



CITY COMMISSION AND CRA BOARD WORKSHOP AGENDA

Wednesday, September 03, 2025 at 5:30 PM

Historic City Hall, Commission Chambers – 225 East Main Street, Suite 105

www.cityofwauchula.gov

CALL TO ORDER

ROLL CALL

OPEN COMMISSION WORKSHOP

- 1.** Discussion regarding Signs in the Cemetery – Grief Share from FBC
- 2.** RFP 25-01 Award Recommendation
- 3.** Ordinance 2025-07 FLU Map Amendment for School Board Property
- 4.** Ordinance 2025-08 Rezone for school zone property
- 5.** Ordinance 2025-12 FLU designation for 572 Stenstrom Rd
- 6.** Ordinance 2025-13 Rezone 572 Stenstrom Rd
- 7.** Wauchula EAR Affidavit
- 8.** 2025-2026 SRO Agreement
- 9.** EDA Grant for Heardbridge Rd Watermain Loop
- 10.** Surplus Vehicles
- 11.** Set the Date and Time for Trick-or-Treating

CITY ATTORNEY REPORTS

CITY MANAGER REPORT

CITY COMMISSIONER REPORTS

CLOSE COMMISSION WORKSHOP

OPEN CRA WORKSHOP

- 12.** CRA Master Redevelopment Plan

REMINDERS

ADJOURNMENT

126 S 7th AVENUE
WAUCHULA FL 33873



PHONE (863) 773-3535
FAX (863) 773-0773

August 29, 2025

City of Wauchula
City Commission
126 S. 7th Avenue
Wauchula, FL 33873

Dear City Commissioner:

The Commission recently approved RFP 25-01 for the Lease of a City-owned building at 723 Green Street. The RFP was subsequently advertised in the local paper and posted on the City website. The City received one proposal and it was opened on August 27, 2025 at 2:00pm.

A four-person selection/review committee was formed and met on August 29, 2025 to evaluate the proposal and score it according to the evaluation criteria in the RFP.

After evaluating and scoring the proposal, it is the recommendation of City staff that RFP 25-01 for the Lease of City-owned building at 723 Green Street be awarded to Achieve and Shine Learning Center and that a lease be executed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ward Grimes", is written over a horizontal line.

Ward Grimes
Director of Project Management & Procurement

Cumulative Rankings of Selection
Review Committee for RFP 25-01

Achieve & Shine
Learning Center

Ward Grimes

100

Sandee Braxton

85

Stephanie Camacho

100

Melodie Kincaid

90

TOTAL

375

ORDINANCE NO. 2025-07

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF WAUCHULA, FLORIDA, SPECIFICALLY CHANGING THE FUTURE LAND USE CLASSIFICATION FROM PUBLIC/SEMI-PUBLIC (PSP) TO COMMERCIAL ON APPROXIMATELY 2.27 ACRES LOCATED AT 1001 NORTH 6TH STREET, NORTH OF BELL STREET, (PARCEL NUMBERS 04-34-25-0350-0000A-0001 and 04-34-25-0000-06300-0000), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and mandates the City of Wauchula, Florida, (the "City") to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Commission held meetings and hearings on **Amendment 25-02SS**, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, in exercise of its authority the City Commission has determined it necessary to adopt this **Amendment 25-02SS** to the Comprehensive Plan, which map is marked as Exhibit "A" and is attached and made a part hereof, to ensure that the Plan is in full compliance with the Laws of the State of Florida; to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Wauchula; and

WHEREAS, in accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting on July 21, 2025, at which time interested parties and citizens had the opportunity to be heard and such amendments were recommended to the City Commission for adoption; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Commission held a meeting and hearing on this amendment, with due public notice having been provided, to obtain public comment, and considered all written

and oral comments received during public hearings, including support documents.

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

Section 1. AMENDMENT TO THE FUTURE LAND USE MAP. the Commission of the City of Wauchula, Florida, amends its Comprehensive Plan in the following specific manner:

The Future Land Use Map is amended to specifically change the Future Land Use Classification from Public/Semi-Public to Commercial on two parcels of land containing approximately +/-2.27 acres located at 1001 North 6th Avenue, north of Bell Street, (Parcel Numbers 04-34-25-0350-0000A-0001 and 04-34-25-0000-06300-0000) and shown on the Proposed Future Land Use Map attached as Exhibit "A".

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

Section 3. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 4. CONFLICTS. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

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

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Wauchula, the ____ day of ____, 2025.

PASSED on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this ____ day of ____, 2025.

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

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

(SEAL)

ATTEST:

APPROVED:

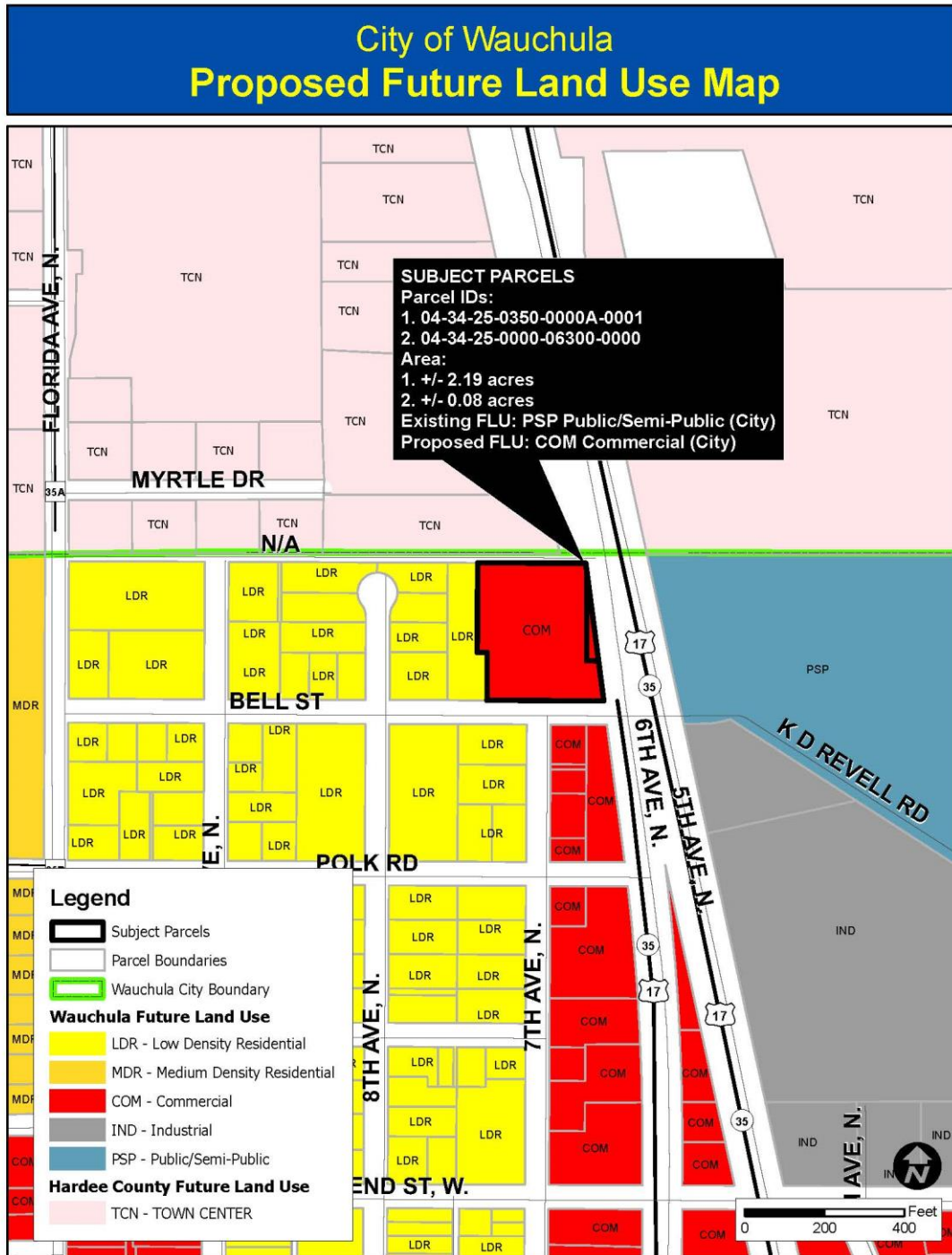
Stephanie Camacho, City Clerk

Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney

Exhibit "A"
Ordinance No. 2025-07
Future Land Use Map





**CITY OF WAUCHULA
FUTURE LAND USE AND ZONING AMENDMENT
STAFF REPORT & PROPOSED AMENDMENTS**

TO: City of Wauchula City Commission

PREPARED BY: Central Florida Regional Planning Council

AGENDA DATE: September 8, 2025

SUBJECT: FUTURE LAND USE MAP AMENDMENT:

An applicant-initiated request to amend the **Future Land Use classification** from Public/Semi-Public to Commercial on two parcels of land containing approximately +/-2.27 acres located at 1001 North 6th Avenue, north of Bell Street, (Parcel Numbers 04-34-25-0350-0000A-0001 and 04-34-25-0000-06300-0000).

REZONING:

An applicant-initiated request to amend the **Zoning Map** from Public/Semi-Public (P/SP) to C-2 Highway Commercial/ Light Manufacturing on two parcels of land containing approximately +/-2.27 acres located at 1001 North 6th Avenue north of Bell Street, (Parcel Numbers 04-34-25-0350-0000A-0001 and 04-34-25-0000-06300-0000).

AGENDA AND HEARING DATES:

August 18, 2025, 5:30 PM Planning and Zoning Board (Public Hearing)
September 8, 2025, 6:00 PM City Commission (First Reading)
 October 13, 2025, 6:00 PM City Commission (Second Reading, Public Hearing)

ATTACHMENTS:

- Aerial Photo Map
- Existing Future Land Use Map
- Proposed Future Land Use Map
- Existing Zoning Map
- Proposed Zoning Map
- Property Owner Notice letter (sent to surrounding property owners w/in 300 feet)
- Applications (Comprehensive Plan Map Amendment & Rezoning)

PLANNING AND ZONING BOARD MOTION

On September 18, 2025 the Planning and Zoning Board voted unanimously to forward the proposed Future Land Use Map Amendment and rezoning to the City Commission with recommendations of approval.

CITY COMMISSION MOTION OPTIONS (FIRST READING):

Future Land Use Map Amendment Motion Options:

1. *I move approval of Ordinance 2025-07 on First Reading.*
2. *I move approval of Ordinance 2025-07 on First Reading with changes.*
3. *I move continuation to a date and time certain.*

Rezoning Motion Options:

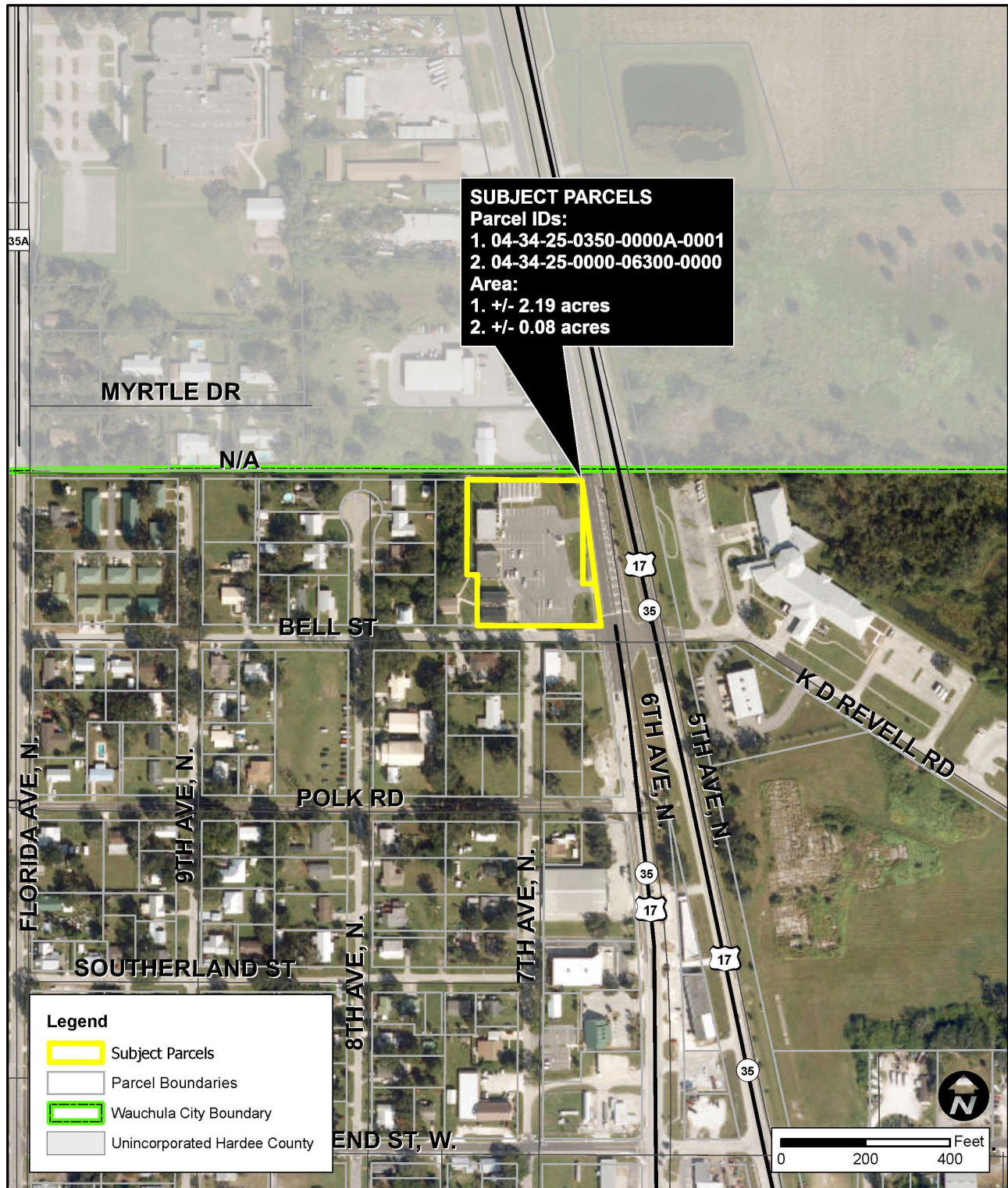
1. *I move approval of Ordinance 2025-08 on First Reading.*
2. *I move approval of Ordinance 2025-08 on First Reading with changes.*
3. *I move continuation to a date and time certain.*

OVERVIEW:

Applicant	Hardee County School Board
Property Owner (1)	Hardee County School Board
Parcel ID (1)	04-34-25-0350-0000A-0001
Property Owner (2)	The Stockyard Property Group, LLC
Parcel ID (2)	04-34-25-0000-06300-0000
Total Subject Area	+/-2.27 acres
Existing Future Land Use	Public/Semi-Public
Proposed Future Land Use	Commercial
Existing Zoning	Public/Semi-Public
Proposed Zoning	C-2, Highway Commercial/Light Manufacturing

The Hardee County School Board and the Stockyard Property Group, LLC (applicants) are requesting the amendment of a City of Wauchula Future Land Use and Zoning designation on two parcels totaling +/-2.27-acres. The request is to amend the Future Land Use designation from Public/Semi Public to Commercial and to amend the zoning from Public/Semi-Public to Highway Commercial/Light Manufacturing (C-2) ay Commercial/Light Manufacturing to both parcels. The reason for this request is that the School Board plans to sell Parcel 1 and designating both parcels with a commercial FLU and zoning will enhance their marketability to potential buyers. See aerial photo map below.

City of Wauchula Aerial Photo Map



FUTURE LAND USE REQUEST

The applicants are requesting a Future Land Use Map amendment from Public/Semi-Public to Commercial. Descriptions for both the existing and proposed Future Land Use categories are provided as follows.

EXISTING FUTURE LAND USE - Public/Semi-Public

City of Wauchula Comprehensive Plan, Future Land Use Element, Policy 1.6(h)

This category includes local government buildings, educational facilities, hospitals, and other public and semi-public properties which are accessible to all citizens, compatible adjacent land uses and the environment, and promote the efficient use of infrastructure. Compatible public land uses are permissible within all land use designations. The floor area ratio of public buildings shall not exceed 2.0.

PROPOSED FUTURE LAND USE - Commercial

City of Wauchula Comprehensive Plan, Future Land Use Element, Policy 1.6(e)

This category permits Single Family Residential, Low Density Residential, retail activity, wholesaling, light manufacturing and offices. The land development regulations shall ensure that these establishments are compatible with surrounding uses. The floor area ratio in the **Commercial** category shall not exceed 3.0.

ZONING REQUEST

The applicants are requesting a Zoning Map amendment from City Public/Semi-Public (P/SP) to C-2 Highway Commercial/Light Manufacturing. Descriptions for both the existing and proposed Zoning categories are provided as follows.

EXISTING ZONING

City of Wauchula Land Development Code, Section 2.02.02.13(B) - P/SP Public/Semi Public Buildings and Grounds

To identify local government buildings, educational facilities, hospitals, and other public and semi-public buildings and grounds, which are accessible to all citizens, compatible with adjacent land uses and the environment, and promote the efficient use of infrastructure. Properties which are publicly owned and open to recreational use by the public are included in this category. It encompasses sports facilities, and city, county, and state owned parks.

PROPOSED ZONING

City of Wauchula Land Development Code, Section 2.02.02.11(B) - C-2 Highway Commercial/Light Manufacturing

The purpose of this district is to provide areas for a variety of commercial and

light industrial uses that generate a high volume of traffic, have large parking needs or must be located on a highway, including retail commercial uses, light industrial uses, highway business uses, and other business establishments that are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare as well as low density single-family and multi-family residential uses interspersed with the commercial and light industrial uses.

PROPERTY INFORMATION

The request includes two parcels totaling approximately +/-2.27 acres. The property has a Future Land Use designation of Public/Semi-Public and a zoning designation of Public/Semi-Public (PSP). The Hardee County School Board is requesting the City assign a Future Land Use designation of Commercial and a zoning of C-2 Highway Commercial/Light Industrial on both parcels to aid in the eventual sale of the parcels.

ANALYSIS:

SURROUNDING PROPERTIES:

As illustrated in the table below, the property is surrounded by commercial, public, residential and agricultural uses. The property to the south is in Wauchula and the property to the north, northwest and northeast are in unincorporated Hardee County.

<u>Northwest:</u> FLU: County TCN Zoning: County C-2 Use: Commercial	<u>North:</u> FLU: County TCN Zoning: County C-2 Use: Commercial	<u>Northeast:</u> FLU: County TCN Zoning: County A-1 Use: Agriculture
<u>West:</u> FLU Low Density Residential Zoning: R-2 Use: Residential	<u>Subject Properties:</u> Current FLU: PSP Requested FLU: Commercial Current Zoning: PSP Requested Zoning: C-2 Use: School Board Uses and Vacant	<u>East:</u> FLU: PSP Zoning: PSP Use: Public Buildings
<u>Southwest:</u> FLU: Low Density Residential Zoning: R-2 Use: Residential	<u>South:</u> FLU: Low Density Residential and Commercial Zoning: R-2 and C-2 Use: Residential and Commercial	<u>Southeast:</u> FLU: Industrial Zoning: Industrial Use: Vacant and Commercial

LAND USE IMPACTS ANALYSIS:

The proposed Future Land Use, is compatible with the Comprehensive Plan conditions and is compatible with the surrounding area based on the Future Land Uses assigned to nearby properties in the City limits along 6th Street (US Highway 17).

The table below shows the density/intensity for the amendment to the Zoning Map request for the property.

	Existing Zoning: City P/SP	Proposed Zoning: C-2 Highway Commercial
Density/Intensity	1.0 FAR	C-2: 3.0 FAR
Density Potential	1.0 FAR	0.75 DU/Ac

The proposed Future Land Use is compatible with the surrounding area based on the Future Land Uses assigned to nearby properties in the City limits. The proposed zoning is compatible with the companion Future Land Use request. More information is available in the Land Use Analysis located below.

PUBLIC FACILITIES AND SERVICES ANALYSIS:

Potable Water and Wastewater

The City has capacity in both systems to serve development of this property. The applicant will be responsible for connections to the City's systems.

Traffic/Transportation

The site is bordered by North 6th Avenue (US Highway 17) on the west and Bell Street on the south. US Highway 17 is a state-maintained road. Currently, there are two driveways onto US Highway 17, if additional driveways are desired in the future, the applicant will need to contact the Florida Department of Transportation.

Environmental Impacts

According to the FEMA FIRM maps no portion of the site is located in a FEMA Flood Zone.

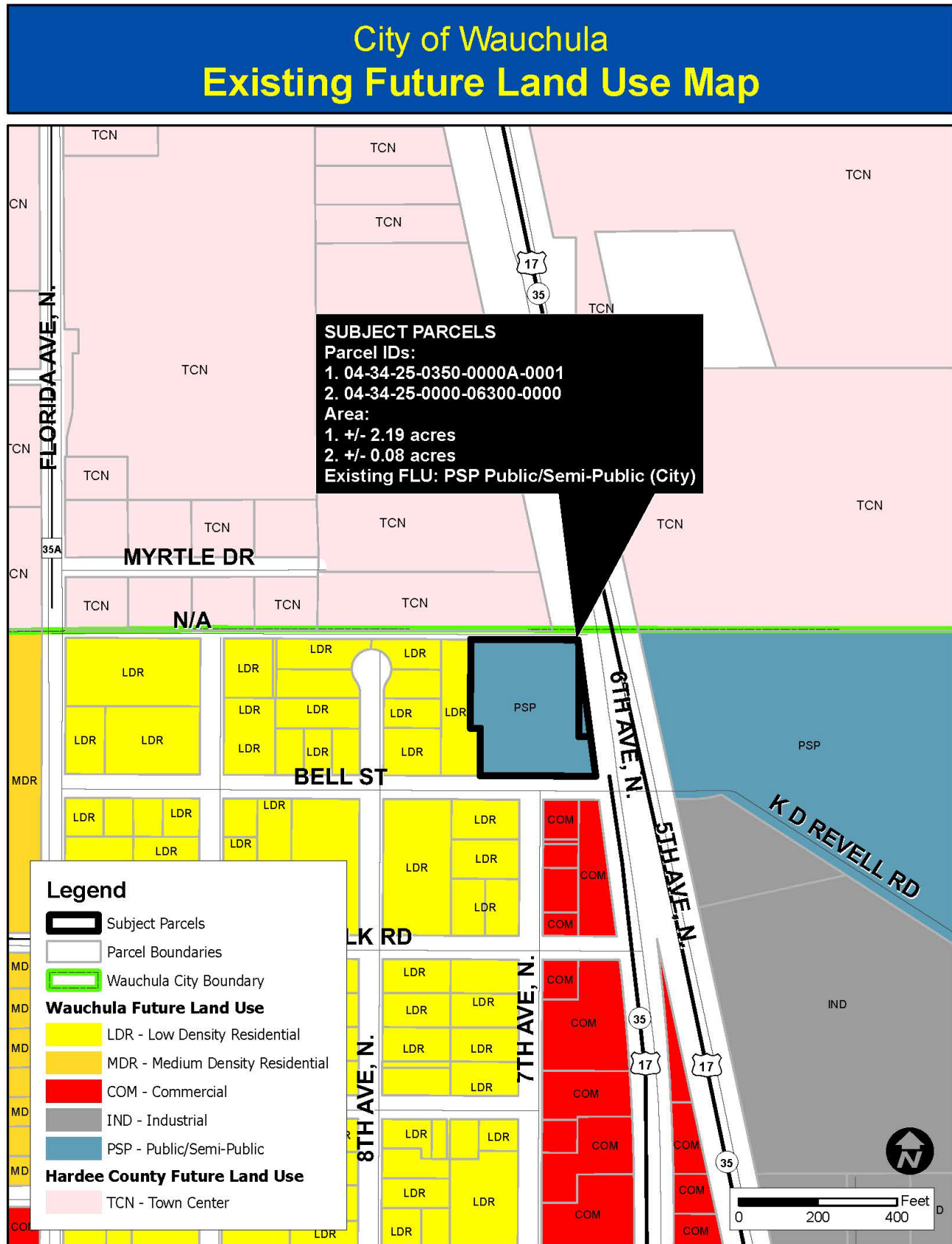
School Impacts

The requested Future Land Use and Zoning does permit the development of residential developments. If residential development is proposed in the future then coordination with Hardee County Schools will be required to determine the proposed impacts to schools.

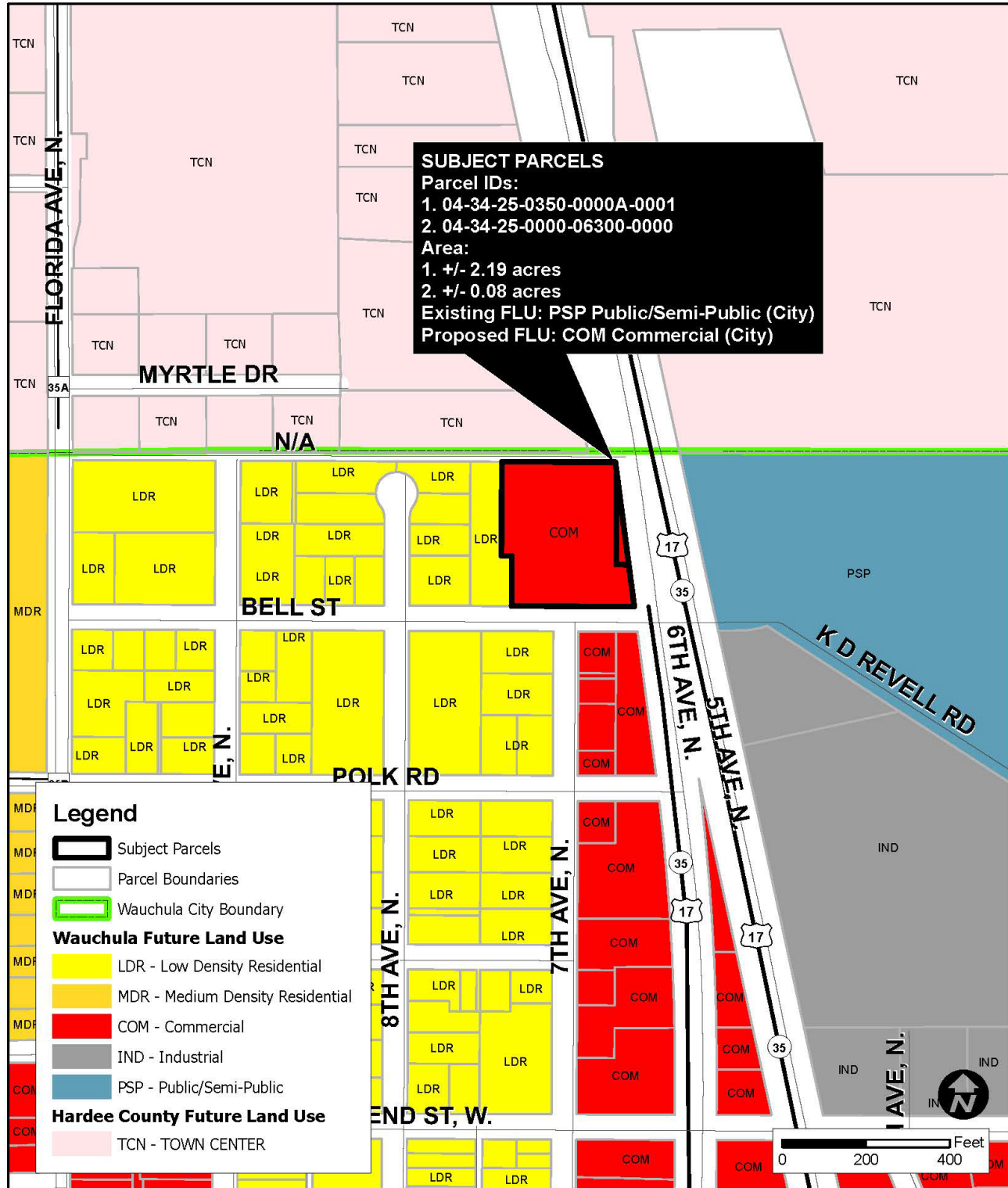
CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The Future Land Use Map amendment is **consistent** with the City of Wauchula Comprehensive Plan. The change in Future Land Use for the property will permit the property owner to utilize the parcels for commercial or, potentially, residential purposes.

The Zoning amendment is **consistent** with the proposed Future Land Use Map amendment.

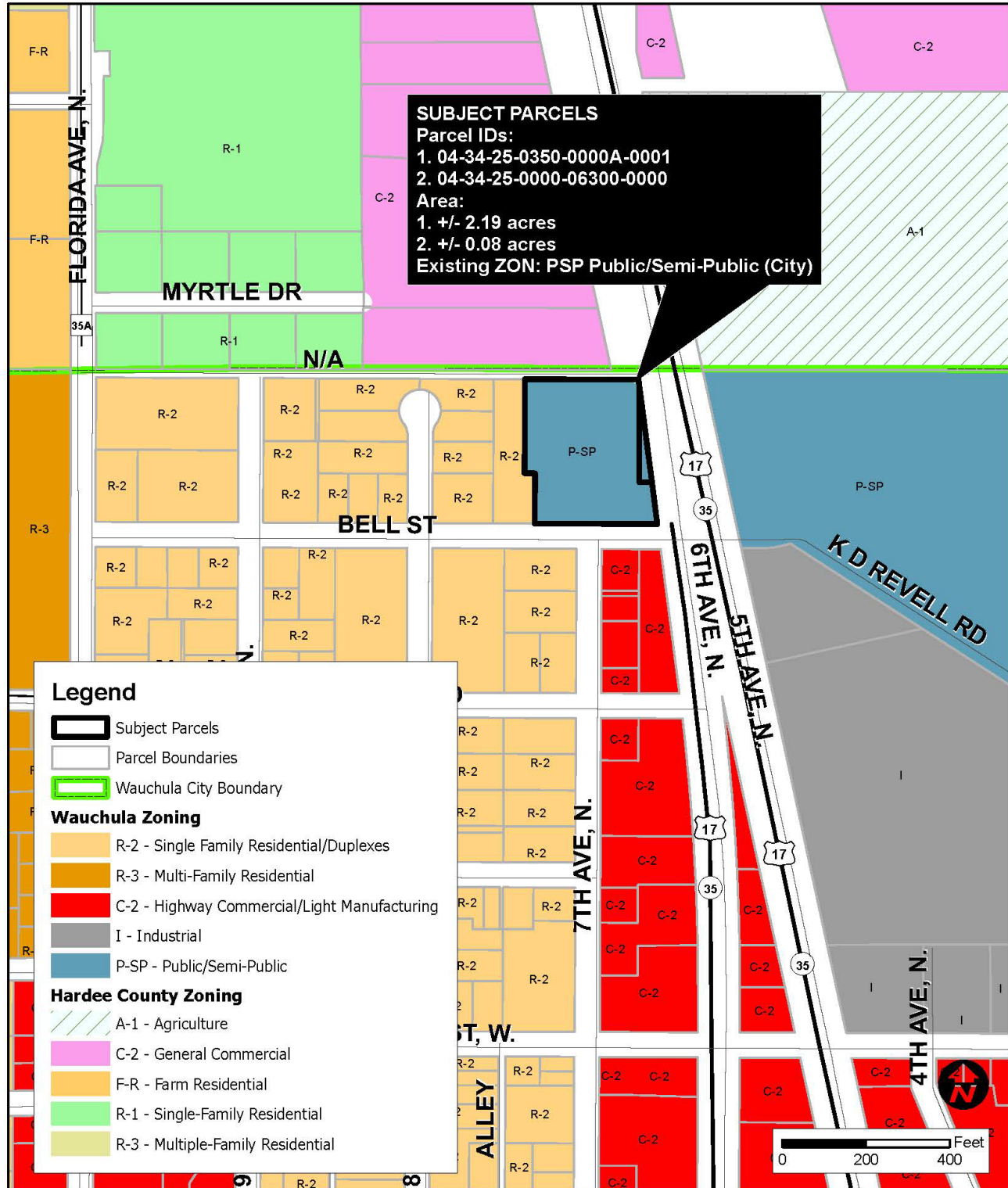


City of Wauchula Proposed Future Land Use Map

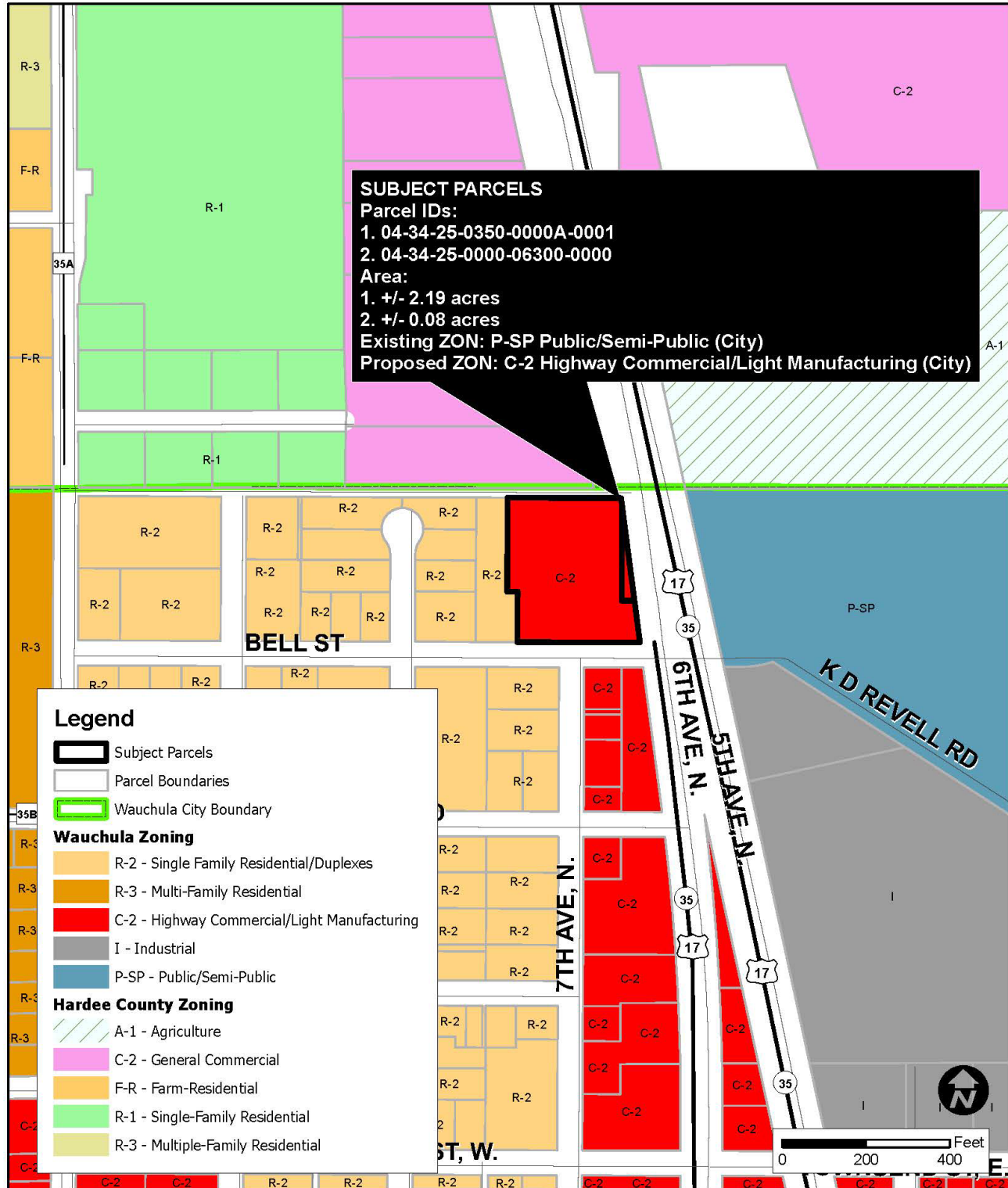


Document Path: D:\Projects\Hardee\Wauchula\Maps\2025\1001NS\HardeeSchoolBoard\1001NS\HardeeSchoolBoard.aprx

City of Wauchula Existing Zoning Map



City of Wauchula Proposed Zoning Map



School Board Property Application

FILL OUT COMPLETELY

Date Submitted _____

CITY OF WAUCHULA

☐ SPECIAL EXCEPTION ☐ VARIANCE ☐ ANNEXATION
☒ RE-ZONE ☒ FUTURE LAND USE AMENDMENT
☐ SUBDIVISION PLAT ☐ ALLEY CLOSURE

A SITE PLAN, TO SCALE, IS NEEDED FOR ALL REQUESTS.
 A METES AND BOUNDS SURVEY IS NEEDED FOR AN ANNEXATION.
 IF YOU LIVE IN A DEED RESTRICTED COMMUNITY, YOU MUST
 PROVIDE A COPY OF THE DEED RESTRICTIONS.

Applicant: School Board of Hardee CountyAddress of request: 1001 N. 6th AvenueMailing address: P.O. Drawer 1678Daytime Telephone: 863-773-9058
 Owner's Name & Address (as shown on property records):
☐ Check, if same as above.

If different: Name: _____

Mailing Address: _____

Daytime Telephone: _____

NOTE : IF THE APPLICANT IS NOT THE OWNER OF THE ABOVE PROPERTY,
 WRITTEN CONSENT BY THE OWNER MUST BE SUPPLIED BY THE
 APPLICANT AT THE TIME OF SUBMITTAL TO THE CITY'S PLANNING
 AND ZONING DEPARTMENT. ALL REQUESTS MAY ONLY BE
INITIATED BY THE CURRENT PROPERTY OWNER.

Legal description: See attached property cardCurrent Zoning P-SP Future Land Use C2Size of Parcel: 2.165 acreage

Current Improvements: (Buildings, etc. on property) _____

Reason for request: sale of property

If Annexation and/or Re-Zone:

Current County Zoning Classification _____

City Zoning Classification and Future Land Use classification sought: _____

C 2What property usage is to the North: commercial, South: C-2-,East: P-SP - Health Dept. and West: R2 - single family of your property (example: residence)?Number of residences on parcel(s) (Existing and/or proposed): NA

Population of parcel(s): _____

*****FOR SPECIAL EXCEPTION REQUESTS ONLY*****

Square footage to be used for the activity: _____

Proposed Hours: _____

Associated Noise: _____

Materials stored on premises: _____

Traffic caused by activity: _____

Number of off-street parking spaces: _____

Have you filed any previous applications? NO

If yes, please describe request and give date of application: _____

I have read and understand the requirements of the application and agree to pay all costs of the process.
The typical total cost is between \$150.00 and \$300.00.

Signature(s): Sony M. Bennett Date: 4/11/2025

Print Name(s): SONJA M. BENNETT

Signature of applicant(s): _____ Date: _____

Print Name(s): _____

FOR OFFICE USE ONLY

___ Application	_____	
___ Ad	_____	
___ Copies	_____	(.15 ea single sided)
		(.20 ea double sided)
___ Postage	_____	
		Total Due _____

Stockyard Property Application

FILL OUT COMPLETELY

Date Submitted

5/28/25

CITY OF WAUCHULA

☐ SPECIAL EXCEPTION ☐ VARIANCE ☐ ANNEXATION
☒ RE-ZONE ☒ FUTURE LAND USE AMENDMENT
☐ SUBDIVISION PLAT ☐ ALLEY CLOSURE

A SITE PLAN, TO SCALE, IS NEEDED FOR ALL REQUESTS.
A METES AND BOUNDS SURVEY IS NEEDED FOR AN ANNEXATION.
IF YOU LIVE IN A DEED RESTRICTED COMMUNITY, YOU MUST
PROVIDE A COPY OF THE DEED RESTRICTIONS.

Applicant:

The Stockyard Property Group, LLC

Address of request:

0 N 6th Ave

Mailing address:

P.O. Box 1420 Wauchula, FL 33873

Daytime Telephone:

813-335-7057

Owner's Name & Address (as shown on property records):

☒ Check, if same as above.

If different: Name:

Mailing Address:

Daytime Telephone:

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AND ZONING DEPARTMENT. ALL REQUESTS MAY ONLY BE
INITIATED BY THE CURRENT PROPERTY OWNER.

Legal description:

See attached property card

Current Zoning

P-5p

Future Land Use

P-SP

Size of Parcel:

1,650 sq ft. (.037) ac.

Current Improvements: (Buildings, etc. on property)

Drive way

Reason for request:

To Make Consistent with surrounding Property Changes

If Annexation and/or Re-Zone:

Current County Zoning Classification NA

City Zoning Classification and Future Land Use classification sought: C-2/Commercial

What property usage is to the North: Office, South: Office,

East: Office and West: Office of your property (example: residence)?

Number of residences on parcel(s) (Existing and/or proposed): 2

Population of parcel(s): 2

*****FOR SPECIAL EXCEPTION REQUESTS ONLY*****

Square footage to be used for the activity: _____

Proposed Hours: _____

Associated Noise: _____

Materials stored on premises: _____

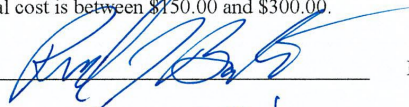
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The typical total cost is between \$150.00 and \$300.00.

Signature(s):  Date: 5-28-25

Print Name(s): Rick J. Batema

Signature of applicant(s): _____ Date: _____

Print Name(s): _____

FOR OFFICE USE ONLY

___ Application _____

___ Ad _____

___ Copies _____ (.15 ea single sided)
(.20 ea double sided)

___ Postage _____

Total Due _____

BEG AT SE COR BLK A PACKERS ADDN THE STOCKYARD PROPERTY GROUP LLC
R/W LINE OF RD 17 THEN N ALONG S 2907 FRITZKE RD
A PT OF INTERSECTION WITH E LINE DOVER, FL 33527

2024

04-34-25-0000-06300-0000

[illegible]

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PASSED on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this ____ day of ____, 2025.

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

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

(SEAL)

ATTEST:

APPROVED:

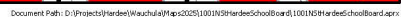
Stephanie Camacho, City Clerk

Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney

City of Wauchula Proposed Future Land Use Map



ORDINANCE NO. 2025-08

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE ZONING MAP OF THE CITY OF WAUCHULA, FLORIDA, SPECIFICALLY CHANGING THE ZONING MAP FROM PUBLIC/SEMI-PUBLIC (PSP) TO C-2 HIGHWAY COMMERCIAL/LIGHT MANUFACTURING ON APPROXIMATELY 2.27 ACRES LOCATED AT 1001 NORTH 6TH STREET, NORTH OF BELL STREET, (PARCEL NUMBERS 04-34-25-0350-0000A-0001 and 04-34-25-0000-06300-0000), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Hardee County Board of County Commissioners (the "Applicant") requests a change of zoning from Public/Semi-Public (P/SP) to C-2 Highway Commercial/Light Manufacturing on two parcels of land containing approximately +/-2.27 acres located at 1001 North 6th Avenue north of Bell Street, (Parcel Numbers 04-34-25-0350-0000A-0001 and 04-34-25-0000-06300-0000) and

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

WHEREAS, on July 21, 2025, in accordance with Section 163.3174, Florida Statutes, and applicable law, the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting considered the Applicant's request for rezoning as set forth in this Ordinance which included, but is not limited to, testimony and argument(s) from interested and/or aggrieved parties; and

WHEREAS, on July 21, 2025, the interested and/or aggrieved parties and citizens in attendance were provided with an opportunity to be heard and present testimony to the City's Planning and Zoning Board; and

WHEREAS, on July 21, 2025, after considering all the facts and testimony presented by the City, interested and/or aggrieved parties, and citizens in attendance, the City's Planning and Zoning Board voted to recommend approval of the Applicant's request for the rezoning as set forth in this Ordinance to the City Commission; and

WHEREAS, as a result of this Ordinance being initiated by the Applicant (not the municipality), the City Commission of the City of Wauchula held duly noticed public hearings regarding the parcel shown on Exhibit "A" in accordance with Section 166.041 (3), Florida Statutes, to provide the public an opportunity to be heard, obtain public comment, and receive and consider all written and oral testimony presented during such public hearings, including supporting documentation; and

WHEREAS, the City Commission of the City of Wauchula has adopted Ordinance 2025-07, a Future Land Use Map Amendment to the City's Comprehensive Plan, designating the subject parcel depicted in Exhibit "A," attached hereto and incorporated herein, with a Future Land Use designation of "Commercial;" and

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

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

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

The Official Zoning Map is amended to specifically change the zoning from Public/Semi-Public (P/SP) to C-2 Highway Commercial/ Light Manufacturing on two parcels of land containing approximately +/-2.27 acres located at 1001 North 6th Avenue north of Bell Street, (Parcel Numbers 04-34-25-0350-0000A-0001 and 04-34-25-0000-06300-0000).

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

Section 3. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 4. CONFLICTS. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

Section 5. EFFECTIVE DATE. The ordinance shall take effect concurrent with the effective date of Ordinance 2025-07.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Wauchula, the ____ day of ____, 2025.

PASSED on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this ____ day of ____, 2025.

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

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

(SEAL)

ATTEST:

APPROVED:

Stephanie Camacho, City Clerk

Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney

ORDINANCE NO. 2025-08

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE ZONING MAP OF THE CITY OF WAUCHULA, FLORIDA, SPECIFICALLY CHANGING THE ZONING MAP FROM PUBLIC/SEMI-PUBLIC (PSP) TO C-2 HIGHWAY COMMERCIAL/LIGHT MANUFACTURING ON APPROXIMATELY 2.27 ACRES LOCATED AT 1001 NORTH 6TH STREET, NORTH OF BELL STREET, (PARCEL NUMBERS 04-34-25-0350-0000A-0001 and 04-34-25-0000-06300-0000), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, on July 21, 2025, in accordance with Section 163.3174, Florida Statutes, and applicable law, the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting considered the Applicant's request for rezoning as set forth in this Ordinance which included, but is not limited to, testimony and argument(s) from interested and/or aggrieved parties; and

WHEREAS, on July 21, 2025, the interested and/or aggrieved parties and citizens in attendance were provided with an opportunity to be heard and present testimony to the City's Planning and Zoning Board; and

WHEREAS, on July 21, 2025, after considering all the facts and testimony presented by the City, interested and/or aggrieved parties, and citizens in attendance, the City's Planning and Zoning Board voted to recommend approval of the Applicant's request for the rezoning as set forth in this Ordinance to the City Commission; and

WHEREAS, as a result of this Ordinance being initiated by the Applicant (not the municipality), the City Commission of the City of Wauchula held duly noticed public hearings regarding the parcel shown on Exhibit "A" in accordance with Section 166.041 (3), Florida Statutes, to provide the public an opportunity to be heard, obtain public comment, and receive and consider all written and oral testimony presented during such public hearings, including supporting documentation; and

WHEREAS, the City Council of the City of Wauchula has adopted Ordinance 2025-07, a Future Land Use Map Amendment to the City's Comprehensive Plan, designating the subject parcel depicted in Exhibit "A," attached hereto and incorporated herein, with a Future Land Use designation of "Commercial;" and

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

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

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

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

Section 3. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 4. CONFLICTS. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

Section 5. EFFECTIVE DATE. The ordinance shall take effect concurrent with the effective date of Ordinance 2025-07.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Wauchula, the ____ day of ____, 2025.

PASSED on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this ____ day of ____, 2025.

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

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

(SEAL)

ATTEST:

APPROVED:

Stephanie Camacho, City Clerk

Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney

ORDINANCE NO. 2025-12

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF WAUCHULA, FLORIDA, SPECIFICALLY CHANGING THE FUTURE LAND USE CLASSIFICATION FROM COUNTY TOWN CENTER TO CITY LOW DENSITY RESIDENTIAL (LDR) ON ONE PARCEL OF LAND CONTAINING APPROXIMATELY +/-0.28 ACRES LOCATED AT 572 STENSTROM ROAD, (PARCEL NUMBER 09-34-25-0830-00003-0024), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and mandates the City of Wauchula, Florida, (the "City") to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Commission held meetings and hearings on **Amendment 25-03SS**, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, in exercise of its authority the City Commission has determined it necessary to adopt this **Amendment 25-03SS** to the Comprehensive Plan, which map is marked as Exhibit "A" and is attached and made a part hereof, to ensure that the Plan is in full compliance with the Laws of the State of Florida; to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Wauchula; and

WHEREAS, in accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting on July 21, 2025, at which time interested parties and citizens had the opportunity to be heard and such amendments were recommended to the City Commission for adoption; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Commission held a meeting and hearing on this amendment, with due public

notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents.

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

Section 1. AMENDMENT TO THE FUTURE LAND USE MAP. the Commission of the City of Wauchula, Florida, amends its Comprehensive Plan in the following specific manner: The Future Land Use Map is amended to specifically change the Future Land Use Classification from County Town Center to City Low Density Residential (LDR) on one parcel of land containing approximately +/-0.28 acres located at 572 Stenstrom Road, (Parcel Number 09-34-25-0830-00003-0024). and shown on the Proposed Future Land Use Map attached as Exhibit "A".

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

Section 3. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 4. CONFLICTS. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

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

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Wauchula, the ____ day of ____, 2025.

PASSED on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this ____ day of ____, 2025.

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

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

(SEAL)

ATTEST:

APPROVED:

Stephanie Camacho, City Clerk

Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney

City of Wauchula
PROPOSED FUTURE LAND USE MAP

SUBJECT PARCEL
Parcel ID#: 09-34-25-0830-00003-0024
Area: +/-0.28 acres
Existing Future Land Use: County Town Center
Proposed Future Land Use: City LDR

Legend

- Subject Parcel
- Parcel boundaries
- Wauchula City Boundary

Wauchula Future Land Use

- LDR - Low Density Residential
- MDR - Medium Density Residential
- COM - Commercial

Hardee County Future Land Use

- TOWN CENTER



**CITY OF WAUCHULA
FUTURE LAND USE AND ZONING AMENDMENT
STAFF REPORT & PROPOSED AMENDMENTS**

TO: City of Wauchula City Commission

PREPARED BY: Central Florida Regional Planning Council

AGENDA DATE: September 8, 2025

SUBJECT:

ORDINANCE 2025-12: FUTURE LAND USE MAP AMENDMENT:

An applicant-initiated request to amend the **Future Land Use classification** from County Town Center to City Low Density Residential (LDR) on one parcel of land containing approximately +/-0.28 acres located at 572 Stenstrom Road, (Parcel Number 09-34-25-0830-00003-0024).

ORDINANCE 2025-13: REZONING:

An applicant-initiated request to amend the **Zoning Map** from County Farm Residential (FR) to City R-2, Single Family Residential/Duplexes on one parcel of land containing approximately +/-0.28 acres located at 572 Stenstrom Road, (Parcel Number 09-34-25-0830-00003-0024).

AGENDA AND HEARING DATES:

August 18, 2025, 5:30 PM	Planning and Zoning Board (Public Hearing)
September 8, 6:00 PM City	City Commission (First Reading)
October 13, 2025, 6:00 PM	City Commission (Second Reading, Public Hearing)

ATTACHMENTS:

- Aerial Photo Map
- Existing Future Land Use Map
- Proposed Future Land Use Map
- Existing Zoning Map
- Proposed Zoning Map
- Applications (Comprehensive Plan Map Amendment & Rezoning)

PLANNING AND ZONING BOARD MOTION

On September 18, 2025, the Planning and Zoning Board voted unanimously to forward the proposed Future Land Use Map Amendment and rezoning to the City Commission with recommendations of approval.

CITY COMMISSION MOTION OPTIONS (FIRST READING):

Future Land Use Map Amendment Motion Options:

1. I move the City Commission approve Ordinance 2025-12 on First Reading.
2. I move the City Commission approve Ordinance 2025-12 on First Reading with changes.
3. I move continuation to a date and time certain.

Rezoning Motion Options:

1. I move the City Commission approve Ordinance 2025-13 on First Reading.
2. I move the City Commission approve Ordinance 2025-13 on First Reading with changes.
3. I move continuation to a date and time certain.

OVERVIEW:

Applicant/ Owner	Randy Mayer
Parcel ID	09-34-25-0830-00003-0024
Total Subject Area	+/-0.28 acres
Existing Future Land Use	County Town Center
Proposed Future Land Use	City Low Density Residential
Existing Zoning	County Farm Residential (FR)
Proposed Zoning	R-2, Single-Family Residential/Duplexes

Randy Mayer (applicant and owner) is requesting the assignment of City of Wauchula Future Land Use and Zoning designations on one parcel of land totaling +/-0.28-acres. The request is to assign a Future Land Use designation of City Low Density Residential and a Zoning District of R-2, Single-Family Residential/Duplexes. The reason for this request is to assign a City Future Land Use and zoning after annexation. See aerial photo map below.

City of Wauchula AERIAL PHOTO MAP



FUTURE LAND USE REQUEST

The applicant is requesting a Future Land Use Map amendment from County Town Center to Low Density Residential. Descriptions for both the existing and proposed Future Land Use categories are provided as follows.

EXISTING FUTURE LAND USE – Hardee County Town Center Future Land Use Element, Policy L1.2

The **Town Center** category accommodates a mix of higher densities and intensities of land uses appropriate to some areas of unincorporated Hardee County. The widest range and highest densities and intensities of land uses are intended. Residential, commercial, industrial, recreational, public, and other uses are intended to be developed in close proximity to maintain or reduce distance between residences, employment areas, commercial areas and entertainment areas.

PROPOSED FUTURE LAND USE – Low Density Residential City of Wauchula Comprehensive Plan, Future Land Use Element, Policy 1.6(c)

This category permits higher density residential uses consistent with duplexes and related neighborhood or public uses, with a maximum density of eight units per acre

ZONING REQUEST

The applicant is requesting a Zoning Map amendment from County Farm Residential (FR) to City R-2, Single Family Residential/Duplexes. Descriptions for both the existing and proposed Zoning categories are provided as follows.

EXISTING ZONING

Hardee County Land Development Code, Section 3.04.04 - Farm Residential District

The primary purpose of this zoning district is to provide areas in Hardee County for very low-density residential development in combination with limited agriculture, public and community services, infra-structure, and recreation and open space land uses. In accordance with the Hardee County Comprehensive Plan, residential development may be single-family dwellings, at a permitted density of not more than one dwelling unit per acre. Development within this zoning district must be accessed by County-maintained roadways. Development within this zoning district shall be no further than two miles from existing high-density land uses and/or incorporated boundaries.

PROPOSED ZONING**City of Wauchula Land Development Code, Section 2.02.02.05 (B) - R-2, Single-Family Residential/Duplexes**

The purpose of this district is to provide the opportunity for conventional single-family development and duplexes in appropriate areas of the City, compatible with existing development and in conformance with the provisions of the Comprehensive Plan.

PROPERTY INFORMATION

The request includes one parcel totaling approximately +/-0.28 acres. The property has a Future Land Use designation of County Town Center. The applicant is requesting the City assign a Future Land Use designation of City Low Density Residential (LDR) and a zoning of R-2, Single-Family Residential/Duplexes on the parcel because it was recently annexed and must have City Future Land Use and zoning designations assigned to it.

ANALYSIS:**SURROUNDING PROPERTIES:**

As illustrated in the table below, the property is surrounded by Hardee County Town Center, City Commercial, and City Low Density Residential. The property to the north and south are in unincorporated Hardee County and the land to the west, and east are in the City of Wauchula. See attached maps.

<u>Northwest:</u> FLU: County TCN Zoning: County F-R Use: Vacant	<u>North:</u> FLU: County TCN Zoning: County F-R Use: Vacant	<u>Northeast:</u> FLU: City Commercial Zoning: City C-1 Use: Vacant
<u>West:</u> FLU Low Density Residential Zoning: R-2 Use: Vacant	<u>Subject Properties:</u> Current FLU: County TCN Requested FLU: Low Density Residential Current Zoning: County F-R Requested Zoning: R-2 Use: Residential	<u>East:</u> FLU: LDR Zoning: R-2 Use: Vacant
<u>Southwest:</u> FLU: County TCN Zoning: County F-R Use: Vacant	<u>South:</u> FLU: County TCN Zoning: County F-R Use: Vacant	<u>Southeast:</u> FLU: County TCN Zoning: County F-R Use: Vacant

LAND USE IMPACTS ANALYSIS:

The proposed Future Land Use is compatible with the Comprehensive Plan conditions and is compatible with the surrounding area based on the Future Land Uses assigned to nearby properties in the City limits along Stenstrom Road.

The table below shows the density for the amendment to the Zoning Map request for the property.

	Existing Zoning: County Farm Residential	Proposed Zoning: R-2, Single-Family Residential/Duplexes
Density	2 DU/Acre	8 DU/Acre

The proposed Future Land Use is compatible with the surrounding area based on the Future Land Uses assigned to nearby properties in the City limits. The proposed zoning is compatible with the companion Future Land Use request. More information is available in the Land Use Analysis located below.

PUBLIC FACILITIES AND SERVICES ANALYSIS:

Potable Water and Wastewater

The City has capacity in both systems to serve development of this property. The applicant will be responsible for connections to the City's systems.

Traffic/Transportation

The site is bordered by Stenstrom Road on the south. Access to the site will be via an existing driveway onto Stenstrom Road.

Environmental Impacts

According to the FEMA FIRM maps no portion of the site is located in a FEMA Flood Zone.

School Impacts

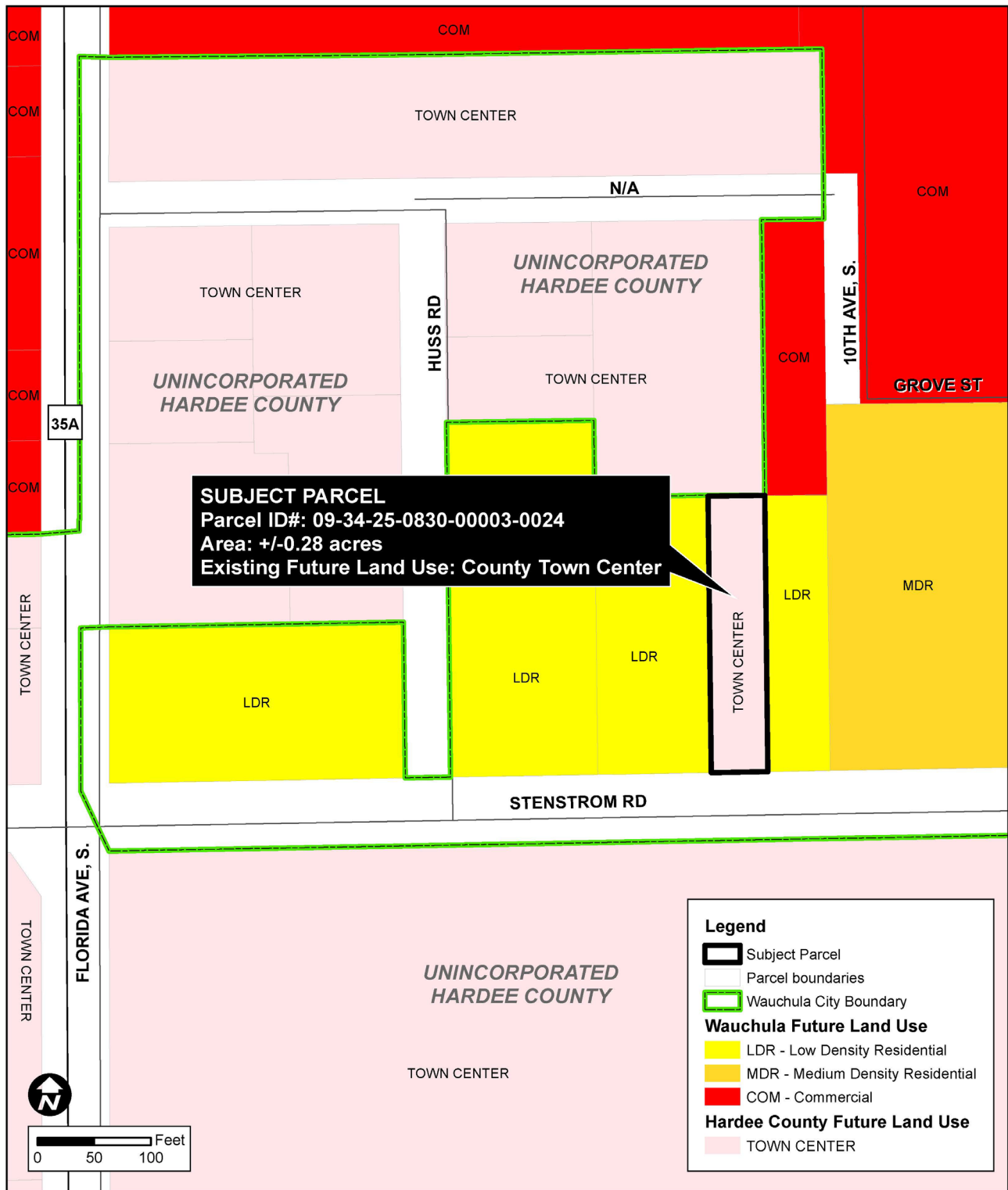
The requested Future Land Use and Zoning does permit the development of residential developments, but due to the size of the parcel, no more than 1 unit. One unit will have a de minimis effect on the surrounding schools.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

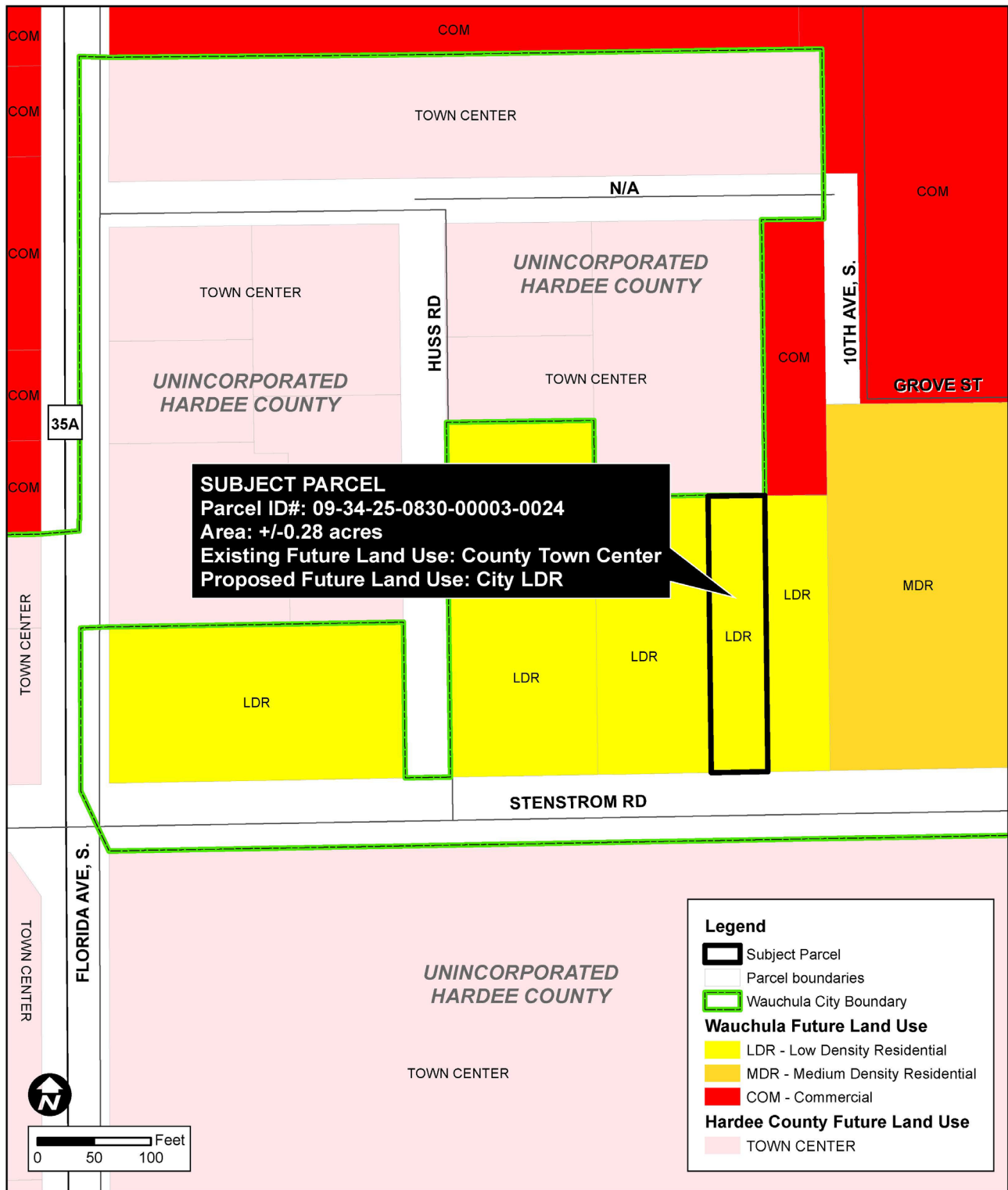
The Future Land Use Map amendment is **consistent** with the City of Wauchula Comprehensive Plan. The change in Future Land Use for the property will permit the property owner to utilize the parcels for commercial or, potentially, residential purposes.

The Zoning amendment is **consistent** with the proposed Future Land Use Map amendment.

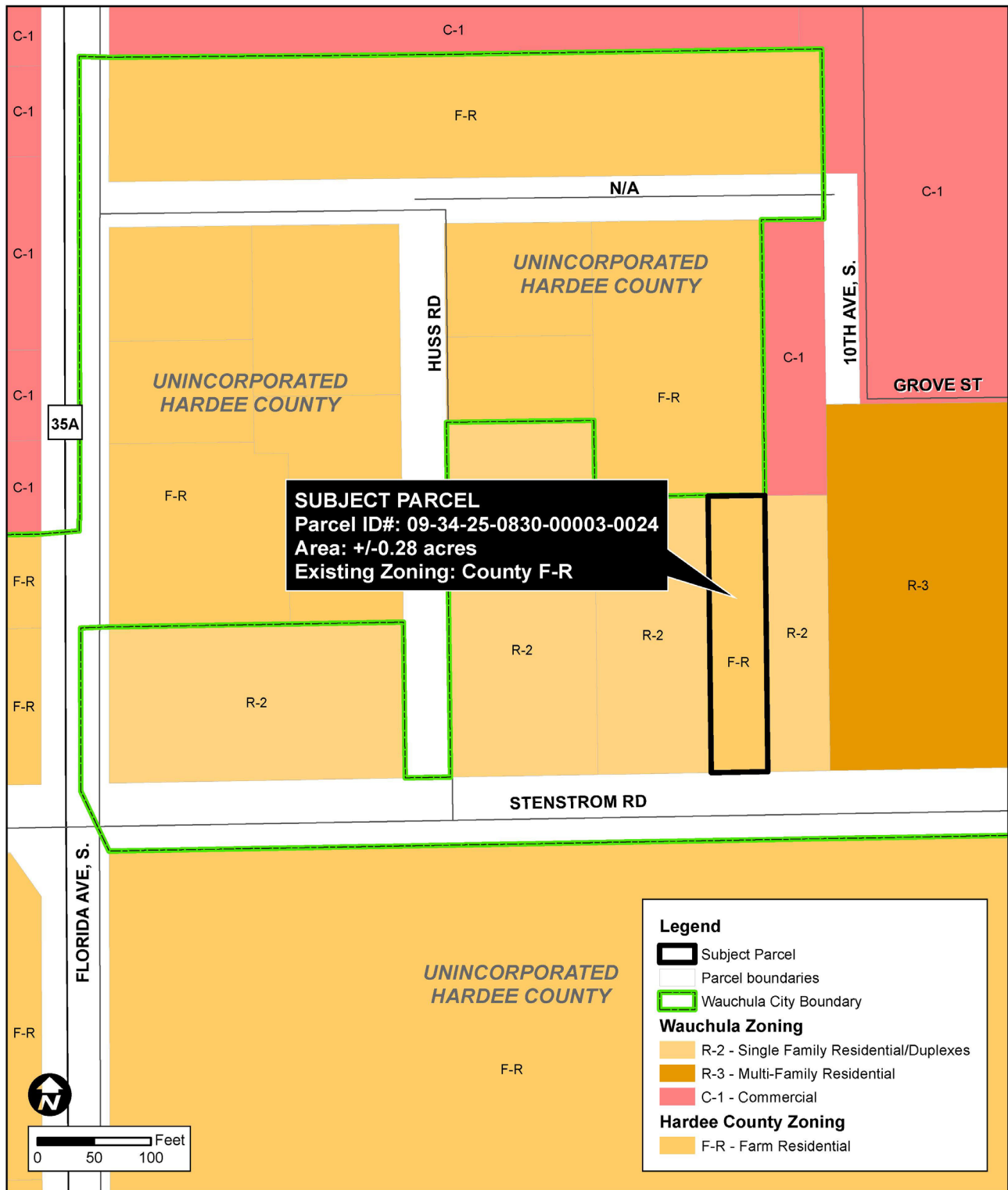
City of Wauchula EXISTING FUTURE LAND USE MAP



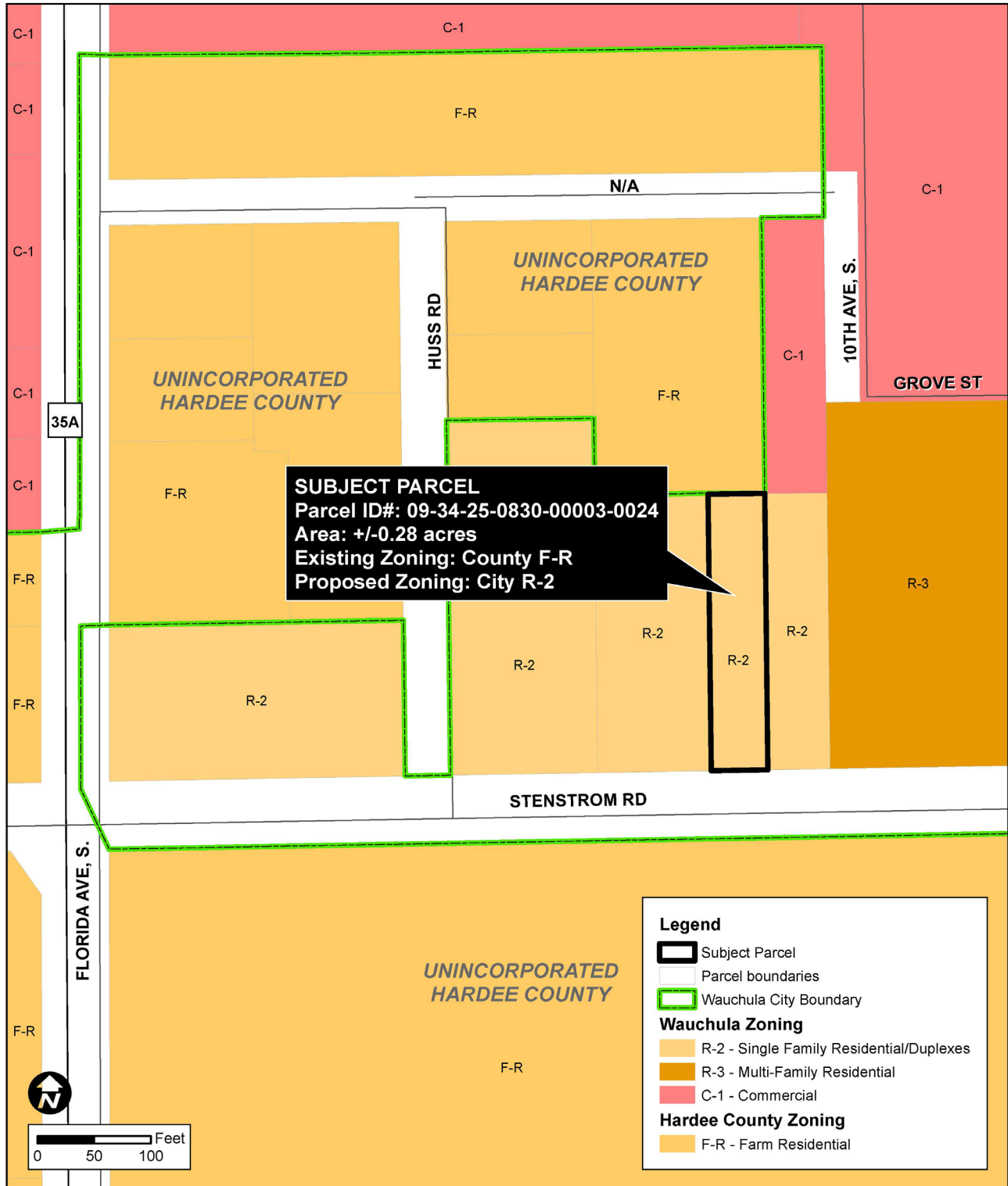
City of Wauchula PROPOSED FUTURE LAND USE MAP



City of Wauchula EXISTING ZONING MAP



City of Wauchula PROPOSED ZONING MAP



Application

FILL OUT COMPLETELY

Date Submitted

6/11/25

CITY OF WAUCHULA

☐ SPECIAL EXCEPTION ☐ VARIANCE ☒ ANNEXATION
☐ RE-ZONE ☒ FUTURE LAND USE AMENDMENT
☐ SUBDIVISION PLAT ☐ ALLEY CLOSURE

A SITE PLAN, TO SCALE, IS NEEDED FOR ALL REQUESTS.
A METES AND BOUNDS SURVEY IS NEEDED FOR AN ANNEXATION.
IF YOU LIVE IN A DEED RESTRICTED COMMUNITY, YOU MUST
PROVIDE A COPY OF THE DEED RESTRICTIONS.

Applicant:

Randy Mayer

Address of request:

572 Stenstrom rd

Mailing address:

572 Stenstrom rd

Daytime Telephone:

941-932-5861

Owner's Name & Address (as shown on property records):

☒ Check, if same as above.

If different: Name:

Mailing Address:

Daytime Telephone:

NOTE :

IF THE APPLICANT IS NOT THE OWNER OF THE ABOVE PROPERTY,
WRITTEN CONSENT BY THE OWNER MUST BE SUPPLIED BY THE
APPLICANT AT THE TIME OF SUBMITTAL TO THE CITY'S PLANNING
AND ZONING DEPARTMENT. ALL REQUESTS MAY ONLY BE
INITIATED BY THE CURRENT PROPERTY OWNER.

Legal description: See attached property card

Current Zoning

F-R

Future Land Use

Town Center

Size of Parcel:

.28 AC

Current Improvements: (Buildings, etc. on property)

Put up Pole Barn

Reason for request:

Put up 24X36 Pole Barn

If Annexation and/or Re-Zone:

Current County Zoning Classification F-R

City Zoning Classification and Future Land Use classification sought: R-2, Low Density Res

What property usage is to the North: vacant, South: pasture,
East: Multi-Fam and West: vacant of your property (example: residence)?

Number of residences on parcel(s) (Existing and/or proposed): 1

Population of parcel(s): 1

*******FOR SPECIAL EXCEPTION REQUESTS ONLY*******

Square footage to be used for the activity: _____

Proposed Hours: _____

Associated Noise: _____

Materials stored on premises: _____

Traffic caused by activity: _____

Number of off-street parking spaces: _____

Have you filed any previous applications? —

If yes, please describe request and give date of application: _____

I have read and understand the requirements of the application and agree to pay all costs of the process.

The typical total cost is between \$150.00 and \$300.00.

Signature(s):

Randy Mayer

Date:

6/11/25

Print Name(s):

Randy Mayer

Signature of applicant(s):

Randy Mayer

Date:

6/11/25

Print Name(s):

Randy Mayer

FOR OFFICE USE ONLY

___ Application _____

___ Ad _____

___ Copies _____ (.15 ea single sided)
(.20 ea double sided)

___ Postage _____

Total Due _____

ORDINANCE NO. 2025-12

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE CITY OF WAUCHULA, FLORIDA, SPECIFICALLY CHANGING THE FUTURE LAND USE CLASSIFICATION FROM COUNTY TOWN CENTER TO CITY LOW DENSITY RESIDENTIAL (LDR) ON ONE PARCEL OF LAND CONTAINING APPROXIMATELY +/-0.28 ACRES LOCATED AT 572 STENSTROM ROAD, (PARCEL NUMBER 09-34-25-0830-00003-0024), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Randy Mayer (the "Applicant") requests a change of Future Land Use from County Town Center to City Low Density Residential (LDR) on one parcel of land containing approximately +/-0.28 acres located at 572 Stenstrom Road, (Parcel Number 09-34-25-0830-00003-0024) and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and mandates the City of Wauchula, Florida, (the "City") to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Commission held meetings and hearings on **Amendment 25-02SS**, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, in exercise of its authority the City Commission has determined it necessary to adopt this **Amendment 25-02SS** to the Comprehensive Plan, which map is marked as Exhibit "A" and is attached and made a part hereof, to ensure that the Plan is in full compliance with the Laws of the State of Florida; to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Wauchula; and

WHEREAS, in accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting on July 21, 2025, at which time interested parties and citizens had the opportunity to be

heard and such amendments were recommended to the City Commission for adoption; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Commission held a meeting and hearing on this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents.

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

Section 1. AMENDMENT TO THE FUTURE LAND USE MAP. the Commission of the City of Wauchula, Florida, amends its Comprehensive Plan in the following specific manner: The Future Land Use Map is amended to specifically change the Future Land Use Classification from County Town Center to City Low Density Residential (LDR) on one parcel of land containing approximately +/-0.28 acres located at 572 Stenstrom Road, (Parcel Number 09-34-25-0830-00003-0024). and shown on the Proposed Future Land Use Map attached as Exhibit "A".

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

Section 3. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 4. CONFLICTS. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

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

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Wauchula, the ____ day of ____, 2025.

PASSED on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this ____ day of ____, 2025.

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

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

(SEAL)

ATTEST:

APPROVED:

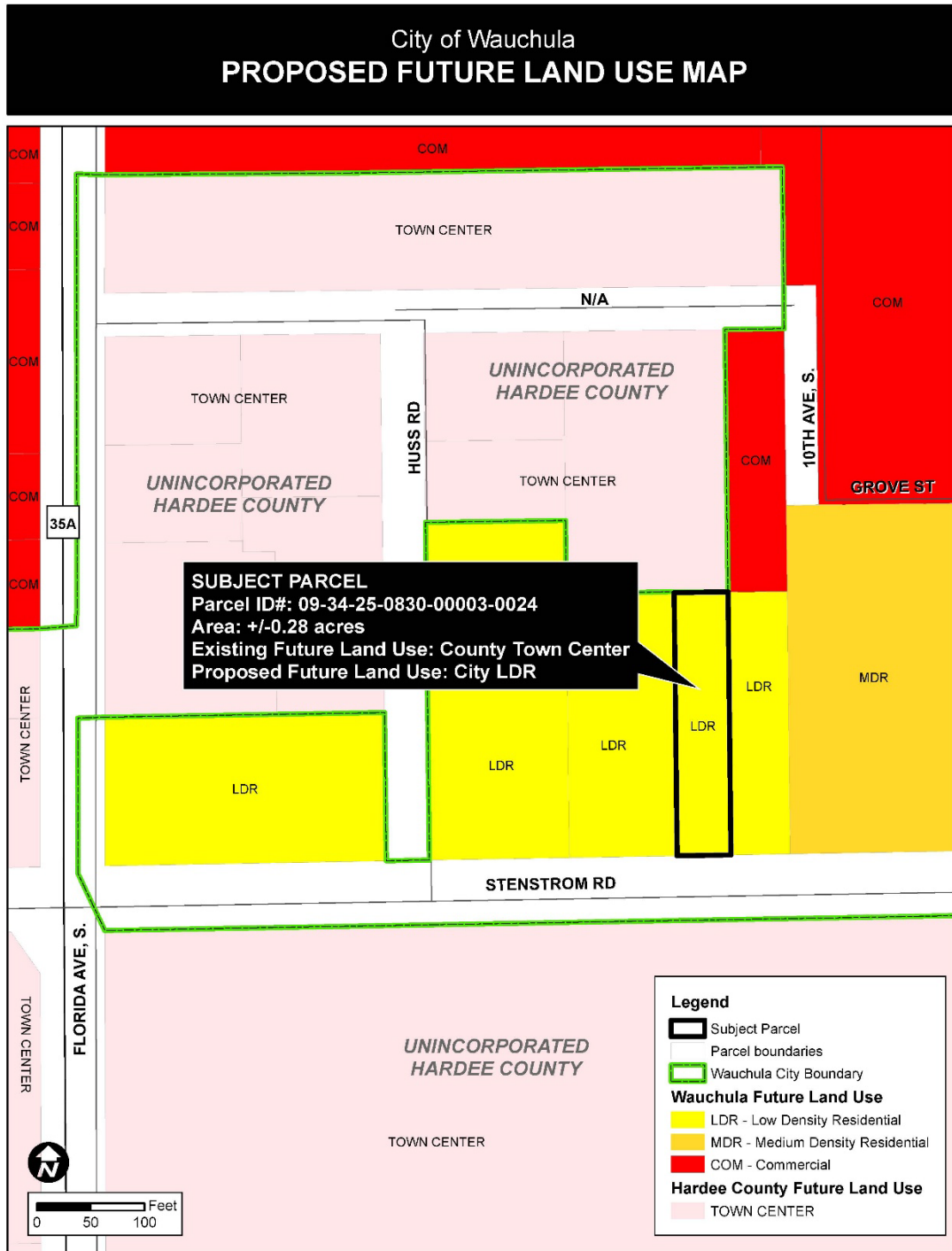
Stephanie Camacho, City Clerk

Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney

Exhibit "A"
Ordinance No. 2025-04
Future Land Use Map



ORDINANCE NO. 2025-13

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE ZONING MAP OF THE CITY OF WAUCHULA, FLORIDA, FROM COUNTY FARM RESIDENTIAL (FR) TO CITY R-2, SINGLE FAMILY RESIDENTIAL/DUPLEXES ON ONE PARCEL OF LAND CONTAINING APPROXIMATELY +/-0.28 ACRES LOCATED AT 572 STENSTROM ROAD, (PARCEL NUMBER 09-34-25-0830-00003-0024), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Randy Mayer (the "Applicant") requests a change of zoning from County Farm Residential (FR) to City R-2, Single Family Residential/Duplexes on one parcel of land containing approximately +/-0.28 acres located at 572 Stenstrom Road, (Parcel Number 09-34-25-0830-00003-0024) and

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

WHEREAS, on July 21, 2025, in accordance with Section 163.3174, Florida Statutes, and applicable law, the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting considered the Applicant's request for rezoning as set forth in this Ordinance which included, but is not limited to, testimony and argument(s) from interested and/or aggrieved parties; and

WHEREAS, on July 21, 2025, the interested and/or aggrieved parties and citizens in attendance were provided with an opportunity to be heard and present testimony to the City's Planning and Zoning Board; and

WHEREAS, on July 21, 2025, after considering all the facts and testimony presented by the City, interested and/or aggrieved parties, and citizens in attendance, the City's Planning and Zoning Board voted to recommend approval of the Applicant's request for the rezoning as set forth in this Ordinance to the City Commission; and

WHEREAS, as a result of this Ordinance being initiated by the Applicant (not the municipality), the City Commission of the City of Wauchula held duly noticed public hearings regarding the parcel shown on Exhibit "A" in accordance with Section 166.041 (3), Florida Statutes, to provide the public an opportunity to be heard, obtain public comment, and receive and consider all written and oral testimony presented during such public hearings, including supporting documentation; and

WHEREAS, the City Commission of the City of Wauchula has adopted Ordinance 2025-12, a Future Land Use Map Amendment to the City's Comprehensive Plan,

designating the subject parcel depicted in Exhibit “A,” attached hereto and incorporated herein, with a Future Land Use designation of “Low Density Residential;” and

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

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

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

The Official Zoning Map is amended to specifically change the zoning from County Farm Residential (FR) to City R-2, Single Family Residential/Duplexes on one parcel of land containing approximately +/-0.28 acres located at 572 Stenstrom Road, (Parcel Number 09-34-25-0830-00003-0024).

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

Section 3. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 4. CONFLICTS. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City’s Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

Section 5. EFFECTIVE DATE. The ordinance shall take effect concurrent with the effective date of Ordinance 2025-12.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Wauchula, the ____ day of ____, 2025.

PASSED on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this ____ day of ____, 2025.

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

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

(SEAL)

ATTEST:

APPROVED:

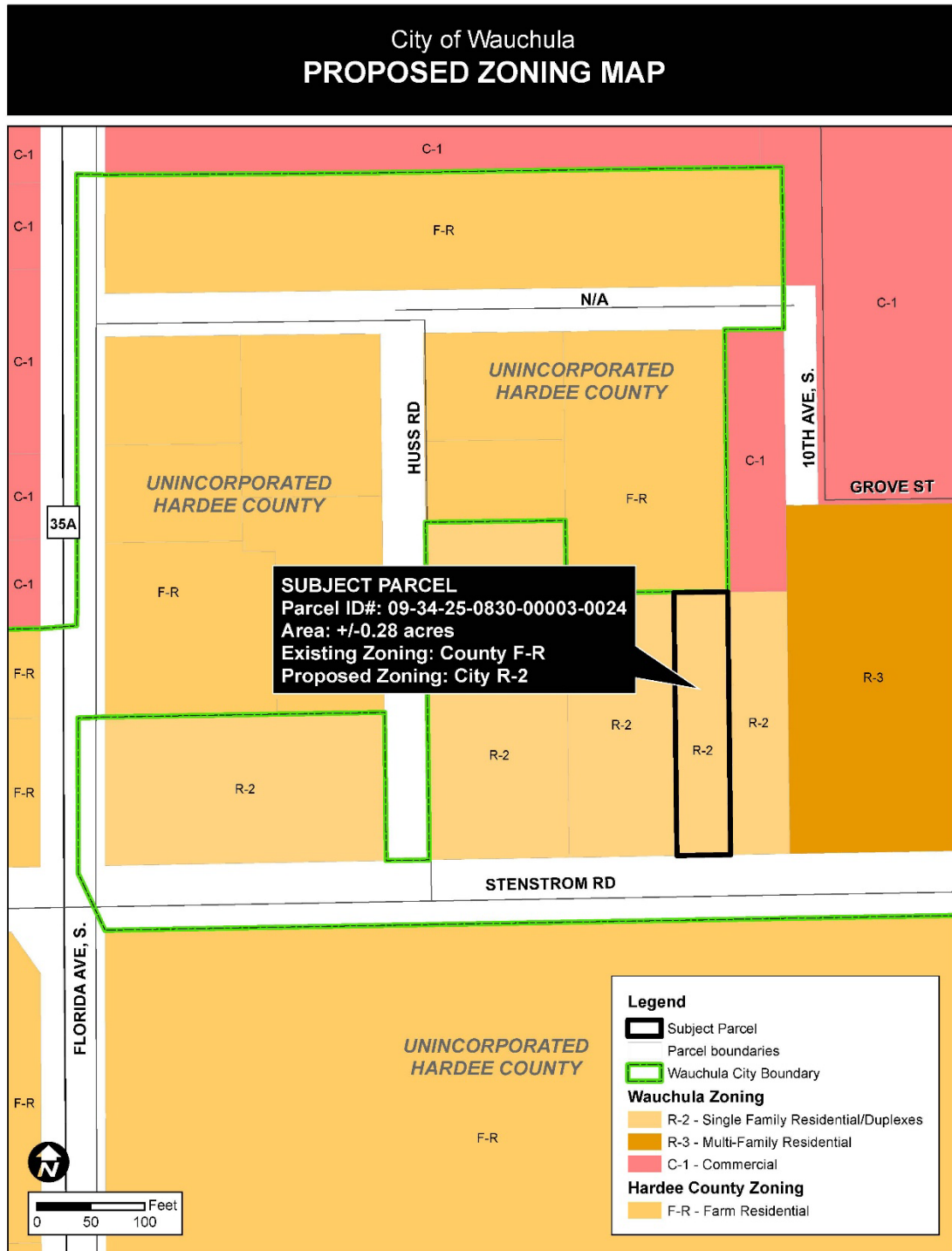
Stephanie Camacho, City Clerk

Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney

Exhibit "A"
Ordinance No. 2025-05
Zoning Map



ORDINANCE NO. 2025-13

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE ZONING MAP OF THE CITY OF WAUCHULA, FLORIDA, FROM COUNTY FARM RESIDENTIAL (FR) TO CITY R-2, SINGLE FAMILY RESIDENTIAL/DUPLEXES ON ONE PARCEL OF LAND CONTAINING APPROXIMATELY +/-0.28 ACRES LOCATED AT 572 STENSTROM ROAD, (PARCEL NUMBER 09-34-25-0830-00003-0024), AS IDENTIFIED IN EXHIBIT "A" HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Hardee County Board of County Commissioners (the "Applicant") requests a change of zoning from County Farm Residential (FR) to City R-2, Single Family Residential/Duplexes on one parcel of land containing approximately +/-0.28 acres located at 572 Stenstrom Road, (Parcel Number 09-34-25-0830-00003-0024) and

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

WHEREAS, on July 21, 2025, in accordance with Section 163.3174, Florida Statutes, and applicable law, the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting considered the Applicant's request for rezoning as set forth in this Ordinance which included, but is not limited to, testimony and argument(s) from interested and/or aggrieved parties; and

WHEREAS, on July 21, 2025, the interested and/or aggrieved parties and citizens in attendance were provided with an opportunity to be heard and present testimony to the City's Planning and Zoning Board; and

WHEREAS, on July 21, 2025, after considering all the facts and testimony presented by the City, interested and/or aggrieved parties, and citizens in attendance, the City's Planning and Zoning Board voted to recommend approval of the Applicant's request for the rezoning as set forth in this Ordinance to the City Commission; and

WHEREAS, as a result of this Ordinance being initiated by the Applicant (not the municipality), the City Commission of the City of Wauchula held duly noticed public hearings regarding the parcel shown on Exhibit "A" in accordance with Section 166.041 (3), Florida Statutes, to provide the public an opportunity to be heard, obtain public comment, and receive and consider all written and oral testimony presented during such public hearings, including supporting documentation; and

WHEREAS, the City Council of the City of Wauchula has adopted Ordinance 2025-12, a Future Land Use Map Amendment to the City's Comprehensive Plan, designating the subject parcel depicted in Exhibit "A," attached hereto and incorporated herein, with a Future Land Use designation of "Low Density Residential;" and

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

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

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

The Official Zoning Map is amended to specifically change the zoning from County Farm Residential (FR) to City R-2, Single Family Residential/Duplexes on one parcel of land containing approximately +/-0.28 acres located at 572 Stenstrom Road, (Parcel Number 09-34-25-0830-00003-0024).

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

Section 3. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 4. CONFLICTS. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

Section 5. EFFECTIVE DATE. The ordinance shall take effect concurrent with the effective date of Ordinance 2025-12.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Wauchula, the ____ day of ____, 2025.

PASSED on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this ____ day of ____, 2025.

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

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

(SEAL)

ATTEST:

APPROVED:

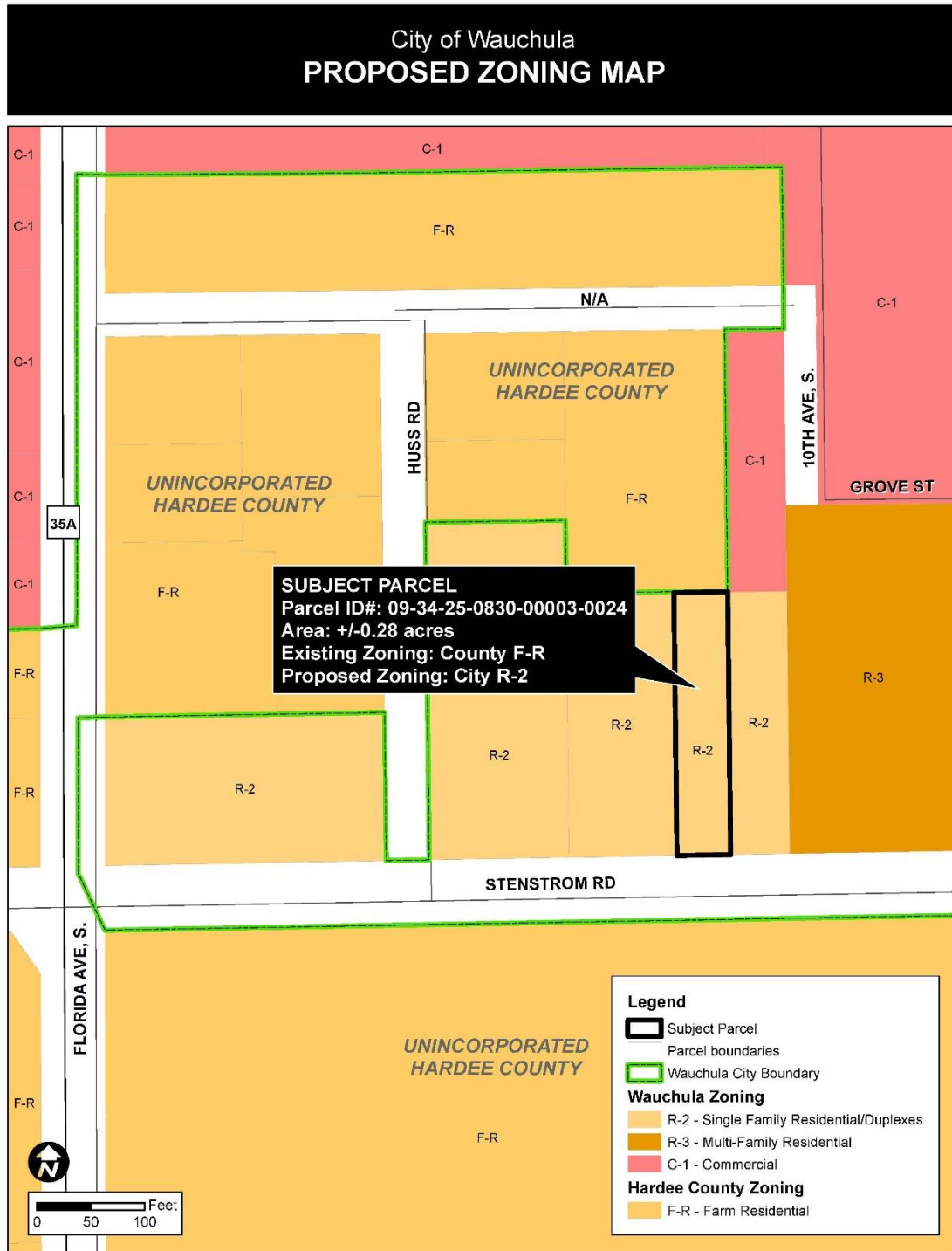
Stephanie Camacho, City Clerk

Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney

Exhibit "A"
Ordinance No. 2025-05
Zoning Map





WAUCHULA EVALUATION AND APPRAISAL AFFIDAVIT

I, Keith Nadaskay, Jr., am the Mayor of the City of Wauchula, Hardee 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 City of Wauchula's Comprehensive Plan must be updated to address changes to state planning requirements which have occurred since the update of the City'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 San Antonio 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 sayeth naught.

(Print Name) (Sign Name) (Date)

STATE OF FLORIDA
COUNTY OF HARDEE

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 20____, 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: _____



**CITY OF WAUCHULA
EVALUATION AND APPRAISAL REPORT (EAR) OF THE CITY'S COMPREHENSIVE PLAN
EAR LETTER AND AFFIDAVIT**

TO: City of Wauchula, City Commission

PREPARED BY: Central Florida Regional Planning Council

AGENDA DATE: September 8, 2025

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 City 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, Wauchula's Evaluation and Appraisal Affidavit is due October 1, 2025. The City will submit an Evaluation and Appraisal notification letter to the State consistent with Florida Statutes 163.3191(1) to bring the City 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



WAUCHULA EVALUATION AND APPRAISAL AFFIDAVIT

I, Keith Nadaskay, Jr., am the Mayor of the City of Wauchula, Hardee 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 City of Wauchula's Comprehensive Plan must be updated to address changes to state planning requirements which have occurred since the update of the City'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 Wauchula 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.

(Print Name) (Sign Name) (Date)

STATE OF FLORIDA
COUNTY OF HARDEE

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 20____, 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: _____

Select Year: 2024 ▼ Go

The 2024 Florida Statutes

Title XI	Chapter 163	View Entire Chapter
COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS	INTERGOVERNMENTAL PROGRAMS	

163.3191 Evaluation and appraisal of comprehensive plan.—

(1) At least once every 7 years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect a minimum planning period of at least 10 years as provided in s. [163.3177\(5\)](#) or to reflect changes in state requirements in this part since the last update of the comprehensive plan, and notify the state land planning agency as to its determination. The notification must include a separate affidavit, signed by the chair of the governing body of the county or the mayor of the municipality, attesting that all elements of its comprehensive plan comply with this subsection. The affidavit must also include a certification that the adopted comprehensive plan contains the minimum planning period of 10 years, as provided in s. [163.3177\(5\)](#), and must cite the source and date of the population projections used in establishing the 10-year planning period.

(2) If the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements, the local government must prepare and transmit within 1 year such plan amendment or amendments for review pursuant to s. [163.3184](#).

(3) Local governments shall comprehensively evaluate and, as necessary, update comprehensive plans to reflect changes in local conditions. Plan amendments transmitted pursuant to this section must be reviewed pursuant to s. [163.3184\(4\)](#). Updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.

(4) If a local government fails to submit the letter and affidavit prescribed by subsection (1) or to transmit the update to its plan pursuant to subsection (3) within 1 year after the date the letter was transmitted to the state land planning agency, it may not initiate or adopt any publicly initiated plan amendments to its comprehensive plan until such time as it complies with this section, unless otherwise required by general law. This prohibition on plan amendments does not apply to privately initiated plan amendments. The failure of the local government to timely update its plan may not be the basis for the denial of privately initiated comprehensive plan amendments.

(5) If it is determined that a local government has failed to update its comprehensive plan pursuant to this section, the state land planning agency must provide the required population projections that must be used by the local government to update the comprehensive plan. The local government shall initiate an update to its comprehensive plan within 3 months following the receipt of the population projections and must transmit the update within 12 months. If the state land planning agency finds the update is not in compliance, it must establish the timeline to address the deficiencies, not to exceed an additional 12-month period. If the update is challenged by a third party, the local government may seek approval from the state land planning agency to process publicly initiated plan amendments that are necessary to accommodate population growth during the pendency of the litigation. During the update process, the local government may provide alternative population projections based on professionally accepted methodologies, but only if those population projections exceed the population projections provided by the state land planning agency and only if the update is completed within the timeframe set forth in this subsection.

(6) The state land planning agency may not adopt rules to implement this section, other than procedural rules or a schedule indicating when local governments must comply with the requirements of this section.

History.—s. 11, ch. 75-257; s. 10, ch. 85-55; s. 11, ch. 86-191; s. 10, ch. 92-129; s. 13, ch. 93-206; s. 6, ch. 95-322; s. 29, ch. 96-415, ch. 96-416; s. 4, ch. 98-146; ss. 6, 14, ch. 98-176; s. 5, ch. 98-258; s. 17, ch. 2000-158; s. 9, ch. 2002-296; s. 905, ch. 2002-387; s. 1, ch. 2004-230; s. 8, ch. 2005-290; s. 12, ch. 2005-291; s. 13, ch. 2007-196; s. 5, ch. 2007-198; s. 4, ch. 2007-204; s. 5, ch. 2010-205; s. 20, ch. 2011-139; s. 8, ch. 2012-96; s. 9, ch. 2012-99; s. 2, ch. 2023-31.

Hardee County School Board Agenda Analysis

Author:

Sherri Albritton, EdD

Date: 08/14/2025

Subject:

Agreement with City of Wauchula for a school resource officer at Wauchula Elementary from 10/01/2025 through 9/30/2026.

'Background Information:

For several years, the City of Wauchula has provided a police officer at Wauchula Elementary. The attached agreement with the City of Wauchula and Hardee School Board continues the school resource officer program at Wauchula Elementary. Other than the cost, this agreement is very similar to the one approved by the School Board last year.

The City Commission is expected to sign the agreement at their next meeting on September 8, 2025.

We appreciate the opportunity to partner with the City of Wauchula and the Wauchula Police Dept. to enhance the safety of students and staff at Wauchula Elementary.

Administrative Consideration:Section 1001.51 Duties and Responsibilities of District School Superintendent

(II)(j) Contracts-Recommend to the District School Board the desirable terms, conditions and specifications for contracts for services and see that services are provided according to contract.

(13)(a) Cooperation with Other Agencies-Cooperate with State, County and municipal agencies in the enforcement of laws and rules pertaining to all matters relating to education and child welfare.

Fiscal Impact:

We will pay \$48361 from our Safe Schools categorical funds, an increase of \$1356 from 2024-2025. Our payment represents 60% of the police officer's pay and benefits.

Proposed Recommendation to School Board:

Recommend approval of agreement with City of Wauchula for a school resource officer at Wauchula Elementary from October 1, 2025 to September 30, 2026.

Action Required:  Consent Agenda X

BOARD ACTION

8/14/2025
Approved

28 of 28

**WAUCHULA ELEMENTARY SCHOOL AGREEMENT BETWEEN
THE SCHOOL BOARD OF HARDEE COUNTY, FLORIDA
AND
THE CITY OF WAUCHULA, FLORIDA, AND THE WAUCHULA POLICE DEPARTMENT
FOR
THE SCHOOLR ESOURCE OFFICER PROGRAM**

THIS AGREEMENT is made and entered into this 14th day of August, 2025, by and between the SCHOOL BOARD OF HARDEE COUNTY, FLORIDA, a political subdivision of the State of Florida (hereafter the "SCHOOL BOARD"), AND CITY OF WAUCHULA, FLORIDA (hereafter "CITY").

RECITALS

1. The SCHOOL BOARD and the CITY desire to provide law enforcement and related services to Wauchula Elementary School of Wauchula, FL, beyond those normally provided, and to provide a positive image of law enforcement through interaction with students by law enforcement officers; and
2. A School Resource Officer Program has been implemented for Wauchula Elementary school within the City of Wauchula as hereinafter described; and
3. The SCHOOL BOARD and the CITY recognize the potential outstanding benefits of the School Resource Officer Program to the residents of the City of Wauchula, Florida, and particularly to the students at Wauchula Elementary School; and
4. It is in the best interests of the SCHOOL BOARD, the CITY, and the residents of the City of Wauchula to establish this program.

Section 1. School Resource Officer Program. This Agreement governs the School Resource Officer Program in the public-school system with the Wauchula Police Department for the period 10/01/2025 throughout 9/30/2026.

Section 2. Rights and Duties of the CITY. The CITY shall provide a School Resource Officer, hereinafter referred to as SRO, as follows:

A. Assignment of School Resource Officer.

The CITY shall assign regularly employed officers to the Wauchula Elementary School for the period of 10/01/2025 through 09/30/2026. If an SRO is unavailable, the CITY will use their best efforts to provide a replacement SRO. During the pendency of a replacement, the CITY will utilize certified law enforcement personnel to the SRO program to provide temporary coverage until a replacement SRO has been assigned. All personnel assignments will be in the sole discretion of the CITY.

B. Regular Duty Hours of School Resource Officer.

The SRO shall be assigned to his/her school on a full-time or part-time basis on those days and during those hours that the school is in regular session. The SRO may be temporarily re-assigned by the CITY during school holidays and vacations, for training, or during the period of a law enforcement emergency.

C. Equipment of School Resource Officer.

All equipment purchased by the CITY for the SRO to perform his/her duties will remain the property of the CITY and the Wauchula Police Department.

D. Duties of the School Resource Officer.

1. The SRO shall act as an instructor for specialized short-term programs at the school, when invited to do so by the principal or a member of the faculty, when this function is appropriate and does not interfere with other related law enforcement functions.
2. The SRO shall seek coordination, advice and guidance prior to enacting any programs within the school.
3. The SRO shall develop expertise in presenting various subjects to students. Such subjects shall include a basic understanding of the laws, the role of the law enforcement officer, and the law enforcement mission.
4. The SRO shall encourage individual and small group discussions with students, to further establish rapport with the students.
5. When requested by the principal, the SRO shall attend parent faculty meetings to solicit support and understanding of the program, subject to the availability of the SRO in the sole discretion of the CITY.
6. The SRO shall make himself/herself available for conference with students, parents and faculty members in order to assist them with problems of a law enforcement or crime prevention nature. Confidential information obtained pursuant to Chapter 39, Florida Statutes (proceedings relating to juveniles), shall not be disclosed except as provided by law or court order.
7. The SRO shall become familiar with all community agencies that offer assistance to youths and their families, such as mental health clinics, drug treatment centers, etc. The SRO shall recommend referrals to such agencies, when necessary, thereby acting as a resource person to the students, faculty and staff of the school.

8. The SRO shall assist the principal in developing plans and strategies to prevent and/or minimize dangerous situations that may result from student unrest.
9. Should it become necessary to conduct formal police interviews with students, the SRO shall adhere to SCHOOL BOARD policy, CITY'S policy, and legal requirements with regard to such interviews.
10. The SRO shall take law enforcement action as required. As soon as practical, the SRO shall make the principal of the school, or other school administrator if the principal is unavailable, aware of such action. The SRO shall take appropriate law enforcement action against intruders and unwanted guests who may appear at the school and related school functions, to the extent that the SRO may do so under the authority of law.
11. The SRO shall give assistance to other law enforcement officers and government agencies in matters regarding their school assignment, or other law enforcement matters.
12. The SRO shall not act as a school disciplinarian, as disciplining students is a school responsibility. However, if the principal believes an incident is a violation of the law, the principal may contact the SRO, and the SRO shall determine whether law enforcement action is appropriate.

Section 3. Rights and Duties of the School Board. The SCHOOL BOARD shall provide to all full-time SROs the following materials and facilities, which are deemed necessary to the performance of the SRO's duties:

1. Access to an air-conditioned and properly lit office, equipped with a telephone that may be used for general business purposes.
2. A location for files and records that can be properly locked and secured.
3. A desk with drawers, a chair, worktable, filing cabinet and office supplies.
4. Access to a typewriter and/or secretarial assistance.
5. Access to a computer to complete reports and assigned work.

Section 4. Financing the School Resource Officer Program. The SCHOOL BOARD shall reimburse the CITY for a portion of the cost incurred by the CITY to provide the School Resource Officer to the Wauchula Elementary School. The cost for the provision of the SRO to the SCHOOL BOARD is hereby established to be \$48,361.00 for the fiscal year 10/01/2025 through 09/30/2026. Therefore, the total commitment that is needed from the SCHOOL BOARD for the period 10/01/2025 through 09/30/2026 for this program is \$48,361.00 for one SRO position.

Section 5. Employment Status of the School Resource Officer. The SRO shall remain an employee of the CITY and shall not be an employee of the SCHOOL BOARD. The SCHOOL BOARD and the CITY acknowledge that the SRO is a law enforcement officer who shall uphold the law under the direct supervision and control of the CITY. The SRO shall remain responsive to the chain of command of the CITY. Nothing herein shall be construed as giving the SCHOOL BOARD Superintendent, Principal, or other agent of the SCHOOL BOARD the right to control the professional judgment or actions of the SRO. The CITY has agreed to make personnel who are qualified available to the SCHOOL BOARD, and the CITY covenants and agrees that the CITY will instruct all SROs to (i) use diligent efforts and appropriate skills and judgment and (ii) provide services in accordance with and in a manner consistent with customary and recognized standards of the law enforcement profession. The CITY understands that the SRO will not participate in any employee benefit provided by the SCHOOL BOARD and represents to the SCHOOL BOARD that the City of Wauchula will pay all compensation for their employees, will withhold income tax and social security tax for their employees, and will maintain workers compensation insurance for their employees.

Section 6. Dismissal of School Resource Officer; Replacement.

- A. If the principal of the Wauchula Elementary School feels that the particular SRO is not effectively performing his/her duties and responsibilities, the principal shall recommend to the Superintendent of Schools that the SRO be removed from the program at his/her school and shall state the reasons therefore in writing. Within a reasonable time after receiving the recommendation from the principal, the Superintendent or his/her designee shall advise the CITY of the principal's request. If the CITY so desires, a designee shall meet with the SRO to discuss or resolve any problems which may exist. At such meetings specified members of the staff of the school to which the SRO is assigned may be requested to be present. If, within a reasonable amount of time after commencement of such discussion, the problem cannot be resolved, after due consideration of input from the Superintendent of Schools, the status of the SRO shall be determined by the CITY.
- B. The CITY may dismiss or reassign any SRO based upon department rules, regulations and/or operations orders or CITY'S discretion.
- C. In the event of the resignation, dismissal, illness, reassignment or other good and sufficient reason for unavailability of the SRO, or in the case of long-term absences by an SRO, the CITY shall utilize best efforts to provide a temporary replacement for the SRO within thirty (30) days of such officer's unavailability and to otherwise cover the position as best feasible utilizing existing personnel. As soon as practical, a permanent replacement will be recommended.

Section 7. Exchange of Information. This interlocal, interagency agreement shall be considered for all purposes pursuant to Section 1002.22(3)(d)13 as an exception to Students' Right to Privacy to allow the release and exchange of personally identifiable records or reports of a pupil or student to the CITY without the consent of the pupil or the pupil's parents.

Section 8. Termination of Agreement. Should either party breach any of the covenants, terms or conditions of this Agreement the other party may give written notice to remedy said breach within thirty (30) days. In the event the breaching party fails to remedy the breach within thirty (30) days of written notice, the non-breaching party may (a) continue this Agreement in effect and enforce all its rights and remedies hereunder, or (b) terminate this Agreement.

Section 9. Good Faith. The SCHOOL BOARD and the CITY, and their respective agents and employees agree to cooperate in good faith in fulfilling their terms of this Agreement. Unforeseen difficulties or questions will be resolved by negotiation between the SCHOOL BOARD and the CITY, or their designees.

Section 10. Modifications. This document constitutes the full understanding of the parties, and no terms, conditions, understandings or agreement purporting to modify or vary the terms of this document shall be binding unless hereafter made in writing and signed by the party to be charged.

Section 11. Duplicate Originals. This agreement may be executed in duplicate copies, each copy of which shall be deemed original.

[The remainder of this page is left intentionally blank.]

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized officers.

THE SCHOOL BOARD OF
HARDEE COUNTY, FLORIDA

Sign: 
Sonja Bennett, Superintendent

Sign: 
Hardee County School Board, Chair

"CITY"

City of Wauchula, a municipal corporation

By: _____
Richard Keith Nadaskay, Jr., Mayor

ATTEST:

Stephanie Camacho, City Clerk

APPROVED AS TO FORM &
CORRECTNESS

Kristie Hatcher-Bolin, City Attorney

**HARDEE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY**

GRANT AWARD AGREEMENT

THIS AGREEMENT made and entered into this 26th day of August 2025, by and between the Hardee County Economic Development Authority, hereinafter referred to as "EDA," and the City of Wauchula, hereinafter referred to as the "CITY," located at 126 South 7th Ave., Wauchula, Florida 33873.

The EDA, pursuant to Chapter 2004-394, Laws of Florida, as amended by Chapter 2020-200, Laws of Florida, is authorized to establish the Infrastructure Grant Program to provide grants to qualified for-profit and not-for-profit entities to fund projects that provide economic development opportunities, job creation and infrastructure within the geographic boundaries of Hardee County.

The EDA has determined that the proposed City infrastructure project, Heard Bridge Road Watermain Loop Project, has met all the requirements necessary for participation in the EDA Grant Program in accordance with the submitted grant application incorporated herein and attached as Exhibit "A" and the EDA Infrastructure Grant Program Guidelines attached hereto and incorporated herein as Exhibit "B;" and

The EDA desires to distribute funds to the City for the Heard Bridge Road Watermain Loop Project that provide economic development, job creation opportunities and infrastructure within the geographic boundaries of Hardee County the sum of \$1,000,000 as provided for in Exhibit "A;" and

The Heard Bridge Road Watermain Loop Project, EDA Infrastructure Project Grant Application (Exhibit "A"), and EDA Infrastructure Grant Program Guidelines (Exhibit "B"), is

hereby incorporated into this agreement and the representations made at the duly noticed meeting of the EDA is hereby incorporated into this Agreement as if full set forth herein.

In consideration for the mutual undertakings and agreements hereinafter set forth, EDA and the City agree as follows:

1.0 PARTIES: The parties and their respective addresses for purposes of this Agreement are as follows:

HARDEE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY
C/O COUNTY MANAGER'S OFFICE
412 W. ORANGE ST., ROOM 103
WAUCHULA, FL 33873
P: 863-773-9430; E: BCC@HARDEECOUNTY.NET

CITY OF WAUCHULA
126 SOUTH 7TH AVE.
WAUCHULA, FL 33873
P: 863-773-3131
E: OMINSHEW@CITYOFWAUCHULA.COM

2.0 ADMINISTRATOR: The EDA Agreement administrator is Terry Atchley, County Manager. The City Agreement administrator is Olivia Minshew, City Manager. All approvals referenced in this agreement must be obtained from the agreement administrators or their designees. Any notice, demand, request, or other communication shall be effective only if in writing and when it is received by the Agreement Administrator at the address provided for herein.

In the event that a different Agreement Administrator is designated by either Party after execution of this contract, notice of the name, address and telephone number of the new Agreement Administrator shall be delivered in writing to the other Party and said notification shall be attached to this Agreement.

3.0 TERM OF AGREEMENT: The term of this Agreement shall commence on October 1, 2025, and continue until completion of the project and payment of all outstanding amounts as provided for in the attached.

4.0 CITY DESCRIPTION:

(a) The City is an operating unit of City of Wauchula, FEIN 59-6000446.

5.0 PROJECT DESCRIPTION: Heard Bridge Road Watermain Loop Project

6.0 NOTICES: All notices pertaining to this Agreement are in effect upon receipt by EDA, shall be in writing, and shall be transmitted either by personal hand delivery, United States Post Office, return receipt requested; or overnight express mail delivery. The addresses set forth above for the respective parties shall be the places where notices shall be sent unless prior written notice of change of address is given.

7.0 OBLIGATIONS OF THE CITY: The City agrees to:

- (a) administer funds in accordance with the Approved Plan and project description, a copy of which is attached hereto and incorporated herein as Exhibit "A";
- (b) provide a budget and detailed reports to the EDA regarding the project. Reports must be completed to the satisfaction of the EDA;
- (c) upon request by the EDA, and within a reasonable time, allow the EDA to inspect supporting documentation of reported outcomes and expenses inclusive of receipts, canceled checks, basis for disbursements and invoices;
- (d) retain records for at least five (5) years following the end of this Agreement or deliver such records to the EDA for retention. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the five (5) year period, the records shall be retained until completion of the action and resolution of all issues which arise from it, or until the end of the five (5) year period, whichever is later;
- (e) upon request by the EDA, and within a reasonable time, allow the EDA to inspect, review and audit all records received or created pursuant to this Agreement;
- (f) submit quarterly project status reports and quarterly reimbursement requests as attached hereto and incorporated herein as Exhibit "C".

8.0 OBLIGATIONS OF THE EDA: The EDA agrees to:

- (a) provide a format for all required reports and assist the City in completing reports satisfactory to the EDA;
- (b) provide or assist in obtaining technical assistance as needed to distribute the Designated Funds in accordance with the Approved Plan;
- (c) following any site visit or review, provide a written report with comments and recommendations regarding the manner in which services are being provided;
- (d) provide oversight for the efficient and effective distribution of the Designated Funds.

9.0 TERMINATION OF THIS AGREEMENT:

(a) The Agreement may be terminated by EDA upon failure of the City to comply with any material term or condition of this Agreement or a decision by the City either not to proceed with the project defined in Section 5.0 or to proceed with that project in an alternate location without prior approval of the EDA.

(b) The Agreement may be terminated by the City with thirty (30) days prior notice, all funds shall be refunded to the EDA within forty-five (45) days of the date of notice of termination to the EDA. The EDA shall have the option, in its sole discretion, to waive the requirement to refund the grants funds so long as the purchased equipment or facilities shall continue to be used for purposes provided for herein.

10.0 PENALTY: Fraudulent procurement or receipt of funds under this program renders the City liable for repayment.

11.0 LEGAL REQUIREMENTS:

(a) This agreement is executed and entered in Hardee County and will be construed, performed, and enforced in all respects in accordance with the laws and rules of the State of Florida. Each party will perform its obligations in accordance with the terms and conditions of this agreement. Any and all litigation arising under this Agreement shall be brought in the appropriate court in Hardee County, Florida.

12.0 NON-DISCRIMINATION: The City will not discriminate against any employee employed in the performance of this agreement, or against any applicant for employment because of age, ethnicity, religious belief, disability, national origin, or sex. The City shall insert a similar provision in all subcontracts for services by this Agreement.

13.0. RESTRICTION AGAINST ASSIGNMENT: No part of this Agreement shall be assigned, subcontracted, or delegated by either Party to a third party without the prior written consent of the other Party.

14.0 ENFORCEABILITY: If any term or provision of this Agreement is found to be illegal and unenforceable, the remainder of the Agreement will remain in full force and effect and such term of provision will be deemed stricken.

15.0 WAIVER: The failure of either party to this Agreement to object to or to take affirmative action with respect to any conduct of the other which is in violation of the terms of this Agreement shall not be construed as a waiver of the violation or breach, or of any future violation, breach, or wrongful conduct.

16.0 COUNTERPARTS: This Agreement may be executed in counterparts, each of which shall be considered an original for all purposes.

17.0 MODIFICATION: This writing contains the entire Agreement of the parties. No representations were made or relied upon by either party, other than those that are expressly set forth. No agent, employee, or other representative of either party is

empowered to alter any of the terms of this Agreement, unless done in writing and signed by an authorized officer of the City and the authorized agent of EDA.

18.0 INDEMNIFICATION: The City shall indemnify and hold harmless the EDA, its officers, agents, and employees, from and against any and all demands, claims, losses, suits, liabilities, causes of action, judgment or damages, arising from City's acts, errors, or omissions arising out of the performance or non-performance of any provision of this Agreement, including, but not limited to, liabilities arising from contracts between the City and third parties made pursuant to this Agreement. City shall reimburse the EDA for all its expenses including reasonable attorneys' fees and costs incurred in and about the defense of any such claim or investigation and for any judgment or damages arising from City performance or non-performance of this Agreement. The provisions of this Section shall survive termination of this Agreement.

19.0 COMPLIANCE WITH LAWS

- (a) The City shall comply with all applicable laws, ordinances, rules, regulations, and lawful orders or public authorities in carrying out this Agreement, and in particular shall obtain all required permits from all jurisdictional agencies.
- (b) The City shall be held responsible for any violation of laws, rules, regulations, or ordinances affecting in any way the work and the conduct of all persons engaged in or the materials or methods used on the work. The City shall give all notices and comply with all laws, ordinances, rules, regulations, and orders of any public authority bearing on the performance of the work under this Agreement. At all times during this Agreement, the City shall secure and maintain all permits, fees, licenses, and inspections necessary for the execution of the work.

20.0 ENTIRE AGREEMENT: This instrument embodies the entire agreement of the parties. There are no provisions, terms, condition, or obligations other than those contained in this agreement; and this agreement superseded all previous communication, representation, or agreement, either verbal or written, between the parties. No amendment will be effective unless reduced to writing and signed by the parties.

21.0 DUPLICATE ORIGINALS: This Agreement is executed in duplicate originals.

HARDEE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY

CITY OF WAUCHULA

AUTHORIZED SIGNATURE

Date

AUTHORIZED SIGNATURE

Date

TITLE: _____

TITLE: _____

WITNESSES:

WITNESSES:

EXHIBIT A

EDA Infrastructure Project Grant Application

EXHIBIT B

GUIDELINES OF THE
HARDEE COUNTY
ECONOMIC DEVELOPMENT AUTHORITY
(INDEPENDENT BOARD)

INFRASTRUCTURE GRANT PROGRAM (IGP)

- I. PURPOSE
- II. DEFINITIONS
- III. GENERAL REQUIREMENTS
- IV. APPLICATION REQUIREMENTS & PROCESSING
- V. EVALUATION CRITERIA
- VI. GRANT ADMINISTRATION
- VII. COMPLIANCE RESPONSIBILITIES

I. PURPOSE. The Hardee County Economic Development Authority Independent Board (Authority), pursuant to Section 211.3103(3)(b)3 F.S., is authorized to establish the Infrastructure Grant Program to provide grants to qualified for-profit and not-for-profit entities to fund projects that provide economic development opportunities, private sector job creation or infrastructure within the geographic boundaries of Hardee County. The purpose of this part is to set forth procedures to govern the program.

II. DEFINITIONS. The terms used in this part are defined as follows:

1. "APPLICANT" means a local government entity (Board of County Commissioners, municipalities, authorities [i.e., water, airport, etc.]), non-profit business or for-profit businesses.
2. "APPLICATION" means a formal request for EDA funds by an applicant consisting of a complete project application form with all required documentation.
3. "APPLICATION SUBMISSION PERIOD" means the formally announced period of time provided by the EDA for the submission of applications by local entities, non-profit businesses, and for-profit businesses.
4. "AUTHORITY" means the Hardee County Economic Development Authority.

5. "BUSINESS ENTITY" means an economic unit that controls resources, incurs obligations, and engages in business activities in one or more locations.
6. "CASH" means money paid by a grantee to purchase goods and services from private and independent sources for accomplishment of an EDA project. In-kind service costs are not cash.
7. "CAPITAL IMPROVEMENT PLAN" means that portion of an applicant's adopted local comprehensive plan which indicates a schedule of capital improvement projects, including estimated costs and target dates for completion.
8. "CLERK" means the clerk of the court serving in the capacity of chief financial officer of the county.
9. "COMMISSION" means the Board of County Commissioners of Hardee County.
10. "COUNTY" means Hardee County.
11. "DEVELOPMENT" means the act of physically improving an area, facility, resource, or site to increase its ability or capacity to serve economic development, private sector job creation or infrastructure purposes.
12. "EVALUATION CRITERIA" means the standards used to evaluate EDA applications.
13. "ESTIMATED PROGRAM FUNDS" means the amount of EDA funds estimated to be available for the subsequent fiscal year by the Authority.
14. "FACILITY" means a component of a capital improvement project.
15. "FISCAL YEAR" means the County fiscal year, October 1 – September 30.
16. "FUNDING CYCLE" means the interval of time between the start of an EDA application submission period and appropriation of project funds by the Authority.
17. "GRANT" means program funds authorized by the Authority for release to a grantee for implementation of an approved project.
18. "GRANT AWARD AGREEMENT" means an executed contract between the Authority and a grantee setting forth mutual obligations and reimbursement schedules regarding an approved EDA project.
19. "GRANTEE" means a local governmental entity, non-profit business or for profit-business receiving EDA funds pursuant to an approved EDA application.

20. "IN-KIND SERVICE COSTS" means in-house expenses incurred by a grantee for labor and materials and grantee-owned and maintained equipment for accomplishment of an approved EDA project. Volunteer labor, inmate labor, or donated materials are ineligible program expenses.
21. "INFRASTRUCTURE" means storm water systems; telecommunications facilities; roads or other remedies to transportation impediments; nature-based tourism facilities; additions to the distribution facilities of existing natural gas utilities, existing electric utilities, or existing water or wastewater utilities, or other physical requirements necessary to facilitate tourism, trade and economic development activities in the community dedicated for public use.
22. "LAND VALUE" means the assessed fair market value of land used by a grantee as match to EDA funds.
23. "LOCAL GOVERNMENT COMPREHENSIVE PLAN" means a plan adopted pursuant to Chapter 163, Florida Statutes.
24. "LOCAL GOVERNMENTAL ENTITY" means a county government, municipality (incorporated city, town or village), or an independent special district of the State of Florida with legal responsibility.
25. "MATCH" means the provision of cash, in-kind service costs or land value in the ratio required by these guidelines to be added to EDA funds by the grantee for the project cost.
26. "NEEDS" means a deficiency in or a necessity to carry out a predetermined level of service.
27. "NEW CONSTRUCTION" means building of new facilities not previously in existence.
28. "PRIORITY LIST" means a list that contains all eligible applications which will meet or exceed the minimum ranking as identified in the "Criteria for the Purpose of Ranking Projects" summary included in the application packet.
29. "PROGRAM" means the EDA grant-in-aid program.
30. "PROGRAM AMOUNT" means the amount of EDA funds received for severance tax.
31. "PROJECT" means the planned undertaking in which all actions or activities have a clear-cut identity and a well-defined objective that has been planned to the point of definite implementation for which EDA funds will be used.

32. "PROJECT COMPLETION" means the project is available for use of operational use for infrastructure projects. Project must be designated complete prior to release of final reimbursement.
33. "PROJECT COMPLETION DATE" means the date specified in a Grant Award Agreement by which a grantee shall complete an approved EDA project and incur all grant and if applicable, match related expenses. Private sector job creation projects, employee retention requirements shall be met.
34. "PROJECT COST" means the total of an EDA grant award and required match.
35. "PROJECT ELEMENT" means an identified facility within a project.
36. "PROJECT PERIOD" means the period of time set forth in a Grant Award Agreement during which eligible project costs may be incurred and charged to the grant.
37. "PROJECT SITE" means the specific area, and boundaries thereof, as shown by a survey and a legal description, for which EDA funds are used.
38. "REAL PROPERTY" means land and improvements attached or affixed to the land.
39. "RENOVATION" means repair, replacement, or restoration of like facilities to an improved state of condition of which allows job retention and or private sector job creation.
40. "SITE CRITERIA" means criteria related to the site shall be established by the Authority prior to any solicitation for grant applications.
41. "STAFF" means BCC staff as designated by the County Manager.
42. "SUPPORT FACILITY" means a facility which could not stand alone, or which would have little or no public value without the primary facility. Examples of support facilities are parking lots, restrooms, bathhouses, combined restroom-concession stand buildings, access roads, walkways, landscaping as required by Hardee County LDR, security lighting and fencing, and interpretive signs.
43. "PRIVATE SECTOR JOBS" means any job in which goods and services are produced by individuals and companies and is not controlled by the state or local government.
44. "PUBLIC SECTOR JOBS" means any job controlled by the state or local government. Includes nationalized industries, national, state, and local government services, and public corporations.

III. **GENERAL REQUIREMENTS.** The following constitutes the general procedures for the program:

(1) **EDA APPLICATION CATEGORIES.** Infrastructure applicants must demonstrate a direct relationship between the infrastructure funding request and tourism, trade, and economic development “activity”. Infrastructure applications seeking funding to rehabilitate existing public infrastructure without direct connectivity to job creation are not favored. The EDA recognizes four types of infrastructure application categories:

1. Public Infrastructure necessary for the immediate or facilitation of the creation of jobs, with or without the use of “performance-based mortgage instrument”.
2. Private infrastructure necessary for the immediate, direct creation of jobs, with or without use of “performance-based mortgage instrument”, as each application may require to adequately protect the public investment.
3. Joint infrastructure between a governmental entity and a private sector employment or infrastructure entity.
4. Those so defined by a two-thirds majority of the Authority members (declaration). This 2/3 majority vote shall require that action be taken at a meeting at which a majority of the members is present.

Note: a **performance-based mortgage** shall be created between the entities above, where appropriate, without EDA oversight. The sponsoring government entity shall be the grantee. The grantee is responsible for the creation, implementation, and disposition of such instruments.

(2) **DISTRIBUTION OF PROGRAM FUNDS.** EDA funds are distributed as reimbursement grants by the Authority on a project-by-project basis to applicants eligible under these guidelines. The Authority's performance and obligation to award program grants are contingent upon an annual appropriation as announced in the Florida Administrative Weekly for the subsequent fiscal year.

(3) **APPLICATION SUBMISSION PERIOD.** The Authority shall accept program applications only during the application submission period. Applications must be postmarked on or before the last day of the application submission period. The Authority shall publicize the dates of the application submission period and other pertinent application information specified in these guidelines in the Florida Administrative Weekly.

(4) **GRANT AWARD.** The Authority shall rank applications to the extent of estimated available program funds based on criteria relating to administrative capacity, public benefit, economic benefits, and public use.

(5) **PROGRAM AMOUNT ALLOCATION.** For each funding cycle, the Authority shall divide the estimated available program amount into four categories: Joint Application, Job Creation Application, Economic Development Application, and EDA Infrastructure.

(6) **RECOMMENDED APPLICATION PRIORITY LIST.** The program amount assigned to each fund as established by the Authority shall be divided into four categories: Joint

Application, Job Creation Application, Economic Development Application, and EDA Infrastructure. Applications shall be ranked according to the criteria summary sheet. The application satisfying the most criteria will receive the highest priority. The remaining applications will be arranged in descending order according to their assigned criteria. Applications criteria below the minimum, established by the Authority shall not be placed on the priority list. The priority list shall include recommendations for distribution of available program funds. In the event there are insufficient applications to account for all program funds assigned to a category or fund, the remaining funds shall then be allocated to the other categories or funds.

(7) BREACH OF CONTRACT. The Authority shall deny or suspend program eligibility to any applicant or grantee against which the Authority has an unsettled financial claim and/or dispute of attainment of program requirements.

IV. APPLICATION REQUIREMENTS and PROCESSING. The Authority shall approve applications for program grants in order of ranking until all program funds are depleted under the following standards and criteria:

(1) ELIGIBLE APPLICANTS. A local government entity (Board of County Commissioners, municipalities, authorities [i.e., water, airport, etc.]), non-profit business or for-profit businesses may submit EDA applications during the application submission period.

(2) PROJECT ELIGIBILITY.

(a) Joint Application, Job Creation Application, Economic Development Application, and EDA Infrastructure: EDA grants shall only be awarded to grantees for projects that are for the sole purpose of providing infrastructure or private sector job creation.

(b) Eligible Site: The site of an EDA development project shall be owned by the applicant or shall be under lease to the applicant for a period of time sufficient to satisfy the dedication period by the submission period deadline. The Authority shall make exceptions when the applicant demonstrates that: 1) it is in the public interest, and it complies with all other parts of these guidelines. Other forms of real property interest will be considered if the applicant provides clear and explicit documentation showing that it has the sole ability to control, manage, and dedicate the property for the required period of time. Site control verification must be received by the execution of the Grant Award Agreement.

(c) Number of Applications: An applicant may submit more than one application for grant assistance. An application grant project must be limited to a single site or group of sites in which all the properties have the same owner or owners.

(d) Active Projects: A grantee with an open EDA project by the closing date of an application submission period can be eligible to submit additional applications.

(e) Duplicate Projects: An applicant shall not submit the same application, in whole or in part in concurrent or overlapping funding cycles.

(3) **COMPLETENESS/ELIGIBILITY DETERMINATION.** Following closure of an application submission period, Authority staff will review and determine the completeness of each application based on the following:

(a) Applications received by the application submission deadline will be reviewed and evaluated by the governing body of the County and each municipality in the County, the nonprofit corporation and the Authority based on the materials submitted. Applicants will be notified of the timely receipt and status of their application(s).

(b) No additional information shall be accepted after the application submission deadline, unless specifically requested by Authority staff for clarification of information provided in the application received by the published application submission deadline.

(c) Ineligibility: An application, in whole or in part, may be declared ineligible by the Authority pursuant to Paragraphs IV (2) (a-e). The Authority may determine that a project site or facility is not viable or practical if the projects fail to adequately meet the Authority's evaluation criteria.

(4) **APPLICATION EVALUATION.** Each eligible application shall be evaluated based on the information provided in the application and in accordance with this part.

(5) **UNFUNDED AND INELIGIBLE APPLICATIONS.** Any unfunded or ineligible application shall remain on file in accordance with Public Records retention requirements.

(6) **APPLICATION FORM.** The EDA Program Application Form is available from the County Manager's Office at 412 W. Orange Street, Room 103, Wauchula, FL 33873.

V. EVALUATION CRITERIA. A priority listing of all project applications, including consideration of the information received from the County, the municipalities, the nonprofit corporation, if any, and the public, by ranking each project relative to the others and shall establish funding levels and any appropriate special conditions for each individual project. The priority listing shall be assigned to each eligible application after an evaluation according to the application criteria which follows:

(1) **GENERAL CRITERIA.**

(a) Sufficient administrative capability to administer the grant.

(b) The public good or public benefit generated by the project.

(c) The direct private investment stimulated by the project.

(d) The use of County matching Funds on the project.

(e) Geographic and demographic diversity in the disbursement of grant awards.

(f) Compatibility with countywide economic development and infrastructure priorities.

(g) Financial capacity to carry the project costs until reimbursement is received.

(h) Professional and technical service availability to carry out the project.

(2) Other factors that shall be considered include the following:

(a) The long-term economic benefit of the project or activity to the applicant community.

(b) The expected time frame for such economic benefit to be realized and the attendant risks related to the likelihood of such realization.

(c) The additional economic benefit and/or private sector jobs created or retained which may occur as a result of other capital investment(s) that may be facilitated by the completion of the project.

(d) The importance of the grant to the completion, execution and/or implementation of the project.

VI. GRANT ADMINISTRATION. The following constitutes procedures for administration of program grants:

(1) **GRANT AWARD AGREEMENT.** After the Authority appropriates grant funds, the Authority and grantee shall enter into a Grant Award Agreement which sets forth the responsibilities and duties of each regarding administration of the approved project. The Grant Award Agreement shall contain terms and conditions particular to each project. Grant Award Agreements are not transferable.

(2) **PAYMENT BASIS.** Grantees shall be paid program funds by the Authority subject to the following conditions:

(a) **Project Costs.** Payment of project costs shall be reimbursed quarterly as provided for in these guidelines and in the Grant Award Agreement. Project costs may be reimbursed more frequently than quarterly upon determination by the Authority and inclusion in the Grant Award Agreement. Costs shall be incurred between the effective date of, and the project completion date identified in, the Grant Award Agreement except for pre-agreement costs. Costs for appraisals, appraisal review, surveys (boundary and topographic), title searches, and project signs are eligible project expenses. If the total cost of the project exceeds the grant amount and the required match, the grantee must pay the excess cost.

(b) Cost Limits. Project planning expenses, such as architectural and engineering fees, permitting fees, project inspection, and other similar fees, are eligible project costs provided that such costs do not exceed fifteen percent of the project cost.

(c) Retention. The Authority shall retain ten percent of the grant until the grantee completes the project and the Authority approves the completion documentation set forth in these guidelines. This retention requirement may be waived by the EDA in the Grant Award Agreement.

(3) ACCOUNTABILITY. The following procedures shall govern the accountability of program funds:

(a) Accounting System. Each grantee shall maintain an accounting system which meets generally accepted accounting principles and shall maintain financial records to properly account for all program and matching funds.

(4) REVERTED PROJECT FUNDS. EDA funds remaining after termination of a grant award or grantee completion of project shall revert to the Authority. If any funds awarded during a funding cycle are not accepted by the grantee or become available before termination of the fiscal year for which they were appropriated, the Authority may authorize the funds be carried forward for use by any succeeding cycle/year.

(5) INFRASTRUCTURE PROJECTS. The following constitutes the specific procedures for administration of infrastructure projects:

(a) Grant Period. The grantee will have up to three years from the start of the fiscal year in which funds are appropriated to complete the project. If the project is not completed within three years from the start of the fiscal year in which funds are appropriated, the contract shall be terminated and the project funds shall be reverted to the Authority, unless the Authority authorizes an amendment to extend the project agreement.

(b) Commencement Documentation. Prior to commencement of project construction, the grantee shall submit for approval the documentation described in the Commencement/Reimbursement Documentation Form available from the County Manager's Office at 412 W. Orange Street, Room 103, Wauchula, FL 33873.

(c) Completion Documentation. Upon completion of the project and prior to release of the final payment, the grantee shall submit all documentation described in the Project Completion Documentation Form available from the County Manager's Office at 412 W. Orange Street, Room 103, Wauchula, FL 33873.

(d) Inspections. The Authority shall have the right to perform an on-site inspection of the project site to ensure compliance with the Grant Award Agreement prior to release of the final grant payment.

VII. COMPLIANCE RESPONSIBILITIES. The following constitutes the general requirements for program compliance:

(1) **SITE DEDICATION.** Land owned or under site control by the grantee, which is developed for infrastructure with EDA funds, shall be dedicated for public use.

(2) **MANAGEMENT OF PROJECT SITES.** Grantees shall ensure by site inspections that facilities on project sites developed with EDA funds are being constructed, operated and maintained. All project sites shall be open for inspection at reasonable times and shall be managed in a safe and attractive manner.

(3) **NON-COMPLIANCE.** The Authority shall terminate a Grant Award Agreement for non-compliance by a grantee with the terms stated in the Grant Award Agreement or these guidelines. If the grantee fails to comply with the provisions of this part or the Grant Award Agreement, the Authority shall declare the grantee ineligible for further participation in EDA until such time as compliance has been obtained.

(4) **POST COMPLETION INSPECTIONS.** Authority staff shall have the right to perform an on-site inspection of completed program sites to ensure compliance with program requirements as stated in these guidelines.

Creation: Senate Bill 3110, House Bill 1303, and House Bill 1627
 Specific Authority: 211.3101(3)(b)3 FS
 Adopted by Board: May 02, 2006
 Amended: March 25, 2008
 December 21, 2010

EXHIBIT C

Criteria for Measurement of Achievement of Terms Agreed to Under the Infrastructure Program

Financial Reporting Procedures for Quarterly Reports and Reimbursement

The financial reporting procedure establishes guidelines for grant funds disbursed through the EDA. The procedures set forth principles for determining eligible costs, supporting documentation and minimum reporting requirements to assist both parties in receiving appropriate and timely reimbursement.

Grant funds shall be reimbursed in accordance with good cash management principles as identified by law. The reimbursement shall include only expenditures related to the project elements and the period as identified in the agreement. The County shall submit the attached quarterly progress report and reimbursement request forms to request reimbursement on an annual quarterly basis. The forms must contain all the information as requested. Each cost should clearly reflect the project element and a brief description of work performed. The office shall retain up to 10% of its obligations to ensure compliance with the agreement terms and conditions. Retained funds shall be released upon satisfactory completion of the project.

Documents that support the reimbursement shall be retained as described in Section 7.0 of the Agreement.

Reimbursement Request Package

Recipient Details

1. Grant/Recipient _____
2. Project Number _____ Date of Request _____
3. Disbursement Request Number _____
4. Type of Request: Partial _____ Final _____
5. Federal Employer Identification Number _____
6. Send Remittance to: _____

Reimbursement Details

(Cumulative amounts)

- | | | |
|---|----|--|
| 1. Architectural and Engineering (attach invoices) | \$ | |
| 2. Permitting (attach invoices) | \$ | |
| 3. Construction and/or Demolition (attach <u>invoices</u>) | \$ | |
| 5. Other (list - must be specified in agreement) | \$ | |
| | | |
| 6. Total Cumulative to Date | \$ | |
| 7. Less Retainage (10%) (not required for government entities) | \$ | |
| 8. Less Previous Disbursements | \$ | |
| 9. Amount requested for disbursement (line 6 minus line 7 & 8) | \$ | |

Requests for Invoices already Paid:

- 1) Copy of Invoice
- 2) Proof of Payment

**** SUBMIT ONE ORIGINAL COPY OF THIS FORM AND SUPPORTING DOCUMENTATION TO: ****

Hardee County Economic Development Authority
 C/O County Manager's Office
 412 W. Orange St., Suite 103
 Wauchula, FL 33873
 P: 863-773-9430; F: 863-773-0958

County Agreement Administrator Certification of Reimbursement Request

I, _____ ,
(Name of Grantee's County Agreement Administrator Designated in the Agreement)

on behalf of _____ , do hereby certify that:
(Name of Grantee/Recipient)

1. The disbursement amount requested on page 1 of this form is for allowable costs for the project described in the Agreement.
2. Materials, labor, equipment, and/or services representing costs included in the amount requested have been satisfactorily purchased, performed, or received, and applied toward completing the project; such costs are documented by invoices or other appropriate documentation, which are filed in the Grantee's permanent records.
3. The Grantee is required to pay such costs under the terms and provisions of contracts relating directly to the project, and the Grantee is not in default on any terms or provisions of the contracts.
4. All funds received to date have been applied toward completing the project.
5. All permits and approvals required for the construction, which is underway, have been obtained.

(Signature of County Agreement Administrator)

(Date)

PROJECT STATUS REPORT

Project NAME: _____ Project Number: _____

PROJECT ELEMENTS WORK ACCOMPLISHED % COMPLETED

PROBLEMS ENCOUNTERED/COMMENTS

Period Covered
(Check Appropriate Period)

_____	January through March	:	Due April	15 th
_____	April through June	:	Due July	15 th
_____	July through September	:	Due October	15 th
_____	October through December	:	Due January	15 th

County Agreement Administrator: _____
Signature Date

Unit# 42

VIN# 1FVACXDT5GHH4895

2016 Freightliner Bucket Truck w/ Altec Body & Boom

