

**MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY**

OCTOBER 4, 2005

The Lake County Local Planning Agency met on THURSDAY, OCTOBER 4, 2005 at 9:00 a.m. in Room 233 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
Anne 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:

Gregg Welstead, Deputy County Manager; Interim Director, Growth Management Department
Sanford A. Minkoff, County Attorney
Amye King, AICP, Deputy Director, Growth Management Department
Jeff Richardson, AICP, Planning Manager, Planning & Development Services Division
Kitty Cooper, Director, Geographic Information Services Division
Terrie Diesbourg, Director, Customer Service Division
Alfredo Massa, Senior Planner, Comprehensive Planning Division
Shannon Suffron, Senior Planner, Comprehensive Planning Division
Francis Franco, Senior GIS Analyst, Comprehensive Planning Division
Thomas Wheeler, 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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Chairman Newman congratulated Amye King on her promotion to Assistant Director of Growth Management.

Transportation Element

Fred Schneider, Director of Engineering, Public Works and T.J. Fish, Executive Director of the Lake/Sumter Metropolitan Planning Organization (LSMPO) led the discussion on the Transportation Element.

Mr. Schneider said Policy 1.1-2, Transitioning Urbanized Level of Service (LOS), corresponded closely with the current Comprehensive Plan and those areas will continue to have the same LOS standards. Mr. Fish said the Joint Planning Areas (JPAs) should be considered as areas transitioning to Urban, with an expectation of urban services.

Keith Schue asked about the higher LOS in Rural areas as compared with Urban. Mr. Fish said the higher LOS in Rural areas was a growth management tool because the higher standards trigger capacity issues by new developments. Mr. Schue asked if that higher LOS would be a factor causing rural roads to be funded earlier. Mr. Schneider said rural roads have less “side friction”, such as intersections, which enable them to operate better than urban roads and this would not create more funding for rural roads. Mr. Fish explained LOS is only one factor in funding decisions. Mr. Schneider said Highway Impact Fees are distributed by impact fee districts and the Board of County Commissioners (BCC) makes the final decision on the Five-Year Transportation Plan. He said the State’s funding decisions are based on regional needs and priorities. The County is focused on new roads, road widening and other improvements related to safety issues.

Sean Parks said the Local Planning Agency (LPA) has not been provided with traffic reports from the County during review of Future Land Use Map (FLUM) Amendments. Mr. Schneider said concurrency doesn’t manage growth and said they are working with the cities to develop a County-wide transportation system. He explained the concurrency review process by Public Works and then briefly discussed capital improvement issues. Ms. King said staff is working with the cities to reach a consensus to conform with the concurrency requirements of the new Growth Management bill.

Mr. Fish discussed the coordination role of the LSMPO and the “proportionate share” policy in the new legislation. He said developers may be required to do more than just pay impact fees. He said developers should not use the Five-Year Plan to justify new developments.

In response to a question from Richard Dunkel, Mr. Schneider said requests from the School Board would be reviewed similar to other requests and thought a committee was being formed to deal with transportation and education issues.

Becky Elswick said Senate Bill 360 considers schools to be infrastructure. Ms. Elswick asked how the County was planning to implement Policy 1.6 Concurrency. Ms. King

said Concurrency would be a separate element; she added that staff was in contact with Department of Community Affairs (DCA) as the rules are being written. She said the Capital Improvement Element (ICE) would show the economic feasibility of the Comprehensive Plan.

In order to avoid confusion, Chairman Newman asked that questions be held until the presentation is complete.

Mr. Schneider said the purpose of Policy 1.2-4 was to avoid the County retrofitting noise abatement measures when roads are widened or other transportation changes occur. He said noise abatement issues would be considered during development review and specific issues would be addressed in the Land Development Regulations (LDRs). Mr. Fish said this policy also relates to corridor preservation.

Mr. Schneider said Objective 1.3, Transportation Systems Management includes methods to improve transportation without adding lanes. Mr. Fish explained Policy 1.3-3, Access Management for State Roads, will create access policies for state roads. He said the purpose of this Objective was to balance mobility and accessibility with the overall welfare of the County.

Mr. Schneider discussed Transportation Concurrency; he explained how Exception and Management Areas could encourage development within specific areas. He also discussed the policy relating to proportionate share.

Mr. Schneider said the Scenic Roadways Objective was new. He said although these roadways could be improved the roads were to remain two lanes.

Mr. Fish explained Policy 2.1-3, Corridor Preservation, would enable the County to proactively plan for growth by considering corridor preservation as a land use. This policy would contribute to the health, safety and well being of the County because more than right-of-way issues would be considered.

Mr. Fish said Policy 2.3-2, Developments of Regional Impact, was new and this policy would ensure that Developments of Regional Impact (DRIs) contribute to the cost of providing transit services.

There was some discussion regarding the term "rail banking" in Policy 4.3-11 and the possible future uses of those lands. It was decided to revise this policy to be more specific regarding the future use of those lands.

There was discussion regarding Policy 1.2-2. Mr. Carey asked about the term "self-sustaining" and it was explained that term referred to mixed-use developments that were more self-contained. In Policy 1.2-3, Mr. Fish said the term "provisions" referred to the LDRs. Mr. Carey also suggested the possible removal of the sentence in Policy 1.2-4 beginning with "the overall...". In response to Mr. Carey's question about rail use, Mr. Fish said several local industries were using rail lines and there were inquiries regarding

the availability of rail transportation.

In reference to Objective 1.9, Sean Parks thought Lake County needed a regional airport. Mr. Fish said the LSMPO would be involved in planning for any new airport and for the coordination with other governmental agencies.

There was discussion regarding scenic roadways, Ms. King said some of the policies from the Green Mountain Scenic Byway plan have been included in the FLUE. There was a consensus by the LPA to increase protection of those designated roadways on Mr. Parks' suggestion. There was also a consensus to include a reference in Objective 1.8 to the FLUE policies on scenic roadways. Mr. Fish agreed this Objective could be improved. Mr. Schue thought it would be appropriate to list the designation of each scenic roadway. Because locally designated scenic roadways are not subject to either State or Federal regulations, he thought local policies should be included to protect those roadways.

In reference to Policy 1.6-1, Concurrency Management System, Mr. Schue suggested adding "within the Concurrency Element and" to the LDRs.

Mr. Schue suggested in Policy 1.2-4 adding a phrase similar to "that the LDRs will specify appropriate thresholds".

Mr. Schue referred to Policy 2.1-1, Land Use Coordination and said information regarding traffic thresholds should be made available to the LPA and the BCC when Future Land Use Map Amendments are considered. There was a consensus of the LPA to require applicants for Future Land Use Map Amendments to provide a traffic analysis and to have staff evaluate that analysis in relation to the County's transportation plan.

Mr. Schue asked for clarification on Policy 4.3-10, stating there seemed to be some sort of correlation between transportation corridors and land for public uses, including parks and open space. Mr. Schneider said it was his understanding that lands purchased for public uses could share facilities. Mr. Schue was concerned open space lands not be used for transportation projects. There was some discussion on this issue. Mr. Schue suggested removing "transportation corridors" from the last sentence and substituting "trail system". Mr. Fish said this policy was directed towards a comprehensive study of lands when they are purchased. Ms. Foley said road access to these lands was essential. Ms. Marsh said this policy referred to lands purchased by the County for any public use, it is not focused on environmental lands. She said removal of "transportation corridors" would limit the County's ability to purchase land. Mr. Schue suggested alternative language regarding lands purchased for environmental purposes. Ms. King suggested removing the examples, which were causing this perception. Mr. Schneider said money designated for land preservation should not be used to supplement road building. Mr. Schue suggested different wording; Ms. King said staff would modify the language.

There was an agreement by a majority of the LPA to follow Ms. King's suggestion to delete the examples after "such as". Mr. Schue suggested a clarifying sentence regarding

funding of transportation and land preservation. Ms. Dupee was concerned that the public has access to environmental lands. Mr. Schneider said monies for roads and environmental land would originate from different funds.

Mr. Fish said there needed to be a balance between transportation needs and environmental impacts. Mr. Dunkel said most of the funding available for the purchase of environmental lands would preclude transportation facilities. He said there were regulations restricting what can be done with the environmental lands. Ms. Foley said she was satisfied with the submitted language and said access to environmental lands was a priority.

There was an agreement by a majority of the LPA to leave the policy as written.

Ms. Foley suggested in Policy 1.9-4, the word ‘additional’ be substituted for “fourth” in the last sentence.

In response to comments from Ms. Dupee on Policy 1.2-3, Mr. Fish explained the intention was to have employment opportunities and services located close to residential.

Ms. Dupee thought sidewalks should be required in residential areas. Mr. Schneider said the LDRs address sidewalks in subdivisions. Mr. Fish said this policy was not directed towards residential developments. Ms. King explained that sidewalks are an issue for the LDRs and she referred to Policy 1.7-2, Neighborhood Connectivity. Mr. Schue suggested “sidewalks shall be required within residential developments pursuant to the LDRs”. There was additional discussion on this issue. Mr. Dunkel suggested wording that referenced the LDRs. Mr. Fish said connectivity between neighborhoods was important for transit. Ms. Elswick suggested connectivity between neighborhoods and within neighborhoods, be addressed. There was a consensus to agree with Ms. Elswick’s suggestion.

Ms. Dupee suggested including the “Park and Ride” program in Policy 2.2-4.

Public Comments

Rob Kelly asked about discouraging road capacity improvements on significant rural areas similar to scenic roadways. Mr. Schneider said a list of roadways could be included that would not be considered for road widening. Ms. King said there was policy prohibiting public funding of roads in the Green Swamp but staff had not discussed extending this to other areas. Mr. Fish said land uses would not guide road improvements. He suggested getting scenic designation or writing policy for specific transportation corridors.

There was discussion about the status of Hwy. 40 and the pending application for Federal Scenic Highway designation. Ms. King said staff would review this issue. Mr. Schue also recommended that Wolfbranch Road receive designation as a local scenic road, consistent with the Mt. Dora JPA.

There was a five-minute break.

There was discussion on the scheduling of public comment between Rob Kelly and the LPA. It was decided that public comment would be scheduled after staff's presentation.

Economic Element

Greg Mihalic, Director of Economic Development and Tourism explained the review process of the Industrial Development Agency (IDA). Mr. Mihalic said economic development involves the whole county not just the unincorporated areas and the IDA had suggested incorporating policy on this within the comprehensive plans of the municipalities.

He said economic development is a prosperity issue that means a better standard of living for residents. The IDA felt it was essential to set aside lands for economic development in the FLUE. He added that a holistic view should be taken and opportunities should not be limited to specific industries.

Mr. Joyce from the IDA explained that a consultant had been retained through the Economic Development Council (EDC) to assist in locating potential sites for economic development.

Public Comment

Mr. Kelly commented on the value of the equestrian industry and the possibility of protecting it. Mr. Mihalic agreed that the equestrian industry was growing and it was being supported through the County's Economic Development and Tourism Department, primarily through publicity. Mr. Kelly asked if it would be appropriate to preserve rural areas to support the equestrian economy. Mr. Mihalic didn't believe it's economic impact was large enough to warrant specific policies. Mr. Kelly asked if equestrian areas could be protected from urbanization. Mr. Schue thought the equestrian industry should be addressed in the Economic Element. Alfredo Massa, Senior Planner, said it had been difficult to objectively quantify the impact of the equestrian industry. Ms. King suggested including equestrian with eco-tourism. Ms. Foley thought it was covered in both Agricultural and Eco-tourism and she didn't think it appropriate to enumerate different aspects of agriculture. Mr. Parks said perhaps a list could be included of activities such as equestrian that are important to the public. Mr. Dunkel said equestrian could be included in parks and recreation. Mr. Jordan suggested that promoting or protecting the equestrian community and industry could be part of the preservation of the rural areas. He thought it was a significant industry. Ms. King said there would be new land use designations appropriate for equestrian uses. She said this was a residential/density issue. There was a consensus of the LPA that equestrian designated areas would not be appropriate. Mr. Schue asked if staff could write policies on this issue. Mr. Jordan felt the LPA just wanted to address this issue generically.

Mr. Mihalic explained the IDA had been asked to make recommendations on the Economic Element and he felt that the LPA should make comments on those recommendations.

There was additional discussion that addressed the importance the public had attached to the equestrian industry. It was decided to recognize the equestrian community, the issue was turned over to staff for their recommendation on the appropriate element.

Mr. Carey said he would be interested in data on jobs and from the colleges as to where their graduates would be pursuing careers. He would like more opportunities to be brought to Lake County and to see the employment base increase.

Mr. Schue thought there needed to be more emphasis on economic development and he had hoped to see more specificity in this element. There was discussion on this element and the role of the FLUE in economic development. Mr. Mihalic said it was important to help current businesses to prosper. He emphasized the role of the municipalities and the importance of creating a good quality of life, which includes good schools.

Ms. King suggested asking the consultants for their input on these issues.

Mr. Schue suggested the following policy “in order to provide economic opportunity in proximity to population, the County shall coordinate with each of it’s municipalities to establish and promote economic centers within their respective JPAs or which can be shared by neighboring JPAs.” Mr. Mihalic said the IDA had suggested incorporating supporting policy in the comprehensive plans of the cities, which would be more inclusive.

Mr. Parks referred to Objective 1.9 and asked if a regional airport could be included. He thought that reference would be supportive of businesses considering relocating to this area. Ms. King suggested language similar to “the county and municipalities will work with LSMPO to try to partner a regional airport”. There was a consensus of the LPA to include her suggestion.

Ms. Dupee suggested maintaining a list of available properties for economic development. Mr. Mihalic said regional databases were being used because they were more efficient. He added that the EDC fulfilled that policy. Mr. Dunkel said there was information available on the internet, which is being used by many businessmen.

Mr. Schue said if the County was going to maintain an inventory of land for affordable housing that it was appropriate to do the same for economic development. There was further discussion and a consensus of the LPA to maintain an inventory of available land for economic development.

Ms. Dupee commented on the importance of the sports, wellness and health segments of the economy. There was discussion on different economic factors and the difficulty in identifying each one. Ms. Foley suggested policy be added for eco-tourism.

There was discussion about creating a list of ‘target industries.’ Ms. King suggested the consultants would be able to address this issue.

Ms. Elswick referred to policy 1.10-9, and said she would like to have K-12 education referenced with higher education. There was a consensus by the LPA to include that language.

There was general discussion regarding agricultural in the County, including the possibility of high-tech agri-business, preserving land for agriculture and the importance of this element to agriculture. Ms. King said there would be a Rural Lands Stewardship presentation in the future. She added that the revisions would be sent to the IDA for their review and comment.

Housing Element

Mr. Massa said information had been provided to the LPA on policies 2.1-1 and 2.1-3 and he was seeking consensus on those policies.

Mr. Kelly asked how Land Bank was defined. Mr. Jordan said information on Land Banks had been posted on the County’s website.

Mr. Jordan thought the land trust should be removed. Mr. Schue agreed and thought the focus should be on ‘blighted communities’. He suggested deleting “construction and”.

There was a consensus of the LPA to remove Policy 2.1-2, Affordable Housing Land Bank.

After some discussion, there was a consensus of the LPA to remove “construction” and “moderate” in policy 2.1-1.

After some discussion it was decided to include a definition of low, very low and moderate-income households. Mr. Carey suggested that low income included very low and lower income families, he said low and moderate income should cover it. Ms. King explained that some of these terms are very specific to grants such as Community Development Block Grant (CDBG). Mr. Welstead suggested defining moderate as inclusive of low and very low. Ms. King thought Mr. Welstead’s suggestion would address the grant issue.

Discussion continued on these terms. Ms. King said Chapter 163 and 9J-5 include requirements for specific terminology and she said staff would review those requirements.

Mr. Jordan commented on the amount of detail included in Policy 1.4-3.

There was discussion regarding the 15% allocation for affordable housing in Policy 2.2-2.

Ms. King explained that staff had done extensive staff research on this issue, from many sources. Mr. Schue questioned the unilateral application of 15% in all developments, and he suggested language such as “all new development in urban land use”. After discussion on the feasibility of the 15% requirement, there was a consensus by the LPA to revise this policy including the urban land use designation.

Ms. Elswick said she had received input on the need for affordable housing and added that teachers were finding it difficult to afford a home in Lake County. Ms. King suggested the addition of a definition for workforce housing.

Mr. Jordan said the Permitting Process referred to in Objective 2.3 should be part of the management plan for Growth Management and he suggested removing it. Mr. Mihalic said Expedited Permitting is required for the SHIP program. Ms. King suggested referencing this in Economic Development and reducing language to that necessary for State House Initiative Partnership (SHIP) funding.

When Mr. Carey asked if Policy 2.2-3 was federally mandated, Mr. Massa said it was not mandated but was suggested.

Mr. Carey suggested revising language in Policy 1.7 to read in a more positive way. Ms. King said the intention was to allow group and foster homes in all residential land uses.

Mr. Schue referred to 1.3-1 and suggested the phrase “urban land use designations” to be consistent.

There was discussion on policy 1.5-2 and Ms. King explained that land use or zoning can not be used to prohibit mobile homes. Ms. Marsh said the County could only regulate the aesthetic appearance. However, developers can do whatever they wish with their deed restrictions. Ms. Marsh suggested using the language directly out of the statute.

Mr. Schue suggested renaming Policy 1.9-1, Affordable Housing Incentives.

In response to a question from Rob Kelly on Policy 1.9-1.2, Ms. King suggested changing the word “areas” to “series”.

Ms. King said staff would be reviewing the suitability of the twenty-two (22) units per acre density.

Old Business

Mr. Dunkel said there was talk in the county that homeowners were the focus of this planning effort and that the large landowners didn't feel that they were receiving the representation they wanted. Ms. King said an outreach to large landowners was already under way. Mr. Dunkel said that if additional members were added they should have to review all of the materials previously presented to the LPA. Ms. King said she was not aware of any effort to add new members. Ms. Foley said members were added to the

previous committee just before the FLUE was written and said she would not support members being added to the LPA at this point.

In response to comments from Mr. Carey, Ms. King said the Capital Improvements Element would address the fiscal feasibility of the proposed elements.

Mr. Parks didn't think any new members should be appointed. Ms. King said staff had reached out to the whole community. She added that the BCC did not feel that it was necessary to have joint meetings with the LPA and felt that the LPA should be allowed to create the best possible plan.

There was some discussion regarding the meeting schedule.

Ms. King said the FLUE had been sent to consultants for review. When it is returned to the County and reviewed by legal staff it would be available to the LPA. She explained there were some technical difficulties with the FLUM.

The Chair adjourned the meeting at 1:40 p.m.

Donna R. Bohrer
Office Associate III

Keith Schue
Secretary