

SPECIAL MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
TUESDAY NOVEMBER 1, 2011 5:00 P.M.

Mayor John Holbrook called the special meeting of the Lake Placid Town Council to order on Tuesday November 1, 2011 at 5:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. This meeting was called to review with the Town Council a small scale comp plan amendment which has been requested in the Greater Lake Placid Vision Area.

ROLL CALL:

Mayor John Holbrook
Council Member Ray Royce
Council Member Debra Worley
Council Member Mike Waldron
Council Member Steve Bastardi

Town Clerk Arlene Tuck
Town Attorney Bert Harris
Town Planner Sue BuChans

CONSENT AGENDA:

- A. Approval of Agenda – Council Member Bastardi made a motion the agenda be approved as presented; motion seconded by Council Member Royce. Council Member Bastardi and Council Member Royce voted yes; Council Member Worley and Council Member Waldron had not arrived as yet.

PRESENTATION:

CPA-10-520SS

The Mayor then turned the meeting over to Mrs. BuChans for Staff's presentation of the small scale comp. plan amendment. Mrs. BuChans stated an application had been received from Highlands Gateway Land Trust, a Florida Land Trust; William D. Rapp and Mark Lindner, Co-Trustees. She stated the effected property was located at 2741 US 27 South and 2691 US 27, Lake Placid, Florida. The current use of the property is vacant and undeveloped. The existing zoning district is B-2 limited business district. She further stated the applicants were not asking for a zoning change. The existing land use classification is agriculture. There are approximately 9.9997 acres involved in the comp. plan amendment change. The request is to change the land use from agriculture to B2.

Mrs. BuChans stated this application will be going before the County's Planning and Zoning Board on Tuesday November 8, 2011 at 3:00 P.M. and the County would like the Town to submit any comments they might have on the application being as the property is in the Town's Greater Lake Placid Vision Area.

After discussion on this matter, the following recommendations were presented:

1. Council Member Royce made a motion that the Council's recommendation be the language as outlined by the Town Attorney (See Exhibit A) that he will present to Mrs.

BuChans for inclusion into both the recommendations and a proposed alternative Ordinance; motion seconded by Council Member Worley. On roll call, Council Member Royce, Council Member Worley, Council Member Waldron and Council Member Bastardi voted yes. Motion carried 4 to 0.

Mrs. BuChans stated her understanding was that numbers 1 and 2 in her Ordinance would be deleted and the Council's 1 through 4 items above would take the place of her numbers 1 and 2. Atty. Harris stated that is his understanding.

Council asked Mrs. BuChans to check with Mr. Mark Hill, Director of the Planning Department and see if two ordinances could be presented to the P&L at the November 8, 2011 Board meeting; the one Mrs. BuChans was presenting tonight and another one with Council's recommendations in it.

2. Council Member Worley made a motion: a) the developer shall be required to put in all necessary dry lines and future hookups in at the time of development so that they can hookup when the facilities are within ¼ mile and that all hookup fees shall be a lien on the property and b) that an executed, recordable annexation agreement be delivered to the County prior to adoption of the Ordinance; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
3. Council Member Royce made a motion that recreation requirements will be addressed at PD (Planned Development), to the extent required; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Mrs. BuChans stated the P&Z meeting will be held Tuesday November 8, 2011 at 3:00 P.M. at the Government Building. Atty. Harris stated he felt it would be advisable for all Council Members to be present at the meeting and state their position.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Waldron. Mayor Holbrook hearing no objections declared the meeting adjourned at 7:00 P.M.

EXHIBIT A

Language presented by Atty. Harris):

In addition to the amended Ordinance, the Town Council also voted to request and recommend the following actions.

1. **Annexation.** The County Code provides that an applicant "should" be required to consent to annexation into the Town of Lake Placid when contiguous. That county policy should be implemented by the staff presenting an annexation consent to be signed as part of the application process (to be recorded upon successful completion of the process). In this case, the consent should be sought immediately by staff or as part of the Planning and Zoning commission hearing. The application should be denied if the annexation consent is not made.

2. **Recreation fee.** Staff report and related documentation should conclude that the amount of the recreation fee, if any, will be determined through the Planned Development Process.
3. **Utilities** (terms in the amended ordinance). The Ordinance amending the Comprehensive Plan should require the owner to encumber the land with a covenant requiring the owner to install dry utility lines at development, if the development is such that central water and sewer are required under the GLPVO, when the services are reasonably available; and requiring the then owners to pay the respective capacity and installation charges and fees; and creating a lien on the land for such charges and fees.
4. **Planned Development** (terms in the amended ordinance). By agreement with the owner of the subject property, the 22 acre tract (the subject property and the lands between the subject property and US 27) shall be rezoned as one Planned Development, with one Planned Development Site Plan. The Legal description of the total tract should be included in the Comprehensive Plan Amendment. No building permits should be issued until the Planned Development Zoning is approved.
5. **Surrounding Environmental and Agricultural Lands.** The surrounding agricultural and environmental lands should be protected from claims (released) from the owners and occupants of the subject lands for smoke damage or damage caused by normal agricultural practices (fertilizers, pesticides, and herbicides used at label rates).