

**DESOTO COUNTY, FLORIDA
ORDINANCE 2026- ____**

AN ORDINANCE OF THE DESOTO COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING A COMPREHENSIVE PLAN TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT TO AMEND OBJECTIVE 1.1 “LAND USE CATEGORIES ESTABLISHED,” RELATED TO DENSITY AND INTENSITY BONUS CRITERIA; AMENDING OBJECTIVE 1.6 “NEIGHBORHOOD MIXED USE CATEGORY DEFINED” AND OBJECTIVE 1.9 “URBAN CENTER LAND USE CATEGORY DEFINED” TO ALLOW FOR INCREASED BONUS DENSITY MAXIMUMS FOR THE LIMITED PURPOSE OF AFFORDABLE AND/OR WORKFORCE HOUSING; CLARIFYING LANGUAGE FOR CONSISTENCY; PROVIDING FOR DEFINITIONS; 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 DeSoto County (the “County”); and

WHEREAS, the Community Planning Act (Sections 163.3161-163.3217, Florida Statutes) empowers and mandates the Board to prepare, adopt and amend a comprehensive plan for the County’s future growth and development; and

WHEREAS, the County’s Development Department initiated this Comprehensive Plan Text Amendment (COMP-0015-2025) to amend the Future Land Use Element, including Objective 1.1 (Land Use Categories Established), Objective 1.6 (Neighborhood Mixed Use Category Defined), and Objective 1.9 (Urban Center Mixed Use Category Defined), in order to clarify density and intensity bonus criteria and to authorize increased bonus density maximums for designated Workforce Housing and Affordable Housing developments within limited future land use categories; and

WHEREAS, the proposed amendment related to Workforce Housing and Affordable Housing density bonus is limited to the Neighborhood Mixed Use and Urban Center Mixed Use Future Land Use Map categories, which are generally located in proximity to existing or planned public infrastructure, central water and sewer service, paved roadways, schools, employment centers, and other community services; and

WHEREAS, the Board finds that concentrating higher residential densities in areas served by infrastructure and services promotes efficient use of public facilities, reduces sprawl, supports concurrency management, and advances the County’s stated goal of directing the most intensive growth into the urban center and surrounding areas while protecting rural and agricultural lands; and

WHEREAS, the Board finds that allowing increased bonus densities for designated Workforce Housing and Affordable Housing developments within the Neighborhood Mixed Use and Urban Center Mixed Use categories may encourage the development of attainable housing in locations that are more efficient to serve and more accessible to employment, schools, and services; and

WHEREAS, the proposed amendment does not alter the base densities of the subject land use categories, does not mandate approval of any specific development, and does not

eliminate the requirement that all development comply with concurrency management, level-of-service standards, compatibility requirements, and all applicable provisions of the Comprehensive Plan and Land Development Regulations; 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 March 3, 2026, and by the Board on March 10, 2026, pursuant to Sections 163.3184 (3) and (5), F. S.; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, on DATE, the amendment was transmitted to the reviewing agencies (and any other local government or governmental agency that has filed a written request with the governing body) and the Florida Department of Commerce (FDC) acknowledged receipt of the amendment package (Reference No.) on DATE, 2026; 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, FDC issued a letter on April 14, 2026 stating the review was completed and they had no comments on the proposed amendment; and

WHEREAS, on May 26, 2026, the Board held an adoption hearing to consider the adoption of the proposed amendment to its comprehensive plan, with due public notice having been provided, and having considering all comments received during such public hearing, including the data and analyses provided for in the County staff report, finds it is necessary and desirable to adopt, and does hereby adopt, the comprehensive plan amendment.

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

SECTION 1. The Board of County Commissioners hereby adopts the amendments modifying the DeSoto County Comprehensive Plan text, Policies 1.1.2, 1.1.3, 1.1.4, 1.6.9, and 1.9.3; creating new policies 1.6.13, 1.6.14, 1.9.9, 1.9.10, and 1.9.11, and providing for newly defined terms, as more particularly set forth in Exhibit A to this Ordinance.

SECTION 2. The adopted amendment to the DeSoto County Comprehensive Plan is attached as Exhibit A to this Ordinance

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. 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 5. The effective date of this Plan amendment shall be according to law and the applicable statutes and regulations pertaining thereto..

PASSED AND DULY ADOPTED in DeSoto County, Florida, this 26th day of May 2026.

ATTEST:

**DESOTO COUNTY BOARD OF
COUNTY COMMISSIONERS**

BY: _____
Mandy Hines
County Administrator

By: _____
Steven Hickox
Chairman

Approved as to form and legal sufficiency:

By: _____
Valerie Vicente
County Attorney

EXHIBIT A

DESOTO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES

Excerpt

Objective 1.1: Land Use Categories Established

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 <u>Density/Intensity</u> * (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 du/acre Non-residential – Up to 0.4 FAR	5 du/ac maximum*
		8 du/ac maximum for workforce housing* 12 du/ac maximum for affordable
Employment Center	Non-residential – Up to 0.5 FAR	0.6 FAR maximums Non-residential – Up to 0.7 FAR 0.7 FAR maximum*
Urban Central Mixed Use	Residential – Up to 5 du/acre Non-residential – Up to 0.6 FAR	8 du/acre maximum 10 du/acre maximum for workforce

		housing* 12 du/acre maximum for affordable housing* 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.	
	Existing Community Overlays (see Map FLUEMS-7): Areas identified as Fort Ogden, Nocatee, and the City of Arcadia Urban Expansion Area (Map FLUEMS-7).	
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 or limitations.

*Subject to Policy 1.1.4.

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 and intensity 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 dwelling units per acre for market rate residential

units and up to 8 du/ac for Workforce Housing and up to 12 du/ac for Affordable Housing (per Policy 1.1.4) and up to 0.6 FAR

- (4) Employment Center- up to 1.2 FAR
- (5) Urban Center Mixed Use – Up to 8 dwelling units per acre for market rate residential units and up to 10 du/ac for Workforce Housing and up to 12 du/ac for Affordable Housing (per Policy 1.1.4); 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 overall design of the project, proximity to public infrastructure (water, sewer, urban roads), employment, affordable housing, and services.~~
- ~~(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 Transfer of Development Rights (TDR's)~~

Objective 1.6: Neighborhood Mixed Use Category Defined.

Policy 1.6.9: Each village shall have a village center. The village center shall be designed as a shopping center to include uses such as grocery anchor, restaurants, office and general retail. Vertical mixed-use buildings are encouraged. ~~Bonus points for intensity shall be determined within the Land Development Regulations.~~

Policy 1.6.13: The maximum base density allowed for residential projects within the Neighborhood Mixed Use category is 3.5 dwelling units per acre. The maximum bonus density that may be allowed for residential projects is up to 5 dwelling units per acre if the bonus density criteria in the LDRs are met.

Policy 1.6.14: Workforce Housing developments may have a maximum bonus density of 8 du/ac and Affordable Housing developments may have a maximum bonus density of 12 du/ac if bonus density criteria are met in Policy 1.1.4 and consistent with the criteria in the LDRs.

Objective 1.9: Urban Center Land Use Category Defined.

Policy 1.9.3: A mixture of uses shall be provided within the Urban Center Mixed Use category. The mix shall be regulated by each Special Community as depicted in **Maps FLUEMS-7** and **FLUEMS-8** that include the Urban Center Mixed Use future land use designation as follows:

Arcadia Urban Expansion Area:

General Use	Density/ Intensity	Minimum	Maximum
Non-Residential Uses	0.6 FAR	30%	50%
Residential Uses	<u>8 du/ac</u> <u>Per Future Land Use Map</u> <u>Category</u>	20%	50%
Light Industrial	0.6 FAR	0%	20%

Policy 1.9.9: The maximum base density allowed for residential projects within the Urban Center Mixed Use category is 5 dwelling units per acre. The maximum bonus density that may be allowed for residential projects is up to 8 dwelling units per acre if bonus density criteria in the LDRs are met.

Policy 1.9.10: Workforce Housing developments may have a maximum bonus density of 8 du/ac and Affordable Housing developments may have a maximum bonus density of 12 du/ac if bonus density criteria are met in Policy 1.1.4 and consistent with the criteria in the LDRs.

Policy 1.9.11: Non-residential projects within the Urban Center Mixed Use land use shall be limited to a maximum floor area ratio not to exceed 0.6 but may apply for bonus intensity of up to 2.0 FAR if the development meets the criteria in Policy 1.1.4 and the LDRs

DEFINITIONS

Affordable Housing means housing which is available at a price or rent not exceeding 30 percent of a household's gross income. Owner-occupied housing costs include principal, interest, insurance, and property taxes. Rental housing costs include the contract rent. Low-income households are defined as a household with gross income which are at or below 80 percent of median income adjusted for family size, consistent with annually adjusted Department of Housing and Urban Development income guidelines.

Workforce Housing means housing affordable to natural persons or families whose total annual household income falls between 80% and 120% of the Area Median Income (AMI). Income limits, adjusted for household size.
