

**DESOTO COUNTY, FLORIDA
RESOLUTION 2025- ____**

A RESOLUTION OF THE DESOTO COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING FOR TRANSMITTAL TO ALL REQUIRED ENTITIES A COMPREHENSIVE PLAN TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT TO AMEND POLICY 1.1.2, THE LAND USE SUMMARY TABLE, POLICY 1.1.3 AND POLICY 1.1.4, RELATED TO DENSITY AND INTENSITY BONUS CRITERIA; POLICIES 1.6.3, 1.6.5, AND 1.6.9 IN THE NEIGHBORHOOD MIXED USE FUTURE LAND USE CATEGORY TO INCREASE THE BASE AND BONUS DENSITY MAXIMUMS; TO OBJECTIVE 1.9, POLICY 1.9.1, 1.9.2, AND 1.9.8 CORRECTING THE NAME OF THE URBAN CENTER MIXED USE LAND USE DESIGNATION FOR CONSISTENCY; POLICY 1.9.1 RELATED TO DENSITY AND INTENSITY, POLICY 1.9.2 ADDING MANUFACTURED HOMES AS AN ALLOWABLE USE, POLICY 1.9.4 RELATED TO UTILITY CONNECTION REQUIREMENTS, POLICY 1.9.9 IN THE URBAN CENTER MIXED USE FUTURE LAND USE CATEGORY TO INCREASE THE BONUS DENSITY MAXIMUM, AND ADD NEW POLICIES 1.14.9 AND 1.14.10 TO PROVIDE CLARIFICATION OF COMPATIBILITY REQUIREMENTS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, empowers the Board of County Commissioners (hereinafter referred to as the Board) to prepare and enforce comprehensive plans for the development of the county; and

WHEREAS, the Development Department has initiated an application to amend the DeSoto County Comprehensive Plan which consist of amending the Future Land Use Element Policy 1.1.2 the Land Use Categories Summary for consistency with other policies; and

WHEREAS, the Development Department has initiated an application to amend the DeSoto County Comprehensive Plan which consist of amending the Future Land Use Element to allow an increase in density in the maximum base and bonus densities for the Urban Center Mixed Use and the Neighborhood Mixed Use Future Land Use Map categories; and

WHEREAS, the Development Department has initiated an application to amend the DeSoto County Comprehensive Plan which consist of amending the Future Land Use Element correcting and making consistent the Urban Center Mixed Use land use category for consistency throughout the element; and

WHEREAS, the Development Department has initiated an application to amend the DeSoto County Comprehensive Plan which consist of amending the Future Land Use Element clarifying manufactured homes being permitted in the Urban Center Mixed Use Future Land Use category; and

WHEREAS, the Development Department has initiated an application to amend the DeSoto County Comprehensive Plan which consist of amending the Future Land Use Element clarifying utility requirements in the Urban Center Mixed Use Future Land Use category; and

WHEREAS, the Development Department has initiated an application to amend the DeSoto County Comprehensive Plan which consist of amending the Future Land Use Element adding language to clarify compatibility of residential uses with greater densities; and

WHEREAS, the Board of County Commissioners directs the Development Director to transmit Comprehensive Plan amendment to all required entities and designates the Development Director as the contact person; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board is required to transmit to the reviewing agencies and any other local government or governmental agency that has filed a written request with the governing body the proposed Comprehensive Plan amendments; and

WHEREAS, public transmittal hearings on the Comprehensive Plan amendment were held by the DeSoto County Planning Commission, acting as the Local Planning Agency, on October 7, 2025, and by the Board on October 28, 2025, pursuant to Sections 163.3184 (3) and (5), F. S.; and

WHEREAS, upon the receipt of DeSoto County Comprehensive Plan amendment by the Florida Department of Commerce (FDC), the FDC must review the amendment and issue to DeSoto County an Objections, Recommendations and Comments (ORC) Report on the amendment; and

WHEREAS, upon receipt of FDEO's ORC Report, DeSoto County has 180 days to adopt, adopt with changes, or not adopt the Comprehensive Plan amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Policy 1.1.2, 1.1.3, 1.1.4, 1.6.3, 1.6.5, 1.6.9, Objective 1.9, Policy 1.9.1, 1.9.2, 1.9.4, and 1.9.9, and are amended and new policies 1.14.9 and 1.14.10 to read as follows:

Policy 1.1.2: Land Use Categories Summary. The County shall implement the following land use categories as shown on the Future Land Use Map:

Land Use Categories	Base Density/Intensity	Bonus* (Policy 1.1.3)
Rural/Agriculture	Residential – Up to 1 du/10 acres Non-residential – Up to 0.4 FAR maximum	No bonus
Low-Density Residential	Residential – Up to 2 du/acre Non-residential – Up to 0.4 FAR	3.5 du/ac maximum* 1.0 FAR maximum
Medium-Density Residential	Residential – Up to 3.5 du/acre	5 du/ac maximum *
Neighborhood (Live/Work) Mixed Use	Residential – Up to 3.5 5 du/acre Non-residential – Up to 0.4 FAR	5 12 du/ac maximum* 0.6 FAR maximum*

Land Use Categories	Base Density/Intensity	Bonus* (Policy 1.1.3)
Employment Center	Non-residential – Up to 0.5 FAR	Non-residential – Up to 0.7 FAR 0.7 FAR maximum*
Urban Center Central Center Mixed Use	Residential – Up to 5 du/acre Non-residential – Up to 0.6 FAR	8 16 du/acre maximum 2.0 FAR maximum
Commercial	Non-residential- Up to 0.25 FAR	Non-residential – Up to 0.35 FAR maximum*
Public Land and Institutions	Publicly and semi-publicly owned lands that are effectively controlled from developing into a typical residential density or private non-residential land use not involved in service to the public. Examples include park, correctional facilities, sewer plants, etc.	
Electrical Generating Facility	This land use category is intended for electrical power generating facilities, w h i c h includes electric power plants and related facilities. This public service use includes directly related facilities for the production of electricity.	
Preservation	Dedicated by plat, site plan, easement or similar designation; permanently protected environmentally sensitive lands that may only be utilized for limited passive recreation.	
Overlays	Conservation: Limited development subject to environmental analysis and protection of natural resources. Reverts to underlying future land use category if not in conservation area.	
	Generalized Phosphate Mining: Areas identified as having the highest potential for phosphate mining based on soil types and recognized mineral deposits.	
Master Planned Area	Identified and planned larger projects that must be developed as a whole. They are identified to ensure overall community/county integration and vision is achieved, versus isolated islands of development.	

Note: This is a summary table, please check associated policies for specific regulations as some land use categories have additional requirements.

Policy 1.1.3: Density Unit and Intensity Bonus Limits. The Land Development Regulations shall require that Planned Developments developments seeking bonus density and/or intensity meet the and include performance criteria for density bonuses within the various future land use categories, up to the following levels:

- (1) Low-Density Residential Use - Up to 3.5 dwelling units per acre and up to a 1.0 FAR.
- (2) Medium-Density Residential Use - Up to 5 dwelling units per acre
- (3) Neighborhood Mixed Use – Up to ~~5~~ 12 dwelling units per acre and up to 0.6 FAR
- (4) Employment Center- up to 1.2 FAR
- (5) Urban Center Mixed Use – Up to ~~8 46~~ dwelling units per acre; up to 1.6 FAR

Policy 1.1.4: Density and Intensity Bonus Criteria. ~~A bonus point schedule shall be established within the Land Development Regulations.~~ The Land Development Regulations shall provide criteria for the award of bonus density and intensity which ~~schedule~~ shall give consideration to the performance criteria listed below as a minimum:

- (1) *Provisions and proximity to public infrastructure (water, sewer, urban roads)*
- (2) *Proximity to public safety (Fire/EMS)*
- (3) *Proximity to schools*
- (4) *Use of clustering and protection of environmentally sensitive areas*
- (5) *Increased urban design and landscaping*
- (6) *Increased public recreation and open space*
- (7) *Affordable Housing*
- (8) *Mixed use developments and mixed use buildings*
- (9) *Adjacent to lands developed with similar densities*
- (10) *Connectivity between developments*
- ~~(11) *Donation of usable public land*~~
- ~~(12) *Use of multiple performance criteria to achieve higher densities*~~
- ~~(13) *Use of compatibility techniques in Policies 1.14.9 and 1.14.10 Transfer of Development Rights (TDR's)*~~

Policy 1.6.3: Neighborhood Mixed Use Category Uses. A sustainable mix of community serving general commercial uses, recreation, and public uses will be encouraged within the Neighborhood Mixed Use village. Light Industrial uses will also be allowed in this category when they can be of a large enough size and scope to be properly buffered and designed to minimize impacts and maximize compatibility. Light industrial ~~Industrial~~ uses shall be reviewed only as part of the PUD or Special Exception process when consistent with zoning requirements.

Policy 1.6.5: Areas designated but not located within one of the existing Community overlays shall comply with the following standards:

- (1) A minimum of 30% of a neighborhood mixed use village area shall be for non-residential uses (Industrial, Commercial, Public, and Institutional);
- (2) The Floor Area Ratio within designated areas shall be limited to a floor area ratio of 0.4.
- (3) A minimum of 30% of a Neighborhood Mixed Use village area shall be for residential uses;
- (4) In order to achieve a mixture of housing products, all projects within the village shall include a minimum of ten (10) percent multifamily dwelling units.
- (5) A minimum density of 3.5 dwelling units per acre is required within a Neighborhood Mixed Use village.
- (6) A maximum base density of 5 dwelling units per acre is permitted and up to 12 dwelling units per acre if Bonus Density Criteria are met per Policy 1.1.4.

Objective 1.9: Urban Center Mixed Use Land Use Category Defined. The Urban Center Mixed Use land use category promotes multiple types of land uses in a pattern of transitioning intensities around historic commerce centers and for future mixed-use Communities.

Policy 1.9.1: Urban Center Mixed Use Land Use Category Location. The following criteria shall be used for assigning new areas for the Urban Center Mixed Use Land Use Category.

- (1) The Urban Center Mixed Use land use category is expected to capture the most intensive uses and shall therefore be served by high-capacity transportation systems.
- (2) The character of the Urban Center Mixed Use land use category is a mixture of non-residential uses providing retail and service support to the community as a whole,

interspersed with higher intensity residential uses to create a vibrant and diverse urban atmosphere.

- (3) Because this category is served by high-capacity transportation systems, development in this category can support a substantial regional commercial center, forming the basis of a “Town Center” type of community.
- (4) The intensive Urban Center Mixed Use land use category areas shall be located where infrastructure includes central water and sewer systems, stormwater management systems, and major paved public streets or highways.
- (5) Expansion of the Urban Center Mixed Use land use category area shall only be adjacent to other Urban Center Mixed Use categories, unless justification for relocation of Urban Center Mixed Use uses or an entire new Urban Center Mixed Use area, at an appropriate scale to serve the surrounding area, can be demonstrated with a market study.
- (6) Direct access to collector or arterial roads shall be required for ~~high-density~~ residential development greater than 5 dwelling units per acre (~~5-8 dwelling units per acre~~), unless located within a mixed-use planned unit development.

Policy 1.9.2: Urban Center Mixed Use Land Use Category Uses. Multiple types of land uses, such as commercial, office, institutional, manufactured homes, multi-family, duplexes, attached single family, and single-family, in a pattern of transitioning intensities around historic commerce centers and within other existing or proposed activity nodes. Light Industrial uses, such as enclosed manufacturing and warehousing, office and other workforce uses, will also be allowed in this category when they can be of a large enough size and scope to be properly buffered and designed to minimize impacts and maximize compatibility.

Policy 1.9.4: All development within the Urban Center Mixed Use category shall connect to ~~existing~~ centralized public water and wastewater facilities consistent with the County’s Utility Ordinance (Ord. 2021-14), as amended.

Policy 1.9.8: The Urban Center Mixed Use land use designation west of the Peace River shall be limited to a total of 600 dwelling units within the designated boundary.

Policy 1.9.9: *The maximum density permitted for new projects within the Urban Center Mixed Use category shall be 5 dwelling units per acre and maximum intensity of 0.6 FAR. Subject to approval by the Board of County Commissioners, projects meeting the criteria in Policy 1.1.4 and the applicable Land Development Regulations related to bonuses may receive bonus density up to a maximum of 16 dwelling units per acre and bonus intensity up to a maximum of 2.0 FAR.*

Policy 1.14.9. A land development application that proposes a use, intensity, height greater than 3 stories, and/or density that could be found incompatible with the use on the adjacent site shall utilize techniques to mitigate potential incompatible characteristics of the proposed use. Such techniques shall include but not be limited to:

- Use of undisturbed or undeveloped and landscaped buffers;
- Use of increased size and opacity of screening;
- Building setbacks;
- Innovative site design (which may include planned unit development);
- Appropriate building design and height;
- Operational restrictions on the proposed use;
- Noise attenuation techniques; and

- A density and/or intensity below the maximum allowed.

Policy 1.14.10 Developments that propose a use, intensity, height greater than 3 stories, and/or density that could be found incompatible with the use on the adjacent site shall meet, at minimum, the buffer and screening standards requirements of the Land Development Regulations. Projects reviewed through the Planned Unit Development processes may result in additional mitigation technique requirements to achieve compatibility between typically incompatible land uses.

Section 2. The Board directs the Development Director to transmit said Comprehensive Plan amendment to all required entities and designates the Development Director as the contact person for said amendment package.

PASSED AND DULY ADOPTED in DeSoto County, Florida, this 28th day of October 2025.

ATTEST:

**DESOTO COUNTY BOARD OF
COUNTY COMMISSIONERS**

BY: _____
Mandy Hines
County Administrator

By: _____
J.C. Deriso
Chairman

Approved as to form and legal sufficiency:

By: _____
Valerie Vicente
County Attorney