MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY
FEBRUARY 4, 2008

The Lake County Local Planning Agency met on FEBRUARY 4, 2008 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 and the Land Development Regulations.

Members Present:

David Jordan, Vice-Chairman	District 1
Rob Kelly	District 2
Michael F. Carey	District 3
Peggy Belflower	District 4
Nadine Foley, Chairman	District 5
Keith Schue, Secretary	At-Large Representative
Vicki Zaneis	At-Large Representative
Cindy Barrow	School Board Representative
Vacant	At-Large Representative

Members Absent:

None

Staff Present:

LeChea Parson, Assistant County Attorney
Brian Sheahan, AICP, Planning & Community Design Director
Grant Wenrick, Landscape Architect, Planning & Community Design
Richard Helfst, GIS, Project Manager
Donna Bohrer, Public Hearing Coordinator, Planning & Community Design

Nadine Foley, 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 Planning and Community Design Division and that the meeting had been noticed pursuant to the Sunshine Statute.

Brian Sheahan, AICP, Planning & Community Design Director, said the most recent draft of the Future Land Use Element (FLUE) would be provided to the LPA. He asked members to e-mail a list of any policies that remained to be addressed before the Plan is transmitted.

> **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING CHAPTER II, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED DEFINITIONS; AMENDING CHAPTER IX, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS ENTITLED DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS; AMENDING SECTION 9.01.00, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED LANDSCAPING STANDARDS; AMENDING SECTION 9.02.00, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED PROTECTED TREES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

The LPA continued review of 9.01.02, Applicability and Additions to Existing Developments and Mr. Sheahan discussed the language drafted to address the LPA's remaining concerns. The LPA agreed to separate the issues of increases in structure size from increasing the amount of parking and to address changes in uses including partial building demolition.

PUBLIC COMMENTS

Lowery Brown said he thought as written, that a change of use resulting from interior improvements could require that landscaping be brought into compliance. He suggested inserting the word "exterior."

There was discussion about building changes in excess of 50% of the assessed value of the building. Mr. Carey questioned the need for item "4" regarding non-substantial changes. Mr. Sheahan said the term substantial was dependent on the interpretation of the 50% increase in assessed value. The LPA discussed if changes to impervious parking, pervious parking areas and vehicle use areas should require a property owner to comply with the landscaping requirements for parking or buildings.

There was a short break and the meeting reconvened at 11:00 a.m.

The LPA agreed with the draft language as shown for Section 9.01.02.

The LPA discussed the two sets of draft language presented by staff on Champion Trees. The LPA discussed if removal of champion trees should be granted by Board of Adjustment (BOA) or Board of County Commissioners (BCC). Staff suggested the BOA because that Board may be able to grant a variance that could avoid the removal of the tree. Vicki Zaneis said she had reviewed many champion tree ordinances that included language regarding co-champions. Mr. Sheahan said co-champion trees were defined by how they were measured. The LPA discussed criteria to define champion trees, how to avoid a cumbersome designation process, measuring diameter at breast height (DBH) and

if the DBH should be dependent on species. Chairman Foley suggested having strong regulations to protect specimen trees and a simple champion tree provision in case any are found in the County. Mr. Wenrick said a higher replacement percentage was required for specimen and historic trees. Mr. Schue said there are no requirements to protect specimen trees and he thought Champion trees could be subject to the same approval process but with a higher level of protection.

PUBLIC COMMENT
Jon Pospisil suggested using incentives to protect champion trees which may encourage owners, even those that may intend to develop in the future, to apply for champion tree designation. He thought preserving specimen trees could also be incentivized.

Mr. Wenrick said requiring 100% caliper replacement for champion trees would be an incentive for preservation. Mr. Sheahan said Champion Trees were designated by the Division of Forestry, after an application was made. There was discussion regarding using the Champion Tree program or creating a program specific for Lake County. Mr. Sheahan said staff could draft some alternative language during the lunch break.

The LPA discussed Terminal Landscape Islands.

PUBLIC COMMENT
Jon Pospisil said he thought decreasing the number of parking lot islands while increasing the island size could help to ensure the long term survivability of parking lot trees.

Mr. Wenrick said the size of the islands has been significantly increased over the current regulations. The LPA agreed with the language regarding screening requirements and the parking islands.

The meeting reconvened at 1:25 p.m. after a break for lunch. Mr. Jordan, who had not attended the morning session, attended the afternoon session. Mr. Sheahan introduced Richard Helfst, GIS, Project Manager to assist with mapping.

Mr. Sheahan said American Forests designates Champion Trees using their point system, and suggested using a broader definition. The LPA agreed to create a Heritage Tree program by adding the tree removal criteria from the Champion Tree program to the Specimen Tree program and increasing the DBH. David Jordan asked if the variety of tree would affect the appropriate DBH. Mr. Sheahan said Heritage Trees could be determined based on a percentage of the point system used to designate Champion Trees. The LPA discussed requiring approval with a variance from the BOA for the removal of Heritage Trees at a certain size threshold.

Cindy Barrow left the meeting at 2:00 p.m.

The LPA agreed to include criteria recognizing 100 year old trees as Heritage Trees and requiring inch for inch replacement for both Heritage and Historic Trees. The LPA

discussed other criteria relating to size, form, ecological value and rarity. The LPA agreed with draft language for application procedures, mandatory recognition, approval and protection for Specimen, Historic and Heritage Trees and to edit language for consistency throughout the ordinance.

There was agreement to include a list of the roadways which would require a "C" Buffer.

PUBLIC COMMENT
Jon Pospisil said he was concerned about fencing for houses in subdivisions that back up to external roadways.

The LPA discussed this issue and noted that because the County does not issue permits for fences, there was no mechanism in place to regulate fences.

The meeting reconvened at 3:05 p.m. after a short break.

The LPA agreed with the changes to Table 9.01.04 regarding Land Use Buffer requirements.

During discussion on shrubs and hedges, Mr. Wenrick said the regulations for height and width were written to allow for plant diversity. The LPA discussed allowing fences in lieu of hedges or requiring both, maintaining differences between buffers, how buffers are measured, where different types of buffers are required, the use of groundcovers, allowable fencing materials, differences between fences and walls, if fences should be allowed or required in different circumstances, and buffers suitable for commercial uses.

The LPA agreed to require buffers and wall/fence for commercial uses but to exempt the wall/fence requirement for the front of commercial property.

MOTION by David Jordan, SECONDED by Michael Carey that for Buffer C, 15' and 25' and 50' all have the same horticultural material, except the 15' and 25' have two (2) rows of hedges and 300 feet of ground cover, in the 15 foot buffer remove "or fence" and in 25 foot buffer shall have a six foot wall, delete fences and exempt walls for commercial uses for frontage area.
FOR: **Foley, Schue, Carey, Belflower, Kelly, Jordan, Zaneis**
ABSENT: **Barrow**
AGAINST: **None**
MOTION PASSED: 7-0

The LPA discussed other issues such as requiring walls adjacent to residential uses; defining roadways along which walls would be required, and that as buffers increased in width, the amount of landscaping material could be decreased with an optional wall.

PUBLIC COMMENT

Jon Pospisil said that installing fences is very expensive and developers may very well choose the wider buffer which could contribute to connectivity and walk-able communities.

The LPA agreed to add Office to the Commercial uses and to add a notation to the chart.

During discussion on the "B" buffers, it was noted that if the three (3) foot wall was removed, those two buffer options would now be the same. Mr. Wenrick suggested two buffer options would be sufficient. The LPA agreed to retain an option for no fence and with the buffer "B" language shown on the screen.

After more discussion, some members thought they should go back to buffer "C" and allow a wall or a fence. The LPA agreed to include the language regarding fencing along with the other changes to the buffer language as shown on the screen.

There was discussion regarding buffer widths, berms, suitability of walls for some uses and allowing berms as an option in place of walls. The LPA agreed with the language shown on the screen, which included a combination of berms and walls.

Mr. Jordan said that when attending the Budget and Taxation Reform Commission meetings, that members wait to be recognized by the chair before speaking. He said there are 25 commission members but they get a lot done. Several members stated they were satisfied with the way the meetings were progressing.

Vicki Zaneis left the meeting at 5:20 p.m.

At 5:30 p.m. the Chair continued the meeting to February 8, 2008.

Donna R. Bohrer	Keith Schue
Public Hearing Coordinator	Secretary