ORDINANCE NO. 2023-011

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AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SECTION 9.03.02 TO INCLUDE THE TOWN MANAGER AND TOWN CLERK IN THE MEMBERS OF THE DEVELOPMENT REVIEW COMMITTEE; AMENDING SECTION 9.03.04 TO CHANGE THE CHAIR OF THE DEVELOPMENT REVIEW COMMITTEE TO THE TOWN MANAGER AND TO MANDATE THAT THE DEVELOPMENT REVIEW COMMITTEE MEETINGS ARE OPEN TO THE PUBLIC AND ALLOW THE PUBLIC TO COMMENT ON EACH ITEM THAT COMES BEFORE THE DEVELOPMENT REVIEW COMMITTEE; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Howey-in-the-Hills, Lake County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes.

WHEREAS, the Town Council, as authorized by 163.3202, Florida Statutes, has enacted and does enforce the Land Development Code, based on, related to, and as a means to implement its adopted comprehensive plan.

WHEREAS, the Town Council has determined that it is necessary to amend its Land Development Code as herein provided in order to more effectively implement its adopted comprehensive plan.

WHEREAS, The Town Council has determined the proposed amendments are consistent with its adopted comprehensive plan.

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

Section 1. Recitals. The recitals set forth above are true and correct and constitute the legislative findings of the Town Council.

Section 2. Amendments to the Town of Howey-in-the-Hills Land Development Code. Section 9.03.00 of the Town of Howey-in-the-Hills' Land Development Code is amended as shown by the addition of the underlined language and the deletion of the struck-through language, as follows:

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9.03.00 **DEVELOPMENT REVIEW COMMITTEE**

43 9.03.01 **Establishment** There is hereby created and established a Development Review Committee (DRC) for 44 the purpose of receiving, reviewing, and rendering recommendations on applications 45 subject to administrative review and decision as set forth in Chapter 4. 46 47 9.03.02 **Membership** Membership of the DRC shall include, but is not limited to, the following: 48 A. Town Planner 49

- B. Town Engineer
- C. Town Traffic Engineer
- D. Public Works Director
- E. Police Chief
 - F. Town Manager
 - G. Town Clerk

9.03.03 **Roles and Responsibilities**

- A. The DRC shall review applications and provide recommendations to the Planning & Zoning Board, the Board of Adjustment and the Town Council for annexations, zonings and rezonings, amendments to this LDC, Comprehensive Plan amendments, subdivision plans, subdivision plats, site plans, variances, conditional uses, and amendments to previously issued local development orders.
- B. The DRC shall perform such other duties as may be assigned by the Town Council or Mayor.

9.03.04 **Rules of Procedure**

- A. The Town Manager Town Planner shall chair meetings of the DRC.
- B. The DRC shall meet as necessary.
- C. The DRC may establish such additional rules of procedure as needed to carry out its roles and responsibilities.
- D. The DRC shall be open to the public and allow public comment on each item that comes before the DRC.

73 **Section 3. Severability.** The provisions of this ordinance are declared to be severable and if 74 any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid

or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this ordinance, but they shall remain in effect, it being the

legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

- **Section 4. Codification.** Only the provisions in Section 2 shall be codified in the Land Development Code.
- 82 **Section 5. Effective Date.** This ordinance takes effect upon its enactment. 83

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91		By:
92		Hon. Martha MacFarlane, Mayor
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96 97	ATTEST:	APPROVED AS TO FORM AND LEGALITY (for the use and reliance of the Town only)
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101	John Brock, Town Clerk	Thomas J. Wilkes, Town Attorney
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107	Planning and Zoning Meeting held April 27, 2023	
108	First Reading held May 8, 2023	
109	Second Reading, Public Hearing and Adoption held May 22, 2023	
110	Advertised May 12, 2023	
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