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## MEMORANDUM

**TO:** Howey-in-the-Hills Planning Board  
**CC:** J. Brock, Town Clerk  
**FROM:** Thomas Harowski, AICP, Planning Consultant  
**SUBJECT:** Asma Parcel Comprehensive Plan Amendment and Zoning  
**DATE:** June 23, 2023

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The Town has received an application for a 0.69-acre parcel at the corner of SR-19 and Citrus Avenue to permit commercial development of the parcel. Based on the land use classifications contained in the Town's comprehensive plan and the zoning categories consistent with those land use classifications, the applicable land use classification for the request is Neighborhood Commercial, and the appropriate zoning is neighborhood commercial. The following analysis will examine the goals, objectives, and policies related to the requested comprehensive plan amendment, any comments with regard to zoning, and a review of the proposed concept plan as it demonstrates compliance with the planning and zoning requirements.

The subject property is designated as medium density residential use on the future land use map and zoned MDR-1. The property is entitled to develop as a single-family residence. To the north and east is the Howey Mansion property. The Mansion property is also designated as Medium Density Residential with MDR-1 zoning but it also has a historic overlay zone which allows the Mansion to be used as an inn and special event location. The historic overlay zone allows for use that has some commercial elements. The properties across Citrus Avenue are residential. The properties across SR 19 are residential but located within the Mission Inn compound and are fully screened from SR 19.

The site includes some mature oak tree canopy and is otherwise cleared and grassed. The property has been used by the Howey Mansion under an agreement between the property owners for parking during some special event activity. The site does not contain any wetlands or significant environmental features, nor does it house any threatened or endangered species. Construction of a building at this location may impact views to the Mansion for northbound traffic, but the same view could be impacted by a residential structure that is currently allowed by land use and zoning.

## Comprehensive Plan Considerations

Any amendment of the future land use designation requires the proposed land use to be consistent with the goals, objectives, and policies of the comprehensive plan, to be able to be served by the necessary public services at the time of development and to avoid urban sprawl. Since the subject parcel is located within the core area of Town, urban sprawl should not be a consideration, but the other two factors will need to be examined.

The proposed amendment will be a small-scale map amendment. The process for approving a small-scale map amendment requires a recommendation from the planning board and approval by the Town Council with appropriate public involvement and intergovernmental coordination followed by a submittal of the amendment to the Florida Department of Economic Opportunity for review. Typically, the DEO will not review small scale map amendments, but will act if other review agencies or the general public raise issues of concern.

In addition to the application form, the applicant submitted a concept site plan showing the anticipated layout for an office building of about 4,500 square feet along with parking and stormwater management facilities. The current plan is an update of the original concept plan. This review is not a formal site plan review, but the plan submitted by the applicant will be used to analyze the request in comparison with the comprehensive plan goals, objectives, and policies.

## Public Policy Considerations

The following policies are drawn from the Town's comprehensive plan Future Land Use Element and are applicable to the requested map amendment.

**Policy 1.1.1** contains a section on the Neighborhood Commercial Land Use presenting limits on density and intensity of development. The key numbers are:

Maximum Floor Area Ratio (FAR)	0.50
Maximum Impervious Surface Ratio (ISR)	0.70
Maximum Building Size	5,000 square feet
Maximum Building Height	35 feet.

*An examination of the concept site plan submitted with the application shows that the proposed development will comply with this policy. The floor area ratio is 0.15 and the impervious surface coverage is estimated at 41%. The proposed building is less than 5,000 square feet and the one-story structure is less than 35 feet. These dimensional requirements will be confirmed should the amendments be approved and the project proceed to the site plan review stage.*

**Policy 1.1.2** contains a section on the Neighborhood Commercial Land Use listing the uses permitted in neighborhood commercial development noting general commercial

categories including general commercial, limited commercial and professional office along with examples of each type.

The proposed use is low intensity office which is compatible with Policy 1.1.2.

**Policy 1.2.2** lists open space requirements for various land use categories. The applicable open space minimum area for Neighborhood Commercial is 30% of the gross land area. This is the inverse of the maximum impervious surface ratio.

The conceptual site plan included with the application shows more than 30% of the lot area as open space. With impervious coverage estimated at 41%, the open space on the lot used for yard areas, buffers and landscaping will be in the range of 60%. Again, these numbers will be confirmed at the site plan review stage.

**Policy 1.2.3** requires the Town to protect residential areas from incompatible non-residential development.

The uses across Citrus Avenue are residential, and while the Howey Manor is zoned residential, the historic overlay applied to the parcel allows the property to be used for special events. The applicant is proposing buffers along the property perimeter. The proposed use is low intensity for a non-residential activity with limited traffic generation that is unlikely to impact the neighborhood to the east with much added traffic. Most trips will use SR 19. Typically office use has little night activity and does not generate major noise impacts.

**Policy 1.2.4** addresses screening requirements for non-residential uses.

The concept plan includes proposed buffers on all sides meeting the depth requirements of Chapter 7 of the land development regulations. The type and density of plant materials will be reviewed for full compliance with the code as part of the site plan review stage.

**Policy 1.2.8** requires the Town to conduct a review of its ability to meet public service demands created by the application.

Traffic generation is projected to be 78 total trips with the PM Peak hour having 13 total trips. Two of the peak hour trips are expected to be inbound with the other 11 trips outbound. The trip distribution will be heavily skewed to SR 19.

Potable water is available to the site with projected usage equivalent to about two residential units.

Sewer service will be by septic tank with the applicant agreeing to connect to sewer should it become available to the property.

Stormwater will be managed on-site in compliance with State and local requirements. The soil types are well drained and should not create any stormwater limitations.

Solid waste service will be provided by the Town.

Recreation and school concurrency standards are not applicable to a commercial use.

Objective 1.4 of the Future Land Use Element includes a list of specific policies related to commercial development. A number of these policies address issues covered in the policies enumerated above as well as covering other topics. Objective 1.4 and supporting policies are presented below with commentary on the proposed future land use map amendment.

**OBJECTIVE 1.4:**            *Commercial Planning Activities.* Ensure the Town’s sustainability by allocating sufficient land area to accommodate commercial activities which provide a level of employment as well as goods and services demanded by local residents and guest with consideration to fiscal and environmental impacts to the Town of Howey-in-the-Hills.

**POLICY 1.4.1:**            *Location and Distribution of Commercial Sites.* The location and distribution of commercial land use districts delineated on the *Future Land Use Map* shall be determined according to the following criteria:

- a. Promote mixed use land use categories to prevent strip commercial centers and reduce the dependability on the automobile;
- b. Promote the integration of uses to include live-work environments;
- c. Ability to comply with adopted performance standards for preventing or minimizing nuisance impacts, such as emission of air pollutants, noise, odor, and generation of hazardous waste or products;
- d. Impact to the conservation and preservation of natural resources;
- e. Demand on existing and planned public services, utilities, water resources and energy resources;
- f. Impact on designated scenic and aesthetic transportation corridors;
- g. Compatibility with surrounding land uses;
- h. The size of each individual business permitted in the Neighborhood Commercial, Village Mixed Use, or Town Center Mixed Use land uses shall comply with the guidelines established within the Policy 1.4.6; and
- i. The height of each business permitted in the Neighborhood Commercial, Village Mixed Use, or Town Center Mixed Use land uses shall comply with the guidelines established in Policy 1.4.7 of this *Element*.

As noted in the discussion above the small size and isolated nature of the subject property mitigates against the property initiating strip commercial development. The use will not support a live-work environment, but it should meet the other listed criteria once a finding has been made regarding compatibility with surrounding land uses. The Town has only one NC zone at the Boondocks complex on Lakeshore Boulevard.

**POLICY 1.4.2:**     ***Screening Requirement.*** The Town shall require new commercial, light industrial, and manufacturing development to install landscaping, visually obstructive fencing or man-made berms, or other appropriate screening techniques concealing the commercial, light industrial, or manufacturing site from areas designated for low or medium density residential if the proposed commercial, light industrial, or manufacturing building is not compatible.

The applicant is proposing landscaped buffers on all sides of the subject property. The buffers shown on the concept plan illustrate the intent to provide a landscaped screen. Full compliance with the buffer requirements will be verified at the site plan review stage. The minimum planting requirement is one canopy tree, two understory trees and 30 linear feet of shrubs for each 50-foot length of buffer. Preserved trees count toward meeting the requirements.

**POLICY 1.4.3:**     ***Availability of Facilities to Support Commercial Development.*** The density and intensity of commercial uses shall be compatible with the ability of public facilities to provide adequate services according to adopted level of service standards.

As noted above the site can be served with utilities and traffic impacts to SR 19 and the adjacent neighborhood are expected to be within the level of service standard. There are some sight line issues with traffic exiting Citrus Avenue onto SR 19. The police department reports four accidents at this intersection since 2020, including one with an injury.

**POLICY 1.4.4:**     ***Provision of Open Space.*** All new commercial development shall be subject to the open space standards established in Policy 1.2.2 of this *Element*.

The impervious surface coverage based on the concept plan is about 40% leaving about 60% of the site for buffers, landscaping, and other open space use. The requirement is 30% open space.

**POLICY 1.4.5:** *Maximum Intensity of Commercial Uses.* Maximum intensity of use for commercial development is outlined within the respective land use categories and further refined in the Land Development Regulations.

Commercial intensity is measured by FAR with a maximum FAR of 0.5. The FAR based on the submitted concept plan is 0.15.

**POLICY 1.4.6:** *Commercial Building Size Limitations.* Individual businesses within the Town Center Mixed Use and Neighborhood Commercial shall be limited to 5,000 sq. ft. unless a waiver is granted to the developer by the Town Council. Individual businesses within the Village Mixed Use land uses shall be limited to 30,000 sq. ft. unless a waiver is granted to the developer by the Town Council. These guidelines shall be used to determine the maximum allowable size for all new commercial buildings in Town. Waivers shall be based on the particular needs of the individual business, the compatibility of the proposed building and business with the business site and other affected development, enhanced architectural design of the proposed building, and other factors which the Town Council determines as relevant to development of the proposed site and impacts to the general area.

The proposed building is 4,500 square feet which falls below the 5,000 square foot limit set by this policy.

**POLICY 1.4.7:** *Commercial Building Height Limitations.* Commercial buildings within the Town Center Mixed Use, Village Mixed Use, and Neighborhood Commercial land uses shall be limited to a maximum of 35 feet in height.

The proposed building is one story and less than 35 feet in height.

**POLICY 1.4.8:** *Acceptable Uses within Commercial Areas.* Activities allowed within areas designated for commercial uses established in the Town Center Mixed Use, Village Mixed Use, or Neighborhood Commercial land uses shall be limited to the following:

1. Retail business (drive-thru establishments in the Town Center Mixed Use shall be located to the rear of properties fronting on Central Avenue)
2. Community centers and fraternal lodges;
3. Hotels or motels;

4. Marinas;
5. Service businesses, Personal Services such as barber/beauty, personal training, spa, salons, pottery shops, art/painting galleries or studios, dance studios, etc.;
6. Professional and Business offices;
7. Veterinarian offices, provided the facility has no outside kennels;
8. Financial Institutions and banks;
9. Residential development, low, medium, or high density (second story);
10. Recreation and Parks;
11. Manufacturing, as permitted according to policies cited in this *Element*;
12. Elementary and middle schools in the Neighborhood Commercial land use; and
13. Elementary, middle, and high schools in the Village Mixed Use land use.

A more detailed matrix is available in the Land Development Regulations.

If approved, the Neighborhood Commercial zoning will limit the uses allowed on the site. The applicant is proposing office use and the site design is being assessed based on this use. A proposed change to retail allowed by the NC zoning will require a re-assessment of parking requirements. Based on the current building size, office use requires 13 spaces and retail use requires 18 spaces.

**POLICY 1.4.9:** *Strip Commercial Development and State Road 19 and County Road 48.* The Town shall discourage strip commercial style development from occurring along State Road 19 and County Road 48. Prior to the approval of each proposed annexations along the State Road 19 and County Road 48 corridors, the Town shall consider the potential of a strip commercial style development being established as a direct result of such annexation.

The isolated nature of the subject property from other land that might support commercial development mitigates against this site becoming a catalyst for strip commercial development.

**POLICY 1.4.10:** *Adequate Commercial Land and the Future Land Use Map.* The Town will ensure that adequate land is designated on the *Future Land Use Map* to support the commercial needs of the residents and guests of Howey-in-the-Hills during the planning

period. All such lands shall be compatible and consistent with the surrounding land uses.

The change of the subject property from residential to commercial use will slightly expand the amount of commercial land available. The limited nature of the site potential development is unlikely to have a significant negative impact on future development of the Central Avenue corridor.

### **Other Factors for Consideration**

There are a few other factors that may have a bearing on the consideration of the applicant's request. Please note:

- The Town is in the process of developing plans for the reconstruction of Citrus Avenue to address problems affecting the paved surface. The work will include replacing the road base and sub-base and providing new paving. The project is tentatively scheduled for the fourth quarter of 2023. The upgrade of Citrus Avenue will improve conditions for access to the project site. It is unlikely that FDOT will grant a driveway permit for connection of the project site directly to SR 19. Site access from Citrus Avenue will be safer for traffic on SR 19, and therefore, the site has been designed with access from Citrus Avenue. Staff has recommended the project contribute to the road improvement cost the equivalent of 50% of the construction cost for Citrus Avenue from SR 19 to the project driveway access.
- While traffic volumes generated by the project are low for a commercial development, the access from Citrus Avenue to SR 19 is impacted by limited sight distance to northbound traffic on SR 19. The police department reports two accidents at this intersection in 2020 and two accidents in 2022. There have been no accidents reported in 2023. Of the four accidents, one involved an injury. The added traffic from the project will increase the number of vehicles exposed to this hazard.
- The applicant is required to replace the sidewalk on Citrus Avenue and to install sidewalk along SR 19 for the length of the property. An FDOT permit is required for the SR 19 sidewalk which will be located in the SR 19 right-of-way. The value of the sidewalk construction on Citrus Avenue could be paid to the Town and done with the Town's improvement project.
- The applicant has provided a design sketch of the building frontage on SR 19. The staff has noted that the highly visible location of the proposed building and the adjacent residential properties suggests that a high level of architectural design be provided on all four sides of the building. The applicant has committed that the other building facades will incorporate design detail equivalent to the front façade as shown.



## **Discussion and Analysis**

The project site has been designated as medium density residential since the comprehensive plan was adopted, so any development based expectations for the property are based on this designation and the MDR-1 zoning which is applied to the parcel. Even if the proposed project meets all of the Town's planning goals, objectives and policies, there is no affirmative requirement for the Town to change the future land use and zoning. One might argue that the subject property has low development potential for single-family development based on the Howey Mansion's semi-commercial usage, but it is also true that from Citrus Avenue south on SR 19 to Florida Avenue, SR 19 is extensively developed with single-family homes, many of which have driveway access directly from SR 19.

As the preceding review of comprehensive plan goals, objectives, and policies has demonstrated, the proposed amendment is consistent with the majority of the applicable policies. The proposal does not support urban sprawl and it is unlikely to form a catalyst for strip commercial. The proposed concept site plan demonstrates that the project can be developed and meet the standards for Neighborhood Commercial development. The key factors in a decision to recommend the future land use amendment rest on the determination that the proposed development is compatible with the neighborhood, and that overall traffic impacts will not create a significant enough hazard to deny the requested amendment. The following matrix has been prepared to focus on the key decision points.

## **Recommendation**

If the Planning Board finds that the proposed development is sufficiently compatible with the existing neighborhood and that the increase in potential traffic safety impacts is minimal, the Board should recommend the comprehensive plan amendment and zoning proposal to the Town Council. If the Board finds that the proposal is incompatible with the existing neighborhood and that potential traffic safety impacts are significant in comparison to a single-family residence, then the Board should not recommend the proposal to the Town Council.

**Asma Comprehensive Plan Amendment Captibility Summary**

<b>Supporting</b>	<b>Non-Supporting</b>
<p>The parcel size, shape and location makes it a poor choice for single-family residential use.</p> <p>The Howey Mansion operates as a quasi-commercial activity with its special events schedule, and the use of the subject site as a low intensity office use is compatible with the existing activity at the Mansion.</p> <p>While the commercial building will block some views of the Mansion, the same situation exists for a single-family home which is currently allowed on the site.</p> <p>The use of septic systems is common in this area of Town, and the project will connect to central sewer should it become available.</p> <p>The applicant is providing landscaped buffers meeting Town requirements on all sides of the subject parcel. These buffers will screen views of the commercial building and parking with landscaping. A single-family home in the same location is required substantially less landscaping.</p> <p>The applicant has committed to a design detail level equivalent to the front façade on all sides of the building to further mitigate any impacts from views of a commercial property.</p> <p>Projected traffic generation from the proposed project is low for a commercial use with nearly all of the traffic impact expected to use SR 19 rather than neighborhood streets. (Other than the short stretch of Citrus Avenue.) Peak hour traffic volumes are small and outside of peak hour periods, traffic would average about eight vehicles an hour for the balance of the work day.</p> <p>The site is such a minor addition to the commercial land inventory, it will have no material impact on development elsewhere in the Town.</p> <p>The proposed site will have much less traffic generation and overall impact than the other NC zoned area. (Boondocks restaurant, rental cabins and dockage.)</p>	<p>While the parcel is located on a busy arterial road in SR 19, residential use for parcels fronting on SR 19 is common in the Town.</p> <p>The location of the proposed building will block views to the Mansion from the southern approach. A single-family house of normal size for the Town will be less of a visual impediment.</p> <p>The site will need a septic system for wastewater.</p> <p>Residential units located on the south side of Citrus Avenue will have views of a commercial building.</p> <p>Traffic generation projected from the proposed project is about the equivalent of seven single-family units.</p> <p>Traffic exiting Citrus Avenue on to SR 19 is impacted by limited sight distance to oncoming northbound traffic.</p> <p>Approval of new commercial locations could have a negative impact on the Town's development plans for Central Avenue.</p>