Hardee County
FLORIDA

AGENDA

Planning and Zoning Board

SPECIAL MEETING

April 9, 2026, at 6:00 PM

COMMISSION CHAMBERS, 412 WEST ORANGE STREET, ROOM 102, WAUCHULA, FL 33873

COMMISSIONERS	STAFF
Chairman Cody Gullatt	Community Development Director - Todd Miller
Vice-Chairman Lesley Bateman	Senior Planner - Joshua Cheney
Roger Conley	Planner I - Jorden Eisenstein
Glenn Bergens	
Michael Burch	
Daniel Cisneros	

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE, FOLLOWED BY THE INVOCATION**

3. **APPROVAL OF THE AGENDA**

4. **NOTICE OF PUBLICATION**

5. **NOTICE OF BOARD EX-PARTE COMMUNICATION**

6. **PLANNING AND ZONING BOARD GENERAL RULES OF PROCEDURE**

7. **APPOINTMENTS**

   A. **Kelly Klepper, AICP, Kimley-horn** - ORDINANCE 2026-02 - AN ORDINANCE OF HARDEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE HARDEE COUNTY ZONING MAP WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONING OF APPROXIMATELY 114.5 +/- ACRES FROM AGRICULTURE (A-1) TO PLANNED UNIT DEVELOPMENT (PUD) WITH MODIFICATIONS TO A PREVIOUSLY APPROVED MASTER DEVELOPMENT PLAN; PROVIDING FOR A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

   B. **Kelley Klepper, AICP, Kimley-horn -** ORDINANCE 2026-03 -AN ORDINANCE OF HARDEE COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE HARDEE COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 114.5 +/- ACRES FROM AGRICULTURE (AGR) TO RURAL CENTER (RCN) PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

   C. **Kelly Klepper, AICP, Kimley-horn** - ORDINANCE 2026-04 - AN ORDINANCE OF HARDEE COUNTY, FLORIDA, AMENDING THE TEXT OF POLICY L8.1.12 OF THE HARDEE COUNTY COMPREHENSIVE PLAN TO ALLOW FOR AN INCREASE IN RESIDENTIAL DENSITY AND NON-RESIDENTIAL INTENSITY OF THE RURAL CENTER FUTURE LAND USE CATEGORY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

8. ADJOURNMENT

AGENDA ITEM NO. A

Item Cover Page

PLANNING AND ZONING BOARD AGENDA ITEM REPORT

DATE: April 9, 2026

SUBMITTED BY: Jorden Eisenstein, Community Development Department

ITEM TYPE: Appointment

AGENDA SECTION: **APPOINTMENTS**

SUBJECT: **Kelly Klepper, AICP, Kimley-horn** - ORDINANCE 2026-02 - AN ORDINANCE OF HARDEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE HARDEE COUNTY ZONING MAP WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONING OF APPROXIMATELY 114.5 +/- ACRES FROM AGRICULTURE (A-1) TO PLANNED UNIT DEVELOPMENT (PUD) WITH MODIFICATIONS TO A PREVIOUSLY APPROVED MASTER DEVELOPMENT PLAN; PROVIDING FOR A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION:

ATTACHMENTS:
STAFF REPORT--SHADOWLAWN----REZ A-1^PUD--0330-2026.docx
Ordinance No. 2026-02-combinedÂ (1).pdf
Updated PD Narrative January 2026.pdf
hardee villages site plan (final).pdf

HARDEE COUNTY PLANNING/DEVELOPMENT DEPARTMENT
STAFF REPORT

Agenda No:	**REZ-25-10**
Request:	Applicant-initiated request for Rezoning four (4) parcels of property totaling 114.5 acres from A-1 (Agriculture) to Planned Unit Development (PUD) with a Major Modification to the previously approved Villages at Payne Creek Master Site Development Plan; increasing the approved intensities and densities of the mixed use development to 2,527 units of multi-family dwellings, 2,930 units of single family dwellings, 637 Townhomes, a 1,508-unit Recreational Vehicle Park and 500,000 square feet of nonresidential uses on 1,286.85+/- acres of land located north of C.R. 664, south of County Line Road, west of C.R. 664 and east of District Line Road in unincorporated Hardee County.
Property Owner:	Shadowlawn, LLC, Pool Road, LLC & Mooney Family, LLC c/o Todd Mooney 9414 Lorendale Circle Spring Hill, FL 34608
Location:	North of C.R. 664, south of County Line Road, west of Rollins Road and east of District Line Road in unincorporated Hardee County. Pool Road bisects the property east to west.
Parcel Identification Nos.:	Shadowlawn, LLC 01-33-24-0000-02530-0000 02-33-24-0000-00010-0000 – New Parcel 02-33-24-0000-00020-0000 – New Parcel 11-33-24-0000-05320-0000 11-33-24-0000-02530-0000 Mooney Family, LLC 01-33-24-0000-02520-0000 02-33-24-0000-00750-0000 12-33-24-0000-00020-0000 Pool Road, LLC 01-33-24-0000-06940-0000 – New Parcel 01-33-24-0000-07520-0000 – New Parcel
Site Size:	1,286.85+/- acres (114.5 +/- acres added)
Future Land Use **Zoning:**	Agriculture A-1 (Agriculture)
Surrounding Land Use:	Agriculture, Highway Mixed Use, Conservation and Rural Village
Surrounding Zoning:	Planned Unit Development (PUD) and A-1 (Agriculture)
Staff Recommendation:	Staff recommends **APPROVAL** to the Planning/Zoning Board to Rezone from A-1 (Agriculture) to PUD (Planned Unit Development) four parcels of land totaling approximately 114.5+/- acres, with a Major Modification to the previously approved Villages at Payne Creek PUD Master Development Plan increasing the approved intensities and densities of the mixed use development to 2,527 units of multi-family dwellings, 2,930 units of single family dwellings, 637 Townhomes, a 1,508-unit Recreational Vehicle Park and 500,000 square feet of nonresidential uses on 1,286.85+/- acres of land as **Ordinance 2026-02**; located north of C.R. 664, south of County Line Road,

west of C.R. 664 and east of District Line Road in unincorporated Hardee County.

History:

The ten parcels that make up the proposed 1,286.85 acre development site have been vacant for approximately 20 years since active mining ended in the late 1990s. In 2004 and 2022 the applicant purchased the properties from US Agri-Chemicals Corporation, Mosaic Fertilizer, LLC and J. Henry Groves, Inc. for potential future development. Shortly thereafter, the applicant/owner initiated discussions with county staff regarding the development of the lands, which continued throughout the years and led to the development of specific sections of the updated Hardee County Comprehensive Plan, particularly the Rural Village Future Land Use designation described in Policy L1.11 and the specific property requirements detailed in Policy L8.1.12.

Subsequently, in 2014 the originally purchased 1,224 acres was granted a Future Land Use (FLU) designation change from Agriculture to Rural Village via Ordinance 2014-13, which detailed the specific maximum intensities and densities that would be allowed within the development. That FLU change allowed the subsequent rezoning application in 2018 for a Mixed Use Planned Unit Development with Master Development Plan in keeping with the requirements of the FLU amendment.

The property owner recently added four new parcels to the project site, and removed a 40 acre parcel, for a total increase of 77.5 acres. The new parcels must also receive the Rural Village Future Land Use designation and the Planned Unit Development zoning classification. The subject application for PUD rezoning and Major Modification to the Master Development Plan propose a phased development, that will include a 1,508 unit RV Park with a community center and pool, 2,930 single family residences, 2,527 units of multi-family residential dwellings, 637 townhomes and 500,000 sf of nonresidential uses. Water and wastewater treatment facilities are to be provided by the applicant through a private utility they created, TBBT Utility, LLC. The water and wastewater facilities shall be required to be constructed with the first phase of development, and will be regulated by the Florida Department of Environmental Protection. In addition, the applicant has applied for a Comprehensive Plan Amendment to modify the Future Land Use map to designate the 4 new parcels as Rural Village, and a separate Comprehensive Plan Amendment to modify the text of the Future Land Use to increase the maximum densities and intensities.

Notable components of the development include the development of a private water and wastewater treatment and distribution system for the development. Also, as part of the FLU amendment, the applicant has agreed to provide land for an EMS/Fire Station to serve the development and the surrounding communities.

Findings of Fact:

- *The subject properties are located in the Agriculture future land use category and the Agriculture zoning district;*
- *The submitted rezoning application is for Parcel ID Nos.*

<u>Pool Road, LLC – New Parcels</u>
01-33-24-0000-06940-0000
01-33-24-0000-07520-0000

<u>Shawdowlawn, LLC – New Parcels</u>
02-33-24-0000-00010-0000
02-33-24-0000-00020-0000

- *The subject properties are located along the north side of Pool Road (Minor Collector Road), and east of District Line Road (Minor Collector Road);*
- *Current (2016) Average Daily Traffic (ADT) traffic counts for Pool Road are 133. Traffic counts for District Line Road are 252.*
- *The subject property is not serviced by Hardee County Utilities. The proposal is for a private wastewater and potable water entity (TBBT Utility, LLC) to provide water and wastewater, which is under the jurisdiction of the Florida Department of Environmental Protection.*

- *The property is reclaimed land that had been actively mined in the mid to late 1990s. Identified wetlands other than those in the Conservation Land Use area along Little Payne Creek have been modified through the mining process, and are no longer viable wetlands.*

- *Best available information identifies special flood hazard areas along Little Payne Creek and within the footprint of the four existing lakes on site.*

STANDARDS OF REVIEW

(A) Consistency with the Comprehensive Plan:

The proposed rezoning is consistent with Policy L1.11 and L8.1.12 of the adopted Comprehensive Plan, which permits mixed use developments consisting of complementary residential and nonresidential uses that promote "live-work" opportunities within the land use.

Policy L1.11 of the Comprehensive Plan describes the parameters of properties with a Rural Village Future Land use designation. A table comparing the requirements of Policy L1.11 with the proposal is provided below.

HC Comprehensive Plan Policy L1.11 Requirements	Master Development Plan Proposal
Min. 500 acres	1,286.85 acres
Minimum 15% of developable lands designated residential at a density of at least 6 du/acre	465 acres at a density of between 4 and 23 du/acre
Maximum density including RV Parks = 15 du/acre	Maximum gross density with RV Park = 15 du/acre
RV Parks not to exceed 15% of total developable acres	RV Park = 100.52 acres (12.7% of developable acres)
Recreation & Public Uses to include EMS/Fire Station	504.92 acres of wetlands, lakes, conservation, recreational uses & a Fire Station

Policy L8.1.12 prescribes specific maximum density and intensities within this particular area, which the applicant has proposed to amend are indicated below as strikethrough of the current density and intensity, and underlining of the proposed density and intensity.

HC Comprehensive Plan Policy L8.1.12 Maximums	Proposed Use Maximums of Master Development Plan
~~1,463~~ 7,602 ~~-~~residential dwelling units, including an RV Park	2,527 MF Units, 2,930 SF Units, 1,508 RV Units & 637 Town Homes
~~360,000~~ 500,000 sf of nonresidential uses	Maximum of 500,000 sf of nonresidential
Recreation & Public Uses to include EMS/Fire Station	708 acres of wetlands, lakes, and recreational uses & Up to 5 acres for a Fire Station

(B) Concurrency Analysis:

Traffic: Access to the property will be provided via C.R. 664 and County Line Road. Updated Traffic Analysis and requisite improvements are planned for each new phase of development as it comes forward in the development process.

The applicant had a Transportation Analysis performed by a professional traffic engineering company in June 2018, and a new, updated Traffic Analysis was provided with the current application submittal in 2025, which has been reviewed and approved with conditions by the County, the County's traffic consultant and representatives of the Florida Department of Transportation. The analysis indicates the project will generate 12,917 Average Annual Daily Trips (AADT) and 3,084 PM Peak Hour trips. In addition, the analysis identifies the following roadway links as those that will receive a greater than 5% increase in existing traffic volume.

- County Line Road from project limits to US 17
- Pool Road from Rollins Road to C.R. 664
- C.R. 664 from C.R. 663 to US 17
- Payne Creek Road
- Talley Road
- US 17 from C.R. 664 to the beginning of the one way pairs
- C.R. 663 from C.R. 664 to SR 62

Detailed Traffic Analysis updates will be required with each new phase of development when exact unit counts have been determined and a more accurate analysis can be provided. The updates will be required to include improvements necessary to ensure continued maintenance of the adopted LOS and efficient traffic patterns throughout the area. Any

required improvements will be required to be constructed concurrent with the development of the Phase by which it was required.

Furthermore, county staff have concerns regarding the adequacy of the pavement condition along C.R. 664 and Pool Road. These concerns are addressed in the recommended conditions of approval identified below.

Potable Water & Wastewater: The applicant plans on creating their own treatment, storage and pumping distribution systems for the water, wastewater and reclaimed water facilities required for the development. The Applicant has identified Pod X in the northeast corner of the site on the Master Development Plan as the proposed location of the water and wastewater treatment facilities location. The plants will be run by an existing utility (TBBT Utility, LLC) previously created by the applicant.

Solid Waste**:** Solid waste generation is projected to equal 4.12 pounds per capita, totaling 100,100 pounds per day at buildout. At the time of Site Development Plan/Site Construction Plan and Subdivision Plat approval, the applicant will be required to provide a capacity certification from the local solid waste vendor and the Hardee County Landfill.

Stormwater Management: The property has 4 existing lakes, several wetland systems and Little Payne Creek flows through the northeast portion. These systems will all be retained on site, and will provide significant natural drainage on the property. Detailed site construction plans that address all onsite stormwater and drainage features and improvements will be required prior to development, and the applicant is required to obtain a SWFWMD permit for the project prior to development of each phase or pod.

Park and Recreation Facilities: The Hardee County Comprehensive Plan establishes an LOS of 15 acres per 1,000 residents for parks and recreation facilities within the county. Currently, the University of Florida's Bureau of Economic and Business Research (BEBR) has estimated Hardee County's 2025 population at 26,042 residents, and the County has a total of 1,332 acres of parks and recreation facilities for a total LOS of 51.2 acres of parks and recreation facilities per 1,000 county residents. The addition of the proposed 7,062 dwelling units will reduce the current LOS for parks and recreation facilities to 30.5 acres per 1,000 residents, which is still well in excess of the established LOS of 15 acres per 1,000 residents. Furthermore, the applicant will be providing an additional 344 acres of ponds and wetlands as well as 34 acres of parks and recreational uses throughout the project.

(C) Impact Analysis:
The proposed rezoning has been analyzed to identify future adverse impacts to adjacent land uses, the character of the neighborhood and other matters affecting land use compatibilities and the general welfare of the County, such as the following *(see items D through G).*

(D) Zoning and uses of nearby property:
All surrounding zoning within the county is A-1 (Agriculture) and Planned Unit Development (PUD). Along the north property line is the Conservation lands of Payne Creek, which lie within the PUD. Land uses to the east are all vacant, reclaimed mine lands. To the west of the properties proposed for rezoning are the properties of the previously approved PUD. More vacant, reclaimed mine lands lie to the south of the site, and multiples areas of agricultural lands and uses are adjacent to the properties on all sides.

(E) Substantial changes in land use circumstances:
The proposed PUD rezoning and Master Development Plan will facilitate a large, mixed use development within an otherwise rural setting. In order to address the change in the current land use circumstances, the applicant is proposing to make the development as self-sufficient and secure as possible. Specifically, the applicant is proposing to establish just three (3) major points of access to the site, via the Minor Collector roads of Pool Road, County Line Road and C.R. 664. Furthermore, the applicant is proposing to establish independent water and wastewater facilities to serve the project, and the applicant will be required to establish appropriate landscape buffers and setbacks along portions of the project site that abut roadways or other land uses at the time of Site Development Plan approval for individual phases.

(F) Time Vacant:
The subject property has never been developed, and was actively mined in the mid to late 1990s.

(G) Compatibility standards:

a. *Whether one or more of the following design standards proposed for the subject property will differ substantially from the design standards currently allowed for any of the adjacent properties.*

The PUD zoning designation is intended to provide for flexibility in design in order to accomplish a more uniform and integrated development pattern than would otherwise be possible under a standard zoning designation. Furthermore, the Master Development Plan required to be approved with the PUD rezoning is not required to establish specific design standards such as setbacks, lot dimensions, height restrictions, etc. Therefore, an analysis of the compatibility of specific design standards with adjoining properties and zoning classifications is not applicable at this time.

Specific design standards regarding yards, setbacks, height, lot coverage, impervious surface coverage, parking and hours of operation will all be evaluated for compatibility at the time of Site Development Plan approval for individual phases of the project.

b. *Whether the intensity or density of use will be greater or lesser than that currently permitted for adjacent or currently existing properties.*

As all adjacent properties are currently zoned A-1, the intensities and densities proposed within the project will not be consistent with the intensities and densities permitted on adjoining properties. Therefore, the applicant will be required to mitigate any potential negative impacts to adjoining properties through the use of buffering, setbacks, proper onsite stormwater management, development of any needed transportation improvements, and other efforts required to avoid adverse impacts to the surrounding properties. Most of these abatement measures will be required at the time of Site Development Plan approval. Some have been included in the recommended conditions of approval listed below.

c. *Whether the proposed change in land use will adversely alter the existing land use pattern.*

The existing land use pattern in the area has long been mining, agricultural, and some large lot single family uses. Therefore, the proposed change in zoning will not be consistent with existing use patterns. However, development techniques intended to avoid or mitigate any potential adverse impacts are either listed below in the recommended conditions of approval, or will be required at the time of Site Development Plan approval.

d. *Whether the proposed change in land use will significantly increase traffic congestion or otherwise affect public safety.*

The proposed change will significantly increase traffic in the area, based upon the Traffic Impact Analysis performed by Elizabeth Rodriguez, and reviewed and approved by the County, the County's consultant and representatives of the FDOT. However, detailed Traffic Analyses updates will be required with each new phase of development when exact unit counts have been determined and a more accurate analysis can be provided. The updates will be required to include improvements necessary to ensure continued maintenance of the adopted LOS and efficient traffic patterns throughout the area. Any needed improvements will be required to be constructed concurrent with the development of the Phase by which it was necessitated.

e. *Whether the proposed change in land use will adversely affect the drainage of the property.*

The property has 4 existing lakes, several wetland systems and Little Payne Creek flows through the northeast portion. These systems will all be retained on site, and will provide significant natural drainage on the property. Detailed site construction plans that address all onsite stormwater and drainage features and improvements will be required prior to development, and the applicant is required to obtain a SWFWMD permit for the project prior to development.

f. *Whether the proposed change in land use will decrease the quality of water, air or light to adjacent properties.*

The Master Development Plan depicts a layout that internalizes a large portion of the more intense land uses proposed through the location of recreational, residential and conservation areas along the perimeter. In specific areas where a more intense use is to be located along the perimeter of the property, significant

attention will need to be given to buffering, setbacks, use of lighting and adequate stormwater drainage during the Site Development Plan approval stage.

g. Whether the proposed change in land use will adversely affect the property values of the adjacent properties.

It is not anticipated that property values will be negatively affected by the rezoning of the property and the proposed development as long as proper measures are taken to avoid adverse impacts to the adjoining properties.

h. Whether the proposed change in land use will cause noticeable glare, noise, or odors for the adjacent properties.

The Master Development Plan depicts a layout that internalizes a large portion of the more intense land uses proposed through the location of recreational, residential and conservation areas along the perimeter. In specific areas where a more intense use is to be located along the perimeter of the property, significant attention will need to be given to buffering, setbacks, use of lighting and adequate stormwater drainage during the Site Development Plan approval stage.

i. Whether the proposed change in land use would create a mixture of land uses so dissimilar to the existing pattern of development, that the overall quality and character of the surrounding neighborhood would be degraded.

While the proposed land uses (mixed residential, commercial and public/service uses) are quite dissimilar to existing land uses (single use mining, agriculture, single family residential uses), it is not anticipated the addition of the mixed use development would degrade the character of the surrounding neighborhood. Through the effective use of the Planned Unit Development zoning designation, a well-designed Master Development Plan and Site Development Plan approvals that include mitigation techniques to avoid adverse impacts to surrounding properties, the neighborhood quality and character can be maintained.

j. Whether the detrimental effects of any identified incompatibilities can be mitigated or eliminated by adequate buffering.

Buffering of areas of more intense use, or areas with more disparate use differences through the use of landscaping, barriers or other means will be a primary focus of addressing potential incompatibilities at the Site Development Plan approval stage. It is anticipated that buffering and other separation techniques will be able to address all potential incompatibilities.

Recommendation:

Staff recommends **APPROVAL** to the Planning/Zoning Board to Rezone from A-1 (Agriculture) to PUD (Planned Unit Development) four parcels of land totaling approximately 114.5+/- acres, with a Major Modification to the previously approved Villages at Payne Creek PUD Master Development Plan increasing the approved intensities and densities of the mixed use development to 2,527 units of multi-family dwellings, 2,930 units of single family dwellings, 637 Townhomes, a 1,508-unit Recreational Vehicle Park and 500,000 square feet of nonresidential uses on 1,286.85+/- acres of land as **Ordinance 2026-02**; located north of C.R. 664, south of County Line Road, west of C.R. 664 and east of District Line Road in unincorporated Hardee County, subject to the following conditions of approval.

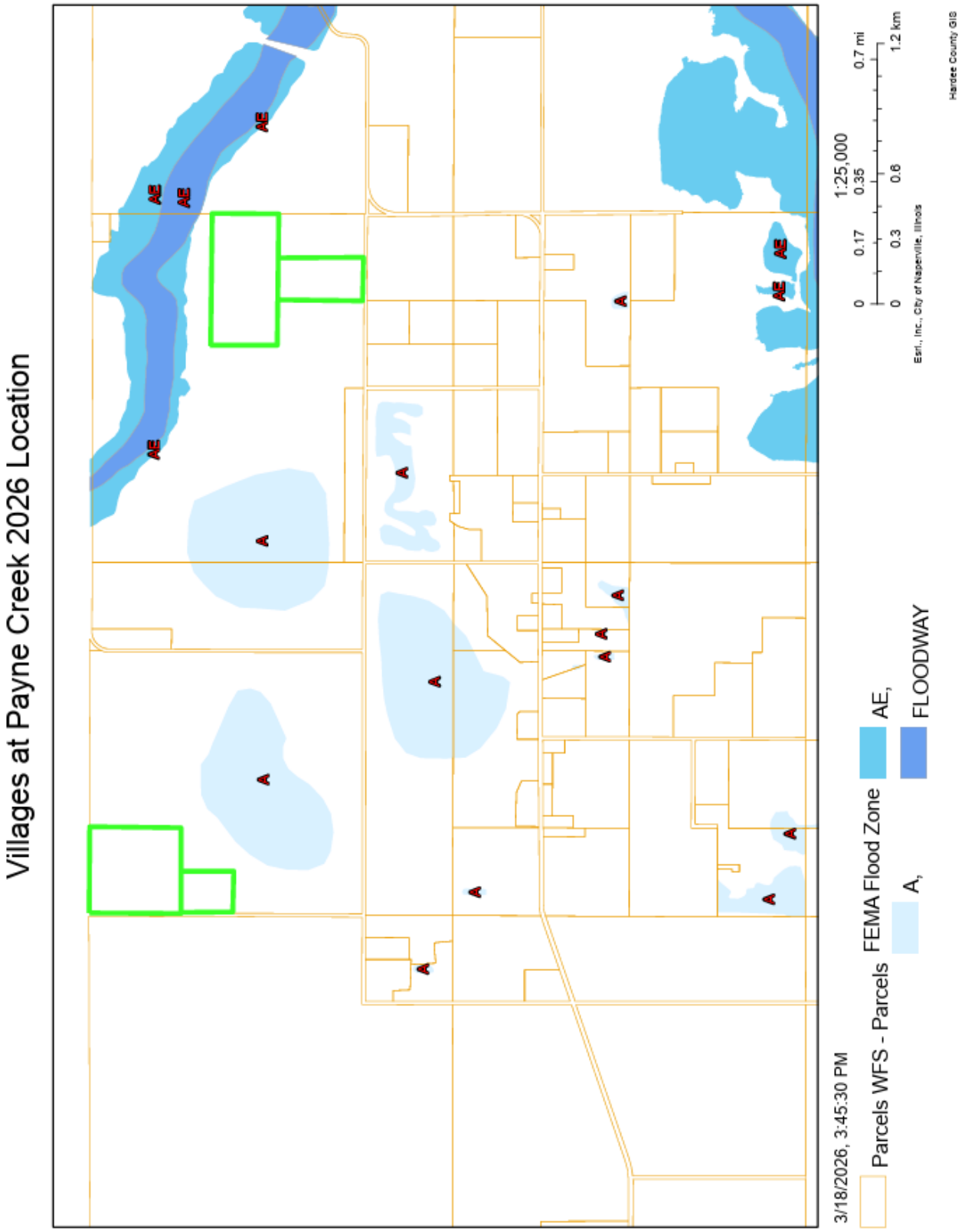
Conditions

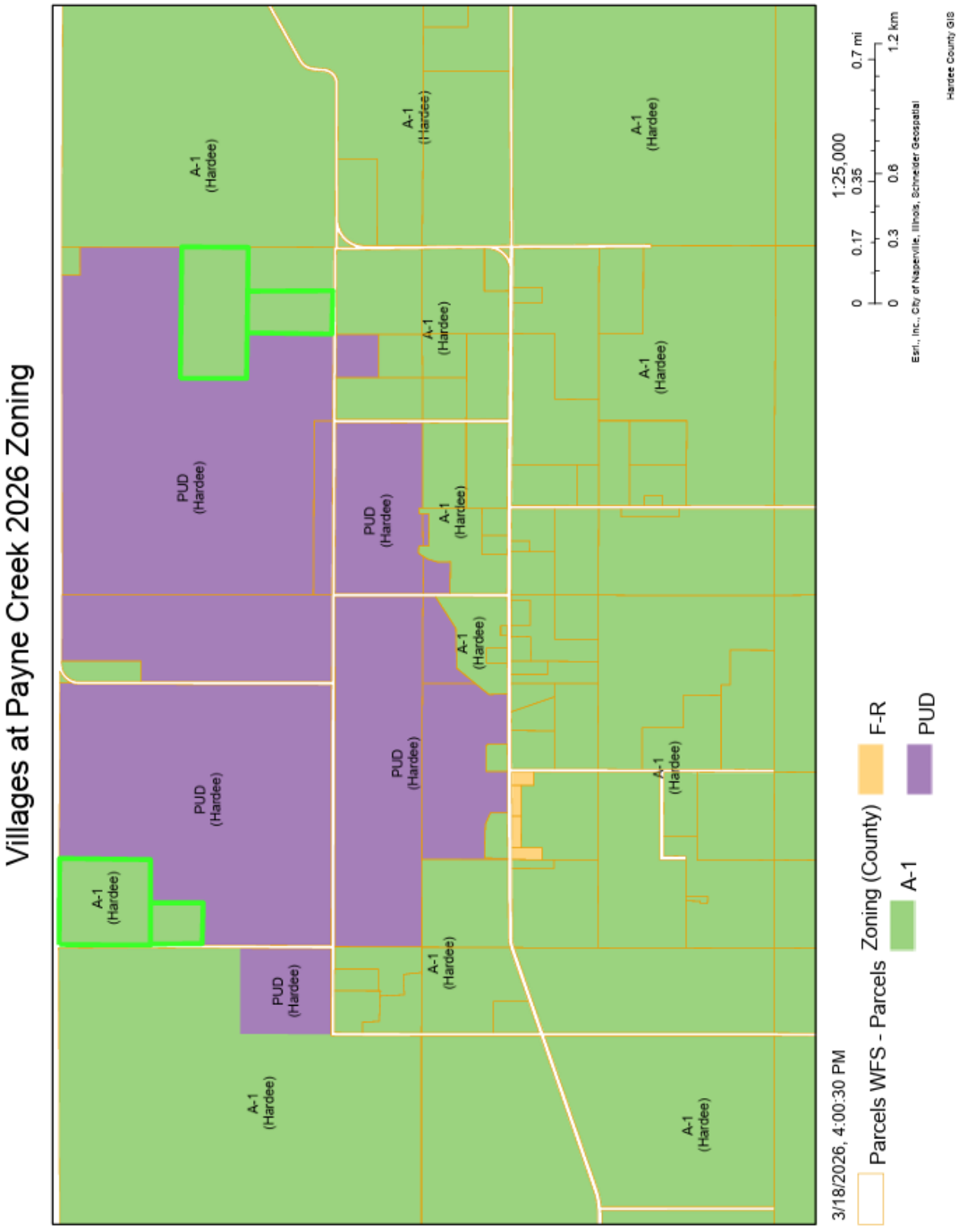
1. Upon the finalization of the roadway alignment for all internal, private roads, the applicant/owner shall provide a geotechnical exploration program to verify the adequacy of the soil conditions beneath the road bed.
2. A Unity of Title for all ten (10) parcels shall be submitted prior to or concurrent with the first Site Development Plan or Subdivision Plat application.
3. Concurrent with the submittal of a Site Development Plan or Subdivision Plat application for any phase, or portion thereof, the applicant/owner shall submit a species specific wildlife survey for that phase, identifying all threatened and endangered species identified, and providing for appropriate mitigation, relocation or avoidance.

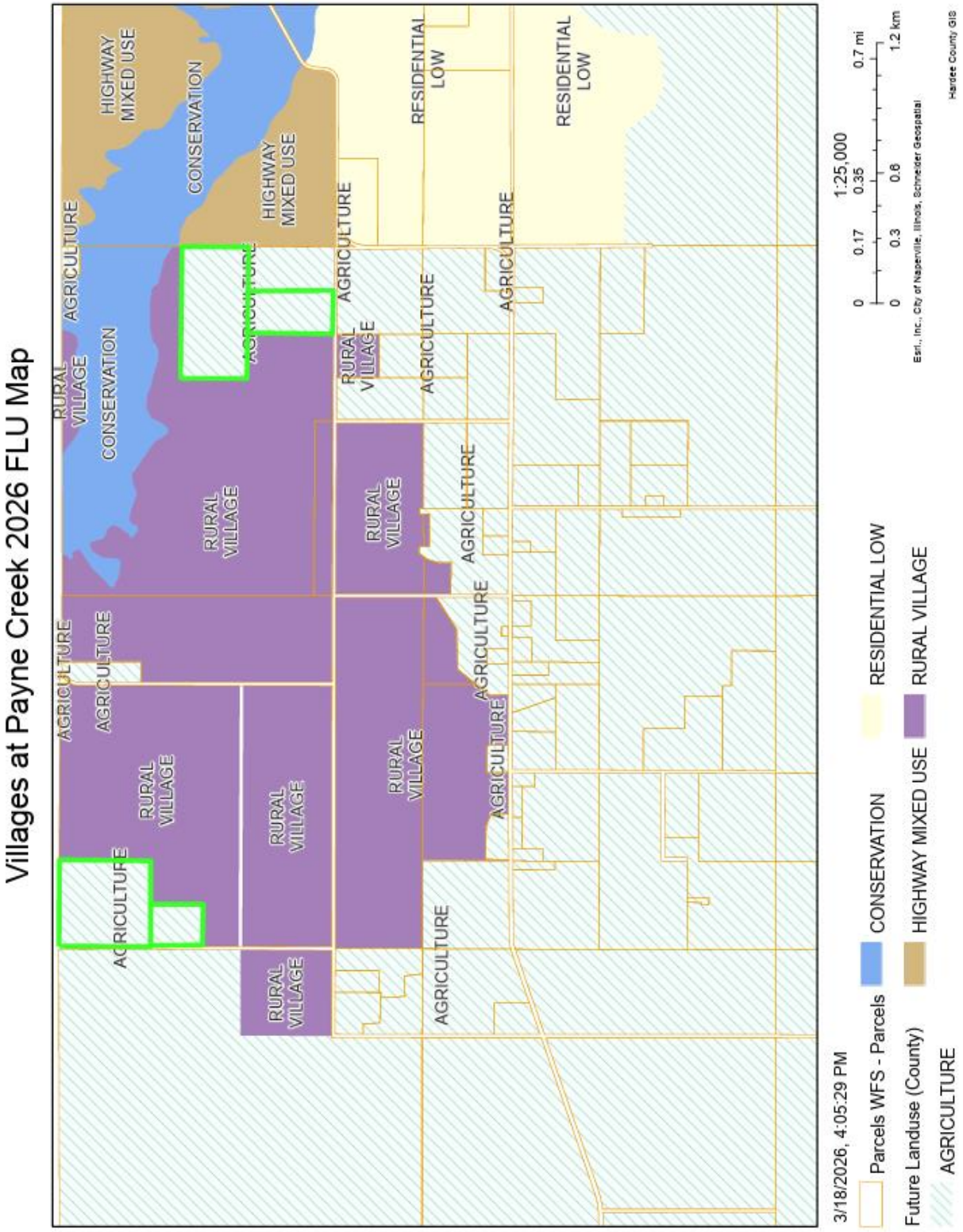
4. Concurrent with any Site Development Plan application, the applicant/owner shall submit a packet showing all architectural styles and forms to be utilized within the respective Phase, or portion thereof.

5. Prior to the issuance of a Certificate of Completion for the RV Park, the applicant/owner shall establish a Property Owners/Homeowner's Association for the maintenance of all common areas within the project site, including stormwater management facilities, open space and recreation areas.
6. Public access to the Payne Creek Primitive Baptist Church and cemetery at Payne Creek Road and County Line Road shall be maintained in perpetuity.
7. No public road closures will be permitted without prior Right-of-Way abandonment approval from the Hardee County Road and Bridge Department.
8. Enhanced buffering and compatibility measures shall be required where the development interfaces with existing agricultural or rural lands, including:
    a. Increased buffer widths beyond minimum code where necessary
    b. Use of natural vegetation, berms and/or fencing
    c. Increased setbacks adjacent to more intense uses, where applicable
    d. Lighting controls to reduce offsite light spillage
    e. Noise and odor mitigation where applicable

Attachments: Location Map
Zoning Map
FLU Map


Villages at Payne Creek 2026 Location
AE
A
1:25,000
0 0.17 0.35 0.7 mi
0 0.3 0.6 1.2 km
Esri, Inc., City of Naperville, Illinois
Hardee County GIS
3/18/2026, 3:45:30 PM
Parcels WFS - Parcels
FEMA Flood Zone
AE,
FLOODWAY
A,


Villages at Payne Creek 2026 Zoning
A-1 (Hardee)
PUD (Hardee)
1:25,000
0 0.17 0.35 0.7 mi
0 0.3 0.6 1.2 km
Esri, Inc., City of Naperville, Illinois, Schneider Geospatial
Hardee County GIS
3/18/2026, 4:00:30 PM
Parcels WFS - Parcels
Zoning (County)
A-1
F-R
PUD


Villages at Payne Creek 2026 FLU Map
AGRICULTURE
RURAL VILLAGE
CONSERVATION
HIGHWAY MIXED USE
RESIDENTIAL LOW
3/18/2026, 4:05:29 PM
Parcels WFS - Parcels
Future Landuse (County)
1:25,000
0 0.17 0.35 0.7 mi
0 0.3 0.6 1.2 km
Esri, Inc., City of Naperville, Illinois, Schneider Geospatial
Hardee County GIS

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HARDEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE ADOPTED HARDEE COUNTY ZONING MAP WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONING OF APPROXIMATELY 114.5+/- ACRES FROM A-1 (AGRICULTURAL) TO PLANNED UNIT DEVELOPMENT (PUD) ZONING AND AMENDING THE PREVIOUSLY APPROVED MASTER DEVELOPMENT PLAN IN THE RURAL VILLAGE FUTURE LAND USE CATEGORY; 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 rezone approximately 114.5+/- acres from A-1 (Agricultural) to PUD (Planned Unit Development) zoning with an amendment to the previously approved Master Development 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 rezoning 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. 2026-02** to consider the rezoning application to amend the adopted Hardee County Zoning Map and rezone 114.5+/- acres from A-1 to PUD zoning with an amendment to the previously approved Master Development Plan, land being owned by the Applicant, and that is legally described in Exhibit 1 attached, and includes the following parcels:

Parcel Identification Numbers:

DRAFT

Shadowlawn, LLC
02-33-24-0000-00010-0000
02-33-24-0000-00020-0000

Pool Road, LLC
01-33-24-0000-06940-0000
01-33-24-0000-07520-0000

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,

WHEREAS, the Board of County Commissioners of Hardee County, Florida has determined that this rezoning and Master Development Plan amendment would be consistent with the Hardee County Comprehensive Plan as well as the Hardee County Unified Land Development Code;

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

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

Section 2. The currently adopted HARDEE COUNTY ZONING MAP is amended to show a rezoning of 114.5 +/- acres to Planned Unit Development (PUD) with an amendment to the previously approved Master Development Plan, whose lands are legally described in this Ordinance as depicted in Exhibit 1 and subject to the conditions of approval as outlined in Exhibit 2 attached hereto.

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

Section 4. If any provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not

affect the validity of any other provision, and to that end the provisions of this Ordinance hereby declared severable.

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

Section 6. Effective Date. The effective date of this Ordinance, if the Ordinances is not timely challenged, shall be 31 days after the date of the approval of the Ordinance by the Board of County Commissioners. No development orders, development permits, or land uses dependent on this Ordinance may be issued or commence before it has become effective.

INTRODUCED AND PASSED at a regular meeting of the Board of County Commissioners held this _____ day of _____, 2026.

[SIGNATURE PAGE TO FOLLOW]

DRAFT

NOEY FLORES, CHAIR

ATTEST:

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

SARAH JOHNSTON
COUNTY ATTORNEY

DRAFT

Exhibit 1

Prepared by and Return to:
Wauchula Abstract & Title Co., Inc.
Dorothy A. Conerly
123 South 9th Avenue
Wauchula, Florida 33873
Our File Number: H20220355

For official use by Clerk's office only

STATE OF Florida)
COUNTY OF Hardee)

SPECIAL WARRANTY DEED

THIS INDENTURE, made this September 1st, 2022, between **Mosaic Fertilizer, LLC, a Delaware limited liability company,** whose mailing address is 13830 Circa Crossing Drive, Lithia, FL 33547, hereinafter called the Grantor, and **Shadowlawn LLC, a Florida limited liability company**, whose mailing address is: 9414 Lorendale Circle, Spring Hill, FL 34608, hereinafter called the Grantee.

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other valuable considerations, receipt and sufficiency whereof are hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, its successor and assigns, the following described property, to wit:

See Exhibit "A" attached hereto and by this reference made a part.

Parcel ID 02-33-24-0000-00020-0000 and 02-33-24-0000-00010-0000

Subject to real property taxes for 2022 and subsequent years, and all easements, reservations and restrictions encumbering the Property of record, which are not reimposed by this deed.

TOGETHER WITH all right, title and interest of Grantor or appurtenant to the Property, if any, in and to the following (collectively, the "Related Rights and Interests"): (a) all tenements, hereditaments, privileges, interests, and appurtenances belonging or in any way appertaining to the above-described land; (b) all easements and rights-of-way serving or benefitting the above-described land and all rights of ingress to and egress from the above-described land; (c) all rights in and to any roads, streets, alleys, ways, and rights-of-way lying within or adjacent to the above-described land; (d) the shores and bottoms of any water bodies lying within or adjacent to the above-described land; (e) all water use and consumption rights; (f) all land use and development rights and entitlements, concurrency vesting rights, utility rights and capacities, drainage rights, and impact fee credits, related to or benefitting the above-described land; (g) all soil, minerals, gas, and petroleum located in, on or under the above-described land, including but not limited to oil, gas, phosphate and other minerals or natural resources of any kind, and all rights to explore for and extract the same; and (h) all rights, claims, defenses, immunities, indemnities and actions that Grantor may have against any third party with respect to the above-described land, including, but not limited to, those relating to the existence of any hazardous materials on, under or about the above-described land.

UNOFFICIAL DOCUMENT

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor covenants with said Grantee, that the Grantor is lawfully seized of said Property in fee simple; that the Grantor has good right and lawful authority to sell and convey said Property; that the Grantor hereby fully warrants the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other, except as stated above. This covenant shall be binding upon the Grantor and the Grantor's heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth above.

Signed, sealed and delivered
in the presence of:

Witness #1 signature

Print witness #1 name

Witness #2 signature

Print witness #2 name

Mosaic Fertilizer, LLC, a Delaware limited liability company

By:

Print Name: **Russell T. Schweiss**
Its: VP-Land & Resource Strategies

State of Florida
County of Hardee

THE FOREGOING INSTRUMENT was acknowledged before me by means of [✓] physical presence or [ ] online notarization, this 1st day of September, 2022 by **Russell T. Schweiss as VP-Land & Resource Strategies of Mosaic Fertilizer, LLC, a Delaware limited liability company,** on behalf of said company [✓] who is personally known to me or [ ] who has produced _____ as identification.

Notary Public

Print Notary Name
My Commission Expires: 12/17/2024
Notary Seal

Notary Public State of Florida
Joann Garza
My Commission HH 069430
Expires 12/17/2024

UNOFFICIAL DOCUMENT

Exhibit A

The NW 1/4 of the NW 1/4, in Section 2, Township 33 South, Range 24 East, Hardee County, Florida.

AND

The West 1/2 of the SW 1/4 of the NW 1/4, lying North of ditch, in Section 2, Township 33 South, Range 24 East, Hardee County, Florida, more particularly described as follows: Commence at the NW corner of said Section 2; thence S 00°02'26" E along the West boundary of Section 2, a distance of 1,475.13 feet to the NW corner of the W 1/2 of the SW 1/4 of the NW 1/4 and to the POINT OF BEGINNING; thence N 89°45'52" E, along the North boundary thereof 662.10 feet to the NE corner of the W 1/2 of the SW 1/4 of the NW 1/4; thence S 00°04'41" E, along the East boundary of the W 1/2 of the SW 1/4 of the NW 1/4 a distance of 806.66 feet to a point lying 517.76 feet North of the SE corner of the SW 1/4 of the SW 1/4 of the NW 1/4 (described in O.R. Book 674, Page 1148 as a ditch centerline); thence S 87°55'34" W, along said described ditch centerline 663.04 feet to a point lying 496.75 feet North of the SW corner of the SW 1/4 of the SW 1/4 of the NW 1/4 (described in O.R. Book 674, Page 1148 as the beginning of a ditch centerline) and to the West boundary of the W 1/2 of the SW 1/4 of the NW 1/4; thence N 00°02'26" W, along said West boundary thereof 827.94 feet to the POINT OF BEGINNING.

(the "Property").

UNOFFICIAL DOCUMENT

Prepared by and return to:
KENNETH EVERS
Attorney at Law
Kenneth B. Evers, P.A.
424 West Main Street
Wauchula, FL 33873
863-773-5600
File Number: **22-henry-01**
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **11th** day of **March, 2022** between **J. HENRY GROVES, INC., a Florida corporation,** whose post office address is **Post Office Box 547, Fort Meade, FL 33841**, grantor, and **POOL RD LLC, a Florida limited liability company,** whose post office address is **9414 Lorendale Circle, Spring Hill, FL 34608-4762,** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Hardee County, Florida,** to-wit:

The S 1/2 of the N 1/2 of the SE 1/4 of the NE 1/4 of Section 1, Township 33 South, Range 24 East, Hardee County, Florida,
AND
S 3/4 of E 1/2 of SW 1/4 of NE 1/4 of Section 1, Township 33 South, Range 24 East,, in Hardee County, Florida,
AND
The S 1/2 of the SE 1/4 of the NE 1/4 of Section 1, Township 33 South, or Range 24 East, Hardee County, Florida,
AND
W 1/2 of NE 1/4 of SE 1/4 of Section 1, Township 33 South, Range 24 East, Hardee County, Florida.

Parcel Identification Number: R 01-33-24-0000-06940-0000 and R 01-33-24-0000-07520-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2021.**

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

KENNETH B. EVERS

CINDY HARTLEY

J. HENRY GROVES, INC., a Florida corporation

By: JAMES H. GRUNHOLZER, JR., President

(Corporate Seal)

State of Florida
County of Hardee

The foregoing instrument was acknowledged before me by means of [X] physical presence or [_] online notarization, this 11th day of March, 2022 by JAMES H. GRUNHOLZER, JR. President of J. HENRY GROVES, INC., a Florida corporation, on behalf of the corporation. He/she [ ] is personally known to me or [X] has produced a driver's license as identification.

[Notary Seal]

CINDY HARTLEY
MY COMMISSION # GG 987099
EXPIRES: June 12, 2024
Bonded Thru Notary Public Underwriters

Notary Public

Printed Name: _____

My Commission Expires: _____

Exhibit 2

Conditions

1. Upon the finalization of the roadway alignment for all internal, private roads, the applicant/owner shall provide a geotechnical exploration program to verify the adequacy of the soil conditions beneath the road bed.
2. A Unity of Title for all ten (10) parcels shall be submitted prior to or concurrent with the first Site Development Plan or Subdivision Plat application.
3. Concurrent with the submittal of a Site Development Plan or Subdivision Plat application for any phase, or portion thereof, the applicant/owner shall submit a species specific wildlife survey for that phase, identifying all threatened and endangered species identified, and providing for appropriate mitigation, relocation or avoidance.
4. Concurrent with any Site Development Plan application, the applicant/owner shall submit a packet showing all architectural styles and forms to be utilized within the respective Phase, or portion thereof.
5. Prior to the issuance of a Certificate of Completion for the RV Park, the applicant/owner shall establish a Property Owners/Homeowner's Association for the maintenance of all common areas within the project site, including stormwater management facilities, open space and recreation areas.
6. Public access to the Payne Creek Primitive Baptist Church and cemetery at Payne Creek Road and County Line Road shall be maintained in perpetuity.
7. No public road closures will be permitted without prior Right-of-Way abandonment approval from the Hardee County Road and Bridge Department.
8. Enhanced buffering and compatibility measures shall be required where the development interfaces with existing agricultural or rural lands, including:
    a. Increased buffer widths beyond minimum code where necessary
    b. Use of natural vegetation, berms and/or fencing
    c. Increased setbacks adjacent to more intense uses, where applicable
    d. Lighting controls to reduce offsite light spillage
    e. Noise and odor mitigation where applicable

DRAFT

Villages at Payne Creek – Project Narrative
January 2026

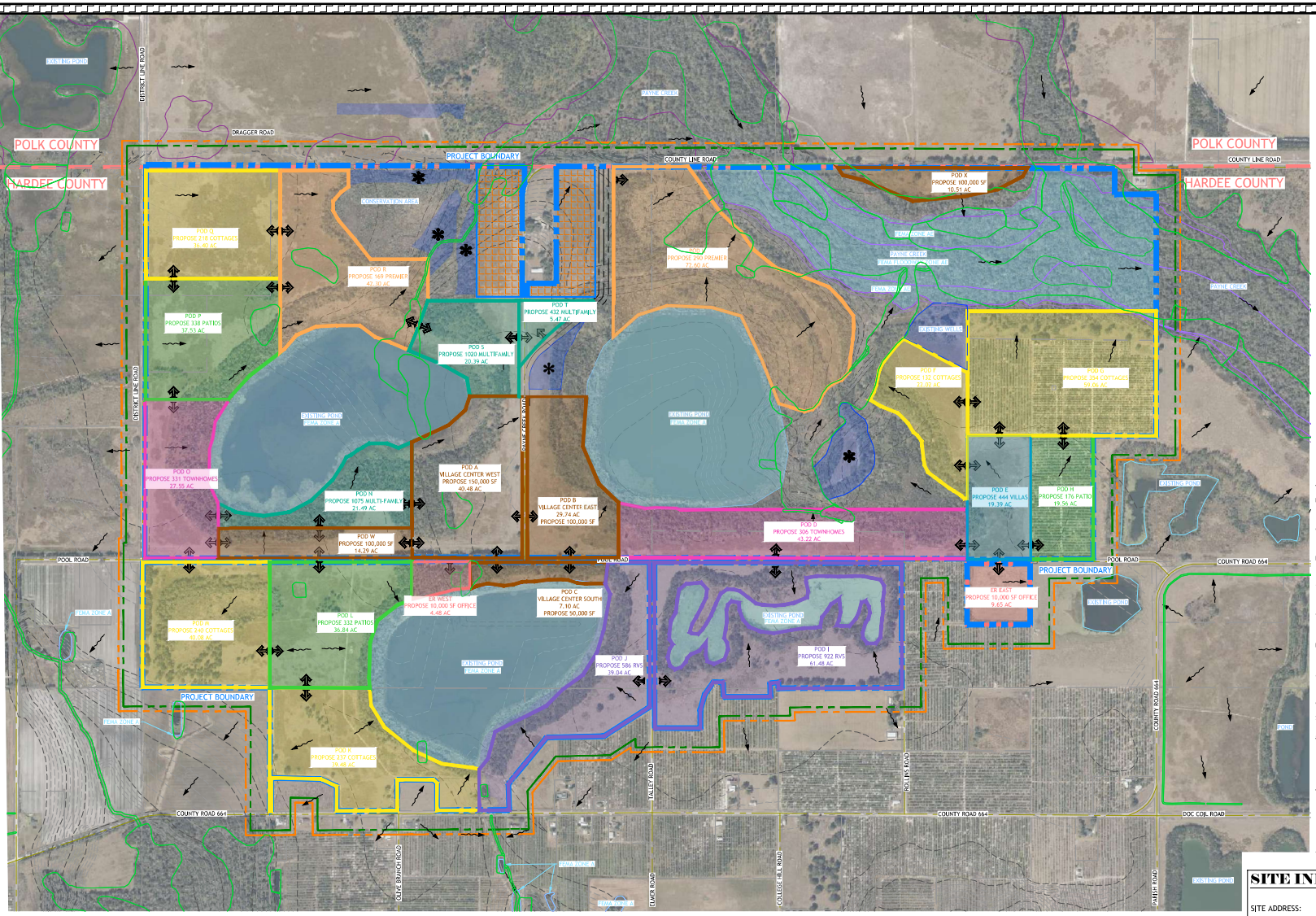
Summary: This request for Planned Development intends to rezone the 1,224.85 acre approved Payne's Creek Planned Development along with two additional parcels, 01-33-24-0000-06940-0000 & 01-33-24-0000-07520-0000, currently zoned Agriculture, and owned by Pool Road LLC; to create a new Planned Development. The intent is to construct a 1,286.85-acre mixed use community.

Location: The subject property is located 2+/- miles west of Bowling Green, Florida in north central Hardee County. The project area is bound on the north by County Line Road, on the south and east by County Road 664 and on the west by District Line Road.

Existing Conditions: The subject property consists of vacant reclaimed mining land.

Associated Petitions: A comprehensive plan map and text amendment have been submitted as companion items seeking to add land to the approved Rural Village Land Use designation and to increase the intensity and density of development.

Note: This document intends to describe and update the development proposal from a land use and planning perspective.



N

W — BEACON CIVIL ENGINEERING — E

S

1000 500 250 0 500

SCALE : 1" = 500'

LEGEND

	PREMIER HOMES	4 DU/AC
	COTTAGE HOMES	6 DU/AC
	PATIO HOMES	9 DU/AC
	VILLAS	23 DU/AC
	TOWNHOMES	POD D (7 DU/AC), POD O (12 DU/AC)
	RVS	15 DU/AC
	MULTI-FAMILY	POD S, N (50 DU/AC), POD T (79 DU/AC)
	COMMERCIAL	POD A, B (0.08 FAR) POD C, W (0.16 FAR) POD X (0.22 FAR)
	SERVICES	ER EAST (0.02 FAR) ER WEST (0.05 FAR)

PROPOSED DENSITY CALCULATIONS

PREMIER HOMES		4 DU/AC
	TOTAL AREA:	114.90 AC
	TOTAL UNITS:	459
COTTAGE HOMES		6 DU/AC
	TOTAL AREA:	197.04 AC
	TOTAL UNITS:	1181
PATIO HOMES		9 DU/AC
	TOTAL AREA:	93.94 AC
	TOTAL UNITS:	846 UNITS (845.46)
VILLAS		23 DU/AC
	TOTAL AREA:	19.39 AC
	TOTAL UNITS:	444 UNITS
TOWNHOMES		POD D (7 DU/AC), POD O (12 DU/AC)
	TOTAL AREA:	POD D (43.22 AC), POD O (27.55 AC)
	TOTAL UNITS:	637 UNITS (POD D (306 UNITS), POD O (331 UNITS)
RVS		15 DU/AC
	TOTAL AREA:	100.52 AC
	TOTAL UNITS:	1,508 UNITS
MULTI-FAMILY		POD S AND N (50 DU/AC), POD T (79 DU/AC)
	TOTAL AREA:	POD S AND N (41.88 AC), POD T (5.47 AC)
	TOTAL UNITS:	2,527 UNITS
COMMERCIAL:		102.12 AC
SERVICES:		14.13 AC

PROPOSED TOTALS:

RESIDENTIAL AREA:	643.91 AC
RESIDENTIAL LOTS:	7,602 UNITS
COMMERCIAL	500,000 SF
SERVICES	20,000 SF

DESIGN MAXIMUM

TOTAL RESIDENTIAL AREA
646.99 AC x 12 = 7727 (7726.92)

SITE AREA TABLE:

EXISTING WELLS:	7.04 AC
CONSERVATION:	98.38 AC
RECREATION/PARK:	34.07 AC
EXISTING POND/WETLAND:	344.21 AC
RESIDENTIAL:	643.91 AC
COMMERCIAL:	102.12 AC
SERVICES	14.13 AC
CHURCH (EXCLUDED):	-10.06 AC
TOTAL AREA:	1,243.86 AC

LEGEND

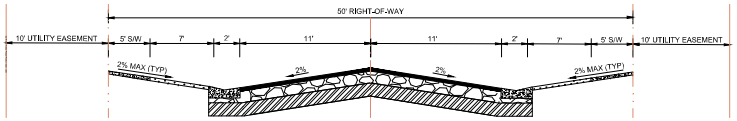
- PROJECT BOUNDARY
- 200' PROJECT OFFSET
- 250' PROJECT OFFSET
- EXISTING TOPOGRAPHY (MAJOR 5')
- EXISTING TOPOGRAPHY (MINOR 1')
- FEMA FLOOD ZONE
- WETLAND
- ACCESS POINT
- EXISTING DRAINAGE FLOW DIRECTION
- CONCEPTUAL NEIGHBORHOOD PARK / OPEN SPACE

NOTE:

* POD AREAS ARE APPROXIMATE. DESIGNATED GOLF CART PATHS WILL BE LOCATED WITHIN EACH POD AND WILL CONNECT TO THE VILLAGE CENTER AND RECREATION AREAS.
* GOLF COURSE MAY BE INTERMINGLED WITHIN ALL RESIDENTIAL PODS AT THE FINAL DESIGN STAGE

DISTANCE TO PUBLIC IMPROVEMENTS:

FIRE STATION: 9.3 MILES (HARDEE COUNTY FIRE RESCUE)
LAW ENFORCEMENT: 10.0 MILES (WAUCHULA POLICE DEPARTMENT)
MEDICAL: 10.9 MILES (ADVENTHEALTH WAUCHULA)
SCHOOL: 9.7 MILES (WAUCHULA ELEMENTARY)
PARK: 9.9 MILES (MAIN STREET HERITAGE PARK)
LIBRARY: 9.6 MILES (HARDEE COUNTY LIBRARY)



SITE INFORMATION:

SITE ADDRESS:	POOL ROAD BOWLING GREEN FL, 33834
OWNER:	MOONEY FAMILY, LLC / SHADOWLAWN, LLC
PARCEL ID#:	02-33-24-0000-00750-0000, 01-33-24-0000-02520-0000 11-33-24-0000-05320-0000, 11-33-24-0000-02530-0000 01-33-24-0000-02530-0000, 12-33-24-0000-00020-0000 02-33-24-0000-00020-0000, 02-33-24-0000-00010-0000 01-33-24-0000-06940-0000, 01-33-24-0000-07520-0000
PROPERTY AREA:	1,286 ACRES
ZONING:	PUD/RVG
BULK STANDARDS:	
SINGLE FAMILY LOTS RV LOTS VILLAS TOWNHOMES	20' FRONT SETBACK 10' REAR SETBACK 5' SIDE SETBACK
COMMERCIAL RETAIL CONDOS	20' BUFFER TO RESIDENTIAL 10' BUFFER TO STREET 0' BUFFER TO SAME

ISSUED PRELIMINARY

NO.	BY	DATE	DESCRIPTION

DESIGNED BY: CL | DRAWN BY: CL | APPROVED BY: TQ | JOB NO.: 18 | ISSUE DATE: 05/01/24

CHECKED BY: TQ | DATE | BY | DESCRIPTION | X-AXIS

BEACON CIVIL ENGINEERING
LAND DEVELOPMENT ENGINEERS
8345 GUNN HIGHWAY
TAMPA, FL 33626

VILLAGES AT PAYNE CREEK

FOR
HARDEE COUNTY,
FLORIDA

SHEET NAME:
OVERALL BUBBLE PLAN

SHEET NUMBER:
1 OF 1

B:\Projects\2024\24-035 Payne Creek Villages\DWG\Concept\24-035 PAYNE CREEK VILLAGES - CONCEPT PLAN - TQ.dwg

AGENDA ITEM NO. B

Item Cover Page

PLANNING AND ZONING BOARD AGENDA ITEM REPORT

DATE: April 9, 2026

SUBMITTED BY: Jorden Eisenstein, Community Development Department

ITEM TYPE: Appointment

AGENDA SECTION: **APPOINTMENTS**

SUBJECT: **Kelley Klepper, AICP, Kimley-horn -** ORDINANCE 2026-03 -AN ORDINANCE OF HARDEE COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE HARDEE COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 114.5 +/- ACRES FROM AGRICULTURE (AGR) TO RURAL CENTER (RCN) PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION:

ATTACHMENTS:
STAFF REPORT--VILLAGES AT PAYNE CREEK - MAP.doc
Ord. No. 2026-03-combined.pdf
MAP narrative update January 2026 (1).pdf

HARDEE COUNTY PLANNING/DEVELOPMENT DEPARTMENT
STAFF REPORT

Agenda No: **CPA-25-10 – MAP**

Request: Applicant-initiated request for **Large-Scale Future Land Use (FLUM) Amendment to** re-designate approximately 114.5±/- acres from Agriculture (AGR) to Rural Village (RV) and expand the existing Rural Village boundary associated with the Villages at Payne Creek development. This request is a companion to the Comprehensive Plan Text Amendment modifying Policy L8.1.12.

Property Owner: Mooney Family, LLC, Shadowlawn, LLC & Pool Rd, LLC
c/o Todd Mooney
9414 Lorendale Circle
Spring Hill, FL 34608

Location: The property is located just south of the Polk County/Hardee County jurisdictional line and entirely within the jurisdiction of unincorporated Hardee County. It is bound on the north by W. County Line Road, by CR 664 on the south and by District Line Road on the west. Pool Road, an east/west, minor collector roadway, bisects the project area.

Parcel Identification Nos.:

Shadowlawn, LLC
01-33-24-0000-02530-0000
02-33-24-0000-00010-0000 – New Parcel
02-33-24-0000-00020-0000 – New Parcel
11-33-24-0000-05320-0000
11-33-24-0000-02530-0000

Mooney Family, LLC
01-33-24-0000-02520-0000
02-33-24-0000-00750-0000
12-33-24-0000-00020-0000

Pool Road, LLC
01-33-24-0000-06940-0000 – New Parcel
01-33-24-0000-07520-0000 – New Parcel

Site Size: 1,286.85+/-acres

Future Land Use Agriculture
Zoning: A-1 (Agriculture)

Surrounding Land Use: Agriculture, Highway Mixed Use, Conservation and Rural Village

Surrounding Zoning: Planned Unit Development (PUD) and A-1 (Agriculture) and F-R (Farm Residential)

Staff Recommendation: Staff recommends **APPROVAL** to the Planning/Zoning Board for the **Large-Scale Future Land Use (FLUM) Amendment to** re-designate approximately 114.5 ±/- acres from Agriculture (AGR) to Rural Village (RV) and expand the existing Rural Village boundary associated with the Villages at Payne Creek development as **ORDINANCE NO. 2026-03** and recommends the Board recommend **APPROVAL** of the

Comprehensive Plan Text Amendment request as **ORDINANCE NO. 2026-03** to the Board of County Commissioners

History:

The ten parcels that make up the proposed 1,286.85 acre development site have been vacant for approximately 20 years since active mining ended in the late 1990s. In 2004 and 2022 the applicant purchased the properties from US Agri-Chemicals Corporation, Mosaic Fertilizer, LLC and J. Henry Groves, Inc. for potential future development. Shortly thereafter, the applicant/owner initiated discussions with county staff regarding the development of the lands, which continued throughout the years and led to the development of specific sections of the updated Hardee County Comprehensive Plan, particularly the Rural Village Future Land Use designation described in Policy L1.11 and the specific property requirements detailed in Policy L8.1.12.

Subsequently, in 2014 the originally purchased 1,224 acres was granted a Future Land Use (FLU) designation change from Agriculture to Rural Village via Ordinance 2014-13, which detailed the specific maximum intensities and densities that would be allowed within the development. That FLU change opened the door to the previous rezoning application for a Mixed Use Planned Unit Development with Master Development Plan in keeping with the requirements of the FLU amendment.

The property owner recently added four new parcels to the project site, and dropped a 40 acre parcel, for a total increase of 87 acres. The new parcels must also receive the Rural Village Future Land Use designation and the Planned Unit Development zoning classification. The current PUD rezoning and Major Modification to the Master Development Plan propose a phased development, that will include a 1,508 unit RV Park with a community center and pool, 2,930 single family residences, 2,527 units of multi-family residential dwellings, 637 townhomes and 500,000 sf of nonresidential uses. Water and wastewater treatment facilities are to be provided by the applicant through a private utility they created, TBBT Utility, LLC. The water and wastewater facilities shall be required to be constructed with the first phase of development.

Notable components of the development include the development of a private water and wastewater treatment and distribution system for the development. Also, as part of the FLU amendment, the applicant has agreed to provide land for an EMS/Fire Station to serve the development and the surrounding communities. The applicant will make the connection in accordance with County standards.

Findings of Fact:

- *The subject property is located in the Rural Village future land use category.*
- *The submitted application is for Parcel ID Nos.*

Shadowlawn, LLC
02-33-24-0000-00010-0000 – New Parcel
02-33-24-0000-00020-0000 – New Parcel

Pool Road, LLC
01-33-24-0000-06940-0000 – New Parcel
01-33-24-0000-07520-0000 – New Parcel

- *The subject property is located along the north side of Pool Road (Minor Collector Road), and east of District Line Road (Minor Collector Road);*
- *The development remains within a master-planned, large scale mixed-use format.*
- *The proposal significantly increases intensity.*

- *The subject expansion area is currently designated Agriculture*
- *The proposed amendment would extend the Rural Village designation to the full project boundary*
- *The Rural Village category requires:*
    - *Minimum 500-acre development*
    - *Mixed-use integration*
    - *Development based on net developable acreage*
- *The expanded area contributes to a unified, large-scale development pattern*
- *The property is reclaimed land that had been actively mined in the mid to late 1990s. Identified wetlands other than those in the Conservation Land Use area along Little Payne Creek have been modified through the mining process, and are no longer viable wetlands.*
- *Best available information identifies special flood hazard areas along Little Payne Creek and within the footprint of the four existing lakes on site.*

STANDARDS OF REVIEW

(A) Consistency with the Comprehensive Plan:

The proposed amendment is generally consistent with Policy L1.11 and L8.1.12 of the adopted Comprehensive Plan, which permits mixed use developments consisting of complementary residential and nonresidential uses that promote "live-work" opportunities within the land use.

Policy L1.11 of the Comprehensive Plan describes the parameters of properties with a Rural Village Future Land use designation. A table comparing the requirements of Policy L1.11 with the proposal is provided below.

HC Comprehensive Plan Policy L1.11 Requirements	Master Development Plan Proposal
Min. 500 acres	1,272.6 acres
Minimum 15% of developable lands designated residential at a density of at least 6 du/acre	495 acres at a density of between 4 and 23 du/acre
Maximum density including RV Parks = 12 du/acre	Maximum gross density with RV Park = 15 du/acre
RV Parks not to exceed 15% of total developable acres	RV Park = 100.52 acres (12.7% of developable acres)
Recreation & Public Uses to include EMS/Fire Station	504.92 acres of wetlands, lakes, conservation, recreational uses & a Fire Station

Policy L8.1.12 prescribes specific maximum density and intensities within this particular area, which the applicant has adhered to, as detailed below. The prior approval is shown by the red strikethrough in the table below.

HC Comprehensive Plan Policy L8.1.12 Maximums	Proposed Use Maximums of Master Development Plan
~~1,463~~ 7,602 residential dwelling units, including an RV Park	2,527 MF Units, 2,930 SF Units, 1,508 RV Units & 637 Town Homes
~~360,000~~ 500,000 sf of nonresidential uses	Maximum of 500,000 sf of nonresidential
Recreation & Public Uses to include EMS/Fire Station	708 acres of wetlands, lakes, and recreational uses & - Up to 5 acres for a Fire Station
7,602 residential dwelling units, including an RV Park	2,527 MF Units, 2,930 SF Units & 1,508 RV Units

(B) Concurrency Analysis:

Traffic: Access to the property will be provided via C.R. 664 and County Line Road. Updated Traffic Analysis and requisite improvements are planned for each new phase of development as it comes forward.

The applicant had a Transportation Analysis performed by a professional traffic engineering company in June 2018, and a new, updated Traffic Analysis was provided with the current application submittal in 2025. The analysis indicates the project will generate 12,917 Average Annual Daily Trips (AADT) and 3,084 PM Peak Hour external trips. In addition, the analysis identifies the following roadway links as those that will receive a greater than 5% increase in existing traffic volume.

- County Line Road from project limits to US 17
- Pool Road from Rollins Road to C.R. 664
- C.R. 664 from C.R. 663 to US 17
- Payne Creek Road
- Talley Road
- US 17 from C.R. 664 to the beginning of the one way pairs
- C.R. 663 from C.R. 664 to SR 62

Detailed Traffic Analysis updates will be required with each new phase of development when exact unit counts have been determined and a more accurate analysis can be provided. The updates will be required to include improvements necessary to ensure continued maintenance of the adopted LOS and efficient traffic patterns throughout the area. Any improvements will be required to be constructed concurrent with the development of the Phase by which deemed necessary.

Furthermore, county staff have concerns regarding the adequacy of the pavement condition along C.R. 664 and Pool Road. These concerns are addressed in the recommended conditions of approval identified below.

Potable Water & Wastewater: The applicant plans on creating their own treatment, storage and pumping distribution systems for the water, wastewater and reclaimed water facilities required for the development. The Applicant has identified Pod X in the northeast corner of the site on the Master Development Plan as the proposed location of the water and wastewater treatment facilities location. The plants will be run by an existing utility (TBBT Utility, LLC) previously created by the applicant.

***Solid Waste*:** Solid waste generation is projected to equal 4.12 pounds per capita, totaling 100,100 pounds per day at buildout. At the time of Site Development Plan/Site Construction Plan and Subdivision Plat approval, the applicant will be required to provide a capacity certification from the local solid waste vendor and the Hardee County Landfill.

Stormwater Management: The property has 4 existing lakes, several wetland systems and Little Payne Creek flows through the northeast portion. These systems will all be retained on site, and will provide significant natural drainage on the property. Detailed site construction plans that address all onsite stormwater and drainage features and improvements will be required prior to development, and the applicant is required to obtain a SWFWMD permit for the project prior to development.

Park and Recreation Facilities: The Hardee County Comprehensive Plan establishes an LOS of 15 acres per 1,000 residents for parks and recreation facilities within the county. Currently, the University of Florida's Bureau of Economic and Business Research (BEBR) has estimated Hardee County's 2025 population at 26,042 residents, and the County has a total of 1,332 acres of parks and recreation facilities for a total LOS of 51.2 acres of parks and recreation facilities per 1,000 county residents. The addition of the proposed 7,062 dwelling units will reduce the current LOS for parks and recreation facilities to 30.5 acres per 1,000 residents, which is still well in excess of the established LOS of 15 acres per 1,000 residents.

(C) Impact Analysis:
The proposed comprehensive plan amendment has been analyzed to identify future adverse impacts to adjacent land uses, the character of the neighborhood and other matters affecting land use compatibilities and the general welfare of the County, such as the following *(see items D through G).*

(D) Zoning and uses of nearby property:
All surrounding zoning within the county is A-1 (Agriculture) with the one exception of 4 residential lots on the south side of C.R. 664 that are zoned F-R. Along the north property line is County Line Road and Polk County. Land uses to the north and west are all vacant, reclaimed mine lands. To the east of the project site are conservation lands along Little Payne Creek and citrus groves. More citrus groves and a handful of single-family residences lie to the south of the site, and vacant agriculture lands and reclaimed mine lands lie to the west.

(E) Substantial changes in land use circumstances:
The proposed comprehensive plan amendment and Master Development Plan will facilitate a large, mixed-use development within an otherwise rural setting. In order to address the change in the current land use circumstances, the applicant is proposing to make the development as self-sufficient and secure as possible. Specifically, the applicant is proposing to establish just three (3) points of access to the site, which will be controlled via guard shacks and gates. Furthermore, the applicant is proposing to establish independent water and wastewater facilities to serve the project, and the applicant will be required to establish appropriate landscape buffers and setbacks along portions of the project site that abut roadways or other land uses at the time of Site Development Plan approval for individual phases.

(F) Time Vacant:
The subject property has never been developed, and was actively mined in the mid to late 1990s.

(G) Compatibility standards:

a. *Whether one or more of the following design standards proposed for the subject property will differ substantially from the design standards currently allowed for any of the adjacent properties.*

   The comprehensive plan map amendment is intended to provide for flexibility in design in order to accomplish a more uniform and integrated development pattern than would otherwise be possible under the current Comprehensive Plan.

   Specific design standards regarding yards, setbacks, height, lot coverage, impervious surface coverage, parking and hours of operation will all be evaluated for compatibility at the time of Site Development Plan approval for individual phases of the project.

b. *Whether the intensity or density of use will be greater or lesser than that currently permitted for adjacent or currently existing properties.*

   As all adjacent properties are currently zoned A-1, the intensities and densities proposed within the project will not be consistent with the intensities and densities permitted on adjoining properties. Therefore, the applicant will be required to mitigate any potential negative impacts to adjoining properties through the use of buffering, setbacks, proper onsite stormwater management, development of any needed transportation improvements, and other efforts required to avoid adverse impacts to the surrounding properties. Most of these abatement measures will be required at the time of Site Development Plan approval. Some have been included in the recommended conditions of approval listed below.

c. Whether the proposed change in land use will adversely alter the existing land use pattern.

The existing land use pattern in the area has long been mining, agricultural, and some large lot single family uses. Therefore, the proposed change in zoning will not be consistent with existing use patterns. However, development techniques intended to avoid or mitigate any potential adverse impacts are either listed below in the recommended conditions of approval, or will be required at the time of Site Development Plan approval.

d. Whether the proposed change in land use will significantly increase traffic congestion or otherwise affect public safety.

The proposed change will significantly increase traffic in the area. While the applicant's Transportation Analysis indicates the adopted LOS will continue to be met, staff has made several recommended conditions of approval to ensure roadway improvements are provided by the developer to mitigate their impacts.

e. Whether the proposed change in land use will adversely affect the drainage of the property.

The property has 4 existing lakes, several wetland systems and Little Payne Creek flows through the northeast portion. These systems will all be retained on site, and will provide significant natural drainage on the property. Detailed site construction plans that address all onsite stormwater and drainage features and improvements will be required prior to development, and the applicant is required to obtain a SWFWMD permit for the project prior to development.

f. Whether the proposed change in land use will decrease the quality of water, air or light to adjacent properties.

The Master Development Plan depicts a layout that internalizes a large portion of the more intense land uses proposed through the location of recreational, residential and conservation areas along the perimeter. In specific areas where a more intense use is to be located along the perimeter of the property, significant attention will need to be given to buffering, setbacks, use of lighting and adequate stormwater drainage during the Site Development Plan approval stage.

g. Whether the proposed change in land use will adversely affect the property values of the adjacent properties.

It is not anticipated that property values will be affected by the comprehensive plan amendment of the property and the proposed development as long as proper measures are taken to avoid adverse impacts to the adjoining properties.

h. Whether the proposed change in land use will cause noticeable glare, noise, or odors for the adjacent properties.

The Master Development Plan depicts a layout that internalizes a large portion of the more intense land uses proposed through the location of recreational, residential and conservation areas along the perimeter. In specific areas where a more intense use is to be located along the perimeter of the property, significant attention will need to be given to buffering, setbacks, use of lighting and adequate stormwater drainage during the Site Development Plan approval stage.

i. Whether the proposed change in land use would create a mixture of land uses so dissimilar to the existing pattern of development, that the overall quality and character of the surrounding neighborhood would be degraded.

While the proposed land uses (mixed residential, commercial and industrial uses) are quite dissimilar to existing land uses (single use mining, agriculture, single family residential uses), it is not anticipated the addition of the mixed-use development would degrade the character of the surrounding neighborhood. Through the effective use of the Planned Unit Development zoning designation, a well-designed Master Development Plan and Site Development Plan approvals that include mitigation techniques to avoid adverse impacts to surrounding properties, the neighborhood quality and character can be maintained, and potentially even improved.

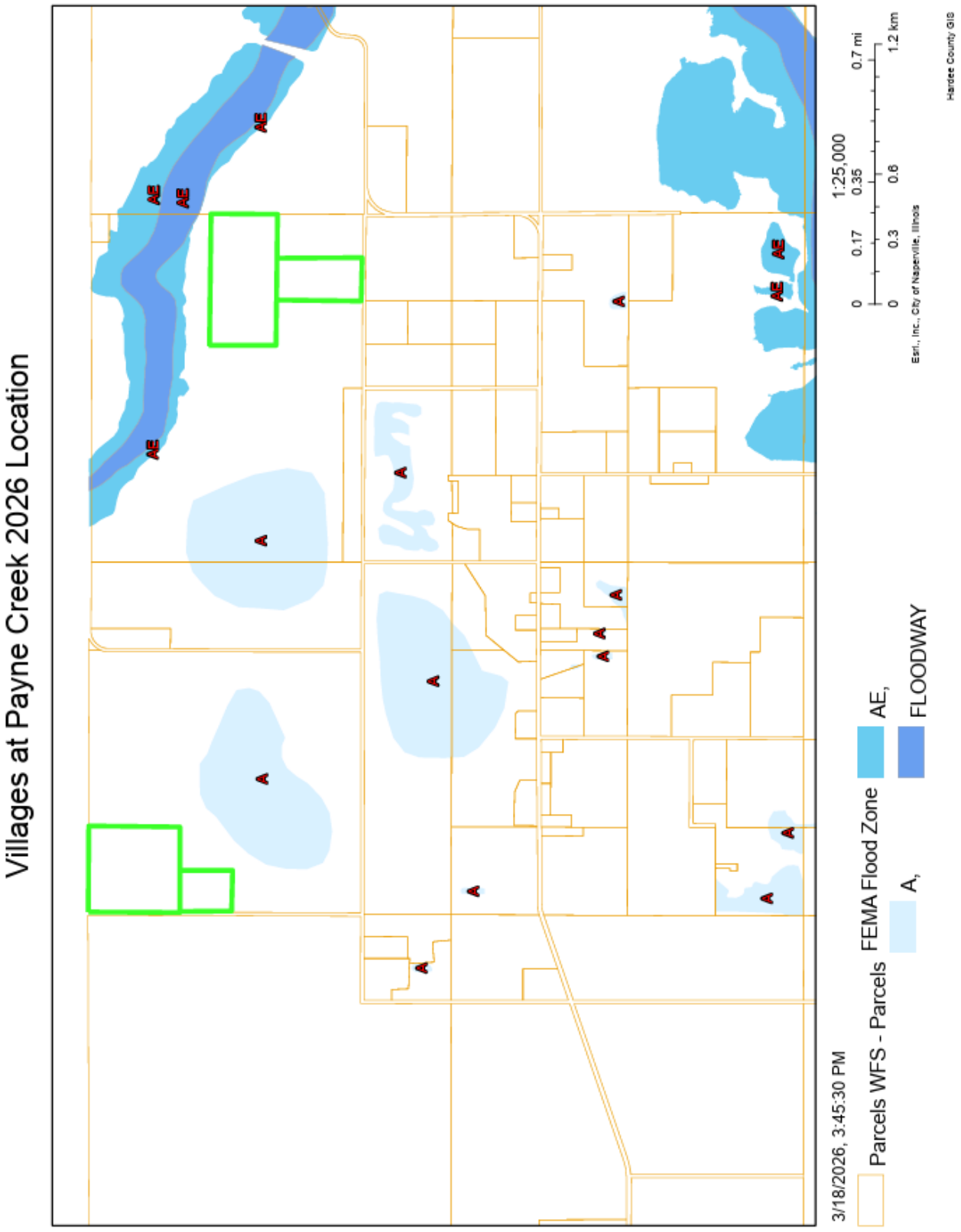
j. Whether the detrimental effects of any identified incompatibilities can be mitigated or eliminated by adequate buffering.

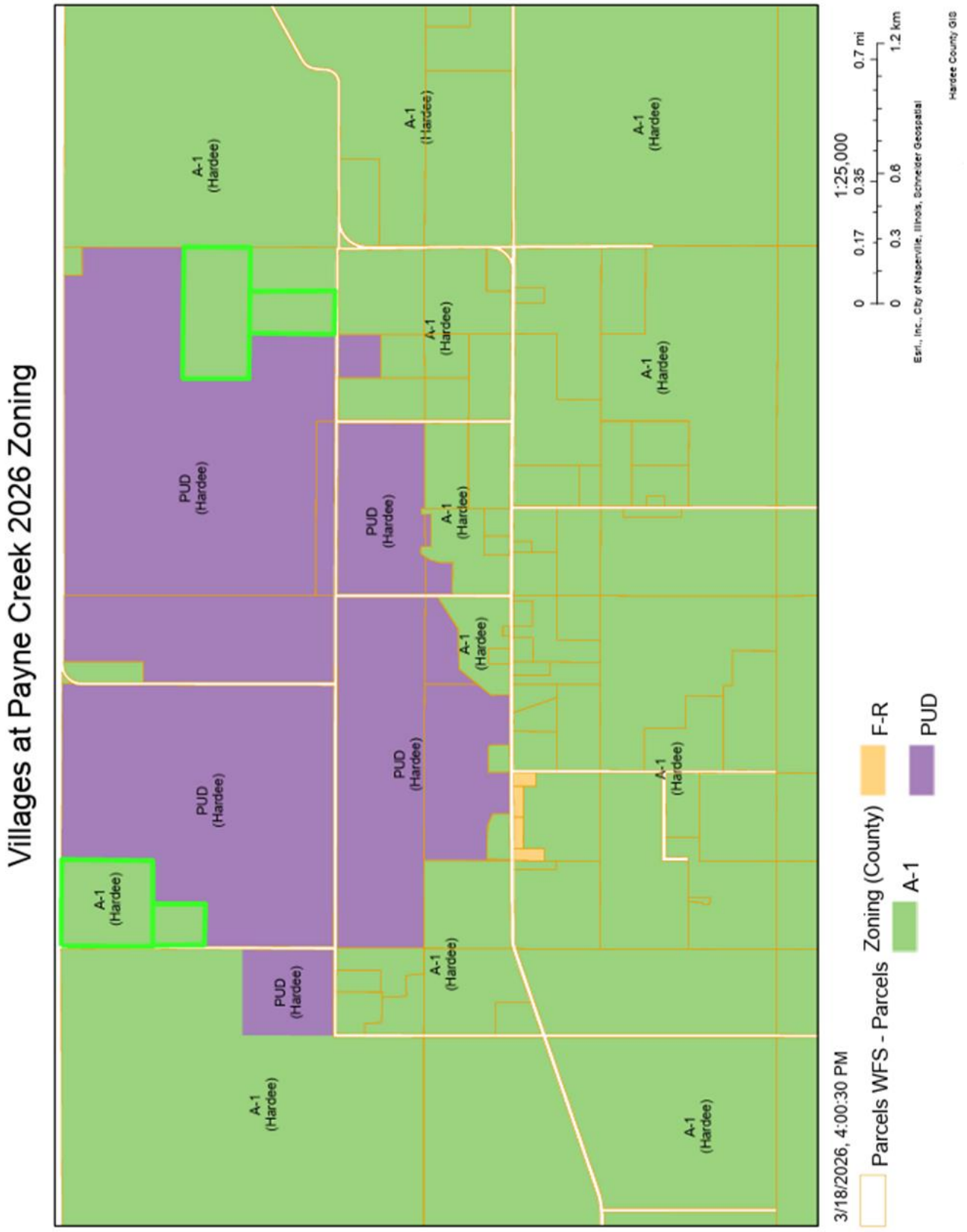
Buffering of areas of more intense use, or areas with more disparate use differences through the use of landscaping, barriers or other means will be a primary focus of addressing potential incompatibilities at the Site Development Plan approval stage. It is anticipated that buffering and other separation techniques will be able to address all potential incompatibilities.

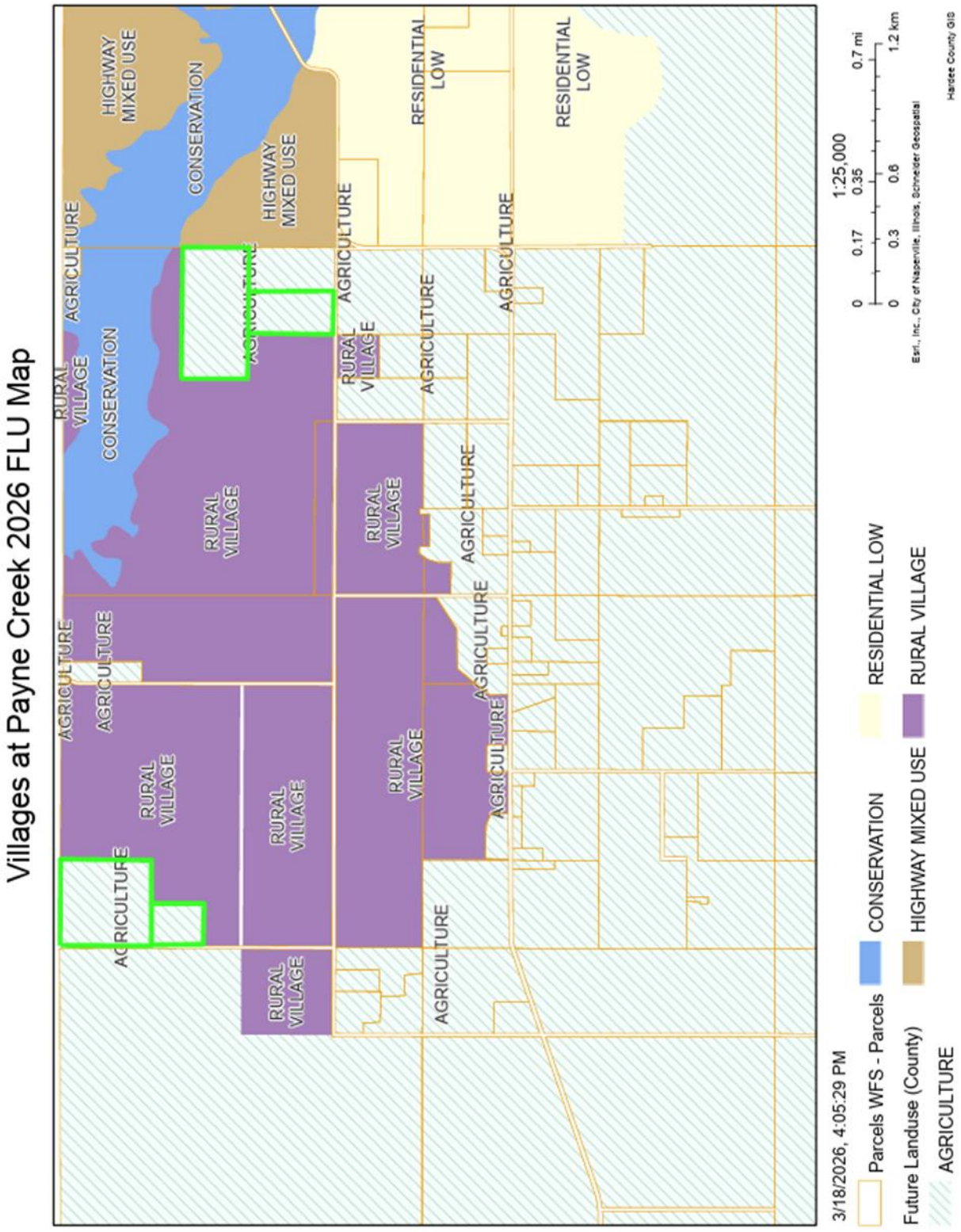
Recommendation:

Staff recommends **APPROVAL** to the Planning/Zoning Board for the **Large-Scale Future Land Use (FLUM) Amendment to** re-designate approximately 76± acres from Agriculture (AGR) to Rural Village (RV) and expand the existing Rural Village boundary associated with the Villages at Payne Creek development as **ORDINANCE NO. 2026-03** and recommends the Board recommend **APPROVAL** of the Comprehensive Plan Text Amendment request as **ORDINANCE NO. 2026-03** to the Board of County Commissioners

Attachments: Location Map
Zoning Map
FLU Map


Villages at Payne Creek 2026 Location
3/18/2026, 3:45:30 PM
Parcels WFS - Parcels
FEMA Flood Zone
AE,
FLOODWAY
A,
1:25,000
0 0.17 0.35 0.7 mi
0 0.3 0.6 1.2 km
Esri, Inc., City of Naperville, Illinois
Hardee County GIS


Villages at Payne Creek 2026 Zoning
A-1 (Hardee)
PUD (Hardee)
1:25,000
0 0.17 0.35 0.7 mi
0 0.3 0.6 1.2 km
Esri, Inc., City of Naperville, Illinois, Schneider Geospatial
Hardee County GIS
3/18/2026, 4:00:30 PM
Parcels WFS - Parcels
Zoning (County)
A-1
F-R
PUD


Villages at Payne Creek 2026 FLU Map
AGRICULTURE
RURAL VILLAGE
CONSERVATION
HIGHWAY MIXED USE
RESIDENTIAL LOW
3/18/2026, 4:05:29 PM
Parcels WFS - Parcels
Future Landuse (County)
AGRICULTURE
CONSERVATION
HIGHWAY MIXED USE
RESIDENTIAL LOW
RURAL VILLAGE
1:25,000
0 0.17 0.35 0.7 mi
0 0.3 0.6 1.2 km
Esri, Inc., City of Naperville, Illinois, Schneider Geospatial
Hardee County GIS

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HARDEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; PROVIDING FOR A REDESIGNATION OF THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 114.5+/- ACRES FROM AGRICULTURAL TO RURAL VILLAGE; 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 change the Future Land Use designation of approximately 114.5+/- acres from Agricultural to Rural Village Future Land Use; 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 future land use map 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 comprehensive plan future land use map amendment 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. 2026-03** to consider the Future Land Use modification application to amend the 2030 Hardee County Comprehensive Plan and Future Land Use Map and redesignate 114.5+/- acres from Agriculture to Rural Village, land being owned by the Applicant, and that is legally described in Exhibit 1 attached, and includes the following parcels:

Parcel Identification Numbers:

<u>Shadowlawn, LLC</u>
02-33-24-0000-00010-0000
02-33-24-0000-00020-0000

DRAFT

Pool Road, LLC
01-33-24-0000-06940-0000
01-33-24-0000-07520-0000

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,

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

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

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

Section 2. The currently adopted FUTURE LAND USE MAP of the 2030 HARDEE COUNTY COMPREHENSIVE PLAN is amended to show a redesignation of 114.5+/- acres to Rural Village, whose lands are legally described in this Ordinance, and depicted in Exhibit 1 attached hereto.

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

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

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

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

INTRODUCED AND PASSED at a regular meeting of the Board of County Commissioners held this _____ day of _____, 2026.

[SIGNATURE PAGE TO FOLLOW]

DRAFT

NOEY FLORES, CHAIR

ATTEST:

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

SARAH JOHNSTON
COUNTY ATTORNEY

DRAFT

Exhibit 1

Prepared by and Return to:
Wauchula Abstract & Title Co., Inc.
Dorothy A. Conerly
123 South 9th Avenue
Wauchula, Florida 33873
Our File Number: H20220355

For official use by Clerk's office only

STATE OF Florida)
COUNTY OF Hardee)

SPECIAL WARRANTY DEED

THIS INDENTURE, made this September 1st, 2022, between **Mosaic Fertilizer, LLC, a Delaware limited liability company,** whose mailing address is 13830 Circa Crossing Drive, Lithia, FL 33547, hereinafter called the Grantor, and **Shadowlawn LLC, a Florida limited liability company**, whose mailing address is: 9414 Lorendale Circle, Spring Hill, FL 34608, hereinafter called the Grantee.

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other valuable considerations, receipt and sufficiency whereof are hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, its successor and assigns, the following described property, to wit:

See Exhibit "A" attached hereto and by this reference made a part.

Parcel ID 02-33-24-0000-00020-0000 and 02-33-24-0000-00010-0000

Subject to real property taxes for 2022 and subsequent years, and all easements, reservations and restrictions encumbering the Property of record, which are not reimposed by this deed.

TOGETHER WITH all right, title and interest of Grantor or appurtenant to the Property, if any, in and to the following (collectively, the "Related Rights and Interests"): (a) all tenements, hereditaments, privileges, interests, and appurtenances belonging or in any way appertaining to the above-described land; (b) all easements and rights-of-way serving or benefitting the above-described land and all rights of ingress to and egress from the above-described land; (c) all rights in and to any roads, streets, alleys, ways, and rights-of-way lying within or adjacent to the above-described land; (d) the shores and bottoms of any water bodies lying within or adjacent to the above-described land; (e) all water use and consumption rights; (f) all land use and development rights and entitlements, concurrency vesting rights, utility rights and capacities, drainage rights, and impact fee credits, related to or benefitting the above-described land; (g) all soil, minerals, gas, and petroleum located in, on or under the above-described land, including but not limited to oil, gas, phosphate and other minerals or natural resources of any kind, and all rights to explore for and extract the same; and (h) all rights, claims, defenses, immunities, indemnities and actions that Grantor may have against any third party with respect to the above-described land, including, but not limited to, those relating to the existence of any hazardous materials on, under or about the above-described land.

UNOFFICIAL DOCUMENT

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor covenants with said Grantee, that the Grantor is lawfully seized of said Property in fee simple; that the Grantor has good right and lawful authority to sell and convey said Property; that the Grantor hereby fully warrants the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other, except as stated above. This covenant shall be binding upon the Grantor and the Grantor's heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth above.

Signed, sealed and delivered
in the presence of:

Witness #1 signature

Print witness #1 name

Witness #2 signature

Print witness #2 name

Mosaic Fertilizer, LLC, a Delaware limited liability company

By:

Print Name: **Russell T. Schweiss**
Its: VP-Land & Resource Strategies

State of Florida
County of Hardee

THE FOREGOING INSTRUMENT was acknowledged before me by means of [✓] physical presence or [ ] online notarization, this 1st day of September, 2022 by **Russell T. Schweiss as VP-Land & Resource Strategies of Mosaic Fertilizer, LLC, a Delaware limited liability company,** on behalf of said company [✓] who is personally known to me or [ ] who has produced _____ as identification.

Notary Public

Print Notary Name
My Commission Expires: 12/17/2024
Notary Seal

Notary Public State of Florida
Joann Garza
My Commission HH 069430
Expires 12/17/2024

UNOFFICIAL DOCUMENT

Exhibit A

The NW 1/4 of the NW 1/4, in Section 2, Township 33 South, Range 24 East, Hardee County, Florida.

AND

The West 1/2 of the SW 1/4 of the NW 1/4, lying North of ditch, in Section 2, Township 33 South, Range 24 East, Hardee County, Florida, more particularly described as follows: Commence at the NW corner of said Section 2; thence S 00°02'26" E along the West boundary of Section 2, a distance of 1,475.13 feet to the NW corner of the W 1/2 of the SW 1/4 of the NW 1/4 and to the POINT OF BEGINNING; thence N 89°45'52" E, along the North boundary thereof 662.10 feet to the NE corner of the W 1/2 of the SW 1/4 of the NW 1/4; thence S 00°04'41" E, along the East boundary of the W 1/2 of the SW 1/4 of the NW 1/4 a distance of 806.66 feet to a point lying 517.76 feet North of the SE corner of the SW 1/4 of the SW 1/4 of the NW 1/4 (described in O.R. Book 674, Page 1148 as a ditch centerline); thence S 87°55'34" W, along said described ditch centerline 663.04 feet to a point lying 496.75 feet North of the SW corner of the SW 1/4 of the SW 1/4 of the NW 1/4 (described in O.R. Book 674, Page 1148 as the beginning of a ditch centerline) and to the West boundary of the W 1/2 of the SW 1/4 of the NW 1/4; thence N 00°02'26" W, along said West boundary thereof 827.94 feet to the POINT OF BEGINNING.

(the "Property").

UNOFFICIAL DOCUMENT

Prepared by and return to:
KENNETH EVERS
Attorney at Law
Kenneth B. Evers, P.A.
424 West Main Street
Wauchula, FL 33873
863-773-5600
File Number: **22-henry-01**
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **11th** day of **March, 2022** between **J. HENRY GROVES, INC., a Florida corporation,** whose post office address is **Post Office Box 547, Fort Meade, FL 33841**, grantor, and **POOL RD LLC, a Florida limited liability company,** whose post office address is **9414 Lorendale Circle, Spring Hill, FL 34608-4762,** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Hardee County, Florida,** to-wit:

The S 1/2 of the N 1/2 of the SE 1/4 of the NE 1/4 of Section 1, Township 33 South, Range 24 East, Hardee County, Florida,
AND
S 3/4 of E 1/2 of SW 1/4 of NE 1/4 of Section 1, Township 33 South, Range 24 East,, in Hardee County, Florida,
AND
The S 1/2 of the SE 1/4 of the NE 1/4 of Section 1, Township 33 South, or Range 24 East, Hardee County, Florida,
AND
W 1/2 of NE 1/4 of SE 1/4 of Section 1, Township 33 South, Range 24 East, Hardee County, Florida.

Parcel Identification Number: R 01-33-24-0000-06940-0000 and R 01-33-24-0000-07520-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2021.**

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

KENNETH B. EVERS

CINDY HARTLEY

J. HENRY GROVES, INC., a Florida corporation

By: JAMES H. GRUNHOLZER, JR., President

(Corporate Seal)

State of Florida
County of Hardee

The foregoing instrument was acknowledged before me by means of [X] physical presence or [_] online notarization, this 11th day of March, 2022 by JAMES H. GRUNHOLZER, JR. PRESIDENT of J. HENRY GROVES, INC., a Florida corporation, on behalf of the corporation. He/she [ ] is personally known to me or [X] has produced a driver's license as identification.

[Notary Seal]

CINDY HARTLEY
MY COMMISSION # GG 987099
EXPIRES: June 12, 2024
Bonded Thru Notary Public Underwriters

Notary Public

Printed Name: _____

My Commission Expires: _____

Third Update Application for Comprehensive MAP Amendment For Villages of Payne Creek

Hardee County Planning Division

110 South 9th Avenue

Wauchula, FL 33873

Applicant:

Shadowlawn, LLC , Pool Road LLC, and Mooney Family, LLC

January 2026

Introduction
A Comprehensive Plan Text Amendment and Large Scale Land Use Map amendment is requested or the property approved as Rural Village and described in Policy L8.1.12. 14-5 ESR of the Hardee County Comprehensive Plan.

This application for text amendment seeks to change the development entitlements as follows:

- **Increase the area of single-family development**
- **Increase the number of single-family homes**
- **Increase the area of RV sites**
- **Increase the number of RV sites**
- **Increase the area of non-residential use**
- **Eliminate the office use**
- **Eliminate the light industrial use**
- **Eliminate the fire station use**
- **Introduce Golf Cart paths within each pod that connect each pod to the Village Center and recreation areas**

A companion Map Amendment seeks to increase the land area of the Rural Village from 1,224.85 +/- acres to 1,286.85 acres by adding land currently designated as Agriculture and identified as Hardee County Parcel ID numbers 01-33-24-0000-06940-0000 and 01-33-24-0000-07520-0000).

Description of the Property
The subject property is an agglomeration of parcels owned by Mooney Family, LLC; Shadowlawn LLC and Pool Road LLC. It is controlled by Todd Mooney as outlined on the attached State of Florida Division of Corporation (aka Sunbiz) forms; and identified as outlined below in Table 1.
Table 1. Hardee County Parcel Identification Numbers, Ownership and Land Area:

Hardee County Parcel ID	Ownership	Land Area in Acres	Current Land Use Designation
02-33-24-0000-00750-0000	Mooney Family, LLC	586.26	Rural Village
11-33-24-0000-05320-0000	Shadowlawn, LLC	70.25	Rural Village
01-33-24-0000-02530-0000	Shadowlawn ,LLC	98.88	Rural Village
02-33-24-0000-00020-0000	Shadowlawn, LLC	40	Rural Village
01-33-24-0000-06940-0000	Pool Rd, LLC	43	Agriculture
01-33-24-0000-02520-0000	Mooney Family LLC	397.1	Rural Village-
11-33-24-0000-02530-0000	Shadowlawn LLC	14.29	Rural Village

12-33-24-0000-00020-0000	Mooney Family, LLC	5.57	Agriculture
02-33-24-0000-00010-0000	Shadowlawn, LLC	12.5	Rural Village
01-33-24-0000-07520-0000	Pool Rd, LLC	19	Agriculture- proposing a change to Rural Village
TOTAL		**1,286.85 acres**	

Location:
The property is located just south of the Polk County/Hardee County jurisdictional line and entirely within the jurisdiction of unincorporated Hardee County. It is bound on the north by W. County Line Road, by CR 664 on the south and by District Line Road on the west. Pool Road, an east/west, minor collector roadway, bisects the project area.

The property is approximately 2 miles west of the City limits of Bowling Green; County Line Road, Doc Coil Road and CR 664 provide the subject property access to Bowling Green. US 17, is a north- south US Highway that bisects Hardee County from north to south connecting the cities of Bowling Green and Wachula to the town of Zolfo Springs and south to its southern terminus in Punta Gorda Florida (In Charlotte County Florida) US 17 also runs north and provides connection to Fort Mead and Bartow in Polk County, where it merges with US Highway 98 offering connection to the Polk Parkway, a 24 mile limited access roadway that connects to Interstate 4.

The Table below identifies geographic features and locations proximate to the site and the estimated driving time.

Table 2 Geographic features and proximity to subject site

Feature	**Approximate Driving Distance**	**Approximate Driving Distance**
City of Bowling Green	2.0 miles	4 minutes
City of Wachula	8 miles	16 minutes
City of Fort Meade	9 miles	18 minutes
Town of Zolfo Springs	11 miles	22 minutes
SR 64	13 miles	26 minutes
City of Bartow	20 miles	40 minutes
Polk Parkway (SR 570)	29 miles	58 minutes
City of Lakeland	32 miles	64 minutes
Interstate 4	39 miles	58 minutes
Interstate 75	48 miles	96 minutes
Gulf Beaches (Bradenton)	63 miles	126 minutes
Walt Disney World	75 miles	150 minutes
Tampa International Airport	77 miles	154 minutes
Orlando International Airport	89 miles	178 minutes

AGENDA ITEM NO. C

Item Cover Page

PLANNING AND ZONING BOARD AGENDA ITEM REPORT

DATE: April 9, 2026

SUBMITTED BY: Jorden Eisenstein, Community Development Department

ITEM TYPE: Appointment

AGENDA SECTION: **APPOINTMENTS**

SUBJECT: **Kelly Klepper, AICP, Kimley-horn** - ORDINANCE 2026-04 - AN ORDINANCE OF HARDEE COUNTY, FLORIDA, AMENDING THE TEXT OF POLICY L8.1.12 OF THE HARDEE COUNTY COMPREHENSIVE PLAN TO ALLOW FOR AN INCREASE IN RESIDENTIAL DENSITY AND NON-RESIDENTIAL INTENSITY OF THE RURAL CENTER FUTURE LAND USE CATEGORY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION:

ATTACHMENTS:
STAFF REPORT--VILLAGES AT PAYNE CREEK - TEXT.doc
Ord. No. 2026-04.docx
TEXT narrative update JAN 2026.pdf

HARDEE COUNTY PLANNING/DEVELOPMENT DEPARTMENT
STAFF REPORT

Agenda No: **CPA-25-10 - TEXT**

Request: Applicant-initiated request for **Comprehensive Plan Text Amendment to** modify Policy L8.1.12 (Rural Village – West of Bowling Green) to increase development entitlements and revise permitted land uses for the Villages at Payne Creek development. The request includes the following amendments:

- Increase in single-family residential area and unit count
- Increase in recreational vehicle (RV) area and unit count
- Increase in total non-residential square footage
- Elimination of office and light industrial uses
- Land dedication for a EMS/Fire Station site
- Establishment of a Land Use Equivalency Matrix (LUEM) for flexibility between commercial uses and lodging

Property Owner: Mooney Family, LLC, Shadowlawn, LLC & Pool Rd, LLC
c/o Todd Mooney
9414 Lorendale Circle
Spring Hill, FL 34608

Location: The property is located just south of the Polk County/Hardee County jurisdictional line and entirely within the jurisdiction of unincorporated Hardee County. It is bound on the north by W. County Line Road, by CR 664 on the south and by District Line Road on the west. Pool Road, an east/west, minor collector roadway, bisects the project area.

Parcel Identification Nos.:

Shadowlawn, LLC
01-33-24-0000-02530-0000
02-33-24-0000-00010-0000 – New Parcel
02-33-24-0000-00020-0000 – New Parcel
11-33-24-0000-05320-0000
11-33-24-0000-02530-0000

Mooney Family, LLC
01-33-24-0000-02520-0000
02-33-24-0000-00750-0000
12-33-24-0000-00020-0000

Pool Road, LLC
01-33-24-0000-06940-0000 – New Parcel
01-33-24-0000-07520-0000 – New Parcel

Site Size: 1,286.85+/-acres

Future Land Use Agriculture
Zoning: A-1 (Agriculture)

Surrounding Land Use: Agriculture, Highway Mixed Use, Conservation and Rural Village

Surrounding Zoning: Planned Unit Development (PUD) and A-1 (Agriculture) and F-R (Farm Residential)

Staff Recommendation: Staff recommends **APPROVAL** to the Planning/Zoning Board for the **Comprehensive Plan Text Amendment to** modify Policy L8.1.12 (Rural Village – West of Bowling Green) to increase development entitlements and revise permitted land uses for the Villages at Payne Creek development as **ORDINANCE NO. 2026-04** and recommends the Board recommend **APPROVAL** of the Comprehensive Plan Text Amendment request as **ORDINANCE NO. 2026-04** to the Board of County Commissioners

History:

The ten parcels that make up the proposed 1,286.85 acres development site have been vacant for approximately 20 years since active mining ended in the late 1990s. In 2004 and 2022 the applicant purchased the properties from US Agri-Chemicals Corporation and J. Henry Groves, Inc. for potential future development. Shortly thereafter, the applicant/owner initiated discussions with county staff regarding the development of the lands, which continued throughout the years and led to the development of specific sections of the updated Hardee County Comprehensive Plan, particularly the Rural Village Future Land Use designation described in Policy L1.11 and the specific property requirements detailed in Policy L8.1.12.

Subsequently, in 2014 the originally purchased 1,224 acres was granted a Future Land Use (FLU) designation change from Agriculture to Rural Village via Ordinance 2014-13, which detailed the specific maximum intensities and densities that would be allowed within the development. That FLU change opened the door to the previous rezoning application for a Mixed Use Planned Unit Development with Master Development Plan in keeping with the requirements of the FLU amendment.

The property owner recently added four new parcels to the project site, and dropped a 40 acre parcel, for total increase of 114.5 acres. The new parcels must also receive the Rural Village Future Land Use designation and the Planned Unit Development zoning classification. The current PUD rezoning and Major Modification to the Master Development Plan propose a phased development, that will include a 1,508 unit RV Park with a community center and pool, 2,930 single family residences, 2,527 units of multi-family residential dwellings, 637 townhomes and 500,000 sf of nonresidential uses. Water and wastewater treatment facilities will be provided by the applicant through a private utility they created, TBBT Utility, LLC. The water and wastewater facilities will be required to be constructed with the first phase of development.

Notable components of the development include land dedications and the development of a private water and wastewater treatment and distribution system for the development. As part of the FLU amendment, the applicant has agreed to provide land for an EMS/Fire Station to serve the development and the surrounding communities. In order to maintain existing traffic patterns and flows through the area, the applicant has agreed to obtain and dedicate 4.9 acres of right-of-way for the extension of County Line Road to District Line Road. The applicant will negotiate with Mosaic Fertilizer, LLC to obtain the needed additional right-of-way, and will make the connection in accordance with County standards.

Findings of Fact:

- *The subject property is located in the Rural Village future land use category.*
- *The submitted application is for Parcel ID Nos.*

Shadowlawn, LLC
02-33-24-0000-00010-0000 – New Parcel
02-33-24-0000-00020-0000 – New Parcel

Pool Road, LLC
01-33-24-0000-06940-0000 – New Parcel
01-33-24-0000-07520-0000 – New Parcel

- *The subject property is located along the north side of C.R. 664 (a Rural Major Collector), and south of County Line Road (a Rural Minor Collector);*
- *The request modifies an existing policy-specific entitlement framework.*
- *The development remains within a master-planned, large scale mixed-use format.*
- *The proposal significantly increases intensity.*
- *The property is reclaimed land that had been actively mined in the mid to late 1990s. Identified wetlands other than those in the Conservation Land Use area along Little Payne Creek have been modified through the mining process, and are no longer viable wetlands.*
- *Best available information identifies special flood hazard areas along Little Payne Creek and within the footprint of the four existing lakes on site.*

STANDARDS OF REVIEW

(A) Consistency with the Comprehensive Plan:
The proposed amendment is generally consistent with Policy L1.11 of the adopted Comprehensive Plan, which permits mixed use developments consisting of complementary residential and nonresidential uses that promote "live-work" opportunities within the land use.

Policy L1.11 of the Comprehensive Plan describes the parameters of properties with a Rural Village Future Land use designation. A table comparing the requirements of Policy L1.11 with the proposal is provided below.

HC Comprehensive Plan Policy L1.11 Requirements	Master Development Plan Proposal
Min. 500 acres	1,272.6 acres
Minimum 15% of developable lands designated residential at a density of at least 6 du/acre	495 acres at a density of between 4 and 23 du/acre
Maximum density including RV Parks = 12 du/acre	Maximum gross density with RV Park = 15 du/acre
RV Parks not to exceed 15% of total developable acres	RV Park = 100.52 acres (12.7% of developable acres)
Recreation & Public Uses to include EMS/Fire Station	504.92 acres of wetlands, lakes, conservation, recreational uses & a Fire Station

Policy L8.1.12 prescribes specific maximum density and intensities within this particular area, which the applicant has adhered to, as detailed below. The prior approval is shown by the red strikethrough in the table below.

HC Comprehensive Plan Policy L8.1.12 Maximums	Proposed Use Maximums of Master Development Plan
~~1,463~~ 7,602 residential dwelling units, including an RV Park	2,527 MF Units, 2,930 SF Units, 1,508 RV Units & 637 Town Homes
~~360,000~~ 500,000 sf of nonresidential uses	Maximum of 500,000 sf of nonresidential
Recreation & Public Uses to include EMS/Fire Station	708 acres of wetlands, lakes, and recreational uses & - Up to 5 acres for a Fire Station
7,602 residential dwelling units, including an RV Park	2,527 MF Units, 2,930 SF Units & 1,508 RV Units

(B) Concurrency Analysis:

Traffic: Access to the property will be provided via C.R. 664 and County Line Road. Updated Traffic Analysis and requisite improvements are planned for each new phase of development as it comes forward.

The applicant had a Transportation Analysis performed by a professional traffic engineering company in June 2018, and a new, updated Traffic Analysis was provided with the current application submittal in 2025. The analysis indicates the project will generate 12,917 Average Annual Daily Trips (AADT) and 3,084 PM Peak Hour trips. In addition, the analysis identifies the following roadway links as those that will receive a greater than 5% increase in existing traffic volume.

- County Line Road from project limits to US 17
- Pool Road from Rollins Road to C.R. 664
- C.R. 664 from C.R. 663 to US 17
- Payne Creek Road
- Talley Road
- US 17 from C.R. 664 to the beginning of the one way pairs
- C.R. 663 from C.R. 664 to SR 62

Detailed Traffic Analysis updates will be required with each new phase of development when exact unit counts have been determined and a more accurate analysis can be provided. The updates will be required to include improvements necessary to ensure continued maintenance of the adopted LOS and efficient traffic patterns throughout the area. Any improvements will be required to be constructed concurrent with the development of the Phase by which deemed necessary.

Furthermore, county staff have concerns regarding the adequacy of the pavement condition along C.R. 664 and Pool Road. These concerns are addressed in the recommended conditions of approval identified below.

Potable Water & Wastewater: The applicant plans on creating their own treatment, storage and pumping distribution systems for the water, wastewater and reclaimed water facilities required for the development. The Applicant has identified Pod X in the northeast corner of the site on the Master Development Plan as the proposed location of the water and wastewater treatment facilities location. The plants will be run by an existing utility (TBBT Utility, LLC) previously created by the applicant.

***Solid Waste*:** Solid waste generation is projected to equal 4.12 pounds per capita, totaling 100,100 pounds per day at buildout. At the time of Site Development Plan/Site Construction Plan and Subdivision Plat approval, the applicant will be required to provide a capacity certification from the local solid waste vendor and the Hardee County Landfill.

Stormwater Management: The property has 4 existing lakes, several wetland systems and Little Payne Creek flows through the northeast portion. These systems will all be retained on site, and will provide significant natural drainage on the property. Detailed site construction plans that address all onsite stormwater and drainage features and improvements will be required prior to development, and the applicant is required to obtain a SWFWMD permit for the project prior to development.

Park and Recreation Facilities: The Hardee County Comprehensive Plan establishes an LOS of 15 acres per 1,000 residents for parks and recreation facilities within the county. Currently, the University of Florida's Bureau of Economic and Business Research (BEBR) has estimated Hardee County's 2025 population at 26,042 residents, and the County has a total of 1,332 acres of parks and recreation facilities for a total LOS of 51.2 acres of parks and recreation facilities per 1,000 county residents. The addition of the proposed 7,062 dwelling units will reduce the current LOS for parks and recreation facilities to 30.5

acres per 1,000 residents, which is still well in excess of the established LOS of 15 acres per 1,000 residents.

(C) Impact Analysis:
The proposed comprehensive plan amendment has been analyzed to identify future adverse impacts to adjacent land uses, the character of the neighborhood and other matters affecting land use compatibilities and the general welfare of the County, such as the following *(see items D through G).*

(D) Zoning and uses of nearby property:
All surrounding zoning within the county is A-1 (Agriculture) with the one exception of 4 residential lots on the south side of C.R. 664 that are zoned F-R. Along the north property line is County Line Road and Polk County. Land uses to the north and west are all vacant, reclaimed mine lands. To the east of the project site are conservation lands along Little Payne Creek and citrus groves. More citrus groves and a handful of single-family residences lie to the south of the site, and vacant agriculture lands and reclaimed mine lands lie to the west.

(E) Substantial changes in land use circumstances:
The proposed comprehensive plan amendment and Master Development Plan will facilitate a large, mixed-use development within an otherwise rural setting. In order to address the change in the current land use circumstances, the applicant is proposing to make the development as self-sufficient and secure as possible. Specifically, the applicant is proposing to establish just three (3) points of access to the site, which will be controlled via guard shacks and gates. Furthermore, the applicant is proposing to establish independent water and wastewater facilities to serve the project, and the applicant will be required to establish appropriate landscape buffers and setbacks along portions of the project site that abut roadways or other land uses at the time of Site Development Plan approval for individual phases.

(F) Time Vacant:
The subject property has never been developed, and was actively mined in the mid to late 1990s.

(G) Compatibility standards:

a. *Whether one or more of the following design standards proposed for the subject property will differ substantially from the design standards currently allowed for any of the adjacent properties.*

   The comprehensive plan amendment is intended to provide for flexibility in design in order to accomplish a more uniform and integrated development pattern than would otherwise be possible under the current Comprehensive Plan.

   Specific design standards regarding yards, setbacks, height, lot coverage, impervious surface coverage, parking and hours of operation will all be evaluated for compatibility at the time of Site Development Plan approval for individual phases of the project.

b. *Whether the intensity or density of use will be greater or lesser than that currently permitted for adjacent or currently existing properties.*

   As all adjacent properties are currently zoned A-1, the intensities and densities proposed within the project will not be consistent with the intensities and densities permitted on adjoining properties. Therefore, the applicant will be required to mitigate any potential negative impacts to adjoining properties through the use of buffering, setbacks, proper onsite stormwater management, development of any needed transportation improvements, and other efforts required to avoid adverse impacts to the surrounding properties. Most of these abatement measures will be required at the time of Site Development Plan approval. Some have been included in the recommended conditions of approval listed below.

c. *Whether the proposed change in land use will adversely alter the existing land use pattern.*

The existing land use pattern in the area has long been mining, agricultural, and some large lot single family uses. Therefore, the proposed change in zoning will not be consistent with existing use patterns. However, development techniques intended to avoid or mitigate any potential adverse impacts are either listed below in the recommended conditions of approval, or will be required at the time of Site Development Plan approval.

d. *Whether the proposed change in land use will significantly increase traffic congestion or otherwise affect public safety.*

The proposed change will significantly increase traffic in the area. While the applicant's Transportation Analysis indicates the adopted LOS will continue to be met, staff has made several recommended conditions of approval to ensure roadway improvements are provided by the developer to mitigate their impacts.

e. *Whether the proposed change in land use will adversely affect the drainage of the property.*

The property has 4 existing lakes, several wetland systems and Little Payne Creek flows through the northeast portion. These systems will all be retained on site, and will provide significant natural drainage on the property. Detailed site construction plans that address all onsite stormwater and drainage features and improvements will be required prior to development, and the applicant is required to obtain a SWFWMD permit for the project prior to development.

f. *Whether the proposed change in land use will decrease the quality of water, air or light to adjacent properties.*

The Master Development Plan depicts a layout that internalizes a large portion of the more intense land uses proposed through the location of recreational, residential and conservation areas along the perimeter. In specific areas where a more intense use is to be located along the perimeter of the property, significant attention will need to be given to buffering, setbacks, use of lighting and adequate stormwater drainage during the Site Development Plan approval stage.

g. *Whether the proposed change in land use will adversely affect the property values of the adjacent properties.*

It is not anticipated that property values will be affected by the comprehensive plan amendment of the property and the proposed development as long as proper measures are taken to avoid adverse impacts to the adjoining properties.

h. *Whether the proposed change in land use will cause noticeable glare, noise, or odors for the adjacent properties.*

The Master Development Plan depicts a layout that internalizes a large portion of the more intense land uses proposed through the location of recreational, residential and conservation areas along the perimeter. In specific areas where a more intense use is to be located along the perimeter of the property, significant attention will need to be given to buffering, setbacks, use of lighting and adequate stormwater drainage during the Site Development Plan approval stage.

i. Whether the proposed change in land use would create a mixture of land uses so dissimilar to the existing pattern of development, that the overall quality and character of the surrounding neighborhood would be degraded.

While the proposed land uses (mixed residential, commercial and industrial uses) are quite dissimilar to existing land uses (single use mining, agriculture, single family residential uses), it is not anticipated the addition of the mixed-use development would degrade the character of the surrounding neighborhood. Through the effective use of the Planned Unit Development zoning designation, a well-designed Master Development Plan and Site Development Plan approvals that include mitigation techniques to avoid adverse impacts to surrounding properties, the neighborhood quality and character can be maintained, and potentially even improved.

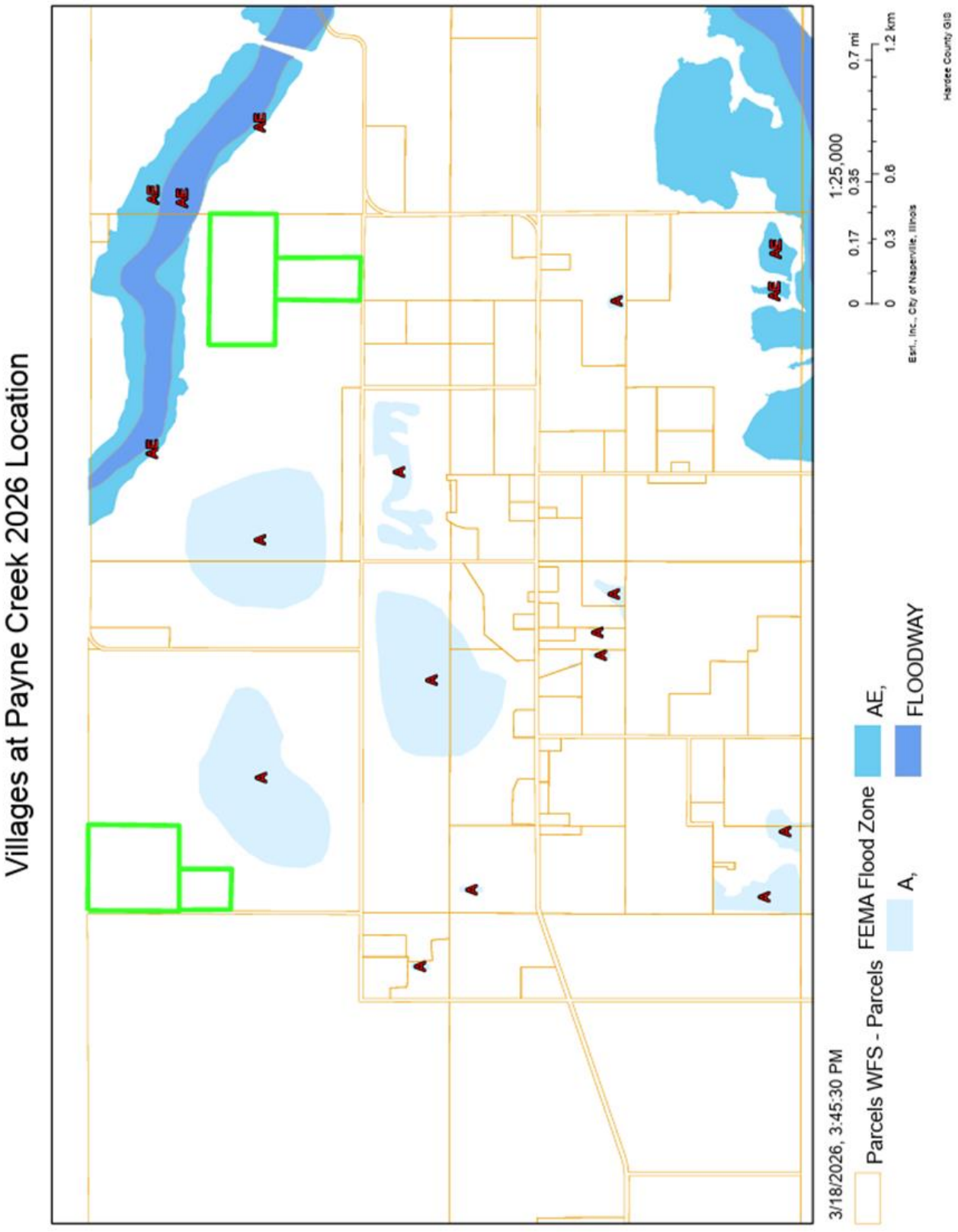
j. Whether the detrimental effects of any identified incompatibilities can be mitigated or eliminated by adequate buffering.

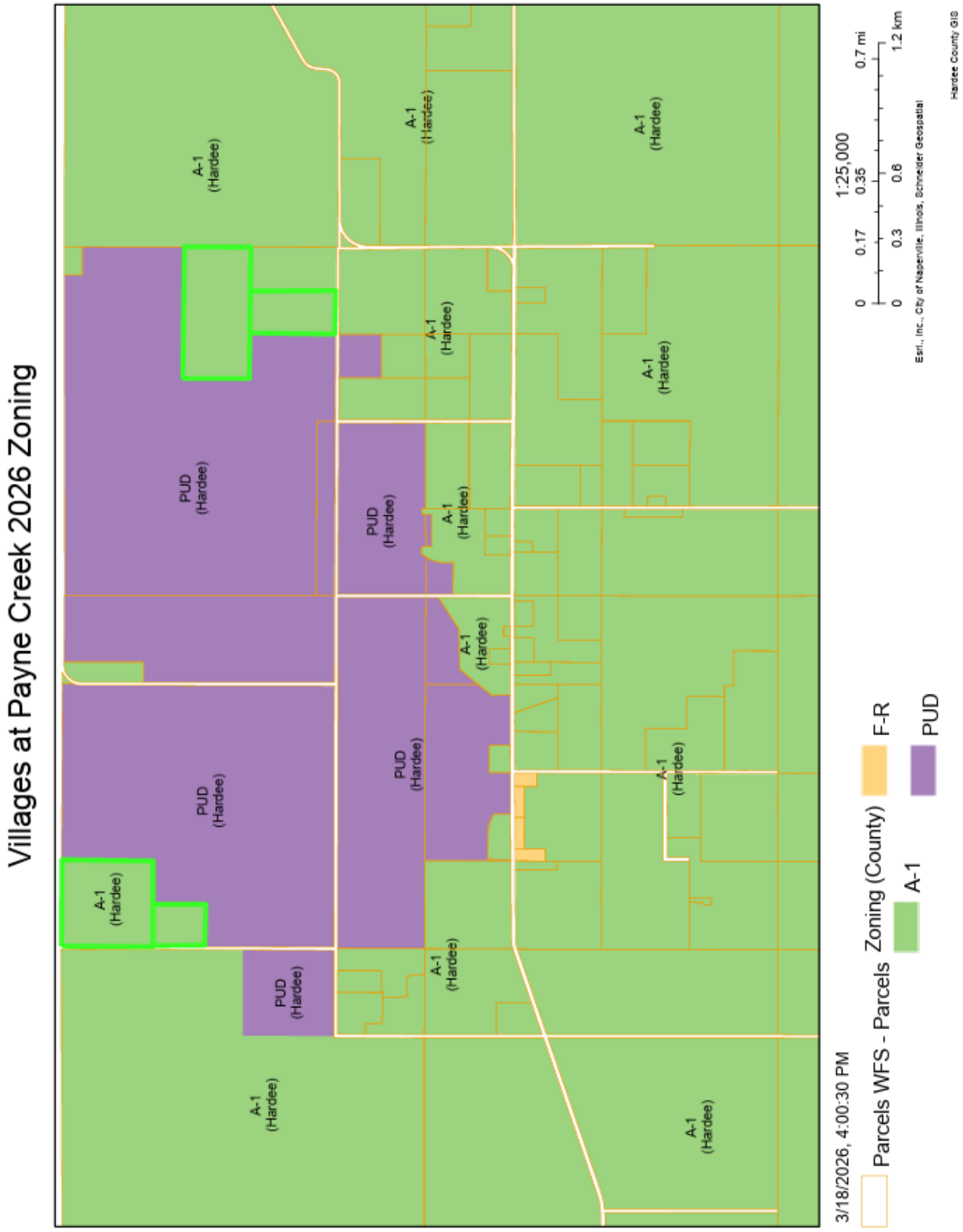
Buffering of areas of more intense use, or areas with more disparate use differences through the use of landscaping, barriers or other means will be a primary focus of addressing potential incompatibilities at the Site Development Plan approval stage. It is anticipated that buffering and other separation techniques will be able to address all potential incompatibilities.

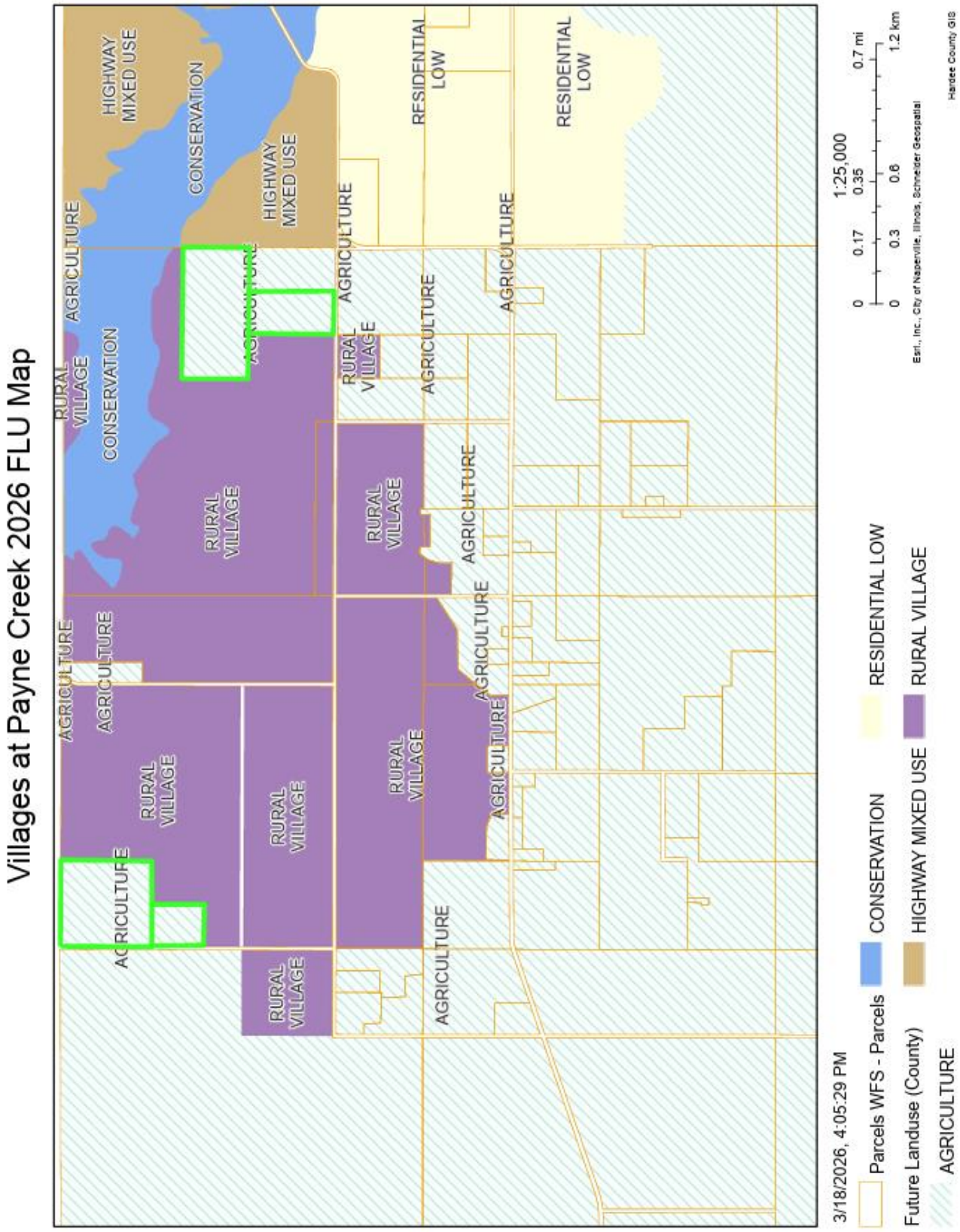
Recommendation:

Staff recommends **APPROVAL** to the Planning/Zoning Board for the **Comprehensive Plan Text Amendment to** modify Policy L8.1.12 (Rural Village – West of Bowling Green) to increase development entitlements and revise permitted land uses for the Villages at Payne Creek development as **ORDINANCE NO. 2026-04** and recommends the Board recommend **APPROVAL** of the Comprehensive Plan Text Amendment request as **ORDINANCE NO. 2026-04** to the Board of County Commissioners

Attachments: Location Map
Zoning Map
FLU Map


Villages at Payne Creek 2026 Location
3/18/2026, 3:45:30 PM
Parcels WFS - Parcels
FEMA Flood Zone
AE,
FLOODWAY
A,
1:25,000
0 0.17 0.35 0.7 mi
0 0.3 0.6 1.2 km
Esri, Inc., city of Napenville, Illinois
Hardee County GIS


Villages at Payne Creek 2026 Zoning
A-1 (Hardee)
PUD (Hardee)
3/18/2026, 4:00:30 PM
Parcels WFS - Parcels
Zoning (County)
A-1
F-R
PUD
1:25,000
0 0.17 0.35 0.7 mi
0 0.3 0.6 1.2 km
Esri, Inc., City of Naperville, Illinois, Schneider Geospatial
Hardee County GIS


Villages at Payne Creek 2026 FLU Map
RURAL VILLAGE
AGRICULTURE
CONSERVATION
HIGHWAY MIXED USE
RESIDENTIAL LOW
3/18/2026, 4:05:29 PM
Parcels WFS - Parcels
Future Landuse (County)
AGRICULTURE
CONSERVATION
HIGHWAY MIXED USE
RESIDENTIAL LOW
RURAL VILLAGE
1:25,000
0 0.17 0.35 0.7 mi
0 0.3 0.6 1.2 km
Esri, Inc., City of Naperville, Illinois, Schneider Geospatial
Hardee County GIS

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,

DRAFT

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

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

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

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

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

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

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

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

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

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

INTRODUCED AND PASSED at a regular meeting of the Board of County Commissioners held this _____ day of _____, 2026.

[SIGNATURE PAGE TO FOLLOW]

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NOEY FLORES, CHAIR

ATTEST:

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

SARAH JOHNSTON
COUNTY ATTORNEY

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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).

DRAFT

Updated Application for Comprehensive TEXT Amendment for Villages at Payne Creek

Hardee County Planning Division

110 South 9th Avenue

Wauchula, FL 33873

Applicant:

Shadowlawn, LLC , Pool Road LLC, and Mooney Family, LLC

January 2026

Introduction
A Comprehensive Plan Text Amendment and Large Scale Land Use Map amendment is requested or the property approved as Rural Village and described in Policy L8.1.12. 14-5 ESR of the Hardee County Comprehensive Plan.

This application for text amendment seeks to change the development entitlements as follows:

- **Increase the area of single-family development**
- **Increase the number of single-family homes**
- **Increase the area of RV sites**
- **Increase the number of RV sites**
- **Increase the area of non-residential use**
- **Eliminate the office use**
- **Eliminate the light industrial use**
- **Eliminate the fire station use**
- **Introduce Golf Cart paths within each pod that connect each pod to the Village Center and recreation areas**

A companion Map Amendment seeks to increase the land area of the Rural Village from 1212+/- acres by adding land currently designated as Agriculture and identified as Hardee County Parcel ID numbers 01-33-24-0000-06940-0000 and 01-33-24-0000-07520-0000).

Description of the Property
The subject property is an agglomeration of parcels owned by Mooney Family, LLC; Shadowlawn LLC and Pool Road LLC. It is controlled by Todd Mooney as outlined on the attached State of Florida Division of Corporation (aka Sunbiz) forms; and identified as outlined below in Table 1.