

**MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY
APRIL 19, 2007**

The Lake County Local Planning Agency met on THURSDAY, APRIL 19, 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:

David Jordan, Vice-Chairman	District 1
Rob Kelly	District 2
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:

Michael F. Carey	District 3
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Staff Present:

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 9:00 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.

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APPROVAL OF MINUTES

December 21, 2007

Rob Kelly said his motion regarding Ferndale on page 19, should show the future land use as Rural, one dwelling unit per five acres.

Cindy Barrow said on page 8 her motion to change the designation of the Karlton Property was not shown on the draft FLUM.

MOTION by David Jordan, SECONDED by Cindy Barrow to approve the December 21, 2007 minutes with the correction showing the Karlton Village motion with a Rural future land use, one dwelling unit per five acres.

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

ABSENT: Carey

AGAINST: None

MOTION PASSED: 8-0

January 18, 2007

There was brief discussion regarding removing the quotations on page 14.

MOTION by David Jordan, SECONDED by Sean Parks to accept the minutes of January 18, 2007 as corrected.

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

ABSENT: Carey

AGAINST: None

MOTION PASSED: 8-0

The minutes from January 25, 2007 were tabled until the next meeting.

ELECTION OF OFFICERS

MOTION by David Jordan, SECONDED by Cindy Barrow to nominate Nadine Foley as Chairman.

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

ABSENT: Carey

AGAINST: None

MOTION PASSED: 8-0

MOTION by Rob Kelly, SECONDED by Sean Parks to nominate David Jordan as Vice-Chair.

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

ABSENT: Carey

ABSTAINED: Jordan

AGAINST: None

MOTION PASSED: 7-0

MOTION by Rob Kelly, SECONDED by David Jordan to nominate Keith Schue as Secretary.

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

ABSENT: Carey

AGAINST: None

MOTION PASSED: 8-0

There was discussion regarding the future land use assigned to the area commonly known as the Karlton Village. David Jordan suggested a motion be made to assign a future land use to that area and then to move on.

MOTION by David Jordan, SECONDED by Cindy Barrow to designate the Karlton Village site as Rural Low Density.

Brian Sheahan, AICP, Chief Planner, Planning and Community Design, reminded the LPA of their statement at the last meeting that no mapping would be done at this meeting.

David Jordan withdrew his motion, stating he understood staff's comment.

MOTION by Cindy Barrow, SECONDED Peggy Belflower that the Karlton application property be designated as Rural Low Density.

FOR: Schue, Belflower, Kelly, Jordan, Barrow, Zaneis

ABSENT: Carey

AGAINST: Foley, Parks

MOTION PASSED: 6-2

Chairman Foley said the LPA would be reviewing policies that will be before the Board of County Commissioners (BCC) for their review. She said future land uses in the Wekiva Area would be addressed at the next meeting. Mr. Sheahan said Mr. Schue was welcome to meet with staff to review any mapping errors in the Wekiva area before the next meeting.

It was decided to schedule additional meetings on May 18, 2007 and May 31, 2007.

SANITARY SEWER SUB-ELEMENT

Peggy Belflower said she would provide staff with a copy of her suggested grammar corrections. Mr. Schue identified a duplicate sentence in Policy 1.3 and Ms. Belflower addressed several minor changes. There was discussion regarding the threshold for mandatory sewer hook-up and that established homes on larger lots would not be subject to that threshold unless the property is developed to a higher density. During discussion on Policy 1.1.5, LeChea Parsons, Assistant County Attorney, and staff suggested more flexible wording because of uncertainties regarding State water regulations.

During additional discussion on Policy 1.1.2, Mr. Parks said the 100,000 gallon per day

(GPD) waste water threshold was the minimum size for a package plant. Rob Kelly was concerned about consistency. Mr. Schue said he was reluctant to make many changes to this policy because it had been reviewed by the Environmental Services staff.

MOTION by Cindy Barrow, SECONDED by Peggy Belflower to approve the draft Sanitary Sewer Sub-Element as reviewed, edited and shown on the screen.

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

ABSENT: Carey

AGAINST: None

MOTION PASSED: 8-0

The meeting reconvened at 10:30 a.m. after a short break.

STORMWATER SUB-ELEMENT

MOTION by Keith Schue, SECONDED by Rob Kelly to delete the initial paragraph and to begin with Goal 1.

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

ABSENT: Carey

AGAINST: None

MOTION PASSED: 8-0

The LPA discussed the Lake County Water Authority’s (LCWA) letter regarding rain water harvesting and how to incorporate that intent into policies.

PUBLIC COMMENT

Bob Curry said Stormwater Policy 1.2.8 and Capital Improvements Policy 1.1.6 cross-reference each other but are inconsistent.

After some discussion, Mr. Sheahan suggested adding the missing bulleted items to the Stormwater Element and asking Mary Hamilton, Stormwater Project Manager, to review these policies and make any suggestions she thought were appropriate.

MOTION by Keith Schue, SECONDED by Peggy Belflower to add the bulleted items from the Capital Improvements Policy 1.1.6 to the Stormwater Element Policy 1.2.8.

There was discussion on inconsistencies between the table and the bulleted items. Mr. Sheahan said detail and redundancy increases the possibility of inconsistencies. He noted that duplicate policies do not increase efficacy and said some policies can be more restrictive than others, although they should not be in conflict.

There was discussion regarding the BCC’s schedule to review the transmitted elements. There was agreement to have the Stormwater Project Manager review these policies.

MOTION withdrawn by Keith Schue.

MOTION by David Jordan, SECONDED by Sean Parks to add the bulleted items into Policy 1.2.8, have the Stormwater Project Manager for the County review these policies for any conflicts and resolve those conflicts before the BCC’s review, based on the LPA’s direction to have the most stringent Stormwater criteria.

Mr. Schue and Mr. Kelly said they would prefer to have these elements brought back to the LPA before they are sent to the BCC.

FOR: Foley, Belflower, Jordan, Parks
ABSENT: Carey
AGAINST: Schue, Kelly, Zaneis, Barrow,
MOTION FAILED: 4-4

MOTION by David Jordan, SECONDED by Keith Schue to have staff resolve the conflicts between these two policies and bring them back for the LPA to review.

Chairman Foley suggested the LPA continue to review the remainder of this element.

FOR: Schue, Belflower, Kelly, Jordan, Parks, Barrow
Zaneis
ABSENT: Carey
AGAINST: Foley
MOTION PASSED: 7-0

There was discussion that staff would review both policies in their entirety to ensure they are not in conflict with each other.

Ms. Belflower said she would provide staff with her list of grammar suggestions.

There was agreement with Ms. Zaneis’ suggestion to add “meets or exceeds” to Policy 1.5.3. Mr. Parks said it was his recollection that the LPA’s intent was to have water quality before and after development unchanged. Mr. Schue said if the intent was to only address water quality, then the references to water volume should be removed. Mr. Parks suggested making the policy more general by removing “recharging to Floridan Aquifer” so all run off water is included.

MOTION by Peggy Belflower, SECONDED by David Jordan to accept Policy 1.5.3, Stormwater Runoff as amended, edited and shown on the screen.

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

There was agreement to remove the word “sensitive” from Policy 1.5.4. Ms. Belflower discussed several of her minor edits.

MOTION by Rob Kelly, SECONDED by Cindy Barrow to accept Policy 1.1.4, Stormwater Management Regulations, as amended, edited and shown on the screen.

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

ABSENT: Carey

AGAINST: None

MOTION PASSED: 8-0

There was discussion about how to apply this policy to developments built in phases.

MOTION by Peggy Belflower, SECONDED by Rob Kelly to accept Policy 1.2.5, Provide Effective Stormwater Treatment, as amended, edited and shown on the screen.

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

ABSENT: Carey

AGAINST: None

MOTION PASSED: 8-0

MOTION by Cindy Barrow, SECONDED by Peggy Belflower to accept Policy 1.2.6, Non-Structural Best Management Practices, and Policy 1.5.5, Sinkholes, as amended, edited and shown on the screen.

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

ABSENT: Carey

AGAINST: None

MOTION PASSED: 8-0

MOTION by Vicki Zaneis, SECONDED by Peggy Belflower to accept Policy 1.5.7, Best Management Practices, as amended, edited and shown on the screen.

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

ABSENT: Carey

AGAINST: None

MOTION PASSED: 8-0

David Jordan left the meeting at 11:40 a.m.

MOTION by Peggy Belflower, SECONDED by Vicki Zaneis to remove “aquifer connection” from Policy 1.5.6, Karst Features.

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

ABSENT: Carey, Jordan

AGAINST: None
MOTION PASSED: 7-0

In response to Mr. Schue’s concern about possible variances from the Land Development Regulations (LDRs), Mr. Sheahan said the LDRs could limit the types of variances allowed.

MOTION by Rob Kelly, SECONDED by Peggy Belflower to accept the further modifications of Policy 1.5.7, Best Management Practices.

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

PUBLIC COMMENT

Jon Pospisil suggested that in Policy 1.5.3, Stormwater Run-off, incentives be available to developers that improve water conditions.

Mr. Parks suggested staff discuss a way to support compliance with the Stormwater Regional Basin Management Plan with the County’s Stormwater Project Manager.

MOTION by Rob Kelly, SECONDED by Sean Parks to accept the further modifications of Policy 1.5.3, Stormwater Runoff.

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

PUBLIC COMMENT

Bob Curry said Item 8 regarding industrial pollution would have to be consistent with the industrial section of the FLUE.

MOTION by Rob Kelly, SECONDED by Cindy Barrow, to accept Policy 1.5.8, Additional Best Management Practices within the Wekiva Study Area (WSA), items 3,4, 5, and 6 as amended, edited and shown on the screen, with staff to review item 4 with the County’s Environmental Services Division.

There was additional discussion on Item 6.

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

Chairman Foley said the Stormwater Sub-Element was tabled for further review by staff. There was a short break and the meeting reconvened at 12:20 p.m.

DEFINITIONS

There was discussion regarding retaining the word “sensitive” before karst features in the Aquifer Connection definition. There was agreement that a reference to Aquifer Connections be inserted into the definition of Sensitive Karst Feature to avoid redundancy.

There was agreement with Mr. Schue’s suggestion to remove the Base Density definition and to define that term when it is used.

There was discussion on the Open Space definitions, including if the different kinds should be defined and that the word is sometimes used in a very general way. Mr. Sheahan suggested adding “see specific types of open space below.” There was extended discussion on the different types of open space and how they should be defined. Ms. Zaneis said open space and amenities should be provided within Affordable Housing to contribute to it’s success. Mr. Parks said there is open space as a requirement for development and there is, also, the broader term of open space within rural areas. Chairman Foley suggested removing the other types of open space if they are described where the term is used.

MOTION by Cindy Barrow, SECONDED by Rob Kelly to retain the general definition of Open Space and to delete the other definitions of Open Space.

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

ABSENT: Carey, Jordan

AGAINST: None

MOTION PASSED: 7-0

PUBLIC COMMENT

Bob Curry said the Springshed Protection Zones definition needed to be reviewed. He suggested simplifying the definition of Natural Resources by deleting some of the beginning language. Mr. Curry noted that Hazardous Waste was not limited to just a solid waste form.

There was agreement with Mr. Curry’s suggestion on Natural Resources and agreement with Mr. Sheahan’s suggested term of “hazardous materials” which removes the reference to the form of hazardous waste.

There was discussion on the appropriate way to define Springshed Protection Zones, and agreement with Mr. Schue’s suggestion to add “include the following” and to remove the term “sensitive.” The LPA worked together to develop acceptable definitions of Primary and Secondary Springshed Protection Zones.

Vicki Zaneis left the meeting at 1:05 p.m.

The Chair adjourned the meeting at 1:15 p.m.

Donna R. Bohrer
Public Hearing Coordinator

Keith Schue
Secretary