MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY

MAY 22, 2006

The Lake County Local Planning Agency met on MONDAY, MAY 22, 2006 at 9:00 a.m. at the Kenneth A. Bragg Campus, 12900 Lane Park Cutoff Road, 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
Richard Dunkel	District 4
Nadine Foley, Vice-Chairman	District 5
Keith Schue, Secretary	At-Large Representative
Barbara Newman, Chairman	At-Large Representative
Sean Parks	At-Large Representative
Becky Elswick	School Board Representative

Staff Present:

Melanie Marsh, Assistant County Attorney
Amye King, AICP, Deputy Director, Growth Management Department
Kitty Cooper, Director, Geographic Information Services Division
Terrie Diesbourg, Director, Customer Service Division
Alfredo Massa, Senior Planner, Comprehensive Planning Division
Francis Franco, Senior GIS Analyst, Comprehensive Planning Division
Thomas Wheeler, Planner, Comprehensive Planning Division
Donna Bohrer, Office Associate III, Planning & Development Services Division

Barbara Newman, Chairman, called the meeting to order at 9:05 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.

FUTURE LAND USE MAP

Amye King, Deputy Director Growth Management, presented the draft of the proposed Future Land Use Map (FLUM). She said the Rural Area Plan would be shown on the map when the overlays were added, and she discussed the municipal recommendations.

Chairman Newman asked that the record reflect the LPA's appreciation for the hard work done by Francis Franco, Senior GIS Analyst.

Ms. King discussed the population allocations from the FLUM. She said the total maximum population on this map, not including densities from the Wekiva and the Green Swamp, is 870,00, which is 400,000 more than was planned on. She said several factors such as the rural policies and the Mixed Use Development Districts would bring the projected population closer to 470,000. She said this is below the population allocation on the current adopted map. Ms. King said the acreage allocated for industrial uses has been significantly increased to 8,000 acres. She explained that these population figures are based on a uniform number of persons per household, however, in reality that number is not consistent.

Keith Schue said the worksheet doesn't include densities in the Green Swamp or Wekiva Study Area (WSA), and that not all the conservation areas are shown on the FLUM. Mr. Franco said during work on the FLUM, priority was given to the higher density areas of the County. He said those lands would be on the map when it is transmitted.

In response to a question from Richard Dunkel, Ms. King said the population allocation figure approved by the Department of Community Affairs (DCA) is 470,000. Mr. Schue said he would be very interested in the estimated municipal population. Ms. King said the County can't use the municipal plans to plan for the County. Staff is required to use the Bureau of Economic and Business Research (BEBR) number. She said this map was a draft not the final product. Mr. Dunkel and Ms. King discussed population numbers. Ms. King said BEBR uses a combination of the number of electrical hook-ups along with birth and death records. David Jordan thought it was difficult to plan for the unincorporated areas without taking into consideration the cities' population projections.

Mr. Schue expressed concern that the one dwelling unit per acre with mandatory clustering land use had been moved to the urban land use series. Ms. King said that would be discussed with the policies.

Mr. Schue said the map was generally a good representation of the LPA's intentions in the Wekiva area, and he suggested using CR 44 as a line of demarcation between land uses.

MOTION by Keith Schue, seconded by David Jordan to make CR44 a line of demarcation between land uses and that the one dwelling unit per acre density would be applicable south of CR 44.

IN FAVOR: Newman, Foley, Schue, Jordan, Elswick, Dunkel

AGAINST: Carey

ABSENT: Dupee and Parks

MOTION: 6-1

In response to Mr. Schue's comments, Ms. King said because a regional park will be built on the north side of the city, Umatilla had requested those particular densities to support economic development. There was agreement to have staff discuss with Umatilla the possibility of lowering some of those densities to create more of a transition area.

There was agreement to scale back the High Intensity Development District (HIDD), which is located close to the Howey-in-the-Hills Joint Planning Area (JPA).

There was discussion regarding the Mt. Plymouth-Sorrento area and the recommended Main Street District, which is located outside of the Wekiva River Protection area. There was consensus with Mr. Schue's suggestion to incorporate the map recommended by the Mt. Plymouth-Sorrento Planning Advisory Committee (MPSPAC) and to show that proposed overlay on the FLUM.

There was discussion regarding the LPA recommended densities near the Employment Center proposed in the Mt. Dora JPA.

PUBLIC COMMENT

Douglas Buskars, a board member of the East Lake County Chamber of Commerce, read a letter from the chamber requesting that the MPSPAC recommendations be incorporated into the new Comprehensive Plan. He also was concerned about the differing population estimates from different agencies. He encouraged close cooperation with Lake/Sumter Metropolitan Planning Organization (LSMPO) and the Regional Planning Council (RPC).

Rob Kelly, Citizen's Coalition of Lake County (CCLC), questioned the purpose of this meeting and asked how the process will go forward. He also asked how the FLUM allocation was less and asked why the MXDD, the Green Swamp and Wekiva Areas were being subtracted to come closer to the population estimate. He said that as of Friday, the Comprehensive Plan draft was not on the County's website.

Ms. King explained that the purpose of this meeting was to review a draft of the FLUM. This is also the first opportunity to review the entire Comprehensive Plan draft. Ms. King said several constraints had combined to limit dissemination of the meeting materials for today.

Chairman Newman said staff works diligently to make as much information as possible available for the public. She was frustrated with allegations that information was not available for the public.

Mr. Kelly thought the process should be slowed down to accommodate adequate communication with the public.

Cecelia Bonifay, Attorney, Akerman & Senterfitt, explained that this is a work in progress and that the policies will affect the FLUM. She reiterated her concern that the plan must be economically feasible and protect property rights.

Nancy Fullerton said she supported CCLC and represented the Alliance to Protect Water Resources as Land Use and Water Issues Chairman. She asked for staff's best estimate regarding the schedule for transmittal. Ms. King said staff was hoping to transmit during the month of June.

Egor Emory was very concerned regarding encroachment into rural areas, and he thought incentives should be used to direct development into the urban areas. He was concerned about the mixed use area discussed this morning and congestion along the turnpike corridor.

Chairman Newman read into the record a letter from the Mt. Plymouth Homeowners League that supported the recommendations of the MPSPAC.

Mark Reggintin, Planning Director, City of Mt. Dora, discussed the importance of reserving land uses for employment-type uses. He said the City Council was requesting that the area south of the employment center in their JPA be considered for possible expansion. He said they wished to retain the rural areas in their JPA as a means to protect the rural areas outside of the JPA.

There was consensus by the LPA with the suggestion of the City of Mt. Dora to extend the employment center farther south within the JPA. Mr. Schue referred to environmentally sensitive lands located in this area and said an office park could be designed to be more protective of that land than residential uses. In response to a question from Mr. Dunkel, Ms. King said Orange County's plans for this area were "in flux" waiting for the alignment of the Wekiva Parkway. However, staff will continue to communicate with Orange County regarding this area. Ms. Foley added that the transportation network is adequate for the employment center, and she supported the request of Mt. Dora.

There was a five-minute break.

Ms. King explained the text of the Comprehensive Plan would be shown on the screen, and the changes would be visible to everyone as they were put directly into the text. This would help to make the revised text available as soon as possible. She said until changes were incorporated into the document and posted that there was not a "draft."

FUTURE LAND USE ELEMENT

Goal 1
Mr. Jordan commented on the Interpretation of Residential Density, and after some discussion, there was a consensus to remove the mathematical example shown at the bottom of page 5.

Mr. Schue commented that the text showed credit for "five acres of wetlands or *water bodies*" which was inconsistent with earlier discussion of the LPA.

MOTION by Keith Schue, SECONDED by Richard Dunkel to remove water bodies from the calculation of "Net buildable area" in the computation of residential densities.

Mr. Jordan supported excluding water bodies but asked if this, coupled with the Open Space requirements, was "off balance." Mr. Schue said currently water bodies were not counted in density calculations. Ms. King said the new open space requirements were more stringent. Mr. Schue said many water bodies were "sovereign lands" and shouldn't be included. Ms. Foley said she supported the motion. Mr. Dunkel said he seconded the motion for discussion, but he thought too much has been taken from land-owners, and he did not support the motion.

IN FAVOR: Newman, Foley, Schue, Jordan, Elswick, Carey

AGAINST: Dunkel

ABSENT: Dupee and Parks

MOTION: 6-1

There was discussion on the highlighted comments at the top of page 6. Ms. King said they would be deleted in view of the recent motion. Mr. Schue disagreed with the consultant's statement and said he wanted it to be clear that the calculation of residential densities had not been changed. Ms. King said this had been voted on; but that the statement would remain in the comments section.

Reservation of Facilities and Services
Mr. Jordan referred to the required calculations for FLUM amendments regarding the balance of revenue generated by potential residential development and the cost of providing for those increased services. He asked who would do the calculations, how they would be calculated and what would happen if the costs exceeded the revenue. Using affordable housing as an example, Ms. King said it could possibly create a deficit in those calculations and yet the County may move forward in spite of the negative revenue projection. There was agreement by the LPA with staff's recommendation to delete this because it is a concurrency issue.

Ms. King referred to the first sentence and said the consultant had asked if the "facilities and service capacities" were to be limited to those with a Level of Service (LOS). There was agreement with Mr. Jordan's comment that a LOS should be associated with optional elements.

Ms. King suggested the date of "2008" be added to the policy regarding evaluation of long-term economic impacts of proposed FLUM amendments. Ms. Foley favored retaining this policy because it related to the Objective of Smart Growth. Mr. Schue thought that "to ensure the coordination of jobs and housing" should be broadened to include other community needs such as education.

There was consensus to remove the last sentence regarding the annual planning analysis report.

There was agreement to substitute "shall" in the sentence regarding cumulative traffic analysis.

Adopt Land Development Regulations

There was agreement to delete "density and intensity" and add "encourage preservation of rural areas."

There was agreement to remove the reference to "adult entertainment" under Innovative Planning Techniques and to add a reference to the Rural Lands Stewardship Program.

PUBLIC COMMENT

Peggy Belflower said she would like to have staff and consultant comments differentiated. She asked when the consultant's comments had been received and why the agenda was not available on line.

Staff said the final consultant comments arrived after 5:00 Friday afternoon. Mr. Jordan said that citizens should take their comments regarding the process to the director or county manager.

Ms. Marsh said there is no legal requirement to place information on the internet, and information had been provided as a courtesy to the citizens. Ms. Marsh said the statute requires that the County provide information as promptly as possible.

Cecelia Bonifay, Attorney, Akerman & Senterfitt, commented on the issue of gross versus net and discussed how it was interpreted.

Nancy Fullerton commented on the 2007 deadline on page 6, some of the formatting and said the term "mitigate" should be defined.

Mr. Schue said that he didn't believe there had been enough time to review the material before this meeting.

Objective 2 Future Land Use Categories

There was consensus with Mr. Schue's suggestion to replace "special exceptions" with Conditional Use Permits (CUPs) under permitted uses.

Ms. King said the Rural Very Low Density would be an overlay.

Mr. Schue asked about lowering densities while at the same time allowing some of the listed uses. There was agreement to reconsider the specific permitted uses within these categories and to include "schools" as a permitted use wherever there is residential density.

Ann Dupee arrived at 11:45 a.m.

During discussion on group homes, Ms. Foley said they were a residential use and they were not the size of institutions. Mr. Schue said some Adult Living Facilities were quite large. Ms. King said the densities still could not be exceeded. Mr. Jordan said the Department of Health probably has a definition of group home.

Ms. King said the consultant recommended moving the Rural High Density (RHD) to the Urban Land Use Series because the terms "Rural" and "High Density" are inconsistent with each other. In addition, this district is intended to have services and other policies state there will be no utilities in Rural Land Use areas. Mr. Schue didn't believe that utilities were required in one dwelling unit per acre and thought meaningful clustering could be done at those densities.

Ms. King asked what the LPA thought about RHD in Rural Land Use Series or Very Low Density (VLD) in the Urban Land Use Series. There was consensus with Mr. Jordan's suggestion to use the title "Rural Transitional District" in the Rural Land Use Series.

There was discussion regarding multi-family in the Medium High Density Residential (MHDR) with or instead of duplexes or townhouses.

Ms. King said that High Density Residential (HDR) has a minimum density and is located adjacent to municipal boundaries. Mr. Schue supported the idea but remained concerned about how a minimum density would work.

There was agreement to use MXD as the abbreviation for Mixed Use Development. There was discussion about combining MXD and Traditional Neighborhood Design (TND) into one category.

Commercial
There was agreement with Mr. Schue's suggestion to remove the residential uses from this category.

Recreation
Ms. King said this category was intended for parks and therefore, 'passive/active" is redundant. There was agreement to remove the words passive and active.

Conservation
Ms. King said this category has no assigned density and asked what type of intensity should be allowed. There was agreement to refer to the definition of this category.

There was agreement to list the overlays but include a reference to the policy and not try to include all of the detail in this table.

Rural Land Use Series
Ms. King said the Rural High Density has been changed to Rural Transition District.

There was agreement to have the Conservation category "stand alone."

Under Conservation Subdivision Design
There was agreement to delete the sentence beginning with "To promote the efficient use..."

There was discussion that conservation subdivision design has different design elements besides clustering. It was decided to rephrase the first paragraph to "Lake County shall require the use of clustering and other Conservation Subdivision techniques, which…"

Ms. King said she would research language to support Mr. Jordan's suggestion to add similar to "DRIs are not consistent and shall be discouraged in the Rural Land Use Series."

There was agreement to delete "preserve open space along roadway corridors."

Services and Facilities
There was discussion on the Level of Service (LOS) for rural areas. There was agreement to address LOS within the individual elements, to remove the golf course reference because it is defined elsewhere and to delete "primarily" in the first sentence.

Mr. Dunkel left the meeting.

There was a lunch break, and the meeting re-convened at 2:00 p.m.

Urban Land Use Series
There was agreement in the first paragraph to incorporate "Mixed Use/Traditional Neighborhood Development District" and to remove second sentence beginning with "In order."

Low Density Residential.
In Levels of Services of Facilities there was agreement to change the sentence to read "LOS shall be addressed through respective elements."

Sean Parks arrived at 2:14 p.m.

High Intensity Development District (HIDD)
There was agreement under uses, to target businesses as "identified by the Board of County Commissioners." The use of ratios was discussed as a way to prevent single use developments in this category.

Mixed-Use/Traditional Neighborhood (MXD/TND)
There was agreement to add "except within MPSPAC Overlay District" to the second sentence. After discussion on densities, Ms. King suggested 4-6 densities and said staff would research the densities allowed in other TNDs and ratios, as well.

MOTION by David Jordan, SECONDED by Sean Parks, to have a maximum density of twelve units per acre within the MXD/TND category, including a ratio.

IN FAVOR: Newman, Foley, Carey, Schue, Jordan, Elswick, Dupee and Parks

ABSENT: Dunkel

MOTION: 8-0

There was a consensus to remove the last sentence in the second paragraph beginning with "New projects" and delete "and are adopted….within the JPAs."

Office
There was agreement in Uses to delete the sentence beginning with "corporate headquarters…."
After discussion on office and commercial uses in this land use, there was agreement to add "limited commercial uses to support office uses." There was agreement to delete the enumerated land uses in the second paragraph.
The LPA agreed to delete the paragraph beginning with "The County shall encourage properties…" and to delete "C" and to move the paragraph regarding "urban infill and redevelopment" to the beginning of this land use.

After discussion on "A Conditional Use Permit," it was decided to wait for the County Attorney's recommendation.

Mr. Schue suggested a separate sentence "Within Historic Villages, commercial development shall be restricted to scope, scale, size, intensity, lighting, and parking design in order to service and ensure compatibility with the community" be used in place of the Historic Village references. There was consensus to include this sentence, provided it was found to be legal by the County Attorney.

There was agreement to delete paragraph beginning "Further, on a case-specific.."
Mr. Jordan suggested the title "Commercial Application to areas currently designated Rural Land Use." There was a consensus by the LPA to not have a rural commercial overlay district but to have staff research this issue and return with draft language.

There was a ten-minute break

There was consensus by the LPA to delete paragraph beginning with "further" on page 27.

Public, Quasi-Public
There was discussion about changing the title to Transportation Communication and Utilities (TCU).
There was consensus to allow libraries in any land use and to require a Conditional Use Permit (CUP) for these special land uses except for schools and libraries.

Recreation
There was consensus to remove first and second sentences.

Conservation
There was consensus to change "associated" to "similar" in the final sentence.

Mr. Jordan felt strongly about the definition of open space within the Wekiva and thought that definition would apply to the whole County. Ms. King said open space would apply county-wide except in districts where it would not work, such as the Main Street District and MXD/TND and HIDD. There was consensus to include the definition within the FLUE.

Michael Carey said he has very serious concerns about designating so much of the County as rural. He said from his research that pushing growth into urban areas doesn't save the rural areas. He said he supported protecting rural areas, but he would like to have more provisions for clustering in rural areas, so that rural living was more accessible to people of "moderate means." He voiced several concerns including the low high school graduation rates and the increasing elder population. He said his greatest concern was that the State of Florida promotes growth. He believed that the growth rate will be greater than anticipated, and because the State doesn't do anything to limit that growth, the local jurisdictions will have to accommodate it. Mr. Carey said because the cities have their own plans for urban areas that growth would be forced to the transitional areas.

Mr. Parks said all they can do is to "steer" development into specific areas.

Mr. Carey said excellent services could attract growth to urban areas. He would like to see a provision to help accommodate people of moderate means to live in rural areas, and he thought that could be an option.

PUBLIC COMMENT

Rob Kelly, Citizens Coalition Lake County, said he appreciated the meeting format, which made it possible to see the changes as they are made to the draft plan.

Kathy Beselica, Mt. Plymouth-Sorrento area resident, supported the MPSPAC policies and the preservation of rural areas and lifestyles. She said people who live in rural areas love their lifestyle and make sacrifices to have them. She thought there were plenty of urban areas already.

Laura Buskars, a resident of the Fairways development, also supported the MPSPAC policies. She was concerned about the number of current residents in that area that have substandard housing.

Adjourned at: 4:25 p.m.

Donna R. Bohrer	Keith Schue
Office Associate III	Secretary