



DESOTO COUNTY DEVELOPMENT DEPARTMENT STAFF REPORT

REQUEST:	County-Initiated Amendment to the Land Development Code LDR-0009-2024
PROPERTY OWNER:	DeSoto County Government
PROPERTY ID:	NA
PROPERTY ADDRESS:	NA

OVERVIEW OF REQUEST

The following are proposed amendments to the DeSoto County Land Development Regulation related to existing non-residential zoned properties within the Low Density Residential Future Land Use Map category. These proposed amendments are to provide clarity to the County and property owners of what can be developed on these sites. This amendment is accompanied by a text amendment to the Comprehensive Plan.

These proposed amendments will have the following schedule:

- November 7, 2024 - Public hearing by the Planning Commission
- November 19, 2024 – First reading public hearing with the Board of County Commissioners
- December 17, 2024 – Final public hearing with the Board of County Commissioners

In the County's Comprehensive Plan and on the Future Land Use Map therein, the Low Density Residential designated area fronts many miles of thoroughfare (collector / arterial) roadways in DeSoto County with existing CG (which also includes CN) and ROI (Retail, Office, Institutional) zoning. This includes significant portions of Kings Highway, CR 761, and US 17 in SW County, CR 760 A in S Central County, and a small portion of the county along I-75. Most development does not come in the form of 1,000 dwelling unit master planned PUD-zoned communities. They come in smaller major and minor subdivisions and site plans.

The Comprehensive Plan is silent on what non-residential development and at what scale is permitted to occur in these existing zoned areas. To provide clarity for the County and property owners, it is in the best interest of everyone to be clear in the Comprehensive Plan's Future Land Use Map Low Density Residential Future Land Use category, as to what is appropriate in these non-residential zoned areas.

As the county continues to grow and road expansion efforts begin to be proposed, it is beneficial for future residential development in these non-residential zoned and Low Density Residential classified areas along thoroughfare roadways to allow non-residential uses along the roadways to serve the needs of the residential development in terms of employment and services. In addition, non-residential uses can provide a buffer to the noise and impacts associated with thoroughfare roadways to the

residential uses behind them, especially if the roads are widened in the future. The following are proposed amendments to better address these issues.

Proposed Amendment – Establish Maximum Floor Area Ratio (FAR)

FAR is the way intensity is measured for non-residential uses. It is the proportion of floor area to lot size. This is done to keep non-residential development in a desired scale of development. However, if FAR's are too low, inefficient spread-out development patterns occur. If FARs are too high, it could create in some communities an opportunity for larger non-residential buildings with less required open space. Regardless, all land development must be consistent with stormwater requirements which is based upon how much impervious area (buildings, parking lots, etc.) is proposed. Most non-residential uses of any size will have a stormwater swale or ponds on-site to address County and State stormwater requirements. These ponds also count towards minimum open space requirements which are indicated by Comprehensive Plan category and zoning designations. There are also maximum amounts of impervious area in the zoning designations.

Higher FAR's also encourage redevelopment of existing sites. In many cases where dilapidated buildings and uses have not been torn down and redeveloped, can be related to land use regulations being too restrictive. Redevelopment financing typically relies upon doing something better (higher value) than what was originally on-site. The following provides specifics on the proposed FARs which provides some limits based upon types of use (e.g., mini-warehouse, hotels).

Mini-warehouse / Self Storage Facilities

Mini-warehouse / self-storage developments have changed over the years. They have evolved from simple, long, single story steel / block flat roofed buildings spread linearly across sites, to a more urban looking and higher aesthetic multi-story building with modern landscaping, aesthetic buffers, etc. Self-storage facilities are one of the most benign non-residential / commercial uses. They do not impact County services (e.g., law enforcement, fire, water, sewer, parks, libraries, roads, etc.) like other commercial uses do. They have far fewer vehicle trips per day generated than other commercial users. They do not make any noise or emit odors. The County has some specific rules related to self-storage facilities, but the following amendments could improve how they are regulated that could benefit the County.

Mini-warehouse uses are permitted specifically in the Commercial Established (CE) zoning district. However, the CE district was created to recognize development that occurred under previous County regulations. They are also permitted in the Industrial Heavy and Industrial Light zoning districts where outdoor storage is also permitted.

Proposed is the allowance of mini-warehouse facilities as a Special Exception use in the Commercial General (CG) zoning district. Staff recommends that mini-warehouses, specifically within the Low Density Residential land use and CG zoning only, not have any outdoor storage. Outdoor storage is more oriented towards industrial zoned properties in the LDRs.

Hotels

Hotels are necessary for thriving communities. They house tourists, business travelers, and can complement economic development and tourism efforts. Hotels have changed over the years and to attract better hotels to the county, a higher FAR is required. Hotels of higher caliber typically have more space dedicated to amenities (e.g., meeting space, convention capabilities, amenities, etc.) and require a higher FAR.

Proposed Amendments – ROI Zoning

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

Proposed Amendments – CG Zoning

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:

Originally Proposed: Warehouse, Mini shall mean any building or group of buildings in a controlled access and fenced compound that contains 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.

Definition per Planning Commission recommendation: Warehouse, Mini shall mean any building or group of buildings in a controlled access and fenced compound that contains 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.

RECOMMENDED ACTIONS

1. Motion to enter into the record the Staff Report and approve.