

DESOTO COUNTY, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF DESOTO COUNTY, FLORIDA, AMENDING SECTION 20-537 PARKING AREA DESIGN AND DEVELOPMENT STANDARDS, ZONING DISTRICTS SECTIONS 20-126 THROUGH 20-143 ADDING ELECTRIC SUBSTATION AS PERMITTED USE, AMENDING ZONING DISTRICTS SECTIONS 20-136 THROUGH 20-140 ADDING AFFORDABLE RESIDENTIAL USES AS PERMITTED USES, DESOTO COUNTY LAND DEVELOPMENT REGULATIONS TO INCLUDE UPDATES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapters 125, 163, and 553 Part IV, Florida statutes, authorize counties of the State of Florida to adopt and enforce regulations in the interest of public health, safety and welfare; and

WHEREAS, the DeSoto County Board of County Commissioners is authorized to adopt ordinances regulating the use of land in DeSoto County through adoption of the Land Development Regulations; and

WHEREAS, the purpose of this ordinance is to amend the DeSoto County Land Development regulations to allow the Department Director in specific instances to approve the utilization of grassed parking areas for the required number of vehicular parking spaces for churches or other places of worship; and

WHEREAS, the purpose of this ordinance is to amend the DeSoto County Land Development regulations to allow electrical substations as permitted uses consistent with F.S. 163.3208; and

WHEREAS, the purpose of this ordinance is to amend the DeSoto County Land Development regulations to allow affordable residential uses as permitted uses consistent with Florida Statutes; and

WHEREAS, the Board further finds that adoption of this ordinance is in the best interest of the residents of DeSoto County and serves a proper public purpose; and

WHEREAS, the Board has properly noticed and held public hearings in accordance with law prior to adopting this Ordinance.

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

Section 1. Sections 20-537 Parking area design and development standards, DeSoto County Land Development Regulations, are amended to read as follows:

Sec. 20-537. – Parking area design and development standards.

(a) Location and design standards.

(1) The off-street parking area required by this division shall be located on the same plot or parcel of land they are intended to serve or on a remote parcel as provided for in Section 20-538.

(2) Off-street parking areas required by this division shall be arranged or designed in the same manner as depicted in Detail D-18, DeSoto County Engineering Standard Details, Typical On-Site Parking Space Layout.

(3) All driveways, parking and loading areas, and access thereto within residential multifamily and commercial zoning districts and commercial uses regardless of zoning district shall be paved at a minimum consistent with Detail D-17B, DeSoto County Engineering Standard Details, Typical Pavement Section No. 2. Notwithstanding, for places of worship and other public assembly uses, and commercial uses with a size less than 5,000 square feet, up to 50 percent of the required parking spaces (but not driveways and loading spaces) may be grass, gravel or similar material parking spaces but such spaces shall be marked with a wheel stop consistent with Detail D-19A, DeSoto County Engineering Standard Details, Typical Concrete Wheel Stop Detail. In addition, this standard does not apply to single-family dwellings, duplexes, sports arenas, agricultural uses, or within any agricultural zoning district.

The Department Director may approve the utilization of grassed parking areas for the required number of vehicular parking spaces for churches or other places of worship, for places of public assembly for meetings or other events, and for temporary uses; where it is clear that such grassed surface can be adequately maintained due to the infrequency of use, and that adequate permanent traffic control means will be provided to direct vehicular flow and parking. Paved parking will be provided for ADA spaces and meet related standards.

Section 2. Division IV Zoning Districts, DeSoto County Land Development Regulations, are amended to read as follows:

Sec. 20-126. – Agricultural 10 District (A-10) (1) a. 17. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-127. – Agricultural 5 District (A-5) (1) a. 17. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-128. – Residential Single-Family District (RSF) (1) a. 17. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-129. – Residential Mixed Use District (RM) (1) a. 9. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-130. – Residential Multi-Family District (RMF) (1) a. 7. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-131. – Residential Multi-Family Mixed District (RMF-M) (1) a. 8. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-132. – Mobile Home Subdivision District (MHS) (1) a. 5. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-133. – Mobile Home Park District (MHP) (1) a. 5. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-134. – Travel Trailer Recreational Vehicle Campground District (TTRVC) (1) a. 5. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-135. – Residential-Office-Institutional District (ROI) (1) a. 13. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-136. – Commercial Neighborhood District (CN) (1) a. 11. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-137. – Commercial General District (CG) (1) a. 10. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-138. – Commercial Established District (CE) (1) a. 10. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-139. – Industrial Light District (IL) (1) a. 10. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-140. – Industrial Heavy District (IH) (1) a. 19. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-141. – Phosphate Mining-Industrial District (PM-I) (1) a. 4. Electric Substation in compliance with F.S. 163.3208, as amended.

Sec. 20-142. - Public/Institutional (P/I) (1) a. 7. Electric Substation in compliance with F.S. 163.3208, as amended. C. Special Exception Uses and Structures 1. Utility substations, such as electric power substations, water treatment, wastewater treatment and similar utility uses.

Sec. 20-143. - Recreational Vehicle Campground District (RVC) (1) a. 4. Electric Substation in compliance with F.S. 163.3208, as amended.

Section 3. Division IV Zoning Districts, DeSoto County Land Development Regulations, are amended to read as follows:

Sec. 20-136. – Commercial Neighborhood District (CN) (1) a. 12. Affordable residential uses per F.S. 125.0103 (and related laws commonly known as the Live Local Act), as amended.

Sec. 20-137. – Commercial General District (CG) (1) a. 11. Affordable residential uses per F.S. 125.0103 (and related laws commonly known as the Live Local Act), as amended.

Sec. 20-138. – Commercial Established District (CE) (1) a. 11. Affordable residential uses per F.S. 125.0103 (and related laws commonly known as the Live Local Act), as amended.

Sec. 20-139. – Industrial Light District (IL) (1) a. 11. Affordable residential uses per F.S. 125.0103 (and related laws commonly known as the Live Local Act), as amended.

Sec. 20-140. – Industrial Heavy District (IH) (1) a. 20. Affordable residential uses per F.S. 125.0103 (and related laws commonly known as the Live Local Act), as amended.

Section 4. This ordinance shall become effective immediately upon filing with the Secretary of State.

DULY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, THIS 23 DAY OF APRIL, 2024.

ATTEST:

DESOTO COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____

Mandy Hines
County Administrator

Jerod Gross
Chairman

Approved as to form and legal sufficiency:

Donald D Conn
County Attorney

