

**MEMORANDUM**

**TO:** Howey-in-the-Hills Development Review Committee  
**CC:** J. Brock, Town Clerk  
**FROM:** Thomas Harowski, AICP, Planning Consultant  
**SUBJECT:** Carter Properties Trust Pre-application  
**DATE:** January 31, 2022

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The Town has received an inquiry about annexation and development of the Carter Trust properties (ALT 1101051, 1036119, 3915370) encompassing approximately 161 acres located west of the Mission Inn property north of Number Two Road. A concept plan was submitted for the proposed development showing a plan for 313 single-family lots with lot widths set at 50-feet. The project is reported to have a net density of 3.12 units/acre and a gross density of 1.94 units/acre. Based on the data available, it is not possible to verify these densities applying the Town's comprehensive plan policy for calculating density.

The Lake County comprehensive plan designates the parcel as Rural Transitional, Rural and Urban Low Intensity. The Urban Low Intensity area is negligible, so the base density for the subject parcel under County land use policies is one unit per five acres or 32 units total. The density for the Rural Transition area can be increase based on increasing percentages of open space with a density of one unit per acre achievable. Residential densities in the Town's comprehensive plan ranges from 0.5 units per acre for Rural Lifestyle, to two units per acre for Low Density Residential and four units per acre for Medium Density residential and Village Mixed Use. Based on the proposed concept plan, the Medium Density Residential or Village Mixed Use designations would be required to support the concept.

To proceed with development of the Carter Trust parcel with the Town, the property would need to be annexed and assigned a designation on the future land use map and then zoned in accordance with the assigned land use. The Town's land use plan requires the use of the Village Mixed Use land use designation as the concept plan exceeds 300 units. A project size less than 300 units would allow the use of either Village Mixed Use or Medium Density Residential to support the proposed concept plan. Annexation is a simple, straight-forward process and assignment of the appropriate zoning would be directed by the assigned land use. The more involved process is selecting the appropriate land use designation. Assuming the Town will consider a land use that allows the proposed concept plan (otherwise annexation is unlikely) the key considerations include:

- Documentation that the proposed land use designation does not support urban sprawl. This is required by state law and Objective 1-10 of the Future Land Use Element. The specific tests for urban sprawl are presented in the Future Land Use Element beginning on page 1-21. Given this property projects into what is now a clearly rural area, the urban sprawl test will be important for both Lake County and the Department of Economic Opportunity.
- The comprehensive plan review will need to document that the proposed development meets the Town's concurrency standards. (Refer to future Land Use Objective 1-8.) Potable water, sanitary sewer and traffic will be the key concurrency tests. A traffic study sufficient to estimate traffic impacts to the available and projected road network will be required as part of the analysis.
- School concurrency is also a required review. A separate application submitted to the Lake County School Board is required.
- Intergovernmental coordination (review by Lake County) is a requirement for any comprehensive plan amendment, and Lake County has recently expressed some concern about urban extensions from various cities into unincorporated areas that are intended to remain rural under the County planning process. Early coordination with Lake County staff will be needed.
- A comprehensive plan amendment for a parcel of this size will use the State's expedited review process which involves a review by the full range of state departments and regional agencies as well as involving local government coordination.

Assuming the applicant elects to proceed with a comprehensive plan designation of Village Mixed Use to maximize the project unit yield, the following conditions will apply: (Reference Future Land Use policies 1.1.1, 1.1.4 and 1.2.2)

- The maximum allowable density is 4 units/net acre (total land less waterbodies and wetlands). A density of 6 units/net acre is achievable with specified open space additions.
- Residential land area must use between 70% and 85% of the net land area.
- Non-residential development must use between 15% and 30% of the net land area.
- Minimum project open space is 25% of the gross land area (only 50% of wetland can be applied to the open space calculation, and there are limits on the inclusion of stormwater facilities).
- For a project of this size public recreation must include at least 10% usable open space.

- Public/civic uses are required for five percent of the net land area.

A review of the proposed concept plan was done to offer comments on some of the major aspects of the proposed layout. These comments are intended to look at major layout elements and do not constitute a detailed site review.

- A project of this size requires a minimum of two points of access and any component elements with the project that contain 50 units or more will also require two access point internally within the project. It appears that identifying a second access point will require cooperation with at least one neighboring property. Some type of commitment to allow access from adjacent property will need to be verified.
- Until a second access point can be established, the project will need to include a wide access road through the full length of the project and not just the entrance area as is shown on the concept plan.
- Town policies prohibit the disturbance of wetlands to create lots for sale or for other development activity. (Policy 1.3.1 Future Land Use Element.) Wetland impacts are allowed for minor items such as road and utility crossings and for passive recreation facilities.
- The project will need to consider the 100-year flood plain impacts by limiting or excluding development from these areas and by providing compensatory storage where impacts cannot be avoided.
- Coordination is required with Lake County for access from Number Two Road. A grant of additional right-of-way is likely to be required, and the project will need to conform to Lake County access standards.