ORDINANCE NO. 2026-05
HARDEE COUNTY, FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HARDEE COUNTY, FLORIDA, AMENDING ARTICLE I OF THE UNIFIED LAND DEVELOPMENT CODE OF HARDEE COUNTY TO ADD SECTION 1.04.03 TO PROVIDE FOR COST RECOVERY FOR THE ACTUAL COST OF REVIEW OF CERTAIN LAND DEVELOPMENT APPLICATIONS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, authorizes the various counties of the State of Florida to adopt regulations in the interest of the public health, safety, and the general welfare of the public; and

WHEREAS, the County has determined that certain development applications required substantially more extensive review and/or specialized expertise and artificially inflate rates for all users and implementation of a cost recovery program is a preferred method that allows for pass through of those directly applicable costs to a benefited user; and

WHEREAS, the cost recovery program would allow the County (and applicants) to utilize specialized expertise for certain land development applications, and the applicants would reimburse the County for the actual costs of the specialized review; and

WHEREAS, this Ordinance was duly noticed and advertised pursuant to the law; and

WHEREAS, the Planning and Zoning Board considered this Ordinance at a duly noticed public hearing and recommended _____ by a ____ to ____ vote; and

WHEREAS, the Board finds that it would be in the best interests of the residents of the County to amend the regulations in the County's Unified Land Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HARDEE COUNTY:[1]

Section 1. Recitals. That the above recitals are confirmed, adopted, and incorporated herein and made a part hereof by reference.

Section 2. ULDC Amendment. Article 1. General Provisions of the ULDC is amended to add Section 1.04.03 as follows:

1.04.03 Cost Recovery

In accordance with Chapter 2, Article IV. Cost Recovery of the Hardee County Code of Ordinances ("County Code"), the County Manager or designee, as part of the review of any development application presented to the County, may refer such application to such engineering, planning, legal, technical, or environmental consultant or professional(s) engaged by the County as the County Manager or designee shall deem reasonably necessary to enable review of the application as required by law.

[1] Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with ~~double strikethrough~~ and double underline.

Section 3. **Conflicts.** All Sections or parts of Sections of the County Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. **Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Codification.** That it is the intention of the Board, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the County Code, that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

Section 6. **Effective Date.** That this Ordinance shall become effective immediately upon adoption on second reading.

PASSED ON FIRST READING on the __ day of May, 2026.

PASSED AND ADOPTED ON SECOND READING this __ day of June, 2026.

HARDEE COUNTY, FLORIDA

_____

NOEY A. FLORES, CHAIR

ATTEST:

_____

VICTORIA L. ROGERS
EX-OFFICIO CLERK TO THE BOARD OF COUNTY COMMISIONERS

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____

SARAH JOHNSTON
COUNTY ATTORNEY