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## MEMORANDUM

**TO:** Town of Howey-in-the-Hills Planning Board  
**CC:** J. Brock, Town Clerk  
**FROM:** Thomas Harowski, AICP, Planning Consultant  
**SUBJECT:** Future Land Use Policy Amendments  
**DATE:** November 30, 2023

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At the Planning Board's October regular meeting, we discussed a series of revisions to the Future Land Use Element data and analysis section and to several of the policies related to maximum allowable density in Medium Density Residential and Village Mixed Use (VMU). Amendments were also considered for the application of the VMU standards to proposed development. One of the key amendments was a requirement that at least 50% of any proposed single-family units be on parcels of 10,800 square feet or more. The Board was concerned that some of the proposed lot area could be made up from wetlands, wetland buffers or other elements that would not contribute to the lot area actually occupied by housing. To address this concern language has been added to Policy 1.1.1 which reads as follows:

**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.**

The updated draft amendment to the Future Land Use Element is provided for the Board's consideration. The proposed revisions are limited to the issues on density and the implementation of VMU projects. Additional amendments to the Future Land Use Element may be forthcoming as we proceed with our EAR-Based comprehensive plan review. The current approach will allow for this package of amendments to proceed through the review and adoption process in advance of the larger review. This timing will allow for earlier implementation of the proposed revisions.

In addition to the package of recommendations developed by the Town Attorney and the planner, one of the Town Councillors suggested that the plan be amended by eliminating medium density residential land use from the future land use map, presumably being replaced by low density residential land use, although this was not stated. The suggestions also included a recommendation to eliminate MDR-1 and MDR-2 zoning from the code and require all lots to be a minimum of one-quarter acre. These recommendations create some difficulties that led to the suggestions not being included in the recommendations package.

- Eliminating an entire land use classification that has been broadly applied in the Town offers some risk of legal challenge. If the intent of this action is to reduce density, then the current proposal makes a move in that direction by providing a 25% reduction in density for medium density residential.
- A change in land use to low density residential with its upper limit of two units per acre will make much of the developed area of Howey non-conforming while yielding little change in the built environment, present and future.
- Most of the remaining development area not covered by an approved development agreement is in the areas designated for Village Mixed Use. The proposed changes, including a 25% reduction in density and the minimum lot size provisions, will also move the Town in the direction intended by this recommendation.
- Elimination of MDR-1 and MDR-2 zoning will generate a need to find some replacement zoning that has the one-quarter acre residential provision. As with the land use suggestion, a change of this nature has the prospect of creating many non-conforming conditions without a corresponding change in the built environment.

The current process of making density revisions affecting new developments along with minimum lot size provisions is a more effective way to achieve at least some of the results anticipated by the suggested revisions.