



TMHConsulting@cfl.rr.com  
97 N. Saint Andrews Dr.  
Ormond Beach, FL 32174  
PH: 386.316.8426

## MEMORANDUM

**TO:** Howey-in-the-Hills Town Council  
**CC:** J. Brock, Town Clerk, T. Wilkes, Town Attorney  
**FROM:** Thomas Harowski, AICP, Planning Consultant  
**SUBJECT:** Ordinance 2023-013 Comprehensive Plan Amendment  
**DATE:** January 26, 2024

---

I was unable to fully participate in the workshop where the provisions for Ordinance 2013-013 were reviewed in preparation for the transmittal hearing. After reviewing the proposed amendments, there are two items that give me some concern, and I wish to call these to the Council's attention to consider modification to the policy amendments as current constructed.

### **Policy 1.2.6**

The first item is with the revised Policy 1.2.6, page I-39, lines 20 and 21. This proposed amendment allows the Town to consider smaller lot sizes in areas supporting the Central Avenue commercial district, but the specific area cited is the Town Center Commercial (TC-C) district. Except for some provisions for existing single-family lots, the TC-C district does not allow single-family housing. Dwelling units added to this area must be done in conjunction with commercial development with the residential use located above the commercial space. Other than a handful of existing homes there will be no single-family located in the Town Center Commercial area.

A more appropriate area for designation is the Town Center Overlay. The overlay includes the Town Center Residential (TC-R) and Town Center Flex (TC-F) which do include single-family development and will allow new single-family as infill or redevelopment. If any efforts are to be made to employ single-family housing in support of the Town Center Commercial area, the Town Center Overlay area is the best option to do that.

As a practical matter nearly all of the area encompassed by the Town Center Overlay is platted and substantially developed, so the proposed policy amendment is likely to have minimal impact on the built environment. There may be a few instances where lot splits or replacement units might result in some additional units supporting the Central Avenue commercial area and limiting the lot size options to the TC-C district will exclude these opportunities.

### Policy 1.1.1 Active Recreation Requirement

Policy 1.1.1 on page I-31 proposes some new rules for recreation facilities in Village Mixed Use projects. I have a concern that the wording as proposed may result in less overall recreation opportunity in these larger projects and the prospect of under-utilized and poorly maintained facilities. I understand the Council's desire to include more items such as court games, swimming pools, playfields, playgrounds, and perhaps indoor activities in community buildings as a component of the recreation options offered in the larger communities. Facilities such as walking trails should be considered more passive recreation or they will continue to dominate the recreation provided. We presume the Council will desire a project to offer both active and passive recreation opportunities.

It is important to understand that active recreation facilities are going to be more expensive to build than passive recreation, and therefore developers are going to want to limit the active recreation insofar as possible. Passive recreation facilities tend to be large by their nature. While a project may be willing to provide an extensive area for passive recreation they will not do that if every additional passive recreation acre needs to be matched by an active facility acre. This situation creates a disincentive for including passive recreation facilities and drives the project toward the minimum level of recreation, both passive and active, required by the policy.

The current policy directs that active recreation to be 50% of the minimum park area. If we use a minimum VMU project of 100 acres, then the project is obligated to a recreation component of 10 acres (10% of the area), of which five acres are active and five acres are passive. Five acres of active recreation facility can accommodate a lot of facilities. The following table shows some comparisons for various facilities based on recommended sizes.

Facility	Size	Acres
Minimum Requirement	217,800 s.f.	5.00
Tennis Court	2,808 s.f.	0.06
Pickleball Court	880 s.f.	0.02
Basketball Court	4,700 s.f.	0.11
Swimming Pool	4,860 s.f.	0.11
Baseball Field	160,000 s.f.	3.67
Soccer Field	81,000 s.f.	1.88

Based on a minimum active requirement of five acres, the development could easily accommodate a major playfield area and a grouping and variety of play courts. We can expect a development to select active recreation facilities based on their projected

As a side note we have been very successful in negotiating the inclusion of walking trails and bicycle facilities in our village mixed use projects, including projects where active recreation facilities are included. Both Watermark and Hilltop Groves include trail networks along with active recreation opportunities. The Lake Hills development agreement also calls for both active and passive recreation opportunities while the proposed Mission Rise plan has a robust recreation component.

market. A development targeting seniors is more likely to include courts, pools and community centers than field play areas, while a family oriented developmen may chose more of a mixture.

In this example, the five acres for passive recreation is not a lot of area in a 100-acre development, but anytime the developer adds area for walking trails he has to also increase the active recreation component, and as more active facilities are added the active component can quickly outgrow the demand. At some point, more tennis courts or pickleball courts will go unused as there is insufficient demand.

Our Recreation and Open Space Element includes a population served factor for a variety of recreation facilities. This table is reproduced below.

**Population Guidelines for User-Oriented Outdoor Recreation Activities**

<b>Activity</b>	<b>Resource* Facility</b>	<b>Population Served</b>
Golf	9-hole golf course	25,000
Golf	18-hole golf course	50,000
Tennis	Tennis court	2,000
Baseball/softball	Baseball/softball field	3,000
Football/soccer	Football/soccer field	4,000
Handball/racquetball	Handball/racquetball court	10,000
Basketball	Basketball court	5,000
Swimming (Pool)	Swimming (Pool)*	8,700
Shuffleboard	Shuffleboard court	1,000
Freshwater fishing non-boat	800 feet of Fishing pier	5,000
Freshwater fishing power boating, water skiing, and sailing	Boat ramp lane	1,500

\* Based on a standard community swimming pool measuring 81 ft x 60 ft (4,860 ft).

In the example used here of a minimum sized Village Mixed Use project, the expected population is 717 people. (100 acres x 3units/acre x 2.39 people/unit) As is seen from a comparison of project population to the service capacity of the facilities cited above, the minimum village mixed use project would not trigger a service demand for more than one of any of these facilities. When compared to the sizes of each type of active recreation facilities in the previous table, the active recreation demand can be met in a far smaller area than the minimum five acres required by the proposed policy. Essentially the proposed policy is demanding much more in active recreation than our comprehensive plan policies would expect from any development. A smaller active recreation requirement will enable the Town to meet active recreation needs and still negotiate for larger passive recreation areas.

## Summary

The requirement for an active recreation component in the VMU development is a laudable effort. This analysis, however, suggests that the 50% minimum for active recreation, may result in facilities that exceed the probable demand. The currently proposed rule is likely to result in facilities that will be under-utilized and likely poorly maintained as a result. As structured, the requirement also serves as a disincentive to provide any recreation facilities above the minimum level required or to provide more passive recreation than the minimum requirement. The culprit seems to be the 50% active recreation requirement rather than the 10% total area requirement.

If the active recreation component were set at 30%, the project could still accommodate a soccer field, a basketball court, four tennis courts and four pickleball courts (2.42 acres) in the three acre minimum with some space left over. The policy may also need some room to negotiate a total area devoted to active recreation facilities relative to passive recreation uses. I suggest the Council consider a lesser minimum percentage for active recreation and provide a more flexible opportunity to negotiate for these types of facilities in the Village Mixed Use projects.