MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY

June 19, 2006

The Lake County Local Planning Agency met on MONDAY, JUNE 19, 2006 at 9:00 a.m. in the Trillium Building, 28334 Churchill Smith Lane, Mt. Dora, Florida. The Lake County Local Planning Agency considers comprehensive planning issues including amendments to Lake County's Comprehensive Plan and Land Development Regulations.

Members Present:

David Jordan	District 1
Ann Dupee	District 2
Richard Dunkel	District 4
Nadine Foley, Vice-Chairman	District 5
Sean Parks	At-Large Representative
Keith Schue, Secretary	At-Large Representative
Barbara Newman, Chairman	At-Large Representative
Becky Elswick	School Board Representative

Members Absent:

Michael F. Carey	District 3

Staff Present:

Sanford A. Minkoff, County Attorney
Carol Stricklin, AICP, Director, Growth Management
Amye King, AICP, Deputy Director, Growth Management Department
R. Wayne Bennett, AICP, Director, Planning and Development Services
Brian Sheahan, AICP, Chief Planning, Planning and Development Services
Walter Wood, Senior Hydrogeologist, Environmental Services
Alfredo Massa, Senior Planner, Comprehensive Planning Division
Francis Franco, Senior GIS Analyst, Comprehensive Planning Division
Donna Bohrer, Office Associate III, Planning & Development Services Division

Barbara Newman, 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.

TABLE OF CONTENTS

AGENDA ITEM:	AGENDA DESCRIPTION	PAGE NO.
	Mixed Use District/Traditional Neighborhood District	8
	Future Land Use Element	9
	Aquifer Recharge Sub-Element	10
	Implementation Element	11

Amye King, AICP, Deputy Director, Growth Management, said today they would review Future Land Use Map (FLUM) issues. She said landowners who had filed land use requests would have 10-15 minutes to address the LPA and they should note that on their speaker cards.

Ms. King said staff was requesting additional policy stating the County would consider sector planning and small area studies before the Evaluation and Appraisal Report (EAR).

Richard Dunkel read the following statement into the record: "We have not been given any population numbers associated with the densities assigned to the current FLUM that we can use with confidence. The FLUM is the most significant part of the Comprehensive Plan rewrite and has lacked key population numbers right from the very beginning. We have been re-writing the Comprehensive Plan and re-drawing the FLUM using the mantra of ready, shoot, aim. I have been a constant irritant to both staff and the Chair in bringing up this issue. It was never my intent to devote two years rewriting a new Comprehensive Plan and then to submit a terribly flawed FLUM as part of the process that could have been done in two months. Without reasonably accurate studied population numbers, it is difficult and from my stand point impossible to design a new FLUM that serves Lake County's citizens and businesses well. I cannot see sending an inherently flawed document, the FLUM, on to the BCC. I will not support sending the FLUM to the BCC.

Any population number supplied by staff from this point forward should be carefully studied and not subject to an artificial submission deadline. We would be doing all involved an important service by refusing to make any FLUM changes until the issue of population numbers is crystal clear. I would suggest that the actual Comprehensive Plan, less the FLUM, be submitted to the BCC and we suspend the FLUM until County staff can organize the more accurate population numbers ascribed to the current FLUM so this committee can design a new FLUM that accomplishes the task that we volunteered to perform. Further, the FLUM should not increase any densities in the several areas where the LPA has indicated that sector planning be appropriate. Using a Horizon's West model, the key lever the County has to encourage sector planning is the possibility of increasing density. Any suggested or proposed FLUM that shows an increased density in these areas throws this leverage out the window.

By the way, I am not an opponent of the Karlton DRI; it is an example of sector-type planning and can help prevent the planning death of a thousand slices when we have incremental submissions of small changes that ignore the macro. It is inevitable that we will be told that we cannot separate the two items, or that is not the way it is done, or should be done, or has been done in the past. To that I would say so what. We are attempting to right the mistakes of the past and rewrite the Comprehensive Plan for a better future in Lake County. We are only committed to use the same framework that created the current state of affairs. Far better to delay the FLUM submission until the numbers are presented and fully vetted and then used to update the FLUM. I will not knowingly put my name and cast my vote for an inherently flawed work product. To those that will cry this will hold up the submission of the new Comprehensive Plan, so what, why not get clarity on the future before we approve or disapprove any changes built

upon the trends of the last 20-30 years.
The world is changing, the housing market is cooling; we may be saving ourselves and our County from irrational exuberance in housing by pausing to review. This is not to say that development could or should stop, in fact, there are still tens of thousands of homes in the approved to build pipeline. However, the cost of energy, the increase in interest rates, continued reliance on retired 'boomers' moving here, water supply uncertainty, accurate impact fee costs, the lack of strong job creation other than construction, which by its nature is temporary, strongly suggest our development future and trends are beginning to change. My suggestion is that the entire Comprehensive Plan be gone over by a keen set of eyes to be sure we are setting a correct course for the future."

Keith Schue asked if it would be possible to transmit the FLUM and the Comprehensive Plan separately. Ms. King said delaying the FLUM transmittal to BCC would allow time for review of the Goals, Objectives and Policies (GOPs). She said the proposed multiple Developments of Regional Impact (DRIs), which will be annexed, are changing the population projections. She said not all the land uses on the FLUM will build-out at the highest possible densities, and consequently, populations projections are based to some extent on assumptions. At the highest densities, minus water bodies and government lands, the population allocation is at 800,000. Ms. King added that the FLUM would have to be transmitted with Comprehensive Plan to the Department of Community Affairs (DCA).

Mr. Dunkel thought Ms. King had summarized his concerns with one exception. He thought if increased densities were assigned to areas considered for sector planning, the County would lose the leverage of increased densities to guide development.

Nadine Foley and Sean Parks agreed to transmit the FLUM to BCC separately. Mr. Dunkel thought a population workshop was necessary.

Ms. King said the direction of the LPA had not been towards sector planning, which is in reality a statutorily defined planning process. She said that in effect the Historic Village overlays are sector plans.

Mr. Schue thought specific parameters should be defined for any sector planning and that sector planning should not drive the Comprehensive Plan.

Ann Dupee repeated her concern about the financial impact of the Comprehensive Plan.

There was agreement to hear comments from landowners on the FLUM.

Mr. Schue said some of the discrepancies between the City of Eustis' and the County's land use maps had been resolved but some still remained.

Mr. Dunkel said he had been contacted by City of Mt. Dora council members who were concerned about the one dwelling unit per acre density close to their municipal

boundaries.

Chairman Newman said additional speaking time could always be requested through staff otherwise the rule was three minutes. Ms. King said the cities would be addressing the LPA, there would be a brief FLUM discussion and then the LPA will continue to review the GOPs.

PUBLIC COMMENT
Robert Curry said the FLUM is part of the FLUE and thought that any differences between the recommendations of the LPA and staff should be discussed between them before those issues are addressed to the BCC.

Mr. Ray Goodgame, a Clermont Council member, said the e-mail he sent to LPA reflected his views, not those of the City. He said some citizens feel one dwelling unit per acre or developable acre would be an appropriate density for the area south of Clermont. He did not agree that growth was inevitable and he thought the JPAs should be honored.

Cindy Barrow said she was representing Voters Organization Interested in Children's Education (VOICE). She said the school board had passed a resolution reflecting their concern over growth south of Clermont in the vicinity of Highway 27 and Hartwood Marsh Road. She said the number of "vested" properties had been revised upwards, that the schools are overcrowded, and she emphasized the need for coordination between governmental agencies.

Darrin Gray, Assistant City Manager for the City of Clermont, said he represented the City Council regarding some discrepancies on the proposed FLUM. He said Clermont had recommended lower densities in the Hancock Road area and in the "blade area" of their JPA. In response to comments from Mr. Parks, Mr. Gray said he could discuss with the City Council the possibility of developing an overlay for those areas. Mr. Gray explained that the City's 180 district was not identical to their JPA boundary and there was discussion on the importance of cooperation.

Becky Elswick arrived at 10:00

Jack Hogan, Clermont Council Member, said he advocated slow growth and was very concerned regarding school and water supply issues.

Al Mannella said he represented the Summit Green Homeowners Association and he thought growth should be controlled. He said his concerns included the water supply, the Level of Service (LOS) particularly for parks and open space, inadequate home inspections, transportation issues, inadequate schools and the lack of commercial planning.

Paul Lender said his family owns 400+ acres located in Clermont's JPA and they agreed with the City of Clermont's proposed density of one house per developable acre. He

discussed the higher densities in the surrounding areas. He said they were willing to include wetland setbacks. (two exhibits) Ms. King agreed that this property is surrounded by higher densities. However, those surrounding properties are in Groveland and the City is unable to annex the Lender property because of their agreement with DCA.

Cecelia Bonifay, Attorney with Akerman Senterfitt said she represented several landowners and she thought the larger property owners were getting a 'short shift' in this process. She said agricultural uses are becoming lesser profitable. She disagreed that clustering was sustainable at one dwelling unit per acre and referred to the cost of providing services. Ms. Bonifay said the County has not provided for multi-family housing. She thought the school board had the responsibility to work with developers and to work out mitigation plans.

Greg Beliveau, Land Planning Group (LPG), said he represents Umatilla and Fruitland Park. He said Fruitland Park had requested an Employment Center designation and wanted to maintain the industrial-type of uses. The City supports mixed-use land use along the western boundary. They will be working with staff to resolve a discrepancy on the amount of public land. Mr. Schue discussed the land uses and densities with Mr. Beliveau.

Mr. Beliveau said Umatilla reduced the size of their JPA to correspond more closely with areas that could be considered for annexation. He said the City map shows higher densities than is shown on the County's map. Mr. Schue discussed using transitional densities to define urban/rural boundaries. Mr. Beliveau said the City had retracted their JPA boundaries, and because of that, they did not favor lowering densities. Ms. Foley said the "red dot" commercial by the airport should be restricted to lands within the City limits. She also said the map should reflect the existing commercial area in Altoona on SR 19 and 42. Ms. King and Mr. Schue discussed policies in the rural area plan that would address concerns about maintaining a rural/urban boundary. Mr. Schue thought transitional areas between urban and rural areas were necessary to protect rural areas.

There was a five-minute break

Rex Clunts said his citrus business is located in Urban Expansion and said that land use was an important factor when he sought financing for that business. He requested that the land use on his property not be changed.

Ms. King said staff has not made a recommendation on the densities in this area. However, Clermont is requesting lower densities. Ms. King and Mr. Jordan discussed vested zoning rights and the land uses discussed for that area. Mr. Parks said because this property is adjacent to Lake Louisa Park, he believed the County needed to work with him and he suggested an overlay for this area.

Mark Reggintin, Planning Director of Mt. Dora, said the City has requested that some of the rural areas within their JPA retain that designation to be a rural buffer. However, the

current FLUM draft shows one dwelling unit per acre by Britt Road, which could create an island of rural.

Rob Kelly, Citizens Coalition of Lake County (CCLC), addressed the issue of the Lender property, which is located in the Green Swamp. He discussed the development surrounding that property and said it would not meet timeliness. He suggested that Horizons West could be an urban boundary with transitional uses and densities closer to the GSACSC and that small area study/planning would be appropriate in this area.

Ottmar Olsen said he owns land east of the City of Eustis. He said there had been an error on the City's map and said staff would be meeting with Eustis on that issue.

Nancy Fullerton said she was representing the Alliance to Protect Water Resources (APWR). She read a comment from a Clermont citizen asking that the Comprehensive Plans, current and new, be followed. She read a portion of a letter from APWR regarding Karlton sent to the BCC, requesting consideration be given to the potential impact of development on the recharge areas of the Lake Wales Ridge.

Alex Kane, Heritage Green, discussed transportation issues in relation to future land uses. He said potential/planned roads should be taken into consideration when planning for commercial uses and the importance of residential densities to support those uses. He said there was a lack of consistency around the commercial node on SR 46 within the Mt. Dora JPA.

Jack Champion was concerned about growth in the area around his property, including the proposed toll road, the Merry Gro Farms request for development, and the possible development of land under contract to Heritage Green. He believed that one home per acre is sufficient with 50% open space. He requested that his land west of Britt Road have the same density of one dwelling unit per acre as the property on the east side of Britt Road.

Susan Brooks, Mt. Plymouth, said she would like to have staff's 'differences' resolved before the GOPs are transmitted to BCC. She thought Adair and Wolfbranch Roads should be designated scenic roads. She asked if the overlay maps submitted by the MPSPAC would be included in the new plan. She said the supply of water was a finite resource and thought there might be enough land for homes but not enough water. She added that developers should build schools as well as donate land.

Amber Dickerson, Green Consulting Group, discussed a few inconsistencies regarding the Montverde JPA.

Ms. King said some of the comments made referred to densities requested by the cities. She said the 2.5 densities in the Historic Villages were "place holders" until final decisions are made on those Overlays. She said staff would be recommending the land use under the overlay be shown as TND not as straight residential zoning because residents prefer a mix of uses. Mr. Schue disagreed with the densities associated with

TNDs in rural areas. Ms. King said only the TND allows for creative design and that many of the Historic Villages are already at or close to four units per acre. Mr. Schue said Small Scale Map Amendments could address commercial uses in those overlays and he didn't think all the Historic Villages should be treated the same. He suggested a land use from the rural series. Ms. King said the TND use was suggested to allow creative design and a mix of use and the mixed-use category requires a PUD, which requires even more over-sight.

Mr. Parks said it would depend on how urban the mixed-use category is and said some members may agree with staff. Mr. Jordan said that the mixed uses would work in some areas but not in others. Ms. King said the LPA had agreed to have specific policies for each Historic Village. Mr. Jordan said the policies specific to each Historic Village would put restrictions on densities. He said Mr. Schue's suggestion to use a land use other than urban could be addressed while they work on the map.

Ms. Dupee said the County still lacks employment opportunities and yet everyone has been discussing rural areas. She said, without those opportunities, the County will not have the age diversity needed for vital communities.

Chairman Newman left the meeting and Ms. Foley chaired the meeting from this point forward.

Ms. King suggested stating in the mixed-use category policies that densities in the Historic Villages are to be determined by the overlay. However, staff doesn't recommend straight residential uses in any of the Historic Villages.

Mr. Schue thought the land uses in each Historic Village should be reviewed parcel by parcel and that the mixed-use category should be used very sparingly.

Ms. Foley said some of the communities such as Altoona already have mixed uses and commented that the mixed-use category has not been discussed. Mr. Jordan emphasized that comments from the LPA should focus on action as much as possible.

There was a ten-minute break.

MIXED USE DEVELOPMENT/TRADITIONAL NEIGHBORHOOD DEVELOPMENT (MXD/TND) DISTRICT

Mr. Schue thought the MXD/TND category should be used with caution and only within the urban areas. He was also concerned regarding the amount of open space. Mr. Parks said, in some circumstances, this category would be appropriate in rural areas. There was discussion on possible size limitations, on not having the category but utilizing a modified PUD zoning, and the percentage of commercial uses. Mr. Schue said a minimum size should only apply to the mixed use not the TND and said he supported a 200-acre limit. Ms. King explained that, as written, only 50% of the residential area had to meet TND standards and asked if that was satisfactory. It was agreed to review the

percentage, after the TND standards were defined.

There was agreement to use the Open Space definition from the Comprehensive Plan.

There was discussion on a minimum size and the amount of oversight in this category. Ms. King said the smaller size would increase the use of this category. There was concern about maintaining the mix of uses so these developments would not be all residential. Mr. Jordan was concerned that the size limit could restrict the number of properties that would be able to use this category. Ms. King said the PUD ordinance could include more than one landowner.

Sanford A. Minkoff, County Attorney, said requiring minimum thresholds eliminates parcels from this land use, however, if this category is requested by the landowner, then the circumstances are different.

There was a break for lunch, the meeting resumed at 1:40 p.m. The Chairman announced that Ms. Dupee would be leaving the meeting at 2:30 p.m.

Ms. King showed the changes in the draft FLUE to conform with the consensus of the LPA. There was agreement to add language encouraging the use of the MXD/TND over conventional design. After some discussion, a majority of the LPA agreed that the percentages of commercial and residential should be flexible depending on the surrounding uses. In response to a question from Mr. Parks, Mr. Massa said that there is currently 60 acres in commercial per 1000 residents.

There was discussion on the LOS requirement for internal parks in this category. Mr. Dunkel thought connectivity for more than cars would be preferred and he was concerned about the incentives available to encourage this. Ms. Foley thought additional trails and parks should be an additional amenity and they were part of the principles for this type of design. Mr. Minkoff suggested these parks should be in addition to the LOS for the County because the County doesn't want to be responsible for maintaining numerous small parks.

There was consensus to remove minimum/maximum lots sizes and to require a master plan for each development within this category.

There was discussion about having the complete draft of the Comprehensive Plan in hard copy before the LPA when they vote to transmit to the BCC.

PUBLIC COMMENT
Mary Anderson said clustering and mixed uses are the most efficient use of land.

FLUE – unresolved issues
Mr. Parks discussed the comments on Objective 18 that he had received from Melanie Marsh, Assistant County Attorney.

Mr. Minkoff said site plans are not usually submitted at the time of a future land use change. Mr. Parks understood, however, he thought a conceptual plan would help the LPA in their decision making process. Mr. Minkoff said there have been instances where the site plan presented is not what is actually intended to be built. Mr. Schue said the applicant could tell the LPA whatever they wanted to hear regardless of their true intent. He said conceptual plans are not enforceable. Ms. Foley said the new Comprehensive Plan should be written well enough so that those decisions should be based only on the land use. Mr. Jordan said additional recommendations by the LPA could be added to the transmittal. There was further discussion on this issue. There was agreement with the language suggested by Ms. Marsh including the changes included in the draft.

PUBLIC COMMENT

Rob Kelly, CCLC said he would like to have the LPA consider incorporating a "sunset clause" policy regarding FLU amendments. He said some areas shown on the draft FLUM are currently being developed at a higher density than that being proposed and commented on that impact on population projections.

Nancy Fullerton asked if the County could write more restrictive rules than the state on items, such as DRI thresholds. Mr. Minkoff said an ordinance could be written to stipulate a particular type of review process. In response to Ms. Fullerton's question about what happens if little unincorporated area remains un-annexed, Mr. Minkoff said that was true in several counties, however, each case was unique. Ms. King said in some instances the County functions as a coordinator between the municipalities. Mr. Minkoff updated the LPA on recent State legislation regarding interlocal agreements.

Nancy Fullerton suggested reader friendly definitions be included that contain more information than a reference to the Statute or to the Comprehensive Plan. In response to another question, Mr. Wood said the Goal would be to develop an accurate FAVA map for Lake County.

There was discussion about locating all the definitions in one location. Mr. Minkoff said that would only be a concern if a term was defined differently in one element than in another. There was a consensus to locate all definitions in one location.

There was a five-minute break.

AQUIFER RECHARGE SUBELEMENT

Mr. Schue suggested replacing "most vulnerable" with the term "more vulnerable" to conform with the FAVA maps. In Policy 3.8, he suggested substituting "designated as a sensitive karst feature" in the last sentence.

There was no further comment on this sub-element.

IMPLEMENTATION ELEMENT

There was discussion on the paragraph "Public Comment." Mr. Massa explained that this was intended to be all encompassing.

Mr. Schue suggested inserting a reference to the statutory requirements for notices to landowners in that paragraph. Staff explained this element will be included in the DIA but it does not have to be adopted as part of the Comprehensive Plan. He suggested wording to require notice of meetings, which have been continued at the applicant's request. He suggested some language to be included under Proposed Amendments to the Comprehensive Plan.

Mr. Schue said he had submitted two policies for the Economic Element referring to equestrian interests and he asked to have them included in Objective 7.0.

Mr. Schue referred to the Wekiva policies and the MPSPAC policies and commented that they should be included in the draft FLUE.

The Chair adjourned the meeting at 4:18 p.m.

Donna R. Bohrer	Keith Schue
Office Associate III	Secretary