

DESOTO COUNTY, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF DESOTO COUNTY, FLORIDA, AMENDING SECTION 20-135 RETAIL-OFFICE-INSTITUTIONAL (ROI) ZONING STANDARDS AND SECTION 20-137 COMMERCIAL GENERAL (CG) ZONING STANDARDS, ADDING MINI WAREHOUSE / SELF STORAGE FACILITY AS PERMITTED USE, ESTABLISHING MAXIMUM FLOOR AREA RATIOS FOR NON-RESIDENTIAL USES, DESOTO COUNTY LAND DEVELOPMENT REGULATIONS TO INCLUDE UPDATES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapters 125, 163, and 553 Part IV, Florida statutes, authorize counties of the State of Florida to adopt and enforce regulations in the interest of public health, safety and welfare; and

WHEREAS, the DeSoto County Board of County Commissioners is authorized to adopt ordinances regulating the use of land in DeSoto County through adoption of the Land Development Regulations; and

WHEREAS, the purpose of this ordinance is to amend the DeSoto County Land Development regulations to allow mini-warehouse / self-storage facilities as permitted uses in the Retail-Office-Institutional (ROI) and Commercial General (CG) zoning districts; and

WHEREAS, the purpose of this ordinance is to amend the DeSoto County Land Development regulations to establish floor-area-ratios for mini-warehouse / self storage facilities, and hotels; and

WHEREAS, the Board further finds that adoption of this ordinance is in the best interest of the residents of DeSoto County and serves a proper public purpose; and

WHEREAS, the Board has properly noticed and held public hearings in accordance with law prior to adopting this Ordinance.

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

Section 1. Sections 20-135 Retail-Office-Institutional (ROI) and 20-137 Commercial General (CG) development standards, DeSoto County Land Development Regulations, are amended to read as follows:

Sec. 20-135. – Retail-Office-Institutional (ROI) (1) a.13. Mini warehouse / self-storage facility (outdoor storage is prohibited).

Sec. 20-135. – Retail-Office-Institutional (ROI)

(2) *Development standards.*

- a. Minimum lot area: 8,000 square feet.
- b. Minimum lot width: 100 feet.
- c. Minimum yard requirements:
 - 1. Front yard: 40 feet.
 - 2. Side yard: 20 feet.
 - 3. Rear yard: 40 feet.
- d. Maximum density: 12 dwelling units per acre
- e. Maximum impervious lot coverage: 70 percent.
- f. Accessory structure setback requirements:
 - 1. Side yard: five feet.
 - 2. Rear yard: five feet.
 - 3. Front yard: Accessory structures are not permitted in the front yard.
- g. Minimum off-street parking: See [Section 20-536](#).
- h. Maximum Floor-Area-Ratio: Per Comprehensive Plan

Sec. 20-137. – Commercial General District (CG) (1) a. 11. Mini warehouse / self-storage facility (outdoor storage is prohibited).

Sec. 20-137. – Commercial General District (CG)

(2) *Development standards.*

- a. Minimum lot area: 20,000 square feet.
- b. Minimum lot width: 100 feet.
- c. Minimum yard requirements:
 - 1. Front yard: 40 feet.
 - 2. Side yard: ten feet with unobstructed passage from front to rear yard.
 - 3. Rear yard: 25 feet.
 - 4. From railroad right-of-way: none.
 - 5. From waterfront: 25 feet for all uses except marinas.
- d. Maximum impervious lot coverage: 70 percent.
- e. Minimum off-street parking: See [Section 20-536](#).

f. Maximum Floor-Area-Ratio: Per Comprehensive Plan; Only hotels, mini-warehouse / self-storage facilities 1.0 (subject to Bonus Criteria as applicable in the Comprehensive Plan).

Definitions

Sec. 20-1650 – proposed new definition:

Warehouse, Mini shall mean any building or group of buildings that contain varying sizes of individual, compartmentalized and controlled access stalls or lockers for the storage of goods belonging to the individual lessees of the stalls and accessible to the lessees through individual doors.

Section 2. Severability. If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 3. Codification. It is the intent of the Board and is hereby provided that the provisions of this Ordinance shall become and be made a part of the DeSoto County Code of Ordinances, and that the sections for the Ordinance may be renumbered or lettered to accomplish such intention, and that the word “ordinance” may be changed to “section” or “article” or other appropriate designation in order to accomplish such intention.

Section 4. Effective Date. This ordinance shall become effective immediately upon filing with the Secretary of State.

DULY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, THIS 17th DAY OF December, 2024.

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