY)		I move the Town Commission approve Resolution 26-24 , a resolution for the Subdivision Site Development Plan for Vista Del Lago Phase IV Subdivision, a request by the applicant Daniel Kovacs of Tract Engineering on behalf of Vista Del Lago of Polk County, LLC.			
SUMMARY and/or JUSTIFICATION:		The Applicant, Daniel Kovacs of Tract Engineering on behalf of Vista Del Lago of Polk County LLC is requesting approval of Subdivision Site Development Plan (SSDP) for Vista Del Lago Phase IV Subdivision. The proposed subdivision is located on 7.31+/- acres of land and is located west of Welsh Road, and the east side of A T Race Road further described as parcels: 272834-853000-000121. The property has a Future Land Use of Low Density Residential (LDR) and a Zoning designation of Residential Single Family (RSF-3). The proposed project includes 32 single-family units and 0.454+/- acres of open space (0.371+/- acres required) to be owned and maintained by the Homeowners Association (HOA).			
SELECT, if applicable		AGREEMENT:		BUDGET:	
		STAFF REPORT:		PROCLAMATION:	
		EXHIBIT(S):		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 Resolution 26-24 Signed Developers Agreement			
SELECT, if applicable		RESOLUTION: 26-24		ORDINANCE: N/A	

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>	RESOLUTION NO. 26-24		<i>Item 3.</i>
	A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, APPROVING THE SUBDIVISION SITE DEVELOPMENT PLAN FOR THE VISTA DEL LAGO PHASE IV SUBDIVISION; MAKING FINDINGS; AND AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY FURTHER ACTION(S) TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.		
FISCAL IMPACT <i>(if any):</i>	This Ordinance will not produce any fiscal impacts to the Town.	\$0.00	

Town of Dundee
 Resolution 26-24
 Vista Del Lago Phase IV
 Subdivision Site Development Plan

RESOLUTION NO. 26-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, APPROVING THE SUBDIVISION SITE DEVELOPMENT PLAN FOR THE VISTA DEL LAGO PHASE IV SUBDIVISION; MAKING FINDINGS; AND AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY FURTHER ACTION(S) TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; 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, the proposed Vista Del Lago Phase IV *Subdivision* (the "Subdivision") is to occur on approximately 7.31 +/- acres which are located within the corporate limits of the Town of Dundee, Florida, further identified as Polk County Property Appraiser's Parcel Identification Number: 272834-853000-000121(hereafter collectively referred to as the "Property"); and

WHEREAS, the Applicant submitted a *Town of Dundee Subdivision Site Development Plan Application* (hereafter the "Application") for approval for the *Vista Del Lago Phase IV Subdivision* (hereafter the "Vista Del Lago SSDP") which is located on the Property; and

WHEREAS, pursuant to Section 7.0.05, 7.01.06 and 7.01.07 of the LDC, the purpose of the *subdivision site development plan*(*Concept, Preliminary, and Certified subdivision plans*) is to The purpose of the subdivision planning process is to evaluate a proposed development against the Comprehensive Plan and Land Development Code through a Preliminary Subdivision Plan (PSP), followed by a Certified Subdivision Plan (CSP) that incorporates all required staff changes for a technical review of site

Town of Dundee
 Resolution 26-24
 Vista Del Lago Phase IV
 Subdivision Site Development Plan

improvements and serves as the basis for the final plat."; and

WHEREAS, a copy of the Application and proposed Vista Del Lago Phase IV are attached hereto as **Composite Exhibit "C"** and made a part hereof by reference; and

WHEREAS, the Vista Del Lago Phase IV SSDP (see **Composite Exhibit "B"**) includes 32 single-family lots, amongst other improvements and amenities; and

WHEREAS, pursuant to the technical review performed by the Town and/or Town's consultants, the Vista Del Lago Phase IV SSDP (see **Composite Exhibit "B"**) has satisfied the general requirements set forth by Section 7.01.07 of the LDC; and

WHEREAS, the Applicant has substantially complied with all the requirements set forth in *Sections 7.01.05 through 7.01.07 of the LDC* regarding the preparation the Vista Del Lago Phase IV SSDP (see **Composite Exhibit "B"**) for the Subdivision; and

WHEREAS, pursuant to *Section 7.02.03 of the LDC* and applicable provision of the Code of Ordinances of the Town of Dundee, a *development order* and/or *development permit* will not be approved by the Town for the Subdivision unless a satisfactory concurrency evaluation is performed in accordance with Section 6.01.00 of the LDC; and

WHEREAS, the Applicant requests that the Town Commission of the Town of Dundee approve the Vista Del Lago Phase IV SSDP (see **Composite Exhibit "B"**) for the Subdivision subject to the terms and conditions set forth by this **Resolution No. 26-24**; and Town Commission's approval for construction of streets, drainage facilities, and/or other subdivision improvements prior to final platting in accordance with applicable provisions of the Town of Dundee Land Development Code and the conditions set forth by this **Resolution No. 26-24**; and

WHEREAS, on September 1, 2026, the Town Commission, at a duly noticed public meeting, held a public hearing to consider the Vista Del Lago Phase IV SSDP (see **Composite Exhibit "B"**) for approval; and

WHEREAS, on September 1, 2026, the Town Commission found that approval of this **Resolution No. 26-24** and the Vista Del Lago Phase IV SSDP (see **Composite Exhibit "B"**) preserves, enhances and encourages the most appropriate use of land consistent with the public interest, the Town of Dundee 2030 Comprehensive Plan policies and objectives, and the Town of Dundee Land Development Code; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that the approval of this **Resolution No. 26-24** is intended and necessary to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; and this

Town of Dundee
 Resolution 26-24
 Vista Del Lago Phase IV
 Subdivision Site Development Plan

Resolution No. 26-24 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:

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 approval of this **Resolution No. 26-24**, and the Town Commission of the Town of Dundee, Florida, hereby approves the above-referenced factual recitals as the legislative findings supporting the adoption of this **Resolution No. 26-24**.

Section 2. Authorization.

The Town Commission of the Town of Dundee authorizes the Town Manager to take all necessary further actions in order to effectuate the intent of this **Resolution No. 26-24** which includes, but shall not be limited to, negotiating and entering into any agreement(s) with the Applicant and/or Applicant's authorized designee with regard to the terms and Vista Del Lago Phase IV SSDP (see **Exhibit "B"**) set forth by this **Resolution No. 26-24** and the Town's approval of the Vista Del Lago Phase IV SSDP (see **Composite Exhibit "B"**) and applicable *site development plan* for the *Vista Del Lago Phase IV Subdivision*.

Section 3. Conflicts.

All resolutions in conflict herewith are repealed in order to give this **Resolution No. 26-24** full force and effect.

Section 4. Severability.

The provisions of this **Resolution No. 26-24** are severable. If any section, subsection, sentence, clause, phrase of this **Resolution No. 26-24**, 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 hereby declares that it has passed **Resolution No. 26-24**, 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, unconstitutional.

Town of Dundee
Resolution 26-24
Vista Del Lago Phase IV
Subdivision Site Development Plan

Section 6. Administrative Correction of Scrivener's Errors.

It is the intention of the Town Commission that sections of this **Resolution No. 26-24** may be renumbered or re-lettered and the word "resolution" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and sections of this **Resolution No. 26-24** may be re-numbered 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 designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk.

Section 7. Effective Date.

This **Resolution No. 26-24** shall take effect upon passage by the Town Commission of the Town of Dundee, Florida.

INTRODUCED AND PASSED by the Town Commission of the Town of Dundee, Florida, in Regular Session this 1st day of September 2026.

Town of Dundee
Resolution 26-24
Vista Del Lago Phase IV
Subdivision Site Development Plan

TOWN OF DUNDEE

Mayor – Joseph Garrison

ATTEST:

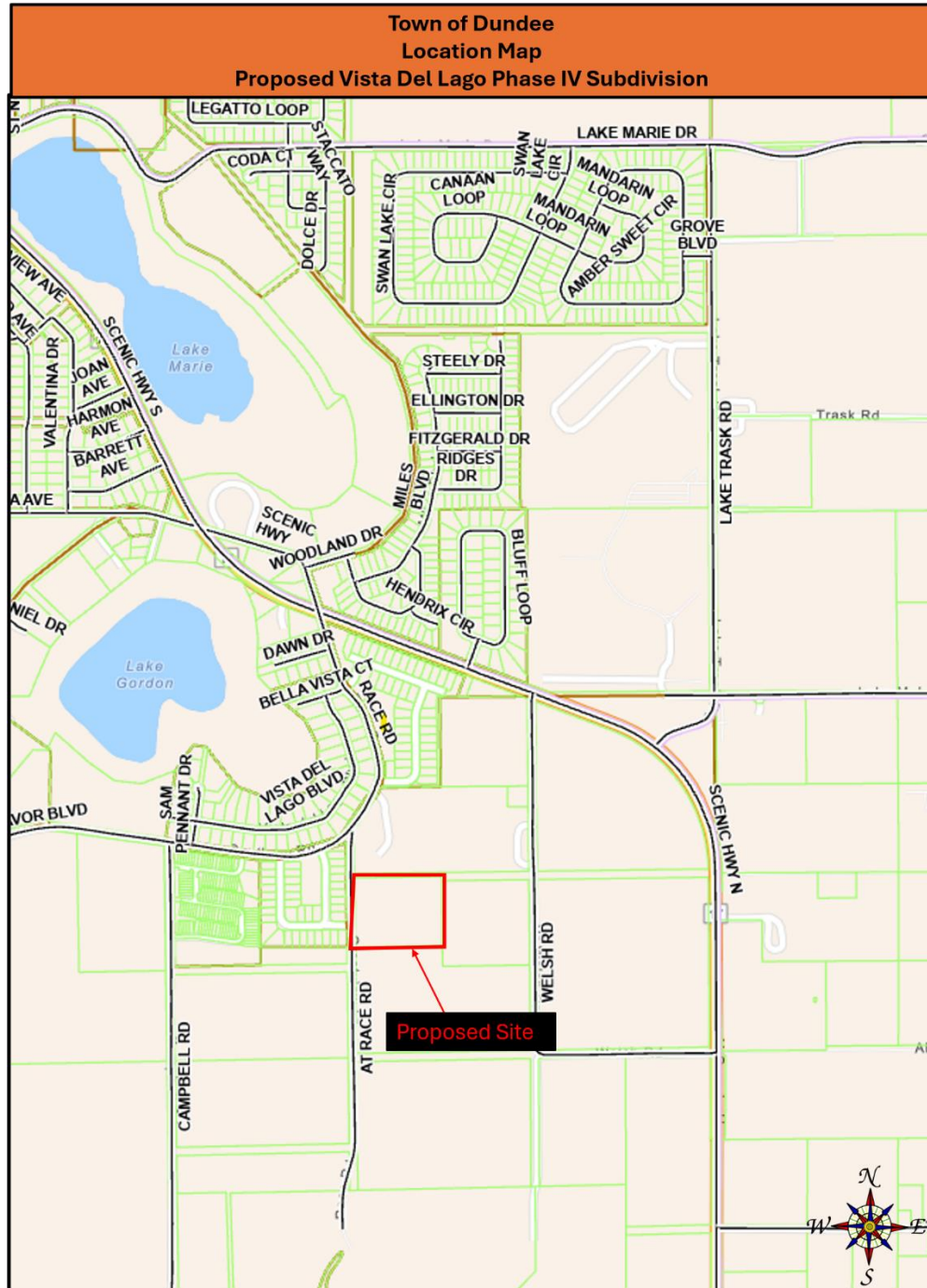
Town Clerk – Erica Anderson

Approved as to form:

Town Attorney – Markeishia Smith

Town of Dundee
Resolution 26-24
Vista Del Lago Phase IV
Subdivision Site Development Plan

RESOLUTION 26-24 EXHIBIT A LOCATION MAP



Town of Dundee
 Resolution 26-24
 Vista Del Lago Phase IV
 Subdivision Site Development Plan

APPLICATION



Town of Dundee

202 EAST MAIN STREET, DUNDEE FLORIDA 33838 (863) 438-8330

SUBDIVISION SITE DEVELOPMENT PLAN APPLICATION

In addition to the application, please provide all materials listed on the application checklist. It is important that all information be complete and accurate when submitted to the Town. Additional pages may be attached to provide necessary information. The project review name shall be a unique name that will be carried through the entire subdivision review process.

SITE INFORMATION

Project Name: Vista del Lago Phase IV

Total Acreage: 7.31 Parcel I.D. : 27-28-34-853000-000121

Site Address and General Location:
0 A T Race Rd, Dundee, FL 3383 Town of Dundee, Polk County, Florida

Present Use of Property: Vacant Residential Land

Existing Structures Located on the Site: None (Vacant Land)

Legal Description of the Property: _____

PROPERTY OWNER:

Name: Vista del Lago of Polk County LLC

Mailing Address: 5529 US Highway 98 N

City: Lakeland State: FL Zip: 33809

Office/Mobile Phone: _____ Email: leesaunders440@aol.com

APPLICANT/AGENT:

Name: Daniel P. Kovacs

Mailing Address: 5137 S Lakeland DR Suite 3

City: Lakeland State: FL Zip: 33813

Office/Mobile Phone: 863-712-9937 Email: dkovacs@tracteng.com

RESOLUTION 26-24 EXHIBIT C

Town of Dundee
Resolution 26-24
Vista Del Lago Phase IV
Subdivision Site Development Plan

APPLICATION

SUBDIVISION SITE DEVELOPMENT PLAN APPLICATION

Current Future Land Use Designation: Residential

Current Zoning Designation: Residential

Proposed Use or Description of Site Preparation: _____

Proposed single-family residential subdivision, including construction of internal local roadways, sidewalks, curb and gutter, stormwater management facilities, utilities, grading, and related site improvements.

Date Application Accepted by Town:	_____
Project Name/ID Number:	_____
Pre Application Meeting:	_____
Application Fee:	_____ Review Deposit Fee: _____
Check / Virtual Receipt Number:	_____
Processed by:	_____

Page 2

DEVELOPER'S AGREEMENT
OFFSITE POTABLE WATER MAIN EXTENSION AND REIMBURSEMENT
AGREEMENT
VISTA DEL LAGO PHASE 4

Dr. Welch Road & Race Road, Dundee, Florida

THIS DEVELOPER'S AGREEMENT ("Agreement") is entered into as of the ____ day of _____, 20____, by and between the **TOWN OF DUNDEE**, a Florida municipal corporation ("Town"), and **VISTA DEL LAGO OF POLK COUNTY, LLC**, a Florida limited liability company ("Developer").

RECITALS

WHEREAS, Developer owns or controls certain real property located within the service area of the Town of Dundee, Polk County, Florida, known as Vista Del Lago Phase 4, more particularly described in Exhibit A attached hereto and incorporated herein (the "Property"); and

WHEREAS, Developer is developing Vista Del Lago Phase 4, consisting of approximately 32 residential lots, and as part of that development is constructing an 8-inch DR18 PVC potable water main that: (i) connects to the existing 8-inch water main installed under Vista Del Lago Phase 3 at Hillcrest Drive; (ii) runs approximately 41 linear feet west to A.T. Race Road; and (iii) extends approximately 503 linear feet north and south along A.T. Race Road to serve the Phase 4 frontage (collectively, the "Phase 4 Water Main"); and

WHEREAS, the Town has requested that Developer extend the proposed water main approximately 270 linear feet beyond the northern terminus of the Phase 4 Water Main, continuing north along A.T. Race Road to connect with the Town's existing water infrastructure near Camp Endeavor Boulevard, in order to create a fully looped water system and improve reliability of service to Phase 3, Phase 4, and the surrounding area (the "Offsite Extension"); and

WHEREAS, the Offsite Extension lies outside the limits of the Vista Del Lago Phase 4 development and exceeds the infrastructure required to serve the Property; the Town acknowledges that the Offsite Extension benefits the Town's water distribution system as a whole and agrees to reimburse Developer a fixed lump sum amount of Seventeen Thousand One Hundred Twenty-Seven and 75/100 Dollars (\$17,127.75) for the construction of the Offsite Extension, subject to the terms and conditions of this Agreement; and

WHEREAS, Developer is willing to construct the Offsite Extension concurrently with the Vista Del Lago Phase 4 water main improvements, as it is most cost-effective and practical to complete this work while construction is already underway in the corridor.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE 1 — DEFINED TERMS

1.1 "Facilities" means the offsite potable water main extension to be constructed by Developer at the Town's request, consisting of approximately 270 linear feet of 8-inch DR18 PVC water main extending north along A.T. Race Road from the northern terminus of the Phase 4 Water Main to the Town's existing water infrastructure near Camp Endeavor Boulevard, all as more particularly described in Exhibit C (Engineer's Plans) attached hereto. The Facilities are separate from and in addition to the Phase 4 Water

Main (approximately 41 LF + 503 LF) constructed by Developer within the limits of Vista Del Lago Phase 4.

1.2 "Property" means the real property described in Exhibit A.

1.3 "Town Standards" means the Town of Dundee's standard specifications, technical standards, and requirements applicable to potable water system construction, as amended from time to time.

ARTICLE 2 — CONSTRUCTION OF FACILITIES

2.1 Developer's Obligation. Developer shall, at its sole cost and expense, design, permit, and construct the Facilities in accordance with Town Standards and all applicable federal, state, and local laws, regulations, and ordinances.

2.2 Plans and Specifications. Prior to commencement of construction, Developer shall submit engineering plans and specifications prepared by a Florida-licensed professional engineer to the Town for review and approval. Construction shall not begin until written approval is received from the Town.

2.3 Permits. Developer shall be responsible for obtaining all required permits, including but not limited to Florida Department of Environmental Protection (FDEP) permits for the potable water main extension.

2.4 Inspection. All construction shall be subject to inspection by the Town or its designated representative. Developer shall provide reasonable advance notice prior to commencing construction and shall cooperate with all inspections.

2.5 As-Built Drawings. Upon completion of construction, Developer shall provide the Town with signed and sealed as-built drawings prepared by a Florida-licensed professional engineer.

ARTICLE 3 — COST AND REIMBURSEMENT

3.1 Developer's Construction Obligation. Developer shall design, permit, construct, and dedicate the Facilities at its own expense and risk. The Town's reimbursement obligation is a fixed lump sum as set forth in Section 3.2, regardless of Developer's actual construction cost. Developer acknowledges that the Town's obligation to pay the Reimbursement Amount is a material inducement for Developer's agreement to construct the Facilities.

3.2 Town's Reimbursement Obligation. Upon the Town's written acceptance of the Facilities pursuant to Section 4.2, the Town shall pay Developer a fixed lump sum of Seventeen Thousand One Hundred Twenty-Seven and 75/100 Dollars (\$17,127.75) (the "Reimbursement Amount"), within forty-five (45) days of such acceptance. The Reimbursement Amount is fixed and shall not be adjusted based on Developer's actual construction costs, whether higher or lower. Developer assumes all risk of cost overruns and retains the benefit of any cost savings achieved.

ARTICLE 4 — DEDICATION AND ACCEPTANCE

4.1 Dedication. Upon satisfactory completion of construction and final inspection, Developer shall dedicate the Facilities to the Town free and clear of all liens, encumbrances, and claims.

4.2 Conditions to Acceptance. The Town's written acceptance of the Facilities, which shall trigger the Town's payment obligation under Section 3.2, is conditioned upon: (a) satisfactory completion of construction in accordance with approved plans and Town Standards; (b) submission and approval of signed and sealed as-built drawings; (c) successful pressure and bacteriological testing; (d) execution and delivery of a Bill of Sale conveying the Facilities to the Town; and (e) provision of a one-year warranty bond or other assurance acceptable to the Town.

4.3 Ownership. Upon acceptance by the Town, the Facilities shall become the property of the Town, and the Town shall be responsible for operation and maintenance thereof.

ARTICLE 5 — WATER SERVICE

5.1 Service Availability. Following acceptance of the Facilities, the Town agrees to make potable water service available to the Property, subject to: (a) payment of applicable connection fees and charges; (b) compliance with applicable Town ordinances and policies; and (c) availability of adequate system capacity.

5.2 Rates and Charges. Water service shall be provided at the rates and charges established by the Town from time to time in accordance with applicable law.

ARTICLE 6 — EASEMENTS AND ACCESS

6.1 Utility Easements. Prior to or concurrent with the dedication of the Facilities, Developer shall provide the Town with utility easements, in form acceptable to the Town Attorney, covering the location of all water mains and appurtenances located outside public rights-of-way.

6.2 Access. The Town shall have the right to access the Facilities within public rights-of-way or granted easements for operation, maintenance, repair, and replacement.

ARTICLE 7 — GENERAL PROVISIONS

7.1 Warranty. Developer warrants that the Facilities shall be free from defects in materials and workmanship for a period of one (1) year following acceptance by the Town. Developer shall promptly repair or replace, at its sole cost, any defective work identified during the warranty period.

7.2 Insurance. During construction, Developer shall maintain, or cause its contractor to maintain, commercial general liability insurance in amounts acceptable to the Town, naming the Town as an additional insured.

7.3 Indemnification. Developer shall indemnify, defend, and hold harmless the Town, its officers, employees, and agents from and against any and all claims, damages, losses, and expenses arising out of or resulting from the design, permitting, or construction of the Facilities, except to the extent caused by the Town's negligence or willful misconduct.

7.4 Governing Law. This Agreement shall be governed by the laws of the State of Florida. Venue for any dispute shall be in Polk County, Florida.

7.5 Entire Agreement. This Agreement, together with the Exhibits attached hereto, constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes all prior negotiations, representations, and agreements.

7.6 Amendment. This Agreement may not be amended or modified except by written instrument signed by both parties.

7.7 Notices. All notices required or permitted hereunder shall be in writing and delivered by hand, overnight courier, or certified mail, return receipt requested, to:

If to Town:

Town of Dundee
Attn: Ken Cassel, Town Manager
901 Main Street
Dundee, FL 33838

If to Developer:

Vista Del Lago of Polk County, LLC

Attn: Lee Saunders

5529 US 98 N

Lakeland, FL 33809

Phone: (863) 660-4803

7.8 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

7.9 Recordation. This Agreement shall be recorded in the Public Records of Polk County, Florida, at Developer's expense.

7.10 Effective Date. This Agreement shall become effective upon execution by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

TOWN OF DUNDEE:

Signature

Printed Name

Title

Date

VISTA DEL LAGO OF POLK COUNTY, LLC:

Lee Saunders, Manager / Authorized Member

Date

STATE OF FLORIDA

COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 20____, by Lee Saunders, as Manager/Authorized Member of Vista Del Lago of Polk County, LLC, a Florida limited liability company, on behalf of the company. He/She is personally known to me or has produced _____ as identification.

Notary Public, State of Florida

My Commission Expires: _____

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

A parcel of land lying within Lot 12, FLORIDA HIGHLANDS COMPANY'S SUBDIVISION, as recorded in Plat Book 1, Page 87, and within Section 34, Township 28 South, Range 27 East, all lying and being in Polk County, Florida, and being more particularly described as follows:

BEGIN at a found 5/8" iron rod marking the Northwest corner of said Lot 12 also being a point on the East right of way line of A. T. Race Road and also being a point on the South right of way line of an Unnamed Street; thence N.89 degrees 09'28"E., on the North line of said Lot 12 also being the South right of way line of said Unnamed Street, a distance of 634.48 feet to the Northeast corner of said Lot 12; thence S.00 degrees 47'19"E., departing the South right of way line of said Unnamed Street and on the East line of said Lot 12, a distance of 471.57 feet; thence S.88 degrees 57'56"W., departing the East line of said Lot 12, a distance of 634.58 feet to a point on the West line of said Lot 12 also being a point on the East right of way line of said A. T. Race Road; thence N.00 degrees 46'35"W., on the West line of said Lot 12 also being the East right of way line of said A. T. Race Road, a distance of 473.70 feet to the POINT OF BEGINNING.

Parcel contains 6.88 acres, more or less.

Parcel Identification Number: 27-28-34-853000-000121

Subject to easements, restrictions, and reservations of record.

EXHIBIT B**COST ESTIMATE**

Tucker Paving, Inc. — Vista Del Lago Phase 4 Water Main Extension

Description	Quantity	Unit Price	Total
8" DR18 PVC Water Main	270 LF	\$41.36	\$11,167.20
Connect to Existing 8" Water Main	1 EA	\$1,066.91	\$1,066.91
Construction Subtotal:			\$12,234.11
Contingency (10%)			\$1,223.41
Engineering Design (15%)			\$1,835.12
Construction Management / CEI (15%)			\$1,835.12
TOTAL ESTIMATED PROJECT:			\$17,127.75

Note: Note: The fire hydrant assembly will be furnished and installed by the Town of Dundee and is not included in the Reimbursement Amount.

EXHIBIT C
ENGINEER'S PLANS AND SPECIFICATIONS

Town of Dundee
Town Commission Staff Report
Vista Del Lago Phase IV Subdivision
Subdivision Site Development Plan

To:	Town of Dundee, Town Commission
Agenda Date:	September 1, 2026
Department:	Planning and Zoning
Request:	Consider the Subdivision Site Development Plan (SSDP) for Vista Del Lago Subdivision, Resolution 26-24
Applicant:	Daniel P. Kovacs, Tract Engineering
Property Owner:	Vista Del Lago of Polk County, LLC
Location:	Located west of Welsh Road, and east side of A T Race Road, in the Town of Dundee
Area Size & Parcel Number(s)	7.31 +/-, 272834-853000-000121
Staff Recommendation (DRC):	Approval
Prepared By:	Lorraine Peterson, Development Services Director

BACKGROUND

The Applicant, Daniel Kovacs of Tract Engineering on behalf of Vista Del Lago of Polk County LLC is requesting approval of Subdivision Site Development Plan (SSDP) for Vista Del Lago Phase IV Subdivision. The proposed subdivision is located on 7.31+/- acres of land and is located west of Welsh Road, and the east side of A T Race Road further described as parcels: 272834-853000-000121. The property has a Future Land Use of Low Density Residential (LDR) and a Zoning designation of Residential Single Family (RSF-3).

The proposed project includes 32 single-family units and 0.454+/- acres of open space (0.371+/- acres required) to be owned and maintained by the Homeowners Association (HOA).

CERTIFIED SUBDIVISION PLAN/SUBDIVISION SITE DEVELOPMENT PLAN

Per Section 7.01.07 of the Land Development Code, the purpose of the Certified Subdivision Plan (CSP) is to allow town staff to perform a technical review of all proposed site improvements and serves as the basis upon which the final plat is prepared. Upon approval of CSP, the applicant may proceed with permitting for installation of improvements, including:

- tree removal
- clearing and grubbing
- installation of streets and utilities
- installation of stormwater management systems.

Town of Dundee
Town Commission Staff Report
Vista Del Lago Phase IV Subdivision
Subdivision Site Development Plan

Certified subdivision plans remain valid for one year from the date of approval. No residential building permit shall be issued until the final plat has been accepted by the Town and recorded with the Clerk of the Circuit Court for Polk County, except where approval has been given for residential units as models. Final certificates of occupancy for models shall not be issued until the final plat has been accepted by the town and recorded in the public records for Polk County.

The Overall Site Plan portion of the proposed Subdivision Site Development Plan for Vista Del Lago Phase IV can be seen below in exhibit B.

POTABLE WATER AND WASTEWATER

The proposed demand for potable water is 8,000 gpd and 6,400 gpd for wastewater.

Estimated Demand is as follows:

Table 1

Permitted Intensity 7.31 +/- acres	Maximum Permitted in RSF-3 5 units/acres= 36.6 units	Proposed Permitted in RSF-3 4.38 units/acre=32
Potable Water Consumption	37X 250 = 9,250 GPD	32 X 250 = 8,000 GPD
Wastewater Generation	37 X 200 = 7,400 GPD	32 X 200= 6,400 GPD

ROADWAYS/TRANSPORTATION NETWORK

Estimated Demand is as follows:

Table 2

Permitted Intensity 211.74 +/- acres	Maximum Permitted in RSF-3 RSF-3 @ 5 units/acres= 36.6 units	Proposed Permitted in RSF-3 RSF-3 @34.38 units/acres = 32 units
Average Annual Daily Trips (AADT)	37 X 7.81 = 289 AADT	32 X 7.81 = 250 AADT
PM Peak Hour Trip	37 X 1.00= 37 PM Peak	32 X 1.00 = 32 PM Peak

Source: Polk TPO April 8, 2022 -ITE Code 210-Single Family Detached rate per unit 7.81 AADT and 1.00 AADT PM Peak Hour

Town of Dundee
Town Commission Staff Report
Vista Del Lago Phase IV Subdivision
Subdivision Site Development Plan

Available Capacity is as follows:

Table 3 Roadway Link Concurrency

Link #	Road Name	Functional Classification	Current Level of Service (LOS)	Available Peak Hour Capacity	Minimum LOS Standard	5- Year Peak Hr. Projected LOS
8204N	H.L. Smith Road (Lake Mabel Loop Rd. to CR 542/Hatchineha Rd.)	Rural Minor Collector	C	601	E	C
8204S			C	594	E	C
5206 N	SR 17 (Scenic Highway) Waverly Rd.to Main ST @ Center ST	Urban Major Collector	C	291	D	C
5206 S			C	245	D	C

Source: Polk Transportation Planning Organization-2023 Roadway Network Database

STREET NAMES

According to section 7.01.07 11 (A) (2) C of the Land Development Code the Town Commission shall have the authority to approve or disapprove any street name, listed below are the proposed street name for the subdivision.

- Fairview Road
- Morningside Way
- Hillcrest Drive

Town of Dundee
Town Commission Staff Report
Vista Del Lago Phase IV Subdivision
Subdivision Site Development Plan

PUBLIC SCHOOLS

Elementary School	Current Enrollment	Concurrency Capacity	Reserved Capacity	Housing Units	Students Generated by Project	Capacity Available
Elbert Elementary (Zoned)	727	1,230	292	32SF	5	Yes (+211)
Sandhill Elementary (Adjacent)	1,130	1,209	65	32SF	5	Yes (+14)
Middle School	Current Enrollment	Concurrency Capacity	Reserved Capacity	Housing Units	Students Generated by Project	Capacity Available
Denison Middle (Zoned)	774	1,199	276	32SF	3	Yes (+149)
McLaughlin Middle (Adjacent)	398	506	104	32SF	3	Yes (+4)
High School	Current Enrollment	Concurrency Capacity	Reserved Capacity	Housing Units	Students Generated by Project	Capacity Available
Haines City (Zoned)	3,218	3,374	249	32SF	4	No (-93)
Winter Haven (Adjacent)	2,633	2,683	27	32SF	4	Yes (+23)

Source: Polk County School Board- School Concurrency issued by PCSB are valid for 18 months after platting is approved by the municipality.

DEVELOPMENT REVIEW COMMITTEE

As required by Section 7.01.05 through 7.01.07 of the LDC, DRC members have reviewed the Subdivision Site Development Plan for Vista Del Lago Phase IV Subdivision on the basis of the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee finds the request by the applicant Daniel Kovacs of Tract Engineering on behalf of Vista Del Lago of Polk County, LLC is compatible with surrounding land uses and general character of the area, is consistent with the Town of Dundee Comprehensive Plan and Land Development Code, and therefore recommends **approval of Vista Del Lago Phase IV Subdivision Site Development Plan (SSDP).**

Town of Dundee
Town Commission Staff Report
Vista Del Lago Phase IV Subdivision
Subdivision Site Development Plan

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- Markeishia L. Smith, The law Offices of Markeishia L. Smith, P.A.

TOWN COMMISSION REVIEW

Following its own review, the Town Commission shall either approve the Subdivision Site Development Plan or disapprove with reasons stated. Should any adverse review comment or recommendation be made by the Town Commission which may require a revision of the proposed SSDP, the necessary revisions may be made for reconsideration at the applicable step within the review process.

MOTION OPTIONS:

1. I move the Town Commission **approve Resolution 26-24**, a resolution for the Subdivision Site Development Plan for Vista Del Lago Phase IV Subdivision, a request by the applicant Daniel Kovacs of Tract Engineering on behalf of Vista Del Lago of Polk County, LLC.
2. I move the Town Commission **approve with conditions or changes to Resolution 26-24**, a resolution for the Subdivision Site Development Plan for Vista Del Lago Phase IV Subdivision, a request by the applicant Daniel Kovacs of Tract Engineering on behalf of Vista Del Lago of Polk County, LLC.
3. I move the Town Commission **to deny Resolution 26-24**, a resolution for the Subdivision Site Development Plan for Vista Del Lago Phase IV Subdivision, a request by the applicant Daniel Kovacs of Tract Engineering on behalf of Vista Del Lago of Polk County, LLC.

Town of Dundee
Town Commission Staff Report
Vista Del Lago Phase IV Subdivision
Subdivision Site Development Plan

Attachments:

Resolution 26-24(separately)

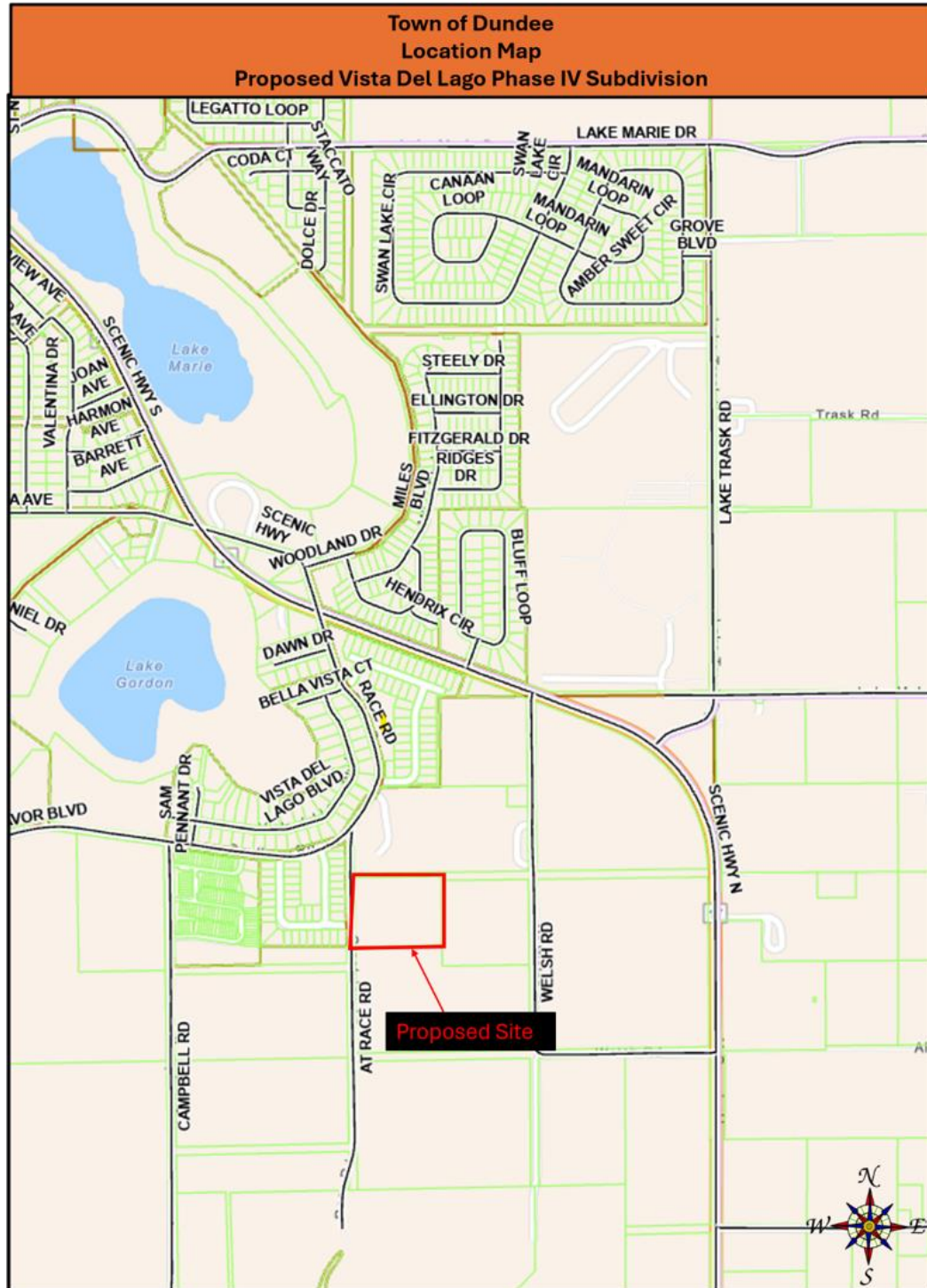
Location Map

Aerial Map

SSDP

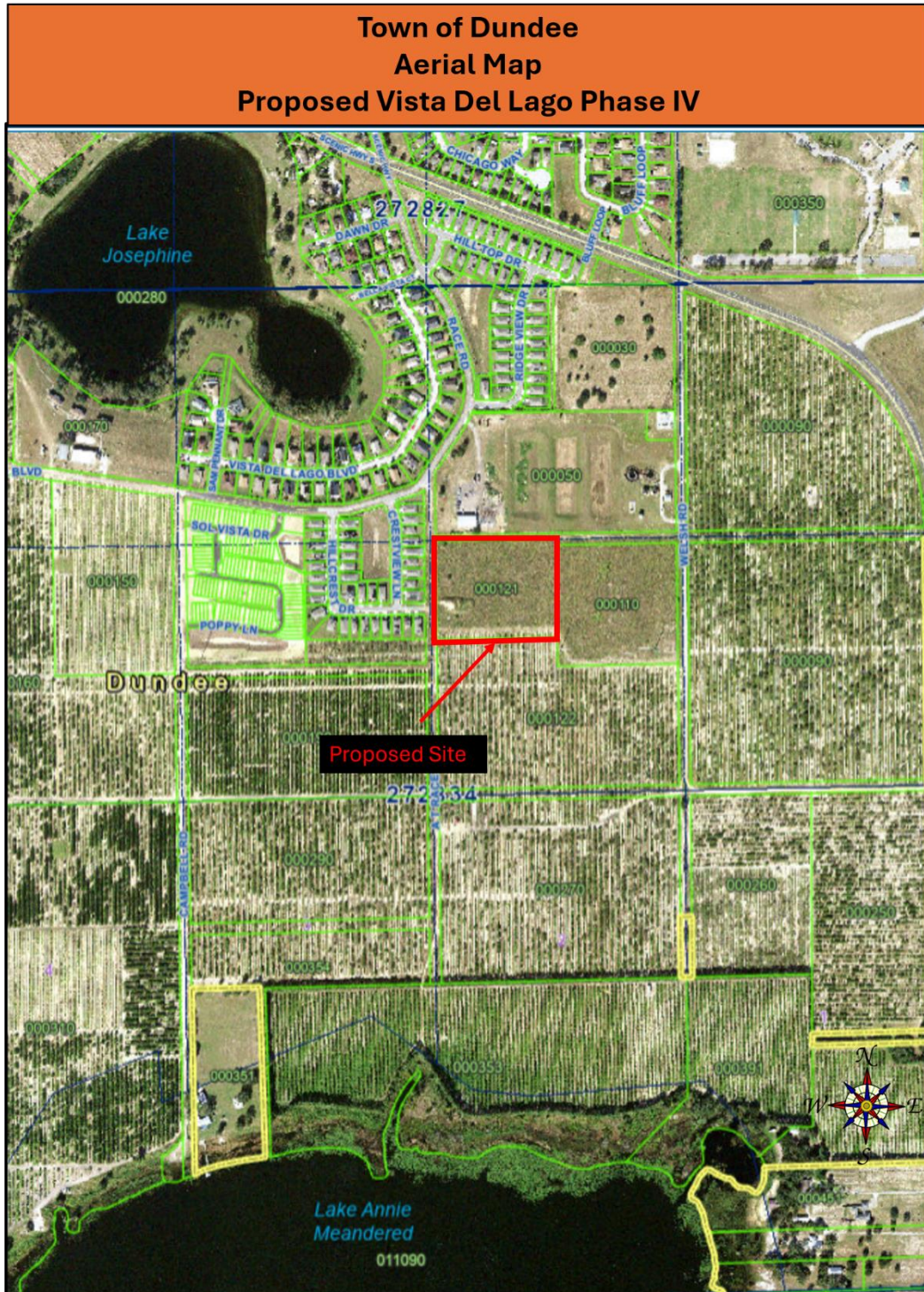
Developers Agreement (separately)

Town of Dundee
Town Commission Staff Report
Vista Del Lago Phase IV Subdivision
Subdivision Site Development Plan



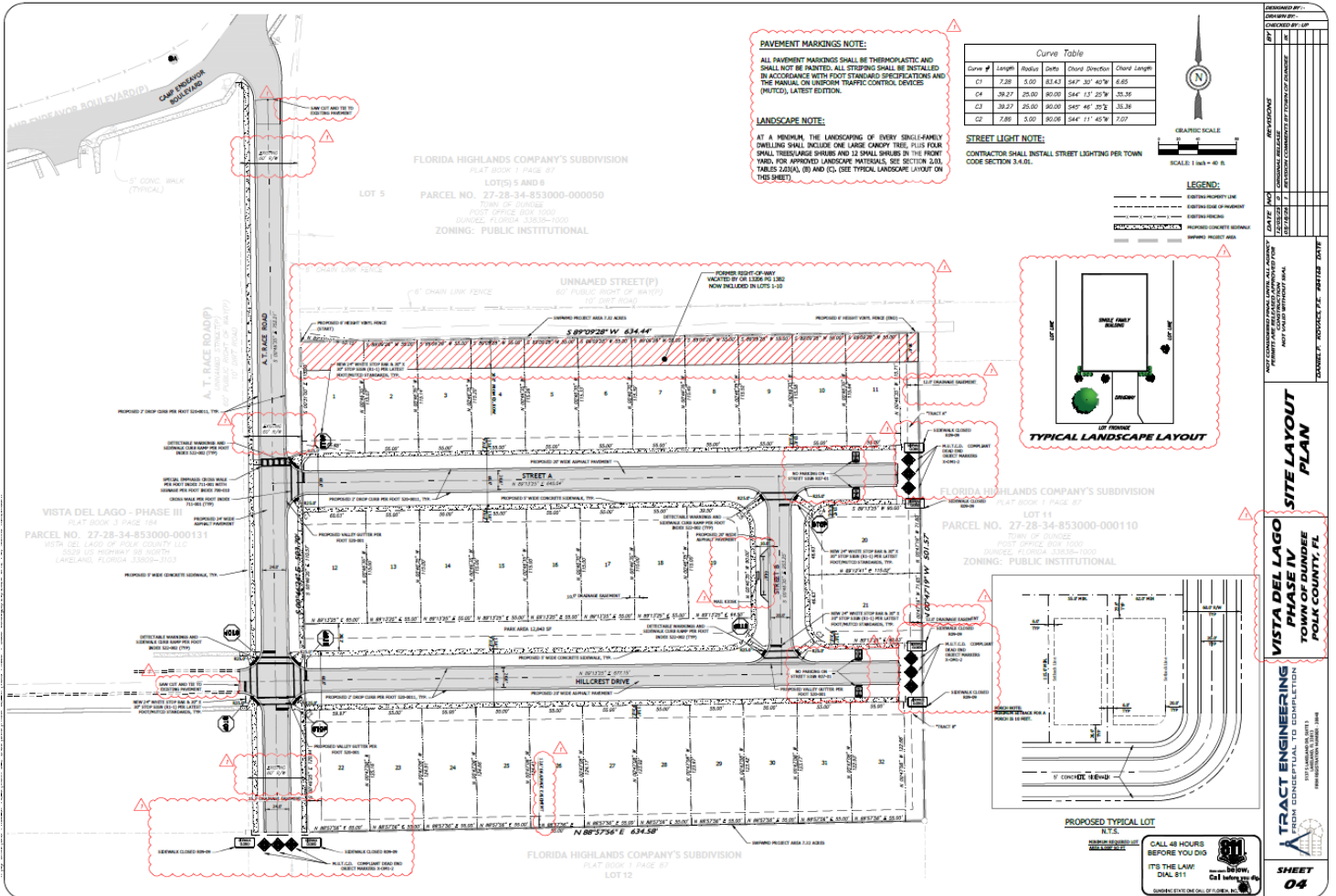
Location Map

Town of Dundee
Town Commission Staff Report
Vista Del Lago Phase IV Subdivision
Subdivision Site Development Plan



Aerial Map

Town of Dundee Town Commission Staff Report Vista Del Lago Phase IV Subdivision Subdivision Site Development Plan



Certified Subdivision Plan

Town of Dundee
Town Commission Staff Report
Vista Del Lago Phase IV Subdivision
Subdivision Site Development Plan



Meeting Agenda Coversheet

MEETING DATE:		September 1 st , 2026		Submitted By: John Vice, Public Works Director	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		Discussion & Action Tucker Paving Change Orders			
STAFF RECOMMENDATION: (MOTION READY)		A motion to approve Tucker Paving change order number 1 & 2 for Camp Endeavor Blvd/ Lincoln Ave paving project			
SUMMARY and/or JUSTIFICATION:		Staff has received two (2) change orders from contractor Tucker Paving Inc for the Camp Endeavor Blvd/ Lincoln Ave paving project and staff is seeking approval for the change orders which will be billed in the next billing cycle from contractor Tucker Paving Inc if approved by Commission and Mayor. Change Order #1 -Construction Layout w/ as-builts (Additional Survey) – this change order was required to correct the alignment from existing pavement that was installed per plan by Bella vista subdivision to the existing pavement on Lincoln Ave there was a noticeable mis alignment once the contractor was able to stake out the roadway. Change Order #2 additional structures/ piping – during the pre-construction meeting it was brought to the Town's and Tucker Paving Inc attention that we had to add a additional entrance point on Lincoln Ave for the property owner that was shown on the original Plat this wasn't taken in consideration during the plan review or design process. Ryal Engineering provided this information during the Pre- Construction Meeting after the bid was approved.			
SELECT, if applicable		AGREEMENT:		BUDGET:	
		STAFF REPORT:		PROCLAMATION:	
		EXHIBIT(S):		OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>		Change Order #1 -Construction Layout w/ as-builts (Additional Survey) Change Order #2 additional structures/ piping			
SELECT, if applicable		RESOLUTION:		ORDINANCE:	
IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(If Item is not a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank.)</i>		N/A			
FISCAL IMPACT (if any):		State what is included in the cost, i.e., production, materials, etc.			\$122,086.49



5658 Lucerne Park Road
Winter Haven, FL 33881
Phone: 863-299-2262
Fax: 863-294-1007
www.tuckerpaving.com

To:	Rayl Engineering & Surveying, LLC.	Contact:	Caleb Wingo, El
Address:	810 East Main Street Bartow, FL 33830	Phone:	(863) 537-7901
Project Name:	Road Paving Of Camp Endeavor Blvd. & Lincoln Ave. - CHANGE ORDER	Bid Number:	26-0035
Project Location:		Bid Date:	1/21/2026
Addendum #:	Rev 3 <i>Change order #1</i>		

this change order is for the additional survey layout needed for the re alignment of the road.

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
	CONSTRUCTION LAYOUT W/ AS-BUILTS (ADDITIONAL SURVEY)	1.00	LS	\$16,905.83	\$16,905.83

Notes:

- *** ALL BASE BID NOTES, EXCLUSIONS, AND CLARIFICATIONS STILL APPLY.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Tucker Paving, Inc. Authorized Signature: _____ Estimator: Alejandro Sevilla 863-299-2262 asevilla@tuckerpaving.com
--	---



5658 Lucerne Park Road
Winter Haven, FL 33881
Phone: 863-299-2262
Fax: 863-294-1007
www.tuckerpaving.com

To:	The Town Of Dundee	Contact:	Erica Anderson
Address:	202 East Main Street, PO Box 1000 Dundee, FL 33838	Phone:	(863) 438-8330
		Fax:	(863) 438-8338
Project Name:	Road Paving Of Camp Endeavor Blvd. & Lincoln Ave. - CHANGE ORDER	Bid Number:	26-0035
Project Location:		Bid Date:	1/21/2026
Addendum #:	Rev 3 <i>Change order #2</i>		

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
	PIPE CULVERT (RCP) (ROUND) (18")	-616.00	LF	\$72.00	(\$44,352.00)
	MITERED END SECTION (CROSS DRAIN) (ROUND) (18")	-16.00	EACH	\$1,721.00	(\$27,536.00)
	CONCRETE SPILLWAY (REINFORCED) (4" THICK)	-63.00	SY	\$53.00	(\$3,339.00)
	CONSTRUCTION LAYOUT W/ AS-BUILTS	1.00	LS	\$5,072.37	\$5,072.37
	PIPE CULVERT (RCP) (ELIP/ARCH) (24")	713.00	LF	\$152.00	\$108,376.00
	MITERED END SECTION (CROSS DRAIN) (ELIP/ARCH) (24")	13.00	EACH	\$2,185.00	\$28,405.00
	TYPE F DITCH BOTTOM INLET	2.00	EACH	\$6,081.87	\$12,163.74
	MANHOLES (P-8) (UNDER 10 FT DEPTH)	2.00	EACH	\$4,016.00	\$8,032.00
	SHOULDER GUTTER - CONCRETE	50.00	LF	\$35.00	\$1,750.00
	RIPRAP - RUBBLE (DITCH LINING) (FURNISH AND INSTALL)	100.00	TON	\$90.00	\$9,000.00
	CLEARING & GRUBBING	1.00	LS	\$7,608.55	\$7,608.55

Total Bid Price: \$105,180.66

Notes:

- *** ALL BASE BID NOTES, EXCLUSIONS, AND CLARIFICATIONS STILL APPLY.
- *** THIS CHANGE ORDER ONLY INCLUDE CLEARING ALONG THE SILT FENCE LINE.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Tucker Paving, Inc. Authorized Signature: _____ Estimator: Alejandro Sevilla 863-299-2262 asevilla@tuckerpaving.com
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