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Adopted: June 14th, 2016
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.

Objective 1.1: Land Use Categories Established. The generalized land use categories depicted on the Interim 2040 Future Land Use Map Series (FLUEMS-3) are intended to establish varying degrees of environmental protection and intensity of development, transitioning from the natural environment to the most intensive developed areas by gradually increasing density and urban character.

**MEASURABLE TARGET:** Existence of implementing zoning classifications and number of units and/or number of square feet approved each year pursuant to regulations governing these land use classifications.

**Policy 1.1.1:** Future Population. The Future Land Use Map shall contain an adequate supply of lands to accommodate the projected population.

**Policy 1.1.2:** Land Use Categories. The County shall implement the following land use categories as shown on the Future Land Use Map.

<table>
<thead>
<tr>
<th>Land Use Categories</th>
<th>Base Density/Intensity</th>
<th>Bonus* (Policy 1.1.3)</th>
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<tbody>
<tr>
<td>Rural/Agriculture</td>
<td>Residential – Up to 1 du/10 acres</td>
<td>No bonus</td>
</tr>
<tr>
<td></td>
<td>Non-residential – Up to 0.4 FAR maximum</td>
<td></td>
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<tr>
<td>Low-Density Residential</td>
<td>Residential – Up to 2 du/acre</td>
<td>3.5 du/ac maximum*</td>
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<tr>
<td>Medium-Density Residential</td>
<td>Residential – Up to 3.5 du/acre</td>
<td>5 du/ac maximum *</td>
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<td>Neighborhood (Live/Work) Mixed</td>
<td>Residential – Up to 3.5 du/acre</td>
<td>5 du/ac maximum *</td>
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<tr>
<td>Employment Center</td>
<td>Non-residential – Up to 0.4 FAR</td>
<td>0.6 FAR maximum *</td>
</tr>
<tr>
<td></td>
<td>Non-residential – Up to 0.5 FAR</td>
<td>0.7 FAR maximum *</td>
</tr>
<tr>
<td>Urban Central Mixed Use</td>
<td>Residential – Up to 5 du/acre</td>
<td>8 du/acre maximum</td>
</tr>
<tr>
<td></td>
<td>Non-residential – Up to 0.6 FAR</td>
<td>2.0 FAR maximum</td>
</tr>
<tr>
<td>Commercial</td>
<td>Non-residential- Up to 0.25</td>
<td>0.35 FAR maximum*</td>
</tr>
<tr>
<td>Public Land and Institutions</td>
<td>Publicly and semi-publicly owned lands that</td>
<td></td>
</tr>
<tr>
<td></td>
<td>are effectively controlled from developing</td>
<td></td>
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<tr>
<td></td>
<td>into a typical residential density or private</td>
<td></td>
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<tr>
<td></td>
<td>non-residential land use not involved in</td>
<td></td>
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<tr>
<td></td>
<td>service to the public. Examples include park,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>correctional facilities, sewer plants, etc.</td>
<td></td>
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### Future Land Use Element

**Land Use Categories** | **Base Density/Intensity** | **Bonus* (Policy 1.1.3)**
--- | --- | ---
Electrical Generating Facility | This land use category is intended for electrical power generating facilities, which 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. |  
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. |  

**Policy 1.1.3**: Density Unit *Bonus Limits*. The Land Development Regulations shall require Planned Developments and include performance criteria for density 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
2. Medium-Density Residential Use - Up to 5 dwelling units per acre
3. Neighborhood Mixed Use – Up to 5 dwelling units per acre 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; 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 schedule shall give consideration to the performance criteria listed below as a minimum:

1. Provisions and proximity to public infrastructure (water, sewer, urban roads)
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
Policy 1.1.5: Density/Intensity. A binding site plan shall be required to be submitted and approved by the County as part of any applicant’s request to receive an intensity/density bonus, including a rezoning, which demonstrates compliance with bonus criteria and LDR requirements.

Policy 1.1.6: Minimum Standards for Zoning District Applications. The County shall monitor the Land Development Regulations and amended as needed, to incorporate the minimum standards that must be met for rezoning and bonus requests within the various future land use categories.

Policy 1.1.7: Special Area Plans. The County shall encourage preparation of special area studies, sector plans and other micro area land use studies to plan suitable land development patterns and coordinate the provision of necessary infrastructure and services.

Policy 1.1.8: Zoning Districts. The County shall establish, as needed, zoning districts to implement the goals of current and future land use categories.

Policy 1.1.9: Zoning District Application Table. The County shall amend its Land Development Regulations to include land use/zoning regulations/tables establishing zoning districts that implement current and future land use categories.

Policy 1.1.10: Zoning Map. The County shall amend its Zoning Map to apply newly created zoning districts.

Policy 1.1.11: Rezoning. The zoning amendment criteria in the Land Development Regulations shall be used to determine if a rezoning request to a new district is appropriate for a given property, in accordance with the comprehensive plan. The following general criteria, at a minimum, will be considered as part of the rezoning review process:

(1) Location, availability and capacity of public services and facilities.
(2) Proximity to similar densities/intensities.
(3) Location within transportation network.
(4) Environmental protection.

Policy 1.1.12: Density Measurement. Residential density shall be defined as the amount of dwelling units allowed per gross acre. This calculation shall include the entire property including roads, stormwater facilities, recreation areas, agricultural areas, natural resource preserves, etc. It shall not include areas separated off for non-residential uses (outparcels) or those areas otherwise not included as part of an overall development plan. It shall also not include property within the conservation overlay area, for which density within the area shall be calculated separately.

Objective 1.2: Preservation Land Use Category Defined. The Preservation land use category includes lands that are legally protected from development in perpetuity.

MEASURABLE TARGET: Total acres taken out of or added to Preservation Land Use category.

Policy 1.2.1: Preservation Category Location. The following criteria shall be used for assigning new areas for the Preservation land use category on the Future Land Use Map:

(1) Land already legally protected
(2) Publicly owned jurisdictional wetlands, floodplains and other owned public environmentally sensitive lands
(3) When privately owned lands are permanently deeded or purchased for preservation 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 Preservation designation

Policy 1.2.2: Preservation Category Uses. Only limited passive recreation facilities that enhance enjoyment of natural resources and unclosed structures shall be allowed in the Preservation Land Use. No residential or non-residential uses shall be permitted.

Objective 1.3: Rural/Agricultural Land Use Category Defined. The intent of the Rural Land Use Category is primarily agricultural, pastoral, and rural residential development. This district is designed to accommodate traditional agricultural uses and conservatory measures, where appropriate, while protecting the rural areas of the County. The intent of this category is to permit a reasonable use of the property, at a gross density of no more than one dwelling per ten (10) acres. At the same time, the intent is to prevent the creation of conditions, which would endanger, damage, or destroy the agricultural base of the County, the environmental resources of the County, the potable water supply and the wild life resources. The first priority of this category is agricultural use.
MEASURABLE TARGET: Total acres taken out of Rural/Agricultural Land Use category.

Policy 1.3.1: The primary use and function of the Rural/Agricultural areas, as designate on the Future Land Use Map, shall be to protect and encourage agricultural activities and to protect unique native habitats and maintain open space, while providing for rural residential uses.

Policy 1.3.2: Agricultural uses, as defined by F.S. 193.461, are permitted within the Rural/Agricultural category. Additional setbacks are required for intense uses when adjacent to non-agricultural future land use categories and zoning districts.

Policy 1.3.3: Residential development in a Rural/Agricultural area shall not exceed a maximum density of one dwelling unit per 10 gross acres, unless otherwise provided herein.

Policy 1.3.4: The rezoning of lands to industrial may be allowed within the Rural/Agricultural category, only when permitted by the Board of County Commissioners in conjunction with approval for a Special Exception or Planned Unit Development. Any Industrial use shall be buffered and spaced appropriately to minimize potential impacts on adjacent agricultural and residential uses. The following minimum standards shall apply:
1. A minimum of 80 acres;
2. Shall be no less than 5 miles from another Industrial zoning district if non-contiguous;
3. Shall be appropriately buffered from agricultural and residential uses and zoning districts;
4. Maximum Floor Area Ratio of 0.7;
5. Shall submit and receive site plan or preliminary plat (PUD) approval in conjunction with such zoning request;
6. Exclude electrical generating facilities (power plants)

Policy 1.3.5: Property rezoned to Industrial is intended for uses of a nature not permitted within an urban center, new community, or other non-industrial area. Those uses include:
1. Sales and service of trucks and heavy equipment;
2. Wholesale establishments, warehousing, bulk storage;
3. Asphalt and cement plants, saw mills;
4. Railroad siding;
5. Manufacturing, warehousing, storing, processing, canning, packing, slaughter houses, marinas, commercial boat houses, commercial boat storage, boat building, boat yards;
6. Storage of agricultural vehicles not used on subject property for agricultural purposes;
In and outdoor firing range
Sale and repair of new & used automobiles, motorcycles, trucks & tractors, mobile homes, boats, automotive vehicle parts & accessories, heavy machinery & equipment, farm equipment, retail establishments for sale of farm supplies;
Bulk storage yards, not including bulk storage of flammable liquids, subject to the provisions of the County or State Fire Codes;
And other similar uses

Policy 1.3.6: In a Rural/Agricultural Future Land Use category, the lowest order of commercial goods and services which serve the daily needs of nearby residents, may be permitted with direct access on an arterial roadway. Commercial areas in a Rural/Agricultural category shall:
(1) Not exceed 3 acres in size;
(2) Shall not exceed impervious surface ratio (lot coverage) of 70 percent;
(3) Shall be no less than 10 miles from other commercial development in a Rural/Agricultural area or in other Future Land Use categories;
(4) Shall be appropriately buffered from agricultural and residential uses and zoning districts;
(5) Must submit and receive site plan or preliminary plat (PUD) approval in conjunction with such zoning request.

Policy 1.3.7: Based on the previous adopted Comprehensive Plan and negotiations with the Department of Community Affairs, a portion of the area west of the river previously designated with a future land use category of Rural Residential (one dwelling unit per five acres) shall be recognized within the West River Study Area designation. Land within the area may apply for zoning consistent with the previously designated Rural Residential. The intent of the Study Area is to cluster development around and in support of the nearby Urban Center. This area will be studied consistent with other policies within this plan.

Policy 1.3.8: Phosphate mining/extraction and related land uses are allowed in the Rural/Agriculture land use category only when the area is included in the Generalized Phosphate Mining Overlay Designation and in accordance with the Generalized Phosphate Mining Overlay Designation objective and policies, as well as other policies within the Future Land Use Element and Conservation Element which apply to phosphate mining activity.

Objective 1.4: Low-Density Residential Use Category Defined: The Low Density Residential Use category consists of low-density residential uses in progressive degrees of urban intensity with
higher density in areas adjacent to the Medium Density Residential, Mixed Use Centers, General Mixed Use Centers and less density/intensity in areas adjacent to the Rural/Agricultural categories.

**MEASURABLE TARGET:** Location and total acreage added to the Low Density Residential Use category.

**Policy 1.4.1: Low Density Residential Use Category Location.** The following criteria shall be use for assigning new areas for the Low Density Residential Land Use category on the Future Land Use Map:

1. The Low-Density Residential Use land use category is expected to extend predominantly outward from the medium densities and intensities allowed in the Neighborhood Mixed Use, General Mixed Use and Urban Center Mixed Use land use categories.
2. Areas appropriate for Low Density Residential Use designation are locations that have adequate central water and sewer systems, stormwater management systems and public paved roadways or are areas that are planned to be served by utilities in the future via the Utility Master Plan.
3. Low Density Residential Uses shall be located appropriately to buffer rural residential areas, but not immediately adjacent to intensive active agricultural uses or industrial/large phosphate mining/material excavation uses.
4. Low Density Residential Use areas having densities exceeding three (3) du/ac shall have adjacent and direct access to collector or arterial road roadways allowing for access to urban, general and neighborhood mixed use centers.

**Policy 1.4.2: Low Density Residential Use Category Uses.** The primary use of this category shall be residential, in a variety of low densities and styles. A sustainable mix of neighborhood scale commercial uses may be introduced only as a part of the PUD process for developments of 1000 dwelling units or greater. The commercial area shall be located at the intersections of collector and/or arterial roads and shall be separated approximately 2 miles from other existing and/or future commercial designated areas. Schools and other public facilities shall be permitted with appropriate buffering. The zoning district uses and development standards contained in the Land Development Regulations shall carry out the specific intent of this land use category.

**Policy 1.4.3: Low Density Residential Use Category Sustainability.** The minimum density permitted within this category will be two dwelling units per acre.

**Policy 1.4.4: Low Density Residential Open Space.** All development within the Low Density Residential Category shall provide open space through clustering of units in order to reduce the
footprint on a site. Development shall provide a minimum of 25 percent open space.

Policy 1.4.5: Open Space design. All open space areas shall be primarily located adjacent to other areas approved as development open space in order to create natural corridors.

Policy 1.4.6: Utilities. All development within the Low Density Residential category shall connect to existing centralized public water and wastewater systems.

Objective 1.5: Medium-Density Neighborhood Residential Use Category Defined. The Medium-Density Neighborhood Residential Use category consists of low and medium density residential uses in progressive degrees of urban intensity with higher density in areas adjacent to the Urban Center and less density/intensity in areas adjacent to the Rural/Agricultural categories.

MEASURABLE TARGET: Location and total acreage added to the Medium Density Neighborhood Residential Use category.

Policy 1.5.1: Medium-Density Residential Use Category Location. The following criteria shall be used for assigning new areas for the Neighborhood Residential Land Use category on the Future Land Use Map:

(1) The Medium Density Residential Use category is expected to extend predominantly outward from the higher densities and intensities allowed in the Neighborhood Mixed Use, General Mixed Use and Urban Center Mixed Use land use categories.

(2) Areas appropriate for Medium Density Residential Use designation are locations that have adequate central water and sewer systems, stormwater management systems and public paved roadways.

(3) Medium Density Residential shall be located appropriately to buffer rural residential areas, but not immediately adjacent intensive active agricultural uses or industrial/mining uses.

(4) Medium Density Residential areas having densities exceeding three (3) du/ac shall have direct access to collector or arterial road roadways.

Policy 1.5.2: Medium Density Residential Use Category Uses. The primary use of this district shall be residential in a variety of densities and styles. A sustainable mix of neighborhood commercial uses, no greater than five acres, may be introduced only as part of the PUD process for developments of 1000 dwelling units or greater. The commercial area shall be located at the intersections of collector and/or arterial roads and shall be separated a minimum of two miles from other existing and/or future commercial designated areas.
Future Land Use Element

Objective 1.6: Neighborhood Mixed Use Category Defined. The Neighborhood Mixed Use category consists primarily of residential uses in progressive degrees of urban intensity with higher density in areas adjacent to the Urban Center and less density/intensity in areas adjacent to the Low and Medium Density Residential and Rural/Agricultural categories.

**MEASURABLE TARGET:** Development and Improvement Plans issued, plans reviewed number of units and checks for business tax certificates issued or renewed.

Policy 1.6.1: Neighborhood Mixed Use Category Location. The following criteria shall be used for assigning new areas for the Neighborhood Land Use category on the Future Land Use Map:

1. The Neighborhood Mixed Use land use category is expected to extend predominantly outward from the higher densities and intensities allowed in the Urban Center land use category or stand alone, similar to rural hamlet and suburban village town centers.

2. Areas appropriate for Neighborhood Mixed Use designation include locations that have adequate central water and sewer systems, stormwater management systems and public paved roadways.

3. Neighborhood Mixed Use shall be located appropriately to buffer rural residential areas, but not immediately adjacent intensive active agricultural uses or
industrial/mining uses in the Rural/Agricultural category.

(4) Neighborhood Mixed Use areas should be located at major collector and arterial road intersections, where such crossroads act as village and hamlet town centers.

**Policy 1.6.2:** Neighborhood Mixed Use areas may only be expanded when it can be demonstrated that 50% or more of the existing residential area has been developed at a density greater than three dwelling units per acre and the village is in compliance with the minimum sustainable mixed-use requirements.

**Policy 1.6.3:** *Neighborhood Mixed Use Category Uses.* A sustainable mix of community serving general commercial uses, recreation, and public uses will be encouraged within the Neighborhood Mixed Use village. Light Industrial uses will also be allowed in this category when they can be of a large enough size and scope to be properly buffered and designed to minimize impacts and maximize compatibility. Industrial uses shall be reviewed only as part of the PUD or Special Exception process.

**Policy 1.6.4:** Neighborhood Mixed Use Category existing community overlay uses. A sustainable mixed community serving residential, commercial, recreation and public uses are required within this category. The mix shall be regulated by “Community” as depicted on FLUEMS-7 as follows:

- Fort Ogden Community
- Nocatee Community
- City of Arcadia Urban Expansion Area

Specific standards and principles to guide the development and mix of uses within each of these Communities area provided in Goal 3, Future Land Use Element.

**Policy 1.6.5:** Areas designated but not located within one of the existing Community overlays shall comply with the following standards:

1. A minimum of 30% of a neighborhood mixed use village area shall be for non-residential uses (Industrial, Commercial, Public, and Institutional);
2. The Floor Area Ratio within designated areas shall be limited to a floor area ratio of 0.4.
3. A minimum of 30% of a Neighborhood Mixed Use village area shall be for residential uses;
4. In order to achieve a mixture of housing products, all projects within the village shall include a minimum of ten (10) percent multifamily dwelling units.
(5) A minimum density of 3.5 dwelling units per acre is required within a Neighborhood Mixed Use village.

**Policy 1.6.6:** Heavy Industrial zoning and uses shall be prohibited from this category.

**Policy 1.6.7:** All development within a Neighborhood Mixed Use category shall connect to DeSoto County public water and wastewater facilities.

**Policy 1.6.8:** Establishment of new Neighborhood Mixed Use areas shall only be permitted where capable of providing:

1. Financially feasible public infrastructure for all concurrency facilities;
2. A natural expansion of existing development patterns; and
3. Enhancement and protection of existing natural resources.

**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 1.6.10:** Open Space design. All development within the Neighborhood Mixed Use category is required to cluster development and provide a minimum of 25 percent open space on-site. Master planned developments shall integrate open areas with adjacent development to create corridors of open space. All open space design is encouraged to create a greenbelt around the village or connect off-site in order to provide alternative transportation and recreation options throughout the village. A minimum of 10 percent of the open space requirement shall be upland acreage designed to create active recreation areas. Non-residential uses shall create public promenades or civic spaces, including fountains, plazas, gardens and similar outdoor gathering places.

**Policy 1.6.11:** Interconnectivity. On-street and shared parking will be permitted, but is contingent upon an approved master transportation and parking plan. Use of sidewalks and bicycle paths shall be given priority and allow for connection between developments within the village. Human-scale development, such as two-lane roads, blocks limited in size and uses which create a sense of community, such as benches, colonnades and street furniture shall be encouraged.

**Policy 1.6.12:** Utilities. All development within the Neighborhood Mixed Use category shall
connect to existing public centralized water and wastewater systems.

**Objective 1.7: Commercial Category Defined.** DeSoto County shall recognize existing “Commercial” corridors by their designation and mapping on the Future Land Use Map as Commercial (COMM) and shall promote the infilling of such areas through the establishment of criteria for the development of lands within the Commercial designations and limitations to the expansion such areas.

**MEASURABLE TARGET:** Development Plans issued, plans reviewed and checks for business tax certificates issued or renewed.

**Policy 1.7.1: Characteristics.** Commercial corridors are characterized by linear concentrations of all types of commercial, office, and institutional uses along a roadway. Some linear Commercial corridors may contain existing industrial uses.

**Policy 1.7.2: Designation and Mapping.** Existing linear commercial areas shall be designated and mapped on the Future Land Use Map Series as "Commercial" (COMM).

**Policy 1.7.3: Location Criteria.** Expansion of any Commercial area shall be limited to infill development. Infilling of an existing Commercial corridor shall be limited to a depth which corresponds to the typical depth of existing development within the general area of the infill development. The extension (along the road) or establishment of new Commercial strips shall not be permitted, except to recognized legitimate errors made during the original mapping process. Any such map-error corrections shall require that a Plan amendment be processed consistent with requirements of this policy and Chapter 163, FS. The following factors shall be taken into consideration when evaluating whether an error was made during the original mapping process and shall be used as the basis for the review of the associated plan amendment required to correct the error:

1. **Uses of the land and development of the parcel, and surrounding land, existing as of adoption of this plan:** The use of the land and existing development of the subject parcel and the surrounding area as of the adoption of the Plan would be taken into consideration when determining an error. Land that was vacant, or developed in some other manner than that of the claimed error, would be determined not to be an error.

2. **Zoning of the parcel and surrounding land, as of adoption of this plan:** The existing zoning of a parcel and surrounding area, as of the Plan’s adoption date, would be considered in determining an error. However, the property's zoning would not be a factor, in and of itself, when the subject property is vacant.
(3) **Existing property lines as of adoption of this plan:** Parcels existing as of the adoption date of the Plan would be considered in determining an error. Lands added to a parcel, or parcel under one ownership, since the adoption would not be considered.

(4) **Consistency with the plan:** Was the subject property consistent with the Plan’s criteria for the claimed land use category at the time of Plan adoption? Is the claimed designation consistent with the Plan’s overall objective to control urban sprawl and to not degrade the County’s overall growth management program? Isolated development and/or spot zonings would not be considered an error.

(5) **Other factors:** Environmental constraints, availability of infrastructure at acceptable levels of service, and the Plan’s Capital Improvement Program (CIP) at the time of adoption would be considered.

**Policy 1.7.4: Development Criteria.** Development or redevelopment within a Commercial corridor shall conform to the following criteria:

1. Permitted uses include all types of commercial, office, and institutional uses typically located along a roadway.

2. New development or redevelopment within a linear Commercial corridor shall be limited to the intensities of uses at the same or less intensity as adjacent existing uses. New development or redevelopment adjacent to existing uses shall be compatible with each other without allowing a higher intensity of development.

3. Step-down uses shall be encouraged between different intensity uses as in-fill and shall be lower in intensity than the highest existing intensive use. Step-down uses shall be contiguous to an intensive land use, and shall not be separated from that use by an arterial road, or a natural or man-made barrier which makes the step-down use unnecessary.

4. New development or redevelopment within a linear Commercial corridor shall incorporate the use of frontage roads wherever there is adequate public right-of-way or there is property available for the expansion of the right-of-way or the establishment of frontage-road easements to facilitate such roads in accordance with recognized highway safety standards. Whenever the placement of frontage roads is not practical, shared ingress/egress facilities shall be used.

5. Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation shall facilitate safe bicycle and pedestrian movement.

6. Where the Commercial corridor abuts residential areas, uses should be limited to a size, scale, and intensity necessary to provide the residents of the community and surrounding area with retail, personal, and community services. New development or redevelopment adjacent to residential areas shall be compatible with adjacent...
existing uses without allowing a higher intensity of development.

(7) Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities that may require special buffering provisions.

(8) The maximum floor area ratio shall not exceed 0.35.

Policy 1.7.5: Adjacent Development. Development adjacent to a Commercial corridor may include the following uses: Office, Residential, Institutional, Employment Center or Open Space.

Objective 1.8: Employment Center Land Use Category Defined. The Employment Center Land Use category promotes multiple types of non-residential, employment generating land uses.

MEASURABLE TARGET: Development Plans issued, plans reviewed and checks for business tax certificates issued or renewed.

Policy 1.8.1: Employment Center Land Use Category Location. The following criteria shall be used for assigning new areas for the Employment Center Land Use Category.

(1) The Employment Center Land Use category is expected to capture the most intensive non-residential uses and shall therefore be served by high-capacity transportation systems.

(2) The character of the Employment Center Land Use category is a combination of non-residential uses providing industrial employment centers interspersed with support commercial uses.

(3) The more intensive Employment Center Land Use areas shall be located where infrastructure includes central water and sewer systems, stormwater management systems, and collector, arterial public streets or highways.

(4) Expansion of the Employment Center Land Use category shall only be allowed through a Plan Amendment when compatible with adjacent uses and when it can be demonstrated to be needed with a marketing study.

Policy 1.8.2: Employment Center Land Use Category Uses. Non-residential land uses, such as, industrial, office, and institutional. Support uses to serve the employment center are also permitted.

Policy 1.8.3: Establishment of new Employment Center Land Use areas shall only be
 permitted when capable of providing financially feasible public infrastructure for all concurrency facilities, expansion of existing development patterns, and enhancement and protection of existing natural resources.

**Policy 1.8.4:** A mixture of uses shall be provided within the Employment Center category:
1. A minimum of 50 percent of the area shall be utilized for Industrial and non-service based employment uses.
2. No greater than 10 percent of the area shall be utilized for commercial/retail uses.
3. Ancillary commercial uses in support of manufacturing or assembly of on-site products (display/sales) are permitted and will not be measured against the commercial mixture of the category.

**Policy 1.8.5:** All development within an Employment Center Land Use category shall connect to DeSoto County public water and wastewater facilities.

**Policy 1.8.6:** The area north of the city of Arcadia shall be limited to a Floor Area Ration of 0.1 until such time as existing public water and wastewater facilities are extended to the site.

**Objective 1.9: Urban Center Land Use Category Defined.** The Urban Center category promotes multiple types of land uses in a pattern of transitioning intensities around historic commerce centers and for future mixed-use Communities.

**MEASURABLE TARGET: Measurements analogous to those described for Objective 1.8 with the exception of residential density considerations in mixed use.**

**Policy 1.9.1: Urban Center Land Use Category Location.** The following criteria shall be used for assigning new areas for the Urban Center Land Use Category.
1. The Urban Center land use category is expected to capture the most intensive uses and shall therefore be served by high-capacity transportation systems.
2. The character of the Urban Center land use category is a mixture of non-residential uses providing retail and service support to the community as a whole, interspersed with higher intensity residential uses to create a vibrant and diverse urban atmosphere.
3. Because this category is served by high-capacity transportation systems, development in this category can support a substantial regional commercial center, forming the basis of a “Town Center” type of community.
4. The intensive Urban Center areas shall be located where infrastructure includes central water and sewer systems, stormwater management systems, and major paved
public streets or highways.

(5) Expansion of the Urban Center area shall only be adjacent to other Urban Center categories, unless justification for relocation of Urban Center uses or an entire new Urban Center, at an appropriate scale to serve the surrounding area, can be demonstrated with a market study.

(6) Direct access to collector or arterial roads shall be required for high-density residential development (5-8 dwelling units per acre), unless located within a mixed-use planned unit development.

Policy 1.9.2: Urban Center Land Use Category Uses. Multiple types of land uses, such as commercial, office, institutional, multi-family, duplexes, attached single family, and single-family, in a pattern of transitioning intensities around historic commerce centers and within other existing or proposed activity nodes. Light Industrial uses, such as enclosed manufacturing and warehousing, office and other workforce uses, will also be allowed in this category when they can be of a large enough size and scope to be properly buffered and designed to minimize impacts and maximize compatibility.

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 I-5 and I-6 that include the Urban Center Mixed Use future land use designation as follows:

**Arcadia Urban Expansion Area:**

<table>
<thead>
<tr>
<th>General Use</th>
<th>Density/ Intensity</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Residential Uses</td>
<td>0.6 FAR</td>
<td>30%</td>
<td>50%</td>
</tr>
<tr>
<td>Residential Uses</td>
<td>8 du/ac</td>
<td>20%</td>
<td>50%</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>0.6 FAR</td>
<td>0%</td>
<td>20%</td>
</tr>
</tbody>
</table>

**New Community 1 & New Community 2**

<table>
<thead>
<tr>
<th>General Use</th>
<th>Density/ Intensity</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Residential Uses (General)</td>
<td>0.6 FAR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1-Regional Scale Commercial Centers/Village Center</td>
<td></td>
<td>250,000 gross leasable sq. ft.</td>
<td>750,000 gross leasable sq. ft.</td>
</tr>
<tr>
<td>(Limit 1 Regional Scale Center per New Community)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Scale Commercial Centers</td>
<td></td>
<td></td>
<td>250,000 gross leasable sq. ft.</td>
</tr>
<tr>
<td>(Limit 1-Community Scale Center per Village)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Specific standards and principles to guide the development and mix of uses within each of these New Communities are provided in Goal 4, Future Land Use Element.

**Policy 1.9.4:** All development within the Urban Center Mixed Use category shall connect to existing centralized public water and wastewater facilities.

**Policy 1.9.5:** Heavy Industrial zoning and uses, such as concrete plants, distribution centers and equipment storage shall be prohibited from this land use.

**Policy 1.9.6:** Establishment of new Urban Center Mixed Use areas shall only be in areas capable connecting to existing DeSoto County or city of Arcadia public utilities.

**Policy 1.9.7:** Projects shall submit a binding site plan or preliminary plat (PUD) for approval in conjunction with a request for light industrial zoning.

**Policy 1.9.8:** The Urban Center designation west of the Peace River shall be limited to a total of 600 dwelling units within the designated boundary.

**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.

**MEASURABLE TARGET:** Description of new developments each year on Public Lands-Intuitional 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.

**Policy 1.10.3: Density/Intensity/Open Space design.** All development within the Public Lands and Institution Land Use category is required to cluster development and provide 25 percent open space on-site. Intensity of non-residential development shall be limited to FAR of 1.0.

**Objective 1.11: Electrical Generating Facility (EGF).** This land use category is intended for electrical power generating facilities which includes electric power plants and related facilities. This public service use includes directly related facilities for the production of electricity, including but not limited to fuel and by product storage facilities, and waste disposal areas, and related facilities.

**MEASUREMENT TARGET:** Description of new developments each year on Electrical Generating Facility Lands and conformity of development to the description of uses in the following policies.

**Policy 1.11.1:** Related uses including processing, warehousing, educational and visitors centers,
raw materials storage, and manufacturing uses, not directly associated with the production of electricity, are also permissible. Such related uses shall be approved through site plan approval.

Policy 1.11.2: Dwelling units for use by the owner, an employee, lessee, custodian, or security guard may be permitted as accessory uses as part of an approved site plan where such dwelling units are located on the same lot of parcel.

Policy 1.11.3: Agricultural uses such as cropland, pastureland, orchards, and groves or forestry are permitted uses within this category.

Policy 1.11.4: The allowable intensity of development in this category shall be determined as follows:

1. The power plant units and directly related facilities shall occupy no more than 65 percent of the entire site and shall be subject to a maximum impervious surface ratio of 0.65.

2. A minimum of 35 percent of the entire site shall be open space. Open space shall be defined as land suitable for conservation uses, including buffer areas, which shall remain landscaped, re-vegetated or left undeveloped except for crossings by facilities and structures, such as roads, rail, transmission lines, natural gas pipelines, water and sewer pipelines and communications lines, necessary for operation of the power plant units and related uses. These facilities will be co-located where practicable in order to minimize any impacts to environmentally sensitive areas.

3. When an applicant files a request for a future land use map amendment designating a specific site for such facilities, it shall also propose a site specific policy regarding the type, size and power generating capacity of the facilities to be located on that site.

Policy 1.11.5: In determining the suitability of a location for approval as electrical power generating facility under the land development regulation, the Board of County Commissioners shall consider whether and the extent to which:

1. The site is nearby to other existing or planned utility uses, and/or is accessible by existing or planned fuel transportation facilities;

2. Nearby existing residential development is relatively sparse, adjoining residential future land use categories allow only low density development, and there is adequate separation between the power plant units, directly related facilities and uses, and existing residential units;

3. There is a water source that is adequate for plant operation based on available data.
and analysis;

(4) Natural resources on or adjacent to the project site will be protected in accordance with the Comprehensive Plan;

(5) The site can be served by existing or new transportation systems comprised of arterial or collector roads of sufficient capacity to ensure that, during plant operation, there will be no degradation to the level of service below the adopted standard.

Policy 1.11.6: In the event of a conflict in the language of this land use category and other provisions within this or other elements of the comprehensive plan, this land use category shall control.

Policy 1.11.7: The following performance standards shall be applied to a site designated as electrical power generating facility. The power plant units, directly associated facilities, and related uses:

(1) Shall be located where the effects of noise can be minimized through a combination of preserving existing vegetation, distance from property boundaries or noise sensitive uses, or through physical plant design. For the purposes of permitted levels of noise or sound emission, this land use category shall be subject to the same standards as for the Industrial land use category;

(2) Shall be located where visual impacts can be minimized through existing topography, vegetation, facility design, or distance from properties;

(3) Shall be set back and/or buffered from existing adjacent residential areas or designated residential future land use categories;

(4) Shall utilize the best available control technology for protecting air quality consistent with state and federal standards as determined by the Florida Department of Environmental Protection or the US Environmental Protection Agency through those agencies’ established permitting processes;

(5) Shall, in fuel and by product storage facilities and waste disposal areas, include liners and leachate controls consistent with state and federal standards;

(6) Shall mitigate any unavoidable impacts to environmentally sensitive areas, such as wetlands and listed species habitat, consistent with state and federal standards as determined by the appropriate state and federal agencies through Florida Department of Environmental Protection or the US EPA;

(7) Shall provide compensatory storage for development in the 100 year floodplain consistent with local and state standards;

(8) Shall provide reasonable assurance that there will be no degradation to the water quality established by the Florida Department of Environmental Protection for
(9) Shall connect to central sewer, if available, or provide onsite treatment for domestic wastewater. Septic tanks shall be allowed, in accordance with applicable provisions of local ordinance, including the Comprehensive Plan.

Policy 1.11.8: To the extent of demonstration of compliance with these performance standards relies upon determinations and permits from other agencies, any approval of an electrical generating facility shall be conditioned upon the project obtaining such approvals prior to commencement of construction. No such permit shall be required to be prior to County approval of such a facility.

Policy 1.11.9: Approximately 5,162 acres ("Site") as defined by legal descriptions included with LS-2009-01 was changed from Rural Agriculture to Electrical Generating Facility on the Future Land Use Map. The Site will allow the development of a Solar Photovoltaic Electrical Generating Facility and related facilities, such as associated parking, building required for storage, security or operations or other on-site facilities that complement or are needed to support the Solar Photovoltaic Electrical Generating Facility which includes, but is not limited to, security fencing, interconnection to previously approved facilities, and maintenance of the facility. Pursuant to supporting Policies, related uses including processing, warehousing, educational, visitor centers, raw materials storage, and manufacturing uses, not directly associated with the production of electricity, are also permissible on the Site. Pursuant to EGF Objective open space requirements, the Solar Photovoltaic Electrical Generating Facility and directly related facilities shall occupy no more than 675 percent of the Site and shall be subject to a maximum impervious surface ratio. A minimum of 35 percent of the Site shall be open space. Open space shall be provided in the form of wetlands preservation and associated upland wetland buffers and other areas of native vegetation, as well as the open areas between the individual solar arrays.

Objective 1.12: Conservation Overlay Designation (COD). The Interim 2040 Conservation Overlay Map (FLUEMS 4) identifies public and private lands that may possess environmental limitations, such as floodplain, wetland, and other environmentally sensitive areas, including but not limited to, sloping topography subject to soil erosion, wildlife habitat areas, hydric soils, and special vegetative communities, but have not been confirmed as such and shall be protected to the greatest extent possible. Modifications of the boundaries are permitted upon submittal of data and analysis, or field inspection by qualified personnel which support the establishment of a more appropriate boundary.
MEASURABLE TARGET: Acres of habitat and wetlands or species to be impacted or preserved as identified through environmental surveys, Environmental Resource Permits, and other actions in response to development in environmentally sensitive environments.

Policy 1.12.1: Conservation Overlay Designation Location. The Conservation Overlay area on the Future Land Use Map consists of those lands that potentially contain environmentally sensitive areas, specifically the 100-year Floodplain as exists on the latest FEMA maps and viable wetland areas that exist on the latest National Wetlands Inventory Map. The lines shall not be considered the exact boundary of an area. The Conservation Overlay area is not all-inclusive; other areas do not show up on the FLUM within the overlay boundaries but are environmentally sensitive for other reasons, such as protected plant and animal habitat, are also subject to the applicable Land Development Regulations and any review by agencies with jurisdiction.

Policy 1.12.2: Conservation Overlay Designation Uses. This designation is not intended to prevent development, but rather to identify environmentally sensitive areas (i.e. floodplains and wetlands) that need to be reviewed carefully during the development review process to determine whether mitigation or conservation protection are needed. If the areas are determined not to be environmentally sensitive, then the underlying future land use category is applicable. The following uses are specifically prohibited from being located within Conservation Areas:

1. Junkyards, gas station, and vehicle repair facilities.
2. The use or storage of hazardous materials or wastes on the Florida Substance List shall be restricted in the 100-year floodplain, except that such use or storage pursuant to phosphate mining within the Generalized Phosphate Mining Overlay Designation shall be restricted within that portion of the 100-year floodplain shown on FLUEMS-9 and as regulated by the Florida Department of Environmental Protection.
3. New underground fuel and other hazardous chemicals within these areas. Existing facilities are required to demonstrate that adequate technology is being employed on-site to isolate the facilities from the water supply.
4. Residential Development greater than a density of 1 unit per 10 gross acres and non-residential development greater than a FAR of 0.10 unless stated herein. All development shall be clustered to non-wetland portions of any site and buffered from the wetland appropriately.
5. Agricultural uses shall utilize “Best Management Practices” published in conjunction with the US Department of Agriculture.

1. A final determination of the suitability for development of any individual parcel, as it relates to a Conservation Overlay area on the Future Land Use Map, shall be determined prior to issuance of any development approval.

2. The Conservation Overlay Designation area on the Future Land Use Map is not to be considered the exact boundary of the conservation area, but to act as an indicator of a potential conservation area. The exact boundary shall be determined by an environmental site study by a qualified professional at the expense of the Developer and submitted for a determination to the South West Florida Water Management District or other agency with jurisdiction.

3. The Conservation Overlay Designation area is not all inclusive and other areas that do not fall within the COD boundaries that meet the definition of being environmentally sensitive areas are also subject to the regulations affecting them. These areas include protected plant and animal habitat.

4. Development proposals shall require the submittal of an Environmental Site Study indicating as to the extent of the impact of development or redevelopment for any lands within Conservation Overlay Designation areas and other environmental concerns.

5. Environmental Site Studies shall provide evidence and an inventory of wetlands; soils posing severe limitations to construction; unique habitat; endangered species of wildlife and plants; significant historic structures and/or sites; and areas prone to periodic flooding (areas within the 100-year floodplain).

6. DeSoto County shall require identification of proposed impacts to the natural functions of any resources by any development or redevelopment that proposes to be placed in/on, to disturb, or to alter identified areas. Compensation and Mitigation plans shall also be provided.

7. Such identification shall occur during the development review process and provide the opportunity for DeSoto County to review the proposed project so that direct and irreversible impacts on the identified resources are avoided, minimized, or in the extreme, mitigated.

8. Natural resources discovered as a result of the required Environmental Site Study will be protected in accordance with state and federal law. The Environmental Site Study will require that a qualified professional analyze the natural functions of eco-systems and connectivity of resource corridors. A conservation easement, or other protective measure, may be required to protect the functions of natural resources. Mitigation may be allowed on a case-by-case basis through the appropriate reviewing agencies.

9. If an area is determined to be developable and not within the Conservation Overlay
Designation, then the underlying future land use category shall apply.

(10) The Conservation Overlay District is comprised of data collected from other sources and utilized as a tool to assist in development decisions. As this data is modified, updated or altered, the County will update the Conservation Overlay District boundaries upon data being published to reflect the most accurate data and analysis available. Should other recognized professional sources or technology also provide for updates and improved accuracy, that data shall be reflected in updates to the DeSoto County Conservation Overlay District when made available. Staff shall review and update available data semi-annually.

Policy 1.12.4: Any development of a site which includes property determined to be in a Conservation Overlay Designation area, is required to submit a site-specific plan for approval. The plan shall include the clustering of density away from the protected areas and resources. Developments that include Conservation Overlay Designations, but cluster all development activities outside of the Overlay, may be reviewed via a Site Plan Approval process. The following restrictions shall apply to areas determined to be in the COD:

(1) Density transfers out of areas determined to be within the Conservation Area may occur on-site with the following density transfer allowed:
   (a) Rural/Agricultural Land Uses shall be consistent with the underlying zoning
   (b) Low Density Residential Land Uses shall be 1 unit per 4 acres.
   (c) Medium Density Residential, Neighborhood Mixed Use, and General Mixed Use Districts shall be 1 unit per 2 acres.
   (d) Urban Center Mixed Use Mixed Use shall be 1 unit per 1 acre.

   In the future, density transfers out of the Conservation Area may be able to occur off-site from Rural/Agricultural Future Land Uses to Non- Rural/Agricultural Future Land Uses as part of a Transfer of Development Rights Program.

(2) Development within the Conservation Overlay area shall be restricted to 1 unit per 10 acres and a FAR of 0.1, unless otherwise provided for herein. All development shall be directed away from wetlands.

Policy 1.12.5: By December 2009, the County shall implement a Transfer of Development Rights (TDR) program designed to reduce developable units in the Rural/Agricultural category by permitting those units to be transferred within the designated urban area. The TDR program shall be incorporated into the bonus point system. Basic concepts of the program shall include:

(1) Potentially recognizing A-5 zoned property, including those with conservation overlay district, at a gross density of one dwelling unit per five acres if an appropriate deed
restriction/covenant, which eliminates the current and future development of units on-
site, is recorded in perpetuity.

(2) The recording of a restrictive covenant/deed indicating amendments to the Future
Land Use Map are superseded by the restriction.

(3) Voluntary participation in the program for property owners within the
Rural/Agricultural category. Deciding not to participate simply allows a property owner
to develop at densities consistent with the policies within this plan.

Policy 1.12.6: The County shall prohibit all development within, and direct development
away from, wetlands, unless otherwise approved by the appropriate reviewing agency. Site
enhancement for conservation purposes and Best Management Practices including, without
limitation, the use of isolation berms to protect water quality and prevent wildlife from
migrating into developed areas shall not be deemed “development” for the purposes of this
policy, when used pursuant to phosphate mining.

(1) When wetland impacts cannot be avoided, DeSoto County shall require a specific
management plan to be prepared by the developer, which results in no net loss of
wetlands or wetland functions and which includes necessary modifications to
the proposed development, specific setback and buffers, and the location of
development away from site resources, to protect and preserve the natural functions
of the resource.

(2) The minimum setback shall be 15 feet and the average of all setbacks from the
wetland resource shall be 25 feet, unless otherwise permitted by the appropriate
reviewing agency. Best Management Practices, including, without limitation, the use of
isolation berms to protect water quality and prevent wildlife from migrating into
developed areas shall be permitted within the setback areas, when used pursuant to
phosphate mining.

(3) Areas designated as natural buffers shall preserve all natural vegetative cover, except
where drainage ways, access ways or phosphate mining corridors are approved to cross
the buffer, or when contrary to Best Management Practices. Buffers may be
supplemented only with native trees, shrubs and ground covers.

Policy 1.12.7: Water resources (Rivers and Creeks) of the County are recognized as valuable to
the residents of the County, and shall continue to be protected by disapproving development
activities which will result in any measurable decrease in surface and ground water quality.

Policy 1.12.8: On all existing parcels of land, development shall be located away from
wetlands and floodplains on the upland portion of the site, unless otherwise permitted by an
authorized agency and permissible within this Plan. Where no upland exists, development may occur so long as all applicable environmental permitting requirements can be satisfied. All future subdivision of land shall contain adequate uplands for the permitted use.

**Policy 1.12.9:** Resource extraction which will result in an adverse effect on environmentally sensitive areas which cannot be restored or mitigated for shall be prohibited.

**Policy 1.12.10:** Wetlands, rivers, streams, floodplains, habitat of threatened or endangered species and species of special concern, prime agricultural lands, prime groundwater recharge areas, historically significant sites or other environmentally sensitive areas which cannot be restored shall be identified by a property owner or developer prior to any development approval, and protected by a prohibition on mining activities within those areas and the establishment of buffer zones around them. Properties within the Generalized Phosphate Mining Overlay Designation as shown in FLUEMS-9, shall restore, mitigate, or reclaim such areas consistent with the requirements of the Generalized Phosphate Mining Designation (Future Land Use Element Objective 1.12b and its related policies) and the County’s Phosphate Mining Ordinance.

**Policy 1.12.11:** Proposed Future Land Use Map amendments, which allow an increase in intensity and density, shall be directed away from properties within the Conservation Overlay Designation.

**Objective 1.12b: Generalized Phosphate Mining Overlay Designation (GPMOD).** The Interim 2040 Generalized Phosphate Mining Overlay Designation Map (FLUEMS-5) identifies consists of private lands that are likely to contain phosphate minerals located within the Rural/Agriculture Future Land Use District and the Phosphate Mineral Type as depicted on the Generalized Surface Minerals Map. Establishment of the Generalized Phosphate Mining Overlay Designation will ensure the orderly development of phosphate mining activity, including the extraction of mineral resources and reclamation of mined land in a manner compatible with the overall development of the County and the protection of environmental resources as further prescribed in the policies listed below and Phosphate Mining Regulations set forth in the land Development Regulations.

**MEASURABLE TARGET:** Environmental surveys, Environmental Resource Permits, Water Use Permits (WUPs) and other actions in response to development in environmentally sensitive environments.

**Policy 1.12b.1:** Generalized Phosphate Mining Overlay Designation Location. The Phosphate Mining Overlay area on the Future Land Use Map consists of those lands that are identified as...
containing phosphate minerals within Rural Agriculture Future Land Use classification and where phosphate is planned and is likely to occur.

**Policy 1.12b.2: Generalized Phosphate mining Overlay Designation Uses.** The following activities shall be permitted within the Generalized Phosphate Mining Overlay Designation upon the approval of a Phosphate Mining Operating Permit or Operating Permit or Operating Permits as required by the DeSoto County Land Development Regulations:

1. Phosphate mining/extraction;
2. Phosphate rock and slurry processing, transfer;
3. Beneficiation plant including but not limited to water treatment facilities, railroad spur, storage, mine administration offices, and similar uses;
4. Clay settling areas and recirculation systems, NPDES outfalls, and other drainage uses;
5. Heavy machinery, vehicles and equipment, including but not limited to draglines, dredges, bull dozers, pumps, trucks, and similar equipment necessary for mining and reclamation;
6. Land reclamation;
7. Agriculture; and
8. Phosphate mining allied industries

**Policy 1.12b.3: Generalized Phosphate Mining Overlay Designation development standards.** Phosphate mining activity must comply with the following minimum criteria and the applicable County Ordinances and the Land Development Regulations:

1. Submit and receive approval of an Operating Permit for a Phosphate Mining Master Plan in conjunction with a zoning approval;
2. Be appropriately buffered from agriculture and residential uses;
3. Reclaim all wetlands impacted by mining as required by the Conservation Element;
4. Prohibit extraction in those portions of Horse Creek which are classified as wetlands in areas identified on FLUEMS-9 of the Future Land Use Series;
5. Establish a buffer zone from preserved wetlands and other surface waters as determined through the state environmental resource permitting process of Chapter 373 F.S., or through the development of regional impact process of Section 380.06 F.S. and in accordance with the Future Land Use Element and Conservation Element;
6. Mining extraction shall be prohibited from the historically unaltered portions of the direct tributaries to Horse Creek (including, but not limited to, Brandy Branch and Buzzard Roost Branch), which lie within the Generalized Phosphate Mining Overlay Designation and are identified on FLUEMS-9 of the Future Land Use Series;
7. Seepage wetland area located outside of the 100-year floodplain shall be identified
and evaluated through the state environmental resource permitting process of Chapter 373 F.S. to determine the level of protection provided to them;

(8) A minimum setback of 50 feet from the 100-year floodplain of Horse Creek and its direct tributaries as identified on FLUEMS-9 of the Future Land Use Map Series shall be required for mining activities unless otherwise permitted by the appropriate reviewing agency through the environmental permitting process of Chapter 373 F.S. and in accordance with the Future Land Use Element and Conservation Element;

(9) The use of Best Management Practices such as berms and monitoring wells shall be implemented within the 50-foot setback area referenced in (8) above in order to ensure that the direct tributaries and floodplains of Horse Creek and the Peace River, natural functions of soils, fisheries, wildlife habitat and listed species are protected and maintained;

(10) Phosphate mining corridor crossings and encroachments of the 100-year floodplain of Horse Creek and its direct tributaries and other identified floodplains as identified on FLUEMS-9 of the Future Land Use Map Series shall be limited to those crossing(s) and encroachments approved by the Florida Department of Environmental Protection through the Environmental Resource Permit for the mine;

(11) Exceptions to these policies may be allowed on a case-by-case basis, when it is determined through the state environmental resource permitting process of Chapter 373 F.S. that the exception would result in improving water quality and habitat protection or would otherwise meet the public interest test implemented under Part IV of Chapter 373 F.S.; and

(12) All mining activity shall be consistent with all other policies of this Plan, specifically including but not limited to all mining policies contained within the Conservation Element.

Policy 1.12b.4: All applications for mining activity shall include documentation of Best Management Practices and the use of technology to minimize the adverse effects of phosphate mining activities.

Policy 1.12b.5: DeSoto County shall promote and ensure that phosphate mining activities and reclamation will not preclude future beneficial uses of mined land.

Policy 1.12b.6: Generalized Phosphate Mining Overlay Designation implementation criteria. The following criteria shall apply to area within the mining overlay designation prior to authorization to develop a mining operation.
DeSoto County shall continue to enforce its mining regulations through the Land Development Regulations regarding permitting, mining and reclamation of areas of mineral resources as determined by the Generalized Phosphate Mining Overlay Designation.

All mining activity allowed within the Generalized Phosphate Mining Overlay Designation shall require approval through the County’s development review procedures. This review will require the submission of an application for a Phosphate Mining Master Plan and approval of an Operating Permit in accordance with the provisions of the Land Development Regulations.

Land use authorization in the form of a zoning designation, which permits phosphate mining and related uses as authorized by the Land Development Regulations, shall be obtained prior to approval of a Phosphate Mining Master Plan.

DeSoto County shall continue to regulate the location and operation of phosphate mining activities to minimize negative impacts on surrounding properties, ensure that areas are appropriately reclaimed and encourage the productive reuse of such areas.

The DeSoto County Land Development Regulations shall specify criteria by which mining activity may be permitted, including appropriate setbacks and buffering from adjacent land uses and to specifically identify land use activity associated with phosphate mining, such as mineral extraction, clay settling area, land reclamation, etc.; and industrial land use activities, such as beneficiation plants, allied industries, and mining related activities.

Objective 1.13: Land Development Regulations. The County shall enforce creative land development regulations which contain specific provisions to implement the adopted Comprehensive Plan. Improvements to the land development regulation process shall focus on efficiency and effectiveness through a streamlining of procedures. An assessment shall be made of integrating all appropriate land development regulations into a unified ordinance. Land development regulations shall, at a minimum:

**MEASURABLE TARGET:** Amendments to the County’s Land Development Regulations.

**Policy 1.13.1:** Regulate the subdivision of land. The existing subdivision ordinance shall be reviewed and updated in order to be consistent with the Comprehensive Plan.

**Policy 1.13.2:** The County shall regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management. This shall be accomplished by continued adherence to Southwest Florida Water Management District or any other appropriate
regulatory agency regulations.

**Policy 1.13.3:** An element of the County’s concurrency management system shall be a program to bring planned, permitted and zoned development capacity into alignment with existing and programmed capital improvements capacity. The program of aligning development capacity with capital improvements capacity shall provide for the recognition and protection of vested property rights.

**Policy 1.13.4:** *Regulate signage.* A sign provision of the County’s land development regulations appropriate for various land use activities shall be adopted. At a minimum, the provision shall establish the frontage requirement for signs, consider allowing shared signs for smaller properties, and define terms within the provision to clarify its intent.

**Policy 1.13.5:** Promote safe and convenient on-site traffic flow and vehicle parking through the adoption and continued enforcement of design standards for new construction.

**Policy 1.13.6:** The County’s site plan review process shall include provisions addressing the protection of environmentally sensitive lands consistent with this Plan, and providing for open space. Environmentally sensitive lands are defined as wetlands, floodplains or critical habitat for plant or animal species listed by the Florida Department of Agriculture and Consumer Services, the Florida Fish and Wildlife Conservation Commission, or the United States Fish and Wildlife Service as endangered, threatened, or species of special concern.

**Policy 1.13.7:** Other development regulations necessary to carry out the goals, policies and objectives of this Comprehensive Plan shall be included within the Land Development Regulations.

**Objective 1.14: Land Use Compatibility.** The DeSoto County Land Development Regulations shall utilize land use techniques and development standards to achieve a functional and compatible land use framework, which serves to reduce incompatible land uses as depicted on the Existing Land Use Map Series (FLUEMS-2).

**MEASURABLE TARGET:** Reduction in the number of incompatible land uses.

**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, as well as neighboring counties.
Policy 1.14.2: Use Compatibility. Compatibility between uses will be defined by level of density and intensity rather than by use, with the exception of large-scale public uses such as airports, regional hospitals, refineries and correctional institutions.

Policy 1.14.3: Mixed-Uses. By encouraging the provision of mixed-use developments the County will ensure that the sites and buildings are designed in a way that land uses are integrated rather than segregated.

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.

Policy 1.14.5: Conversions. In areas where residences can be converted to commercial or office uses, the following standards shall apply to ensure the protection of established neighborhoods and feasibility of the proposed changes:

(1) The roadways, utilities and access to the property must be adequate to support the proposed change.

(2) Adequate access and parking must be provided for the proposed use of the property.

(3) Appropriate design will be required to maintain compatibility with surrounding uses, especially established residential neighborhoods.

(4) The size, color and lighting of the signage for the proposed use must be consistent with the character of the neighborhood.

(5) Exceptions to the LDR will not be permitted, unless deemed absolutely necessary with no harm to adjacent neighbors. All new development must include landscaping and buffering.
Policy 1.14.6: Nuisances. The County’s Land Development Regulations shall maintain or establish guidelines for noise, light and vibration to minimize the impacts of those on residential properties.

Policy 1.14.7: Signage. The Land Development Regulations shall manage the location and types of signs to avoid interference with traffic flow and sight distance. The County’s existing sign ordinance will be reviewed and upgraded by June 2008 to correct any deficiencies.

Policy 1.14.8: Buffers. Increased buffering and landscape standards shall be maintained or expanded in the County’s Land Development Regulations to protect various types of development from the impact of others.

Objective 1.15: Consistency with the Land Use Map. All uses and structures legally existing on the effective date of this Plan that are not in compliance with the provisions herein, shall be considered non-conforming under the terms of this Plan, except as otherwise provided. Said uses and structures may continue to exist but may not be intensified, expanded, enlarged or significantly altered without proper approval by means of a Special Exception by the Board of County Commissioners.

MEASURABLE TARGET(s): Number of non-conforming structures damaged each year and determined to be ineligible for rebuilding due to the extent of damage. Number of Business Tax Certificates lapsing each year that are determined to be for non-conforming uses of structures or land, and which would require the elimination of the non-conforming use under the implementing regulation.

Policy 1.15.1: Non-conforming Land Uses. The County shall pursue reduction of existing land uses deemed to be inconsistent with the provisions of this Comprehensive Plan while balancing property rights by allowing continuance of non-conforming uses of land subject to limits concerning enlargement, movement, natural disasters and discontinuance. The County shall reduce all non-conforming land uses by 50% during the 25 year planning period.

Policy 1.15.2: Existing residential zoning districts (to include A-5), adopted by the Board of County Commissioners prior to the adoption of this Plan, and shall be recognized as designated on the Official Zoning Atlas of DeSoto County. The uses shall continue to be permitted and recognized as legal and conforming uses until such time as the zoning district is modified, either through administrative or non-county application request.
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**Policy 1.15.3:** Existing Non-residential zoning in effect at the time of Comprehensive Plan adoption shall have 36 months from the date of plan adoption to get a site plan approval on the property, otherwise any future development and zoning shall be required to be compliance with the adopted comprehensive plan. An administrative rezoning may also be initiated by the County to bring such zoning into compliance with the adopted comprehensive plan.

**Policy 1.15.4:** Site plans that are currently approved for construction or that subsequently receive site plan approval shall have 18 months to secure construction plan approval and a notice to proceed, otherwise such approval shall be considered expired and any new site plan shall be required to be in compliance with the adopted comprehensive plan and future land use map designation.

**Policy 1.15.5:** Projects that are currently issued a Notice to Proceed or that are subsequently issued a Notice to Proceed shall have 12 months to commence construction, otherwise such approval shall expire and compliance with the adopted comprehensive plan and future land use map shall be required.

**Policy 1.15.6:** For projects that are currently issued a notice to proceed or that are subsequently issued a notice to proceed, shall have 30 months to receive a certificate of occupancy for all construction, otherwise such approval shall expire and compliance with the adopted comprehensive plan and future land use map shall be required.

**Policy 1.15.7:** Nothing in the DeSoto County Comprehensive Plan shall limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to Chapter 380, F.S., or who has been issued a final local development order and development has commenced and is continuing in good faith.

**Policy 1.15.8:** *Vesting and Entitlements.* DeSoto County shall ensure that existing rights of property owners are preserved in accordance with the constitutions of Florida and the United States. The following provisions shall guide the principles of statutory and common law vesting:

1. Florida Statutes (FS 163.3167(8)) defines statutory vesting and gives the property owner the right to complete any development that has been authorized or has been issued a final Development Order and development has commenced and is continuing in good faith prior to Plan adoption date.
The County shall provide an administrative vesting procedure by which a property owner may demonstrate that property rights were previously entitled.

**Policy 1.15.9: Redevelopment.** The repair or rehabilitation of a non-conforming structure that is abandoned or damaged (even if by natural causes) beyond fifty (50) percent of its appraised value and require demolition of the structure, shall be prohibited. Redevelopment of the property will only be allowed if it is consistent with the Comprehensive Plan.

**Policy 1.15.10: Survey.** If resources are available, the County shall conduct a survey of non-conforming uses throughout the County and shall develop an action plan to effectively deal with such non-conformities if not already addressed through a CRA or Special Area Plan.

**Objective 1.16: Sprawl and Redevelopment.** The County shall maintain regulations and procedures to limit the proliferation of urban sprawl and encourage redevelopment and revitalization of blighted areas.

**MEASURABLE TARGET: Annual written description of projects either approved or denied as a result of lack of water/sewer line availability or plant capacity. Reports submitted annually to utility permitting agencies addressing usage, capacities, and future improvements or expansions.**

**Policy 1.16.1: The County shall encourage infill development within the Urban Center Mixed Use, Employment Center and Neighborhood Mixed Use Areas of the County by:**

1. Increases in densities or intensities of use for infill parcels served by adequate public facilities and services.
2. Expedition of the permitting process for infill development proposals.
3. Consideration of exceptions to requirements such as minimum lot sizes, minimum setbacks, or minimum parking requirements to provide for residential, affordable residential and economically viable commercial opportunities that are compatible with the adjacent uses.
4. Prioritize public expenditures to areas of higher intensities and densities of use to encourage development to locate where public facilities are more readily and more economically available.
5. Coordination with municipal, county and state transportation facilities to provide adequate levels of service that support higher densities and intensities of development within or adjacent to currently developed areas.
**Policy 1.16.2:** The County shall direct development to areas where services and facilities are available to accommodate additional growth.

**Policy 1.16.3:** If necessary, the County may reduce other land development regulation limitations on infill and redevelopment activities consistent with the land uses and densities indicated in this plan in situations that will not jeopardize public health, safety or welfare.

**Policy 1.16.4:** If resources are available and if the area qualifies for such designation, areas with concentrations of dilapidated and deteriorated buildings shall be targeted for special consideration Community Vision workshops, such as the creation of a community redevelopment areas and special area plans. These areas include:

1. Nocatee
2. Ft. Ogden
3. South Hwy 17 Corridor (South of Arcadia)

**Policy 1.16.5:** The County shall coordinate with other agencies and pursue available federal, state, county and local funds for redevelopment.

**Policy 1.16.6:** The Board of County Commissioners generally support denser land uses west of the Peace River and abutting the City of Arcadia, generally between CR 761 and State Highway 70 and east of CR 661 and Pine Level (West River Study Area). The BOCC shall initiate the following study area actions in pursuit of securing the objective of a more appropriate pattern of non-sprawling land uses in the aforementioned area, with supporting utilities that will in turn protect the environment and support the Urban Center Mixed Land Use:

1. The County will form a West Side Stakeholders group, comprised of stakeholders and other interested parties, to study how to further the above objective, and shall receive public feedback through the study area process.
2. If, as a result of such studies, the BOCC deems it necessary, the County will initiate a Comprehensive Plan amendment for the area in June 2008, or as part of the County’s upcoming Evaluation and Appraisal Report (EAR) process.
3. The BOCC will consider this area first, as part of any future County initiated density reallocations or County initiated new density increases.
4. The County will also further develop the existing Utility Master Plan for the area, ensuring all land use areas are properly planned for in sufficient detail to meet State requirements.
5. As part of any plan amendment to the County’s Comprehensive Plan, the County shall require that all utilities already be in place or otherwise guaranteed via a utility...
agreement, in the West River Study Area, prior to granting any zoning change implementing any future land use above the density presently allowed under the current zoning.

(6) At a minimum, the removal of the Rural Residential overlay area (1 unit to 5ac) and clustering of these units shall be required as part of the study area plan and subsequent amendment.

(7) Protection of the environmental features, including habitat, shall be considered throughout the process in assigning land use, clustering, restrictions of uses, preservation of open space, and other considerations, as such features are already considered throughout the Comprehensive Plan.

Objective 1.17: Transportation and Right-of-way Reservation. The County will ensure that future growth shown on the Future Land Use Map is supported by an adequate transportation network as displayed in the Interim 2040 Transportation Corridor Identification and Reservation Map (Map TEM-15).

MEASURABLE TARGET: Annual written description of projects either approved or denied as a result of lack of water/sewer line availability or plant capacity. Reports submitted annually to utility permitting agencies addressing usage, capacities, and future improvements or expansions.

Policy 1.17.1: The County shall prohibit proposed land use amendments that are anticipated to reduce the level of service for transportation facilities below adopted levels of standards.

Policy 1.17.2: Land uses that generate high traffic counts shall be encouraged to locate adjacent to arterial and collector roads.

Policy 1.17.3: The County shall require an adequate quantity of on-site parking to accommodate land uses, and encourage shared parking facilities for multiple uses.

Policy 1.17.4: The County shall require new developments to provide safe and convenient on-site pedestrian and vehicular traffic flow.

Policy 1.17.5: Residential neighborhoods shall be planned to include an efficient system of internal circulation to connect with external existing or future road and pedestrian systems.

Policy 1.17.6: Curb cuts and points of access to the transportation system shall be minimized.
Developments shall be required to share driveways and provide cross access between adjacent properties.

**Policy 1.17.7**: Developments will be required to provide necessary right-of-way, as part of the development process to allow for public roadway expansions.

**Policy 1.17.8**: Right-of-Way acquisition policies within the Transportation Element shall be followed via the development review process to ensure the provision of a sustainable transportation network at a reasonable cost, borne by those who directly impact it.

**Objective 1.18: Mobile Homes.** The County shall regulate the location of mobile home sites and communities and require the availability of the necessary facilities and services to ensure compatibility with other adjacent land uses.

**MEASURABLE TARGET**: *Existence of implementing zoning classifications and number of units in new construction plans approved each year pursuant to regulations governing the zoning classifications.*

**Policy 1.18.1**: Individual Mobile Homes shall be permitted in the Rural/Agricultural Future Land Use if consistent with the designated Zoning district. Group mobile home sites (parks and subdivisions) shall be permitted, where compatible, in Rural/Agricultural, Low and Medium Density Residential with the proper zoning and in compliance with density Policies.

**Policy 1.18.2**: The land uses and zoning districts currently permitting mobile home shall continue to be periodically reviewed for effectiveness.

**Policy 1.18.3**: Minimum design standards within the LDR’s shall continue to be reviewed periodically and further developed for individual mobile homes, mobile home parks and subdivisions, to include lot size, access, parking, buffering and screening, open space and recreation, and utilities.

**Policy 1.18.4**: In order to facilitate hurricane evacuation requirements, mobile home developments at a net density of greater than one (1) unit per acre shall have direct access to arterials or major collector roads and shall create onsite hurricane shelters.

**Policy 1.18.5**: Due to the increased chance of loss of property, mobile homes shall be prohibited within the Conservation Overlay Designation (COD).
Policy 1.18.6: Developers of new mobile home park projects shall provide for a Red Cross certifiable public storm shelter space sufficient to meet the needs of the development’s estimated population.

Objective 1.19: Public Utilities. The County shall require provision of land for utility facilities necessary to support development and will limit land development activities when such land for utility facilities is not available, as specified in the following policies:

**MEASURABLE TARGET:** Annual written description of projects either approved or denied as a result of lack of water/sewer line availability or plant capacity. Reports submitted annually to utility permitting agencies addressing usage, capacities, and future improvements or expansions.

Policy 1.19.1: Proposed development shall be reviewed in relation to existing and projected utility systems and any land needs of these systems; such as, water and sewer plant sites; transmission corridors for electric and other utilities; easements for maintenance; fire, police and emergency medical service sites.

Policy 1.19.2: No development orders or permits shall be issued unless it can be demonstrated that the land required by utility systems serving the County will be available.

Policy 1.19.3: DeSoto County central water and sewer service shall be required within the utility urban service area.

Objective 1.20: Public Schools. The County shall work jointly with the school board to site public schools and to increase the quality of life and local educational opportunities for its citizens.

**MEASURABLE TARGET:** School Board representation and participation on County Planning Commission, Board of Adjustment, Economic Advisory Committee and City-County-School District Coordination Committee.

Policy 1.20.1: Public schools shall be allowed in all future land use designations except in the Preservation land use category.

Policy 1.20.2: New school sites must not be adjacent to any noxious industrial uses or other property from which noise, vibration, odors, dust, toxic materials, traffic conditions or other disturbances that would have a negative impact.
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Policy 1.20.3: New schools should minimize detrimental impacts on residential neighborhoods, hospitals, nursing homes and similar uses through proper site location, configuration, design layout, access, parking, traffic controls and buffers.

Policy 1.20.4: Schools shall be located within or in close proximity to existing or anticipated concentrations of residential development, especially elementary schools.

Objective 1.21: Neighborhood Protection and Approved Projects. The County shall implement the policies listed below, which are intended to address specific land use issues that could not generally be addressed by the FLUM alone:

**MEASURABLE TARGET:** Development consistent with neighborhood protection policies.

**Policy 1.21.1:** Any Mixed Use Land Use Areas on the north side of Brown Road, for a minimum depth of 200 feet off the Brown Road right-of-way, shall be restricted to residential uses, which are low density in nature.

**Policy 1.21.2:** Lake Suzy Area (west of the Peace River and south of CR 761): Currently approved PUD’s and approved projects with mixed use, specifically commercial acreage, shall be permitted regardless of FLU category shown on the map. This shall include the following Planned Unit Developments: Stoneybrook Oaks, Sonoma Preserve, and Island Walk.

**Policy 1.21.3:** Up to 15 acres of commercial zoning shall be permitted at the NW corner of CR 769 and Peace River Street contiguous to the commercial portion of the US Homes PUD, final plat of Stoneybrook Oaks (in the SE corner of the property formerly owned by 3F Ranch) as part of a PUD submittal for that property.

**Policy 1.21.4:** The Mixed Use Land Use Area north of Fletcher Avenue and south of Highway 70 on the east side of Highway 17 shall be precluded from any new industrial zoning or use, except those permitted in accordance with the existing industrial districts in existence at the time of adoption of this comprehensive plan.

Objective 1.22: Concurrency Management. DeSoto County shall implement a development review process to ensure that development occurs where public facilities have sufficient capacity to serve the existing population, reservations of approved development orders, and for the needs of the development proposed, based on level-of-service standards as established by the Comprehensive
Plan, adopted in accordance with Section 163.3202(1), FS. and implemented through the procedures within the Land Development Regulations.

**MEASURABLE TARGET:**  Level of service of public facilities not degraded below adopted standards.

**Policy 1.22.1: General.** DeSoto County shall adopt and implement a concurrency management system and regulations which meet the following minimum standards:

1. Public facility and service capacity, consistent with public health and safety standards, shall be in place and available to serve new development no later than the issuance of a certificate of occupancy. The process for concurrency determinations shall be performed in accordance with all applicable policies of the Comprehensive Plan, and with the procedures described in the Land Development Regulations.

2. Concurrency determinations of sufficient capacity of public facilities to maintain adopted LOS standards for new development, shall account for existing population and for reservations of approved development orders in addition to the needs of the new development proposed.

3. DeSoto County shall integrate its concurrency management system, land use planning, and decisions with its plans for public facility capital improvement by using the Capital Improvements Element. The Capital Improvements Program shall maintain adopted levels-of-service standards for all development consistent with the Future Land Use Element and any subsequent development orders issued.

**Policy 1.22.2: Preliminary Development Orders.** Submittal for approval of preliminary development order, which does not establish binding densities and intensities of development, may be reviewed for concurrency as one criterion in the evaluation of the preliminary development order submittal.

1. The County shall determine the available capacity of public facilities prior to approving an intermediated final development order; and

2. No rights to obtain intermediate or final development orders, nor any other rights to develop the subject property, will have been granted or implied by the County's approval of the preliminary development order without determining the capacity of public facilities.

3. **Preliminary Development Orders.** These shall be Rezonings, Comprehensive Plan Amendments and similar development orders that do not necessarily reflect a specific intensity and density development proposal. They shall be orders for which a preliminary concurrency evaluation may be utilized in evaluating whether or not to approve the order and for which long-term planning implications may be considered, but for which
no concurrency is granted and for which the lack of concurrency shall not be the sole reason for denial of the preliminary development order.

Policy 1.22.3: Intermediate and Final Development Orders. Prior to the issuance of an intermediate or final development order, which establish binding densities and intensities of development, the County shall require the availability of sufficient capacity of public facilities to maintain adopted LOS standards for the existing population, for reservations of approved development orders, and lastly for the needs of the new development proposed, concurrent with the timing of the new development proposed.

(1) Intermediate Development Orders. These shall be site plans (development plans and special exceptions), preliminary plats, construction plan approvals (notice to proceed), and similar development orders that reflect a specific development proposal, that does not yet include vertical construction or the final division of property. These shall be orders for which a specific concurrency evaluation is required in evaluating whether or not to approve the order and for which capacity is reserved and may be held through the final development order process if the project proceeds according to the timelines of such approvals. The lack of concurrency may be the sole reason for denial of an intermediate development order.

(2) Final Development Orders. These shall be variances, building permits, and final plats and similar development orders that reflect a specific development proposal that includes vertical construction or the final division of property. These shall be orders for which a specific concurrency evaluation is required in evaluating whether or not to approve the order and for which capacity is reserved, unless such evaluation was done as an Intermediate Development Order and has not yet expired according to the timelines for such approvals. The lack of concurrency may be the sole reason for denial of a final development order.

Policy 1.22.4: Final Development Order Determination. A final development order (final concurrency determination), which establishes specific density and intensity of development shall not be issued, unless the following conditions for the provision of facilities are met (excluding approved intermediate development orders that have proceeded according to the timelines of such approvals):

(1) Are currently in place or will be in place when the final development order is issued;

(2) The development order is issued with the condition that the necessary facilities and services will be in place when the impacts of the development occur;

(3) Are under construction at the time of the final development order; or

(4) Are guaranteed by an enforceable agreement to be in place concurrent with the
impacts of the development.

(5) Are included in the 3-year funding portion of the DeSoto County Capital Improvements Program, including any adopted therein from outside agency three or five year plans (i.e. FDOT).

Policy 1.22.5: Concurrency Information/Data. The County will maintain a concurrency database and monitoring system which includes sufficient data to ensure that projects approved subject to minimum criteria for public facilities requiring a concurrency determination do not result in a reduction of the level of service below the adopted level-of-service standard.

(1) Roadways.

(a) County will maintain and provide level of services information as set forth in the Comprehensive Plan. Such data will include standard trip generation rates, an estimate of the average daily trips and peak hour trips generated by projects approved subject to minimum requirements for roadway capacity, and vested development, and an estimate of the capacity of existing and planned roadway, roadway intersection improvements absorbed by projects approved subject to above minimum requirements.

(b) If the preliminary level of service information indicates a level of service failure, the developer has two alternatives:
   1) Accept the level of service information as set forth in the Comprehensive Plan and as subsequent updated by County staff; or
   2) Prepare a more detailed capacity analysis

(c) If the developer chooses to do a more detailed analysis, the following procedure will be followed:
   1) Development Department staff will provide the developer with the acceptable methodology for preparing the alternative analysis.
   2) The developer will submit the completed alternative analysis to staff for review.
   3) County Staff will review the alternative analysis for accuracy and appropriate application of the methodology.

(d) If the alternative methodology analysis, after review and acceptance by the Development Department staff, indicates an acceptable level of service where the comprehensive plan indicates a level of service failure, the alternative methodology analysis will be used.

(e) If the developer is submitting an intermediate or final development order for a project and this alternative methodology analysis is approved, it can be used
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To obtain a Certificate of Concurrency, the specifics of which are set forth in the Land Development Regulations.

(f) If further analysis results in failing level of service, then the developer may choose to satisfy all transportation concurrency requirements by contributing or paying a proportionate fair-share mitigation pursuant to the provisions of Chapter 163.8180(16)(b)1.

(2) Recreation and Open Space, and Solid Waste.
   (a) The County will provide level of service information as set forth in the Comprehensive Plan.
   (b) If the level of service information indicates that the proposed project would not result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was available at the date of application of the intermediate or final development order.
   (c) If the level of service information indicates that the proposed project would result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was not available at the date of application. Procedures to notice the applicants of inadequate capacity shall be performed in accordance with the Land Development Regulations.

(3) Potable Water, Sanitary Sewer.
   (a) In order to guarantee provision of the minimum level of service, the County shall take the following steps:
      1) Begin internal planning and preliminary design for expansion when a plant’s Average Annual Daily Flow is equal to 60% of the permitted capacity;
      2) Prepare plans and specifications for expansion when a plant’s Average Annual Daily Flow is equal to 70% of the permitted capacity;
      3) Submit a complete construction permit application to the Florida Department of Environmental Protection for expansion when a plant’s Average Annual Daily Flow is equal to 80% of the permitted capacity;
      4) Submit an application for an operation permit for the expanded facility to all appropriate regulatory agencies when a plant’s Average Annual Daily Flow is equal to 90% of the permitted capacity.
   (b) Potable water supplies shall be consistent with the projected demand. Failure to provide sufficient supply for projected needs will result in denial of concurrency. All facilities shall be in place prior to issuing a certificate of occupancy or its functional equivalent.
(c) This requirement shall not apply for public facilities that serve fixed population.

Policy 1.22.6: Development Order Concurrency Approval. When an intermediate or final development order is approved for concurrency the following shall apply:

1. Determination of capacity is valid only for the uses and densities of development stated in the development order granted;
2. When the approval of the Development Order is no longer valid, the concurrency approval is also no longer valid.
3. Determination of available capacity is valid for all intermediated and final development orders for a length of time to be established by the Land Development Regulations, or a period of time negotiated by the County and developer, which is set forth in a binding agreement.

Policy 1.22.7: Development Order Concurrency Denial. When an intermediate or final development order is not approved for concurrency the following shall apply:

1. The Development order shall be denied; or
2. The Development order shall be modified in intensity or density or timing through phasing to be brought into compliance with the concurrency management system in the development order granted; or
3. The applicant agrees to build infrastructure to upgrade the deficient facilities to an acceptable level of service; or
4. The County accepts the guarantee of the development's pro rata share of the any needed capital improvements via a written agreement and in conjunction with one or more the following financial sureties, acceptable to the County in form and amount:
   a. performance bond
   b. irrevocable letter of credit
   c. prepayment of impact fees
   d. prepayment of capacity fees

Policy 1.22.8: DeSoto County may do one of the following if an applicant's pro-rata share of a public facility is less than the full cost of the facility.

1. Contract with the applicant for the full cost of the facility, including terms to reimburse the applicant for all cost above the pro-rata share; or
2. Obtain assurances from other sources; or
3. Amend the Comprehensive Plan to modify the adopted level-of-service standard to allow the applicant's development; or
4. Construct the excess capacity with funds from the applicant and public funds (if
available) and receive the remaining pro-rate share from future development as it occurs.

Policy 1.22.9: When a public facility LOS has fallen below the adopted standard and a moratorium on development orders is declared for that public facility the County shall seek to do one or more of the following, depending on the facility (The following are not listed in priority order):

1. Solicit state and federal resources to minimize or eliminate the moratorium;
2. Review the CIP for available projects and resources which may be available to maintain the LOS standard;
3. Seek private resources available to maintain the LOS and/or mitigate the impacts;
4. Exempt from the moratorium development which has been determined to be vested (the exemption is valid only for development uses and densities stated in the final development order).

GOAL 2: RESOURCE PROTECTION. Through 2040, the County shall seek to maintain and manage the County’s natural resources and significant historic resources by establishing a pattern of development that is harmonious with the County’s natural environment and quality of life.

Objective 2.1: Natural Resource Protection. The County shall maintain land development regulations that seek to protect natural resources (such as, groundwater, surface water, floodplains, wildlife habitat, wetlands and other vegetative communities) from the impact of development. Additionally, the County will limit development in areas that have inadequate soils, topography or other constraints to protect public health and welfare.

MEASURABLE TARGET: Incorporating into the Land Development Regulations Low Impact Development (LID) options, such as clustering, and the number of projects implemented LID options. Application(s) prepared and submitted for grants, or other funding sources, for the purchase of environmentally sensitive lands by 2030. New lands acquired by the public and protected by “Preservation” FLUM designation.

Policy 2.1.1: This will be done in accordance with the applicable elements within this document that address aquifer recharge, wellfields, water, sewer, floodplains, stormwater, wetlands, and soils and topography.

Objective 2.2: Historic Resource Protection. The County shall continue to encourage the preservation and protection of the historic resources in the County.
MEASURABLE TARGET: Annual written description of efforts to acquire State or Federal monies to conduct surveys, and gather data and provide incentives for the redevelopment and/or preservation of historic structures.

Policy 2.2.1: The County shall maintain a database of individual historic properties and/or structures in GIS.

Policy 2.2.2: The County shall annually pursue Federal monies to provide incentives for the redevelopment and upkeep of deteriorated historically significant properties.

Policy 2.2.3: The County shall evaluate incentives for property owners to restore properties through tax incentives, special zoning allowances, and other incentives.

Policy 2.2.4: The County shall apply for grants to conduct and update surveys of historic properties.

GOAL 3: PLANNING FRAMEWORK: EXISTING COMMUNITIES. Through 2040, establish a planning framework and implementation strategy for DeSoto County that shall preserve and enhance existing communities and that will provide:

(1) An approach to future growth and development that is compatible and consistent with the unique character of existing communities; and

(2) A logical extension of urban uses that successfully transitions to existing patterns of rural development.

Objective 3.1: Fort Ogden Community: Vision Statement. The County recognizes the Fort Ogden Community (as designated in the Interim 2040 Existing Community Overlay FLUEMS-7) and shall preserve the character of this community as a Rural Settlement.

Policy 3.1.1: Rural Settlement Planning Principles. The Design Principles that shall guide the growth, development and redevelopment within the Fort Ogden Community consistent with the Vision statement are as follows:

(1) Protect Rural Settlement Character. The elements of character that define a Rural Settlement include:

(a) Protection of scenic views including historic buildings and communities, the rural view shed along SR17, and the limitation of fencing to only those that are rural in character such as rail and field fencing;
(b) Continued use of the natural landscape, protection of open spaces and rural lighting forms; and

(c) Context sensitive design of transportation improvements that support the Rural Settlement.

(2) Protect existing neighborhoods. New development and redevelopment shall be designed in density and manner that is consistent and compatible with the existing neighborhoods within the Fort Ogden Community.

(3) Foster non-residential uses that serve as a rural lifestyle center. Mixed-use centers shall be sized and spaced to serve the daily and weekly needs of neighborhood residents. Non residential development shall be designed to incorporate architectural elements that celebrate local history, climate, ecology and building practice.

(4) Protect and enhance areas of historic significance.

(5) Preserve and protect rural areas adjacent to the Fort Ogden Community. A “rural buffer” shall be constructed to provide distinct edges to the Fort Ogden Community as a method to explicitly separate the urban community from adjacent rural areas. (See Figure I-1: Rural Buffer.)

Policy 3.1.2: Commercial Development Location Standards. A maximum of one Community Scale Center may be developed within the Fort Ogden Community along US Hwy 17. The maximum size of the Community Scale Center shall be 40 acres with a maximum of 250,000 square feet of leasable area. A maximum of two neighborhood scale centers may be developed within the historic center of Fort Odgen, and at the intersections of collector and/or arterial roads. The maximum size of each Neighborhood Scale Center shall be 5 acres with a maximum of 20,000 square feet of leasable area. All centers shall be separated a minimum of one mile from other commercial centers.

Policy 3.1.3: Rural Design Standards. In keeping with the rural character, all new development and redevelopment within the Fort Ogden community shall be constructed using rural design standards for nonresidential uses that address signage, landscaping, fencing, and lighting as provided for in the Land Development Code.

Policy 3.1.4: Protection of adjacent Rural Areas. Development within the Fort Ogden community that is adjacent to a rural land use designation shall provide a separation from the rural land use designation by providing either a transition of residential lot sizes on the perimeter of the area to lots sizes of at least 1 acre or larger or through a 100 foot Rural Buffer to protect these areas from the visual impacts of adjacent development. The 100-foot Rural Buffer as depicted shall have the following characteristics:
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(1) **Width.** The first fifty feet of the Rural Buffer are important for creating the adequate opacity for screening rural areas from new development.

(2) **Native landscape.** All plantings shall include native representatives of canopy and understory trees. The key to providing an adequate rural buffer is to maintain and plant native varieties of species that are representative of the locale in which they are planted. This requirement would promote the aesthetics of the visual barrier.

(3) **Proper use of existing vegetation.** Where sufficient existing native landscape exists at 85% opacity or higher, such landscape shall remain as part of the Rural Buffer.

**Objective 3.2: Nocatee Community: Vision Statement.** The County recognizes the Nocatee Community (as designated in the Interim 2040 Existing Community Overlay FLUEMS-7) and shall preserve the character of this community as a contemporary, mixed use community.

**Policy 3.2.1: Contemporary Planning Principles.** The Design Principles that shall guide the growth, development and redevelopment within the Nocatee Community consistent with the Vision statement are as follows:

(1) **Contemporary Character.** The elements of character that define Contemporary Character include:

   (a) Protection of existing neighborhoods from sensory intrusions of adjacent non-residential uses that may affect the long-term viability of those neighborhoods;

   (b) Requiring additional setbacks and buffers for residential and non-residential development adjacent to collector and arterial roadways to minimize the impacts of future roadway improvements; and

   (c) Limit industrial uses adjacent to residential uses or residentially zoned property.

(2) **Protect existing neighborhoods.** New development and redevelopment shall be designed in density and manner that is consistent and compatible with the existing neighborhoods within the Nocatee Community;

   (a) Fosters social and civic engagement. Mixed-use centers shall be required to serve the daily and weekly needs of neighborhood residents and shall be sized and spaced accordingly.

   (b) Preserve and protect rural areas adjacent to the Nocatee Community. A “rural buffer” shall be constructed to provide discrete edges to the Nocatee Community as a method to explicitly separate the urban community from adjacent rural areas. (See Figure I-1: Rural Buffer.)

**Policy 3.2.2: Commercial Development Location Standards.** A maximum of one Community Scale Center may be developed within the historic center of the Nocatee Community.
along US Hwy 17. The maximum size of the Community Scale Center shall be 40 acres with a maximum of 250,000 square feet of leasable area. A maximum of two neighborhood scale centers may be developed at the intersections of collector and/or arterial roads and shall be separated approximately one mile from other commercial centers. The maximum size of each Neighborhood Scale Center shall be 5 acres with a maximum of 20,000 square feet of leasable area.

**Policy 3.2.3: Protection of adjacent Rural Areas.** Development within the Fort Ogden community that is adjacent to a rural land use designation shall provide a separation from the rural land use designation by providing either a transition of residential lot sizes on the perimeter of the area to lots sizes of at least 1 acre or larger or through a 100 foot Rural Buffer to protect these areas from the visual impacts of adjacent development. The 100-foot Rural Buffer as depicted in Figure I-1 shall have the following characteristics:

1. **Width.** The first fifty feet of the Rural Buffer are important for creating the adequate opacity for screening rural areas from new development.
2. **Native landscape.** All plantings shall include native representatives of canopy and understory trees. The key to providing an adequate rural buffer is to maintain and plant native varieties of species that are representative of the locale in which they are planted. This requirement would promote the aesthetics of the visual barrier.
3. **Proper use of existing vegetation.** Where sufficient existing native landscape exists at 85% opacity or higher, such landscape shall remain as part of the Rural Buffer.

**Objective 3.3: Arcadia Urban Expansion Area: Vision Statement.** The County recognizes the Arcadia Urban Expansion Area (as designated in the Interim 2040 Existing Community Areas Overlay FLUEMS-7) and shall guide the development of these lands into compact, mixed-use, pedestrian friendly neighborhoods connected by areas of permanent open space. The form of new development within the expansion area is intended to extend the historic development patterns of the existing “central city” and to reinforce the vision of Arcadia as a City and not as a central city surrounded by suburban sprawl development.

**Policy 3.3.1: Arcadia Urban Expansion Area Philosophy.** The policies and standards of the Arcadia Urban Expansion Area as provided herein are designed to:

1. Preserve and strengthen existing neighborhoods;
2. Preserve and strengthen the existing Arcadia downtown;
3. Plan for the logical extension of urban development in a traditional form that is consistent with the function of the City;
4. Reduce automobile trips and trip lengths;
Policy 3.3.2: Guiding Principles. Developments within the Arcadia Urban Expansion Area including lands that are designated as Urban Center Mixed Use and Neighborhood Mixed Use future land use categories shall exhibit all of the following characteristics:

1. Neighborhoods shall form the basic building block for development within the Arcadia Urban Expansion Area and shall be characterized by a mix of residential housing types that are distributed on a connected street system;

2. Neighborhoods shall include compact design that includes a system of land subdivision and development which links one neighborhood to another;

3. All streets shall be interconnected and designed to balance the needs of all users, including pedestrians, bicyclists and motor vehicles, and shall be built with design speeds that are appropriate for neighborhoods;

4. Alternatives for pedestrians and bicyclists shall be maintained through the provision of sidewalks, street trees and on-street parking which provide distinct separation between pedestrians and traffic, spatially define streets and sidewalks by arranging buildings in a regular pattern that are unbroken by parking lots; and provide adequate lighting that is designed for safe walking and signage which has a pedestrian orientation;

5. There shall be sufficient non-residential uses to provide for the daily needs of neighborhood residents as further regulated herein.

Policy 3.3.4: Standards for Review. All development shall conform to the Arcadia Urban Expansion Area Philosophy and Principles as enumerated herein and demonstrate the following:

1. That the development complies with all applicable County environmental preservation regulations provided, however, that the development shall also separately comply with applicable federal and state environmental preservation regulations;

2. That the location of the developed areas on the site respects existing natural and environmental features on the site;

3. That the integrity of the mixed-use district is not compromised by allowing extensive single-uses. The land use mix shall be phased to provide an adequate mix of non-residential uses to serve residential development;

4. That the required on-site and off-site infrastructure will be available to serve each development and phase of development as it is constructed.
Policy 3.3.5: *Development Design.* The County shall require Traditional Neighborhood Design (TND) and landscaping for new residential construction and redevelopment through the land development regulations and development review process consistent with the provisions of this Objective.

Policy 3.3.6: *TND Principles.* DeSoto County shall adopt TND development standards into the Land Development Code by December 2010 that are consistent with the following principles of Traditional Neighborhood Design (TND):

1. **Mixed Uses.** A mixture of non-residential and residential uses of various densities, intensities, and types designed to promote walking between uses and a variety of transportation modes such as bicycles, pedestrian and automobiles.

2. **Functional Neighborhoods.** Residential areas are located and designed as neighborhoods, which embrace a full range of urban facilities including neighborhood retail centers, a variety of housing types, public/civic space and a variety of open space amenities, schools, central water and sewer, and fire/safety accessibility.

3. **Walkable Streets.** Integrated neighborhoods and compact Development that designs a community based on reasonable walking distances, the location of parking, and the design of streetlights, signs and sidewalks.

4. **Interconnected Circulation Network.** An interconnected street system that prioritizes pedestrians and bicycle features and links neighborhoods to shopping areas, civic uses, parks and other recreational features.

5. **Respect for Natural Features.** Development activity recognizes the natural and environmental features of the area and incorporates the protection, preservation and enhancement of these features as a resource amenity to the development.

Policy 3.3.7: *Street Network.* Developments within the Arcadia Urban Expansion Area shall be required to construct interconnected networks of streets in a block pattern that encourages walking, reduces the number and length of automobile trips, and conserves energy. On-street parking will be included where appropriate to support adjacent land uses. The street networks shall be connected and dead-end streets will be prohibited except when necessary next to geographical features or at the edge of development.

Policy 3.3.8: *Commercial Development Location Standards.* Community Scale Centers may be developed within the Urban Center land use designation of the Arcadia Urban Expansion Area at the intersections of collector and/or arterial roads. The maximum size of each Community Scale Center shall be 40 acres with a maximum of 350,000 square feet of leasable area. A maximum of three neighborhood scale centers may be developed within the
Arcadia Urban Expansion Area at the intersections of collector and/or arterial roads and shall be separated approximately two miles from other regional scale commercial centers and approximately one mile from other neighborhood or community scale commercial centers. The maximum size of each Neighborhood Scale Center shall be 5 acres with a maximum of 20,000 square feet of leasable area.

**GOAL 4: PLANNING FRAMEWORK: NEW COMMUNITIES.** Through 2040, the County shall establish a planning framework and implementation strategy for DeSoto County for the creation of new communities that will enhance the livability of the County and that will provide:

(1) A “smart growth” approach to accommodate additional growth and new development in a sustainable form focusing on compact growth, connectivity and protection of rural areas and natural resources;

(2) Long-term mobility; and

(3) A logical extension of urban uses that successfully transitions to existing patterns of rural development.

**Objective 4.1: New Communities: Planning Framework.** The County recognizes two New Communities (as designated in the Interim 2040 New Community Area FLUEMS-8) and shall prevent low density sprawl development by guiding the development of these lands into compact, mixed-use, pedestrian friendly Villages with large expanses of permanent Open Space.

**Policy 4.1.1: New Communities Intent.** The planning guidelines and standards for New Communities are established to require these areas to be master-planned through the PUD process and to design the developed area in the form of “Villages” that will:

(1) Plan for the logical extension of urban development in a more sustainable form;

(2) Provide for a variety of land uses and lifestyles to support residents of diverse ages, incomes, and family sizes, including workforce housing for residents of DeSoto County;

(3) Reduce automobile trips and trip lengths in mixed use areas;

(4) Create efficiency in the utilization, planning and provision of infrastructure, including using the location of existing and planned infrastructure;

(5) Provide for the integration of civic uses conducive to optimum access including but not limited to: schools, public safety, libraries and parks;

(6) Preserve and protect rural areas; and

(7) Preserve environmental systems and functional open spaces.

**Policy 4.1.2: Design Framework and Form.** The required development pattern within the New Communities designated on FLUEMS-8 shall be in the form of Villages that shall:
(1) Be formed around neighborhoods that include a broad range of family sizes and incomes in a variety of housing types including workforce housing units, which are integrated with commercial, office and civic uses (including schools, public safety, libraries and parks);

(2) Support a fully connected system of streets and roads that encourage alternative means of transportation such as pedestrians, bicycle, and transit; and

(3) Integrate permanently dedicated open space.

(4) County approval of a Master Plan, shall be required prior to the commencement of any specific Village development.

Policy 4.1.3: Village Requirements. Villages are a collection of Neighborhoods that have been designed so that a majority of the housing units are within a walking distance of a Neighborhood Center. Villages shall be supported by internally designed, mixed-use Village Centers (designed specifically to serve the daily and weekly retail, office, and civic uses and services needs of Village residents), and the Village shall provide large expanses of Open Space that are designed to protect the character of the rural landscape and provide separation between Villages and existing rural areas.

Each community shall provide a minimum average gross density of three (3) dwelling units per acre within the Urban Center (village). A minimum of ten percent of all units shall qualify as some combination of affordable or workforce housing. These units shall be concentrated within close proximity to village centers, community scale centers or neighborhood scale centers.

<table>
<thead>
<tr>
<th>New Community 1</th>
<th>Maximum Size:</th>
<th>5,702 acres</th>
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<tbody>
<tr>
<td>New Community 2</td>
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<td>4,311 acres</td>
</tr>
<tr>
<td>Minimum Open Space Inside the Urban Area (Within the Urban Center Mixed use future land use designation and the Low Density Residential future land use designation)</td>
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</tr>
<tr>
<td>Minimum Open Space Outside the Urban Area (Within the Rural future land use designation)</td>
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<tr>
<td>Residential Development New Community 1</td>
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<td>10,000 d.u.’s</td>
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<tr>
<td>Residential Development New Community 2</td>
<td></td>
<td>13,500 d.u.’s</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Village Center – Regional Scale Center</th>
<th>Maximum Size</th>
<th>100 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village Center Maximum Size</td>
<td></td>
<td>750,000 gross leasable sq. ft.</td>
</tr>
</tbody>
</table>
Village Center Land Use Mix Developed Land | Minimum Land Area | Maximum Land Area
--- | --- | ---
Residential | 25% | 50%
Single-family (W % of units) | W 10% | W 50%
Multi-family (W % of units) | W 50% | W 90%
Commercial/Retail/Office | 30% | 60%
Public/Civic | 10% | N/A
Public Parks | 5% | N/A

Note: N/A means Not Applicable.

Policy 4.1.4: Overall Design Principles. The design principles that shall guide the growth and development within the New Communities of DeSoto County shall be consistent with the following principles of Traditional Neighborhood Design (TND):

1. **Village Centers with Mixed Uses.** A mixture of non-residential and residential uses of various densities, intensities, and types designed to promote walking between uses and a variety of transportation modes such as bicycles, pedestrian and automobiles. Village Centers shall consist of the highest density within the community. A net density of five (5) dwelling units per acre or greater shall be required.

2. **Functional Neighborhoods.** Residential areas are located and designed as neighborhoods, which embrace a full range of urban facilities including neighborhood retail centers, a variety of housing types, public/civic space and a variety of open space amenities, schools, central water and sewer, and fire/safety accessibility.

3. **Walkable Streets.** Integrated neighborhoods and compact Development that designs a community based on reasonable walking distances, the location of parking, and the design of streetlights, signs and sidewalks.

4. **Interconnected Circulation Network.** An interconnected street system that prioritizes pedestrians and bicycle features and links neighborhoods to shopping areas, civic uses, parks and other recreational features.

5. **Respect for Natural Features.** Development activity recognizes the natural and environmental features of the area and incorporates the protection, preservation and enhancement of these features as a resource amenity to the development.

6. **Protects the character of adjacent rural areas.** The low density character of rural areas shall be protected through specific design standards that require the placement of open space and buffer areas in locations that are designed to establish a permanent, finite edge of urban development.
Policy 4.1.5: Village Characteristics. Village developments shall exhibit all of the following characteristics:

1. Villages shall include a design in which the majority of housing is within walking distance of a Village Center Community Scale Center, Neighborhood Scale Center, or Neighborhood Focal Point, with the higher densities closer to the Center. A Neighborhood Focal Point may include public spaces such as parks, schools and other civic uses.

2. Village Centers shall be designed with sufficient non-residential uses to provide for the daily needs of Village residents in a Traditional Neighborhood Design (TND) form as specified in the Comprehensive Plan and Land Development Code;

3. Villages shall include a range of housing types that supports a broad range of family sizes and incomes. A minimum of 20 percent of the housing type within the village shall be multifamily units. A minimum of 50% of the village center residential units shall be developed as attached/multifamily units;

4. Villages shall include compact design that includes a system of land subdivision and development which links one Neighborhood to another;

5. Villages shall include interconnected streets that are designed to balance the needs of all users, including pedestrians, bicyclists and motor vehicles, and which are built with design speeds that are appropriate for Neighborhoods;

6. Villages shall include alternatives for pedestrians and bicyclists through the provision of sidewalks, street trees and on-street parking which provide distinct separation between pedestrians and traffic, spatially define streets and sidewalks by arranging buildings in a pattern that is unbroken by parking lots; and provide adequate lighting that is designed for safe walking and signage which has a pedestrian orientation; and

7. Villages shall provide both Open Space and Recreational Space.

Policy 4.1.6: Commercial Separation. Village Scale Centers, Community Scale Centers and Neighborhood Scale Centers shall be separated from one from another. In order to insure that non-residential development within the Village does not (1) become identified as strip commercial development; or (2) co-locate multiple non-residential use types in one location in such a manner as to subvert the appropriate market service area, Community and Village Scale centers shall be separated by a minimum of at least 2 (two) miles and Neighborhood Scale Centers at least 1(one) mile, from other commercial or office development. No single use may occupy the entire center.

Policy 4.1.7: Master Planned Community. Village-type development is determined to represent the long-term compatible development form for the New Community areas and each New
DeSoto County 2040 Comprehensive Plan  
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Community is required to be master planned through the County’s Planned Unit Development zoning process. The development approval process for each of the two New Communities identified in FLUEMS-8 is regulated as follows:

1. **Rezone and Master Plan Process.** All areas within the overlay for each New Community as depicted in FLUEMS-8 shall be reviewed and approved as one master planned project within interconnected facilities regardless of property ownership through the rezoning and master plan approval process.

2. **New Community 1:** Located along SR 31, east of CR 760A and approximately seven miles south of the city of Arcadia. The total residential development permitted within the boundary of this New Community is limited to 10,000 dwelling units. The New Community 1 overlay includes a total of 5,693 acres.

3. **New Community 2:** Located along both sides US Hwy 17 between Ft. Ogden and Nocatee. The total residential development permitted within this New Community is 13,500 dwelling units. The New Community 2 overlay includes a total of approximately 4,311 acres.

4. All New Community areas shall provide a mix of densities consistent with the future land use categories assigned within each overlay area.

5. If a New Community does not utilize the maximum density permitted for the property under the FLUM, either through a Planned Unit Development approval process, which is required to implement the New Community, or if all or a portion of the property designated New Community remains without a Planned Unit Development approval, which is still in effect through 2015, then DeSoto County shall have the ability to reallocate, reduce or remove the density allocated for that New Community. The density must be reallocated through a plan amendment to re-designate the density to a more suitable location in the county. Any re-designation or reallocation will be evaluated based on the data and analysis requirements of Chapter 163, F.S., including a demonstration of need and discouraging urban sprawl.

**Objective 4.2: Urban/Rural Separation.** To create a clear delineation between rural and urban areas through the application of transitional land uses from urban densities to rural densities and compatible adjacent land uses on the future land use map, provision of adequate, permanently dedicated open space, and the inclusion of appropriate rural buffers, where necessary.

**Policy 4.2.1: Rural Protection.** Development within New Communities requires permanently dedicated Open Space to support the rural protection goals of this Plan. The prioritization for the placement of required open space within each New Community is based upon the preservation of important environmental features and systems as one means of establishing
permanent edges to urban development. The County shall utilize the placement of required open space and Rural Buffers to create a definitive edge that protects rural areas from more intense urban areas. The intent of these buffers is to provide a visual landscape buffer to screen urban development from the rural settlement. Example rural buffer illustrations are included in Figure I-1.

**Objective 4.3: Connected Street Network.** To insure that new development within the New Communities creates a connected street network that extends the existing street network connections and requires new street network connections in a manner that preserves and enhances local and regional connectivity throughout DeSoto County.

**Policy 4.3.1: Grid Network.** Village developments within the New Communities shall be required to construct interconnected networks of streets in a block pattern that encourages walking, reduces the number and length of automobile trips, and conserves energy. On-street parking will be included where appropriate to support adjacent land uses. The street networks within Villages shall be connected and dead-end streets will be prohibited except when necessary next to geographical features or at the edge of development.

**Policy 4.3.2: Connected, Multi-Modal Transportation System.** The transportation system for the New Communities shall provide multi-modal capabilities and be connected through a network of streets that are visually appealing and supportive of non-motorized travel modes including bikeways, sidewalks, and trails. The visual and functional characteristics of streets are important in the design of the community and shall be guided by the following design principles:

1. Streets should be designed with attention to maintaining the visual integrity of the community and shall include sidewalks, street trees and landscaped medians and other rights of way;
2. Streets should be designed to accommodate a mix of travel modes including vehicles, bikes and pedestrians;
3. Streets should be designed holistically considering the pavement, curbing, bikeways, pedestrian-ways, lighting, signs, front yard setback areas and building facades; and
4. Neighborhood streets should be designed to address two specific goals, connectivity and protection of the neighborhood. This design should be accomplished by providing connections to adjacent activities and neighborhood-serving businesses with streets that offer multiple route choices but do not encourage cut-through traffic.
Policy 4.4.2: Context Sensitive Design. The County shall require that all new or improved roadways within the Villages be designed and constructed in a manner that is supportive and reflective of adjacent land uses and development patterns consistent with the standards set forth herein.

GOAL 5: ENERGY PRODUCTION. Through 2040, the County shall pursue actions to encourage the production of renewable energy sources. The actions include specifically encouraging electrical generation from renewable sources, such as utility grade solar.

Objective 5.1: Energy Planning. In cooperation with energy suppliers, the County shall institute a comprehensive, long-term continuous and action-oriented energy planning and public engagement strategy that places a high priority on citizen involvement.

Policy 5.1.1: DeSoto County should sponsor a county-wide “Energy Summit” to spearhead the engagement of citizen and energy supplier involvement.

Policy 5.1.2: Establish an Energy Advisory committee whose purpose is as follows:
(1) To act in an advisory capacity to the DeSoto County Commissioner and County staff on community-wide energy-related matters;
(2) To assist and educate the general public, realtors, developers, building contractors, and trades, labor groups, and financial lending institutions in energy conservation and matters related to renewable/alternative forms of energy-related matters;
(3) To assist in the development of a recognition and reward program for outstanding energy efficient performance for future and retrofit building and development in DeSoto County; and
(4) To monitor any modification to the Florida Building Code related to energy conservation and report same to the DeSoto Board of County Commissioners.

Objective 5.2: Energy Production. Encourage energy production from renewable resources where feasible.

Policy 5.2.1: Encourage the expansion of utility grade solar generation and development of other renewable energy opportunities as appropriate, within DeSoto County.

Policy 5.2.2: In coordination with energy suppliers investigate options for public/private partnerships in the generation of electricity from renewable sources such as roof top solar facilities.
Objective 5.3. Best Management Practices. Evaluate the applicability of best management conservation practices in DeSoto County facilities.

Policy 5.3.1: Evaluate energy conservation practices in county operations, buildings, and incorporate feasible sustainable energy options to be a model of sustainability and to reduce carbon emissions.

Policy 5.3.2: Identify conservation opportunities in DeSoto County facilities and operations and prepare a periodic energy consumption and conservation report to the DeSoto County Board of County Commissioners.

Policy 5.3.3: Develop and maintain an employee suggestion program to receive and evaluate suggestions from DeSoto County employees on how to conserve energy in County operations, and provide incentives for those suggestions acted upon which result in energy conservation or reduced consumption.

Objective 5.4.: Land Management. Encourage and manage land use patterns in conjunction with innovative transportation strategies that serve to optimize energy conservation with sound economic, environmental, and social principles.

Policy 5.4.1: Promote increases in land use densities and intensities along high volume transportation corridors and establish urban clusters, preserving rural land for agriculture and conservation in accordance with the patterns established on the Future Land Use Map.

Policy 5.4.2: Encourage clustered residential growth and higher densities, proximate to employment centers with multi-modal opportunities.

Policy 5.4.3: Encourage the design of urban areas that limit both the number and length of required trips (VMT) and offer more energy efficient transportation option by:

1. Integrating the built environment for living, working, commerce, culture, and recreation and green space;
2. Developing a system of safe, multi-modal transportation choices that give opportunity to greater energy efficiency use (e.g. walking, biking, transit, and roadways designed for more efficient automobile use);
3. Apply the principles of transportation system management (TSM) and transportation demand analysis (TDM) to the establishment of a more energy efficient roadway and...
grid system; and

(4) Encourage linkage of employment centers to urban mixed use areas to reduce VMT and greenhouse gas production.

**Objective 5.5: Efficient Energy Use and Conservation Incentives.** Maintain the applicable incentives based policies, codes, and ordinances to promote efficient energy use and conservation in land use and transportation.

**Policy 5.5.1:** Periodically review, update and amend the zoning regulations so that they do not act as a barrier to the installation and application of energy efficiency and solar and renewable resource measures in all new developments.

**Policy 5.5.2:** Investigate the feasibility of utilizing a local improvement district or special district concept (i.e. solar, wind and geothermal overlay zones) as a means of encouraging energy conservation and sustainability.
GOAL 1: TRANSPORTATION SYSTEM. Through 2040, provide a safe, efficient and convenient transportation system for motorized and non-motorized users of the DeSoto County transportation network.

Objective 1.1: Level of Service. The County shall adopt and adhere to level of service standards for arterial and collector streets.

Policy 1.1.1: Service Standards. The County establishes the following peak hour /peak directional level of service standards for collector, arterial, local, and limited access facilities in the County.

<table>
<thead>
<tr>
<th>ROADWAY TYPE</th>
<th>STATE ROAD URBANIZED AREA</th>
<th>STATE ROAD OUTSIDE URBANIZED AREA</th>
<th>COUNTY ROAD</th>
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<tr>
<td>Limited Access Facilities</td>
<td>D</td>
<td>C</td>
<td>D</td>
</tr>
<tr>
<td>Controlled Access Highway</td>
<td>D</td>
<td>C</td>
<td>D</td>
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<tr>
<td>Other Multi-lane Roads</td>
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</tr>
<tr>
<td>Two-lane Roads</td>
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</tbody>
</table>

Policy 1.1.2: Level of Service Maintenance. The County shall maintain levels of service through its concurrency management system. Roads at or below the level of service shall be monitored at an even higher level to prevent future Level of Service deterioration.

Policy 1.1.3: Level of Service SIS and FISH Facilities. Level of Service for rural two-lane roadways which are recognized as SIS and FISH facilities, such as State Road 70 and US Highway 17, are designated as “C” pursuant with F.A.C. 14-94.003. All two-lane rural roadways shall also be considered “C.”

Objective 1.2: Roadway Network. The County shall undertake measures designed to assist in the free flow of traffic along major roads and strive to maintain and improve the LOS on those roadways if at any time they operate at a lower LOS than the adopted standard.

Policy 1.2.1: Traffic Counts. The County will maintain a record of traffic counts for all major roadways in the County’s network, and update those records on an annual basis.

Policy 1.2.2: Accident Frequency. The County will coordinate with local and state law enforcement agencies to compile accident frequency and location reports for all local collector and arterial roads for annual review.
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Policy 1.2.3: Accident Reduction. The County will continue to implement procedures to reduce accidents in areas of high accident frequency, including the provision of improved signage, safety mechanisms and design features. Where appropriate, funding assistance shall be requested from the relevant regional or state entity.

Policy 1.2.4: Roadway Monitoring. The County will continue to monitor all major roadway levels of service, so as to devise methods and budget monies to alleviate deficiencies.

Policy 1.2.5: Disaster Preparedness. DeSoto County emergency management officials shall update their disaster preparedness plan by addressing evacuation procedures, the need for signage, and the availability and need of shelters.

Policy 1.2.6: Emergency Evacuation. DeSoto County emergency management officials shall work with the Florida Department of Transportation and the Florida Department of Community Affairs to ensure that emergency evacuation routes into and through the County are maintained and are not assigned unmanageable numbers of vehicles and evacuees in times of natural or man-made disaster.

Policy 1.2.7: Interconnecting Roads. Cul-de-sacs will not be encouraged when interconnecting roads are necessary to prevent traffic dumping on collector and arterial roads, and where substantial traffic benefits can be provided to the community.

Policy 1.2.8: Access Points. The County shall require that future subdivisions with 50 units or more, at a minimum, have at least two (2) points of access open to motor vehicle traffic. Secondary access points, at the discretion of the BOCC and as further defined in the LDR’s may be established as emergency only access points per County standards.

Policy 1.2.9: Off-Site Access. Subdivisions shall be required to “stub-out” to adjoining undeveloped lands to promote road connectivity.

Policy 1.2.10: Roadway Connectivity. Subdivisions shall connect to existing roadways that are “stubbed-out” at their boundaries, when such connections provide substantial traffic benefits (or future benefits) to the community. This is especially relevant when extending collector and arterial roadways.

Policy 1.2.11: Landscaping/Streetscaping. The County will include landscaping and streetscaping as roadway design components in order to enhance the aesthetic and safety of the road for all users.
Policy 1.2.12: Road Beautification. The County shall apply for a minimum of one grant every two years for median landscaping and road beautification, until the major roadway entrances to the County, SR 70, I US17, SR 72, CR769, SR 31 are complete.

Policy 1.2.13: Mandated Arterial Access. DeSoto County shall require high-traffic generating development and certain zoning districts and uses generally associated with such developments, to have direct access to the arterial or collector network. High-traffic generators and zoning districts and uses shall be defined in the LDR's (see policy 1.2.14, below for additional clarification).

Policy 1.2.14: Traffic Study. High traffic generators shall require a project-specific traffic study. The study will include methodology accepted by the County and will evaluate, at a minimum, existing traffic conditions and LOS, determine project traffic generation, cumulative traffic conditions, mitigation of traffic impacts for on- and off-site, and evaluate LOS for transportation linkages to collector and arterial roadways, if appropriate.

Policy 1.2.15: Additional Studies. Additional traffic studies and specific segment analysis may be required if a segment is at or below acceptable LOS.

Objective 1.3: Concurrency Management System. Concurrency Management is a systematic process to ensure that the transportation facilities necessary to support a proposed development are available, or will be made available, concurrent with the impacts of the development.

Policy 1.3.1: Level of Service. The evaluation of Level of Service (LOS) shall include existing conditions, approved projects and trips, future conditions and future LOS, among others. Combined, these items will assist the County in determining available capacity for each designated link within the roadway network.

Policy 1.3.2: Concurrency Management. As part of the Concurrency Management System, the County shall continue to review all proposed new developments for their impact on adopted roadway Level of Service.

Policy 1.3.3: Consistency. All development shall be consistent with the adopted Long-Range Transportation Plan and Concurrency Management System.
Objective 1.4: Long-Range Concurrency Management. DeSoto County shall initiate and maintain a 15-year concurrency management system to address backlogged facilities. Two transportation facilities are designated as backlogged. These facilities are SR 70 west of the City of Arcadia and US 17 immediately south of the City of Arcadia.

Policy 1.4.1: LOS for SIS Facilities. The adopted LOS for SIS is “C.” However, during the 15-year long-range concurrency management timeline, the identified backlogged facilities shall not be permitted to fall below LOS “E.”

Policy 1.4.2: Monitoring. The County shall bi-annually monitor the level of service for significant increases in expected background traffic for each segment. The existing conditions will be compared to assumed growth rates of the 2040 HRTPO Long-Range Transportation Plan.

Policy 1.4.3: Impact on Backlogged Facility. Any applicant for development shall provide evidence that their project or phase is not creating a significant impact. If a significant impact is expected, a detailed segment analysis of the appropriate backlogged facility shall be provided to the County.

Policy 1.4.4: Financial Evaluation Backlogged Facilities. Every five years the County shall provide a major financial evaluation of the 15-Year CIP for the backlogged facilities. This evaluation will determine if the corresponding funding schedule remains accurate. Any changes to schedule require an amendment to the CIP. Any shift of funding beyond three years of the original plan year shall be requiring the County to address the fiscal impacts on the project. If any planned funding is moved beyond the 15-year CIP and the LOS is projected to fall below “E” within one year, then new development orders, such as rezoning and future land use map amendments, shall not be approved until such time as the impacts can be mitigated. Mitigation can be achieved through additional sources of revenue for funding of improvements (i.e. grants, impact fees) or a Developers Agreement requiring necessary improvements to be completed consistent with concurrency management requirements detailed within this plan.

Policy 1.4.5: Proportionate Fair-Share. The County shall consider the adoption of a proportionate fair-share ordinance.

Objective 1.5: Future Land Use, Housing and Population. The County shall coordinate the transportation system with the adopted Future Land Use Map series and shall ensure that existing and developing population densities, housing and employment patterns,
and land uses are consistent with the transportation modes and services proposed to serve these areas.

**Policy 1.5.1: FDOT Work Program Consistency.** The Comprehensive Plan shall be monitored for consistency with FDOT five- and ten-year work programs, as well as any proposed regional roadways, such as an I-75 by-pass. If such roadway is approved or changes occur to the FDOT work program, then the County shall update the Long-Range Transportation Plan to be consistent.

**Policy 1.5.2: Amendments of Land Use Map and Zoning.** Applications for future land use or zoning amendments to more intensive designations shall be considered in conjunction with existing, undeveloped land densities and platted lots of record in the context of long range planning for improvements to the countywide transportation system.

**Policy 1.5.3: Analysis of FLUM and Zoning Amendments.** The County’s shall consider the potential maximum impacts of all Future Land Use map and zoning amendments on the LOS for all roadways directly and indirectly affected by the amendment when making such decisions. However, specific impacts and any required roadway improvements shall only be determined based on the submittal of a defined development proposal as part of the County’s overall concurrency system.

**Policy 1.5.4: Transportation Element Update.** The Transportation Element shall be reviewed and updated as needed with each amendment to the Future Land Use Element.

**Objective 1.6: Intergovernmental Coordination.** The County transportation system shall be coordinated with the work plans and programs of the City of Arcadia and FDOT’s Transportation Plan.

**Policy 1.6.1: Coordination with FDOT Work Program.** The County shall continue to coordinate and prioritize scheduled transportation improvements according to the DeSoto County Road Improvement Program and the Florida Department of Transportation adopted Five-Year Work Plan.

**Policy 1.6.2: Future Transportation Needs.** The County shall coordinate its future transportation needs by attending, when necessary, public hearings on the FDOT’s adopted Five-Year Transportation Plan.
Policy 1.6.3: Consistency with FDOT Transportation Plan. The County Planning and Public Works Departments shall review subsequent versions of the FDOT adopted Five-Year Transportation Plan, in order to update or modify this element, as necessary.

Policy 1.6.4: Designation of High Accident Areas. The County shall continue to coordinate with Florida Department of Transportation, the Florida State Highway Patrol, the Department of Highway Safety and Motor Vehicles and the DeSoto County Sheriff’s Department to establish and implement criteria for the local designation of high accident areas on the County’s road system.

Policy 1.6.5: Signal Synchronization. The County shall coordinate with the City of Arcadia and FDOT on traffic flow management system (signal synchronization) for all future signalization that affects their roadways.

Policy 1.6.6: Driveway/Road Connections. The County shall coordinate with the City of Arcadia and FDOT on all connections and access points of driveways and roads to their respective roadways.

Policy 1.6.7: City/County Edge Planning. DeSoto County shall continue to coordinate with the City of Arcadia to monitor traffic impacts that result from development permitted by the City or the County adjacent to the City limits.

Policy 1.6.8: Inter-governmental Coordination. The County shall continue to coordinate with adjacent counties regarding adopted comprehensive plans or other transportation plans.

Objective 1.7: Rights-of-Way. The County shall provide for the protection of existing and future Rights-of-Way consistent with the Interim 2040 Transportation Corridor Identification and Reservation Map (Map TEM-16).

Policy 1.7.1: Rights-of-Way Protection. Existing Rights-of-Way, as identified by DeSoto County, shall continue to be protected from building encroachment through the use of setback requirements or other means as established in the land development regulations.

Policy 1.7.2: Rights-of-Way Acquisition. County resources shall be focused on urban and urbanizing areas demonstrating the most need and fiscal return on public investment. A priority listing of needed Rights-of-Way for the purpose of orderly and economical land acquisition shall be developed and updated annually.

Policy 1.7.4: Roadway Dedication. The County shall require that roadways be dedicated to the public when there is a compelling public interest for the roadways to connect with existing public roadways.

Policy 1.7.5: Rights-of-Way Widths. Whenever possible, the County should ensure it acquires adequate widths of Rights-of-Way to allow for the construction of bicycle ways along future roadways.

Policy 1.7.6: Criteria for Rights-of-Way Dedication. The County shall require dedication of appropriate right-of-way, at a minimum in compliance with Map TEM-16, during development within identified transportation corridors. Additional criteria shall be adopted as part of the LDRs.

Policy 1.7.7: Vacation of Rights-of-Way. Applications for vacating public right-of-way shall be consider the impacts on overall traffic circulation and delivering essential services, including but not limited to Fire/EMS, police, waste management, school bus routes, and emergency evacuation routes.

Policy 1.7.8: Rights-of-Way Needs Map: The DeSoto County Interim 2040 Transportation Corridor Identification and Reservation Map (Map TEM-16) shall be used as a guide for approximate location of planned rights-of-way. As development occurs, the rights-of-way required shall be dedicated and designed to the County standards and approval.

Objective 1.8: Multi-modal System. The County shall promote alternative modes of transportation to provide a safe and efficient multi-modal system and to provide for a possible reduction of individual motor vehicle travel.

Policy 1.8.1: Major Road Design. Major roadways should be designed as complete transportation corridors incorporating bicycle and pedestrian features, and planning for transit features to start creating a true multi-modal system.

Policy 1.8.2: Bicycle Plan: The County shall continue to expand its current bicycle plan and require all development adjacent to identified areas to comply as part of the development request.
Policy 1.8.3: Bicycle Path and Sidewalk: The County shall strive to establish a joint use bicycle path and sidewalk (multi-use urban trail) on one side of all arterial and collector street with a sidewalk established on the opposite side, at a minimum, of all arterial streets.

Policy 1.8.4: Pedestrian Improvement Plan. The DeSoto County Countywide Greenway, Bicycle, and Sidewalk System Master Plan was completed in November 2008 and the County shall continue to investigate revenue sources available to fund the recommended improvements.

Policy 1.8.5: Sidewalks to Schools. The County shall continue to investigate the feasibility of amending the LDR to require all development to provide internal and external sidewalks within close proximity to all public schools.

Policy 1.8.6: Required Wider Sidewalks. The County shall require wider sidewalks in high pedestrian/bicycle traffic areas.

Policy 1.8.7: Required Bicycle/Pedestrian/Handicapped Facilities. The County shall continue to investigate the feasibility of amending the Land Development Regulations to address the provision of bicycle circulation, pedestrian walkways, and handicap accessible facilities within new developments and existing developments undergoing substantial improvements.

Policy 1.8.8: Pedestrian Intersections. Intersections in denser areas shall be made pedestrian-friendly by limiting the crossing width; use of adequate lighting; adequate timing for traffic signals; and the provision of facilities for the handicapped.

Policy 1.8.9: Required Parking. The County shall consider developing standards within the LDR for minimizing the number of parking spaces to encourage walking, bicycling, ridesharing, and shared parking, and to keep the impervious surface area to a minimum.

Policy 1.8.10: Pedestrian Circulation. Adequate pedestrian circulation and safety shall be considered as a required component of roadway system management, with implementation and required construction.

Policy 1.8.11: Public Transit. DeSoto Arcadia Regional Transit (DART) shall continue to provide a fixed route public transit system so long as funding is available.

Policy 1.8.12: Special Transportation Services. The County shall continue to monitor the need for special transportation services for the elderly and the handicapped residents of
the County by continuing to participate in the coordinated transportation disadvantaged program, which serves the County.

**Policy 1.8.13:** New residential developments with densities of one or more dwelling units per acre shall provide sidewalks on at least one side of every street and shall be constructed in coordination with the new street or building activity.

**Objective 1.9  Way-Finding.** The County shall implement mechanisms to give direction and prevent confusion for all types of transportation system users.

**Policy 1.9.1:** If resources become available, the County shall design a comprehensive wayfinding system that appropriately scales directional signage for both vehicular and pedestrian travel routes, as well as the location of major civic uses.

**GOAL 2: FINANCING.** The County shall develop a financially feasible transportation system that meets the accessibility needs of the County residents.

**Object 2.1: Capital Improvement Program.** The County shall implement a capital improvement plan, methods of funding, and fiscal controls for all major traffic and roadway projects.

**Policy 2.1.1:** The County shall compile and prioritize a project list of major repair and maintenance for existing roadways and include in capital improvement program.

**Policy 2.1.2:** On an annual basis, the County shall program needed capital transportation projects and improvements in the County's Capital Improvements Plan.

**Objective 2.2: Financing mechanisms.** The County shall investigate new financing alternatives to overcome shortfalls of transportation funding.

**Policy 2.2.1:** The County shall continue to aggressively seek funds from the Florida Department of Transportation, the Central Florida Regional Planning Council, the Department of Community Affairs, U.S. Department of Transportation, and other appropriate state and regional agencies to meet the necessary funding for needed transportation improvements.

**Policy 2.2.2:** New development shall pay a share of transportation improvement costs through impact fee assessments, construction of roadway facilities, donations of needed rights-of-way or other appropriate means.
Policy 2.2.3: The County shall provide necessary coordination and non-financial assistance to the Florida Department of Transportation in efforts toward widening SR 17, SR 31, SR 72, and SR 70.
GOAL 1: PROVISION OF HOUSING. Through 2040, DeSoto County shall ensure a suitable living environment for the present and future residents of DeSoto County and that includes housing that is decent, safe, sanitary, affordable, and accessible.

Objective 1.1: Housing Supply. DeSoto County shall assist the private sector to provide adequate housing necessary to house the County's anticipated population through 2040.

Policy 1.1.1: DeSoto County shall review the regulatory and permitting process to eliminate unnecessary impediments to the provision of housing in effort to increase housing supply to meet demand.

Policy 1.1.2: The County shall assist developers of residential dwelling units by providing technical and administrative support regarding permitting and regulations to maintain a housing production capacity level sufficient to meet the demand.

Policy 1.1.3: Future residential development shall be supported by public facilities, where required, such as roads, parks, water, and sewer services (such facilities shall be in place at their appropriate level of service concurrent with the impacts of development).

Policy 1.1.4: The County shall, through the land development regulations, encourage the development/redevelopment of housing that will integrate divergent choices of a wide range of housing types and lot sizes, including but not limited to cluster homes, single-family attached, zero lot line homes, multi-family, and other innovative concepts.

Policy 1.1.5: DeSoto County shall encourage the expansion of the private sector housing industry to meet the housing needs of the future population growth in DeSoto County by permitting mixed-use and cluster development.

Policy 1.1.6: The County will ensure that the Future Land Use Map includes adequate amounts of lands to accommodate the projected housing growth.

Policy 1.1.7: The County shall maintain a database of building permit activity, and shall organize it more efficiently to keep information on new housing units, conversions, and demolitions by type and tenure characteristics.
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Objective 1.2: Relocation. The County shall ensure that persons displaced by federally aided or funded public projects which result in housing displacement receive uniform and equitable treatment in finding relocation housing prior to the undertaking of such actions.

Policy 1.2.1: The displacing agency shall be responsible for providing assistance, which includes, but is not limited to, financial means and methods.

Policy 1.2.2: When residents are displaced by federally aided or funded public projects and programs, the County shall coordinate with appropriate agencies to prepare plans of action regarding relocation of residents, before programs are enacted that will create displaced households.

Policy 1.2.3: The County shall abide by the Uniform Relocation Act to provide relocation housing assistance for persons displaced by federally funded housing programs in conformance with DeSoto County Resolution 1997-15.

Objective 1.3: Affordable Housing. The County shall encourage and assist the private sector in the provision of safe, sanitary, and affordable housing, particularly for the very low, low and moderate-income households. The County, in cooperation with appropriate agencies, shall continue actions to make affordable housing available through housing implementation programs, specifically suited to meet the needs of low-income households.

Policy 1.3.1. The Board of County Commissioners or its designee shall continue working with all available resources, including private businesses, non-profit groups, the City of Arcadia, and appropriate state and federal agencies to coordinate the delivery of affordable housing.

Policy 1.3.2: The County will submit applications to State (Florida Department of Community Affairs, Florida Housing Finance Corporation) and Federal agencies (HUD, US Department of Commerce, etc.) designed to provide funds for infrastructure, storm water, and housing rehabilitation and/or down payment assistance as available on an annual basis to assist with the delivery of affordable housing opportunities.

Policy 1.3.3: The County shall review its land development regulations to identify and eliminate unnecessary impediments to the development of low and moderate-income housing projects, where such constraints are not supported by a valid concern for the
health, safety, or welfare of the community.

Policy 1.3.4: The County shall provide technical assistance to non-profit agencies to plan and develop low-cost housing. DeSoto County shall continue to encourage private sector participation in the provision of very-low, low, and moderate-income affordable housing by making available public sector incentives such as local housing trust funds or density bonuses in order to provide affordable housing within new developments. (9J - 5.010(3)(c)(1,2,5,7)).

Policy 1.3.5: The County shall continue to examine the need to establish an Affordable Housing Trust Fund to assist very-low and low-income families in the provision and maintenance of housing. If it is determined a need is evident, a trust shall be established no later than December 2040.

Policy 1.3.6: DeSoto County shall continue to evaluate all infrastructure charges and fees to determine whether adjustments can be made for low and moderate-income housing projects. In addition, consideration shall be given to providing funds to offset fees in situations where they cannot be reduced, as available.

Policy 1.3.7: DeSoto County shall support the development of low-to-moderate income housing through letters of support, technical support, and by offering technical assistance in the application to State or Federal funding sources for the development of such units.

Policy 1.3.8: The County shall make available subsidy, in the form of low interest loans or grants to include, but not limited to, CDBG, SHIP, and HOME dollars where appropriate and feasible.

Objective 1.4: Special Needs Households. The County shall ensure that adequate sites are available for special needs populations, such as the elderly and disabled.

Policy 1.4.1: The County shall maintain adequate standards for the location of community residential homes, including group homes in accordance with applicable Florida Statutes. Community residential homes shall be allowed in any residential land use category.

Policy 1.4.2: The County shall require developers of special needs facilities to provide adequate public facilities and services.
Policy 1.4.3: The County shall utilize the development review process to review any proposed projects and land use amendments that would negatively impact housing for special need populations. Projects determined to have a negative impact will not be permitted.

Policy 1.4.4: The County shall support organizations that assist elderly and handicapped citizens in finding decent, accessible, and affordable housing (such support may include technical assistance as well as alternative design standards and code requirements).

Policy 1.4.5: The County shall ensure compliance with Federal and State laws on accessibility.

Policy 1.4.6: In an effort to address problems of housing for lower-income elderly residents and other households with special housing needs, the County shall allow for the placement of retirement communities and elderly care facilities in areas of residential character as long as they are designed in a manner that is compatible with the character of the neighborhood.

Policy 1.4.7: The County shall investigate the need to allow the development of innovative retirement housing including adaptive construction techniques, such as "Granny Cottages" and accessory garage apartments.

Policy 1.4.8: The County shall support State and Federal programs that address elderly housing efforts.

Objective 1.5: Maintain Housing Stock. On an ongoing basis, the County shall continue working to conserve and rehabilitate the housing stock.

Policy 1.5.1: DeSoto County shall cooperate with the private sector and citizens in the rehabilitation of existing substandard housing through financial and technical assistance.

Policy 1.5.2: The County shall educate low-income residents on the availability of assistance and shall provide technical assistance in the application processes for funding of rehabilitation grants.

Policy 1.5.3: The County shall continue implementing code enforcement activities to reduce the amount of substandard housing and preserve the available housing stock.
Policy 1.5.4: The County shall adopt a minimum housing standard for existing rental housing and shall educate the public of common code enforcement violations.

Policy 1.5.5: The County shall direct funding towards infrastructure, i.e. paved streets, drainage, potable water, and sanitary sewer, to enhance and complement the existing housing stock.

Policy 1.5.6: The County shall utilize available resources, including but not limited to, SHIP, CDBG, HOME, and HHRP funds to rehabilitate owner-occupied units.

Policy 1.5.7: As part of upcoming 2010 Census, the County will conduct a housing conditions survey to determine the structural conditions of the County's housing stock utilizing terms and definitions contained herein, i.e. "Sound" Housing, "Deteriorating" Housing and "Dilapidated" Housing.

Policy 1.5.8: DeSoto County shall enforce its building code for new construction, and the replacement or repair of buildings.

Policy 1.5.9: To ensure conservation and rehabilitation of housing units, DeSoto County shall do one or more of the following:
(1) Increase code enforcement activities with the goal of conserving the County's housing stock;
(2) Gather and make available information on public and private sources of funds for housing conservation or rehabilitation; and
(3) Otherwise, provide technical assistance to homeowners, landlords, or residents who desire to conserve and/or rehabilitate their housing unit.

Objective 1.6: Stabilize Neighborhood. The County shall promote housing opportunities for new households in already established neighborhoods and ensure the stabilization of all neighborhoods through the following policies, when applicable.

Policy 1.6.1: Identify neighborhoods that are in need of rehabilitation or are experiencing instability based on any and all of, but not limited to, the following criteria:
(1) Proliferation of crime.
(2) A large percentage of substandard housing units.
(3) Fragmentation of land uses.
(4) Poor or deteriorating infrastructure, including water, drainage, traffic and...
Policy 1.6.2: The County shall continue to evaluate existing neighborhoods to identify signs of instability and shall identify target areas for redevelopment activities through use of GIS and other available resources. The County shall identify target neighborhoods and concentrate available local, State, Federal funding opportunities to the redevelopment of such areas.

Policy 1.6.3: Provide for a high level of resident and owner participation in any plan or program implemented for the purpose of improving and/or stabilizing neighborhoods. The County shall hold at least one town hall meeting every other year to allow public input for the identified neighborhoods in need of special funding.

Policy 1.6.4: Investigate funding sources for these plans and programs, which may include but are not limited to, special taxing districts, "Safe Neighborhoods Act" funding, and Community Development Block Grant Funding.

Policy 1.6.5: The County shall continue enforcing the regulations prohibiting the expansion of non-conforming and incompatible uses within residential neighborhoods.

Policy 1.6.6: The County shall require buffering and screening of residential neighborhoods from nearby incompatible uses by using landscape buffer yards or other creative methods.

Policy 1.6.7: The County shall condemn and require demolition of those units which are determined by the Building Official to not be suitable for rehabilitation by public, private, or "sweat equity" means. (This policy is to be initiated with caution and proper consideration, such as relocation, when applied to units, which are owner-occupied, and when condemnation would cause undue hardship to the residents of the structure).

Policy 1.6.8: The County shall provide technical assistance and education to property owners in meeting code requirements and by maintaining and/or improving, where necessary, public services and supporting facilities, such as road surfaces and drainage.

Policy 1.6.9: The principles for guiding conservation and rehabilitation of housing units in DeSoto County shall continue to:
(1) Encourage property owners to make repairs before serious problems develop within the housing stock;
(2) Reduce blight and decay of neighborhoods;
(3) Maintain the value of housing and the quality of life in the County; and
(4) Encourage investment in residential areas.

Objective 1.7: Historic Preservation. The County shall preserve and protect historically and archeologically significant structures and sites.

Policy 1.7.1: The County shall continue to encourage property owners to rehabilitate and renovate their historically significant structures by supplying them with technical assistance and information regarding any available state and federal grants.

Policy 1.7.2: The County shall apply for available grants and alternative funding to expand the local knowledge and awareness of existing historic and archaeological sites and structures.

Policy 1.7.3: The County should assist property owners of historically significant housing in submitting their properties for inclusion in State or National Register of Historic Places.

Policy 1.7.4: Developer shall be required to provide a historical resource assessment as part of the development approval process. Where found, the development of such property shall include protection and/or proper treatment of such historic/archeological assets.

Objective 1.8: Infill. The County shall promote infill development by supporting alternative development standards where necessary and feasible.

Policy 1.8.1: DeSoto County shall maintain its vacant residential parcel map and database of County property. Such a system should include the size, location, physical characteristics, utilities, zoning, and ownership data.

Policy 1.8.2: The County shall make available the County vacant land database and map to interested developers and/or builders for use in acquiring surplus County property for the development of affordable housing.

Policy 1.8.3: Desoto County may dispose of county owned property that is suitable for affordable housing development.
Policy 1.8.4: By 2010 the County shall participate in the creation of a Community Land Trust to serve future demand for affordable homeownership opportunities.

Objective 1.9: Funding. Contingent on state or federal funding, such as Community Development Block Grants, DeSoto County shall continue to develop programs to rehabilitate or demolish and replace five or more substandard housing units annually.

Policy 1.9.1: Substandard housing units in need of renovation or demolition shall be identified, and federal and state funding shall be pursued for the rehabilitation or demolition.

Policy 1.9.2: The County shall continue providing property owners technical assistance in applying for and using State Housing Initiative Program funds, as well as, state and federal assistance programs for rehabilitation of housing determined to be historically or architecturally significant by federal, state or local designation. The County should consider applying for housing rehabilitation grant funds and subsidy programs such as:

1. Community Development Block Grant (CDBG) funds administered by the U.S. Department of Housing and Urban Development.
2. Florida Neighborhood Housing Services grant administered by the Florida Department of Community Affairs. (Chapter 420.429, F.S.).

Policy 1.9.3: The Board of County Commissioners or its designee shall continue working with all available resources, including private business, non-profit groups, the City of Arcadia and appropriate state and federal agencies to coordinate the delivery of affordable housing to low or moderate income families and rural and farmworker households. The County will also work with these entities by:

1. Inviting their representatives to a periodic affordable housing workshop;
2. Considering incentives in local regulations, such as tax credits to private-sector developers upon completion of a development having an affordable housing component;
3. Considering funding sources such as Community Development Block Grants or funding available through the Farmers Home Administration;
4. Coordinating the provision of adequate public facilities and services.

Objective 1.10: Farm Workers Housing. DeSoto County shall encourage that affordable and suitable housing is available for farm labor and migrant workers. DeSoto
County shall assist in the development of 150 farmworker units through the provision of technical assistance or subsidies.

**Policy 1.10.1:** DeSoto County shall continue to encourage local agricultural businesses to provide affordable and suitable housing for farm labor and migrant workers, and, subject to applicable local regulations, shall allow farmworker housing in the Rural/Agricultural future land use classification. Criteria for farm-worker housing shall be defined in the Land Development Regulations.

**Policy 1.10.2:** Farm/migrant worker housing shall allow farmworker housing in the Rural/Agricultural future land use classifications and be subject to applicable local regulations.

**Policy 1.10.3:** Criteria for farm-worker housing shall be defined in local regulations.

**Policy 1.10.4:** Densities for farm-worker housing may exceed the maximum density established by the Rural/Agricultural future land use classification with the approval of the Board of County Commissioners if evidence is provided that the only use of the exempted density will be for farm-worker housing.

**Policy 1.10.5:** DeSoto County shall make available all local, state, or federal dollars through competitive selection in effort to encourage the development of farm worker housing.

**Objective 1.11: Group and Foster Homes.** DeSoto County shall continue to allow for group homes and foster care facilities licensed by the applicable states agencies, such as the Department of Children and Family Services.

**Policy 1.11.1:** The principles and criteria for siting group homes and foster care facilities funded by the Department of Children and Family Services shall be:

1. To ensure clients of group homes and foster care facilities of a residential scale in an area of residential character;
2. Zoning shall not be used to prohibit such facilities of a residential scale in areas of residential character; and
3. To require the developers of such facilities to provide adequate public facilities and services

**Objective 1.12: Mobile and Manufactured Homes.** Mobile home parks
shall continue to be considered as one potential solution to affordable housing. Subsequently, LDR regulations and County policies should be reviewed to explore this option through the policies below.

Policy 1.12.1: Mobile home parks should be located adjacent to areas with a comparable density of development or near small-scale convenience or neighborhood commercial activity, in areas accessible to arterial and collector roads; and they should be located within reasonable proximity to community facilities.

Policy 1.12.2: The County shall allow mobile home parks zoning districts in residential land uses where adequate public facilities and services are available and where such parks are compatible with size scale and appearance of surrounding development.

Policy 1.12.3: The County shall allow modular homes in residentially zoned areas, provided that such housing is compatible with the size scale, and appearance of surrounding development and meets applicable building code regulations. Standards for all housing shall be detailed within the Land Development Regulations.

Policy 1.12.4: Subject to zoning and all other applicable local regulations, the County shall permit the placement of mobile homes in the County, provided they are anchored or attached to permanent foundations and meet all safety codes. Developers of new mobile home, recreational vehicle or park model recreational vehicle projects shall provide for a Red Cross certifiable public storm shelter space sufficient to meet the needs of the development’s estimated population.
GOAL 1: LEVEL OF SERVICE STANDARDS. Through 2040, DeSoto County shall provide adequate open space, parks, and recreation facilities to serve the needs of residents and visitors.

Objective 1.1: Level of Service Standards for Parks. To ensure adequate lands are provided for parks, the County may utilize for planning purposes level of service standards for parks and other criteria specific to population, park size and location. For purposes of implementing this Objective, the County may utilize parklands under the jurisdiction of SWFWMD and public parks provided within residential developments.

Policy 1.1.1: The recommended planning level of service (LOS) standard for parks shall be twenty (20) acres of parkland per 1,000 residents. This standard includes both passive and active County parks and recreational facilities, and includes Regional, Community, Neighborhood, and Mini-parks.

Policy 1.1.2: The Desoto County shall generally utilize the following criteria for determining the type and location for parklands:

1. Regional Park – Large, resource-based facilities serving a population of about 100,000, and ranging in size from 250 acres to as much as several thousand acres. Usually located within an hour’s distance of the residents they serve and associated with high quality natural resources.

2. Community Park - A facility designed to serve the needs of more than one neighborhood. This facility type shall serve a minimum of 5,000 County residents and be located no more than three (3) miles from those residents. The minimum size of any new community parks should be twenty (20) acres. Typical facilities found in community parks are designed to serve the entire family and include both passive and active recreation opportunities such as playground areas, recreation buildings, sports fields, paved multipurpose courts, picnic areas, open or free play areas, swimming pools, and landscaping.

3. Neighborhood Park - A facility that serves an entire neighborhood or area with a minimum of 2,500 County residents and is located no greater than three-fourths (3/4) of a mile from those residents. The minimum size of a neighborhood park should be two (2) to ten (10) acres. Typical facilities provided include playground areas, recreation buildings, sports fields, paved multi-purpose courts, picnic areas, open or free play areas, and landscaping.

4. Mini Park – Small park serving a concentrated or limited population of 500 to 2,500 residents within a radius of up to six (6) blocks. A minimum size of one half
(1/2) acre for each stand-alone park is recommended. Mini-parks primarily offer passive recreation and typical facilities provided include playground areas, benches, open space, picnic tables, and landscaping.

Policy 1.1.3: The Land Development Regulations shall address standards for park development and improvements. Standards shall include buffering, landscaping, parking, and the amount of area available for facilities.

Policy 1.1.4: The County shall explore the potential for the construction of additional public boat ramps.

Objective 1.2: Standards for Recreational Facilities. DeSoto County shall update, as needed, its Parks and Recreation Master Plan to identify future additions of activity-based recreational facilities to existing and future parks.

Policy 1.2.1: The County shall consider the State guidelines, noted on Table X-6 when evaluating the provision of recreational facilities until such time as a recreation master plan is prepared and the specific recreational needs of the County are identified.

Policy 1.2.2: The County shall conduct a detailed recreational survey. The questionnaire shall be distributed through a utility bill, newspaper, website or other form of communication that can reach the majority of the residents.

Policy 1.2.3: The recreational needs survey shall inquire about recreational preferences in terms of facilities and recreational/educational programs, frequency of use of parks and recreational facilities, location of most frequently used facilities, willingness to pay user fees, location and age profile of respondents, household size, and travel method to preferred/most used parks and recreational facilities.

Policy 1.2.4: Based on the results of the parks and recreation survey and the State’s most recent activity-based recreational guidelines, the County shall prepare a Parks and Recreation Master Plan indicating the status of activity-based recreational facilities in the County.

Policy 1.2.5: The Parks and Recreation Master Plan shall include an implementation plan indicating which activity-based recreational facilities will be added to existing and future parks in the County.
Objective 1.3: RESERVED.

Objective 1.4: Park Maintenance. The County shall maintain and improve, where financially feasible, all County parks in a manner that is consistent with the recreation needs of the County residents and visitors, and that maximizes the potential of the individual facilities.

Policy 1.4.1: The County’s parks and recreational facilities shall be renovated and/or upgraded as needed to provide improved recreational opportunities.

Policy 1.4.2: The County shall evaluate the feasibility of providing lights at the various courts, fields and boat ramps.

Policy 1.4.3: The County shall maintain an inventory of the location, size, condition and amenities available at each public park. This inventory shall be updated every year.

Policy 1.4.4: The County shall establish a schedule for the inspections, maintenance, improvement, and accessibility of recreational facilities.

Objective 1.5: Accessibility. All recreation and open space areas shall be evaluated as to the accessibility to all County residents regardless of physical condition, age, or economic condition as outlined in the Uniform Federal Accessibility Standards.

Policy 1.5.1: All County parks and open space shall be located so as to provide unobstructed access, when reasonably possible, through the following procedures:
(1) Existing facilities shall be evaluated, and improved if necessary, by January 1, 2010.
(2) Any new roadway or sidewalk construction required to access future sites shall be improved to Land Development Regulation engineering standards.

Policy 1.5.2: Any park undergoing renovation shall incorporate wheelchair and bicycle access.

Policy 1.5.3: To relieve seasonal flooding of parkland, the County shall assess its existing undeveloped parcels in search for higher ground appropriate for trails and campsites.
Policy 1.5.4: DeSoto County shall continue coordination with appropriate state agencies, such as the Florida Department of Transportation and the Florida Department of Environmental Protection, to maintain existing public access to the Peace River. DeSoto County shall monitor boat ramps and other access points, and shall work with the pertinent agencies to ensure continued access, and to improve access or develop additional access points for the public. This shall be accomplished through consideration of grant programs and notification by DeSoto County of necessary improvements or possible additional access points.

Objective 1.6: Private Parks and Recreation Facilities. The County shall coordinate the provision of open space by both public and private interests to achieve adopted level of service standards.

Policy 1.6.1: Park dedication requirements for residential development, whether in the form of land, impact fees, cash in-lieu of land, or a combination of the above listed methods, shall be addressed at the time of development review.

Policy 1.6.2: Consistent with the Capital Improvement Program process, the County shall budget for acquisition and actively negotiate to obtain property for public parks, to ensure adequate park space in the future.

Policy 1.6.3: Desoto County shall consider seeking voter approval for bond programs that may be used as a pool for matching State and Federal grant monies that are dedicated to parks, recreation and open space.

Objective 1.7: Joint Use of Facilities. The County shall continue to coordinate with developers and other agencies to avoid duplication of recreation facilities, including provisions for joint use of private, as well as school board, recreation facilities to meet the recreation demands of the County’s citizens.

Policy 1.7.1: The County shall coordinate ways and means for private developers to provide public recreation facilities within their developments.

Policy 1.7.2: The County shall utilize the level of service review to recommend recreation improvements located within private development.
Policy 1.7.3: The County shall strengthen coordination with the DeSoto County School Board, to explore the potential use of school board facilities by the general public after normal school hours.

Objective 1.8: Funding. The County shall continue to identify and apply for possible state and federal funding opportunities.

Policy 1.8.1: The County shall continue to coordinate with the State of Florida Division of Parks and Recreation to create programs and facilities under mutual sponsorship as the needs and opportunities arise. DeSoto County and Recreation, and shall request technical assistance regarding the development or improvement of state-owned lands, recreation facilities or programs.

Policy 1.8.2: Local sources of funds shall be identified and utilized to support the County recreational program. Such local sources may include impact fees, donation of appropriate land or facilities, user charges or local public funds.
GOAL 1: AQUIFER PROTECTION. Through 2040, DeSoto County shall provide, maintain, and protect the surficial, intermediate, and Floridan aquifers to ensure that recharge of the aquifer occurs in a manner that maintains sufficient quality and quantity of the public water supply to meet current and future demands.

Objective 1.1: Natural Recharge Protection and Conservation. The County shall coordinate with other agencies and adopt measures in the Land Development Regulations that will ensure preservation of natural recharge to the County’s groundwater resources, as well as conservation of potable water sources.

Policy 1.1.1: The County shall adhere to regulations established by Southwest Florida Water Management District to protect any areas of high recharge.

Policy 1.1.2: DeSoto County shall periodically review and, if necessary, revise its aquifer recharge regulations to minimize impervious surfaces in all recharge areas.

Policy 1.1.3: RESERVED.

Policy 1.1.4: The County shall continue to coordinate with the Water Management District, and state and federal agencies to achieve regional aquifer recharge protection objectives.

Policy 1.1.5: The County shall continue to cooperate with the Water Management District in monitoring of groundwater supply conditions and consumptive use.

Policy 1.1.6: The County shall continue to educate residents on the benefits of water conservation and shall expand water conservation efforts.

Policy 1.1.7: The County shall develop reclaimed water systems in conjunction with future wastewater treatment plants in order to preserve groundwater.

Policy 1.1.8: When available, the County shall require installation of reclaimed water systems in new developments and encourage individual connection to its reclaimed water system for irrigation purposes.

Policy 1.1.9: The County shall evaluate the need for restricted irrigation regulations that is in compliance with the Water Management District regulations.
Policy 1.1.10: The County shall implement emergency water measures in conjunction with Peace River Manasota Regional Water Supply Authority (PRMRWSA) and the Southwest Florida Water Management District (SWFWMD).

Objective 1.2: Best Management. The County will recognize that the underlying aquifer as a finite and delicate resource thereby necessitating the best management practices to promote conservation.

Policy 1.2.1: The County shall adopt a native plant landscaping regulation and promote, through educational programs and publications, the use of native plant landscaping practices, which include low or no water landscaping, the use of solid waste compost, efficient irrigation systems, and the prohibition of exotic plant species, which will result in the conservation of water.

Policy 1.2.2: The County will implement leak detection and repair program for its potable water utilities.

Policy 1.2.3: The County shall require detention of stormwater runoff to maximize groundwater recharge.

Policy 1.2.4: The County will explore ultra-low volume fixtures regulations in the Building Code Ordinances to encourage minimal use of potable water.

Objective 1.3: The quality of DeSoto County’s groundwater resources shall not be degraded, either directly or indirectly, by human influences below the minimum criteria for groundwater provided in Chapter 62-520.400 F.A.C., and shall be maintained or as necessary improved to ensure the availability of this resource for present and future generations.

Policy 1.3.1: Except for bona fide agricultural operations and incidental domestic uses, land use activities which utilize, store, or generate hazardous materials, or which involve the bulk storage or continuous transmission of petroleum products or other hazardous substances, shall be prohibited within recharge areas for the intermediate aquifer system, and or within cones of influence and watershed areas for public water supply wells. The agricultural and domestic exemptions shall not be construed to relieve these activities from compliance with applicable State and Federal regulations pertaining to the installation and use of above- or below- ground storage tanks, or other structures or improvements intended for the use, storage, or generation of petroleum products or other hazardous substances.
Policy 1.3.2: The construction of new canals, which may result in saltwater intrusion, are prohibited by the County if determined that such canals would not comply with the water quality standards provided in Chapter 62-302, F.A.C.

Policy 1.3.3: DeSoto County shall work with the Southwest Florida Water Management District to have free-flowing artesian wells plugged under the Quality Water Improvement Program or by methods approved by the Southwest Florida Water Management District and the County.

Policy 1.3.4: DeSoto County will review State and Federal agencies’ monitoring of all closed or abandoned landfills in DeSoto County to determine whether such monitoring adequately assesses whether these sites pose a threat to the quality of groundwater resources. If it determines that such agencies’ monitoring does not provide reasonable assurance that such sites do not pose a threat to groundwater resources, DeSoto County will undertake monitoring as necessary to determine whether a threat exists and will take appropriate actions, including legal actions against known violators, to correct situations which pose a threat to the health, safety, and welfare of the general public.
GOAL 1: IMPROVE STORMWATER PROTECT AND WATER QUALITY.  
Through 2040, provide a stormwater management system of appropriate capacity to protect public health, safety and welfare of the citizens of DeSoto County, and to meet current and future stormwater management demand, as well as decreasing inadequacies in the stormwater drainage system and water quality conditions.

Objective 1.1: Maintain Level of Service. Based upon adopted level of service standards, the County shall annually adopt programs and activities to facilitate implementation of stormwater programs (and in the future stormwater utility) to serve future development as well as areas where stormwater systems are failing, stormwater problems are presented to the Board, or environmental concerns exist.

Policy 1.1.1: The LOS standard for stormwater drainage facilities shall be designed to accommodate the 25-year, 24-hour design storm to meet the water quality and quantity standards.

Policy 1.1.2: To control water quantity, peak post-development runoff shall not exceed peak pre-development runoff rates.

Policy 1.1.3: To control water quality, treatment of stormwater runoff shall be required for all development, redevelopment, and infill areas. The stormwater treatment system, or systems, can be project specific or serve sub-areas within the County, regardless of the area served. Stormwater discharge facilities shall be designed so as to not lower the receiving water quality or degrade the receiving water body below the minimum conditions necessary to maintain their classifications as established in, but not limited to, Chapter 62-302, F.A.C. It is intended that all standards in these citations are to apply to all development and redevelopment and that any exemptions or exceptions in these citations, including project size thresholds, do not apply for concurrency determinations.

Policy 1.1.4: To control water quality, infill residential development within improved residential areas or subdivisions existing prior to the adoption of this comprehensive plan, must ensure that its post-development stormwater runoff will not contribute pollutants which will cause the run-off from the entire improved area or subdivision to degrade receiving water bodies and their water quality as stated above.

Objective 1.2: Development Impacts. The County shall protect natural drainage features and the existing stormwater network from the impacts of development and construction.
Policy 1.2.1: The County shall require development applicants to submit detailed calculations, prepared by a registered professional engineer, showing how retention and detention will be accomplished to meet the adopted level of service, and demonstrating that there will be no negative impacts to downstream water quality or quantity.

Policy 1.2.2: The County shall review the characteristics and limitations of soil types for new projects with regard to percolation and infiltration.

Policy 1.2.3: The County shall review the impact proposed stormwater systems will have on adjacent native vegetation and/or wetlands.

Policy 1.2.4: The County shall require that Best Management Practices be utilized to protect water bodies, wetlands, and watercourses from contamination before, during, and after construction activities.

Policy 1.2.5: The County shall require adequate easements for stormwater system maintenance and conveyance.

Policy 1.2.6: New development and redevelopment shall be required to accommodate existing upland flows that presently discharge through the site.

Policy 1.2.7: The cumulative effects of drainage from development, as it affects the overall drainage system, will be addressed during the development review process.

Policy 1.2.8: Drainage from new developments shall not adversely impact the natural drainage features within the County.

Policy 1.2.9: The County shall consider amending its Land Development Regulations to require new denser subdivisions in the more urban areas of the County to provide curb and gutter drainage systems.

Policy 1.2.10: DeSoto County shall protect its surface waters through implementation of the following standards and guidelines:

1. On-site sewage disposal systems, including their associated drainfields, will be located as far landward as feasible on waterfront properties so as to reduce or prevent unnecessary nutrient and pathogen loading into surface waters.

2. The discharge of runoff, wastewater, or other potential sources of contamination into surface waters resulting in the degradation of the quality of the receiving body below the standards set forth in Chapters 62-3, 62-4, 62-302,
62-520, 62-522 and 62-550, F.A.C., (including anti-degradation provisions of section 62-4.242 (1)(a) and (b), 62-4.242(2) and (3) and 62-302.300, F.A.C.), and any special standards for Outstanding Florida Waters and Outstanding Natural Resources Waters set forth in Sections 62-4.242(2) and (3), F.A.C. (as required environmental resources permitting process) will be prohibited.

(3) The most current best management practices identified in the Handbook, Urban Runoff Pollution Prevention and Control Planning, EPA/625/R-93/004, September 1993 which control erosion and limit the amount of sediment reaching surface waters shall be used during all development activities.

(4) Removal or control of submerged, emergent, or floating vegetation shall be limited to that necessary to provide reasonable access to aquatic weed control and conducted according to the guidelines provided in Chapter 62C-20, F.A.C., as permitted by the Florida Department Environmental Protection and in compliance with control standards outlined in Environmental Control, F.S. 403 and 369. This policy shall not apply to the removal of nuisance species such as hydrilla, water hyacinth, or water lettuce.

(5) DeSoto County will continue to provide treatment as governed by Chapter 388 F.S. and where feasible, use non-chemical means and best management practices as alternatives to insecticides and herbicides for the control of aquatic weeds and mosquitoes.

(6) Withdrawals from, or discharges to, surface waters which alter hydroperiods shall require the appropriate permits through the Florida Department of Environmental Protection, Southwest Florida Water Management District, or the U.S. Army Corp of Engineers, and shall not reduce the quality or productive capability of water dependent ecosystems.

(7) Development proposals must demonstrate that post development discharges into surface waters, or diversion of freshwater inflow into surface waters, will not lower the quality or productive capability of the receiving water body. All development proposals which require Environmental Resource Permits as provided by Chapter 40D-4 and 62-330, F.A.C., will be reviewed for consistency with the Goals, Objectives, and Policies of the Future Land Use and Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Elements of the DeSoto County Comprehensive Plan. All development proposals must demonstrate post development discharges into marine and estuarine systems, or waters which flow into estuarine systems will not adversely affect the aquatic system in questions. Such discharge must not exceed the legal limit for established surface water quality parameters to including, but not limited to, biological oxygen demand, dissolved oxygen, nutrients, bacteriological quality and turbidity, for the appropriate class water, as outlined in 62-302, F.A.C.
Policy 1.2.11: All development shall adhere to the National Flood Insurance Program Model Ordinance as adopted in the Land Development Regulations and all SWFWMD standards.

Objective 1.3: Stormwater Master Plan. The County shall implement existing master plans; complete the ongoing stormwater master plan projects in conjunction with the Southwest Florida Water Management District and shall pursue funding for or mandate the preparation of a Stormwater Master Plan which establishes high water elevations, addresses existing deficiencies, and coordinates the construction of new and replacement facilities for the remaining portions of the County not yet master planned.

Policy 1.3.1: The County shall implement the Deep Creek Gully Master Stormwater Plan completed by SWFWMD (currently being revised) and utilize it to review development proposals within the basin boundaries.

Policy 1.3.2: DRI’s over 2,500 units or 2,000 acres shall fund a Stormwater Master Plan for the drainage sub-basin(s) that they seek to develop.

Policy 1.3.3: RESERVED.

Policy 1.3.4: Upon completion of the Master Plans in Policy 1.3.3, the County shall implement the plans and utilize them to review development proposals within the Plan (basin) boundaries.

Policy 1.3.5: As part of any future Stormwater Master Plan, the County shall maintain a detailed inventory and analysis and other data of the existing drainage facilities within its boundaries.

Policy 1.3.6: The County will develop a digital map of the drainage facilities within the County and require new developments to provide copies of their stormwater design for incorporation into the County’s digital map.

Policy 1.3.7: As funding is available, the County should utilize the expertise of a professional engineer to run models of the County’s stormwater system based upon critical design storm events and update the Stormwater Master Plans every 5 years.

Policy 1.3.8: When determining where to conduct future Stormwater Master Plans, priority shall be given to those areas with non-Rural/Agricultural Future Land Uses
designations, those areas that are experiencing the greatest growth pressure, or those areas with the most serious drainage problems.

**Policy 1.3.9:** Future Stormwater Master Plans shall include review of stormwater quality discharged into surface water bodies and recommendations for needed improvements.

**Policy 1.3.10:** Future Stormwater Master Plans shall establish priorities for stormwater system upgrades including the correction of existing drainage facility deficiencies, and providing for future facility needs.

**Policy 1.3.11:** Once completed, the County can utilize the Stormwater Master Plans to more accurately prepare the County’s annual budget and 5-year Capital Improvement Plan for funding of stormwater facility replacement and deficiency upgrades.

**Objective 1.4: Correcting Facility Deficiencies.** The County shall work to correct surface water management system deficiencies and to protect natural drainage features.

**Policy 1.4.1:** The County shall pursue a countywide stormwater facilities maintenance program. The program should generally address three areas of concern, maintenance procedures, maintenance scheduling and the improvement of the existing drainage facilities.

**Policy 1.4.2:** The County shall periodically request SWFWMD hydraulic maintenance reports for existing facilities and shall request a hydraulic report from the developer for all new developments upon completion of construction as a condition of the County’s development review process.

**Policy 1.4.3:** The County shall coordinate with SWFWMD to encourage maintenance of conveyance and treatment features.

**Policy 1.4.4:** The County shall work to educate and inform citizens of their responsibility regarding maintenance and protection of stormwater collection systems.

**Objective 1.5: Flood Control Level of Service.** The County shall achieve and maintain the following adopted stormwater management level of service standards that shall meet or exceed state and federal regulations for stormwater quality and quantity.
Policy 1.5.1: All new development and redevelopment shall provide stormwater retention and/or detention systems for peak attenuation and treatment.

Policy 1.5.2: At a minimum, the peak post-development runoff rate for stormwater management system shall not exceed the peak pre-development runoff rate for a 25-year/24-hour storm event.

Policy 1.5.3: Until specific county standards are developed all structures shall be constructed per SWFWMD standards.

Policy 1.5.4: At a minimum, the existing stormwater management systems and current levels of service shall be maintained.

Policy 1.5.5: When appropriate stormwater treatment shall be required to serve the development through a stormwater treatment system, which is site-specific. Regardless of the area served, the stormwater treatment system must provide a level of treatment, which meets the requirements of the County’s Land Development Regulations and the criteria of the Southwest Florida Water Management District.

Policy 1.5.6: Pollutant retardant structures that separate oils and greases from runoff shall be designed for all new applicable developments.

Policy 1.5.7: Whenever possible, natural conveyance systems shall be protected and used in lieu of man-made treatment and conveyance systems.

Objective 1.6: Intergovernmental Coordination. The County shall educate citizens and coordinate with all applicable jurisdictions to address stormwater issues of mutual concern and to provide adequate levels of service.

Policy 1.6.1: When developing a Stormwater Master Plan coordination should be made with the Southwest Florida Water Management District, Florida Department of Environmental Protection and the Florida Department of Transportation.

Policy 1.6.2: When developing a Stormwater Master Plan, the process should include public participation and review of the plan by affected citizens.

Policy 1.6.3: The County will support Southwest Florida Water Management District’s programs and stormwater regulations.
Policy 1.6.4: The County shall coordinate with the Southwest Florida Water Management District to identify areas that require immediate flood protection and to investigate areas that lack water quality treatment.

Policy 1.6.5: The County shall strive to improve stormwater maintenance coordination with the City of Arcadia, CSX Railroad, and Seminole Gulf Railroad.

Objective 1.7: Floodplain. The County shall protect the natural functions of the floodplain by restricting development within the 100-year floodplain as identified by the FEMA Floodplain Map to those uses which will not adversely affect the drainage function of the floodplain.

Policy 1.7.1: The County’s Land Development Regulations shall require compensating storage volumes for floodwater displaced by development.

Policy 1.7.2: Compensating storage volumes shall be provided between the seasonal high water level and the 100-year flood level to allow storage function during all lesser flood events.

Policy 1.7.3: The County shall require the developer to identify and certify by a qualified professional the limits of the 100-year floodplain on the development plans.

Policy 1.7.4: The floodplain shall be protected by prohibiting uses determined to be incompatible, such as, industrial uses, sanitary landfills, wastewater treatment facilities, incinerators, animal feed lots, petroleum or pesticide storage facilities, above-ground or below-ground pipes (such as gas/petroleum lines) for pollutants or contaminants, any land use that stores, handles, or generates hazardous material or waste.

Objective 1.8: Financial Feasibility. The County shall strive to ensure that there are appropriate funding techniques to provide for effective stormwater management.

Policy 1.8.1: DeSoto County will continue to investigate the collection of a stormwater utility tax as part of a stormwater utility or authority to provide funding for the maintenance and operations of stormwater facilities within the County.

Policy 1.8.2: DeSoto County will continue to seek funding from the FDEP Florida Repetitive Flooding Grant for flood prone areas.
Policy 1.8.3: DeSoto County shall continue to investigate the collection of a stormwater impact fee from all new development to provide funding for stormwater management.
GOAL 1: ADEQUATE SUPPLY OF WATER. Through 2040, DeSoto County shall plan for and assure an adequate supply of excellent quality potable water to meet the needs of DeSoto County’s residential and non-residential customers.

Objective 1.1: Maintain Level of Service. Based upon adopted level of service standards, the County shall annually adopt programs and activities to correct existing deficiencies in the central potable water system.

Policy 1.1.1: The County’s Level of Service for potable water supply shall be 102 gallons per person per day.

Policy 1.1.2: The County’s central potable water system infrastructure shall be based on the following:
(1) High service pump capacity shall at least be equal to the peak hour demand or the maximum day demand plus largest fire flow, whichever is greater, and assuming the largest high service pump being out of service, and
(2) The backbone distribution system shall ideally be designed for a goal of forty (40) pounds per square inch (psi) delivery pressure.

Policy 1.1.3: The County will maintain its potable water treatment facilities in optimum condition by the implementation of a preventive maintenance program.

Policy 1.1.4: The County shall maintain a Potable Water System Master Plan, which at revision will be reviewed every five (5) years.

Policy 1.1.5: At a minimum, the County shall review water fee methodology and user rates every two years during the budget process to ensure adequate funding for operation and maintenance of the treatment, storage and distribution facilities.

Policy 1.1.6: The County shall continue to develop a system of review of individual customer water meters to ensure proper readings of those meters.

Policy 1.1.7: Institute a replacement or “change out” schedule for meters in the field to ensure replacement in a timely manner that ensures the continued accuracy of meters with industry accepted standards.

Policy 1.1.8: All improvements and/or additions to potable water facilities to correct deficiencies shall be compatible and adequate to meet the adopted level of service standards. These improvements and/or additions to potable water facilities shall
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comply, at a minimum, with standards recognized and approved by the Florida Department of Environmental Protection.

Policy 1.1.9: All improvements and/or additions to potable water facilities shall be consistent with County master utility plans and adopted utility standards for construction and adequate to meet the adopted level of service standards.

Policy 1.1.10: Potable water facilities shall be replaced and existing deficiencies shall be corrected with the following priorities of projects:
(1) Any project correcting an immediate threat to the health, safety, or welfare of the County’s residents.
(2) Any project that will correct an existing deficiency.
(3) Projects that will prevent the system exceeding the adopted level of service.
(4) Projects that will provide significant environmental improvements.

Policy 1.1.11: Within one year of adoption, the County will develop and implement a valve exercising and fire hydrant testing and maintenance program.

Policy 1.1.12: All Future Land Use Map amendments shall require an analysis of the impact of each amendment on the adopted level of service standard. Any analysis that shows a reduction in level of service below the adopted acceptable level shall be denied, unless acceptable improvements to failing facilities are planned or provided.

Policy 1.1.13: All expansions and other improvements that increase the demand on public infrastructure and require permitting shall comply with the adopted level of service.

Objective 1.2. Maximizing Existing Facilities. The County shall maximize the use of existing potable water facilities within its service area and shall promote compact efficient growth patterns.

Policy 1.2.1: The County shall seek to maximize the use of existing sanitary sewer infrastructure facilities in order to minimize urban sprawl by requiring new development to pay the total costs for the placement of infrastructure necessary to service the development, thus making infill development and development along existing utility lines more cost effective.

Policy 1.2.2: The County shall incorporate means and methods to require connection to the County’s potable water and sewer system for existing development once it becomes available.
**Policy 1.2.3:** The County will prohibit new development from utilizing wells and on-site treatment plants where central water service is available.

**Policy 1.2.4:** The County shall encourage continuing education of operating staff to ensure proficiency with respect to optimization of central water maintenance and operation processes.

**Policy 1.2.5:** When existing central water service is determined to be unavailable to new development, the County shall require the new development to extend the central water system at the developer’s expense to service the subject property, subject to the following conditions:

1. The connection between the new development and the existing distribution line shall be along a legally dedicated right-of-way or recorded utility easement; and
2. The existing line to be connected to must have available unreserved capacity.
3. All water lines shall be dedicated fee simple to the County.

**Policy 1.2.6:** The County shall maintain adequate potable water impact fees and user rates to ensure adequate funding for expansion, repair and/or replacement of the potable water system.

**Policy 1.2.7:** The County shall review water rates as necessary to ensure that the fees charged cover the cost of supplying the service.

**Objective 1.3: Intergovernmental Coordination.** The County will coordinate with other agencies providing central water service within the County and with agencies overseeing the construction and operation of such systems.

**Policy 1.3.1:** The County shall continue to coordinate with the Florida Department of Environmental Protection to monitor the operation of existing water treatment plants within the County.

**Policy 1.3.2:** The County shall continue to discuss with the City of Arcadia, the possible use of potable water by the City to help reduce the City’s well (groundwater) usage.

**Policy 1.3.3:** The County shall continue to discuss the development of service boundaries for water and sewer with the City of Arcadia.
Objective 1.4: Future Needs. Based upon population projections, the County will ensure the supply and treatment of safe potable water distribution through the 2040 planning horizon to meet the adopted level of service standards.

Policy 1.4.1: Based upon the adopted level of service the County will plan jointly with the Peace River Manasota Regional Water Supply Authority (the County’s exclusive provider) for replacement, expansion and extension of potable water facilities to meet future demands concurrent with new development, which may require private funding.

Policy 1.4.2: The County through the Peace River Manasota Regional Water Supply Authority (PRMRWSA) will plan for adequate future treatment facilities, which at a minimum will meet all Federal and State drinking water criteria.

Policy 1.4.3: The County shall implement the Capital Improvement Schedule annually and adopt a County budget that prioritizes needed potable water distribution facilities for adoption in the Capital Improvements Element.

Policy 1.4.4: The County will review the Capital Improvements Schedule annually and adopt a County budget that prioritizes needed potable water improvements to meet the demands of future growth and approved development.

Policy 1.4.5: The County shall continue to monitor groundwater supply conditions in conjunction with the Southwest Florida Water management District, and whenever, the County through PRMRWSA pursues development of additional water supplies the current SWFWMD Regional Water Supply Plan will be considered.

Policy 1.4.6: The County shall encourage and require, as needed, the interconnection and looping of existing and proposed segments of the potable water distribution system.

Policy 1.4.7: DeSoto County shall ensure adequate water supplies and facilities shall be in place and available to serve new development no later than issuance of a certificate of occupancy or its functional equivalent. Prior to approval of a building permit or its functional equivalents, DeSoto County shall consult with the applicable water supplier to determine whether adequate water supplies to serve new development will be available no later than the anticipated date of issuance of the certificate of occupancy or its functional equivalent.
Objective 1.5: Service Area Development. The County shall adopt a service area boundary for potable water around development activity areas and shall discourage leapfrog development and urban sprawl.

Policy 1.5.1: The County’s potable water service area shall be defined as any portion of unincorporated DeSoto County, exclusive of any established public or private water utility service areas.

Policy 1.5.2: The County may provide wholesale potable water service to other cities or private utilities within the County by written agreement.

Policy 1.5.3: The County shall be the primary provider of potable water to residential and non-residential uses within the County’s service area.

Policy 1.5.4: The County shall continue to maximize the use of the existing potable water treatment facilities connected to the central water system.

Objective 1.6: Water Conservation. The County shall maintain initiatives to conserve potable water resources, which ensure that existing level of service standards for potable water, do not fluctuate higher than twenty (20) gallons per person per day.

Policy 1.6.1: The County will maintain an inverted water rate structure to ensure conservation of potable water and to provide an incentive for the use of available treated wastewater for irrigation purposes.

Policy 1.6.2: As a component of the next Water Facilities Supply update, DeSoto County shall evaluate the feasibility and develop a costs-benefit analysis of a reclaimed wastewater effluent program whereby wastewater is treated to standards consistent with Florida Department of Environmental Protection (FDEP) requirements for “unrestricted public access” irrigation of private and public areas, so that when possible potable water is not used for irrigation in areas where reclaimed water is available for such irrigation.

Policy 1.6.3: The County will maintain specific requirements for the use of low consumption plumbing devices in the Land Development Regulations.

Policy 1.6.4: The County shall adhere to SWFWMD emergency water shortage restrictions when mandated by the District.
Policy 1.6.5: The County shall encourage the use of drought tolerant plant materials to meet landscaping requirements and shall develop Land Development Regulations to address this requirement.

Policy 1.6.6: The County shall maintain a leak detection program in order to discover and eliminate wasteful losses of potable water from the County’s central water supply and distribution system.

Policy 1.6.7: Reduce Consumption. DeSoto County shall attempt to reduce per capita water usage from the current 118 GPD identified in the Water Supply Facilities Work Plan to 95 GPD.

Policy 1.6.8: Strategies to achieve water consumption reduction will be implemented through water conservation education, and development of programs to identify and repair leaking pipes and plumbing fixtures.

Policy 1.6.9: DeSoto County shall amend and maintain the Land Development Regulations to require a water conservation plan for new residential and non-residential subdivisions and planned unit developments. Each plan shall include at least one of the following: reuse of stormwater for irrigation or other non-potable water use, installation of low flow fixtures, conversion of existing on-site well water for irrigation use and supplementation, use of water-wise vegetation, annual water audits performed by a certified water auditor, or other similar measures approved by the County.

Objective 1.7: Wellhead Protection. The County shall enforce standards for the protection of public water supply wells and corresponding cones of influence.

Policy 1.7.1: The County shall restrict all development activity within 200 feet of a public drinking water supply well.

Policy 1.7.2: The County shall prohibit the following land uses within 1,000 feet of a public drinking water supply well:
   (1) Landfills
   (2) Facilities for the bulk storage, handling, or processing of materials on the Florida Substance List (ch. 442, F.S.)
   (3) Activities that require the storage, use, handling, production or transportation of restricted substances: i.e. agricultural chemicals, petroleum products (not including fuel pumps), hazardous/toxic wastes, industrial chemicals, medical wastes, etc.
   (4) Feedlots or other concentrated animal facilities
Policy 1.7.3: The County shall incorporate the following special restriction on development within 1,000 feet of a public drinking water supply well: Stormwater management practices shall not include drainage wells and sinkholes for stormwater disposal.

Policy 1.7.4: The County shall protect surface water used for public water supply by enacting the same measures listed in Policy 1.7.2 and the following additional measures:
1. Reduce densities within 1,000 feet of such water bodies.
2. Periodically review strategies developed by the Peace River Cumulative Impact Study Report for inclusion in the LDR's as actionable items.
3. If needed, develop and maintain additional stormwater treatment standards and other development standards for development east of CR 769 and CR 661 and west if Highway 17.

Objective 1.8: Water Supply Facilities Work Plan. DeSoto County shall utilize the Water Supply Facilities Work Plan (WSFWP) to identify infrastructure needs and prioritize and coordinate expansion of facilities used to withdraw, transit, treat, store and distribute potable water to meet future needs.

Policy 1.8.1: DeSoto County hereby adopts by reference the Water Supply Facilities Work Plan (WSFWP), dated MM/DD/YY, for a planning period of not less than 10 years. The WSFWP addresses issues that pertain to water supply facilities and requirements needed to serve current and future development within the County's water service area.

Policy 1.8.2: The County shall review and update the WSFWP at least every 5 years. Any changes within the first 5 years of the WSFWP shall be included in the annual Capital Improvements Plan update to ensure consistency between Potable Water Element and Capital Improvements Element.

Policy 1.8.3: DeSoto County shall coordinate with wholesale customers to ensure compliance with the WSFWP.

Policy 1.8.4: The WSFWP shall be updated within 18 months following an update of the Regional Water Supply Plan. All updates to the WSFWP will be incorporated into the Comprehensive Plan by reference.
GOAL 2: WATER DISTRIBUTION. Through 2040, provide adequate delivery and distribution of potable water to meet fire protection demand within DeSoto County’s central water system service area.

Objective 2.1: Fire Protection Capabilities. The County shall continue to monitor, evaluate, repair and replace the existing water delivery and distribution system facilities to ensure the system meets fire protection demands.

Policy 2.1.1: The County shall maintain an active water system and fire hydrant mapping and numbering program.

Policy 2.1.2: The County shall establish and maintain a hydraulic model of the County’s water distribution network such that the County’s water distribution system can be routinely analyzed with respect to fire flow delivery capabilities.

Policy 2.1.3: The County shall extend water distribution mains to areas within the County’s service area and provide adequate fire protection service to residents and non-residential establishments located within the service area provided the residents/developers participate in the costs.

Policy 2.1.4: Fire flow levels of service shall be based upon delivery pressures of twenty (20) psi residual and minimum fire flows of 500 gpm for residential and 1,500 gpm for non-residential and multi-family developments.
GOAL 1: EFFECTIVE WASTEWATER SYSTEM. Provide through 2040 an effective system of wastewater collection, transmission, treatment, and disposal to meet the needs of all County residents and non-residential establishments within the DeSoto County service area while protecting the environment and public health. Therefore, it is intended that DeSoto County provide central sewer services throughout the County, exclusive of previously established municipal and private utility service areas, while at the same time working with developers for new main extensions and construction of new Public Capacity, for the mutual best interest of the community when County facilities for connection and capacity in County wastewater treatment plants is not reasonably available.

Objective 1.1: Maintain Level of Service. Based upon adopted levels of service standards, the County shall annually adopt programs and activities to facilitate implementation of a wastewater utility to serve future development as well as areas where septic systems are failing, sewer service is requested by petitioning the Board, or environmental concerns exist.

Policy 1.1.1: The County’s adopted level of service for sanitary sewer capacity shall be 80 gallons per capita per day.

Policy 1.1.2: When evaluating collection force main and lift station capacity, the County shall use Ten States Standards peaking factors.

Policy 1.1.3: All improvements and/or additions to sanitary sewer facilities shall be consistent with County master utility plans and adopted utility standards for construction, and adequate to meet the adopted level of service standards.

Policy 1.1.4: All land use amendments shall require an analysis of the impact of such amendment on the adopted level of service standard and existing sanitary sewer facilities and require improvements, where necessary, to maintain the approved level of service.

Policy 1.1.5: All expansions and other improvements that increase the demand on public infrastructure and require permitting shall comply with the adopted levels of services.

Policy 1.1.6: Sanitary sewer facilities shall be replaced and existing deficiencies shall be corrected with the following priorities of projects:
(1) Any project correcting an immediate threat to the health, safety, or welfare of the County’s residents.
Objective 1.2: Maximize Existing Facilities. The County shall maximize the use of existing sanitary sewer facilities within its service area and shall promote compact efficient growth patterns.

Policy 1.2.1: The County shall seek to maximize the use of existing sanitary sewer infrastructure facilities in order to minimize urban sprawl by requiring new development to pay the total costs for the placement of infrastructure necessary to service the development, thus making infill development and development along existing utility lines more cost effective.

Policy 1.2.2: The Land Development Regulations or Utility Ordinance shall incorporate means and methods to require connection to the County's sanitary sewer system for existing development, once it becomes available.

Policy 1.2.3: The County will prohibit new development from utilizing septic tanks and prohibit the use of package wastewater treatment plants where central sewer service is available.

Policy 1.2.4: The County shall encourage continuing education of operating staff to ensure proficiency with respect to optimization of sanitary sewer maintenance and operation processes.

Policy 1.2.5: When existing central sanitary sewer service is determined to be unavailable to new development, the County shall require the new development to extend the central sewer system at the developer’s expense to service subject property, subject to the following conditions:

1. The connection between the new development and the existing sanitary sewer line must be along a legally dedicated right-of-way or recorded easement; and
2. The existing line to be connected to must have available, unreserved capacity.
3. All lift and pump stations shall be dedicated fee simple to the County.

Policy 1.2.6: Maintain adequate sanitary sewer impact fees and user rates to ensure adequate funding for expansion, repair and/or replacement of collection and transmission systems.
Policy 1.2.7: The County shall review sewer user rates as necessary to ensure that the fees charged cover the cost of supplying the service.

Policy 1.2.8: When reserving capacity, priority shall be given to developments that are located within close proximity to and utilizing existing infrastructure and facilities.

Objective 1.3: Intergovernmental Coordination. The County will coordinate with other agencies providing central sewer service within the County and with agencies overseeing the construction and operation of such systems.

Policy 1.3.1: The County shall continue to coordinate with the Florida Department of Environmental Protection to monitor the operation of existing wastewater treatment plants within the County.

Policy 1.3.2: The County shall continue to discuss with the City of Arcadia, the possible use in the unincorporated County of reclaimed water generated by the City and the possibility of accepting or later receiving wastewater flow.

Policy 1.3.3: The County shall continue to discuss the development of service boundaries for water and sewer with the City of Arcadia.

Objective 1.4: Future Sanitary Sewer System. The County shall ensure that the County’s sanitary sewer collection, transmission, treatment, and disposal systems are adequate to service the future land uses within the County’s service area.

Policy 1.4.1: The County completed a wastewater master plan study in 2006 and will use the plan for ongoing development and implementation of the County’s sewer system as resources allow and demands requires.

Policy 1.4.2: Regulations for sewer allocation and reservation will be defined in the County’s Code of Ordinances.

Policy 1.4.3: Following a determination of concurrency for sanitary sewer, and to ensure reserved capacity and adequate sanitary sewer facilities are in place prior to the impact of development, the County shall require payment of applicable sewer impact fees prior to application for building permits.

Policy 1.4.4: For proposed new development, the County shall require either connection to the County’s central sewer system to serve the development, or if central
sewer is unavailable, septic tanks and dry sewer lines shall be installed, with said dry lines being utilized when sewer service has been extended to the development. Such system shall be at the developer’s expense and shall not count towards any financial credit with the County’s system.

Policy 1.4.5: All developments with dry lines for sanitary sewer will connect to the County’s sewer system when it becomes available within one year. The costs of the dry line connection, and the removal of the septic system, and package plants shall the born by the developer

Policy 1.4.6: The County shall implement the capital improvement schedule to prepare for future development and shall update the schedule annually during the County’s annual budget process.

Policy 1.4.7: The County shall coordinate the utility and transportation planning efforts to take advantage of the most economical construction and maintenance costs possible when installing, repairing and/or replacing utility lines, roads and sewers.

Policy 1.4.8: The County shall maintain a Concurrency Management System to monitor available capacities and determine compliance with minimum sanitary sewer and levels of service.

Policy 1.4.9: The Concurrency Management System data shall be reviewed and updated with each new development to indicate the most current capacity conditions.

Policy 1.4.10: The County shall continue to pursue the implementation of a reclaimed water system as deemed feasible. At a minimum, the County will implement a reclaimed water reuse system with its Phase II Regional Wastewater Treatment Plant.

Policy 1.4.11: The County shall continue to review and modify, where necessary, its Land Development Regulations to ensure that at a minimum, all residential development projects planned for a density of more than one unit per acre shall be served by the County’s central sewer system. This may be further restricted through the LDR’s.

Policy 1.4.12: The County shall require that any new private package wastewater treatment plants temporarily permitted by the County are to be constructed to County standards such that they are compatible with the County’s system, and that they be discontinued within 12 months once service is available with the County central sewer system.
Objective 1.5: Septic Tanks. The County shall discourage and limit the use of septic tanks in areas with soils not suited to support septic tank discharge and where development densities support central sewer connection.

Policy 1.5.1: The County shall mandate connection to the central sewer system, for any proposed new development and existing residences and non-residential establishments which are served by septic systems, and are deemed to be detrimental to the health, safety, and welfare of the general public.

Policy 1.5.2: By 2010, the County shall identify and map those general areas within the County’s service area, which are served by septic systems, and prioritize areas, which may warrant central sewer service based on soil unsuitability, density, and environmental concerns.

Policy 1.5.3: In existing residential areas where the County permits development using septic tank systems because soils are considered suitable, all septic tank systems shall be in compliance with Chapter 64E-6, Florida Administrative Code. Those existing developments that are a development density of one dwelling unit per acre or greater or within a floodplain shall require connection to public sanitary sewer system when available if the septic system(s) fail.

Policy 1.5.4: New development of lots below one acre or one dwelling unit per acre (net site acreage) shall be precluded from developing on septic tanks and shall require connection to the County Central Sewer.

Policy 1.5.5: Development of new residential and non-residential projects on soils that are not suitable for septic tank systems will be required to connect to the County central sanitary sewer systems.

Policy 1.5.6: By 2009, the County in conjunction with the State/County Health Department shall monitor and keep a database of building permits requested for repair or replacement of existing septic tank and drain field systems within the County to assist with prioritizing areas for central sewer connection.

Policy 1.5.7: The County in conjunction with the State/County Health Department shall continue to evaluate whether implementation of the following inspection programs related to septic tanks is feasible:
(1) Permit renewal inspection every 5 years.
(2) Permit renewal inspection every 30 months (2.5 years) for tanks in the 100-year floodplain, within 1,000 feet of the banks of the Peace River, and those systems west of Hwy 17, east of CR 769, south of CR 760 (Hwy 17 to CR 769), and east of CR 661.

(3) Time of sale inspection prior to transfer of ownership.
GOAL 1: SOLID WASTE SERVICE. Through 2040, provide for an efficient and safe Solid Waste disposal facilities and collection services on a regular basis for all County residents and commercial establishments within DeSoto County to protect the environment and public health.

Objective 1.1: Solid Waste Disposal. The County shall coordinate the disposal of solid waste throughout the planning horizon in a safe and efficient manner.

Policy 1.1.1: The County’s minimum level of service for solid waste will be 2.75 pounds per person per day, which will be utilized to plan for future demand.

Policy 1.1.2: The County shall periodically evaluate the amount of solid waste deposited at the Section 16 Landfill facility to determine accuracy and reliability of level of service standard.

Policy 1.1.3: The County’s shall periodically evaluate the remaining amount of solid waste capacity at the Section 16 Landfill facility to determine potential need for adequate future capacity and to schedule timely expansion of capacity and facilities as needed.

Policy 1.1.4: The County shall identify potential sites and areas for the location of future landfill facilities.

Policy 1.1.5: The County shall evaluate the terms and conditions of the FDEP operational permit for the DeSoto County Section 16, Landfill and identify additional requirements needed to modify said permit to allow the potential future acceptance and processing of caked sludge and bio- solids from the County’s proposed wastewater treatment facilities prior to that facility’s start of operations.

Objective 1.2: Coordination. DeSoto County shall continue to coordinate its solid waste disposal services and planning activities with municipalities located within DeSoto County and adjacent counties.

Policy 1.2.1: DeSoto County shall coordinate with the City of Arcadia regarding the provision of solid waste disposal and solid waste facilities planning activities.

Policy 1.2.2: DeSoto County shall continue to coordinate with the City of Arcadia regarding the maintenance of the Interlocal Agreement enabling the treatment and disposal of leachate from the DeSoto County landfill facilities.
Policy 1.2.3: Desoto County shall continue to assist FDEP in the enforcement of hazardous waste regulations through the identification of violators of hazardous waste regulations.

Objective 1.3: Service. The County shall continue to accept solid waste from County residents, businesses and private haulers.

Policy 1.3.1: All solid waste disposal performed by DeSoto County shall be operated in a manner that complies with all applicable County, regional, state and federal solid waste disposal standards throughout the planning period.

Policy 1.3.2: Solid waste collection shall be mandatory for all commercial and industrial land uses within the County limits through the use of franchised haulers or self-hauling.

Policy 1.3.3: Throughout the planning period the County shall continue to monitor complaints regarding residential and commercial solid waste collection by franchised haulers to ensure that the most efficient, orderly, sanitary and environmentally sound service is being provided.

Policy 1.3.4: Collection. Since January 2006, the County requires mandatory collection of solid waste for all residential waste Countywide.

Objective 1.4: Recycling. The County will redevelop a recycling program to meet the requirements of Chapter 403, F.S., regarding the use of recycling to reduce the volume of solid waste deposited at the County landfill and therefore extend the useful life of the Section 16 Landfill.

Policy 1.4.1: The residents of DeSoto County shall be made aware, through the County’s website and other means, of the limited drop-off recycling services and providers that are available for use during the interim while the permanent recycling program is being re-developed.

Policy 1.4.2: The recycling center shall accommodate fiscally feasible recyclables.

Policy 1.4.3: The County shall work to develop agreements with private enterprises to purchase or otherwise remove recyclable solid waste.
Policy 1.4.4: The County shall continue to accept yard waste, brush and mulch at the Section 16 Landfill facility.

Policy 1.4.5: The County will encourage efforts of the City of Arcadia and other organizations towards the reduction of the solid waste stream.

Policy 1.4.6: The County shall endeavor to coordinate with the City of Arcadia and surrounding counties with respect to Solid Waste Management and Waste Recycling Programs.

Objective 1.5: Hazardous Waste. The County shall coordinate with the City of Arcadia and surrounding counties to monitor and control the disposal of hazardous wastes in accordance with State law.

Policy 1.5.1: DeSoto County shall continue to maintain its collection center(s) for household hazardous waste.

Policy 1.5.2: DeSoto County shall continue to hold “Amnesty Days” each year for household hazardous waste.

Policy 1.5.3: The location of the collection center(s) and the time and location for “Amnesty Days” shall be periodically published in local newspapers, radio, and/or other notices.

Policy 1.5.4: DeSoto County should conduct an inventory of locations where hazardous materials are used, processed, stored, or transported as required by EPA.
GOAL 1: PROTECTION AND CONSERVATION. Through 2040, DeSoto County shall protect, maintain, restore, and enhance natural resources in order to maintain a living environment that supports a healthy, vibrant population and promotes the well-being of all citizens and the natural environment.

Objective 1.1: Air Quality. DeSoto County shall prevent degradation of air quality in the County through development regulations and coordination with appropriate agencies and shall continue to meet acceptable ambient air quality standards set by the Florida Department of Environmental Protection.

Policy 1.1.1: DeSoto County shall continue to reduce the potential for automotive air pollution by requiring vegetative buffer strips between roadways and future multi-unit residential developments, and by assuring the continued operation of County roadways at established levels of service.

Policy 1.1.2: DeSoto County shall require new developments that discharges gases or particulates into the air to meet the minimum air quality standards as defined in Chapter 62.024, F.A.C., as amended from time to time.

Policy 1.1.3: DeSoto County shall prepare cooperate with the FDEP on the establishment of an air-quality monitoring station in the county, as necessary.

Policy 1.1.4: DeSoto County shall report suspected air-quality violations to FDEP.

Policy 1.1.5: DeSoto County shall defer to federal and state rules and standards for the protection of air quality.

Policy 1.1.6: DeSoto County shall encourage alternative forms of travel such as bicycle ways/paths and pedestrian sidewalks as long-term strategies to protect air quality.

Objective 1.2: Groundwater Resources. The quality of DeSoto County’s groundwater resources shall not be degraded, either directly or indirectly, by human influences below the minimum criteria for groundwater provided in Chapter 62-520-400 F.A.C., and shall be maintained, or as necessary improved, in a responsible and sustainable manner, to ensure the availability or quality of this resource for present and future generations.

Policy 1.2.1: Except for bona fide agricultural operations and incidental domestic uses, land use activities which utilize, store, or generate hazardous materials, or which involve the bulk storage or continuous transmission or petroleum products or other hazardous
substances, shall be prohibited within recharge areas for the immediate aquifer system, and within cones of influence and watershed areas for public water supply wells. The agricultural and domestic exemptions shall not be construed to relieve those activities from compliance with applicable State and Federal regulations pertaining to the installation and use of above- or below-ground storage tanks, or other structures or improvements intended for the use, storage, or generation of petroleum products or other hazardous substances. These land use activities shall be required to be designed consistent with Chapter 3-5, Article XV, Surface Water and Wetland Protection.

**Policy 1.2.2:** The construction of new canals which may result in saltwater intrusion is prohibited by the County if determined that such canals would not comply with the water quality standards provided in Chapter 62-302, F.A.C.

**Policy 1.2.3:** DeSoto County shall work with the Southwest Florida Water Management District to have active free-flowing artesian wells plugged under the Quality Water Improvement Program or by methods approved by the Southwest Florida Water Management District or other appropriate regulatory agency, and the County.

**Policy 1.2.4:** DeSoto County will review State and Federal agencies’ monitoring of all closed or abandoned landfills in DeSoto County to determine whether such monitoring adequately assesses whether these pose a threat to the quality of groundwater resources. If the County determines that such agencies’ monitoring does not provide reasonable assurance that such sites do not pose a threat to groundwater resources, DeSoto County will undertake monitoring as necessary to determine whether a threat exists and will take appropriate actions, including legal actions against known violators, to correct situations which pose a threat to the health, safety, and welfare or the general public.

**Policy 1.2.5:** Where financially feasible, DeSoto County shall create local programs for identification, conservation, management, protection, and restoration of environmentally sensitive area, which shall include, but not be limited to, recharge areas and areas suitable for water withdrawal.

**Policy 1.2.6:** The County shall, in cooperation with FDEP and SWFWMD continue to monitor groundwater quality and levels.

**Policy 1.2.7:** DeSoto County shall monitor groundwater testing information on an annual basis to ascertain changes in water quality and quantity in the aquifer.
Policy 1.2.8: DeSoto County will cooperate with emergency water conservation measures of the SWFWMD.

Policy 1.2.9: DeSoto County should consider investing with SWFWMD and DEP for the acquisition and protection of lands along the Peace River and its tributaries for long-term potable water protection.

Policy 1.2.10: All requests for development shall be reviewed to ensure that potential impacts of the proposed development do not degrade the water quality and quantity of groundwater resources.

Policy 1.2.11: To promote the conservation of groundwater, DeSoto County shall encourage the use of Best Management Techniques, which include landscaping that requires less irrigation, the use of solid waste compost, efficient irrigation systems, and the prohibition of exotic plant species.

Policy 1.2.12: By 2014, DeSoto County shall implement plumbing standards for water conservation included in the Standard Building Code.

Policy 1.2.13: When available, DeSoto County shall support connection of new development in the County to water reuse systems.

Policy 1.2.14: DeSoto County shall require any new County wastewater treatment facility to establish a program for the reuse of the wastewater generated.

Policy 1.2.15: DeSoto County shall protect groundwater recharge areas throughout the County by requiring properly functioning stormwater management systems meeting drainage LOS standards and a minimum percentage of 15% pervious open space for all non-residential development projects and a minimum of 25% pervious open space for residential development projects. This may be further restricted in the LDRs through individual zoning districts and other development performance standards.

Objective 1.3: Wellfield Protection. The County shall enforce provisions in its land development regulations for the conservation and protection of the quality and quantity of current and projected water sources, high natural aquifer recharge areas and public supply potable water wells.

Policy 1.3.1: DeSoto County shall continue to cooperate with the Southwest Florida Water Management District or other appropriate agency to identify cones of influence, water recharge areas and develop a comprehensive wellhead protection program by
2009. This program shall include provisions to further restrict incompatible uses and substances found on the Florida Substance list known to have adverse effects on water quality and quantity. DeSoto County shall request funding assistance from the Southwest Florida Water Management District to accomplish this.

Policy 1.3.2: As interim measure between program adoption and the Southwest Water Management District’s public water supply well cone of influence designation. DeSoto County shall establish a 400-foot radius from the base of a public supply potable water wellfield as a cone of influence and wellhead protection area. The first 200-foot radius shall be a zone of exclusion, where no development activities will be permitted.

Policy 1.3.3: Within the outer 200 feet of the wellhead protection area, the following will be prohibited: landfills, facilities for bulk storage, handling or processing of materials on the Florida substance list; activities that require the storage, use handling, production or transportation of restricted substances, agricultural chemicals, petroleum products, hazardous toxic waste, medical waste, or similar substances; feedlots or other commercial animal facilities; wastewater treatment plants, percolation ponds, or similar facilities; mines; and excavation of waterways or drainage facilities which intersect the water table.

Policy 1.3.4: In establishing an interim cone of influence for public supply potable water wellfields, DeSoto County recognizes that there exist public supply potable water wellfields which are located within 200 feet of their property boundaries and that implementation of the zone of exclusion may cause hardships to innocent neighboring landowners. Therefore, for those existing public supply potable water wellfields located at Live Oak Resort, Craig’s RV Park, ARCADIA Village Adult Mobile Home Park, and DeSoto Village Mobile Home Park, the zone of exclusion shall not extend beyond the property lines of these listed developments unless there is a change in use.

Policy 1.3.5: No new public supply potable water wellfields shall be permitted to be closer than 400 feet to any property boundary line.

Policy 1.3.6: Establish a minimum 1,000-foot potable water wellfield protection zone to prohibit mining, animal facilities, wastewater facilities, storage of bulk hazardous toxic, chemical, fuel or other wastes.

Objective 1.4: Surface Water. DeSoto County shall pursue identification, conservation, protection, and restoration of surface waters from known and identifiable pollution sources. The surface waters of DeSoto County shall be protected to ensure that their quality is
Policy 1.4.1: Except for bona fide agricultural operations and incidental domestic uses, land use activities which utilize, store, or generate hazardous materials, or which involve the bulk storage or continuous transmission or petroleum products or other hazardous substances, shall be prohibited within any area included within the Special Surface Water Protection Overlay District or within any Conservation Overlay District. The agricultural and domestic exemptions, all which are reviewed prior to the issuance of the approved exemption, shall not be construed to relieve these activities from compliance with applicable State and Federal regulations pertaining to the installation and use of above- or below-ground storage tanks, or other structures or improvements intended for the use, storage, or generation of petroleum products or other hazardous substances.

Policy 1.4.2: DeSoto County shall protect its surface waters through implementation of the following standards and guidelines:

1. On-site sewage disposal systems, including their associated drain fields, will be located as far landward as feasible on waterfront properties so as to reduce or prevent unnecessary nutrient and pathogen loading into surface waters.

2. The discharge of runoff, wastewater, or other potential sources of contamination into surface water resulting in the degradation of the quality of the receiving body below the standards set forth in, but not limited to, Chapter 62-, 62-4, 62-302, 626-520, 62-522, and 62-550, F.A.C., (including any anti-degradation provisions of section 62-4.242 (1)(a) and (b), 612-4.242(2) and (3) and 62-302.300, F.A.C.), and any special standards for Outstanding Florida Waters and Outstanding Natural Resources Waters set forth in Section 62-4.242(2) (3), F.A.C. (as required for environmental resources permitting process) will be prohibited.

3. The most current best management practices identified in the Handbook, Urban Runoff Pollution Prevention and Control Planning, EPA/625/R-93/004, September 1993 which control erosion and limit the amount of sediment reaching surface waters shall be used during all development activities.

4. Removal or control of submerged, emergent, or floating vegetation shall be limited to that necessary to provide reasonable access to aquatic weed control and conducted according to the guidelines provided in Chapter 62C-20 F.A.C., as permitted by the Florida Department environmental Protection and in compliance with control standards outlined in Environmental Control, F.S. 403 and 369. This policy shall not apply to the removal of nuisance species such as hydrilla, water hyacinth, or water lettuce.
DeSoto County will continue to provide treatment for the control of aquatic weeds and mosquitoes as governed by Chapter 388 F.S. and where feasible, use non-chemical means and best management practices as alternatives to insecticides and herbicides.

Withdrawal from, or discharges to, surface waters which alter hydroperiods shall require the appropriate permits through the Florida Department of Environmental Protection, Southwest Florida Water Management District, or the Army Corps of Engineers, and shall not reduce the quality or productive capability of water dependent ecosystems.

Development proposals must demonstrate the post development discharges into surface waters, or diversion of freshwater inflow into surface waters, will not lower the quality or productive capability of the receiving water body. All development proposals which require Environmental Resource Permits as provided by Chapter 40D-4 and62-330, F.A.C., will be reviewed for consistency with the other Elements of the Comprehensive Plan.

All development proposals must demonstrate post development discharges into marine and estuarine systems, or waters which flow into estuarine systems will not adversely affect the aquatic system in question. Such discharge must not exceed the legal limit for established surface water quality parameters, including but not limited to, biological oxygen demand, dissolved oxygen, nutrients, bacteriological quality and turbidity, for the appropriate class water, as outlined in 62-302, F.A.C.

Policy 1.4.3: The County shall identify and require the creation of upland buffer zones, in accordance with the regulations of the water management districts, between development and surface water, environmentally sensitive areas, and wetlands in order to protect these natural resources from the activities and impacts of development.

Policy 1.4.4: DeSoto County shall protect water quality and quantity by implementing criteria and performance standards for alteration activities in buffer zones adjacent to surface waters and wetlands.

Policy 1.4.5: Buffer zones shall serve as protection to surface water from intrusive activities and impacts of development.

Policy 1.4.6: DeSoto County shall coordinate with State and Federal agencies to ensure proper approval is given for any alteration activities along surface waters.
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CONSERVATION ELEMENT

Policy 1.4.7: Desoto County shall require all new development within the County to conform to the drainage level of service standards and design criteria of Southwest Florida Water Management District.

Policy 1.4.8: Desoto County shall strive to restore degraded wetlands and floodplains adjacent to surface waters in order to improve the quality of runoff into these surface waters.

Objective 1.5: Wetland Protection. Wetlands and the natural functions of wetlands shall be conserved, protected, and restored from activities which alter their physical and hydrological nature to ensure the filtration of water to enhance water quality, provide flood control, maintain wildlife habitat, and offer recreational opportunities, which enhance the quality of life in Desoto County.

Policy 1.5.1: The County, as part of its development review process, shall require the coordination of development plans with the Florida Department of Environmental Protection, the Southwest Florida Water Management District or other appropriate regulatory agency, to assist in monitoring land uses which may impact potential wetlands as shown on the National Wetlands Inventory (shown as part of the Conservation Overlay Area on the FLUM).

Policy 1.5.2: The County shall require that all development proposals be accompanied by evidence that an inventory of wetlands; soils posing severe limitations to construction; unique habitat; endangered species of wildlife and plants; significant historic structures and/or sites; has been conducted.

Policy 1.5.3: Wetlands identified in the County and as shown as part of the Conservation Overlay District on the Future Land Use Map and shown in Map IX-1, are general designations and actual wetland boundaries are subject to field verification at the time of Southwest Florida Water Management District or other appropriate regulatory agency permitting. Once verified as being wetlands, such lands shall be designated Conservation on the Future Land Use Map and development of such wetlands shall be restricted as stated herein.

Policy 1.5.4: The County shall prohibit all development within wetlands that upon completion of construction, including mitigation and/or reclamation, and within acceptable time frame, as designated within an approved permit, does not maintain or improve the function of biological systems at the site. Functions that may be considered include, but are not limited to:
(1) Provision of wildlife and fisheries habitat;
(2) Maintenance of in-stream flows and lake levels during periods of high and/or low rainfall;
(3) Erosion control;
(4) Water quality enhancement; and
(5) Natural vegetative communities

**Policy 1.5.5:** Development within wetlands shall conform to the following criteria:

(1) All permits from an agency with jurisdiction shall be approved prior to issuance of a final development order;
(2) All new development or redevelopment shall be designed to avoid impacts to wetlands. Where impacts cannot be avoided, impacts shall be minimized and shall be mitigated by wetland compensation or wetland enhancement. Wetland impacts, where unavoidable and where properly mitigated, as determined by state or federal agencies having jurisdiction, shall be permitted for:
   (a) Access to the site
   (b) Internal traffic circulation, where other alternatives do not exist, or for purposes of public safety;
   (c) Utility transmission lines;
   (d) Pre-treated stormwater management;
   (e) Preventing all beneficial use of the property from being precluded. If a site is such that all beneficial use of the property will be precluded due to wetland restrictions, the property shall be developed at a density of one dwelling unit per 20 acres;
   (f) If buildable uplands are available, residential development shall be clustered away from wetlands such that wetlands and their functions are protected;
   (g) If buildable uplands are available on site, but the proposed development will cause or result in a disturbance of wetlands, residential development shall be transferred from the wetland portions of the sitter to the non-wetland portions at a density of one dwelling unit per 10 acres, unless otherwise listed within this Plan, and the unavoidable impact to wetlands be mitigated; and
   (h) Development activities subject to state or federal mining reclamation requirements that ensure the maintenance or improvement of biological systems at the site.

**Policy 1.5.6:** Mitigation activities for impacting wetland areas will be permitted when the mitigation activities are intended and designed to restore wetland areas to their natural conditions, including water flows, hydroperiods, and native vegetative communities. Mitigation of wetland impacts will be from the Southwest Florida Water
Management District, the Florida Department of Environmental Protection, and/or the U.S. Army Corps of Engineers, as applicable. The rate of mitigation shall be one-to-one, or as specified by the permitting authorities, whichever is more restrictive. However, if approved by the permitting authorities, it shall be acceptable to reclaim wetland impacted by phosphate mining with smaller, higher-quality wetland systems or to remove isolated wetlands if the mitigation plan improves the overall wetland system.

**Policy 1.5.7:** The minimum setback shall be 50 feet and the average of all setbacks from the resource shall be 25 feet, or as permitted by an authorized agency. Areas designated as buffers shall preserve all natural vegetative cover, except where drainage-ways and access ways are approved to cross the buffer. Buffers may be supplemented only with native trees, shrubs, and ground covers.

**Policy 1.5.8:** All subdivision of land shall contain adequate uplands for the permitted use.

**Policy 1.5.9:** Phosphate mining shall be prohibited in those portions of the Peace River, Horse Creek, Joshua Creek and Prairie Creek, which are identified in FLUEMS-9.

**Policy 1.5.10:** Phosphate mining-related activity, such as dragline, and pipeline crossings and vehicle access, may be allowed under DRI or County mining permit conditions, if also approved by the permitting authority.

**Policy 1.5.11:** The use or storage or hazardous materials or wastes on the Florida Substance List shall be prohibited within wetland and wetland buffer areas. The landowner/developer shall be given an opportunity to define the jurisdictional wetland boundary and where it relates to the storage of substances.

**Policy 1.5.12:** The County shall consider developing a program to acquire critical wetlands for protection, flood storage, and implementation of a future stormwater master plan and restore them, if necessary.

**Policy 1.5.13:** Existing isolated wetlands may be incorporated into development projects in conjunction with SWFWMD criteria and any future County development regulations.

(1) No net loss of wetlands and functions shall be allowed. On-site design of a development shall: Comply with the wetland protection standards of federal, state, regional and local agencies.

(2) Minimize impacts through innovative design layouts;
(3) Compensate for impact by enhancing or restoring other degraded wetlands on the site, restore natural functions of other wetlands on-site, create new wetlands on-site, preserve significant upland areas, or off-site mitigation.

(4) Mitigation through restoration of degraded wetlands on-site or preservation or restoration, if needed, of significant upland areas on-site will be encouraged rather than new wetland creation.

Policy 1.5.14: In case of inclusion of wetlands into the surface water management systems, the stormwater shall be pre-treated per the Water Management District.

Policy 1.5.15: The County shall study and develop criteria and standards for identification or wetlands, evaluating the significance of wetlands and for the proper use and activities allowed in wetlands, in conjunction with other authorized agencies.

Policy 1.5.16: The County shall require the developer to have a qualified professional to identify and certify the limits of all wetlands on the development plan to identify and certify the limits of all wetlands on the development plans.

Objective 1.6: Floodplains and Floodways. DeSoto County shall ensure long-range protection and restoration of functions of the remaining floodplains.

Policy 1.6.1: The County as part of its development review process shall require the coordination of development plans with the Florida Department of Environmental Protection and the Southwest Florida Water Management District to assist in monitoring land uses which may impact potential floodplains as shown on FEMA Flood Insurance Rate Maps (FIRM) (shown as part of the Conservation Overlay on the FLUM).

Policy 1.6.2: The County shall require that all development proposals be accompanied by evidence that an inventory of soils posing severe limitations to construction; unique habitat; endangered species of wildlife and plants; significant historic structures and/or sites; and areas prone to periodic flooding (areas within the 100-year floodplain) has been conducted.

Policy 1.6.3: DeSoto County shall require that the extent to which any development or redevelopment is proposed to be placed in/on, to disturb, or to alter the natural functions of any of these resources be identified. Such identification shall occur at a phase in the development review process that provides the opportunity for DeSoto County to review the proposed project so that direct and irreversible impacts on the identified resources are avoided. Development other than phosphate mining shall be...
located away from the 100-year floodplain on the upland portion of the site. Where no upland exists, development may occur so long as all applicable environmental permitting requirements can be satisfied. All future subdivision of land shall contain adequate uplands for the permitted use.

Policy 1.6.4: Phosphate mining shall be prohibited in those portions of the 100-year floodplain of the Peace River, Horse Creek, Joshua Creek and Prairie Creek, which are shown in FLUEMS-9.

Policy 1.6.5: Phosphate mining-related activity such as dragline and pipeline crossings and vehicle access may be allowed under DRI or County phosphate mining permit conditions. The use or storage of hazardous materials or wastes on the Florida Substance List shall be restricted in the 100-year floodplain or within wetland buffer areas. The landowner/developer shall be given an opportunity to define the exact location of the 100-year floodplain or wetland boundary, where it relates to the storage of substances. Where such substances are otherwise regulated.

Policy 1.6.6: DeSoto County shall maintain rules and standards in its Land Development Regulations to further address the protection, restoration, and acquisition of the natural and hydraulic functions of the 100-year floodplain in general and to address any specific problem areas which may already exist.

Policy 1.6.7: The County shall require the developer to have a qualified professional identify and certify the limits of the 100-year floodplain on the development plans.

Policy 1.6.8: DeSoto shall continue to participate in the National Flood Insurance Program administered by the Federal Emergency Management Administration (FEMA).

Policy 1.6.9: The County shall consider the acquisition or establishing a conservation easement of floodplains adjacent to surface waters.

Policy 1.6.10: DeSoto County shall continue to encourage flood control through non-structural means for surface water management.

Policy 1.6.11: DeSoto County shall identify and recommend floodplains that warrant acquisition and restoration under public and probate land acquisition programs to FEMA and the Water Management District.
Objective 1.7: Mining/Excavation. The County shall establish maintain in its Land Development Regulations, procedures to appropriately protect the quality of air, water, land and wildlife resources from mining/excavation.

Policy 1.7.1: Phosphate mining operations, like all other development, shall be subject to the development review process. The following minimum standards shall apply to all phosphate mining in DeSoto County:
(1) Revegetation proposals for reclamation shall be based on the requirements of Chapter 62C-16 F.A.C., as amended from time to time.
(2) Finished slopes for reclaimed areas shall not be greater than one foot vertical to four feet horizontal. Where high surface flow velocities can be expected, suitable erosion protection shall be proposed.
(3) Provision shall be made to protect watercourses and wetlands in or near reclamation areas against siltation until vegetation is well established.

Policy 1.7.2: Reclamation proposals for mines shall provide for the perpetuation and accessibility of monitoring stations.

Policy 1.7.3: Relocations or increases in the flow of water coursed leaving the mine property shall not adversely affect downstream property owners or the environment.

Policy 1.7.4: Applications for mining developments shall include effective plans for spill emergencies. Such plans shall consist of a Spill Notification, Containment and Safety Plan for the clay settling areas, water recirculation systems, and reagent storage areas addressing such issues as inspection schedules, spill notification procedures, maintenance of warning systems and clean-up responsibilities.

Policy 1.7.5: The County shall continue to consider active and permitted mining operations and areas of mineral deposits in future land use decisions in order to avoid incompatible land use activities.

Policy 1.7.6: DeSoto County shall require surface mines and excavation pits to be reclaimed in an environmentally sound fashion following the cessation of mining/excavation activities.

Policy 1.7.7: Mine/Excavation areas converted to pond or lake areas should be designed to resemble a natural pond with littoral zone shelves and contours; a deep open-water limnetic zone (open water where photosynthesis can occur) free of rooted emergent and submersed vegetation; and, where feasible, a buffer of upland vegetation.
Policy 1.7.8: Mine/Excavation areas shall be returned to their natural configuration through the replanting of native trees, shrubs, and understory vegetation.

Policy 1.7.9: Mine/Excavation operators shall be required to demonstrate a workable reclamation plan and proof of financial responsibility before excavation permits are issued.

Policy 1.7.10: Resource extraction which will result in a reduction of ecological value of the area subject to such resource extraction, which cannot be mitigated, reclaimed or restored to environmentally sound condition shall be prohibited. For phosphate mining, a permit authorizing mitigation, reclamation or restoration of environmentally sensitive areas obtained from the Southwest Florida Water Management District, the Florida Department of Environmental Protection, and/or the US Army Corps of Engineers, as applicable, shall evidence that the resource extraction will not result in a reduction of ecological value of the area subject to the resource extraction.

Policy 1.7.11: Wetlands, rivers, streams, floodplains, habitat of threatened or endangered species and species of special concern, prime agricultural lands, prime groundwater recharge areas, historically significant sites or other environmentally sensitive areas which cannot be restored, mitigated or reclaimed shall be identified and protected by a prohibition on mining activities within those areas and the establishment of buffer zones around them.

Policy 1.7.12: Mineral extraction reclamation plans shall provide for restoration of pre-mining/pre-excavation pit drainage retention and detention in each affected drainage basin.

Policy 1.7.13: Reductions or increases in the flow of watercourses leaving the mine/excavation property shall not adversely affect downstream property owners or the environment.

Policy 1.7.14: Applications for mining developments shall include effective plans for spill Notification, Containment and Safety Plan for the clay settling areas, water recirculation systems, and reagent storage areas addressing such issues as inspection schedules, spill notification procedures, maintenance of warning systems and clean-up responsibilities.

Objective 1.8: Soil Management. The County shall appropriately manage soil data and protect against soil erosion and uses inconsistent with soils.
Policy 1.8.1: The County’s Land Development Regulations shall continue to require that all site developments properly install and maintain erosion and sedimentation control devices, and that developers submit an erosion and sediment control plan before start of construction.

Policy 1.8.2: All disturbed soil areas shall be permanently stabilized upon completion of development activities, in order to reduce soil erosion.

Policy 1.8.3: Whenever possible, native trees, shrubs and ground cover shall be maintained on development sites to prevent soil erosion.

Policy 1.8.4: The County shall notify the local office of the U.S. Soil Conservation Service of any major soil erosion problems that may occur within the County's jurisdiction.

Policy 1.8.5: The County shall maintain soils records to be used in determining appropriate development usage.

Policy 1.8.6: The County shall not allow septic tanks in soils that do not adequately percolate.

Objective 1.9: Vegetative and Wildlife Communities. DeSoto County shall promote the protection, conservation, restoration, and appropriate use of wildlife and ecological communities.

Policy 1.9.1: The County shall work closely with the Florida Fish and Wildlife Conservation Commission (FFWCC) and private landowners to increase the public’s knowledge of habitat protection and best management practices to protect endangered and threatened species, as well as species of special concern.

Policy 1.9.2: The County shall notify the Florida Fish and Wildlife Conservation Commission of the presence of any roosting, nesting, or frequented habitat areas for endangered or threatened wildlife occurring within its jurisdiction.

Policy 1.9.3: DeSoto County shall work with the Florida Fish and Wildlife Conservation Commission and the Soil and Water Conservation District to develop Best Management Practices for the protection of topographic, hydrologic, soil characteristics and vegetative factors in the site plan review process of proposed developments. Best Management Practices will be implemented through the County’s Land Development Regulations, and are intended to provide for: erosion control on construction sites;
Policy 1.9.4: The County shall cooperate with adjacent local governments, as well as regional, state and federal agencies in the identification and management of natural resources. DeSoto County will incorporate comments from adjacent local governments in order to develop a consistent set of criteria for the protection of unique vegetative communities located within more than one local jurisdiction.

Policy 1.9.5: The County shall request assistance of the U.S. Soil Conservation Service to verify the County’s inventory of unique vegetative communities.

Policy 1.9.6: The County shall coordinate during the development review process with the appropriate state and federal agencies for technical assistance in environmental issues regarding wildlife and native wildlife habitat.

Policy 1.9.7: DeSoto County shall continue to regulate and/or prohibit the following activities in areas identified as being environmentally sensitive and in areas containing endangered and/or threatened wildlife, to ensure that such areas are preserved:

1. The removal, excavation, or dredging of soil, sand, gravel, minerals, organic matter, or materials of any kind except for phosphate mining within the Generalized Phosphate Mining Overlay Designation, which shall be regulated to ensure that such areas are preserved, mitigated, reclaimed, or restored;
2. The changing of existing drainage characteristics, sedimentation patterns, flow patterns, or flood retention characteristics;
3. The disturbance of the environmentally sensitive area's water level or water table by drainage, impoundment, or other means;
4. The dumping or discharging of material, or the filling of an environmentally sensitive area with material;
5. The placing of fill or the grading or removal of material that would alter topography;
6. The destruction or removal of plant life that would alter the character of an environmentally sensitive area or wildlife habitat; and
7. The conduct of an activity that results in a significant change of water temperature, a significant change of physical or chemical characteristics of environmentally sensitive area water sources, or the introduction of pollutants.

Policy 1.9.8: Native vegetation protection regulations shall mandate fair and equitable restoration and/or compensatory mitigative measures in order to compensate for loss of vegetation and to enhance stabilization of fragile slopes.
DESOTO COUNTY 2040 COMPREHENSIVE PLAN
CONSERVATION ELEMENT

and/or shorelines.

Policy 1.9.9: The County shall encourage new developments to protect existing native vegetation in common areas and buffer zones by granting credit for the existing vegetation during the development review process.

Policy 1.9.10: The County shall encourage additional planting of native plant species to enhance sparse vegetation in common areas and buffer zones by requiring inclusion of native species in the landscaping plan.

Policy 1.9.11: The County shall cooperate with and assist Federal and State environmental and wildlife preservation agencies in their efforts to protect fish populations within the County's water bodies and to promote environmental management activities, which enhance fish propagation through natural processes or by managed fish restocking.

Policy 1.9.12: Through zoning, site plan, and other local regulations, fisheries, marine habitat, native wildlife and wildlife habitat, including state and federally protected plant and animal species (endangered, threatened and species of special concern), shall be appropriately protected from new development by creating preservation/conservation areas within development areas and referring such issues to the appropriate jurisdiction for further assistance in the protection of this natural resource.

Policy 1.9.13: The County shall request the assistance of the Florida Fish and Wildlife conservation Commission to conduct inventories of State and federally protected plant and animal species in DeSoto County.

Policy 1.9.14: The County shall continue to regulate new development adjacent to the County’s surface waters to ensure that such development does not degrade marine habitat such as mangrove and manatee habitat.

Policy 1.9.15: The County shall protect plant and animal species, including marine habitats and fisheries. The Land Development Regulations shall provide for clustering, open space, conservation easements, the use of Best Management Practices and mitigation of, or prohibit, the disturbance of said plant and animal species to accomplish their protection.

Policy 1.9.16: Developers shall be required to identify wildlife habitat, and endangered and threatened species as part of the development review process, and
shall be required to submit mitigation measures for review as part of the County’s development review process.

Policy 1.9.17: Annually, the County shall maintain updated maps from FFWCC showing the locations of habitat for endangered and threatened species and species of special concern, and unique natural areas.

Policy 1.9.18: The County shall coordinate with the City of Arcadia to ensure the protection of environmentally sensitive areas that cross jurisdictional boundaries.

Policy 1.9.19: DeSoto County shall require that an ecological survey be performed by a qualified environmental consultant prior to the approval of site clearing activities to determine if populations of endangered, threatened, or plant or animal species of special concern occur.

Policy 1.9.20: DeSoto County shall require that, for private development, in which alteration is unavoidable, the developer shall be responsible for establishing a mitigation plan for critical habitat.

Policy 1.9.21: DeSoto County shall recognize and allow pastures, groves, and other agricultural uses in the development of a wildlife management system, provided the uses referenced above do not threaten or endanger the survival of the wildlife species.

Objective 1.10: Agriculture. DeSoto County shall promote agricultural practices that produce a minimal disturbance to the County’s natural resources.

Policy 1.10.1: Agricultural activities shall be conducted in accordance with Best Management Practices, and in a manner compatible with the need to protect, conserve and appropriately use wetlands, uplands and natural resources adjacent to lakes and streams and to ensure the protection of water quality within water bodies.

Policy 1.10.2: DeSoto County shall promote viable agriculture in the County’s ranchlands and citrus groves.

Policy 1.10.3: The County shall adopt land clearing and land alteration regulations that include criteria for the protection and/or conservation of threatened or endangered habitats or species and shall, at the same time, minimize adverse impacts to the economic viability of agricultural lands on which most of these habitats and species do occur.
Objective 1.11: Public Education. DeSoto County shall promote the education and environmental awareness of its citizens and visitors on issues relating to protection, conservation, restoration, and appropriate use of natural resources.

Policy 1.11.1: The County shall endeavor to educate, through the use of signage, brochures, press releases, and community meetings, the public on conservation issues.

Policy 1.11.2: DeSoto County shall cooperate with SWFWMD and the U.S. Soil Conservation Service to implement water conservation programs and to provide citizen education.

Objective 1.12: Historical, Archeological and Cultural. The County shall conserve significant sites and protect existing historical structures.

Policy 1.12.1: The County shall coordinate with the State Division of Historic Resources in continuing to identify, protect, analyze, and explain the County’s historical, archaeological, and cultural resources, (such efforts shall include determination of their worth and vulnerability, as well as determination of specific applicable preservation management policies).

Policy 1.12.2: The County shall prohibit development activities in or adjacent to historic archaeological sites that depreciate or eliminate their historical value.

Policy 1.12.3: The County shall encourage registration of historically significant sites under Federal and State certified historical master files.

Objective 1.13: Sustainable Development. The County shall offer incentives to encourage sustainable development to protect its natural resources and enhance the quality of life.

Policy 1.13.1: DeSoto County shall encourage the use of Florida Green Building Standards for homes, commercial buildings, developments, and communities.

Policy 1.13.2: The County shall develop appropriate procedures for effective communication and for coordination of the planning, design, and construction processes, which include or affect vegetation growing within or to be planted in public rights of way.
Objective 1.14: Nature-Based Tourism. DeSoto County shall promote natural, historical, and cultural tourism practices that produce a minimal disturbance to the County’s natural, historic, and cultural resources.

Policy 1.14.1: Tourism activities are to be conducted in accordance with Best Management Practices, and in a manner compatible with the need to protect, conserve and appropriately use resources.

Policy 1.14.2: DeSoto County shall promote viable tourism throughout the County.

GOAL 2: CONSERVATION OF POTABLE WATER RESOURCES. Through 2040, DeSoto County shall take steps to reduce potable water consumption and to conserve this natural resource by providing efficient supply and delivery.

Objective 2.1: Reduce Consumption. DeSoto County shall strive to reduce per capita water usage from a current 118 GPD identified in SWFWMD Regional Water Supply Plan to 95 GPD.

Policy 2.1.1: The County shall evaluate and implement strategies to achieve a reduction in water consumption through various water conservation measures, consumer education, and develop programs to identify and repair leaking pipes and plumbing fixtures.

Policy 2.1.2: DeSoto County shall amend the Land Development Regulations to require a water conservation plan for new residential and non-residential subdivisions and planned unit developments. Each plan shall include at least one of the following: reuse of stormwater for irrigation or other non-potable water use, installation of low-flow fixtures, conversion of existing on-site well water for irrigation use and supplementation, use of water-wise vegetation, annual water audits performed by a certified water auditor, or other similar measures approved by the County.

Policy 2.1.3: DeSoto County Utilities shall coordinate with public entities, such as the Conserve Florida Water Clearinghouse (University of Florida), to obtain technical assistance in the collection of measurable baseline data that can be used to establish a set of benchmarks from which the effectiveness of the water conservation measures will be evaluated in the future.
Policy 2.1.4: DeSoto County shall encourage conservation of water resources by the enforcement of watering restrictions of customers, monitoring excessive water use and other active measures until non-compliance is corrected.

Objective 2.2: Reuse Water. The County shall continue to evaluate the feasibility of providing a public accessible reuse water supply.

Policy 2.2.1: As part of future WSFWP updates, DeSoto County shall evaluate cost-benefit of providing reuse supply to high volume water users, such as agriculture and golf courses. Additional evaluation will include demand from
GOAL 1: GOVERNMENTAL SERVICES. Through 2040, DeSoto County shall implement and promote stable working relationships with other governmental agencies to ensure efficient, effective, and thorough delivery of governmental services.

Objective 1.1: Coordination of Plans. The DeSoto County Comprehensive Plan shall strive to be consistent with the growth management plans of applicable agencies, such as the State Comprehensive Plan and the Central Florida Regional Planning Council Strategic Regional Policy Plan.

Policy 1.1.1: Coordinate with affected governmental agencies when developments requiring Chapter 380, Florida Statutes, review are within the County’s jurisdiction.

Policy 1.1.2: Review the adjacent Counties and City of Arcadia Comprehensive Plans’ to determine the impact of those adopted plans on the future growth and development of the County; such review shall occur on an annual basis, and whenever major Plan changes are made by those jurisdictions.

Policy 1.1.3: Participate in the Central Florida Regional Planning Council Strategic Regional Policy Plan review and update process.

Policy 1.1.4: Continue coordination in planning efforts with adjacent counties and the City of Arcadia through the sharing of relevant planning data and analysis; notification of development occurring within the County within ½ mile of a jurisdictional boundary; and, review of the impacts of proposed development, including land use compatibility and impacts on level of service standards.

Policy 1.1.5: Coordinate with the water resource protection efforts of the SWFWMD’s Water Shortage Plan and the Shell Creek and Prairie Creek Watershed Management Plan.

Policy 1.1.6: The County shall provide the following information and services to affected local governments and agencies:

(1) Provide available planning data and analysis when requested,

(2) Review the actions of other local governments as to the impact of such actions on County’s levels of service and the County’s concurrency management system, and

(3) Notify affected local governments and governmental agencies of pending County actions regarding comprehensive plan amendments.
Policy 1.1.7: DeSoto County shall update and maintain consistency with all updates of the Regional Water Supply Plan. DeSoto County shall consider data provided within the Plan, such as population projections and consumption rates, prior to developing alternate data. Where variations in data and analysis occur, DeSoto County staff shall coordinate efforts and share available data with SWFWMD and the Authority to reconcile differences.

Objective 1.2: Informal Planning Coordination. The County will appoint representatives to attend applicable regional and state meetings regarding growth management, schools, parks, infrastructure, emergency management, and other related issues to coordinate on the County’s behalf.

Policy 1.2.1: The County will strive to increase interaction with the Central Florida Regional Planning Council, such as attendance at commission meetings.

Policy 1.2.2: The County will coordinate land use amendment impact analysis through the Development Review Committee process.

Policy 1.2.3: The County shall pursue informal monthly meetings between County and City of Arcadia to discuss common issues affecting both jurisdictions.

Objective 1.3: School Coordination. The County will continue to work with the DeSoto County School Board regarding school siting criteria, collocation of facilities and planning coordination.

Policy 1.3.1: DeSoto County shall continue to coordinate with the School Board for Public School Facility Planning as required through the Interlocal Service Agreement.

Policy 1.3.2: The County shall continue to coordinate with the DeSoto County School Board to provide planning for adequate sites and infrastructure for future public education facilities within DeSoto County.

Policy 1.3.3: During pre-development program planning and school site selection activities, the County shall coordinate with the DeSoto County School Board to collocate schools with other public facilities, such as parks, libraries, and community centers to the maximum extent possible.
Objective 1.4: Transportation Coordination. The County shall coordinate issues with affected governmental agencies and jurisdictions to provide an efficient transportation network.

  Policy 1.4.1: The County will coordinate transportation planning efforts with the Florida Department of Transportation and, whenever applicable, surrounding jurisdictions.

  Policy 1.4.2: The County shall actively participate in the development of the Florida Department of Transportation’s 5-Year Transportation Improvement Program for state roads.

  Policy 1.4.3: DeSoto County shall continue to work with the Florida Department of Transportation to ensure the coordination of the County’s transportation system.

Objective 1.5: Infrastructure Coordination. The County shall coordinate issues with affected governmental agencies and jurisdictions to provide adequate public infrastructure facilities to maintain the adopted levels of service.

  Policy 1.5.1: DeSoto County shall encourage the City of Arcadia in conjunction with the County to develop a utility service boundary to avoid legal conflicts and the duplication of services.

  Policy 1.5.2: The County shall maintain interlocal agreements with the City of Arcadia and the Peace River Authority, as applicable, to provide for water and sewer services for the County’s residents.

  Policy 1.5.3: The County shall pursue the implementation of findings within the Lake Suzy Drainage Basin Study as finances and resources permit.

  Policy 1.5.4: The County shall continue to coordinate solid waste disposal with Arcadia and maintain an interlocal agreement for disposal of the City’s waste stream.

  Policy 1.5.5: DeSoto County shall coordinate with the City of Arcadia on utility service areas for existing and future development. Existing and planned service area maps shall be exchanged at least on an annual basis with the City.

Objective 1.6: Conservation Coordination. The County shall coordinate conservation issues with affected governmental agencies and jurisdictions.
Policy 1.6.1: Continue coordination with Federal, State, Regional, and private environmental agencies to ensure adequate technical support for all environmental issues in which the County requires technical expertise.

Policy 1.6.2: The County shall continue to participate and support programs and projects of State, Regional, and municipal agencies which seek to preserve environmentally sensitive lands, promote usable open space, preserve habitats for endangered species, and protect groundwater supplies, potable water supplies, and surface water quality.

Policy 1.6.3: DeSoto County Utilities shall work with the Peace River Manasota Water Supply Authority to develop conservation measures and coordinate all water supply planning efforts.

Objective 1.7: Parks and Recreation Coordination. The County shall coordinate parks and recreation issues with affected governmental agencies and jurisdictions.

Policy 1.7.1: If opportunities arise, develop interlocal agreements with the DeSoto County School Board and the City of Arcadia for the provision and maintenance of shared recreational facilities.

Policy 1.7.2: Coordinate greenways and trails with the State, and pursue funding mechanisms for implementation of these needed improvements.
GOAL 1: FISCAL MEANS. Through 2040, DeSoto County shall provide to the extent possible attainable fiscal means to ensure the timely and necessary installation and maintenance of public facilities needed to meet the demands of residents, visitors, and businesses.

Objective 1.1: Capital Improvement Schedule. To ensure that the necessary facilities and infrastructure are available to meet Levels of Service standards established within the Comprehensive through establishment of a 5-Year capital improvements schedule and maintenance of a 2040 long-term capital improvements needs list.

**Policy 1.1.1:** Minimum Capital projects shall be defined as those projects identified within the elements of the Comprehensive Plan that are necessary to meet established levels of service, having a cost exceeding $50,000.

**Policy 1.1.2:** Capital projects for the following facilities and infrastructure shall be included and funded as part of the County's Capital Improvement Schedule:

1. Transportation
2. Stormwater Management (Drainage)
3. Sanitary Sewer
4. Solid Waste
5. Potable Water
6. Parks and Recreation

**Policy 1.1.3:** All capital improvements not qualifying for inclusion in the Five-Year Schedule of funded concurrency related capital improvements, shall be included in the 2040 long-term capital improvements needs list.

**Policy 1.1.4:** When allocating priorities for scheduling and funding capital improvement needs identified within the Comprehensive Plan, the County shall assign the highest priority to capital improvement projects listed in the concurrency related Five-Year Schedule of Improvements for purposes of eliminating any existing deficiencies.

**Policy 1.1.5:** Capital projects shall be prioritized according to the following criteria:

1. Whether the project is necessary to meet *established levels of service*.
2. Whether the project increases the *efficiency* of existing facilities or infrastructure.
3. Whether the project represents a logical extension of facilities within the utility service area.
4. Whether the project is *coordinated* with major projects of other agencies.
5. Whether the project implements the policies of the *Comprehensive Plan* as they
Desoto County 2040 Comprehensive Plan
Capital Improvements Element

Pertain to concurrency requirements.

(6) Whether the project eliminates a public hazard.

(7) Whether the project is financially feasible.

Objective 1.2: Level of Service (LOS). The County shall utilize level of service criteria defined in the various Elements of this Plan when determining the timing and funding of capital facilities.

Policy 1.2.1: Adopted level of service standards for facilities and infrastructure shall be as follows:

(1) The following minimum LOS standards for Traffic facilities are:

<table>
<thead>
<tr>
<th>ROADWAY TYPE</th>
<th>STATE ROAD URBANIZED AREA</th>
<th>STATE ROAD OUTSIDE URBANIZED AREA</th>
<th>COUNTY ROAD</th>
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<td>C</td>
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<tr>
<td>Controlled Access Highway</td>
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<td>C</td>
<td>D</td>
</tr>
<tr>
<td>Other Multi-lane Roads</td>
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<td>C</td>
<td>D</td>
</tr>
<tr>
<td>Two-lane Roads</td>
<td>D</td>
<td>C</td>
<td>D</td>
</tr>
</tbody>
</table>

(2) The level of service for Sewer is 80 gallons per day per capita.

(3) The level of service for Solid Waste is 4.62 pounds per day per capita.

(4) The level of service for Potable Water is 95 gallons per day per capita.

(5) The level of service for total Park acreage is 10 acres per 1,000 populations.

(6) The level of service for Drainage is:

(a) The 25-year, 24-hr design storm event to meet the water quality and quantity standards.

(b) Peak post-development runoff shall not exceed peak pre-development runoff rates.

(c) Stormwater runoff shall be required for all development, redevelopment and, when expansions occur, existing developed areas. The stormwater treatment system or systems can be project specific, or serve sub-areas within the County regardless of the area served and in accordance with the SWFWMD Basis of Review for ERP Applications the stormwater treatment systems must provide a level of treatment for the runoff from the first one (1) inch of rainfall for projects in drainage basins of 10 acres or more, or as an option, for projects or project subunits with drainage basins less than 10 acres, the first one-half (1/2) inch of runoff, from the design storm in accordance with the SWFWMD Basis of Review for ERP Applications in order to meet the receiving water quality standards.
of Rule 62-302, F.A.C and 40D-4, F.A.C. Stormwater discharge facilities shall be designed so as to not lower the receiving water quality or degrade the receiving water body below the minimum conditions necessary to maintain their classifications as established in Chapter 62-302,F.A.C. It is intended that all standards in these citations are to apply to all development and redevelopment and that any exemptions or exceptions in these citations, including project size thresholds, do not apply for concurrency determinations.

Policy 1.2.2: In coordination with other County departments, the Development Department shall evaluate land use amendments to determine the compatibility of those amendments with the adopted level of service standards and to ensure adequate funding is available when improvements are necessary pursuant to such land use amendments.

Policy 1.2.3: Capital projects shall use the following thresholds to target initiation and budgeting of construction and/or purchase of capital facilities to meet projected future needs based on adopted level of service (LOS) standards:
(1) Roadways - Volumes are at 90% of adopted LOS capacity.
(2) Sewer – 80% of available capacity
(3) Water – 80% of available capacity.
(4) Recreation and Open Space – Park lands when 95% of available land area is utilized or when 90% of the population exists in areas in need of new park acreage.

Policy 1.2.4: The County shall pursue adequate funding sources for the construction of capital projects identified in the Capital Improvement Schedule.

Policy 1.2.5: The following procedures shall be utilized to ensure adequate funding for transportation capital projects:
(1) The County shall continue to participate in FDOT committees and the Heartland Regional Transportation Planning Organization regarding transportation funding to ensure funding distribution for transportation projects identified in Table XII-2.
(2) 100% of State revenue sharing motor fuels tax funds shall be reserved specifically for traffic related maintenance and capital improvement projects.
(3) 100% of net proceeds, after payment of existing bond obligations, of the DeSoto County Local Option Gasoline Tax shall be reserved specifically for traffic related maintenance and capital improvement projects.
(4) Transportation Impact Fees collected shall be reserved for County Collector and Arterial transportation capital projects.

(5) Developer contributions in aide shall be required for any State Roadway Improvements and local street improvements needed.

**Policy 1.2.6:** The following procedures shall be utilized to pursue adequate funding for stormwater management (drainage) capital projects:

(1) The County should evaluate the potential collection of a stormwater utility tax and establishment of a stormwater utility fund. Upon enactment, the Stormwater Utility Fund shall be reserved for stormwater management operating needs and capital projects.

(2) The County should continue to pursue funding through SWFWMD and FEMA for stormwater master plan funding.

(3) Cash restricted due to bond and grant covenants will be budgeted in accordance with the terms of the covenants.

**Policy 1.2.7:** The following procedures shall be utilized to pursue adequate funding for sanitary sewer capital projects:

(1) Sanitary Sewer Impact fees collected shall be reserved for sewer infrastructure projects.

(2) Maintain a reserve account restricted for sanitary sewer related capital projects.

(3) A portion of funds collected from the Utility Enterprise Fund shall be reserved to complete sanitary sewer capital projects.

(4) Cash restricted due to bond and grant covenants will be budgeted in accordance with the terms of the covenants.

(5) Developer contributions in aide shall be required for any improvements not in the first 3 years of the 5-year CIP, for all external water facilities needed to serve the development and for all improvements within the development to serve the development.

**Policy 1.2.8:** The following procedures shall be utilized to pursue adequate funding for potable water capital projects:

(1) Potable Water Impact Fees collected shall be reserved for water capital projects.

(2) Maintain a reserve account restricted for sanitary sewer related capital projects.

(3) A portion of funds collected from the Utility Enterprise Fund shall be reserved to complete potable water capital projects.

(4) Cash restricted due to bond and grant covenants will be budgeted in
Developer contributions in aide shall be required for any improvements not in the first 3 years of the 5-year CIP, for all external water facilities needed to serve the development and for all improvements within the development to serve the development.

**Policy 1.2.9:** The following procedures shall be utilized to pursue adequate funding for parks and recreation capital projects:

1. Parks and Recreation Impact fees collected shall be reserved for Community and Regional Park and Recreation land purchases and infrastructure projects.
2. Grants shall be pursued and used for the completion of parks and recreation capital projects.
3. The Code of Ordinances shall continue to contain provisions for all new developments to provide mini-lot and specialized parks and recreation facilities within residential developments. Developer contributions in aide shall be required for Neighborhood Parks for Developments over 50 units.

**Objective 1.3: Capital Improvement Evaluation.** All County capital projects shall be evaluated to determine if they meet the prioritization criteria and consistency with adopted level of service standards and/or public need.

**Policy 1.3.1:** Requests for capital projects shall be evaluated for their consistency with adopted level of service standards by utilizing the following criteria:

1. All major capital project requests shall be submitted for comprehensive plan review by the Development Department by March 31st of each year in order to be included in the following fiscal year capital budget.
2. The Development Department shall prepare a report and Ordinance evaluating the timing, location, and service area for each proposed capital project and whether the project is consistent with the DeSoto County Comprehensive Plan, which Ordinance shall be presented to the Local Planning Agency for a recommendation and for adoption by the Board of County Commissioners.

**Policy 1.3.2:** The County shall continue to maintain an inventory of any existing hazards within the County by using the hazards analysis and hazards mitigation criteria established within the DeSoto County Local Hazard Mitigation Strategy and shall also identify any grant sources available to mitigate the hazards listed on the hazard inventory.
Policy 1.3.3: Requests for capital projects shall be evaluated for their impact on the County budget and the financial feasibility of the project based on the following criteria:

1. The Finance Department shall determine if the capital project can be funded from existing cash, future revenues, or through borrowing. In addition, the Finance Department shall assign a revenue source(s) to fund the project.

2. The Finance Department shall prepare a report evaluating the funding options, effect of the improvement on future revenues, and the effect of the improvement on operation and maintenance costs.

Policy 1.3.4: All County capital projects shall be reviewed as to their compatibility and timing in relation to capital projects being implemented or planned by the City of Arcadia, the Florida Department of Transportation, the Southwest Florida Water Management District, the DeSoto County School Board, the Florida Department of Environmental Protection, the Heartland Regional Transportation Planning Organization, and/or any other government agency.

Policy 1.3.5: The County should use reasonable methods to track capital projects of any agency, which may be in conflict or may enhance the County's capital projects.

Objective 1.4: Debt Management. The County shall adopt policies and procedures which address the management and utilization of debt for the purposes of capital project financing, and the County will use line of credit borrowing or bond anticipation notes for specific construction projects and issue revenue pledged debt at construction completion only if current funds do not provide adequate funding to pay for construction.

Policy 1.4.1: The use of revenue bonds as a debt instrument shall be evaluated based on the following criteria:

1. A future projection of revenues from all funds shall be prepared and updated annually as a part of the County's budget process.

2. Revenue bonds shall be allowed to fund up to one hundred percent (100%) of the County’s total debt.

3. Debt will not be issued to finance normal repairs and maintenance.

4. Debt can be issued to make renovations, updates, modernizations and rehabilitations provided the expenditures extend the useful life of the capital asset.

5. The maximum ratio of total debt service (principal and interest) to total revenue shall be that percent deemed most beneficial to the County as determined by
the County Administrator, Financial Officer and Financial Advisors based upon the evaluation of the various financing options available.

(6) The impact of principal and interest revenue bond payments on the operation and maintenance of the affected utility and/or department will not require deferring current maintenance of existing infrastructure.

(7) The impact of bond covenants and restrictions on the County's method of accounting for depreciation, and the impact of any reserve account restrictions on the operation and maintenance of the affected utility and/or department.

(8) Cash restricted due to bond and grant covenants will be budgeted in accordance with the terms of the covenants.

(9) Capitalized repairs of existing infrastructure will be paid from funds restricted by debt covenants and current revenues. Debt will not be issued to finance capitalized repairs.

**Policy 1.4.2:** The use of tax revenues as a pledge for the repayment of debt shall be evaluated based on the following criteria:

(1) A five (5) year projection of revenues from all taxes shall be prepared and updated annually as a part of the County's budget process, and an analysis of historic and future trends in the tax revenue stream will be a part of the projection process.

(2) At the time of issuance of new debt, a review shall be conducted to ensure that the maximum amount of general government debt shall not exceed fifteen percent (15%) of the County's property tax base assessed valuation reported yearly by the DeSoto County Property Appraiser's office.

**Policy 1.4.3:** The County may use long-term capital lease payments on lease purchases for capital projects identified within this Element, provided adequate debt service requirements are provided.

**Objective 1.5: Repair and Replacement.** All County departments shall prioritize capital projects to provide for the repair and/or replacement of identified facilities.

**Policy 1.5.1:** As part of the annual budget process, all applicable County departments shall identify and prioritize capital facilities in need of refurbishment or replacement and submit those facilities for funding in the Capital Improvement Program.

**Objective 1.6: New Development.** The County shall re-consider whether new developments should share a proportionate share of the costs required to maintain adopted level
of service standards, through the assessment of impact fees or developer contributions, dedications, or construction of capital facilities necessary to serve new development as required in other Elements of this Plan.

**Policy 1.6.1:** All development order applications shall be evaluated as to the impact of the development on capital facilities and the operation and maintenance of those facilities. The evaluation shall include, but not be limited to, the following:

1. Expected capital costs, including the installation of new facilities required that are related to the development.
2. Expected operation and maintenance costs associated with the new facilities required by the development.
3. Anticipated revenues the development will contribute, including impact fees, user fees, and future taxes.

**Policy 1.6.2:** When applicable, the County shall utilize developer’s agreements to ensure the timely and appropriate installation of needed capital facilities to service new development. Such agreements will be executed under the County’s constitutional home rule power and following the procedures set forth in Chapter 163.3220, Florida Statutes.

**Policy 1.6.3:** To ensure adequate capacity allocations for all developments, the County may require any development to use developer’s agreements and/or develop in more than one phase.

**Policy 1.6.4:** DeSoto County shall re-consider whether to use impact fees for potable water and sewer, parks, roads, schools and transportation to ensure new developments contribute their proportionate share of capital project funding necessary to service new development.

**Policy 1.6.5:** New developments shall be responsible for installing all internal water and sewer systems, traffic circulation systems, and internal recreation/open space facilities within their development. In addition, connections of internal systems to the County’s designated major water and sewer trunk systems and traffic circulation network shall be the financial responsibility of the developer.

**Objective 1.7: Concurrency Management.** DeSoto County shall implement a development review process to ensure that development occurs where public facilities have sufficient capacity to serve the existing population, the reservations of approved development orders, and the needs of the development proposed, all based on level-of-service standards, as established by
the Comprehensive Plan, adopted in accordance with Section 163.3202(1), FS. and implemented thru the specific procedures within the Land Development Regulations.

**Policy 1.7.1: General.** DeSoto County shall adopt and implement a concurrency management system and regulations which meet the following minimum standards:

1. Consistent with public health and safety, sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent. Prior to approval of a building permit or its functional equivalent, the local government shall consult with the applicable water supplier and wastewater service provider to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the local government of a certificate of occupancy or its functional equivalent.

2. Consistent with the public welfare, parks and recreation facilities to serve new development shall be in place or under actual construction no later than 1 year after issuance by the local government of a certificate of occupancy or its functional equivalent. However, the acreage for such facilities shall be dedicated or be acquired by the local government prior to issuance by the local government of a certificate of occupancy or its functional equivalent, or funds in the amount of the developer's fair share shall be committed no later than the local government's approval to commence construction.

3. Transportation facilities needed to serve new development shall be in place or under actual construction within 3 years after the local government approves a building permit or its functional equivalent that results in traffic generation.

4. DeSoto County shall integrate its concurrency management system, land use planning, and decisions with its plans for public facility capital improvements by using its annual Capital Improvements Program. The Capital Improvements Element shall maintain adopted level-of-service standards for all development consistent with the Future Land Use Element and any subsequent development orders issued.

**Policy 1.7.2: Preliminary Development Orders.** Submittal for approval of preliminary development order, which does not establish binding densities and intensities of development may be reviewed for concurrency as one criteria in the evaluation of the preliminary development order submittal.

1. The County shall determine the available capacity of public facilities prior to approving a intermediated final development order; and
(2) No rights to obtain intermediate or final development orders, nor any other rights to develop the subject property, will have been granted or implied by the County's approval of the preliminary development order without determining the capacity of public facilities.

(3) *Preliminary Development Orders.* These shall be Rezonings, Comprehensive Plan Amendments and similar development orders that do not necessarily reflect a specific intensity and density development proposal. They shall be orders for which a preliminary concurrency evaluation may be utilized in evaluating whether or not to approve the order and for which long-term planning implications may be considered, but for which no concurrency is granted and for which the lack of concurrency shall not be the sole reason for denial of the preliminary development order.

**Policy 1.7.3: Intermediate and Final Development Orders.** Prior to the issuance of an intermediate or final development order, which establish binding densities and intensities of development, the County shall require the availability of sufficient capacity of public facilities to maintain adopted LOS standards for the existing population, for reservations of approved development orders, and lastly for the needs of the new development proposed, concurrent with the timing of the new development proposed.

(1) *Intermediate Development Orders.* These shall be site plans (development plans and special exceptions), preliminary plats, construction plan approvals (notice to proceed), and similar development orders that reflect a specific development proposal, that does not yet include vertical construction or the final division of property. These shall be orders for which a specific concurrency evaluation is required in evaluating whether or not to approve the order and for which capacity is reserved and may be held through the final development order process if the project proceeds according to the timelines of such approvals. The lack of concurrency may be the sole reason for denial of an intermediate development order.

(2) *Final Development Orders.* These shall be variances, building permits, and final plats and similar development orders that reflect a specific development proposal that includes vertical construction or the final division of property. These shall be orders for which a specific concurrency evaluation is required in evaluating whether or not to approve the order and for which capacity is reserved, unless such evaluation was done as an Intermediate Development Order and has not yet expired according to the timelines for such approvals. The lack of concurrency may be the sole reason for denial of an intermediate
Policy 1.7.4: Final Development Order Determination. A final development order (final concurrency determination), which establishes specific density and intensity of development shall not be approved, unless the following conditions for the provision of facilities are met (excluding approved intermediate development orders that have proceeded according to the timelines of such approvals):
(1) Are currently in place or will be in place when the final development order is issued;
(2) The development order is issued with the condition that the necessary facilities and services will be in place when the impacts of the development occur;
(3) Are under construction at the time of the final development order; or
(4) Are guaranteed by an enforceable agreement to be in place concurrent with the impacts of the development.
(5) Are included in the 3-year funding portion of the DeSoto County Capital Improvements Program, including any adopted therein from outside agency three or five year plans (i.e. FDOT).

Policy 1.7.5: Concurrency Information/Data. The County will maintain a concurrency database and monitoring system which includes sufficient data to ensure that projects approved subject to minimum criteria for public facilities requiring a concurrency determination do not result in a reduction of the level of service below the adopted level-of-service standard.
(1) Roadways
   (a) County will maintain and provide level of services information as set forth in the Comprehensive Plan. Such data will include standard trip generation rates, an estimate of the average daily trips and peak hour trips generated by projects approved subject to minimum requirements for roadway capacity, and vested development, and an estimate of the capacity of existing and planned roadway, roadway intersection improvements absorbed by projects approved subject to minimum requirements below.
   (b) If the preliminary level of service information indicates a level of service failure, the developer has two alternatives:
      1) Accept the level of service information as set forth in the Comprehensive Plan and as subsequent updated by County staff; or
      2) Prepare a more detailed capacity analysis
   (c) If the developer chooses to do a more detailed analysis, the following procedure will be followed:
1) Development Department staff will provide the developer with the acceptable methodology for preparing the alternative analysis.

2) The developer will submit the completed alternative analysis to staff for review.

3) County Staff will review the alternative analysis for accuracy and appropriate application of the methodology.

(d) If the alternative methodology analysis, after review and acceptance by the Development Department staff, indicates an acceptable level of service where the comprehensive plan indicates a level of service failure, the alternative methodology analysis will be used.

(e) If the developer is submitting an intermediate or final development order for a project and this alternative methodology analysis is approved, it can be used to obtain a Certificate of Concurrency, the specifics of which are set forth in the Land Development Regulations.

(2) Recreation and Open Space, and Solid Waste

(a) The County will provide level of service information as set forth in the Comprehensive Plan.

(b) If the level of service information indicates that the proposed project would not result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was available at the date of application of the intermediate or final development order.

(c) If the level of service information indicates that the proposed project would result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was not available at the date of application. Procedures to notice the applicants of inadequate capacity shall be performed in accordance with the Land Development Regulations.

(3) Potable Water, Sanitary Sewer.

(a) In order to guarantee provision of the minimum level of service, the County shall take the following steps:

(b) Begin internal planning and preliminary design for expansion when a plant’s Average Annual Daily Flow is equal to 60% of the permitted capacity;

(c) Prepare plans and specifications for expansion when a plant’s Average Annual Daily Flow is equal to 70% of the permitted capacity;

(d) Submit a complete construction permit application to the Florida Department of Environmental Protection for expansion when a plant’s
Average Annual Daily Flow is equal to 80% of the permitted capacity;
(e) Submit an application for an operation permit for the expanded facility to
all appropriate regulatory agencies when a plant’s Average Annual Daily
Flow is equal to 90% of the permitted capacity. Public facilities that serve
fixed population shall be exempt from this requirement (i.e. State Prison
Water and Wastewater Plants).

Policy 1.7.6: Development Order Concurrency Approval. When an intermediate or final
development order is approved for concurrency the following shall apply:
(1) Determination of capacity is valid only for the uses and densities of development
stated in the development order granted;
(2) When the approval of the Development Order is no longer valid, the concurrency
approval is also no longer valid.
(3) Determination of available capacity is valid for all intermediate and final
development orders for a length of time to be established by the Land
Development Regulations, or a period of time negotiated by the County and
developer, which is set forth in a binding agreement.

Policy 1.7.7: Development Order Concurrency Denial. When an intermediate or final
development order application is not approved for concurrency the following shall apply:
(1) The Development order shall be denied; or
(2) The Development order shall be modified in intensity or density or timing through
phasing to be brought into compliance with the concurrency management system
so that concurrency for the development order granted; or
(3) The applicant agrees to build infrastructure to upgrade the deficient facilities to an
acceptable level of service.
(4) The County accepts the guarantee of the development's pro-rata share of the any
needed capital improvements via a written agreement and in conjunction with
one or more the following financial sureties, acceptable to the County in form and
amount:
   (a) Performance bond
   (b) Irrevocable letter of credit
   (c) Prepayment of impact fees
   (d) Prepayment of capacity fees

Policy 1.7.8: DeSoto County may do one of the following if an applicant's pro-rata
share of a public facility is less than the full cost of the facility.
DE SOTO COUNTY 2040 COMPREHENSIVE PLAN
CAPITAL IMPROVEMENTS ELEMENT

(1) Contract with the applicant for the full cost of the facility, including terms to reimburse the applicant for all cost above the pro-rata share.
(2) Obtain assurances from other sources, or
(3) Amend the Comprehensive Plan to modify the adopted level-of-service standard to allow the applicant's development.
(4) Construct the excess capacity with funds from the applicant and public funds (if available) and receive the remaining pro-rata share from future development as it occurs.

Policy 1.7.9: When a public facility LOS has fallen below the adopted standard and a moratorium on development orders is declared for that public facility the County shall seek to do one or more of the following, depending on the facility (The following are not listed in priority order):
(1) Solicit state and federal resources to minimize or eliminate the moratorium;
(2) Review the CIP for available projects and resources which may be available to maintain the LOS standard;
(3) Seek private resources available to maintain the LOS and/or mitigate the impacts;
(4) Exempt from the moratorium development which has been determined to be vested (the exemption is valid only for development uses and densities stated in the final development order).

Objective 1.8: RESERVED
GOAL: 1. DeSoto County shall work closely with the School District of DeSoto County to ensure a high quality, fiscally sound public school system which meets the needs of the DeSoto County population by providing and maintaining adequate school facilities for both existing and future populations.

Objective 1.1: Coordination and Consistency. DeSoto County shall cooperate with the School District and the City of Arcadia to share information and address multi-jurisdictional public school issues in order to assure the coordination of planning and decision-making.

Policy 1.1.1: The County will implement the Interlocal Agreement for Public School Facility Planning between the County, the City of Arcadia, and the School District as required by Section 1013.33, Florida Statutes, including procedures for:
(1) Joint meetings;
(2) Student enrollment and population projections;
(3) Coordinating and sharing of information;
(4) School site analysis;
(5) Supporting infrastructure;
(6) Comprehensive plan amendments, rezonings, and development approvals;
(7) Education Plant Survey and Five-Year District Facilities Work Plan;
(8) Co-location and shared use;
(9) Implementation of school concurrency, including all levels of service standards, concurrency service areas, and proportionate-share mitigation;
(10) Oversight process; and,
(11) Resolution of disputes.

Policy 1.1.2: The County shall maintain a representative of the School District appointed by the School District, as a member of the local planning agency (Planning Commission), as required by Section 163.3174, Florida Statutes.

Policy 1.1.3: The County shall coordinate with the School District and the City of Arcadia regarding annual review of school enrollment projections, and procedures for annual update and review of School District and local government plans consistent with policies of this Element.

Policy 1.1.4: The County shall support School District efforts to ensure satisfactory capacity for current and future school enrollment by providing data on growth trends in order to establish a financially feasible capital improvements program for schools.
Policy 1.1.5:  In order to coordinate the effective and efficient provision and siting of educational facilities with associated infrastructure and services within the County, the Board of County Commissioners and the School District shall coordinate educational and facilities planning with residential growth trends in the County, and discuss issues of mutual concern.

Policy 1.1.6: The County shall notify the School District of all comprehensive plan amendments that increase residential density or affect existing or future school sites residential development review requests and development proposals, pursuant to the adopted Inter-local Agreement on Public School Facility Planning. A notice of review will be mailed to the Superintendent of Schools and to the Director of Facilities. The School District will be given the opportunity to respond with written comments and to appear before the Planning Commission and Board of County Commissioners to discuss any comments. The County will consider the comments made by the School District prior to acting on the request.

Objective 1.2: Co-Location and Shared Use. Coordinate with the School District to jointly plan new county facilities and new school facilities for shared uses such as community meeting sites, hurricane evacuation shelters and community-based recreational activities.

Policy 1.2.1: The County shall establish or renew agreements with the School District to facilitate shared use of School District properties, including but not limited to schools, libraries, recreational facilities/stadiums, and parks.

Policy 1.2.2: The County shall collaborate with the School District to maximize opportunities to coordinate in the location, phasing, and design of future county sites and school sites for joint uses, including recreation areas.

Policy 1.2.3: The County shall require the location of parks, recreation and community facilities in new, planned neighborhoods in proximity to existing or future school sites.

Policy 1.2.4: The County shall, where feasible, require the location of parks, recreation and community facilities in existing neighborhoods in conjunction with school sites.

Policy 1.2.5: The County will coordinate efforts to design new school facilities, facility rehabilitation and expansions, to serve as emergency shelters as may be required by Section 1013.372, Florida Statutes. The County shall coordinate with the City of Arcadia and the School District regarding emergency preparedness issues and plans as required by Section 163.3177(12), Florida Statutes, including returning schools used as
emergency shelters to regular school operations as expeditiously as possible after an emergency event.

**Policy 1.2.6:** The County, City and School District shall notify each other before any jurisdiction contracts to purchase or accepts a site or facility suitable for shared usage, including but not limited to parks and recreational facilities, pursuant to the notification provisions of the approved Interlocal Agreement for Public School Facility Planning.

**Objective 1.3: Public School Facility Siting.** The County shall coordinate with the School District on the planning and siting of educational facilities to ensure that school facilities are coordinated with necessary services and infrastructure and are located to be compatible and consistent with the comprehensive plan.

**Policy 1.3.1:** The County will ensure sufficient land is available for public school facilities proximate to residential development in order to meet the projected needs for such facilities.

**Policy 1.3.2:** The County and School District will determine the location of new school sites consistent with the approved Interlocal Agreement for Public School Facility Planning and State Requirements for Educational Facilities. Consistent with Section 1013.33(13), Florida Statutes, the location of new school sites shall be consistent with the County’s Land Development Regulations and Comprehensive Plan.

**Policy 1.3.3:** The County shall coordinate with the School District on the planning and siting of new public schools to ensure that school facilities are provided with the necessary services and infrastructure and means by which to assure safe access to schools, including sidewalks, bicycle paths, turn lanes, and signalization. The County shall coordinate its capital improvements schedule to meet the needs identified in the School District educational facilities plan.

**Policy 1.3.4:** The County shall coordinate with the School District and the City in the school site selection process as provided in the Interlocal Agreement to require the location of new schools consistent with the Future Land Use Element in which schools shall be a permitted use in the Low-Density Residential, Medium-Density Residential, Neighborhood (Live/Work) Mixed Use, Urban Center Mixed Use, and Public Lands and Institutions Future Land Use categories.

**Policy 1.3.5:** The County and School District will jointly determine on-site and off-site improvements necessary to support construction of a new school or the renovation, expansion or closure of an existing school. The County and School District will enter into
a written agreement as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required improvements in accordance with Sections 1013.51 and 1013.371, Florida Statutes and the Interlocal Agreement for Public School Facility Planning.

**Policy 1.3.6:** The County shall coordinate with the School District to ensure that future school facilities are located outside areas susceptible to hurricane and/or storm damage and/or areas prone to flooding, consistent with Section 1013.36, Florida Statutes and Rule 6A-2, Florida Administrative Code.

**Policy 1.3.7:** The County shall coordinate the location of public schools with the Future Land Use Map to ensure that existing and proposed school facilities are located consistent with the existing and proposed residential areas they serve, are proximate to compatible Future Land Uses, and will serve as community focal points. The County shall work with the School District to coordinate the long range public school facility map with the Comprehensive Plan, including the Future Land Use Map.

**Objective 1.4: Enhance Community Design.** The County shall enhance community design through effective school facility construction and siting standards. Encourage the siting of school facilities so they serve as community focal points and so that they are compatible with surrounding land uses.

**Policy 1.4.1:** Encourage and support planning activities that make school siting the foundation for the planning and design of neighborhoods.

**Policy 1.4.2:** The County shall to fullest extent possible, cooperate with the School District to identify new school sites that provide logical focal points for neighborhoods, and serve as the foundation for innovative land design standards.

**Policy 1.4.3:** The County shall coordinate with the School District to ensure the mutual compatibility of land uses in the construction of new schools and planned development.

**Policy 1.4.4:** The County shall encourage the location of public schools proximate to residential neighborhoods in the Low-Density Residential, Medium-Density Residential, Neighborhood (Live/Work) Mixed Use, Urban Center Mixed Use, and Public Lands and Institutions Future Land Use categories.

**Policy 1.4.5:** The County shall support and encourage the location of new elementary and middle schools, unless otherwise required, internal to residential neighborhoods.
Policy 1.4.6: The County, in coordination with the School District, shall require the traffic circulation plans in new developments to provide for interconnected vehicle and pedestrian access between neighborhoods, school sites and bus drop-off locations.

Policy 1.4.7: The County, in coordination with the School District, shall require developers to provide off-site road improvements, signalization, signage, access improvements, sidewalks and bicycle paths to serve all schools, where needed.

Objective 1.5: Capital Facilities Planning. The County shall work with the School District to ensure existing deficiencies and future needs are addressed consistent with the adopted level of service (LOS) standards for public schools.

Policy 1.5.1: Amendments to the Future Land Use Map and Zoning Atlas will be coordinated with the School District based upon existing capacity and the long-range public school facilities planning map.

Policy 1.5.2: The County shall ensure that future development pays a proportionate share of the capital costs of increasing the capacity of public school facilities needed to accommodate new development and to maintain adopted LOS standards.

Policy 1.5.3: The County hereby incorporates by reference the School District’s Five-Year Facilities Work Program for fiscal years 2009-10 through 2013-14, adopted in September 2009, that includes school capacity sufficient to meet anticipated student demands projected by the County and City, in consultation with the School District’s projections of student enrollment, based on the adopted level of service standards for public schools.

Policy 1.5.4: The County, in coordination with the School District, shall annually update the Capital Improvements Element to adopt by reference the School Board’s Five-Year District Facilities Work Program, including the addition of a new fifth year. The Work Program shall be financially feasible and ensure level of service standards for public school facilities will be achieved and maintained during the five-year planning period and through the long term planning period. The annual update shall include updates to the map series as needed.

Objective 1.6: Level of Service Standards. The County, in coordination with the School District and the City, shall implement a concurrency management system to ensure that the capacity of schools is sufficient to support new residential development at the adopted LOS standards within the period covered by the School District’s Five-Year Facilities Work Program.
Policy 1.6.1: Consistent with the Interlocal Agreement, the uniform, district-wide level of service standards shall be based upon the Florida Inventory of School Houses (FISH) maintained by the Department of Education (DOE). They are initially set and are hereby adopted as shown in Table 1.

Table 1

<table>
<thead>
<tr>
<th>DISTRICT-WIDE PLANNING AREA</th>
<th>LEVEL OF SERVICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>100 % of Permanent FISH capacity as maximized by school district</td>
</tr>
<tr>
<td>Middle</td>
<td>100 % of Permanent FISH capacity as maximized by school district</td>
</tr>
<tr>
<td>High</td>
<td>100 % of Permanent FISH capacity as maximized by school district</td>
</tr>
</tbody>
</table>

These standards shall be consistent with the Interlocal Agreement agreed upon by the School District, and the local governments within DeSoto County.

Policy 1.6.2: Modification of the adopted LOS standards shall only be accomplished through an amendment in each local government comprehensive plan. The procedure for proposing a change to the adopted LOS standards shall follow the process outlined in the Interlocal Agreement. The amended LOS standard shall not be effective until all plan amendments are effective and the amended Interlocal Agreement is fully executed. No LOS standard shall be amended without a showing that the amended LOS standard is financially feasible, supported by adequate data and analysis, and can be achieved and maintained within the timeframe of the Five-Year Facilities Work Program.

Policy 1.6.3 The concurrency service area shall be the County planning area. Concurrency service areas shall maximize capacity utilization, taking into account school locations, residential population centers, transportation costs, court-approved desegregation plans and other relevant factors. By no later than December 1, 2013, the County, the City, and the School District will amend the Interlocal Agreement for Public School Facility Planning and the County will amend its comprehensive plans to establish less-than-districtwide school concurrency service areas, as required by Section 163.3180(13)(c), Florida Statutes.

Objective 1.7: School Concurrency Implementation. In coordination with the School District and the City, the County shall establish a process for implementation of school concurrency which includes applicability and capacity determination and availability standards,
and school capacity methods. The County shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with adopted LOS standards for public school concurrency.

**Policy 1.7.1:** School concurrency applies only to residential development or a phase of residential development requiring a subdivision plat approval, site plan, or its functional equivalent, proposed or established after the effective date of this Element.

**Policy 1.7.2:** The County may approve a concurrency application earlier in the approval process, such as the time of preliminary subdivision or site plan approval. The School District must be a signatory to any residential certificate of concurrency involving allocations of school capacity or proportionate share mitigation commitments, as provided herein.

**Policy 1.7.3:** The student generation rates used to determine the impact of a particular development application on public schools, and the cost per student station are to be established by the School District consistent with the Interlocal Agreement for Public School Facility Planning. The student generation rates shall be reviewed and updated on a regular basis by the School District in accordance with professionally accepted methodologies.

**Policy 1.7.4:** The following residential development is subject to payment of applicable educational impact fees, but shall be considered exempt from the school concurrency requirements:

1. Residential lots included on a plat approved by the Board of County Commissioners and recorded prior to the effective date of the adoption of the Public School Facilities Element.
2. Residential developments that have received final site plan approval provided that:
   - The approval is still valid; and
   - Final construction plans have been approved by the County Engineering Services Department.
3. Amendments to residential development approvals, which have received final subdivision plat approval prior to the effective date of this element, and which do not increase the number of residential units or change the type of residential units proposed.
4. Age restricted development subject to Development Order Conditions prohibiting the permanent occupancy of residents under the age of eighteen (18).
Group quarters including residential type of facilities such as local jails, prisons, hospitals, nursing homes, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, and religious non-youth facilities.

**Policy 1.7.5:** The County shall only issue a concurrency approval for a subdivision plat or site plan for residential development where:

1. The School District’s findings indicate adequate school facilities will be in place or under actual construction within three (3) years after the issuance of the subdivision plat or site plan for each level of school; or
2. Adequate school facilities are available or under actual construction within three (3) years and the impacts of development can be shifted to that area; or
3. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan, as provided in the policies under Objective 1.8.

**Objective 1.8: Proportionate Share Mitigation.** If it is established that sufficient capacity is unavailable in the affected concurrency service area or in an adjacent concurrency service area, proportionate share mitigation may then be proposed to address the impacts of the proposed development.

**Policy 1.8.1:** The County will allow mitigation alternatives that are financially feasible and will achieve and maintain the adopted LOS standard consistent with the School District’s adopted Five-Year Facilities Work Program.

**Policy 1.8.2:** Mitigation shall be negotiated and agreed to by the School District and shall be proportionate to the projected demand for public school facilities created by the proposed development. Mitigation must be sufficient to offset the projected demand, and provide permanent capacity to the District’s inventory of student stations in accordance with the State Requirements for Educational Facilities (SREF) and the Florida Building Code.

**Policy 1.8.3:** Acceptable forms of mitigation may include:

1. School construction.
2. Contribution of land and/or infrastructure.
3. Expansion of existing permanent school facilities.
4. Paying developer’s proportionate share mitigation cost in accordance with the formula provided in the Interlocal Agreement for Public School Facility Planning.
5. Payment for construction and/or land acquisition.
Policy 1.8.4: Relocatable classroom buildings shall not be accepted as a means of proportionate share mitigation.

Policy 1.8.5: Mitigation shall be allocated toward a permanent school capacity improvement identified in the School District’s financially feasible Five-Year Facilities Work Program which satisfies the demands created by the proposed development. Any amendments to the Five-Year Facilities Work Program shall be included in the program’s next update and adoption cycle of the schedule of capital improvements.

Policy 1.8.6: The amount of mitigation required shall be determined by calculating the number of student stations for each type of school for which there is insufficient capacity using the applicable student generation rates, and multiplying by the cost per student station for each school type, as determined by Section 1013.64(6)(b)(1), Florida Statutes. Additional costs for land, infrastructure, design and permitting requirements required for new or expanded school sites may also be applicable.