

ORDINANCE NO. 2026-04

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HARDEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FOR AN AMENDMENT TO THE 2030 HARDEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Shadowlawn, LLC, Mooney Family, LLC, AND Pool Road, LLC, hereinafter referred to as the “Applicant”, filed an application to modify the text of Policy L8.1.12 of the 2030 Hardee County Comprehensive Plan; and,

WHEREAS, the Planning and Development Division staff, after reviewing the Hardee County Comprehensive Plan and the Unified Land Development Code, has recommended approval of the Comprehensive Plan Text Amendment application, as described in the staff report; and,

WHEREAS, the Hardee County Planning and Zoning Board, after due public notice, held a public hearing on Thursday, April 9, 2026 to consider the rezoning request, received the staff report and recommendation for approval, and considered the criteria for approval as contained in the Hardee County Comprehensive Plan and in the Unified Land Development Code, received public input, and offered a recommendation of approval to the Board of County Commissioners of Hardee County, Florida; and,

WHEREAS, the Board of County Commissioners of Hardee County, Florida after due public notice, held a PUBLIC HEARING on May 21, 2026 for **Ordinance No. 2026-04** to consider the application to amend Policy L8.1.12 of the 2030 Hardee County Comprehensive Plan; and,

WHEREAS, pursuant to and consistent with the requirements of Section 125.66, FLORIDA STATUTES, and Chapter 163, FLORIDA STATUTES, the Board of County Commissioners of Hardee County, Florida has advertised and held public hearings as required, and with public notice having been provided to obtain public comment; and,

WHEREAS, the Board of County Commissioners of Hardee County, Florida has considered all written and oral comments received during such public hearings; and,

31 **WHEREAS**, the Board of County Commissioners of Hardee County, Florida has
32 determined that this Comprehensive Plan Amendment would be consistent with the Hardee
33 County Comprehensive Plan as well as the Hardee County Unified Land Development Code;

34 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
35 **HARDEE COUNTY, FLORIDA:**

36 **Section 1.** The provisions set forth in the recitals to this Ordinance (whereas clauses)
37 are hereby adopted by the Board of County Commissioners as legislative findings and intent
38 pertaining to this Ordinance.

39 **Section 2.** The currently adopted 2030 HARDEE COUNTY COMPREHENSIVE PLAN
40 is amended to modify Policy L8.1.12 as depicted in Exhibit 1 attached hereto and as follows:

- 41 • Increase single-family, multi-family residential and Recreational Vehicle units from 1,463 to
- 42 7,602
- 43 • Increase in total non-residential square footage from 360,000 sf to 500,000 sf
- 44 • Increase the total number of age-restricted residential units from 623 to 7,602
- 45 • Elimination of office and light industrial uses
- 46 • Land dedication for a EMS/Fire Station site
- 47 • Establishment of a Land Use Equivalency Matrix (LUEM) for flexibility between commercial
- 48 uses and lodging
- 49

50 **Section 3.** A certified copy of this enacting ordinance shall be located in the Office of
51 the Clerk of the Court of Hardee County. The Clerk shall also make copies available to the public
52 for a reasonable publication charge.

53 **Section 4.** If any provision of this Ordinance is for any reason held to be invalid or
54 unconstitutional by any court of competent jurisdiction, such provision and such holding shall not
55 affect the validity of any other provision, and to that end the provisions of this Ordinance hereby
56 declared severable.

57 **Section 5.** All ordinances or parts of ordinances in conflict herewith are hereby
58 repealed to the extent of such conflict.

59 **Section 6.** **Effective Date.** The effective date of this Ordinance, if the Ordinances is
60 not timely challenged, shall be 60 days after the date of the approval of the Ordinance by the
61 Board of County Commissioners. If timely challenged, the Ordinance shall become effective on
62 the date the State Land Planning Agency or the Administration Commission enters a final order
63 determining the adopted amendments to be in compliance. No development orders, development
64 permits, or land uses dependent on this Ordinance may be issued or commence before it has
65 become effective. If a final order of noncompliance is issued by the Administration Council, the

amendments may nevertheless be made effective by adoption of a resolution affirming the effective status.

PASSED ON FIRST READING on the ____ day of _____, 2026.

PASSED AND ADOPTED ON SECOND READING this ____ day of _____, 2026.

NOEY A. FLORES, CHAIR

ATTEST:

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BRYANT MILLER OLIVE, P.A.
COUNTY ATTORNEY

Exhibit 1

Policy L8.1.12: Site 1 of the 14-5ESR Amendment (West of Bowling Green):

The site shall be designated as “Rural Village” with approximately 125.5 acres of “Conservation” following the Little Payne Creek on the Future Land Use Map. The site shall be developed with central potable water and wastewater, with development limited to the upland areas of the Site. Development of the site shall be limited to:

- ~~1,463~~ 7,602 residential dwelling units including single-family, multi family, and recreational vehicle park units;
- ~~A minimum of 623~~ All 7,602 residential dwelling units will be active adult/age-restricted.
- ~~360,000~~ 500,000 square feet of non-residential uses; ~~including 20,000 square feet of office, 40,000 square feet of retail, and 300,000 square feet of light industrial use and,~~
- Recreation open space and other open space/public uses, to specifically include an EMS/Fire facility; and
- Establishment of a Land Use Equivalency Matrix (LUEM) for flexibility between commercial uses and lodging

Site development shall be consistent with all policies of the Comprehensive Plan and subject to other applicable Land Development Regulations within the County. If the project approaches Development of Regional Impact (DRI) thresholds, the applicant will be notified of the DRI application process and coordination will begin with the Florida Department of Economic Opportunity and the Central Florida Regional Planning Council. (Ordinance 2014-13, November 6, 2014, adoption).