

Note: *Red text* shows change made after 2-26-2024 transmittal hearing.

ORDINANCE NO. 2024-009

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE ELEMENT (FLUE) OF THE TOWN'S ADOPTED COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3184 OF FLORIDA STATUTES; DESCRIBING THE ANALYSIS AND REEVALUATION UNDERTAKEN BY TOWN COUNCIL REGARDING RESIDENTIAL DENSITIES AND LOT SIZES IN POST-2010 RESIDENTIAL DEVELOPMENT IN THE TOWN; AMENDING CERTAIN FLUE POLICIES AND TABLES (i) TO MODIFY THE REQUIREMENTS IN THE "VILLAGE TOWN CENTER" AND "MEDIUM DENSITY RESIDENTIAL" LAND-USE DESIGNATIONS REGARDING DWELLING UNITS PER ACRE, LOT SIZES, MAXIMUM BUILDING HEIGHTS, OPEN-SPACE REQUIREMENTS, AND PARKS AND RECREATION REQUIREMENTS AND (ii) TO ADD A LAND-USE DESIGNATION FOR HIGH-DENSITY RESIDENTIAL DEVELOPMENT; AMENDING OTHER RELATED REQUIREMENTS FOR THOSE LAND-USE DESIGNATIONS; PROVIDING CONFORMING CHANGES; AMENDING POLICY 1.2.6 OF THE FUTURE LAND USE ELEMENT TO LIMIT THE AREAS WHERE THE TOWN MAY ALLOW RESIDENTIAL DEVELOPMENT ON LOTS SMALLER THAN ONE-FOURTH ACRE (10,890 SQ. FT.); REPEALING AND SUPERCEDING ORDINANCE 2023-013; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

*Be it ordained by the Town Council of the Town of Howey-in-the-Hills, Florida:*

**Section 1. Findings.** In adopting this ordinance, the Town Council of the Town of Howey-in-the-Hills, Florida finds and declares the following:

- (1) Under Section 163.3184 of Florida Statutes, the Town Council adopted a comprehensive plan, which includes the statutorily required Future Land Use Element (FLUE). Among other things the FLUE sets requirements and provides certain allowances for residential development in the Town.
- (2) After 2010, substantial amounts of approved residential development were constructed at substantially increased densities and substantially smaller lot sizes than were prevalent in the Town's development from its incorporation in 1925 to 2010.
- (3) In 2022 and 2023 the Town Council and its Planning and Zoning Board undertook an analysis and reevaluation of the post 2010 densities and lot sizes, with robust public participation in the reevaluation.

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- 1 (4) The consensus on Town Council, at the Planning and Zoning Board, and among Town  
2 residents was that the increased densities and smaller lot sizes are inconsistent with the  
3 development pattern, character, and ambiance of the Town’s historical neighborhoods. For  
4 that reason, the Town Council determines that adjustment of density and open-space  
5 requirements in the Future Land Use Element of the Town’s adopted Comprehensive Plan is  
6 justified and desirable.  
7
- 8 (5) Under Section 163.3184 of the Florida Statutes, on February 26, 2024, the Town approved  
9 the transmittal to the Florida Department of Commerce and other required review agencies of  
10 the proposed amendments to the Future Land Use Element. After it received responsive  
11 comments from the Florida Department of Commerce the Town held a second public hearing  
12 on June 24, 2024, and enacted Ordinance 2023-013, adopting the comprehensive-plan  
13 amendments.  
14
- 15 (6) To ensure compliance with the 10-day deadline in subparagraph 163.3184(3)(c)2 of Florida  
16 Statutes, the Town Council repeals herewith its Ordinance 2023-013 and replaces and  
17 supersedes it with the enactment of this Ordinance 2024-009, readopting the comprehensive-  
18 plan amendments in Attachment A.  
19
- 20 (7) The Town Council has determined that it is in the interest of the citizens, residents, and  
21 property owners of the Town to adopt the proposed amendments to the Future Land Use  
22 Element of the Town’s adopted Comprehensive Plan.  
23

24 **Section 2. Adoption of Amendments to the Future Land Use Element.** The amendments to  
25 the Future Land Use Element of the Town’s adopted Comprehensive Plan, as contained in  
26 **Attachment A** to this ordinance with the underscore and strike-through format, are hereby  
27 approved and adopted by the Town Council. Text in red indicates changes made by Town  
28 Council after the transmittal hearing held on February 26, 2024.  
29

30 **Section 3. Codification.** The amendments to the Future Land Use Element are hereafter part of  
31 the Town’s adopted Comprehensive Plan and are to be codified and posted on the Town’s  
32 website accordingly. Goals, objectives, and policies of the Future Land Use Plan may be  
33 renumbered or reorganized for editorial or codification purposes. Such renumbering or  
34 reorganization shall not constitute or be deemed a substantive change to the adopted Future Land  
35 Use Element.  
36

37 **Section 4. Severability.** If any provision or portion of this ordinance is declared by a court of  
38 competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining  
39 provisions and portions of this ordinance shall remain in full effect. To that end, this ordinance  
40 is declared to be severable.  
41

42 **Section 5. Effective Date.** This ordinance takes effect 31 days after the state land planning  
43 agency notifies the Town that the plan-amendment package is complete, unless challenged  
44 timely, in which case this ordinance takes effect when the state land planning agency or the  
45 Administration Commission, as appropriate, issues a final order determining the amendments to

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1 be in compliance.  
2

3 **Section 6. Repeal of Ordinance 2023-013.** Ordinance 2023-013 is repealed and replaced by  
4 this Ordinance 2024-009, which readopts the comprehensive-plan amendments in Attachment A.  
5

6  
7 **ORDAINED AND ENACTED** this 12<sup>th</sup> day of August, 2024, by the Town Council of  
8 the Town of Howey-in-the-Hills, Florida.  
9

10  
11 **TOWN OF HOWEY-IN-THE-HILLS,**  
12 **FLORIDA**

13 By: its Town Council  
14

15  
16 By: \_\_\_\_\_  
17 Hon. Martha MacFarlane, Mayor  
18

19  
20 **ATTEST:**

21 **APPROVED AS TO FORM AND LEGALITY**  
22 (for the use and reliance of the Town only)  
23

24  
25 \_\_\_\_\_  
26 John Brock, Town Clerk  
27

28 \_\_\_\_\_  
29 Thomas J. Wilkes, Town Attorney  
30

31  
32 Planning and Zoning Board hearing(s) held December 21, 2023.

33 LPA public hearing and transmittal public hearing held February 26, 2024.

34 Second reading and adoption public hearing for Ordinance 2023-013 held June 24, 2024.

35 First reading of Ordinance 2024-009 held July 22, 2024.

36 Second reading of Ordinance 2024-009 and public hearing for readoption of comprehensive-plan  
37 amendments held August 12, 2024  
38

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**Attachment A**

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**Amendments  
to  
Future Land Use Element**

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## FUTURE LAND USE ELEMENT



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TOWN OF HOWEY-IN-THE-HILLS

LAKE COUNTY, FLORIDA

ADOPTED ON OCTOBER 11, 2010

AMENDED:  
APRIL 22, 2020  
AUGUST 12, 2024

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CHAPTER 1  
FUTURE LAND USE ELEMENT

The data and analysis presented in the Future Land Use Element and other elements of the comprehensive plan is updated from the information used to develop the 2010 Comprehensive Plan Update. Some of the data was developed in 2017 as part of the Evaluation and Appraisal Review of the comprehensive plan. Where appropriate additional data has been included in the 2018 analysis.

**A. INTRODUCTION**

**1. Purpose**

The purpose of the *Future Land Use Element* is the designation of future land use patterns as reflected in the goals, objectives and policies of the local government comprehensive plan elements.

The *Future Land Use Element* sets forth the physical plan for the future development of the Town. The *Future Land Use Element* describes the appropriate location for the future land uses and promulgates the policies regulating the location and development of all land uses. The *Future Land Use Element* sets forth not only the density and intensity of land uses, but also considers other factors affecting land use development, such as timing, cost, and current development trends.

While each *Element* within the *Comprehensive Plan* is important, the *Future Land Use Element* is arguably the most important as it must be consistent with all other *Comprehensive Plan Elements* and articulate the *Goals, Objectives and Policies* of these other *Elements* in the form of specific land use policies.

The *Existing Land Use Map* included as part of this *Element*, describes the location and distribution of land uses in Howey-in-the-Hills in 2018. The *Future Land Use Map* (also included in this *Element*) is the focus of the *Comprehensive Plan*. It indicates the proposed location and distribution of land uses in the year 2035. All policies contained within this *Plan* must be consistent with the *Comprehensive Plan* and the *Future Land Use Map*. All land development regulations in effect subsequent to the adoption of this *Plan* must be consistent with the *Future Land Use Map* and the goals, objectives and policies of the *Comprehensive Plan*.

This *Future Land Use Element* is a required element; the minimum criteria for its contents are established in Florida Statutes Chapter 163. This *Plan Element* was formulated to be consistent with relevant sections of Chapter 163, Part II, F.S., the *State Comprehensive Plan*, and the *Comprehensive East Central Florida Regional Policy Plan*.

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**Adopted** - Ord. 2010-007 (10-11-2010)  
Amended - Ord. 2019-01 (1-27-2020)  
Amended -- Ord. 2024-009 (Aug. 12, 2024)

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**B. Population Estimates and Forecasts**

In order to plan for growth, it is first necessary to project the number of persons that will reside in the Town. The effectiveness of a local government’s comprehensive plan depends principally on the accuracy of population projections for both resident and seasonal populations. These predictions for the future are the basis of planning for future land use, housing, recreation and open space, and public services and infrastructure needs.

A population projection to 2035 has been prepared to coordinate with long-range utility planning for water and sewer services. This estimate assumes the Town will continue to undergo a steady residential development pattern based on single-family homes as the predominant housing type. Projections for small populations are notoriously tricky given the small base size of the population and the ability for a single project to significantly affect total population and the timing of housing production. Therefore, a table presenting the major approved projects with total approved unit count has been included.

The table also indicates which projects have met concurrency requirements and which projects still must meet concurrency tests for water and sewer service at the time subdivision or site plan approval is sought. In theory, the projects without concurrency approval are vulnerable to development denial if necessary public services are not available. This “check process” should provide a safety valve should the water and/or sewer demand be out of line with system capacity at the time the development seeks approval. The projection for resident and seasonal populations is provided below.

**TABLE 1: POPULATION ESTIMATES AND PROJECTIONS 2010 -2035**

POPULATION PROJECTION HOWEY-IN-THE-HILLS, FLORIDA			
Year	Resident	Seasonal	Total
2010	1098	110	1208
2015	1106	111	1217
2020	1604	160	1764
2025	1925	193	2118
2030	2118	212	2330
2035	2266	227	2493

Source: US Census, BEBR and TMH Consulting projections.

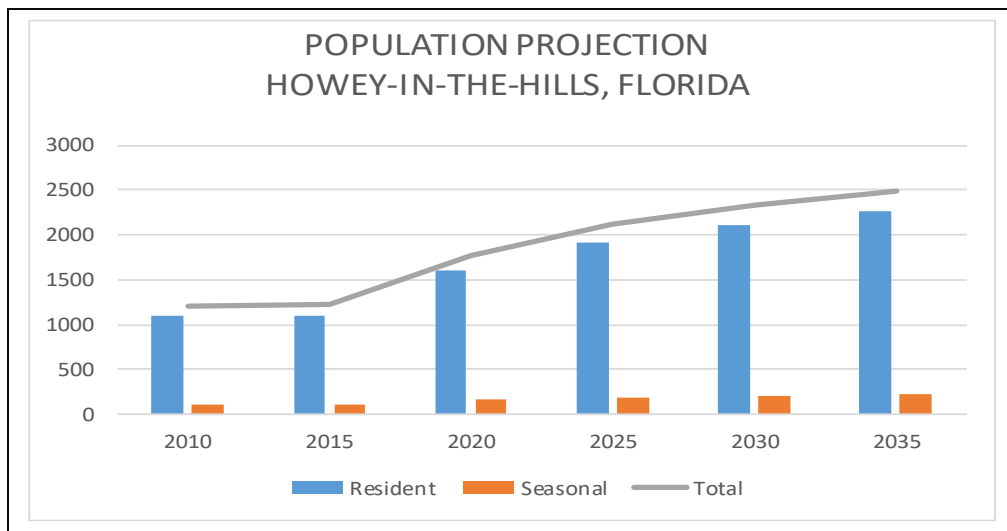
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**Adopted** - Ord. 2010-007 (10-11-2010)  
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Since 2015, the Town has seen the impact of development in the Venezia South subdivision with the 2017 BEBR estimate being set at 1,355 people. The projections assume this rate of development will continue to 2020 resulting in a total population increase of about 45%. This rate of growth is likely unsustainable over the long term, but it is also likely that at least one of pending major projects will move forward as the rater of development in Venezia South slows. The projections assume a declining rate of growth over the succeeding time increments, while still projecting a significant increase. If multiple large projects move forward at the same time or if significant levels of multi-family housing enter the market, population growth will be accelerated over these projections. The graph below offers a visual representation of this data.



The following table provides a summary of major developments that have received some level of approval through the Town’s planning and development review process. The approved projects with 2018 concurrency certifications are Venezia South and Whispering Hills. The other projects have received planning level approval but must still pass a concurrency review at the time development in the form of subdivision or site plan review is proposed. Venezia North (Talichet) is currently pursuing a new development agreement to increase the project size from 93 to 139 units.

**TABLE 2: SIGNIFICANT DEVELOPMENT PROJECTS**

PROJECT	SFR	MFR	TOTAL	NOTES
Venezia South	172	113	285	Already connected to systems
Talichet	93		93	
Whispering Hills	156		156	

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 Amended - Ord. 2019-01 (1-27-2020)  
 Amended -- Ord. 2024-009 (Aug. 12, 2024)

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Lake Hills			780	No SFR/MFR split available
Mission Rise	400		400	
The Reserve	403	330	733	
Total	1224	443	2447	

**C. Existing Conditions**

**1. Existing Land Use**

The amount of acreage located within the Town’s current boundaries is presented in Table 3 by the existing land use categories. The Town has had no annexations since 2010, and the only change in existing land use is the development of 129.31 acres of single-family residential in the Venezia South Village Mixed Use classification. This area has been deducted from the vacant Village Mixed Use Category and added to the single-family residential totals.

Table 3: Acreage within Existing Land Use Categories, 2017

Existing Land Use	Acreage	Percentage of Total
Residential (includes all residential uses except vacant Village Mixed Use)	673.63	28.71%
Single-family Residential	321.69	13.71%
Condominium	14.10	0.60%
Multi-family less than 10 units	1.07	0.05%
Vacant Residential	336.44	14.34%
Vacant Lakefront Residential	0.33	0.01%
Commercial (except Village Mixed Use)	120.09	5.12%
Vacant Commercial	114.53	4.88%
Recreation (includes golf courses, recreation other, and vacant preserve/passive park)	4.50	0.19%
Golf Courses (Mission Inn golf course is included in the Vacant Planned Unit Development/Mixed Use acreage)	1.06	0.05%
Recreation (other)	218.85	9.33%
Vacant Preserve/Passive Park (Sarah Maude Mason Preserve of 54 acres included in Conservation acreage)	0.95	0.04%
Public Use (includes utilities, roads, ROWs, educational facilities, institutional, and government facilities)	165.29	7.05%
Utilities	37.15	1.58%
Roads	4.14	0.18%
Educational Facilities	6.99	0.30%

**Adopted** - Ord. 2010-007 (10-11-2010)  
 Amended - Ord. 2019-01 (1-27-2020)  
 Amended -- Ord. 2024-009 (Aug. 12, 2024)

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Government Facilities	4.34	0.19%
Institutional	6.48	0.28%
Vacant Institutional	2.36	0.10%
Conservation	517.58	22.06%
Industrial	24.27	1.03%
Vacant Planned Unit Development/Village Mixed Use	780.69	33.28%
<b>Total</b>	<b>2,345.94</b>	<b>100.00%</b>

Source: TMH Consulting update of 2010 tabulations.

**Residential** - This category on the *Existing Land Use Map* denotes all land used for residential purposes, including single family, accessory apartments, rectories, and mobile home structures, but specifically excludes recreational vehicles, travel trailers, or similar vehicles. Single family residential use is permitted in all areas of the Town except the public use, recreational, industrial, and conservation areas in Town. The permitted density for residential lands in Howey-in-the-Hills as of the Town’s 2023 reevaluation and analysis of residential land uses is featured in Table 4.

**Commercial** - This category on the *Existing Land Use Map* denotes all land used for retail and wholesale trade, offices, restaurants, hotels and motels, and professional services. Most of the commercial uses in Town are found along Central Avenue. Commercial land use is permitted in the Town Center Overlay, Town Center Mixed Use, Village Center Mixed Use, and Neighborhood Commercial. The maximum intensity for commercial uses in Town is presented in Table 4.

**Industrial** – This category on the *Existing Land Use Map* denotes all land used for warehousing, assembly and distribution of goods, light processing, heavy equipment, large durable goods, or other land uses requiring heavy truck traffic. The Town permits industrial uses on Light Industrial lots with conditions. Cell towers are also permitted in this land use under certain conditions. The intensity of industrial uses permitted in Town is featured in Table 4.

**Public Use** - This category on the *Existing Land Use Map* denotes all land used for public service activities, water plants, electric sub-stations and telephone facilities except for cell towers. On the *Existing Land Use Map*, this category includes and is used for utilities, government owned facilities, and institutional facilities such as educational facilities, day care facilities, churches or residential care facilities. The Town permits an intensity of 0.50 impervious surface ratio or 0.25 floor area ratio (see Table 4).

**Recreation** - This category on the *Existing Land Use Map* denotes all land primarily used for outdoor recreational activities such as picnicking, jogging, cycling, outdoor courts, golf courses, and playing fields. These lands include both private and public recreational

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1 facilities. The Town permits an impervious surface ratio of 0.30 on recreational land uses  
2 (see Table 4).

3  
4 **Conservation** - This category on the *Existing Land Use Map* denotes all land used for  
5 wetlands, some uplands, public managed lands, floodplains, flood prone areas, and other  
6 areas in which valuable natural resources are found. No buildings are allowed on  
7 conservation lands in Town except for boardwalks, docks, observation decks, or similar  
8 facilities allowed by the Town and all regulatory agencies.

9  
10 **Planned Unit Development(PUD)/Village Mixed Use** - In 1992, the Town approved a  
11 *Planned Unit Development Mixed Use District Ordinance* which permits a variety of  
12 residential structures and a diversity of building arrangements as well as complementary  
13 and compatible commercial uses and public or quasi-public facilities developed in  
14 accordance with an approved development plan. A large percentage of the lots in this  
15 category on the *Existing Land Use Map* are vacant. The permitted maximum density and  
16 intensity standards for planned unit development/mixed use are presented in Table 4.

17  
18 **2. Availability of Public Facilities and Services**

19 The following data and analysis describes the availability of services and facilities to  
20 support development.

21  
22 **a. Sanitary Sewer**

23 The Town has entered into an agreement with the Central Lake Community  
24 Development District to provide wastewater treatment for the Town. New  
25 Village Mixed Use development is required to connect to sanitary sewer, and the  
26 Town has begun the process of providing sanitary sewer on Central Avenue.  
27 Infill development in the largely developed portions of the Town will continue to  
28 use septic tanks until sanitary sewer service can be made available. The Town  
29 will own and maintain the collection system (mains, lift stations, etc.) within the  
30 Town limits.

31  
32 **b. Potable Water**

33 The Town currently owns, operates and maintains a central potable water  
34 treatment and distribution system. The Town’s potable water system provides  
35 water for both residential and non-residential purposes, including fire-fighting  
36 demands. The Town’s water system consists of two water plants located  
37 approximately one mile apart with a total of three active wells, one out-of-service  
38 well, one 500,000-gallon ground storage tank and one 15,000-gallon  
39 hydropneumatic tank. The elevated storage tank remains in place but is not  
40 active.

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Adopted - Ord. 2010-007 (10-11-2010)  
Amended - Ord. 2019-01 (1-27-2020)  
Amended -- Ord. 2024-009 (Aug. 12, 2024)

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The *Comprehensive Plan* sets two different levels of service for potable water usage. The first LOS standard is 242.0 gallons per day per capita for the overall customer usage and the second LOS standard is 150.8 gallons per day per resident for the residential customers.

The Town currently holds a consumptive use permit for 10-MGD. The permit is in the process of being revised as the Town has exceeded the consumption level. The permit revision is part of a larger planning process for master plans for both water and sewer. These plans are expected to be completed by the end of 2018, and once completed will identify projects for inclusion in the capital improvements program.

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Amended - Ord. 2019-01 (1-27-2020)  
Amended -- Ord. 2024-009 (Aug. 12, 2024)

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1 Table 4: Permitted Maximum Density/Intensity within Land Use Categories  
2 (as of amendments approved \_\_\_\_\_, 202\_\_)



*Note: Red text shows change made after 2-26-2024 transmittal hearing.*

Future Land Use	Maximum Density/Intensity	Description
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Rural Lifestyle (RL)	Must have a minimum of 2 acres for this land use. 1 dwelling unit per 2 acres; all buildings not to exceed .15 FAR; 20% max. impervious surface coverage; 50% open space required.	Primarily single-family detached homes with agricultural uses.
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Future Land Use	Maximum Density/Intensity	Description
Low Density Residential (LDR)	2 dwelling units per acre	Primarily single-family detached homes.

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Future Land Use	Maximum Density/Intensity	Description
Medium Density Residential (MDR)	<p><del>4</del> <b>3</b> dwelling units per acre; 25% minimum open space required</p> <p>Developments with 100 units or more shall be required to have a public recreation component.</p> <p>Developments with <u>either</u> more than 300 proposed <u>dwelling</u> units <u>or more than 100 acres</u> must use the Village Mixed Use designation.</p>	<p>Single-family detached homes, townhomes, etc.; this category may also include support community facilities and elementary schools.</p>

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<p>Town Center Mixed Use (TCMU)</p>	<p>The Town Center Overlay District denotes where specific uses are permitted within the Town Center (see the Town’s <i>Town Center Overlay Map</i>).</p> <p>For areas designated Commercial Core, all new buildings must be 2 stories or provide a minimum street façade elevation of at least 15-feet to create a vertical enclosure along Central Avenue. A max. 2.0 FAR is permitted if parking requirements are achieved. Where new residential uses are constructed in the Commercial Core, these uses shall be located on the second floor of buildings. (Existing single-family units on Central Avenue west of Dixie Drive and units fronting on Oak street and Holly Street are considered permitted uses. Single-family residences may not be constructed elsewhere within the Town Center Commercial area. Properties in the Town Center Commercial Area within the designated sections of W. Central Avenue, Oak street and Holly Street may be converted to non-residential uses, and once converted, may not revert to single-family residential use.)</p> <p>For areas designated Office/Services or Residential, 40% max. impervious surface coverage. May live and/or work in these areas.</p> <p>For areas designated Residential, a max. of 4 units per acre.</p> <p>There is a total of 81.73 acres in the Town Center Overlay. About 23.3% of the Town Center Overlay is comprised of roads which are laid out in a grid system. About 52.5% of the Town Center Overlay area is designated for residential use. About 16% of the Town Center is designated for commercial/office/professional services use (with the possibility of residential on the second floor) and about 8.2% is designated as flex space, where either office, professional services, or residential</p>	<p>The size of each individual business shall be regulated through the Land Development Regulations.</p>
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*Note: Red text shows change made after 2-26-2024 transmittal hearing.*

Future Land Use	Maximum Density/Intensity	Description
	<p>uses – or a live/work combination of those uses is permitted.</p> <p>Open space within the Town Center will not be defined as it is for other areas within the Town. Rather, the Town has established maximum impervious surface coverage standards that may not be surpassed within the various uses in the Town Center. The areas designated as Commercial Core have a maximum impervious surface coverage of 100%. Areas designed office/professional services and/or residential shall have a maximum impervious surface coverage of 40% and areas designated as residential in the Town Center shall have a maximum impervious surface of 50%. In the commercial core of the Town Center, the Town anticipates a master stormwater system which will allow maximum coverage for buildings and surface parking.</p>	

Note: Red text shows change made after 2-26-2024 transmittal hearing.

<p>Village Mixed Use (VMU)</p>	<p>Must have a <b>minimum of 25 100 acres</b> for this land use.</p> <p><b>Maximum of three four</b> dwelling units per acre; <b>May be increased to 6 dwelling units per acre if the development includes 20% usable public open space (no wetlands).</b> <b>All single-family lots must have a minimum lot area of 10,890 square feet (1/4 acre) exclusive of any wetlands or waterbodies that might be included with the lot.</b></p> <p>Residential areas shall comprise a minimum of 70% of the Net Land Area and a max. of 85% of the Net Land Area.</p> <p>Commercial/non-residential areas shall comprise a minimum of 15% of the Net Land Area and a maximum of 30% of the Net Land Area. This includes community facilities and schools.</p> <p><b>For developments with more than 100 acres, 5% Five percent (5%)</b> of the non-res. land shall be dedicated for public/civic buildings.</p> <p>Commercial/non-residential may be 2 stories with 50% coverage as long as parking and other support facilities (stormwater) are met.</p> <p>Public recreational uses must occupy a minimum of 10% of the useable open space (no wetlands).</p> <p><b>The following are minimum requirements in Village Mixed Use:</b></p> <p><b>i. 25% open space;</b></p>	<p>A mix of uses is permitted and required in this category in order to promote sustainable development, including the provisions of reducing <b>dependence the dependability</b> on the automobile, protecting more open land, and providing quality of life by allowing people to live, work, socialize, and recreate in close proximity. Elementary, middle, and high schools are also permitted in this category.</p>
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Note: **Red text** shows change made after 2-26-2024 transmittal hearing.

Future Land Use	Maximum Density/Intensity	Description
	<p>ii. 10% parks and recreation; and iii. 3% active recreation uses</p> <p>The 10% and 3% requirements in ii and iii count toward the 25% requirement in i. To be counted against the 10% park/recreation requirement, parcels dedicated to park uses may be no smaller than 1/2 ac.</p> <p>The Land Development Code must require that plans for active recreation uses be submitted for approval by Town Council no later than application for final plat approval. Town Council may require a performance surety bond for park and recreation improvements.</p>	
Neighborhood Commercial (NC)	0.50 floor area ratio; 70% max. impervious surface coverage	Commercial uses to support Town residents are permitted in this category. The size of each individual business shall be regulated through the Land Development Regulations. Elementary and middle schools are also permitted in this category.
Light Industrial (LI)	70% max. impervious surface coverage; 0.6 floor area ratio	Manufacturing, distribution High schools are also permitted in this category.



*Note: Red text shows change made after 2-26-2024 transmittal hearing.*

Future Land Use	Maximum Density/Intensity	Description
Institutional (INST)	0.25 floor area ratio; 40% max. impervious surface coverage; 25% open space required	Educational facilities (public or private), religious facilities, day care (child and adult), government buildings (including fire and police), cemeteries, group homes, nursing homes, or community residential facilities, hospitals (general and emergency care).
Recreation (REC)	Max. 30% impervious surface coverage	Public or private recreational facilities.
Conservation (CON)	No buildings	Boardwalks, docks, observation decks, and similar facilities as allowed by the Town and all regulatory agencies.
Public/Utilities (PUB)	0.25 floor area ratio; max. impervious surface coverage of 50%	Government buildings and essential utilities, with cell towers being a special exception or conditional use.

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Future Land Use	Maximum Density/Intensity	Description
High density	Includes townhouse development up to eight dwelling units per acre and other multi-family development up to 12 units per acre. Impervious surface ratio is a maximum of 60%.	Provides for townhouse units and other types of multi-family units.

1  
2 Notes: Open Space: Open space is figured on the Gross Land Area. Up to ~~50%~~ 25% of the open space requirement may be met with  
3 wetlands. Open space may include landscaped buffers and stormwater facilities if they are designed to be a park-like setting  
4 with pedestrian amenities and free form ponds. Open space may be passive or active. Open space may include public  
5 recreational components of developments. Most of the open space shall be permeable; however, up to 10% may be impervious  
6 (plazas, recreational facilities, etc.). Wet ponds are not counted as part of that 10%.

7  
8 Densities shall be determined by the Net Land Area. The Net Land Area is figured by taking the Gross Land Area (total  
9 property less any lakes or water bodies), then subtracting from that any open space requirements, then subtracting from that  
10 any remaining unbuildable acreage (remaining wetlands).  
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Note: Red text shows change made after 2-26-2024 transmittal hearing.

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**c. Stormwater Drainage**

Stormwater drainage within the Town is currently accommodated by both natural and man-made drainage features. Although culverts and drainage pipes comprise a large portion of the stormwater system, the Town does not know where the underground pipes lead and where their outfalls are located. This system was installed decades ago and no engineering studies or plans for the drainage system are available to determine the design capacity of the system. In addition to these features, there are private retention/detention areas which were constructed to provide fill for the Mission Inn Complex. These ponds provide on-site retention/detention and a certain amount of percolation of runoff to the aquifer.

Increased development and land coverage could increase the need to construct additional drainage facilities to protect Little Lake Harris from nutrient runoff. Drainage problems do exist with stormwater runoff believed to be discharging directly from State Road 19 into Little Lake Harris. The Town has received one grant for a baffle box system to address this issue and plans to continue to seek funds to address the concern. There are no major flooding problems associated with stormwater runoff.

Level of service standards established in the *Comprehensive Plan* will continue to remain consistent with State statutes pertaining to the performance of the drainage system. The Town ensures the provision of adequate stormwater drainage systems through the development review process. Permits are also required from all applicable State, Federal, and local agencies regarding stormwater. No development is approved or is allowed to begin construction until all such permits are received by the Town.

**d. Solid Waste**

Solid waste disposal is achieved through franchise agreements with one solid waste hauler. The Town will continue to dispose refuse at the County’s incinerator facility approximately 10 miles west of Town. The County will deposit waste ash in an ash monofill south of the incinerator near the Sumter County Line. There is a separate disposal area for construction and demolition debris.

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**e. Transportation**

Only two major roads provide access into Town: (1) County Road 48 and (2) State Road 19. County Road 48 provides a direct connection to the City of Leesburg and US 27. State Road 19 provides direct access to the Florida Turnpike, cities of Groveland and Tavares. All the streets in Howey-in-the-Hills are paved.

The Town’s adopted level of service is D for minor arterials, collector roadways, and local roads. There are no roads in Town that are over capacity. The Town requires all development to provide adequate analysis of its impact on the roads in the Town to determine if the adopted LOS will be maintained. The capacities or deficiencies for the Town’s road network is featured in the *Transportation Element*.

**f. Recreation and Open Space**

Overall, there are about 174 acres (115 acres of golf courses, 54 acres of preserve in Sarah Maude Nature Preserve, and 5 acres of other recreational facilities) of recreational land available to meet the recreational needs of Howey-in-the-Hills’ residents and visitors.

The Town has adopted a level of service standard of 6.5 acres of park land for every 1,000 residents. There are 22.93 acres of parkland in Howey-in-the-Hills. The largest park in Town is the Sarah Maude Nature Preserve, which is about 54 acres of preserve and 17 acres of upland (the Town only includes the upland acres in the overall parkland acres) and the smallest Town park is Tangerine Point Park at 0.1 acres.

There is 4.5 acres designated as Recreation lands on the Town’s *Future Land Use Map*, almost all this land is considered to be open spaces. Most of these open spaces is adjacent to the lakes in Town and lack the space needed to accommodate development other than small recreational uses.

There are no major public open spaces or natural preservations within a half mile of the Town limits. Recreational lands within the Town are depicted on the *Existing Land Use Map* and *Future Land Use Map*.

**g. Public School Facilities**

The Town continues to support public school concurrency and participates in an

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interlocal agreement with the School district and other local governments in Lake County. School concurrency is reviewed as part of the development approval process.

**3. Land Available for Development**

There are about 1640 acres of vacant land (about 516 of those acres are Conservation land uses) in the Town (see the Town’s *Vacant Land Map*). Most of this land does not have any major environmental constraints and is very suitable for development. Also, most of the vacant lands in the Town currently have a *Village Mixed Use Future Land Use* category.

**4. Soils and Topography**

Soils are an important aspect in land development. The physical and chemical properties of soils restrict the intensity of development through limitations on road construction, septic tank operation, and building placement.

There are a variety of soil types in Howey-in-the-Hills (see the Town’s *Soils Map*). The general descriptions of the soils in the Town are found below in Table 5. All upland soils are suitable for development and show little limitation for the use of septic tanks.

The Town lies on the Lake Wales Ridge, a physiographic high that has a high potential for aquifer recharge to the Floridan Aquifer. There is little topographic relief within the Town (90 feet). The upper limit is approximately 170 feet above sea level located south of E. Revels Road, west of Sunset Drive, and east of State Road 19. Around this area, there is a difference of about 80 feet in elevation (see the Town’s *Contour Map*). This topographic relief poses little, if any, limitations to development of vacant lands. See *Conservation Element* for a further discussion of soils and soil limitations.

Table 5: Soils

Map Unit Name	Hydric Soil	Drainage Class	Steel Corrosion	Concrete Corrosion	Acres
Anclote and Myakka Soils	Yes	Very Poorly Drained	High	Moderate	14.34
Apopka Sand, 0 to 5 Percent Slopes	No	Well Drained	Moderate	High	51.88
Apopka Sand, 5 to 12 Percent Slopes	No	Well Drained	Moderate	High	28.00

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Map Unit Name	Hydric Soil	Drainage Class	Steel Corrosion	Concrete Corrosion	Acres
Arents	No	Somewhat Poorly Drained	Unranked	Unranked	141.21
Borrow Pits	Partially Hydric	Unranked	Unranked	Unranked	2.82
Candler Sand, 0 to 5 Percent Slopes	No	Excessively Drained	Low	High	760.47
Candler Sand, 12 to 40 Percent Slopes	No	Excessively Drained	Low	High	3.16
Candler Sand, 5 to 12 Percent Slopes	No	Excessively Drained	Low	High	299.71
Immokalee Sand	Partially Hydric	Poorly Drained	High	High	32.30
Kendrick Sand, 5 to 8 Percent Slopes	No	Well Drained	Moderate	High	6.24
Lake Sand, 0 to 5 Percent Slopes	No	Excessively Drained	Low	High	114.40
Lake Sand, 5 to 12 Percent Slopes	No	Excessively Drained	Low	High	12.98
Lochloosa Sand	No	Somewhat Poorly Drained	High	High	11.98
Myakka Sand	Partially Hydric	Poorly Drained	High	High	95.48
Ocoee Mucky Peat	Yes	Very Poorly Drained	High	High	4.11
Oklawaha Muck	Yes	Very Poorly Drained	High	Low	6.14
Paola Sand, 0 to 5 Percent Slopes	No	Excessively Drained	Low	High	1.97
Placid and Myakka Sands, Depressional	Yes	Very Poorly Drained	High	High	23.83
Pompano Sand	Partially Hydric	Poorly Drained	High	Moderate	13.86
Sparr Sand, 0 to 5 Percent Slopes	No	Somewhat Poorly Drained	Moderate	High	18.44
Swamp	Yes	Very Poorly Drained	Unranked	Unranked	55.94

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Map Unit Name	Hydric Soil	Drainage Class	Steel Corrosion	Concrete Corrosion	Acres
Tavares Sand, 0 to 5 Percent Slopes	No	Moderately Well Drained	Low	High	309.40
Water	Unranked	Unranked	Unranked	Unranked	317.67
Wauchula Sand	Partially Hydric	Poorly Drained	High	High	19.59

Notes: Drainage Class - Identifies the natural drainage conditions of the soil and refers to the frequency and duration of wet periods.  
Concrete Corrosion - Susceptibility of concrete to corrosion when in contact with the soil.  
Steel Corrosion - Susceptibility of uncoated steel to corrosion when in contact with the soil.

Source: U.S. Department of Agriculture, Natural Resources Conservation Service’s Lake County Soils Geographic Information Systems database.

**5. Natural Resource Management**

In this section, natural resource protection which is applicable to Howey-in-the-Hills is discussed. The Town contains no Areas of Critical State Concern as established in Chapter 380.05, Florida Statutes. According to SJRWMD and the Army Corps of Engineers, there are no dredge spoil disposal sites within the Town.

**a. Surface Waters**

Lake Illinois and several unnamed lakes are within the Town limits. Additionally, the Town is adjacent to Little Lake Harris. Most of these lakes are maintained by the County. There are no lakes in Town classified as “A Florida Outstanding Water”. The lakes are used for boating, swimming, fishing and other water activities.

**b. Floodplains**

Floodplains are valuable resources which provide a rich diversity of vegetation and wildlife. These areas are sources for groundwater recharge that filters through soils during high water levels. The 100-year floodplains are also subject to inundation during a 100-year storm, causing potential loss of life and property,

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1 disruption of services, and economic loss. These areas cannot tolerate continued  
2 development which, in effect, retards their ability to absorb water and restrict the  
3 flow of water from adjacent higher elevation areas.

4  
5 The County’s Geographic Information Systems (GIS) database shows that there  
6 are 100-year floodplains in the Town (see the Town’s *Floodplains Map*). The  
7 FEMA flood zone designations in Howey-in-the-Hills are as follows:

- 8
- 9 • Zone A – Areas with a 1% annual chance of flooding and a 26% chance of
- 10 flooding over the life of a 30-year mortgage. Because detailed analyses are
- 11 not performed for such areas; no depths or base flood elevations are shown
- 12 within these zones.
- 13 • Zone AE - The base floodplain where base flood elevations are provided.
- 14 AE Zones are now used on new format FIRMs instead of A1-A30 Zones.

15  
16 Development within floodplains will continue to be closely scrutinized to ensure  
17 compliance with established regulations.

18  
19 **c. Wetlands**

20 Wetlands by definition are transitional lands between terrestrial and aquatic  
21 systems where the water table is usually at or near the surface, or the land is  
22 covered with shallow waters. Wetland functions are interconnected with the  
23 hydrology of the area. This connection determines the presence, extent,  
24 movement, and quality of water in the wetland. It is estimated that wetlands  
25 account for about 515 acres in the Town (see the Town’s *Wetlands Map*).

26  
27 **d. Natural Groundwater Aquifer Recharge Areas**

28 The Floridan aquifer is the principal source of drinking water for Lake County.  
29 Currently almost all the ground water pumped in Lake County comes from the  
30 Upper Floridan but the potential for utilizing the lower Floridan aquifer is just  
31 beginning to be explored in Lake County.

32  
33 Aquifer recharge is the process whereby rainfall percolates downward through the  
34 soil to reach the underlying aquifers. Recharge to the Floridan aquifer occurs in  
35 areas of the County where the elevation of the water table of the surficial aquifer  
36 is higher than the elevation of the potentiometric surface of the Floridan aquifer.  
37 In these areas, water moves from the surficial aquifer in a downward direction  
38 through the upper confining unit to the Floridan aquifer. The surficial aquifer



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1 system in the County is recharged by rainfall. Recharge is augmented locally by  
2 artificial recharge - wastewater or reuse water land application, rapid-infiltration  
3 basins, and septic systems.

4  
5 Howey-in-the-Hills is in a recharge area with a recharge rate of 1 to 10 inches per  
6 year and discharge rate of less than 1 inch per year.

7  
8 **e. Cone of Influence**

9 Cone of influence is defined as an area around one or more major wellfields, the  
10 boundary of which is determined by the government agency having specific  
11 statutory authority to make such a determination based on groundwater travel or  
12 drawdown depth. The term waterwell is defined by Rule 9J-5, F.A.C., as a well  
13 excavated, drilled, dug, or driven for the supply of industrial, agricultural, or  
14 potable water for general public consumption.

15  
16 Generally, the term cone of influence can be defined as the land area surrounding  
17 a well on which a present or future land use has the potential to negatively impact  
18 an aquifer as a result of the induced recharge from that well's cone of depression.  
19 The purpose of delineating a cone of influence is to protect the current and future  
20 water supply.

21  
22 The Town restricts development (except facilities related to the public water  
23 system) from occurring within a 150-foot radius of any existing or proposed  
24 public well (Primary Protection Zone). No septic tanks, sanitary sewer facilities,  
25 or solid waste or disposal facilities are permitted within a 200-foot radius of any  
26 existing or proposed public well (Secondary Protection Zone). The Town also  
27 has established a 500-foot radius wellhead protection area within which  
28 manufacturing or light industrial uses are prohibited. The wellhead protection  
29 areas for the Town's potable water supply wells are shown on the *Existing* and  
30 *Future Land Use Maps*.

31  
32 **f. Air Quality**

33 Air quality is another example of a natural resource that impacts the Town's and  
34 surrounding areas quality of life. The Florida Department of Environmental  
35 Protection and the United States Environmental Protection Agency monitor air  
36 quality data in Lake County. Lake County does not have an established program  
37 dedicated to monitoring air quality. Overall, Lake County's air quality can be  
38 considered good.

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## 6. Historic Resources

The Florida Division of Historical Resources maintains and regularly updates the *Florida Master Site File*. The *Florida Master Site File* is a paper file archive and computer database of recorded historical cultural resources in Florida. Categories of resources recorded at the Site File include archaeological sites, historical structures, historical cemeteries, historical bridges and historic districts. The *Site File* also holds copies of survey reports and other manuscripts relevant to Florida history and prehistory. As of March 2010, there were 7 historic structures or sites in the Town that were added to the State's *Master Site File*. The Howey House was listed in the National Register of Historic Places (see Table 5 and the Town's *National Register of Historic Resources Map*).

Table 6: Historic Sites and Structures

Site Name	Address/Site Type	Year Built	Architectural Style/ Archaeological culture	Date Certified
TOM Line	Pre-historic Mound		St. Johns, 700 B.C. – A.D. 1500	
Flagship 1	Land-terrestrial		Prehistoric	
Flagship 2	Land-terrestrial		20 <sup>th</sup> Century American, 1900-present	
Howey Water Tower	316 Grant Street	1926	Unspecified	
Howey Academy		1923	Unspecified	
Howey House	Citrus Street	1925	Mediterranean Revival ca. 1880-1940	1/27/1983

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Site Name	Address/Site Type	Year Built	Architectural Style/ Archaeological culture	Date Certified
Griffin Airways Landing Strip	Designed Historic Landscape	1950s-1960s	Griffin Airways Landing Strip is not a man-made construction. It was a cleared dirt strip of land that served as an airstrip for Prop planes. C.V. Griffin used the strip to fly in investors to the area as he tried to foster industrial development.	

1  
2 Source: Florida Department of Historical Resources, Florida Master Site File – March 2010.

3 **D. ANALYSIS**

4 **1. Economic Vitality**

5 The Town is now and plans to continue primarily as a residential community with  
6 commercial support to serve the residents and visitors. The small downtown business  
7 district along Central Avenue from Lakeshore Boulevard to S. Mare Avenue, primarily  
8 serves the immediate convenience needs of the Town’s residents. The Town has prepared  
9 a redevelopment plan for this area to include a land use plan, master stormwater system  
10 and public parking areas. Various cities and towns in Lake County provide additional  
11 employment and needed services within reasonable commuting areas of the Town. As  
12 future development occurs in the Village Mixed Use areas, additional employment and  
13 service opportunities will be made available for the Town’s residents and others. This

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1 will provide for much improved sustainability for the Town over the planning period.

2  
3 **2. Nonconforming and Incompatible Uses**

4 Land use conflicts arise when uses are introduced in dissimilar areas without proper  
5 buffering. The *Future Land Use Map* and the Howey-in-the-Hills Land Development  
6 Regulations set forth the appropriate locations for land uses in the Town in order to  
7 eliminate existing land use conflicts. The Town’s Land Development Regulations  
8 addresses incompatibilities through control of nonconforming uses.

9  
10 **3. Availability of Facilities and Services**

11 This section provides an overview of the availability of public facilities and services in  
12 Howey-in-the-Hills during the planning period.

13  
14 As previously mentioned, the Town of Howey-in-the-Hills currently has a limited central  
15 wastewater system. The Wastewater Treatment Facility (WWTF) is owned by the  
16 Central Lake Community Development District with the Town owning and maintaining  
17 the collection system up to the CDD facility. In 2006, through a wastewater impact fee  
18 study performed in anticipation of possible creation of a Town-owned wastewater  
19 collection and treatment system, the Town established a wastewater Level of Service  
20 value of 120 gallons per person per day.

21  
22 As previously mentioned, the Town’s potable water system provides water for both  
23 residential and non-residential purposes, including fire-fighting demands. The system has  
24 enough capacity to support the population demand during the planning period of this  
25 *Comprehensive Plan (2025)*.

26  
27 The Town’s solid waste level of service standard for solid waste is 6 pounds per person  
28 per day. There is enough capacity in the County’s landfill to support the population  
29 demand during the short-range (2011-2015) and long-range (2025) planning period.

30  
31 The Town shall continue to require development to provide for the 100-year, 24-hour  
32 rainfall event and provide retention for water quality consistent with new and innovative  
33 techniques. The Town shall also continue to require that all new development provide  
34 evidence to show that LOS ratings in stormwater conveyances serving the new  
35 development will not be degraded to an LOS lower than currently exists as a result of the  
36 new development’s construction and stormwater runoff contribution.

37  
38 There are more than adequate recreational facilities and open spaces readily available and

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1 accessible to the residents and guests of Howey-in-the-Hills. The Town shall continue to  
2 coordinate with the County on establishing measures to enhance the recreation and open  
3 space opportunities in and around Town. The Town will also continue to solicit grants  
4 from public and private agencies and collect park impact fees to fund future parks and  
5 facilities.

6  
7 There are no public school facilities planned in the Town during the planning period.  
8

9 **4. Groundwater Recharge**

10 As previously mentioned, Howey-in-the-Hills is in a recharge area with a recharge rate of  
11 1 to 10 inches per year and discharge rate of less than 1 inch per year. There are no  
12 known groundwater recharge problems in Howey-in-the-Hills. The Town shall continue  
13 to protect the quality of groundwater recharge through enforcing the Town’s Land  
14 Development Regulations and the guidelines established in this *Comprehensive Plan*.  
15 The quality of groundwater recharge shall also be protected by ensuring that all  
16 stormwater conveyances serving new development does not degrade the level of service  
17 lower than currently exists as a result of the new development’s construction and  
18 stormwater runoff contribution.  
19

20 **5. Analysis of Existing Vacant Lands**

21 As previously mentioned, there are 1,769 acres of vacant land (516 acres of this land is  
22 Conservation land use) in Town. About 51% (909 acres) of the vacant lands is in the  
23 Village Mixed Use Future Land Use category and 19% (335 acres) is designated for  
24 Residential uses (see the Town’s *Vacant Lands Map*). The soils on these vacant lands are  
25 overall suitable for development. The elevation on these vacant lands range from 75 feet  
26 mean sea level (MSL) to 170 feet MSL. There are no known sinkholes located on these  
27 vacant lands. There are also no known environmentally sensitive lands or significant  
28 natural resources located on these vacant lands that will prevent any development.  
29

30 **6. Analysis of Land Needed to Accommodate Projected Population**

31 Most of the vacant land in the Town is in Village Mixed Use planned communities. The  
32 Town has approved conceptual developments for all but one of the Village Mixed Use  
33 properties. These properties contain enough land area for residential, commercial, civic  
34 and recreational uses for the projected population to the end of the planning period.  
35 These projects are summarized in Table 2.  
36

37 **7. 2023 Analysis and Reevaluation of Residential Densities and Lot Sizes**  
38

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In 2023 the Town Council and the Town’s Planning and Zoning Board analyzed and reevaluated post-2010 residential development in the Town. Residential development under the Village Mixed Use designation resulted after 2010 in substantially increased housing densities and substantially smaller residential lots than were prevalent in the Town’s historical development.

The evaluation and analysis was accompanied by robust public participation. Public sentiment agreed overwhelmingly with Town Council: the increased densities and downsized lots after 2010 were inconsistent with the character, appearance, and ambiance of the Town’s historical neighborhoods. Contrary to FLUE Policy 1.1.2, development in Village Mixed Use had failed to “maintain the unique charm of the Town.”

Consequently, the Town Council determined that amendments to this Future Land Use Element to redirect future residential densities and lot sizes were warranted and desirable.

**8. Analysis of Need for Redevelopment**

The Town Center Overlay District needs redevelopment. The Town has completed a redevelopment plan for the Central Avenue business core and made recommended changes to selected comprehensive plan policies in support of this plan. The Town is currently working on a program for installation of sanitary sewer on Central Avenue as an essential precursor to broader redevelopment proposals. Howey-in-the-Hills will promote a live-work environment as well as shopping and restaurants to serve the local area.

**9. Analysis of Flood Prone Areas**

The Town shall continue to ensure that development within floodplains will be closely scrutinized to ensure compliance with established Land Development Regulations. Most vacant lots in Town are very suitable for building.

**10. An analysis of Land Use Problems and Potential Use Problems**

No major current or potential land use problems are seen within the Town.

**11. Urban Sprawl**

The Town does not and will continue not to promote the approval of development that will contribute to “urban sprawl.” An analysis corresponding to measures the Town implements to discourage a proliferation of urban sprawl is featured in this section

Note: Red text shows change made after 2-26-2024 transmittal hearing.

1. Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.

The Town has adopted a Planned Unit Development ordinance and Village Mixed Use and Town Center Mixed Use land uses. There has not been any significant development of low intensity single family subdivisions. The Town’s Concurrency Management System, subdivision regulations, and zoning regulations discourages this type of development.

2. Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

All new development must prove that it will be served by adequate public facilities prior to the issuance of a development order. The new development must also demonstrate that it will not degrade the level of service beyond the adopted standard.

3. Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.

The Town’s Village Mixed Use and Town Center Overlay Mixed Use categories preclude strip commercial-type development and isolated single uses.

4. As a result of premature or poorly planned conversion of rural land to other uses, fails adequately to protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The Town protects and conserves all natural resources by enforcing the requirements of this *Comprehensive Plan* and the Town’s Land Development Regulations. The Town delineates wetlands and other environmentally sensitive lands as Conservation on the Town’s *Existing and Future Land Use Maps*. No buildings are permitted on Conservation lots in Town except for boardwalks, docks, observation decks, and similar facilities as allowed by the Town and all regulatory agencies.

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- 5. Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.

The Town has adopted a Rural Lifestyle land use category on the *Future Land Use Map*. This land use is primarily for single-family detached homes with allowable agricultural practices. There is a minimum of 2 acres required for this land use. There is a maximum density of 1 dwelling unit per 2 acres, 0.15 floor area ratio, 20% maximum impervious surface coverage, and 50% open space requirement on the Rural Residential lots in Town. The Town feels that the adopted standard is adequate to protect these agricultural areas in Town to serve as a buffer for nearby rural areas.

- 6. Fails to maximize use of existing public facilities and services.

The Town annually updates and adopts a Concurrency Management System Report to ensure that existing public facilities and services have enough capacity to support the population demand. All deficiencies are identified along with capital plans to address those deficiencies. Any deficiencies are incorporated in the *Capital Improvements Element*.

- 7. Fails to maximize use of future public facilities and services.

The Town annually updates and adopts a *Concurrency Management System Report* to ensure that future public facilities and services are adequately signed to address future needs.

- 8. Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

The Town has concurrency requirements for potable water, sewer, solid waste, drainage, parks and recreation, roads, and public schools.

- 9. Fails to provide a clear separation between rural and urban uses.



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The Town feels that the adopted open space, and minimum development intensity and density standards are sufficient to ensure a clear separation between rural and urban uses.

- 10. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

The Town promotes infill development or redevelopment of existing neighborhoods and communities and has created a Town Center Overlay to address infill and redevelopment in the historic Town Center.

- 11. Fails to encourage an attractive and functional mix of uses.

The Town has adopted a Planned Unit Development Ordinance which would permit an attractive and functional mix of uses in appropriate areas of the Town. There are about 855 acres of land designated as Village Mixed Use on the Town’s *Future Land Use Map* and majority of this land is vacant.

- 12. Results in poor accessibility among linked or related land uses.

Solutions to better manage traffic within the historic downtown area and to discourage additional traffic have been implemented. Uses have also been linked with bicycle paths and sidewalks. The Town requires new subdivisions or developments to address circulation, access control, off-street parking and landscaping of median strips and rights-of-way.

- 13. Results in the loss of significant amounts of functional open space.

The Town requires that levels of service be met for park land and open space. Each new development will include open space and recreational components.

The Town shall continue to discourage the approval of any development or redevelopment projects that will promote urban sprawl.

**12. Energy Efficiency, Energy Conservation, and Greenhouse Gas Emission**

The Town has identified strategies for producing energy efficient land use patterns,

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1 increasing energy conservation, and reducing greenhouse gas emissions. This section  
2 provides an overview of the energy related strategies implemented by the Town.

3  
4 **a. Producing Energy Efficient Land Use Patterns**

5 The Town has adopted the Village Mixed Use and Town Center Mixed Use land  
6 uses as a tool to produce energy efficient land use patterns in Howey-in-the-Hills.  
7 The Town will ensure that developments within these mixed-use areas are  
8 compact, walkable neighborhoods.

9  
10 The Town has also established a “build-out” area (the Town’s Utility Service  
11 Area) to determine the maximum extent of where urban development will be  
12 approved by Town Council. During the preparation of the *Future Land Use*  
13 *Map*, the Town reviewed all land uses to ensure that the higher gross density and  
14 intensity standards were appropriately established in all areas planned for urban  
15 development within the “build-out” area.

16  
17 The Town’s minimum density and intensity standards apply to all areas planned  
18 for urban development and redevelopment. These standards and the buffering  
19 requirements established in the Land Development Regulations ensure that the  
20 land uses in Howey-in-the-Hills will remain compatible and consistent with the  
21 surrounding land uses.

22  
23 **b. Increasing Energy Conservation**

24 The Town is in the process of establishing an *Energy Management Plan* to  
25 increase energy conservation (see Policy 1.17.3 of this *Element*). The *Energy*  
26 *Management Plan* will be used as a tool to minimize electric, fuel and water  
27 resources in Town buildings, fleet vehicles and on public properties.

28  
29 The Town promotes “green” development in both private and municipally-  
30 supported housing. Green development specifically relates to the environmental  
31 implications of development. Green building integrates the built environment with  
32 natural systems, using site orientation, local sources, sustainable material  
33 selection and window placement to reduce energy demand and greenhouse gas  
34 emissions. The Town is in the process of amending the Land Development  
35 Regulations to establish green building practices and sustainability development  
36 guidelines.

37  
38 The Town requires energy-efficient and water saving measures to be implemented

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1           in all new construction and redevelopment projects.  
2

3           **c.           Reducing Greenhouse Gas Emissions**

4           The Village Mixed Use and Town Center Mixed Use land uses will serve as a tool  
5           to reduce vehicle miles traveled in Town, which will reduce the greenhouse gas  
6           emissions. Residents and guests of Howey-in-the-Hills can easily access the  
7           historical downtown or Little Lake Harris area by walking or biking. The Town is  
8           actively involved with the Lake-Sumter MPO regarding expanding the pedestrian  
9           and bicycle facilities in Town. The Town will continue to promote mixed-use  
10          developments, bicycling, and walking as a tool to reduce the greenhouse gas  
11          emissions in the Howey-in-the-Hills area.  
12

13          The Town is amending its Land Development Regulations to ensure that the  
14          removal of regulatory barriers and establishment of incentives to promote energy  
15          efficiency and conservation is implemented in Howey-in-the-Hills.  
16

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**E. Future Land Use Goals, Objectives, and Policies**

Upon the effective date of the ordinance adopting this *Comprehensive Plan*, all rules, regulations, criteria, and principles set forth in the *Plan* become effective. Where a policy refers to the Land Development Regulations, the intent of the policy and its contents remain effective with the *Plan* adoption date. Regulations established by State or Federal statutes or administrative codes referenced in objectives or policies shall pertain to the most recent adopted regulation or code as may be amended by said parties from time to time without immediate notice to the Town.

**GOAL 1:** Retention of the quaint distinctive residential character of the Town by promotion of high quality residential development together with an appropriate level of supporting service and retail opportunities and live-work environments as well as preserving the natural features of the area and minimizing threats to the citizens caused by hazards, nuisances, incompatible land uses or environmental degradation while providing a sense of place and history.

**OBJECTIVE 1.1:** *Identifying Land Use Patterns and Permitted Densities and Intensities.* To identify the appropriate land use patterns, residential densities, and non-residential intensities of land use permitted in Howey-in-the-Hills.

**POLICY 1.1.1:** *Land Use Designations.* The Town shall establish, adopt and implement density and intensity standards for all future land uses, as applicable, and as indicated on the *Future Land Use Map* and the adopted Town Zoning Map.

Density and intensity standards for land uses in Howey-in-the-Hills are featured below

Land Use	Maximum Residential Density
Residential:	
Low Density Residential (LDR)	Up to 2.0 dwelling units per acre. Maximum building height is <del>2-1/2</del> <b>2-1/2</b> stories and no higher than <del>30</del> <b>35</b> feet.

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Medium Density Residential (MDR)	Up to <del>4.0</del> <u>3.0</u> dwelling units per acre. A 25% minimum open space is required. Developments with 100 units or more shall be required to have a public recreation component. Developments with <u>either</u> more than 300 proposed <u>dwelling</u> units <u>or more than 100 acres</u> must use the Village Mixed Use designation. May include support community facilities and elementary schools. Maximum building height is <u>2-1/2 stories and no higher than 30</u> <u>35</u> feet.
Rural Lifestyle (RL)	Up to 1.0 per 2 acres. Must have a minimum of 2 acres for this land use. A 50% minimum open space is required. All buildings shall not exceed a 0.15 floor area ratio. The maximum impervious surface coverage is 0.20. Maximum building height is <u>2-1/2 stories and no higher than 30</u> <u>35</u> feet.
<b>Land Use</b>	<b>Maximum Land Intensity</b>
Neighborhood Commercial (NC)	The maximum floor area ratio is 0.50. The maximum impervious surface coverage is 0.70. The maximum building height is 35 feet <del>and limited to two stories</del> . The maximum building size is 5,000 sq. ft. unless a special exception is granted to the developer by the Town Council. Elementary and middle schools are also permitted in this category.
Light Industrial (LI)	The maximum impervious surface is 0.70. The maximum floor area ratio is 0.60. High schools are permitted in this category.
Institutional (INST)	The maximum floor area ratio is 0.25. The maximum impervious surface coverage is 0.40. A 25% minimum open space is required. Maximum building height is <u>2-1/2 stories and no higher than 30</u> <u>35</u> feet.
Recreation (REC)	Maximum impervious surface coverage is 0.30. Restricted to passive or active recreational facilities as established in the <i>Recreation and Open Space Element</i> or by the Town Council.
Conservation (CON)	No buildings. Restricted to boardwalks, docks, observation decks, and similar facilities as allowed by the Town and all regulatory agencies.
Public/Utility (PUB)	The maximum floor area ratio is 0.25. The maximum impervious surface coverage is 0.50.  For utilities, the maximum building height is <u>1 story or no higher than</u> 20 feet for <u>a one-story</u> building; <u>2 story and</u> 35 feet for other facilities.

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<p>Village Mixed Use (VMU)</p>	<p>Minimum of <del>25</del> <u>100</u> acres to apply for this land use.</p> <p>Maximum density of <del>4</del> <u>3.0</u> dwelling units per acre, <del>which may be increased to 6 dwelling units per acre if the development includes 20% usable public open space (no wetlands).</del> Residential areas shall comprise a minimum of 70% of the net land area and a maximum of 85% of the net land area.</p> <p>Commercial/non-residential areas shall comprise a minimum of 15% of the net land area and a maximum of 30% of the net land area. This includes community facilities and schools.</p> <p><u>All single-family lots must have a minimum lot area of 10,890 square feet (1/4 acre) exclusive of any wetlands or waterbodies that might be included with the lot.</u></p> <p><del>For developments with more than 100 acres,</del> <u>Five percent</u> (5%) of the non-residential land shall be dedicated for public/civic buildings.</p> <p>Commercial/non-residential may be 2 stories with 50% coverage as long as parking and other support facilities (stormwater) are met. The maximum building height is 35 feet.</p> <p>Public recreational uses must occupy a minimum of 10% of the useable open space (no wetlands).</p> <p><u>The following are minimum requirements in Village Mixed Use:</u></p> <ul style="list-style-type: none"> <li><u>i. 25% open space;</u></li> <li><u>ii. 10% parks and recreation; and</u></li> <li><u>iii. 3% active recreation uses</u></li> </ul> <p><u>The 10% and 3% requirements in ii and iii count toward the 25% requirement in i. To be counted against the 10% park/recreation requirement, parcels dedicated to park uses may be no smaller than 1/2 ac.</u></p> <p><u>The Land Development Code must require that plans for active recreation uses be submitted for approval by Town Council no later than application for final plat approval. Town Council may require a</u></p>
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	<p><b>performance surety bond for park and recreation improvements.</b></p> <p>The maximum building size is 30,000 sq. ft.; unless a special exception is granted to the developer by the Town Council.</p>
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<p>Town Center Mixed Use (TCMU)</p>	<p>The Town Center Overlay Map denotes where specific uses are permitted within the Town Center (see the Town’s <i>Town Center Overlay Map</i>). For areas designated Commercial Core, all new buildings must be 2 stories or provide a minimum street façade elevation of at least 15-feet to create a vertical enclosure along Central Avenue. The maximum building height is 35 feet. In order to maintain the historic character of the downtown area, the Land Development Regulations will cap the maximum size of any one business in the Town Center Overlay at 5,000 square feet. A maximum 2.0 floor area ratio is permitted if parking requirements are achieved. Where new residential uses are constructed in the commercial core, these uses shall be located on the second floor of buildings. (Existing single-family units on Central Avenue west of Dixie Drive and units fronting on Oak Street and Holly Street are considered permitted uses. Single-family residences may not be constructed elsewhere within the Town Center Commercial Area. Properties in the Town Center Commercial Area within the designated sections of W. Central Avenue, Oak Street and Holly Street may be converted to non-residential uses, and once converted, may not revert to single-family residential use.</p> <p>For areas designated Office/Services or Residential, the maximum impervious surface coverage is 0.40. May live and/or work in these areas.</p> <p>For areas designated Residential, the maximum density is 4 units per acre.</p> <p>There is a total of 81.73 acres in the Town Center Overlay. About 23.3% of the Town Center Overlay is comprised of roads which are laid out in a grid system. About 52.5% of the Town Center Overlay area is designated for residential use. About 16% of the Town Center is designated for commercial/office/professional services use (with the possibility of residential on the second floor) and about 8.2% is designated as flex space, where either office, professional services, or residential uses – or a live/work combination of those uses is permitted.</p> <p>Open space within the Town Center will not be defined as it is for other areas within the Town. Rather, the Town has established</p>
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	<p>maximum impervious surface coverage standards that may not be surpassed within the various uses in the Town Center. The areas designated as Commercial Core have a maximum impervious surface coverage of 100%. Areas designed office/professional services and/or residential shall have a maximum impervious surface coverage of 40% and areas designated as residential in the Town Center shall have a maximum impervious surface of 50%. In the commercial core of the Town Center, the Town anticipates a master stormwater system which will allow maximum coverage for buildings and surface parking.</p>
<p><b>High Density Residential (HDR)</b></p>	<p><b>Up to 10.0 dwelling units per acre. Maximum density for townhouse units is 6.0 units per acre. Maximum impervious surface ration is 60%. Maximum building height is 35 feet with additional height allowed for decorative elements. Projects of 30 units or more are required to provide recreational facilities for project residents.</b></p>

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**POLICY 1.1.2:** *Land Use Categories.* The land use categories, as depicted on the Town’s 2035 Future Land Use Map (FLUM) shall permit the following uses and activities.

**Conservation** – Conservation lands shall include those lands so designated on the FLUM. These areas are generally composed of open land, water, marsh and wetlands and environmentally sensitive areas. Conservation lands may be either publicly or privately owned. It is intended that the natural and open character of these areas be retained and that adverse impacts, which may result from development, shall be prohibited or minimized. Adverse impacts shall be presumed to result from activities, which contaminate or degrade wetlands and environmentally sensitive areas, or natural functions and systems associated with such areas. Permitted uses within the Conservation category shall be limited to the following and shall be further controlled by the Land Development Regulations.

- Activities intended for the conservation, re-establishment and re-nourishment, or protection of natural resources.
- Recreation uses and facilities that are customarily described as passive in nature including, but not limited to, fishing, hiking and biking, canoeing, kayaking, and

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the use of other similar small, quiet low-speed watercraft.

- Very low intensity outdoor or water-dependent recreational related uses (excluding commercial marinas) that are determined not to conflict with the intent of the Conservation category, subject to applicable Federal, State and local policies and permitting requirements.

**Neighborhood Commercial** – The Neighborhood Commercial land use category is intended to provide appropriate locations for neighborhood and community businesses providing services and retail sales for the Town and the nearby communities. Permitted uses within the Neighborhood Commercial category shall be limited to the following uses unless a special exception is granted to applicant by the Town Council.

- **General Commercial.** These areas shall include those businesses that provide retail goods and services, which serve the routine and daily needs of residents, including banks and professional services, grocery and convenience stores, retail shops, and restaurants. Public and private elementary and middle schools are also allowed.
- **Limited Commercial.** These areas shall include low intensity office, service and retail businesses that are compatible when located in close proximity to neighborhoods. These uses are intended primarily to serve the needs of the closely surrounding neighborhood.
- **Professional and Office.** These areas shall be limited to small neighborhood scale businesses and professional offices that are compatible with, and have no measurable or noticeable adverse impacts, upon surrounding residential uses. Such uses include offices for doctors and dentists (but not clinics or hospitals), accountants, architects, attorneys, engineers, land surveyors, real estate brokers, financial planners, insurance and real estate agents and the like.

**Light Industrial** – The Light Industrial category shall be limited

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1 to light manufacturing and production, storage, warehousing and  
2 distribution uses as further controlled by the Land Development  
3 Regulations. Light industrial uses may have outdoor storage and  
4 business-related activity, but such uses shall not include processes  
5 that create negative effects to surrounding properties due to noise,  
6 heat, fumes, debris, chemicals or hazardous materials. High  
7 schools are permitted in this category.

8  
9 **Rural Lifestyle** – The Rural Lifestyle category shall be primarily  
10 limited to single-family detached homes with agricultural uses.  
11 Limited commercial activities are permitted such as bed and  
12 breakfast establishments, horseback riding facilities, and farm  
13 stands for fruits and vegetables grown on that location.

14  
15 **Low Density Residential** – The Low Density Residential category  
16 shall be primarily limited to single-family detached homes.  
17 Residential uses in this category shall be permitted in those areas  
18 so designated in accordance with the applicable permitted density  
19 and as further controlled by the Land Development Regulations  
20 and the Florida Building Code.

21  
22 **Medium Density Residential** – The Medium Density Residential  
23 category shall be primarily is limited to single-family detached  
24 homes, townhomes, or similar type of uses. Support community  
25 facilities and elementary schools are also permitted in this  
26 category. Residential uses in this category shall be permitted in  
27 those areas so designated in accordance with the applicable  
28 permitted density and as further controlled by the Land  
29 Development Regulations and the Florida Building Code.

30  
31 **Institutional** – The Institutional category shall be primarily limited  
32 to schools, religious facilities, day care facilities (child and adult),  
33 government buildings, cemeteries, or similar uses as identified by  
34 the Town Council.

35  
36 **Recreation** – These areas generally include public parks or private  
37 parks that are open and available to the public. Note: Some park  
38 and open space lands may be more appropriately designated as  
39 Conservation, such as lands with wetlands or other  
40 environmentally sensitive areas. Permitted uses shall include

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1 active and passive recreation activities including bikeways and  
2 pedestrian trails, or other similar facilities as identified by the  
3 Town Council.

4  
5 **Public/Utility** – These areas include uses such as government  
6 facilities and essential utilities, including police, fire and Town  
7 Hall buildings and wastewater facilities.

8  
9 **Town Center Mixed Use** – Primarily intended for mixed-use  
10 development in the historical downtown area. The historical  
11 downtown area is an economic, cultural, social, historic and  
12 architectural anchor of the Town. In order to sustain these  
13 qualities, new development and redevelopment within the Town  
14 Center Mixed Use District shall be reflective of the architectural  
15 styles and fabric of the area. Consistency and compatibility with  
16 the existing built environment shall be considered in the review  
17 and issuance of development permits within the Town Center  
18 Mixed Use District. In order to preserve the quaint character of  
19 downtown Howey-in-the-Hills, size limitations will also be placed  
20 on individual businesses. Redevelopment will focus on orienting  
21 buildings and roadways to a pedestrian scale.

22  
23 **Village Mixed Use** – Primarily intended to create sustainability  
24 and maintain the unique charm of the Town, including the  
25 provisions of reducing ~~the dependability~~ **dependence** on the  
26 automobile, protecting more open land, and providing quality of  
27 life by allowing people to live, work, socialize, and recreate in  
28 close proximity. Elementary, middle, and high schools are also  
29 permitted in this category. **Village Mixed Use parcels less than 100**  
30 **acres shall use a planned unit development format and are not**  
31 **required to meet the non-residential and civic use requirements.**  
32 **Public recreation and open space requirements shall still apply.**

33  
34 **High Density Residential** – **The high-density-residential land use**  
35 **category is intended to accommodate owner-occupied townhouse**  
36 **and condominium units in those areas where higher density**  
37 **development can be supported by adequate access and public**  
38 **services. Supporting community facilities and elementary schools**  
39 **are also permitted in this land-use category. Residential uses in**  
40 **this category are permitted in those areas so designated in**

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accordance with the applicable permitted density as further controlled by the Town’s Land Development Code and the Florida Building Code.

**POLICY 1.1.3:** *Consideration of Community Facilities.* Necessary community facilities shall be permitted within any future land use designation except Conservation if such activity satisfies established criteria of the *Comprehensive Plan* and the Town’s Code of Ordinances.

**POLICY 1.1.4:** *Interpretation of Open Space and Density Designations.* Open space ~~is~~ and parks/recreation requirements are figured on the Gross Land Area. Up to ~~50%~~ 25% of the open space requirement may be met with wetlands. Open space may include landscaped buffers and stormwater facilities if they are designed to be a park-like setting with pedestrian amenities and free form ponds. Open space may be passive or active. Open space may include public recreational components of developments. The majority of the open space shall be permeable; however, up to 10% may be impervious (plazas, recreational facilities, etc.). Wet ponds are not counted as part of that 10%.

Densities would be determined by the Net Land Area. The Net Land Area is figured by taking the Gross Land Area (total property less any lakes or water bodies), then subtracting from that any open space requirements, then subtracting from that any remaining unbuildable acreage (remaining wetlands).

**OBJECTIVE 1.2:** *Residential Quality and Neighborhood Cohesiveness.* Designate and promote sufficient areas for quality residential development and neighborhood cohesiveness and require the availability of adequate facilities to support demands necessitated by existing and future housing development and associated populations.

**POLICY 1.2.1:** *Adequate Residential Land Area.* The Town shall ensure that adequate residential land uses needed to support the population during the planning period shall be designated on the *Future Land Use Map*. The residential land uses shall continue to reflect a pattern that promotes neighborhood cohesiveness and identity. All residential uses shall be subject to the requirements established in the Town’s Land Development Regulations.

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**POLICY 1.2.2:** *Open Space Requirements.* The Town shall continue to ensure that residential development is consistent with the open space requirements established below:

	Minimum open space requirements
Rural Lifestyle	50%
Low Density Residential	2 dwelling units per acre
Medium Density Residential	25%
<b>High Density Residential</b>	<b>40%</b>
Town Center Mixed Use	Within the Town Center Overlay, open space as defined herein is not required. The areas designated as Commercial Core have a maximum impervious surface coverage of 100%. Areas designed office/professional services and/or residential shall have a maximum impervious surface coverage of 40% and areas designated as residential in the Town Center shall have a maximum impervious surface of 50%.
Village Mixed Use	25%
Neighborhood Commercial	0.50 floor area ratio; 70% max. impervious surface coverage
Light Industrial	70% max. impervious surface coverage; .6 FAR
Institutional	25%
Recreation	Max. 30% impervious surface coverage
Conservation	No buildings except boardwalks, docks, observation decks, and similar facilities as allowed by the Town and all regulatory agencies.

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Public/Utilities	0.25 FAR; max. impervious surface coverage of 50%
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**Open Space:** Open space is figured on the Gross Land Area. No greater than ~~50%~~ **25%** of the open space requirement may be met with wetlands. Open space may include landscaped buffers and stormwater facilities if they are designed to be a park-like setting with pedestrian amenities and free form ponds. Open space may be passive or active. Open space may include public recreational components of developments. The majority of the open space shall be permeable; however, up to 10% may be impervious (plazas, recreational facilities, etc.). Wet ponds are not counted as part of that 10%.

**POLICY 1.2.3:** *Encroachment of Incompatible Non-residential Development.* Residential areas delineated on the *Future Land Use Map* shall be protected from the encroachment of incompatible non-residential development. Community facilities and services which best serve the health, safety, and welfare of citizens when located in residential areas, shall be permitted uses therein so long as the activity complies with criteria established in this *Plan* and those in the Town’s Code of Ordinances.

**POLICY 1.2.4:** *Residential Screening Techniques.* 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 obstructing view of 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 incompatible with the residential area.

**POLICY 1.2.5:** *Access to and Circulation within Residential Areas.* Transportation systems within designated residential areas delineated on the *Future Land Use Map* shall be designed to accommodate traffic conditions that maintain public safety, encourage alternative modes of transportation, and limit nuisances. Access to residential areas shall comply with policies established within the *Transportation Element*.

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1           **POLICY 1.2.6:**           ~~*Transition of Residential Densities.*~~ The Town shall continue to  
2 orient the transition of residential densities on the *Future Land Use*  
3 *Map* toward higher densities along major transportation corridors  
4 and areas adjacent to commercial or other intensive land uses,  
5 while lower residential densities shall be directed towards areas  
6 further from the Town center (i.e., the central commercial district)  
7 and in areas adjacent to agricultural lands.

8  
9                                   *Reorientation of Residential Densities.* For single-family  
10 residential development of ten homes or more, the Town may  
11 allow lot sizes smaller than one-fourth acre (10,890 sq. ft.) only in  
12 the following locations:

- 13
- 14           ~~i.~~ areas in or adjacent to the Town center (that is, the Town  
15 central overlay district);
- 16           ii. areas abutting major arterial and collector road corridors such  
17 as state roads, county roads, and major Town collector roads  
18 such as Central Avenue and North Citrus Avenue, but not just  
19 neighborhood roads with higher traffic counts, and
- 20           iii. areas abutting commercial or industrial land uses.
- 21

22                                   The Town shall require single family residential lots in all other  
23 areas to be one-fourth of an acre (10,890 sq. ft.) or larger.

24

25           **POLICY 1.2.7:**    *Compatibility of Residential Densities and Public Facilities.*  
26 Residential densities shall be compatible with available public  
27 facilities and their capacity to serve development. Residential  
28 areas designated on the *Future Land Use Map* shall be allocated  
29 according to a pattern that promotes efficiency in the provision of  
30 public facilities and services and furthers the conservation of  
31 natural resources. Public facilities shall be required to be in place  
32 concurrent within the impacts of development.

33

34           **POLICY 1.2.8:**    *Concurrency Management System Criteria.* All public facilities  
35 and services must be in place consistent with the criteria established  
36 within the Town’s Concurrency Management System. Development applications for new residential development shall not  
37 be approved unless water, sewer, drainage, park, transportation,  
38 solid waste, and public school capacities are available consistent  
39



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with level of service standards and according to deadlines established within the Concurrency Management System.

**POLICY 1.2.9:** *Residential Density and the Future Land Use Map.* The Town shall ensure that residential density on the *Future Land Map* is based on the following considerations:

- past and anticipated future population and housing trends and characteristics;
- provision and maintenance of quality residential neighborhoods and preservation of cohesive neighborhoods;
- protection of environmentally sensitive lands; and
- transition of density between low, medium and high residential districts.

**POLICY 1.2.10:** *Group Home and Foster Care Facilities.* The Town shall continue to allow the location of group homes and foster care facilities in residential areas. These facilities shall serve as alternatives to institutionalization.

**OBJECTIVE 1.3:** *Conservation of Environmentally Sensitive Lands, Other Natural Resources, Historically Significant Sites.* Manage and control existing and future land uses located within or adjacent to environmentally sensitive lands, open space, other significant natural resources, and historically significant sites.

**POLICY 1.3.1:** *Limiting Development in Wetland Areas.* The Town shall limit development within all wetland areas to land uses supporting conservation facilities and water-related passive recreation activities, as defined in the *Recreation and Open Space Element*. Wetlands shall be identified on the *Future Land Use Map Series* as Conservation lands. No development shall be permitted in wetlands except for conservation or passive recreation uses as defined within policies cited herein.

**POLICY 1.3.2:** *Wetlands and Natural Buffer Zones.* Wetlands shall be protected from impacts generated by adjacent land uses through natural buffer zones.

1. No development of disturbance of area is permitted within 25 feet of a designated wetland area. These areas shall be

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marked with appropriate signage as conservation areas.

- 2.
- No building or impervious surface area (with the exception of wet retention areas) is permitted within 50 feet of a designated wetland area.

**POLICY 1.3.3:** *Protection of Floodplains.* Development within the 100 Year Floodplain shall provide necessary mitigation to maintain the natural stormwater flow regime. The 100 Year Floodplain Zone shall be delineated within the *Future Land Use Map* series. The boundary of the 100 Year Floodplain Zone shall be determined by the most recent Flood Insurance Maps prepared by the Federal Emergency Management Agency.

**POLICY 1.3.4:** *Floodplain Mitigation.* All development within the 100 Year Floodplain shall adhere to the following:

- a. *Prohibited Land Uses and Activities.* Storing or processing materials that would, in the event of a 100 Year Storm, be buoyant, flammable, explosive, or potentially injurious to human, animal or plant life is prohibited. Material or equipment immune to substantial damage by flooding may be stored if securely anchored to prevent flotation or if readily removable from the area upon receipt of a flood warning. Manufacturing and light industrial land uses shall be prohibited from encroaching into the 100 Year Floodplain Zone.
- b. *Minimum Floor Height Elevation.* All new construction and substantial improvements of existing construction occurring within a 100 Year Flood Zone must have the first-floor elevation for all enclosed areas at eighteen inches above the 100-year flood elevation.
- c. *Construction Materials and Methods.* All new construction and substantial improvements of existing construction shall be constructed with material and utility equipment resistant to flood damage and using methods and practices that will minimize flood damage and prevent the pollution of surface waters during a 100-year flood event.

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- d. ***Service Facilities and Utilities.*** Electrical heating, ventilation, plumbing, air conditioning, and other service facilities shall be designed or located to prevent water from entering or accumulating within the components during a base flood. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate both infiltration of flood water into the systems and discharges from the systems into flood waters.
- e. ***Residential Subdivision Plans and Design.*** Plans for subdivisions shall minimize potential flood damage by locating recreation and conservation uses, if included in the plans, to areas within the Flood Zone, reserving as much land as possible outside the flood zone for other land uses. Also, 100-Year Flood Zones shall be identified on all final development plans submitted to the Town.
- f. ***Stormwater Facilities.*** The Town shall require development to have drainage facilities in place and functioning concurrent with the impacts of development, as stipulated by deadlines established within its Concurrency Management System. Such drainage facilities shall be designed to comply with the Town’s established level of service standard.

**POLICY 1.3.5:**

***Aquifer Recharge.*** The Town rests on an area possessing high aquifer recharge potential. To maintain the natural rate of percolation within aquifer recharge areas, the Town shall enforce the following:

- a. ***Impervious Surface Ratio and Open Space.*** Enforce the impervious surface ratios and open space standards established in this *Comprehensive Plan*.
- b. ***Manufacturing or Light Industrial Uses and Recharge Areas.*** Ensure that the *Future Land Use Element* does not allocate any manufacturing or light industrial land use activities adjacent to lake front areas or within high recharge groundwater aquifer areas that generate pollutants that may adversely impact the quality of surface and ground waters.

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The guidelines established in the Town’s Land Development Regulations regarding manufacturing uses permitted within commercial districts and light industrial uses shall serve as a guide to monitor the type and intensity of such uses in the Town.

- c. **Permeable Parking Lots.** Promote the application of permeable parking lot surfaces for commercial developments proposed within high recharge areas.
- d. **Land Use Activities and Densities.** Promote land use activities and development densities which are compatible to high recharge potential percolation rates.

**POLICY 1.3.6:** **Lake Shore Protection.** To protect the lake front areas from the encroachment of development, a shoreline protection zone shall be delineated. There shall be no disturbance within 50 feet of the landward extent of wetlands as set forth in Rule 62-340, except for pilings for docks or piers. There shall be no buildings, pools, ponds, or other structures in this protection zone. There shall be no septic tanks within 75 feet of the landward extent of wetlands as set forth in Rule 62-340. All development shall be subject to the building setback requirements regarding the shoreline protection zone established in the Town’s Land Development Regulations.

**POLICY 1.3.7:** **Upland Vegetative and Wildlife Habitat Protection.** Upland vegetative communities and wildlife habitats (particularly those identified as primary habitat for endangered or threatened species) for which the Town or State deems environmentally significant shall be protected from adverse impacts associated with development. Upland areas identified within the *Conservation Element* as essential breeding, feeding or habitat sites for endangered or threatened flora or fauna creatures shall be protected according to the following activities:

- a. **Conservation Designation.** Important upland habitat may be designated as conservation under the following circumstances:
  1. The site is owned by a government body or agency;

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2. The site is programmed for purchase by a government agency within the first three years of the *Five-Year Schedule of Capital improvements*; and
3. A request to designate the site as conservation is made by the land owner.
4. The Town requires the designation as a part of the development review process.

Development proposed to occur within areas designated as Conservation are subject to all policies pertaining to open space requirements and development restrictions.

b. ***Sites with Endangered or Threatened Species.*** Any areas identified within the *Conservation Element* as refuge, breeding, feeding, or habitat areas of endangered or threatened species shall be subject to the following activities:

1. An applicant of a property designated for development shall prepare a Critical Habitat Management Plan prepared by a professional biologist, ecologist, or other related professional. As a minimum, this Plan shall analyze the following issues:
  - a.) Affected species;
  - b.) Land needs to support continued on-site presence of the species;
  - c.) Impacts of proposed development which will disturb the species;
  - d.) Recommended management plans and measures necessary to protect the subject species; and
  - e.) Cost to developer to implement the recommended management plan.

The adequacy of the study shall be determined by the Town of Howey-in-the-Hills. The final development plan shall conform to recommendations determined within the study as approved by the Town Council. The Town will reserve the right to have a State agency review the Critical Habitat Management Plan and provide a written response.

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**POLICY 1.3.8:** *Historically Significant Sites.* The Town shall use the Florida Master Site File as a resource to identify archeological resources and historically significant structures. The Howey House and any other historically significant sites listed on the Florida Master File or the National Register of Historic Places shall be identified on the *Future Land Use Map Series*. In addition, the Town shall also distinguish buildings as historic if the following criteria are met:

- a. The age of the subject site exceeds fifty years;
- b. Whether the building, structure, or object represents the last remaining example of its kind in the neighborhood or Town;
- c. Whether documented proof indicates that the site played a significant role in the history of Howey-in-the-Hills, Lake County or the State of Florida.

If type, density and intensity of adjacent land use shown on the *Future Land Use Map* is not compatible to the preservation of the historic site, then appropriate buffering and screening techniques shall be requirements imposed on encroaching adjacent new development. Such requirements shall be stipulated within the Land Development Regulations.

**POLICY 1.3.9:** *Rehabilitating, Relocating, or Demolition of Historic Sites.* Criteria established in the Land Development Regulations pertaining to the rehabilitation or relocation of a designated historic structure shall follow the U.S. Secretary of the Interior’s “Illustrated Guidelines for Rehabilitating Historic Buildings”. Additional criteria for approving the relocation, demolition, or rehabilitation of a historic structure shall include the following factors:

- a. the historic character and aesthetic interest the building, structure, or object and how it contributes to its present setting;
- b. whether there are definite plans for the area to be vacated and the effect of those plans on the character of the surrounding neighborhood;
- c. whether the building, structure, or object can be moved without significant and irreversible damage to its physical integrity;

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- d. whether the building, structure, or object represents the last remaining example of its kind in the neighborhood or Town;
- e. whether definite plans exist to reuse the subject property if a proposed demolition is carried out, and the effect of those plans on the character of the surroundings; and
- f. whether reasonable measures can be taken to save the building, structure, or object to a level safe for occupation.

**POLICY 1.3.10:** *Preventing Destruction of Discovered Archaeological Sites.*

Development shall cease construction activities on a development site when artifacts are uncovered during either land preparation or construction. The developer shall notify the Town of such potential discovery, and the Town and / or developer shall contact the Florida Department of State of such discovery. Construction shall not begin until the State has determined the archaeological significance of the discovery and the restrictions which shall be imposed on development. Development may continue in areas which will not impact the site of the discovery.

**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;

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- 1 d. Impact to the conservation and preservation of natural
- 2 resources;
- 3 e. Demand on existing and planned public services, utilities,
- 4 water resources and energy resources;
- 5 f. Impact on designated scenic and aesthetic transportation
- 6 corridors;
- 7 g. Compatibility with surrounding land uses;
- 8 h. The size of each individual business permitted in the
- 9 Neighborhood Commercial, Village Mixed Use, or Town
- 10 Center Mixed Use land uses shall comply with the guidelines
- 11 established within the Policy 1.4.6; and
- 12 i. The height of each business permitted in the Neighborhood
- 13 Commercial, Village Mixed Use, or Town Center Mixed Use
- 14 land uses shall comply with the guidelines established in
- 15 Policy 1.4.7 of this *Element*.

16

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

24

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

29

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

33

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

38

39 **POLICY 1.4.6:** *Commercial Building Size Limitations.* Individual businesses  
 40 within the Town Center Mixed Use and Neighborhood Commercial



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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.

**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.

**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;

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- 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.

**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.

**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.

**OBJECTIVE 1.5:** *Limiting Manufacturing Land Uses.* Limit manufacturing land uses within the Town due to the presence of high aquifer recharge areas and lack of central sanitary sewer facilities.

**POLICY 1.5.1:** *Manufacturing as a Conditional Use in Light Industrial Designations.* The Town shall permit non-polluting manufacturing land uses within Light Industrial land use designations on a conditional basis.

**POLICY 1.5.2:** *Acceptable Manufacturing Uses.* Manufacturing uses allowed within Light Industrial designations shall be limited to those primarily involved with the assembly of goods and products processed without the use of excessive chemicals, heat, or machinery. Activities which might be obnoxious or offensive by

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reason of emission of odor, dust, smoke, gas or noise beyond the building are prohibited.

**POLICY 1.5.3:** *Maximum Intensity of Use.* Maximum intensity of use for manufacturing uses shall be 0.70 for the impervious surface coverage and 0.60 for the floor area ratio.

**OBJECTIVE 1.6:** *Public Services and Facilities.* To assure that needed public services and facilities are developed concurrent with the impact of new development.

**POLICY 1.6.1:** *Coordinating Public Facilities with Land Use.* The Town shall extend public facilities only to existing and proposed land use activities, as shown on the *Future Land Use Map*, which shall require and demand such services. Undeveloped land shall not be designated for development without assurance through the *Comprehensive Plan* that public facilities shall be available concurrently with the impacts of development. The impacts of land uses, including their densities and intensities, shall be coordinated with the Town’s ability to finance or require provision of necessary public facilities at conditions at or exceeding the adopted minimum level of service standards.

**POLICY 1.6.2:** *Coordinating Public Facilities with Concurrency Management System.* The timing and location of public facilities shall be coordinated with the Town’s Concurrency Management System to assure that development occurs in an orderly and timely manner consistent with the availability of facility capacities.

**POLICY 1.6.3:** *Land Use Allowed within Wellfield Protection Zones.* A wellfield protection zone shall be established within a radius distance of seventy-five, two hundred, and five hundred feet from potable water wells. The following guidelines apply to the wellhead protection zone:

- a. No new development (except facilities related to the public water system) shall be permitted within one-hundred and fifty feet from a well.

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b. Within a two-hundred-foot radius distance, septic tanks, sanitary sewer facilities, or solid waste or disposal facilities shall be prohibited.

c. Within a five-hundred-foot radius of a well, manufacturing or light industrial uses shall be prohibited, including activities that require the storage, use handling, production or transportation of restricted substances; agricultural chemicals, petroleum products, hazardous/toxic wastes, industrial chemicals, etc. In addition, wastewater treatment plants, percolation ponds, mining activities and similar activities are prohibited. Low density single family, commercial, retail, and office land uses shall be allowed within the 500-foot zone for potable water wells.

d. All wells and wellhead protection zones shall be delineated on the Town’s Existing and Future Land Use Maps.

**POLICY 1.6.4:** *Public Facility and Service Standards.* The Town shall continue to ensure that public facilities and services meet or exceed the standards established in the *Capital Improvements Element* required by Chapter 163.3177, F.S. and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development.

**POLICY 1.6.5:** *Meeting LOS Standards.* The Town shall require, prior to approval of a building permit and/or development order, that the locally established “Level of Service of Standards” are being met or that facility improvements will be available concurrently with the impact of new construction or development such that level of service standards are maintained.

**OBJECTIVE 1.7:** *Land Use Coordination and Soils and Topography.* To require that soil conditions, topography, and availability of facilities and services be coordinated with land uses.

**POLICY 1.7.1:** *Coordinating Future Land Uses with Soil Conditions.* Land use activities, including their densities and intensities, shall be compatible to soil types whose properties are capable of supporting

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1 the structures, parking areas, ancillary uses, and facilities proposed  
2 to be placed on them.

3  
4 In the event the *Future Land Use Map* identifies a land use allowed  
5 within an incompatible soil type, a field study may be performed  
6 on the site by a professional hydrologist, registered engineer, or  
7 other similar profession to delineate actual boundaries and soil  
8 types exhibited on the subject site. The Town shall reserve the  
9 right to have such a field study verified by the local U.S. Soil  
10 Conservation Office or a comparable State agency.

11  
12 **POLICY 1.7.2:** *Engineering Practices, Topography, and Soils.* The Town shall  
13 maintain a unified Land Development Code and continue to require  
14 that sound engineering practices be required with respect to the  
15 topography and soil conditions, prior to the approval of development  
16 activities in Town.

17  
18 **OBJECTIVE 1.8:** *Coordination of Land Patterns, New Development, and the*  
19 *Concurrency Management System.* Assure that future land use patterns and new development  
20 in Howey-in-the-Hills are coordinated consistently with the Town’s Concurrency Management  
21 System.

22  
23 **POLICY 1.8.1:** *Availability of Public Facilities.* Development orders and permits  
24 shall not be issued unless the necessary facilities and services are  
25 available concurrent with the impacts of development. Future land  
26 use allocations, including their related densities and intensities, shall  
27 not exceed the financial and legal ability of the Town to provide or  
28 require provision of public facilities to serve those land uses  
29 delineated on the *Future Land Use Map*. The Town’s Concurrency  
30 Management System shall be used to determine whether adequate  
31 public facility capacities are available to meet the demands  
32 generated by new development and redevelopment.

33  
34 **POLICY 1.8.2:** *Efficiency in the Provision of Public Facilities.* Allocation of future  
35 land use shall occur in a manner which promotes efficient  
36 distribution and provision of public facilities. Land use allocations  
37 shall assure that future sites can be acquired for public facilities  
38 programmed within the *Five-Year Schedule of Capital*  
39 *Improvements* or determined necessary to meet demands generated  
40 by growth and development anticipated during the planning period.

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**POLICY 1.8.3:** *Mandatory Compliance with the Concurrency Management System.* The Town shall issue no development order or permit for development unless the applicant demonstrates that impacts associated with the proposed development meet criteria set forth within the Town’s Concurrency Management System. All applicants of development shall demonstrate through narrative and graphic information that:

- 1.) necessary facilities and resources are in place and functional concurrent with the impacts of development; and
- 2.) the subject development shall not reduce the levels of service below the minimum adopted standard established in the *Public Facilities Element* policy for each applicable public facility.

For proposed developments which shall require public facilities or services provided by the Town, no development order or permit for development shall be issued until a maximum capacity for a public facility is assigned to and reserved for the subject development. The reservation of capacity for a public facility shall be granted to an applicant of development only upon satisfactory compliance with the Town’s Concurrency Management System and other applicable ordinances. All rights pertaining to the assignment and forfeit of capacity allocations shall be defined within the Town’s Concurrency Management System.

**POLICY 1.8.4:** *Amendments to the Comprehensive Plan.* The Town shall require all applicants pursuing an amendment to the *Future Land Use Map* to demonstrate that all facilities or service capacities are currently available and shall be available concurrent with the impacts of development. Any necessary facilities or services shall be part of the *5-year CIP* or the *Long-range Capital Plan*. An amendment to the *Future Land Use Map* shall not constitute the reservation of capacity for any public facility. Reservation of capacities shall only be granted to development orders or permits which demonstrate specific impacts which a development will place on public capacities. The Town shall consult with the St. Johns River Water Management District, prior to the approval of a building permit or

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1                                   its functional equivalent, to determine whether adequate water  
2                                   supplies and related facilities to serve new development will be  
3                                   available no later than the anticipated date of issuance by the Town  
4                                   a certificate of occupancy or its functional equivalent.  
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2 **OBJECTIVE 1.9:** *Blighted Areas.* Blighted areas shall be redeveloped, and the  
3 Town shall take the necessary action to prevent or limit their occurrence.

4  
5 **POLICY 1.9.1:** *Amending the Comprehensive Plan to Address Blighted Areas.* At  
6 the time blighted areas are identified within Howey-in-the-Hills, the  
7 Town shall amend the *Comprehensive Plan* to include appropriate  
8 policies which address the redevelopment needs of that area. Such  
9 policies shall be based on an evaluation and analysis which shall be  
10 prepared within the Date Inventory and Analysis Section. The Town  
11 shall also re-evaluate the future land use designation for the blighted  
12 area to determine if a more appropriate designation, density and  
13 intensity of development would better encourage the private section  
14 to invest in redevelopment.

15  
16 **POLICY 1.9.2:** *Identifying Blighted Areas.* The Town shall annually survey all  
17 areas of the Town to determine if blighted areas are occurring.

18  
19 **POLICY 1.9.3:** *Code Enforcement.* The Town shall enforce its Codes to require  
20 needed improvements within the Town and discourage the creation  
21 of blighted areas in Town.

22  
23 **OBJECTIVE 1.10:** *Urban Sprawl.* Discourage urban sprawl through a future land use  
24 pattern which promotes orderly, compact development.

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26 **POLICY 1.10.1:** *Promote Orderly, Compact Growth.* Land use patterns delineated  
27 on the *Future Land Use Map* shall promote orderly, compact  
28 growth. The Town shall encourage growth and development in  
29 developed areas where public facilities and services are presently in  
30 place, and in those areas which public facilities can provide the most  
31 efficient service.

32  
33 **POLICY 1.10.3:** *Coordination with Lake County.* The Town of Howey-in-the-Hills  
34 shall coordinate with Lake County to promote a regional  
35 development concept that directs future growth to urbanized or  
36 urban/rural transitional areas where public facilities and services are  
37 available or proposed to be available as required in the Town's  
38 Concurrency Management System.

39  
40 **OBJECTIVE 1.11:** *Innovative Land Development Applications.* Future growth and  
41 development shall be managed through the preparation, adoption, implementation and  
42 enforcement of innovative land development regulations.



*Note: Red text shows change made after 2-26-2024 transmittal hearing.*

1  
2       **POLICY 1.11.1:**       *Use of Mixed Use Developments.* To discourage urban sprawl and  
3 to maximize existing and planned public facilities, the Town has  
4 adopted the Village Mixed Use and Town Center Mixed Use land  
5 uses.

6  
7                               Mixed Use designations may include single family, multiple  
8 family, commercial, recreation, open space and institutional land  
9 uses not to exceed development densities and intensities of use  
10 established for these land uses in this *Element*.

11  
12       **POLICY 1.11.2:**       *Use of Cluster Developments.* To promote the conservation of  
13 permeable surface area and maintain the Town’s rural character,  
14 cluster developments shall be promoted by the Town during the  
15 development review process. Developers of Mixed Use/Planned  
16 Unit Developments and residential subdivisions shall be encouraged  
17 to cluster development in order to preserve open space.

18  
19       **POLICY 1.11.3:**       *Maintaining Innovative Land Development Regulations.* The  
20 Town shall maintain innovative land development regulations that  
21 encourage mixed-use developments and incorporate site design  
22 planning techniques that will enhance the quality of large scale  
23 developments or redevelopment area(s).

24  
25       **POLICY 1.11.4:**       *Establishing Architectural Guidelines.* The Town shall apply the  
26 architectural standards in the Land Development Regulations to the  
27 Town Center Mixed Use and Village Mixed Use land uses to  
28 maintain the unique and hometown charm of Howey-in-the-Hills.  
29 The Town shall encourage historical and traditional styles native to  
30 the Howey-in-the-Hills area and new and innovative architectural  
31 design when appropriate.

32  
33       **POLICY 1.11.5:**       *Requiring Underground Utilities.* The Town shall require all new  
34 subdivisions, residential and commercial developments, approved  
35 after the adoption of this *Comprehensive Plan*, to have underground  
36 telephone, cable and electrical utility lines to provide a more  
37 attractive, efficient, and safer development.

38  
39       **POLICY 1.11.6:**       *Promoting Interconnected neighborhoods.* The Town shall  
40 encourage the development of interconnected neighborhoods using  
41 pedestrian linkages, bicycle facilities, and golf carts.

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1           **POLICY 1.11.7**       *Multiple access to subdivisions.* The Town shall require new  
2 developments consisting of 50 lots or more to have a minimum of  
3 two points of vehicular access. This policy shall not be construed  
4 as prohibiting private streets or prohibiting the use of emergency  
5 access only points in addition to the standard vehicular access point.  
6

7           **OBJECTIVE 1.12:**       *Identifying a Defined Planning Area.* To identify an area  
8 surrounding the existing Town limits as the defined planning area for the Town.  
9

10           **POLICY 1.12.1:**       *Defined Planning Area Definition.* To protect the Town’s unique  
11 charm and hometown character, the Town hereby adopts the Utility  
12 Service Area as the maximum planning area (see the Town’s *Utility*  
13 *Service Area Map*). The Town shall not annex outside this boundary.  
14

15           **POLICY 1.12.2:**       *Defined Planning Area and Concurrency.* All land within the  
16 defined planning area established in Policy 1.12.1 that annexes into  
17 the Town shall be subject to the Town’s adopted Concurrency  
18 Management System and level of service standards. Prior to the  
19 approval of annexing land within the defined planning area, the  
20 Town shall ensure that timely development occurs before the  
21 annexation and connection to the Town’s utility service system is  
22 made available. The Town shall also ensure that the availability of  
23 public infrastructure is made only to proposed developments that are  
24 adjacent to existing developments within the Town as opposed to  
25 sporadic “leap frog” development resulting in urban sprawl.  
26

27           **OBJECTIVE 1.13:**       *Electric Infrastructure.* To maintain, encourage, and ensure  
28 adequate and reliable electric infrastructure is readily available in the Town.  
29

30           **POLICY 1.13.1:**       *Permitting New Electric Distribution Substations.* The Town shall  
31 allow new electric distribution substations in all land use categories  
32 except Conservation. The Town shall, if possible, avoid locating  
33 substations where they would be incompatible with adjacent land  
34 uses.  
35

36           **POLICY 1.13.2:**       *Compatibility of New Electric Distribution Substations.* The Town  
37 shall require the compatibility of new electric distribution  
38 substations with surrounding land uses (including heightened  
39 setback, landscaping, buffering, screening, lighting, etc.) as part of  
40 a joint public/private site planning effort.  
41

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**POLICY 1.13.3:** *New Electric Distribution Substation Standards.* The following standards shall apply to new distribution electric substations:

In nonresidential areas, the substation must comply with the setback and landscaped buffer area criteria applicable to other similar uses in that district, if any.

Unless the Town Council approves a lesser setback or landscape requirement, in residential areas, a setback of up to 100 feet between the substation property boundary and permanent equipment structures shall be maintained as follows:

1. For setbacks between 100 feet and 50 feet, an open green space shall be formed by installing native landscaping, including trees and shrub material, consistent with the relevant local government's land development regulations. Substation equipment shall be protected by a security fence consistent with the Town's Land Development Regulations.
2. For setbacks of less than 50 feet, a buffer wall 8-feet high or a fence 8-feet high with native landscaping consistent with the relevant local government's regulations shall be installed around the substation.

**POLICY 1.13.4:** *New Electric Distribution Substation Compliance.* All new distribution electric substations in Town shall comply with the guidelines and standards established in Chapter 163.3208, F.S.

**OBJECTIVE 1.14:** *Consistency and Compatibility with the Adopted Comprehensive Plan.* To ensure the Town's Land Development Regulations, Zoning Districts, and Performance Standards are consistent with and compatible to the adopted *Comprehensive Plan*.

**POLICY 1.14.1:** *Land Development Regulations Consistency.*

The Land Development Regulations for the Town of Howey-in-the-Hills shall be consistent with, and serve to implement the goals, objectives and policies established within the *adopted Comprehensive Plan*. To implement the goals, objectives and policies of the *adopted Comprehensive Plan*, provisions shall be incorporated into the Land Development Regulations, and shall

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1 contain specific and detailed provisions which as a minimum:  
2

- 3 a. Regulate the subdivision of land;  
4  
5 b. Regulate the use of land and water consistent with this  
6 Element, ensure the compatibility of adjacent land uses, and  
7 provide for open space;  
8  
9 c. Protect the environmentally sensitive lands designated in the  
10 *Comprehensive Plan*, particularly those identified in the  
11 *Future Land Use Map* series;  
12  
13 d. Regulate development within areas which experience  
14 seasonal and periodic flooding;  
15  
16 e. Specify drainage and stormwater management requirements;  
17  
18 f. Protect potable water wellfields and aquifer recharge areas;  
19  
20 g. Specify minimum design standards for sanitary sewer and  
21 septic tank systems;  
22  
23 h. Regulate signage;  
24  
25 i. Ensure safe and convenient on-site and off-site traffic flow  
26 and parking needs of motorized and non-motorized  
27 transportation;  
28  
29 j. Require that development meet all appropriate provisions of  
30 the Town's Concurrency Management System, including  
31 level of service standards adopted by the Town Council, prior  
32 to the issuance of a development order or permit; and  
33  
34 k. Provide that public facilities and services meet or exceed the  
35 standards established in the capital improvements element  
36 required by Chapter section 163.3177 of Florida Statutes, F.S.  
37 and are available when needed for the development, or that  
38 development orders and permits are conditioned on the  
39 availability of these public facilities and services necessary to  
40 serve the proposed development.  
41

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1           **POLICY 1.14.2:**       ***Consistency of Zoning Districts with the Future Land Use Map.***  
2                                   The Town may elect to further regulate land use activities within  
3                                   land use districts shown on the *Future Land Use Map* through the  
4                                   establishment of zoning districts. Such zoning districts shall be  
5                                   defined within the Land Development Regulations, and a Zoning  
6                                   Map shall illustrate the demarcations of each district. The density  
7                                   and intensity of land use activities established for each zoning  
8                                   district shall be consistent with density and intensity qualitative  
9                                   standards set forth on the *Future Land Use Map* for the associated  
10                                  land use district.

11  
12                                  Land development regulations adopted to implement this  
13                                  *Comprehensive Plan* shall be based on and be consistent with the  
14                                  residential densities and non-residential intensities established  
15                                  herein.

16  
17           **POLICY 1.14.3:**       ***Consistency with Performance Standards.*** Performance standards  
18                                  established within the Land Development Regulations shall be  
19                                  consistent with the goals, objectives and policies established within  
20                                  the *adopted Comprehensive Plan*. By December 2012, the Land  
21                                  Development Regulations shall be amended to ensure that the  
22                                  performance standards comply with the adopted *Comprehensive*  
23                                  *Plan*.

24  
25   **OBJECTIVE 1.15: *Protection of Natural Resources.*** To ensure the protection of natural  
26   resources in the Howey-in-the-Hills area.

27  
28           **POLICY 1.15.1:**       ***Policies for Managing Environmentally Sensitive Areas.*** Policies  
29                                  in the *Conservation Element* for managing environmentally  
30                                  sensitive natural systems, including but not limited to Little Lake  
31                                  Harris, Lake Illinois, wetlands, floodplain areas, significant  
32                                  vegetative communities and wildlife habitats of endangered and  
33                                  threatened species, shall be implemented through performance  
34                                  standards stipulated in the Land Development Regulations.

35  
36           **POLICY 1.15.2:**       ***Intergovernmental Coordination and Natural Resource***  
37                                  ***Management.*** The Town shall coordinate with State agencies  
38                                  including, the St. Johns River Water Management District, the  
39                                  Florida Department of Environmental Protection, and the East  
40                                  Central Florida Regional Planning Council as well as Lake County  
41                                  and other agencies concerned with managing natural resources for

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1 the purpose of protecting the function and existence of natural  
2 systems.

3  
4 **POLICY 1.15.3:** *Protection of Endangered and Threatened Animal and Plant*  
5 *Species.* The Town shall protect endangered and threatened animal  
6 and plant species by assuring the preservation of native habitat  
7 required for their propagation and survival. Policies pertaining to  
8 the adoption of performance standards and development regulations,  
9 as herein cited in this *Comprehensive Plan* shall implement the  
10 protection of habitat used by these species.

11  
12 **OBJECTIVE 1.16:** *Compatible and Consistent Land Uses.* To ensure that land uses are  
13 compatible and consistent with surrounding land uses.

14  
15 **POLICY 1.16.1:** *Existing Non-Compatible Land Uses.* The Town shall reduce or  
16 eliminate existing non-complying land use activities to the greatest  
17 reasonable and practical extent without intruding on the  
18 constitutional rights of the effected landowners. No existing non-  
19 conforming structure shall be increased or expanded. The Land  
20 Development Regulations shall define circumstances under which  
21 the existing non-conforming use shall be eliminated or reduced in  
22 intensity and shall provide principles for regulating improvements  
23 to existing non-complying structures as well as changes to non-  
24 conforming uses.

25  
26 **POLICY 1.16.2:** *Managing Future Land Use.* The *Future Land Use Map* and  
27 related policies together with the Land Development Code shall be  
28 applied as a planning and management tool in order to prevent  
29 development of land uses which do not conform to the Town's  
30 character as reflected in the Town's adopted *Future Land Use Map*,  
31 *Zoning Map*, and other applicable laws, ordinances, and  
32 administrative rules.

33  
34 **OBJECTIVE 1.17:** *Renewable Energy Resources.* To encourage the development and  
35 use of renewable energy resources, efficient land use patterns, and reducing greenhouse gas  
36 emissions in order to conserve and protect the value of land, buildings, and resources, and to  
37 promote the good health of the Town's residents.

38  
39 **POLICY 1.17.1:** *Energy Efficient Land Use Pattern.* The Town shall maintain an  
40 energy efficient land use pattern and shall continue to promote the  
41 use of transit and alternative methods of transportation that decrease  
42 reliance on the automobile.

*Note: Red text shows change made after 2-26-2024 transmittal hearing.*

- 1  
2       **POLICY 1.17.2:**       *Promoting Walking and Bicycling.* The Town shall continue to  
3 encourage and develop the “walk-ability and bike-ability” of the  
4 Town as a means to promote the physical health of the Town’s  
5 residents, access to recreational and natural resources, and as a  
6 means to reduce greenhouse gas emissions.  
7
- 8       **POLICY 1.17.3:**       *Establishing an Energy Management Plan.* By December 2012,  
9 the Town shall develop and implement an Energy Management Plan  
10 to minimize electric, fuel and water resources in Town buildings,  
11 fleet vehicles and on public properties.  
12
- 13       **POLICY 1.17.4:**       *Solar Collectors.* No action of the Town shall prohibit or have the  
14 effect of prohibiting solar collectors, or other energy devices based  
15 on renewable resources from being installed on a building and as  
16 further set forth within Section 163.04, Florida Statutes.  
17
- 18       **POLICY 1.17.5:**       *Construction of Public Facilities and Buildings.* Public buildings  
19 and facilities shall be constructed and adapted where reasonably  
20 feasible to incorporate energy efficient designs and appropriate  
21 “green” building standards. Green Building standards that should be  
22 observed are contained in the Green Commercial Buildings  
23 Designation Standard, Version 1.0, published by the Florida Green  
24 Building Coalition, Inc.  
25
- 26       **POLICY 1.17.6:**       *Energy Efficient Design and Construction Standards.* The Town  
27 shall continue to promote and enforce energy efficient design and  
28 construction standards as these become adopted as part of the State  
29 Building Codes. The Town shall also promote commercial and  
30 residential standards that are promulgated from time to time by the  
31 Florida Green Building Coalition, Inc.  
32
- 33       **POLICY 1.17.7:**       *Promoting Mixed Use Developments.* The Town shall continue to  
34 promote mixed-use developments in areas planning for urban  
35 development or redevelopment as a mean to produce energy  
36 efficient land use patterns and reduce greenhouse gas emissions.  
37
- 38       **POLICY 1.17.8:**       *Development Incentives for Smart Growth Development.* The  
39 Town shall revise its Land Development Regulations by December  
40 2012 to offer incentives and flexibility for development projects that  
41 will make development application, review and approval processes  
42 easier, faster and more cost effective for projects that are consistent

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1 with the Smart Growth Principles of the *Comprehensive Plan* and  
2 that can be demonstrated to reduce infrastructure costs, promote the  
3 preservation of open space and habitat lands, provide energy  
4 efficient land use patterns, and reduce greenhouse gas emissions.  
5 Other incentives shall also be evaluated for projects that participate  
6 in energy-efficient development programs such as:  
7

- 8 • U.S. Environmental Protection Agency's Energy Star
- 9 Buildings and Green Lights Program to increase energy
- 10 efficiency through lighting upgrades in buildings;
- 11 • Rebuild America;
- 12 • Building for the 21st Century;
- 13 • Energy Smart Schools;
- 14 • National Industrial Competitiveness through Energy;
- 15 • U.S. Department of Environmental Protection's Pollution
- 16 Prevention (P2) Program;
- 17 • U.S. Green Building Council (LEED);
- 18 • Florida Water Star<sup>SM</sup> Program; or
- 19 • Florida Green Building Coalition (FGBC), including
- 20 pursuing certification as a Green Government.

21  
22 **OBJECTIVE 1.18: *Mechanism to Manage Growth and Development.*** To ensure that the  
23 *Comprehensive Plan* represents the primary mechanism which manages growth and development  
24 within the Town of Howey-in-the-Hills.  
25

26 **POLICY 1.18.1: *Precedence Over Other Land Use Control Mechanisms.*** Growth  
27 management and land use controls stipulated in the adopted  
28 *Comprehensive Plan* through goals, objectives and policies shall  
29 take precedence over all other land use policies established in other  
30 land use control mechanisms adopted by the Town of Howey-in-  
31 the-Hills, including but not limited to the Land Development  
32 Regulations and other components of the Code of Ordinances.  
33

34 **POLICY 1.18.2: *Growth Management through Maintenance of Land Development***  
35 ***Regulations.*** The Town shall maintain the Land Development  
36 Regulations to reflect growth management controls established  
37 within the updated *Comprehensive Plan*.  
38

39 **POLICY 1.18.3: *Compliance with State and Federal Laws.*** The *Comprehensive*  
40 *Plan* shall not violate Statutes established in Florida Law or



*As readopted 8-12-2024*

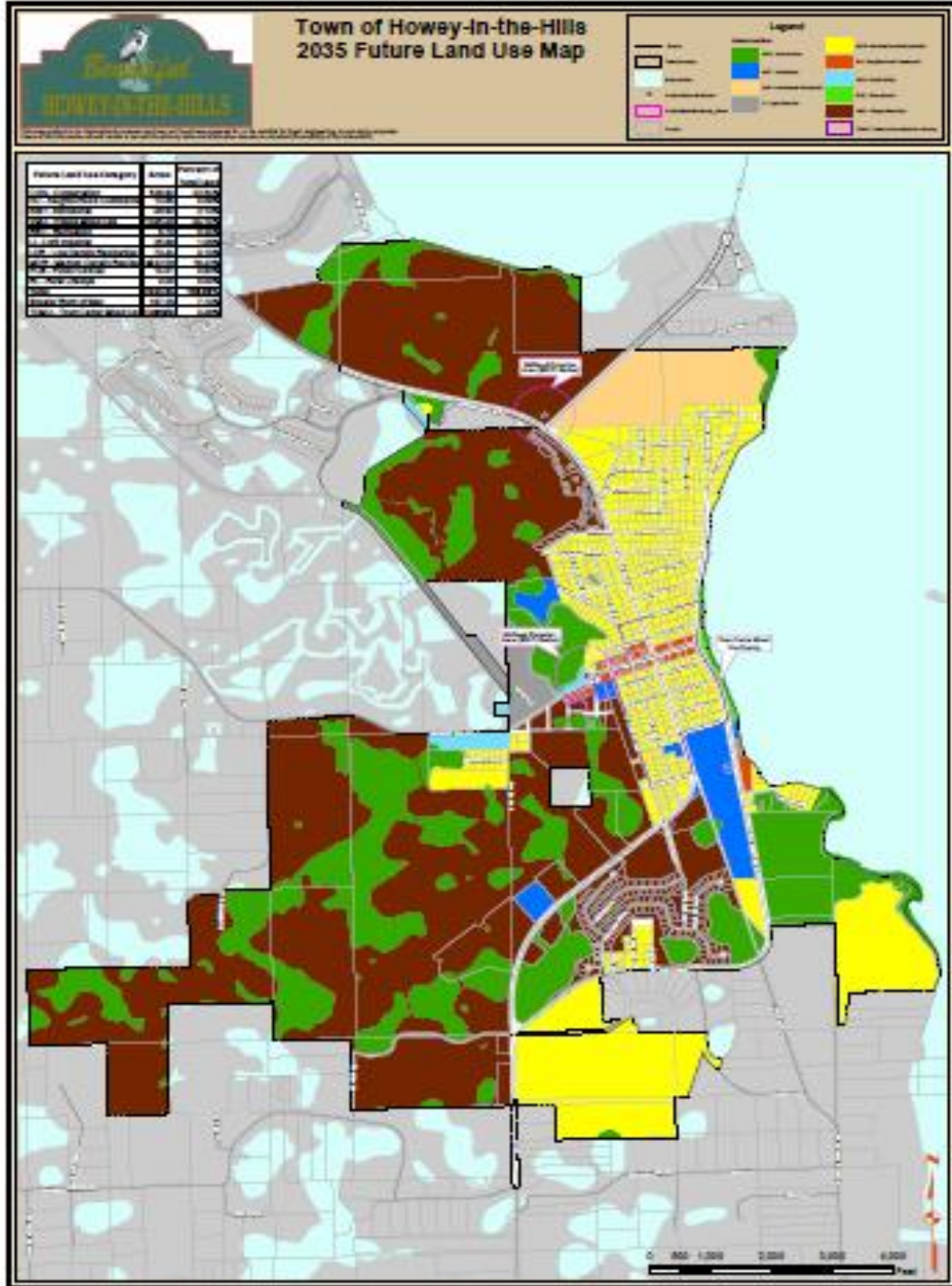
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after 2-26-2024 transmittal hearing.*

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Administrative Rule, nor shall it violate the Constitution of the State  
of Florida or that of the United States of America.

As readopted 8-12-2024

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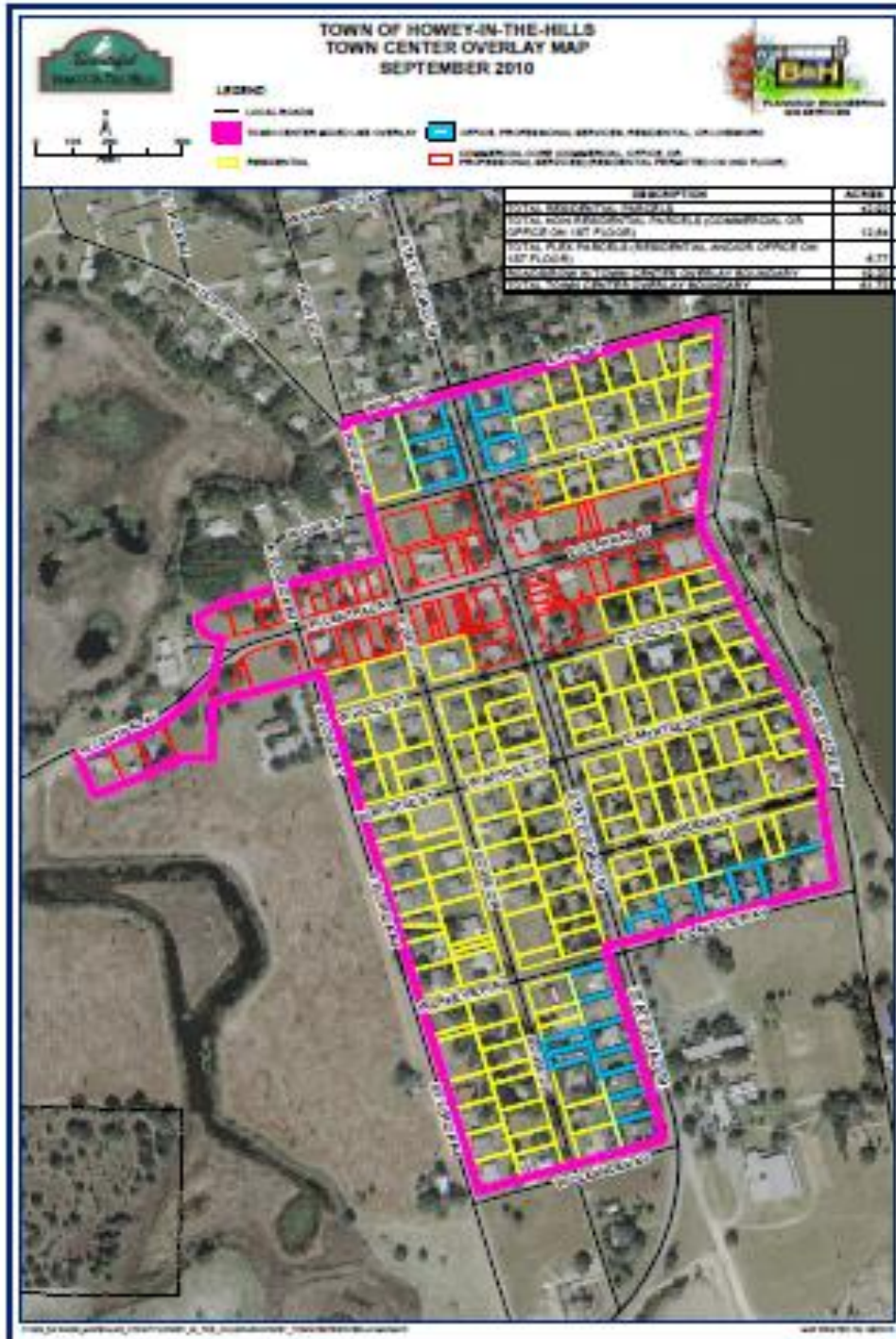
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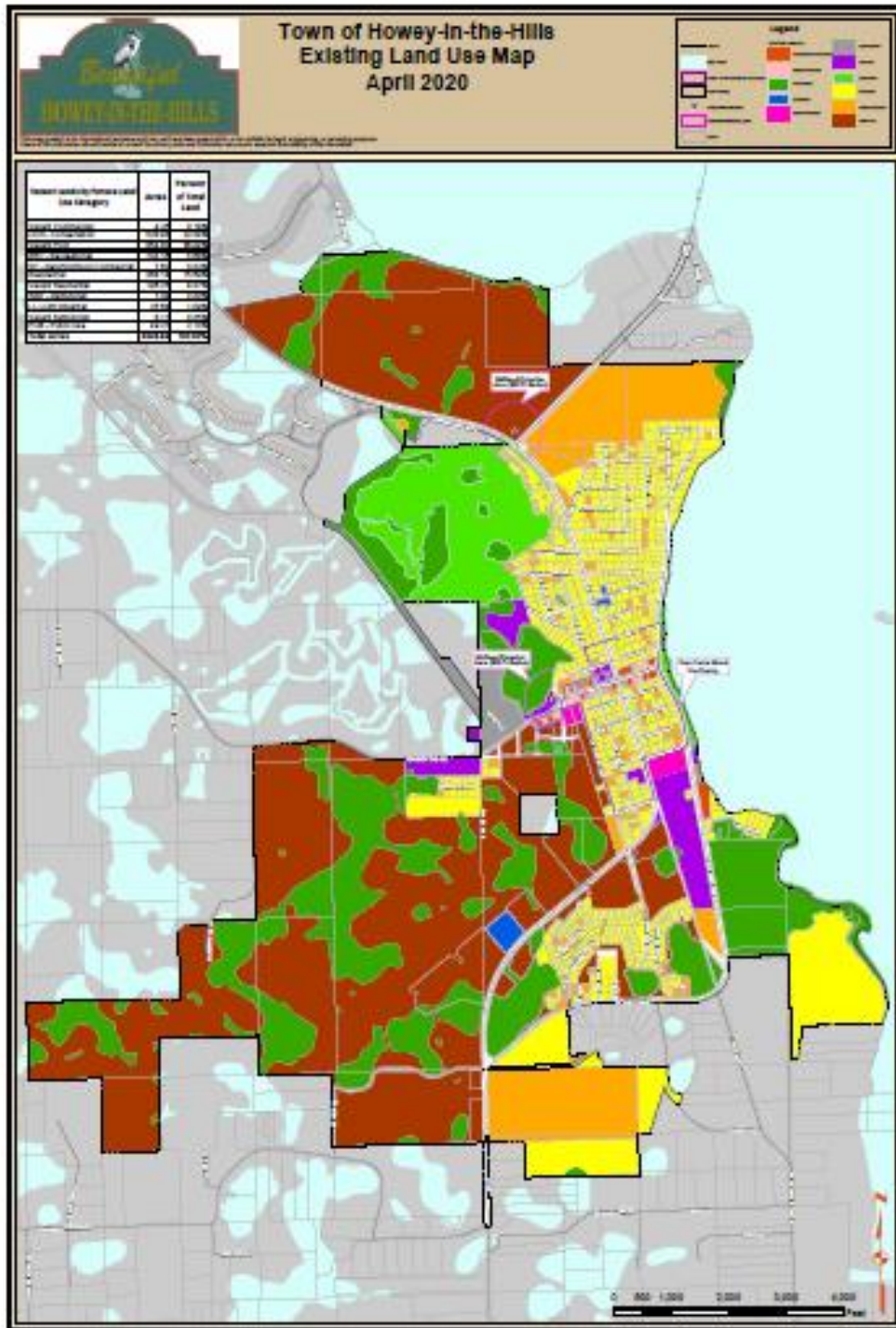


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As readopted 8-12-2024

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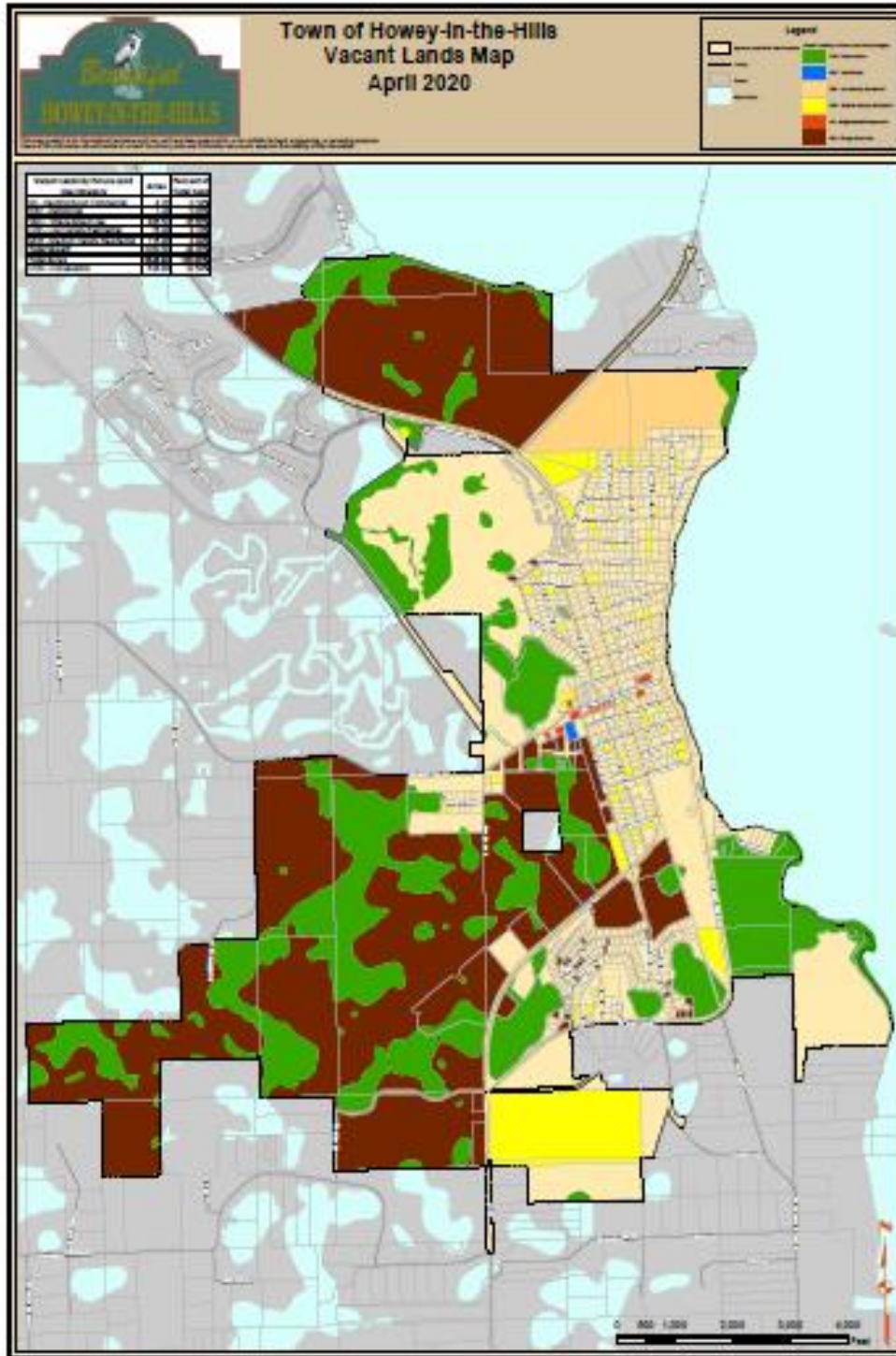


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As readopted 8-12-2024

Note: **Red text** shows change made after 2-26-2024 transmittal hearing.

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Adopted on October 11, 2010  
Ordinance No. 2010-007  
Amended -- Ord. 2024-009 (Aug. 12, 2024)

I-15

As readopted 8-12-2024

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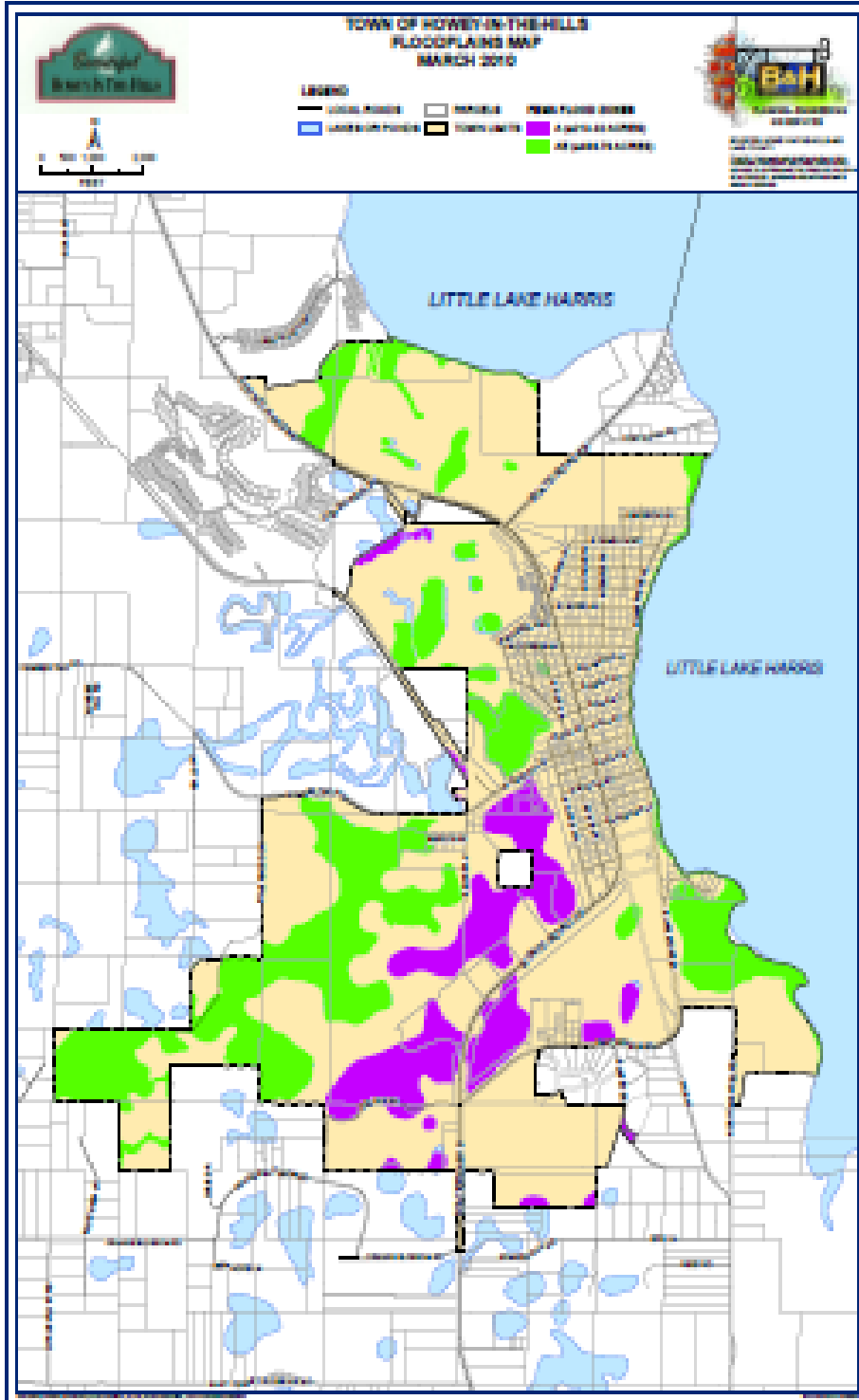
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Adopted on October 11, 2010  
Ordinance No. 2010-007  
Amended -- Ord. 2024-009 (Aug. 12, 2024)

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As readopted 8-12-2024

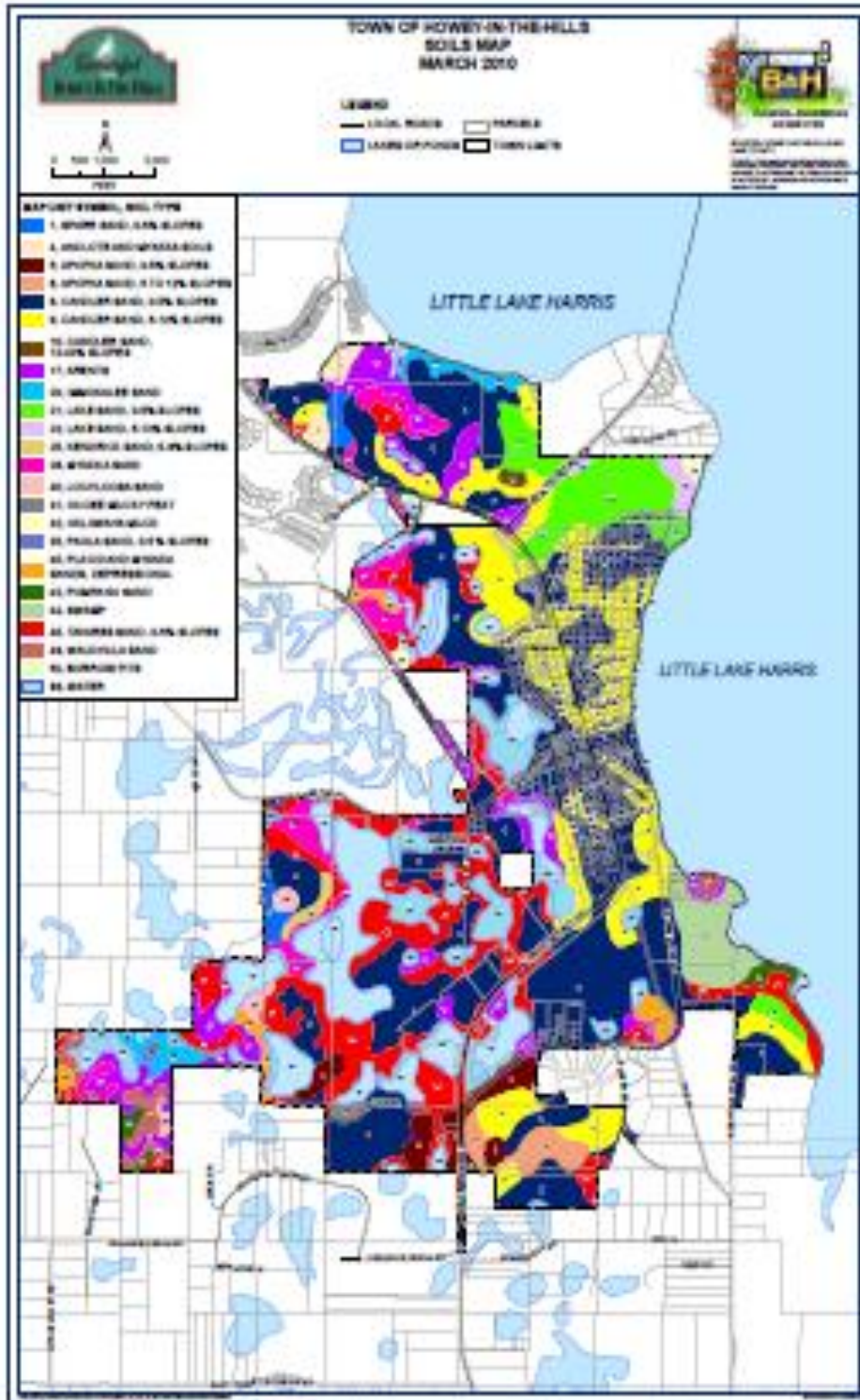
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As readopted 8-12-2024

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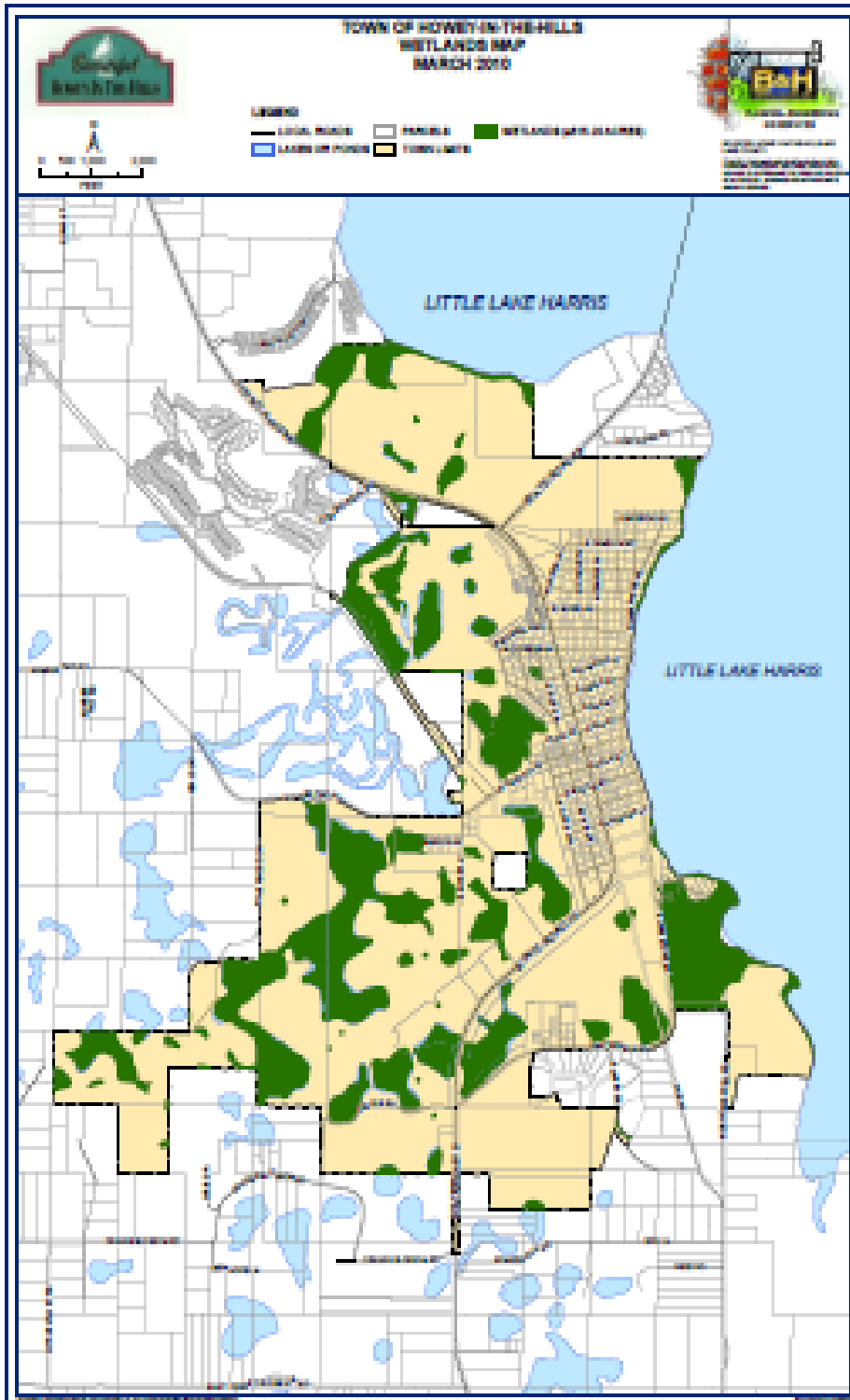
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Amended -- Ord. 2024-009 (Aug. 12, 2024)

I-18

As readopted 8-12-2024

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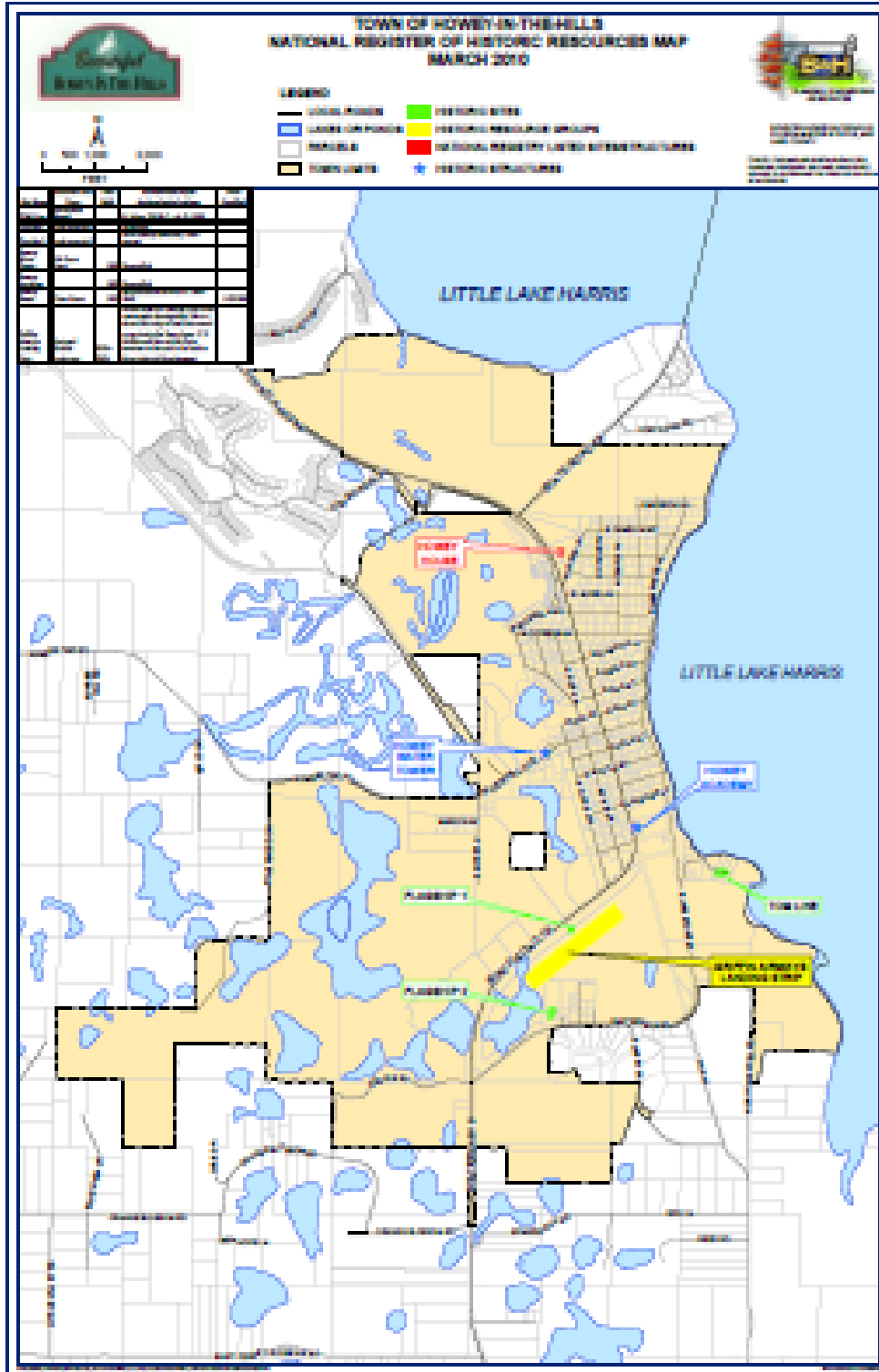
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Adopted on October 11, 2010  
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Amended -- Ord. 2024-009 (Aug. 12, 2024)

I-19

As readopted 8-12-2024

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Amended -- Ord. 2024-009 (Aug. 12, 2024)

I-20

*As readopted 8-12-2024*

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