**MINUTES**
**LAKE COUNTY**
**LOCAL PLANNING AGENCY**
**FEBRUARY 8, 2008**

The Lake County Local Planning Agency met on FEBRUARY 8, 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:**

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| Vacant | 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:**

Le Chea Parson, Assistant County Attorney
Brian T. Sheahan, AICP, Planning & Community Design Director
Grant Wenrick, Landscape Architect, Planning & Community Design Director
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.

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**MOTION by Michael Carey, SECONDED by Cindy Barrow to approve the August 6, 2007 minutes as submitted.**
**FOR:** **Foley, Schue, Carey, Belflower, Barrow, Kelly, Zaneis**
**ABSENT:** **None**
**AGAINST:** **None**
**MOTION PASSED: 7-0**

**MOTION by Michael Carey, SECONDED by Cindy Barrow to approve the August 13, 2007 minutes as submitted.**
**FOR:** **Foley, Schue, Carey, Belflower, Barrow, Kelly, Zaneis**
**ABSENT:** **None**
**AGAINST:** **None**
**MOTION PASSED: 7-0**

Chairman Foley said everyone should have a copy of David Jordan's resignation letter. She said he would be missed and acknowledged his commitment to the Tax Collector's Office. Other members of the LPA acknowledged Mr. Jordan's significant contributions to the LPA.

Brian T. Sheahan, AICP, Planning & Community Design Director, said staff had used data from the Property Appraiser and the County's building permit software data dating back to 1990 to compile data on the number of dwelling units requested by Keith Schue. Mr. Sheahan said the number of units in the unincorporated area of the County was 64,204; the number in the incorporated area of the County was 49,266 with a County total of 113,560 units.

Mr. Sheahan reminded the LPA to send him any items to be discussed before transmittal of the Future Land Use Element (FLUE). He said the LPA had been provided with copies of Leslie Campione's letter and said if they wanted to re-address those Future Land Use Categories (FLUCs), that could be done when they returned to mapping.

Mr. Sheahan said after reviewing the changes to the draft of the landscape ordinance, staff realized that walls will be required on the narrower buffers and because they were not required in the past, nonconforming issues will be created. He suggested reviewing that section of the ordinance.

**MOTION by Michael Carey, SECONDED by Rob Kelly to appoint Peggy Belflower as Vice-Chairman to fill the vacancy created by David Jordan's resignation.**
**FOR:** **Foley, Schue, Carey, Belflower, Barrow, Kelly, Zaneis**
**ABSENT:** **None**
**AGAINST:** **None**
**MOTION PASSED: 7-0**

## LANDSCAPE ORDINANCE

Grant Wenrick, Landscape Architect, Planning & Community Design, reviewed updates to the ordinance made by staff.

There was consensus to remove the reference to a height of five (5) feet in Item 6, titled Shrubs. The LPA agreed with the language shown on the screen for Mandatory WaterWise and Florida Friendly Landscape Measures with Site Appropriate Plants, Item "a," clarifying the water zone requirements for landscape plans.

There was discussion on Landscape Requirement, item "B" regarding the responsibility for buffer installation and avoiding double buffering. After the LPA discussed several different circumstances, Mr. Sheahan suggested adding language stating if the buffer is not already in place, then the most recent development will install the buffer.

## PUBLIC COMMENT

Jon Pospisil said he agreed with the proposed language, adding that a higher density development going in adjacent to a less dense development probably would not want a buffer. He thought buffering between residential uses was not as critical an issue as buffering between residential and industrial uses.

The LPA agreed with the draft language in the section titled General Landscaping Requirements, stating only one buffer will be required and the most recent development is responsible for installing the buffer.

The LPA discussed that buffering between residential uses should consider the lot size, in addition to the density calculation of the entire subdivision. Mr. Schue was concerned about residences that would be adjacent to each other and there was agreement to include language exempting developments with a density of less than one dwelling unit per net acre in this section.

The meeting reconvened at 10:40 a.m. after a short break.

Mr. Wenrick said staff had added buffering between residential zoning categories in the upper left hand portion of the chart. He said staff's recommendation was to keep these requirements close to the current regulations to reduce the number of non-conformities.

The LPA agreed with staff's recommendation to remove the fence and wall language in the 15 foot Buffer A because of the uses shown in the chart. Mr. Kelly thought if the fence was eliminated from the Type A buffer, they should consider removing the 10 foot option. Mr. Sheahan said that if these changes were made, fences and walls would not be prohibited, but they would no longer be required. Mr. Schue said if these changes were made then he wanted to discuss the chart again. Mr. Sheahan said staff's concern was that removing the 10 foot buffer would create many nonconforming uses and it would be an additional burden on staff. Mr. Schue was concerned about compatibility issues without a fence requirement. Mr. Sheahan suggested deciding what would be required in the buffers and then reviewing the matrix. Mr. Kelly suggested removing the 10 foot

buffer A and then requiring the existing 10 foot buffers to upgrade the landscape material but not to increase the buffer size. The LPA agreed with the language for buffer A as shown on the screen.

The LPA discussed buffer "B" and staff suggested having a 10 foot buffer that would require a six (6) foot solid wall. There was consensus to remove the 15 foot buffer.

**PUBLIC COMMENT**
Bob Curry thought defining the buffers should be done after it was decided where they were to be used. He said he thought table 9.01.04.B.3 should be restructured.

There was consensus to have four canopy trees and three ornamental trees in the 15 foot buffer "A."

The LPA agreed to have a 20 foot buffer "B" without a wall and a 15 foot buffer with a wall.

Mr. Wenrick said staff would recommend a "C" buffer option without the requirement for a wall or a fence. Mr. Schue said he thought they should remove the landscape groundcover requirement or that it should apply in every buffer category.

**MOTION by Keith Schue, SECONDED by Peggy Belflower to remove the groundcover requirement from the buffer table.**
**FOR: Schue, Belflower**
**ABSENT: None**
**AGAINST: Foley, Carey, Barrow, Kelly, Zaneis**
**MOTION FAILED: 2-5**

**MOTION by Vicki Zaneis, SECONDED by Peggy Belflower to remove the six (6) foot high wall because a wider buffer with more trees is required.**

This issue was discussed, including commercial uses adjacent to residential and maintaining connectivity.

**MOTION withdrawn by Vicki Zaneis, SECOND withdrawn by Peggy Belflower.**

Mr. Sheahan asked about existing "C" buffers, which are 20 feet with no wall and asked how that could be brought into compliance. Mr. Kelly thought walls and fences could be added. Mr. Sheahan suggested the following: "required walls or fencing may be waived by the County Manager or designee if not practicable." However, he said staff would prefer it to be an exception. Mr. Schue said that he thought the Applicability section would cover this situation.

After some discussion the LPA reached a consensus regarding the language in Table 9.01.04.B.3 with regards to buffer "C." The LPA approved the language shown on the screen for the second notation to Table 9.01.04.B.3, stating that existing development not

meeting these standards shall not be considered nonconforming; requiring the planting of the required trees and shrubs and for substantial site improvements.

The meeting reconvened at 1:50 p.m. after a break for lunch.

Mr. Wenrick said in buffer "D," staff was recommending a three (3) foot shrub size and a 40 foot wide option. Mr. Sheahan said buffer "E" was consistent with the buffer in the proposed Heavy Industrial Ordinance. The LPA agreed to require eight (8) canopy trees, seven (7) ornamental trees and to change the widths to 80 and 40 feet in buffer "D".

Mr. Sheahan said the groundcover requirement was recommended in order to have more variation in heights and to reduce the amount of sod. He suggested applying the groundcover requirement to all buffers. The LPA agreed to require 20 percent groundcover in all buffers.

There was consensus of the LPA on buffers "D" and "E" as shown on the screen.

There was consensus of the LPA with the language shown on the screen in the section titled Landscape Buffers Between Zoning Types.

**MOTION by Rob Kelly, SECONDED by Michael Carey that C-2 zoning where it borders Heavy Industry be required to have a "D" buffer.**
**FOR: Foley, Schue, Carey, Belflower, Barrow, Kelly, Zaneis**
**ABSENT: None**
**AGAINST: None**
**MOTION PASSED: 7-0**

The LPA agreed with the language for Landscape Buffers Between Zoning Types chart as shown on the screen.

The LPA discussed fencing, including if they should be opaque or solid and what building materials would be appropriate.

The meeting reconvened at 3:45 p.m. after a short break.

The LPA reviewed the staff comments highlighted in blue as follows:

- The LPA agreed with staff's suggestion to delete item "6" because it was duplicated in item "9" and in the Applicability section.
- The LPA discussed item "7" and reached a consensus with the language shown on the screen.
- The LPA discussed the ten (10) trees per acre provisions and where it would be applicable or feasible.

The LPA discussed buffering issues related to residential and external roadways or development. Ms. Belflower said she wanted to address the concerns of the landowner who had appeared before the LPA to describe the impact of a roadway built close to their

existing, non-subdivision home. The LPA agreed with the language drafted under Zoning Based Buffering and Landscape Requirements, requiring that roads built within 75 feet of a residential property shall be buffered.

The LPA agreed in Item "g", Building Landscapes to make changes in first paragraph as shown on the screen and to remove the R-1 zoning classification in item "1." After some discussion, the LPA agreed with the language shown on the screen regarding building perimeter plantings.

Cindy Barrow left the meeting at 4:30 p.m.

The LPA agreed with several comments on language made by Ms. Zaneis.

During discussion on the plant list, Mr. Sheahan noted that the references used in compilation of the plant list should be shown. The LPA agreed to re-organize the list of references on page 1 and to add a reference for native plant growers. The LPA agreed with Mr. Schue's suggestion to not use words such as suggested, allowed or recommended in the Plant List for Lake County.

The LPA scheduled meeting dates for the month of March and Vicki Zaneis left the meeting.

The LPA agreed to change the title of D.9 to Water Edge Planting, they noted that the Plant List is not all encompassing. The LPA agreed on the wording regarding Prohibited plants as shown on the screen, including the reference source for water plants because it contains a prohibited list.

**MOTION by Rob Kelly, SECONDED by Michael Carey to transmit the Landscape Ordinance to the Board of County Commissioners with a recommendation for approval.**

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| **FOR:** | **Foley, Schue, Carey, Belflower, Kelly** |
| **ABSENT:** | **Barrow, Zaneis** |
| **AGAINST:** | **None** |
| **MOTION PASSED:** | **5-0** |

The Chair adjourned the meeting at 5:38 p.m.

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| Donna R. Bohrer | Keith Schue |
| Public Hearing Coordinator | Secretary |