

**MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY
JUNE 30, 2008**

The Lake County Local Planning Agency met on JUNE 30, 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:

Jeffrey Schaffer	District 1
Rob Kelly	District 2
Michael F. Carey	District 3
Peggy Belflower, Vice-Chairman	District 4
Nadine Foley, Chairman	District 5
Keith Schue, Secretary	At-Large Representative
Vacant	At-Large Representative

Members Absent:

Vicki Zaneis	At-Large Representative
Cindy Barrow	School Board Representative

Staff Present:

Melanie Marsh, Deputy County Attorney
Brian T. Sheahan, AICP, Planning & Community Design Director
Ian McDonald, AICP, Chief Planner, Planning & Community Design
Donna Bohrer, Public Hearing Coordinator, Planning & Community Design

Nadine Foley, 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 Planning and Community Design Division and that the meeting had been noticed pursuant to the Sunshine Statute.

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Brian Sheahan, AICP, Planning & Community Design Director, said there were no changes to the agenda. The LPA reviewed a letter drafted by Keith Schue to the Board of County Commissioners (BCC) regarding the recent decision to adopt the low Bureau of Economic and Business Research (BEBR) numbers as the projected population for the 2025 Comprehensive Plan. The LPA agreed to send the letter to the BCC.

MOTION by Jeffrey Schaffer, SECONDED by Peggy Belflower to send to the Board of County Commissioners the letter drafted by Mr. Schue regarding their adoption of the low Bureau of Economic and Business Research population projections.

FOR: Foley, Schue, Carey, Belflower, Kelly, Schaffer

ABSENT: Zaneis, Barrow

AGAINST: None

MOTION PASSED: 6-0

REVIEW OF THE ACTION ITEM LIST

There was general discussion regarding airports and airstrips and Rob Kelly was particularly concerned about such uses within the Green Swamp Area of Critical State Concern (GSACSC). The LPA discussed how the expansion or proliferation of airports or private airstrips could be controlled, how to ensure compatibility with the surrounding land uses, the possible need for an aviation facility in south Lake County and the role of the Federal Aviation Authority (FAA).

The LPA reviewed Policy 7.3.7, Natural Resource Extraction and discussed issues such as large mass grading operations that could be considered to be a borrow pit. There was discussion about possibly defining a mine by the cubic yardage of material removed or by the percentage of the overall site being mined. The mining policies in the Conservation Element were also discussed.

The meeting reconvened at 10:35 a.m. after a short break.

The LPA continued to discuss mines and borrow pits including that borrow pits are associated with some type of development and are not a land use issue. There was discussion about removing borrow pits from the Comprehensive Plan and considering borrow pits that are not associated with construction to be mines. Mr. Sheahan said mining was for a specific resource and borrow pits were for 'fill' and are not subject to the same level of review as mines. Michael Carey said he thought it was pretty clear if excavation was the result of development or if it was a mine and Mr. Schue thought mass moving of earth was mining. Chairman Foley suggested addressing scale issues within the LDRs. Mr. Sheahan noted that the LDRs contain extensive regulations and said County staff that deal with mines and borrow pits could address these concerns.

The LPA agreed to include "natural resource extraction including but not limited to mine and borrow pits" as a Conditional Use Permit (CUP) in the rural and industrial future land use categories.

There was discussion if mines should be allowed in urban FLUCs, or should those areas be reserved for development. There was concern that mines in rural areas may later be developed as waterfront property. It was discussed that mines have to be located where the materials are and that mining is a lengthy process which could be a concern particularly in an urban area.

MOTION by Jeff Schaffer, SECONDED by Rob Kelly to allow resource extraction, including but not limited to mines and borrow pits as a conditional use within the urban land use series.

FOR: Schue, Belflower, Kelly, Schaffer

ABSENT: Zaneis, Barrow

AGAINST: Foley, Carey

MOTION PASSED: 4-2

The LPA discussed conservation easements as a condition for mining in rural areas, urban uses encroaching on previously rural area mine sites, the possibility of less than perpetuity easements, mining as a means of urbanizing a rural area and the reclamation requirements in the County's mining ordinance.

MOTION by Jeffrey Schaffer, SECONDED by Keith Schue to include in Policy 7.3.7, Natural Resource Extraction, a statement of intent that mines shall not be construed as the basis for a change in future land use.

MOTION amended by Jeffrey Schaffer, SECONDED by Keith Schue to add "approval or existence of mine..."

FOR: Foley, Schue, Carey, Belflower, Kelly, Schaffer

ABSENT: Zaneis, Barrow

AGAINST: None

MOTION PASSED: 6-0

After some discussion regarding text amendments, there was consensus to remove the word "category" from the previous motion as it had been shown on the monitor, so the language reads "... as the basis for a change in future land use."

The meeting reconvened at 1:05 p.m. after a break for lunch.

The LPA reviewed Vicki Zaneis' comments on Affordable Housing and decided to review that definition when Ms. Zaneis is present.

The LPA discussed Policy 1.2.2, Consistency between Future Land Use and Zoning and agreed to delete the last part of the final sentence related to Future Land Use Map Amendments. There was discussion about differentiating between changes to the FLUM and text changes to the Comprehensive Plan. Mr. Schue t text changes should be initiated by a commissioner or addressed during the Evaluation and Appraisal Report (EAR) process, because those changes can have far-reaching effects on the Comprehensive Plan and can change the meaning of future land use categories for

landowners that have not applied for that change. There was discussion about text amendments requested by any landowner, State law and decisions made by an elected official. Some members thought changes affecting the whole County should be treated differently from those affecting one parcel. Ms. Marsh said the Growth Management Act allows amendments to the Comprehensive Plan or the FLUM.

Keith Schue temporarily left the meeting at 2:05 p.m.

Ms. Marsh and Mr. Sheahan both e-mailed out inquiries regarding text amendment processes in other jurisdictions. There was consensus of the LPA with the last sentence in Policy 1.2.2 as edited and shown on the monitor.

Mr. Schue returned at 2:10 p.m.

There was discussion regarding the selection of school sites and Mr. Sheahan said recent State legislation limited local governments input. The LPA agreed to delay this discussion until the School Board's representative was present.

In Policy 7.2.6 Rural Roadways, the LPA agreed to retain "as two travel lanes" with the removal of the hyphen.

The LPA reviewed Policy 7.2.7, Protection of Natural Resources and edited the language changing "continue to provide..." to "encourage and where appropriate require..." and to move "Low Impact Development techniques" to after "Rural Conservation Subdivision..." The LPA agreed with the language as edited and shown on the monitor.

The meeting reconvened at 3:00 p.m. after a short break.

The LPA reviewed Policy 7.3.3, Protect Floodplains and discussed Ms. Zaneis' comments regarding more detailed mass grading regulations and to the filling of low areas which may or may not be floodplains. The LPA discussed the accuracy of flood maps, compensating storage, differentiating between isolated floodplains and those connected to environmentally sensitive areas, building elevations and innovative engineering techniques. Chairman Foley noted that floodplains and wetlands are also addressed in the Conservation Element. There was discussion about designating floodplains, possibly through hydrological connections to specific water bodies.

The LPA agreed to add language to Policy 7.3.3 stating that LDRs related to this issue will be written within 12 months of the effective date of the Comp Plan and stating that developments or the impacts of development will be limited in designated environmentally sensitive floodplains.

The LPA reviewed the fourth bullet item in Policy 7.3.4, Protect Wetlands and Implement Wetlands Classification System and Chairman Foley noted that the Conservation Element contained many policies regarding wetlands.

The Chair continued the meeting to July 10, 2008 at 4:00 p.m.

Donna R. Bohrer
Public Hearing Coordinator

Keith Schue
Secretary