

**MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY
SEPTEMBER 14, 2007**

The Lake County Local Planning Agency met on SEPTEMBER 14, 2007, 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:

David Jordan, Vice-Chairman	District 1
Rob Kelly	District 2
Michael F. Carey	District 3
Peggy Belflower	District 4
Nadine Foley, Chairman	District 5
Keith Schue, Secretary	At-Large Representative
Vicki Zaneis	At-Large Representative
Cindy Barrow	School Board Representative

Members Absent:

Sean Parks	At-Large Representative
------------	-------------------------

Staff Present:

LeChea Parson, Assistant County Attorney
Gregg Welstead, Deputy County Manager
Brian Sheahan, AICP, Planning & Community Design Director
Francis Franco, Senior GIS Analyst, 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.

TABLE OF CONTENTS

<u>AGENDA DESCRIPTION</u>	<u>PAGE NO.</u>
Urban 22 – Cagan Crossings Future Land Use Category	3
Commercial Location Criteria	5

CHANGES TO AGENDA

Brian Sheahan, AICP, Planning & Community Design Director, said staff would be asking for clarification on the boundaries of the Cagan Crossings Development Order (DO) in order to be sure they were correctly shown on the Future Land Use Map (FLUM). He noted that copies of the draft Commercial Location Criteria policies had been provided. He said staff would like to discuss airports and the Traditional Neighborhood Development (TND) category.

MINUTES

MOTION by Michael Carey, SECONDED by Cindy Barrow to approve the June 4, 2007 minutes as corrected.

FOR: Foley, Schue, Carey, Barrow, Belflower, Kelly, Zaneis

ABSENT: Parks, Jordan

AGAINST: None

MOTION PASSED: 7-0

David Jordan arrived at 9:17 a.m.

MOTION by Rob Kelly, SECONDED by Vicki Zaneis to approve the June 15, 2007 minutes as corrected.

FOR: Foley, Schue, Carey, Barrow, Belflower, Kelly, Jordan, Zaneis

ABSENT: Parks

AGAINST: None

MOTION PASSED: 8-0

MOTION by Rob Kelly, SECONDED by Michael Carey to accept the re-organization of the agenda.

FOR: Foley, Schue, Carey, Barrow, Belflower, Kelly, Jordan, Zaneis

ABSENT: Parks

AGAINST: None

MOTION PASSED: 8-0

URBAN 22, CAGAN CROSSINGS

Rob Kelly said some areas within the Cagan Crossings Planned Unit Development (PUD) were not assigned the Urban 22 Future Land Use Category (FLUC). He thought it had not been necessary to change the FLUC for that area because it was intended for recreational use, which is permitted in the Ridge FLUC in the Green Swamp Area of Critical State Concern (GSACSC). He said the LPA's previous motion assigning the Cagan Crossings' FLUC to that area in the GSACSC increased the potential density. He suggested referencing an earlier Development Order (DO) which did not include this area, so it would continue to have the Ridge FLUC. In response to Keith Schue's request for staff confirmation on this issue, Mr. Sheahan said the area referenced by Mr. Kelly was intended for recreation use, which is allowed in the Ridge FLUC. There was discussion about referencing an earlier DO in the definition of the FLUC. Chairman Foley said she would prefer retaining the Ridge FLUC assigned to this area because the LPA had stated the GSACSC policies would not be changed. Mr. Sheahan said Francis

Franco, Senior Geographic Information (GIS) Analyst, had a map on the screen, which showed the boundaries under discussion.

MOTION by Rob Kelly, SECONDED by Michael Carey to designate the highlighted area the Cagan Crossings future land use category as depicted in Map Motion 1.

FOR: Foley, Schue, Carey, Barrow, Belflower, Kelly, Jordan, Zaneis

ABSENT: Parks

AGAINST: None

MOTION PASSED: 8-0

There was discussion about mapping disparities created because the adopted FLUM was not parcel-based. Mr. Kelly said these boundaries match the 1992 zoning but not the FLUC. Mr. Sheahan said the methodologies differed because the FLUCs in the GSACSC were based on the soil type and the boundary of the Urban 22 FLUC was not. Chairman Foley said although they wanted a parcel-based FLUM, they said the Green Swamp FLUCs would not be changed and now a decision must be made how to draw the Cagan Crossings boundaries on the FLUM. She said the DO boundaries were shown on the screen, the underlying FLUCs were not being changed and she asked why that wasn't acceptable. Mr. Schue remained concerned because the adopted FLUM does not have the exact same boundaries and said using the DO boundaries would change the FLUCs. Mr. Kelly commented that the GSACSC FLUC boundaries were science-based and although the Urban 22 boundaries don't match the PUD ordinance exactly, that is the way they were drawn in the past. Mr. Sheahan said the proposed uses in the PUD ordinance have to be consistent with the FLUC and that this problem was created because the adopted FLUM was not parcel-based. He said staff's suggestion was to follow the parcel lines as close as possible and to leave out the Ridge area in the GSACSC. Chairman Foley said the LPA could decide that the DO would determine the FLUC boundaries or this could be an exception because this particular FLUC boundary follows parcel lines, which was different than other areas of the GSACSC. Mr. Sheahan suggested moving the existing lines to the nearest property line. He said when the FLUM was adopted in 1993 it changed the Ridge FLUC to Urban 22.

The meeting reconvened at 10:48 a.m. after a short break. Chairman Foley noted that updated copies of Future Land Use Elements (FLUEs) were on their desks, along with a packet from Mr. Lowry Brown regarding his property.

Mr. Kelly said the FLUM lines shown on the screen were drawn to the nearest possible parcel line and that the boundaries were close to those on the adopted FLUM. During this discussion, Mr. Schue said these boundaries could mean that the area defined as Recreation in the PUD ordinance would be in the Ridge FLUC, which allows four units per acre. Chairman Foley said that had already been discussed.

MOTION by Rob Kelly, SECONDED by Michael Carey to apply the boundaries highlighted on the map to the Cagan Crossings future land use as depicted in Map Motion 2.

FOR: Schue, Carey, Barrow, Kelly, Jordan
ABSENT: Parks
AGAINST: Foley, Zaneis, Belflower
MOTION PASSED: 5-3

MOTION by Rob Kelly, **SECONDED** by Cindy Barrow to designate areas outside of the Cagan Crossings future land use category, subject to the previous motion that were Ridge shall continue to be Ridge and any other parcels with a FLUC other than Cagan Crossings shall remain what it is as depicted in Map Motion 3.

FOR: Foley, Schue, Carey, Barrow, Belflower, Kelly, Jordan, Zaneis
ABSENT: Parks
AGAINST: None
MOTION PASSED: 8-0

COMMERCIAL LOCATION CRITERIA

Mr. Sheahan discussed the draft Commercial Location Criteria policies that had been provided to the LPA and a map of the commercial corridor was shown on the screen. Mr. Sheahan said policies regarding transportation and roads were close to the existing policies in order to avoid creating non-conforming uses. He said Regional Activity Centers had been removed because they were included in the Office and Commercial FLUCs and said the size of Community Centers had been reduced. Mr. Sheahan said policy restricted Commercial Corridors to the urban land use series. The map of the commercial corridors was discussed.

PUBLIC COMMENT

David Crall said he owned land south of the turnpike and Hwy 27. He asked why the area between CR 48 and the south ramp of the turnpike was not considered a commercial corridor.

Chairman Foley said the LPA would not be discussing commercial uses in that area at this time.

Mr. Schue suggested including language stating strip center development would be discouraged in commercial centers because of his concern that Neighborhood Community Centers could allow commercial uses along all collector roads. Mr. Sheahan said the specific requirements could be written into the LDRs after adoption of the Plan. He said staff was concerned about the distance policy and if Office and other uses would be allowed. Mr. Schue suggested including a statement allowing other limited uses within Commercial, such as Office and Light Industry. Changes were made to the draft policy as shown on the screen.

The meeting reconvened after a break for lunch. Mr. Jordan returned at 2:35 p.m.

During discussion on the FLUM density analysis some members thought the municipal populations must be taken into consideration. Mr. Sheahan said the Bureau of Economic and Business Research (BEBR) numbers are used in the calculation of population

estimates and said staff would use the best available data. Mr. Schue said he thought the best data would be based on the FLUMs of the cities. He said the BEBR numbers were based on ambiguous land areas, which could result in numbers that didn't make any sense.

Mr. Carey said many citizens had commented on the importance of aesthetics in commercial development and he thought that was a critically important issue. Mr. Sheahan said the CODE includes provisions for roadway corridors, roadway landscaping and said the proposed policies would enable architectural standards to be implemented in the LDRs. He said the LPA would have to decide the circumstance under which owners of existing commercial uses would be required to bring their property into compliance. Mr. Schue said that at first specific commercial areas were designated on the draft FLUM but the draft policies now would allow commercial development in any area meeting commercial location criteria, which makes those criteria very important. Mr. Kelly asked if specific areas should be designated for commercial development similar to the Rural Support policies. Ms. Zaneis said she supported mixed-use development, but she was concerned about embedding commercial uses in the Urban Low Density FLUC. Mr. Sheahan said Item "D" under Community Centers would help to ensure a mix of uses. The LPA agreed with Mr. Carey's suggestion to reword Items "g" and "h" so they read as positive statements.

Cindy Barrow left the meeting at 2:30 p.m.

There was discussion about how to avoid overlapping commercial uses, the appropriate size of service areas, how to prioritize the allocation of commercial uses at each location, how market conditions affect the size of commercial uses, if the commercial center should be located at the intersection and how to allocate commercial uses in each quadrant. Mr. Sheahan suggested a limit based on a percentage in any quadrant.

PUBLIC COMMENT

Jon Pospisil said he thought the "first come-first served" policy raised the issue of fairness. He suggested an allocation at each quadrant with the possibility that development rights could be purchased and transferred at those intersections.

James Crall asked if intersections could be defined as to how they will be developed instead of whether they are developed. He said every intersection he had seen with commercial uses, eventually had commercial development on all four corners. He spoke briefly about the destruction of large trees and the loss of Lake County's beauty.

Bob Curry said his comments would focus on intensity. He suggested inserting "net" before the square footage to exclude wetlands. He said all the numbers under "intensity" were maximum numbers. He thought the language should reflect that and it should be consistent. He said presently the policy does not allow accessory commercial or office uses to support the industrial uses.

The meeting reconvened after a short break.

There was agreement to add to Item "A" Urban Medium-High and Urban Medium FLUCs under Neighborhood Centers and to make this language consistent with the other policies. Mr. Sheahan said if the LPA was satisfied with the identified Commercial Corridors that corridor plan policies would not be necessary. The LPA edited the language in the introductory paragraph of this objective and removed the reference to Special Area Planning.

The LPA discussed intensity calculations, including how the FLUCs and the residential components could affect those calculations.

PUBLIC COMMENT

Bob Curry said these policies could allow such disparities in appearance that two sites would not look as if they both conformed to the same policies. To address that incompatibility, he suggested removing the residential component before calculating the amount of allowable commercial.

Mr. Kelly thought if the allowable intensity was to increase within the FLUCs then the threshold and the Impervious Surface Ratio (ISR) should be shown in the chart so the meaning was clear.

Mr. Sheahan said another draft copy of these policies would be made available for further review at the next meeting.

Jon Pospisil suggested using examples to illustrate how intensity would be determined and he was also concerned about the perceived intensity. He said he thought that incentives should be considered as a way to improve the quality of development. He suggested establishing a base density in the urban land use series and having a higher density available as an incentive based on the developer's compliance with site improvements.

The Chair adjourned the meeting at 4:50 p.m.

Donna R. Bohrer
Public Hearing Coordinator

Keith Schue
Secretary

