

**MINUTES
LAKE COUNTY
LOCAL PLANNING AGENCY**

OCTOBER 19, 2006

The Lake County Local Planning Agency met on THURSDAY, OCTOBER 19, 2006 at 9:02 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 Land Development Regulations.

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
LaChea Parsons, Assistant County Attorney
Gregg Welstead, Deputy County Manager
Dottie Keedy, Director of Economic Growth and Redevelopment
Carol Stricklin, AICP, Director, Growth Management Department
Amye King, AICP, Deputy Director, Growth Management Department
R. Wayne Bennett, AICP, Planning Director
Brian Sheahan, AICP, Chief Planner, Comprehensive Planning
Alfredo Massa, Senior Planner, Comprehensive Planning Division
Francis Franco, Senior GIS Analyst, 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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There was a moment of silence out of respect for the memory of Lake County Sheriff Chris Daniels.

MOTION by Michael Carey, SECONDED by Sean Parks to approve the minutes of the June 19, 2006 meeting as submitted.

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

ABSENT: Dupee

AGAINST: None

MOTION PASSED: 8-0

MOTION by Michael Carey, SECONDED by Sean Parks to approve the minutes of the August 28, 2006 meeting as submitted.

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

ABSENT: Dupee

AGAINST: None

MOTION PASSED: 8-0

MOTION by Sean Parks, SECONDED by Michael Carey to approve the minutes of the September 11, 2006 meeting as submitted.

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

ABSENT: Dupee

AGAINST: None

MOTION PASSED: 8-0

MOTION by Michael Carey, SECONDED by Sean Parks to approve the minutes of the September 21, 2006 meeting as submitted.

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

ABSENT: Dupee

AGAINST: None

MOTION PASSED: 8-0

Planning Director Wayne Bennett, AICP, said staff was recommending a continuance of the Heavy Industrial Uses Ordinance until the November meeting.

MOTION by Michael Carey, SECONDED by Sean Parks to continue the Heavy Industrial Uses Ordinance until the November 16, 2006 meeting.

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

ABSENT: Dupee

AGAINST: None

MOTION PASSED: 8-0

Nadine Foley, Chairman of the Lake County Public Land Acquisition and Advisory Council (PLAAC), requested that her gratitude be noted in the record for her opportunity to attend the National Land Trust Rally in place of the Planning Director, who was unable to attend. She said materials from that meeting would be made available to staff and to the public.

Sean Parks extended his gratitude to the Florida Farm Bureau for yesterday's meeting, which included County staff. He also thanked Fred Cranmer from the Friends of Ferndale for his recent tour of the Ferndale area.

Continuation of the review and discussion of the Future Land Use Element - LPA Member Proposed Text Amendments/Staff Recommendations

Planning Director Wayne Bennett, AICP, said there had been a change to the data table from the last meeting. He said some of the land shown as developable was actually water. He said using the 1.66 multiplier meant the population to be planned for was a little over 323, 000.

Keith Schue thought the build-out multiplier was 0.66 and said a 1.66 multiplier would increase densities. Mr. Parks said the inverse would be 1.66. David Jordan said his recollection was similar to Mr. Schue's. He thought the .66 multiplier reflected that build-out does not occur at 100% and said it was the number presented by staff. Mr. Jordan said it would be 66% of what the land use allows, not the whole plus .66. There was agreement to discuss this issue at the October 27, 2006 meeting.

Chief Planner Brian Sheahan, AICP, explained he would be typing changes into the text projected on the screen as the LPA made changes. He suggested discussing only the proposed changes that were not agreed to by both parties. There was discussion about pulling some topics for discussion as the draft FLUE is reviewed.

Mt. Plymouth-Sorrento Community Series

Mr. Sheahan said this draft contained the same language as the policies. Mr. Schue thought the language in the table could be simplified and Ms. Foley suggested changing the title to allow the inclusion of other communities. The LPA agreed to title this land use series Special Areas Series and to have categories for each recognized community. There was discussion on how to structure these policies and land uses. Mr. Bennett suggested a land use series, with categories for each community and subcategories within those categories. A majority of the LPA agreed to accept, as shown, an objective called Special Area Series, which will be brought back at the next meeting.

Rural Support

Mr. Bennett suggested accepting Mr. Curry's comments at this time.

Mr. Curry's handed out a "Business Categories Audit" as part of his presentation on Commercial uses. He said after auditing the existing Comprehensive Plan commercial policies and the draft of the 2025 Plan he realized there was only one commercial category with a defined maximum square footage. He discussed the importance of Floor Area Ratio (FAR) maximums and controlling the intensity of commercial uses. He thought maximum heights and the impervious surface ratio should be defined in the Land Development Regulations (LDRs). Mr. Curry said although the current plan defines which commercial uses are allowed in the land use categories, the new Plan would allow those commercial uses in any land category. Mr. Curry gave several examples and said the new plan does not contain many of the current plan's descriptive controls and consequently he was concerned about "business sprawl."

Mr. Bennett agreed the commercial, office and industrial categories need more work and that some of the old policies should be included. He said staff would review these issues and asked LPA how they would like to treat commercial and non-residential support uses in the rural areas. Mr. Schue preferred better commercial criteria for rural areas, instead of creating new categories particularly this late in the process. Mr. Carey liked Mr. Bennett's idea and thought it would be advantageous for local businesses to participate in this process. He said large corporate businesses would not necessarily be looking to relocate in high density areas. Mr. Parks supported Mr. Bennett's ideas on Rural Support uses and thought performance zoning specific to rural areas might be useful. Mr. Bennett said rural commercial uses should be small, compact, support the rural areas and said duplication of uses should not be allowed. Ms. Foley was concerned about making major land use changes at this time and she didn't want to lose policies such as the "Commercial Use Adjacent To Rural and Environmentally-Sensitive Areas." She also favored retaining residential uses with commercial so residences could be placed over businesses.

Richard Dunkel suggested reviewing the FLUM to determine the appropriate areas for commercial and industrial uses. He favored having a "place saver FLUM" for transmittal to BCC, which would allow more time to decide on a final FLUM. Becky Elswick supported a balance between economic development and protection of rural areas. Mr. Carey said, as a point of clarification, when he referred to commerce in rural areas, he was referring to corporate entities.

In response to questions by Mr. Schue, Mr. Bennett said the title would be Rural Support and said it would be only commercial, industrial and office uses that supported rural areas and agricultural uses. There was discussion about other land uses, such as sand mines, including the appropriate locations and land uses.

MOTION by Sean Parks, SECONDED by Michael Carey to ask staff to develop Rural Support policies.

FOR: Newman, Foley, Carey, Parks, Dunkel, Jordan, Elswick

ABSENT: Dupee

AGAINST: Schue

MOTION PASSED: 7-1

There was a five-minute break at 10:20 a.m.

Mr. Sheahan said staff was recommending permitting child care as a conditional use in all residential categories. After some discussion it was decided that determining the appropriate scale of child care facilities would be an issue for the LDRs.

Policy 1.2.5 Future Land Use Categories - Traditional Neighborhood

During discussion on the first recommendation to add "intensity and scope" to density, Mr. Schue voiced concern about the method of calculating the residential densities. Several comments were made that defining densities as part of the residential site would mean residential uses in other areas of the Traditional Neighborhood (TN) would be lost.

Ms. Foley thought the definition in the narrative portion was better and said the chart was intended to be a quick reference point.

MOTION by Michael Carey, SECONDED by Becky Elswick to accept the first recommendation to add “Density, intensity and scope of development varies by type of Traditional Neighborhood Sub-Area” as shown on page MAPS 1-14.

FOR: Newman, Foley, Carey, Parks, Dunkel, Jordan, Elswick

ABSENT: Dupee

AGAINST: Schue

MOTION PASSED: 7-1

MOTION BY Becky Elswick, SECONDED by Michael Carey to accept the second recommendation to add “entire” to the term “development site.”

Mr. Schue said by adding “entire” would mean this would not be decided in the LDRs, but in the LDRs. Mr. Parks and Ms. Elswick agreed it was necessary to consider the entire site in order to make a Traditional Neighborhood development work.

FOR: Newman, Foley, Carey, Parks, Dunkel, Jordan, Elswick

ABSENT: Dupee

AGAINST: Schue

MOTION PASSED: 7-1

Workplace

It was the consensus of the LPA to replace “preferred” with “primary” and to remove the subjective language under the Workplace Land Use as shown on page MAPS 1-14.

During discussion about including residential within commercial uses, Mr. Schue presented a copy of page 22 of 83 from the draft FLUE dated 5/22/06 and said at that time the residential component had been removed from commercial in the table and in the policy. Ms. Foley said placing residential units over commercial uses would be allowed only in the TN and WD categories.

The LPA agreed as follows:

- To change “could” to “may” and “would” to ‘shall” consistent with staff’s second recommendation on page MAPS 1-15.
- To strike the language as shown regarding the Sending and Receiving Areas in the Wekiva River Protection Area (WRPA) on page MAPS 1-17.
- To delete the Overlay Table shown on page MAPS 1-18.
- To delete “Subdivision” from Policy 1.3.1 on page MAPS 1-20.

MOTION by Keith Schue, SECONDED by David Jordan to adopt the second recommendation on page MAPS 1-20, which would move the text on Conservation Design to Objective 1.8.

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

ABSENT: Dupee

AGAINST: None
MOTION PASSED: 8-0

The LPA agreed as follows:

- With the recommendation on page MAPS 1-22 regarding Policy 1.3.3.

MOTION by Keith Schue, SECONDED by Sean Parks to accept the first recommendation on top of page MAPS 1-23 which adds “base density” to Policy 1.3.4 Rural Transitional Density.

FOR: Newman, Foley, Schue, Carey, Parks, Dunkel, Jordan, Elswick
ABSENT: Dupee
AGAINST: None
MOTION PASSED: 8-0

The LPA agreed as follows:

- To delete the clustering language in Rural Transitional Density on page MAPS 1-23.

Ms. Foley said her comment on Page 1-24 was resolved with the special areas series.

The LPA agreed as follows:

- To accept the recommendation on Page 1-27.

The recommendation on Page 1-29 will be discussed at a later time.

MOTION by Sean Parks, seconded by Nadine Foley to accept the first recommendation on page 1-38 Policy 1.5.6 Office/Commerce.

Mr. Schue stated that the fifth bullet should also be deleted because the intent was adequately covered in the first bullet.

FOR: Newman, Foley, Carey, Parks, Dunkel, Jordan, Elswick
ABSENT: Dupee
AGAINST: Schue
MOTION PASSED: 7-1

MOTION by Becky Elswick, SECONDED by Michael Carey to accept the second recommendation on page MAPS 1-38, regarding Policy 1.5.6 Office/Commerce.

FOR: Newman, Foley, Schue, Carey, Parks, Dunkel, Jordan, Elswick
ABSENT: Dupee
AGAINST: None
MOTION PASSED: 8-0

The LPA agreed:

- With the third recommendation to revise the second paragraph on page MAPS 1-38.

MOTION by Sean Parks, SECONDED by David Jordan to retain the current language in the fourth bulleted item on page MAPS 1-38.

FOR: Newman, Foley, Schue, Carey, Parks, Dunkel, Jordan, Elswick
ABSENT: Dupee
AGAINST: None
MOTION PASSED: 8-0

MOTION by David Jordan, SECONDED by David Jordan to accept staff's recommendation page MAPS 1-40, Policy 1.5.7.

FOR: Newman, Foley, Schue, Carey, Parks, Dunkel, Jordan, Elswick
ABSENT: Dupee
AGAINST: None
MOTION PASSED: 8-0

PUBLIC COMMENT

Bob Curry suggested including a reference in Policy 1.5.7 that some of the uses in the ninth bulleted item are generally implemented through a Conditional Use Permit (CUP).

The LPA agreed:

- To move Workplace District (WD) policy to the urban land use series.
- To insert "location criteria" as shown.

MOTION by KEITH SCHUE to have locational criteria added to Policy 1.5.9. The motion died for lack of a second.

MOTION by Sean Parks, SECONDED by Nadine Foley to add Heavy Industrial to the Conditional Uses under Policy 1.5.9.

FOR: Newman, Foley, Schue, Carey, Parks, Dunkel, Jordan, Elswick
ABSENT: Dupee
AGAINST: None
MOTION PASSED: 8-0

The LPA agreed:

- With the recommendation on Objective 1.7 shown on page MAPS 1-47.
- With Mr. Jordan's recommendation that any objections to the recommendations shown should be subject to a motion by the member that disagrees.

MOTION by Sean Parks, SECONDED by Becky Elswick to retain the wording regarding community based planning approach on page MAPS 1-50, Policy 1.8.10.

Mr. Carey said he had serious concerns with the rural preserve plan. He said given the

state of agriculture in the County, that thought should be given to what these policies were supposed to protect. Mr. Jordan said he concurred with staff's recommendation. Mr. Parks believed the community planning approach was a way to "empower residents."

MOTION by David Jordan, SECONDED by Michael Carey to call the question.

Mr. Jordan withdrew his motion to call the question with the understanding that members would follow order.

Mr. Parks restated that his motion was to retain community based planning.

PUBLIC COMMENT

Rob Kelly, Citizen's Coalition of Lake County (CCLC), referred to draft language he had presented. He said the CCLC would not support community based planning in rural areas because their focus is on protecting those areas at rural densities, the only exception would be the historic communities.

Robert Curry thought because the Rural Overlay is focused on preservation that it should be the Rural Protection Area, similar to other areas such as the Green Swamp or the Apopka Protection Area.

There was some discussion on the motion, Mr. Dunkel and Mr. Schue agreed with Rob Kelly's suggestion.

FOR: Parks, Elswick
ABSENT: Dupee
AGAINST: Newman, Foley, Schue, Carey, Dunkel, Jordan,
MOTION FAILED: 2-6

MOTION BY Keith Schue, SECONDED by Richard Dunkel to accept the draft language submitted by Rob Kelly.

Ms. Foley preferred the recommended language of staff.

MOTION AMENDED BY Keith Schue to "the County shall evaluate and analyze the Sending and Receiving Areas appropriate for Transfer of Development Rights (TDR) to areas outside of the rural protection areas by January 1, 2008."

Mr. Sheahan was concerned that the timeline for the TDR program was not sufficient.

The Motion was withdrawn.

MOTION BY Keith Schue, SECONDED by David Jordan to accept the proposed language on policy 1.8.10 with the following change to the last sentence of first paragraph substituting "the County shall evaluate and analyze sending and receiving area as appropriate for the Transfer of Development Rights to areas outside of the rural protection area by January 1, 2009.

FOR: Newman, Foley, Schue, Dunkel, Jordan, Elswick
ABSENT: Dupee
AGAINST: Carey, Park
MOTION PASSED: 6-2

The LPA agreed:

- To revise bulleted item five as “Rural Design Standards” under Policy 1.9 page MAPS 1-51.
- To make the last sentence in the first paragraph under Objective 1.9 into a separate policy.

MOTION BY David Jordan, SECONDED by Richard Dunkel to accept Policy 1.9.4 Require Conservation Easements as presented.

Mr. Schue and Mr. Parks both thought that this was confusing and that staff should re-examine this language.

FOR: Newman, Foley, Carey, Dunkel, Jordan, Elswick
ABSENT: Dupee
AGAINST: Parks, Schue
MOTION PASSED: 6-2

Mr. Carey said he did not support the Rural Protection Plan and explained that his subsequent votes were a reflection of his desire to have consistency in the plan.

PUBLIC COMMENTS

Bill Ray discussed a recent meeting he had with the Farm Bureau and staff and said the Bureau would be presenting comments on the Comprehensive Plan soon. He suggested that the Wekiva point system in Policy 2.1.6 be applied to the transitional areas in the Green Swamp Area of Critical State Concern (GSACSC). He said removing timeliness was a deviation from the stated position of not changing densities in that area.

Ms. Foley thought modeling Green Swamp policies on the Wekiva point system should be investigated further but not necessarily within the time frame of the 2025 Comprehensive Plan. Mr. Schue said judicial decisions regarding densities in the Green Swamp, resulting from litigation involving the City of Groveland would have to be considered.

MOTION by David Jordan, SECONDED by Keith Schue to leave the Green Swamp Policies as presented and to have no point system for the Green Swamp.

FOR: Newman, Carey, Dunkel, Jordan, Parks, Schue
ABSENT: Dupee
AGAINST: Elswick, Foley
MOTION PASSED: 6-2

PUBLIC COMMENT

Jon Popsiel said that depending on a variety of factors RMD with a base density of one

dwelling unit per five acres may be developed at one dwelling unit per three acres and in RTD with a base density of one dwelling unit per five acres could be developed at one dwelling unit per acre. He suggested adding a provision to allow property within the RTD to be developed consistent with the RMD rules.

Rob Kelly, CCLC, said the area of the Green Swamp located within Groveland is limited to one dwelling unit per five acres and the other area municipalities are leaning towards that density and away from timeliness.

Growth Management Deputy Director Amye King, AICP, read a letter from the Farm Bureau into the record.

Mr. Carey stated that the LPA had taken a very strong position on property rights and it was their intention that no property owner would have their property rights adversely affected by the work of the LPA.

There was discussion on Policy 2.1.1 Definitions Applicable to Wekiva River Protection Area and Wekiva Study Area regarding the location of the Open Space definition. Mr. Schue thought the definition should be located in the policy and in the definition section. Mr. Carey thought including the definition twice was unnecessary and duplicative.

MOTION BY Keith Schue, SECONDED by Sean Parks to include the Open Space definition for the Wekiva Area in Policy 2.1.1 and in the definition section of the Comprehensive Plan.

FOR: Dunkel, Jordan, Parks, Schue, Elswick, Foley

ABSENT: Dupee

AGAINST: Newman, Carey

MOTION PASSED: 6-2

MOTION by Keith Schue, SECONDED by Nadine Foley to include legal descriptions of the Wekiva River Protection Area and the Wekiva Study Area in the 2025 Comprehensive Plan.

FOR: Newman, Dunkel, Jordan, Parks, Schue, Elswick, Foley

ABSENT: Dupee

AGAINST: Carey

MOTION PASSED: 6-1

The LPA agreed with the recommendation to change Policy 2.1.2 to an Objective.

Mr. Sheahan said staff was recommending the deletion of the "Map 1-5" in the policy because it is delineated on the Future Land Use Map (FLUM).

MOTION by Keith Schue, SECONDED by Sean Parks to include Map 1-5 with a revision that does not show the area outside of the Wekiva River Protection Area (WRPA).

Mr. Schue believed the Wekiva maps from the current Comprehensive Plan should be included to ensure preservation of the zoning history record. Mr. Sheahan said that information was part of the Data, Inventory and Analysis (DIA). He felt more maps could cause confusion.

FOR: Schue, Parks
ABSENT: Dupee
AGAINST: Newman, Carey, Dunkel, Jordan, Elswick, Foley
MOTION FAILED: 2-6

Ann Dupee arrived at 12:05 p.m. There was a lunch break at 12:18 p.m. and the meeting was called to order at 12:55 p.m. David Jordan was not present immediately after the lunch break. The Chairman said some members had to leave early and the meeting would adjourn around 4:00 p.m.

The LPA agreed with the recommendation as shown to Policy 2.1.5 General Provisions and Sending Area Number One on page MAPS 1-59.

MOTION by Keith Schue, SECONDED BY Sean Parks to add “net” in front of “acres” in the maximum density for the A-1-20 Sending Area in Table 3.

FOR: Schue, Parks, Newman, Carey, Dunkel, Dupee, Elswick, Foley
ABSENT: Jordan
AGAINST: None
MOTION PASSED: 8-0

The LPA agreed:

- With the remaining recommendations to Policy 2.1.5 and to Policy 2.1.6 Table 1 as shown.
- To accept the recommendations to Policy 2.1.13 Location of Commercial Development.
- To remove “Public” from the title of Policy 2.1.14 to now read “Location of School Facilities within the Wekiva River Protection Area.”

MOTION BY Keith Schue, SECONDED by Sean Parks to modify the language in Policy 2.1.14 to read “schools shall be permitted within receiving area two.”

FOR: Newman, Foley, Carey, Dunkel, Elswick, Dupee, Parks, Schue
ABSENT: Jordan
AGAINST: None
MOTION PASSED: 8-0

The LPA agreed:

- With the recommendation attributed to Policy 2.4.1, to change “Sewer Water” in the title to “Central Sewer” (note: The affected policy is actually Policy 2.5.1).

PUBLIC COMMENT

Jeanne Etter said the third and fifth bulleted intersections listed in Policy 2.1.13 should have different commercial criteria because they are included in the Main Street Corridor policies of the Mt. Plymouth-Sorrento Planning Advisory Committee (MPSPAC).

The LPA agreed:

- To reference the MPSPAC polices for the third and fifth bulleted intersections in Policy 2.1.13.

Staff will revise Figure 2 on page MAPS 1-86 removing the reference to the Urban Compact Node.

Ocala National Forest

The LPA agreed:

- In Policy 2.7.2 to reference the Rural Low Density future land use category, with the exception of Astor.
- To include the legal description of the Green Swamp in Policy 3.1.1.
- That Policy 3.1.8 should be Objective 3.2, and that Objective should be a Policy.
- That Policy 3.2.9 should be changed to Objective 3.3 and the subsequent policies renumbered.
- That Objective 3.4 should be edited to state “Lake County shall regulate specific activities and uses within the GSACSC.”
- That Objective 3.5 should be a Policy.

Goal 5 Emerald Marsh Protection Area (EMPA)

Mr. Sheahan said criteria to define these boundaries could be discussed during FLUM.

MOTION by Keith Schue, SECONDED by Sean Parks to accept recommendation 1 on page MAPS 1-113 regarding Emerald Marsh Protection Area boundaries.

There was some discussion and general consensus that the “to be determined boundaries” could affect these policies.

FOR: Newman, Foley, Carey, Jordan, Elswick, Dupee, Parks, Schue
ABSENT: Jordan
AGAINST: None
MOTION PASSED: 8-0

The LPA agreed:

- To delete Policy 5.1.7 Land Use Strategy within the EMPA.
- With the recommendation on Policy 5.1.8 to identify a specific percentage of open space within Planned Unit Development (PUD) zoning.
- With the suggested language as shown for Goal 6 Nonconformities.

- To delete Policy 6.1.3 Vested Rights Ordinance.

David Jordan rejoined the meeting.

MOTION by David Jordan, SECONDED by Sean Parks to not accept the first recommendation to change the title but to accept the second recommendation to incorporate language approved in the school concurrency ordinance.

Mr. Schue said this Goal related to schools and if the title wasn't changed then perhaps policies regarding other public facilities should be added. Ms. Foley thought the goal should be broad enough for all public facilities.

MOTION RESTATED by David Jordan to accept this Goal as it appeared in the original text, not accepting any of the proposed recommendations to Goal 7.

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

ABSENT: None

AGAINST: None

MOTION PASSED: 9-0

MOTION by Becky Elswick, SECONDED by David Jordan to strike reference to "educational facilities" and to have it read "facilities" in Policy 7.1.1.

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

ABSENT: None

AGAINST: None

MOTION PASSED: 9-0

MOTION by David Jordan, SECONDED by Michael Carey to deny the recommendation on Objective 7.1 (retain Objective 7.1 as originally written).

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

ABSENT: None

AGAINST: None

MOTION PASSED: 9-0

Mr. Schue thought changes should be made in the language for consistency because policy titles refer to public facilities but the policies refer solely to school facilities. After some discussion there was agreement with Mr. Carey's suggestion to have staff review this section to address those concerns.

MOTION by Keith Schue, SECONDED by Becky Elswick to accept staff's recommendations on Objective 8.1 Historic Overlay District as shown.

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

ABSENT: None

AGAINST: None
MOTION PASSED: 9-0

The LPA agreed to not include the proposed Karlton Tract Special Area Plan Overlay.

PUBLIC COMMENT

Fred Cranmer said the Ferndale boundary issues had been resolved at the Planning and Zoning Board level with the Town of Montverde. He asked about the status of the FLUE policies for historic communities or if those issues would be addressed on the FLUM. There was discussion on policies for special areas of the county.

MOTION by Sean Parks, SECONDED by Nadine Foley to use the proposed language submitted by the Friends of Ferndale as a category in the special area series.

Mr. Bennett thought it would be premature to add the Friends of Ferndale because they were still developing their vision and had not completed a process similar to the Mt. Plymouth-Sorrento Planning Advisory Committee. Mr. Cranmer agreed but said he would like a “placeholder” reserved for their community. Ms. Foley believed there should be place holders for these communities within the Plan. Mr. Parks said it would be difficult to map Ferndale if it was not considered to be a category. Mr. Schue thought that the suggested policies from the Friends of Ferndale should be under the historic overlay.

PUBLIC COMMENT

Bob Curry thought these communities should petition the County for this recognition and said procedures for these special areas should be developed.

FOR: Elswick, Parks
AGAINST: Newman, Foley, Carey, Jordan, Dunkel, Dupee, Schue
ABSENT: None
MOTION FAILED: 2-7

MOTION BY Keith Schue, SECONDED by Sean Parks to include the proposed policies of the Friends of Ferndale as policy in the Historic Overlay District.

Mr. Bennett suggested deferring discussion on procedure policies for these areas and said the LPA could recommend that Ferndale be the first additional community considered for designation as a Special Area. There was discussion about the planning processes of Mt. Plymouth-Sorrento and Ferndale.

FOR: Foley, Dunkel, Parks, Schue
ABSENT: None
AGAINST: Dupee, Carey, Newman, Jordan, Elswick
MOTION FAILED: 4-5

Mr. Sheahan said staff supported approval of the recommend changes to Objective 8.2 with an additional change in the implementation date to January 1, 2009.

MOTION by Keith Schue, SECONDED by David Jordan to strike Objective 8.2 because it has been rendered redundant by the Rural Protection Area language.

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

ABSENT: None

AGAINST: None

MOTION PASSED: 9-0

The LPA agreed:

- To move Objective 8.5 to Goal 9.
- To accept the recommendation on Policy 8.5.1with the retention of “housing” because it is integral to the Community Enhancement Area (CEA) program.

During discussion on the CEA program, Mr. Bennett said staff would meet with Bill Gearing, Community Enhancement Area Coordinator to discuss some of his comments. It was agreed that Policy 8.5.1, 8.5.2 and 8.5.3 would be addressed after that meeting.

The LPA agreed:

- In Objective 8.7, Special Area Plans to accept the recommendation of Mr. Schue as shown.

MOTION BY Sean Parks, SECONDED by Nadine Foley to edit the following sentence to Policy 8.7 “All Special Area Plans (SAPs) must be approved by the Board of County Commissioners prior to implementation.”

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

ABSENT: None

AGAINST: None

MOTION PASSED: 9-0

MOTION by Keith Schue, SECONDED by Sean Parks to edit the to the first sentence in Policy 8.7 as follows “..for large tracts of land with one or more Future Land Use categories...”

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

ABSENT: None

AGAINST: None

MOTION PASSED: 9-0

The LPA agreed:

- To accept both recommendations to Goal 9 the LPA as shown.

PUBLIC COMMENT

Bob Curry said Objective 9.7 dealt with the entire Comprehensive Plan and this Goal addressed the Future Land Use Element. He thought the text should be edited or a separate goal created.

MOTION by Sean Parks to direct staff to reorganize Objective 9.7. The motion died for a lack of a second.

The LPA agreed:

- With the recommendations on Objective 9.8, 9.9 and 9.9.1 as shown.

Mr. Schue thought there had been an error because the second paragraph under 9.9.1 had been a separate policy titled Alternative Land Use Designations. Mr. Sheahan said staff would look into that.

There was a five-minute break at 2:42 p.m.

PUBLIC COMMENT

Vicki Zanies thought the environmental policies for the Emerald Marsh Protection Area (EMPA) should be extended to the opposite shore of the Oklahawa River to protect the wildlife in that area. She discussed the importance of having land uses tailored to protect wildlife corridors and provide for connectivity.

Mt. Dora Planning Director Mark Reggintin said the City was requesting that the north east corner of their JPA continue to be a rural buffer. He discussed the industrial area located close to the Wolf Branch Sink, which is currently designated as Employment Center. He said some of those parcels already have industrial zoning and said the City would allow only light industrial uses. Mr. Reggintin emphasized that the City is very aware of the need to protect that area. Mr. Parks asked that no decision be made on the Wolf Branch Sink area until the Lake County Water Authority (LCWA) comments on this issue. Mr. Schue suggested County policy be written to match the level of protection extended by Mt. Dora.

Tim Green, Green Consulting Group said he was speaking on behalf of some of the cities. He thought the cities should have had the same opportunity to designate land uses in their JPAs as the proposed Historic Areas were being allowed to do. Mr. Carey said it was important to work closely with the cities and thought the cities should be concerned about the urbanization directed towards them. He voiced concerns about the cost of providing services to areas with densities of one to five and said that was a different kind of sprawl. Mr. Jordan thought they had been very responsive to the cities. Mr. Parks agreed that Mr. Green had a point and said perhaps things could have been done differently, however, the cities did not request specific land uses. Mr. Schue said cities have the right to annex land and to change the land uses but unincorporated communities are not able to designate land uses. Mr. Dunkel wanted to try to work this out with Mr. Green. Chairman Newman said the cities have been invited to participate in this process several times. Mr. Bennett said it was more important to move forward and said there had been an enormous effort to work with the cities. Ms. Foley said communication and

cooperation was a “two-way street.” Mr. Carey said some cities have had very little involvement in this process. Ms. King said all the cities have been invited to participate and she understood that the County and the Cities land uses were not identical; however, not one city had requested special land uses. She added that some city recommendations have shifted to reflect the policy changes of the LPA. She said the EAR process could be a way to resolve some of these issues.

Ms. King discussed maps provided by the City of Clermont and the City of Mascotte showing their updated land use recommendations.

Future Land Use Map FLUM

Mr. Dunkel suggested the commercial and industrial areas be reviewed first.

MOTION by David Jordan, SECONDED by Richard Dunkel to review the Future Land Use Map holistically by first reviewing the rural protection areas, secondly the industrial and commercial, then the planning zones.

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

ABSENT: None

AGAINST: Dupee

MOTION PASSED: 8-1

Ms. Dupee explained she had voted against the motion because she had been absent during the earlier discussion on the rural areas.

During discussion on obtaining input from the business community, Mr. Bennett said the BCC had recently approved the development of an economic plan and the hiring of consultants to assist with that project.

A map and policies were submitted to the LPA by Rob Kelly.

MOTION by Becky Elswick, SECONDED by David Jordan to begin review of the industrial areas on the Future Land Use Map with the turnpike corridor.

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

ABSENT: None

AGAINST: None

MOTION PASSED: 9-0

Mr. Carey suggested that at the next meeting space be provided so members are able to lay out maps and said the business community should be invited.

There was discussion on annexations along the turnpike corridor and Mr. Schue discussed pending annexations awaiting adoption.

Chairman Newman suggested discussing procedures for the next meeting. Ms. Elswick said it was important to resolve conflicts between rural and industrial/commercial areas.

In response to comments from Mr. Dunkel, Mr. Bennett suggested the next meeting be dedicated to review of the FLUM and the text changes be reviewed at the following meeting. Mr. Bennett said there will be a presentation at 11:30 a.m. on Friday by the business community in addition to information that would be provided by Alfredo Massa.

Mr. Bennett suggested the LPA list their comments and provide them to staff by the Wednesday before the meeting.

The Chair continued the meeting at 4:01 p.m. to Friday, October 27, 2006.

Donna R. Bohrer
Office Associate III

Keith Schue
Secretary