

ORDINANCE NO. 2024 - 001

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; REZONING FOUR PARCELS OF LAND LOCATED GENERALLY IN THE SOUTHWEST PART OF THE TOWN AND COMPRISING THE PROPOSED PLANNED UNIT DEVELOPMENT TO BE KNOWN AS “MISSION RISE” ON AN L-SHAPED AGGREGATE OF ABOUT 243.3 ACRES WEST AND SOUTH OF THE DEVELOPMENT KNOWN AS “THE RESERVE AT HOWEY-IN-THE-HILLS” (NOW ALSO KNOWN AS “HILLSIDE GROVES”), WITH PART OF THE LANDS BEING SOUTH OF NUMBER TWO ROAD AND EAST OF SILVERWOOD LANE AND OTHER PARTS OF THE LAND BEING WEST OF STATE ROAD 19 AND SOUTH OF REVELS ROAD, THE FOUR PARCELS BEING IDENTIFIED WITH LAKE COUNTY PROPERTY APPRAISER ALTERNATE KEY NUMBERS 1780616, 1780811, 1030421, AND 3835991; AMENDING THE TOWN’S ZONING MAP TO APPROVE PLANNED-UNIT-DEVELOPMENT (PUD) ZONING FOR THE PARCELS; PROVIDING FINDINGS OF THE TOWN COUNCIL; APPROVING PUD ZONING FOR THE PARCELS, WITH DEVELOPMENT TO BE GOVERNED BY A DEVELOPMENT AGREEMENT AND A REVISED CONCEPTUAL LAND USE PLAN AND BY THE TOWN’S LAND DEVELOPMENT CODE AND OTHER TOWN ORDINANCES GOVERNING THE DEVELOPMENT OF LAND; REPEALING PRIOR ORDINANCES AND SUPERSEDING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

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

Section 1. Findings. In enacting this ordinance, the Town Council of the Town of Howey-in-the-Hills, Florida declares the following findings, purposes, and intent:

- A. Approximately 243.3 acres of land more specifically described in **Attachment A** and generally located in southwest Howey-in-the-Hills on an L-shaped group of lands west and south of the land development known as “The Reserve at Howey-in-the-Hills (now also known as “Hillside Groves”), with part of the subject lands being south of No. 2 Road and east of Silverwood Lane and other parts of the

subject lands being west of State Road 19 and south of Revels Road (**Property**), are currently designated on the Future Land Use Map of the Town's Comprehensive land for Village Mixed Use. Planned Unit Development (**PUD**) zoning is required to develop land designated for Village Mixed Use.

- B. The current PUD zoning was approved by Town Council through the enactment of Ordinances 2005-353, 2005-354, 2005-355, 2005-356, and 2005-357 and by that certain Mission Rise Developer's Agreement between the Town and the then-owners, Richard H. Langley and Roxbury Ventures, LLC, dated February 6, 2007. No development occurred on the Property under those 2005 ordinances and the 2007 development agreement. The current PUD zoning and the 2007 development agreement have both expired under the terms of the development agreement.
- C. The owners of the Property have applied for PUD zoning to develop the Property with a mix of single-family residential, institutional, and recreational land uses in a Planned Unit Development to be known as "Mission Rise." The Owners have requested Town Council approval of the PUD zoning subject to a new Development Agreement in the form in **Attachment B**, including its conceptual land use plan for the Property.
- D. The Town Council has determined that approval of the PUD zoning on the Property as requested by the owners and subject to the requirements and restrictions of the Development Agreement would be consistent with the Town's Comprehensive Plan and the Town's Land Development Code (**LDC**) and will not adversely affect the public health, safety, and welfare of the Town.

Section 2. Amendment of the Official Zoning Map. The Town Council hereby approves the PUD – planned unit development zoning for the Property. Development and use of the Property under its PUD zoning is subject to the conditions, requirements, restrictions, and other terms of the following:

- A. This Ordinance 2024-001. Ordinances 2005-353, 2005-354, 2005-355, 2005-356, and 2005-357 are repealed.
- B. The Development Agreement for Mission Rise PUD between the Town and ASF TAP FL I, LLC (**Owner**). The Development Agreement is approved for execution and delivery by the Mayor and Town Clerk in the form and substance contained in Attachment B, subject to such changes, if any, approved by Town Council. The Mission Rise Developer's Agreement dated February 6, 2007, is

rescinded and superseded in its entirety by the Development Agreement approved hereby.

- C. The Town’s Land Development Code.
- D. All other Town ordinances governing the development of land.

Section 3. Severability. If any part of this ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, the remaining parts of this ordinance shall remain in full effect. To that end, this ordinance is declared to be severable.

Section 4. Conflicts. In a conflict between this ordinance and other existing ordinances, this ordinance shall control and supersede.

Section 5. Codification. The PUD zoning for the Property, as approved in Section 2, may be codified and made part of the Town’s Official Zoning Map.

Section 6. Effective Date. This ordinance shall take effect upon the later of (i) its enactment by the Town Council or (ii) the date on which the Development Agreement in Attachment B takes effect.

ORDAINED AND ENACTED this ____ day of _____, 2024, 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 hearing held _____, **2023**
First Reading held _____, **2024**
Second Reading and hearing held _____, **2024**
Advertised _____, **202**__

ATTACHMENT A

Legal Description of the Property

**Lake County Property Appraiser
Alternate Key No.'s:**

1780616, 1780811, 1030421, and 3835991

CONTAINING 243.3± ACRES

[insert legal description]

ATTACHMENT B

**Mission Rise PUD
Development Agreement**

[insert form of development agreement]

#52366265 v2