ORDINANCE 2025-35

AN ORDINANCE OF THE CITY OF FROSTPROOF, FLORIDA; AMENDING THE FUTURE LAND USE ELEMENT OF THE CITY OF FROSTPROOF COMPREHENSIVE PLAN, ADDING TWO (2) NEW FUTURE LAND USE CATEGORIES, SPECIFICALLY ADDING A CATEGORY TITLED RESIDENTIAL RURAL (RR) AND A CATEGORY TITLED RESIDENTIAL TRANSITIONAL (RT); PROVIDING FOR TRANSMISSION TO FLORIDA COMMERCE FOR REVIEW AND COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; 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 Frostproof, 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 deemed it necessary to add two (2) new Future Land Use categories, titled Residential Rural (RR) and Residential Transitional (RT), to address the City's need for a bridge in residential development densities between that allowed for Agriculture and those for residential categories serving the urban core of the City; and

WHEREAS, in exercise of its authority the City Council has determined it necessary to adopt amendments to the City's Comprehensive Plan, which are attached hereto as **Exhibit "A"** indicating the two (2) new Future Land Use categories; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Council held public hearings on Ordinance 2025-35 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 accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning and Zoning Commission, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting on October 20, 2025, at which time interested parties and citizens had the opportunity to be heard and such amendments were recommended to the City Council for adoption; and

NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF FROSTPROOF, FLORIDA.

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

Section 2. The City of Frostproof hereby adopts the two (2) new Future Land Use categories titled, Residential Rural (RR) and Residential Transitional (RT). Said amendments as set forth in **Exhibit "A"** attached hereto and by this reference made a part hereof.

Section 3. This Ordinance shall be codified in the Comprehensive Plan of the City of Frostproof, Florida. A certified copy of this enacting ordinance shall be located in the Office of the City Clerk of Frostproof. The City 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 are 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. The effective date of these amendments, if the amendments are not timely challenged, shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete. If timely challenged, the amendments 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 these amendments 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, a copy of which resolution shall be sent to the State Land Planning Agency.

INTRODUCED AND PASSED on First Reading this 20th day of October, 2025.

Michael Hutto, Mayor

Approved as to form and correctness

ATTEST:

Nicole McDowell, City Clerk

Anthony Sabatini, City Attorney

PASSED AND DULY ADOPTED ON SECOND READING, with a quorum present and voting by the City Council of the City of Frostproof, Florida meeting in Regular Session this 16th day of February, ~~2025.~~ 2026

Michael Hutto, Mayor

ATTEST:

Nicole McDowell, City Clerk

EXHIBIT "A"

PROPOSED TEXT AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN

Text shown as underlined is text to be added.
Text shown as ~~strikeout~~ is text to be removed.

FUTURE LAND USE ELEMENT

OBJECTIVE 1B: **PROMOTE A RESIDENTIAL LAND USE PATTERN THAT CONTRIBUTES TO LIVABLE NEIGHBORHOODS AND A VARIETY OF HOUSING TYPES AND PRICES, AND THAT ENCOURAGES ENERGY EFFICIENCY.**

Policy 1.1: The following Residential Future Land Use classifications are adopted:

a. **Residential Rural (RR)** - One (1.0) unit per two (2) acres to be applied to those areas of the City that are now developed or appropriate to be developed in a very low-density manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with transitioning or bridging between more suburban residential density categories and agricultural land uses.

b. **Residential Transitional (RT)** - One (1.0) unit per one (1) acre to be applied to those areas of the City that are now developed or appropriate to be developed in a lower density manner; and to recognize such areas as primarily well-suited for residential uses that are consistent with transitioning or bridging between more rural residential density categories and urban uses.

~~a.~~c. **Residential Estate (RE)** – Two (2.0) to four (4.0) units/acre to be applied to existing area developed in this density range. Densities within the 100-year flood plain shall be limited to 2.0 units/acre and to Flood Damage Prevention provisions of the Unified Land Development Code (ULDC).

~~b.~~ d. **Residential – Low Density (RL)** – Four (4.0) units per acre or less, to be applied to existing area developed in this density range and

~~c.~~e. **Residential – Medium Density (RM)** – Four (4.0) to ten (10.0) units per acre or less, to be applied to the existing development pattern, and as a buffer use between low density single-family and more intense land uses. Duplexes and triplexes shall be allowed in this classification.

~~d.~~f. **Residential – High Density (RH)** – Ten (10.0) to fourteen (14) units per acre or less - to be applied to the existing areas developed in this density range and to logical extensions of these areas and to serve as a buffer between lower density residential and non-residential land uses. Duplexes and triplexes shall be allowed in this classification.

~~e.~~ g. **Multi-family** – Twelve (12.0) to twenty (20.0) units/acre to be applied to existing areas containing this density range and as a buffer use between lower density residential and non-residential land use.

~~f~~h. **Mobile Home Park** - Six (6.0) units or less/acre to be applied to existing areas developed in this density range and to all future mobile home park developments.