

ORDINANCE 2024-12

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; PROVIDING FINDINGS OF THE TOWN COUNCIL; AMENDING ORDINANCE 2022-16 AND THE TOWN'S OFFICIAL ZONING MAP TO INCLUDE WITHIN THE PLANNED UNIT DEVELOPMENT (PUD) KNOWN AS WATERMARK PUD CERTAIN ADDITIONAL LANDS LOCATED TO THE SOUTH OF THE WATERMARK PUD, AS MORE PARTICULARLY DESCRIBED IN ATTACHMENT A TO THIS ORDINANCE; PROVIDING THAT THE CONDITIONS, REQUIREMENTS, RESTRICTIONS, AND OTHER TERMS IN ORDINANCE 2022-16 GOVERN THE USE AND DEVELOPMENT OF THE ADDITIONAL LANDS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, RATIFICATION, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA:

Section 1. Findings. In enacting this ordinance, the Town Council of the Town of Howey-in-the-Hills, Florida makes the following findings and declarations:

(1) The land described in **Attachment A**, located generally to the south of the Watermark PUD located in the southeast quadrant of the intersection of State Road 19 and Revels Road ("**Property**"), is located within the town limits of the Town of Howey-in-the-Hills;

(2) Ordinance 2022-16 amended the Town's Official Zoning Map to rezone the Watermark PUD, which contained 99.16 acres, from Medium Density Residential (MDR-1 and MDR-2) to Planned Unit Development.

(3) The Property, a 33.4-acre parcel to the south of the Watermark PUD, is being added to the Watermark PUD.

(4) The Town's Comprehensive Plan designates the Property on the Town's Future Land Use Map for medium density residential future land use, and current zoning of the Property is MDR-1 and MDR-2.

(5) The owner of the Property intends to use and develop the Property for single-family residential purposes.

(6) The Town Council finds that rezoning the Property from MDR-1 and MDR-2 to Planned Unit Development is consistent with both the Town's Comprehensive

Plan and the Town's Land Development Code ("LDC") and will not adversely affect the public health, safety, and welfare of the Town.

Section 2. Amendment to the Official Zoning Map. The Town Council hereby amends the Ordinance 2022-16 and the Town's Official Zoning Map to include and rezone the Property to Planned Unit Development so that it may be included within the Watermark PUD.

Section 3. Use and Development of the Property. Use and development of the Property under its Planned Unit Development zoning is subject to the conditions, requirements, restrictions, and other terms as set out in Ordinance 2022-16, to include the following:

- (1) This Ordinance 2024-12;
- (2) Ordinance 2022-16;
- (3) A development agreement, to be approved by Town Council and executed by the Mayor, setting forth the specific conditions, requirements, restrictions and other terms for the use and development of the Property;
- (4) The Town's Land Development Code; and
- (5) The Town Code and all other Town ordinances governing the development of the Property.

Section 4. Severability. If any part of this ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, the remaining parts of this ordinance shall remain in full effect. To that end, this ordinance is declared to be severable.

Section 5. Conflicts. If this ordinance conflicts with other ordinances in regulation of the use and development of the Property, this ordinance shall control and supersede to the extent of the conflict.

Section 6. Ratification of Ordinance 2022-16. All provisions of Ordinance 2022-16 that are not specifically amended by this Ordinance 2024-12 are hereby ratified and remain in full force and effect.

Section 7. Codification. The amendment to the Official Zoning Map in Section 2 shall be codified and made part of the Town's LDC and Official Zoning Map.

Section 8. Effective Date. This ordinance shall take effect upon the later of (i) its enactment by the Town Council or (ii) the date by which a development agreement for the Property has been approved by Town Council and taken effect.

[Signatures on the next page]

ENACTED AND ORDAINED this ____ day of _____, 2024, by the Town Council of the Town of Howey-in-the-Hills, Florida.

**TOWN OF HOWEY-IN-THE-HILLS,
FLORIDA**

By: its Town Council

By: _____
_____, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY
(for use and reliance of the Town only)

John Brock
Town Clerk

Thomas J. Wilkes
Town Attorney

Planning and Zoning Meeting held _____, **2024**

First Reading held _____, **2024**

Second Reading and Adoption held _____, **2024**

Advertised _____, **2024**, _____, **2024**
and _ _____, **2024**

Attachment A
to
Ordinance 2024 - 12

LEGAL DESCRIPTION

A PORTION OF LANDS LYING IN SECTION 2, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 2, THENCE S00°08'43"W, ALONG THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 1139.75 FEET TO THE POINT OF BEGINNING; THENCE S00°08'47"W, A DISTANCE OF 708.36 FEET TO THE SOUTH LINE OF PARCEL 2 IN THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2812, PAGE 2183 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ALONG SAID SOUTH LINE N89°35'48"W, A DISTANCE OF 1962.30 FEET TO THE WEST LINE OF SAID PARCEL 2; THENCE RUN ALONG SAID WEST LINE N00°47'54"E, A DISTANCE OF 621.45 FEET TO THE SOUTH LINE OF PARCEL 1 IN THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2812, PAGE 2183 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ALONG SAID SOUTH LINE N89°29'05"W, A DISTANCE OF 636.48 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTH PALM AVENUE, BEING A 100.00 FOOT WIDE PUBLIC RIGHT OF WAY, PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP PROJECT NUMBER 1093; THENCE N00°33'29"E, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 95.61 FEET TO THE NORTH LINE OF AFOREMENTIONED PARCEL 1; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, RUN ALONG SAID NORTH LINE S89°22'37"E, A DISTANCE OF 2591.08 FEET TO THE POINT OF BEGINNING.

Total Additional Acreage: 33.4