

Lake County Board of County Commissioners
Workshop - BCC Chambers
October 6, 2009 - 9:00 A.M.

I Proposed 2030 Comprehensive Plan

A. Staff Comment Discussion

1. Mining Discussion and Presentations related to Comments 184, 185 & 186
2. Public Comment

II Future 2030 Comprehensive Plan Workshops

A. October 13, 2009 at 9:00 AM in Chambers

1. Economic Development Committee Presentation (EDC)
2. Unresolved Comments:
 - a. Comment 14 – Create more options for mixed use (calculation of density & intensity)
 - b. Comment 22 – Providing for limited residential uses in commercial and office categories.
3. Landscape Irrigation Policies (50% requirement) Comments 51 and 72
4. FDACS requested changes
5. Policy amendment for Agricultural Industrial Uses (required by HB 7053 in 2008 Session)
6. Policy amendment to include mediation process for Intergovernmental Conflicts (required by SB 360)

B. October 27th, 2009 at 9:00 AM in Chambers

1. Any unresolved comments and options
2. Future Land Use Map Overview
3. Discussion of Citizens requested Future Land Use Map and Policy Changes
 - a. Mellich (Jones Property Proposed Land Use Change)
 - b. Ray (Green Swamp Area of Critical State Concern Property)
 - c. Walsh (Mt. Plymouth – Sorrento Stakeholders proposed changes)
 - d. St. Johns River Water Management District (Land Swap with requested Future Land Use Change)

III Regional Comprehensive Plan Public Workshops

- A. November 2nd, 2009 at the Jenkins Auditorium, Clermont from 6:00 PM to 7:30 PM
- B. November 5th, 2009 at the Cassia Community Club, Eustis from 6:00 PM to 7:30 PM
- C. November 9th, 2009 at the Tavares Civic Center, Tavares from 6:00 PM to 7:30 PM

MEMORANDUM

GROWTH MANAGEMENT DEPARTMENT
PLANNING & COMMUNITY DESIGN DIVISION
315 West Main Street
Tavares, FL 32778



LAKE COUNTY
FLORIDA

TO: Board of County Commissioners

FROM: Anita Greiner, Chief Planner, Planning & Community Design Division *AG*

THROUGH: Cindy Hall, County Manager
Amye King, AICP, Growth Management Director *AK*
Brian T. Sheahan, AICP, Planning & Community Design Director *BS*

DATE: September 25, 2009

SUBJECT: October 6th, 2009 Comprehensive Plan Workshop

Attached you will find the agenda for the October 6th, 2009 Comprehensive Plan Workshop along with the Memorandum summarizing the September 22nd, 2009 Comprehensive Plan Workshop.

The mining discussion will be continued from the August 4th, 2009 Comprehensive Plan Workshop and will relate to Comments 184, 185, and 186. The following supporting documentation was provided at the August 4th, 2009 Workshop; if you need additional copies please let me know.

- Hydrological Effects of Sand Mining in Lake County, Florida
- Central Florida Sand Mining Association Concerns
- Central Florida Sand Mining Association Proposed Alternative Language
- Copy of the adopted Lake County Mining Site Plan Requirements

If you have any questions, please do not hesitate to contact me.

MEMORANDUM

GROWTH MANAGEMENT DEPARTMENT
PLANNING & COMMUNITY DESIGN DIVISION
315 West Main Street
Tavares, FL 32778



LAKE COUNTY FLORIDA

TO: Board of County Commissioners

FROM: Anita Greiner, Chief Planner, Planning & Community Design Division *AG*

THROUGH: Cindy Hall, County Manager
Amye King, AICP, Growth Management Director *AK*
Brian T. Sheahan, AICP, Planning & Community Design Director *BS*

DATE: September 25, 2009

SUBJECT: October 6th, 2009 Comprehensive Plan Workshop

Please accept this memo as a summary of the August 4th, 2009 Comprehensive Plan workshop. This memo is divided into three parts, *Discussion on Staff Comments, Financial Feasibility and Public Comment*. Please let me know if you have any questions.

Discussion on Staff Comments from the September 22nd, 2009 Workshop:

Comment 224: Change the policy to read as follows:

Policy IX-1.1.1 Maximum Number of Through Lanes Rural Areas Minimum Operating Level of Service Standards

The adopted maximum number of through lanes for specific roadways of concern are depicted on the Maximum Lane Constrained Corridors Map (Transportation Map - 1, which can be found in Chapter XII, Map Series), as adopted by the Lake Sumter MPO on XX-XX-2009.

Consistent with the Florida Department of Transportation Quality/Level of Service Handbook, Lake County adopts the following peak hour minimum operating level of service standards for rural areas:

Table TRAN-1 - Rural Areas Minimum Operating Level of Service Standards

ROAD CLASSIFICATION		PEAK HOUR MINIMUM LEVEL OF SERVICE
Strategic Intermodal System (SIS) / Florida Intrastate Highway System (FIHS)		B
Transportation Regional Incentive Program (TRIP)	Other Multilane	B
	Two-Lane	C

JENNIFER HILL
District 1

ELAINE RENICK
District 2

JIMMY CONNER
District 3

LINDA STEWART
District 4

WELTON G. CADWELL
District 5

County Arterials	C
State Arterials	C
Collectors	C
Local	C

(Table moved to Policy IX.1.1.2)

Comment 225: Change the policy to read as follows:

Policy IX.1.1.2 Urban, Transitioning, and Rural Urbanized Areas Type and Minimum Operating Level of Service Standards.

Consistent with the Florida Department of Transportation Quality /Level of Service Handbook, Lake County adopts the following Area Types for Highways and Roads in Lake County as depicted on the Urban, Transitioning and Rural Areas Map (TRANSPORTATION Map - 2, which can be found in Chapter XII, Map Series), as adopted by the Lake Sumter MPO on XX-XX-2009. peak hour minimum operating level of service standards for transition areas, defined as:

~~-----Within one (1) mile of city corporate limits; or~~

~~Within one (1) mile of an area designated as Urbana using Florida Department of Transportation Standards~~

The Minimum Operating Level of Service Standards are depicted on the charts below:

Table TRAN 1 - Rural Areas Minimum Operating Level of Service Standards

ROAD CLASSIFICATION		PEAK HOUR MINIMUM LEVEL OF SERVICE
Strategic Intermodal System (SIS) / Florida Intrastate Highway System (FIHS)		B
Transportation Regional Incentive Program (TRIP)	Other Multilane	B
	Two-Lane	C
County Arterials		C
State Arterials		C
Collectors		C
Local		C

(Moved from Policy IX-1.1.1)

Table TRAN 2 - Transitioning Urbanized Areas minimum Operating Level of Service Standards

ROAD CLASSIFICATION		PEAK HOUR MINIMUM LEVEL OF SERVICE
Strategic Intermodal System (SIS) / Florida Intrastate Highway System (FIHS)		C
Transportation Regional Incentive Program (TRIP)	Other Multilane	C
	Two-Lane Other Multilane	C

County Arterials	D
State Arterials	D
Collectors	D
Local	D

Table TRAN 3 - Urbanized Areas Minimum Operating Level of Service Standards

ROAD CLASSIFICATION		PEAK HOUR MINIMUM LEVEL OF SERVICE
Strategic Intermodal System (SIS) / Florida Intrastate Highway System (FIHS)		C
Transportation Regional Incentive Program (TRIP)	Other Multilane	D
	Two-Lane Other Multilane	D
County Arterials		D
State Arterials		D
Collectors		D
Local		D

(Moved from Policy IX-1.1.3)

Policy IX-1.1.3 - Urbanized Areas Minimum Operating Level of Service Standards

Consistent with the Florida Department of Transportation Quality/Level of Service Handbook, Lake County adopts the following peak-hour minimum operating level of service standards for urbanized areas:

Table TRAN 3 - Urbanized Areas Minimum Operating Level of Service Standards

ROAD CLASSIFICATION		PEAK HOUR MINIMUM LEVEL OF SERVICE
Strategic Intermodal System (SIS) / Florida Intrastate Highway System (FIHS)		C
Transportation Regional Incentive Program (TRIP)	Other Multilane	D
	Two-Lane Other Multilane	D
County Arterials		D
State Arterials		D
Collectors		D
Local		D

(Table moved to Policy IX-1.1.2)

Future Land Use Map Minor Corrections:

- The Minor Commercial Corridor in Astor was extended west, along SR 40, to encompass the existing commercial businesses west of Veteran's Way.
- In the Lake Yale area, near Apiary Road along CR 452, some of the parcels that were proposed to have a Rural or Rural Transitional future land use category were changed to Urban Low Density future land use category.
- The enclave within the City of Leesburg was changed from the proposed Rural future land use category to Urban Low Density.
- The proposed future land use category on the properties that are east and west of Hwy 19, which are surrounded by the City of Howey-in-the-Hills, Lake Harris and Little Lake Harris was changed from Transitional to Urban Low Density.
- A Rural Support Intersection was placed near the Yalaha Bakery area on CR 48 in Yalaha.
- The lines of the Major Commercial Corridor along the Turnpike were moved to exclude the land that is within the proposed Rural future land use category (north and east of the Turnpike, and south and east of the city limits of Minneola). Also, the gap in the Major Commercial Corridor was closed.
- The future land use category for the properties east of Lake Louisa and west of Lake Louisa Road that are within the boundaries of the Green Swamp Area of Critical State Concern was changed from Green Swamp Rural to Ridge.
- The proposed future land use categories on the parcels within the *Alfred Street Redevelopment Area* were changed from Urban Low Density and Urban Medium Density to Urban High Density; the proposed Minor Commercial Corridor within that area, along CR 19A, was changed to a Major Commercial Corridor.

Financial Feasibility Discussion:

Consultants with Wilson-Miller, Florida Economic Advisors, LLC presented the Fiscal Impact and Policy Cost Analysis; they discussed Lake County's Growth Projections to 2030, Operating Fiscal Impacts, and Potential Revenues for Capital Improvements, 2009-2030.

Public Comment:

Steve L. Mellich discussed the proposed future land use category for the "Jones Parcel" (CR 437 and Harvac Lane) located in the Mount Plymouth-Sorrento; he stated that the change from the current future land use category to the proposed future land use category lowered the density he was allowed. He requested that the category be changed to allow the density that the current Comprehensive Plan would potentially allow. Jeanne Etter and Peggy Bellflower provided comments concerning this property.

Bill Ray discussed the proposed future land use category that was designated on land within the Green Swamp Area of Critical State Concern, west of CR 561; he would like to propose a change to the proposed future land use category and has information to support his proposed change.

Rob Kelly provided comments on the Mt. Plymouth-Sorrento Main Street District; he feels that the sizes of the structures should be addressed in the Comprehensive Plan as opposed to addressing them in the Land Development Regulations. Mr. Kelly also provided comments on the Bill Ray property.

Bob Walsh stated he was with the Mt. Plymouth-Sorrento Main Street Stakeholders and he would like to formally submit a letter requesting changes to policies in the proposed Comprehensive Plan as it relates to the Mt. Plymouth-Sorrento area. A citizen stated that he agreed with the message and specifics of Mr. Walsh's letter and had concerns about the old Mt. Plymouth Golf Course area.

Staff was directed by the Commission to work with the citizens on the issues they discussed concerning changes to the Future Land Use Map and Comprehensive Plan Policies; staff recommendations on these issues will be addressed at the October 27th Comprehensive Plan Workshop.

Forever Resolution.

REPORTS – COMMISSIONER CONNER – DISTRICT 3

COMMENDMENTS

Commr. Conner stated that he wished to commend Commr. Hill for her outstanding speech at the grand opening of the Cooper Taylor Memorial Library. He mentioned that she acknowledged that the Library was built with taxpayer money and thought that was a very appropriate message.

Commr. Conner thanked Wendy Breeden and Greg Welstead for their oversight of the transition with the Museum to the Historical Society. He thanked Wendy Breeden for her attempts to obtain a replica of the medal of honor.

REPORTS – COMMISSIONER STEWART – DISTRICT 4

Commr. Stewart asked that staff prepare official notification to the Sheriff in regards to the Historical Courthouse.

RESOLUTION NO. 2009-150

Commr. Stewart mentioned that efforts should be supported toward improving bicycle safety because they play an important role in the economy by bringing revenue into the County. She presented Resolution No. 2009-150 to support the efforts of Lake County and other local stakeholders to improve bicycle safety in Lake County.

On a motion by Commr. Stewart, seconded by Commr. Renick and carried unanimously, by a vote of 5-0 vote, the Board approved Resolution No. 2009-150, approving to support the efforts of Lake County and other local stakeholders to improve bicycle safety in Lake County.

BICYCLE ALLIANCE

Commr. Stewart announced that Mr. Mike Woods from Lake Sumter Metropolitan Planning Organization (LSMPO) was present.

Mr. Woods stated that the Lake County Bicycle Alliance is Saturday, October 10, 2009 at the Chamber of Commerce in Mount Dora as part of the Mount Dora Bikefest.

REPORTS – COMMISSIONER CADWELL – CHAIRMAN AND DISTRICT 5

COMPREHENSIVE PLAN MEETING

Commr. Cadwell requested that next week's workshop on the economic development portion of the Comprehensive Plan be rescheduled for the following meeting because the economic element is not yet completed.

Commr. Cadwell requested that the Board provide Mr. Minkoff with direction to bring back the options on the search processes for the County Manager position.

RECESS AND REASSEMBLY

The Chairman announced that there would be a ten-minute recess at 9:57 a.m.

CITIZEN QUESTION AND COMMENT PERIOD

No one present wished to address the Board.

COMPREHENSIVE PLAN – MINING

Ms. Amye King, Growth Management Department, stated that she would like to introduce the

discussion, which was a continuation of the Mining Policy discussion, and turn it over to Mr. Rob Kelly, Ms. Peggy Cox, and Ms. Terry Godts.

Commr. Cadwell noted that the Board would absorb the information presented and then decide later on the issue.

Ms. Peggy Cox, resident of Lake County and member of the Audubon Society, thanked the Board for letting her express her remarks in defense of the proposed comprehensive plan conservation element and Green Swamp policies that prohibit any new sand mines within the boundaries of the Green Swamp Area of Critical State Concern (GSACSC). She noted that she is a rural resident of the Green Swamp, a representative of the Audubon Society Chapters in Lake County, and the Alliance to Protect Water Resources in South Lake County. She described the history of the Green Swamp and how important all of its resources are. Ms. Cox mentioned that the rivers that arise from the Green Swamp supply part of the water supply for Central Florida along with the Florida Aquifer. She commented that the GSACSC is the heart of the Green Swamp Ecosystem, and the 295,000 + acres in Polk and Lake Counties were designated in 1974 as an area of critical state concern, which is the heart of the Florida Aquifer. She reported that in addition to the state designation of an area of critical state concern, there are comprehensive state and county regulations to maintain the hydrologic integrity of the functions of the area of critical state concern. She explained that the area has been recognized as an important water supply since the 1950s, and wildlife has found a welcoming home in the vast rural acreage and undeveloped marshes and woods of the Green Swamp. She expressed that biologists consider the Green Swamp a wildlife corridor of importance and there are currently an estimated three hundred thirty species that populate various parts of the swamp. Ms. Cox noted that although sand mining may not greatly harm the aquifer, the process does change the topography and the hydrology of the site by destroying uplands, creating lakes, and leaving the land in a different natural state than what it began once the sand mines are gone. She expressed that the Green Swamp supplies the Clermont Chain of Lakes, which is of great importance in economic and environmental value to South Lake County and the City of Clermont. She remarked that in addition to the changes to the natural state of land, sand mines bring heavy equipment and large trucks rumbling into rural and natural areas, leaving more impacts that are not needed or wanted in the GSACSC. She explained that the future also holds other projected impacts that will effect not only our water supply from the aquifer and the rivers that arise in the GSACSC, but associate impacts to our local lakes and native vegetation from expected water withdrawals and changing land uses. She presented graphs from the St. John's River Water Management District's Water Supply Plan 2010 Technical Methodology Workshop and mentioned that most of Lake County is a Priority Water Resource Caution Area. She stated that she was deeply concerned about the importance of maintaining the GSACSC from future development impacts of all kinds.

Ms. Terry Godts, resident of Lake County, presented an economic report on the recent crash of Florida's economy that has contributed to economic diversity, causing the resulting glut of homes sitting empty, and has demand for construction materials like sand so high. Ms. Godts stated that she felt obligated to defend this town's natural resources and its residents for those who have no voice in these

proceedings. She opined that natural resources are extremely valuable to this county, and few in our business community seem to understand this concept and only see the resources as valuable when they can be exploited for personal gain. She expressed that if the county's natural resources become exhausted, the sand will be gone, mining will end, the natural areas will be destroyed, an unnaturally colored body of water will remain, and the mining company will move on to its next target. She noted that the sand mine that was left between Clermont and Groveland was once the other half of a marsh that naturally filtered clean water into the Clermont Chain of Lakes. She asked that the Board restrict sand mining to what is currently allowed in the area of critical state concern and support the prohibition of new sand mines in the Green Swamp for the benefit of this county's natural resources.

Mr. Robert Kelly, Citizens Coalition of Lake County and Vice Chair of the Local Planning Agency (LPA), expressed that over the last few years, the LPA has joined efforts with myregion.org and the Metropolitan Center for Regional Studies and identified several jewels in Central Florida with the Green Swamp being recognized as one of them. He explained that Lake County is a major component of beach restoration efforts, thus helping to ensure the continued viability of our shorelines suffering from erosion. Mr. Kelly reported that the LPA is proposing that the current mines continue to operate under valid site plans and expand within the site plans they have. He related that by maintaining the current mines, the County will maintain the job and tax base, and there will be no economic impact. He clarified that this strategy provides a bridge until the economy is diversified, bringing many different types of jobs and moving to different types of industries. He commented that this strategy also provides an eventual phase out of mines in the Green Swamp and opined that this is a fair approach to move forward without impacting jobs or the economy but protecting the area and not expanding the mines. He stated that the current adopted Comprehensive Plan, Policy 7-13.1 states that "Prohibition of mining in specified areas, mineral extraction in the environmentally sensitive areas of the County which cannot be restored shall be prohibited." He explained that under the policy that LPA recommended, in the second sentence, "Any new mines are prohibited" will be changed to read "All new mines are prohibited". He noted that the second paragraph under the current policy reads "Sand mines are an allowable use in Transitional, Rural Conservation and Core Conservation land use categories" and this will be changed to "Expansion of existing mining activities within environmentally sensitive areas of the County shall be subject to the provisions of the Lake County Code and the approval of the Board of County Commissioners." He expressed that the third paragraph in the proposed policy is currently in the policy under the Wekiva area and has worked there, so it might also be beneficial to use it for other sensitive areas. He specified that the current policy's third paragraph states "Prohibition of new mines in the GSACSC" and will be changed to "The excavation of borrow pits within the environmentally sensitive areas of the County may be permitted only after approval by the Board of County Commissioners." Mr. Kelly requested that the Board accept the change of the new policy so that there will be no new mines or expansion of the existing ones.

Ms. Linda Nagel, Director of the Home Builders Association, opined that the comments made previously by others were discriminatory and hoped the public officials will look at the facts and not be

moved by emotional remarks that only serve to harm other people.

Mr. Michael Berry, Florida Rock Industries, provided a history to the Board regarding the prohibition of mining in Lake County approximately seventeen years ago. He explained that if mining had been prohibited then, the County would not have the critical local resources that are available now. He noted that the GSACSC have Department of Transportation (DOT) sand mines and that it is critical to have sand mines with DOT grade sand. He opined that although the area will change after the sand mine is completed; it will be changed to another type of land use. Mr. Berry asked that the Board consider the issues he spoke on when moving forward.

Mr. Jeff Schaffer, Weaver Voos Consultants, represented various peat harvesters and their concerns regarding the proposed Comprehensive Plan. He presented to the Board images of mines that are currently in progress. He stated that Florida harvests more peat than any other state with Lake County harvesting the majority. He reported that by administrative code and rules of Florida Department of Environmental Protection (FDEP), peat harvesting operations are required to restore the wetlands to a condition that is of higher value than when it was originally encountered. He explained that peat harvesting removes undesirable species and is required to restore desirable species and make a better habitat. He expressed that the peat harvesters only area of concern is the Wekiva Study Area, which is protected under Policy 4-3.5.3. He suggested that if the guidelines with the Department of Community Affairs (DCA) were met, then peat harvesting should be allowed within the Wekiva Study Area.

ADJOURNMENT

There being no further business to be brought to the attention of the Board, the meeting was adjourned at 11:05 a.m.

WELTON G. CADWELL, CHAIRMAN

ATTEST:

NEIL KELLY, CLERK