

Exhibit “B”

A SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS

JANUARY 19, 2010

The Lake County Board of County Commissioners met in special session on Tuesday, January 19, 2010 at 9:00 a.m., in the Board of County Commissioners' Meeting Room, Lake County Administration Building, Tavares, Florida. Commissioners present at the meeting were: Welton G. Cadwell, Chairman; Elaine Renick, Vice Chairman; Jennifer Hill; Jimmy Conner; and Linda Stewart. Others present were: Sanford A. "Sandy" Minkoff, Interim County Manager; Melanie Marsh, Acting County Attorney; Wendy Taylor, Executive Office Manager, County Manager's Office; and Brenda Law, Deputy Clerk.

INVOCATION AND PLEDGE

Mr. Sandy Minkoff, Interim County Manager, gave the Invocation and led the Pledge of Allegiance.

INTRODUCTION

Commr. Cadwell stated that the transmittal hearing was advertised for today and tomorrow afternoon, but he anticipated completing the hearing today. He explained the process of submittal to the Department of Community Affairs (DCA) and noted that the final Comp Plan would not be adopted for another three months. He mentioned that the purpose of today's meeting was to approve the transmittal to DCA. He commented that he received public requests to postpone the transmittal and asked if the Board was interested in postponing the transmittal of the Comp Plan to DCA.

It was a consensus of the Board to hold the transmittal hearing today without further postponement.

Ms. Melanie Marsh, Acting County Attorney, stated that if approved today, it will be Ordinance 2010-02 and placed the proposed Ordinance on the floor by title only, as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AUTHORIZING THE TRANSMITTAL OF THE COMPREHENSIVE PLAN OF LAKE COUNTY, "PLANNING HORIZON 2030" TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Amye King, Growth Management Director provided a brief history of the Comprehensive Plan. She explained that the County is currently operating on the 1993 Comp Plan which was prepared based on 1980 census data. She noted that Lake County was scheduled to submit their Evaluation and Appraisal Report (EAR) based amendments to DCA, which were never adopted. She stated that County staff met with Mr. Charles Gauthier, DCA Bureau Chief in 2003 to discuss concerns regarding the County's EAR based amendments when it was decided that the County would rewrite the Comprehensive Plan with the promise that the County would undergo a rigorous public participation plan. She reported that the County had over 30 public meetings throughout the County in the different regions, as well as hundreds of meetings with the Local Planning Agency (LPA) in Board Chambers. She noted that thousands of residents responded and participated in the meetings. She stated that the Board of County Commissioners decided to split the Planning and Zoning Board in 2004 into two separate boards, and created the Local Planning Agency (LPA) to write the plan. She commented that the County created a comprehensive website dedicated to the plan in 2005. She reported that the County began the public participation tours in 2005. She stated that in 2005 the LPA began the review of the initial draft elements of the plan which were transmitted in 2006, and dedicated all of their time from that point forward on the Future Land Use Map and the Future Land Use Element. She reported that in 2008 the Board adopted the Evaluation

and Appraisal Report of the formal plan, again with the promise to the DCA that the County would have year based amendments to bring them in compliance in the next 18 months. The LPA transmitted to the Board the Future Land Use Element and the Future Land Use Map on January 30, 2009, which has been under Board consideration since that time. She presented the flow chart of process after the Comp Plan is submitted to DCA. She noted that the plan will be submitted to a long list of reviewing agencies including Florida Department of Transportation (DOT) and the Regional Planning Council, as well as all of the Cities within the County and all of the adjacent counties. She stated that DCA will forward their objections, comments and recommendations, and the County will have the opportunity to make amendments to the plan based on the feedback from the various agencies. She mentioned that the Board will then begin the process to adopt the new Comprehensive Plan.

Ms. King introduced her staff, Mr. Brian Sheahan, Planning and Community Design Director; Ms. Anita Greiner, Planning and Community Design Chief Planner; and Ms. Pratima Strong, GIS Analyst.

Mr. Sheahan stated that staff has submitted a few changes for the Board's consideration. He noted that staff eliminated the light industrial future land use category as directed by the Board. He explained that the regional office and regional commercial categories allowed for light manufacturing. He reported that some properties listed on the submitted documentation were more appropriately designated industrial, and stated that the City of Umatilla and Astatula requested some of these changes. He asked the Board to approve these changes.

On a motion by Commr. Hill, seconded by Commr. Stewart and carried unanimously by a vote of 5-0, the Board approved the reclassification of some properties from light industrial to industrial.

Mr. Sheahan reported that based on a motion by Commr. Conner at the last workshop, staff changed the language from three lots to ten lots on the common open space requirement in rural areas. He stated that staff requests the language to be changed from less than five acres to five acres or less. He noted that he has received public comment requesting that the density be changed from five acres to twenty acres.

Commr. Renick stated that it was her understanding that the motion from the last workshop kept the language the same and only changed the three lots to ten. She asked staff what was the original threshold.

Mr. Sheahan confirmed that the original threshold was 20 acres.

Commr. Conner explained that his concern was that if someone owned 20 acres and decided to split those acres into five acres amongst four children that they would be required to deed open space to a common entity in their family. He opined that there is not a need for open space if there is one unit per five acres.

Commr. Renick asked if the language should be returned to the original language with the 20 acre threshold. She opined changing it from three to ten lots and leaving the remainder with the original language.

It was a consensus of the Board to change the language from three lots to ten with the remaining language as originally written.

Mr. Sheahan stated that the next issue is regarding the biological survey required in the current language under Policy 3-3.3.2. He reported that the County is currently conducting surveys on all applications requesting site plan approval. He expressed concerns that the County may be conducting and the applicant may be incurring the cost for surveys that are not necessary. He stated that his staff can determine if a survey or environmental assessment is needed if they perform a site visit. He noted that the language was being presented to the Board to request more flexibility in this matter. He indicated that the thresholds can be made more

stringent in the Land Development Regulations.

Commr. Renick stated that she had discussions with staff regarding some alternative language. She suggested using the language as presented by the Audubon of Florida, particularly the language starting within 24 months of the effective date.

Commr. Cadwell commented that the specific agencies should not be included because if one changes, then the Comp Plan will not be in compliance.

It was a consensus of the Board to use the language presented by the Audubon of Florida with a removal of the reference to the specific agencies.

Mr. Sheahan presented the options for the language on mining in the Green Swamp. He stated that Option A was based on direction by the Board at the November workshop, and reported that this option allows existing mines in the Green Swamp to remain as a conforming use; however, they could only expand if they had a contract to do so or became vested. He explained that Option B reestablishes the existing review process and requirements under the current plan, creating a status quo. He stated that Option C is the same as Option B but requires a regional hydrologic study prior to any expansion or new mines in the Green Swamp, creating an assurance that mining would not have any adverse environmental impacts.

PUBLIC HEARING

Commr. Cadwell asked the public to complete a speaker request form if they would like to address the Board. He explained that there was a three minute time limit per speaker and asked that every one be respectful to the person speaking.

The Chairman opened the public hearing.

Mr. Michael Bucher, Chairman of the South Lake Chamber of Commerce Board of Directors, requested that the Board remove the South Lake Rural Protection Area from the proposed Comprehensive Plan. He reported that this land was identified by the City of Clermont, South Lake Chamber Board of Directors, Lake County Economic Development Advisory Committee and the Lake County Chamber Alliance as an area of critical concern and importance for the future economic development of Clermont and south Lake County. He opined that the proposed land use will prevent that area from being able to attract and compete for regional employers and high wage jobs in Central Florida. He asked the Board to consider that SR 50 is currently at capacity and the marketing and development of a regional commerce park along this state road corridor as depicted in the proposed plan would not only be difficult but is unattractive to the citizens and the business community. He stated that the favorable location and access will attract employers and entrepreneurs demanding a ready supply of well educated and skilled employees within the region to add or compliment the local work force. He commented that if properly planned by the stakeholders and the City of Clermont, this area provides Lake County with a tremendous opportunity to bring high wage jobs without rooftops while providing a more profitable and diverse tax base for the City and greater prosperity to south Lake County.

Ms. Miranda Fitzgerald with Lowndes, Drosdick, Doster, Kantor & Reed, P.A., presenting 45 separate parcels managed by Herb Kahlert, requested that the Board strike in its entirety Objective 1-5.5 regarding the South Lake Rural Protection Area and the supporting Policies 1-5.5.1 and 1-5.5.2. She stated that striking these provisions will facilitate the implementation of the County's economic elements, goals, objectives and policies. She opined that south Lake County is the area most likely to have meaningful economic development due to its location directly adjacent to Horizon West and Orange County. She commented that if the Board reconsiders

the workplace district concept, she asked that the district be placed in the lands that are currently designated for the South Lake Rural Protection area, as far south as Old YMCA Road. She presented a list of the businesses she was representing.

Mr. Jim Bible, representing the Homebuilders Association, stated that the Future Land Use Categories Table on Page 7 of the proposed Comp Plan has two new items, Floor Area Ratio (FAR) and open space requirements for residential properties. He commented that the FAR puts severe restrictions on residential home construction. He explained that he is currently working on a 40 acre project that is zoned R6 with lots that are approximately 10,000 square feet with the FAR at 0.25 in low density residential, that equates to a total floor area of 2,500 square feet. He noted that the FAR includes footage for the garage, entryway, patios under roof and any utility sheds on the property allowing for the construction of a maximum of 1,800 square feet. He reported that he has built hundreds of homes greater than 1,800 square feet on this standard size lot in the County, and now all of those homes will be non-conforming. He requested that the Board eliminate the floor area ratio requirement on residential properties. He stated that the open space requirement would cost him 30 lots out of 117 lots in the previously mentioned 40 acre project. He noted that the open space requirement increases the homeowner's cost by 25 to 30 percent. He submitted a packet of comments regarding various items in the Comp Plan to the clerk.

Mr. Richard Gonzalez, Vice President of Pineloch Management Corp., representing Center Lake Properties, LLC, stated that Center Lake Properties is a 688 acre parcel located on Hartwood Marsh Road and has been operating as a sand mine since 1969. He reported that the proposed plan changes the future land use from industrial to regional office. He requested that the Board convert the future land use back to industrial as the company plans to develop an industrial park over the next 25 years as the land is reclaimed from the sand mines.

Mr. Don Magruder, Chairman of Citizens for Better Government, LLC, opined that the proposed Comp Plan is flawed because it does not address the economic growth issues in Lake County. He stated that the Citizens for Better Government reviewed email communication between the Local Planning Agency (LPA), staff and the Commission that does not mention or prioritize job creation and only discussed restrictions and land use categories. He expressed concern that the desires of the LPA trump those of the employees, citizens and stakeholders. He commented that the majority of the plan addresses conservation with only a small focus on the economic element. He opined that the economic element was based on a failed economic strategy that was approved by the Board two years ago and predicted that if this plan is approved the recession will continue in Lake County.

Mr. Wayne Saunders, City of Clermont Manager, representing the Clermont City Council, outlined the boundaries of the City of Clermont and the Clermont Joint Planning Area (JPA). He reported that the Clermont City Council recommends that the existing JPA be removed from the South Lake Rural Protection Area and that the JPA be amended to move the boundary to align with the southern tip of the existing JPA and exclude it from the South Lake Rural Protection Area. He explained that the City of Clermont is closely bound on all sides and this area is the only option for future expansion and economic development. He stated that the City of Clermont hopes to attract businesses and more jobs to the area and to create opportunities for the residents to work locally instead of commuting into Orange County. He reported that the City of Clermont has received letters from property owners comprising approximately 3,400 acres that intend to request annexation into the City of

Clermont, as well as a verbal commitment for annexation from the owners of the Conserve II area.

Mr. Ray Goodgame, Clermont City Councilmen, stated that the cities surrounding Clermont have commerce parks and noted that there was not this much controversy over it. He commented that if a developer wanted to move into Clermont there would be no place for them and Clermont would lose that opportunity. He stated that the majority of Clermont's tax base is residential and opined that the tax base needs to be expanded and diversified. He asked the Board to expand the existing Joint Planning Area and remove it from the South Lake Rural Protection Area to give Clermont an equal footing with the other cities in Lake County.

Mr. Michael Lawhorn asked the Board to carefully consider the language in the Comp Plan regarding the mining industry and reject the LPA recommendation. He stated that Lake County is one of the few places that have construction grade sand available. He noted that the mining businesses have been operating in Lake County for decades, and have invested substantial amounts in reserves and mining facilities. He stated that the mining industry provides an established revenue stream for local government and employment opportunities in the local workforce, and opined that any ban of mining would adversely impact local business and the community's unemployment rates. He commented that the mining industry continues to present evidence that sand mining is not a threat to the Green Swamp. He pointed out that Lake County has one of the toughest mining ordinances in the state.

Mr. Mark Rakowski representing Mr. Rubin stated that his client owns 144 acres in southeast Lake County and plans to construct a sustainable new urbanism community. He submitted a packet to the Board outlining his comments regarding this property. He indicated that some of the benefits provide for alternative transportation and energy savings. He stated that the packet included photos of new urbanism sustainable communities that mimic traditional downtown settings. He commented that the future land use designation on his client's property limits the size of the building to a maximum 5,000 square feet per parcel which would create a suburban sprawl type of development. He proposed that the Board add the language, "that unless the development uses sustainable concepts and is approved through a mixed use PUD, the maximum square footage of commercial uses shall be stipulated in the PUD" to Policy 1-4.2.2 of the Comprehensive Plan. He noted that he provided this proposal to county staff and the DCA area of critical state concern staff.

Ms. Ronni Caggiano, Lake County resident and real estate broker, stated that the majority of her time is spent selling the homes of people who have lost their jobs and are now losing their homes. She opined that the Comp Plan represents special interest groups and not the people of Lake County. She commented that the County has to create an economic plan that is going to represent the people and bring jobs to the County. She asked that the Board reconsider the approval to transmit the Comp Plan as it is written.

Mr. Andrew Nutt, Holly Homes, Inc., reiterated previous comments about the FAR restrictions and asked that those be stricken from the Comp Plan. He stated that Policy V-2.2.1 in the proposed plan mandates that ten percent of the project be completed at a lower cost level for inclusionary zoning and noted that this has been found ineffective in other areas. He commented that it is a goal of the Homebuilders Association to build affordable housing and suggested providing incentives to use foreclosure rehabs for affordable housing for the residents instead of the inclusionary zoning verbiage. He stated that he is in favor of the economic development of south Lake County and opined that the County needs the larger tax base. He noted that as a taxpayer his taxes are considerably higher in Lake County compared to Orange County. He commented that the use of seawalls saved a building that was settling when the community of Cypress Cove in Tavares had erosion

problems along the canal.

Mr. Dale Sands, Sandcott Builders, Inc., requested that the Board allow the public additional time to review the plan before transmittal. He opined that the County needs 35 to 40 percent of the tax base to come from commercial and industrial, and the tax base is currently 80 percent residential. He stated that there were some incorrect references in Policy 3-2.2.7 based on information he has received from the Florida Department of Environmental Protection. He opined that seawalls were one of the best resources in protecting the water bodies because it prevents erosion and chemical runoff.

Mr. George Hansford, President of Prominent Construction Co., requested that the Board strike Policy 1-1.3.1 from the Comp Plan because he felt that it is taking the rights from property owners. He stated that this policy would require alleys to be installed behind homes where residents prefer to have a backyard. He asked that the Board delay the transmittal of the Comp Plan to allow time for public review.

Ms. Nancy Hurlbert supports the transmittal of the Comprehensive Plan to DCA as presented. She reported that she is a retired civil engineer from Broward County, and opined that Lake County will result in the same type of infill if the Board releases the restrictions on open space and the protected areas. She stated that she moved to Lake County in 2005 for the environment and lifestyle.

Mr. Alan Garcia expressed his support and asked that the Comp Plan be transmitted as it is written.

Mr. Charles Lee, Audubon of Florida, asked that the Board reconsider their earlier decision to change the open space requirement from three lots to ten lots. He suggested changing the threshold to five lots, and indicated that the DCA was supportive of the language with the three lot threshold. He commented that he supports Option A for mining in the Green Swamp that limits mining to the areas that are vested with contractual obligations and prior approval of site plans. He asked that the Board support the completion of a regional hydrologic study to be done between now and EAR amendment requirements. He stated that information provided by the Southwest Florida Water Management District reports that one to two million gallons of daily perpetual consumptive use is created for every thousand acres of open water surface created by mining.

Mr. Robert Thompson, Clermont City Councilmen, asked the Board to remove the Clermont Joint Planning Area from the South Lake Rural Protection Area. He reiterated comments made by other individuals that Clermont does not have the land available to attract business. He reported that the City of Clermont's tax base is 70 percent residential and only 30 percent commercial. He stated that it will be more costly for the City of Clermont during the annexation and rezoning process if this property remains in the rural protection area. He opined that it would be in the best interest of the taxpayers to remove this property from the rural protection area, so the City can attract business and create employment opportunities so the residents do not have to commute to Orange County.

Mr. Egor Emery stated that he has been involved in the planning process for many years, and asked the Board to transmit the Comp Plan without any wholesale changes. He expressed concern about some of the information presented during the meeting and about Policy 5-1.6.9 regarding the coordination of potable water service with municipalities. He opined that the rural protection areas should remain as proposed, and noted that the City of Clermont can continue the annexation of those lands regardless of the Comp Plan.

Mr. Jerry Cloud, President of Loma Linda Corporation, stated that his property, which is located between Howey-in-the-Hills and the Turnpike, was split in half with two different land use categories. He

reported that the half of the property that adjoins the city limits of Groveland has a very rural classification which he does not agree with. He presented a letter that outlines his other concerns.

Ms. Priscilla Bernardo commended the LPA and staff on the great work on the Comprehensive Plan, and asked the Board to transmit the plan as presented. She stated that she supports the specifics regarding the Mount Plymouth-Sorrento policies as they have been written.

Mr. Fred Morrison, McLin & Burnsed, P.A., representing Snowbird Land Vistas, Inc. and Haines Creek Development, LLC, explained that the two mobile homes parks, Mid-Florida Lakes and Terra Mobile Village were developed in the 1970s prior to the Comprehensive Plan and were zoned to allow for 5,000 square foot lots. He reported that the LPA originally reclassified these parks as rural transitional which would allow one unit per five acres, which the LPA changed to urban low density based on the information he provided. He stated that the urban low density classification is still substantially below the density of the current development, and asked the Board to change the density to urban medium which would accommodate the development's current density of seven units per acre. He explained that County staff reviewed the current plan's classification for these two parks which is urban low density, and staff cited Senate Bill 360 as providing special protection for mobile home parks if infrastructure exists. He stated that neither parks are serviced by the City of Leesburg or Eustis for sewer or water, and noted that the City of Leesburg would have to cross Haines Creek. He mentioned that Chapter 723 provides protection for mobile home parks. He stated that the concern with the urban low density classification is that if the park owners tried to obtain financing, the banks would find that they are not conforming and would not lend a value commensurate with the current density of the development.

Ms. Laurie Laventhall urged the Board to transmit the plan as written.

Mr. Bill Calhoun, Lady Lake Planning and Zoning Committee member, opined that new home construction is not the solution to the County's need for jobs and noted the number of foreclosed and vacant homes within the County. He commented that economic development will grow as the overall economy grows and stated that unleashing unbridled growth will strain the infrastructure needs that the County already has a hard time fulfilling.

RECESS AND REASSEMBLY

The Chairman announced that there would be a fifteen-minute recess at 10:26 A.M.

PUBLIC HEARING CONT'D.

Mr. Chris Roper, attorney with Akerman Senterfitt representing five separate property owners, stated that the property of Mr. Kenneth Bosserman which is located on US 27 near the city limits of Minncola and has water and sewer service from the City of Minncola has a proposed change to rural from its currently approved designations of urban expansion, suburban and employment center. He opined that neighboring property owners attended previous workshops to request the rural designation. He asked the Board to consider that this property has over 1,000 feet of US 27 frontage and requested the designation be changed to urban expansion. He stated that Mr. Richard Bosserman's property is located near Clermont and is currently designated as urban expansion with a proposed change to regional office and public institution. He opined that the designation of public institution constitutes a taking of property rights as the land would only be able to be used for a public institution like a school. He asked the Board to change the designation to urban low density residential and professional office.

Mr. Duane Booth was not present to address the Board; however, information was presented on his behalf.

Mr. Bill Ray reported that his client would like to accept staff's recommendation for the Don Jones property located in the Mount Plymouth-Sorrento area. He stated that the staff recommendation of 5.5 units per acre on the northern portion of the property and 2 units per acre on the southern portion of the property follows the 100 year flood plain and the anticipated corridor. He asked the Board include this recommendation in the Comp Plan. He commented that he continues to ascertain that there was a mapping error on Green Swamp property. He stated that he presented information to DCA and the Central Florida Regional Planning Council. He reported that DCA suggested that he reference the 2000 Evaluation and Appraisal Report (EAR) which provide guidance for establishing land use criteria within the Green Swamp, specifically stating that Lake County should develop a GIS format for establishing land use within the Green Swamp based on the underlying land forms and environmental conditions. He reported that the subject property that has been under discussion is of the highest land form within the area, does not contain sensitive habitat of a protected species, contains well drained sandy soils and is above the 100 year flood plain. He stated that the EAR states that the 100 year flood plain be used as the establishing criteria delineating between transition areas and between the rural conservation area. He explained that he has had discussions with Mr. Mark Knight, City of Saint Augustine Director of Planning, who states that the white bullets were initially set in the map to erase areas of wetlands and water bodies that were shown as transition, and noted that Mr. Knight drew the map in question. He opined that the County needs to start establishing land use within the Green Swamp based on the best available data and underlying land forms.

Mr. Don Jones stated that he has owned his property for 25 years, and that it adjoins the Mount Plymouth-Sorrento town center. He reported that five years ago he had a \$9 million contract with Centex based on the 5.5 units per acre density. He explained that there was a miscommunication between the LPA and the Mount Plymouth-Sorrento Planning Advisory Committee (MPSPAC) that the MPSPAC wanted the density lowered on this property. He stated that the MPSPAC never discussed reducing the density on this property. He reported that in May 2009 he submitted an application for rezoning at which time he was informed by staff that the proposed zoning would not support his request. He commented that his property is the largest piece of developable land that abuts the town center, and opined that if the town center is going to be successful, then the density needs to be increased.

Mr. Tim Green, President of the Chamber Alliance of Lake County, stated that the Chamber Alliance represents 3,400 business members of the eight chambers in Lake County. He commented that the Chamber Alliance endorses the September 2009 recommendations by the Lake County Economic Development Advisory Committee, January 12, 2010 recommendations by the South Lake Chamber Economic Development and Public Policy Committee, and the July 28, 2009 recommendations of the Main Street Stakeholders in Mount Plymouth-Sorrento. He expressed concern on non-conforming uses in the County. He opined that this was an opportunity with parcel based mapping to correct some of these nonconforming uses to encourage businesses that are here to remain in Lake County. He stated that he understood the provisions in Policy 1-7.1.1 allow for the nonconforming uses to stay but require the reduction of those inconsistent with community character, and provided an example of Electron Machine Corporation located east of Umatilla, which could not expand its current location except for regulatory requirements because it is classified as rural. He provided a list of

businesses affected by the nonconforming uses policy. He commented that Lake County has worked hard to attract new businesses and suggested allowing these other businesses to stay and expand their locations, even if they are inconsistent with community character.

Mr. Greg Beliveau submitted two letters from Mr. Glenn Irby, City Manager for the City of Umatilla regarding the request to change the future land use designation from regional office to industrial for the area south of Umatilla near the airport. He reported that the Comp Plan contains two policies, Policy I-1.2.4 and Policy I-1.2.7 for the calculation of residential density, and suggested that only one policy be included in the plan. He noted that light industrial is still listed in the urban land use categories, and it was his understanding that this should be consolidated to industrial. He pointed out that the strategies for reducing green house emissions on Page 94 and 150 require the densities to be pushed to collectors and arterials; however, the densities under regional office and commercial which are allowed within those areas have a multi-family limit of one unit per acre. He recommended increasing densities if the goal is to reduce the vehicle miles traveled. He indicated that there is a conflict in some of the language on the traditional neighborhood developments and the language on reducing green house emissions, and stated that one policy restricts certain items while the other has prohibiting language. He provided copies of recently approved Comp Plans from Sumter County.

Ms. Cecelia Bonifay stated that the Clouds Groves property was previously discussed by the City of Clermont, as the property is located in the Clermont JPA. She reported that the property is serviced by two utility districts, and noted that her client has filed a notice of intent to annex into the City of Clermont. She mentioned that the Nola Land Company property is located north of SR 50 and has a Planned Unit Development (PUD) in place for a residential development. She stated that her client is pursuing the final subdivision plat; however, it continues to be designated as regional office. She reported that the County has divided the property and taken the part that can not be developed under the current PUD and designated it as residential. She pointed out that there is no data analysis or anything in the Comp Plan to support the amount designated as regional office. She stated that the Newland Communities property is located on Pier 44 on the St. Johns River. She explained that this property has been part of a rural village with a commercial designation and is now a nonconforming use due to a land use change to rural. She stated that the Sorrento Commons property has been presented before the Board on numerous occasions. She commented that the acreage and square footage restrictions should be included in the Land Development Regulations (LDRs) and that a data analysis is usually required under Rule 9J5 in Chapter 163 to support those kind of restrictions. She opined that development will not happen under the rules in place.

Mr. James Panico, representing four separate landowners, opined that the Comp Plan should be guiding principles, and that specificity should be written in the LDRs. He noted that there have been many comments about the flexibility of the Comp Plan, but cautioned the Board about the proposed Amendment 4 that will make it difficult to amend the Comp Plan. He explained that if Amendment 4 is passed, a referendum costing \$150,000 to \$200,000 will be required to amend the Comp Plan. He asked the Board to withhold the transmittal of the plan and to revise the plan to include as much flexibility as possible. He submitted a letter to the Board.

Ms. Peggy Cox asked the Board to select Option A regarding mining in the Green Swamp. She presented a generalized cross section of the Green Swamp from the US Geological Survey, and indicated that the aquifer has no confining layer in the central part of the Green Swamp. She reported that the aquifer is the source for most of Central Florida's potable water. She stated that the County has purchased areas like Lake

Louisa State Park and Hitchcock Wildlife Management Area located east of the Green Swamp. She clarified that the Comp Plan would not stop sand mining in the Green Swamp and that it would only prevent new mines or the expansion of mines that are not vested. She asked the Board to consider Objective 1-4.3 regarding the protection of water resources in the Green Swamp Area of Critical State Concern. She noted that it should include the Ocklawaha and Withlacoochee outflows that feed into the Clermont Chain of Lakes and the Palatka River. She explained that an Evaluation and Appraisal Report would be required in seven years to address Comp Plans and to change policies based on current conditions.

Mr. Steve Adams, LPG Environmental, expressed concern about the amount of specificity in the conservation element, and opined that it was more appropriate to include these in the LDRs. He reported that most of the sand mining in the Green Swamp has been done in citrus groves and pasture lands without impacting the natural communities. He stated that the current regulations require site specific hydrology and hydrogeologic studies to determine any adverse impacts to the hydrology for that particular mine as well as protected species and natural community studies. He mentioned that the current ordinance also includes the environmental protection standards, and noted that the reclamation standards for the County are higher than the Florida Department of Environmental Protection (DEP) standards. He stated that the mining industry supports Option B because they feel that there is no creditable scientific evidence to support that there are adverse impacts from mining in the Green Swamp. He asked the Board to appoint a committee consisting of mining industry representatives and environmental representatives if the Board wishes to raise the standards of mining in the Green Swamp. He reported that a similar committee was used to develop the current mining ordinance, which is a model being used by other counties in the state.

Mr. Steve Richey, representing several individuals, stated that the O'Dell property located outside of Lady Lake is currently split between rural and suburban. He asked the Board to change this property to urban low density as it is contiguous to the City of Lady Lake which is classified urban low density and has central water and sewer services. He reported that the Dura-Stress Underground property is designated commercial, industrial and rural, and asked that this property retain the industrial classification. He stated that a preliminary plat was filed for additional businesses in that area with an industrial use. He mentioned that he has another client with property in the previously mentioned Clermont area, and asked that the designation be changed to urban low density as this property is contiguous with Clermont. He presented a map outlining the Bar Key Groves, Kemp and Hoffman properties, and requested urban low density. He stated that the City of Leesburg requested these changes from the LPA in an effort to provide water and sewer to these properties. He mentioned that he also represents the Main Street Stakeholders and asked that the July 28, 2009 letter be included in the record.

Mr. Gary Cooney, representing various landowners, stated that the Simpson property of 99 acres located on SR 19 south of Howey-in-the-Hills has a current designation of urban expansion which allows for the development of 4 units per acre. He commented that the proposed plan changes the designation to rural transition and allows only one unit per five acres. He asked that this property be designated as urban low density as it is located adjacent to the City of Howey, and opined that good planning locates density next to the city. He stated that his client, Howey Groves is located immediately south of Anita and in the same situation. He presented the current and proposed future land uses for the Mead family property located along Lake Dora. He asked that this property be designated urban low density residential with an allowed density of four units per

acre, and noted that this property is directly adjacent to the City of Tavares that provides water and sewer to this area.

Mr. T.J. Fish, Lake-Sumter Metropolitan Planning Organization (MPO) Executive Director, stated that the MPO is interested in intergovernmental coordination and good planning, and supports the transmittal of the Comp Plan to DCA. He reported that the MPO worked with County staff on the transportation element of the plan over three years ago. He noted that the MPO complies with fourteen other Comp Plans during their transportation planning. He stated that the MPO is using the 4C approach to establish centers and appropriate corridors for development and to preserve countryside and conservation lands. He noted that the Comp Plan is clear that future growth needs to happen in the municipalities instead of the unincorporated rural lands. He opined that the adoption of the updated Comp Plan will provide opportunities for the Board to work with the city councils and commissions to establish boundary agreements and joint planning areas.

Mr. David Hill stated that his family owns a 120 acre tree farm south of Conserve II. He explained that a few years ago there were discussions that the County was going to take some of the properties surrounding his property due to a corporation's interest in developing the property, and expressed concern regarding his property rights.

Ms. Nancy Fullerton, Alliance to Protect Water Resources (APWR), stated that the APWR opposes sand mining in the Green Swamp. She asked that the Board select Option A which prohibits new mines and the expansion of existing mines in the Green Swamp. She stated that she previously submitted letters explaining the APWR's opposition to expansion requests in the Green Swamp. He opined that the County needs to limit the risks to the Green Swamp from the cumulative effects of the sand mining impacts. She reported that APWR supports the comments presented by Ms. Peggy Cox and Mr. Charles Lee. She commented that the APWR also represents the many species of wildlife that reside in the Green Swamp that cannot speak. She asked the Board to transmit the Comp Plan to DCA.

Mr. Billy Long, Long & Scott Farms, stated that he has been farming in Lake County for 60 years, and noted that when he came to Lake County it was the second largest agricultural county in Florida and twentieth in the nation. He commented that he would like to continue farming and explained that they are struggling in this economy. He stated that the land they own is designated agricultural but asked the Board to allow the farmers in the County the option to sell the land for development if they cannot farm the land.

Ms. Leslie Campione stated that Hope International Winter Park, Inc. owns 280 acres on the St. John's River next to the Pier 44 property. She reported that a Planned Unit Development (PUD) was approved for this property in 1992 which allowed a variety of uses, including a significant portion of commercial uses, three one-acre outparcels along SR 44, and single family homes. She stated that her client purchased the property in 2004 and submitted a plat approval and site plan in 2005. She commented that he stopped the process before submitting the final plat for approval due to the real estate market changes in 2007, and noted that if the client had proceeded with the final plat approval they would be facing significantly higher taxes which are currently high based on land use. She stated that her client participated in the early LPA meetings, but hired counsel after the designation changed from rural village and the rural protection area overlapped his property. She asked the Board to assign a designation that complements the zoning for the property or a vested rights determination that would work in conjunction with the Pier 44 property. She reported that another client whose property is located south of Hartwood Marsh Road is currently zoned R6 with a proposed change to regional office. She indicated

that her client did not want the regional office classification unless there was some major regional transportation planning done for this area.

Ms. Heather Brush stated that she has attended countless meetings over the past several years regarding the Comp Plan and opined that both sides have been well represented. She asked the Board to transmit the plan as it is written to protect Lake County and help ensure sensible growth.

Ms. Linda Bystrak, Ocklawaha Valley Audubon Society, presented a map of the hydrological effects of sand mining that was included in the 2002 consultant's report. She stated that there is a misconception that the DOT sand is only available in the Green Swamp, and noted that the specific DOT quality sand is available near the northern boundary of the Green Swamp. She reported that the nine sand mines active in 1997 were responsible for ten percent of the County's water consumption, totaling 55.9 million gallons per day. She asked the Board to have an independent agency conduct a USGS Hydrological Study of the Green Swamp and the effects of sand mining on all counties that are in the Green Swamp.

Mr. Roger Sims, Holland & Knight, representing the Central Florida Sand Mining Association, stated that this association is a non-profit corporation formed for the purpose of providing reliable information about sand mining and to promote the interchange of ideas. He mentioned that the association members include Cemex, E.R. Jahn Industries, Florida Rock/Vulcan Materials and Tarmac America. He reported that there were a lot of employees from the member organizations in attendance today because this involves their livelihood. He submitted a letter with several documents urging the Board to approve Option B. He stated that the documents include a report on the economic impact of sand mining in Lake County by Fishkind & Associates and a report on the potential impact of sand mining on the water resources of Lake County in the Green Swamp by Dr. John Garlanger. He asked the Board to consider that sand mining is one of the most heavily regulated industries in the state which requires permits for any activity that look at the hydrology, the environment and the overall potential impact. He empathized that sand deposits in Lake County are the resource for the construction grade sand for the entire state, which cannot be mined anywhere else.

Dr. John Garlanger, Ardaman & Associates, stated that he has been practicing in geotechnical and water resource engineering for the past 45 years. He reported that the current groundwater inflow into the County is approximately 46 million gallons per day, and the surface water inflow is approximately 100 million gallons per day. He noted that based on the USGS data, the current groundwater outflow is approximately 493 million gallons per day, and the surface water outflow is approximately 402 million gallons per day. He explained that the current mining operations mine an average of 100 acres per year and 70 acres per year is left as lakes. He indicated that any land use change affects the water resources. He stated that it is forecasted that at the end of a 30 year period with a typical mining rate of 100 acres a year and 70 acres of lakes, that the predicted increased evaporation will be 1.5 to 1.6 million gallons per day and approximately half a million gallons a day of reduced groundwater outflow. He commented that there must be a cumulative effect that might be beneficial and reviewed the commercial development in Lake County. He stated that using a growth rate of 2.4 percent for the year would be healthy for the County, and that was approximately double the acres of commercial development in Lake County, totaling another 55 hundred acres of commercial property which would provide an additional 10.7 million gallons per day of surface runoff.

RECESS & REASSEMBLY

The Chairman announced that the Board would adjourn for lunch at 11:56 A.M and would reconvene at

1:00 P.M.

PUBLIC HEARING

Mr. Lowrie Brown presented a map outlining the location of his two properties in the Haines Creek area on CR 44. He stated that he requested a land use classification change and was unable to address the Board before a decision was made. He commented that the decision appears to have been based on his 2007 letter to the LPA. He reported that he readdressed this request in his November 23, 2009 letter to each of the Commissioners and summarized the justification provided in that letter. He opined that it would not make sense to change the land use on his property without making the corresponding changes to the land uses of the surrounding area. He stated that the proposed changes to the Future Land Use Map will result in a number of nonconforming land uses within the area designated as rural transition. He requested the following changes to the Future Land Use Map; expand the urban low land use category further west, relocate the boundary for the Emerald Marsh Rural Protection Area to its original location, and reclassify the remaining property west of CR 44 to rural transition. He stated that a study of the Future Land Use Map would probably generate the conclusion that this area contains one of the highest concentrations of undeveloped land with an urban density, and opined that this is the reason the LPA felt that this was an appropriate area to direct growth.

Mr. John Pospisil expressed concern about the open space and homeowner association requirements in rural protection areas. He reported that 75 percent of the land in the Wekiva River Protection Area is publicly owned, and the remaining 25 percent which includes the Receiving Area 1 (RA1) is presumably the least environmentally sensitive. He stated that only ten percent of RA1 contains a critical habitat, and noted that the requirements would be imposed on 90 percent of the residents when it is not really relevant. He commented that it would require 100 percent of the people to bear the cost that has an environmental benefit for only ten percent of the area. He opined that the Board is going to have a dilemma when it comes to determining how the open space is to be used. He thanked the Board for increasing the threshold, and asked the Board to reconsider the open space and homeowners association requirements.

Ms. Julie Grant expressed concern about the growth in Lady Lake due to The Villages. She stated that she participated in the planning meetings that took place approximately five years ago, and expressed appreciation that many of those concerns have been addressed in the proposed Comp Plan. She asked the Board to transmit the Comp Plan as it is written.

Mr. Raymond Hottinger, Hottinger Construction, explained that County rules prohibit the installation of a sea wall on a lake with state approval. He reported that sea walls are the only way to prevent pollution from fertilizers, herbicides or any other contaminant, and noted that aluminum or plastic vertical sea walls do not harm the environment.

Mr. Keith Schue commented that the Comp Plan is the product of a lot of work by many individuals, and encouraged the Board to transmit the document as it is written. He noted that the provision for rural agricultural industrial centers is related to a provisional statute that does not apply to Lake County.

Mr. Rob Kelly, President of Citizens Coalition of Lake County, asked the Board to delete Policy I-1.4.6 Rural Agricultural Industrial Centers because this policy was implemented by the Governor for counties with a population less than 50,000, which does not apply to Lake County. He outlined his involvement as an LPA member in the community meetings and the creation of the proposed Comp Plan. He noted that he was appointed as liaison to the Chamber for Economic Development and assisted in crafting a plan that included

opportunities for economic development. He opined that it was a difficult and controversial process, and asked the Board to transmit the Comp Plan as it is written with rural protection areas and open space requirements in tact.

Ms. Nadine Foley thanked the Board for the opportunity to serve on the LPA and opined that the comments today were an example of the process the LPA went through by attempting to address the concerns from the cities and property owners while focusing on the population goal. She thanked the county staff for their assistance and involvement in this process.

Mr. John Abi-Aoun, Florida Engineering Group representing F&J Developers, LLC, stated that his client owns the 28.7 acres located on North Old Highway 50 which has a current land use of urban expansion with a maximum of four dwelling per acre. He reported that his firm worked with County staff two years ago to change the zoning on the property to PUD with a two and a half units per acre. He commented that his client agreed to provide ten percent of the units for affordable housing, maintain over forty percent of the property in open space, and provide the County with the land located next to the trail across Highway 50. He asked the Board to maintain the same land use designation of urban expansion.

Mr. Randy June reported that he owns two parcels located in the Clermont Joint Planning Area abutting the County line that have approved zoning and preliminary subdivision plans. He indicated that he has been working with Orange County regarding access rights to the property, which has delayed final approval of the construction plans. He noted that the property is serviced with water and sewer from the City of Clermont. He asked the Board to retain the current land use designation of urban expansion and to revise the proposed Future Land Use Map accordingly.

Ms. Peggy Belflower, former LPA member, expressed concern over an earlier request for a rural support intersection at CR 42 and SR 44 because the property was under water for two months after some rainfall last year. She stated that the abutting marina is zoned rural but has vested rights to continue current operations. She commented that she opposed any changes to the text of the Comp Plan in regards to the Green Swamp Area of Critical State Concern, the Wickiva Study area, and the Mount Plymouth Sorrento polices. She noted that she had additional objections that she outlined in a letter that was presented to the clerk.

Mr. Dave Croson, J.A. Croson owner and member of the Main Street Stakeholders, expressed concern that he would not be permitted to rebuild if something were to happen to his company's building due to the restrictions on the building size. He commented that the County should be looking for ways to attract businesses to the area, and opined that he provides some high quality jobs in the east Lake County area. He stated that he was concerned about the amount of specificity that is included in the Comp Plan, and opined that the specifics should be in the Land Development Regulations (LDRs). He asked the Board to delay the transmittal of the Comp Plan until some of the recommendations made by the Main Street Stakeholders can be incorporated into the plan.

Ms. Vicki Zaneis, Lady Lake resident, expressed concern about the request to remove Harbor Hills from the Emeralda Marsh Rural Protection Area. She commented that there are other residential communities within other rural protection areas that are also nonconforming. She mentioned that vested development rights will not be affected by the boundaries of a rural protection area. She reported that the Lake-Sumter MPO identified the lands in question as an ecologically high conflict area, and stated that they should remain rural. She asked the Board to keep these lands rural.

There being no further individuals who wished to address the Board, the Chairman closed the public hearing.

Rural Support Intersection

Commr. Hill asked for the definition of a rural support intersection.

Mr. Brian Sheahan, Planning and Community Design Director, explained that a rural support intersection is defined as a land use designation that allows a specific amount of commercial development in a rural area in designated locations on the map and are signified as stars on the Future Land Use Map.

Mr. Sandy Minkoff, Interim County Manager, stated that the rural support intersection is outlined on Page 26 of the Comp Plan.

Mining in the Green Swamp

Commr. Cadwell commented that a committee of stakeholders was formed during the original rulemaking for mining in the Green Swamp, and noted that none of the stakeholders thought it was a great ordinance because it was the toughest ordinance in the state. He suggested that if the Board felt that additional protection was needed for the Green Swamp that the Board revert to the original language with a stipulation that within a certain timeframe a committee of stakeholders consisting of the mining industry and the environmental community will make recommendations for different regulations in the Green Swamp which will be written as Land Development Regulations (LDRs).

Commr. Renick suggested selecting Option A with the stipulation that the stakeholder committee would make recommendations that would be addressed with the Evaluation and Appraisal Report (EAR) since there is not an urgency for new or expanded mines. She clarified that mining is going to continue in vested mines.

Commr. Conner asked for clarification on the difference between the Chairman's proposed language and Option C.

Commr. Cadwell responded that Option C would use the old language and add one new rule, whereas his suggestion is to select Option B and add language that requires a stakeholder meeting to make recommendations on additional regulations for the Green Swamp within a predetermined amount of time. He explained that Option C is specific as to what additional regulations should be included, and opined that specificity needed to be included in the LDRs.

Commr. Hill asked if this included any mineral resources or just sand, and cautioned the Board about prohibiting mining that might be desired in the future.

Commr. Renick opined that the Board should take as strong of a position as possible regarding the Green Swamp because it is an Area of Critical State Concern for a reason.

Commr. Stewart agreed with Commr. Renick and noted that the County's water resources are a critical matter.

A motion was made by Commr. Renick, and seconded by Commr. Stewart that the Board select Option A, which failed by a vote of 2-3.

Commr. Hill, Commr. Cadwell, and Commr. Conner voted "no."

Commr. Hill made a motion to select Option B with the caveat that the stakeholders make recommendations to the Board within 24 months.

Commr. Cadwell stated that language should be included in the Comp Plan to ensure that process is

completed. He asked staff for an estimated time frame to conduct the stakeholder meeting and receive recommendations.

Ms. Amyc King, Growth Management Director opined that it may take up to 24 months to obtain a consensus from all of the stakeholders.

Commr. Renick asked if new mines and expansion were on hold until the recommendations were received from the committee.

Ms. King reminded the Board that there is also the issue of the regional hydrological study.

Commr. Cadwell responded that the issue of the regional hydrological study would be deferred to the committee, and if determined that it would be required, it would be written in the LDRs.

Mr. Sandy Minkoff commented that Option C could be used by replacing the language requiring the hydrological study with language that requires the report from the study group before any new mines or expansion mines would be approved.

Commr. Conner asked what the timeline was on the need for expansions or new mines.

Commr. Renick asked how many vested acres are not presently being mined.

Mr. Sheahan responded that he is not aware of any vested mines that are not currently being mined. He reported that the sand mining industry has indicated that they have sufficient lands to meet their immediate needs.

Commr. Conner asked for their immediate needs to be quantified.

Commr. Cadwell asked how long the process took if someone initiated a new mining permit.

Mr. Sheahan reported that the code mandates that it is a 30 day process. He stated that if there were not any approvals in place, the process would take approximately four to five months from beginning to end.

Commr. Cadwell suggested that the committee be required to report within 18 months and stipulate that no expansion will be approved until that committee submits their recommendations. He explained that the committee would be appointed by the Board and include representatives from all stakeholders.

Commr. Renick stated that she is in favor of Option A, but commented that she did not think this Option is unreasonable.

On a motion by Commr. Hill, seconded by Commr. Conner and carried by a vote of 3-2, the Board approved Option B with additional language that the Board will appoint a committee of interested stakeholders including the environmental community and the mining industry who will report to the Board of County Commissioners within 18 months with their recommendations for any additional protections for new or expanded mines in the Green Swamp, and that no new mines or expanded mines will be approved by the Board until that committee reports back to the Board.

Commr. Renick and Commr. Stewart voted "no."

Floor Area Ratio

Commr. Cadwell stated that he was not prepared to make any changes today, but expressed concern about the comments made on the Floor Area Ratio (FAR).

Ms. King clarified that the FAR established in the plan does not affect residential.

Clermont Joint Planning Agreement

Commr. Renick commented that the Board has always encouraged cities to create joint planning

agreements (JPA), and noted that changes were made to honor the Mount Dora JPA. She suggested that the rural protection area does not overlay the established Clermont JPA. She stated that she met with Orange County Commissioner Scott Boyd regarding the developable acres in Conserve II.

On a motion by Commr. Renick, seconded by Commr. Stewart and carried by a vote of 4-1, the Board approved the removal of the rural protection area from the established Clermont JPA.

Commr. Hill voted "no."

Open Space Requirement

Commr. Stewart stated that she would like to move the open space requirement from ten acres to five.

Mid-Florida Lakes

Commr. Cadwell asked if staff had concerns about the comments by Mr. Fred Morrison regarding Mid-Florida Lakes and the other mobile home park.

Mr. Sheahan explained that these two mobile home parks were slightly over density, and that there are legislative protections on mobile home parks in particular. He reported that there is a policy in the Comp Plan that protects nonconforming landowners in the event of a natural disaster which allows them to rebuild to what they had before the natural disaster.

Jones Property

Commr. Stewart recused herself from the vote on this property.

Commr. Cadwell asked staff to explain their options for this property.

Mr. Sheahan reported that Option C splits the property into two portions and assigns the northern portion a Main Street designation with densities of 5.5 units per acre, and the southern portion is classified as neighborhood with two units per acre. He stated that the splitting of the property aligns with the proposed relocation of CR 437.

Commr. Renick noted that this area is the most impacted area of the County regarding water, and opined that the lowest density possible should be applied.

Commr. Stewart stated that she would normally agree with Commr. Renick; however, the proposed realignment of CR 437 will dissect this property and create the need for the increased densities.

Commr. Renick asked if that area will have central utilities and if businesses will be installing wells.

Commr. Stewart stated that if central utilities are not available, businesses will install wells because that is the location of their future economic development.

Commr. Cadwell opined that Option C made sense with the proposed changes for that area.

Mr. Sheahan asked if there was a motion to change the density on the Jones property.

Commr. Hill stated that it was her understanding that the recommendation was to split the property and change the densities to 5.5 units on the northern portion and two units on the southern portion.

Mr. Sheahan displayed a map of the property and outlined the area that would be changed to the Main Street designation.

Commr. Conner stated that there is not a majority support for that change.

Commr. Cadwell explained that only four of the Commissioners are voting, and two have stated that they don't support that option.

City of Umatilla

Mr. Sheahan reported that the Local Planning Agency (LPA) designated the area around the Umatilla airport as light industrial and regional office, but the City of Umatilla desires a designation of industrial.

Commr. Cadwell explained that the City spent federal money on developing the airport with new hangers. He stated that there are not any existing businesses around the airport, but noted that the City of Umatilla is planning for future development in that area.

On a motion by Commr. Hill, seconded by Commr. Conner and carried unanimously, by a vote of 5-0, the Board changed the Future Land Use Map designation from regional office to industrial for the area around the Umatilla airport.

Emeralda Marsh Rural Protection Area

Commr. Cadwell opined that the Emeralda Marsh Rural Protection Area (RPA) extended too far into Umatilla by a couple of streets.

Commr. Renick addressed some comments about the rural protection areas and the proposed Amendment 4 explaining that there is a misunderstanding that it will be more difficult to remove the rural protection area if Amendment 4 is passed.

Mr. Sheahan displayed a map of the area in question and outlined the proposed boundaries of the rural protection area to follow Lake Yale and Marguette Roads.

On a motion by Commr. Conner, seconded by Commr. Hill and carried unanimously, by a vote of 5-0, the Board approved the realignment of the Emeralda Marsh Rural Protection Area to follow Lake Yale and Marguette Roads.

Astor Park

Mr. Sheahan commented that the Board directed staff to designate a boundary to allow for additional commercial development in Astor Park. He presented the Board with an option to change the rural support intersection in Astor Park to a rural support corridor which would be bound by Cedar Crest Road and Astor Transfer Station Road. He stated that there would be a provision in the Comp Plan under Policy V-1.4.8.2 that would provide a specific threshold of 20 percent Floor Area Ratio and 10,000 square feet maximum size.

Commr. Renick commented that she conducted a site visit with staff of this area as requested by the Chairman.

Commr. Stewart asked how much more development could result due to this change.

Mr. Sheahan explained that a total of 20 percent of the entire area could be developed as commercial, and indicated that the length of the corridor is less than a quarter of a mile.

On a motion by Commr. Renick, seconded by Commr. Hill and carried unanimously by a vote of 5-0, the Board approved the rural support corridor for Astor Park.

Harbor Hills

Mr. Sheahan presented a map of the Harbor Hills development indicating that it was entirely encompassed within the rural protection area. He stated that there was discussion to take out the existing Harbor Hills development and move the rural protection boundary around it.

Commr. Renick asked what that would accomplish.

Commr. Cadwell explained that part of it was perception by the average resident, and they were worried that if they had to replace their homes due to a disaster, it would be a nonconforming use if it became a rural

protection area.

Commr. Renick asked why the rural protection area was being moved further past the boundaries of the actual Harbor Hills development.

Commr. Cadwell asked what was vested in the other areas on the map.

Mr. Sheahan responded that all of the area shown on the map is vested but he would have to look at the actual vesting order to provide exact boundaries.

Commr. Cadwell clarified that Commr. Renick was suggesting that the boundary of the rural protection area be moved to the existing developed portion of McKinney Road and the boundary line of the property to ease the concerns of the residents.

Mr. Sheahan stated that if everything included as part of the Harbor Hills development was removed from the rural protection area, the boundary would extend south and west.

On a motion by Commr. Renick, seconded by Commr. Hill and carried by a vote of 4-1, the Board approved the removal of the Harbor Hills development of anything that is either not platted or vested from the rural protection area.

Commr. Stewart voted "no."

Dura-Stress Underground

Commr. Cadwell asked staff to explain the concerns about Dura-Stress Underground and some of the other businesses in the rural protection areas.

Mr. Sheahan explained that Dura-Stress property was addressed during one of the earlier changes on industrial. He stated that future expansion would have to comply with the regulations in place at the time.

Commr. Renick expressed concern that businesses could not expand when they had the room due to the regulations in place. She stated that she would like to discuss this further with staff after the plan was transmitted.

Scawalls

Commr. Cadwell expressed concern that the language prohibits all scawalls, and stated that he wanted to have further discussion on this matter because there are occasions that a seawall may be best for the environment and waterway.

Mr. Sheahan commented that the language could be changed from prohibits to discourages scawalls.

Commr. Renick stated that she understood the Chairman's concern, but mentioned that she would like additional time to research this issue before making any changes to the plan.

Center Lake Properties

Commr. Renick asked staff to elaborate on why the change was made to Mr. Richard Gonzalez's property.

Ms. King explained that Mr. Gonzalez owns the Center Lake Properties which are operating as a sand mine and were originally light industrial. She stated that when the industrial land use categories were combined, the parcels were either assigned regional office or regional commercial. She commented that Mr. Gonzalez would like his property classified as industrial.

Commr. Renick clarified that the property would still be allowed to conduct light industrial, but the question was whether or not it would be appropriate for heavy industrial. She asked if Mr. Wayne Saunders,

Clermont City Manager, was still in attendance to offer the City's position on this property.

Mr. Sheahan reported that he received a late email from Mr. James Hitt, City of Clermont Planning Director, providing the City's approval for this land use change.

On a motion by Commr. Renick, seconded by Commr. Hill and carried unanimously, by a vote of 5-0, the Board approved the land use change to industrial for Center Lake Properties.

Rakowski Urban Design

Commr. Renick stated that she wanted to address Mr. Mark Rakowski's concern regarding urban design and the square footage limitations. She commented that staff indicated that he would not be prohibited from moving forward with his plans if he platted the property correctly. She stated that the plat changes would prohibit big box stores. She encouraged Mr. Rakowski to work with staff to continue with his development plans.

Commr. Hill asked if there were compatible properties in the vicinity of his property.

Ms. King reported that all of the big box large scale retailers were on the east side of US 27, not on the west side.

Rural Agricultural Industrial Centers

Commr. Renick suggested omitting the language regarding the rural agricultural industrial centers because it does not apply to Lake County, and noted that the language could be added later if directed by DCA.

On a motion by Commr. Renick, seconded by Commr. Stewart and carried unanimously by a vote of 5-0, the Board moved to omit the language regarding the rural agricultural industrial centers with the stipulation that it would be added if directed by DCA.

Aquifer Storage & Recovery (ASR)

Commr. Renick suggested omitting the aquifer storage and recovery (ASR) language from the Comp Plan wherever it appears because it is not appropriate for Lake County.

On a motion by Commr. Renick, seconded by Commr. Stewart and carried unanimously, by a vote of 5-0, the Board approved the omitting of language regarding aquifer storage and recovery from Policies III-2.1.24, III-2.1.29 and VI-1.3.21 and anywhere else it appears in the Comp Plan.

Municipality Comprehensive Plans

Commr. Renick expressed concern about the amount of specificity regarding the municipality Comp Plans relating to potable water and wastewater on Pages 217 and 218. She opined that the first statement about interlocal agreements would be sufficient for the Comp Plan and suggested removing all of the additional language.

On a motion by Commr. Renick, seconded by Commr. Stewart and carried unanimously, by a vote of 5-0, the Board approved the removal of all additional language after the statement about Interlocal agreements related to the municipality's Comp Plans regarding potable water and wastewater on Pages 217 and 218.

Urban Density

Commr. Renick stated that there were a few comments regarding urban densities located immediately outside of city limits. She opined that changing the densities in these areas would be forcing the cities into doing what the County wanted. She commented that the land owners of those properties should contact the city.

Density Calculation

Commr. Renick stated that Mr. Greg Beliveau requested that the Comp Plan only have one policy regulating density. She asked staff if there were redundant policies regulating density.

Mr. Sheahan explained that there is a policy to calculate residential density, calculate intensity and another policy to calculate density and intensity in mixed use developments.

Best Management Practices to Protect Surface Water

Commr. Stewart commented that the language in Policy VI-1.3.25 should be "evaluate and as appropriate require" best management practices.

Commr. Conner asked staff if there were concerns about the repercussions of this change.

Mr. Sheahan reported that this was an indirect reference because if a best management practice would be required, it would be adopted in the Land Development Regulations.

On a motion by Commr. Stewart, seconded by Commr. Renick and carried unanimously, by a vote of 5-0, the Board revised the language of Policy VI-1.3.25 to state that "the County shall evaluate and as appropriate require best management practices."

Access Management for County Maintained Roads

Commr. Stewart opined that Policy VIII-1.3.5 on Page 242, Lines 32 through 38, needs more recognition for small rural communities and suggested adding, "The County recognizes that certain County maintained roads are functionally different from State roads and may require special attention to the needs of a pedestrian friendly corridor, such as traffic calming features, on-street parking and reduced pavement widths."

Commr. Renick asked if the current language precluded those items.

Commr. Stewart commented that it was not clear and asked the Board to add the language to address any possible confusion.

On a motion by Commr. Stewart, seconded by Commr. Renick and carried unanimously, by a vote of 5-0, the Board added, "The County recognizes that certain County maintained roads are functionally different from State roads and may require special attention to the needs of a pedestrian friendly corridor, such as traffic calming features, on-street parking and reduced pavement widths" to Policy VIII-1.3.5.

Nonconforming Industrial Uses

Commr. Hill commented that there were other properties that were nonconforming industrial, and asked the Board if those were going to be included.

Commr. Cadwell explained that the Board and staff are going to have more discussions between now and the final adoption of the Comp Plan.

Rural Support Intersections

Commr. Hill expressed concern about the location of the rural support intersections based on the map because the majority of them appear to be in conservation areas.

Ms. King stated that the rural support intersections are supposed to support rural based commerce with smaller buildings and less intensity.

Commr. Hill asked if there is availability for growth in these intersections or are they only on the map for identification purposes.

Mr. Sheahan explained that there is still some land available for development; however the policy is very narrow in its allowance of floor area.

Regional Office/Regional Commercial

Commr. Hill commented that the area outlined on SR 44 and currently designated as regional office should be changed to regional commercial to be conforming with the area.

Commr. Renick asked if there was a possibility of annexation with the City of Leesburg.

Commr. Hill explained that the area is still a good distance from the City of Leesburg and does not anticipate annexation during her lifetime. She clarified that the area does not have central utilities.

On a motion by Commr. Hill, seconded by Commr. Conner and carried, by a vote of 4-1, the Board approved the reclassification of the regional office on SR 44 to regional commercial.

Commr. Stewart voted "no."

Emeralda Marsh Rural Protection Area

Commr. Hill moved that the Emeralda Marsh Rural Protection Area boundary be moved to follow the lines of the conservation area.

Mr. Sheahan displayed a map and outlined that the line to the northwest is the proposed boundary by Commr. Hill, and the green line to the southeast is the existing boundary. He stated that there was some feeling that the area was urbanizing and that it eventually would be part of the City of Leesburg or Eustis in the future. He noted that there were some existing agricultural type subdivisions in that area, and commented that some were of the opinion that the rural protection area did not fit the character of the area.

Commr. Cadwell stated that he was not in favor of moving the boundary.

Commr. Conner withdrew his second and the motion died.

Traditional Neighborhood Development (TND)

Commr. Conner asked staff to explain what Mr. George Hansford was referring to when he commented that he did not want a back alleyway.

Mr. Sheahan responded that he was not sure where the reference was from, but noted that the Comp Plan defines an alley as a right-of-way or used in certain circumstances. He stated that he did not find specific reference in the Traditional Neighborhood Development (TND) policies.

Commr. Cadwell commented that he was referring to the design more than the specific alleyways.

Cloud Property

Commr. Conner asked staff to comment on the concerns addressed by Mr. Jerry Cloud regarding his property that was split between Howey and the Turnpike but adjacent to Groveland.

Mr. Sheahan commented that the property was not split and was actually two separate parcels with two different designations. He noted that the City of Groveland has been aggressively annexing in that area.

Kenneth Bosserman Property

Commr. Conner stated that the representative for Mr. Kenneth Bosserman presented a good case on the surface regarding the commercial corridor surrounding his property on Highway 27 in Minneola. He asked staff for their position on this property.

Mr. Sheahan reported that there was a large turnout of strong opinionated residents from the community requesting that the property remain rural during the LPA hearings. He commented that the LPA gave this property a lot of consideration and assigned a rural land use due to the property elevation.

Simpson Property

Commr. Conner asked if the Board was comfortable with the changes to the Simpson property located adjacent to the Town of Howey-in-the-Hills.

Commr. Renick opined that the property owner can petition the Town of Howey for annexation. She commented that the purpose of the Comprehensive Plan was to see development happen within the cities instead of unincorporated Lake County.

Ms. King stated that the Simpson property on the adopted map has a land use of urban expansion, which allows four units per acre and the proposed map would reduce the density to one unit per five acres.

Mr. Sheahan reported that the property is zoned agricultural, which only allows one unit per five acres. He stated that this property was discussed at one of the workshops, and the Board directed staff to leave the density at one unit per five acres.

Richard Bosserman Property

Mr. Sheahan pointed out that there was an error on Mr. Richard Bosserman's property located south of Highway 50, and that the land use should be regional office instead of public institution

It was consensus of the Board to change the land use on Mr. Richard Bosserman's property to regional office.

On a motion by Commr. Renick, seconded by Commr. Stewart and carried unanimously, by a vote of 5-0, the Board approved the transmittal of the Comprehensive Plan "Planning Horizon 2030" to the Department of Community Affairs.

Other Business

Commr. Conner thanked the staff for their hard work.

Commr. Cadwell thanked the LPA for their hard work and staff for an outstanding job.

Commr. Renick commented that there was a misunderstanding about what she said regarding the Bill Ray issue and the Green Swamp. She clarified that she said that Myregion.org in association with the East Central Florida Regional Planning Council and the "How Shall We Grow" designated the Green Swamp as one of the seven jewels. She stated that the mapping error was a separate issue and was not commented on by the East Central Florida Regional Planning Council.

Commr. Cadwell announced that the State of Florida responded to their request regarding the Health Department, and asked Mr. Minkoff to agendize their approval of Ms. Donna Gregory as Administrator for the Lake County Health Department. He noted that there were some conflicts for the January 25, 2010 joint meeting with the School Board, since the Commissioners that are liaisons need to be in attendance. He asked Mr. Minkoff to contact the School Board and the Superintendent to find a date to reschedule that meeting.

ADJOURNMENT

There being no further business to be brought to the attention of the Board, the meeting was adjourned at 2:49 p.m.

WELTON G. CADWELL, CHAIRMAN

ATTEST:

NEIL KELLY, CLERK

Exhibit "C"

A SPECIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS

MAY 11, 2010

The Lake County Board of County Commissioners met in special workshop session on Tuesday, May 11, 2010 at 9:00 a.m., in the Board of County Commissioners' Meeting Room, Lake County Administration Building, Tavares, Florida. Commissioners present at the meeting were: Welton G. Cadwell, Chairman; Elaine Renick, Vice Chairman; Jennifer Hill; Jimmy Conner; and Linda Stewart. Others present were: Sanford A. "Sandy" Minkoff, Interim County Manager; Melanie Marsh, Acting County Attorney; Wendy Taylor, Executive Office Manager, County Manager's Office; and Susan Boyajan, Deputy Clerk.

AGENDA UPDATE

Commr. Cadwell stated that this workshop would be similar to the previous Comprehensive Plan workshops, and they would go through the staff report and set aside some time for public comment. He stated, however, that before the workshop began, he had a request to bring before the Board that the County participate with the Golden Triangle YMCA to launch a Get Moving Campaign for the summer.

Commr. Stewart noted that she had a request to allow students to ride free on the LakeXpress buses this summer, and she commented that it was very successful last summer.

On a motion by Commr. Renick, seconded by Commr. Hill and carried unanimously by a vote of 5-0, the Board moved to place those items on the agenda.

REPORTS - COMMISSIONER CADWELL - DISTRICT 5GOLDEN TRIANGLE GET MOVING CAMPAIGN

Commr. Cadwell stated that the Golden Triangle YMCA joined forces with Florida Waterman Hospital, the County, the School Board, and the Sheriff's Department to launch a "Get Moving Campaign" that will challenge residents to move 10,000 steps per day for the month of June and offer them a free pedometer to keep track of their progress. He explained that this fitness challenge will include a month long focus on improving the disconcerting health statistics of Lake County, and he mentioned that rally participants will receive a free YMCA month-long membership pass to take part in this campaign.

On a motion by Commr. Hill, seconded by Commr. Conner and carried unanimously by a vote of 5-0, the Board moved for the County to participate as a sponsor in the Golden Triangle YMCA Get Moving Campaign.

REPORTS - COMMISSIONER STEWART - DISTRICT 4STUDENTS RIDING LAKEXPRESS FREE OVER SUMMER

Commr. Stewart reported that last summer 2,212 students rode the LakeXpress bus in June, that 3,664 students rode the bus in July, and that 2,538 students rode it in August of 2009 during the offer of free bus rides for students. She commented that this program was a great way to get those children used to riding buses rather than driving their cars.

Commr. Conner commented that he did not vote for this last year on the principle that they were teaching children the mentality that everything was free. However, he stated that he would support this program this year, because he felt there were some positive things about this in terms of increasing ridership.

On a motion by Commr. Stewart, seconded by Commr. Renick and carried unanimously by a vote of 5-0, the Board moved to allow students to ride the LakeXpress buses free again this summer.

DISCUSSION ITEMS – COMPREHENSIVE PLANINTRODUCTION

Commr. Renick commented that even though they have heard complaints from the public that the County staff was putting too much detail into the Comprehensive Plan, the letter back from DCA asked the County to add guidance and specificity, establish clear standards for density and intensity, and not to defer implementation to the Land Development Regulations. She also pointed out that Escambia and Charlotte Counties went through the same process and ended up with reports about the same size, and those counties did not have two huge environmentally sensitive areas to deal with as Lake County did. She commended the Growth Management staff and the LPA (Local Planning Agency) for their work on the Comp Plan.

Ms. Amye King, Director of Growth Management, noted that the LPA met 195 times and that the Board has had 11 workshops since November of 2009, and this gave countless opportunities for the 20-year plan for Lake County to be discussed publically. She opined that they have come to a consensus on a plan that was truly for the people of Lake County and that they were very proud of it. She stated that what they were hoping to accomplish today was to get final direction from the Board about what they were going to adopt on May 25. She commented that this would be a dramatically different plan than the plan they had in 1993. She reported that 45 days after the plan was adopted by the Board, the Notice of Intent from the Department of Community Affairs (DCA) would be issued which will confirm that DCA agrees with the plan and that they would be intending for the County to be complying with state law, at which time any effected party would have 21 days to come to both the County and the State of Florida with any type of grievance regarding the plan. She stated that once all of those issues have been addressed and any negotiations have occurred, the DCA or an administration commissioner will issue the final order and the effective date of the Comprehensive Plan; however, she pointed out that the adoption date and the effective date may not be the same.

COMMISSIONER ITEMS/CHANGES

Mr. Brian Sheahan, Director of Planning and Community Design, Department of Growth Management, stated that they would start off with some individual changes and concerns that the Board had with the maps, primarily the Future Land Use Map, so that staff could get clear direction on whether the Board feels it is appropriate to make those changes. He explained that when they brought back the map for adoption, the final map would show whatever changes they approve today. He started with a change from Commr. Hill's district at the intersection of CR 473 and CR 44 in Leesburg, noting that that was an existing business node which should have been caught in the mapping process, and staff became concerned because of the number of existing businesses at that intersection.

Commr. Hill added that there were also quite a few mobile home parks in that area, and she reiterated that it has primarily become a real business node, so the change to Regional Commercial land use category seemed to fit more than the Rural Transition designation.

There was consensus from the Board to make this change.

Mr. Sheahan stated that the next change in Commr. Hill's district encompassed about 1,500 acres in the rural enclave that is between the Villages and the Lady Lake-Fruitland Park area. He explained that it was currently designated on the future land use map as Rural at a density of 1 to 5, but the City of Fruitland Park and the Town of Lady Lake originally requested this area be designated a density of 4 to 1. He also noted that the area was mostly upland and is served by three major transportation corridors, two of which were slated for

improvements.

Commr. Hill commented that this would become a very high intensity area, and they just wanted to make it as smooth a transition into Sumter County as possible to help with the continuity in that area.

Commr. Cadwell commented that a portion of this was in his district, and he did not have a problem with this change, since they were both going to be inside cities when they develop.

Commr. Renick pointed out that the northern part of the area on the map was rural.

Commr. Hill noted that there was a park and recreational area in that region, as well as a north-south road that the County has just completed and another road slated for that area.

There was consensus for that change to the future land use map.

Mr. Sheahan related that the next set of changes they would discuss were from Commr. Renick's district, and the first one of those was from the East SR 50 Commercial Area, which was an area encompassing Headquarters Honda. He stated that given the type of development that has recently gone in there and what was anticipated in the near future, that area would be more appropriate as Regional Commercial rather than Regional Office.

There was consensus for that change.

Mr. Sheahan explained that the Avalon Groves area was a large, undeveloped area that was currently designated under the existing plan as Rural and Urban Expansion, but the Board changed it at the January transmittal hearing from the proposal of Rural/Rural Transitional and a little bit of Urban to primarily Urban with a density of 4 to 1, with the remaining Rural converted to a Rural Transition, which was a 1 to 1 category.

Commr. Renick commented that even though she voted against that change, she had not at that point actually looked at the property, but after seeing that property, she believed that there were areas close to the Orange County line that were more appropriate as industrial, although she had a problem with the property being used for residential. She opined that she did not think the land use they had on it right now was appropriate and that the Board should not have made the change at the January transmittal hearing. She emphasized that this area was not the Four Corners area and that she thought the Board should look at this piece all together.

Ms. King clarified that the area has an existing land use of Rural at this point in time, and across the Orange County line east of the property was both a Light and Heavy Industrial use, with no residential uses identified there. She added that Orange County did have other uses proposed in their master plan for that region, but currently a variety of types of industry exist there.

Commr. Renick suggested that they discuss this individually with staff members before the final hearing on May 25, since they are trying to secure as much land available as they could for economic development.

Commr. Renick moved to put the designation back to the way the LPA originally had it and to discuss this further with staff before May 25 to see if there was something yet that could be suggested for that area, which was seconded by Commr. Stewart.

Commr. Cadwell noted that this was a 20-year plan, and they needed to look at what Orange County would be doing in that area over the next 20 years, which would include retail and commercial.

Commr. Conner noted that the motion on the table was not to put more industrial there.

Commr. Cadwell clarified that it was to take it back to rural.

Commr. Conner stated that he could not support the motion on the floor the way it was, but he

understood that Commr. Renick's intention was to figure out if there was a better use there.

Commr. Renick withdrew her motion.

Commr. Cadwell commented that he thought they should leave it the way the majority of the Board put it on the map and have some discussion with staff about Orange County's 20-year plan, which was not what currently existed.

Commr. Renick encouraged the Board to visit and look at this area. She also added Plaza Collina as another area that she wanted to discuss.

Mr. Sheahan pointed out a parcel on a map of the Plaza Collina area that was Rural Transition with a density of 1 to 1 and noted that it currently was designated Urban Expansion on the future land use map, which allows densities of 4 to 1. He also pointed out property that was zoned in 2005 for PUD at a density of about 2.5 to 1, and he related that the PUD specified that prior to any development approvals, the applicant had to receive Orange County's approval for access through Orange County, which was the only way to get to that property. He stated that the property immediately to the south of that was considered by the Board for rezoning last year, but that rezoning was turned down primarily because of issues with capacity on SR 50. He explained that the whole area there is within Lake Apopka Sound Overlay District, which restricts some of the density, and he noted that Orange County let them know that it had concerns about roadway capacity and that the School Board had some concerns regarding school facilities.

Commr. Renick stated that she had originally voted against one of the parcels down there from being changed to a higher density due to capacity concerns on SR 50, which was currently looking better. She pointed out that the property owners had densities of 4 to 1 under the past future land use map, but now it was being changed to 1 to 1. She commented that there were all sorts of access issues down there, but because they originally had those densities, she thought they may need to relook at that.

Commr. Cadwell inquired what would happen to the PUD if that was changed.

Mr. Sheahan responded that both applicants for the PUD's in that area have submitted construction plans, and the next logical step would be for them to apply for vesting. He noted that all of the applicants in that area have been advised of those circumstances.

Commr. Renick commented that this was a tricky area because of the access issues and a number of other things, and she did not see it as fitting 4 to 1 zoning, but she thought that 1 to 1 as a maximum was probably too restrictive. She asked the Board to consider that before May 25.

Mr. Sheahan stated that there was an issue in Commr. Conner's district that was immediately west of the Christopher Ford Industrial Park which was representative of issues they have had over the last few years with industrial development immediately adjacent to residential development. In this instance, there is rural transition density immediately adjacent to the industrial park, and the area immediately northwest of that is the Woodlands Development. He assured the Board that they would be doing buffers where appropriate to mitigate any impacts, but there are three or four parcels immediately to the west which are currently designated on the future land use for residential purposes. He believed that it would be much more appropriate and transitional if they change those to regional commercial, which would support the industrial uses in the park and provide a potential location for corporate offices in support of those uses.

Commr. Hill pointed out that there was a DRI that ran with the industrial park necessitating the County to set aside acreage for affordable and workforce housing, and she asked if that allocation has been fulfilled.

Mr. Sheahan answered that he believed it has been fulfilled in a few different ways, primarily by processing a remedial amendment requiring that land was set aside for Lake County to utilize as affordable housing. He then related that the next issue that they would look into was the intersection of SR 44 and CR 437 in the Sorrento Village area, which was in Commr. Stewart's district, explaining that they had the vested development to the southwest which would not be impacted by this land use change. He noted that there was an existing Lil Champ Food Store and Circle K Store on the corners, and the property to the northeast is owned by the State. However, he felt that with these existing uses they needed to do something so that they did not create a nonconforming use at this location, so they were proposing to convert that to a rural support intersection which would allow those uses and keep them conforming.

There was consensus to make that proposed change.

Mr. Sheahan explained that the next property of concern that was in Commr. Stewart's district was the Renningers property, and this was clearly a mapping error. He specified that the property immediately to the east of the existing flea market was allocated as Urban Low Density on the future land use map, but he believed that it should be changed to Regional Commercial, which was more appropriate. He then went over the next issue, which concerned the area of Bates Avenue, Estes Road, and Lake Lincoln Lane in Eustis, and he stated that this one was a change from Rural Transition density to Urban Low density. He explained that the rationale for this change is because the city has utilities at that location, and there are preliminary plans for extending urban services out to that area. He commented that this was also likely a mapping error, and it was also subdivided and much more appropriate for urban uses and urban land use areas than rural. He stated that the next change was actually a text change that was brought to their attention at the transmittal hearing, and the proposed land use changes in the policies as written would render the existing marinas such as the Pier 44 in Wekiva on the St. Johns River nonconforming. He explained that the suggested change was to add marinas as a conditional use within the Rural and Rural Transition categories, which would allow the Board to set reasonable standards for the allowance of marinas in those locations.

Commr. Stewart stated that she was concerned about this, and she did think that there needed to be some protections, because it is in the Wekiva River Aquatic Preserve Management area. She said that she liked the suggestions given in the letter from Mr. Charles Lee of Audubon of Florida, and she noted that the existing marina would be grandfathered in so that they would not be required to apply for a conditional use permit.

Mr. Sheahan suggested to the Commission that they bring that letter back at the adoption hearing to allow the public to review that as well. He asked the Board for approval to make the change to the text and to bring back the policy to them.

Commr. Renick commented that she thought they should have some language to avoid this continually happening again in the future.

Ms. King stated that staff agreed with the language that was proposed and would recommend it to the Board. She suggested that they make that change and bring it forward at the adoption hearing as highlighted so that it was clear.

Mr. Sheahan next discussed the issue in Commr. Cadwell's district concerning Custer Trucking and Island Food Store located on the corner of CR 44 and Emerald Avenue. He explained that both of those businesses were immediately adjacent to the Durastress property immediately west. He noted that Custer Trucking has been there for quite some time and would be considered an industrial type use, and the Island

Food Store would be considered an accessory to that industrial area, so it would fall within the industrial category as well. He related that the suggested change there was to change it from Rural Transition to Industrial.

There was consensus to make that change.

Mr. Sheahan informed the Board that that completed the changes that had been brought forward.

Commr. Renick stated that she had someone contact her with concerns about an area called Goose Prairie not having enough protection, who also referred to a 1980 letter in which the County at one time had considered it environmentally sensitive enough to ask the state to buy it. She requested that the Board look into the background of this issue and whether they could expand the rural protection area there and then possibly discuss that on May 25. She commented that she thought this was an area that was of concern to a number of people.

Commr. Cadwell thought they should leave that as it is right now, but he asked Mr. Sheahan to educate the Board on the issues out there that he was aware of.

Ms. King informed the Board that the Goose Prairie area was near the Emeralda Marsh Rural Protection Area as identified on the map.

DISCUSSIONS OF DCA OBJECTIONS, RECOMMENDATIONS, AND COMMENTS

Mr. Sheahan went through the recommended responses to the objections, recommendations and comments of the Department of Community Affairs (DCA), and he commented that they were quite diverse, including suggested policy changes or additions and data inventory and analysis, which is the backup document for the policies comprised of the best available data at the time the plan is adopted and which is continually updated as new information comes in and as the County does new studies. He added that the data inventory and analysis is done for each element of the Comprehensive Plan which includes background for the policy and why it is necessary, the environmental resources, how much housing is needed, and affordability of housing in the County. He noted that many of these objections had to do with transportation items, and he was grateful to the MPO for helping them to compile this. He explained that the first objection had to do with the adoption of Land Development Regulations (LDR), stating that DCA pointed out in the statutes where the County was mandated to adopt LDR's within 12 months, so they were recommending that they change all references to the adoption of LDR's to one year. He related that DCA Objection 2 was that the County did not use the BEBR (Bureau of Economic and Business Research) medium numbers, and he recommended that they utilize BEBR medium for the County population projections.

Commr. Renick commented that with the changes that have come about, the BEBR medium numbers now were close to what they thought BEBR low was before, and she was comfortable with using the BEBR medium.

Mr. Sheahan stated that Objection 3 noted that a roadway capacity analysis was not complete for the years provided, but they updated that information in their data inventory and analysis. He pointed out that Objection 4 was the only objection in which they were asking the Board to pick options to provide direction for staff. He related that this objection had to do with the open space requirement in the Wekiva, and DCA felt that 10 lots was too high a threshold to require common open space. He recapped that the Board had discussed this issue at length, and noted that the statute does not provide a specific threshold. He commented that since this change could potentially affect policies in the Emeralda and the Wekiva-Ocala Rural Protection Areas, staff

would like direction on that, and he presented the three options from staff of revising the threshold to 5 lots, 3 lots, or leaving it as transmitted at 10 lots.

Commr. Cadwell commented that the Board was split on that issue, and the majority of the Board thought 3 was too stringent. He asked whether the Board wanted to change the threshold in that policy to 5 lots.

Commr. Renick stated that many members of DCA were looking at either 3 or 5 as the threshold, but they just did not want it at 10, and she thought that 5 was a good compromise.

Commr. Conner stated that he saw no reason to change the policy of ten as the threshold, because he felt that five acre lots provided open space and that ten was a very reasonable number.

Commr. Stewart referenced that DCA noted that a threshold of ten lots creates potential for less common open space, increased fragmentation of wildlife habitat corridors, and decreased protection of the aquifer. She also added that more surfaces would be required for more people, and she thought that 5 was a good middle ground that DCA and the Board could all be happy with.

Commr. Stewart made a motion that they change the policy to a five-acre threshold, which was seconded by Commr. Renick and failed by a vote of 3-2.

Comms. Hill, Conner, and Cadwell voted "no."

Mr. Sheahan stated that Objection 5 indicated that DCA wanted a map showing wellhead protection areas, and staff generated that map and included it. He continued to explain that DCA Objection 6 was regarding a scrivener's-type issue changing the words "up to" contained in the open space column for three of the four Green Swamp Area of Critical Concern (ACSC) land use categories to "minimum." He stated that Objection 7 came from the Department of Environmental Protection (DEP) asking for an example of how the calculation of density and intensity worked and a definition of mixed use development, and staff provided that.

Commr. Renick commented that she shared DCA's concern about the elimination of the doubling of development potential.

Mr. Sheahan related that DCA Objection 8 asked for a revision of the language regarding the adverse impact of water quality in sensitive environments, and they also offered some language there in two other areas within the Wekiva and Green Swamp to clarify what industrial uses are prohibited.

The Board gave consensus for that change.

Mr. Sheahan explained that Objection 9 expressed concern about the term "civic use" and wanted to make sure it excluded K-12 future schools in the Green Swamp, which was a clear direction from the recommended document from the LPA about providing schools in the Green Swamp. He stated that Objection 10 was a comment stating that the policy regarding the Market Square District in Mt. Plymouth did not have a specific floor area ratio or impervious surface ratio and that DCA wanted that included in the community policies. He also noted that in the Green Swamp commercial floor area is limited to 5,000 square feet, and the DCA had discussed perhaps allowing an exemption to that if they retained the first three inches of storm water because of environmental sensitivity. He then reported that DCA Objection 11 was regarding the open-endedness about sports and recreation clubs and requested a definition of those.

Commr. Stewart suggested adding "outdoor" in front of the word "sports."

Mr. Sheahan directed the Board's attention to the staff recommendation on the screen regarding sports references. He stated that Objection 12 asked for a higher standard of stormwater treatment for highly impervious Type A soils, and he noted that the language on the screen is what was recommended by staff. He

related that Objection 13 dealt with concerns about the way they were approaching protection of wetlands in regard to land use, and staff went through an analysis of all policies in the plan regarding wetlands. He commented that there was an unusual comment from DCA suggesting that the County change the land use on some of the wetlands to conservation, but staff has some concerns about property rights issues, so they provided an explanation to DCA of why they did not think it was a good idea to have those policies in there. He pointed out that they have changed the language for the assessment of wetland significance to defer to the state, since it was more appropriate that agency actually do the assessment, and they have provided some clarification language on how to evaluate the setback from the jurisdictional wetland line, clarification on what constitutes a water-dependent structure, and some clarification language to provide some flexibility for existing development. They were particularly concerned about some of the older subdivisions in Astor, and they wanted to make sure that they did not create any unbuildable lots that were already deemed buildable. He explained that Objection 14 was also in regards to wetlands and their impact on platted lots as well as touched on the septic tank issue, and DCA wanted the County to keep its current septic tank setback and to revise the policies in regard to habitat, rivers, and floodplains to keep them consistent with the principles that guided development. He noted that staff believed that there were already County policies that covered those concerns but that were missed by DCA. He stated that Objection 15 had to do with the floodplain study requirement which applies in the Green Swamp and referenced a more updated FEMA publication, and he noted that staff made changes declaring that subdivisions with septic tanks should be designed to provide an average of one acre of upland per septic system. He mentioned that DCA was very concerned about putting septic tanks on smaller properties because of concerns of flooding resulting in contamination of the stormwater. He reported that staff defined institutional uses as civic uses throughout all the land use categories, which took care of Objection 16. He stated that Objection 17 was a suggestion to update the five-year plan, since the MPO would adopt their 2035 plan in the next few months and was off sync with the County, and staff put in a policy that would tell the DCA when to expect that update. He related that Objection 18 requested that the County show DCA the policies regarding local practices guiding development, increase of capacity of public facilities, and use and timing of capital improvements; and staff pointed out how they would coordinate the municipalities to provide water and sewer services, deal with the connection requirements in relation to discouraging urban sprawl, how certain size developments would have to adhere to provisional neighborhood designs to cut down on trip generation, direct density to the urban centers, and prohibit the provision of sanitary sewer and water out in the rural areas. He pointed out that staff provided a definition of urban sprawl specifically from the adopted state rule.

Commr. Renick commented that she thought it was confusing and wanted the last phrase omitted stating "or large expansions of predominately low intensity, low density, and/or single use development."

Mr. Sheahan commented that there was no requirement that their definition encompass the entire definition for the state. He added that DCA wanted an explicit time frame for the completion of joint planning areas, but they discussed with the DCA staff the fact that they could not force the cities to agree to a joint planning area (JPA), so the language states that they would seek to execute a JPA with the municipalities within 12 months.

Ms. King added that they also discussed with DCA the fact that JPA's have somewhat become antiquated as opposed to the interlocal service boundary agreements that they have started to negotiate with the cities, and DCA has asked that the County actively seek cooperation and communication with the cities over the

next year, which staff had no problems with doing.

The Board gave consensus for that change.

Mr. Sheahan explained that Objection 19 related DCA's concerns regarding something the County had in the transmitted plan carryover from the existing plan called variable width buffer or average buffer, which allowed varying a line to provide more buffer in some areas and less in others, and staff suggested deleting the variable wetland buffer and establishing a flat 50-foot buffer, providing certain exceptions to that in order to provide some flexibility in the LDR's. He added that they also provided a policy authority stating that a more stringent provision than planned would take precedence above all others. He continued to explain that Objection 20 had to do with wetlands in the shoreline, and he noted that they provided identical language as the previous comment.

RECESS AND REASSEMBLY

The Chairman announced at 10:10 a.m. that there would be a ten-minute recess.

DISCUSSION OF DCA OBJECTIONS (CONT'D)

Mr. Sheahan announced to the Board that he was going to quickly discuss the remaining objections, and he noted that those materials are available under the agenda online. He explained that Objection 21 had to do with clarification about air strips; Objection 22 was regarding development of floodplains; and Objection 23 was a greenhouse gas comment. He stated that they had provided the map for Objection 24 regarding outstanding waters, and they pointed out the department where the policies were for Objection 25 about sensitive natural habitat. He clarified that staff had provided a definition of regional wastewater mentioned in Objection 26, and they provided the policy regarding transportation that was requested by DCA in Objection 27, as well as the long term transportation map requested in Objection 28. He also reported that they have provided the policy requested in Objection 29 having to do with the level of service for transit. He had provided the methodologies that were mentioned in Objection 30 for proportionate fair share, and they had made the appropriate corrections regarding classification of roads that were discussed in Objection 31. He provided the necessary policies regarding mobility goals for Objection 32, as well as the necessary information and data inventory and analysis regarding central water and sewer service areas for clarification about Objection 33.

Mr. Sheahan brought to the Board's attention that the County was still in negotiations with DCA on the policy in regard to Objection 34, and he explained that DCA wanted them to adopt level of service standards by utility service areas. He noted that he provided a recommendation, but they were still discussing that with DCA. He related that they made the requested modification asked for in Objection 35 concerning joint planning areas, and the original data inventory and analysis for housing analysis was provided to satisfy the request in Objection 36. A small change was made in the minimum flows and levels for Comment 37, and Comment 38 was a suggestion to add wildfire provisions to the LDR's. He also stated that a change was made for Objection 39 regarding water service availability to ensure that they had the facilities prior to new development.

Commr. Renick clarified that the last line was deleted on the bottom of page 48 regarding abandoning and sealing private wells upon connection to a public water supply because of the Water Management District suggestion.

Mr. Sheahan related that Comment 40 was just some clarification language about potable water services, and Comment 41 referenced the school's five-year facility plan regarding concurrency. He stated that Comment 42 was a statement indicating that the County would coordinate school facilities planning with the

School Board; Comment 43 contained some corrections about the military operations area policies; and Comment 44 was just a comment on format.

DISCUSSION OF ADDITIONAL CHANGES SUGGESTED BY STAKEHOLDERS

Mr. Sheahan mentioned to the Board that last week they distributed an addendum to them that contained some corrections and comments that were brought forward by some stakeholders, representing a diverse group of community leaders, and staff has brought them forward for the Board's consideration. He stated that the first one had to do with the issue of legal lot record, and they have added this language to the policy to ensure that it was consistently interpreted as it is used over the years. He recapped that at the transmittal hearing the Home Builders Association was concerned that the calculation of intensity could be applied to residential development, and he explained that a sentence was placed in the language to ensure that that was abundantly clear. He stated that Comment 3 had to do with protections of shorelines.

Commr. Renick commented that she believed they needed to add something more to the language, such as a reference to something in the LDR's, in terms of protections so that they did not have a proliferation of seawalls. She asked to give staff direction to work on that to make it clearer.

Commr. Cadwell stated that as long as they do not lose the word "discourage" in the language as opposed to just "not allowed", because in some instances that would be better.

Mr. Sheahan explained that there was a line that was deemed inappropriate in Comment 4 that just needed to be removed, and the changes made in Comment 5 just ensure that the development application is submitted for the utilities required to the County for review.

Commr. Cadwell directed that the stakeholders' recommendations that were brought forward be incorporated after getting consensus of the Board for incorporating those.

Mr. Sheahan pointed out that staff had one change to the Community Enhancement Areas Program, and he recapped that since at the February meeting the Board did away with the debt program but suggested that they leave it in the plan should they want to exercise it in the future, everything was changed from "shall" to "may."

There was consensus for that change.

Mr. Sheahan stated that it was suggested that they ensure that it was clear that offices which were an integral part of the industrial operation shall not be subject to the ten percent limitation of floor area, and there was clarification to the rule that utilities would not be extended out to new development. Other changes include deletion of the word "primary" in the rural support intersections policy, changing "limited mining" to "borrow pit" in the Public Facilities and Infrastructure category, and clarification to state "natural resource-based conservation" and "natural resource-based recreation" regarding incompatible land uses. There was also a change in the policy to make sure they were not doing energy audits that were not needed by specifying that the requirement was for buildings that were over 5,000 square feet. They wanted to remove all regulatory impediments to encourage people to do alternative electric power generation in the policy regarding provisions for electric utilities, and they made a minor change to the stormwater policy to make sure that very small properties could use alternative means and would not have to go through the same regulatory threshold that the larger properties did. There was clarification in regard to fair share costs, since not everything is a proportionate fair share agreement, and there are other legally binding agreements. He noted that a change was made to make sure the determination of capacity was consistent with the new concurrency ordinance, and staff

added language in the policy for monitoring septic tanks stating "unless exempted by the Board of County Commissioners," because all instances could not be predicted. He suggested a last minute change regarding mandatory sewer connections on lots as small as ½ acre, because there are some instances where that would not work. He stated that they only wanted to focus on well field overlay zones that are required by state law, so that was added to that policy. He related that there was a request to add the word "impacting" in the Survey and Protection of Natural Upland Plant Communities policy, to clarify that they did not intend to require a full-blown environmental survey of all 40 acres if someone put a single-family home on a 40-acre lot,

Commr. Renick commented that they do not want someone who is building just one house on 40 acres to have to do a survey on the whole thing, but the term "development project" does not sound like just one home would be built. She asked staff to go back and look at changing that term.

Mr. Sheahan explained that the comment regarding the policy of coordination of sanitary sewer and land use was to clarify when those facilities would be provided and making those two policies consistent, and there was a comment clarifying that they would only require replacement of an existing wastewater system with a performance based system when required by DOH rules.

Commr. Renick commented that some other type of language needed to be added in the second paragraph of the policy regarding regulating and monitoring of septic tanks to clarify that they were just looking at rare exceptions.

Ms. Anita Greiner suggested adding the words "de minimus development may be exempted by the Board of County Commissioners."

Commr. Cadwell entered a letter from Lowric Brown that was sent May 6, 2010 into the record.

Commr. Stewart wanted to add the Wekiva River Protection Area and the Wekiva-Ocala Greenway to Policy III-3.3.2 on Page 7 of 8, since those were not mentioned in that policy.

PUBLIC INPUT

Mr. Robert Peraca, a resident of Clermont, stated that he has worked for many years with County officials, but he felt that this document was very hard to understand and follow and that it seemed to be written for planners and not the public. He had a concern with Section I-5 regarding the South Lake County rural protection area, which stated that protecting the integrity of this rural protection area is important to sustain the long-term rural character of Lake County. He commented that he did not move to Lake County to live in a rural area, and he thought it was up to the Commissioners and the taxpayers to decide the character of the County.

Mr. Kasey Kesselring, a resident of Montverde and South Lake Chamber Board of Directors and the Public Policy Chair, recapped that the Chamber has been before the Board several times to voice their concerns about the South Lake Rural Protection Area (RPA), and this RPA designation was over quite a bit of their property south of SR 27. He commented that they have found that this is an area that has been identified by multiple parties as a potential economic development area for them. He opined that the current zoning of Rural Agriculture is a 1 to 5 density and already has some protection, and adding the additional RPA overlay would be very restrictive. He stated that they are appealing to the County Commissioners to lift that RPA.

Mr. Charles Lee representing Audubon of Florida, commented on the common open space issue, stating that there were not many people that had ten children among which to divide their property, and he believed the need to preserve the opportunity to carve a piece of property up into ten lots without any common open space really was unreasonable. He thought it was important to recognize that while in a colloquial sense a five-acre

lot had open space since not all of that lot was built on, they were talking about the need to protect the habitat in the Wekiva Protection Area. He opined that DCA was well founded in their objection to having that number at ten, and they were going to continue to urge DCA to stand firm even to the point of finding that provision of the plan not in compliance if necessary, because they did think it was very important for the protection of the Wekiva. He requested that the Board reconsider that point, and he commented that he believed that five was a reasonable number. He pointed out that the issue of the South Lake County Rural Protection Area as a potential economic development area of importance did not take into consideration the topography of the land. He specified that even though that area did back up to land in Orange County planned for major mixed use type development, the Lake County portion of the topography contained a great deal of intricate interwoven wetland systems, which did not leave a lot of developable land south of the Conserve II property. He suggested that the Board have staff put up on the overhead some topography maps that would define for them which areas were buildable and which contained wetlands.

Mr. Bill Ray, President of Ray and Associates, representing land owners in South Lake County and the Green Swamp Area of Critical State Concern (ACSC), requested that the County change the designation of the 200-acre subject property that they have been discussing with the County from the current designation of rural conservation in the Green Swamp ACSC to Green Swamp rural, since it was above the 100-year flood plain, comprised of well-drained sandy soils, and contained no wetlands or sensitive habitats. He requested that the County let the underlying land form determine the land use and to direct development towards the lands that were clearly outside the 100-year flood plain and were easily identifiable. He opined that they needed to figure out a clear organized way to address this issue in the future.

Ms. Nadine Foley, a former member of the LPA, stated that she agreed with Mr. Lee about opting for five lots for the open space requirements for the Wekiva area, which would help with the habitat corridor connections in the long term. She also related that Goose Prairie was the first area that she knew about as being designated as environmentally sensitive, but she believed that was at a time before any kind of state program existed to protect environmentally sensitive lands. She also commented that she believed it was initiated as a grass roots effort by people who were active with the Lake County Conservation Council in the 1960's or 1970's or about the time that Durastress decided to put their plant essentially on the fringes of the Goose Prairie area, and she specified that it extended from Hwy 44 to the Durastress area. She noted that the property in the Green Swamp brought forward by Mr. Ray had come before the LPA on several occasions, and the LPA made its decision to not change any of those land uses then, but she thought it was something they could look into in the next year or so and not hold up the Comp Plan now.

Mr. Sean Parks, a resident of Montverde, stated that he was very concerned about the environmental issues such as the aquifer recharge and wetlands protection in the South Lake Rural Protection Area, but he thought the RPA designation should be removed because it was counterproductive and could result in a proliferation of five and one-acre lots in the future. He opined that the environmental concerns could be addressed through what was already in place such as the St. Johns River Water Management District recharge criteria as well as through setbacks and strict regulations in that area, which could be done without putting the additional layer of restrictions which would curtail economic development opportunities in the future.

Mr. Wayne Saunders, Clermont City Manager representing the Clermont City Council, requested that the Board look at the RPA area again, and he pointed out on a map on the monitor their city limits, SR 27,

Hartwood Marsh Road, and the current northern boundary of the RPA. He related that the City Council's specific request was to consider moving that northern boundary at least two section lines south. He commented that Clermont was landlocked as far as undeveloped land for the future, with Groveland on the west, Minneola on the north, and the Hwy 50 corridor limiting their options. He opined that the southeast direction is the future for Clermont, especially if they wanted to try to attract some major industry and job creation. He commented that they were anxious to plan that area with Lake and Orange Counties, and they believe that having the RPA designation on that area was detrimental to the future and would scare any potential major businesses away from developing in that area.

Commr. Cadwell directed Ms. King to include the Orange County portion on the map of the south part of the County.

Mr. Vance Jochim, a resident of Tavares who writes a blog about fiscal issues in the County, noted that he looked at the original plan as well as the documentation provided at this meeting, and he commented that he never hears any discussion of what this would cost the taxpayer. He pointed out that a consultant study was done which found that the County would have to hire about nine people to manage the additional regulations from this plan, and he believed that it would take double that many people. He requested that the Board keep that in mind and maybe find a mechanism to start sharing that information.

Council Member Ray Goodgame from Clermont related that a supermajority of the Clermont City Council wanted sections 24 through 26 and 34 through 36 included in the JPA area and left rural. He felt that it was important not only to their city, since they have no other areas designated for economic growth in the City or the County in that area, and he believed that the City and the County could work together on developing this property for future economic growth. He noted that the property located in sections 24 through 26 north of the boundary of Conserve II did not contain nearly as many wetlands as sections 34 through 36 did. He opined that the development of those lower southern three sections that they were asking to be put in the JPA would require a concentrated effort to maintain all the wetlands and lakes that would be there when they do develop that property.

Mr. Keith Schue, a former member of the LPA, suggested that Policies IX-2.2.8 and IX-3.3.7, which referenced the potable water and sanitary sewer policies and related to urban sprawl, be included in the transportation Policy VIII-1.9.2 for consistency. He commented that a tremendous amount of work has gone into the Comprehensive Plan by so many people, and they were at the point where they were trying to resolve issues and get to the point of consensus. He mentioned that he did not agree with having a rural support corridor in the Ocala National Forest that has twice the development potential of any other rural support corridor in the County, but overall he felt that this was a good plan. He concurred with Mr. Lee and Ms. Foley that a five-lot threshold would perhaps be the position that everyone could find consensus on for that issue. He opined that by providing for a common open space requirement for three categories in the Green Swamp, there was an implicit recognition that that was for the subdivision of land consisting of three lots or more. He stated that the five-lot threshold would bring the Wekiva policy closer to being consistent with the whole Comp Plan, and he encouraged the Board to consider the five lot threshold.

Mr. Jim Bible, Showcase Homes, related that Table 1-1.2.2 contained a new requirement for 25 percent open space for all development, and he believed this requirement should be eliminated, since it would immediately devalue land by 25 percent since it had to be set aside and not used for recreation or anything else.

He commented that the smaller the project, the more of a nuisance this area would be, and it would create a maintenance headache for the Homeowners Association to maintain and keep track of it. He was concerned about the standards contained in the policy regarding traditional neighborhood developments for any development over 100 acres, especially the very specific criteria for both commercial and residential developments over 200 acres. He opined that this would create a lifestyle that not many people could afford or want and was very selective and expensive. He suggested that this concept should not be applied to all land, and the design criteria that was very specific in the regulations should be put off to the land development code when they could get better input from the community as to where and how that should be designed. He also requested that the Board eliminate the requirements in Policy I-7.8.1 that would require a PUD on a straight zoning project for the addition of 50 more units, which he felt was a small threshold of development change. He summarized that the policies he mentioned would all affect the affordability and flexibility of design of projects in the County.

Ms. Bobbie NeSmith, a resident of Lisbon PUD, related that a letter sent to the Division of State Lands on June 11, 1980 and the website for State Library Archives of Florida indicate that there were proposals for acquisition of the Goose Prairie Protection Area along with the Green Swamp and other areas. She expressed concern about a change in her area from rural village, which allows two homes per acre, to rural transition, which would be one home per acre. She stated that there were mixed use, mobile homes, and on-site homes currently located there, and one to one density would not be within those guidelines. It concerned her that on the new Comprehensive Plan, changing the land near Durastress to rural would open up the door to allowing mining in that environmentally sensitive land that is right next to a recharge area. She suggested changing the land use for the Custer Trucking and Island Food Store area to regional commercial rather than industrial, since it is just basically a parking lot for semi-trucks; there was not a lot of industrial use there; and she did not think that they should open up Hwy 44 to more traffic. She added that there was also a residence on that property which would not conform to the industrial guidelines, but would conform to the ones for regional commercial.

Ms. Carol Saviak, a resident of Orlando representing the Coalition for Property Rights in Lake County, asked the Board to consider the punitive impact on a select set of property owners that are potentially to be designated in the rural protection area. She commented that the testimony of those who have spoken strongly requesting to be removed from this protection area is the final layer of defense against an overlay that would restrict and punitively impact the financial investment in their property. She pointed out that in some cases those property owners have had the rural agricultural designation on their land for decades, and what is being overlaid is the Board's and County's vision for the use of their land in the future. She requested that the Board grant the request of the property owners who want to just be left alone and have no punitive impact from this planning. She asked the Board to think of the citizens who were previously before them as well as those before them today, respect their rights as American citizens, and leave that door of opportunity open.

Mr. Don McGruder, a member of Citizens for Better Government, commented about Objection 36 dealing with affordable housing, pointing out that the study which the County presented as their evidence to support affordable housing appears to be from 2004 with data that goes back to 1995 and 2000, which did not show the huge regulations that have been placed upon housing through codes, huge impact fees, the housing bubble, the housing collapse, or the foreclosures. He commented that they have to recognize that people have to have an affordable place to live, and he did not think the plan satisfactorily addressed the affordable housing

issue, since it was based on outdated data. He stated that this was a microcosm of a lot of responses they have heard to the Comp Plan, and he thought there was a rush to judgment. He requested that the Board look at the plan closely to make sure it was right, because a lot was at stake. He opined that every major recession and downturn in the American economy has been a result of or affected by housing, and if they did not fix the housing situation in Lake County, they would remain in this situation, so it was vitally important that they get a housing policy in this plan that is right.

Mr. Tim Green, President of Green Consulting Group and Chamber Alliance of Lake County, thanked the Board and staff for looking at some of the issues he had previously brought forward and fixing 16 out of the 24 sites that he pointed out were nonconforming. However, he noted that eight property owners were still unhappy about their properties being nonconforming and only being allowed to expand by ten percent, even though one of them has been there since 1955. He was concerned about the future commercial locational criteria, with limits in the plan for densities and intensities, sizes of the lots, and floor area ratios, as well as a limitation on the size of the individual building itself, which would result in a campus type plan for commercial entities, but he pointed out that the School Board has determined that one big building was much more efficient and energy efficient than the campus plan of building a lot of small buildings. He commented that there were other ways to limit how a larger building would look through architectural standards that could be put in the LDR's. He stated that they also had a discussion on Objection 13 about wetlands, and he thought that the BEBR numbers could not be reached if all those wetlands came off the map and transferred out at one unit per five acres rather than the overlay that is on some of them right now at 4 units per acre or higher, since they only had a five percent margin of getting to the BEBR medium, which only equates to 15,000 population difference, less than 6700 units, or 33,000 acres of wetlands on their map. He opined that although the way staff has addressed it perhaps would accommodate DCA, he thought that DCA really wanted to see how it would affect the population on the future land use map.

Ms. Cecilia Bonifay, Akerman Senterfitt, stated that she was pleased to see that some of the issues brought up in the correspondence that she had submitted at the transmittal hearing that involved nonconforming uses were being dealt with today and she would be interested in looking at that language, especially for marinas that have a 40-year history that she did not believe would be expanding. She pointed out that the Four Corners Center on Ridge down in the Green Swamp has already been developed mostly as commercial, and the Board did not want to take up any changes to that land use designation. However, she brought up the fact that every time they bring in a new user, they have to go back through the same vested rights process. She wanted the record to reflect that that was in fact a piece that has been used as commercial and should be vested for commercial, and if and when this Comp Plan is adopted, the owner of that property would not have to go back through the same laborious process. She mentioned that the change proposed for Clonts Groves from a current density of 4 to 1 down to rural transitional at 1 to 5 would result in a huge diminution in value for this property. She specified that the property has one lake in the middle and the rest was high and dry and in a JPA with two utility districts and 1000 feet of frontage on US 27. She suggested that one of the urban densities would be much more appropriate and that this would be a perfect piece for mixed use. She stated that some of the proposed changes for Loma Linda, which is another grove piece, may be indicative of what was forcing people into the municipalities at a fairly rapid rate. She noted that all three parcels making up Loma Linda have been in family ownership since the 1950's, and it has always been used as a grove. She illustrated on a map the

property's location in relation to major roadways and pointed out that it was surrounded on two sides by the City of Groveland and was in their utilities district. She opined that this was a designation that really needed to be looked at. She also commented that she thought that it was an aberration from a planning standpoint that the County wanted urban and neighborhood design criteria in the Sorrento Commons area, which was designated as rural.

Ms. Carol McAlpin, owner of the Four Corners Center, informed the Board that her family has owned the Four Corners Center since the early 1970's, and it was a 12-acre commercial piece originally vested around that time, with the vesting again confirmed in writing in the mid 1990's and the early 2000's. She related that in the last 12 years she and her brother divided that parcel into four commercial lots, selling three of those lots, which were each granted commercial Lake County building permits. However, she has had to employ Ms. Bonifay multiple times to remind the Growth Management staff about the vestment of the property, and she requested that the County designate the last parcel on the map as commercial, since it was expensive as a small property owner and business person to keep paying legal fees for the same reason.

Commr. Cadwell stated that the Board would try to figure out a way to fix that.

Mr. Steve Adams, LPG Environmental, commented that he was concerned about the future effect of staff's revision in response to DCA Objection 8 regarding Policy I-1.3.8 describing industrial land use categories. He suggested alternative language to that stating that "manufacturing uses that require permits for potential adverse impacts to natural resources," and he supplied a handout illustrating that change.

Commr. Cadwell directed that that change be put in.

Dr. Christine Harris, a resident of Mount Dora, commented that she was a stakeholder in the redevelopment process which has changed the face of the State of Florida, and she believed that they would be in compliance if they mark their Blueprint 2000 and show an update and that they would be at the utilization mode after ten years of review. She related that they enhanced a business that existed in Umatilla and made it a buildable, useable service for the people in Umatilla through annexation of a franchise. She asked the Board to look at how the existing buildings and services were being used, and she opined that mixed use should not eliminate any of the old uses, but highlight and enhance their capability.

Mr. Jimmy Roper, a resident of Windermere who owned approximately 700 acres, 400 of which were uplands which were above the 100-year floodplain, requested that his property be removed from the proposed Rural Protection Area, and he commented that he was adamantly opposed to the RPA designation.

ADOPTION SCHEDULE

Commr. Hill asked if they were going to readdress the RPA when this was brought back before they transmit the plan.

Commr. Conner stated that he did not know if they ever voted on that, but he was inclined to support the request that he has heard today, since he believed that the rural character of the area would be fairly well protected even without the overlay.

Commr. Cadwell directed staff to get the Board the maps regarding this particular issue by next week and stated that they would discuss the issue at next week's BCC meeting.

Ms. King clarified that he was requesting the topography maps, including those along the Orange County line, as well as Orange County's long range plan.

Commr. Hill emphasized that she wanted to make sure that they address that issue, because there were

many people concerned about it. She inquired whether the financial plan the Board submitted would be amended according to what was contained in the final adoption.

Ms. King explained that the plan was done by a consultant, so if the Board would like to look at that again, they would have to bring that forward to the Board along with the contract of the consultant that did it. However, her understanding was that the financial feasibility plan that has been put together so far has not been affected even by the changes that have been presented by the Board and the citizens, since the financial feasibility plan took into consideration a maximum of what would be necessary to implement the plan over the next 20 years.

ADJOURNMENT

There being no further business to be brought to the attention of the Board, the meeting was adjourned at 11:55 a.m.

WELTON G. CADWELL, CHAIRMAN

ATTEST:

NEIL KELLY, CLERK