

**MINUTES OF THE TOWN OF LADY LAKE  
REGULAR PLANNING AND ZONING BOARD MEETING  
LADY LAKE, FLORIDA**

**November 10, 2014  
5:30 p.m.**

The Planning and Zoning Board Meeting was held in the Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake, Florida.

**CALL TO ORDER:** John Gauder, Chairperson

**PLEDGE OF ALLEGIANCE:** John Gauder, Chairperson

**ROLL CALL**            Gil Pierson, Member  
                             Mike McKenzie, Member  
                             Alfred Monteleone, Member  
                             John Gauder, Chairperson

**ABSENT:**                William Sigurdson, Vice Chairperson/Member

**STAFF MEMBERS PRESENT:** Attorney Todd Mazenko, BRS Legal; Thad Carroll, Growth Management Director; Wendy Then, Town Planner; and Julia Wolfe, Staff Assistant to Town Clerk

**OPEN FORUM:**

Chairperson Gauder asked if anyone in the audience had any comments or questions. There were no comments or questions.

**NEW BUSINESS:**

1.     **Approval of Minutes** – October 13, 2014 Regular Meeting

*Upon a motion by Member Pierson and a second by Member McKenzie, the Planning and Zoning Board approved the minutes of the Planning and Zoning Board Meeting of October 13, 2014 as presented by the following roll call vote.*

<i>MCKENZIE</i>	<i>YES</i>
<i>MONTELEONE</i>	<i>YES</i>
<i>PIERSON</i>	<i>YES</i>
<i>GAUDER</i>	<i>YES</i>

2.     **Ordinance No. 2014-10 – An Ordinance of the Town of Lady Lake, Lake County, Florida, Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan (Wendy Then)**

Wendy Then, Town Planner, presented the background summary for this agenda item (on file in the Clerk's Office). She stated this is a request to adopt the Town's annual update of the Capital Improvements Schedule which is part of the Town's Comprehensive Plan. The Capital Improvement Plan update process and the corresponding requirements are no longer required to be processed by a Comprehensive Plan Amendment, but may be adopted by local ordinance. As required by Chapter 163.3177 (3) (b), *"The CIE must be reviewed by the local government on an*

*annual basis. Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local Comprehensive Plan."*

Ms. Then stated the Town must annually update the Five-Year Schedule of Capital Improvements pursuant to *Florida Statutes*. She stated the purpose of the Capital Improvements Element and the Improvement Schedules is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service (LOS) standards are achieved and maintained for concurrency related facilities.

Ms. Then stated these facilities include: water, water supply, sewer, solid waste, drainage, parks and recreation, public schools, transportation and mass transit. While the Town does not have financial responsibility or accountability regarding some of these public facilities, there is still the requirement to incorporate the five year capital improvement schedules from other entities.

Ms. Then reviewed Exhibit "A" of the Proposed Capital Improvement included in the packet. She asked Mr. Carroll if he had any updates on Elementary "O".

Growth Management Director Thad Carroll stated that as the school board funds have been depleted, they have moved some of those projects off the schedule as a result of various housing starts and impact fee suspensions. He stated Elementary "O" is not funded in the five year plan at this time.

Corrections, updates, and modifications concerning costs, revenues, or the dates of construction of any facility or project identified in the Comprehensive Plan/Capital Improvement Program are not considered amendments and may be accomplished by local ordinance.

Category descriptions of capital improvements are as follows:

A) Category A (Concurrency, Mandatory) - Public facilities and services for which a level of service must be adopted for concurrency determination as mandated by Chapter 163 of the Florida Statutes. These facilities include water, sanitary sewer, solid waste, drainage, under ownership and operation authority of Lady Lake or a private utility. Map references and public requests are required within the Public Facilities Element thereof pursuant to policy 8-1.1.2. All Category A facilities must be supported by data and analysis accomplished within an element of the Comprehensive Plan as mandated by Chapter 163, F.S.

B) Category B (Non-Concurrency, Mandatory) - Public facilities and services exempt from concurrency determination but which are inventoried and analyzed within a mandatory element of the Comprehensive Plan required by Chapter 163, F.S. These facilities include parks and recreation, roads, housing and conservation improvements, including governmental services and facilities necessary to administer and implement the Comprehensive Plan.

C) Category C (Non-Concurrency, Non-Mandatory) - Public facilities that are exempt from concurrency requirements (i.e., level of service standards) and which are not analyzed and identified within a mandatory element of the Comprehensive Plan are classified as Category C. Such municipal services include, but are not limited to law enforcement, fire protection, library services, and public buildings.

D) Category D (Non-Mandatory, Concurrency) - Per the Community Planning Act of 2011, the Public School Facilities Element is no longer mandatory. The Town of Lady Lake has opted to

retain and update this optional element and require concurrency per its existing interlocal agreement with the Lake County School District.

Ms. Then stated staff recommends approval of Ordinance No. 2014-10 as presented to the Planning and Zoning Board for their recommendation to forward to the Town Commission. She stated this ordinance serves to update to the Capital Improvements Schedule as required under F.S. 163.3177(3) (b). The attached "Exhibit A" reflects the proposed improvements for the Five Year Planning Period 2014/15 – 2018/19. Also attached is Ordinance No. 2013-15 to document the prior 5-year Capital Improvement Schedule 2013/14 - 2017/18, which is being replaced by this ordinance.

Ms. Then asked if there were any comments or questions.

Mr. Carroll stated the Town had to wait to complete their Improvement Plan until after they received word from Lake County, FDOT and the School Board on their Improvement Plans.

The members of the Technical Review Committee individually reviewed the application for Ordinance No. 2014-10 and provided all comments by Tuesday, November 4, 2014. The TRC report was included in the packet. The Town Commission is scheduled to consider Ordinance No. 2014-10 for first reading on Monday, December 1, 2014, and for second/final reading on Monday, December 15, 2014.

Chairperson Gauder asked if there was anyone in the audience who wished to speak on this matter. There was no one.

***Upon a motion by Member Monteleone, and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2014-10 to the Town Commission for consideration by the following roll call vote:***

<b><i>MCKENZIE</i></b>	<b><i>YES</i></b>
<b><i>MONTELEONE</i></b>	<b><i>YES</i></b>
<b><i>PIERSON</i></b>	<b><i>YES</i></b>
<b><i>GAUDER</i></b>	<b><i>YES</i></b>

**CHAIRPERSON/MEMBERS' REPORT:**

There were no comments or reports.

**ADJOURN:**

***With nothing further to discuss, the meeting was adjourned at 5:38 p.m.***

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Julia Wolfe, Staff Assistant to Town Clerk

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John Gauder, Chairperson