LAKE COUNTY
LOCAL PLANNING AGENCY
SEPTEMBER 8, 2008

The Lake County Local Planning Agency met on SEPTEMBER 8, 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:

Michael F. Carey	District 3
Nadine Foley, Chairman	District 5
Keith Schue, Secretary	At-Large Representative
Vicki Zaneis	At-Large Representative
Terry Godts	At-Large Representative

Members Absent:

Cindy Barrow	School Board Representative
Peggy Belflower, Vice-Chairman	District 4
Jeffrey Schaffer	District 1
Rob Kelly	District 2

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 9:09 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 T. Sheahan, AICP, Planning & Community Design Director, briefly updated the LPA on several topics and said although some members were absent that transmittal of the Evaluation and Appraisal Report (EAR) should not be delayed.

Ian Mcdonald, AICP, Chief Planner, Planning & Community Design, said there were recent statutory changes that affect the EAR. He said those changes are addressed in the EAR tables with the exception of green house gases, which will be addressed during review of the Future Land Use Element (FLUE).

Michael Carey said he continues to be concerned regarding the contrast between urban and rural densities because as that contrast pervades the document he feared it could be used to justify things that the LPA does not want because the document does not adequately emphasize things such as suburban and transitional areas. Mr. Schue said some of that had been addressed and Mr. Carey concurred.

The LPA agreed with Keith Schue's suggestion to edit language relating to "natural resources are one of the draws to County" on page 18, line 4.

There was no objections to Mr. Schue's request that Figure 4 show actual boundaries of the Green Swamp Area of Critical State Concern (GSACSC).

The LPA agreed to add a statement noting that Table 6, Green Swamp Permits, does not include permits issued for Cagins Crossing.

Under "Has the Plan been effective?" on page 26, the LPA agreed to edit the language beginning with "As pressures mount…" to "In addition to maintaining rural densities..."

Chairman Foley noted that under "the proposed Conservation Elements will", the bullet item regarding "Require management plans for significant natural habitats…. of development projects" should be reinserted.

<u>Annexation</u>
The LPA agreed to delete the first sentence under Annexation, "Has the Plan been effective" regarding change between rural and urban on page 29. The LPA agreed to add a bullet under "The proposed policies in Planning Horizon 2025…" stating "Encourage the use of conservation easements and agricultural easements to permanently protect environmentally sensitive lands and agricultural lands."

The LPA agreed to add "Rather than infill and redevelopment, municipal annexations have resulted in cases of leapfrogging, creation of enclaves, departures from compact growth and creation of sprawl" under "Has the Plan been effective." The LPA agreed to revise the first sentence of the second paragraph "Lake County struggles to maintain infrastructure, address school overcrowding, relieve traffic congestion…" The LPA agreed to delete the five (5) bulleted items under "Establish annexation procedures.." on

page 30. The LPA agreed to reverse the first two (2) bullet items under "The proposed Future Land Use…." and to add a bullet item regarding the Rural Protection Areas.

School Planning

Mr. Schue suggested deleting the second sentence in the second paragraph regarding the current concerns regarding schools. He thought this sentence deemphasized the connection between school overcrowding and population growth. Mr. McDonald noted that information had been taken from the school's plan which stated that there had been a decline in facilities. The LPA agreed to delete "Although," and to place a period after "its impact on schools." and to end the new sentence after "factors."

Appendix A

Mr. Schue noted that the table referenced rural land stewardship area in two (2) separate areas under the year 2004 and 2005. Mr. McDonald said this table of changes to Chapter 163 is on the DCA website and it is the information that they want to have. The LPA agreed to note that the item regarding rural land stewardship area was not applicable and to show "NA" consistently in the table in both places.

The LPA agreed that the time regarding "affordable housing land donation density incentive bonus" should also be not applicable because the 2025 Plan does not include a density bonus for Affordable Housing.

Final Review

The LPA agreed to add 9/8/08 date to the second paragraph under Public Participation on page 1.

The LPA agreed on page 3 to delete "Regardless…rural" portion of that sentence and to add "include the services that people demand" to the last paragraph on page 3.

The meeting reconvened at 10:50 a.m. after short break.

Vicki Zaneis suggested including language to address the County's ongoing deficit in the number of multi-family homes and other types of housing. The LPA agreed with staff's suggested language stating that the 2025 Plan will encourage Traditional Neighborhood Design (TND) and infill development with a mix of housing types.

Concurrency Management Element

Mr. Schue questioned the veracity of the sentence in the final paragraph stating that Lake County has improved water quality, maintained air quality and adequate traffic flow. He thought if these statements were not true, they should be deleted. Mr. Sheahan noted that these statements apply to the County as a whole and noted that the quality of some lakes had improved and that the air monitoring done by the Department of Environmental Protection (DEP) showed that air quality has been maintained. The LPA agreed to state that "Lake County has improved the water quality of certain water bodies, maintained air quality, maintained adequate traffic flow." The LPA also agreed to add language stating that these issues will remain a challenge.

MOTION by Michael Carey, SECONDED by Vicki Zaneis to approve the Evaluation and Appraisal Report as amended for transmittal to the Board of County Commissioners with a recommendation of approval.
FOR: **Foley, Schue, Carey, Godts, Zaneis**
ABSENT: **Barrow, Belflower, Schaffer, Kelly**
AGAINST: **None**
MOTION PASSED: 5-0

Chairman Foley said the record should reflect the excellent work done by staff on the EAR.

REVIEW OF FUTURE LAND USE MAP
Staff brought the concerns of the Mission Inn to the LPA for discussion. Mr. Sheahan said that the build-out density of the PUD would be 1.06 units per acre, which does not quite match the proposed Rural Transition Density FLUC. He said staff would recommend the Urban Medium Density FLUC, instead of Urban Low Density, noting that the PUD ordinance restricts the density to 1.06. Mr. Schue said he would prefer eliminating the Urban Low Density FLUC from the entire FLUM; however, he stressed the importance of being consistent in its reasoning when assigning FLUCs. Chairman Foley said she thought they had assigned Urban Low Density to areas built at that density.

There was discussion that if the Urban Low Density areas were changed to Urban Medium Density the overall density of the County could increase. Mr. Sheahan noted that the actual, build-out density in the Urban Medium Density FLUC would be close to 2.5 units per acre.

MOTION by Vicki Zaneis, SECONDED by Michael Carey to designate the highlighted area Urban Medium Density as depicted in Map Motion 1.
FOR: **Foley, Schue, Godts, Zaneis**
ABSENT: **Barrow, Belflower, Schaffer, Kelly**
AGAINST: **Carey**
MOTION PASSED: 4-1

Chairman Foley suggested the LPA resolve their issues with the Urban Low Density FLUC. Mr. Sheahan said the Urban Low Density was a new FLUC and from a planning perspective it is not either urban or rural, but is actually more of a suburban use. He added that the actual built-out density of Urban Low Density after subtracting for infrastructure, open space and the other requirements is close to the Rural Transition Density.

Chairman Foley noted that Urban Low Density had been assigned on the draft FLUM because the existing commercial uses would be allowed in the urban categories and because of that she would not support removing this FLUC from the FLUM. Mr. Schue said, in that case, he would propose language stating that the Urban Low Density FLUC is intended to recognize existing development and should not be considered as a

projection of future use. He reiterated his concern regarding inconsistencies in the LPA's approach to assigning this FLUC on the draft FLUM. He state that in some places the LPA had decided to use this FLUC to reflect the density of existing development, but that in other very similar situations, such as Mission Inn, it did not.

Mr. Carey said the draft FLUM was more consistent than the adopted FLUM and he said it was not possible to have a totally consistent FLUM. Mr. Schue pointed out some very small parcels with the Urban Low Density and said he was most concerned with consistency. Chairman Foley said she believed the Urban Low Density assignments reflected an existing condition, including commercial uses and she did not want to have an increase in assigned densities. She suggested they review some of the Urban Low Density areas for consistency. Mr. Carey said once they start reviewing their decisions there was a domino effect and he did not want to repeat this again.

MOTION by Keith Schue to designate the highlighted area Rural Transition Density. MOTION died for lack of a second.

Mr. Sheahan said a parcel such as this would be annexed into Groveland when developed.

MOTION by Keith Schue, SECONDED by Vicki Zaneis to designate the highlighted area Urban Medium Density and Rural Transition Density as depicted in Map Motion 2.

Mr. Sheahan noted because of available utilities in this area any development would result in annexation into Groveland. There was discussion regarding spot FLUC assignments, assigning densities where the parcel is built, splitting FLUCs as in this motion and that larger parcels are necessary for the Rural Transition Density to truly work.

FOR: **Foley, Schue, Godts, Zaneis**
ABSENT: **Barrow, Belflower, Schaffer, Kelly**
AGAINST: **Carey**
MOTION PASSED: 4-1

Mr. Schue said he would like to consider removing the Urban Low Density FLUC from the FLUM. Mr. Sheahan said staff would support removal of the Urban Low Density FLUC. Chairman Foley said she believed that the LPA had been very careful in assigning the Urban Low Density and that those assignments recognized existing development. Mr. Sheahan said, in general, that 50 acres would be an appropriate minimum parcel size for FLUCs and said determining actual density within a FLUC could be accomplished through zoning.

MOTION by Keith Schue, SECONDED by Vicki Zaneis to designate the highlighted area Urban Medium Density as depicted in Map Motion 3.

Ms. Zaneis said in this particular location she would support an even higher density because this area was in a designated commercial corridor along Highway 441. Mr. Carey said he thought the densities in this area would reach the maximum allowed within whatever FLUC was assigned to it. Mr. Schue said this was not necessarily the case if the property was already developed.

FOR: **Foley, Schue, Godts, Zaneis**
ABSENT: **Barrow, Belflower, Schaffer, Kelly**
AGAINST: **Carey**
MOTION PASSED: 4-1

The LPA scheduled meeting dates for the month of October. Mr. Carey said he would like to schedule a transmittal date. Chairman Foley said she hoped that they would be able to schedule a transmittal hearing at the October 9, 2008 meeting.

The Chair adjourned the meeting at 12:59 p.m.

Donna R. Bohrer	Keith Schue
Public Hearing Coordinator	Secretary