

**MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY**

FEBRUARY 10, 2006

The Lake County Local Planning Agency met on FRIDAY, FEBRUARY 10, 2006 at 9:00 a.m. in the Commission Chambers on the second floor of the Round Administration Building in Tavares, Florida. The Lake County Local Planning Agency considers comprehensive planning issues including amendments to Lake County's Comprehensive Plan.

Members Present:

David Jordan	District 1
Anne Dupee	District 2
Michael F. Carey	District 3
Richard Dunkel	District 4
Nadine Foley, Vice-Chairman	District 5
Sean Parks	At-Large Representative
Keith Schue, Secretary	At-Large Representative
Barbara Newman, Chairman	At-Large Representative
Becky Elswick	School Board Representative

Staff Present:

Amye King, AICP, Deputy Director, Growth Management Department
Greg Mihalic, Director, Economic Development and Tourism
Blanche Hardy, Director, Environmental Services
Alfredo Massa, Senior Planner, Comprehensive Planning Division
Shannon Suffron, Senior Planner, Comprehensive Planning Division
Thomas Wheeler, Planner, Comprehensive Planning Division
Donna Bohrer, Office Associate III, Planning & Development Services Division

Barbara Newman, Chairman, called the meeting to order at 9:00 a.m. and noted that a quorum was present. She confirmed that Proof of Publication was on file in the Comprehensive Planning Division and that the meeting had been noticed pursuant to the Sunshine Statute.

TABLE OF CONTENTS

<u>AGENDA ITEM:</u>	<u>AGENDA DESCRIPTION</u>	<u>PAGE NO.</u>
	Chamber Alliance Presentation	3
	Landowner's Presentation	4
	Agricultural Landowners Presentation	5

Amye King, Deputy Director, Growth Management, recommended that agenda items “A” and “B” be moved to a future meeting.

Chairman Newman addressed the audience to explain that no part of the new Comprehensive Plan has been finalized and that there is not a Future Land Use Map (FLUM) at this time. She discussed the efforts they have made to solicit public input and emphasized that staff is working at the direction of the LPA.

Ms. King said due to unfortunate circumstances Institute of Food and Agricultural Sciences (IFAS) they are unable to attend and they will be scheduled at a later date.

Chamber Alliance Presentation

Robert Johnson said his presentation was from the Chamber Alliance of Lake County, which is focused on issues that affect the entire County. Mr. Johnson said the Chamber Alliance conducted a survey of their members, which showed an almost even split on the issue of whether or not the County is growing too fast. On economic issues the survey showed 73% supported an office park and a majority supported the use of tax money to create high paying jobs. The survey also showed support for impact fees.

Mr. Johnson explained that he was a board member of Myregion.org and recommended reviewing information on their website. He compared Lake County to other counties in the area. He said construction jobs are about double the percentage as in the other counties and the population is growing faster than the number of jobs being created. Lake County has a serious affordable housing situation. He said the Chamber Alliance would like to see the creation of higher-paying jobs, which would help to address the affordable housing issue. He said Lake County has almost the smallest percentage of jobs in the high-tech industries and some of the longest commute times.

Mr. Johnson said the “Penn Study” sponsored by myregion.org emphasized the importance of preserving environmentally sensitive lands, the importance of less low-density development and focusing higher densities in the cities. The study did not focus on rural lifestyles but rather on land absorption.

Mr. Johnson explained that “no growth policies” would lead to lawsuits, poor planning and increased land costs.

Mr. Johnson stressed the need for a strong economic vision. He said the Alliance would work with staff to develop a Plan that will include strategies to attract industries. He said the educational system was a necessary part of this effort. Once the economic vision is in place, then that vision will be incorporated into land uses.

Mr. Johnson made several land use recommendations including the preservation of environmentally sensitive lands; voluntary density reductions in vested developments and the purchase of development rights. He said state law requires the County to plan for the projected growth. He also recommended addressing aesthetics within the Land

Development Regulations (LDRs) and finding ways to make concurrency work effectively.

Richard Dunkel thought that projected population should be located at higher densities within the cities.

Sean Parks agreed with the importance of bringing high-wage jobs to the County and concentrating densities in the urban areas.

Nadine Foley asked about the best locations for those higher paying employment opportunities. Mr. Johnson said it was important to define the preferred industries. Visioning will be expensive and time consuming; however, it is important to engage the business community and to get their recommendations.

Keith Schue agreed that the biggest challenge for affordable housing is that the County's household incomes are not high enough. He state that the way to make housing affordable is not by subsidizing housing construction, but instead by promoting higher-wage jobs.

Ann Dupee discussed the importance of taking the initiative and negotiating with developers.

In response to comments from Mr. Parks, Mr. Johnson said the education sector should be involved in the writing of the Comprehensive Plan and stressed the importance of having infrastructure in place.

Landowner's Presentation

Greg Beliveau, Land Planning Group, said his presentation had been prepared at the request of several land use attorneys and their clients. He said those land owners have different needs and they are asking for fairness and some degree of certainty.

Mr. Beliveau said he had done a factual analysis of the land available for development in Lake County. He said his analysis showed that only 12% of land in the County was available to be developed at any significant density to accommodate the projected population. He said after taking into account the BEBR projections of city population ratios, the projected population for the unincorporated County, the 12% of the County available for development would have an overall density of one unit per two acres.

Mr. Jordan and Mr. Beliveau discussed the analyses and definitions used in the presentation. Mr. Beliveau said that the final 12% figure consisted of vacant land that had no buildings on them. He said 60% of the land in the County is publicly owned or heavily regulated.

Mr. Dunkel thought that the rural atmosphere was important to economic growth. Mr. Beliveau said 53% of the County has rural attributes because it is publicly owned.

Mr. Carey said it would be a challenge to provide for the projected population.

Ms. Foley and Mr. Beliveau discussed the rural map series and how the provision of utilities by the cities helps to create a transition in densities.

Mr. Schue discussed the value of rural area retention and said density should be focused close to the urban core, surrounded by transitional densities and then rural densities in a logical concentric pattern. Mr. Beliveau said areas of transitional densities were important. He wanted to point out that the area available to accommodate the projected population is smaller than is generally perceived.

There was a five-minute break.

Agricultural Landowners Presentation

Tim Green, Green Consulting Group, said historically the value of agricultural lands was determined by its crop production, but now the value of land is based on land use and density. Landowners are concerned about the calculations of densities used in “net vs. gross” and said that calculation has its greatest effect upon Rural Land Use densities. He discussed the reduction in value that results by changing the word “gross” to “net”.

Mr. Green discussed how land transfers could affect the value of land and the taxable value of property.

Ms. King agreed with Mr. Schue that the current rules on net and gross are transferred to the new Plan and that it was the consensus of the LPA that only 50% of golf courses will be included in Open Space calculations.

Timothy Sellen Presentation

Timothy Sellen, Cherry Lake Tree Farm, a member of the Leadership Institute for Agricultural and Natural Resources which is “run thru” IFAS said farming is the second largest industry in Florida. Agriculture is being threatened by disease, weather, foreign competition, labor and water issues and now land issues. He said the value of land is rising so quickly that agriculture products don’t cover the increased costs of land. He said that locating residential densities close to farms was difficult because of farm noises and the use of chemicals. Additionally farms can’t expand if the adjacent uses are residential.

Mr. Sellen said the appreciation of land value is important because it enables farmers to borrow money to sustain their farms when conditions are not good. He thought that an increasing amount of land would be removed from agriculture uses.

Mr. Sellen said many farmers would have to relocate their farms and to do so they must get fair market value for their land. He explained that in general farmers have respect for the land and they want to see a responsible new use.

PUBLIC COMMENT

Alex Howell explained he was an organic citrus farmer and a good steward of his land. He was concerned that the Rural Land Plan would be a 'condemnation' of his property by designating a low density, which could make the re-location of his business difficult or impossible.

William Battalagia, President of Battalagia Fruit Company, said he had served on the Wekiva Basin Coordinating Committee and that he was the only private property representative on the Wekiva Commission. He said property owners believe that the LPA is a no growth agency and he said he would come back at another time to present his view.

Ed Holder said he is the Lake County member of the Metro-Orlando Economic Development Commission and he encouraged the LPA's interest in economic issues.

Ray Goodgame, Clermont resident, said solving school overcrowding and transportation issues is essential to attract high paying jobs. He thought it was important to preserve the recommendations of Clermont on development within the JPA.

Jim Bartlett presented written comments relating to his family's history as long-time citrus growers and said they were good stewards of the land. He said selling their land might be the only way for them to pay for retirement and college educations for their children. He said they were asking only for fairness.

Patrick Chishom said he works at Maury, Carter and Associates and they are landowners within the Rural Area Plan. He said some of the lands included in that plan are not currently rural.

Carol Saviax, Coalition for Property Rights said they were an advocacy and educational group for property rights. She emphasized the importance of protecting property rights through minimum regulation and consideration of the economic impact of those regulations.

John Pringle, President Pringle Development, said that the market is adaptive and will respond to these decisions. He said the market is for single-family homes and he feared that some of the proposed policies could have an unforeseen result.

There was a lunch break.

Rex Clonts said he was citrus grower and stressed that in order to survive bad times, he must be able to borrow on the value of his land. He said the Rural Area Plan would diminish his property value and adversely affect his ability to continue as a citrus grower.

Richard Gonzales, representing Center Lake Properties, complained about the lack of input he had been invited to give. He was upset about what he referred to as the Future

Land Use Map (FLUM) of the Clermont JPA Ms. King explained the map referred to by Mr. Gonzales was a draft map drawn at the request of Clermont. She repeated that there is no staff recommended FLUM at this time.

Mr. Jordan said the map under discussion was clearly marked as a draft.

Ruby Stokes, a Lake County property owner, was concerned about the density on her property being decreased.

Perry Reader said he represented Crosland, Inc., a community developer. He encouraged the LPA to use the JPAs to define growth because those JPA areas are the most suitable locations for development.

Steve Vaughn, Vaughn Realty and Development, was concerned about soliciting more public participation. He said some people still believe the LPA is a “no growth board”.

Bill Ray, Boyer Singleton, said he was involved in the original comprehensive plan and that perceptions can be a challenge. He said low density does not protect the land but promotes sprawl. He said the projected populations will arrive and the question was where it would be best to locate that growth.

Richard Beeson said he had attended a couple of public meetings and he wanted to emphasize that people want to retain the rural areas.

Cliff Whitaker said he was a third generation citrus grower. He said that he was concerned with the Rural Land Plan and how it could affect the value of his property. He argued with the LPA and said he had heard there was a vote on the Rural Area Plan.

Elaine Renick said she was speaking as a property owner. She didn't think the LPA had discussed lowering densities and said the LPA has given serious consideration to clustering densities.

Susan Hildenbrandt spoke in favor of transitional areas between agricultural and residential. She said she supported the Rural Area Plan and she emphasized the economic value of the equestrian industry.

Terry Godts, President of Alliance to Protect Water Resources (APWR), said she was concerned about open space, water recharge, wildlife and other quality of life issues. She didn't want to see the “county paved over” and thought it was important to maintain some areas as one unit per five acres.

Tom Eichelburger said he had sold two of his properties to the County for parks and has one parcel left. This property is located in Grand Island, close to Cliff Whitaker's property, and he would like to be able to develop that land.

Ray Kemp said he was not making money on his citrus groves and he didn't want his

property devalued through a reduction in density.

Rob Kelly, Citizens Coalition of Lake County, said he would encourage the Industrial Development Authority (IDA) to move forward with their study on appropriate locations for industrial sites. He disagreed with the methodology presented earlier by Mr. Beliveau that counted one house on large parcels as being unavailable for additional density. He said the rural presentation should spark the discussion. He disagreed that one unit per five acres in the Emerald Marsh area was sprawl. Mr. Kelly said there is enough land available for the projected population.

Jim Bible, Showcase Homes and President of the Lake County Homebuilders Association, said there is a lack of affordable land available for homes. He added that the high costs of building lots has driven away most of the local market.

Tim Sallen, Cherry Lake Tree Farm, said they considered their land density to be Suburban when timeliness has been met and that their land would be suitable for higher densities in the future.

Cecelia Bonifay, Akerman, Senterfitt, filed affidavits on behalf of her clients. She said she was not aware of any data that would support the preservation of rural lands for aesthetic or for environmental reasons. She was concerned if the Plan was going to be economically feasible. She thought it was important to provide for a variety of housing needs.

Deborah Dremann representing Newland Communities, stated that this company holds land within one of the proposed rural areas. She said that this plan would take away property rights. She emphasized the importance of appropriate densities and warned of the unintended consequences of their actions.

Dave Dewey said he supported the ideas behind the Rural Area Plan as does the Housing Association of the Trails of Montverde. He hoped everyone could work together for the benefit of the County. He said that we must live with our consciences, we should guard and protect special lands, remember that people are entitled to make a profit and don't forget there will be lots of dump trucks.

Mr. Jordan said the vote discussed earlier was to have a goal to discuss a rural area plan, he did not intend to adopt the plan at that time. He said many people had commented on how their land was being devalued but if land is currently at one unit to five-acres and if it remains at that density he didn't see how that could be considered a "taking".

Mr. Carey said some people see their land as an asset, and now they have to look at what the LPA is considering and they realize that their anticipated densities could be changed.

Mr. Parks said he has been researching data or science that could be a foundation for a rural plan. He said nothing in the Comprehensive Plan has yet been finalized.

Mr. Dunkel said he voted to pursue the investigation of the rural plan so it could be discussed.

Mr. Schue said no one has voted to “down zone” property, rather, they wanted to recognize and discuss the value of rural lands. He said at this time they are talking about the final build-out of Lake County.

Ms. Dupee agreed with Ms. Foley’s statement that some of the rural area plan might already be part of the plan. She was concerned about how the County could ‘force’ the cities to take the densities; how to provide services and the economic feasibility of the Plan.

Mr. Carey said the challenge is to make the plan work for all the citizens and consequently they will examine the social and economic impacts of their decisions.

Mr. Schue referred to the Penn Study, which included an analysis of the cost of growth and said the economic penalty could be high if this is not done right and rural/environmental areas are not protected.

Mr. Parks said JPAs could be a tool to channel density into the urban areas.

Ms. Dupee commented that some people want to live in rural areas but then they want the roads paved and better services. She thought those potential costs needed to be analyzed.

Chairman Newman addressed Mr. Whitaker and said she hoped his fear and doubts had been allayed.

There was a five-minute break

Mr. Dunkel was concerned about the accuracy of the numbers provided by the cities and the possibility of the Plan being contested because those numbers were inaccurate. He thought JPAs should be in place before the FLUM is completed.

Mr. Parks thought any legal issues would be addressed because the County is using the BEBR numbers, which are approved by Department of Community Affairs (DCA).

Mr. Dunkel voiced a concern about having accurate information to base the plan on.

Ms. King said the State has accepted the BEBR average of medium and high as appropriate for Lake County. She said additional information from the cities should be forthcoming regarding the development they envision within the projected JPAs. Staff believes the numbers are accurate for five years, however, since this process started, there are five pending Developments of Regional Impact (DRIs).

There was discussion about the affect the DRIs could have on the allocation of population in the County.

There was discussion on allocation of land for economic development. Ms. King said the Industrial Development Agency (IDA) has requested the assistance of staff with this

issue. However, there isn't a baseline for comparison of trends. She explained that the consultants were working on these issues. Ms. Dupee suggested a goal be included regarding the number of residents commuting out of the County for employment and a goal to create higher paying job opportunities.

Becky Elswick thought the County should be ready to allocate for those populations projections because they have no control over city annexations and the densities in those annexed areas. Mr. Dunkel said because the cities generally provide utilities, that higher densities and economic areas would be located closer to the cities.

Ms. King said staff is working with IDA, Chamber Alliance and consultants. She said staff has some of the data that Ms. Dupee asked about, such as the number of people commuting outside the County for work. She said when data from the cities' maps are compiled it will include industrial and commercial uses. She listed groups that staff has been working with and she said numbers would be forthcoming before decisions will be made on the FLUM.

There was discussion on the economic element, and Ms. King said new land use categories had been created.

There was discussion on the pending DRIs, Ms. Dupee commented on including that data within their projections for population and land uses other than residential and the allocations for economic development.

There was a consensus by the majority of the LPA to set a goal of a percentage of residents that will work within the County.

Mr. Schue thought that information on DRIs should be available to the LPA because they have considerable impact on the planning for the County. He said without that information, it is difficult to have accurate calculations. He thought there should be policy in the Comprehensive Plan to integrate the DRI process with their planning process.

There was discussion about including the DRIs on the FLUM. Ms. King said the Karlton Village boundaries have been submitted to the County, however, on another DRI, only a portion of its boundaries had been submitted to the County.

Mr. Parks agreed that the DRI process could work better. He said until the DRIs are approved they can't be included in the County's calculations. Ms. King explained that the LPA would be reviewing only the Future Land Use Map Amendment, however, the PUD information will not come before LPA and that is part of the problem. Sanford Minkoff, County Attorney, said not all DRIs require a Future Land Use change and consequently won't come before the LPA. He said that the DRI process and timelines are set by State statute and because of that there isn't a way to get these applications in advance of the Regional Planning Council (RPC) forwarding it to the County. The process is set up so that these development requests are reviewed regionally first. Mr.

Schue thought that the “home county” was the largest player. Mr. Minkoff said that some DRIs could have a bigger impact on a neighboring county. Mr. Schue thought policy could be put in place that the LPA is involved in the DRI discussion concurrently with County staff.

Ms. Dupee said County staff is always present at the pre-application meeting and that anyone is welcome to attend the charettes.

Ms. Foley asked about the Rural Lands Stewardship program. Ms. King said staff was looking into that program and said that the authors of the Pasco County Rural Plan would be making a presentation before the LPA soon.

Ms. King explained that an ordinance will be coming to add a tenth LPA member. That member will be ex-officio member because of the military operation area in Marion County. Mr. Minkoff stated the appointment of this member is required by statute.

Ms. King asked about the process for reviewing the FLUM. Mr. Jordan suggested scheduling a workshop so the LPA can review the FLUM without accepting public input. Mr. Minkoff said the public must be able to hear what is being discussed but accepting input is not required. Ms. King suggested scheduling the municipalities to discuss their suggestions with the LPA over a series of meetings. Mr. Schue said they should remember to look from a larger perspective. Ms. King said the Penn Design material was intended to assist with taking a regional perspective. Mr. Parks suggested they start with the current FLUM and compare it to those of the cities. Mr. Schue was concerned about maintaining an overarching view for rural areas such as the Emerald Marsh.

Mr. Minkoff explained that the LPA could make recommendations on the size of the JPAs to the BCC.

There was consensus with Mr. Parks’ suggestion to start with the ‘big map’ and review the map suggestions of each municipality, whether or not they have an adopted JPA. Then he suggested meeting with other interested groups.

There was discussion on the JPA county-wide map and the changes that have occurred since the original.

The Chair adjourned the meeting at 3:43 a.m.

Donna R. Bohrer
Office Associate III

Keith Schue
Secretary