

MEMORANDUM

TO: Howey-in-the-Hills Planning Board
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Comprehensive Plan Future Land Use Map Amendment
Zoning Map Amendment
DATE: February 8, 2023

The subject property is an approximately 160-acre group of four parcels located to the west of the Mission Inn golf course property and north of Number Two Road (location map attached). The property is owned by Blue Sky Capital LLC and the project is currently using Cedar Creek as the project name. The Town has previously dealt with parcel under the name Daryl Carter Trust, and the property may be identified in some of the Town reports under the previous name. The Planning Board has previously dealt with the parcel in recommending annexation of the subject property. To complete the package of amendments that accompany annexation, the Town needs to adopt an amendment to the future land use map and provide a zoning designation consistent with the future land use plan.

As a follow-up to annexation, the applicant is seeking an amendment to the future land use map to designate approximately 80 acres of the property as medium density residential. About 60-acres is proposed as conservation and another 20+ acres designated as Public/Utility. The accompanying map shows the distribution of the proposed land uses with the medium density residential located on the eastern two-thirds of the property. Conservation areas based on surface waters and wetlands are interspersed with the medium density residential land use and in the western one-third of the property. The Public/Utility designation is applied in upland areas in the western 40-acres of the property. A portion of the Public/Utility area is being devoted to stormwater retention for the proposed development and the balance of the Public/Utility area is being reserved for the potential development of a wastewater treatment facility.

The applicant is NOT seeking a planned unit development classification, but has requested the Town's MDR-2 Single-Family Residential zoning be applied. Should the Town approve the application, MDR-2 will be applied to the medium density residential area, Conservation will be applied to the areas designated for conservation and preservation, and the balance of the tract will be zoned Public (PUB). The applicant has submitted a concept development plan which shows how the proposed project complies

with the requested zoning designations. The concept plan will be discussed in more detail below.

The annexation of the subject property is contingent upon approval of the requested comprehensive plan amendment and zoning pattern. Should either the land use designation or zoning not be approved by the Town, the parcel will remain in unincorporated Lake County and continue with the county land use and zoning designations.

Comprehensive Plan Future Land Use Map Amendment Review

The review of the requested amendment of the future land use map will examine the consistency with the Town's comprehensive plan goals, objectives and policies; the issue of potential urban sprawl; and the issue of the ability to provide public services to the proposed project.

The current land use designations under the County comprehensive plan are Rural Transition for all of the parcel except for the western 40 acres which is designated as rural and the small area along the old rail line which is designated as Urban Low Density. The County rural protection area boundary runs along the eastern line of the western 40 acres. The area included within the rural protection area is proposed as conservation and low intensity public use and is therefore consistent with the rural protection area objectives. The rural transition land use allows development up to one unit per acre and the rural land use allows development at one unit per five acres. The applicant's calculation of potential residential development under the current Lake County land use is 84.5 units with project proposed at 171 total units. The Town's medium density land use classification would allow up to four units per acre or a maximum of 322 units for the 80.5 acres. Under the Town's comprehensive plan the Conservation and Public/Utility land use classifications have no residential development allowed.

Housing Demand

The applicant has stated that there is a need for additional housing to address a backlog of housing demand and to reduce pressure on housing prices as a reason for expanding the total inventory of approved housing in the Town. In recent months the town has seen three major projects with entitlements of about 1,600 housing units go dormant while three smaller projects (Watermark, Cedar Creek and Whispering Heights) with about 570 units total continue to move through the review process. It may be that economy is moving into a period where smaller, less expensive projects will become more practical for development. It is interesting to note that all three of these projects are also standard single-family development with amenities and lot sizes at the MDR-2 level and larger.

We know that Lake County has been a strong housing market, especially as housing demand extends northward from the Four Corners area through Groveland and now Howey. Demand also remains strong to west in the area served by Leesburg. For

the housing projects located within the Town and its nearby extended area, the issue of demand may be more one of timing for projects rather than total demand.

Urban Sprawl

One of the questions that need to be examined whenever the urban development envelope is expanded is whether the proposed project will create or contribute to urban sprawl. The question was raised with the applicant as part of the Development Review Committee consideration of the proposed project. The applicant responded with a detailed analysis of the urban sprawl criteria, and a copy of this assessment is attached. The following conclusions can be drawn from the analysis:

- From a land use perspective, the proposed project can be viewed as an extension of the developed and proposed housing areas within the Mission Inn planned unit development .
- The previous conclusion is supported by the concentration of the housing area within the eastern portion of the project area.
- The location of wetlands and reservation of a significant area of upland for Public/Utility use creates a step-down of development intensity from the Mission Inn PUD through the residential portion of the proposed project to the existing wetland and agricultural area to the west.
- The proposed plan supports the Lake County rural protection corridor concept.
- The project site is a little remote for effective utility service with water and sewer and careful consideration will need to be given to these issues. Typically the urban sprawl concern with water and sewer utilities is the inefficient use of existing water and sewer services while extending services to outlying areas. The Town's situation is a little different in that the water and sewer systems have little available capacity anywhere in the system. While plans are underway to upgrade the services, the opportunity exists to extend these services in any direction where a logical extension of the urban area is proposed.
- The traffic analysis identified the need to make some signal improvements within the current network, and eventually Number Two Road will need improvement, but the applicants will be required to contribute the fair share portion of their project demand to the overall system upgrades.

Concurrency Analysis

The preceding comments highlight some of the concurrency issues. Sewer service needs a system expansion to support the project and there is one avenue to do this through the community development district service provider. The Town has adequate water treatment capacity from the central plant, but line extensions to the project site need to be addressed. Traffic will raise some issues that will need to be

addressed through the fair share contribution process, and the applicant will need to make improvements to Number Two Road through the dedication of additional right-of-way and the provision of turn lanes at the project entrance.

The school district conducted an analysis of school capacity to serve the project. This review was done in February of 2022 for a 313 unit project. School capacity was available but marginal at that time. The project is much smaller now which will reduce anticipated student generation, but the school assessment will need to be updated. The assessment done at this point for general planning purposes is not a commitment or reservation of capacity, but rather a planning tool for the school and Town to use in assessing overall demand going forward. No commitment of capacity will occur until the project receives a final subdivision plan approval, and at that time the project will need to provide any mitigation that may be required at that point.

Other Commentary

An environmental survey was conducted for the site including surveys for gopher tortoise, sand skink, scrub jay and eagles. No sand skinks or scrub jays were found on the site. One eagle nest was identified to the northwest but is sufficiently removed that the buffer areas do not intrude onto the subject property. Gopher tortoise were identified and will need to be addressed through properly permitted actions at the time of development.

Zoning Proposal

The zoning program is straight forward given that the applicant is asking for standard zoning classifications. A zoning assignment of MDR-2, Medium Density Residential applied to the development area is consistent with the Medium Density Residential Land Use classification. The areas identified as being wetlands or otherwise designated as non-development areas should be designated as Conservation. The area proposed for potential utility development should be zoned as Public.

- The MDR-2 zoned area will allow for development of the proposed single-family housing along with the roads, planned amenity center and some of the storm water management facilities.
- The Conservation zoned areas allow no development by right, but would permit low intensity recreation and site security uses as conditional uses. The conditional use designation requires the Town Council to approve each allowable use.
- The Public use designated area lies in the upland areas of the western portion of the tract. The Public zone is used for government buildings and essential utilities. In this project the essential utilities will include some storm water management areas and the potential location for a wastewater treatment facility to serve the project and potentially other development in the future.

Concept Plan Review

The applicants have submitted a concept development plan that is keyed to the requested MDR-2 zoning and the Medium Density Residential land use classification. The concept plan is being evaluated for compliance with the zoning requirements and other requirements of the land development code and comprehensive plan. The salient elements of the plan include:

- Single-family residential lots (171) meeting the minimum lot size of 75 feet by 120 feet.
- The residential density is 2.14 units per acre as a net density (residential area only) and 1.07 units per acre gross density (total project area).
- The project includes a centrally located amenity center along with four additional satellite amenity locations.
- Site access is from Number Two Road and because of the shape of the parcel only one exterior connection is possible.
- The road network does provide alternate access to sub-neighborhoods within the project, and the primary access has been designed to meet the requirements of Section 8.03.05 A,. The project provides for a potential emergency access connection to the east if future development in that area permits a future connection.
- Areas where existing conditions and soils are prohibitive for development have been designated as conservation areas. The design will be required to include the minimum wetlands buffers per code and will require compliance with the building setback requirements from wetland areas.
- Stormwater facilities have been located adjacent to conservation areas where appropriate in the design to further distance residential development from the wetland areas.
- Public land uses have been allocated to the western 40 acres of the site and concentrated on the upland portions of the western 40 acres. The Public area will include some stormwater retention area and provides the opportunity for placement of a sewage treatment plant on the site if other options cannot be provided.
- The design excludes residential development from the county's rural protection area and the design provides for a transition from more urban uses to agricultural uses.

In part the uses allocated to the site and the locations for development activity are directed by the Town's policies on development adjacent to wetlands. The Town's comprehensive plan policies prohibit the altering of wetlands to create additional area for structures. As applied to this project proposal, no wetland areas may be filled to create residential building pads. The comprehensive plan and land development regulations also require a minimum 25-foot buffer from wetlands and a minimum 50-foot setback from a wetland to a structure. The application of these policies requires the plan to identify wetland areas and provide for the protection of these areas as conservation sites. The conservation areas as shown represent the best available data on wetlands, but prior to development a formal wetland determination will be conducted and the residential portion of the property adjusted as necessary.

Preliminary Subdivision Plan

Once the annexation, land use amendment and zoning program are complete, the applicant will present a preliminary subdivision plan for review. A preliminary subdivision plan was advertised, but the plan as submitted lacks some of the required elements. Most of the items are technical such as title block information, a complete legend and an added legal description (one is included in the overall submittal), but the preliminary subdivision plan also requires a tree survey which is not currently available. The applicant will need to resubmit the preliminary subdivision plan at a later date once the tree survey data becomes available.

Recommendation

The applicant has presented a land use and zoning pattern that seems reasonable for the intended project. Application of the Town's standards for wetland protection and the future land uses as proposed will effectively limit the number of units that can be constructed under the MDR-2 zoning regardless of the maximum allowable density under Medium Density Land Use.

The next most logical option is to assign a lower density land use such as low density single family residential which has a maximum development level of two units per acre. The concern with the low density residential land use is that the MDR-2 is not consistent with that designation. The only allowable zoning under the Low Density Residential is Single-Family (SFR) or planned unit development. The SFR zoning requires a minimum one-half acre lot with 100 feet by 150 feet lot dimensions. Other than agricultural zoning, the Town does not have a land use or zoning category that approximates the current County designations.

The proposed plan is a reasonable allocation of uses to the site and protective of wetlands on the site and Lake County the rural protection area. Actual development density approximates the maximum density allowed for Low Density Residential, but the allocation of Medium Density Residential and MDR-2 zoning is needed to support the proposed lot sizes. A total of 171 units is proposed by the concept plan, and the limitations of the lot size required by MDR-2 zoning and the available residential area suggests that the total number of units will not increase significantly. Final engineering

may create the opportunity for an additional couple of units, but it just as likely that the total unit count will decrease following formal wetlands determinations and more detailed engineering. If the Planning Board wishes to support the annexation of the project areas as previously recommended, the proposed comprehensive plan designation and proposed zoning is a reasonable choice.