

**MINUTES  
LAKE COUNTY  
LOCAL PLANNING AGENCY**

**AUGUST 17, 2006**

The Lake County Local Planning Agency met on THURSDAY, AUGUST 17, 2006 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.

**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
Sean Parks	At-Large Representative
Keith Schue, Secretary	At-Large Representative
Barbara Newman, Chairman	At-Large Representative
Becky Elswick	School Board Representative

**Staff Present:**

Melanie Marsh, Assistant County Attorney  
Carol Stricklin, AICP, Director, Growth Management Department  
Amye King, AICP, Deputy Director, Growth Management Department  
Brian Sheahan, AICP, Chief Planner, Comprehensive Planning  
Alfredo Massa, Senior Planner, 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.

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**MOTION by Nadine Foley, SECONDED by Sean Parks to approve the minutes from January 26, 2006, as corrected.**

**FOR:** Newman, Foley, Schue, Carey, Parks, Dunkel, Dupee, Jordan, Elswick

**AGAINST:** None

**MOTION PASSED:** 9-0

**MOTION by Michael Carey, SECONDED by Sean Parks to approve the minutes from March 16, 2006, as corrected.**

**FOR:** Newman, Foley, Schue, Carey, Parks, Dunkel, Dupee, Jordan, Elswick

**AGAINST:** None

**MOTION PASSED:** 9-0

**MOTION by Michael Carey, SECONDED by Sean Parks to approve the minutes from May 22, 2006 as corrected.**

**FOR:** Newman, Foley, Schue, Carey, Parks, Dunkel, Dupee, Jordan, Elswick

**AGAINST:** None

**MOTION PASSED:** 9-0

**MOTION by Michael Carey, SECONDED by Sean Parks to approve the minutes from June 12, 2006 as corrected.**

**FOR:** Newman, Foley, Schue, Carey, Parks, Dunkel, Dupee, Jordan, Elswick

**AGAINST:** None

**MOTION PASSED:** 9-0

**MOTION by Nadine Foley, SECONDED by Michael Carey to approve the minutes from June 15, 2006 as corrected.**

**FOR:** Newman, Foley, Schue, Carey, Parks, Dunkel, Dupee, Jordan, Elswick

**AGAINST:** None

**MOTION PASSED:** 9-0

Chairman Newman discussed the general three-minute time limitation for speakers and explained several exemptions from that limit.

Amye King, AICP, Deputy Director Growth Management, said staff was recommending a “time certain” continuance. She said staff would schedule a date and time as soon as possible today. Ms. King and the Chairman discussed that today’s meeting would be “recessed” until a later date.

Ms. King said the text of the Future Land Use Element (FLUE) had not been changed and it was identical to the draft on the County’s website. Ms. King said staff would be discussing suggestions from the public and some new proposed Future Land Use districts.

Carol Stricklin, AICP, Director of Growth Management, discussed the relationship between the FLUE, Future Land Use Map (FLUM), demographics and the State’s constraints on the preparation of Comprehensive Plans. She said the State requires Comprehensive Plans be written to accommodate the anticipated population growth and the supporting infrastructure. Ms. Stricklin said the factors driving growth are not under the control of Florida. She said the recent “Pay as you grow” legislation should help to ensure that development pays for the infrastructure.

Ms. Stricklin explained the methodology constraints placed on population projections as they apply to municipalities and the County. She said joint planning between the cities and the County would act as a “self-correcting mechanism” for those projections. In addition, she said a regional planning effort was underway. Ms. Stricklin said there were several factors to be considered, such as the “jobs/home imbalance,” and the supply of land available for development, which can affect the cost of land. She explained that rural area planning was a form of “build-out planning” and said the special area plans would extend the planning timeline beyond 2025.

Richard Dunkel thought it was critical to track annexations and the increase in population they can create in order to determine more accurately the amount of growth. Ms. Stricklin said that information would be part of new concurrency requirements and said the Geographic Information Systems (GIS) technology would make that data available.

Michael Carey said he would like to see a map showing the amount of developable land after the one dwelling unit per five acres areas, the water bodies, the municipalities and other un-buildable areas are blocked out. He believed it was important to have opportunities for people to live in different areas of the County and said locating all of the population in urban areas might not be best.

Keith Schue said growth should be directed into urban areas because of the available utilities and facilities. He was concerned that the Bureau of Economic and Business Research (BEBR) population projections that the County must use include both the incorporated and unincorporated areas. Ms. Stricklin agreed that accurate population projections are an important issue. She said the projection figures would be reviewed

during the Evaluation and Appraisal Report (EAR).

Alfred Masso, Senior Planner, Comprehensive Planning reviewed some of the data supporting the FLUM, including the “needs analysis” provided to the LPA previously. He listed some of the areas not available to accommodate the anticipated population growth, reviewed the acreage within each land use and the amount needed to accommodate the anticipated population growth.

David Jordan discussed the difficulty of projecting population numbers for the County because they were not able to take into consideration the city populations. Ms. Stricklin believed the recent legislation regarding annexation and facilities planning should help to rectify that situation. She said the build out analysis chart presented by Mr. Massa addressed population projections for the unincorporated areas of the County. Mr. Carey said focusing population into urban areas, meant cities would have to grow either up or out and was concerned about possible social problems. Mr. Dunkel thought tracking population numbers monthly was important enough to be included as a requirement in the Comprehensive Plan. He remained concerned about calculating population figures for the County without including the cities. Mr. Massa said additional population data would result from the school concurrency requirement and he explained the multipliers used in these calculations. Ms. King said the County does not currently have the technology available to track these figures monthly and added that staff has worked closely with the cities on this plan. Ms. Foley preferred using the lower multiplier and adjusting it if necessary during the Evaluation and Appraisal Report (EAR). Mr. Massa said the two multipliers had been presented to offer flexibility and choice to the LPA. Ms. King said it was important not to underestimate growth so the Level of Service (LOS) is not adversely affected. Mr. Jordan said another factor was that the County hadn't followed the current plan.

Mr. Jordan referred to the Mixed Use District (MXD) and the Traditional Neighborhood District (TND) land use categories and asked about the motion previously passed to remove those districts from the FLUM. Ms. Foley said discussion on the MXD category had not been finished.

Mr. Schue and Mr. Massa discussed the densities shown on the Build Out chart and the multiplier. Ms. Stricklin said this was a technical issue not a policy issue. She said the supply of land needs to be greater than demand, and said the multiplier does not affect land use density. She said the chart would be revised so it is easier to understand. Ms. Stricklin said the relationship between land use and actual density is not a one-to-one ratio and said land uses do not drive growth.

Mr. Parks said it was his understanding that the MXD would be removed from the FLUM until the LPA had defined that land use. He suggested the LPA review the text prepared by staff. He said staff has presented new, innovative ideas. Mr. Jordan was frustrated that the LPA's earlier recommendation had not been followed.

Mr. Dunkel said there are not accurate numbers available relating to current entitlements,

such as the antiquated subdivisions.

**MOTION by Richard Dunkel, SECONDED by Sean Parks that Lake County will design and implement a monthly reporting system and report on development changes and their effect on population, and this will require the city population data. The requirement for this report will be incorporated into the Comprehensive Plan.**

Becky Elswick commented that this population data is essential to plan for adequate school and facilities.

Ann Dupee was concerned about meeting this requirement before the Comprehensive Plan is transmitted. Mr. Dunkel thought it would be possible. In response to comments from the Chairman, Ms. King said staff would have to consult the Board of County Commissioners (BCC) to see how this data should be collected and said the cities are not required to provide information to the County. She added that some information from building permits is available.

**FOR:** Newman, Foley, Schue, Carey, Parks, Dunkel, Dupee,  
Jordan, Elswick  
**AGAINST:** None  
**MOTION PASSED:** 9-0

Ms. Foley said the FLUE has not been completed, nor have the definitions for MXD and TND land use categories. Mr. Jordan remained concerned because the MXD land use still appeared on the FLUM. Ms. King said the FLUM would be available for the next meeting and said that meeting had also included discussion on the rural areas plan, sector planning, small area planning and community planning. She said staff had included those proposals on the FLUM in an effort to gather all comments from the public and the LPA.

#### **PUBLIC COMMENT**

Rob Kelly discussed the FLUM densities and population issues. He referred to the possible population related to the MXD, TND and Workplace land use categories which had not been included in staff's tabulation, plus the build out capacities for the Green Swamp Area of Critical State Concern (GSACSC) and the Wekiva area. He thought the projected FLUM could support 900,000 people and expressed concern about over-allocation.

Egor Emory said he wanted to thank LPA for their hard work and he recognized the public participation. He suggested adding together the population numbers from the existing land uses, the Joint Planning Areas (JPA) and the municipalities.

Greg Beliveau, Land Planning Group (LPG) said LPG had provided population numbers to the County for the cities represented by LPG. He said some cities do not have enough staff to provide monthly data to the County and suggested a quarterly report might be more appropriate. Mr. Beliveau said the population figures discussed today do not take

into account what has been built and said the numbers discussed today are gross, not net figures.

Bill Ray said it would be better to plan for a larger population number, because if those projections were not met, then the 20-year plan would become a 30-year plan. He believed it was important to plan big enough and said an over-allocation of land does not mean that it will be developed. Mr. Ray added it was important to discuss gross and net figures clearly and to be willing to require higher densities in some areas.

Ms. Foley thought enough material had been made available to support their decision-making process.

There was a ten-minute break. Becky Elswick left the meeting.

Ms. King asked if the LPA would like to have the existing land use numbers taken out of the population figures. Mr. Carey said he would like to see a map showing how the County would look if the water bodies, environmental areas and the rural areas were shown as unavailable for development. He thought that wouldn't leave much land and pointed out that some of that land is already developed. There was a consensus with that request.

#### **FUTURE LAND USE ELEMENT**

Brian Sheahan, AICP, Chief Planner discussed the changes in this draft and suggested reviewing the element in detail. He said the remaining formatting issues would be addressed before the next meeting.

Mr. Sheahan said staff was suggesting a new Future Land Use category, the Wekiva Ocala Protection Area, which would be similar to the Emerald Marsh Protection Area. He said the Office and Commercial categories had been deleted because of a scrivener's error and said that information has been restored. He said it was intended that the Rural Settlement should be the land use for the Historic Villages and said it would reflect the individual goals of those villages.

There was consensus to remove the remainder of Policy 1.4 beginning with "the total number..."

There was agreement to include the 50% open space ratio in the Rural Transition classification in Policy 1-14 and where 50% open space is required it would be to get the one dwelling unit per acre within Rural Transition.

The LPA agreed that in Rural Transition, clustering would be mandatory for densities above one dwelling unit per five acres.

There was agreement to change the name "Rural Settlement" to "Historic Settlement." In response to comments from Mr. Schue, Mr. Sheahan explained that the older subdivisions were not necessarily legally vested. After some discussion, Ms. King

suggested using the current adopted future land uses for the Historic Settlements. She said the Historic Village designation would protect what is there and would not limit those uses as an existing non-conforming use.

On page 1-15, there was no objection to strike MXD because it had been replaced by the TND land use.

There was discussion on the Wekiva River Protection Area (WRPA) densities in the chart and a consensus to include the base density and a reference to the WRPA point system.

Mr. Carey commented that some of this draft language had negative connotations. He suggested revising some of the language to be more neutral in content.

There was consensus in Policy 2.5 Rural Transition Density to require 50% of open space to be contiguous, which is consistent with the Wekiva policy. There was agreement to make clustering a requirement in this category. Mr. Sheahan said the Office and Commercial Future Land Uses would be restored on page 1-29. There was no objection to substituting “may” for “shall” in Policy 4.10 under Transfer of Development Rights (TDRs). Ms. Foley suggested correcting the reference to Water Management Districts (WMDs). There was agreement to add “surface” water to the title of 14.10 and to correct the policy references in 14.11.

Mr. Sheahan said it was staff’s recommendation to make the WRPA & GSACSC overlays on the FLUM in order to protect the rural character of those areas and to recognize their environmental sensitivity.

In response to Mr. Schue’s comments on the Emerald Marsh Protection Area (EMPA), staff confirmed clustering would be required in densities of one dwelling unit per five acres without increasing the density as an incentive. A majority agreed to make clustering mandatory in the EMPA. There was consensus to have Home Owners Associations (HOA) responsible for conservation easements consistent with the Wekiva policy.

Mr. Jordan said he would not be able to return in the afternoon and asked about the Wekiva Policies. Mr. Sheahan said Goal FLU 5 “Wekiva-Ocala Protection Area (WOPA)” is a proposal from staff in response to the discussion on the Wekiva-Ocala Corridor. He said although information had been received from several sources, there was not enough data available at this time to support the same level of protection for this area as for the WRPA and the Wekiva Study Area (WSA). He said this policy is similar to the EMPA policies. Mr. Schue discussed the data he submitted for the record, which he thought was adequate to support policies for the Wekiva/Ocala Corridor. He discussed the Biodiversity Hot Spots map and said there was no natural line of demarcation between the WRPA and the Ocala/Wekiva Corridor. He said the State considers land acquisition in this area to be equal in priority to lands in the WSA and WRPA. Mr. Sheahan said that data was from 1994, and said the WRPA had been subjected to a high level of analysis, review and was a state mandate. There is not similar

data supporting the protection of the area outside of that boundary. Mr. Sheahan said staff agrees that this area supports important bio-diversity and connectivity and said staff was recommending policy for the County to undertake a study of this area. This issue could be reviewed during the EAR process.

Ms. Foley was pleased with the EMPA and the WOPA. She thought these policies were evidence of the importance of these areas and said the policies would help to protect these areas. Mr. Parks said the WMD has recognized the importance of the connectivity of this corridor for some time.

There was consensus with Mr. Schue's suggestion to move the Wekiva-Ocala Area to the front of this goal.

In Goal 2 Wekiva-Ocala Area, there was consensus with Mr. Schue's suggestion to have the second sentence read "Furthermore the Wekiva Basin and Springshed are central components of a larger ecosystem of public and private lands that extend into the Ocala National Forest." There was agreement to correct references to this area.

After some discussion, there was agreement to include the open space definition in the definition section and in this policy and that this definition be applied to the entire County.

Ms. King said staff was suggesting a goal to protect the Lake Apopka Basin Protection Area as an overlay. She said this policy would support the Land Development Regulations (LDRs). There was agreement with that suggestion, and that the map would match the delineation set forth in the development guidelines for the Apopka Basin.

There was consensus to continue today's meeting to Monday, August 28, 2006 from noon to 5:30 p.m. The Chairman explained to the audience that today's meeting would be continued to that date-certain and time.

There was a lunch break at 12:40. David Jordan was not able to return for the afternoon meeting.

Mr. Sheahan reviewed changes beginning with Goal 6. There was agreement with his suggestion to add "Variances under" before "this" in the second paragraph on page 1-91.

There was agreement to change the date in Objective 20.0 Overlay Districts to January 1, 2008.

Mr. Schue suggested changing the second sentence under Historic Village Overlay Districts to read "The County shall develop Comprehensive Plan policies and LDRs through a community-based process that protects the unique character of the Historic Villages." There was a consensus with that suggestion.

Mr. Sheahan explained that the Mt. Plymouth-Sorrento Planning Advisory Committee

had recommended “with varied roof lines unless such look is provided by adjacent building” in place of the reference to maximum height.

There was no objection to changing the title of Policy 20.14 to Mount Plymouth and Sorrento Finance Mechanism. Mr. Sheahan said that concluded the general comments on the FLUE.

Mr. Schue said there were several issues he wanted to address. On page 105, under Policy 24.9 there was agreement to make several minor changes. There was agreement to change the title of Policy 24.10 to Coordinate with “Utility Providers” and to reference both public and private utilities within those policies. There was agreement to change the title of Objective 25.0 to “Utilities”. There was no objection to Mr. Schue’s suggestion that the second paragraph in Objective 25.0 should be a separate policy. There was no objection to add “within the Rural Land Use Series” to the title of Policy 25.2.

In Objective 26.0, there was a majority agreement of the LPA to accept this policy as written. Mr. Schue thought there might be a compliance problem in the Wekiva Area. There was agreement to remove the sentence remnant in Objective 30. There was agreement to change the bulleted point to read, “The application shall comply with all policies of this Comprehensive Plan.” There was agreement that “Alternative Land Use Designations” should be a policy.

In Objective 33 there was agreement to delete “if available” in the second bulleted item. Mr. Schue suggested changing the language in the paragraph at the top of 1-109 after the colon to “not limited to wetlands, uplands, habitat, wildlife corridors, groundwater and surface water, recharge and karst features and further demonstration that the integrity of ecosystems of local, state, regional and federal significance would be preserved.” There was agreement to remove “consistent to” and “creates of” further down on page 1-109.

There was discussion on the last sentence in Policy 22.1 regarding DRIs proposed within rural areas. Ms. King emphasized that demonstration of need is already a DRI requirement and there was agreement to leave the policy as written.

Mr. Parks said he wanted to point out some of the innovative ideas in this proposed Comprehensive Plan such as the statement to protect rural areas, required clustering, conservation subdivision design, the Leadership in Energy and Environmental Design (LEED), Energy Star, the wetlands classification system, the 50% open space requirement, the Wekiva Ocala Protection Area and the standards for review of the proposed Comprehensive Plan.

### **RURAL SETTLEMENT**

Ms. King said staff was recommending that the Rural Settlement Future Land Use category be related to the Historic Village overlay. Mr. Schue supported protecting “what was already there” but was concerned that this not be used as a way to increase densities in rural areas.

Ms. King said the intent of this category is to recognize historic areas or the distinctive communities and that is a different issue than antiquated plats. She added that these communities had approached the County because they wanted to have policies recognizing their communities in the Comprehensive Plan.

There was agreement to recognize the Historic Villages.

In response to Ms. Foley, Ms. King said the purpose of the Historic Settlement Land Use was to protect those areas. However, it would be possible to rely on the Historic Village Overlay. There was consensus to defer this discussion to the meeting on Monday.

### **WORKPLACE DISTRICT**

Ms. King said the Workplace District (WD) replaces the High Intensity Development District (HIDD). There was discussion on the densities associated with this land use. Mr. Schue was concerned about the balance between residential and commercial uses. Ms. King said the table used previously for HIDD would be discussed at Monday's meeting. Mr. Carey commented that the demand for residential uses would be greater.

### **TRADITIONAL NEIGHBORHOOD (TN)**

Ms. King said the title on the map would be corrected. She said TNs have to be "master planned" and they must have the appropriate zoning.

There was some discussion on the TN policies. In response to comments from Mr. Parks, Mr. Sheahan said a minimum of one public workshop could be required before the BCC hearings to allow adjacent municipalities an opportunity for input. There was consensus to include language on that issue. Mr. Schue said TNs will probably be in or near an urban area and thought workshops were needed to make this work. It was Ms. Stricklin's suggestion to include language with TN and Workplace policies to mirror the statute that requires "scoping meetings."

Mr. Schue believed a balance between residential and employment uses should be required in TN and Workplace districts. He thought each TN could have a custom land use.

Ms. King summarized the discussion for clarification, she said there was to be a minimum percentage of uses, and different TN thresholds.

Ms. King said the FLUM from the June 21, 2006 meeting would be reconfigured by removing the MXD, showing staff's recommendations and the Existing Land Use overlaid with staff's recommendation.

Mr. Carey wanted to see a map blocking out the water bodies, the rural areas with a density of one dwelling unit per five acres, or more, the environmentally sensitive areas, wetlands, GSACSC, the Wekiva, and the Ocala Forest. He thought that would leave the urban areas to accommodate the population increase and said it was important to be aware of the kind of a change this would create in those areas. He added that the map

wouldn't even include the areas, which were not available because they are already developed.

### **PUBLIC COMMENT**

Greg Gensheimer, Vice-Chair of the Green Mountain Scenic Byway, said he was asking for the inclusion of specific language. He was concerned that there was a perception that the byway was just the roadway and a small buffer area. He presented a written copy of suggested wording and a map showing the extent of the scenic byway. He emphasized the importance of having a broader area of protection around the regional resources and said the byway is really more than just a "ribbon." He discussed the master plan for the Lake Apopka Basin and said they were pursuing a Florida Department of Transportation (FDOT) grant for a Corridor Master Plan. There was further discussion regarding this scenic byway and how it "tied in" with the Lake Apopka Basin area.

Wayne Saunders, City Manager, City of Clermont, asked if the minimum density would require a landowner to develop at four units per acre. He commented on the ratio of residential and commercial in the Workplace category. He suggested that in the TND it would be very important to jointly plan with any adjacent municipalities. Mr. Saunders didn't believe governmental agencies were required to change rural areas to urban areas to accommodate all the projected increase in population.

Ms. King said there was a minimum density requirement in some land use categories and there was discussion on the accommodation of anticipated population.

Morris Massey said he was speaking on behalf of Woodland Church Lake LLC. He said their development was located in a proposed TN district and he was concerned about how existing developments in that area will be treated. He was concerned about the minimum density.

Fred Cranmer said he was a member of the Scenic Byway Committee Corridor Management entity and the Vice-president of the Ferndale Historic Village committee. He said that the Scenic Byway and the Lake Apopka North Shore Restoration area do overlap. He said the corridor area shown on the map was visible from the roadway. He said Ferndale has been recognized by the BCC as a Community Enhancement Area (CEA) and he said he had questions on the Historic Village overlay. He discussed the range of lot sizes in Ferndale and the two and half units per acre density discussed earlier today. He remained concerned about the possibility of annexation and protecting their community.

Bob Curry listed seven issues he discussed with staff earlier that had not been mentioned in today's discussion. He pointed out a discrepancy in the land use names under Policy 2.6, Urban Land Use Series and said on page 26 Low Density Residential had not been defined and that in Policy 2.10, Workplace District, CFD is shown but not defined. He also said it had not yet been determined which agency would be establishing flood zones. He pointed out some formatting issues in the Overlay Objective and said 21.1 should be relocated.

Bill Ray said the use of minimum densities should be expanded in order to implement the Comprehensive Plan. He said neighborhood meetings could be required before TND are presented for approval in order to address outstanding issues. He thought a one dwelling unit per acre density in the GSACSC transition area should be allowed, if those policies are met. He said lower densities do not protect the environment.

Kathy Burley said she lives in the middle of the Lenholt property and commended the LPA and staff on their effort. She described the wildlife in that area, including the Florida Black Bear and was very concerned about protecting that area. She said preservation of natural areas is a 'draw' for high paying jobs.

After comments from Mr. Schue, Ms. King said the language regarding minimum densities and residential uses would be very clear.

Ms. Dupee discussed the importance of discussing densities in areas close to the municipalities.

Mr. Carey commented it is important to have a balanced plan with more neutral language because there are good things about both rural and urban areas.

The Chair adjourned the meeting at 4:05 p.m.

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Donna R. Bohrer  
Office Associate III

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Keith Schue  
Secretary