

DESOTO COUNTY

PLANNING AND ZONING DEPARTMENT STAFF REPORT

REQUEST: SITE-0160-2025
Development Plan Approval

PROPERTY OWNERS: Peace River Manasota Water Supply Authority (PRMWSA)
9415 Town Center Pkwy
Lakewood Ranch, Florida 34202

Southwest Florida Water Management District (SWFWMD)
2379 Broad St, Brooksville, Florida 34604

AGENT: Trisha Howard
10549 N. Florida Avenue, Suite F
Tampa, Florida 33612

PROPERTY: See Exhibit D (34 parcels – 13 parcels PRMWSA;
21 parcels SWFWMD)
Facility Address: 8998 SW CR 769, Arcadia, FL 34269

TOTAL PARCEL SIZE: +/- 6,494.07 acres

FUTURE LAND USE DESIGNATION: Public Land Institution and Preservation

ZONING DISTRICT: A-10 (Agricultural-10) and P/I (Public/Institutional)

PROPOSED REQUEST:

The applicant requests that the Board make a finding that the proposed utility expansion be considered an *Essential Service* and approval of a Development Plan to expand an existing potable water treatment facility, a new reservoir, and associated infrastructure on 34 parcels, as identified by the Property Appraiser, on +/- 6,494.07 acres.

The proposed use meets the requirements to be considered an essential service, as the term is defined in the County's Comprehensive Plan. Specifically, Comprehensive Plan Future Land Use Element Policy 1.1.14 defines "Essential Services" and allows infrastructure such as water, wastewater, etc. to be allowed in any zoning district through the County's Development Plan process.

Implementation of this policy is found in three areas of the LDRs. First, in LDR Section 20-1650, the definition of an Essential Service is as follows: "Essential services means services designed and operated by, or under the approval of, appropriate governmental jurisdictions to provide necessary utilities, general communications, public uses, and solid waste disposal facilities."

Second, in LDR Section 20-1433(10), it states if the Board finds the proposed use to be an essential service, the project does not require a special exception. Third, in Section 20-95, it provides that Essential Services may be located in any zoning district as approved by the Board of County Commissioners, and as more particularly set forth therein.

The subject parcels are owned by both the Peace River Manasota Water Supply Authority (PRMWSA) and the Southwest Florida Water Management District (SWFSMD) and located northwest of CR 769 and southeast of CR 769 at 9010 SW CR 769, Arcadia, Florida 34269 (Exhibit A: Location). The property identification numbers are listed in Exhibit D.

Background:

This Development Plan is for the PRMWSA's new, third reservoir (Reservoir No. 3). This is a new 9-billion-gallon reservoir with associated infrastructure on the RV Griffin Reserve. It also includes an expansion of the treatment capacity at the Peace River Water Treatment Facility (PRWTF), including a new river water intake and pump station on the Peace River, raw water transmission main to the new and existing reservoir system, and new reservoir pump station. The project includes multiple new buildings, structures, and turn lane improvements to Kings Highway.

Together, this new infrastructure comprises the Peace River Regional Reservoir No. 3, or PR3, Project. The purpose of the PR3 Project (Project) is to meet the growing drinking water needs across a four-county area by interconnecting major water supplies and developing additional alternative water supply (AWS) capacity. PRMWSA is an independent special district of the State of Florida, comprised of four member counties including Charlotte, DeSoto, Manatee, and Sarasota Counties, as well as one customer, the City of North Port.

The overall site lies within two future land use categories: Preservation, and Public Lands and Institutions (PLI). The PLI land use designation supports utility uses, but Preservation does not directly support the use and states, "Only limited passive recreation facilities that enhance enjoyment of natural resources and unclosed structures shall be allowed in the Preservation Land Use. No residential or non-residential uses shall be permitted."

DeSoto County is pursuing a County-initiated future land use map amendment to align the existing and proposed uses consistent with the public utilities / water treatment use. Specifically, to amend the future land use category from Preservation to PLI, consistent with Policy 1.10.1 related to assigning new areas for the PLI land use category on the future land use map on those lands already legally owned or controlled by a governmental entity and use to service the public, and those privately owned lands that are conveyed for governmental use purposes.

The proposed use meets the requirements to be considered an essential service. Comprehensive Plan Future Land Use Element Policy 1.1.14 provides that "Essential Services" such as infrastructure for water, wastewater, etc. to be allowed in any zoning district through the County's Development Plan process.

As noted above, implementation of this policy is found in three areas of the LDRs. First, in LDR Section 20-1650, the definition of an Essential Service is as follows: "Essential services means services designed and operated by, or under the approval of, appropriate governmental

jurisdictions to provide necessary utilities, general communications, public uses, and solid waste disposal facilities.” Second, in LDR Section 20-1433(10), it states if the Board finds the proposed use to be an essential service, the project does not require a special exception. Third, in Section 20-95 it provides that Essential Services may be located in any zoning district as approved by the Board of County Commissioners.

If the project was not considered an Essential Service, the LDR would require a special exception in the P/I zoning and A-10 districts for the proposed uses and facilities. Staff has included a finding in the accompanying Resolution that the proposed use, expansion of the water treatment plant, a new reservoir and associated infrastructure is an Essential Service, and therefore, a special exception approval is not required.

Data and Analysis

Future Land Use Designation and Zoning

A. Comprehensive Plan and Future Land Use Review

1. **Objective 1.2: Preservation Land Use Category Defined.** The Preservation land use category includes lands that are legally protected from development in perpetuity.

Policy 1.2.2: Preservation Category Uses. Only limited passive recreation facilities that enhance enjoyment of natural resources and unclosed structures shall be allowed in the Preservation Land Use. No residential or non-residential uses shall be permitted.

Staff finding

A portion of the subject property is located within the Preservation designation. Preservation does not permit intense uses, such as water treatment facilities. DeSoto County is pursuing a County-initiated future land use map amendment from Preservation to PLI to allow the public utilities use.

Objective 1.10: Public Lands and Institutions (PLI) Category Defined.

The Public Lands and Institutions land use category includes only those lands that are legally owned or leased long-term (20 years+) by a local, state, federal, public utility or special government and used specifically to serve the public in some capacity. This category is designated solely to show the location and variety of such governmental uses and to depict a more accurate picture of residential density within the FLUM. These are generally long-term uses that will be utilized publicly for over 50 years.

Policy 1.10.1: Public Lands and Institutions Category Location. The following criteria shall be used for assigning new areas for the Public Lands and Institutions (PLI) land use category on the Future Land Use Map:

- (1) Land already legally owned or controlled by a governmental entity and used in the service of the public.
- (2) When privately owned lands are permanently deeded, purchased, or leased long-term (20+years) for governmental use purposes, the County shall

amend the Future Land Use Plan Map at the next available plan amendment cycle to change the land use to the Public Lands and Institutions Land Use designation. Additional land will be designated as PLI as new facilities are built over time such as schools, utility plants, active parks.

Policy 1.10.2: Public Lands and Institutions Category Uses. This land use category includes those lands which contain State, Federal and City, County, School, and other quasi-governmental owned facilities that are publicly owned or controlled but are not Preservation. They may contain:

- (1) Governmental offices;
- (2) Public Works Facilities. Maintenance Departments;
- (3) Active and Passive parks;
- (4) Caretaker Residence;
- (5) Utility plants and facilities, excluding electrical generating plants;
- (6) Schools;
- (7) Correctional facilities, Civil Commitment Center;
- (8) Stormwater detention/retention Facilities and Water Reservoirs; and
- (9) Similar public service facilities.

Policy 1.10.3: Density/Intensity/Open Space design. All development within the Public Lands and Institution Land Use category is required to cluster development and provide 25 percent open space on-site. Intensity of non-residential development shall be limited to FAR of 1.0.

Policy 1.10.4: Land Use Compatibility. Land uses which are potentially incompatible either due to type of use or intensity of use shall be buffered from one another.

Staff finding

A portion of the subject property is located within the Public Lands and Institutions (PLI) land use category. The proposed use is consistent with the allowable uses in the land use category. The Development Plan illustrates the expansion is generally adjacent to existing facilities. Buffers may be required consistent with LDR Section 20-600 and will be approved with the Improvement Plans.

Objective 1.12: Conservation Overlay Designation (COD). The Interim 2040 Conservation Overlay Map (FLUEMS-4) identifies public and private lands that may possess environmental limitations, such as floodplain, wetland, and other environmentally sensitive areas, including but not limited to, sloping topography subject to soil erosion, wildlife habitat areas, hydric soils, and special vegetative communities, but have not been confirmed as such and shall be protected to the greatest extent possible. Modifications of the boundaries are permitted upon submittal of data and analysis, or field inspection by qualified personnel which support the establishment of a more appropriate boundary.

MEASURABLE TARGET: Acres of habitat and wetlands or species to be impacted or preserved as identified through environmental surveys,

Environmental Resource Permits, and other actions in response to development in environmentally sensitive environments.

Policy 1.12.3: *Conservation Overlay Designation Development Standards.*

- (1) A final determination of the suitability for development of any individual parcel, as it relates to a Conservation Overlay area on the Future Land Use Map, shall be determined prior to issuance of any development approval.
- (2) The Conservation Overlay Designation area on the Future Land Use Map is not to be considered the exact boundary of the conservation area, but to act as an indicator of a potential conservation area. The exact boundary shall be determined by an environmental site study by a qualified professional at the expense of the Developer and submitted for a determination to the South West Florida Water Management District or other agency with jurisdiction.
- (3) The Conservation Overlay Designation area is not all inclusive and other areas that do not fall within the COD boundaries that meet the definition of being environmentally sensitive areas are also subject to the regulations affecting them. These areas include protected plant and animal habitat.
- (4) Development proposals shall require the submittal of an Environmental Site Study indicating as to the extent of the impact of development or redevelopment for any lands within Conservation Overlay Designation areas and other environmental concerns.
- (5) Environmental Site Studies shall provide evidence and an inventory of wetlands; soils posing severe limitations to construction; unique habitat; endangered species of wildlife and plants; significant historic structures and/or sites; and areas prone to periodic flooding (areas within the 100-year floodplain).
- (6) DeSoto County shall require identification of proposed impacts to the natural functions of any resources by any development or redevelopment that proposes to be placed in/on, to disturb, or to alter identified areas. Compensation and Mitigation plans shall also be provided.
- (7) Such identification shall occur during the development review process and provide the opportunity for DeSoto County to review the proposed project so that direct and irreversible impacts on the identified resources are avoided, minimized, or in the extreme, mitigated.
- (8) Natural resources discovered as a result of the required Environmental Site Study will be protected in accordance with state and federal law. The Environmental Site Study will require that a qualified professional analyze the natural functions of eco-systems and connectivity of resource corridors. A conservation easement, or other protective measure, may be required to protect the functions of natural resources. Mitigation may be allowed on a case-by-case basis through the appropriate reviewing agencies.
- (9) If an area is determined to be developable and not within the Conservation Overlay Designation, then the underlying future land use category shall apply.
- (10) The Conservation Overlay District is comprised of data collected from other sources and utilized as a tool to assist in development decisions. As this data is modified, updated or altered, the County will update the Conservation Overlay District boundaries upon data being published to reflect the most accurate data and analysis available. Should other recognized professional

sources or technology also provide for updates and improved accuracy, that data shall be reflected in updates to the DeSoto County Conservation Overlay District when made available. Staff shall review and update available data semi-annually.

Staff finding

This property is owned by SWFWMD and the PRMWSA and subject to all State and Federal permitting requirements. An Environmental Site Study was not provided, but a condition is recommended that the study be provided with the Improvement Plan. The Development Plan does illustrate wetland mitigation and restoration improvements, which require state permitting.

2. **Zoning District related-issues.** Land Development Regulation zoning district related issues include the zoning district and its consistency with the FLUM, the uses allowed within the zoning district, the minimum lot size and width, the minimum building setbacks or open yards.

Staff finding

The subject property is zoned P/I and A-10. The property is currently developed with a potable water treatment plan and reservoir and proposing to be expanded. A finding has been provided for the Board to determine the proposed use is an Essential Service, which pre-empts the need for an additional special exception application and analysis.

The proposed setbacks meet/exceed the minimum requirements for the A-10 and P/I zoning districts:

	Proposed	Required A-10	Required P/I
Front	50'	50'	25'
Side	30'	30'	20'
Rear	50'	50'	20'

The maximum impervious lot coverage in the A-10 and P/I zoning districts is unrestricted. The site is in FEMA Flood Zone X, A, and AE in map panels 12027C0256C, 12027C0257D, 12027C0258C (effective 11/6/2013) and 12027C0259D (effective 10/7/2021). All improvements must comply with all building-related requirements on future site plan and building permit submittals.

The following table illustrates the adjacent uses, land use, and zoning designations. Future site plan submittals will be required to demonstrate compliance with setbacks consistent with Code requirements.

Adjacent Parcel	Zoning	FLU	Use
North	A-10	Rural/Agricultural	Pastureland, proposed Boran Ranch excavation
East	A-10, A-5	Low Density Residential, Rural/Agricultural	Pastureland, vacant, single family
South	A-5, RVC, A-10, RMF-6	Low Density Residential, Rural/Agricultural	Proposed Oak Stone, pastureland, RV park
West – Sarasota County/City of Northport	A-10, PM-I	Rural/Agricultural	Pastureland, platted residential

These zoning standards shall be conditioned and illustrated on future site plan submittals / Improvement Plan. Therefore, with conditions, the proposed facility is in conformance with the zoning districts.

3. **Transportation related issues.** Transportation related issues include roadway access, right-of-way width, and off-street parking and loading requirements.

Staff finding

This development is located at 8998 SW CR 769 in SW County. No traffic study was submitted. The Development Plan narrative proposes entrance improvements off CR 769. The facility has one driveway with two different gates. A new gate configuration is proposed to facilitate one gate entrance per driveway.

The Peace River Facility Entrance Improvements project was approved by the Desoto County Board of County Commissioners on November 19, 2024, Resolution File 24-581. Access will be reviewed in detail with the Improvement Plan submittal.

4. **Infrastructure issues.** Infrastructure issues include potable water, sanitary sewer, solid waste, stormwater management, and electricity.

Staff finding

No well or septic is identified on the development plan. Stormwater is not illustrated on the Development Plan. The property is located within the Conservation Overlay District. The applicant is required to obtain all-necessary permits from State and Federal agencies. Future plan submittals shall depict the location of any proposed stormwater management facilities and conform to County stormwater requirements and obtain any necessary permitting from the

Southwest Florida Water Management District and FDEP, if there are any proposed additional impervious surface area requiring additional stormwater management.

5. **Miscellaneous issues.** These include impervious surface area, maximum density, required recreation, and dead storage.

Staff finding

The DeSoto County Land Development Regulations for the A-10 and P/I zoning districts do not limit the maximum allowed impervious surface area. The overall subject property is +/- 6,494.07 acres.

No landscape buffers are required or proposed. Future plan submittals must identify adjacent land uses and demonstrate compliance with the landscape/buffer requirement, per Sec. 20-600, if adjacent land uses change.

SWFWMD's Recreation Map viewer (<https://swfwmd.maps.arcgis.com>) shows RV Griffin Reserve with the following amenities to include ADA accessible, picnic facilities, restrooms, model airplane airfield, and trails. Activities include bicycling, equestrian, and hiking. It is unclear if these activities will continue or be limited / removed.

STAFF REVIEW

Staff review has determined that this application, SITE-0160-2025, can be found to be consistent with the Comprehensive Plan and Land Development Regulations with the recommended conditions to be imposed.

RECOMMENDED CONDITIONS FOR APPROVAL:

1. The county shall initiate an amendment to the Future Land Use Map of the Comprehensive Plan to change the area designated Preservation to Public Lands and Institutions, needed to align the proposed reservoir and appurtenances for the project with the DeSoto County Comprehensive Plan.
2. The Improvement Plan shall conform to the LDR development standards established for the A-10 and P/I zoning districts.
3. An Environmental Site Study that shows the impact of development on lands within the Conservation Overlay Designation and other environmental concerns shall be provided to the County with the Improvement Plan submittal. The study shall provide evidence and an inventory of wetlands, soils posing severe limitations to construction, unique habitat, endangered species of wildlife and plants, significant historic structures and/or sites and areas prone to periodic flooding (100-year floodplain). Identification of proposed impacts to the natural functions of any resources by development shall be shown. Compensation and Mitigation Plans shall also be provided, if applicable. The applicant shall provide a copy of all permit or exemption applications made to the State and Federal agencies, with the Improvement Plan. All development is prohibited within wetlands, unless otherwise approved by State or Federal permits.
4. The Improvement Plan and any off-site improvements shall conform to the DeSoto County Engineering Standards Details and approved by the County Engineer
5. The site is in FEMA Flood Zone X, A, and AE zones. The Improvement Plan, future plans, and building permit submittals shall conform to all related FEMA requirements.
6. The Improvement Plan shall depict the location of any proposed stormwater management

facilities, conform to County stormwater requirements, and obtain any necessary permitting from the Southwest Florida Water Management District (SWFWMD) and the Florida Department of Environmental Protection (FDEP), for impervious surface areas that require stormwater management. Copies of applications required by the SWFWMD and FDEP shall be provided to the County with the Improvement Plan submittal.

7. The Improvement Plan shall identify adjacent land uses and conform to the LDR landscape buffer requirements and be approved by Planning staff.
8. The Improvement Plan shall conform to the sign requirements in LDR Section 20-900.
9. The Improvement Plan shall conform to the Florida Fire Prevention Code, as approved by the DeSoto County Fire Department.
10. A Right of Way permit will be required for all work done within the County maintained Right of Way, through the Engineer Division.

ATTACHMENTS

Exhibit A: Location Map
Exhibit B: Official Zoning District Atlas
Exhibit C: Future Land Use Map
Exhibit D: Site Development Plan
Exhibit E: Property Identification Numbers

PUBLIC HEARING SCHEDULE

Board of County Commissioners

Final Disposition

July 22, 2025

Exhibit D – Property Identification Numbers

Subject Property Parcel ID - Northwest of CR 769

PID	Acres	Zoning	Future Land Use	Owner
31-38-23-0000-0021-0000	332.95	A-10	Preservation	SWFWMD
31-38-23-0000-0020-0000	88.49	A-10	Preservation	SWFWMD
32-38-23-0000-0010-0000	20.72	A-10	Preservation	SWFWMD
06-39-23-0000-0012-0000	41.05	PUD	Preservation	SWFWMD
06-39-23-0000-0010-0000	603.33	A-10	Preservation	SWFWMD
05-39-23-0000-0010-0000	520.65	A-10	Preservation	SWFWMD
04-39-23-0000-0040-0000	57.19	A-10	Preservation	SWFWMD
07-39-23-0000-0010-0000	649.6	A-10	Preservation	SWFWMD
08-39-23-0000-0100-0000	653.75	A-10	Preservation	SWFWMD
09-39-23-0000-0030-0000	398.23	A-10	Preservation	SWFWMD
09-39-23-0000-0031-0000	173.33	P/I	Preservation	PR
10-39-23-0000-0115-0000	81.27	A-10	Preservation	SWFWMD
10-39-23-0000-0100-0000	8.51	A-10	Preservation	PRMWSA
18-39-23-0000-0010-0000	651.43	A-10	Preservation	SWFWMD
17-39-23-0000-0011-0000	594.36	A-10	Preservation	SWFWMD
17-39-23-0000-0013-0000	55.92	A-10	Preservation	SWFWMD
17-39-23-0000-0012-0000	1.47	A-10	Preservation	PRMWSA
16-39-23-0000-0015-0000	37.19	A-10	Preservation	SWFWMD
16-39-23-0000-0011-0000	153.66	P/I	Preservation	PRMWSA
16-36-23-0000-0010-0000	227.49	A-10	Preservation	SWFWMD
15-39-23-0000-0012-0000	0.98	A-10	Preservation	SWFWMD
19-39-23-0000-0011-0000	623.08	A-10	Preservation	SWFWMD
19-39-23-0000-0012-0000	5.92	A-10	Preservation	PRMWSA
20-39-23-0000-0011-0000	220.18	A-10	Preservation	SWFWMD

20-39-23-0000-0012-0000	18.96	A-10	Preservation	PRMWSA
30-39-23-0000-0011-0000	124.86	A-10	Preservation	SWFWMD
30-39-23-0000-0012-0000	14.48	A-10	Preservation	SWFWMD
	6,359.05			

Subject Property Parcel ID - Southeast of CR 769

PID	Acres	Zoning	Future Land Use	Owner
10-39-23-0000-0110-0000	7.87	A-10	Public Land Institution	PRMWSA
10-39-23-0323-0010-0010	17.8	P/I	Public Land Institution	PRMWSA
16-39-23-0000-0014-0000	5.57	P/I	Public Land Institution	PRMWSA
16-39-23-0000-0030-0000	3.6	P/I	Public Land Institution	PRMWSA
15-39-23-0000-0014-0000	5.27	A-10	Public Land Institution	PRMWSA
15-39-23-0000-0015-0000	29.6	P/I	Public Land Institution	PRMWSA
15-39-23-0000-0016-0000	65.31	P/I	Public Land Institution	PRMWSA