



## DESOTO COUNTY DEVELOPMENT DEPARTMENT STAFF REPORT

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**CASE#:** COMP-0017-2025

**REQUEST:** County-Initiated Text Amendment to the Comprehensive Plan Future Land Use Element

**APPLICANT:** DeSoto County Government

**PROPERTY ID:** N/A

**PROPERTY ADDRESS:** N/A

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### DEVELOPMENT REVIEW REPORT

The proposed text amendment to the DeSoto County Comprehensive Plan Future Land Use Element is related to land uses designated as Essential Services with the goal of increasing efficiency for providing Essential Services to the residents and business owners in DeSoto County.

#### I. BACKGROUND

DeSoto County Government owns and operates various types of infrastructure, including potable water and sanitary sewer utility systems, which includes underground pipes but also includes physical plants, pump stations, water towers, lift stations, and other above-ground infrastructure. Additionally, the county's Public Safety Department provides fire and emergency management services, and the county also operates a landfill for solid waste disposal. These services are housed in buildings owned/operated to serve the public, another component of Essential Services.

The City of Arcadia's Airport is critical infrastructure, but it is not currently included under the definition of Essential Services. This deficiency was noted when the airport sought a small expansion to build cabins for their existing campground for temporary lodging for pilots, but the expansion was difficult to complete within the procedural requirements of the LDR without an approved master plan/Development Plan showing those entitlements. And, while the airport is owned and operated by the City, the airport is in unincorporated DeSoto County and therefore subject to the county's regulations.

While the City's airport was the catalyst for re-evaluating the application of Essential Services in the Comprehensive Plan, it also provided an opportunity to refine the definition to broadly include structures and services owned and operated by government entities.

Expanding and clarifying the existing definition will also allow the Comprehensive Plan and the LDR to consistently reference Essential Services in both documents, as the

existing definition of Essential Services in Policy 1.1.14 is currently inconsistent with the definition in the LDRs.

Amendments to the LDRs are being proposed simultaneously but can only be adopted after adoption of the Comprehensive Plan amendment. Should the Comprehensive Plan amendment fail to be adopted, the LDR amendments could not be approved.

It is noted that the Essential Services definition contextually is not related to the essential services debated during the COVID epidemic but limited to services from a land use perspective, recognizing that it is appropriate to allow them in all zoning districts given their role as critical supporting infrastructure and services to the public.

## II. PROPOSED CHANGES

The following revisions to Policy 1.1.14 are proposed and shown in strike-thru/underline format:

**Policy 1.1.14: *Essential Services and Structures.*** “Essential Services” means government owned services and structures, including but not limited to utilities, general communications, public safety uses, municipal public-use airports, penal facilities, and solid waste disposal facilities and ~~(to include infrastructure such as water, wastewater, cable TV, etc.)~~ and “Essential Services Facilities” ~~(to include structures, housing or ancillary infrastructure)~~ shall ~~may be~~ allowed in any zone district ~~through the~~ as provided by the County’s Land Development Regulations Development Plan process.

## III. DATA & ANALYSIS

Section 163.3177(1)(f), Florida Statutes, provides that all mandatory and optional elements of the comprehensive plan and plan amendments shall be based upon relevant and appropriate data and an analysis by the local government that may include, but not be limited to, surveys, studies, community goals and vision, and other data available at the time of adoption of the comprehensive plan or plan amendment. To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue.

The current policy’s definition of essential services does not capture all critical services and is inconsistent with the LDRs.

## IV CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed text amendment application has been reviewed for consistency with the following Comprehensive Plan provisions.

### **Future Land Use Element (FLUE) Provisions**

**GOAL 1: FUTURE GROWTH.** Through 2040, future growth in DeSoto County will be managed using sustainability and smart growth principles to accommodate new growth without compromising the ability of future generations to meet their needs. The Future Land Use Element shall be used as a tool to direct the most intensive growth into the urban center and surrounding areas, optimizing services and infrastructure, protecting the rural character of the County, and protecting the environment.

*Consistency analysis: The proposed amendment will help ensure the infrastructure and services are in place in a timely fashion to serve growth. Based on the above, it is concluded the amendment can be found **consistent** with this goal.*

**FLUE Policy 1.16.2:** The County shall direct development to areas where services and facilities are available to accommodate additional growth.

*Consistency analysis: The proposed amendment will help to ensure the infrastructure and services are in place in a timely fashion to serve growth. Based on the above, it is concluded the amendment can be found **consistent** with this goal.*

**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.

**MEASUREABLE TARGET:** Description of new developments each year on Public Lands-Intitutional lands and conformity of said development to the description of uses in the following policies.

**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.

*Consistency analysis: The proposed amendment will help ensure the infrastructure and services meeting the definition of essential services can be appropriately and timely located. The City of Arcadia Airport is located in the Public Lands and Institutions future land use category and defining the airport under Essential Services can be found to be found **consistent** with the objective and policies of this category.*

**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.

*Consistency analysis: The proposed amendment will help ensure the infrastructure and services meeting the definition of essential services can be appropriately and timely located with consideration for compatibility as required by this policy. Based on the above, it is concluded the amendment can be found **consistent** with this goal.*

**Policy 1.14.1: Intergovernmental Coordination.** When reviewing Future Land Use Map amendments, the County shall consider the existing and proposed land uses that are adjacent to the proposed amendment in the City of Arcadia, Arcadia Municipal Airport, as well as neighboring counties.

**Policy 1.14.1.a:** The County shall notify the Arcadia Municipal Airport of any amendment to the Future Land Use Map that would increase density around the airport.

**Policy 1.14.1.b:** The County shall strictly enforce building height requirements around the Arcadia Municipal Airport pursuant to FAA regulations and the County Land Development Regulations.

**Policy 1.14.1.c:** The County shall protect the Arcadia Municipal Airport from the encroachment of incompatible land uses through appropriate zoning and other land development regulations in a manner consistent with the provisions of Section 330.02 and 330.03(2), Florida Statutes. In addition, FDOT's "Airport Compatible Land Use Guidebook" shall serve as a reference when assessing land use compatibility.

*Consistency analysis: The proposed amendment will help ensure the City of Arcadia Airport, a municipal public-use airport, can continue as an essential use, consistent with Federal and State standards, without compromising compatibility. Based on the above, it is concluded the amendment can be found **consistent** with the policies above.*

**Policy 1.14.4: Public and Institutional Uses.** Public and Institutional uses are diverse, and the County will need to take extra precautions in relation to this category to ensure that the uses proposed are designed to be compatible with the surrounding neighborhoods and do not contribute to blight.

- (1) Institutional uses such as group homes, cemeteries, community residential facilities, social services facilities shall be designed to ensure compatibility with surrounding development and that the facilities are not clustered together in one area.
- (2) Civic uses such as museums, municipal and county branch offices, post offices, and libraries are encouraged to be located in proximity to residential communities, schools and in or near activity centers.
- (3) Private schools that are not required to comply with State of Florida school siting criteria must also be designed as part of the community.
- (4) Correction and rehabilitation facilities shall not be clustered and shall provide adequate buffering and transition to protect established communities.

*Consistency analysis: The proposed amendment will help ensure the critical infrastructure and services meeting the definition of Essential Services can be appropriately and timely considered in all zoning districts, located with consideration for compatibility, as further procedurally defined in the companion LDR amendment. Based on the above, it is concluded that the amendment can be found **consistent** with this policy.*

#### **IV. PUBLIC NOTICE**

Section 163.3184(11)(b), Florida Statutes, establishes the public hearing requirements for local Comprehensive Plan amendments. It provides the local governing body shall hold at least two advertised public hearings on the proposed plan amendment. The first public hearing is held at the transmittal stage. The public hearing must be held on a weekday at least 7 days after the day that the first advertisement is published pursuant to the requirements of chapter 125 or chapter 166. The second public hearing must be held at the adoption stage. That hearing must be held on a weekday at least 5 days after the day that the second advertisement is published pursuant to the requirements of chapter 125 or chapter 166.

Public notice includes advertising the amendment in a newspaper of general circulation in DeSoto County at least 10 days prior to each public hearing for the text amendment. The County has provided evidence that the amendment was noticed at least 10 days before the Planning Commission public hearing. Such notice is filed with the Division and incorporated herein by reference.

Florida Statutes Chapter 163.3184(3) Expedited State Review Process, which outlines the specific process for text amendments to Comprehensive Plans. These proposed amendments will have the following schedule:

- March 03, 2026 – Legislative public hearing by the Planning Commission sitting as the Local Planning Agency
- March 24, 2026– Legislative public hearing with the Board of County Commissioners to consider transmittal of amendment to State.
- To Be Determined - Legislative public hearing with the Board of County Commissioners to consider adoption of the amendment.

#### **Required Notifications**

The public hearing on this item was advertised in the newspaper indicating the time, date, and location of the hearing as required by the State Statute and the DeSoto County Land Development Regulations.

#### **V. ATTACHMENTS**

Exhibit A: Expedited State Review Flow Chart

Exhibit B: Proposed Resolution

#### **VI. FINDINGS AND CONCLUSIONS**

Based upon the information contained in this Development Review Report, the following findings of fact and conclusions of law are offered:

1. An application to amend the text of the Comprehensive Plan's Interim 2040 Future Land Use Element by amending the definition of Essential Services was initiated by the county and completed by the Development Department. The Development Department has reviewed the application and determined the application is complete.
2. The Planning Director has reviewed the text amendment application for consistency with Section 163.3184(3), Florida Statutes, and concludes the application can be found to be **consistent** with those requirements.
3. The Planning Director has reviewed the proposed amendment against the Comprehensive Plan's relevant goals, objectives and policies and concludes it can be found to be **consistent**.
4. The due public notice requirements have been satisfied.

## **VII. ALTERNATIVE ACTIONS**

The Planning Commission / LPA has one of the following alternative actions at its disposal:

- A. Adopt the Development Review Report as the Planning Commission's report and findings, and forward the report to the Board of County Commissioners with a recommendation of approval and that the proposed Resolution be transmitted to the State Department of Commerce.
- B. Enter into the record the Development Review Report and amend the findings and conclusions contained therein to support the Planning Commission's recommendation, and forward the record to the Board of County Commissioners with the recommendation of denial and that the proposed Resolution is not transmitted to the State Department of Commerce.

## **VIII. PUBLIC HEARINGS**

- A. Planning Commission. March 03, 2026
- B. Board of County Commission Transmittal Hearing. March 24, 2026
- C. Board of County Commission Adoption Hearing. April 28, 2026

# Attachments

## Exhibit A – Expedited State Review Flow Chart

