

**MINUTES
TOWN OF MONTVERDE
LPA MEETING**

July 8, 2014

The Town of Montverde met in special session on Tuesday, July 8, 2014 at 7:00 PM in the Town Hall Auditorium.

Council Present:

President Glenn Burns
Arthur Nix
Jim Peacock
Jim Pierce
Joe Wynkoop

Staff Present:

Troy Bennett, Mayor
Graham Wells, Town Clerk
Terry Burden, Public Works Director
Mary Gillis, Finance Director
Anita Geraci-Carver

Mayor Bennett called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

Roll call was performed and it was determined that a quorum was present.

ORDINANCE 2014-11 ECONOMIC PROSPERITY ELEMENT OF THE COMPREHENSIVE PLAN

Sean Parks explained that developing the Economic Prosperity Element of the Comprehensive Plan was part of the Department of Economic Opportunity Planning Grant. The grant was designed specifically for communities like Montverde to implement changes to their Comprehensive Plan, that otherwise would not be affordable. Mayor Bennett explained that Council has been working on this Element for over a year, and will define who Montverde is, what the Town wants to protect, and how the Town will move forward. It also encompasses ecotourism in the Town.

Councilman Jim Pierce asked about the date that is included in the Goals, Objectives, and Policies, Chapter 9. He noted that the Element states that there will be a video produced and will be displayed on July 9. Since that date is tomorrow, Councilman Pierce asked if this date needs to be changed before the Element is transmitted. Sean Parks stated that the date is part of a Table of Metrics, and the Table will not be included as part of what is adopted in the Comprehensive Plan. He stated that only the Goals, Objectives, and Policies will be transmitted as part of the Comprehensive Plan, not the Table of Metrics. Anita Geraci-Carver responded that the date could be stricken, if desired. Mayor Bennett noted that the Element should be ready for transmittal in August.

Councilman Arthur Nix pointed out that the Element discusses the trail system that would connect the Stecher property to Kirk Park. Councilman Nix stated that he lives near Stecher, and his understanding is that Fred Schneider with Lake County has indicated that a trail there would not be possible. Sean Parks replied that Lake County Public Works Director Jim Stivender has stated that a Town trail is permissible there. Mayor Bennett interjected that he has had many meetings with Jim Stivender, and has been assured that a trail could be put in that location.

Councilman Nix then asked if Council was sure they wanted the Element to include discussion about the architectural aspect of houses permitted in Montverde. Councilman Pierce stated that he brought up the same subject at the workshop. Sean Parks read the section again, "The Town shall prepare residential design guidelines for use in constructing new homes after January 1, 2016. These guidelines shall focus primarily on basic styles such as, but not limited to, 'Florida Cracker' or 'Mission' and landscaping." Sean stated that the language is not making the requirements mandatory, but is rather offering suggestions or encouraging certain architectural aspects. He said that the point of that language was to differentiate Montverde from other cities. Council President Glenn Burns reminded Council that this requirement would be for new construction. Councilman Nix stated that the language required a lot of interpretation, and asked who would interpret the language and apply it to new applicants. He stated that the Town would almost need an architect. President Burns pointed out that these residential design guidelines would have to go through Planning and Zoning.

President Burns noted that on Sean Parks' maps in the Element, the scenic overlook name was incorrect, as it has been changed by the County. The name has been changed to "Green Mountain Scenic Overlook and Trailhead". He also noted that the boat ramp on the north side should have the title of "North Shore". Lastly, he noted that "byway" is one word.

President Burns asked if heritage tourism could be added anytime there is a reference to ecotourism, agritourism, etc. in the Element. Sean Parks agreed.

Mayor Bennett asked if the Element included a housing to jobs ratio, as was discussed at the workshop. Sean Parks replied yes.

Mayor Bennett asked when the Element takes effect. Sean Parks replied that after transmittal, the review agencies have 45 days to comment. Mayor Bennett confirmed that by early fall, the Element should be effective, and that any development after this would have to adhere to the Element. He also confirmed that any development currently in the planning stages would not be "grandfathered" in.

Councilman Pierce asked about the housing to jobs ratio. Sean Parks stated that the Element includes a requirement that 1.5 jobs be created for every house built. Sean elaborated that the County also has a jobs ratio of 1.5. Mayor Bennett asked how the creation of jobs would be measured. Sean Parks answered that census data would be used to measure. He stated that a developer would not be able to build strictly homes on his property; that he would have to set aside property for retail or other such job-creating entities.

Councilman Pierce stated that this portion of the Element is forcing businesses to be located in Montverde, and possibly forcing businesses in residential areas. He asked if Montverde Academy employment counted. Sean Parks answered yes, if new positions are added. Sean reiterated that the

Element says that if a future Council wants to annex a large subdivision, they would have to adhere to this jobs ratio. Councilman Pierce then asked if this jobs requirement only applied to annexations. Sean Parks answered that it applied to everyone. Anita Geraci-Carver interjected that Council could limit the jobs ratio to future annexations only.

Councilman Nix inquired as to why the jobs requirement was included in the Element. Anita Geraci-Carver answered that it was a policy recommendation by Councilmen at the Workshop. Councilman Nix stated that the task of creating jobs is beyond developers' scope and expertise. Councilman Pierce said that the only piece of property that is on the horizon for development is the Roper property. He then said that Council is sort of forcing the developer to build a strip retail center on their property to meet this requirement. He said this part of the Element would create commercial entities right in middle of a residential area, which among other things, would create traffic and road issues.

Councilman Joe Wynkoop noted that if the developers of the Roper property build 100 houses, they will have to create 150 jobs, and that will never happen. He stated that 150 jobs would almost require a factory. Councilman Pierce said this portion of the Element is basically saying that no one can build anything else in Montverde. He stated that he is ok with that; he would just like to know what the ramifications are. He asked what would happen if a developer challenged this requirement. Anita Geraci-Carver replied that there would be a Chapter 120 hearing before an administrative court, with a judge. She said that the Town would then need data supporting why the jobs ratio is an important policy, and the Town has that.

Councilman Wynkoop interjected that in reference to future Councils and limiting their abilities with annexations, all the future Council would have to do is vote to remove this Element from the Comprehensive Plan, if they really wanted to allow an annexation.

Councilman Nix asked if the jobs ratio number could be changed to make it more realistic. Sean Parks stated that the Element currently had the number at 1.5 jobs per house, and also stated that the County has a ratio of 1.5 jobs created per house. Councilman Pierce noted that the County has land to add jobs, and the Town does not. He would like to change the number because it is too high for Montverde. He also stated that this section of the Element, requiring a developer to build commercial sites, seems to contradict the small-town charm the Town is trying to protect. Mayor Bennett noted that the ratio is a way to keep development out, since a developer would never be able to meet jobs ratio qualifications. Mayor Bennett asked what accountability the developer have, and how would the developer prove he created jobs. Sean Parks answered that the developer must show which building he is dedicating to workers, or which section of land would be dedicated to workers. Mayor Bennett pointed out that the developer could build an office and let it sit, and that would not be desirable.

Councilman Pierce stated that he is in favor of putting the jobs requirement in the Element for future annexations. He said that he could envision a developer of property in the County seeing that the County requires 1.5 jobs created for every house built, and deciding that it would be easier to have the property annexed into Montverde, since Montverde would not have such requirement. So for this reason, he feels the jobs requirement should be in the Element for future annexations only.

Mayor Bennett asked Councilman Wynkoop if he would rather see the jobs ratio number reduced or taken out. Councilman Wynkoop replied that he would like to see it reduced.

Sean Parks told Council that they had several options: to make the jobs requirement only applicable to future annexations, lower the jobs ratio number, or remove it altogether.

Councilman Pierce asked what our current jobs to housing ratio was. Sean Parks replied that for all of South Lake County, the jobs to housing ratio is less than .5:1. Councilman Pierce said Montverde must be less than that.

Mayor Bennett asked if this jobs requirement would apply to someone who owns four acres in Town and wants to create a small subdivision. Sean Parks replied yes; the applicant would have to get a Comp Plan Amendment to avoid the requirement. Councilman Wynkoop asked if someone in that case could just sell the lots separately. Mayor Bennett answered no, that this person would have to go through the subdivision process.

Councilman Pierce asked how they could make the jobs ratio complement the small-town rural charm of Montverde. Sean Parks replied that the requirement is that a developer set aside some portion of their property for small-scale retail, and small-scale retail is more conducive to a small town. Councilman Pierce stated that this would be making people create retail establishments in residential areas, which seems to contradict small-town rural charm. He stated he feels the jobs ratio should only apply to future annexations. Sean Parks reiterated that he can make changes or remove the requirement completely.

President Burns stated that he thinks Council could lower the ratio to 1.25.

Councilman Nix was leery of including a jobs ratio at all, and stated that government has done a poor job of regulating private industry.

Mayor Bennett opened the floor for public comment:

Billy Bates, 17302 Second Street. Mr. Bates stated that he is in favor of the jobs requirement, because the downtown area is dead. He pointed out that the Town only has a gaming place and a restaurant, and that more establishments would be nice for residents.

Councilman Pierce asked Sean Parks if the jobs requirement meant that the developer must create jobs on his own property. Sean answered that the jobs requirement did not preclude that. So if a developer wanted to fix up a downtown building and create the job in that building, they could. They would just have to come before Council and present a plan.

Billy Bates stated that for residents with property that they want to turn into small subdivisions, they would not be able to sell their property or develop the property with such a high jobs requirement number. So he feels that Council should keep the jobs requirement, but lower the ratio number.

Councilman Pierce asked if the language for the jobs requirement can read that a developer has to fill the downtown area with jobs first. Councilman Wynkoop asked what is to stop a developer from opening an office but the employees all work elsewhere, like DeWitt did. Councilman Nix stated that he did not think the jobs requirement was enforceable, because you cannot make a company create jobs. Councilman Pierce thought it was better to tie the regulations into our existing commercial area. Sean Parks replied that it can be done.

Seeing no further comment, Public Comment was closed.

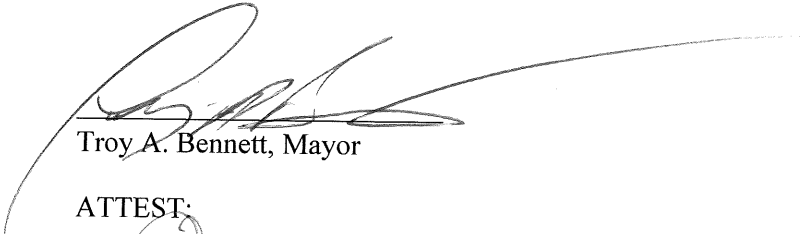
Sean Parks explained to Council that they can vote to lower the jobs requirement number, remove it, or make it only apply to annexations. Glenn Burns said that he felt the topic should be pushed to next month.

**MOTION by Joe Wynkoop to table Ordinance 2014-11 to next month, SECONDED by Arthur Nix
For: Burns, Nix, Peacock, Pierce, Wynkoop
Against: None**

ADJOURN


MOTION to Adjourn by Jim Pierce; SECONDED by Joe Wynkoop at 7:40 PM. Passed unanimously.

Respectfully submitted,


Troy A. Bennett, Mayor


Glenn Burns, Council President

ATTEST:


Graham Wells, Town Clerk

