

**MINUTES  
LAKE COUNTY  
LOCAL PLANNING AGENCY  
APRIL 13, 2007**

The Lake County Local Planning Agency met on FRIDAY, APRIL 13, 2007 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:**

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
Sean Parks	At-Large Representative
Cindy Barrow	School Board Representative

**Members Absent:**

David Jordan, Vice-Chairman	District 1
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**Staff Present:**

Melanie Marsh, Assistant County Attorney  
LeChea Parsons, Assistant County Attorney  
Brian Sheahan, AICP, Chief Planner, Planning & Community Design  
Francis Franco, Senior GIS Analyst, Planning & Community Design  
Donna Bohrer, Public Hearing Coordinator, Planning & Community Design

Nadine Foley, 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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**November 16, 2006 Minutes**

During review of the November 16, 2006 minutes Keith Schue, said he believed the US. Highway 27 corridor along the turnpike was as important to the County's economic development as the 429 Extension. Mr. Schue and Sean Parks discussed his concern that the economic presentation had been focused on the 429 Extension. Chairman Foley said Dottie Keedy, Director of Economic Growth and Redevelopment, was working on a county-wide program for economic growth.

**MOTION by Rob Kelly, SECONDED by Sean Parks to approve the minutes of November 16, 2006 as amended.**

**FOR: Foley, Schue, Carey, Parks, Barrow, Belflower, Kelly, Zaneis**

**ABSENT: Jordan**

**AGAINST: None**

**MOTION PASSED: 8-0**

**MOTION by Michael Carey, SECONDED by Sean Parks to approve the minutes of January 11, 2007 as presented.**

**FOR: Foley, Schue, Carey, Parks, Barrow, Belflower, Kelly, Zaneis**

**ABSENT: Jordan**

**AGAINST: None**

**MOTION PASSED: 8-0**

There was general agreement to elect officers at the next regular meeting.

**CHANGES TO THE AGENDA**

There was no objection to Mr. Schue's request to delay review of the Wekiva-based changes to allow additional time for review. Mr. Schue said there were mapping issues in the Wekiva area he would like to address.

Rob Kelly suggested including an agenda item under New Business to draft a Sunset Clause for Planned Unit Develops (PUDs). He said he would like to have more discussion on the density analysis and the inventory of available land, including having the land-use allocation chart based on gross developable acres. Mr. Schue suggested having a "check" on population projections by comparing them to the draft Future Land Use Map (FLUM). Mr. Kelly agreed to delay that review until the FLUM is closer to completion. Mr. Schue thought the LPA should clarify their earlier discussions on the methodology used for population allocations.

Michael Carey said he felt land owners who addressed the LPA regarding what they perceived as adverse impacts to their property rights as a result of the LPA's work deserved an answer. He was concerned about reviewing those requests and believed they deserved to have some resolution.

Sean Parks said the Industrial Development Agency (IDA) will review the language proposed by the LPA regarding light and heavy industry.

Chairman Foley said a memo had been received from the Growth Management Director stating that the Smart Growth Audit had been cancelled.

Mr. Schue said MyRegion.org will be asking county governments where they thought their growth would occur. He thought the LPA should be involved and asked how the County anticipates responding to that query.

Brian Sheahan, AICP, Chief Planner, Planning and Community Design, said that response would be under the direction of the Board of County Commissioners (BCC).

Peggy Belflower asked about scheduling a policies and procedures meeting for the LPA and said she would appreciate receiving meeting materials before the meeting.

There was brief discussion on prioritizing agenda items.

**FARM BUREAU COMMENTS**

Mr. Sheahan said they would be reviewing the Farm Bureau’s comments in the Conservation Element.

**MOTION by Keith Schue, SECONDED by Vicki Zaneis to support the Farm Bureau’s request to change “evaluate” to “support” and to remove the word “both” in Policy 3.2.14**

**Mr. Schue amended his Motion to include the edits as shown on the screen.**

**PUBLIC COMMENT**

Bob Curry said this is the only Policy (3.2.14) in which the word “horticulture” appears and asked why it was not in other policies.

**FOR: Foley, Schue, Carey, Parks, Barrow, Belflower, Kelly, Zaneis**  
**ABSENT: Jordan**  
**AGAINST: None**  
**MOTION PASSED: 8-0**

**MOTION by Rob Kelly, SECONDED by Cindy Barrow to include a reference to the agency specified by the Farm Bureau in Policy 3.2.17.**

**FOR: Foley, Schue, Carey, Parks, Barrow, Belflower, Kelly, Zaneis**  
**ABSENT: Jordan**  
**AGAINST: None**  
**MOTION PASSED: 8-0**

**MOTION by Sean Parks, SECONDED by Cindy Barrow to accept the Farm Bureau’s recommended changes to Policy 3.3.2.**

**FOR: Foley, Schue, Carey, Parks, Barrow, Belflower, Kelly, Zaneis**  
**ABSENT: Jordan**  
**AGAINST: None**  
**MOTION PASSED: 8-0**

**MOTION by Keith Schue, SECONDED by Sean Parks to add the word “protection” to Policy 3.3.2.**

**FOR: Foley, Schue, Carey, Parks, Barrow, Belflower, Kelly, Zaneis**

**ABSENT: Jordan**

**AGAINST: None**

**MOTION PASSED: 8-0**

The meeting reconvened at 10:18 a.m. after a short break.

**MOTION by Michael Carey, SECONDED by Sean Parks to approve the Farm Bureau’s comments on Policy 3.3.12.**

**FOR: Foley, Schue, Carey, Parks, Barrow, Belflower, Kelly, Zaneis**

**ABSENT: Jordan**

**AGAINST: None**

**MOTION PASSED: 8-0**

Mr. Sheahan said the language in Policy 4.3.2 regarding restoration of upland communities was proposed because it would award extra points in grant applications to the Florida Community’s Trust (FCT).

**MOTION by Rob Kelly, SECONDED by Michael Carey to approve the Farm Bureau’s comments on Policy 4.3.2.**

**FOR: Foley, Schue, Carey, Parks, Barrow, Belflower, Kelly, Zaneis**

**ABSENT: Jordan**

**AGAINST: None**

**MOTION PASSED: 8-0**

**MOTION by Rob Kelly, SECONDED by Sean Parks to move Policy 4.3.3 with Policy 4.2.22.**

There was discussion about adding “restoration” and other suggested changes.

**MOTION withdrawn by Rob Kelly.**

**MOTION by Sean Parks, SECONDED by Cindy Barrow to move Policy 4.3.3 to 4.2.22 incorporating the changes shown on the screen.**

**MOTION amended by Sean Parks to add the word “property” to Policy 4.2.22.**

**FOR: Foley, Schue, Carey, Parks, Barrow, Belflower, Kelly, Zaneis**

**ABSENT: Jordan**

**AGAINST: None**

**MOTION PASSED: 8-0**

**MOTION by Keith Schue, SECONDED by Michael Carey to accept the Agriculture definition recommended by the Farm Bureau.**

**FOR: Foley, Schue, Carey, Belflower, Kelly, Zaneis**

**ABSENT:** Jordan, Parks, Barrow  
**AGAINST:** None  
**MOTION PASSED: 6-0**

### **INDUSTRIAL USES**

Mr. Sheahan discussed some of the difficulties in defining industrial uses. There was discussion on industrial uses in the Rural Land Use series, including mining, borrow pits, restoration leading to urban uses and Conditional Use Permits (CUPs). Mr. Parks suggested differentiating between land in rural areas and those in a Rural Protection Area (RPA). Mr. Schue suggested requiring a conservation easement. Mr. Carey thought as long as the use was allowed within the zoning that differentiating between mines in urban and rural areas was not necessary. He thought it was important to preserve the integrity of urban areas, not just preserving rural areas. Cindy Barrow suggested mining should not be considered as justification for any land use change. Chairman Foley said setting land aside was required for mining and that mining would only take place where the mining products are located.

Mr. Sheahan referenced Policy 4.5 in the Conservation Element, which deals with mining and borrow pits. He said not all mining sites would be suitable for conservation easements. Mr. Schue said he was suggesting conservation easements only for mining sites in rural areas. Mr. Sheahan suggested including language in the Rural Land Use Series stating that mining sites in the Rural Land Use Series and in the RPAs shall be restricted to the assigned density.

There was discussion regarding the specificity of industrial uses and whether heavy industrial should be separated from light.

### **PUBLIC COMMENT**

Bob Curry said he had provided some of the material before the LPA. He discussed the North American Industry Classification System used by the Federal government, and how different entities treat industrial uses. He said the impact of industrial uses could determine if a use was heavy industrial or not. He thought those impacts could be considered and defined in the LDRs.

There was discussion about including a list of sample uses. Mr. Carey preferred having light and heavy industrial uses because those classifications would give the County flexibility to decide what uses were appropriate.

There was discussion on structuring these policies including heavy versus light industrial uses, when CUPs would be required and the detrimental impacts of some industries. Mr. Carey suggested including a reference to the North American Industrial Classifications. There was discussion on the draft language written by staff and shown on the screen.

During discussion about differentiating between uses, such as retail, wholesale and industrial, Mr. Sheahan said some industrial uses are classified by scale.

**PUBLIC COMMENT**

Bob Curry said he had some explanatory materials that he would like to provide after lunch. He said he had a summary of sector classifications and said he had left out some uses that would be included under office uses. He said scale could determine which uses were defined as commercial, office or industrial and said impact would define heavy industrial uses.

There was discussion about distribution, terminals and what would be allowed under office. Mr. Sheahan said state law requires that electrical substations be allowed in all zoning categories except conservation and parks and recreation.

Melanie Marsh, Deputy County Attorney, said the County had received a recent public records request regarding the Wekiva Ordinance and reminded the LPA to review their files.

**PUBLIC COMMENT**

Ottmar Olsen said he owned land in the Eustis area and asked when land owners from that area could make comments on future land uses.

It was noted that the LPA takes public comment at almost every meeting from land owners including comments outside of the area being addressed at that meeting. In addition, public notice will be given before the LPA concludes work on the FLUM. Mr. Carey said it had always been their intention that no land owner would be harmed through their work on the 2025 Comprehensive Plan.

Gary Cooney, Attorney, said it was difficult for property owners or their representatives to schedule their time when time specific agenda items were not announced until the start of the meeting.

The LPA noted that they have accommodated many individuals who were unable to remain for an entire meeting. Mr. Sheahan said the LPA would take a global view of the FLUM after completion of the initial review and would consider land owners requests at that time. Chairman Foley said the initial draft FLUM may address some requests. Mr. Parks thought a mixed message may have been given, because the concerns of some individual land owners had been addressed by the LPA. Mr. Carey said none of the FLUM votes were final yet.

The meeting reconvened at 2:45 p.m. after a break for lunch, Sean Parks was absent for the remainder of the meeting and Cindy Barrow's return was delayed. Mr. Sheahan said he had been temporarily called out of the meeting and he suggested the LPA proceed with review of the FLUM.

In reference to the earlier public records discussion, Ms. Marsh said the inclusive dates were from August, 2006 to April 7, 2007.

Mr. Schue suggested beginning the FLUM review in east Lake County to ensure

consistency with the Wekiva ordinance.

Ms. Belflower inquired about the status of commercial uses in the Eustis area and there was discussion on commercial uses, existing commercial and proximity to urban areas.

Mr. Schue said he wanted to review parcels shown as conservation which are privately owned. There was discussion on parcel updates, automated programs correcting future land use when data was received and updating GIS information before transmittal of the 2025 Comprehensive Plan.

LPA members identified parcels subject to Map Motion #1 and discussed those shown as privately and publicly owned. Mr. Sheahan suggested that after review, the parcels shown as privately owned be changed to Rural Low Density.

There was a short break and the meeting re-convened at 2:45 p.m.

**FUTURE LAND USE MAP**

**MOTION by Keith Schue, SECONDED by Michael Carey to adopt the future land uses in the Ocala Forest as depicted in Map Motion 1-19.**

**FOR: Foley, Schue, Carey, Belflower, Kelly, Zaneis**

**ABSENT: Jordan, Parks, Barrow**

**AGAINST: None**

**MOTION PASSED: 6-0**

There was a consensus to reserve one hour for the discussion on Heavy Industry so comments could be solicited from the IDA.

Francis Franco, Senior Geographic Information Systems (GIS) Analyst, said the Florida Natural Area Inventory (FNAI) data was now available as review of these future land uses continued.

**MOTION by Michael Carey, SECONDED by Keith Schue to designate the highlighted parcels Rural Low Density as depicted in Map Motion 1-19.**

**FOR: Foley, Schue, Carey, Belflower, Kelly, Zaneis**

**ABSENT: Jordan, Parks, Barrow**

**AGAINST: None**

**MOTION PASSED: 6-0**

**MOTION by Keith Schue, SECONDED by Rob Kelly to designate the highlighted parcels Conservation as depicted in Map Motion 1-19.**

**FOR: Foley, Schue, Carey, Belflower, Kelly, Zaneis**

**ABSENT: Jordan, Parks, Barrow**

**AGAINST: None**

**MOTION PASSED: 6-0**

**MOTION by Michael Carey, SECONDED by Peggy Belflower to designate**

**Recreation the highlighted area as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks, Barrow  
**AGAINST:** None  
**MOTION PASSED: 6-0**

**MOTION by Keith Schue, SECONDED by Rob Kelly to correct the map showing Sending Area, 1-20 as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks, Barrow  
**AGAINST:** None  
**MOTION PASSED: 6-0**

Cindy Barrow returned to the meeting.

**MOTION by Keith Schue, SECONDED by Michael Carey to designate Public/Quasi-Public as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED: 7-0**

**MOTION by Keith Schue, SECONDED by Cindy Barrow to accept the refinement of the Sending Area 1-20 as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED: 7-0**

Mr. Sheahan said in general, after land is purchased by the State that roads remain on FLUM unless the plat is vacated by the State.

**MOTION by Keith Schue, SECONDED by Peggy Belflower to designate Conservation as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED: 7-0**

**MOTION by Keith Schue, SECONDED by Rob Kelly to designate Conservation as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED: 7-0**

**MOTION by Keith Schue, SECONDED by Cindy Barrow to designate Sending Area 1-20 as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED: 7-0**

**MOTION by Keith Schue, SECONDED by Vicki Zaneis to designate the highlighted area consistent with the current Future Land Use as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED: 7-0**

**MOTION by Keith Schue, SECONDED by Michael Carey to designate the highlighted area consistent with the current Future Land Use as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED: 7-0**

**MOTION by Keith Schue, SECONDED by Peggy Belflower to designate Rural Low Density as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED: 7-0**

**MOTION by Keith Schue, SECONDED by Vicki Zaneis to designate Rural as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED: 7-0**

**MOTION by Keith Schue, SECONDED by Michael Carey to designate Rural as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED: 7-0**

**MOTION by Michael Carey, SECONDED by Cindy Barrow to designate Public/Quasi-Public as depicted in Map Motion 1-19.**

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED:** 7-0

**MOTION** by Keith Schue, **SECONDED** by Michael Carey to designate Public/Quasi-Public as depicted in Map Motion 1-19.

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED:** 7-0

**MOTION** by Keith Schue, **SECONDED** by Vicki Zaneis to designate Public/Quasi-Public as depicted in Map Motion 1-19.

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED:** 7-0

**MOTION** by Michael Carey, **SECONDED** by Vicki Zaneis to designate Public/Quasi-Public as depicted in Map Motion 1-19.

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED:** 7-0

**MOTION** by Keith Schue, **SECONDED** by Peggy Belflower to designate Public/Quasi-Public as depicted in Map Motion 20-24.

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED:** 7-0

**MOTION** by Keith Schue, **SECONDED** by Rob Kelly to designate Rural Medium Density as depicted in Map Motion 20-24.

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED:** 7-0

**MOTION** by Keith Schue, **SECONDED** by Rob Kelly to designate Rural Transition as depicted in Map Motion 20-24.

**FOR:** Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis  
**ABSENT:** Jordan, Parks  
**AGAINST:** None  
**MOTION PASSED:** 7-0

**MOTION by Keith Schue, SECONDED by Michael Carey to designate Rural Medium Density as depicted in Map Motion 20-24.**

**FOR: Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis**

**ABSENT: Jordan, Parks**

**AGAINST: None**

**MOTION PASSED: 7-0**

There was discussion about designating the future land use in this area because of the requested future land use by the City of Mt. Dora.

**MOTION by Cindy Barrow, SECONDED by Peggy Belflower to designate Rural Medium Density (1:3 with clustering, without 1:5) as depicted in Map Motion 20-24.**

**FOR: Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis**

**ABSENT: Jordan, Parks**

**AGAINST: None**

**MOTION PASSED: 7-0**

**HEAVY INDUSTRY**

Mr. Sheahan cautioned that the data provided by Mr. Curry was obtained from an unofficial website and said the same information is available from the Census Bureau website. Mr. Kelly suggested changing Wholesale Trade to Distribution.

**MOTION by Cindy Barrow, SECONDED by Rob Kelly to approve the draft of the first paragraph as presented.**

**FOR: Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis**

**ABSENT: Jordan, Parks**

**AGAINST: None**

**MOTION PASSED: 7-0**

There was discussion regarding potential industrial uses and those appropriate for this area.

**PUBLIC COMMENT**

Bob Curry suggested considering the impacts of these uses instead of compiling lists of uses as examples.

There was discussion about including a list of example uses in the draft to be sent to the IDA.

Cindy Barrow left the meeting.

After some discussion the final draft was shown on the screen

**MOTION by Michael Carey, SECONDED by Rob Kelly to send the draft of Policy 1.1.1 to the Industrial Development Agency (IDA).**

**FOR:**                    **Foley, Schue, Carey, Belflower, Kelly, Zaneis**  
**ABSENT:**            **Jordan, Parks, Barrow**  
**AGAINST:**          **None**  
**MOTION PASSED: 6-0**

There was agreement to give the IDA a date certain for their response.

The Chair continued the meeting at 5:00 p.m.

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Donna R. Bohrer  
Public Hearing Coordinator

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Keith Schue  
Secretary



