

ORDINANCE NO. 2025-003

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN, AS ADOPTED BY ORDINANCE NO. 2024-09, BASED ON THE EVALUATION AND APPRAISAL OF THE TOWN'S COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3191, FLORIDA STATUTES; AMENDING AND UPDATING THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, HOUSING ELEMENT, PUBLIC FACILITIES ELEMENT, CONSERVATION ELEMENT, RECREATION AND OPEN SPACE ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, CONCURRENCY MANAGEMENT ELEMENT, PUBLIC SCHOOL ELEMENT, PROPERTY RIGHTS ELEMENT, AND DEFINITIONS; AUTHORIZING TRANSMITTAL TO THE FLORIDA COMMERCE DEPARTMENT; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

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

Section 1. Findings. In adopting this Ordinance, the Town Council of the Town of Howey-in-the-Hills, Florida (the "Town Council") hereby makes and expresses the following findings, purposes, and intent:

- (1) Under Section 163.3191 of the Florida Statutes, the Town prepared, and the Town Council approved an evaluation and appraisal notification letter and transmitted the letter to the Florida Commerce Department in August 2024, which identified the needed amendments to the Town's comprehensive plan.
- (2) Consistent with the Community Planning Act and its evaluation and notification letter, the Town has prepared amendments to various elements of the Town's Comprehensive Plan that reflect changes in state law and local conditions.
- (3) The Town Council has determined that it is in the public interest to adopt the proposed comprehensive plan amendments.

Section 2. Amendment. The Town of Howey-in-the-Hills Comprehensive Plan is hereby amended as shown in Exhibit "A."

Section 3. Adoption. The amendments provided in Exhibit "A" are contingent upon review and approval by the state land planning agency.

Section 4. Transmittal. Upon final passage and adoption of this Ordinance, a copy hereof shall be forwarded to the Florida Commerce Department and the state land planning agency, and any other unit of local governmental agency in the State of Florida that has filed a written request with the Clerk of the Town of Howey-in-the-Hills, Florida.

Section 5. Severability. If any provision or portion of this ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full effect. To that end, this ordinance is declared to be severable.

Section 5. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency, or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

ORDAINED AND ENACTED this ____ day of _____, 2025, 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. Graham Wells, 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

First Reading held _____, 2025

Second Reading and Public Hearing held _____, 2025

Advertised _____, 2025, and _____, 2025

Exhibit “A”
Comprehensive Plan Amendments