

**ORDINANCE NO. 2022-05**

**AN ORDINANCE OF THE CITY OF BOWLING GREEN, FLORIDA, AMENDING THE CITY OF BOWLING GREEN COMPREHENSIVE PLAN FUTURE LAND USE MAP TO CHANGE ONE (1) PARCEL OF LAND TOTALING 8.02 ACRES LOCATED ON DOC COIL ROAD (PARCEL NUMBERS: 05-33-25-0000-09780-0000), FROM SINGLE FAMILY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL,, TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR NOTIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Part II, *Florida Statutes*, establishes the Community Planning Act (“Act”), which empowers and mandates the City of Bowling Green, Florida (“City”), to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

**WHEREAS**, pursuant to the Act, the City has adopted a comprehensive plan (“Comprehensive Plan”); and

**WHEREAS**, the Act authorizes a local government desiring to revise its comprehensive plan to prepare and adopt comprehensive plan amendments; and

**WHEREAS**, the City has prepared an amendment to the Future Land Use Map of the Comprehensive Plan to change certain property within the City with a Future Land Use classification of “Low Density Residential” to “Medium Density Residential;” and

**WHEREAS**, pursuant to Section 163.3187, Florida Statutes, the City Commission held a meeting and hearing on this Future Land Use Map Amendment (Ordinance 2022-005), with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

**WHEREAS**, in exercise of its authority, the City Commission has determined it necessary to adopt the proposed amendment to the Future Land Use Map contained herein and as shown as Exhibit “A” to encourage the most appropriate use of land, water and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City; and to ensure that the Comprehensive Plan is in full compliance with State law; and

**WHEREAS**, the City Commission finds that the proposed amendment to the Future Land Use Map contained herein furthers the purposes of, and is consistent with, the City’s Comprehensive Plan, and is consistent with and compliant with State law, including, but not limited to, Chapter 163, Part II, *Florida Statutes*.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOWLING GREEN, FLORIDA, THAT:**

**Section 1.** The Future Land Use Map of the City’s Comprehensive Plan is hereby amended to include the map amendment set forth in Exhibit “A,” attached hereto and incorporated herein by reference, which applies the “Medium Density Residential” Future Land Use designation to the property as designated on such Exhibit.

**Section 2.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 3.** All existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4.** An official, true, and correct copy of this Ordinance and the City’s Comprehensive Plan, as adopted and amended from time to time, shall be maintained by the City Clerk. The City Clerk shall make copies available to the public for a reasonable publication charge.

**Section 5.** A copy shall be provided to the Florida Department of Economic Opportunity (hereinafter the “DEO”), as required by Section 163.3187, Florida Statutes.

**Section 6.** This small scale amendment shall not become effective until thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, the amendment shall not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining the adopted amendment is in compliance.

**INTRODUCED AND PASSED** on First Reading the 13<sup>th</sup> day of December, 2022.

	Yes	No	Abstain	Absent
Commissioner/Mayor Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>1st</i> Commissioner Fite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Lunn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Arreola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>2nd</i> Commissioner Durastanti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PASSED AND DULY ADOPTED** on Second Reading with a quorum present and voting by the City Commission of the City of Bowling Green, Florida meeting in Regular Session this day of \_\_\_\_\_, 2023.

	Yes	No	Abstain	Absent
Commissioner/Mayor Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Fite	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Lunn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Arreola	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Durastanti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**CITY OF BOWLING GREEN**

\_\_\_\_\_  
N'Kosi Jones, Mayor

**ATTEST:**

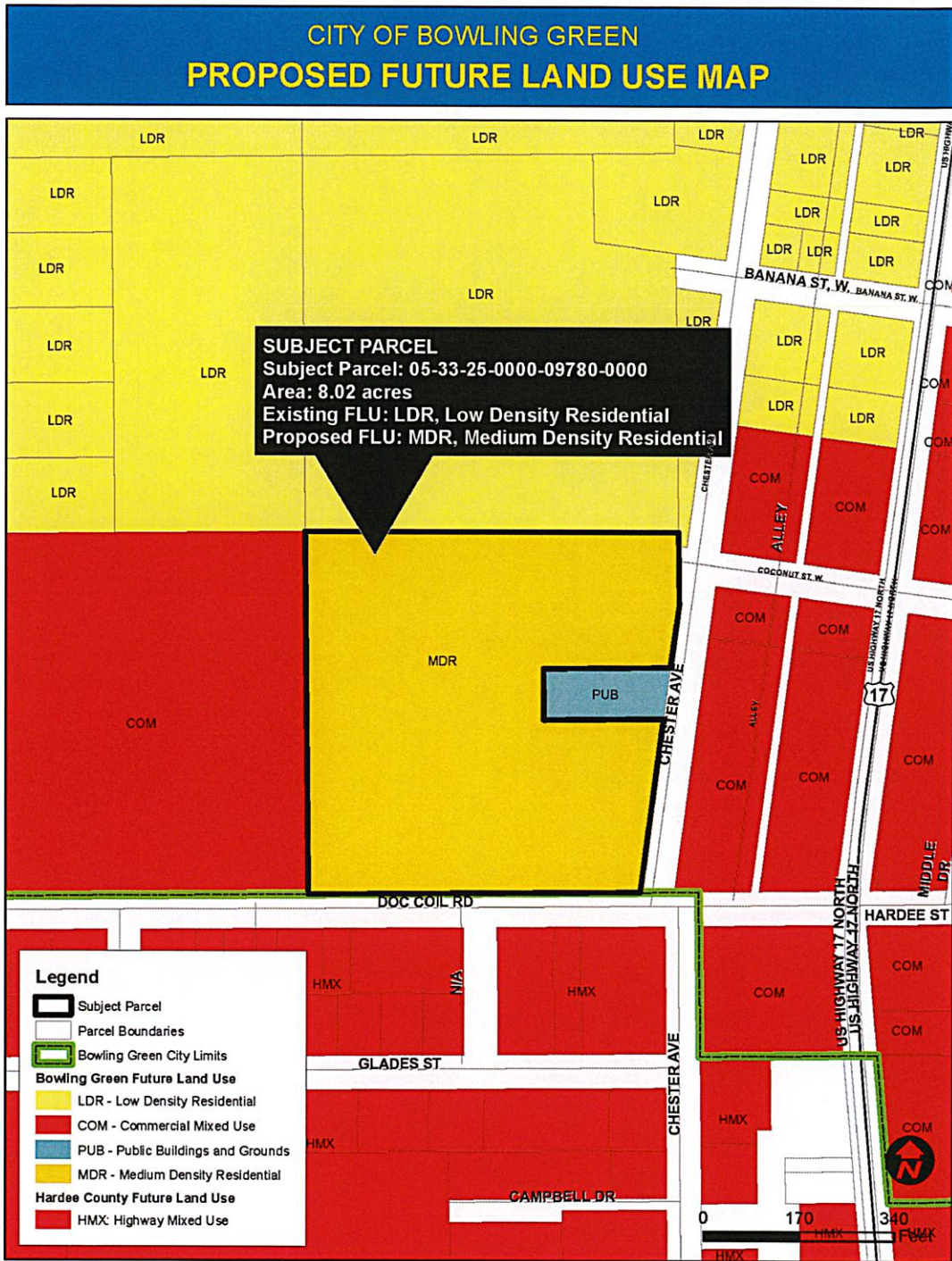
\_\_\_\_\_  
Katherin Kinzel, Interim City Clerk

**Approved as to Form:**

\_\_\_\_\_  
Gerald Buhr, City Attorney

ORDINANCE NO. 2022-005

EXHIBIT "A"



**ORDINANCE NO. 2022-06**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOWLING GREEN, FLORIDA, SPECIFICALLY AMENDING ONE (1) PARCEL OF LAND TOTALING 8.02 ACRES LOCATED ON DOC COIL ROAD (PARCEL NUMBER: 05-33-25-0000-09780-0000), FROM THE ZONING OF R-1, SINGLE FAMILY RESIDENTIAL TO R-2, SINGLE AND TWO FAMILY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, there has been an applicant-initiated request to amend zoning for the property described below; and

**WHEREAS**, the requested zoning is consistent with the Future Land Use Element of the Bowling Green Comprehensive Plan; and

**WHEREAS**, the City Commission of the City of Bowling Green held meetings and hearings regarding the parcels show on Exhibit "A", with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents; and

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

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOWLING GREEN, FLORIDA (HEREINAFTER REFERRED TO AS THE "CITY"), AS FOLLOWS:**

1. The parcels described as located on Doc Coil Rd (Parcel Numbers 05-33-25-0000-09780-0000) as shown in Exhibit "A" attached hereto.
2. The parcel, as platted and described above, constitute less than five percent (5%) of the municipally-zoned area of the City; and
3. That any section, paragraph, or portion which may be deemed illegal or unconstitutional shall not affect any other section of this ordinance.
4. That all other ordinances or parts of ordinances in conflict herewith are hereby repealed.
5. An official, true, and correct copy of this Ordinance and the City's Land Development Code, as adopted and amended from time to time, shall be maintained by the City Clerk. The City Clerk shall make copies available to the public for a reasonable publication charge.

**INTRODUCED AND PASSED** on First Reading this 13<sup>th</sup> day of December, 2022.

	Yes	No	Abstain	Absent
Commissioner/Mayor Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1 <sup>st</sup> - Commissioner Fite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Lunn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 <sup>nd</sup> - Commissioner Arreola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Durastanti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PASSED AND DULY ADOPTED**, on Second Reading with a quorum present and voting, by the City Commission of Bowling Green, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2023.

	Yes	No	Abstain	Absent
Commissioner/Mayor Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Fite	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Lunn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Arreola	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Durastanti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**CITY OF BOWLING GREEN**

\_\_\_\_\_  
N’Kosi Jones, Mayor

**ATTEST:**

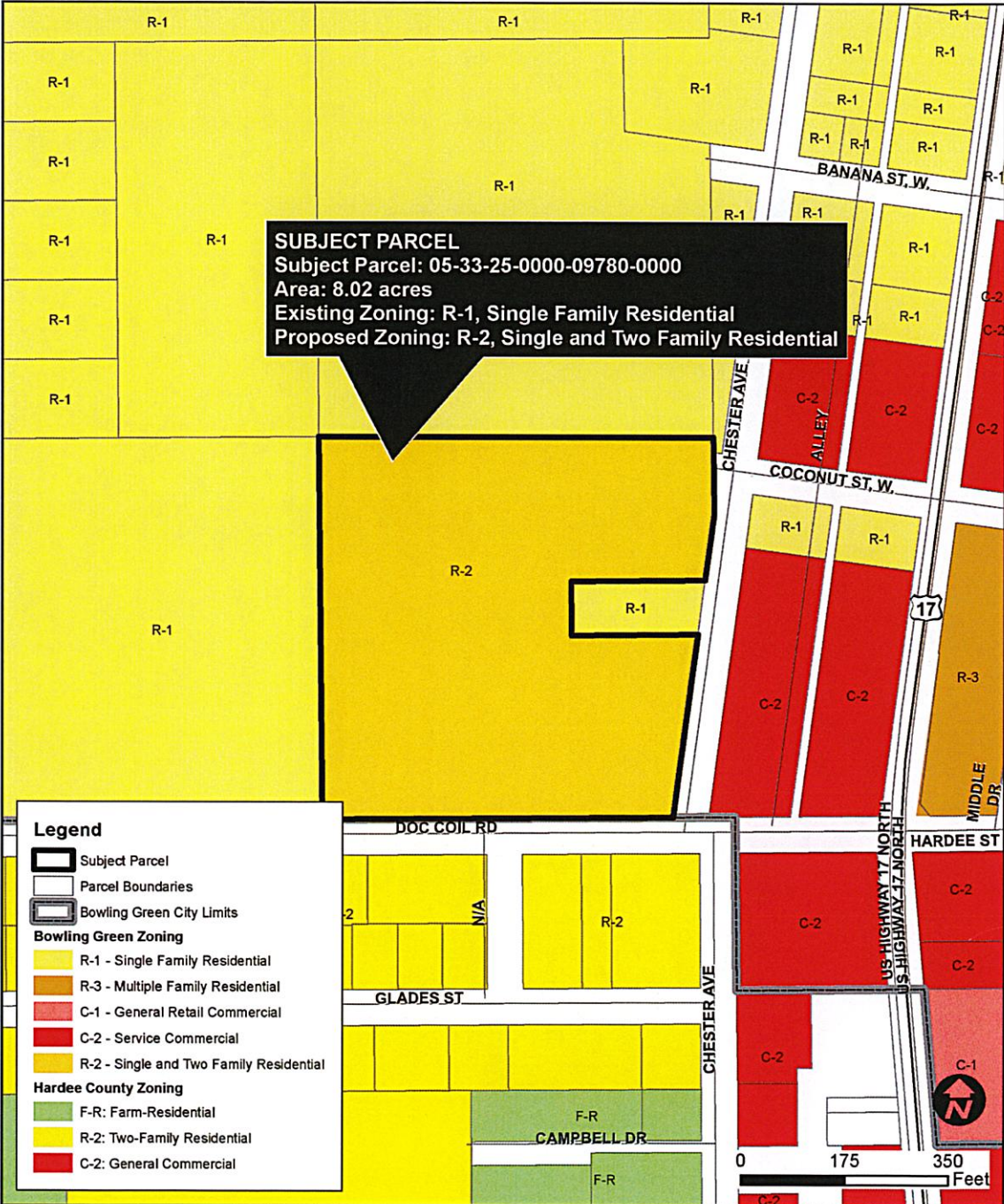
\_\_\_\_\_  
Katherin Kinzel, Interim City Clerk

**Approved as to Form:**

\_\_\_\_\_  
Gerald Buhr, City Attorney

**ORDINANCE NO. 2022-006**  
**EXHIBIT "A"**

**CITY OF BOWLING GREEN**  
**PROPOSED ZONING MAP**



\\c:\data\GIS\Projects\2022\2022006\Map\_Series\2022006\_C01\_C02\_C03\_C04\_C05\_C06\_C07\_C08\_C09\_C10\_C11\_C12\_C13\_C14\_C15\_C16\_C17\_C18\_C19\_C20\_C21\_C22\_C23\_C24\_C25\_C26\_C27\_C28\_C29\_C30\_C31\_C32\_C33\_C34\_C35\_C36\_C37\_C38\_C39\_C40\_C41\_C42\_C43\_C44\_C45\_C46\_C47\_C48\_C49\_C50\_C51\_C52\_C53\_C54\_C55\_C56\_C57\_C58\_C59\_C60\_C61\_C62\_C63\_C64\_C65\_C66\_C67\_C68\_C69\_C70\_C71\_C72\_C73\_C74\_C75\_C76\_C77\_C78\_C79\_C80\_C81\_C82\_C83\_C84\_C85\_C86\_C87\_C88\_C89\_C90\_C91\_C92\_C93\_C94\_C95\_C96\_C97\_C98\_C99\_C100\_C101\_C102\_C103\_C104\_C105\_C106\_C107\_C108\_C109\_C110\_C111\_C112\_C113\_C114\_C115\_C116\_C117\_C118\_C119\_C120\_C121\_C122\_C123\_C124\_C125\_C126\_C127\_C128\_C129\_C130\_C131\_C132\_C133\_C134\_C135\_C136\_C137\_C138\_C139\_C140\_C141\_C142\_C143\_C144\_C145\_C146\_C147\_C148\_C149\_C150\_C151\_C152\_C153\_C154\_C155\_C156\_C157\_C158\_C159\_C160\_C161\_C162\_C163\_C164\_C165\_C166\_C167\_C168\_C169\_C170\_C171\_C172\_C173\_C174\_C175\_C176\_C177\_C178\_C179\_C180\_C181\_C182\_C183\_C184\_C185\_C186\_C187\_C188\_C189\_C190\_C191\_C192\_C193\_C194\_C195\_C196\_C197\_C198\_C199\_C200\_C201\_C202\_C203\_C204\_C205\_C206\_C207\_C208\_C209\_C210\_C211\_C212\_C213\_C214\_C215\_C216\_C217\_C218\_C219\_C220\_C221\_C222\_C223\_C224\_C225\_C226\_C227\_C228\_C229\_C230\_C231\_C232\_C233\_C234\_C235\_C236\_C237\_C238\_C239\_C240\_C241\_C242\_C243\_C244\_C245\_C246\_C247\_C248\_C249\_C250\_C251\_C252\_C253\_C254\_C255\_C256\_C257\_C258\_C259\_C260\_C261\_C262\_C263\_C264\_C265\_C266\_C267\_C268\_C269\_C270\_C271\_C272\_C273\_C274\_C275\_C276\_C277\_C278\_C279\_C280\_C281\_C282\_C283\_C284\_C285\_C286\_C287\_C288\_C289\_C290\_C291\_C292\_C293\_C294\_C295\_C296\_C297\_C298\_C299\_C300\_C301\_C302\_C303\_C304\_C305\_C306\_C307\_C308\_C309\_C310\_C311\_C312\_C313\_C314\_C315\_C316\_C317\_C318\_C319\_C320\_C321\_C322\_C323\_C324\_C325\_C326\_C327\_C328\_C329\_C330\_C331\_C332\_C333\_C334\_C335\_C336\_C337\_C338\_C339\_C340\_C341\_C342\_C343\_C344\_C345\_C346\_C347\_C348\_C349\_C350\_C351\_C352\_C353\_C354\_C355\_C356\_C357\_C358\_C359\_C360\_C361\_C362\_C363\_C364\_C365\_C366\_C367\_C368\_C369\_C370\_C371\_C372\_C373\_C374\_C375\_C376\_C377\_C378\_C379\_C380\_C381\_C382\_C383\_C384\_C385\_C386\_C387\_C388\_C389\_C390\_C391\_C392\_C393\_C394\_C395\_C396\_C397\_C398\_C399\_C400\_C401\_C402\_C403\_C404\_C405\_C406\_C407\_C408\_C409\_C410\_C411\_C412\_C413\_C414\_C415\_C416\_C417\_C418\_C419\_C420\_C421\_C422\_C423\_C424\_C425\_C426\_C427\_C428\_C429\_C430\_C431\_C432\_C433\_C434\_C435\_C436\_C437\_C438\_C439\_C440\_C441\_C442\_C443\_C444\_C445\_C446\_C447\_C448\_C449\_C450\_C451\_C452\_C453\_C454\_C455\_C456\_C457\_C458\_C459\_C460\_C461\_C462\_C463\_C464\_C465\_C466\_C467\_C468\_C469\_C470\_C471\_C472\_C473\_C474\_C475\_C476\_C477\_C478\_C479\_C480\_C481\_C482\_C483\_C484\_C485\_C486\_C487\_C488\_C489\_C490\_C491\_C492\_C493\_C494\_C495\_C496\_C497\_C498\_C499\_C500\_C501\_C502\_C503\_C504\_C505\_C506\_C507\_C508\_C509\_C510\_C511\_C512\_C513\_C514\_C515\_C516\_C517\_C518\_C519\_C520\_C521\_C522\_C523\_C524\_C525\_C526\_C527\_C528\_C529\_C530\_C531\_C532\_C533\_C534\_C535\_C536\_C537\_C538\_C539\_C540\_C541\_C542\_C543\_C544\_C545\_C546\_C547\_C548\_C549\_C550\_C551\_C552\_C553\_C554\_C555\_C556\_C557\_C558\_C559\_C560\_C561\_C562\_C563\_C564\_C565\_C566\_C567\_C568\_C569\_C570\_C571\_C572\_C573\_C574\_C575\_C576\_C577\_C578\_C579\_C580\_C581\_C582\_C583\_C584\_C585\_C586\_C587\_C588\_C589\_C590\_C591\_C592\_C593\_C594\_C595\_C596\_C597\_C598\_C599\_C600\_C601\_C602\_C603\_C604\_C605\_C606\_C607\_C608\_C609\_C610\_C611\_C612\_C613\_C614\_C615\_C616\_C617\_C618\_C619\_C620\_C621\_C622\_C623\_C624\_C625\_C626\_C627\_C628\_C629\_C630\_C631\_C632\_C633\_C634\_C635\_C636\_C637\_C638\_C639\_C640\_C641\_C642\_C643\_C644\_C645\_C646\_C647\_C648\_C649\_C650\_C651\_C652\_C653\_C654\_C655\_C656\_C657\_C658\_C659\_C660\_C661\_C662\_C663\_C664\_C665\_C666\_C667\_C668\_C669\_C670\_C671\_C672\_C673\_C674\_C675\_C676\_C677\_C678\_C679\_C680\_C681\_C682\_C683\_C684\_C685\_C686\_C687\_C688\_C689\_C690\_C691\_C692\_C693\_C694\_C695\_C696\_C697\_C698\_C699\_C700\_C701\_C702\_C703\_C704\_C705\_C706\_C707\_C708\_C709\_C710\_C711\_C712\_C713\_C714\_C715\_C716\_C717\_C718\_C719\_C720\_C721\_C722\_C723\_C724\_C725\_C726\_C727\_C728\_C729\_C730\_C731\_C732\_C733\_C734\_C735\_C736\_C737\_C738\_C739\_C740\_C741\_C742\_C743\_C744\_C745\_C746\_C747\_C748\_C749\_C750\_C751\_C752\_C753\_C754\_C755\_C756\_C757\_C758\_C759\_C760\_C761\_C762\_C763\_C764\_C765\_C766\_C767\_C768\_C769\_C770\_C771\_C772\_C773\_C774\_C775\_C776\_C777\_C778\_C779\_C780\_C781\_C782\_C783\_C784\_C785\_C786\_C787\_C788\_C789\_C790\_C791\_C792\_C793\_C794\_C795\_C796\_C797\_C798\_C799\_C800\_C801\_C802\_C803\_C804\_C805\_C806\_C807\_C808\_C809\_C810\_C811\_C812\_C813\_C814\_C815\_C816\_C817\_C818\_C819\_C820\_C821\_C822\_C823\_C824\_C825\_C826\_C827\_C828\_C829\_C830\_C831\_C832\_C833\_C834\_C835\_C836\_C837\_C838\_C839\_C840\_C841\_C842\_C843\_C844\_C845\_C846\_C847\_C848\_C849\_C850\_C851\_C852\_C853\_C854\_C855\_C856\_C857\_C858\_C859\_C860\_C861\_C862\_C863\_C864\_C865\_C866\_C867\_C868\_C869\_C870\_C871\_C872\_C873\_C874\_C875\_C876\_C877\_C878\_C879\_C880\_C881\_C882\_C883\_C884\_C885\_C886\_C887\_C888\_C889\_C890\_C891\_C892\_C893\_C894\_C895\_C896\_C897\_C898\_C899\_C900\_C901\_C902\_C903\_C904\_C905\_C906\_C907\_C908\_C909\_C910\_C911\_C912\_C913\_C914\_C915\_C916\_C917\_C918\_C919\_C920\_C921\_C922\_C923\_C924\_C925\_C926\_C927\_C928\_C929\_C930\_C931\_C932\_C933\_C934\_C935\_C936\_C937\_C938\_C939\_C940\_C941\_C942\_C943\_C944\_C945\_C946\_C947\_C948\_C949\_C950\_C951\_C952\_C953\_C954\_C955\_C956\_C957\_C958\_C959\_C960\_C961\_C962\_C963\_C964\_C965\_C966\_C967\_C968\_C969\_C970\_C971\_C972\_C973\_C974\_C975\_C976\_C977\_C978\_C979\_C980\_C981\_C982\_C983\_C984\_C985\_C986\_C987\_C988\_C989\_C990\_C991\_C992\_C993\_C994\_C995\_C996\_C997\_C998\_C999\_1000

RESOLUTION 2023-01

**A RESOLUTION OF THE CITY OF BOWLING GREEN FLORIDA OF HARDEE COUNTY, FLORIDA, SUSPENDING ENFORCEMENT OF THE CITY'S UNIFIED LAND DEVELOPMENT CODE TO IMPLEMENT A TEMPORARY HOUSING PROGRAM THAT WILL MEET THE HOUSING NEEDS OF CITIZENS DISPLACED BY HURRICANE IAN DURING AND AFTER THE STATE OF EMERGENCY DECLARED BY THE PRESIDENT OF THE UNITED STATES AND THE GOVERNOR OF THE STATE OF FLORIDA; DELEGATING ADMINISTRATIVE AUTHORITY TO THE CITY MANAGER TO IMPLEMENT SAID PROGRAM; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the President of the United States and the Governor of the State of Florida have declared that a State of Emergency exists in the State of Florida because of the impacts of Hurricane Ian; and

**WHEREAS**, said emergency declaration specifically includes the City of Bowling Green (the "City") and the government provide for temporary housing assistance to the City and its citizens through the Federal Emergency Management Agency ("FEMA") and the State of Florida Division of Emergency Management ("DEM"); and

**WHEREAS**, the City Commission (the "Commission") finds that it is necessary to take and authorize whatever prudent action is necessary to ensure the health, safety, and welfare of the community during and after this State of Emergency due to the temporary housing needs of the Town's citizens impacted by Hurricane Ian; and

**WHEREAS**, the Commission further finds that it is necessary to expedite the location and placement of temporary housing on property in the City that is made available through FEMA and/or services through DEM so that said housing can be utilized by the citizens of the City who have been displaced due to the impacts of Hurricane Ian; and

**WHEREAS**, in order to facilitate receipt of assistance from FEMA and/or DEM, and to meet the temporary housing needs of the City's residents, the Commission finds that it is necessary to waive certain requirements relating to land development and housing which would otherwise apply if the State of Emergency did not exist; and

**WHEREAS**, many citizens of the City who have been displaced due to Hurricane Ian are able to provide for the placement of privately owned temporary housing units on real property they own or lease, and the Commission finds that the same temporary housing accommodation should be made available to them as is provided by this Resolution to citizens receiving FEMA assistance and/or DEM services; and

**WHEREAS**, the Commission finds that it would be in the best interests of the residents of the City to adopt this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Bowling Green of Hardee County, Florida, as follows:

**Section 1. Recitals Adopted.** The foregoing recitals are incorporated in this Resolution as if fully set forth herein and made a part hereof by reference.



**Section 2. Suspension of Land Development Regulations.** Enforcement of City's Unified Land Development Code ("ULDC"), is hereby suspended for a period of eighteen (18) months from the date of this Resolution, unless otherwise extended or terminated by action of the Commission. This suspension is strictly limited to facilitating the placement on property in the City of temporary housing made available through FEMA and/or services through DEM for use by the citizens of the City who have been displaced due to the impact of Hurricane Ian, and for facilitating the private placement of temporary housing on real property owned or leased by citizens who have been displaced by Hurricane Ian.

**Section 3. Implementation.** The Commission authorizes the City Manager or designee to develop and implement a temporary housing program applicable to FEMA, as well as privately provided, temporary housing that is consistent with and carries out the intent of this Resolution during the time when the suspension of ULDC is in effect. The City Manager or designee shall make periodic reports to the Commission about the temporary housing program.

**Section 4. Effective Date.** This Resolution shall take effect immediately upon adoption.

This Resolution was passed at a public hearing of the City Commission held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The vote was as follows:

	Yes	No	Abstain	Absent
Commissioner/Mayor Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Durastanti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Fite	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Lunn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Arreola	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Time of adoption: \_\_\_\_\_ PM

(Seal)

**ATTEST:**

**CITY OF BOWLING GREEN, FLORIDA**

\_\_\_\_\_  
Katherin Kinzel, Interim City Clerk

By: \_\_\_\_\_  
N'Kosi Jones, Mayor

Approved as to form:

By: \_\_\_\_\_  
Gerald Buhr, City Attorney

RESOLUTION NO. 2023-10

HARDEE CLERK TO BOARD  
NOV 23 '22 AM 10:21

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HARDEE COUNTY, FLORIDA, **SUSPENDING ENFORCEMENT OF LAND DEVELOPMENT REGULATIONS OF THE HARDEE COUNTY CODE OF ORDINANCES, TO IMPLEMENT A TEMPORARY HOUSING PROGRAM THAT WILL MEET THE HOUSING NEEDS OF CITIZENS DISPLACED BY HURRICANE IAN DURING AND AFTER THE STATE OF EMERGENCY** DECLARED BY THE PRESIDENT OF THE UNITED STATES AND THE GOVERNOR OF THE STATE OF FLORIDA; DELEGATING ADMINISTRATIVE AUTHORITY TO THE COUNTY ADMINISTRATOR TO IMPLEMENT SAID PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the President of the United States and the Governor of the State of Florida have declared that a State of Emergency exists in the State of Florida because of the impacts of Hurricane Ian; and

**WHEREAS**, said emergency declaration specifically includes Hardee County (the "County") and provides for temporary housing assistance to the County and its citizens through the Federal Emergency Management Agency ("FEMA") and the State of Florida Division of Emergency Management ("DEM"); and

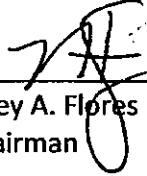
**WHEREAS**, the Board of County Commissioners (the "Board") finds that it is necessary to take and authorize whatever prudent action is necessary to ensure the health, safety, and welfare of the community during and after this State of Emergency due to the temporary housing needs of the County's citizens impacted by Hurricane Ian; and

**WHEREAS**, the Board further finds that it is necessary to expedite the location and placement of temporary housing on property in Hardee County that is made available through FEMA and/or services through DEM so that said housing can be utilized by the citizens of Hardee County who have been displaced due to the impacts of Hurricane Ian; and

**WHEREAS**, in order to facilitate receipt of assistance from FEMA and/or DEM, and to meet the temporary housing needs of the County's citizens, the Board finds that it is necessary to waive

**APPROVED AND ADOPTED** this 22<sup>nd</sup> day of November 2022 at a regular meeting of The Board of County Commissioners of Hardee County, Florida.

THE BOARD OF COUNTY COMMISSIONERS OF  
HARDEE COUNTY, FLORIDA



\_\_\_\_\_  
Noey A. Flores  
Chairman



*Victoria L. Rogers*

\_\_\_\_\_  
Victoria L. Rogers  
Ex-Officio Clerk to the Board of County Commissioners  
**Board Approved: 11/22/2022**  
**Date: 11/23/2022**

APPROVED AS TO FORM:



\_\_\_\_\_  
WEISS-SEROTA HELFMAN COLE + BIERMAN P.L.  
COUNTY ATTORNEY

## Sec. 8.02.00. - Administrative approvals by the City Manager, or his/her designee, and/or Building Director.

The Development Director and/or Building Director shall have the authority to approve the following, subject to conditions set forth below and in applicable provisions of this Code:

- (A) *Setback adjustments.* In single-family land use classifications only, the City Manager, or his/her designee, and/or Building Director may approve reduction of side and rear setbacks for principal and accessory structures (excluding swimming pools) by no more than 10 percent subject to the following conditions:
- (1) The setback requirement is established by the land use classification and no other section of this Code;
  - (2) The maximum lot coverage of the lot or building site shall not exceed 35 percent;
  - (3) The approval would not result in the encroachment of a structure into an existing utility or drainage easement held by the City;
  - (4) A certified survey shall be submitted by the applicant verifying building locations and structural coverage;
  - (5) When, in the opinion of the City Manager, or his/her designee, a proposed administrative adjustment materially affects abutting property owners, written notification shall be mailed to the affected property owner(s) of record at least 30 days prior to the granting of the administrative adjustment and shall take any comments or concerns into account.

At his discretion, the City Manager, or his/her designee, may deny the request and refer the application to the Zoning Board of Appeals as a variance.

- (B) *Temporary office or construction trailer.*

The City Manager, or his/her designee, and/or Building Director may authorize the use of a mobile home or other temporary structure not meeting the requirements of the Florida Building Code at the construction site of an approved Site Development Plan. The temporary structure may be used only as an office, tool shed or other facility in support of construction work, and shall not be used for living accommodations, for sales/rental of lots or offices, or for any other purpose.

The applicant shall designate the exact location of the temporary structure on the Site Development Plan, and shall place it only in the approved location. The temporary structure shall not be installed prior to issuance of the building permit for the development site, and shall be removed upon expiration of the building permit or issuance of the Certificate of Occupancy, whichever comes first. If a mobile home is to be used, the wheels and axles shall not be removed.

- (C) *Temporary mobile home or recreational vehicle for use during construction of a residence or as disaster relief.* The City Manager, or his/her designee, and/or Building Director may authorize the use of a mobile home or recreational vehicle as a temporary residence during construction of a permanent residence or in the case of a disaster situation such as fire, flood, or hurricane, under the following conditions:
- (1) The applicant has received approval of a building permit for construction of a single-family residence on the property;
  - (2) The temporary unit shall be placed at least 20 feet from all lot lines, and 10 feet from any other existing or planned structure.
  - (3) The temporary unit must be connected to a public sewer system or, upon approval of the City Manager, or his/her designee, have received a septic tank permit from the Hardee County Health Department.
  - (4) Wheels and axles shall not be removed.
  - (5) The temporary unit shall be removed from the building site within 30 days of the Certificate of Occupancy for the permanent residence, or at the end of a one-year period commencing at the date of its installation, whichever comes first.
  - (6) This administrative approval may not be renewed or granted a second time for the same building site.

**ORDINANCE NO. 2023-01**

**AN ORDINANCE OF THE CITY OF BOWLING GREEN, FLORIDA, AMENDING THE CITY OF BOWLING GREEN COMPREHENSIVE PLAN FUTURE LAND USE MAP TO CHANGE ONE (1) PARCEL OF LAND TOTALING 19.16 ACRES LOCATED ON 595 HARDEE ROAD (PARCEL NUMBERS:04-33-25-0000-04460-0000), FROM COMMERCE PARK TO RECREATION.**

**WHEREAS**, Chapter 163, Part II, *Florida Statutes*, establishes the Community Planning Act (“Act”), which empowers and mandates the City of Bowling Green, Florida (“City”), to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

**WHEREAS**, pursuant to the Act, the City has adopted a comprehensive plan (“Comprehensive Plan”); and

**WHEREAS**, the Act authorizes a local government desiring to revise its comprehensive plan to prepare and adopt comprehensive plan amendments; and

**WHEREAS**, the City has prepared an amendment to the Future Land Use Map of the Comprehensive Plan to change certain property within the City with a Future Land Use classification of “Commerce Park” to “Recreation”; and

**WHEREAS**, pursuant to Section 163.3187, Florida Statutes, the City Commission held a meeting and hearing on this Future Land Use Map Amendment (Ordinance 2023-01), with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

**WHEREAS**, in exercise of its authority, the City Commission has determined it necessary to adopt the proposed amendment to the Future Land Use Map contained herein and as shown as Exhibit “A” to encourage the most appropriate use of land, water and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City; and to ensure that the Comprehensive Plan is in full compliance with State law; and

**WHEREAS**, the City Commission finds that the proposed amendment to the Future Land Use Map contained herein furthers the purposes of, and is consistent with, the City’s Comprehensive Plan, and is consistent with and compliant with State law, including, but not limited to, Chapter 163, Part II, *Florida Statutes*.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOWLING GREEN, FLORIDA, THAT:**

**Section 1.** The Future Land Use Map of the City’s Comprehensive Plan is hereby amended to include the map amendment set forth in Exhibit “A,” attached hereto and incorporated herein by reference, which applies the “Recreation” Future Land Use designation to the property as designated on such Exhibit.

**Section 2.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 3.** All existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4.** An official, true, and correct copy of this Ordinance and the City’s Comprehensive Plan, as adopted and amended from time to time, shall be maintained by the City Clerk. The City Clerk shall make copies available to the public for a reasonable publication charge.

**Section 5.** A copy shall be provided to the Florida Department of Economic Opportunity (hereinafter the “DEO”), as required by Section 163.3187, Florida Statutes.

**Section 6.** This small scale amendment shall not become effective until thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, the amendment shall not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining the adopted amendment is in compliance.

**INTRODUCED AND PASSED** on First Reading the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Commissioner/Mayor Jones				
Commissioner Durastanti				
Commissioner/Vice-Mayor Fite				
Commissioner Lunn				
Commissioner Arreola				

**PASSED AND DULY ADOPTED** on Second Reading with a quorum present and voting by the City Commission of the City of Bowling Green, Florida meeting in Regular Session this day of \_\_\_\_\_, 2023.

Commissioner/Mayor Jones

Commissioner Durastanti

Commissioner/Vice-Mayor Fite

Commissioner Lunn

Commissioner Arreola

<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>

**CITY OF BOWLING GREEN**

\_\_\_\_\_  
N’Kosi Lerone Jones, Mayor

**ATTEST:**

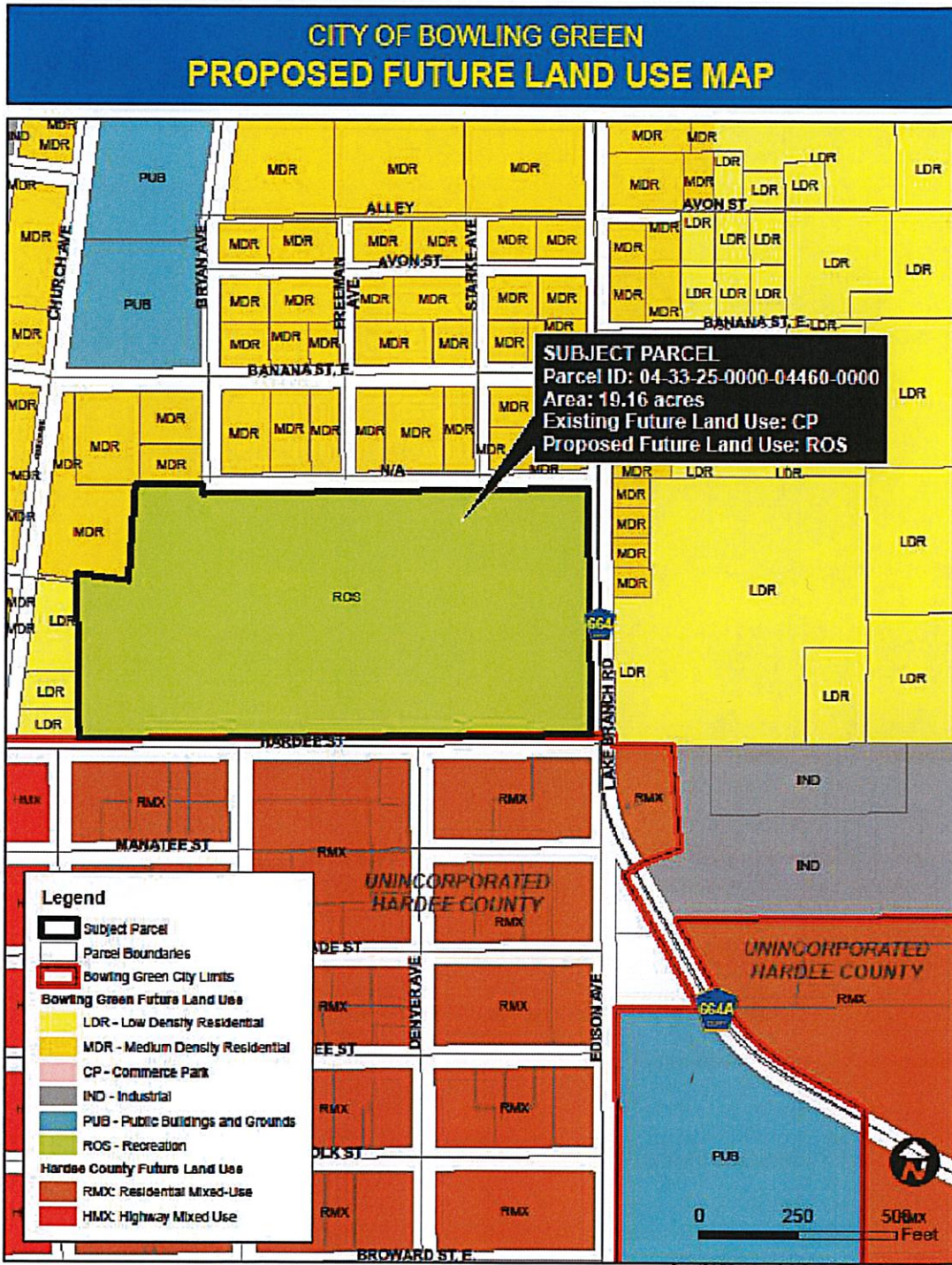
\_\_\_\_\_  
Katherin Kinzel, Interim City Clerk

**Approved as to Form:**

\_\_\_\_\_  
Gerald Buhr, City Attorney

ORDINANCE NO. 2023-01

EXHIBIT "A"





## **ORDINANCE NO. 2023-02**

**THE CITY OF BOWLING GREEN, FLORIDA, SPECIFICALLY AMENDING ONE (1) PARCEL OF LAND TOTALING 19.16 ACRES LOCATED AT 595 HARDEE STREET (PARCEL NUMBER: 04-33-25-0000-04460-0000), FROM COMMERCE PARK (C-P) TO PUBLIC RECREATION (P-R).**

**WHEREAS**, there has been an applicant-initiated request to amend zoning for the property described below; and

**WHEREAS**, the requested zoning is consistent with the Future Land Use Element of the Bowling Green Comprehensive Plan; and

**WHEREAS**, the City Commission of the City of Bowling Green held meetings and hearings regarding the parcels show on Exhibit "A", with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents; and

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

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOWLING GREEN, FLORIDA (HEREINAFTER REFERRED TO AS THE "CITY"), AS FOLLOWS:**

1. The parcels described as located at 595 Hardee Street (Parcel Number 04-33-25-0000-04460-0000) as shown in Exhibit "A" attached hereto.
2. The parcel, as platted and described above, constitute less than five percent (5%) of the municipally-zoned area of the City; and
3. That any section, paragraph, or portion which may be deemed illegal or unconstitutional shall not affect any other section of this ordinance.
4. That all other ordinances or parts of ordinances in conflict herewith are hereby repealed.
5. An official, true, and correct copy of this Ordinance and the City's Land Development Code, as adopted and amended from time to time, shall be maintained by the City Clerk. The City Clerk shall make copies available to the public for a reasonable publication charge.

**INTRODUCED AND PASSED** on First Reading this \_\_\_\_ day of \_\_\_\_\_, 2023.

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Commissioner/Mayor Jones				
Commissioner Durastanti				
Commissioner/Vice-Mayor Fite				
Commissioner Lunn				
Commissioner Arreola				

**PASSED AND DULY ADOPTED**, on Second Reading with a quorum present and voting, by the City Commission of Bowling Green, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2023.

	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Commissioner/Mayor Jones				
Commissioner Durastanti				
Commissioner/Vice-Mayor Fite				
Commissioner Lunn				
Commissioner Arreola				

**CITY OF BOWLING GREEN**

\_\_\_\_\_  
N’Kosi Lerone Jones, Mayor

**ATTEST:**

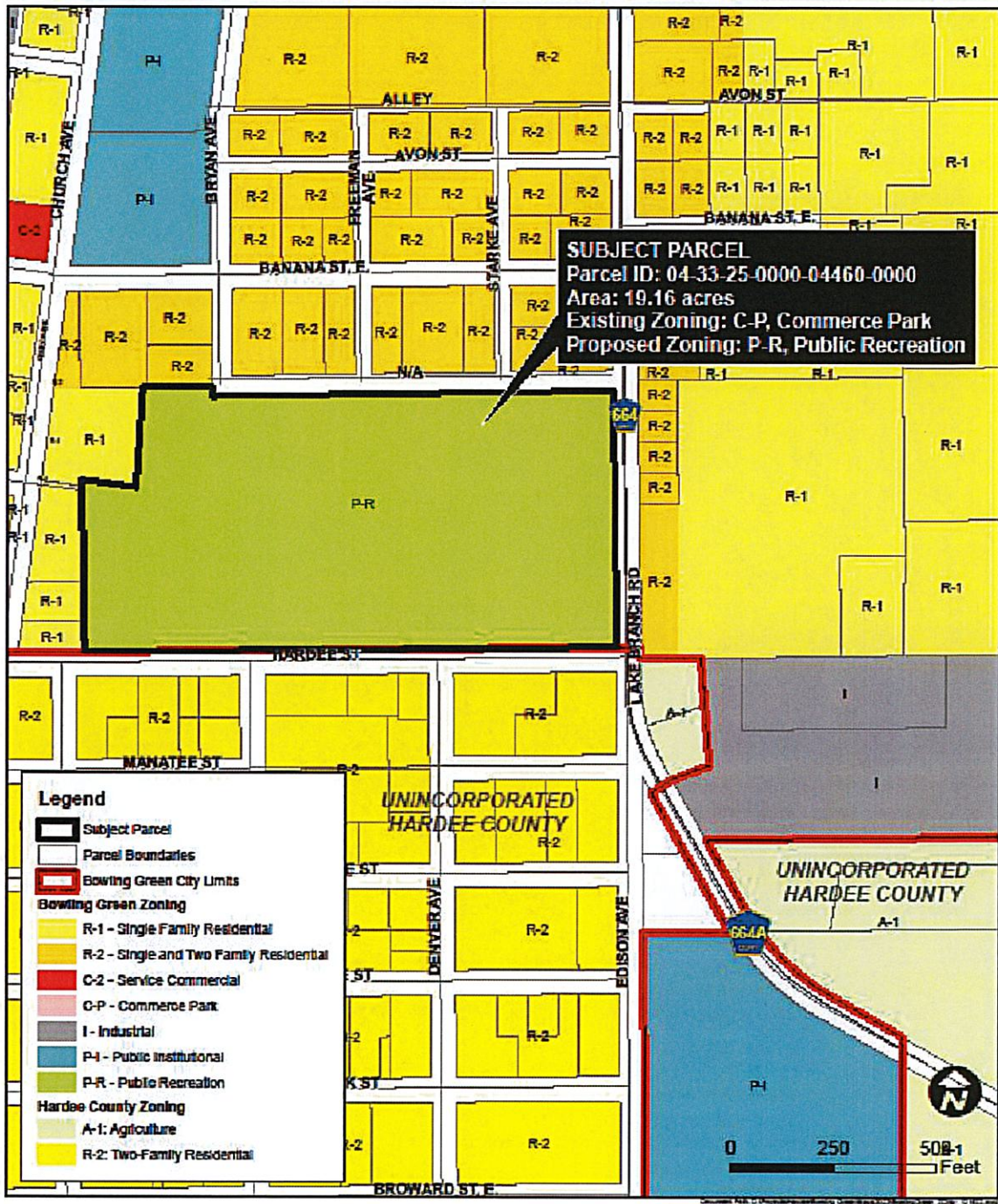
\_\_\_\_\_  
Katherin Kinzel, Interim City Clerk

**Approved as to Form:**

\_\_\_\_\_  
Gerald Buhr, City Attorney

**ORDINANCE NO. 2023-02**  
**EXHIBIT "A"**

# CITY OF BOWLING GREEN PROPOSED ZONING MAP



**SUBJECT PARCEL**  
 Parcel ID: 04-33-25-0000-04460-0000  
 Area: 19.16 acres  
 Existing Zoning: C-P, Commerce Park  
 Proposed Zoning: P-R, Public Recreation

- Legend**
- Subject Parcel
  - Parcel Boundaries
  - Bowling Green City Limits
  - Bowling Green Zoning**
  - R-1 - Single Family Residential
  - R-2 - Single and Two Family Residential
  - C-2 - Service Commercial
  - C-P - Commerce Park
  - I - Industrial
  - P-1 - Public Institutional
  - P-R - Public Recreation
  - Hardee County Zoning**
  - A-1: Agriculture
  - R-2: Two-Family Residential

0 250 500-1 Feet

