

**MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY**

MAY 26, 2005

The Lake County Local Planning Agency met on FRIDAY, MAY 26, 2005 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
Ann Dupee	District 2
Michael F. Carey	District 3
Keith Schue, Secretary	At-Large Representative
Barbara Newman, Chairman	At-Large Representative
Becky Elswick	School Board Representative

Members Absent:

Richard Dunkel	District 4
Nadine Foley, Vice-Chairman	District 5
Sean Parks	At-Large Representative

Staff Present:

Gregg Welstead, Deputy County Manager; Director, Growth Management Department
Sanford A. Minkoff, County Attorney
Amye King, AICP, Planning Manager, Comprehensive Planning Division
Jeff Richardson, AICP, Planning Manager, Planning & Development Services Division
Kitty Cooper, Director, Geographic Information Services Division
Greg Mihalic, Director, Economic Development & Tourism
Terrie Diesbourg, Director, Customer Service Division
Alfredo Massa, Senior Planner, Comprehensive Planning Division
Amelyn Regis, Senior Planner, Comprehensive Planning Division
Francis Franco, Senior GIS Analyst, Comprehensive Planning Division
Shannon Suffron, Senior Planner, Comprehensive Planning Division
Thomas Wheeler, Comprehensive Planning Intern
Donna Bohrer, Office Associate III, Planning & Development Services Division

Barbara Newman, Chairman, called the meeting to order at 9:02 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.

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Chairman Newman welcomed James Stanberry, Principal Planner from the Department of Community Affairs (DCA).

Chairman Newman and Gregg Welstead, Director, Growth Management Department, agreed on the importance of giving staff direction.

Keith Schue said he would leave early for the Wekiva Commission meeting.

Amye King, Planning Manager, said the data sets are the foundation of the Comprehensive Plan but they do not set policy. These data sets are required by state statute but transmittal to DCA is not required.

Conservation

Amelyn Regis, Senior Planner, presented the data set for the Conservation Element. She said the current Comprehensive Plan had been reviewed and requests for comments sent to other County departments. She said there was one goal with eleven objectives. Ms. Regis said additional information on wetlands classification system would be included in the next draft.

In response to Mr. Schue, Ms. Regis said an objective regarding spring protection could be added. He also thought identification of large scale ecological areas should be included.

Becky Elswick asked about Blue ways and Shannon Suffron, Senior Planner said that was included in the Recreation Element.

Ann Dupee said the number of square miles in Lake County should be consistent throughout the Comprehensive Plan. Ms. Regis said that inconsistency was present in the current Comprehensive Plan but staff would address that issue. Sanford Minkoff, County Attorney, said the only way to resolve those minor discrepancies would be to survey the entire county. Ms. King said the GIS department was using 1156 square miles and that number could be used in the new Comprehensive Plan.

Mr. Schue said there were several managed areas in the County not included in this draft. Ms. Regis explained that information was included in another draft. She added that maps would also be included in later drafts. Mr. Schue suggested an aquifer recharge map, a public lands layer and conservation easement maps would be useful.

There was a consensus to include a spring protection objective. Mr. Schue said the threshold of protection needed for springs needs to be more stringent than just meeting drinking water standards.

Chairman Newman asked how the suggestions made by the LPA would be added. Ms. King said all suggestions made by the Local Planning Agency (LPA) members will be presented in the strike through and underline format, and it will be constantly updated on

the Internet. She added that written comments could be submitted at the next meeting.

Mr. Schue thought they would want to have full agreement on all of the goals and objectives. The data sets will be continually updated.

Mr. Schue said information provided at the Wekiva Coordination Committee should be included by reference in the County's data.

Ms. King said staff wanted to be sure the data was headed in the right direction. The goals and objectives lead to the policies. Chairman Newman said this data would come back to the LPA again.

Mr. Schue said it was a very good idea to include a wetlands classification system. Ms. Regis said it would be included in Comprehensive Protection of Wetlands. Michael Carey asked what was meant by "historic alternation". Ms. King said some wetlands had been modified by the developments surrounding them even if they are not contiguous to each other. David Jordan said it was a recognition of previous impacts made on wetlands. Mr. Schue said it recognized the degradation of some wetlands. Ann Dupee commented that droughts were not man-made. Mr. Schue added that wetlands are affected by the draw down of the aquifer.

Ms. Elswick asked how the county was tracking lands set aside by developers for habitat and how those lands were evaluated for connectivity. Ms. King explained that had not been done in the past. She added it was something they would like to do in the future. Mr. Schue said that issue should be included in the Conservation Element. He said the failure to protect the open space created by clustered developments defeated the purpose of clustering in the first place. Ms. King asked if he thought there should be 2 separate policies, one to address historic set aside and another to deal with Open Space set asides. Mr. Schue agreed those were two separate issues.

Ms. King agreed with Mr. Jordan's point that historically altered wetlands should not be interpreted as an excuse to further degrade the wetlands. Mr. Welstead suggested the following wording "type, location and classification as may have been historically altered". Mr. Jordan suggested adding the words "only limited by". Mr. Minkoff suggested moving "historical alteration" into the phrase "depending on the type, location and classification".

Mr. Schue asked if there should be an objective regarding Open Space protection as it relates to subdivision design. Ms. Elswick said one issue was the value of those lands if there is not sufficient connectivity for wildlife corridors and sustainable habitat. Mr. Schue added that perhaps ecological corridors should be addressed. There was a consensus for an objective regarding the promotion and protection of open space, wildlife connectivity and ecological corridors.

Metropolitan Planning Organization

T.J. Fish, Executive Director, Lake/Sumter Metropolitan Planning Organization (MPO), addressed the LPA. He gave a brief background and purpose of the MPO. He explained they would be taking a regional approach to transportation, including transit, transportation disadvantaged, trail project, air, rail plus roads and highways. They will be looking at a long-range transportation plan for the next twenty years. Mr. Fish explained, according to statute, their long-range plan must be consistent with the County's Comprehensive Plan. It is important the policies of the two plans do not conflict. There is already data sharing between the two agencies.

Mr. Fish said the MPO had consultants present a Needs Network study. That study included all of the vested developments, all of the build-out, all of the Future Land Use Designations and then models what the trips generated by those would do to the transportation network. The resulting model will determine the location of transportation issues. These impacts will exceed the funding for roads and therefore the MPO will be looking at transit and rail.

Mr. Fish said the MPO is willing to discuss transportation issues with the LPA as they look at goals, objectives and policies. He said the goals should not rely only on automobile transportation. The MPO will be looking at all the possibilities including creative partnerships, possibly in cooperation with the other MPOs in the Central Florida area.

David Jordan complimented Mr. Fish on his presentation and knowledge. Mr. Jordan asked about the basis for the Needs Network calculations. Mr. Fish said they looked at several tiers including vested developments, and then they looked at the build-out numbers on vacant land based on the current Future Land Use designations. Mr. Fish agreed with Mr. Jordan when he commented that the only way to change those figures would be to alter the land use density. Mr. Jordan said the MPO would be looking for a remedy as well. Mr. Fish said part of the solution might involve the re-allocation of densities. He added the analysis would not be the existing level of service but also the projected future needs.

Mr. Fish explained the MPO is not a regulatory agency. He said transportation concurrency was important. He said there needs to be better communication and education. In response to a question from Mr. Jordan, Mr. Fish explained the MPO alliance members all agreed that the MPOs could not do their work without taking land use issues seriously.

Mr. Schue complimented Mr. Fish for emphasizing the importance of getting away from the dependence on the automobile for our transportation needs. In response to a question from Mr. Schue, Mr. Fish said that the projected growth in Sumter County would guarantee the MPO's presence in that county would increase. Mr. Fish added that the adjacent counties are working together to create a regional plan that will include a model on the exchange of trips from county to county.

Mr. Schue asked how local planning agencies could get all the appropriate data when they consider land use changes. Ms. King said that they were doing everything possible to consistently coordinate with the MPO. Ms. King asked Mr. Fish if he would recommend an objective to include the Lake/Sumter MPO and the MPO Alliance model as part of the Lake County Comprehensive Plan. Mr. Fish thought it would be a good thing. He added it would be an excellent idea to include references promoting regionalism in the Intergovernmental Coordination Element.

Chairman Newman agreed. Mr. Jordan's only concern was that Lake County remain on an equal basis with the other agencies.

Mr. Schue repeated his question about how the LPA could get the transportation data they need when they consider land use changes. Mr. Fish explained it was a two-part process, first programming the improvements, and then funding them. The County Public Works Department would be responsible for data on county roads and the regional system would be the responsibility of the MPO.

Ms. Dupee commented it was important to have coordination that includes state and federal highways. Mr. Fish said they are coordinating between the State Department of Transportation and the Federal Highway Administration.

Chairman Newman acknowledged the arrival of Representative D. Allen Hayes. Rep. Hayes spoke about the importance of communities and governments working together. He said it was important to include allowances for possible mitigating circumstances. He expressed his appreciation to the LPA members for their hard work.

Intergovernmental Coordination

Ms. Regis said this information was basically in the same format as the Conservation Element. There are eight objectives to the first goal of fostering intergovernmental coordination.

In response to a comment from Mr. Schue, Ms. King said that Future Land Use and the Future Land Use Map (FLUM) are both considered policy. She agreed with Ms. Regis that by coordinating the goals, objectives and policies (GOPs), the Future Land Use is also being coordinated.

There was discussion between Ms. King and Ms. Dupee regarding jurisdiction over unincorporated lands within the Joint Planning Areas (JPA). Mr. Schue felt it was extremely important to reach a consensus between the County and the local municipalities. Ms. King said most of the cities are currently preparing information for staff regarding the densities that they would like to have outside their corporate limits. Once staff has that data they will be able to see how those figures compare with the Counties' population projections. Mr. Schue asked exactly how a consensus would be reached. Ms. King said she would be able to answer that when all the data was available.

Mr. Schue suggested considering economic viability. He voiced concern about achieving better balance between residential development and economic opportunities.

Mr. Carey read Objective 7 and asked if the school board was included as emphasis. Staff's said that it was.

Becky Elswick commented on the importance of continuity and coordination between governmental agencies because there are things happening simultaneously.

Ms. Dupee said liability was a concern with regards to joint use of facilities. She understood the school board and county are working together to facilitate the joint use of recreational facilities.

Rep. Hayes said the new Growth Management bill (Bill 360) encourages the joint use of facilities.

Ms. Elswick suggested the addition of language to encourage the shared use of resources. Ms. King said if Bill 360 was signed by the Governor, then a School Element and School Concurrency would be required and these concerns could be addressed there.

Mr. Carey suggested adding a reference to make the evaluation of resources a continuing process.

In response to comments by Ms. Dupee, Ms. King explained that school board staff attends the county's weekly development review meetings. Chairman Newman explained how county government and the school board worked together in St. Johns County.

Ms. Elswick said it was important to have a map overlay showing Parks and Recreation lands and those of the School's to explore the possibility for joint use. She asked if the county was working towards that goal. Mr. Welstead said it could be extremely difficult to get different agencies to communicate and to respond in a timely manner. He said that on occasion, the County was not even notified by the municipalities of annexations in a timely manner. He added it was necessary for County government to consider the County as a whole.

Mr. Welstead explained that the Intergovernmental Service Delivery Agreement Report (ISDAR) was required by the State and it was the basis for much of this data.

Mr. Jordan thought the League of Cities could be an avenue for communication. Ms. King agreed it was a good group, however she wasn't sure the League was a permanent organization. They agreed to cite the League of Cities as an example. Chairman Newman thought that all of the burden should not fall on the county.

Mr. Schue suggested an objective relating intergovernmental coordination to economic

development.

Greg Mihalic, Director, Department of Economic Development & Tourism, said the approach on economic development has been to treat it as a countywide function. He added that the county is a funding partner with Metro-Orlando EDC and the Job Grant Incentive Program is available to all businesses including those within the municipalities. He said it was crucial to have land designated for economic centers within the Future Land Use Element.

Mr. Mihalic said “discreet” business locations are based on the quality of life that the County can offer. He said incentives programs have to be carefully chosen because it is difficult to stop offering incentives once they are in place.

There was a consensus to include economic development as an issue in intergovernmental Coordination Element.

Ms. Dupee thought water planning should also be recognized with this element. Ms. King said the Department of Community Affairs (DCA) has asked the County to coordinate between the cities, the water companies and the adjacent counties for alternative water supply.

Mr. Carey thought it was self-evident that governmental agencies are going to be involved in all of these elements. Mr. Welstead suggested including a list of agreements and said the list could be frequently updated.

Transportation

Ms. Regis listed the four goals included in this element.

Mr. Schue suggested including an objective relating to scenic highway corridors. Ms. King explained that Glen Burns would be working with staff on the goals, objectives and policies for the Scenic Green Mountain Byway. She said that information would be sent to the LPA members when received. In response to a question from Mr. Schue, Ms. King said there were other County Scenic Byways, but the State designated highways have to be addressed in the Comprehensive Plan. Scenic highways can have a county, state or federal designation. County designations require comprehensive plan amendments.

In response to a question from Ms. Dupee, Representative Hayes said within three years from the time the permit is granted the construction of transportation improvements must be either completed or underway.

Ms. King explained population figures would reference the 2000 census and the 2005 estimate throughout the data sets.

Ms. Dupee said she would like to see the county require sidewalks in developments. Ms. King said that issue is being addressed within the rewrite of Chapter 9 in the Land

Development Regulations (LDRs). Ms. Dupee asked several other questions that related to the LDRs.

Robert Curry, Director of the Lake County Conservation Council, asked about water transportation. Ms. King said Blueways were addressed within the Recreation Element but it could also be referenced in the Transportation Element. She said the MPO would be considering the use of ferries as part of their Long Range Transportation Plan.

Mr. Curry also suggested that the LPA address the issue of county Scenic River designations.

Mr. Schue asked if the Tindale Oliver Study was to be adopted as part of the data sets. Ms. King said that study would be part of the data set and made available on the County's website.

Recreation

Shannon Suffron, Senior Planner said she had modified the goals and objectives from the current comprehensive plan and incorporated objectives from the Parks and Recreation Master Plan. She added that county staff had reviewed the draft internally.

In response to a question from Mr. Schue, Mr. Welstead said the Lake County Public Land Advisory and Acquisition Council (PLAAC) was investigating joint land acquisition with municipalities and with the adjacent counties.

Mr. Carey suggested including the importance of co-location of recreation facilities with schools and subdivisions. Ms. Suffron said more specific wording could be included to support that suggestion.

Ms. Dupee thought that the County should have more active recreation parks. Ms. King explained the data sets were to reflect current conditions and that Ms. Dupee's suggestion would be incorporated into the goals and objectives.

Mr. Schue said it was the position of PLAAC that their land acquisition program should be focused on resource lands. He added the new Parks Impact Fee would be used to purchase and build active recreation parks. Mr. Welstead stated these concerns were addressed within the goals of the Master Park Plan.

In response to Mr. Schue, Mr. Welstead said less than fee simple land acquisition was being discussed and considered by the PLAAC.

In response to a comment from Mr. Schue, staff asked if it was the suggestion of the LPA to include some information in both the Recreation and the Conservation Elements. The LPA's consensus was to include a reference to the Conservation Element in the Recreation Element instead of duplicating data.

There was discussion about the meeting continuing all day. Mr. Schue asked if a consensus was truly reached if less than half of the committee was present. Chairman Newman thought it had been made clear that the meeting was to last all day. After some discussion it was decided that the LPA would work until 12:30 p.m. Mr. Welstead thought staff had already received a lot of direction. Ms. King said the most helpful discussions for staff would be on Public Facilities and Housing.

There was some discussion about the draft of the Future Land Use Map.

Housing

Alfredo Massa, Senior Planner explained there were only two goals for the Housing Element. Mr. Massa said because of the current housing market trends he thought it important to include moderate income housing to help provide housing for workers, not only low income housing.

Ms. Elswick asked if it wouldn't be best to locate affordable housing close to employment centers to make commuting as efficient as possible. Mr. Massa agreed, although he added that it was important not to create pockets of affordable housing.

Mr. Schue asked for a definition of affordable housing. Mr. Massa said at this time it was \$140,000 to \$150,000, which raised the question as to who could afford those homes.

Greg Mihalic, Director Economic Development and Tourism, said he was in agreement with Mr. Massa. He said that most Federal Programs address only low and very low-income families. He thought incentives should be put in place to encourage moderate housing, such as densities.

Mr. Schue said it would best to locate the higher density homes closest to the urban areas and that support for affordable housing should not be construed to promote sprawl outside of designated urban areas..

Mr. Jordan suggested linking these policies to another economic factor to prevent them from becoming obsolete. Mr. Mihalic suggested tying the program to local definitions of income. There was a consensus to follow Mr. Mihalic's suggestion.

Ms. Elswick asked if grouping this housing wouldn't make it easier to provide amenities such as parks. Mr. Massa said that was possible if there was the necessary commitment and funding available to make it work.

In closing Ms. King said the need for housing doesn't follow geo-political lines and coordinating with the municipalities was essential. She suggested this material be read and reflected on.

In response to Ms. Dupee, Ms. King said the development community would be brought into these discussions.

Lot of Record

Terrie Diesbourg, Director Customer Services, briefly explained the problems created by some of the antiquated subdivisions in the County. The older platted subdivisions contain lots without size requirements or access to roads. She explained there are owners of un-buildable lots. She said about 10 subdivisions fall into this category. Ms. Diesbourg said staff would like to meet with the owners and see how these situations can be resolved to the benefit of everyone.

Mr. Welstead added that rule changes have made some lots unbuildable. Staff would like to have a series of public meetings and see if more appropriate rules could be created for each one.

Mr. Jordan said he would like to have a better understanding of these problems and he wanted to be sure densities were not increased. He does not want to see property owner rights damaged, however he believed due diligence was in order when property was purchased. He said he really wanted to “be educated” before he made a decision.

Chairman Newman thought it was a good thing for staff to try to resolve these issues and suggested when information is available that it be brought back before the LPA.

Mr. Carey commented some people would not be able to have their problems solved

Mr. Schue agreed with Mr. Jordan that he would like the LPA to have more information and to understand these issues better before changing the rules.

Ms. King and Mr. Welstead explained a policy could be included in the new Comprehensive Plan to address this problem.

Mr. Schue cautioned against making density changes in environmentally sensitive areas, such as the Wekiva area and the Green Swamp.

Jackie Conn addressed the LPA. She explained their situation and those of other property owners in their subdivision. She explained it was not always possible to combine adjoining lots.

George Conn, Jr., added that the lots in their area were not small lots. He did not believe it would be difficult to get the residents to agree to pave the roads. Mr. Conn said the homes are medium size, and he thought that was a home size needed in Lake County.

Mr. Welstead explained in greater detail some of the problems created by the recognition of the Lots of Record (LOR) from 1992. Ms. King explained the history of this LOR problem and that it is not specific to Lake County.

Mr. Welstead said they would like to start with the Michigan Acres subdivision and see if they can find a plan to serve as a model for the remaining subdivisions.

There was a consensus to move forward from the LPA for staff to continue studying the issue and bring information back to the LPA for consideration.

Public Facilities

Shannon Suffron, Senior Planner explained that this element includes the following sub-elements; Solid Water, Sanitary Sewer, Potable Water, Aquifer Recharge and Stormwater. She said other agencies were involved in these sub-elements and this data had been reviewed by several of those agencies.

After some discussion it was decided the LPA would review the materials and then communicate with staff.

Mr. Schue was concerned that the information relating to Wekiva Area be as up to date as possible. Ms. Suffron said that the Wekiva legislation was referenced within some of the sub-elements.

Mr. Schue questioned some of the reuse data. Tom Wheeler said that information was taken from the St. Johns River Water Management District's website and it referred to the entire water management district. He explained that in general reuse water was defined as water available for uses such as irrigation.

Ms. Dupee thought that an "Adopt a Lake" program might be feasible. She added that homeowners be encouraged to build swales along the lakes.

Ms. King said staff from Water Resource and Stormwater should be available to address comments from the LPA.

Ms. Dupee asked questions about the collection and distribution of the Stormwater Impact Fees. She thought curbs and gutters should be required.

Ms. King gave phone numbers to the LPA to facilitate communication with staff while they are located on the Lake/Sumter Community College campus.

There was some discussion about scheduling a second meeting in June.

The Chair adjourned the meeting at 12:40 p.m.

Donna R. Bohrer
Office Associate III

Keith Schue
Secretary