

**DESOTO COUNTY, FLORIDA  
ORDINANCE 2018- \_\_\_\_**

**AN ORDINANCE OF THE DESOTO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE DESOTO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT MAP SERIES NUMBER 3, BY GRANTING TO GRAND HACIENDA, LLC AN AMENDMENT TO THE DESOTO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT MAP SERIES NUMBER 3 (LS 2018-04), THE INTERIM 2040 FUTURE LAND USE MAP (FLUM) BY CHANGING FROM PUBLIC LAND AND INSTITUTIONAL (PLI) TO URBAN CENTER MIXED USE (UCM) THE DESIGNATION OF 6.44± ACRES OF LAND GENERALLY LOCATED AT 2961 NW COUNTY ROAD 661, MORE PARTICULARLY DESCRIBED IN EXHIBIT 1; INCORPORATING THE WHEREAS CLAUSES AND STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Chapter 125, Florida Statutes, empowers the Board of County Commissioners (hereinafter referred to as the Board) to prepare and enforce comprehensive plans for the development of the county; and

**WHEREAS**, the Community Planning Act (Sections 163.3161 – 163.3217, Florida Statutes) empowers and mandates the DeSoto County Board of County Commissioners to prepare, adopt and amend a comprehensive plan for the County's future growth and development; and

**WHEREAS**, in exercise of its authority, the Board has determined that in order to encourage the most appropriate use of land, water and resources consistent with the public interest and to deal effectively with future issues that may result from the use and development of land within DeSoto County, it is necessary to amend the DeSoto County 2040 Comprehensive Plan; and

**WHEREAS**, DeSoto County Comprehensive Plan amendment number LS 2018-04 amends the Interim 2040 Future Land Use Map (FLUM) by changing from Public Land and Institutional (PLI) to Urban Center Mixed Use (UCM) the designation of 6.44± acres; and

**WHEREAS**, at the duly advertised public transmittal hearing on amendment LS 2018-04 held by the DeSoto County Planning Commission, acting as the Local Planning Agency, on October 2<sup>nd</sup>, 2018, the Planning Commission recommended that the Board adopt this Ordinance; and

**WHEREAS**, at the duly advertised public transmittal hearing on amendment LS 2018-04 held by the DeSoto County Board of County Commissioners (Board) on

October 23<sup>rd</sup>, 2018, pursuant to Sections 163.3184 (3) and (5), F. S., the Board on first reading approved this ordinance; and

**WHEREAS**, subsequent to receipt of objections, recommendation and comments received from designated entities, a second duly advertised public transmittal hearing on amendment LS 2018-04 will be held by the DeSoto County Planning Commission, acting as the Local Planning Agency; and

**WHEREAS**, a second duly advertised public adoption hearing on amendment LS 2018-01 will be held by the DeSoto County Board of County Commissioners (Board) pursuant to Sections 163.3184 (3) and (5), F. S..

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

SECTION 1. **Whereas clauses and staff report.** The foregoing “Whereas” clauses and Development Department Report are hereby ratified and confirmed as being true and correct and are hereby made a part of this ordinance.

SECTION 2. **Future Land Use Map amendment approved.** The DeSoto County Board of County Commissioners hereby approves on first reading an amendment to Comprehensive Plan Future Land Use Element Map Series Number 3, granting to Grand Hacienda, LLC an amendment to the DeSoto County Comprehensive Plan Future Land Use Element Map Series Number 3 (LS 2018-04), the Interim 2040 Future Land Use Map (FLUM) by changing from Public Land and Institutional (PLI) to Urban Center Mixed Use (UCM) the designation of 6.44± acres of land generally located at 2961 NW CO RD 661, more particularly described in Exhibit 1.

SECTION 3. **Effective date.** The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the Department of Economic Opportunity posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or Administrative Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Economic Opportunity.

**PASSED AND DULY ADOPTED** in DeSoto County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

**ATTEST:**

**DESOTO COUNTY BOARD OF  
COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Mandy Hines  
County Administrator

By: \_\_\_\_\_  
James F. Selph  
Chairman

**Approved as to form and legal sufficiency:**

By: \_\_\_\_\_  
Donald D. Conn  
County Attorney

