

DESOTO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES

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DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

TABLE OF CONTENTS

<u>TOPIC</u>	<u>PAGE</u>
GOAL 1: FUTURE GROWTH	4
Objective 1.1: Land Use Categories Established	4
Objective 1.2: Preservation Land Use Category Defined	7
Objective 1.3: Rural/Agricultural Land Use Category Defined	7
Objective 1.4: Low-Density Residential Use Category Defined	10
Objective 1.5: Medium-Density Neighborhood Residential Use Category Defined	11
Objective 1.6: Neighborhood Mixed Use Category Defined	12
Objective 1.7: Commercial Category Defined	15
Objective 1.8: Employment Center Land Use Category Defined	17
Objective 1.9: Urban Center Land Use Category Defined	18
Objective 1.10: Public Lands and Institutions (PLI) Category Defined	20
Objective 1.11: Electrical Generating Facility (EGF)	21
Objective 1.12: Conservation Overlay Designation (COD)	24
Objective 1.12b: Generalized Phosphate Mining Overlay Designation (GPMOD)	29
Objective 1.13: Land Development Regulations	32
Objective 1.14: Land Use Compatibility	33
Objective 1.15: Consistency with the Land Use Map	35
Objective 1.16: Sprawl and Redevelopment	37
Objective 1.17: Transportation and Right-of-way Reservation	39
Objective 1.18: Mobile Homes	40
Objective 1.19: Public Utilities	40
Objective 1.20: Public Schools	41
Objective 1.21: Neighborhood Protection and Approved Projects	42
Objective 1.22: Concurrency Management	42

DeSOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

<u>TOPIC</u>	<u>PAGE</u>
GOAL 2: RESOURCE PROTECTION	47
Objective 2.1: Natural Resource Protection	48
Objective 2.2: Historic Resource Protection	48
GOAL 3: PLANNING FRAMEWORK: EXISTING COMMUNITIES	48
Objective 3.1: Fort Ogden Community: Vision Statement	49
Objective 3.2: Nocatee Community: Vision Statement	50
Objective 3.3: Arcadia Urban Expansion Area: Vision Statement	52
GOAL 4: PLANNING FRAMEWORK: NEW COMMUNITIES	54
Objective 4.1: New Communities: Planning Framework	54
Objective 4.2: Urban/Rural Separation	59
Objective 4.3: Connected Street Network	59
GOAL 5: ENERGY PRODUCTION	60
Objective 5.1: Energy Planning	60
Objective 5.2: Energy Production	60
Objective 5.3: Energy Conservation	61
Objective 5.4: Best Management Practices	61
Objective 5.5.: Land Management	62
Objective 5.6: Efficient Energy Use and Conservation Incentives	63
Objective 5.7: Reduction in Greenhouse Gases and Carbon Footprint	63
DEFINITIONS	64
MAPS & FIGURE	66

DeSoto County Comprehensive Plan

Future Land Use Element

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 (**Map I-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.

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

DESOTO COUNTY COMPREHENSIVE PLAN

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, w h i c h 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
- (9) Adjacent to lands developed with similar densities

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (10) Connectivity between developments
- (11) Donation of usable public land
- (12) Use of multiple performance criteria to achieve higher densities
- (13) Transfer of Development Rights (TDR's)

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 as 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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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.

Policy 1.1.13: *BEBR.* The County will ensure that the Future Land Use Map includes adequate amounts of lands to accommodate the medium projected housing growth by the University of Florida's Bureau of Economic and Business Research for a 10-year and 15-year planning period.

Policy 1.1.14: *Essential Services and Structures.* "Essential Services" (to include infrastructure such as water, wastewater, cable TV, etc.) and "Essential Services Facilities" (to include structures, housing or ancillary infrastructure) shall be allowed in any zone district through the County's Development Plan process.

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,

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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, unless the underlying zoning and/or recorded parcel configuration would allow a greater density. In no case would the density created by zoning exceed 1 unit per 5 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;

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (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;
- (7) In and outdoor firing range
- (8) 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;
- (9) Bulk storage yards, not including bulk storage of flammable liquids, subject to the provisions of the County or State Fire Codes;
- (10) 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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 used 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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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. 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 1.5.3: *Medium Density Residential Use Category Sustainability.* The minimum density permitted within this category will be three dwelling units per acre.

Policy 1.5.4: *Medium Density Residential Open Space.* All development within the Medium Density Residential Category shall provide open space through clustering of units in order to reduce the footprint on a site. Development consisting of two units per acre or less shall provide 50 percent open space on-site. Development greater than two units per acre shall provide a minimum of 25 percent open space.

Policy 1.5.5: *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 1.5.6: *Utilities.* All development within the Medium Density Residential category shall connect to existing public centralized water and wastewater systems.

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 **Map I-5** 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;

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 Ratio 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.

MEASUREABLE 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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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:

General Use	Density/Intensity	Minimum	Maximum
Non-Residential Uses	0.6 FAR	30%	50%
Residential Uses	8 du/ac	20%	50%
Light Industrial	0.6 FAR	0%	20%

New Community 1 & New Community 2

General Use	Density/Intensity	Minimum	Maximum
Non-Residential Uses (General)	0.6 FAR		
1-Regional Scale Commercial Centers/Village Center (Limit 1 Regional Scale Center per New Community)		250,000 gross leasable sq. ft.	750,000 gross leasable sq. ft.
Community Scale Commercial Centers (Limit 1-Community Scale Center per Village)			250,000 gross leasable sq. ft.
Neighborhood Scale Commercial Centers (Limit 2-Neighborhood Scale Centers per Village)			20,000 gross leasable sq. ft.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

General Use	Density/ Intensity	Minimum	Maximum
Residential Uses Each Village (minimum size for each Village)	8 du/ac	3,000 dwelling units	5,000 dwelling units

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.

MEASUREABLE TARGET: *Description of new developments each year on Public Lands-Intuition 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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (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.

Policy 1.10.4: Land Use Compatibility. Land uses which are potentially incompatible either due to type of use or intensity of use shall be buffered from one another.

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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;

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (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 receiving waters; and
- (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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 Voltaic 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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 **Map I-7** 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.

Policy 1.12.3: *Conservation Overlay Designation Development Standards.*

- (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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 areas 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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

areas, historically significant sites or other environmentally sensitive areas which cannot be restored or mitigated 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 **Map I-7**, 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 (**FLEUMS-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 of 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,

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- 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 with 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 **Map I-7** of the Future Land Use Map 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 **Map I-7** 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 **Map I-7** 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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- 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 **Map I-7** 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.

- (1) 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.
- (2) 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.
- (3) 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 COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (4) 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 p[roductive reuse of such areas.
- (5) 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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 (**Map I-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, Arcadia Municipal Airport, as well as neighboring counties.

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

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

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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.
- (2) The County shall provide an administrative vesting procedure by which a property owner may demonstrate that property rights were previously entitled.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

utility facilities is not available, as specified in the following policies:

MEASUREABLE 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.

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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 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 Rezoning, 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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

(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 subsequently 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.
- (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 faire-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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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) Monitor the water supply capability of the Peace River Manasota Regional Water Supply Authority and coordinate with the Authority regarding water supply needed to support additional development.
 - (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.
 - (d) Assure adequate wastewater facilities are available and planned for as required by Rule 62-600.405, F.A.C.

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- 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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 **Map I-5** 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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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:

- (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 **Map I-5** 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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- 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 Nocatee 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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 Map I-5) 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;
- (5) Create efficiency in planning and provision of infrastructure; and
- (6) Provide central utilities.

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

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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; and
- (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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 **Map I-6**) 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;

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (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 **Map I-6** 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.

New Community 1	Maximum Size:	5,702 acres
New Community 2		4,311 acres
Minimum Open Space Inside the Urban Area (Within the Urban Center Mixed use		25%

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

New Community 1	Maximum Size:	5,702 acres
New Community 2		4,311 acres
future land use designation and the Low Density Residential future land use designation		
Minimum Open Space Outside the Urban Area (Within the Rural future land use designation		75%
Residential Development New Community 1		10,000 d.u.'s
Residential Development New Community 2		13,500 d.u.'s

Village Center – Regional Scale Center		
Village Center Maximum Size	Maximum Size	100 acres
Commercial/Retail/Office		750,000 gross leasable sq. ft.

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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

- (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 area 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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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 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 **Map I-6** is regulated as follows:

- (1) *Rezone and Master Plan Process.* All areas within the overlay for each New Community as depicted in **Map I-6** 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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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,

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

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: Energy Conservation. Encourage Energy conservation and improved energy efficiency, and plan and manage land uses to maximize energy efficiency by making energy sustainability a primary consideration in decisions about land use, density, and design that result in improved livability.

Policy 5.3.1: Encourage land use projects and patterns in DeSoto County that result in reduced energy consumption.

Policy 5.3.2: Make energy sustainability a primary consideration in decisions about land use, density, and design by:

- (1) Analyzing existing policies, and developing new policies, rules and standards that create incentives to emphasize energy sustainability;
- (2) Locate land uses to encourage walking, biking and transit and to encourage greater accessibility to jobs and businesses;
- (3) Design density with amenities that encourage and reward the use of green criteria in the design; and
- (4) Apply ecological best practices to achieve green, safe, accessible, adaptable and engaging streets, parks and public spaces.

Policy 5.3.3: New development shall provide vehicular, bicycle and/or pedestrian connection to adjacent commercial development and to adjacent residential development except when such connections are precluded by uncorrectable physical or environmental features.

Policy 5.3.4: Investigate opportunities and incentives for the attraction of clean technology industries in support of utility grade solar facilities and other renewable energy uses.

Objective 5.4. Best Management Practices. Evaluate the applicability of best management conservation practices in DeSoto County facilities.

DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

systems provided the stormwater systems are unfenced and are surrounded by or adjoin areas that are improved for use as a recreation area, and any required landscape buffers.

Phosphate Mining Corridor: Utility corridors or access connections that provide infrastructure links and connections to the beneficiation plant (including mine areas) for linkage to: power supply, rail, public roadways or transportation systems for the movement of personnel, mine equipment or materials. Typically, mine access corridors are internal to the mine and are used for power supply (power lines), railroads, pipelines for the transportation of water, slurry or other materials, conveyance systems and mining equipment movement (including draglines) between mining areas or the beneficiation plant.

Reclamation: The reshaping of mined-lands in a manner that meets the reclamation criteria and standards contained in Section 378.207, Florida Statutes, and is consistent with the reclamation criteria and standards of the Generalized Phosphate Mining Overlay Designation of the Comprehensive Plan (Objective 1.12b and its related policies).

Regional scale Center (aka Village Center): Commercial and non-residential uses that are designed to serve the needs of an entire New Community with a maximum of 750,000 square feet of leasable area.

Restoration: The re-contouring and re-vegetation of lands in a manner, consistent with the criteria and standards of Chapter 378, Florida Statutes, which will maintain or improve the water quality and function of the biological systems present at a site prior to mining.

Village Center: A concentration of development within New Community that may include residential, retail, office, and civic uses (including a park and/or school) where the commercial and non-residential uses are designed to serve the needs of an entire New Community with a maximum of 750,000 square feet of leasable area.

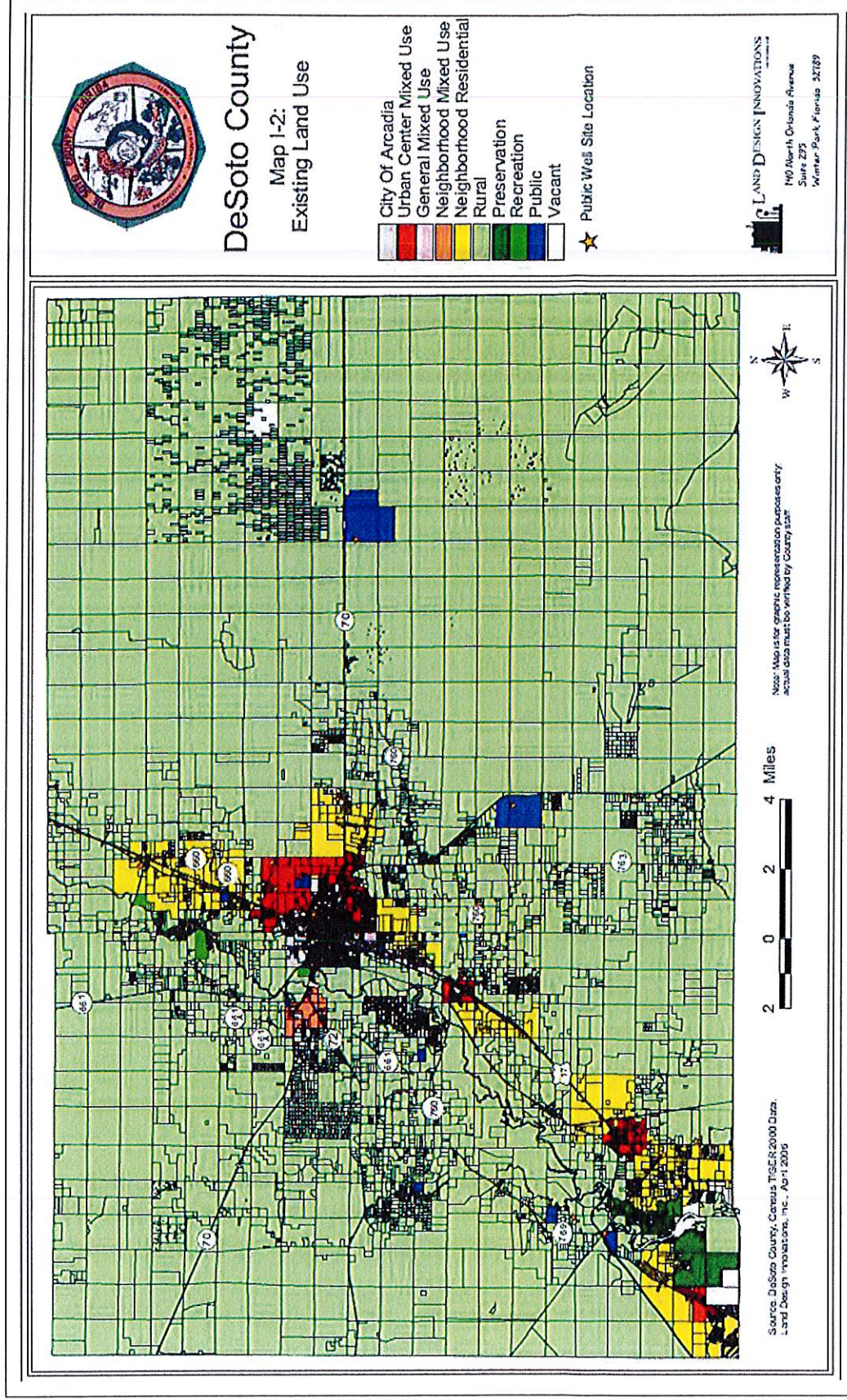
DESOTO COUNTY COMPREHENSIVE PLAN

FUTURE LAND USE ELEMENT

MAPS & FIGURE

Existing Land Uses	I-2
2040 Future Land Use	FLEUMS-3
2040 Conservation Overlay	FLEUMS-4
2040 Phosphate Mining Overlay	FLUEMS-5
Existing Communities Overlay	I-5
New Communities	I-6
Direct Tributaries – 100 Year Floodplains Prohibited From Extraction	I-7
Rural Buffers	Figure I-1

Map I-2: Existing Land Use

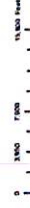


MAP FLUEMS-3
DESOTO COUNTY
INTERIM 2040
FUTURE LAND USE
MAP



Legend

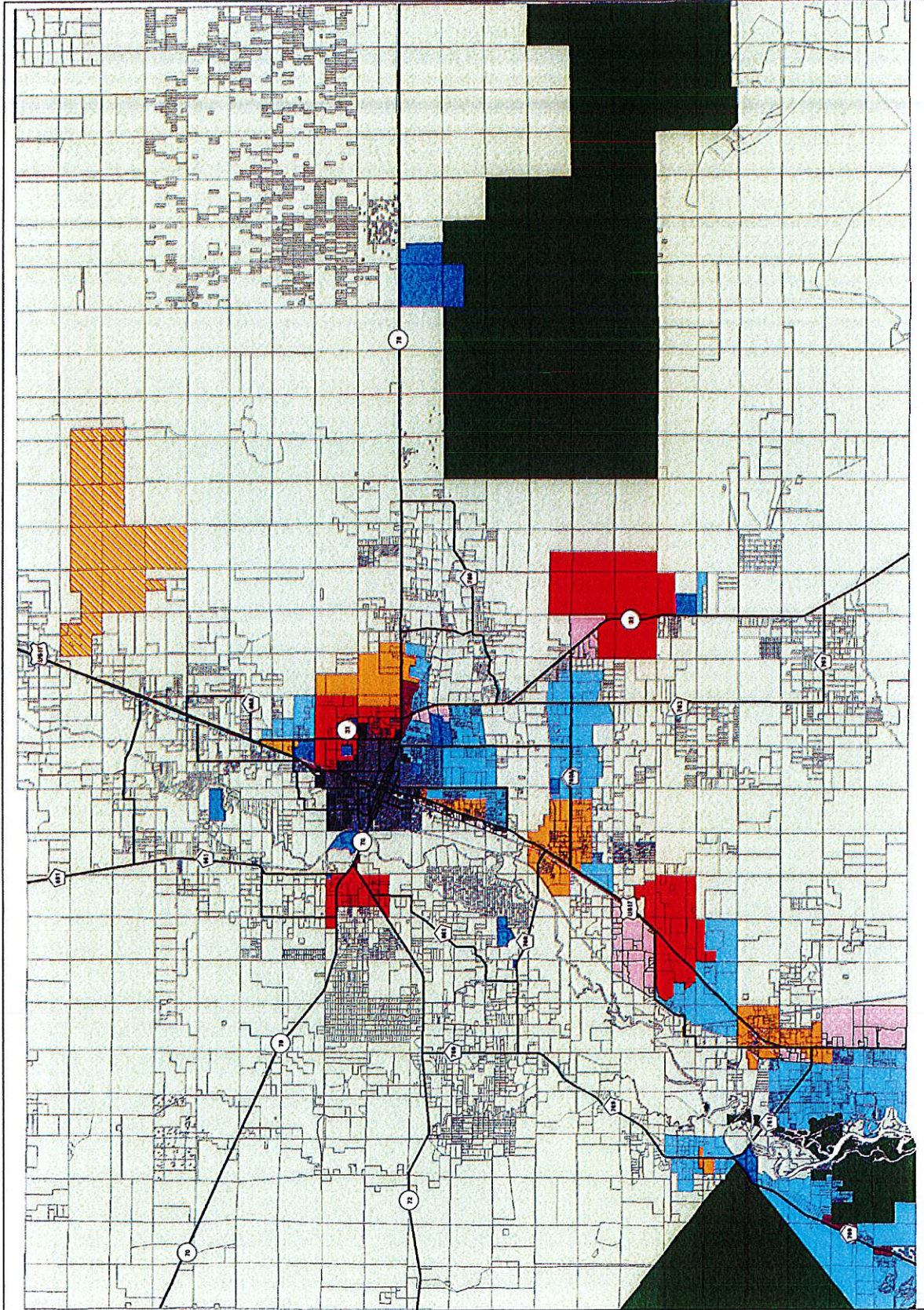
- Roads
- City of Arcadia
- Preservation
- Rural/Agriculture
- Low Density Residential
- Medium Density Residential
- Neighborhood Mixed Use
- Employment Center
- Commercial
- Urban Center Mixed Use
- Public Land/Institutional
- Electrical Generating Facility



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Desoto County
 Board of County Commissioners



MAP FLUEMS-4

DESOTO COUNTY
INTERIM 2040
CONSERVATION
OVERLAY
DESIGNATION

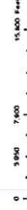


Legend

— Roads



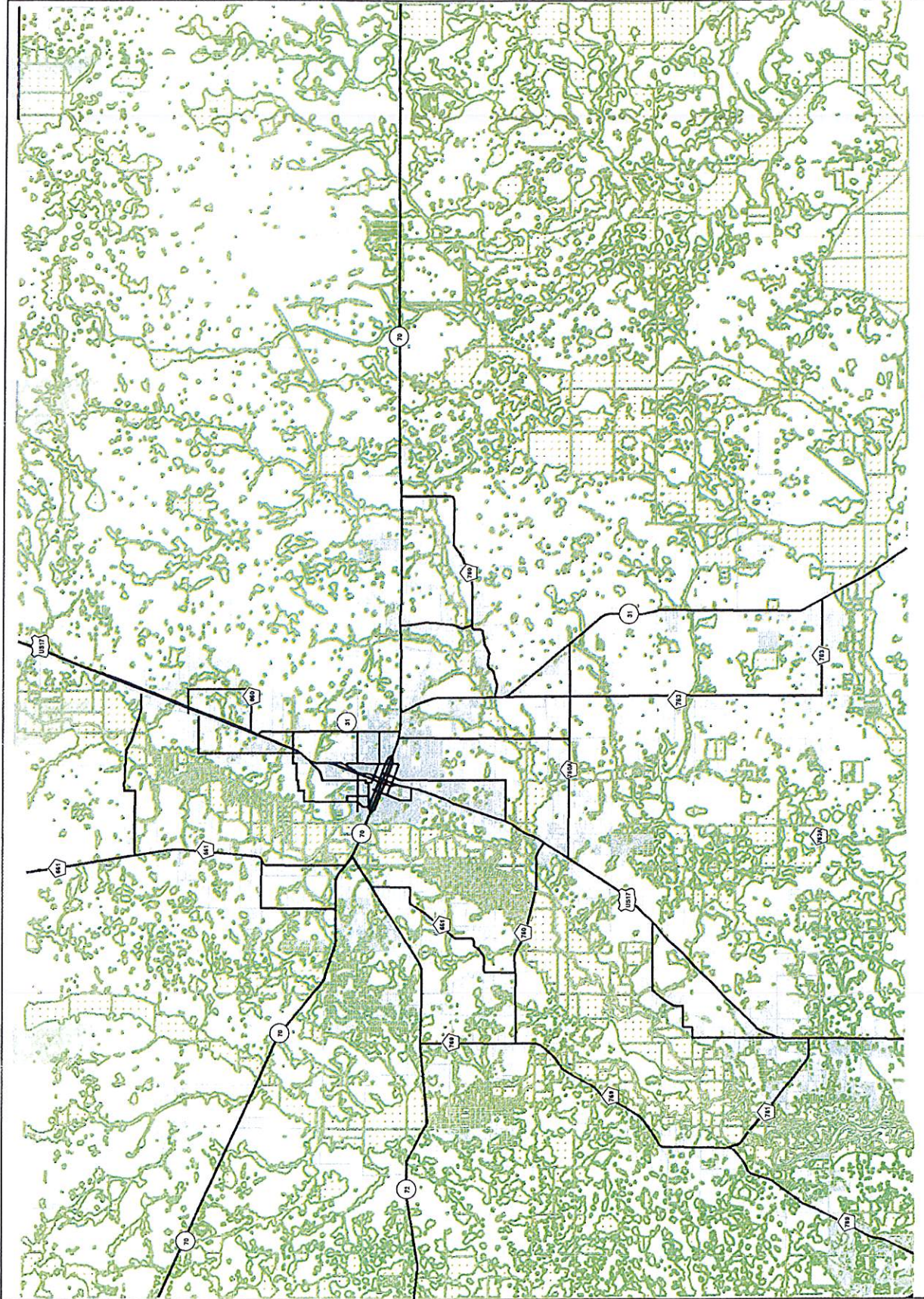
Conservation Overlay



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Revised: 10/2014
DeSoto County, FL



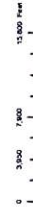
MAP FLUEMS-5
DESOTO COUNTY
INTERIM 2040
GENERALIZED
PHOSPHATE MINING
OVERLAY



Legend

— Roads

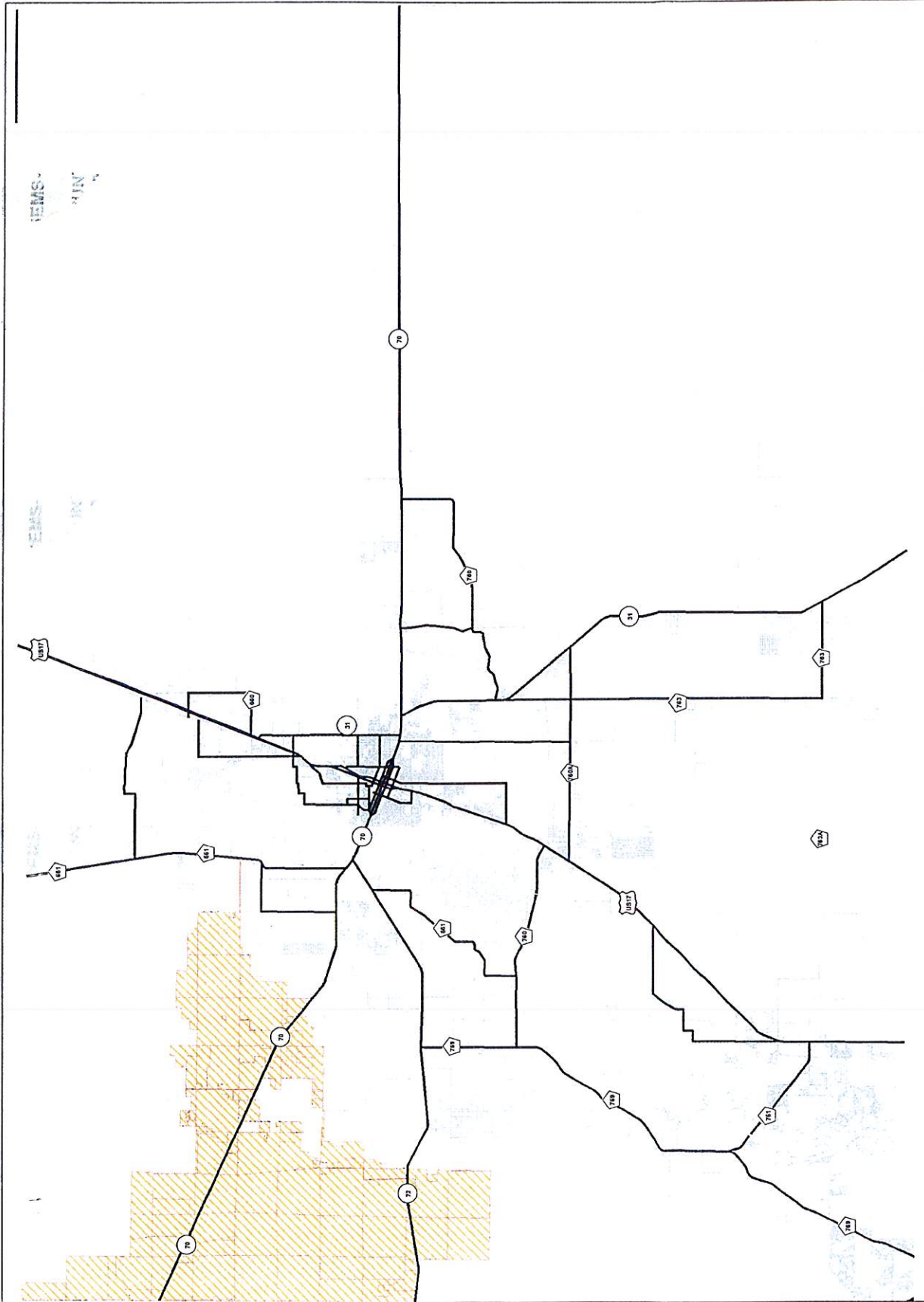
Phosphate Mining Overlay



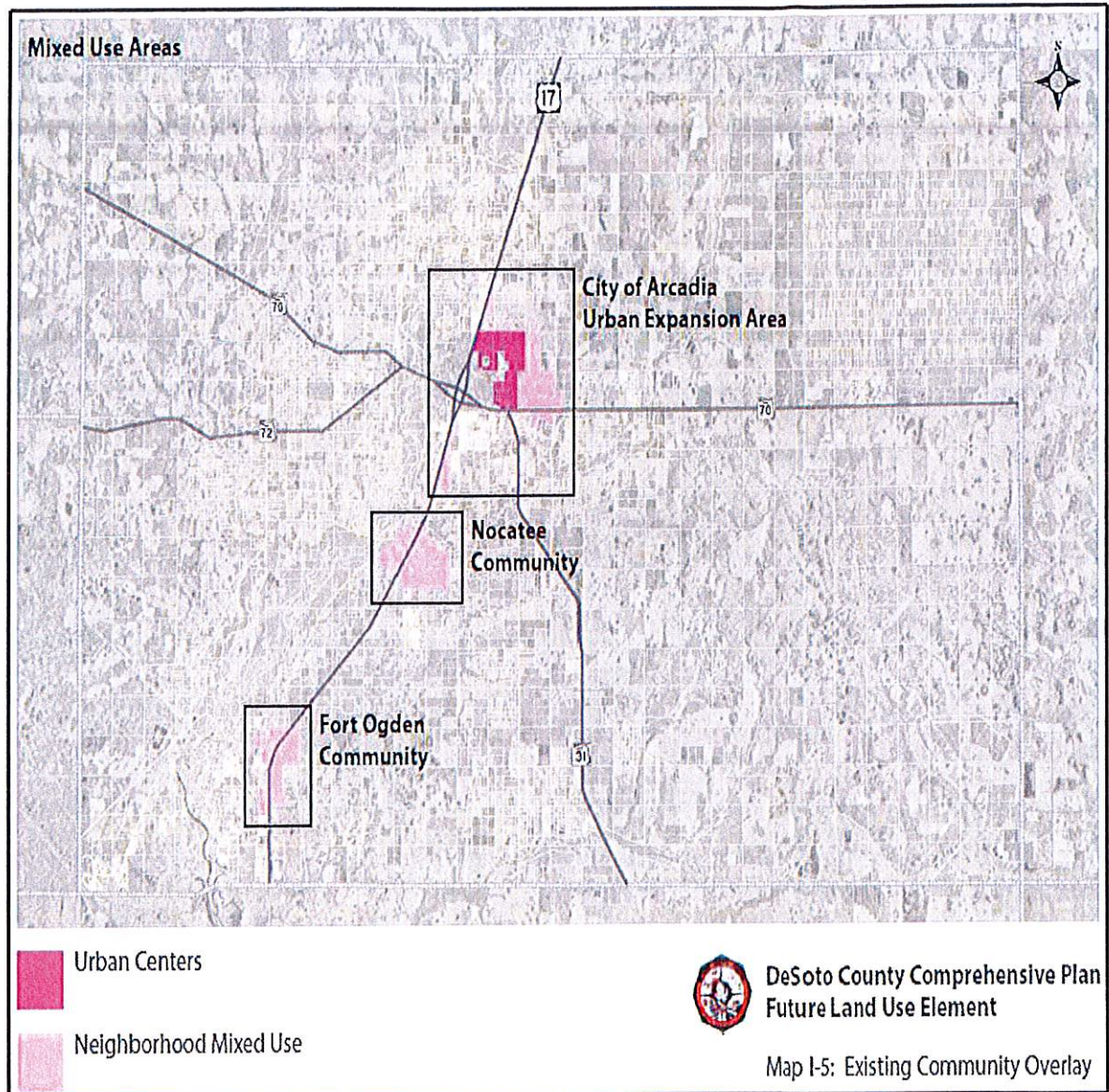
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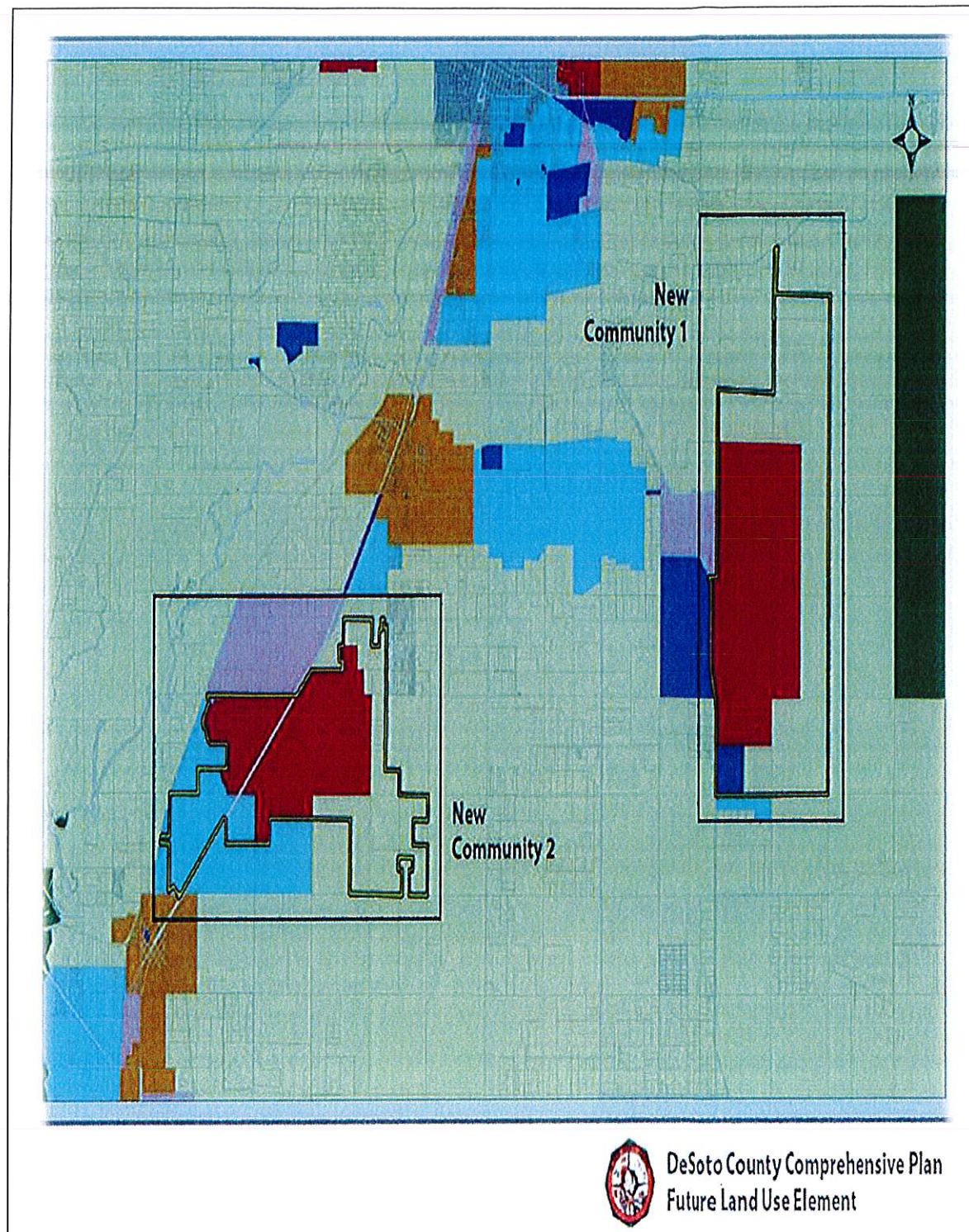
Approved by:
 Desoto County, FL



Map I-5: Existing Community Areas



Map I-6: New Community Areas



Map I-7: Direct Tributaries – 100 Year Floodplains Prohibited From Extraction

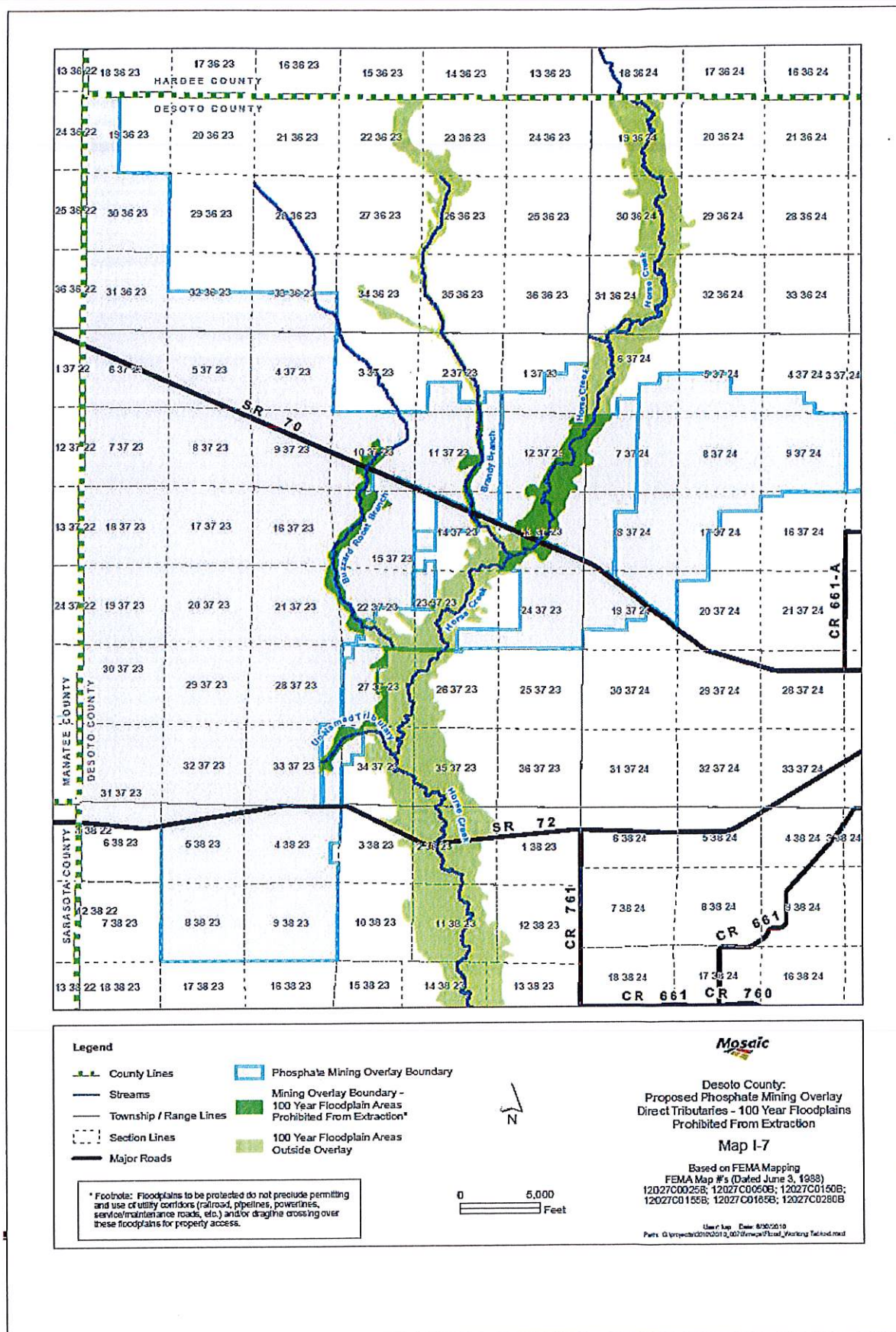


Illustration 1: Rural Buffer

