

ORDINANCE NO. 2023-013

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2
3 AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS,
4 FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING;
5 AMENDING THE FUTURE LAND USE ELEMENT (FLUE) OF THE
6 TOWN'S ADOPTED COMPREHENSIVE PLAN PURSUANT TO
7 SECTION 163.3184 OF FLORIDA STATUTES; DESCRIBING THE
8 ANALYSIS AND REEVALUATION UNDERTAKEN BY TOWN COUNCIL
9 REGARDING RESIDENTIAL DENSITIES AND LOT SIZES IN POST-2010
10 RESIDENTIAL DEVELOPMENT IN THE TOWN; AMENDING CERTAIN
11 FLUE POLICIES TO MODIFY THE REQUIREMENTS IN THE
12 "VILLAGE TOWN CENTER" AND "MEDIUM DENSITY RESIDENTIAL"
13 LAND-USE DESIGNATIONS REGARDING DWELLING UNITS PER
14 ACRE, LOT SIZES, AND OPEN SPACE; AMENDING OTHER RELATED
15 REQUIREMENTS FOR THE TWO LAND-USE DESIGNATIONS;
16 AMENDING POLICY 1.2.6 OF THE FUTURE LAND USE ELEMENT TO
17 SPECIFY AREAS WHERE THE TOWN MAY ALLOW LOTS SMALLER
18 THAN ONE-FOURTH ACRE (10,890 SQ. FT.); PROVIDING FOR
19 CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.
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23 **Be it ordained by the Town Council of the Town of Howey-in-the-Hills,**
24 **Florida:**

25
26 **Section 1. Findings.** In adopting this ordinance, the Town Council of the Town of Howey-in-
27 the-Hills, Florida finds and declares the following:
28

- 29 (1) Under Section 163.3184 of Florida Statutes, the Town Council adopted a comprehensive
30 plan, which includes the statutorily required Future Land Use Element (FLUE). Among
31 other things the FLUE sets requirements and provides certain allowances for residential
32 development in the Town.
33
- 34 (2) After 2010, substantial amounts of approved residential development were constructed at
35 substantially densities and substantially smaller lot sizes than were prevalent in the Town's
36 development prior to 2010.
37
- 38 (3) In 2022 and 2023 the Town Council and its Planning and Zoning Board undertook an
39 analysis and reevaluation of the post 2010 densities and lot sizes, with robust public
40 participation in the reevaluation.
41
- 42 (4) The consensus on Town Council, at the Planning and Zoning Board, and among Town
43 residents was that the increased densities and smaller lot sizes are inconsistent with the
44 development pattern, character, and ambiance of the Town's historical neighborhoods. For
45 that reason, the Town Council determines that adjustment of density and open-space

1 requirements in the Future Land Use Element of the Town’s adopted Comprehensive Plan is
2 justified and desirable.
3

4 (5) Under Section 163.3184 of the Florida Statutes, on _____, 2023, the Town approved
5 the transmittal to the Florida Department of Commerce and other required review agencies of
6 the proposed amendments to the Future Land Use Element. The Town held a second public
7 hearing for adoption on the comprehensive plan amendments on _____, 202___, after
8 the Town received responsive comments from the Florida Department of Commerce.
9

10 (6) The Town Council has determined that it is in the interest of the citizens, residents, and
11 property owners of the Town to adopt the proposed amendments to the Future Land Use
12 Element of the Town’s adopted Comprehensive Plan.
13

14 **Section 2. Adoption of Amendments to the Future Land Use Element.** The amendments to
15 the Future Land Use Element of the Town’s adopted Comprehensive Plan, as contained in
16 **Attachment A** to this ordinance with the underscore and strike-through format, are hereby
17 approved and adopted by the Town Council.
18

19 **Section 3. Codification.** The amendments to the Future Land Use Element are hereafter part of
20 the Town’s adopted Comprehensive Plan and are to be codified and posted on the Town’s
21 website accordingly. Goals, objectives, and policies of the Future Land Use Plan may be
22 renumbered or reorganized for editorial or codification purposes. Such renumbering or
23 reorganization shall not constitute or be deemed a substantive change to the adopted Future Land
24 Use Element.
25

26 **Section 4. Severability.** If any provision or portion of this ordinance is declared by a court of
27 competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining
28 provisions and portions of this ordinance shall remain in full effect. To that end, this ordinance
29 is declared to be severable.
30

31 **Section 5. Effective Date.** This ordinance shall become effective 31 days after its passage and
32 approval as a non-emergency ordinance at two regular meetings of the Town Council. If
33 challenged timely pursuant to section 163.3187(5) of the Florida Statutes, the amendments shall
34 take effect when the state land planning agency or the Administration Commission, as
35 appropriate, issues a final order.
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42 [signatures on the following page]
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ORDAINED AND ENACTED this ____ day of _____, 202__, by the Town Council of the Town of Howey-in-the-Hills, Florida.

**TOWN OF HOWEY-IN-THE-HILLS,
FLORIDA**

By: its Town Council

By: _____
Hon. Martha MacFarlane, Mayor

ATTEST:

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

John Brock, Town Clerk

Thomas J. Wilkes, Town Attorney

Planning and Zoning Board hearing(s) held December 21, 2023
LPA public hearing and transmittal public hearing held _____
Second reading and adoption public hearing held _____

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Attachment A

**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

_____, 202__

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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*.

B. Population Estimates and Forecasts

In order to plan for growth, it is first necessary to project the number of persons that will reside

1 in the Town. The effectiveness of a local government’s comprehensive plan depends principally
2 on the accuracy of population projections for both resident and seasonal populations. These
3 predictions for the future are the basis of planning for future land use, housing, recreation and
4 open space, and public services and infrastructure needs.

5
6 A population projection to 2035 has been prepared to coordinate with long-range utility planning
7 for water and sewer services. This estimate assumes the Town will continue to undergo a steady
8 residential development pattern based on single-family homes as the predominant housing type.
9 Projections for small populations are notoriously tricky given the small base size of the
10 population and the ability for a single project to significantly affect total population and the
11 timing of housing production. Therefore, a table presenting the major approved projects with
12 total approved unit count has been included.

13
14 The table also indicates which projects have met concurrency requirements and which projects
15 still must meet concurrency tests for water and sewer service at the time subdivision or site plan
16 approval is sought. In theory, the projects without concurrency approval are vulnerable to
17 development denial if necessary public services are not available. This “check process” should
18 provide a safety valve should the water and/or sewer demand be out of line with system capacity
19 at the time the development seeks approval. The projection for resident and seasonal populations
20 is provided below.

21
22 **TABLE 1: POPULATION ESTIMATES AND PROJECTIONS 2010 -2035**

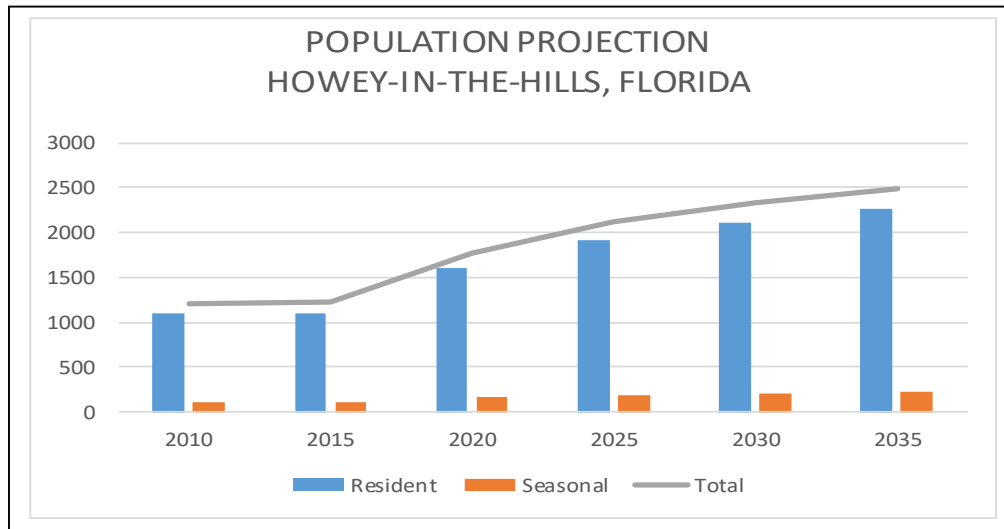
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POPULATION PROJECTION			
HOWEY-IN-THE-HILLS, FLORIDA			
Year	Resident	Seasonal	Total
2010	1098	110	1208
2015	1106	111	1217
2020	1604	160	1764
2025	1925	193	2118
2030	2118	212	2330
2035	2266	227	2493

36
37 Source: US Census, BEBR and TMH Consulting projections.

38
39 Since 2015, the Town has seen the impact of development in the Venezia South subdivision with
40 the 2017 BEBR estimate being set at 1,355 people. The projections assume this rate of
41 development will continue to 2020 resulting in a total population increase of about 45%. This
42 rate of growth is likely unsustainable over the long term, but it is also likely that at least one of
43 pending major projects will move forward as the rater of development in Venezia South slows.
44 The projections assume a declining rate of growth over the succeeding time increments, while
45 still projecting a significant increase. If multiple large projects move forward at the same time or
46 if significant levels of multi-family housing enter the market, population growth will be

1 accelerated over these projections. The graph below offers a visual representation of this data.
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20 The following table provides a summary of major developments that have received some level of
21 approval through the Town’s planning and development review process. The approved projects
22 with 2018 concurrency certifications are Venezia South and Whispering Hills. The other
23 projects have received planning level approval but must still pass a concurrency review at the
24 time development in the form of subdivision or site plan review is proposed. Venezia North
25 (Talichet) is currently pursuing a new development agreement to increase the project size from
26 93 to 139 units.

27
28 **TABLE 2: SIGNIFICANT DEVELOPMENT PROJECTS**
29

PROJECT	SFR	MFR	TOTAL	NOTES
Venezia South	172	113	285	Already connected to systems
Talichet	93		93	
Whispering Hills	156		156	
Lake Hills			780	No SFR/MFR split available
Mission Rise	400		400	
The Reserve	403	330	733	
Total	1224	443	2447	

30
31 **C. Existing Conditions**

32 **1. Existing Land Use**

33 The amount of acreage located within the Town’s current boundaries is presented in
34 Table 3 by the existing land use categories. The Town has had no annexations since
35 2010, and the only change in existing land use is the development of 129.31 acres of

1 single-family residential in the Venezia South Village Mixed Use classification. This
2 area has been deducted from the vacant Village Mixed Use Category and added to the
3 single-family residential totals.
4

5 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%
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%
Total	2,345.94	100.00%

6
7 Source: TMH Consulting update of 2010 tabulations.
8

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

1
2 **Commercial** - This category on the *Existing Land Use Map* denotes all land used for
3 retail and wholesale trade, offices, restaurants, hotels and motels, and professional
4 services. Most of the commercial uses in Town are found along Central Avenue.
5 Commercial land use is permitted in the Town Center Overlay, Town Center Mixed Use,
6 Village Center Mixed Use, and Neighborhood Commercial. The maximum intensity for
7 commercial uses in Town is presented in Table 4.

8
9 **Industrial** – This category on the *Existing Land Use Map* denotes all land used for
10 warehousing, assembly and distribution of goods, light processing, heavy equipment,
11 large durable goods, or other land uses requiring heavy truck traffic. The Town permits
12 industrial uses on Light Industrial lots with conditions. Cell towers are also permitted in
13 this land use under certain conditions. The intensity of industrial uses permitted in Town
14 is featured in Table 4.

15
16 **Public Use** - This category on the *Existing Land Use Map* denotes all land used for
17 public service activities, water plants, electric sub-stations and telephone facilities except
18 for cell towers. On the *Existing Land Use Map*, this category includes and is used for
19 utilities, government owned facilities, and institutional facilities such as educational
20 facilities, day care facilities, churches or residential care facilities. The Town permits an
21 intensity of 0.50 impervious surface ratio or 0.25 floor area ratio (see Table 4).

22
23 **Recreation** - This category on the *Existing Land Use Map* denotes all land primarily used
24 for outdoor recreational activities such as picnicking, jogging, cycling, outdoor courts,
25 golf courses, and playing fields. These lands include both private and public recreational
26 facilities. The Town permits an impervious surface ratio of 0.30 on recreational land uses
27 (see Table 4).

28
29 **Conservation** - This category on the *Existing Land Use Map* denotes all land used for
30 wetlands, some uplands, public managed lands, floodplains, flood prone areas, and other
31 areas in which valuable natural resources are found. No buildings are allowed on
32 conservation lands in Town except for boardwalks, docks, observation decks, or similar
33 facilities allowed by the Town and all regulatory agencies.

34
35 **Planned Unit Development(PUD)/Village Mixed Use** - In 1992, the Town approved a
36 *Planned Unit Development Mixed Use District Ordinance* which permits a variety of
37 residential structures and a diversity of building arrangements as well as complementary
38 and compatible commercial uses and public or quasi-public facilities developed in
39 accordance with an approved development plan. A large percentage of the lots in this
40 category on the *Existing Land Use Map* are vacant. The permitted maximum density and
41 intensity standards for planned unit development/mixed use are presented in Table 4.

42 43 **2. Availability of Public Facilities and Services**

44 The following data and analysis describes the availability of services and facilities to
45 support development.

1 **a. Sanitary Sewer**

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

10
11 **b. Potable Water**

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

20
21 The *Comprehensive Plan* sets two different levels of service for potable water
22 usage. The first LOS standard is 242.0 gallons per day per capita for the overall
23 customer usage and the second LOS standard is 150.8 gallons per day per resident
24 for the residential customers.

25
26 The Town currently holds a consumptive use permit for 10-MGD. The permit is
27 in the process of being revised as the Town has exceeded the consumption level.
28 The permit revision is part of a larger planning process for master plans for both
29 water and sewer. These plans are expected to be completed by the end of 2018,
30 and once completed will identify projects for inclusion in the capital
31 improvements program.
32

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

Future Land Use	Maximum Density/Intensity	Description
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.
Low Density Residential (LDR)	2 dwelling units per acre	Primarily single-family detached homes.
Medium Density Residential (MDR)	<p>4 <u>3</u> 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>	Single-family detached homes, townhomes, etc.; this category may also include support community facilities and elementary schools.

<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 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</p>	<p>The size of each individual business shall be regulated through the Land Development Regulations.</p>
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Future Land Use	Maximum Density/Intensity	Description
	<p>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>Village Mixed Use (VMU)</p>	<p>Must have a minimum of 25 <u>100</u> acres for this land use. Maximum of three <u>4</u> dwelling units per acre; May be increased to 6 <u>town council may allow up to four</u> dwelling units per acre if the development includes <u>substantial recreation facilities for field sports, court games, and/or indoor recreation facilities.</u> 20% usable public open space (no wetlands).</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>For developments with more than 100 acres, 5% <u>Five percent (5%)</u> 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>A minimum of 25% open space is required.</p>	<p>A mix of uses is permitted and required in this category in order to promote sustainable development, including the provisions of reducing the dependability 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>

Future Land Use	Maximum Density/Intensity	Description
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.
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.

Future Land Use	Maximum Density/Intensity	Description
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.

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).
 11

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3 **c. Stormwater Drainage**

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

13
14 Increased development and land coverage could increase the need to construct
15 additional drainage facilities to protect Little Lake Harris from nutrient runoff.
16 Drainage problems do exist with stormwater runoff believed to be discharging
17 directly from State Road 19 into Little Lake Harris. The Town has received one
18 grant for a baffle box system to address this issue and plans to continue to seek
19 funds to address the concern. There are no major flooding problems associated
20 with stormwater runoff.

21
22 Level of service standards established in the *Comprehensive Plan* will continue to
23 remain consistent with State statutes pertaining to the performance of the drainage
24 system. The Town ensures the provision of adequate stormwater drainage
25 systems through the development review process. Permits are also required from
26 all applicable State, Federal, and local agencies regarding stormwater. No
27 development is approved or is allowed to begin construction until all such permits
28 are received by the Town.

29
30 **d. Solid Waste**

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

37
38 **e. Transportation**

39 Only two major roads provide access into Town: (1) County Road 48 and (2)
40 State Road 19. County Road 48 provides a direct connection to the City of
41 Leesburg and US 27. State Road 19 provides direct access to the Florida

1 Turnpike, cities of Groveland and Tavares. All the streets in Howey-in-the-Hills
2 are paved.

3
4 The Town's adopted level of service is D for minor arterials, collector roadways,
5 and local roads. There are no roads in Town that are over capacity. The Town
6 requires all development to provide adequate analysis of its impact on the roads in
7 the Town to determine if the adopted LOS will be maintained. The capacities or
8 deficiencies for the Town's road network is featured in the *Transportation*
9 *Element*.

10
11 **f. Recreation and Open Space**

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

16
17 The Town has adopted a level of service standard of 6.5 acres of park land for
18 every 1,000 residents. There are 22.93 acres of parkland in Howey-in-the-Hills.
19 The largest park in Town is the Sarah Maude Nature Preserve, which is about 54
20 acres of preserve and 17 acres of upland (the Town only includes the upland acres
21 in the overall parkland acres) and the smallest Town park is Tangerine Point Park
22 at 0.1 acres.

23
24 There is 4.5 acres designated as Recreation lands on the Town's *Future Land Use*
25 *Map*, almost all this land is considered to be open spaces. Most of these open
26 spaces is adjacent to the lakes in Town and lack the space needed to accommodate
27 development other than small recreational uses.

28
29 There are no major public open spaces or natural preservations within a half mile
30 of the Town limits. Recreational lands within the Town are depicted on the
31 *Existing Land Use Map* and *Future Land Use Map*.

32
33 **g. Public School Facilities**

34 The Town continues to support public school concurrency and participates in an
35 interlocal agreement with the School district and other local governments in Lake
36 County. School concurrency is reviewed as part of the development approval
37 process.

38
39 **3. Land Available for Development**

40 There are about 1640 acres of vacant land (about 516 of those acres are Conservation
41 land uses) in the Town (see the Town's *Vacant Land Map*). Most of this land does not

1 have any major environmental constraints and is very suitable for development. Also,
2 most of the vacant lands in the Town currently have a *Village Mixed Use Future Land*
3 *Use* category.

4
5 **4. Soils and Topography**

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

9
10 There are a variety of soil types in Howey-in-the-Hills (see the Town’s *Soils Map*). The
11 general descriptions of the soils in the Town are found below in Table 5. All upland soils
12 are suitable for development and show little limitation for the use of septic tanks.

13
14 The Town lies on the Lake Wales Ridge, a physiographic high that has a high potential
15 for aquifer recharge to the Floridan Aquifer. There is little topographic relief within the
16 Town (90 feet). The upper limit is approximately 170 feet above sea level located south
17 of E. Revels Road, west of Sunset Drive, and east of State Road 19. Around this area,
18 there is a difference of about 80 feet in elevation (see the Town’s *Contour Map*). This
19 topographic relief poses little, if any, limitations to development of vacant lands. See
20 *Conservation Element* for a further discussion of soils and soil limitations.

21
22 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
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

Map Unit Name	Hydric Soil	Drainage Class	Steel Corrosion	Concrete Corrosion	Acres
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
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

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1 County Soils Geographic Information Systems database.

2
3 **5. Natural Resource Management**

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

8
9 **a. Surface Waters**

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

15
16 **b. Floodplains**

17 Floodplains are valuable resources which provide a rich diversity of vegetation
18 and wildlife. These areas are sources for groundwater recharge that filters
19 through soils during high water levels. The 100-year floodplains are also subject
20 to inundation during a 100-year storm, causing potential loss of life and property,
21 disruption of services, and economic loss. These areas cannot tolerate continued
22 development which, in effect, retards their ability to absorb water and restrict the
23 flow of water from adjacent higher elevation areas.

24
25 The County’s Geographic Information Systems (GIS) database shows that there
26 are 100-year floodplains in the Town (see the Town’s *Floodplains Map*). The
27 FEMA flood zone designations in Howey-in-the-Hills are as follows:

- 28
29
- 30 • Zone A – Areas with a 1% annual chance of flooding and a 26% chance of
31 flooding over the life of a 30-year mortgage. Because detailed analyses are
32 not performed for such areas; no depths or base flood elevations are shown
33 within these zones.
 - 34 • Zone AE - The base floodplain where base flood elevations are provided.
35 AE Zones are now used on new format FIRMs instead of A1-A30 Zones.

36 Development within floodplains will continue to be closely scrutinized to ensure
37 compliance with established regulations.

38
39 **c. Wetlands**

40 Wetlands by definition are transitional lands between terrestrial and aquatic

1 systems where the water table is usually at or near the surface, or the land is
2 covered with shallow waters. Wetland functions are interconnected with the
3 hydrology of the area. This connection determines the presence, extent,
4 movement, and quality of water in the wetland. It is estimated that wetlands
5 account for about 515 acres in the Town (see the Town's *Wetlands Map*).
6

7 **d. Natural Groundwater Aquifer Recharge Areas**

8 The Floridan aquifer is the principal source of drinking water for Lake County.
9 Currently almost all the ground water pumped in Lake County comes from the
10 Upper Floridan but the potential for utilizing the lower Floridan aquifer is just
11 beginning to be explored in Lake County.
12

13 Aquifer recharge is the process whereby rainfall percolates downward through the
14 soil to reach the underlying aquifers. Recharge to the Floridan aquifer occurs in
15 areas of the County where the elevation of the water table of the surficial aquifer
16 is higher than the elevation of the potentiometric surface of the Floridan aquifer.
17 In these areas, water moves from the surficial aquifer in a downward direction
18 through the upper confining unit to the Floridan aquifer. The surficial aquifer
19 system in the County is recharged by rainfall. Recharge is augmented locally by
20 artificial recharge - wastewater or reuse water land application, rapid-infiltration
21 basins, and septic systems.
22

23 Howey-in-the-Hills is in a recharge area with a recharge rate of 1 to 10 inches per
24 year and discharge rate of less than 1 inch per year.
25

26 **e. Cone of Influence**

27 Cone of influence is defined as an area around one or more major wellfields, the
28 boundary of which is determined by the government agency having specific
29 statutory authority to make such a determination based on groundwater travel or
30 drawdown depth. The term waterwell is defined by Rule 9J-5, F.A.C., as a well
31 excavated, drilled, dug, or driven for the supply of industrial, agricultural, or
32 potable water for general public consumption.
33

34 Generally, the term cone of influence can be defined as the land area surrounding
35 a well on which a present or future land use has the potential to negatively impact
36 an aquifer as a result of the induced recharge from that well's cone of depression.
37 The purpose of delineating a cone of influence is to protect the current and future
38 water supply.
39

40 The Town restricts development (except facilities related to the public water
41 system) from occurring within a 150-foot radius of any existing or proposed
42 public well (Primary Protection Zone). No septic tanks, sanitary sewer facilities,

or solid waste or disposal facilities are permitted within a 200-foot radius of any existing or proposed public well (Secondary Protection Zone). The Town also has established a 500-foot radius wellhead protection area within which manufacturing or light industrial uses are prohibited. The wellhead protection areas for the Town’s potable water supply wells are shown on the *Existing* and *Future Land Use Maps*.

f. Air Quality

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

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 th Century American, 1900-present	
Howey Water Tower	316 Grant Street	1926	Unspecified	
Howey Academy		1923	Unspecified	

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Site Name	Address/Site Type	Year Built	Architectural Style/ Archaeological culture	Date Certified
Howey House	Citrus Street	1925	Mediterranean Revival ca. 1880-1940	1/27/1983
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
 14 will provide for much improved sustainability for the Town over the planning period.

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1
2 **2. Nonconforming and Incompatible Uses**

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

8
9 **3. Availability of Facilities and Services**

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

12
13 As previously mentioned, the Town of Howey-in-the-Hills currently has a limited central
14 wastewater system. The Wastewater Treatment Facility (WWTF) is owned by the
15 Central Lake Community Development District with the Town owning and maintaining
16 the collection system up to the CDD facility. In 2006, through a wastewater impact fee
17 study performed in anticipation of possible creation of a Town-owned wastewater
18 collection and treatment system, the Town established a wastewater Level of Service
19 value of 120 gallons per person per day.

20
21 As previously mentioned, the Town’s potable water system provides water for both
22 residential and non-residential purposes, including fire-fighting demands. The system has
23 enough capacity to support the population demand during the planning period of this
24 *Comprehensive Plan (2025)*.

25
26 The Town’s solid waste level of service standard for solid waste is 6 pounds per person
27 per day. There is enough capacity in the County’s landfill to support the population
28 demand during the short-range (2011-2015) and long-range (2025) planning period.

29
30 The Town shall continue to require development to provide for the 100-year, 24-hour
31 rainfall event and provide retention for water quality consistent with new and innovative
32 techniques. The Town shall also continue to require that all new development provide
33 evidence to show that LOS ratings in stormwater conveyances serving the new
34 development will not be degraded to an LOS lower than currently exists as a result of the
35 new development’s construction and stormwater runoff contribution.

36
37 There are more than adequate recreational facilities and open spaces readily available and
38 accessible to the residents and guests of Howey-in-the-Hills. The Town shall continue to
39 coordinate with the County on establishing measures to enhance the recreation and open
40 space opportunities in and around Town. The Town will also continue to solicit grants
41 from public and private agencies and collect park impact fees to fund future parks and
42 facilities.

1
2 There are no public school facilities planned in the Town during the planning period.
3

4 **4. Groundwater Recharge**

5 As previously mentioned, Howey-in-the-Hills is in a recharge area with a recharge rate of
6 1 to 10 inches per year and discharge rate of less than 1 inch per year. There are no
7 known groundwater recharge problems in Howey-in-the-Hills. The Town shall continue
8 to protect the quality of groundwater recharge through enforcing the Town's Land
9 Development Regulations and the guidelines established in this *Comprehensive Plan*.
10 The quality of groundwater recharge shall also be protected by ensuring that all
11 stormwater conveyances serving new development does not degrade the level of service
12 lower than currently exists as a result of the new development's construction and
13 stormwater runoff contribution.
14

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

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

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

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

32 **7. 2023 Analysis and Reevaluation of Residential Densities and Lot Sizes**

33
34 In 2023 the Town Council and the Town's Planning and Zoning Board analyzed and
35 reevaluated post-2010 residential development in the Town. Residential development
36 under the Village Mixed Use designation resulted after 2010 in substantially increased
37 housing densities and substantially smaller residential lots than were prevalent in the
38 Town's historical development.
39

40 The evaluation and analysis was accompanied by robust public participation. Public
41 sentiment agreed overwhelmingly with Town Council: the increased densities and

1 downsized lots after 2010 were inconsistent with the character, appearance, and ambiance
2 of the Town’s historical neighborhoods. Contrary to FLUE Policy 1.1.2, development in
3 Village Mixed Use had failed to “maintain the unique charm of the Town.”

4
5 Consequently, the Town Council determined that amendments to this Future Land Use
6 Element to redirect future residential densities and lot sizes were warranted and desirable.

8. Analysis of Need for Redevelopment

7
8
9
10 The Town Center Overlay District needs redevelopment. The Town has completed a
11 redevelopment plan for the Central Avenue business core and made recommended
12 changes to selected comprehensive plan policies in support of this plan. The Town is
13 currently working on a program for installation of sanitary sewer on Central Avenue as
14 an essential precursor to broader redevelopment proposals. Howey-in-the-Hills will
15 promote a live-work environment as well as shopping and restaurants to serve the local
16 area.

9. Analysis of Flood Prone Areas

17
18
19 The Town shall continue to ensure that development within floodplains will be closely
20 scrutinized to ensure compliance with established Land Development Regulations. Most
21 vacant lots in Town are very suitable for building.

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

22
23
24 No major current or potential land use problems are seen within the Town.

11. Urban Sprawl

25
26
27 The Town does not and will continue not to promote the approval of development that
28 will contribute to “urban sprawl.” An analysis corresponding to measures the Town
29 implements to discourage a proliferation of urban sprawl is featured in this section

- 30
31 1. Promotes, allows or designates for development substantial areas of the
32 jurisdiction to develop as low-intensity, low-density, or single-use
33 development or uses in excess of demonstrated need.

34
35 The Town has adopted a Planned Unit Development ordinance and
36 Village Mixed Use and Town Center Mixed Use land uses. There has not
37 been any significant development of low intensity single family
38 subdivisions. The Town’s Concurrency Management System, subdivision
39 regulations, and zoning regulations discourages this type of development.

- 40
41 2. Promotes, allows or designates significant amounts of urban development

1 to occur in rural areas at substantial distances from existing urban areas
2 while leaping over undeveloped lands which are available and suitable for
3 development.

4
5 All new development must prove that it will be served by adequate public
6 facilities prior to the issuance of a development order. The new
7 development must also demonstrate that it will not degrade the level of
8 service beyond the adopted standard.

- 9
10 3. Promotes, allows or designates urban development in radial, strip, isolated
11 or ribbon patterns generally emanating from existing urban developments.

12
13 The Town's Village Mixed Use and Town Center Overlay Mixed Use
14 categories preclude strip commercial-type development and isolated single
15 uses.

- 16
17 4. As a result of premature or poorly planned conversion of rural land to
18 other uses, fails adequately to protect and conserve natural resources, such
19 as wetlands, floodplains, native vegetation, environmentally sensitive
20 areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines,
21 beaches, bays, estuarine systems, and other significant natural systems.

22
23 The Town protects and conserves all natural resources by enforcing the
24 requirements of this *Comprehensive Plan* and the Town's Land
25 Development Regulations. The Town delineates wetlands and other
26 environmentally sensitive lands as Conservation on the Town's *Existing*
27 and *Future Land Use Maps*. No buildings are permitted on Conservation
28 lots in Town except for boardwalks, docks, observation decks, and similar
29 facilities as allowed by the Town and all regulatory agencies.

- 30
31 5. Fails adequately to protect adjacent agricultural areas and activities,
32 including silviculture, and including active agricultural and silvicultural
33 activities as well as passive agricultural activities and dormant, unique and
34 prime farmlands and soils.

35
36 The Town has adopted a Rural Lifestyle land use category on the *Future*
37 *Land Use Map*. This land use is primarily for single-family detached
38 homes with allowable agricultural practices. There is a minimum of 2
39 acres required for this land use. There is a maximum density of 1
40 dwelling unit per 2 acres, 0.15 floor area ratio, 20% maximum impervious
41 surface coverage, and 50% open space requirement on the Rural
42 Residential lots in Town. The Town feels that the adopted standard is
43 adequate to protect these agricultural areas in Town to serve as a buffer for

1 nearby rural areas.

- 2
3 6. Fails to maximize use of existing public facilities and services.

4
5 The Town annually updates and adopts a Concurrency Management
6 System Report to ensure that existing public facilities and services have
7 enough capacity to support the population demand. All deficiencies are
8 identified along with capital plans to address those deficiencies. Any
9 deficiencies are incorporated in the *Capital Improvements Element*.

- 10
11 7. Fails to maximize use of future public facilities and services.

12
13 The Town annually updates and adopts a *Concurrency Management*
14 *System Report* to ensure that future public facilities and services are
15 adequately signed to address future needs.

- 16
17 8. Allows for land use patterns or timing which disproportionately increase
18 the cost in time, money and energy, of providing and maintaining facilities
19 and services, including roads, potable water, sanitary sewer, stormwater
20 management, law enforcement, education, health care, fire and emergency
21 response, and general government.

22
23 The Town has concurrency requirements for potable water, sewer, solid
24 waste, drainage, parks and recreation, roads, and public schools.

- 25
26 9. Fails to provide a clear separation between rural and urban uses.

27
28 The Town feels that the adopted open space, and minimum development
29 intensity and density standards are sufficient to ensure a clear separation
30 between rural and urban uses.

- 31
32 10. Discourages or inhibits infill development or the redevelopment of
33 existing neighborhoods and communities.

34
35 The Town promotes infill development or redevelopment of existing
36 neighborhoods and communities and has created a Town Center Overlay
37 to address infill and redevelopment in the historic Town Center.

- 38
39 11. Fails to encourage an attractive and functional mix of uses.

40
41 The Town has adopted a Planned Unit Development Ordinance which
42 would permit an attractive and functional mix of uses in appropriate areas
43 of the Town. There are about 855 acres of land designated as Village

1 Mixed Use on the Town’s *Future Land Use Map* and majority of this land
2 is vacant.

3
4 12. Results in poor accessibility among linked or related land uses.

5
6 Solutions to better manage traffic within the historic downtown area and
7 to discourage additional traffic have been implemented. Uses have also
8 been linked with bicycle paths and sidewalks. The Town requires new
9 subdivisions or developments to address circulation, access control, off-
10 street parking and landscaping of median strips and rights-of-way.

11
12 13. Results in the loss of significant amounts of functional open space.

13
14 The Town requires that levels of service be met for park land and open
15 space. Each new development will include open space and recreational
16 components.

17
18 The Town shall continue to discourage the approval of any development or
19 redevelopment projects that will promote urban sprawl.

20
21 **12. Energy Efficiency, Energy Conservation, and Greenhouse Gas Emission**

22 The Town has identified strategies for producing energy efficient land use patterns,
23 increasing energy conservation, and reducing greenhouse gas emissions. This section
24 provides an overview of the energy related strategies implemented by the Town.

25
26 **a. Producing Energy Efficient Land Use Patterns**

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

31
32 The Town has also established a “build-out” area (the Town’s Utility Service
33 Area) to determine the maximum extent of where urban development will be
34 approved by Town Council. During the preparation of the *Future Land Use*
35 *Map*, the Town reviewed all land uses to ensure that the higher gross density and
36 intensity standards were appropriately established in all areas planned for urban
37 development within the “build-out” area.

38
39 The Town’s minimum density and intensity standards apply to all areas planned
40 for urban development and redevelopment. These standards and the buffering
41 requirements established in the Land Development Regulations ensure that the
42 land uses in Howey-in-the-Hills will remain compatible and consistent with the

1 surrounding land uses.
2

3 **b. Increasing Energy Conservation**

4 The Town is in the process of establishing an *Energy Management Plan* to
5 increase energy conservation (see Policy 1.17.3 of this *Element*). The *Energy*
6 *Management Plan* will be used as a tool to minimize electric, fuel and water
7 resources in Town buildings, fleet vehicles and on public properties.
8

9 The Town promotes “green” development in both private and municipally-
10 supported housing. Green development specifically relates to the environmental
11 implications of development. Green building integrates the built environment with
12 natural systems, using site orientation, local sources, sustainable material
13 selection and window placement to reduce energy demand and greenhouse gas
14 emissions. The Town is in the process of amending the Land Development
15 Regulations to establish green building practices and sustainability development
16 guidelines.
17

18 The Town requires energy-efficient and water saving measures to be implemented
19 in all new construction and redevelopment projects.
20

21 **c. Reducing Greenhouse Gas Emissions**

22 The Village Mixed Use and Town Center Mixed Use land uses will serve as a tool
23 to reduce vehicle miles traveled in Town, which will reduce the greenhouse gas
24 emissions. Residents and guests of Howey-in-the-Hills can easily access the
25 historical downtown or Little Lake Harris area by walking or biking. The Town is
26 actively involved with the Lake-Sumter MPO regarding expanding the pedestrian
27 and bicycle facilities in Town. The Town will continue to promote mixed-use
28 developments, bicycling, and walking as a tool to reduce the greenhouse gas
29 emissions in the Howey-in-the-Hills area.
30

31 The Town is amending its Land Development Regulations to ensure that the
32 removal of regulatory barriers and establishment of incentives to promote energy
33 efficiency and conservation is implemented in Howey-in-the-Hills.
34

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 2-1/2 stories and no higher than 30 feet.
Medium Density Residential (MDR)	Up to 4.0 3.0 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 either more than 300 proposed dwelling units or more than 100 acres must use the Village Mixed Use designation. May include support community facilities and elementary schools. Maximum building height is 2-1/2 stories and no higher than 30 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 2-1/2 stories and no higher than 30 feet.
Land Use	Maximum Land Intensity
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 and limited to two-stories. 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 2-1/2 stories and no higher than 30 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 1 story or no higher than 20 feet for building; 2 story and 35 feet for other facilities.

Village Mixed Use (VMU)	<p>Minimum of 25 100 acres to apply for this land use. Maximum density of 4-3.0 dwelling units per acre, which may be increased to 6-Town Council may allow an increase up to 4.0 dwelling units per acre if the development includes substantial recreation facilities for field sports, court games, and/or indoor recreation facilities. 20% usable public open space (no wetlands). 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>A minimum of fifty percent (50%) of single-family lots must have a minimum lot area of 10,800 square feet exclusive of any wetlands or waterbodies that might be included with the lot.</p> <p>For developments with more than 100 acres, Five percent (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>A minimum of 25% open space is required.</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 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</p>
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	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.
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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 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

1 neighborhood and community businesses providing services and
2 retail sales for the Town and the nearby communities. Permitted
3 uses within the Neighborhood Commercial category shall be
4 limited to the following uses unless a special exception is granted
5 to applicant by the Town Council.
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- 7 • **General Commercial.** These areas shall include those
8 businesses that provide retail goods and services, which
9 serve the routine and daily needs of residents, including
10 banks and professional services, grocery and
11 convenience stores, retail shops, and restaurants. Public
12 and private elementary and middle schools are also
13 allowed.
- 14 • **Limited Commercial.** These areas shall include low
15 intensity office, service and retail businesses that are
16 compatible when located in close proximity to
17 neighborhoods. These uses are intended primarily to
18 serve the needs of the closely surrounding neighborhood.
- 19 • **Professional and Office.** These areas shall be limited to
20 small neighborhood scale businesses and professional
21 offices that are compatible with, and have no measurable
22 or noticeable adverse impacts, upon surrounding
23 residential uses. Such uses include offices for doctors
24 and dentists (but not clinics or hospitals), accountants,
25 architects, attorneys, engineers, land surveyors, real
26 estate brokers, financial planners, insurance and real
27 estate agents and the like.
28

29 **Light Industrial** – The Light Industrial category shall be limited
30 to light manufacturing and production, storage, warehousing and
31 distribution uses as further controlled by the Land Development
32 Regulations. Light industrial uses may have outdoor storage and
33 business-related activity, but such uses shall not include processes
34 that create negative effects to surrounding properties due to noise,
35 heat, fumes, debris, chemicals or hazardous materials. High
36 schools are permitted in this category.
37

38 **Rural Lifestyle** – The Rural Lifestyle category shall be primarily
39 limited to single-family detached homes with agricultural uses.
40 Limited commercial activities are permitted such as bed and
41 breakfast establishments, horseback riding facilities, and farm
42 stands for fruits and vegetables grown on that location.
43

1 **Low Density Residential** – The Low Density Residential category
2 shall be primarily limited to single-family detached homes.
3 Residential uses in this category shall be permitted in those areas
4 so designated in accordance with the applicable permitted density
5 and as further controlled by the Land Development Regulations
6 and the Florida Building Code.
7

8 **Medium Density Residential** - The Medium Density Residential
9 category shall be primarily limited to single-family detached
10 homes, townhomes, or similar type of uses. Support community
11 facilities and elementary schools are also permitted in this
12 category. Residential uses in this category shall be permitted in
13 those areas so designated in accordance with the applicable
14 permitted density and as further controlled by the Land
15 Development Regulations and the Florida Building Code.
16

17 **Institutional** – The Institutional category shall be primarily limited
18 to schools, religious facilities, day care facilities (child and adult),
19 government buildings, cemeteries, or similar uses as identified by
20 the Town Council.
21

22 **Recreation** – These areas generally include public parks or private
23 parks that are open and available to the public. Note: Some park
24 and open space lands may be more appropriately designated as
25 Conservation, such as lands with wetlands or other
26 environmentally sensitive areas. Permitted uses shall include
27 active and passive recreation activities including bikeways and
28 pedestrian trails, or other similar facilities as identified by the
29 Town Council.
30

31 **Public/Utility** - These areas include uses such as government
32 facilities and essential utilities, including police, fire and Town
33 Hall buildings and wastewater facilities.
34

35 **Town Center Mixed Use** – Primarily intended for mixed-use
36 development in the historical downtown area. The historical
37 downtown area is an economic, cultural, social, historic and
38 architectural anchor of the Town. In order to sustain these
39 qualities, new development and redevelopment within the Town
40 Center Mixed Use District shall be reflective of the architectural
41 styles and fabric of the area. Consistency and compatibility with
42 the existing built environment shall be considered in the review
43 and issuance of development permits within the Town Center

1 Mixed Use District. In order to preserve the quaint character of
2 downtown Howey-in-the-Hills, size limitations will also be placed
3 on individual businesses. Redevelopment will focus on orienting
4 buildings and roadways to a pedestrian scale.

5
6 **Village Mixed Use** – Primarily intended to create sustainability
7 and maintain the unique charm of the Town, including the
8 provisions of reducing ~~the dependability dependence~~
9 on the automobile, protecting more open land, and providing quality of
10 life by allowing people to live, work, socialize, and recreate in
11 close proximity. Elementary, middle, and high schools are also
12 permitted in this category. **Village Mixed Use parcels less than 100**
13 **acres shall use a planned unit development format and are not**
14 **required to meet the non-residential and civic use requirements.**
15 **Public recreation and open space requirements shall still apply.**
16

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

21
22 **POLICY 1.1.4:** *Interpretation of Open Space and Density Designations.* Open
23 space is figured on the Gross Land Area. Up to ~~50%~~ **25%** of the open
24 space requirement may be met with wetlands. Open space may
25 include landscaped buffers and stormwater facilities if they are
26 designed to be a park-like setting with pedestrian amenities and free
27 form ponds. Open space may be passive or active. Open space may
28 include public recreational components of developments. The
29 majority of the open space shall be permeable; however, up to 10%
30 may be impervious (plazas, recreational facilities, etc.). Wet ponds
31 are not counted as part of that 10%.

32
33 Densities would be determined by the Net Land Area. The Net
34 Land Area is figured by taking the Gross Land Area (total property
35 less any lakes or water bodies), then subtracting from that any open
36 space requirements, then subtracting from that any remaining
37 unbuildable acreage (remaining wetlands).

38
39 **OBJECTIVE 1.2:** *Residential Quality and Neighborhood Cohesiveness.* Designate
40 and promote sufficient areas for quality residential development and neighborhood cohesiveness
41 and require the availability of adequate facilities to support demands necessitated by existing and
42 future housing development and associated populations.
43

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.

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%
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.
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*.

POLICY 1.2.6: *Transition of Residential Densities.* The Town shall continue to orient the transition of residential densities on the *Future Land Use*

1 Map toward higher densities along major transportation corridors
2 and areas adjacent to commercial or other intensive land uses,
3 while lower residential densities shall be directed towards areas
4 further from the Town center (i.e., the central commercial district)
5 and in areas adjacent to agricultural lands.

6
7 **Reorientation of Residential Densities.** The Town may allow lot
8 sizes smaller than one-fourth acre (10,890 sq. ft.) only in the
9 following locations: areas in or adjacent to the Town center (e.g.,
10 the Town central commercial district) and areas abutting major
11 arterial road corridors such as state roads and county roads, not
12 neighborhood roads with higher traffic counts and areas abutting
13 commercial or industrial land uses. The Town shall require single
14 family residential lots in all other areas to be one-fourth of an acre
15 (10,890 sq. ft.) or larger.

16
17 **POLICY 1.2.7: *Compatibility of Residential Densities and Public Facilities.***

18 Residential densities shall be compatible with available public
19 facilities and their capacity to serve development. Residential
20 areas designated on the *Future Land Use Map* shall be allocated
21 according to a pattern that promotes efficiency in the provision of
22 public facilities and services and furthers the conservation of
23 natural resources. Public facilities shall be required to be in place
24 concurrent within the impacts of development.

25
26 **POLICY 1.2.8: *Concurrency Management System Criteria.*** All public facilities
27 and services must be in place consistent with the criteria established
28 within the Town's Concurrency Management System. Development
29 applications for new residential development shall not
30 be approved unless water, sewer, drainage, park, transportation,
31 solid waste, and public school capacities are available consistent
32 with level of service standards and according to deadlines
33 established within the Concurrency Management System.

34
35 **POLICY 1.2.9: *Residential Density and the Future Land Use Map.*** The Town shall
36 ensure that residential density on the *Future Land Map* is based on
37 the following considerations:

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- 40 • past and anticipated future population and housing trends and characteristics;
 - 41 • provision and maintenance of quality residential neighborhoods and preservation of cohesive neighborhoods;
 - 42 • protection of environmentally sensitive lands; and
- 43

- 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 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.

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

- 3
- 4 a. ***Prohibited Land Uses and Activities.*** Storing or processing
5 materials that would, in the event of a 100 Year Storm, be
6 buoyant, flammable, explosive, or potentially injurious to
7 human, animal or plant life is prohibited. Material or
8 equipment immune to substantial damage by flooding may be
9 stored if securely anchored to prevent flotation or if readily
10 removable from the area upon receipt of a flood warning.
11 Manufacturing and light industrial land uses shall be
12 prohibited from encroaching into the 100 Year Floodplain
13 Zone.
- 14
- 15 b. ***Minimum Floor Height Elevation.*** All new construction
16 and substantial improvements of existing construction
17 occurring within a 100 Year Flood Zone must have the first-
18 floor elevation for all enclosed areas at eighteen inches above
19 the 100-year flood elevation.
- 20
- 21 c. ***Construction Materials and Methods.*** All new construction
22 and substantial improvements of existing construction shall
23 be constructed with material and utility equipment resistant
24 to flood damage and using methods and practices that will
25 minimize flood damage and prevent the pollution of surface
26 waters during a 100-year flood event.
- 27
- 28 d. ***Service Facilities and Utilities.*** Electrical heating,
29 ventilation, plumbing, air conditioning, and other service
30 facilities shall be designed or located to prevent water from
31 entering or accumulating within the components during a
32 base flood. All new and replacement water supply and
33 sanitary sewage systems shall be designed to minimize or
34 eliminate both infiltration of flood water into the systems and
35 discharges from the systems into flood waters.
- 36
- 37 e. ***Residential Subdivision Plans and Design.*** Plans for
38 subdivisions shall minimize potential flood damage by
39 locating recreation and conservation uses, if included in the
40 plans, to areas within the Flood Zone, reserving as much land
41 as possible outside the flood zone for other land uses. Also,
42 100-Year Flood Zones shall be identified on all final
43 development plans submitted to the Town.

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- 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.

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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:

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- 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. 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.

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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

1 septic tanks within 75 feet of the landward extent of wetlands as
2 set forth in Rule 62-340. All development shall be subject to the
3 building setback requirements regarding the shoreline protection
4 zone established in the Town's Land Development Regulations.
5

6 **POLICY 1.3.7:**

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

16 a. ***Conservation Designation.*** Important upland habitat may
17 be designated as conservation under the following
18 circumstances:

- 19 1. The site is owned by a government body or agency;
- 20 2. The site is programmed for purchase by a government
21 agency within the first three years of the *Five-Year*
22 *Schedule of Capital improvements*; and
- 23 3. A request to designate the site as conservation is made by
24 the land owner.
- 25 4. The Town requires the designation as a part of the
26 development review process.

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29 Development proposed to occur within areas designated as
30 Conservation are subject to all policies pertaining to open
31 space requirements and development restrictions.
32

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

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38 1. An applicant of a property designated for development
39 shall prepare a Critical Habitat Management Plan
40 prepared by a professional biologist, ecologist, or other
41 related professional. As a minimum, this Plan shall
42 analyze the following issues:
43

- 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.

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

1 Guidelines for Rehabilitating Historic Buildings”. Additional
2 criteria for approving the relocation, demolition, or rehabilitation of
3 a historic structure shall include the following factors:

- 4
- 5 a. the historic character and aesthetic interest the building,
6 structure, or object and how it contributes to its present
7 setting;
 - 8 b. whether there are definite plans for the area to be vacated
9 and the effect of those plans on the character of the
10 surrounding neighborhood;
 - 11 c. whether the building, structure, or object can be moved
12 without significant and irreversible damage to its physical
13 integrity;
 - 14 d. whether the building, structure, or object represents the last
15 remaining example of its kind in the neighborhood or Town;
 - 16 e. whether definite plans exist to reuse the subject property if a
17 proposed demolition is carried out, and the effect of those
18 plans on the character of the surroundings; and
 - 19 f. whether reasonable measures can be taken to save the
20 building, structure, or object to a level safe for occupation.
- 21

22 **POLICY 1.3.10:** *Preventing Destruction of Discovered Archaeological Sites.*
23 Development shall cease construction activities on a development
24 site when artifacts are uncovered during either land preparation or
25 construction. The developer shall notify the Town of such potential
26 discovery, and the Town and / or developer shall contact the Florida
27 Department of State of such discovery. Construction shall not begin
28 until the State has determined the archaeological significance of the
29 discovery and the restrictions which shall be imposed on
30 development. Development may continue in areas which will not
31 impact the site of the discovery.
32

33 **OBJECTIVE 1.4:** *Commercial Planning Activities.* Ensure the Town’s
34 sustainability by allocating sufficient land area to accommodate commercial activities which
35 provide a level of employment as well as goods and services demanded by local residents and
36 guest with consideration to fiscal and environmental impacts to the Town of Howey-in-the-
37 Hills.
38

39 **POLICY 1.4.1:** *Location and Distribution of Commercial Sites.* The location and
40 distribution of commercial land use districts delineated on the
41 *Future Land Use Map* shall be determined according to the
42 following criteria:
43

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

25
26 **POLICY 1.4.2:** *Screening Requirement.* The Town shall require new commercial,
27 light industrial, and manufacturing development to install
28 landscaping, visually obstructive fencing or man-made berms, or
29 other appropriate screening techniques concealing the commercial,
30 light industrial, or manufacturing site from areas designated for low
31 or medium density residential if the proposed commercial, light
32 industrial, or manufacturing building is not compatible.

33
34 **POLICY 1.4.3:** *Availability of Facilities to Support Commercial Development.*
35 The density and intensity of commercial uses shall be compatible
36 with the ability of public facilities to provide adequate services
37 according to adopted level of service standards.

38
39 **POLICY 1.4.4:** *Provision of Open Space.* All new commercial development shall
40 be subject to the open space standards established in Policy 1.2.2 of
41 this *Element*.

42
43 **POLICY 1.4.5:** *Maximum Intensity of Commercial Uses.* Maximum intensity of

1 use for commercial development is outlined within the respective
2 land use categories and further refined in the Land Development
3 Regulations.

4
5 **POLICY 1.4.6:** *Commercial Building Size Limitations.* Individual businesses
6 within the Town Center Mixed Use and Neighborhood Commercial
7 shall be limited to 5,000 sq. ft. unless a waiver is granted to the
8 developer by the Town Council. Individual businesses within the
9 Village Mixed Use land uses shall be limited to 30,000 sq. ft. unless
10 a waiver is granted to the developer by the Town Council. These
11 guidelines shall be used to determine the maximum allowable size
12 for all new commercial buildings in Town. Waivers shall be based
13 on the particular needs of the individual business, the compatibility
14 of the proposed building and business with the business site and
15 other affected development, enhanced architectural design of the
16 proposed building, and other factors which the Town Council
17 determines as relevant to development of the proposed site and
18 impacts to the general area.

19
20 **POLICY 1.4.7:** *Commercial Building Height Limitations.* Commercial buildings
21 within the Town Center Mixed Use, Village Mixed Use, and
22 Neighborhood Commercial land uses shall be limited to a maximum
23 of 35 feet in height.

24
25 **POLICY 1.4.8:** *Acceptable Uses within Commercial Areas.* Activities allowed
26 within areas designated for commercial uses established in the Town
27 Center Mixed Use, Village Mixed Use, or Neighborhood
28 Commercial land uses shall be limited to the following:

- 29
30 1. Retail business (drive-thru establishments in the Town
31 Center Mixed Use shall be located to the rear of properties
32 fronting on Central Avenue)
- 33 2. Community centers and fraternal lodges;
- 34 3. Hotels or motels;
- 35 4. Marinas;
- 36 5. Service businesses, Personal Services such as barber/beauty,
37 personal training, spa, salons, pottery shops, art/painting
38 galleries or studios, dance studios, etc.;
- 39 6. Professional and Business offices;
- 40 7. Veterinarian offices, provided the facility has no outside
41 kennels;
- 42 8. Financial Institutions and banks;

9. Residential development, low, medium, or high density (second story);
10. Recreation and Parks;
11. Manufacturing, as permitted according to policies cited in this *Element*;
12. Elementary and middle schools in the Neighborhood Commercial land use; and
13. Elementary, middle, and high schools in the Village Mixed Use land use.

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

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

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

3
4 **POLICY 1.5.3:** *Maximum Intensity of Use.* Maximum intensity of use for
5 manufacturing uses shall be 0.70 for the impervious surface
6 coverage and 0.60 for the floor area ratio.
7

8 **OBJECTIVE 1.6:** *Public Services and Facilities.* To assure that needed public services and
9 facilities are developed concurrent with the impact of new development.
10

11 **POLICY 1.6.1:** *Coordinating Public Facilities with Land Use.* The Town shall
12 extend public facilities only to existing and proposed land use
13 activities, as shown on the *Future Land Use Map*, which shall
14 require and demand such services. Undeveloped land shall not be
15 designated for development without assurance through the
16 *Comprehensive Plan* that public facilities shall be available
17 concurrently with the impacts of development. The impacts of land
18 uses, including their densities and intensities, shall be coordinated
19 with the Town's ability to finance or require provision of necessary
20 public facilities at conditions at or exceeding the adopted minimum
21 level of service standards.
22

23 **POLICY 1.6.2:** *Coordinating Public Facilities with Concurrency Management*
24 *System.* The timing and location of public facilities shall be
25 coordinated with the Town's Concurrency Management System to
26 assure that development occurs in an orderly and timely manner
27 consistent with the availability of facility capacities.
28

29 **POLICY 1.6.3:** *Land Use Allowed within Wellfield Protection Zones.* A wellfield
30 protection zone shall be established within a radius distance of
31 seventy-five, two hundred, and five hundred feet from potable water
32 wells. The following guidelines apply to the wellhead protection
33 zone:
34

- 35 a. No new development (except facilities related to the public
36 water system) shall be permitted within one-hundred and fifty
37 feet from a well.
38
39 b. Within a two-hundred-foot radius distance, septic tanks,
40 sanitary sewer facilities, or solid waste or disposal facilities
41 shall be prohibited.
42

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

11
12 d. All wells and wellhead protection zones shall be delineated on
13 the Town's *Existing and Future Land Use Maps*.

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

21
22 **POLICY 1.6.5:** *Meeting LOS Standards.* The Town shall require, prior to approval
23 of a building permit and/or development order, that the locally
24 established "Level of Service of Standards" are being met or that
25 facility improvements will be available concurrently with the impact
26 of new construction or development such that level of service
27 standards are maintained.

28
29
30 **OBJECTIVE 1.7:** *Land Use Coordination and Soils and Topography.* To
31 require that soil conditions, topography, and availability of facilities and services be coordinated
32 with land uses.

33
34 **POLICY 1.7.1:** *Coordinating Future Land Uses with Soil Conditions.* Land use
35 activities, including their densities and intensities, shall be
36 compatible to soil types whose properties are capable of supporting
37 the structures, parking areas, ancillary uses, and facilities proposed
38 to be placed on them.

39
40 In the event the *Future Land Use Map* identifies a land use allowed
41 within an incompatible soil type, a field study may be performed
42 on the site by a professional hydrologist, registered engineer, or
43 other similar profession to delineate actual boundaries and soil

1 types exhibited on the subject site. The Town shall reserve the
2 right to have such a field study verified by the local U.S. Soil
3 Conservation Office or a comparable State agency.
4

5 **POLICY 1.7.2:** *Engineering Practices, Topography, and Soils.* The Town shall
6 maintain a unified Land Development Code and continue to require
7 that sound engineering practices be required with respect to the
8 topography and soil conditions, prior to the approval of development
9 activities in Town.
10

11 **OBJECTIVE 1.8:** *Coordination of Land Patterns, New Development, and the*
12 *Concurrency Management System.* Assure that future land use patterns and new development
13 in Howey-in-the-Hills are coordinated consistently with the Town's Concurrency Management
14 System.
15

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

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

35 **POLICY 1.8.3:** *Mandatory Compliance with the Concurrency Management*
36 *System.* The Town shall issue no development order or permit for
37 development unless the applicant demonstrates that impacts
38 associated with the proposed development meet criteria set forth
39 within the Town's Concurrency Management System. All
40 applicants of development shall demonstrate through narrative and
41 graphic information that:
42

43 1.) necessary facilities and resources are in place and functional

1 concurrent with the impacts of development; and

- 2
3 2.) the subject development shall not reduce the levels of service
4 below the minimum adopted standard established in the
5 *Public Facilities Element* policy for each applicable public
6 facility.
7

8 For proposed developments which shall require public facilities or
9 services provided by the Town, no development order or permit for
10 development shall be issued until a maximum capacity for a public
11 facility is assigned to and reserved for the subject development.
12 The reservation of capacity for a public facility shall be granted to
13 an applicant of development only upon satisfactory compliance
14 with the Town's Concurrency Management System and other
15 applicable ordinances. All rights pertaining to the assignment and
16 forfeit of capacity allocations shall be defined within the Town's
17 Concurrency Management System.
18

19 **POLICY 1.8.4:**

20 ***Amendments to the Comprehensive Plan.*** The Town shall require
21 all applicants pursuing an amendment to the *Future Land Use Map*
22 to demonstrate that all facilities or service capacities are currently
23 available and shall be available concurrent with the impacts of
24 development. Any necessary facilities or services shall be part of the
25 *5-year CIP* or the *Long-range Capital Plan*. An amendment to the
26 *Future Land Use Map* shall not constitute the reservation of capacity
27 for any public facility. Reservation of capacities shall only be
28 granted to development orders or permits which demonstrate
29 specific impacts which a development will place on public
30 capacities. The Town shall consult with the St. Johns River Water
31 Management District, prior to the approval of a building permit or
32 its functional equivalent, to determine whether adequate water
33 supplies and related facilities to serve new development will be
34 available no later than the anticipated date of issuance by the Town
35 a certificate of occupancy or its functional equivalent.

1
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 sector
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.

25
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.

1 two points of vehicular access. This policy shall not be construed
2 as prohibiting private streets or prohibiting the use of emergency
3 access only points in addition to the standard vehicular access point.
4

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

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

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

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

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

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

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

1
2 In nonresidential areas, the substation must comply with the
3 setback and landscaped buffer area criteria applicable to other
4 similar uses in that district, if any.
5

6 Unless the Town Council approves a lesser setback or landscape
7 requirement, in residential areas, a setback of up to 100 feet
8 between the substation property boundary and permanent
9 equipment structures shall be maintained as follows:
10

- 11 1. For setbacks between 100 feet and 50 feet, an open green
12 space shall be formed by installing native landscaping,
13 including trees and shrub material, consistent with the
14 relevant local government's land development regulations.
15 Substation equipment shall be protected by a security fence
16 consistent with the Town's Land Development Regulations.
17
- 18 2. For setbacks of less than 50 feet, a buffer wall 8-feet high
19 or a fence 8-feet high with native landscaping consistent
20 with the relevant local government's regulations shall be
21 installed around the substation.
22

23 **POLICY 1.13.4:** *New Electric Distribution Substation Compliance.* All new
24 distribution electric substations in Town shall comply with the
25 guidelines and standards established in Chapter 163.3208, F.S.
26

27 **OBJECTIVE 1.14:** *Consistency and Compatibility with the Adopted Comprehensive Plan.*
28 To ensure the Town's Land Development Regulations, Zoning Districts, and Performance
29 Standards are consistent with and compatible to the adopted *Comprehensive Plan*.
30

31 **POLICY 1.14.1:** *Land Development Regulations Consistency.*
32

33 The Land Development Regulations for the Town of Howey-in-
34 the-Hills shall be consistent with, and serve to implement the
35 goals, objectives and policies established within the *adopted*
36 *Comprehensive Plan*. To implement the goals, objectives and
37 policies of the *adopted Comprehensive Plan*, provisions shall be
38 incorporated into the Land Development Regulations, and shall
39 contain specific and detailed provisions which as a minimum:
40

- 41 a. Regulate the subdivision of land;
- 42
- 43 b. Regulate the use of land and water consistent with this
44 Element, ensure the compatibility of adjacent land uses, and

- 1 provide for open space;
- 2
- 3 c. Protect the environmentally sensitive lands designated in the
- 4 *Comprehensive Plan*, particularly those identified in the
- 5 *Future Land Use Map* series;
- 6
- 7 d. Regulate development within areas which experience
- 8 seasonal and periodic flooding;
- 9
- 10 e. Specify drainage and stormwater management requirements;
- 11
- 12 f. Protect potable water wellfields and aquifer recharge areas;
- 13
- 14 g. Specify minimum design standards for sanitary sewer and
- 15 septic tank systems;
- 16
- 17 h. Regulate signage;
- 18
- 19 i. Ensure safe and convenient on-site and off-site traffic flow
- 20 and parking needs of motorized and non-motorized
- 21 transportation;
- 22
- 23 j. Require that development meet all appropriate provisions of
- 24 the Town’s Concurrency Management System, including
- 25 level of service standards adopted by the Town Council, prior
- 26 to the issuance of a development order or permit; and
- 27
- 28 k. Provide that public facilities and services meet or exceed the
- 29 standards established in the capital improvements element
- 30 required by **Chapter section 163.3177 of Florida Statutes, F.S.**
- 31 and are available when needed for the development, or that
- 32 development orders and permits are conditioned on the
- 33 availability of these public facilities and services necessary to
- 34 serve the proposed development.
- 35

36 **POLICY 1.14.2:** *Consistency of Zoning Districts with the Future Land Use Map.*
37 The Town may elect to further regulate land use activities within
38 land use districts shown on the *Future Land Use Map* through the
39 establishment of zoning districts. Such zoning districts shall be
40 defined within the Land Development Regulations, and a Zoning
41 Map shall illustrate the demarcations of each district. The density
42 and intensity of land use activities established for each zoning
43 district shall be consistent with density and intensity qualitative

1 standards set forth on the *Future Land Use Map* for the associated
2 land use district.

3
4 Land development regulations adopted to implement this
5 *Comprehensive Plan* shall be based on and be consistent with the
6 residential densities and non-residential intensities established
7 herein.

8
9 **POLICY 1.14.3:** *Consistency with Performance Standards.* Performance standards
10 established within the Land Development Regulations shall be
11 consistent with the goals, objectives and policies established within
12 the *adopted Comprehensive Plan*. By December 2012, the Land
13 Development Regulations shall be amended to ensure that the
14 performance standards comply with the adopted *Comprehensive*
15 *Plan*.

16
17 **OBJECTIVE 1.15: *Protection of Natural Resources.*** To ensure the protection of natural
18 resources in the Howey-in-the-Hills area.

19
20 **POLICY 1.15.1:** *Policies for Managing Environmentally Sensitive Areas.* Policies
21 in the *Conservation Element* for managing environmentally
22 sensitive natural systems, including but not limited to Little Lake
23 Harris, Lake Illinois, wetlands, floodplain areas, significant
24 vegetative communities and wildlife habitats of endangered and
25 threatened species, shall be implemented through performance
26 standards stipulated in the Land Development Regulations.

27
28 **POLICY 1.15.2:** *Intergovernmental Coordination and Natural Resource*
29 *Management.* The Town shall coordinate with State agencies
30 including, the St. Johns River Water Management District, the
31 Florida Department of Environmental Protection, and the East
32 Central Florida Regional Planning Council as well as Lake County
33 and other agencies concerned with managing natural resources for
34 the purpose of protecting the function and existence of natural
35 systems.

36
37 **POLICY 1.15.3:** *Protection of Endangered and Threatened Animal and Plant*
38 *Species.* The Town shall protect endangered and threatened animal
39 and plant species by assuring the preservation of native habitat
40 required for their propagation and survival. Policies pertaining to
41 the adoption of performance standards and development regulations,
42 as herein cited in this *Comprehensive Plan* shall implement the
43 protection of habitat used by these species.

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

3
4 **POLICY 1.16.1: *Existing Non-Compatible Land Uses.*** The Town shall reduce or
5 eliminate existing non-complying land use activities to the greatest
6 reasonable and practical extent without intruding on the
7 constitutional rights of the effected landowners. No existing non-
8 conforming structure shall be increased or expanded. The Land
9 Development Regulations shall define circumstances under which
10 the existing non-conforming use shall be eliminated or reduced in
11 intensity and shall provide principles for regulating improvements
12 to existing non-complying structures as well as changes to non-
13 conforming uses.

14
15 **POLICY 1.16.2: *Managing Future Land Use.*** The *Future Land Use Map* and
16 related policies together with the Land Development Code shall be
17 applied as a planning and management tool in order to prevent
18 development of land uses which do not conform to the Town's
19 character as reflected in the Town's adopted *Future Land Use Map*,
20 *Zoning Map*, and other applicable laws, ordinances, and
21 administrative rules.

22
23 **OBJECTIVE 1.17: *Renewable Energy Resources.*** To encourage the development and
24 use of renewable energy resources, efficient land use patterns, and reducing greenhouse gas
25 emissions in order to conserve and protect the value of land, buildings, and resources, and to
26 promote the good health of the Town's residents.

27
28 **POLICY 1.17.1: *Energy Efficient Land Use Pattern.*** The Town shall maintain an
29 energy efficient land use pattern and shall continue to promote the
30 use of transit and alternative methods of transportation that decrease
31 reliance on the automobile.

32
33 **POLICY 1.17.2: *Promoting Walking and Bicycling.*** The Town shall continue to
34 encourage and develop the "walk-ability and bike-ability" of the
35 Town as a means to promote the physical health of the Town's
36 residents, access to recreational and natural resources, and as a
37 means to reduce greenhouse gas emissions.

38
39 **POLICY 1.17.3: *Establishing an Energy Management Plan.*** By December 2012,
40 the Town shall develop and implement an Energy Management Plan
41 to minimize electric, fuel and water resources in Town buildings,
42 fleet vehicles and on public properties.

1 **POLICY 1.17.4:** *Solar Collectors.* No action of the Town shall prohibit or have the
2 effect of prohibiting solar collectors, or other energy devices based
3 on renewable resources from being installed on a building and as
4 further set forth within Section 163.04, Florida Statutes.
5

6 **POLICY 1.17.5:** *Construction of Public Facilities and Buildings.* Public buildings
7 and facilities shall be constructed and adapted where reasonably
8 feasible to incorporate energy efficient designs and appropriate
9 “green” building standards. Green Building standards that should be
10 observed are contained in the Green Commercial Buildings
11 Designation Standard, Version 1.0, published by the Florida Green
12 Building Coalition, Inc.
13

14 **POLICY 1.17.6:** *Energy Efficient Design and Construction Standards.* The Town
15 shall continue to promote and enforce energy efficient design and
16 construction standards as these become adopted as part of the State
17 Building Codes. The Town shall also promote commercial and
18 residential standards that are promulgated from time to time by the
19 Florida Green Building Coalition, Inc.
20

21 **POLICY 1.17.7:** *Promoting Mixed Use Developments.* The Town shall continue to
22 promote mixed-use developments in areas planning for urban
23 development or redevelopment as a mean to produce energy
24 efficient land use patterns and reduce greenhouse gas emissions.
25

26 **POLICY 1.17.8:** *Development Incentives for Smart Growth Development.* The
27 Town shall revise its Land Development Regulations by December
28 2012 to offer incentives and flexibility for development projects that
29 will make development application, review and approval processes
30 easier, faster and more cost effective for projects that are consistent
31 with the Smart Growth Principles of the *Comprehensive Plan* and
32 that can be demonstrated to reduce infrastructure costs, promote the
33 preservation of open space and habitat lands, provide energy
34 efficient land use patterns, and reduce greenhouse gas emissions.
35 Other incentives shall also be evaluated for projects that participate
36 in energy-efficient development programs such as:
37

- 38 • U.S. Environmental Protection Agency's Energy Star
- 39 Buildings and Green Lights Program to increase energy
- 40 efficiency through lighting upgrades in buildings;
- 41 • Rebuild America;
- 42 • Building for the 21st Century;
- 43 • Energy Smart Schools;
- 44 • National Industrial Competitiveness through Energy;

- U.S. Department of Environmental Protection's Pollution Prevention (P2) Program;
- U.S. Green Building Council (LEED);
- Florida Water StarSM Program; or
- Florida Green Building Coalition (FGBC), including pursuing certification as a Green Government.

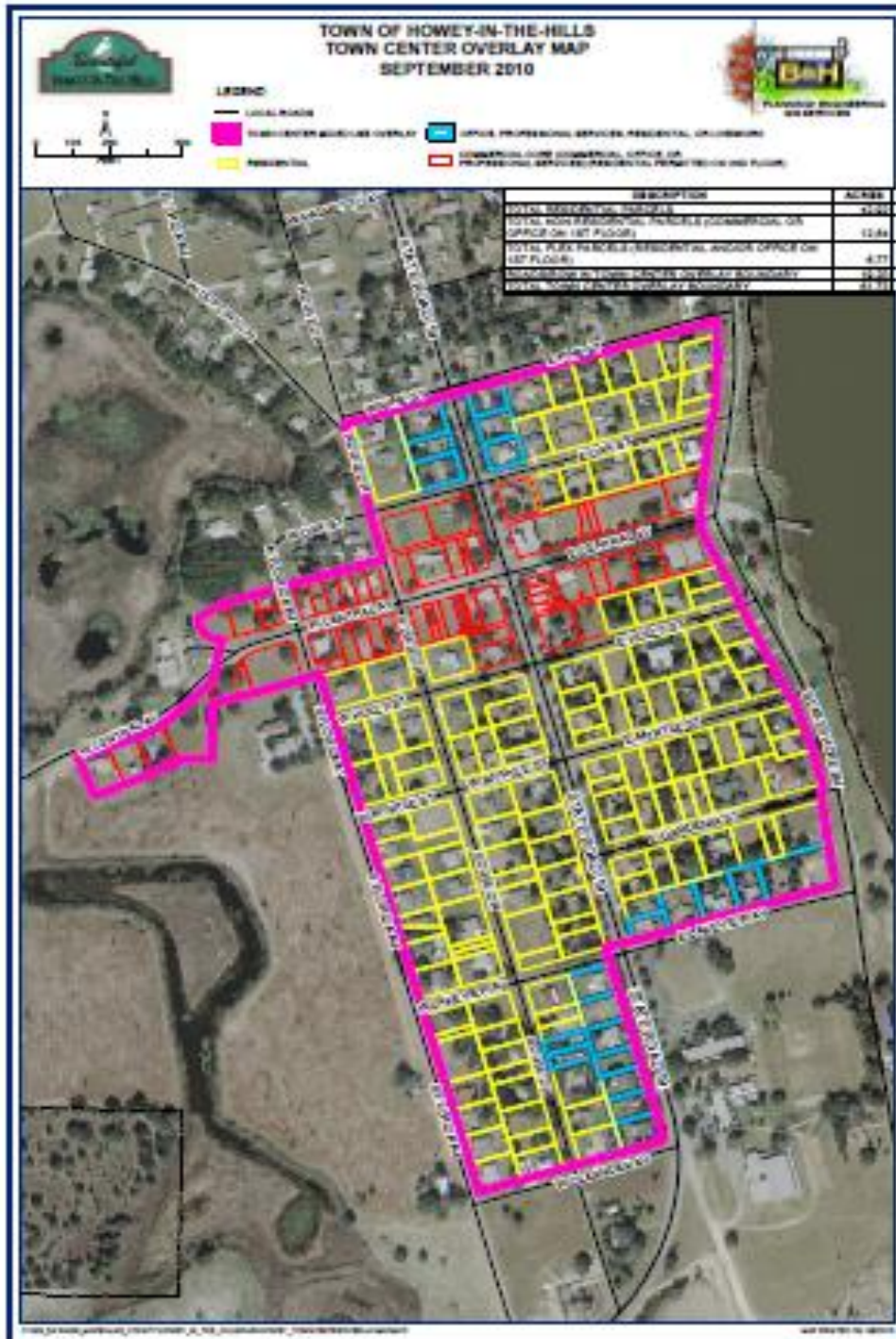
OBJECTIVE 1.18: *Mechanism to Manage Growth and Development.* To ensure that the *Comprehensive Plan* represents the primary mechanism which manages growth and development within the Town of Howey-in-the-Hills.

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

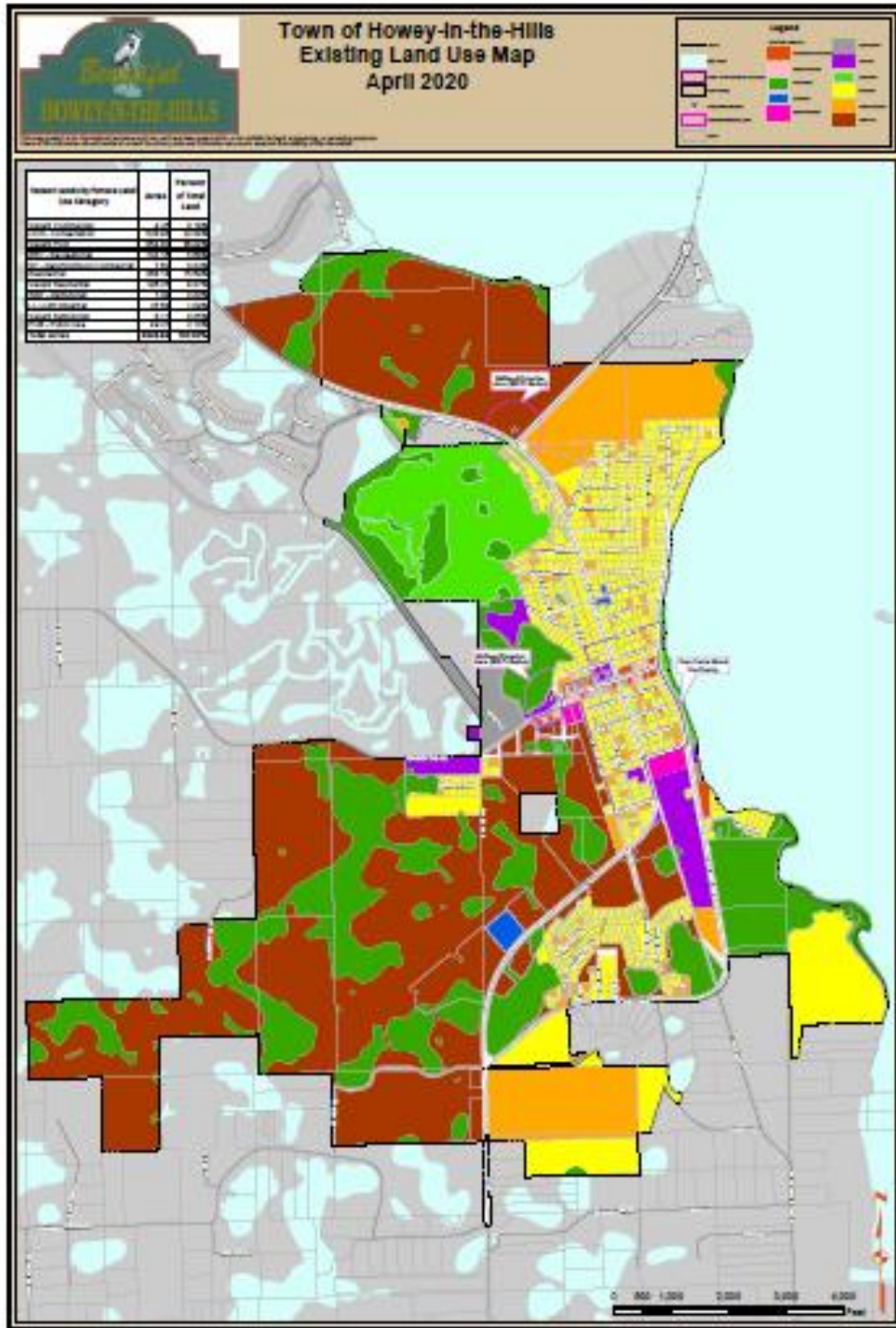
POLICY 1.18.2: *Growth Management through Maintenance of Land Development Regulations.* The Town shall maintain the Land Development Regulations to reflect growth management controls established within the updated *Comprehensive Plan*.

POLICY 1.18.3: *Compliance with State and Federal Laws.* The *Comprehensive Plan* shall not violate Statutes established in Florida Law or Administrative Rule, nor shall it violate the Constitution of the State of Florida or that of the United States of America.

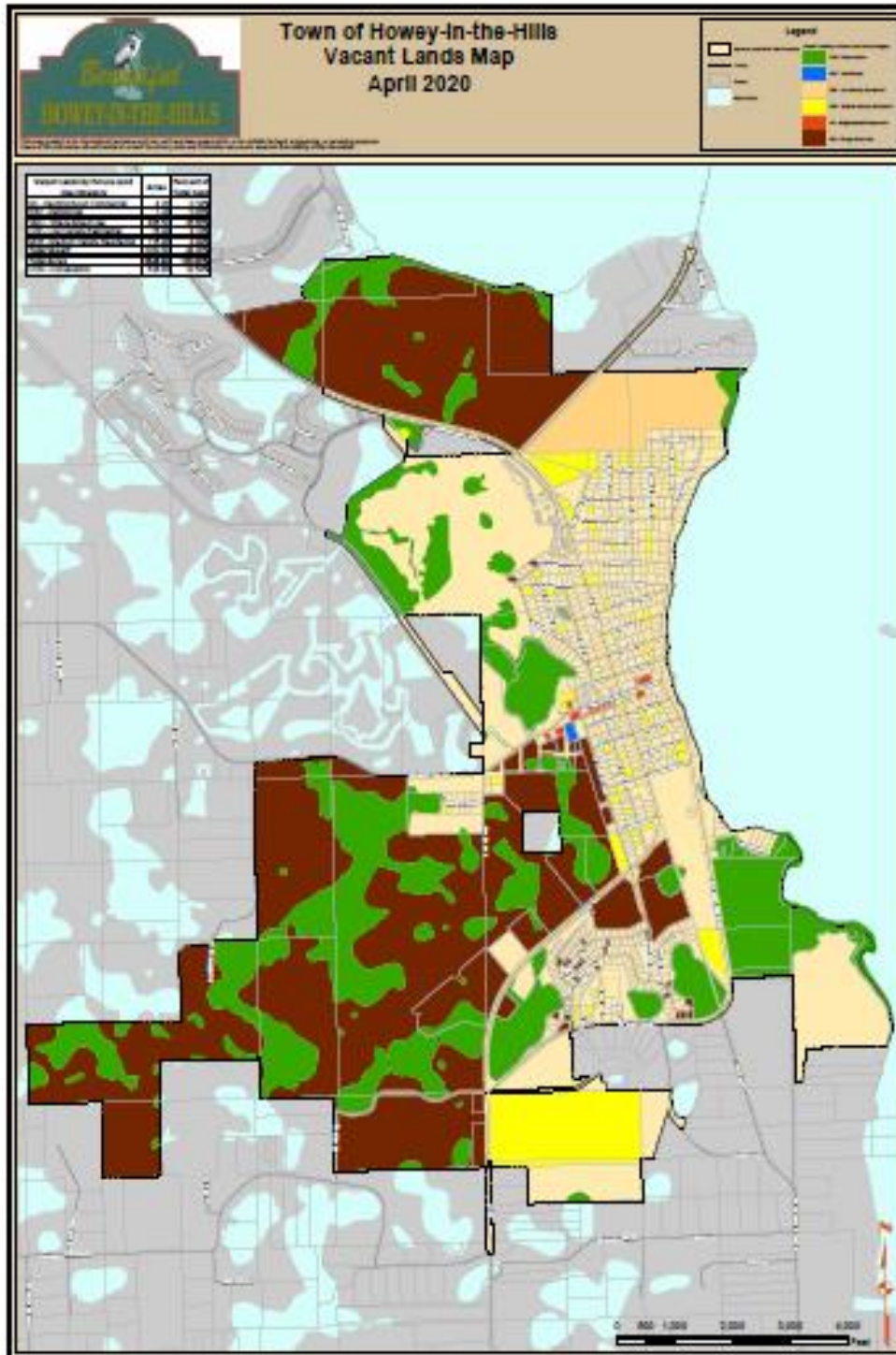
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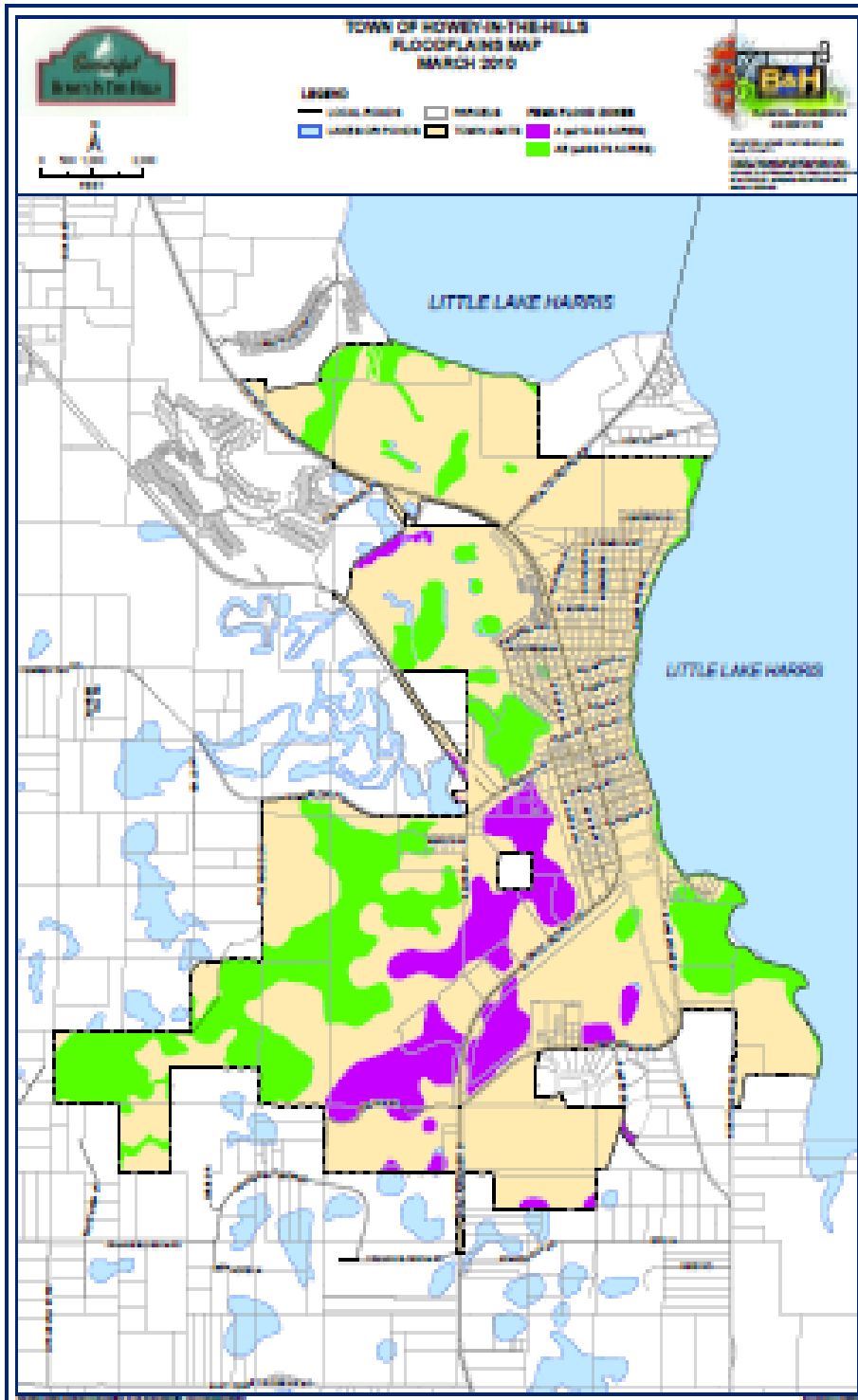
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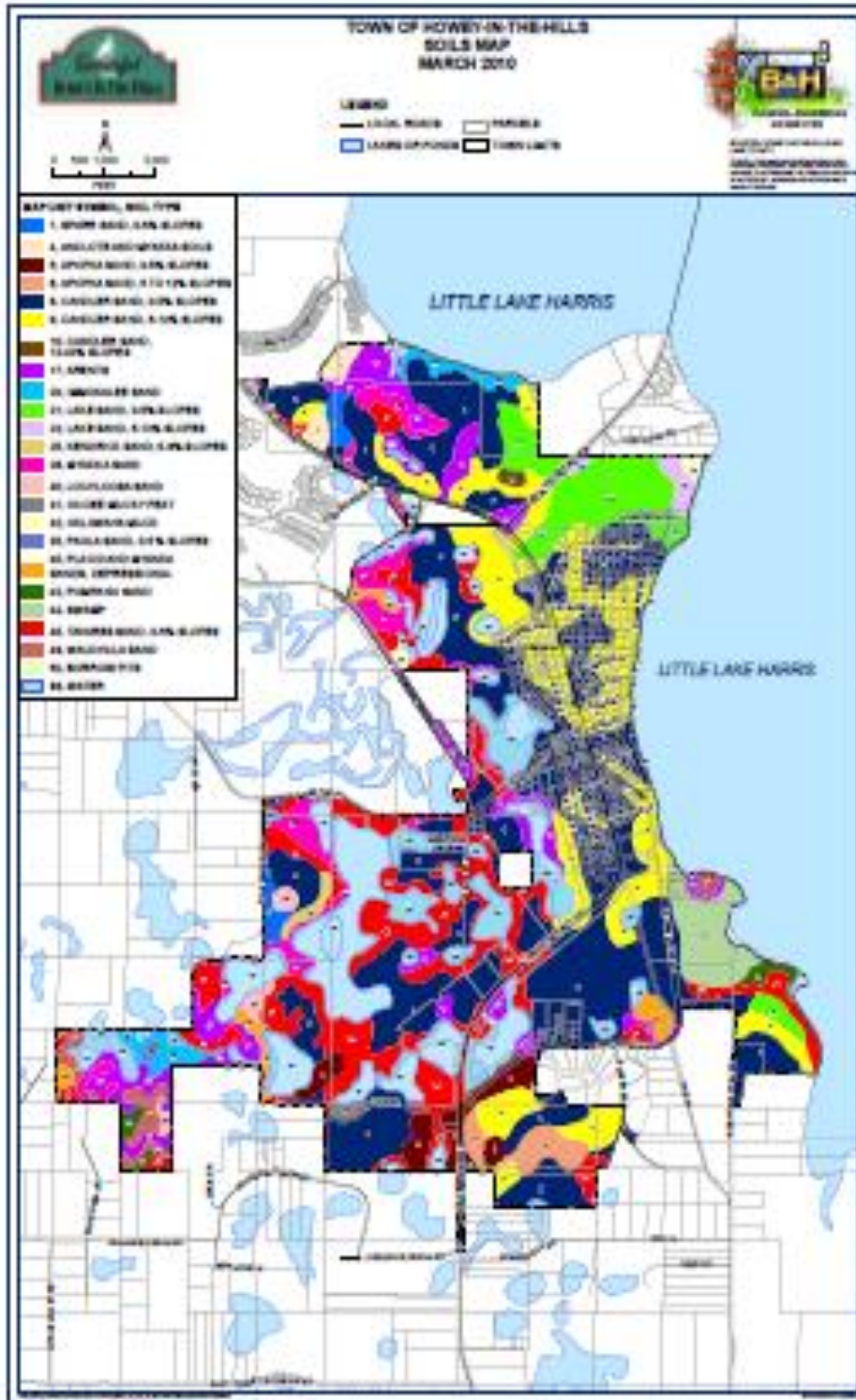
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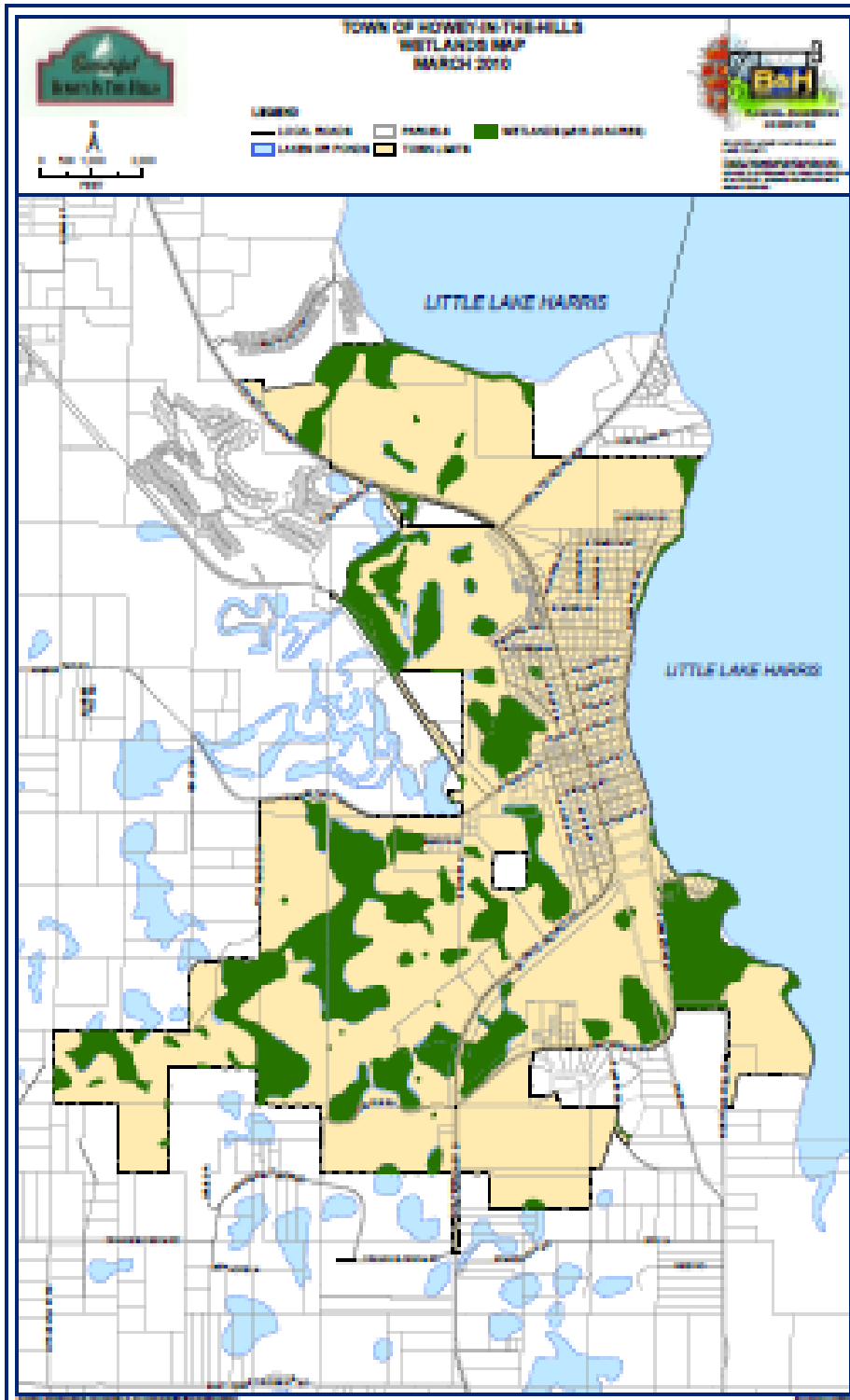
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