



PLANNING AND ZONING AGENDA

Monday, March 17, 2025 at 5:30 PM

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

www.cityofwauchula.gov

INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

MINUTES FOR APPROVAL

- 1.** Minutes for 12/16/2024 Planning and Zoning Meeting

PUBLIC COMMENT / NON-AGENDA ITEMS

ORDINANCES

- 2.** Ordinance 2025-06 ULDC Text Amendment Relating to Fencing
- 3.** Ordinance 2025-04 Sheriff's Office FLU Map Amendment
- 4.** Ordinance 2025-05 Sheriff's Office Rezone

OLD BUSINESS

ADJOURNMENT

The Wauchula Planning and Zoning Board met for its regular on Monday, December 16, 2024 at 5:30 p.m.

The following members were present: Vice-Chairwoman Donna Steffens, Chairman Garry Phillips, and Wayne Johnson.

Also present was Community Development Director Kyle Long.

Phillips called the meeting to order.

Approval of Minutes – July 15, 2024

Steffens motioned to approve the minutes, seconded by Johnson.

With no further discussion, Long polled the Board. All were in favor. Motion carried.

Fencing Requirements Discussion

Marisa Barmby – Central Florida Regional Planning Council

Barmby provided a recap of previous discussions on this topic and presented suggestions to the Board.

Ordinance 2024-17 CIE Element Update

Marisa Barmby – Central Florida Regional Planning Council

Barmby presented the annual capital improvement element update to the Board.

Steffens motioned to approve ordinance 2024-17, seconded by Johnson. With no further discussion, Long polled the Board. All were in favor. Motion carried.

Public Comment

There was no public present to comment on other topics.

Old/New Business

No reports were given by staff.

Chairman Phillips adjourned the meeting at 5:54 p.m.

Chairman Garry Phillips

City Clerk Stephanie Camacho



**CITY OF WAUCHULA
PROPOSED LAND DEVELOPMENT CODE TEXT AMENDMENT
AGENDA ITEM**

TO: City of Wauchula Planning and Zoning Board

PREPARED BY: Central Florida Regional Planning Council

AGENDA DATE: March 17, 2025

REQUESTED ACTION: A City-initiated text amendment to the Land Development Code relating to fencing

MOTION OPTIONS:

1. I recommend **approval of** the city-initiated text amendment to the City Commission for the city-initiated amendments to the City of Wauchula Land Development Code relating to fencing.
2. I recommend **approval with changes** to the city-initiated text amendment to the City Commission for the city-initiated amendments to the City of Wauchula Land Development Code relating to fencing.
3. I move **continuation to a date and time certain.**

Attachment: Ordinance 2024-04

BACKGROUND:

The Unified Land Development Code addresses requirements for fencing under Section 3.01.04 Blocks, Yards, Lots, and Fences. To provide better clarity to the fence requirements, the Fence portion of this section (3.01.04(G)) is being deleted and rewritten under Section 3.01.05 Fence Permits.

The proposed language incorporates many of the requirements from the existing Code. Language is amended relating to general requirements, fence placement for residential lots relative to corner lots, and double fronting lots. It addresses required fences and optional fences. It also addresses existing fences.

PROPOSED AMENDMENTS

3.01.04 Blocks, Yards, and Lots, and Fences.

~~(G) Fence Height Limitations. A permit is required from the Development Director before erecting any fence.~~

~~(1) Residential Zoning Districts. In all residential zoning districts, no fence or solid wall on any property shall exceed six feet in height. A solid fence may be added in the front yard as long as it does not exceed four feet in height and has a ten foot minimum setback from the property line. A chain-link type fence (without slats) may be placed within the front setback area as long as it does not exceed four feet in height. Similarly, no fence shall exceed six feet in height in the rear and side yard; and a solid fence may be added in the side yard as long as a 10-foot minimum setback from the front property line is maintained. A chain-link type fence (without slats) may be placed within the side yard setback area up to the front property line and may not exceed four feet in height for the first ten feet from the front property line.~~

~~(2) Other Zoning Districts. No fence or solid wall on any property shall exceed eight feet in height in any commercial or industrial zoning districts.~~

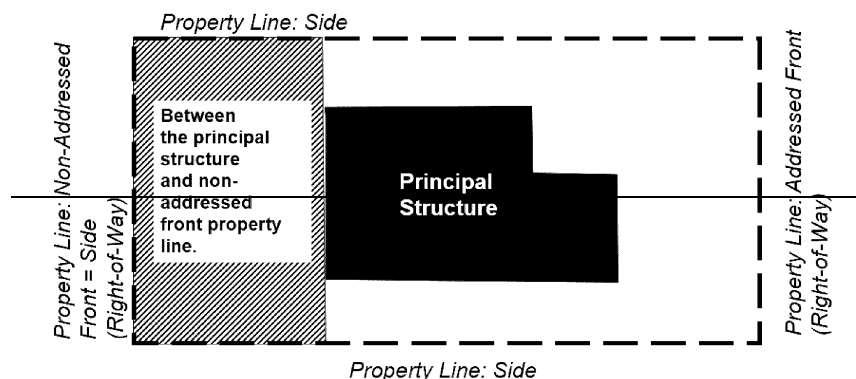
~~(3) Clear Visibility Triangle. In all districts, no fence or other obstruction, including signs having less than 8 feet of ground clearance, walls, hedges, or other structures shall be permitted to impede the clear visibility triangle (Section 3.02.04) so as to interfere with traffic visibility across the corner.~~

~~(4) Finished Side Facing Out. Any fence located adjacent to a public right-of-way or private road shall be placed with the finished side facing that right-of-way.~~

~~(5) Pools. Unless the pool is entirely enclosed or screened in with approval screen, it must be surrounded by a protective wall or chain link fence no less than four feet in height and meet the requirements of Section 2.04.04(C).~~

~~(6) Double Frontage Lots. For the purposes of fence or wall placement on double frontage lots, the front shall be the front property line from which the property is addressed, and the opposite front property line will be treated as a rear property line for the purpose of fencing as illustrated below. The placement of any fence or wall on the front of the property shall adhere to the provisions in Sections (1) or (2) above. A fence may be permitted on the rear property line in compliance with the provisions in Section (1) or (2) above provided the following conditions exist:~~

- ~~(a) The rear of both the adjacent lots on the same side of the street are oriented the same as the lot on which the fence or wall is proposed. If one of the adjacent lots includes a house that is oriented to the street, the clear visibility for driveways located in Section 3.04.02(D) must be met to install a fence in compliance with the provisions in Section (1) or (2) above.~~
- ~~(b) The proposed fence precludes vehicular access to the adjacent road.~~
- ~~(c) If both of the above conditions cannot be met, such fence or wall in the rear shall not exceed four feet in height.~~
- ~~(d) If the rear is adjacent to a right-of-way that would be classified as an arterial or collector right-of-way by the city engineer, then the fence or wall may be constructed consistent with the provisions in Sections (1) or (2) above, regardless of any of the above conditions.~~



~~(7) Where a residential subdivision abuts a public roadway classified as an arterial, a collector, or a local road, the developer shall construct a fence or wall along the entire length of the abutting property line within a recorded planting screen easement of at least ten feet.~~

~~(a) At time of subdivision plan review, the City Commission may approve the following:~~

~~(1) A change in fencing location for stormwater ponds or other open space elements adjacent to the right-of-way.~~

~~(2) A waiver of the requirement for fencing for minor subdivision plats or subdivisions with lots that front the road.~~

~~(b) Subdivision walls and fences shall be constructed to resist high winds up to hurricane strength and shall meet the following minimum standards:~~

~~(1) Be constructed of reinforced concrete block, stone, brick, or other masonry building materials in combination with wrought aluminum or other metal features, rigid composite, and other similar materials, as approved by the City Commission.~~

~~(i) Coated chain link fencing green or black in color may be permitted in combination with a dense irrigated landscape buffer.~~

~~(ii) Specifically in regard to PVC panel fencing, the minimum standard shall be concrete block columns no more than 30 feet apart on center, constructed with reinforced, concrete footings. The PVC portion of the fence shall be constructed with PVC posts in concrete not more than six feet on center and steel inserts in the top and bottom stringers.~~

~~(b) Shall be landscaped on the exterior side (between the wall or fence and the adjacent street right-of-way) with a minimum of five trees per 100 lineal feet and shrub hedges, within a minimum~~

~~plantable area that is at least seven and one-half feet wide and shall be located on the exterior side of the fence or wall.~~

- ~~(1) Hedges shall be planted and maintained to form a 36-inch-high continuous visual screen within one year after time of planting.~~
- ~~(2) Trees adjacent to a right-of-way shall be appropriately sized in mature form so that conflicts with overhead utilities, lighting, and signs are avoided. (The clustering of trees and use of palms adjacent to the right-of-way will add design flexibility and reduce conflicts.)~~
- ~~(3) Where decorative aluminum railing type fencing is applied, 50 percent of the required landscaping can be placed on the inside of the fence for aesthetic purposes.~~
- ~~(c) Shall be designed to ensure that historic water flow patterns are accommodated and all stormwater from the site is directed to on-site detention/retention areas in accordance with SWFWMD requirements.~~
- ~~(d) Shall not be permitted until legally sufficient documents are recorded in the public records of Hardee County providing for the maintenance of the project fence and landscaping.~~

3.01.05 Fences and Walls.

(A) Permit Required.

- (1) A permit is required from the Development Director before erecting any fence or wall.
- (2) A permit shall not be required for general maintenance and repair of existing fences, provided that no more than 25 percent of the total linear footage of a fence is replaced within a 12-month period and any replacement fencing is of the same height, style and materials as the existing fencing.

(B) General Requirements

- (1) For purposes of this section, fences and walls shall mean free-standing fences and walls that are not structural elements of a building.
- (2) Fences and walls, whether required or optional, shall be constructed of the following types of materials:
 1. Chain link or ornamental wire manufactured for fences with uniformly spaced metal or wood posts; or
 2. Ornamental wrought iron, aluminum, or plastics manufactured for fences; or
 3. Treated or finished wood or wood units of uniform size; or
 4. Brick, stone, split block, stucco on concrete block or other finished precast masonry units of uniform size; or
 5. Finished poured concrete; or
 6. Vinyl Fences
- (3) The Community Development Director may approve other fence or wall materials on a particular site if they find that the proposed materials would provide equal or greater protection, would result in equivalent impacts on the general appearance of near or adjacent property, and do not violate the intent of this code.
- (4) Fences and walls, whether required or optional, may be erected adjacent to or on property lines, subject to the standards herein and subject to regulations relating to clear visibility triangles addressed in Section 3.01.04.
- (5) Where a lot or parcel abuts a use or district that allows a higher fence or wall, a fence or wall may be erected at the greater height along the common property boundary without requiring a variance. For example, a residential use having a maximum fence height of six feet that abuts a commercial use having a maximum fence height of eight feet may erect an eight-foot fence along the common property boundary.
- (f) The measurement of maximum fence or wall height shall not include decorative caps on wall columns or fence posts, or decorative arches above gates. Columns and posts, including decorative caps and finials, may exceed permitted fence height

by a maximum of one foot. Columns and posts which exceed the permitted fence height shall be not more than three feet in width and shall be spaced at least six feet apart. Additionally, averaging of fence height may be allowed under special circumstances, such as with a fence located on a slope, at the discretion of the City of Wauchula.

- (g) Fences and walls, whether required or optional, shall be maintained in sound condition.
- (h) Finished Side Facing Out. Any fence located adjacent to a public right-of-way or private road shall be placed with the finished side facing that right-of-way.
- (i) No fence or wall shall be erected in such a manner as to interfere with drainage.
- (j) The attachment of fabric, shade cloth, slats or other material to any chain link or similar open fence shall be prohibited on all perimeter and view blockage fencing. This standard shall not apply to athletic fields and courts, fencing interior to a project site, or construction sites with an active permit.
- (k) Pools. Unless the pool is entirely enclosed or screened-in with approval screen, it must be surrounded by a protective wall or chain link fence no less than four feet in height and meet the requirements of Section 2.04.04(C).
- (l) Double frontage lots. The Community Development Director shall have the discretion to apply rear yard standards to one of the two frontages upon a determination that a particular yard functions as a rear yard for fence height requirements.

(C) Required Fences and Walls

- (1) Requirements for fences and walls required for buffering or as a condition of a specific use are addressed in those respective sections.
- (2) Residential Subdivision Fencing Requirements

Where a residential subdivision abuts a public roadway classified as an arterial, a collector, or a local road, the developer shall construct a fence or wall along the entire length of the abutting property line within a recorded planting screen easement of at least ten feet.

- (a) At time of subdivision plan review, the City Commission may approve the following.
 - (1) A change in fencing location for stormwater ponds or other open space elements adjacent to the right-of-way.
 - (2) A waiver of the requirement for fencing for minor subdivision plats or subdivisions with lots that front the road.
- (b) Subdivision walls and fences shall be constructed to resist high winds up to hurricane strength and shall meet the following minimum standards:
 - (1) Be constructed of reinforced concrete block, stone, brick, or other masonry building materials in combination with wrought aluminum or other metal features, rigid composite, and other similar materials, as approved by the City Commission.
 - (i) Coated chain link fencing green or black in color may be permitted in combination with a dense irrigated landscape buffer.
 - (ii) Specifically in regard to PVC panel fencing, the minimum standard shall be concrete block columns no more than 30 feet apart on center, constructed with reinforced, concrete footings. The PVC portion of the fence shall be constructed with PVC posts in concrete not more than six feet on center and steel inserts in the top and bottom stringers.
- (c) Shall be landscaped on the exterior side (between the wall or fence and the adjacent street right-of-way) with a minimum of five trees per 100 lineal feet and shrub hedges, within a minimum plantable area

that is at least seven and one-half feet wide located on the exterior side of the fence or wall.

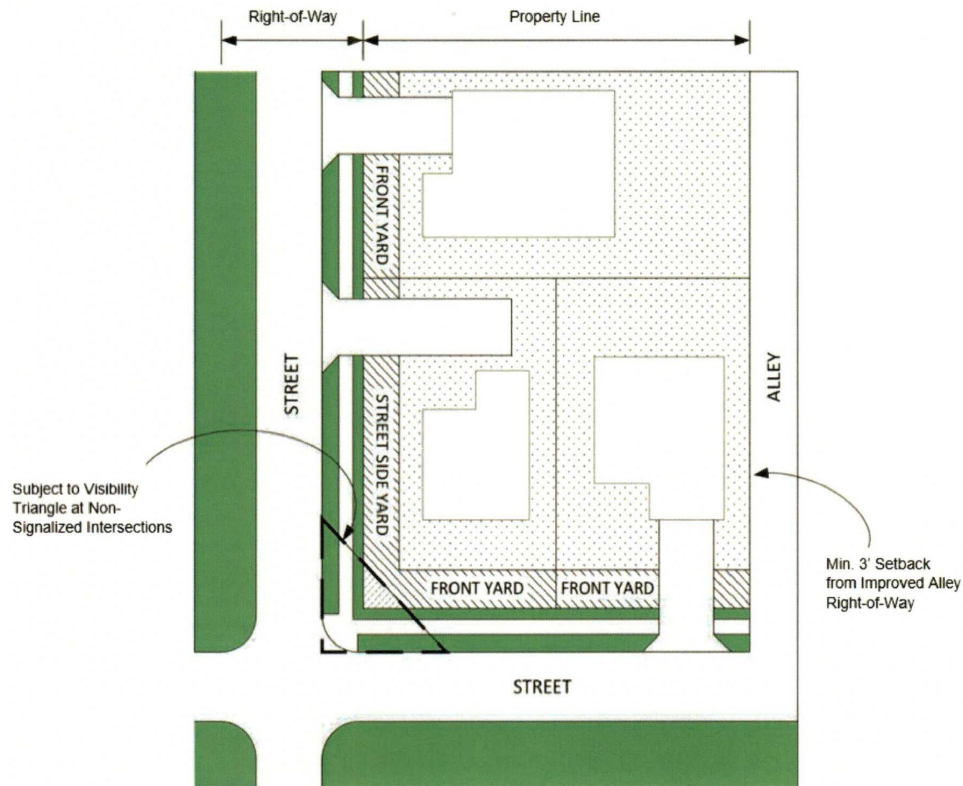
- (1) Hedges shall be planted and maintained to form a 36-inch-high continuous visual screen within one year after time of planting.
- (2) Trees adjacent to a right-of-way shall be appropriately sized in mature form so that conflicts with overhead utilities, lighting, and signs are avoided. (The clustering of trees and use of palms adjacent to the right-of-way will add design flexibility and reduce conflicts.)
- (3) Where decorative aluminum railing type fencing is applied, 50 percent of the required landscaping can be placed on the inside of the fence for aesthetic purposes.
- (d) Shall be designed to ensure that historic water flow patterns are accommodated and all stormwater from the site is directed to on-site detention/retention areas in accordance with SWFWMD requirements.
- (e) Shall not be permitted until legally sufficient documents are recorded in the public records of Hardee County providing for the maintenance of the project fence and landscaping.

(D) Optional Fences and Walls

- (1) Single-Family, Two-Family and Multi-Family Residential Zoning Districts. See Figure 1.
 - A. Fences or walls may be a maximum of six (6) feet in height within the rear or interior side yards.
 - B. Fences and walls shall not exceed four (4) feet within the required front yard. For corner lots, fences may be up to six (6) feet in height within the required side street yard subject to a minimum setback of five (5) feet from the street side property line.
 - C. Fences and walls may be a maximum of 24 inches tall within the visibility triangle at a non-signalized intersection.

- D. Fences surrounding public utility structures within residential districts shall be exempt from the setback requirements and height requirements (up to a maximum of eight feet) and may use up to three strands of barded wire on security chain link fences provided that such barbed wire is a minimum of six feet above average grade.

Figure 1 Residential Fences and Walls



LEGEND

MAXIMUM FENCE / WALL HEIGHTS



4 feet within the Required Front Yard; For corner lots, fences may be up to 6 feet in height within the Required Street Side Yard subject to a minimum setback of 5 feet from the Street Side Property Line.



Six feet within Rear or Interior Side Yards.



24 inches within Visibility Triangle at Non-Signalized Intersections.

NOTE: Fences and walls may be 8 feet high adjacent to any arterial or limited access roadway or any use that allows 8 feet by right.

(2) Mobile Home and Recreational Vehicle Parks and Non-Resident
Zoning Districts

- A. Optional fences or walls erected in areas zoned for mobile home and recreational vehicle parks, or office or commercial uses shall not exceed eight feet in height, except that in required front yards, the portion of such fences or walls that extends above four feet in height shall be made of pickets, wrought iron, chain link or similar open construction having no greater than 50 percent view blockage when viewed from an angle perpendicular to the face of the fence or wall.
- B. Optional fences or walls erected in the Industrial zoning districts shall not exceed eight feet in height, unless required as a condition for a specific use.

(E) Existing Fences and Walls

Existing fences and walls erected legally prior to the effective date of these standards (whether lawfully or otherwise) and which do not conform to the standards of this section shall be subject to the following:

- (1) Existing non-conforming fences and walls may be maintained and repaired, provided that maintenance and repair does not increase or intensify the extent or size of the nonconformity or exceed the limits specified in b. and c. below.
- (2) Where 50 percent or more of the linear footage of a non-conforming fence or wall within a single yard (front, street side, interior side, or rear) is to be replaced, the entire linear footage of the fence or wall within that yard shall be required to conform with the requirements of this section.
- (3) Where 50 percent or more of the total linear footage of a non-conforming fence or wall is to be replaced within a 12-month period, the entire fence or wall shall be required to conform with the requirements of this section.

ORDINANCE NO. 2025-06

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA, RELATING TO FENCING; AMENDING SECTION 3.01.04 BLOCKS, YARDS, LOTS, AND FENCES BY REMOVING SECTION (G) FENCE HEIGHT LIMITATIONS AND CREATING SECTION 3.01.05 FENCES AND WALLS TO PROVIDE CLARITY FOR REQUIREMENTS PERTAINING TO FENCES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION; THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS AND AN EFFECTIVE DATE

WHEREAS, the Land Development Code addresses fence requirements; and

WHEREAS, there are potential issues that have been identified relating to the height and location of residential fences; and

WHEREAS, to provide better clarity in the requirements pertaining to fences and walls, the City is amending the Land Development Code by removing fences from Section 3.01.04 Blocks, Yards, Lots, and Fences and creating a stand alone fencing section; 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 Commission, at a duly advertised public meeting on March 17, 2025, at which time interested parties and citizens had the opportunity to be heard and such regulations were recommended to the City Commission for adoption; and

WHEREAS, the City Commission, after taking into consideration the recommendations of the Planning and Zoning Board and the City Staff, and the comments received during the public hearing process, finds that the proposed revisions and amendments are appropriate, desirable, and in the best interests of the City.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Wauchula, Florida that this Ordinance is hereby passed for the protection and welfare of the citizens of Wauchula, and that:

SECTION 1. 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 2. UNIFIED LAND DEVELOPMENT CODE. The Unified Land Development Code (ULDC) of the City of Wauchula is hereby amended as shown in Exhibit "A", which is attached and made a part hereof.

SECTION 3. CONFLICTS. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances and Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Wauchula, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 5. CODIFICATION. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Unified Land Development Code of the City of Wauchula; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Unified Land Development Code of the City of Wauchula is accomplished, sections of this Ordinance may be renumbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or their designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect as provided by general law.

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 2025-06
Exhibit "A"
Amendments to the Unified Land Development Code

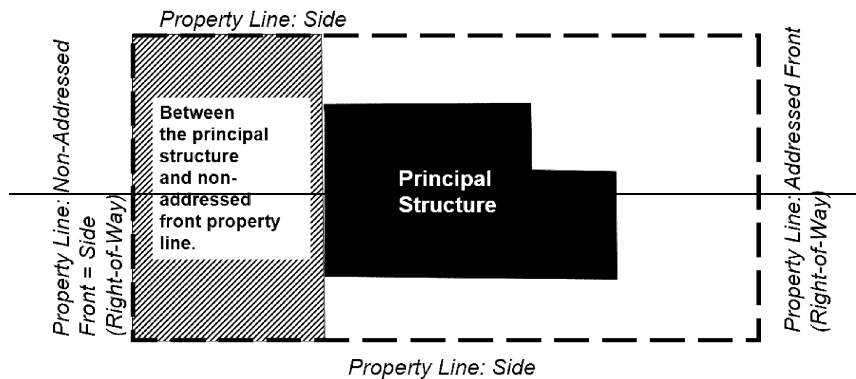
Language stricken is shown in ~~strikethrough~~ format; language added is shown in underlined format.

3.01.04 ~~Blocks, Yards, and Lots, and Fences.~~

~~(G) Fence Height Limitations. A permit is required from the Development Director before erecting any fence.~~

- ~~(1) *Residential Zoning Districts.* In all residential zoning districts, no fence or solid wall on any property shall exceed six feet in height. A solid fence may be added in the front yard as long as it does not exceed four feet in height and has a ten foot minimum setback from the property line. A chain-link type fence (without slats) may be placed within the front setback area as long as it does not exceed four feet in height. Similarly, no fence shall exceed six feet in height in the rear and side yard; and a solid fence may be added in the side yard as long as a 10-foot minimum setback from the front property line is maintained. A chain-link type fence (without slats) may be placed within the side yard setback area up to the front property line and may not exceed four feet in height for the first ten feet from the front property line.~~
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- ~~(a) The rear of both the adjacent lots on the same side of the street are oriented the same as the lot on which the fence or wall is proposed. If one of the adjacent lots includes a house that is oriented to the street, the clear visibility for driveways located in Section 3.04.02(D) must be met to install a fence in compliance with the provisions in Section (1) or (2) above.~~
- ~~(b) The proposed fence precludes vehicular access to the adjacent road.~~
- ~~(c) If both of the above conditions cannot be met, such fence or wall in the rear shall not exceed four feet in height.~~
- ~~(d) If the rear is adjacent to a right-of-way that would be classified as an arterial or collector right-of-way by the city engineer, then the fence or wall may be constructed consistent with the provisions in Sections (1) or (2) above, regardless of any of the above conditions.~~



- ~~(7) Where a residential subdivision abuts a public roadway classified as an arterial, a collector, or a local road, the developer shall construct a fence or wall along the entire length of the abutting property line within a recorded planting screen easement of at least ten feet.~~
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 - ~~(1) Hedges shall be planted and maintained to form a 36-inch-high continuous visual screen within one year after time of planting.~~
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- ~~(c) Shall be designed to ensure that historic water flow patterns are accommodated and all stormwater from the site is directed to on-site detention/retention areas in accordance with SWFWMD requirements.~~
- ~~(d) Shall not be permitted until legally sufficient documents are recorded in the public records of Hardee County providing for the maintenance of the project fence and landscaping.~~

3.01.05 Fences and Walls.

(A) Permit Required.

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- (2) A permit shall not be required for general maintenance and repair of existing fences, provided that no more than 25 percent of the total linear footage of a fence is replaced within a 12-month period and any replacement fencing is of the same height, style and materials as the existing fencing.

(B) General Requirements

- (1) For purposes of this section, fences and walls shall mean free-standing fences and walls that are not structural elements of a building.
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 1. Chain link or ornamental wire manufactured for fences with uniformly spaced metal or wood posts; or
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- (3) The Community Development Director may approve other fence or wall materials on a particular site if they find that the proposed materials would provide equal or greater protection, would result in equivalent impacts on the general appearance of near or adjacent property, and do not violate the intent of this code.

- (4) Fences and walls, whether required or optional, may be erected adjacent to or on property lines, subject to the standards herein and subject to regulations relating to clear visibility triangles addressed in Section 3.01.04.
- (5) Where a lot or parcel abuts a use or district that allows a higher fence or wall, a fence or wall may be erected at the greater height along the common property boundary without requiring a variance. For example, a residential use having a maximum fence height of six feet that abuts a commercial use having a maximum fence height of eight feet may erect an eight-foot fence along the common property boundary.
- (f) The measurement of maximum fence or wall height shall not include decorative caps on wall columns or fence posts, or decorative arches above gates. Columns and posts, including decorative caps and finials, may exceed permitted fence height by a maximum of one foot. Columns and posts which exceed permitted fence height shall be not more than three feet in width and shall be spaced at least six feet apart. Additionally, averaging of fence height may be allowed under special circumstances, such as with a fence located on a slope, at the discretion of the City of Wauchula.
- (g) Fences and walls, whether required or optional, shall be maintained in sound condition.
- (h) Finished Side Facing Out. Any fence located adjacent to a public right-of-way or private road shall be placed with the finished side facing that right-of-way.
- (i) No fence or wall shall be erected in such a manner as to interfere with drainage.
- (j) The attachment of fabric, shade cloth, slats or other material to any chain link or similar open fence shall be prohibited on all perimeter and view blockage fencing. This standard shall not apply to athletic

fields and courts, fencing interior to a project site, or construction sites with an active permit.

(k) Pools. Unless the pool is entirely enclosed or screened-in with approval screen, it must be surrounded by a protective wall or chain link fence no less than four feet in height and meet the requirements of Section 2.04.04(C).

(l) Double frontage lots. The Community Development Director shall have the discretion to apply rear yard standards to one of the two frontages upon a determination that a particular yard functions as a rear yard for fence height requirements.

(C) Required Fences and Walls

(1) Requirements for fences and walls required for buffering or as a condition of a specific use are addressed in those respective sections.

(2) Residential Subdivision Fencing Requirements

Where a residential subdivision abuts a public roadway classified as an arterial, a collector, or a local road, the developer shall construct a fence or wall along the entire length of the abutting property line within a recorded planting screen easement of at least ten feet.

(a) At time of subdivision plan review, the City Commission may approve the following.

(1) A change in fencing location for stormwater ponds or other open space elements adjacent to the right-of-way.

(2) A waiver of the requirement for fencing for minor subdivision plats or subdivisions with lots that front the road.

(b) Subdivision walls and fences shall be constructed to resist high winds up to hurricane strength and shall meet the following minimum standards:

- (1) Be constructed of reinforced concrete block, stone, brick, or other masonry building materials in combination with wrought aluminum or other metal features, rigid composite, and other similar materials, as approved by the City Commission.

 - (i) Coated chain link fencing green or black in color may be permitted in combination with a dense irrigated landscape buffer.
 - (ii) Specifically in regard to PVC panel fencing, the minimum standard shall be concrete block columns no more than 30 feet apart on center, constructed with reinforced, concrete footings. The PVC portion of the fence shall be constructed with PVC posts in concrete not more than six feet on center and steel inserts in the top and bottom stringers.
- (c) Shall be landscaped on the exterior side (between the wall or fence and the adjacent street right-of-way) with a minimum of five trees per 100 lineal feet and shrub hedges, within a minimum plantable area that is at least seven and one-half feet wide located on the exterior side of the fence or wall.

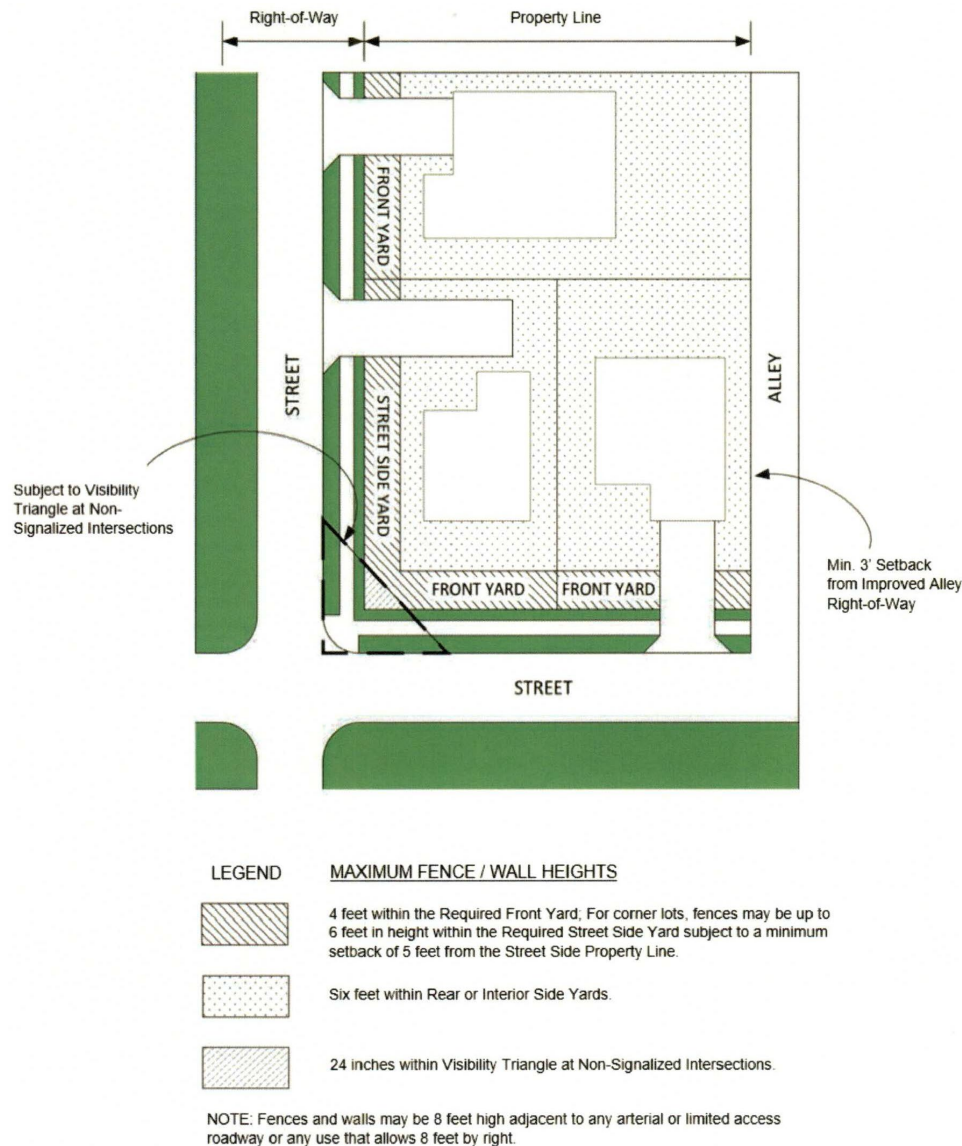
 - (1) Hedges shall be planted and maintained to form a 36-inch-high continuous visual screen within one year after time of planting.
 - (2) Trees adjacent to a right-of-way shall be appropriately sized in mature form so that conflicts with overhead utilities, lighting, and signs are avoided. (The clustering of trees and use of palms adjacent to the right-of-way will add design flexibility and reduce conflicts.)
 - (3) Where decorative aluminum railing type fencing is applied, 50 percent of the required landscaping can be placed on the inside of the fence for aesthetic purposes.

- (d) Shall be designed to ensure that historic water flow patterns are accommodated and all stormwater from the site is directed to on-site detention/retention areas in accordance with SWFWMD requirements.
- (e) Shall not be permitted until legally sufficient documents are recorded in the public records of Hardee County providing for the maintenance of the project fence and landscaping.

(D) Optional Fences and Walls

- (1) Single-Family, Two-Family and Multi-Family Residential Zoning Districts. See Figure 1.
 - A. Fences or walls may be a maximum of six (6) feet in height within the rear or interior side yards.
 - B. Fences and walls shall not exceed four (4) feet within the required front yard. For corner lots, fences may be up to six (6) feet in height within the required side street yard subject to a minimum setback of five (5) feet from the street side property line.
 - C. Fences and walls may be a maximum of 24 inches tall within the visibility triangle at a non-signalized intersection.
 - D. Fences surrounding public utility structures within residential districts shall be exempt from the setback requirements and height requirements (up to a maximum of eight feet) and may use up to three strands of barded wire on security chain link fences provided that such barbed wire is a minimum of six feet above average grade.

Figure 1 Residential Fences and Walls



(2) Mobile Home and Recreational Vehicle Parks and Non-Residential Zoning Districts

- A. Optional fences or walls erected in areas zoned for mobile home and recreational vehicle parks, or office or commercial uses shall not exceed eight feet in height, except that in required front yards, the portion of such fences or walls that extends above four feet in height shall be made of pickets, wrought iron, chain link or similar open construction having no greater than 50 percent view blockage

when viewed from an angle perpendicular to the face of the fence or wall.

B. Optional fences or walls erected in the Industrial zoning districts shall not exceed eight feet in height, unless required as a condition for a specific use.

(E) Existing Fences and Walls

Existing fences and walls erected legally prior to the effective date of these standards (whether lawfully or otherwise) and which do not conform to the standards of this section shall be subject to the following:

- (1) Existing non-conforming fences and walls may be maintained and repaired, provided that maintenance and repair does not increase or intensify the extent or size of the nonconformity or exceed the limits specified in b. and c. below.
- (2) Where 50 percent or more of the linear footage of a non-conforming fence or wall within a single yard (front, street side, interior side, or rear) is to be replaced, the entire linear footage of the fence or wall within that yard shall be required to conform with the requirements of this section.
- (3) Where 50 percent or more of the total linear footage of a non-conforming fence or wall is to be replaced within a 12-month period, the entire fence or wall shall be required to conform with the requirements of this section.



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

TO: City of Wauchula Planning and Zoning Board

PREPARED BY: Central Florida Regional Planning Council

AGENDA DATE: March 17, 2025

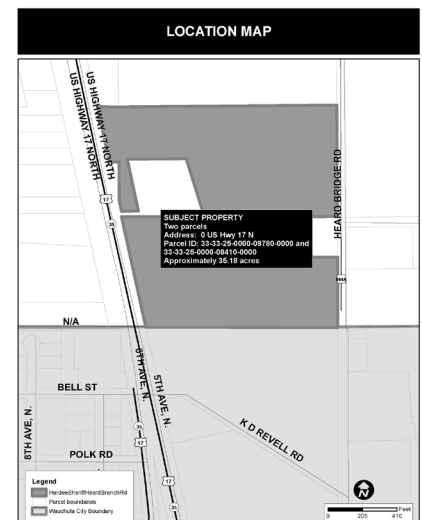
REQUESTED ACTION: **AN APPLICANT-INITIATED FUTURE LAND USE MAP AMENDMENT AND ZONING MAP AMENDMENT – East of US Highway 17, west of Heard Bridge Road, north of Bell Street, and south of Tropicana Street (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000).**

Ordinance 2025-04: An applicant-initiated request to amend the **Future Land Use classification** from County Town Center to City Public/Semi-Public (PSP) on approximately 35.18 acres located East of US Highway 17, west of Heard Bridge Road, north of Bell Street, and south of Tropicana Street (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000).

Ordinance 2025-05: An applicant-initiated request to amend the **Zoning Map** from County General Commercial (C-2) and County Agriculture (A-1) to City Public/Semi-Public (P/SP) on approximately 35.18 acres located East of US Highway 17, west of Heard Bridge Road, north of Bell Street, and south of Tropicana Street (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000).

BACKGROUND:

The Hardee County Board of County Commissioners (applicant) is requesting the assignment of a City of Wauchula Future Land Use and Zoning designation on a 35.18-acre property (two parcels) that was recently annexed into the City. They are requesting the City assign a Future Land Use designation of Public/Semi-Public (PSP) and a Zoning District of Public/Semi-Public (P/SP) to facilitate the development of a new Hardee County Sheriff's Office Administration building and jail.



FUTURE LAND USE REQUEST

The applicant is requesting a Future Land Use Map amendment from County Town Center to City Public/Semi-Public (PSP). Descriptions for both the existing and proposed Future Land Use categories are provided as follows.

EXISTING FUTURE LAND USE

Hardee County Comprehensive Plan, Future Land Use Element, Policy L1.2 – Town Center:

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

City of Wauchula Comprehensive Plan, Future Land Use Element, Policy 1.6(h) – Public/Semi-Public:

This category includes local government buildings, educational facilities, hospitals, and other public and semi-public properties which are accessible to all citizens, compatible with 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 for public buildings shall not exceed 2.0.

ZONING REQUEST

The applicant is requesting a Zoning Map amendment from County General Commercial (C-2) and County Agriculture (A-1) to City Public/Semi-Public (P/SP) Descriptions for both the existing and proposed Zoning categories are provided as follows.

EXISTING ZONING

Hardee County Land Development Code, Section 3.04.10(A) – C-2 General Commercial District.

The primary purpose of this zoning district is to provide areas in Hardee County for the establishment of major commercial centers serving the needs of the community and the region. Other land uses encouraged in the district include: professional offices, limited medium density residential, light industrial, public and community services and recreation facilities land uses.

And

Hardee County Land Development Code, Section 3.04.01(A) – A-1 Agricultural District.

The primary purpose of this zoning district is to provide areas in Hardee County for the primary practice of unlimited agriculture, very low density residential, low

intensity commercial services, industrial, public and community services, and recreation and open space land uses. Recreation uses are consistent and compatible with the Agriculture (A-1) district, when the primary function is public or private, not-for-profit recreation.

PROPOSED 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.

PROPERTY INFORMATION

The request includes two parcels totaling approximately 35.18 acres. The property has a Future Land Use designation of County Town Center and zoning designations of County General Commercial (C-2) and County Agriculture (A-1). The property owner is requesting the City assign a Future Land Use designation of Public/Semi-Public (PSP) and a Zoning District of Public/Semi-Public (P/SP) to facilitate the development of a new Hardee County Sheriff's Office Administration building and jail.



ANALYSIS:

SURROUNDING PROPERTIES:

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

<u>Northwest:</u> FLU: County TC Zoning: County C-2 Use: Commercial	<u>North:</u> FLU: County TC Zoning: County C-2 and County A-1 Use: Agriculture	<u>Northeast:</u> FLU: County TC Zoning: County A-1 Use: Agriculture
<u>West:</u> FLU: County TC Zoning: County C-2 Use: Commercial	<u>Subject Property:</u> Current FLU: TC Requested FLU: PSP Current Zoning: County C-2 and County A-1 Requested Zoning: PSP Use: Vacant	<u>East:</u> FLU: County TC Zoning: County A-1 Use: Residential and Agriculture
<u>Southwest:</u> FLU: PSP Zoning: PSP Use: Public	<u>South:</u> FLU: PSP Zoning: PSP Use: Public	<u>Southeast:</u> FLU: LDR Zoning: R-3 Use: Residential

LAND USE IMPACTS ANALYSIS:

Table 1 includes the density/intensity for the amendment to the Future Land Use Map request for the property, which results in a potential Decrease of 168 DU and increase of 1,532,441 sf non-residential.

Table 1:
Analysis of Impacts from Proposed Future Land Use Map Amendment

	Existing FLU: County Town Center (35.18 acres)	Proposed FLU: Town PSP (35.18 acres)
Density/Intensity	12 DU/acres and 40% of site at 2.0 FAR for General Commercial and 20% of site at 1.0 FR for Industrial	FAR 2.0
Density Potential	168 dwelling units and 1,225,952 sf General Commercial and 306,488 sf Industrial	3,064,881 sf public uses
Difference	Decrease of 168 DU and increase of 1,532,441 sf non-residential	

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.

Table 2 includes the density/intensity for the amendment to the Zoning Map request for the property, which results in a potential decrease of 3 DU and decrease of 16,553 sf non-residential

**Table 2:
Analysis of Impacts from Proposed Zoning Map Amendment**

	Existing Zoning: Hardee AG (17.4 acres) Hardee C-2 (17.78 ac)	Proposed Zoning: City P/SP (35.18 acres)
Density/Intensity	Hardee AG: 1 DU/ 5 acres C-2: 2.0 FAR	1.0 FAR
Density Potential	3 DU 1,548,993 sf commercial	1,532,440 sf public uses
Difference	Decrease of 3 DU and decrease of 16,553 sf non-residential	

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. 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

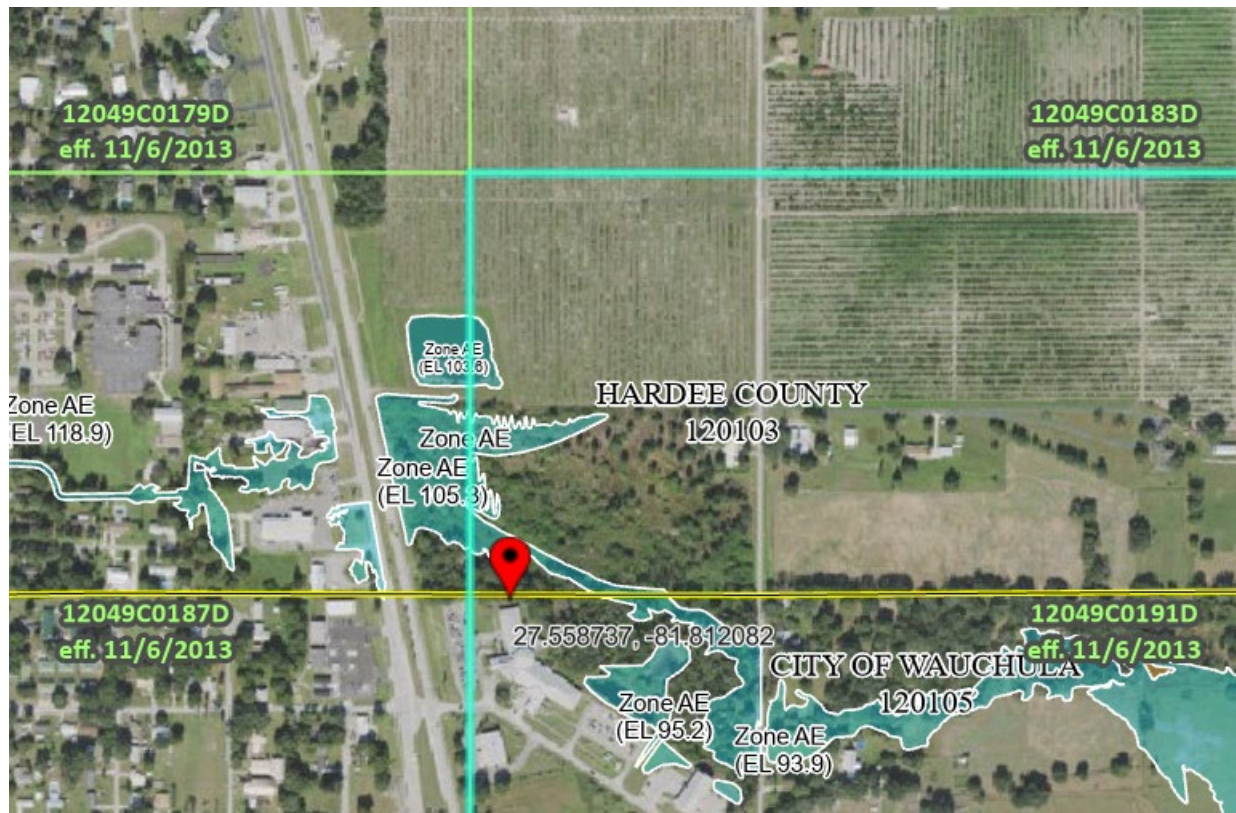
The site is bordered by US 17 on the west and Heard Branch Road on the east. US 17 is a state maintained road and Heard Branch Road adjacent to the property is county-maintained. As the project moved forward to site plan review, the applicant would have to coordinate with the FDOT and the County regarding driveway permits and impacts to the system.

Environmental Impacts

According to the FEMA FIRM maps (see snippet below), portions of the site are located in a FEMA Flood Zone AE. Development of the site will have to meet the requirements of Section 5.01.00 of the Land Development Code.

School Impacts

The requested Future Land Use and Zoning do not permit the development of residential developments, therefore there are no 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 land for governmental service activities.

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

PUBLIC HEARING 1: FUTURE LAND USE

MOTION OPTIONS:

1. I move **recommendation of approval to the City Commission** for a change in Future Land Use from County Town Center to City Public/Semi-Public (PSP) on approximately 35.18 acres located at 0 US Hwy 17 N (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000).
2. I move **recommendation of approval with changes to the City Commission** for a change in Future Land Use from County Town Center to City Public/Semi-Public (PSP) on approximately 35.18 acres located at 0 US Hwy 17 N (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000).

3. I move **recommendation of denial to the City Commission** for a change in Future Land Use from County Town Center to City Public/Semi-Public (PSP) on approximately 35.18 acres located at 0 US Hwy 17 N (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000).
4. I move **continuation to a date and time certain.**

Item # 4.

PUBLIC HEARING 2: ZONING

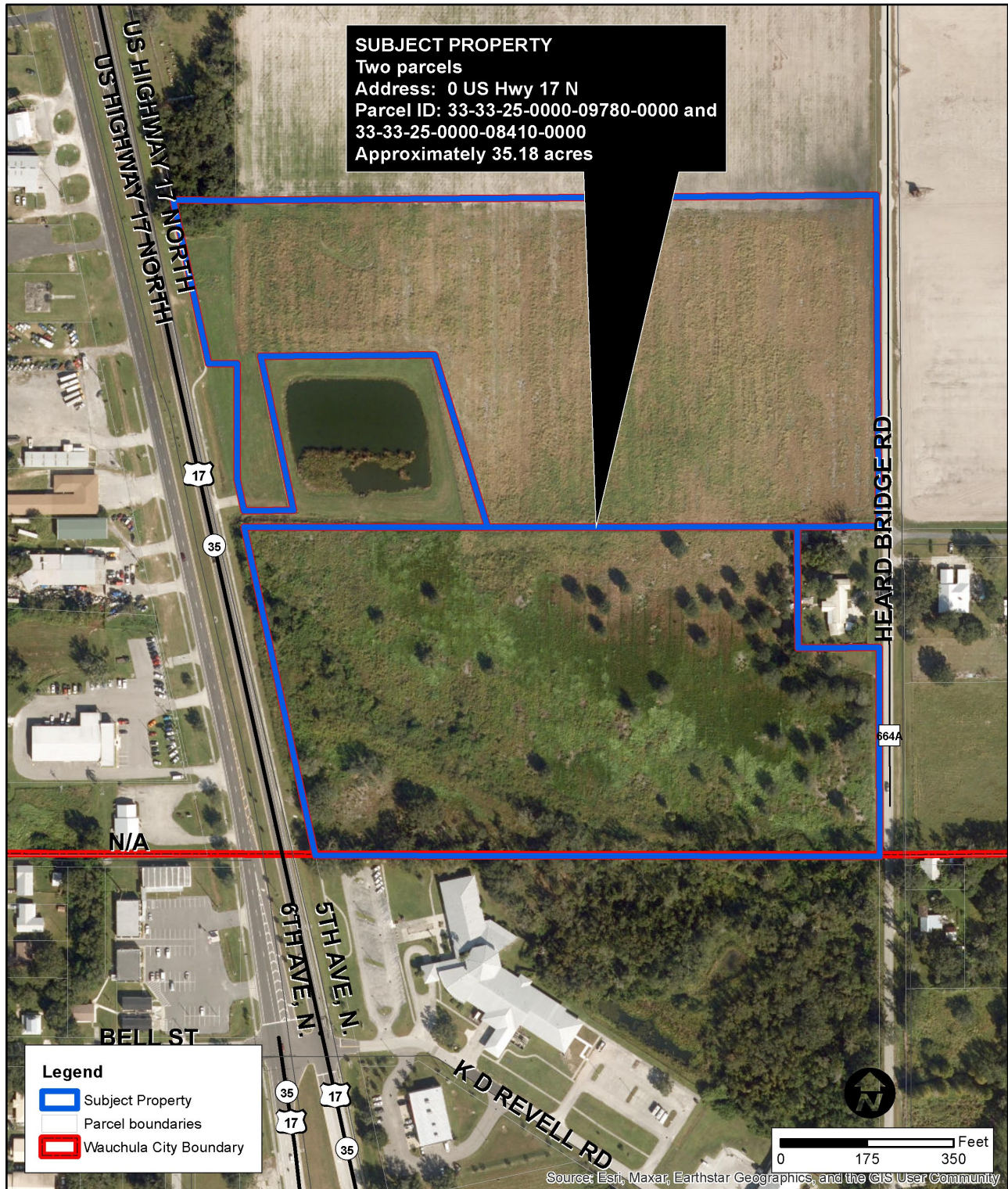
MOTION OPTIONS:

1. I move **recommendation of approval to the City Commission** for an applicant-initiated request to amend the Zoning from County General Commercial (C-2) and County Agriculture (A-1) to City Public/Semi-Public (P/SP) on approximately 35.18 acres located at 0 US Hwy 17 N (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000).
2. I move **recommendation of approval with changes to the City Commission** for an applicant-initiated request to amend the Zoning from County General Commercial (C-2) and County Agriculture (A-1) to City Public/Semi-Public (P/SP) on approximately 35.18 acres located at 0 US Hwy 17 N (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000).
3. I move **recommendation of denial to the City Commission** for an applicant-initiated request to amend the Zoning from County General Commercial (C-2) and County Agriculture (A-1) to City Public/Semi-Public (P/SP) on approximately 35.18 acres located at 0 US Hwy 17 N (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000).
4. I move **continuation to a date and time certain.**

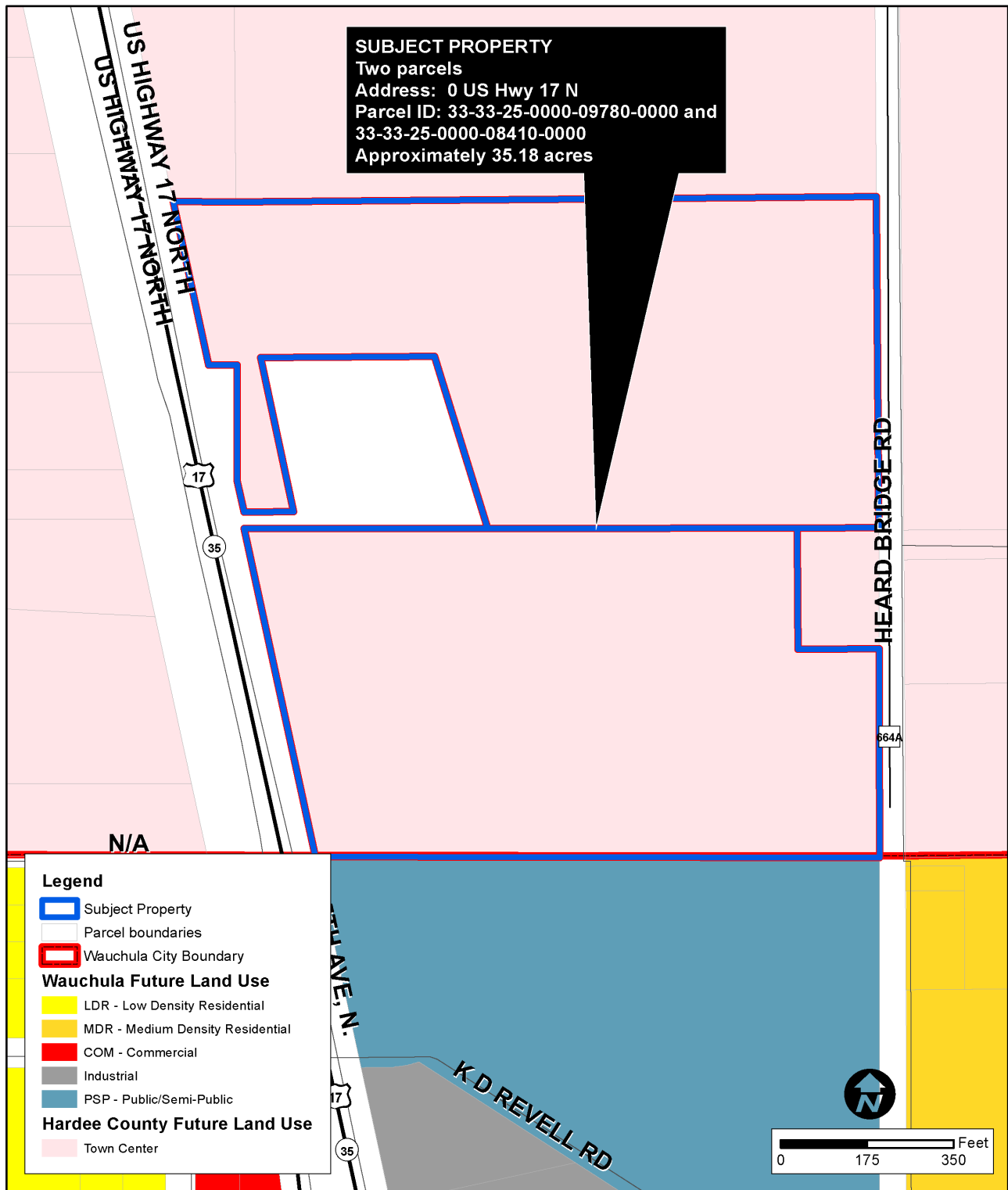
Attachments:

Aerial Map
Existing Future Land Use Map
Proposed Future Land Use Map
Existing Zoning Map
Proposed Zoning Map
Ordinance 2025-04
Ordinance 2025-05

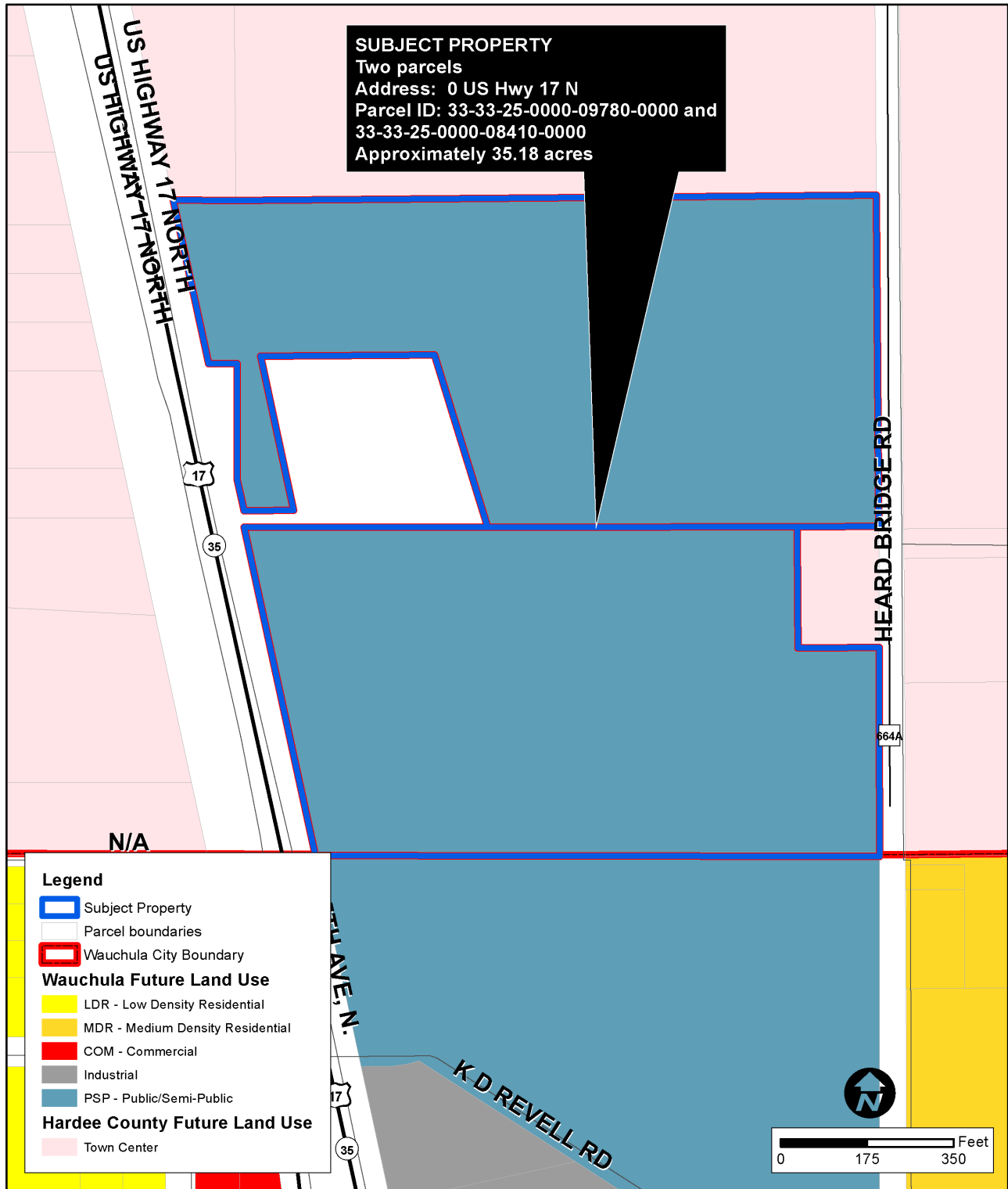
AERIAL MAP



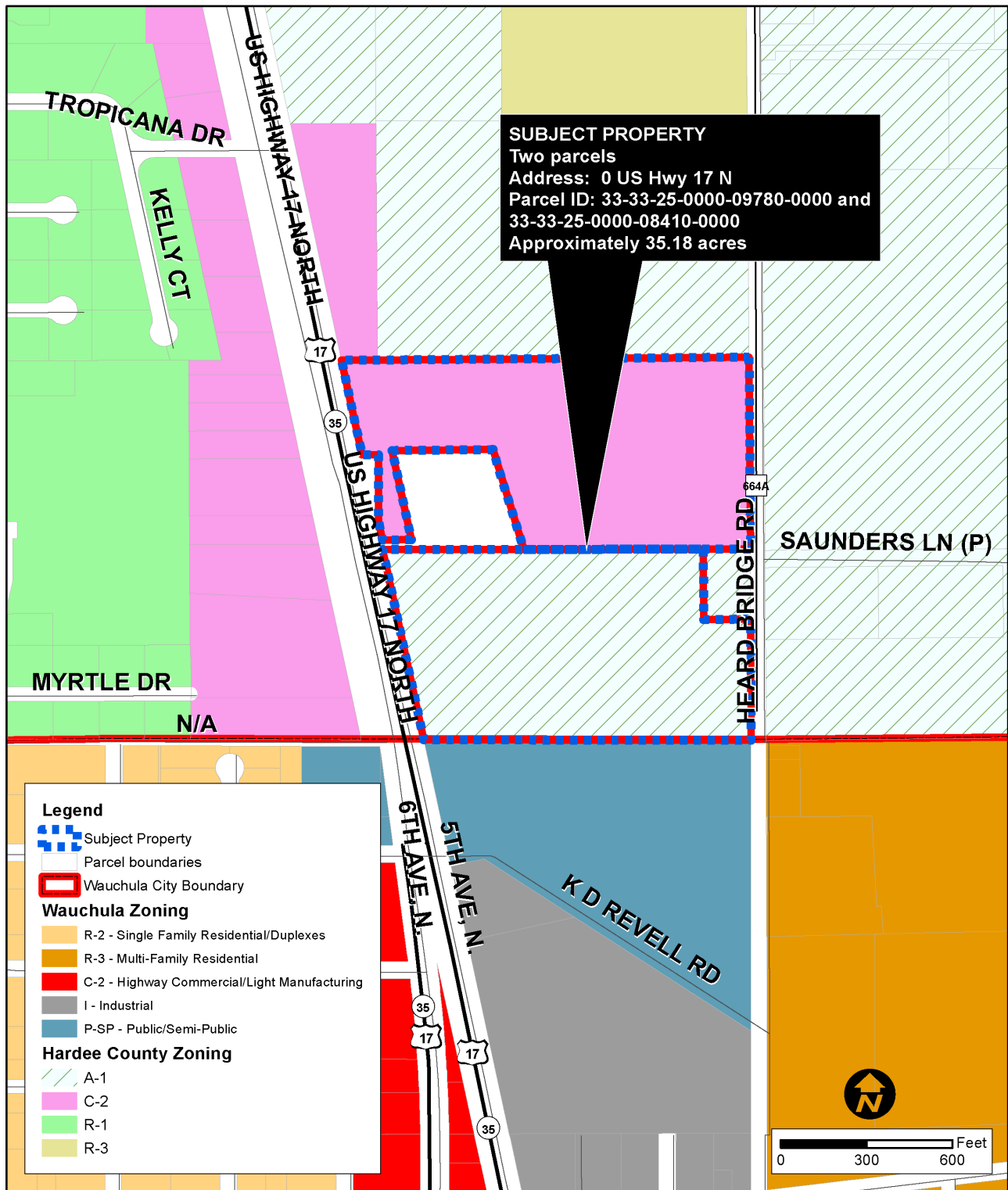
FUTURE LAND USE MAP - EXISTING



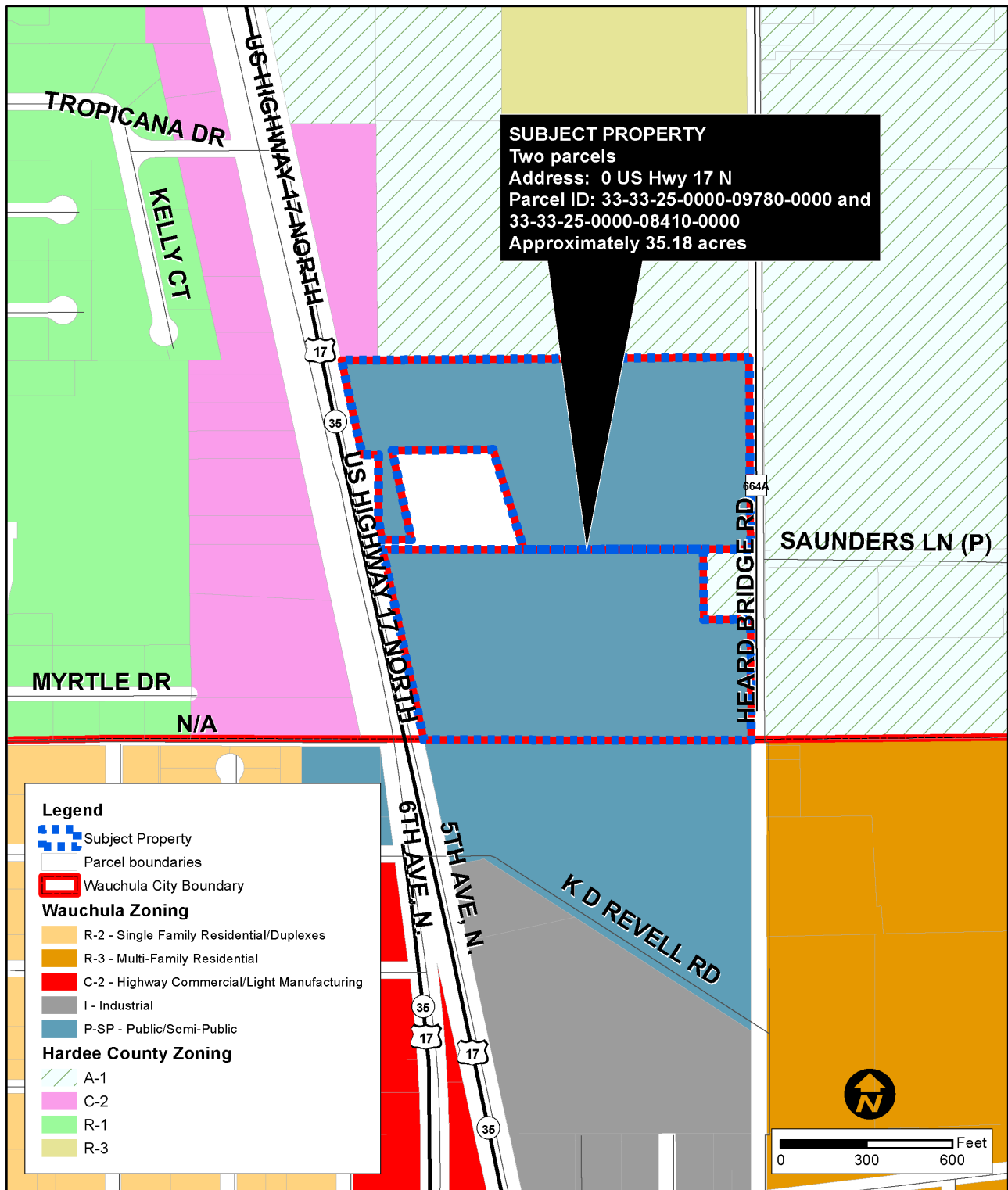
FUTURE LAND USE MAP - PROPOSED



ZONING MAP - EXISTING



ZONING MAP - PROPOSED



ORDINANCE NO. 2025-04

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 PUBLIC/SEMI-PUBLIC (PSP) ON APPROXIMATELY 35.18 ACRES LOCATED EAST OF US HIGHWAY 17, WEST OF HEARD BRIDGE ROAD, NORTH OF BELL STREET, AND SOUTH OF TROPICANA STREET (PARCEL NUMBERS 33-33-25-0000-09780-0000 AND 33-33-25-0000-08410-0000), 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 25-01SS**, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

WHEREAS, in exercise of its authority the City Commission has determined it necessary to adopt this **Amendment 25-01SS** to the Comprehensive Plan, which map is marked as Exhibit "A" and is attached and made a part hereof, to ensure that the Plan is in full compliance with the Laws of the State of Florida; to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Wauchula; and

WHEREAS, in accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting on March 17, 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 Public/Semi-Public (PSP) on approximately 35.18 acres located East of US Highway 17, west of Heard Bridge Road, north of Bell Street, and south of Tropicana Street (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000) 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

FUTURE LAND USE MAP - PROPOSED

SUBJECT PROPERTY
 Two parcels
 Address: 0 US Hwy 17 N
 Parcel ID: 33-33-25-0000-09780-0000 and
 33-33-25-0000-08410-0000
 Approximately 35.18 acres

Legend

- Subject Property
- Parcel boundaries
- Wauchula City Boundary

Wauchula Future Land Use

- LDR - Low Density Residential
- MDR - Medium Density Residential
- COM - Commercial
- Industrial
- PSP - Public/Semi-Public

Hardee County Future Land Use

- Town Center

Map Labels:
 US HIGHWAY 17 NORTH
 17
 35
 N/A
 HEARD BRIDGE RD
 864A
 K-D REVELL RD
 35

Scale:
 0 175 350 Feet

ORDINANCE NO. 2025-05

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 CLASSIFICATION FROM COUNTY GENERAL COMMERCIAL (C-2) AND COUNTY AGRICULTURE (A-1) TO CITY PUBLIC/SEMI-PUBLIC (P/SP) ON APPROXIMATELY 35.18 ACRES LOCATED EAST OF US HIGHWAY 17, WEST OF HEARD BRIDGE ROAD, NORTH OF BELL STREET, AND SOUTH OF TROPICANA STREET (PARCEL NUMBERS 33-33-25-0000-09780-0000 AND 33-33-25-0000-08410-0000), 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 County General Commercial (C-2) and County Agriculture (A-1) to City Public/Semi-Public (P/SP) for the development of a new Hardee County Sheriff's Office Administration building and jail on approximately 35.18 acres located east of US Highway 17, west of Heard Bridge Road, north of Bell Street, and south of Tropicana Street (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000); 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 March 17, 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 March 17, 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 March 17, 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, 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 General Commercial (C-2) and County Agriculture (A-1) to City Public/Semi-Public (P/SP) on approximately 35.18 acres located East of US Highway 17, west of Heard Bridge Road, north of Bell Street, and south of Tropicana Street (parcel numbers 33-33-25-0000-09780-0000 and 33-33-25-0000-08410-0000).

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 2025-04.

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

