

**MINUTES  
LAKE COUNTY  
LOCAL PLANNING AGENCY**

**July 12, 2004**

The Lake County Local Planning Agency met on Monday, July 12, 2004 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 will consider comprehensive planning issues including amendments to Lake County's Comprehensive Plan.

**Members Present:**

Michael F. Carey	District 3
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

**Absent:**

David Jordan	District 1
Dan Matthys	District 2
Dennis Reid	School Board Representative

**Staff Present:**

Amye King, AICP, Chief Planner, Comprehensive Planning Division  
Jeff Richardson, AICP, Planning Manager, Planning and Development Services Division  
Catherine Hanson, Lake County Commissioner  
Sanford A. Minkoff, County Attorney  
Alfredo Massa, Senior Planner, Comprehensive Planning Division  
Terrie Diesbourg, Director, Customer Service Division  
Blanche Hardy, Director, Environmental Services Department  
Noble Olasimbo, Engineer IV, Public Works Department  
Kitty Cooper, Director, Geographic Informational Services  
Allan Hewitt, Director, Water Resources Division  
Donna Bohrer, Office Associate III, Comprehensive Planning 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.

Minutes

Keith Schue asked to defer the May 20, 2004 minutes to Thursday, to conform with the date in the minutes.

Chairman Newman had requested that the list of specific G.I.S. map layers be added to the June 14 minutes. Keith Schue said he a few comments. Under the Clermont JPA discussion, he would like to add, "Keith Schue asked about the status of unified joint land development regulations in the Clermont JPA and staff indicated that discussions with the City are in progress." On the discussion of Open Air Ordinance, Mr. Schue requested that the following be added to that paragraph, "It was suggested that staff setup permit types with appropriate durations suitable for different vendor activities. Gregg Welstead said that staff will make a proposal in the future that will take the recommendations of this Agency into consideration". Michael Carey commented that the secretary would have to go back to the tapes and review these suggestions.

**MOTION by Michael Carey, SECONDED by Sean Parks to approve the June 14, 2004 minutes as corrected.**

**FOR: Newman, Foley, Schue, Carey, Parks, Dunkel**

**AGAINST: None**

**MOTION CARRIED: 6-0**

Mr. Schue said he had a few suggested changes to the June 17, 2004 minutes. On page 8, he suggested the addition of the Wekiva Parkway legislation to the list of actions taken in the most recent legislative session. He suggested adding to the paragraph that begins with "Mr. Gauthier said", a sentence to read, "Mr. Gauthier also discussed potential negative ramifications of the agricultural enclave bill which has not yet been signed by the Governor".

Mr. Schue suggested the addition of "Keith Schue suggested that language be included in the Master Park Plan, on page 8 of the draft minutes, to reflect land acquisition objectives of recent Wekiva legislation".

Mr. Schue said under the school board presentation, page 9, at the end of the second paragraph, a sentence be added to read "Keith Schue inquired about the percentage of revenue required to service a growing level of debt."

Mr. Schue said at the end of the next paragraph a sentence be added to read, "The use of portable classrooms was also discussed, and Mr. Adsit explained that portable facilities incurred greater long-term cost for maintenance and replacement".

Mr. Schue said that on page 10, under the Memo of Understanding, the following correction be made, paragraph 3, changing the sentence beginning with "Keith Schue confirmed" be changed to "Keith Schue asked whether this MOU would affect the current boat dock permit process, and staff confirmed that it would not."

**MOTION by Michael Carey, SECONDED by Nadine Foley to approve the June 17, 2004 minutes as corrected.**

**FOR: Newman, Foley, Schue, Carey, Parks, Dunkel**

**AGAINST: None**

**MOTION CARRIED: 6-0**

**MOTION by Sean Parks, SECONDED by Michael Carey that staff present it's program schedule of revision for each element of Lake County's Comprehensive Plan. Staff should designate this presentation as a separate agenda item for the August 24, 2004 LPA meeting, and each Lake County Commissioner should be invited to attend.**

**FOR: Newman, Foley, Schue, Carey, Parks, Dunkel**

**AGAINST: None**

**MOTION CARRIED: 6-0**

Amye King explained changes to the agenda, and acknowledged the presence of representatives from the cities of Mt. Dora and Eustis.

**Discussion of Wekiva Parkway and Protection Act.**

Maria Pennington, Department of Community Affairs (DCA) gave a brief description of the Wekiva Parkway and Protection Act and discussed how it will be implemented. Craig Vaughn, an attorney with DCA, was also present and available to answer questions. Ms. Pennington used a PowerPoint presentation to illustrate her comments. A copy of the presentation is attached to the minutes. DCA will be offering technical assistance to local governments. Revisions to the Comprehensive Plan must be transmitted in 2005 to conform with the legislated deadline. DCA will be coordinating monthly conference calls with all the involved governmental agencies. The information from those calls will be placed on their website.

Keith Schue said it is an advantage that Eustis and Mt. Dora have defined urban service boundaries. He presented map that showed the current preservation lands, the additional land to be purchased, and the land that was already developed. He stated that the deduction of those acres will make the implementation of the Wekiva legislation somewhat less difficult.

Sean Parks asked Ms. Pennington about the funding for staff. She replied the funding for local government was \$125,000.00.

Mark Callahan CH2MHill, consultant for the Expressway Authority and the Department of Transportation (DOT). The Orlando Orange County Expressway Authority will be the third party land acquisition agent. They will be working with the Department of Environmental Protection (DEP) and the water management district in developing a Joint Planning Area (JPA) Agreement or some other type of joint agreement. He named the

parcels identified for acquisition in the Wekiva Parkway and Protection Act. Land acquisition is to be initiated before the end of this year. DOT and the Expressway Authority will be directing Transportation studies for the Wekiva Parkway.

Keith Schue said the “State Road 429 Working Group” identified another parcel for acquisition in vicinity of the SR46 bypass. He stated that that the legislations calls for conservation/transportation principles developed for the Wekiva Parkway to be applied to other limited-access roadways in the Wekiva Study Area as well. Mr. Schue suggested that this parcel offers an opportunity for cooperation in land acquisition between Lake and Orange Counties.

Vivian Garfein, Department of Environmental Protection (DEP), said they are working with the Department of Health (DOH) on wastewater and wastewater treatment issues. DEP must report to the Governor by December 1, 2004 on the effectiveness and applicability of the current standards for wastewater treatment; and the water quality standards needed to achieve the required reduction of nitrogen levels. DEP is undertaking a study of springs in the Wekiva to determine those areas have the highest level of input to the springs. This study will identify those areas that require the highest levels of protection. DEP will be working with the DOH to determine what kind of on site sewage treatment systems will be required. Some systems may require retrofitting.

In response to a question from Michael Carey, Ms. Garfein said that this information could also be applicable to areas outside of the Wekiva springshed.

Ms. Garfein presented a map showing the initial data collected on the location and age of septic tanks. DEP will be partnering with DOH to determine possible changes in septic tank regulations. They will be looking at different types of septic systems, the geology of the area and spring connectivity. That data will be used to determine the type of septic systems to best reduce the nitrogen levels.

Ms. Garfein said that the Total Maximum Daily Load (TMDL) program will be accelerated for the Wekiva River system. DEP is working with other agencies to develop a basin management action plan.

Peter Brown, St. Johns River Water Management District (SJRWMD), said the water management district will be providing technical assistance, and will be instrumental in the coordination of local governmental agencies. They will initiate rule making for the recharge criteria in the Wekiva springshed area. The District will be providing samples of Master Stormwater Management Plans to the Department of Community Affairs (DCA) and other agencies as requested. SJRWMD will be reviewing a model springshed code being developed by DCA and a model Landscape Code being developed by the County. The water management district is also one of the agencies that reviews comprehensive plan amendments, so they will be reviewing the amendments necessitated by this legislation.

Keith Schue asked about alternative water supply options. Mr. Brown said increasing

water re-use is an option, with improving conservation and making a better utilization of the resource. Cooperation of local governments will be required to make use of brackish and surface water. The remaining option is desalinization of ocean water, however, this area is far removed from that source.

Jeff Jones, East Central Florida Regional Planning Council (ECFRPC), spoke about the Wekiva River Basin Commission that will monitor and ensure that the recommendations of the Wekiva committee are implemented. The Commission will be appointed by the Governor. Members will be selected from the municipalities, counties, and there will be members representing environmental, agricultural and property owner's interests. The other agencies involved will mirror those of the coordinating committee.

ECFRPC has been designated to provide staff support. They will be monitoring and tracking changes that occur in the Wekiva basin, and the progress of the involved agencies. This information will be gathered and made available, probably through its web site.

ECFRPC is one of the reviewing agencies for comprehensive plan amendments, so they will be reviewing the amendments that arise from this legislation.

Mr. Jones said that the Regional Planning Council is also moving forward with planning activities relating to clustering and conservation design.

Russ Melling, Lake County Health Department said they have been compiling information on site sewage disposal systems in the Wekiva area since the very early 1990's. He has been working closely with the County's Geographic Information Systems (GIS) to determine the number of systems in both the protection and study areas. Of particular interest are systems installed before 1982 because older systems have the greatest potential for polluting.

They will be working with DEP to ascertain the levels of nitrogen removal that will be necessary. Those levels will vary in different areas. Systems will have to be designed to reach acceptable nitrogen levels. Upgrading of septic systems could possibly include anaerobic systems, and filter beds may even be required in some areas. Maintenance agreements may be required with the companies installing the systems. He is hopeful that central water and sewer can be extended into some of these areas, particularly Mt. Plymouth/Sorrento area, where there are many pre-1982 systems. The spring-shed study by DEP will determine the nitrogen levels that will have to be achieved. Once the preliminary data is gathered and assessed, it will be sent to Tallahassee, then additional rules will have to be drafted and funds assigned to cover expenses, manpower and the ability to inspect systems.

Sean Parks asked about potential grants to assist residents to upgrade their systems. Mr. Melling said they would include that issue in their report to Tallahassee.

Keith Schue asked about the cost range for the anaerobic systems. Mr. Melling replied that the cost is dependant on the amount of nitrogen reduction is required. Mr. Schue said because the Mt. Plymouth/Sorrento area is already developed the installation of central water and sewer would be difficult. Mr. Melling said education plays a large role; people need to be aware of what chemicals and materials they are putting in their systems.

Nadine Foley asked how the pump-out program is functioning in the Green Swamp area. Mr. Melling said they are getting good compliance on the five-year pump out, although there is data that would support a shorter pump out time frame.

Mr. Schue asked where the pumped out sewage was being taken. Mr. Melling briefly explained the process and said it was getting to be difficult to find areas in Central Florida to spread sludge. If pump outs are required on a frequent schedule, land will have to be available to spread sludge.

Michael Carey asked if there was a residual left after the central processing. Mr. Melling replied that DEP regulates those and that sludge from those systems is more concentrated.

Mr. Schue inquired about the efficiency of package plants, Mr. Melling said that DEP would be looking at those as well. Mr. Melling said there were also lots of septic systems still within the cities.

Mr. Schue stated that it would defeat the purpose for sludge from septic systems and package plants to be spread within the Wekiva springshed area. DEP and the SPRWMD confirmed that this would not be permitted.

Charles Lee, Florida Audubon Society, said there are opportunities to utilize allied statutes, such as the Rural Stewardship, that share the objectives of clustering and low density development in sensitive areas. He emphasized the importance of inter-governmental cooperation and interlocal agreements to facilitate the implementation of the Wekiva legislation. The Comprehensive Plan amendments due are in 2006. The identification of the sensitive habitat in the Wekiva area will require large amounts of data. He said that a large amount of that data has already been collected.

Catherine Hanson, Lake County Commissioner, talked about working on this project and that she was looking forward to the next step. She spoke about some of the education opportunities that are being planned.

Egor Emory, Lake County Conservation Council, said that he hoped the conservation principles of the Wekiva legislation are implemented. He said on a recent trip to Rock Springs, he was surprised to see the amount of algae growing in the springs as a result of the nitrogen levels.

Blanche Hardy, Environmental Services Director, said the County is seeking Federal assistance to replace the older septic systems currently in place along the river. They are investigating the possibility of central water and sewer in those areas.

### **Old Business**

Richard Dunkel asked if the Joint Planning Area (JPA) Agreements with Mt. Dora and Eustis would include the requirements of the Wekiva legislation. Jeff Richardson, Planning and Development Manager, said that the draft of Mt. Dora JPA does not include the Wekiva requirements. Keith Schue asked when the JPA would be before the Local Planning Agency. Mr. Richardson said he anticipated it would be ready before fall.

**Sean Parks made a motion that staff initiate efforts to write interim design and planning guidelines for major county transit arteries, perhaps Highways 50, 27 and 441 and other definitive planning sectors, possibly including the Wekiva Basin, that would quickly activate the recent staff recommendations for various revisions to the Land Development Code and demonstrate the County's willingness to make substantial changes to the Comprehensive Plan. The interim guidelines would be implemented on priorities set by the County Commissioners. Keith Schue seconded it for the purpose of discussion.**

Mr. Schue asked Mr. Parks to clarify intent of the motion and stated that the Local Planning Agency should be involved in developing design and planning guidelines.

Mr. Parks explained that this would be a way to get design guidelines in place before the Comprehensive Plan is approved. He explained that these guidelines would be in effect prior to final adoption of the comprehensive plan.

Amye King, Chief Planner, said staff would look into design review guidelines for the major corridors as an interim ordinance. Mr. Parks added that perhaps some sectors of the County could be included. Staff will examine the current Comprehensive Plan to see if it would permit an interim ordinance.

Barbara Newman said it might be best to postpone the vote on this motion until Staff has an opportunity to comment on what could be done.

Michael Carey said he was in agreement with Ms. Newman.

Nadine Foley said that at the August meeting there would be discussion on the plan of action, and she felt that this motion would better be discussed at that time.

Sean Parks withdrew his motion and Keith Schue withdrew his second.

Amye King said that there would a preliminary program put together for the August meeting. In September there will be comments from the Local Planning Agency (LPA) and a joint meeting between the Board of County Commissioners and the LPA will

probably be scheduled.

The Chair adjourned the meeting at 11:05 a.m.

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Donna R. Bohrer  
Comprehensive Planning

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Keith Schue  
Secretary