TOWN OF
HOWEY IN THE HILLS, FLORIDA

10 YEAR WATER SUPPLY
FACILITIES WORK PLAN
2010-2020

Prepared By:
B&H Consultants, Inc.
April 2010
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1.0 INTRODUCTION

The purpose of the Town of Howey in the Hills Water Supply Facilities Work Plan (Work Plan) is to identify and plan for the water supply sources and facilities needed to serve existing and new development within the local government’s jurisdiction. Chapter 163, Part II, F.S., requires local governments to prepare and adopt Work Plans into their comprehensive plans within 18 months after the water management district within which the local government is located approves a regional water supply plan or its update.

The Town of Howey in the Hills is located within the St Johns River Water Management District (SJRWMD). The District’s regional water supply plan for the Priority Water Resource Caution Area (District Water Supply Plan 2005) was approved by the SJRWMD Governing Board on February 7, 2006 and an addendum affecting some local governments was approved on October 10, 2006. The general deadline for local governments within the SJRWMD jurisdiction to amend their comprehensive plans to adopt a Work Plan was August 7, 2007, except that certain jurisdictions, including Howey in the Hills, were subject to an extended deadline of April 10, 2008.

Residents of the Town of Howey in the Hills obtain their water directly from the Town of Howey in the Hills Utility Department. The Town is responsible for ensuring that enough capacity is available for existing and future customers.

According to state guidelines, the Work Plan and the comprehensive plan amendment must address the development of traditional and alternative water supplies, bulk sales agreements and conservation and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period.

The Town’s Work Plan is divided into five sections:

Section 1 – Introduction
Section 2 – Background Information
Section 3 – Data and Analysis
Section 4 – Work Plan Projects/Capital Improvement Element/Schedule
Section 5 – Goals, Objectives, Policies
1.1 Statutory History

The Florida Legislature has enacted bills in the 2002, 2004, and 2005 sessions to address the state’s water supply needs. These bills, especially Senate Bills 360 and 444 (2005 legislative session), significantly changed Chapter 163 and 373 Florida Statutes (F.S.) by strengthening the statutory links between the regional water supply plans prepared by the water management districts and the comprehensive plans prepared by local governments. In addition, these bills established the basis for improving coordination between the local land use planning and water supply planning.

1.2 Statutory Requirements

Each local government must comply with the following requirements:

1) Coordinate appropriate aspects of its comprehensive plan with the appropriate water management district’s regional water supply plan.

2) Ensure that its future land use plan is based upon availability of adequate water supplies and public facilities and services.

3) Ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the local government anticipates issuing a certificate of occupancy and consult with the applicable water supplier prior to approving building permit, to determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy.

4) For local governments subject to a regional water supply plan, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (the “Infrastructure Element”), within 18 months after the water management district approves an updated regional water supply plan, to:
   a. Identify and incorporate the alternative water supply project(s) selected by the local government from projects identified in the updated regional water supply plan, or the alternative project proposed by the local government;
   b. Identify the traditional and alternative water supply projects, bulk sales agreements, and the conservation and reuse programs necessary to meet current and future water use demands within the local government’s jurisdiction; and
c. Include a water supply facilities work plan for at least a 10-year planning period for constructing the public, private, and regional water supply facilities identified in the element as necessary to serve existing and new development.

5) Revise the Five-Year Schedule of Capital Improvements to include any water supply, reuse, and conservation projects and programs to be implemented during the five-year period.

6) To the extent necessary to maintain internal consistency after making changes described in Paragraph 1 through 5 above, revise the Conservation Element to assess projected water needs and sources for at least a 10-year planning period, considering the appropriate regional water supply plan, the applicable District Water Management Plan, as well as applicable consumptive use permit(s).

7) To the extent necessary to maintain internal consistency after making changes described in Paragraphs 1 through 5 above, revise the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with applicable regional water supply plans and regional water supply authorities’ plans.

8) Address in the EAR, the extent to which the local government has implemented the 10-year water supply facilities work plan, including the development of alternative water supplies, and determine whether the identified alternative water supply projects, traditional water supply projects, bulk sales agreements, and conservation and reuse programs are meeting local water use demands.
2.0 BACKGROUND INFORMATION

2.1 Overview
The Town of Howey in the Hills, located in central Lake County, was incorporated in 1925 and has historically been a community with close ties to the citrus farming that was the prevalent industry in the area. In 2010, the Town encompasses an area of approximately 3.1 square miles bounded by Little Lake Harris to the east, Lake Harris to the north, and unincorporated Lake County to the west and south.

With the significant decline of citrus production due to winter freezes in the mid and late 1980’s, much of the land in Lake County that was citrus groves has been sold and has been developed as residential and non-residential property. In the period from about 1998 to 2006, this increase in development activity was becoming evident in Howey with several large tracts of land being planned for development as primarily residential Planned Unit Developments.

However, the pace of development has slowed significantly in Howey in the past few years, consistent with the national economic downturn.

Approximately 576 acres or 29% of the current total gross acreage in the city is dedicated to residential use. The remaining gross acreages are allocated to non-residential uses such as commercial and office, institutional and governmental facilities and conservation/wetland areas as shown in the table below.

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Total Acres</th>
<th>Vacant Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>576.0</td>
<td>386.0</td>
</tr>
<tr>
<td>Commercial</td>
<td>32.5</td>
<td>3.9</td>
</tr>
<tr>
<td>Institutional</td>
<td>212.7</td>
<td>5.6</td>
</tr>
<tr>
<td>Recreation</td>
<td>4.5</td>
<td>4.5</td>
</tr>
<tr>
<td>PUD</td>
<td>710.3</td>
<td>567.5</td>
</tr>
<tr>
<td>Conservation / Open Space / Water</td>
<td>439.9</td>
<td>439.9</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,975.9</td>
<td>1,407.4</td>
</tr>
</tbody>
</table>

The Town anticipates that voluntary annexations of adjacent unincorporated Lake County lands will cause a substantial increase in the size of Howey over the next few years.
Howey currently operates a municipal water utility system serving residential and non-residential customers within the Town of Howey in the Hills. The Town’s water system consists of two water plants located approximately one mile apart with a total of two active wells, one out-of-service well, one 50,000 gallon elevated storage tank and one 15,000 gallon hydropneumatic tank.

The oldest water plant is located on Central Avenue west of SR 19 in the central part of town, and is referred to on DEP reports as “Well 2”. The roughly triangular-shaped parcel upon which this plant is located is bounded on the east by Grant Street, on the south by West Central Avenue and on the north by Lake Illinois. In this report, this existing plant will be referred to as the Grant Street plant (or WTP 2).

The second water plant is located in the north part of town at the intersection of SR 19 and CR 48 and is referred to on DEP reports as “Well 3”. In this report, this plant will be referred to as the “North plant” (or WTP 3).

Florida Department of Environmental Protection records indicate that the design capacities for WTP 2 and WTP 3 are 1.8 mgd 0.72 mgd respectively, for a combined design capacity of 2.52 mgd.

The Town has established a municipal utility service area (depicted on Map 1 in the Appendix) in accordance with Chapter 180 of Florida Statutes. The established utility service area encompasses the current municipal boundary as well as considerable land outside the existing municipal corporate limit.

In 2007 and 2008, the annual average daily demand served by the Town’s water plants was approximately 0.29 mgd and in 2009 the annual average daily demand dropped to approximately 0.22 mgd .

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1 From Town of Howey in the Hills utility records
2.2 Relevant Regional Issues

As the state agency responsible for water supply in the Town of Howey in the Hills planning area, the St Johns River Water Management District (SJRWMD) is responsible for District-wide water resource protection, and administers this authority in part, through the Consumptive Use Permitting program.

The District’s Governing Board adopted its District Water Supply Plan 2005 on February 7, 2006. As of the date of this Water Supply Facilities Work Plan, there have been four addenda to the District Water Supply Plan 2005. These addenda were approved by the Governing Board on October 10, 2006, December 11, 2007, May 13, 2008 and May 12, 2009 to correct several errors in tables and figures in the original report, and to add and modify projects and project data.

Howey in the Hills was associated with two alternative water supply development projects in Table 14 (Public Water Supply Entities and Associated Alternative Water Supply Development Projects) of the District Water Supply Plan 2005 and the first three addenda. Those projects were identified as DWSP Project #9, St Johns River Near Lake Monroe Project and DWSP Project #10, St Johns River Near Deland Project.

However, in the fourth Addendum, DWSP Project #9, St Johns River Near Lake Monroe Project was removed from Table 14 “…because other water supply projects that would utilize withdrawals of water from the St. Johns River Near Lake Monroe have been identified by water supply entities.”

Although DWSP Project #10, St Johns River Near Deland Project remains in Table 14 in the fourth addendum to the District Water Supply Plan 2005, the Town of Howey in the Hills is no longer associated with that project, or any other listed alternative water supply development project.
3. DATA AND ANALYSIS

3.1 Existing Conditions

3.1.1 Maps of Current and Future Areas Served

The current Town of Howey in the Hills corporate boundary and the Town’s Chapter 180 Utility Service Area are shown on Map 1 in the Appendix.

The Town provides potable water service to residential, commercial and other land uses within the Town limits, and no other utility currently provides public water supply service within the Town limits. The Town’s current policy is to provide water service only to properties that have annexed into the Town.

The Town’s 2025 Future Land Use Map is shown on Map 2 in the Appendix.

As properties annex into Howey, they will be eligible for water service from the Town upon approval of appropriate development plans, approval of all applicable permits from appropriate agencies, and payment of all fees, rates, charges and assessments imposed by the Town for water service.

The Town’s existing water distribution network is shown on Map 3 in the Appendix.

3.1.2 Water Production

Data regarding the combined average daily production (ADP) and maximum-day production (MDP) of finished water produced by WTP 2 and WTP 3 during the past three years is shown in Table 3.1.

<table>
<thead>
<tr>
<th></th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ADP</td>
<td>MDP</td>
<td>ADP</td>
</tr>
<tr>
<td>Annual</td>
<td>0.298</td>
<td>1.000</td>
<td>0.297</td>
</tr>
<tr>
<td>Peaking Factor</td>
<td>3.36</td>
<td>3.43</td>
<td>2.62</td>
</tr>
</tbody>
</table>

Average peaking factor = 3.13
3.1.3 Existing Potable Water Level of Service Standard

The current Comprehensive Plan for the Town of Howey in the Hills indicates that there are two separate potable water Level of Service values.

The Town has adopted a Level of Service standard of 276.6 gallons per person per day\(^2\) on an annual average daily flow (AADF) basis for residential connections, and the Town has also established an overall water Level of Service standard (inclusive of all types of users) of 294.3 gallons per capita per day.

\(^2\) Howey Comprehensive Plan – Public Facilities Element – Potable Water – Policy 4-1.10.1 LOS Standards
3.1.4 Per Capita Consumption

Based on the data provided by the Town and shown in Table 3.2, the Level of Service values are higher than the actual per capita demand levels experienced by the Town over the past four years.

### Table 3.2
**Water Production vs. Consumption**

<table>
<thead>
<tr>
<th></th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Groundwater Withdrawal (1) (Gallons)</td>
<td>118,990,000</td>
<td>110,831,000</td>
<td>109,708,000</td>
<td>80,958,000</td>
</tr>
<tr>
<td>Amount Billed For:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Accounts</td>
<td>79,349,000</td>
<td>69,697,000</td>
<td>60,285,000</td>
<td>52,148,000</td>
</tr>
<tr>
<td>Commercial Accounts (2)</td>
<td>5,288,000</td>
<td>4,889,000</td>
<td>10,759,000</td>
<td>7,463,000</td>
</tr>
<tr>
<td>Irrigation Accounts (3)</td>
<td>29,006,000</td>
<td>26,518,000</td>
<td>29,056,000</td>
<td>12,931,000</td>
</tr>
<tr>
<td>Builder Accounts (4)</td>
<td>2,726,000</td>
<td>1,393,000</td>
<td>71,000</td>
<td>0</td>
</tr>
<tr>
<td>Total Gallons Billed</td>
<td>116,369,000</td>
<td>102,497,000</td>
<td>100,171,000</td>
<td>72,542,000</td>
</tr>
<tr>
<td>Unaccounted Gallons (5)</td>
<td>2,621,000</td>
<td>8,334,000</td>
<td>9,537,000</td>
<td>8,416,000</td>
</tr>
<tr>
<td>unaccounted as % of total pumped</td>
<td>2.20%</td>
<td>7.52%</td>
<td>8.69%</td>
<td>10.40%</td>
</tr>
<tr>
<td>Daily Residential Account Usage (gallons)</td>
<td>217,395</td>
<td>190,951</td>
<td>165,164</td>
<td>142,871</td>
</tr>
<tr>
<td>Total Population</td>
<td>1,151(6)</td>
<td>1,184(6)</td>
<td>1,216(6)</td>
<td>1,221(7)</td>
</tr>
<tr>
<td>Gallons per Capita per Day (Residential)</td>
<td>189</td>
<td>161</td>
<td>136</td>
<td>117</td>
</tr>
<tr>
<td>Gallons per Capita per Day (Overall)</td>
<td>283</td>
<td>256</td>
<td>247</td>
<td>182</td>
</tr>
</tbody>
</table>

**Notes:**
1. From Monthly Operating Reports
2. Billed to commercial accounts
3. Irrigation of public areas, private common areas, municipal buildings
4. Billed to temporary accounts during construction
5. Unbilled water
6. Extrapolated from Florida Housing Data Clearinghouse figures
7. Extrapolated from Florida Housing Data Clearinghouse figures

For the period from 2006 through 2009, the Town experienced an average residential water demand of 150.8 gallons per capita per day. This is a significant reduction from the current residential LOS of 276.6 gpcpd.

For the same period, the Town experienced an average overall water demand (inclusive of all types of users) of 242.0 gallons per capita per day. Again, this is a significant reduction from the current overall LOS of 294.3 gpcpd.
3.2 Projected Conditions

3.2.1 Population Projection

The Town’s projected population over the 10 year planning period for this report is shown in Table 3.3 below.

Table 3.3
Projected Population

<table>
<thead>
<tr>
<th>YEAR</th>
<th>2010</th>
<th>2015</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL POPULATION</td>
<td>1,225</td>
<td>1,341</td>
<td>1,467</td>
</tr>
</tbody>
</table>

Source: Shimberg Center for Affordable Housing, University of Florida – March 31, 2010
3.2.2 Potable Water Demand Projection

To project future water demand, the average overall per capita consumption of 242.0 gallons per day was used, multiplied by the projected population for each year of the planning period. Based on the projected 2010 population and the average overall per capita consumption, an average annual daily demand of 0.296 mgd is calculated.

This is higher than the actual overall average daily demand recorded in 2009 (0.222 mgd), which would indicate a projected reversal of the four-year downward trend in consumption. Although such a reversal is not expected, this provides a very conservative estimate of future demand, so the overall demand value of 242.0 gpcpd was applied to the remaining years of the planning period.

This information is shown in Table 3.4 below.

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
<th>Projected Demand (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>1,225</td>
<td>0.296</td>
</tr>
<tr>
<td>2011</td>
<td>1,248</td>
<td>0.302</td>
</tr>
<tr>
<td>2012</td>
<td>1,271</td>
<td>0.308</td>
</tr>
<tr>
<td>2013</td>
<td>1,294</td>
<td>0.313</td>
</tr>
<tr>
<td>2014</td>
<td>1,317</td>
<td>0.319</td>
</tr>
<tr>
<td>2015</td>
<td>1,306</td>
<td>0.33</td>
</tr>
<tr>
<td>2016</td>
<td>1,366</td>
<td>0.331</td>
</tr>
<tr>
<td>2017</td>
<td>1,391</td>
<td>0.337</td>
</tr>
<tr>
<td>2018</td>
<td>1,416</td>
<td>0.343</td>
</tr>
<tr>
<td>2019</td>
<td>1,441</td>
<td>0.349</td>
</tr>
<tr>
<td>2020</td>
<td>1,413</td>
<td>0.36</td>
</tr>
</tbody>
</table>
Using the historic average peaking factor of 3.13 the Town’s water system needs to be able to supply peak flows (not including fire flow) during the planning period ranging from 0.926 mgd in 2010 to 1.111 mgd in 2020 as shown in Table 3.5 below.

### Table 3.5
Projected Population, Demand and Source

<table>
<thead>
<tr>
<th>Year</th>
<th>Projected Population</th>
<th>Annual Average Daily Flow (mgd)</th>
<th>Total Peak Demand (mgd)</th>
<th>Water Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>1,225</td>
<td>0.31</td>
<td>0.926</td>
<td>Floridan Aquifer</td>
</tr>
<tr>
<td>2011</td>
<td>1,248</td>
<td>0.302</td>
<td>0.945</td>
<td>Floridan Aquifer</td>
</tr>
<tr>
<td>2012</td>
<td>1,271</td>
<td>0.308</td>
<td>0.964</td>
<td>Floridan Aquifer</td>
</tr>
<tr>
<td>2013</td>
<td>1,294</td>
<td>0.313</td>
<td>0.980</td>
<td>Floridan Aquifer</td>
</tr>
<tr>
<td>2014</td>
<td>1,317</td>
<td>0.319</td>
<td>0.998</td>
<td>Floridan Aquifer</td>
</tr>
<tr>
<td>2015</td>
<td>1,306</td>
<td>0.33</td>
<td>1.017</td>
<td>Floridan Aquifer</td>
</tr>
<tr>
<td>2016</td>
<td>1,366</td>
<td>0.331</td>
<td>1.036</td>
<td>Floridan Aquifer</td>
</tr>
<tr>
<td>2017</td>
<td>1,391</td>
<td>0.337</td>
<td>1.055</td>
<td>Floridan Aquifer</td>
</tr>
<tr>
<td>2018</td>
<td>1,416</td>
<td>0.343</td>
<td>1.074</td>
<td>Floridan Aquifer</td>
</tr>
<tr>
<td>2019</td>
<td>1,441</td>
<td>0.349</td>
<td>1.092</td>
<td>Floridan Aquifer</td>
</tr>
<tr>
<td>2020</td>
<td>1,413</td>
<td>0.36</td>
<td>1.111</td>
<td>Floridan Aquifer</td>
</tr>
</tbody>
</table>

The projected 2020 annual average daily demand of 0.36 mgd is only 0.008 mgd over the 2009 allocation of 0.352 mgd in the Town’s most recent Consumptive Use Permit issued by the SJRWMD.

The projected 2020 peak water demand of 1.111 mgd is approximately 44% of the Town’s existing plant design capacity of 2.52 mgd. Although it appears that the Howey water system has adequate existing capacity to serve future demand, there are significant reliability and redundancy issues that require upgrades to existing facilities and construction of additional facilities. These issues are discussed in more detail in Section 3.5.
3.3 Water Supply Provided by Local Government

Existing Supply
The Town currently operates a municipal water utility system serving residential and non-residential customers within the Town of Howey in the Hills.

The Florida Department of Environmental Protection (FDEP) has assigned Public Water System Identification Number 3350573 to the public water system comprised of the Town’s two plants and the associated water distribution system. FDEP records indicate that the permitted capacity of the system is 2.52 million gallons per day (mgd).

The Town uses high service well pumps to pressurize a water distribution system consisting of approximately 17 miles of water mains ranging in size from 2 inches to 12 inches in diameter. The Town’s water system is currently in compliance with all applicable federal, state and local water quality requirements.

Over the past 24 months, the Town has provided potable water service to an average of 574 residential accounts and 66 non-residential accounts per month.\(^3\)

On October 11, 2007 the St Johns River Water Management District issued Consumptive Use Permit (CUP) Number 2596 to the Town of Howey-in-the-Hills. The permit stated that maximum annual groundwater withdrawals from the Floridan Aquifer for the years 2007, 2008 and 2009 must not exceed:

- 2007 116.00 MG  (0.318 mgd annual average)
- 2008 115.34 MG  (0.316 mgd annual average)
- 2009 128.48 MG  (0.352 mgd annual average)

The permit duration was two years, with an expiration date of October 11, 2009. As this Work Plan was being prepared, the Town of Howey had applied to SJRWMD for a renewal of its CUP, and based on the information in Table 3.5 an increase of 0.003 mgd over the 2009 allocation will be requested as the allocation for 2020.

The Town of Howey in the Hills currently has one interconnection with a private water system (Mission Inn Resort) but this interconnection, consisting of a single 4” water main, is of very limited use in the event of a failure of a major Howey water system component.

\(^3\) From Town of Howey in the Hills utility billing records

Town of Howey in the Hills

10 Year Water Supply Facilities Work Plan

13
Howey has no other interconnection agreements with any other area water supplier’s, nor are there currently any interlocal agreements regarding water supply, or bulk sales agreements.

Existing Facilities

A. Grant Street Water Plant (WTP 2)
The Grant Street plant is located approximately ¼ mile west of SR 19 on the north side of Central Avenue. The original Grant Street plant was constructed in the 1920’s and parts of the current plant complex are 80 to 90 years old. The Grant Street plant is located on a 2.0 acre site. FDEP lists the design capacity of the Grant Street plant as 1,800,000 gallons per day (gpd).

The Grant Street plant consists of a single well and one 50,000 gallon elevated water storage tank. FDEP has established the permitted capacity of the Grant Street plant as 1.80 mgd. Raw water from the well is chlorinated before it is pumped into the storage tank, and the water is then drawn into the distribution system from the tank as demand requires. There are no facilities at this plant to bypass the storage tank, so the tank cannot be removed from service for routine maintenance or cleaning. If the single well pump at this plant fails, the entire plant is out of commission. There is no fixed emergency power generator at the Grant Street plant, and there are no high service pumps, so the plant’s capacity to react to loss of power or significant variations in system demand is greatly limited.

B. North Water Plant (WTP 3)
The North plant is located just north of the intersection of SR 19 and CR 48. The North plant was built in the late 1980’s and is located on a one acre site. FDEP lists the design capacity of the North plant as 720,000 gpd.

The North plant consists of a single well and a 15,000 gallon hydropneumatic tank. FDEP has established the permitted capacity of the North plant as 0.72 mgd. Raw water from the wells is chlorinated before it is pumped into the storage tank. There is a small (150 KW) standby power generator at this plant.

Existing Facilities Deficiencies

In several key areas such as high service pumping, water storage, standby power generators and groundwater pumping capability, the Town’s water system is lacking in capacity and/or
redundancy. Most of the existing treatment plant facilities cannot be taken out of service for preventive maintenance because each piece of equipment must remain in operation in order to meet the average daily demand.

To address the reliability and redundancy issues discussed above and to prepare for anticipated residential and commercial growth with Howey’s utility service area, the Town is planning to make certain improvements to the water system which will be more fully described later in this report.

3.4 Water Supply Provided by Other Entities
At the time of this report, no other entity provided public potable water service within the Town of Howey in the Hills. There are, within the Town’s utility service area, a number of small, private water wells which are used for irrigation, as well as a few commercial and agricultural wells permitted and used for such purposes.

Those private, commercial or agricultural wells that may exist and may be in use are not connected to, nor are they intended or allowed to be connected to the Town’s water distribution system.

The Town does not currently receive potable water service from any other entity, and the Town does not anticipate, within the planning period of this report, that any such service from any other entity will be required or sought.

3.5 Conservation
The Town of Howey in the Hills has adopted a water conservation ordinance as Ordinance No. 2003-305. A copy of the water conservation ordinance is included in the Appendix.

The Town of Howey in the Hills has adopted an ordinance establishing landscaping standards as Ordinance No. 2008-004. A copy of the landscape ordinance is included in the Appendix.

The Town has adopted an inclined block rate structure in order to provide a financial incentive to its customers to conserve water. The current rate structure is provided in the Appendix.
In 2011, the Town will discontinue the use of potable water for irrigation of park lands adjacent to Little Lake Harris, and instead, will use lower quality groundwater from shallow wells for this irrigation purpose.

The Town will coordinate future water conservation efforts with the SJRWMD to ensure that appropriate techniques are applied. In addition, the Town will continue to support and expand existing goals, objectives and policies in its comprehensive plan that promote water conservation in a cost-effective and environmentally sensitive manner. The Town will continue to actively support the SJRWMD in the implementation of new regulations or programs that are designed to conserve water.

3.6 Local Financial Responsibilities

The Town of Howey in the Hills will be responsible for all of the water supply and distribution projects described in this report and in the CIE.

Funding sources will include water rates and charges, as well as water impact fees imposed on new developments.

3.7 Reuse

The Town of Howey in the Hills does not own or operate a wastewater treatment plant, and therefore produces no reclaimed water for use in the Town. The nearest wastewater treatment plant that produces reclaimed water is located at the north end of the Town in the Mission Inn Resort & Club development. The Mission Inn development owns and operates a wastewater treatment plant and uses 100% of the reclaimed water produced at the plant for irrigation of the Club’s two golf courses and for irrigation of lawns and common areas throughout the development.

The next nearest sources of reclaimed water are the city of Groveland to the south, and the cities of Leesburg to the north and Tavares to the northeast. In each case, several miles of pipeline would need to be constructed in order to bring reclaimed water to the Town of Howey in the Hills, and at the time of this report, none of the three cities were actively searching for additional discharge points for their reclaimed water.

The Town will continue to work with Mission Inn and neighboring municipalities to identify potential sources of reclaimed water that could be used in the Town.
4.0 CAPITAL IMPROVEMENTS

4.1 Work Plan Projects

The Town of Howey in the Hills has identified, through a Potable Water Master Plan (PWMP) prepared by Hartman & Associates, Inc. in April 2005, a series of water supply and distribution system improvements that are needed to address existing deficiencies and to ensure adequate potable water supplies for normal in-fill growth and for growth caused by individual projects such as large residential or commercial projects.

The PWMP established a proposed schedule of capital improvements over a ten year period from 2005 through 2010. The need for many of the proposed improvements was based on an assumption that there would be, over that 10 year period, a significant amount of development activity, both residential and non-residential. Due to the nationwide economic slowdown, none of the anticipated growth has occurred, and none of the improvements described in the PWMP have been constructed as of the date of this report.

Even without significant growth, the Town recognizes the need to make certain improvements to its potable water system in order to correct existing deficiencies as discussed above. To fund those improvements, the Town applied for and was granted a pre-construction loan through the Potable Water State Revolving Fund. As of the date of this report, the Town has nearly completed design and permitting of improvements to the Grant Street Water Treatment Plant. A description of those improvements, and the associated estimated costs are provided in Table 4.1 below.
Table 4.1

Preliminary Cost Estimate for Grant Street Water Treatment Plant Expansion

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Item Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Potable Water Supply Well (12-inch)</td>
<td>1</td>
<td>LS</td>
<td>$450,000</td>
<td>$450,000</td>
</tr>
<tr>
<td>2</td>
<td>Well Pump &amp; Motor</td>
<td>1</td>
<td>EA</td>
<td>$45,000</td>
<td>$45,000</td>
</tr>
<tr>
<td>3</td>
<td>Well Head Assembly</td>
<td>1</td>
<td>LS</td>
<td>$20,000</td>
<td>$20,000</td>
</tr>
<tr>
<td>4</td>
<td>High Service Pump Assembly</td>
<td>2</td>
<td>EA</td>
<td>$15,000</td>
<td>$30,000</td>
</tr>
<tr>
<td>5</td>
<td>Metering (Raw and Finished)</td>
<td>1</td>
<td>LS</td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
<tr>
<td>6</td>
<td>Chemical Feed System (Sodium hypochlorite)</td>
<td>1</td>
<td>LS</td>
<td>$30,000</td>
<td>$30,000</td>
</tr>
<tr>
<td>7</td>
<td>Ground Storage Tank (500,000 gal)</td>
<td>1</td>
<td>LS</td>
<td>$400,000</td>
<td>$400,000</td>
</tr>
<tr>
<td>8</td>
<td>New Electrical Service</td>
<td>1</td>
<td>LS</td>
<td>$20,000</td>
<td>$20,000</td>
</tr>
<tr>
<td>9</td>
<td>Controls and MCC</td>
<td>1</td>
<td>LS</td>
<td>$50,000</td>
<td>$50,000</td>
</tr>
<tr>
<td>10</td>
<td>Generator, ATS &amp; Fuel Tank</td>
<td>1</td>
<td>LS</td>
<td>$50,000</td>
<td>$50,000</td>
</tr>
<tr>
<td>11</td>
<td>Pump and Control Enclosure</td>
<td>1</td>
<td>EA</td>
<td>$30,000</td>
<td>$30,000</td>
</tr>
<tr>
<td>12</td>
<td>Yard Piping</td>
<td>1500</td>
<td>LF</td>
<td>$100</td>
<td>$150,000</td>
</tr>
<tr>
<td>13</td>
<td>Site Grading &amp; Site Improvements</td>
<td>1</td>
<td>LS</td>
<td>$6,000</td>
<td>$6,000</td>
</tr>
<tr>
<td>14</td>
<td>Fencing, Gate and Security</td>
<td>1</td>
<td>LS</td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
<tr>
<td>15</td>
<td>Stormwater Management System</td>
<td>1</td>
<td>LS</td>
<td>$20,000</td>
<td>$20,000</td>
</tr>
<tr>
<td></td>
<td>Subtotal - Construction Cost</td>
<td></td>
<td></td>
<td></td>
<td>$1,351,000</td>
</tr>
<tr>
<td></td>
<td>Contingency @ 20%</td>
<td></td>
<td></td>
<td></td>
<td>$270,200</td>
</tr>
<tr>
<td></td>
<td><strong>Total Construction Cost</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$1,621,200</strong></td>
</tr>
<tr>
<td></td>
<td>Survey, Design, Permitting</td>
<td></td>
<td></td>
<td></td>
<td>$337,750</td>
</tr>
<tr>
<td></td>
<td><strong>Total Project Cost</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$1,958,950</strong></td>
</tr>
</tbody>
</table>

In addition to this water plant expansion project, the Town also plans to construct several new water mains, although the need for those water mains, and the exact location and time of construction, will be dependant on renewed development activity. Most of the proposed water mains will be built by developers to serve specific developments, and in the absence of development activity, the Town neither needs, nor plans, to build those water mains.

These additional improvements are shown in the Capital Improvements Program below.

4.2 Capital Improvements Program

The Town has identified several projects required to serve water customers within its jurisdiction. These projects are listed in the Town’s most recent 5 year Capital Improvement’s Program. The first 5 years of the plan will include those projects listed in the CIP. For years 6 through 10, no additional projects will be necessary unless new growth requires additions to the system. For example, the 5-year CIP includes the preliminary design work for North Water Treatment Plant improvements. The CIP also includes the design of a new North Well.
If growth necessitates these improvements, the improvements may be constructed in years five through 10. Similarly, the 5-year CIP includes preliminary design work for new water mains in both the south and north areas of the Town. If growth necessitates these improvements, the improvements may be constructed in years five through 10. The majority of this work would be developer driven and developer funded. An excerpt of the 5 year CIP addressing those projects related to the Town’s water system is provided below.
# Howey-in-the-Hills Capital Improvements Program
## Fiscal Years 2009-2013

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>User Dept.</th>
<th>Funding Source</th>
<th>Total Cost</th>
<th>FY 09-10</th>
<th>FY 10-11</th>
<th>FY 11-12</th>
<th>FY 12-13</th>
<th>FY 13-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>North Water Treatment Plant Improvements</td>
<td>Public Works</td>
<td>A/B/F</td>
<td>$250,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$10,000</td>
</tr>
<tr>
<td>2</td>
<td>North Well</td>
<td>Public Works</td>
<td>A/B/F</td>
<td>$1,000,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$25,000</td>
</tr>
<tr>
<td>3</td>
<td>Grant St. Water Treatment Plant Improvements</td>
<td>Public Works</td>
<td>A/C</td>
<td>$2,000,000</td>
<td>$340,000</td>
<td>$500,000</td>
<td>$1,160,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>CUP Renewal</td>
<td>Public Works</td>
<td>A</td>
<td>$150,000</td>
<td>$20,000</td>
<td>$50,000</td>
<td>$80,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Water Mains – South</td>
<td>Public Works</td>
<td>B</td>
<td>$1,000,000</td>
<td></td>
<td></td>
<td></td>
<td>$100,000</td>
<td>$600,000</td>
</tr>
<tr>
<td>6</td>
<td>Water Mains – North</td>
<td>Public Works</td>
<td>B</td>
<td>$1,200,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$50,000</td>
</tr>
<tr>
<td>7</td>
<td>Abandon Well # 1</td>
<td>Public Works</td>
<td>A</td>
<td>$50,000</td>
<td></td>
<td></td>
<td>$20,000</td>
<td></td>
<td>$30,000</td>
</tr>
</tbody>
</table>

**Funding Sources:**
- A = Current Revenues
- B = Impact Fees
- C = SRF Loan
- D = Grants
- E = Developer Contributions
- F = Other

**Note:** Capital Items shall be a minimum of $1,500 each.
5.0 GOALS, OBJECTIVES AND POLICIES

Goal 1
Coordinate land uses and future land use changes with the availability of water supplies and water supply facilities.

Objective 1.1
To ensure that adequate water supplies are available for proposed development and redevelopment projects.

Policy 1.1.1
The Town will establish and maintain a monthly report summarizing the existing demand on the water system and projected additional demand due to proposed projects.

Policy 1.1.2
The Town will not provide potable water service to properties outside the established Howey in the Hills Utility Service Area.

Policy 1.1.3
The Town will require annexation as a prerequisite to connection of unincorporated area developments to the Town’s potable water system.

Policy 1.1.4
The Town shall track the potential impacts of all approved but not built development. No additional development permits shall be issued when potential impacts will be greater than the design capacity of the total water treatment system or will exceed the Town's Consumptive Use Permit.

Policy 1.1.5
Approval of new development will be based, in part, on the evaluation of the potential impact on the Water System.

Objective 1.2
To ensure that required future facilities are identified in advance of need.
Policy 1.2.1
To ensure adequate water supply and capacity allocations for all developments, the Town may require any development to use developer's agreements and/or develop in more than one phase.

Policy 1.2.2
By June 2011 the Town shall establish a timeline for updating its Water Master Plan and for preparation of Wastewater, and Reclaimed Water Master Plans.

Objective 1.3
To discourage sprawl, encourage infill development, and reduce the impacts caused by septic tanks and package plants by providing water and wastewater facilities to the portions of the Town that these facilities are presently unavailable or are presently not connected.

Policy 1.3.1
The Town shall issue no development orders or development permits without first consulting with the utility service provider (Town of Howey in the Hills Public Works Department) to determine whether adequate water supplies to serve the development will be available no later than the anticipated date of issuance by the Town of a certificate of occupancy or its functional equivalent. The Town will also ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

Policy 1.3.2
The Town Council shall consider a project needs list during annual budget preparation meetings.

Policy 1.3.3
The Town shall evaluate all projects on a yearly basis for inclusion in the Capital Improvements Program (CIP).

Policy 1.3.4
The Town shall maintain a map identifying the location of parcels not presently served with water and/or waste water and/or reclaimed water. The Town shall
develop and maintain a strategic plan to connect the properties that are considered feasible for connection, based on the Water, Wastewater and Reclaimed Water Master Plans.

**Goal 2**
Establish and maintain appropriate potable water level of service standards for residential and overall potable water use.

**Objective 2.1**
To periodically review and revise potable water level of service standards for residential and non-residential users to be consistent with historic demand.

**Policy 2.1.1**
The following level of service (LOS) standards are adopted by the Town and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development or redevelopment:

POTABLE WATER
Residential: 150.8 gpcpd
Overall: 242.0 gpcpd

**Goal 3**
Protect potable water quality.

**Objective 3.1**
To ensure compatible land uses in areas of potential impact to potable water sources.

**Policy 3.1.1**
The Town will continue to restrict development from occurring within 150 feet of existing or proposed public potable water wells.

**Policy 3.1.2**
The Town will continue to prohibit septic tanks, sanitary sewer facilities or solid waste or disposal facilities within 400 feet of existing or proposed public potable water wells.

**Policy 3.1.3**
The Town will continue to maintain and enforce a 500 foot radius wellhead protection area around all potable water wells.

**Policy 3.1.4**
The Town shall continue to require development, redevelopment, and existing development to connect to the Town’s potable water system.

**Goal 4**
Establish priority status for projects related to correction of deficiencies, facility replacement and provision of future water supply needs.

**Objective 4.1**
To identify existing facility deficiencies and develop a means to correct those deficiencies.

**Policy 4.1.1**
The Town will establish and maintain a maintenance program for all potable water facilities.

**Policy 4.1.2**
Projects related to correcting deficiencies shall be assigned first priority during preparation of annual CIP updates.

**Policy 4.1.3**
Projects related to meeting the future needs of the Town shall be assigned second priority during preparation of annual CIP updates.

**Goal 5**
Conserve potable water resources through implementation of reuse programs and potable water conservation strategies and techniques.

**Objective 5.1**
To reduce overall water consumption throughout the Town.

**Policy 5.1.1**
The Town shall maintain an overall water conservation program which includes an educational program, periodic revisions to the Town’s water conservation and landscape ordinances and other innovative measures.

**Policy 5.1.2**
The City shall maintain a progressive water rate structure to encourage conservation of potable water.

**Policy 5.1.3**
By December 2011, the Town shall develop and adopt an ordinance requiring the use of Florida Friendly Design Standards to promote the efficient use of water for all new developments and redevelopment.

**Policy 5.1.4**
The Town shall establish a program to meter all irrigation water uses, regardless of source.

**Goal 6**
Coordinate with appropriate agencies regarding identification and implementation of alternative water supply projects, resource allocations and changes in service area.

**Objective 6.1**
To ensure close cooperation with governmental and regulatory agencies regarding water supply issues.

**Policy 6.1.1**
The Town shall coordinate with the St. Johns River Water Management District, Lake County, and other local governments or private utility providers to develop cost effective and technically feasible water sources that will satisfy and supplement future demands without causing adverse impacts to water quality, wetlands, aquatic systems or the environment.

**Policy 6.1.2** The Town will continue to participate in the Regional Water Supply Plan, support the recommendations of the plan, participate in its ongoing programs and prioritize identified projects within the city limits.
Goal 7
Ensure adequate revenue sources to fund water supply and facility projects.

Objective 7.1
To ensure that the cost to provide facilities required to serve new growth is paid by that new growth.

Policy 7.1.1 The Town shall require that the total cost of new service be funded by the user of that service.

Policy 7.1.2 The Town will continue to require that any proposed project’s water impact fees be paid in full prior to the Town signing an FDEP permit application for the project.

Goal 8
Maintain the Water Supply Facilities Work Plan in coordination with the regional water supply plan

Objective 8.1
To update the Work Plan within 18 months following the approval of a regional water supply plan.

Policy 8.1.1 The Town will maintain and upgrade its 10-Year Water Supply Facility Work Plan consistent with the updates of the Water Management District’s Regional Water Supply Plan. The Work Plan shall be reviewed annually and shall be updated within 18 months of an update to the Water Management District’s Water Supply Plan that affects the Town or sooner if necessary.
### 6.0 APPENDIX

<table>
<thead>
<tr>
<th>Map 1</th>
<th>Howey Water Utility Service Area Map</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map 2</td>
<td>Howey Future land Use Map</td>
</tr>
<tr>
<td>Map 3</td>
<td>Howey Water System Map</td>
</tr>
<tr>
<td>Ordinance No. 2003-305</td>
<td>Water Conservation Ordinance</td>
</tr>
<tr>
<td>Ordinance No. 2008-004</td>
<td>Landscape Ordinance</td>
</tr>
<tr>
<td>Resolution 2007-001</td>
<td>Water Rate Structure</td>
</tr>
</tbody>
</table>
TOWN OF HOWEY-IN-THE-HILLS
MAP 1 - TOWN LIMITS AND
UTILITY SERVICE AREA

LEGEND
MAJOR ROADS
UTILITY SERVICE AREA
TOWN OF HOWEY-IN-THE-HILLS
SECTIONGRID

WATER TREATMENT PLANT NO. 1
WATER TREATMENT PLANT NO. 2

COUNTY ROAD 455
MARGUERITE ALLEN RD
THOMAS ALLEN RD
BUSB RD
DEWEY ROBBINS RD
ORANGE BLOSSOM RD
BRANDI KALDORF RD
TOWN OF HOWEY-IN-THE-HILLS

© DOCUMENTS AND SETTINGS\DEANDRAE\DOCUMENTS\GIS\MAPS\LAKE_COUNTY\HOWEY_IN_THE_HILLS\HOWEY_WATERSERVICEAREA11X17.MXD
MAP PRINTED ON: 10/7/2009
ORDINANCE 2003-305

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA; AMENDING CHAPTER 171 OF THE CODE OF ORDINANCES TO CREATE SECTION 171-23 RELATING TO WATER CONSERVATION; PROVIDING PROCEDURES FOR A DECLARATION OF WATER SHORTAGE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Howey-in-the-Hills owns and operates its municipal water works system and is responsible for the natural resources entrusted to it; and

WHEREAS, water is a critical resource that must be properly managed and conserved; and

WHEREAS, the Town Council of the Town-of-Howey-in-the-Hills desires to create procedures to conserve water and reduce usage during periods of water shortage.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA.

Section 1. Chapter 171 of the Code of Ordinances of the Town of Howey-in-the-Hills is amended to create Section 171-23 which shall read as follows:

Sec. 171-23. Water shortage conditions.

(a) Resolution of town council. The town council may, by adoption of a resolution at a regular or specially called public meeting, declare that a water shortage condition exists in the town. The adoption of such a resolution shall have the effect of implementing the provisions of this section until such time as the town council may declare, by adoption of a resolution, that the state of water shortage no longer exists.

(b) Prohibitions. Between the hours designated by the town council in the resolution declaring that a state of water shortage exists, the use and withdrawal of water by any person for the following purposes is hereby prohibited:

(1) Watering yards. The sprinkling, watering or irrigating of shrubbery, trees, lawns, grass, ground cover, plants, vines, gardens, vegetables, flowers, or any other vegetation.
(2) Escape through defective plumbing. Allowing the escape of water through defective plumbing, which shall mean the knowing permission for defective plumbing to remain out of repair.

(c) Exceptions. The public works director shall have the authority to permit a reasonable use of water in any case necessary to maintain adequate health and sanitation standards. Any user of water may apply for a temporary permit from the town council for relief from the provisions of this section, provided that a written request for authorization to use water indicates that a hardship exists and the nature of the hardship.

(d) Violations. Any violation of this section after passage of the resolution provided for herein shall be subject to code enforcement proceedings as provided in Chapter 8 of the Code of Ordinances and may be punished as provided in Section 30-1 of the Code of Ordinances.

Section 2. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. The provisions of this ordinance are intended to be incorporated into the Code of Ordinances of the Town of Howey-in-the-Hills, Florida and the sections of this ordinance may be renumbered, relettered, and the work "ordinance" may be changed to "section, "article," or such other word or phrase in order to accomplish such intention.

Section 4. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

Section 5. This ordinance shall be effective upon passage.

PASSED AND ORDAINED this 14th day of April, 2003 by the Town Council of the Town of Howey-in-the-Hills, Florida.

SCOTT D. KEARNEY, MAYOR

JANISE BENNETT, TOWN CLERK

Passed First Reading 3-10-03
Ordinance 2003-305
Page 3

Passed Second Reading 4-14-03

Approved as to form and legality:

Jason E. Merritt, Town Attorney
BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY, FLORIDA:

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

(1) The Town adopted Land Development Regulations in order to implement its comprehensive plan and to comply with the minimum requirements of the State of Florida’s Growth Management Act set forth in chapter 163 of Florida Statutes, including the regulation of landscaping and future land use.

(2) The Town desires to continue to maintain stringent landscaping requirements of its residents and businesses in order to enhance the beauty and quality of life in and around the Town.

(3) The Town’s Planning and Zoning Board, at several advertised public hearings held as required by Section 1-13.5C of the Land Development Regulations, has reviewed,
heard public input, and recommended that the Town Council adopt the specific text changes to the Land Development Regulations set forth in this Ordinance.

(4) The Town Council has considered oral and written comments received during advertised public hearings and has considered the recommendations of the Howey-in-the-Hills Planning and Zoning Board.

(5) The Town has determined that the amendments to the Land Development Regulations are consistent with the Town’s comprehensive plan.

(6) In exercise of its authority, the Town Council has determined it necessary and desirable to amend Article XIV of Division III of the Land Development Regulations.

Section 2. Approving the Adoption of Changes to the Land Development Regulations. The Town Council hereby approves the revisions and replacement of the text of the Town of Howey-in-the-Hills’ Land Development Regulations (“LDRs”) pertaining to Article XIV of Division III, which is hereby replaced in its entirety with the following text:

DIVISION III: LANDSCAPING AND TREE PROTECTION

ARTICLE XIX: LANDSCAPE REGULATIONS

DIVISION I

Section 1-14.1: Purpose; intent.
(a) The purpose of this article shall be to promote the health, safety and welfare of the present and future residents of the Town of Howey In The Hills by establishing minimum standards for the provision and maintenance of landscaping and buffers within the Town. Landscaping and buffering:
(1) Improves the appearance and value of land within the town.
(2) Promotes better environmental quality and water conservation;
(3) Improves the design and efficiency of land development projects;
(4) Preserves native plant species and promotes the removal of nuisance exotic plant species; and
(5) Provides physical and psychological benefits to those who live, work and recreate within the town.
(b) It is the intent of this article that it be interpreted strictly and in favor of maximum compliance with the requirements and standards of this article, consistent with the practical limitations or the need to compromise competing public purposes, as determined by the P & Z and Town Council.
(c.) It is the intent of this article that The Florida Grades and Standards Manual, as currently published, shall be the determining guide to standards.

Section 1-14.2: Applicability; exceptions.
The provisions of this article shall apply to all new development and redevelopment activities for which site plan approval is required shall apply to the new construction or major reconstruction (over 50 percent of the current pre-reconstruction market value) of a single-family dwelling, PUD, subdivision or commercial property.

Section 1-14.3: Impact of more restrictive regulations
The provisions of this section shall be subject to other applicable regulations where such regulations are more restrictive and are not otherwise inconsistent with the provisions of this section.

Section 1-14.4: Definitions.
**Barrier** shall mean a solid or unbroken visual screen, including a masonry fence or solid wood fence which presents a one-hundred (100) percent opaque screen. An open chain link fence shall not constitute a barrier.

**Berm** shall mean the mounding of soil which is planted with living material designed as a natural landscape buffer to screen incompatible land uses or to absorb or otherwise reduce nuisance impacts such as noise, smoke, glare or other similar impacts.

**Caliper** shall mean the minimum trunk diameter of a new or replacement tree as measured at a predetermined point measurement as determined by The Florida Grades and Standards Manual.

**Clearing** shall mean the removal of any trees or vegetation from the land, but shall not include mowing of lawn and field grasses.

**Diameter at breast height (DBH)** shall mean the trunk diameter of a mature tree measured four and one-half (4.5) feet above the average ground level at the base of the tree. Provided, however, if the tree forks four and one-half (4.5) feet above ground level, it is measured below the swell resulting from the double stem.

**Dripline** shall mean the ground area surrounding the trunk of a tree that is described by the vertical plane enclosing the outermost branches of the tree. For asymmetrical specimens, or those with unusually small crown spear, the dripline area shall in no case be less than that area described by a radial dimension of one (1) foot for each one (1) inch of trunk radius as determined by The Florida Grades and Standards Manual.

**Grass** shall mean green herbage, commonly referred to as grass, which is commonly grown year around in the Town of Howey In The Hills. For the purposes of this article no artificial grass shall be considered living plant material.

**Ground Cover** shall mean low growing living plant material or landscape material.

**Hedge** shall mean a solid and unbroken visual screen of self supporting living plant material.

**Shrubs** shall mean self supporting, woody, evergreen plants smaller than a tree and usually branching from or near the ground.

**Synthetic Plants** Synthetic or artificial material in the form of trees, shrubs, ground covers or vines shall not be used in lieu of plant requirements of this section.

**Tree** shall mean any living, self-supporting, woody perennial plant which has a trunk diameter of at least four (4) inches at breast height.

**Wetlands** shall mean lands which are identified by being inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in
saturated soil conditions. The definition includes all contiguous and non-contiguous or isolated wetlands to waters, water bodies, and watercourses. Wetlands include, but are not limited to, swamp hammocks, hardwood hybrid hammocks, riverine cypress, cypress ponds, bayheads, bogs, wet prairies, and freshwater marshes. Dominant wetland vegetation shall be determined as provided in Rule 17-3.022, Florida Administrative Code. In circumstances where the natural boundary of wetland vegetation is unclear, the line of demarcation may be approximated at a surveyed elevation measured at a location in the same wetland where the natural line is clear. In the event an undeveloped area has been recently cleared of all vegetation, the wetland boundary may be determined by a study of the soils, aerial mapping, photography, hydrology, and other historical information as appropriate.

Section 1-14.5. Landscaping plan.
(a) Submission; application; review; fees. Prior to approval of a site plan, a landscaping plan prepared and sealed by a landscape architect shall be submitted to the town, that shall review the plan for completeness. Procedures for submission and review, including application forms and contents, shall be as required in an instruction packet to be obtained from the land development department. Application fees shall be as provided by resolution of the Town Council. Submission of the landscaping plan shall coincide with the submission of the application for a site plan. A landscape and irrigation plan shall be submitted at the time of application for site plan approval and/or plat approval.

(1) The landscape plan shall contain the following information:
   a. Name, address, and telephone number of the owner;
   b. Name, address, and telephone number of the designer;
   c. Scale of the plans;
   d. Indication of north;
   e. All dimensions, property line;
   f. Location, type, and size of existing trees to remain on the site;
   g. Delineation of swales and retention areas;
   h. Designation of existing and proposed parking;
   i. Location, size, specifications of all plant materials including botanical and common names;
   j. Indication of the location and width of buffer being shown;
   k. Square footage of paved area and building; and
   l. Location of all existing and proposed utilities.

(2) The irrigation plan shall contain the following information:
   a. Name, address, and telephone number of the owner;
   b. Name, address, and telephone number of the designer;
   c. Scale of the plans;
d. Indication of north;

e. Existing and proposed parking;

f. Proposed location and type of all irrigation controllers, valves, pipes, backflow preventer, and other irrigation equipment to be used on the site and finished or actual location of these components upon completion of the project. (See Irrigation Section)

g. Water quantity to be used per zone and the total water demand for meter size (including domestic use).

(b) **Review by boards and committees.** The application and supporting proposed landscaping plan shall be reviewed in the same manner as is required for a site plan.

(c) **Approval; disapproval.** Following review for compliance with the standards of this article and other applicable requirements of this chapter, the proposed landscaping plan shall be approved, approved with conditions and/or changes or disapproved by the P & Z and Town Council.

(d) **Variances.** Where, owing to the unusual nature of the lot or parcel, the unusual arrangement of buildings or structures thereon or other unique conditions, including the peculiar results of the application of different regulations, the Town Council may vary the standards at the time of plan approval, provided that adequate standards are substituted to meet the intent of the requirements contained in this section.

(e) **Inspection; bond or surety for verification of compliance.** Areas which have been landscaped shall be inspected upon completion of the landscaping and again after two years for new landscape plantings & five years for re-location plantings. The Town Council may establish uniform requirements for posting of a bond or other surety to guarantee the proper installation and maintenance of landscaped areas and the replacement of dead or diseased vegetation used in landscaping. Such surety shall be posted prior to approval of the landscaping plan and issuance of other permits and shall remain in effect until the completion of the inspection and verification period of compliance.

Section 1-14.6. Trees or shrubs obstructing streets, sidewalks or other public places.

(a) Any tree or shrub which overhangs any sidewalk, street or other public place in the Town of Howey In The Hills in such a way as to impede or interfere with traffic or travel on the public place, or which obstructs any streetlamp, shall be trimmed by the owner of the abutting premises on which the tree or shrub grows so that the obstruction shall cease.

(b) Any limb of a tree which has become likely to fall on or across any public way or place shall be removed by the owner of the premises on which the tree grows or stands.

Section 1-14.7. Attaching advertisements or notices and injuring trees in public places.

(a) It shall be unlawful to injure any tree planted in any public place.

(b) It shall be unlawful to attach any sign, advertisement or notice to any tree in any street or other public place.

Section 1-14-8. Time limit for installation of improvements.

(a) Once a landscaping plan has been approved, all improvements shown on the plan shall be installed within 60 days or prior to issuance of a certificate of occupancy, whichever is first, unless a separate schedule of completion is approved by the Town Council at the time of landscape plan approval. When time limits for completion of required improvements have expired, no further permit shall be issued for any work on the parcel or lot unless all
improvements required under the landscaping plan have been completed, as approved under the plan, and have been field inspected and verified by the town.

(b) Failure to install or maintain landscaping according to the provisions of this article and the terms of any approved landscaping plan, and including failure to replace dead or diseased vegetation, shall be considered a violation of this article and this Code. Each day during which there is a failure to install or maintain such landscaping shall constitute a continuing and separate violation.

DIVISION 2. STANDARDS AND REQUIREMENTS

Section 2-14.1. Required landscaping.
(a) **General standards.**
   (1) All exterior areas of any site not required for parking, accessory structures or utility structures shall be landscaped.
   (2) The minimum requirements for landscaping and buffering are intended to be cumulative, such that the total requirement for landscaping shall be the aggregate of the requirements for the individual areas separately, with the following exceptions:
      a. Where adjoining uses each have an individual requirement for provision of a buffer between them, both buffers shall actually be required.
      b. Where a buffer is required in addition to perimeter landscaping, such as around a parking lot, both landscaped areas shall be required.
   (3) Where buffering or landscaping is required, all appropriate efforts shall be made to utilize existing areas of native vegetation to satisfy the requirement. Where such areas are used, they should be left undisturbed to the maximum extent possible. Where additional opacity is required to reduce visual penetration, walls or fences of a compatible material and color should be used to supplement the natural vegetation, and should be located and installed in such a manner as to minimize damage to the existing native vegetation.
   (4) Existing mature native trees should be used wherever possible in lieu of planting new trees. Where a mature tree is used, it may be counted as two trees for the purpose of establishing the total tree requirement within the landscaped areas, provided that all of the location requirements for trees are met and the total number of required trees may not be reduced by more than 20 percent.
   (5) Landscaping may extend into rights-of-way and/or easements, subject to permission of the agency or other entity holding title to the rights-of-way or easements. Such landscaping shall not be used to meet the minimum requirements under this article unless approved by the Town Council.
(b) **Tree planting and preservation.** The following tree planting and preservation standards shall apply to all developments:
   (1) **Residential land use.** One tree, 3" caliper 65 gal container or greater, shall be planted or preserved for every 1,500 square feet, or fraction thereof, of a parcel used for residential purposes, excluding only areas of vegetation required to be preserved by law and preservation areas, under no circumstances less than 4 trees.
   (2) **Nonresidential land use.** One tree, 3" caliper 65 gal container or greater, shall be planted or preserved for every 2,500 square feet, or fraction thereof, of a parcel used for nonresidential purposes, excluding only areas of vegetation required to be preserved by law and preservation areas.
   (c) **Vehicular use areas.** The following landscape standards shall apply to vehicular use areas:
(1) Off-street parking areas shall include 20 square feet of landscaping for each parking space. Such landscaping shall consist of terminal islands at the end of each row of parking, interior islands within each row of parking and landscaped divider strips, and:

a. Each terminal island shall include at least one tree, 5" caliper 200 gal container or better, shall measure not less than twelve (12) feet in width and shall be at least as long as the single or double row of parking spaces terminated by the island.

b. Interior islands shall be provided to break up rows of parking spaces so that no continuous uninterrupted row of spaces may exceed 10 spaces without the provision of an intervening interior island. Interior islands shall be at least twelve (12) feet in width and shall have the same depth as the abutting parking spaces. At least one tree, 5" caliper 200 gal container or better, shall be provided in each interior island.

c. Contiguous rows of parking spaces may be separated by a divider median. Where such a median is used, it shall be at least twelve (12) feet in width. One tree, 5" caliper 200 gal container or better, shall be planted within each divider median and one additional tree, 5" caliper 200 gal container or better, shall be planted for each 40 feet of length. Where divider medians are used, the abutting parking spaces may be reduced by not more than two feet in depth, provided that adequate protection is included to prevent damage to trees and landscaped areas from automobiles and pedestrians.

d. Terminal islands, interior islands and divider medians shall be surrounded with a continuous raised curb. Landscaped area dimensions shall be measured from the inside of the curb.

e. Landscaping shall be provided around the perimeter of a parking area so as to create a buffer from adjoining land uses, streets and properties. Where such buffer cannot be accomplished by retention of thickly vegetated areas of existing vegetation, a hedge not less than four, nor more than 20 feet in height shall be provided along the perimeter.

(2) Vehicular use areas, other than parking areas, shall be provided with landscaped areas equal to ten percent of the total paved surface, and:

a. Landscaped areas shall be arranged and designed to provide adequate buffering of vehicular use areas from other portions of the site and from adjacent streets and properties. Where such buffer cannot be accomplished by retention of thickly vegetated areas of existing vegetation, a hedge not less than four, nor more than 20 feet in height shall be provided along the perimeter.

b. At least one tree shall be provided for each 200 square feet of landscaped area and/or for each 40 linear feet of landscaped area.

d) Nonvehicular use areas. Other areas adjacent to public streets or other properties shall be landscaped in addition to the specific requirements for vehicular use areas. A perimeter landscaping area at least 25 feet in width shall be provided along any boundary, other than along a public alley. Such area shall include existing vegetation to the maximum extent feasible, and shall contain at least one tree for each 25 linear feet of outside perimeter. Where a buffer area is required by section 34-162, such buffer area may be substituted for the perimeter landscaped area.

Section 2-14.2. Required buffers.

(a) Landscaped buffer strips shall be required in certain situations where the site under development adjoins a public street, a developed site or an undeveloped site designated for development, as follows:

Minimum Required Buffers

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<tr>
<th>Minimum Required Buffers</th>
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</table>

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The following standards shall apply to the categories of buffers identified in subsection (a) of this section:

1. **Category 1.** Twenty-five-foot wide area of existing approved native vegetation or twenty-five (25) foot wide buffer area with a wall-or hedge not less than six feet in height, supplemented by trees spaced not more than 20 feet apart.

2. **Category 2.** Fifty-foot wide area of existing approved native vegetation or fifty (50) foot wide buffer area with a wall, or hedge not less than eight feet in height, supplemented by trees spaced not more than 20 feet apart.

3. **Category 3.** Seventy-five-foot wide area of existing approved native vegetation or seventy-five (75) foot wide buffer area with a wall, fence, hedge or berm not less than eight feet in height, supplemented by trees spaced not more than 20 feet apart.

(c) Where berms are used, the width shall be increased so that the slope is not greater than one to three (rise to run), with at least one foot of level area between the base of the slope and the edge of the buffer. Berms shall be covered in appropriate ground cover to avoid erosion.

(d) Where walls are used, additional bushes or shrubs not less than 30 inches in height, 7 gal. Container size, and spaced not more than 30 inches apart shall be used along the outside of the walls or fences unless otherwise approved by the town.

(e) Normally, responsibility for establishment and maintenance of buffers shall belong to the more intense development abutting a less intensive development. Where the adjacent property is vacant at the time of development, the new development shall provide the buffer, which shall be based on the permitted land use as identified in the comprehensive plan and/or zoning regulations. Where the adjacent property is already developed, but without a buffer meeting these requirements, the new development shall provide the buffer.

Section 2-14.3. Single-family dwellings.

(a) **Procedure.** Where construction or major reconstruction of a single-family dwelling requires review of landscaping under this article, a separate landscaping plan will be required. At the time of issuance of a building permit, the code enforcement official shall supply a description of the landscaping requirements. No certificate of occupancy shall be
issued until after the landscaping is inspected and found to be in compliance with such requirements.

(b) **Trees.** Each lot on which a single-family dwelling is constructed or reconstructed shall be landscaped with one tree, 3"caliper 65 gal container or greater, for each 1,500 square feet, or fraction thereof, of lot area, excluding such area containing vegetation required to be preserved by law. Not more than 15 trees, under no circumstances less than 4 trees, shall be required under such standard. At least 50 percent of such trees shall be shade trees.

(c) **Grass areas.** All areas not contained in structures or parking shall be landscaped or planted in grass prior to occupancy. Grass areas shall be planted with drought tolerant species suitable as permanent lawns in the county. Grass areas may be sodded or plugged, provided that a solid cover of sod shall be used in swales, on slopes or in other areas subject to erosion, and shall be used in all rights-of-way. In areas where grass seed is used, nursegrass seed shall also be sown for immediate effect, and maintenance shall be provided until coverage is complete. If the lawn is not established by sodding with 100 percent coverage, the density of sod or other method of establishment of the lawn shall be sufficient to provide establishment of 100 percent coverage within one year after issuance of the building permit.

(d) **Appropriate materials.** Appropriate landscaping materials shall be used pursuant to the standards of section 34-181. Requirements for use of treated wastewater for irrigation shall apply only where such systems are available. Restrictions on use of native vegetation shall only apply where the landscaping is being supplied by the builder as part of the construction of a new residence.

(e) **Maintenance.** Landscaping shall be maintained in an orderly manner. Vegetation shall be maintained in such a manner as to avoid inconvenience to owners or occupants of adjoining property. Where portions of a plant grow in such a manner as to cross a property line or to inconvenience users of a public street or sidewalk, the plant shall be maintained to limit or restrict intrusion into the area of the adjoining property or right-of-way.

DIVISION 3. PLANTING MATERIAL

Section 3-14.1. Use of specific planting materials. Trees and other vegetation shall be planted in soil and climatic conditions which are appropriate for their growth habits. Plants used in required landscaping and buffers shall to the greatest extent possible be appropriate to the conditions and ecological setting in which they are to be planted. Plant materials installed on a berm or other area comprised of sandy materials and well drained conditions should be able to tolerate reduced water conditions. Plant materials installed around retention/detention ponds or in swales or other poorly drained areas should be able to tolerate wet conditions.

Section 3-14.2. Quality. Plants installed pursuant to this article shall conform to or exceed the minimum standards for Florida Number 1, as provided in the most current edition of the Grades and Standards for Nursery Plants, Parts I and II, prepared by the state department of agriculture and consumer services.

Section 3-14.3. Native plant materials and xeriscape landscaping techniques. Native plant materials and xeriscape landscaping techniques shall be used in landscaping as required under this article. The town shall provide lists of specific plant species and landscaping techniques which shall be acceptable in approving landscaping plans. Where
wastewater reuse systems are available for irrigation, at least 20 percent of landscaped areas, excluding grass, shall consist of native species. Where such systems are not available, 40 percent of landscaped areas, excluding grass, shall consist of native species.

**Species list.**

<table>
<thead>
<tr>
<th>Plant List</th>
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<tbody>
<tr>
<td><strong>Approved and accredited Plants and Trees</strong></td>
</tr>
<tr>
<td>Allee Elm (Ulmus parvifolia 'Emer II' pp7551 Allee®)</td>
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<tr>
<td>American Elm (Ulmus americana)</td>
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<tr>
<td>Bald Cypress (Taxodium distichum)</td>
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<tr>
<td>Bald Cypress 'Autumn Gold' (Taxodium distichum 'Autumn Gold')</td>
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<tr>
<td>Blackjack Oak (Quercus marilandica)</td>
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<tr>
<td>Chapman Oak (Quercus chapmanii)</td>
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<tr>
<td>Dahoon Holly (Ilex cassine)</td>
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<td>Dragon Tree (Dracaena draco)</td>
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<tr>
<td>Jacaranda (Jacaranda acutifolia or Jacaranda mimosaeefolia)</td>
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<tr>
<td>Live Oak (Quercus virginiana)</td>
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<tr>
<td><strong>Magnolia grandiflora 'Bracken's Brown Beauty'</strong></td>
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<tr>
<td><strong>Magnolia grandiflora 'Little Gem'</strong></td>
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<tr>
<td>Pignut Hickory (Carya glabra)</td>
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<tr>
<td><strong>Quercus nuttallii</strong></td>
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<tr>
<td><strong>Quercus stellata</strong></td>
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<tr>
<td>Red Maple (Acer rubrum)</td>
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<tr>
<td>Shumard Red Oak (Quercus shumardii)</td>
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<tr>
<td>Southern Magnolia (Magnolia grandiflora)</td>
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<tr>
<td>Southern Red Cedar (Juniperus silicicola)</td>
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<tr>
<td>Sweetgum (Liquidambar styraciflua)</td>
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<tr>
<td>Sycamore (Platanus occidentalis)</td>
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<tr>
<td>Turkey Oak (Quercus laevis)</td>
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</table>

(2) **Understory trees.** Trees which normally grow to a mature height of fifteen (15) to thirty-five (35) feet.

<table>
<thead>
<tr>
<th>Plant List</th>
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<tbody>
<tr>
<td>Bluejack Oak (Quercus incana)</td>
</tr>
<tr>
<td>Chickasaw Plum (Prunus angustifolia)</td>
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<tr>
<td>Crape Myrtle (Lagerstroemia indica)</td>
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<td>Dogwood (Cornus florida)</td>
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<td>Fringe Tree (Chionanthus virginica)</td>
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<tr>
<td>Guava (Psidium guajava)</td>
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<td>Jerusalem Thorn (Parkinsonia aculeata)</td>
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<td>Kumquat (Fortunella japonica)</td>
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<tr>
<td>Loquat (Eriobotrya japonica)</td>
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<td>Myrsine (Myrsine guianensis)</td>
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<tr>
<td>Myrtle Oak (Quercus myrtifolia)</td>
</tr>
<tr>
<td>OAK LEAF™ RED HOLLY Ilex x 'Conaf' P.P.# 9487</td>
</tr>
<tr>
<td>Tree/Plant Name</td>
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<td>---------------------------------------</td>
</tr>
<tr>
<td>Orchid Tree (Bauhinia spp.)</td>
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<tr>
<td>Oriental Persimmon (Diospyros kaki)</td>
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<tr>
<td>Purple Tabebuia (Tabebuia impetiginosa)</td>
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<tr>
<td>Redbud (Cercis canadensis)</td>
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<tr>
<td>Sand Live Oak (Quercus geminata)</td>
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<tr>
<td>Simpsons Stopper (Myrcianthes fragrans)</td>
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<tr>
<td>Southern Wax Myrtle (Myrica cerifera)</td>
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<tr>
<td>Tabebuia impetiginosa</td>
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<tr>
<td>Tabebuia chrysotricha</td>
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<tr>
<td>Wild Cinnamon (Canella alba)</td>
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<tr>
<td>Wild Lime (Zanthoxylum fagara)</td>
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<tr>
<td>Elaeocarpus dentatus</td>
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<tr>
<td>Winged Elm (Ulmus alata)</td>
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<tr>
<td>Yaupon Holly (Ilex vomitoria)</td>
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<table>
<thead>
<tr>
<th>(3) Shrubs.</th>
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<tbody>
<tr>
<td>Anise Tree (Illicium anisatum)</td>
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<tr>
<td>Arborvitae or Oriental Arborvitae (Platycladus orientalis)</td>
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<tr>
<td>Bay Cedar (Suriana maritima)</td>
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<tr>
<td>Beauty-Berry (Callicarpa americana)</td>
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<td>Bottlebrush (Callistemon spp.)</td>
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<tr>
<td>Bougainvillea (Bougainvillea spp.)</td>
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<td>Boxthorn (Severinia buxifolia)</td>
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<td>Butterfly-Bush (Buddleia officinalis)</td>
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<td>Camellia (Camellia japonica)</td>
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<td>Cape Honeysuckle (Tecomaria capensis)</td>
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<tr>
<td>Cardboard Palm (Zamia spp.)</td>
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<tr>
<td>Catclaw or Cats Claw (Pithecellobium unguis-cati)</td>
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<tr>
<td>Christmas Berry (Lycium carolinianum)</td>
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<td>Coral Bean (Erythrina herbacea)</td>
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<td>Crape-Jasmine (Ervatamia coronaria)</td>
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<tr>
<td>Crape Myrtle (Lagerstroemia indica)</td>
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<td>Croton (Codiaeum variegatum)</td>
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<tr>
<td>Dwarf Palmetto (Sabal minor)</td>
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<tr>
<td>Fatsia (Fatsia japonica)</td>
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<tr>
<td>Fetterbush (Lyonia lucida)</td>
</tr>
<tr>
<td>Fiddlewood (Citharexylum fruticosum)</td>
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<tr>
<td>Florida Privet (Forestiera segregata)</td>
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<tr>
<td>Gallberry (Ilex glabra)</td>
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<td>Gardenia (Gardenia jasminoides)</td>
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<td>Hibiscus (Hibiscus rosa-sinensis)</td>
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<tr>
<td>India Hawthorn (Raphiolepis indica)</td>
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<tr>
<td>Inkberry (Scaevola plumieri)</td>
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<tr>
<td>Ixora (Ixora spp.)</td>
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<tr>
<td>Jaboticoba (Myrciaria cauliflora)</td>
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</tbody>
</table>
Japanese Boxwood (Buxus japonica or Buxus microphylla)
Ligustrum (Ligustrum japonicum)
Limeberry (Triphasia trifolium)
Nagi Podocarpus (Podocarpus nagi)
Natal Plum (Carissa grandiflora)
Necklace Pod (Sophora tomentosa)
Oleander (Nerium oleander)
Pampas Grass (Cortaderia selloana)
Philodendron (Philodendron spp.)
Pineapple Guava (Feijoa sellowiana)
Pittosporum or Japanese Pittosporum (Pittosporum tobira) Non varigated
Yew Podocarpus (Podocarpus macrophyllus)
Ponytail Palm (Beaucarnea recurvata)
Red Firethorn (Pyracantha coccinea)
Red Top
Rosemary (Ceratiola ericoides)
Saw Palmetto (Serenoa repens)
Scarletbush (Hamelia patens)
Schillings Holly (Ilex vomitoria ‘Schillings’)
Scrub Palmetto (Sabal etonia)
Sea Grape (Coccoloba uvifera)
Sea Lavender (Tournefortia gnaphalodes)
Silver Buttonwood (Conocarpus erectus var. sericeus)
Silverthorn (Elaeagnus pungens)
Slender Buckthorn (Bumelia reclinata)
Snowberry (Chiococca alba)
Spanish Bayonet (Yucca aloifolia)
Sweet Acacia (Acacia farnesiana)
Tarflower (Befaria racemosa)
Texas Sage (Leucophyllum frutescens)
True Myrtle (Myrtus communis)
Viburnum Family (Viburnum odoratissimum)
Victorian Rosemary (Westringia rosmariniformis)
Wax Myrtle (Myrica cerifera)
Weeping Podocarpus (Podocarpus gracilior)
White Indigo Berry (Randia aculeata)
Yaupon Holly (Ilex vomitoria)
Yew Podocarpus (Podocarpus macrophyllus)

(4) Ground covers and vines.

Algerian Ivy (Hedera canariensis)
Aloe (Aloe spp.)
Asparagus Fern (Asparagus densiflorus)
Beach Bean (Canavalia maritima)
Beach Panicgrass
Beach Peanut (Okenia hypogaea)
Blanket Flower (Gaillardia pulchella)
Bleeding Heart (Clerodendrum thomsoniae)
Border Grass (Liriope muscari)
Chinese Juniper (Juniperus chinensis)
Confederate Jasmine (Trachelospermum jasminoides)
Confederate Ivy
Coontie (Zamia floridana)
Creeping Fig (Ficus pumila)
Daylily (Hemerocallis spp.)
Dichondra (Dichondra micrantha)
Downy Jasmine (Jasminum multiflorum)
Dwarf or Small Leaf Confederate Jasmine (Trachelospermum asiaticum)
Dwarf Lantana (Lantana depressa)
English Ivy (Hedera helix)
Gopher Apple (Licania michauxii)
Grapevine or Ivy (Cissus spp.)
Herald's Trumpet (Beaumontia grandiflora)
Japanese Clematis (Clematis dioscoreifolia)
Marine Ivy (Cissus incisa)
Matchweed (Lippia nodiflora)
Mexican Bluebell (Ruellia brittoniana)
Mondo Grass (Ophiopogon japonicus)
Morning Glory (Ipomoea spp.)
Oyster Plant (Rhoeo spathecea)
Pineland Snowberry (Chiococca parviflora)
Primrose Jasmine (Jasminum mesnyi)
Saltmeadow Cordgrass (Spartina patens)
Sea Oxeye Daisy (Borrichia frutescens)
Sea Purslane (Sesuvium portulacastrum)
Seashore Elder
Shining Jasmine (Jasminum nitidum)
Shore Juniper (Juniperus conferta)
Sicklethorn Vine (Asparagus falcatus)
Trumpet Creeper or Vine (Campsis radicans)
Virginia Creeper (Parthenocissus quinquefolia)
Wandering Jew (Zebrina pendula)
Wax Jasmine (Jasminum volubile)
Wedelia (Wedelia trilobata)
Wild Allamanda (Urechites lutea)
Wisteria Family (Wisteria frutescens)
Woolly Morning Glory (Argyreia nervosa)

**Approved Mature Trees 8" Diameter at Breast Height or greater**

Magnolia Grandiflora
Live Oak (Quercus virginiana)
*Quercus falcata*
*Quercus lyrata*
Bald Cypress 'Autumn Gold' (Taxodium distichum 'Autumn Gold')
Bald Cypress (Taxodium distichum)
Blackjack Oak (Quercus marilandica)
*Magnolia grandiflora 'Little Gem'*
*Magnolia grandiflora 'Bracken's Brown Beauty'*
* Chapman Oak (Quercus chapmanii)
* Pignut Hickory (Carya glabra)
* Shumard Red Oak (Quercus shumardii)
* Turkey Oak (Quercus laevis)
* Bluejack Oak (Quercus incana)
* Sand Live Oak (Quercus geminata)

**No Tree Credits**
* Cabbage Palm (Sabal palmetto)
Cherry Laurel (Prunus caroliniana)
* Copperpod (Peltophorum pterocarpum)
* Desert Fan Palm (Washingtonia filifera)
East Palatka Holly (Ilex x attenuata)
* Golden Tabebuia (Tabebuia chrysotricha)
* Laurel Oak (Quercus laurifolia)
Areca Palm (Chrysalidocarpus lutescens)
Loblolly Bay (Gordonia lasianthus)
Loblolly Pine (Pinus taeda)
* Longleaf Pine (Pinus palustris)
* Mimosa (Albizia julibrissin)
* Queen Palm (Arecastrum romanzoffianum)
* Red Bay (Persea borbonia)
* Red Mulberry (Morus rubra)
* Sand Pine (Pinus clausa)
* Slash Pine (Pinus elliottii)
* Sugarberry or Hackberry (Celtis laevigata)
Sweetbay (Magnolia virginiana)
* Washington Palm (Washingtonia robusta)
* Wild Date Palm (Phoenix sylvestris)
Phoenix Dactylifera
* Cattley Guava (Psidium littorale)
* Chaste Tree (Vitex agnus-castus)
* Chinese Fan Palm (Livistona chinensis)
* Cliff Date Palm (Phoenix rupicola)
* Hercules Club (Zanthoxylum clava-herculis)
* Jerusalem Thorn (Parkinsonia aculeata)
* Pindo Palm (Butia capitata)
*Pittosporum or Japanese Pittosporum varigated (Pittosporum tobira 'variegata')
Cherry Laurel (Prunus caroliniana)
Quercus nigra
* Golden Creeper (Ernodea littoralis)
Trailing Lantana (Lantana montevidensis)

**Banned Trees, shrubs and vines**

- Austrian Pine (Pinus nigra)
- Chinese Tallowtree (Sapium sebiferum)
- Air potato - Dioscorea bulbifera
- Brazilian pepper-tree - Schinus terebinthifolius
- Camphor tree - Cinnamomum camphora
- Chinaberry - Melia azedarach
- Chinese tallow - Sapium sebiferum
- Downy rose myrtle - Rhodomyrtus tomentosa
- Japanese climbing fern - Lygodium japonicum
- Eurasian water milfoil - Myriophyllum spicatum
- Giant salvinia - Salvinia molesta
- Giant sensitive plant - Mimosa pigra
- Hydrilla - Hydrilla verticillata
- Melaleuca - Melaleuca quinquenervia
- Old World climbing fern - Lygodium microphyllum
- Skunk vine - Paederia foetida
- Torpedograss - Panicum repens
- Water hyacinth - Eichhornia crassipes
- Water lettuce - Pistia stratiotes
- Wetland nightshade - Solanum tampicense
- Winged yam - Dioscorea alata
- Melia azedarach Chinaberry

Section 3-14.4. Artificial plants and vegetation.
No artificial plants or vegetation shall be used to meet any requirement of this article.

Section 3-14.5. Tree dimensions.
Immediately upon planting, trees shall be a minimum of ten feet in height, with a diameter of 3’caliper when measured at a point which is at least 4 1/2 feet above the existing grade (dbh), unless otherwise required. Trees shall have a minimum of five feet of clear trunk and a minimum of five feet of canopy spread.

Section 3-14.6. Tree species.
A minimum of 50 percent of all trees shall be native species. A minimum of 75 percent of trees planted in vehicular use areas, including parking areas, shall be shade trees. A mix of tree species shall be provided where more than ten trees are required under this article.

Section 3-14.7. Hedges and shrubs.
Immediately upon planting, hedges and shrubs shall be a minimum of 24 30 inches in height and shall be spaced a maximum of 24 inches apart. Hedges shall form a solid, continuous visual screen at least three feet in height within two years after planting.
The ground area within required landscaping areas which is not dedicated to trees or preservation of existing vegetation shall receive appropriate landscape treatment and shall present a finished appearance and complete coverage upon completion. Sand or pavement shall not be considered appropriate landscape treatment. The following standards shall apply to the design of ground treatment:

1. Ground cover may be planted in lieu of grass in conjunction with planting of trees, shrubs or hedges. Ground cover shall provide a minimum of 50 percent coverage immediately upon planting and 100 percent coverage within two years after planting.

2. Mulch shall be temporarily applied to areas not immediately covered by ground cover. Mulch may also be used as a permanent ground treatment in landscape designs where ground cover or grass is inappropriate, such as in a pine preservation area. Where mulch is intended to be installed permanently, it shall be renewed and maintained to a minimum depth of three inches.

3. Pebbles or egg rock may be used in a limited way as a ground treatment in areas where drainage is a problem.

4. Grass areas shall be planted with species suitable as permanent lawns in the county. Grass areas may be sodded or plugged, provided that a solid cover of sod shall be used in swales, on slopes or in other areas subject to erosion, and shall be used in all rights-of-way. In areas where grass seed is used, nursegrass seed shall also be sown for immediate effect, and maintenance shall be provided until coverage is complete.

5. Ground cover is not required where existing native vegetation is allowed to remain undisturbed, provided that the native vegetation is protected from disturbance both during and after site development.

Section 3-14.9. Tree size.

(a) Trees shall be species having an average natural spread of crown of greater than 15 feet at maturity and having trunks which can be maintained in a clean condition of over five feet of clear wood. Trees having an average mature spread of crown less than 15 feet may be substituted by grouping the trees so as to create the equivalent of a 15-foot crown spread.

(b) Tree species shall be a minimum of ten feet in overall height immediately after planting. Trees with roots known to cause damage to public roadways or other public works shall not be planted closer than 12 feet to such public improvements unless the tree root system is completely contained within a barrier for which the minimum interior dimensions shall be five feet square or an equivalent and five feet deep.

Section 3-14.10. Planting trees in swale or easement areas.
It shall be unlawful to plant any tree in the swale or easement of any public street or other public place without first securing permission. Applications for such permission shall be made to the building official and shall be referred to the P & Z for approval. Trees shall be planted at least 30 feet apart. All trees so planted shall be placed subject to the direction and approval of the town.

Section 3-14.11. Eradication and control of certain species of plants.

(a) Prohibited plant species. Each landscape plan shall include a program to eradicate and prevent the reestablishment of prohibited plant species.

(b) Controlled plant species. The following plant species have a tendency to become nuisances if they are not properly cultivated, and such species may be planted under
controlled conditions, provided that they are installed and maintained according to the following regulations:

(1) *Casuarine* species (Australian Pine) may continue to be used as a hedge if it existed prior to July 1, 1990. A casuarine hedge shall be constantly maintained and shall not exceed 12 feet in height.

(2) *Grevillea robusta* (Silk Oak), *Bischofia javanica* (Toog) and *Dalbergia sisoo* (Rosewood) may be planted, but cannot be counted for more than ten percent of the total number of trees required under this article.

**DIVISION 4. MAINTENANCE**

Section 4-14.1. Responsibility of owner; practices enumerated.
The owner or his agent shall be responsible for maintaining all landscaping in good condition so as to present a healthy, neat and orderly appearance. Such areas shall be maintained so as to be free of disease, pests, weeds, refuse, overgrowth and debris. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching and other activities as needed in accordance with accepted horticultural practices.

Section 4-14.2. Landscaping installation methods and soil improvement measures.
All landscaping shall be installed according to sound nursery practices in a manner designed to encourage vigorous growth, and shall use such soil improvement measures as are necessary to ensure healthy plant growth.

Section 4-14.3. Tree removal.
It shall be unlawful to remove or cut down any tree in any street or other public place. (See Tree Ordinance 2006-006)

Section 4-14.4. Replacement of vegetation.
Any vegetation, including a tree, shall be replaced with plants of the same or similar species and size if it dies or becomes diseased. Where such dead vegetation is within an existing area of native vegetation preserved under a landscaping plan, and where replacement in kind is impractical due to the size or other characteristics of the native vegetation, a revised landscaping plan shall be submitted and approved prior to replacement of all or part of the native vegetation. In such case, replacement of the native vegetation should be designed to provide the same quality of buffering and tree canopy as was provided by the native vegetation.

Section 4-14.5. Fences, walls and other structures.
Fences, walls, and other structures included within buffer areas or landscaped areas shall be installed according to requirements of applicable building codes and other codes, if any, and shall be maintained in a proper manner so as to remain in compliance with such codes or shall be replaced.

Section 4-14.6. Pruning trees.
Trees may be pruned in order to allow for healthy uniform growth, but may not be severely pruned for such non-growth related purposes as improving visibility of signs or other features. Severely cutting back lateral branches or hat-racking is prohibited. Pruning shall be performed in accordance with the latest standards of the National Arborist Association. Removal of limbs or foliage which presents a hazard to structures or power lines is permitted,
but shall be limited to the degree of pruning necessary to accomplish the removal of the hazard. Where a tree or other vegetation poses public health and safety problems, such as blocking visibility at an entrance or street intersection or removal of hazards to a power line, the tree should be replaced with a more appropriate species.

DIVISION 5. IRRIGATION

Section 5-14.1. Irrigation.

1. In all required landscaped areas, irrigation shall be used if necessary to establish and maintain the health of plant material. An irrigation plan shall be required for site plan or plat approval. Individual single-family lots are exempt from the irrigation plan requirement. Temporary irrigation may be utilized, if approved by the County Manager or designee. Installed irrigation shall be noted on the landscape plan as; “All irrigated landscape areas shall use an automatic irrigation system with a rain sensor shut off”. The irrigation system shall be in compliance with The Florida Building Code and 373.62 F.S. for rain sensor shut-off devices. Micro-irrigation and Sub-irrigation may be utilized to conserve water resources provided it is in compliance with the Florida Building Code.

   a. Irrigation shall be limited as required by the applicable Water Management District.

   b. Watering for new landscapes shall comply with the applicable Water Management District Guidelines.

2. In order to conserve potable water, reclaimed water, storm water ponds and cistern collection may be utilized for irrigation water if the water quality will meet the needs of the landscape. Any reuse irrigation water or storm water used for irrigation shall be marked with appropriate signage to let the public know about the non-potable nature of the water source in conformance with the Florida Building Code. Purple pipe and irrigation heads shall be used in conformance with the Florida Building Code. Developments seeking to use water from retention ponds or natural lakes shall comply with all requirements of the appropriate Water Management District.

3. Automatic irrigation systems shall comply with the following:

   a. Use zones to reflect different levels of water usage. For the most efficient Use of irrigation, plants with similar water Use requirements shall be grouped together. Turf and shrub beds shall be on a separate zone.

   b. Use a 24-hour automatic timer with a Backflow Prevention Device.

   c. Keyed to topography and soil type as to avoid runoff and promote optimal percolation.

   d. Have a rain sensor per Section 373.62 of the Florida Statutes and shall be required to restrict the irrigation system from operating when adequate rainfall has occurred.
4. In situations where irrigation is not required in small commercial or Community Facility Districts such as communication towers or antennae array areas, drought-tolerant species of grass shall be used. Refer to The Plant List for Lake County for types of low water use grass.

5. When a permanent system is not required, a temporary system is allowed and encouraged for establishment of Landscape material.

6. Pop-up irrigation heads shall be no shorter than six (6) inches when fully extended for turf grass irrigation.

7. Landscaped Areas that are irrigated shall not be less than five (5) feet in width. Areas less than five (5) feet in width shall incorporate micro-irrigation.

Section 5-14.2. Mandatory Waterwise and Florida Friendly Landscape Measures with Site Appropriate Plants.

The purpose of this subsection is to establish minimum standards for the development, installation, and maintenance of landscaped areas on a site with water use efficiency as a goal without inhibiting the use of creative landscape design. Waterwise and Florida Friendly landscaping promotes specific water conservation measures including the re-establishment of native plant communities, the use of site specific plant materials, and the use of native vegetation. The intent of this subsection is to recognize the need for the protection of groundwater as a natural resource through the application of enhanced landscape practices, that water-efficient landscaping maximizes the conservation of water by using site appropriate plants and efficient watering methods that will generally result in a reduction of irrigation requirements, costs, energy and maintenance. Irrigation should endeavor to follow Florida Irrigation Society standards and Florida WaterStar standards maintained by the St. Johns Water Management District and comply with the Florida Building Code.

1. In addition to the Landscape plan approval in Section 1-14.5., the following items will be required as a part of the site plan submittal to ensure that water-efficient and Waterwise principles are used.

   a. Illustrate and label the water Zone requirements. The water use zones shall be graphically shown and their areas quantified in square feet or acres and relative percentages shown on the irrigation plan.

   b. Illustrate and label all areas of the Site to be preserved in a natural state which therefore do not require irrigation.

   c. Illustrate and label all turf grass and shrub areas.

   d. Provide an Irrigation Plan in accordance with site requirements.
2. Any construction or Development activity requiring planting within Buffers or other Landscaping is required to be consistent with water-efficient Landscaping standards established herein. To achieve the objectives of this Subsection, the six (6) basic principles of water-efficient Landscaping shall be followed. These principles are:

a. **Soil Analysis.** The existing soils on the Site shall be analyzed to help determine the appropriate plant types for the site.

b. **Use of mulch.** Organic mulches shall be used and maintained around all trees located in turf grass areas, in Landscaped Areas not planted or not appropriate for growing turf grass and in all planted areas. Due to slow growth rate, low renewability as a natural resource, and impacts to wetlands, the use of cypress mulch is not encouraged.

c. **Limit irrigated lawn areas.** The use, type, and location of lawn Area in the Landscape Shall be selected in a planned manner and not used as a fill-in material. Low water use grasses such as Bahia are encouraged to cover areas reserved for turf. Since most lawn varieties used in the Landscape require supplemental watering more frequently than other types of Landscape plants, turf shall be placed so that it can be irrigated separately. Bahia grass, Zoysia Grass or other drought tolerant turf shall be used. St. Augustine grass shall not be permitted for new construction and lawn replacement in excess of fifty (50) percent of existing lawn areas.

d. **Low water use plants.** Landscape Plants shall be selected based on appropriateness to the site considering conditions such as soil type, moisture and sunlight using the principle of “right plant-right place.” The plants shall be grouped in accordance with their respective water needs. A list of low water use plants is contained in The Plant List for Lake County.

e. **Efficient and well designed irrigation.** The irrigation system shall be designed to correlate to the water Use plant zones established in the Landscape design. The following criteria for irrigating the Site shall be used in the design of the system. Golf Course Fairways and Greens, greenhouses, landscape nurseries, retail nurseries and agricultural production systems are exempt from meeting these requirements. Landscape production and retail centers shall comply with the watering restrictions for any landscape that is required as a part of landscape buffering, parking or other required landscape not related to the production or selling of landscape material on site.

1. **High Water Use Zones** have plant material that is associated with moist soils and requires supplemental water in addition to natural rainfall to survive. Generally, watering is limited to twice a week or as determined by the appropriate Water Management District. Watering shall not exceed three-quarter (3/4) of an inch of water per application. The High Water Use Zone plant material shall be limited to less than twenty (20) percent of the total Landscaped Area of the site. This high water use zone includes turf areas and annual beds.
2. **Moderate Water Use Zones** have plant material that can survive on natural rainfall with supplemental water during seasonal dry periods. Forty (40) percent
maximum of the landscape area shall be of the moderate water use zone. Generally, watering will not exceed once per week with a maximum of three-quarter (3/4) of an inch per week.

3. **Low Water Use Zones** have plant material that can survive on natural rainfall with low supplemental water. Forty (40) percent minimum of the landscape area shall be of the Low Water Use Zone. Generally, watering will not exceed once every two weeks with a maximum of three-quarter (3/4) of an inch per application. This zone is also characterized by low flow irrigation heads or micro-irrigation systems.

4. **Rain Sensors**. Rain sensor devices shall be required on all automatic irrigation systems to avoid irrigation during periods of sufficient rainfall.

5. **Irrigation Overthrow**. The irrigation system shall be designed to minimize irrigation overthrow onto impervious surfaces and to avoid any ponding effects.

6. **Temporary Irrigation**. Minimum size canopy trees requiring irrigation prior to becoming established shall use tree bubblers or micro-irrigation on a separate zone. Hand watering or a temporary irrigation system may be allowed providing sufficient water is provided to ensure the plants become established in perpetuity. Temporary irrigation lines shall be covered by mulch or buried.

f. **Appropriate maintenance**. Proper maintenance will preserve and enhance the quality of the Landscape. Included in the maintenance schedule should be the time periods for the following: the checking, adjusting, and repairing of the irrigation system, resetting of the irrigation schedule according to the season, remulching, fertilizing, weeding, and pruning. Use of high amounts of fertilizer and pesticides is discouraged.

**Section 3. Updating the Land Development Regulations.** This Ordinance shall be codified and made part of the official Land Development Regulations of the Town of Howey-in-the-Hills. The Town’s staff is directed to update the Land Development Regulations to insert the revisions herein.

**Section 4. Ratifying Unamended Provisions of the Land Development Regulations.** Except as expressly set forth in this ordinance, all provisions in the Land Development Regulations shall remain unamended and are ratified and confirmed.

**Section 5. Conflict.** All ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 6. Severability.** If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.
Section 7. Effective Date. This ordinance shall become effective immediately upon its passage and approval as a non-emergency ordinance at two regular meetings of the Town Council.


Kenneth Green Jr., Mayor

ATTEST:  APPROVED AS TO FORM AND LEGALITY
Brenda Brasher, CMC  Heather M. Blom-Ramos
Town Clerk  Assistant Town Attorney

First Reading  July 14, 2008
Second Reading  August 11, 2008
Advertised  August 1, 2008
RESOLUTION 2007-001

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY, FLORIDA; AMENDING SECTION 30-3(7) OF THE CODE OF ORDINANCES REGARDING WATER RATES; PROVIDING FOR INCLUSION IN THE TOWN OF HOWEY-IN-THE-HILLS CODE OF ORDINANCES; REPEALING CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Howey-in-the-Hills is authorized to impose and modify charges relating to the Town’s water system in accordance with Chapter 171 “Water” of the Code of Ordinances.

WHEREAS, the Town Council is authorized to modify water charges by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY, FLORIDA:

Section 1. Amending Section 30-3(7) of the Code of Ordinances. Section 30-3(7) is amended to read as follows:

Chapter 171, Water

<table>
<thead>
<tr>
<th>a) Service charge (based on usage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) First 10,000 gallons or less</td>
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<tr>
<td>2) Over 10,000 gallons</td>
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### Residential Water Rates

<table>
<thead>
<tr>
<th>Years</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
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</thead>
<tbody>
<tr>
<td>Rate per 1000 gal. 5,001-9,000 gal.</td>
<td>$ 0.00</td>
<td>$ 0.00</td>
<td>$ 1.77</td>
<td>$ 1.81</td>
<td>$ 1.86</td>
<td>$ 1.91</td>
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<tr>
<td>Rate per 1000 gal. 9,001-14,000 gal.</td>
<td>$ 1.95</td>
<td>$ 2.00</td>
<td>$ 2.05</td>
<td>$ 2.10</td>
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</tr>
<tr>
<td>Rate per 1000 gal. 14,001-20,000 gal.</td>
<td>$ 2.11</td>
<td>$ 2.16</td>
<td>$ 2.22</td>
<td>$ 2.27</td>
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<td></td>
</tr>
<tr>
<td>Rate per 1000 gal. 20,001-30,000 gal.</td>
<td>$ 2.50</td>
<td>$ 2.56</td>
<td>$ 2.63</td>
<td>$ 2.69</td>
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</tr>
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<td>Rate per 1000 gal. 30,001-60,000 gal.</td>
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<td>$ 2.96</td>
<td>$ 3.04</td>
<td>$ 3.11</td>
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</tr>
<tr>
<td>Rate per 1000 gal. 60,001 and over</td>
<td>$ 3.60</td>
<td>$ 3.69</td>
<td>$ 3.78</td>
<td>$ 3.88</td>
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<td></td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Commercial Irrigation Water Rates</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monthly Base Charge per Customer</td>
<td>$22.40</td>
<td>$22.96</td>
<td>$23.53</td>
<td>$24.12</td>
</tr>
<tr>
<td>Proposed Rate per 1000 gal. 5,000-50,000 gal.</td>
<td>$2.17</td>
<td>$2.22</td>
<td>$2.28</td>
<td>$2.34</td>
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<tr>
<td>Proposed Rate per 1000 gal. 50,001-100,000 gal.</td>
<td>$2.60</td>
<td>$2.67</td>
<td>$2.73</td>
<td>$2.80</td>
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<tr>
<td>Proposed Rate per 1000 gal. 100,001 gal. and over</td>
<td>$3.00</td>
<td>$3.08</td>
<td>$3.15</td>
<td>$3.23</td>
</tr>
</tbody>
</table>

Words underlined are added. Words indicated with a strikethrough are deleted.

**Section 2. Inclusion in the Code of Ordinances.** The amendments shall be made a part of and incorporated into the Town of Howey-in-the-Hills Code of Ordinances.

**Section 2. Repeal of Conflicting Resolutions.** Any conflicting resolutions are repealed and superseded by this resolution.

**Section 3. Effective Date.** This resolution shall become effective immediately upon its adoption.

**ADOPTED** this 23rd day of April, 2007, by the Town Council of the Town of Howey-in-the-Hills, Florida.

\[Signature\]
Kenneth Green Jr., Mayor

**ATTEST:**
Brenda Brasher, Town Clerk