

DESOTO COUNTY, FLORIDA
ORDINANCE 2026- _____

AN ORDINANCE OF THE DESOTO COUNTY, FLORIDA BOARD OF COUNTY COMMISSIONERS AMENDING THE OFFICIAL ZONING ATLAS IDENTIFIED IN LAND DEVELOPMENT REGULATIONS ARTICLE 2, ZONING DISTRICTS AND REQUIREMENTS, SECTION 20-31, ESTABLISHMENT OF ZONING DISTRICTS; GRANTING TO THE APPLICANT, DESOTO COUNTY INDUSTRIAL PARK, LLC, AN OFFICIAL ZONING DISTRICT ATLAS AMENDMENT (RZNE-0077-2025) BY CHANGING THE ZONING DISTRICT OF 34.22 ACRES FROM AGRICULTURAL - 5 (A-5) TO PLANNED UNIT DEVELOPMENT (PUD) WITH A CONCEPT DEVELOPMENT PLAN FOR A 35,134 SQUARE FOOT DATA CENTER FACILITY AND OFFICE ON PROPERTY GENERALLY LOCATED IN CENTRAL DESOTO COUNTY AT 3800 NE ROAN STREET, THE PROPERTY IDENTIFICATION NUMBER BEING 28-37-25-0000-0031-0000 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is owned by Desoto County Industrial Park, LLC and consists of a 34.22 -acre property generally located in central DeSoto County, located at 3800 NE Roan Street, the Property Identification Number being 28-37-25-0000-0031-0000 (Exhibit A); and

WHEREAS, the Interim 2040 Future Land Use Map shows the +/- 34.22 -acre parcel is designated Rural/Agricultural and in the Conservation Overlay (Exhibit B); and

WHEREAS, an Official Zoning District Atlas amendment application was filed with the Development Department, to change the zoning district of the property from A-5 (Agricultural – 5) to PUD (Planned Unit Development) with a Concept Development Plan to develop a 35,134 s.f. data center facility with an office and a supporting gas electric-generating facility (Exhibit C); and

WHEREAS, consistent with LDR Sections 20-1497 and 20-1498, the Planning Department prepared a Development Review Report addressing the factors the Planning Commission must consider when making a recommendation to the Board of County Commissioners on an Official Zoning District Atlas amendment application; and

WHEREAS, consistent with LDR Section 20-1502, the Planning Director

caused a duly noticed public hearing to be published at least ten calendar days before the March 3, 2026, Planning Commission meeting; and

WHEREAS, at the March 3, 2026, Planning Commission hearing, the Commission entered into the record the Development Review Report and all other competent substantial evidence presented at the hearing, adopted the findings and conclusions contained therein, and forwarded the record to the Board of County Commissioners with a recommendation that the proposed Ordinance be adopted as presented with conditions; and

WHEREAS, on March 24, 2026, the DeSoto Board of County Commissioners (Board) held a duly noticed public hearing on application number RZNE-0077-2025, and the Board considered the Development Review Report and recommendation, the Planning Commission recommendation and all substantial competent evidence presented at the Planning Commission hearing, all other competent substantial evidence presented at the Board public hearings, and determined that the application complies with the DeSoto County Comprehensive Plan, the Land Development Regulations and all other applicable regulations provided conditions are imposed; and

WHEREAS, the Board finds adoption of this Ordinance is in the best interest of the residents of DeSoto County, Florida.

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

Section 1. *Incorporation.* The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are hereby incorporated by reference as part of this Ordinance. In addition, the Development Review Report is the findings and conclusions to support the adoption of this ordinance and is incorporated herein by reference.

Section 2. *Property description.* A 34.22 -acre property generally located in central DeSoto County, located at 3800 NE Roan Street, the Property Identification Number being 28-37-25-0000-0031-0000.

Section 3. *Rezoning approval.* Desoto County Industrial Park, LLC, owner, are hereby granted an Official Zoning District Atlas amendment (RZNE-0077-2025) changing the zoning district of 34.22-acres from A-5 (Agricultural – 5) to PUD

(Planned Unit Development), which owner shall be bound by the Concept Development Plan attached hereto and incorporated herein as Exhibit "C" and further agree to be bound by the following conditions:

1. The applicant shall provide parking based upon the required 1 space per 1,000 s.f. required for industrial uses consistent with Sec. 20-537 of the LDRs with the Improvement Plan or a deviation from the LDRs can be requested with the Improvement Plan.
2. The Concept Plan indicates a future data center expansion area. Any expansion will require Board approval of an amendment to this Concept Plan with a PUD application, subject to County and State requirements.
3. Any onsite power generation will not be a Florida Public Service Commission (FPSC) public electric utility and will not provide power to outside users.
4. Landscape buffers shall be provided and illustrated on the Improvement Plan consistent with Division 6 of the LDRs to include Type B landscape buffering around perimeter of the existing chain-link fence.
5. Solid waste collection shall be provided by County franchisee and the receptacles approved on the Improvement Plan.
6. Improvement Plan shall include all fire department requirements
7. Detailed traffic, safety and operational analysis shall be approved with the Improvement Plan.
8. On-site electric generation:
 1. Approval does not grant, convey, or imply any franchise, right, privilege, or authorization to provide electric utility service within the County. Any on-site electric generation and associated facilities shall be limited solely to serving the Project's on-site loads and shall not include the sale, transmission, wheeling, or distribution of electricity to any third party or across public rights-of-way.
 2. All on-site electric generation facilities shall be designed, constructed, and operated in a manner that does not violate or impair the County's franchise agreement with Florida Power & Light Company (FPL).
 3. In the event the County determines, after notice from FPL or otherwise, that the project's on-site electric generation or related facilities conflict with or violate the County's franchise obligations with FPL, the Owner shall, at its sole cost and expense:
 - a. promptly cease operation of the non-compliant electric generation facilities;
 - b. take all actions necessary to cure such conflict; and
 - c. if required by the County, connect the project to the FPL franchised electric utility system for service.

4. The County makes no representation or warranty regarding the permissibility of on-site generation under the franchise agreement or State law, and the Owner assumes all risk associated with the installation and operation of such facilities.

Section 4. The Development Department is hereby directed to amend the Official Zoning District Atlas to codify the change approved by this Ordinance.

Section 5. This Ordinance shall take effect upon adoption.

PASSED AND DULY ADOPTED in DeSoto County, Florida this 24th day of March, 2026.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF DESOTO COUNTY, FLORIDA**

By: _____

Mandy J. Hines
County Administrator

By: _____

Steve Hickox, Chair
Board of County Commissioners

Approved as to Form and Correctness:

By: _____

Valerie Vicente,
County Attorney

Exhibit A General Location:



Exhibit B Conservation Overlay:



