

**MINUTES OF THE SPECIAL MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA**

January 17, 2018

The special meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Jim Richards presiding. The meeting convened at 6 p.m.

- A. CALL TO ORDER:** Mayor Jim Richards
- B. PROCEDURE:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*
- C. INVOCATION:** Reverend Gary Cantrell – New Covenant United Methodist Church
- D. PLEDGE OF ALLEGIANCE**
- E. ROLL CALL:**
 - Ruth Kussard, Commissioner Ward 1
 - Tony Holden, Commissioner Ward 2
 - Dan Vincent, Commissioner Ward 3
 - Paul Hannan, Commissioner Ward 4
 - Jim Richards, Mayor/Commissioner Ward 5

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Mike Burske, Parks and Recreation Director; Chief Chris McKinstry, Police Department; Wendy Then, Senior Planner; Michelle Bilbrey, Code Enforcement Officer; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTS: Mayor Richards asked if there were any comments from the audience. There were no comments.

G. PROCLAMATION:

1. Arbor Day Proclamation (Mayor Jim Richards/Mike Burske)

Mayor Richards read the proclamation declaring January 19, 2018 as Florida Arbor Day. He presented it to Parks and Recreation Director Mike Burske.

Mayor Richards announced that the Town will plant two trees at the Driving Range in celebration of Arbor Day tomorrow at 10 a.m.

H. CONSENT:

2. Minutes – December 18, 2017 – Special (Conceptual) Commission Meeting

– December 18, 2017 – Regular Commission Meeting

3. Consideration of a Code Enforcement Stipulation Agreement with Habitat for Humanity for 811 Summit Street (Thad Carroll)

The background summary for this agenda item is on file in the Clerk’s Office. It states that a Code Enforcement case was opened on January 23, 2006. The violation of The Town of Lady Lake Code of Ordinances Chapter 20-20(a)(1) - Property Standards (mildew/paint) was cited. The property owner was given a reasonable amount of time to correct the violation (50 days). Ultimately, the case went before the Special Magistrate on March 27, 2006. The property owner was afforded 30 days to bring the property into compliance or fine of \$100 per day would begin to accrue. On April 27, 2006, the property was re-inspected and found to be non-compliant. A lien was recorded on May 2, 2006 in the Lake County Clerk of Courts Official Records. To date, this lien has grown to \$428,387.

On March 31, 2015, another Code Enforcement case was opened on this property. The violations of the Town of Lady Lake Code of Ordinances Chapter 7-67 - High Grass, Garbage, Trash; and Chapter 7-46 - Unlawful Storage of Junk/Debris were cited. Again, the property owner was given a reasonable amount of time to correct the violation (60 days). Multiple inspections were conducted; the property remained non-compliant and the case was heard before the Special Magistrate on June 24, 2015. The property owner was afforded 45 days to bring the property into compliance or a fine of \$25 per day would begin to accrue. Due to non-compliance, the Order of Enforcement was recorded as a lien in the Lake County Clerk of Courts Official Records on April 13, 2016. The lien for this case has grown to \$23,187 as of today’s date. The property remains non-compliant.

At this time, Habitat for Humanity, Inc., wishes to acquire the property from the heirs of Mr. Kenneth Douglas Doyle, and bring the property into compliance with the Town of Lady Lake’s Code of Ordinances. The Stipulation Agreement as prepared would provide 30 days from the date of receiving title to the property to bring all violations into compliance. Should the violations not be corrected in that time frame, the agreement would become null and void. In addition, the conditions of the original lien will remain in effect and the time elapsed over the course of the allotted performance period (30 days) shall be added to the lien accrual.

Staff supports the request in that Habitat for Humanity will be given the opportunity to continue their efforts in the Skyline Hills Subdivision to provide conventionally built homes for families in the Town of Lady Lake.

Upon a motion by Commissioner Kussard and a second by Commissioner Hannan, the Commission approved Consent Items H-2 and H-3 by a vote of 5-0.

I. OLD BUSINESS: No old business.

J. NEW BUSINESS:

4. Consideration for the Town to Co-Sponsor the Second Annual Water Conservation Poster Contest for the Villages Elementary School Students with the FGUA (C.T. Eagle)

Public Works Director C.T. Eagle gave the background summary for this agenda item (on file in the Clerk’s Office). He stated that the members of the Town Water Conservation Committee wish to co-sponsor the Second Annual Water Conservation Poster Contest with FGUA for the Villages Elementary School students. MaryAnn Krisovitch, the Town’s contracted Water Resource Coordinator, and Michelle Harris, FGUA Representative, have coordinated with the Villages

Elementary School teachers for another Annual W.C. Poster Contest for grades 1, 2, and 3. The teachers were very receptive to the idea. The Town and FGUA will fund equal amounts for the art supplies. Prizes will be coordinated through donations and funds from the Utilities Water Conservation Promotional Ad Campaign budget. Students with winning entries will be invited to the Town Commission meeting in April which coincides with Water Conservation Month.

Mr. Eagle stated that Michelle Harris, representing FGUA, is present.

Commissioner Kussard commented that the children were very enthusiastic about this contest last year.

Upon a motion by Commissioner Vincent and a second by Commissioner Holden, the Commission approved the consideration for the Town to co-sponsor the Second Annual Water Conservation Poster Contest for the Villages Elementary School students with the FGUA by a vote of 5 to 0.

5. Consideration of Advertisement for Bid No. 2018-0001 for the Skyline Water Main Replacement Project (C.T. Eagle)

Public Works Director C.T. Eagle gave the background summary for this agenda item (on file in the Clerk's Office). He stated that the current water distribution system in the Skyline Hills Area was installed roughly 30 years ago by the developer and is deteriorating. The Town Commission previously approved proceeding with developing plans and specifications for this project. This is a budgeted item and will be utilizing utilities impact fees. After completion of the bid phase, the received bids will be brought to Town Commission for consideration prior to awarding the project.

Mr. Eagle stated Mr. Jason Shepler, engineer with Mittauer & Associates, is present to answer any questions.

Upon a motion by Commissioner Hannan and a second by Commissioner Kussard, the Commission approved the consideration to advertise for Bid No. 2018-0001 for the Skyline Water Main Replacement Project by a vote of 5 to 0.

K. TOWN ATTORNEY'S REPORT:

6. Ordinance 2017-44 – Second/Final Reading – Large Scale Comprehensive Plan Future Land Use Map Amendment – First National Bank of Mount Dora/Joel W. Hass – from Lady Lake Commercial General-Retail Sales and Services (RET) to Lady Lake Other Institutional Facilities (OIF) – for 16.8 ± Acres Located on South Hwy 27/441 Across the Street from the Hartsock Sawmill Rd. Intersection, Lake County, FL (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's Office). He stated that the applicant, Joel W. Hass with MJM Associates, LLC, on behalf of First National Bank of Mount Dora, is requesting to amend the Future Land Use designation of two parcels just south of the Oakwood Smokehouse Restaurant site, along South Hwy 27/441, and across the street of the intersection with Hartsock Sawmill Rd., which includes 16.8± acres of land within the Town of Lady Lake municipal limits. Mr. Carroll stated that staff recommends approval of this ordinance.

A map and an aerial view of the properties was presented showing the future land use of the subject parcel and adjacent properties. Photos of the property in its present condition and photos of the posting of the property were shown.

Department’s Basis for Recommendation:

1. The request is compatible with approved land uses and proposed developments to the east of the subject parcels.
2. The request change will efficiently utilize water and sewer facilities in the area.

Table 1- Existing and Proposed FLU for Site

Acres	Existing FLU	Proposed FLU
16.8 +/-	Lady Lake Commercial General-Retail Sales and Services (RET)	Lady Lake Other Institutional Facilities (OIF)

Table 2- Future Land Use Descriptions

Existing FLU	Proposed FLU
<p><u>Commercial General (Retail Sales & Services) (RET)</u>. This land use category is limited to retail sales and services which is an establishment engaged in the selling of products and services to the public for personal or household consumption, including but not limited to beauty/barber shop, laundry and dry cleaning store, newsstand/bookstore, clothing stores, drug stores, home electronic equipment, food/grocery stores, hotel/motel, religious uses, professional services and sporting goods. The intensity standard for this land use category is limited to a maximum of 80% impervious surface ratio per parcel (which includes building coverage) and a maximum building height of 35 feet unless fire protection is adequately provided. The floor area ratio (FAR) shall be limited to a maximum of 0.50 for the Commercial General category.</p>	<p><u>Other Institutional Facilities (OIF)</u>. This land use category is intended to support institutional facilities not associated with the direct support of governmental affairs such as libraries and private and public schools, hospitals, and assisted living facilities, hospitals, and assisted living facilities. The floor area ratio (FAR) shall be limited to a maximum of 0.70 for the OIF category.</p>

Applicant’s Justification from Application:

1. The proposed land use and zoning changes will minimize impacts to all surrounding residential and commercial properties and will serve to limit the impact that any other commercial use would allow in the future.
2. Sanitary sewer and potable water are either on-site or adjacent to the site and right-of-way making the site highly desirable for the project. The Traffic Impact Analysis will demonstrate compliance with the Comprehensive Plan.

Mr. Carroll reviewed the impact on Town services as follows:

Potable Water - The subject parcels are located within the Town of Lady Lake Utilities service area and the project shall be developed in accordance with Objective FLU 1-5, coordinating future land uses with the concurrency management system for adequate Level of Service (LOS) as per the Comprehensive Plan Goal FLU 1-5.

- ♦ Potable Water Systems – CUP allocation of 1.188 million gpd (2017)
- ♦ 2017 average Town’s water systems usage – 743,318 gpd
- ♦ The project estimated consumption 10,563 gpd

Sewer - The projected demand on the wastewater system is 10,563 gpd

Reuse - The project is proposed to generate 42 ERU's at build-out.

Schools - The property is proposed to generate zero students as the project consists of an institutional facility featuring a 125-bed Assisted Living Facility and a 125-unit Independent Living Facility.

Transportation - Traffic Analysis indicates that the project will generate a total of 763 new daily trips, of which 59 trips will occur during the PM peak hour and 43 trips will occur during the AM Peak hour. During the AM peak hour, 21 vehicles are forecasted to enter the project and 22 vehicles are projected to exit the site. During the PM peak hour, 29 vehicles are forecasted to enter the project and 30 vehicles are projected to exit the site.

Table 3.1 - ITE Trip Generation								
Average Weekday Driveway Volumes				AM Peak Hour		PM Peak Hour		
Land Use	ITE Code	Size		Daily Trips	Enter	Exit	Enter	Exit
Assisted Living	254	125	Beds	333	12	6	12	16
Senior Adult Housing - Attached	255	125	Dwelling Units	430	9	16	17	14
Total New Trips				763	21	22	29	30

In comparison, the ITE Trip Generation for the Commercial General-Retail Sales and Services (RET) Future Land Use, a shopping center (ITE Code 820), would derive approximately 3.71 PM peak hour trips per every 1,000 square feet of retail area.

Parks & Recreation - This commercial project shall not affect the Town’s LOS for Parks and Recreation in accordance to Goal REC1 and Objective REC1-1 of the Town’s Comprehensive Plan.

Stormwater - Project will be required to adhere to SJRWMD guidelines.

A justification statement has also been included as part of the Large Scale Comprehensive Plan Amendment application, which the applicant submitted for justifying why the future land use should be amended for the development proposed.

The subject properties involve approximately 16.8 ± acres in Section 28, Township 18, Range 24 in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Table 3. Adjacent Property Characteristics

Direction	Current Use	Future Land Use of Adjacent Properties
West	Single Family Residence, and Pasture, vegetated, undeveloped commercial land	Commercial Professional Services (PS)
East	R.O.W./Health Exercise Club and Pasture, vegetated, and undeveloped commercial land, (Assisted Living Facility to be constructed soon)	Commercial General – Retail Sales and Services (RET)
North	High-Turnover Sit-down Restaurant	Commercial General – Retail Sales and Services (RET)
South	Pasture, vegetated, undeveloped commercial land	Commercial General – Retail Sales and Services (RET)

Comments:

- 1) A Rezoning application has been submitted concurrently with this Large Scale Future Land Use Amendment application.
- 2) Town of Lady Lake Commercial Design Standards outlined in Chapter 20 and Site Development Plan Regulations of the LDRs must be adhered to prior to any design of site plans for the proposed buildings associated with this development.
- 3) Connection to Town Water, Sewer, and Reuse Utilities will be required.
- 4) Mitigation may be necessary for site plan approval to address concurrency deficiencies associated with the impacts of this project.
- 5) Mitigation/Relocation for wildlife will be needed for any endangered species found on the property following an Environmental Assessment conducted on the subject parcels.
- 6) On December 20, 2017, the Florida Dept. of Economic Development completed its review of the proposed Future Land Use Map Amendment and identified no comments; thus giving the ordinance green light for adoption.

The Large Scale Future Land Use Map Amendment application was received on Wednesday, September 20, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan in accordance to what is being proposed under the Other Institutional Facilities (OIF) designation, and is ready for transmittal to the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners, five (5) within 150’ of the property of the proposed amendment, were mailed on Monday, September 25, 2017. The property was posted on Tuesday, September 26, 2017. Town staff re-posted the property on Tuesday, December 26, 2017 and re-mailed notices to adjacent property owners this same date after receiving comments back from DEO. No objections or letters of support have been received to date.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2017-44, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the October 9, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance 2017-44 to the Town Commission with the recommendation of approval. The Local Planning Agency considered Ordinance 2017-44 at their

regular meeting on Monday, November 6, 2017, recommending approval with a 5-0 vote. The Town Commission considered Ordinance 2017-44 upon first reading at their regular meeting on Monday, November 6, 2017, recommending approval with a 5-0 vote.

Mr. Carroll stated Mr. Joel Hass and Mr. Greg Hudak are present if there are any questions.

Mayor Richards asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission approved the Second/Final reading of Ordinance 2017-44 by the following roll call vote:

<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

7. Ordinance 2017-45 – Second/Final Reading – Rezoning – First National Bank of Mount Dora/Joel W. Hass –from Lady Lake Heavy Commercial (HC) to Lady Lake Public Facilities District (PFD) – for 16.8 ± Acres Located on South Hwy 27/441 Across the Street from the Hartsock Sawmill Rd. Intersection, Lake County, FL (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk’s Office). He stated that a rezoning application has been filed with the Town of Lady Lake by Joel W. Hass with MJM Associates, LLC, on behalf of First National Bank of Mount Dora. The applicant is requesting rezoning for two parcels totaling 16.8 +/- acres (Alternate Keys 2700297 & 2808683) along the west side of South Highway 27/441, just south of the Oakwood Smokehouse Restaurant site and across the street of the intersection with Hartsock Sawmill Rd., to develop a 125-bed Assisted Living Facility and a 125-unit Independent Living Facility, to be completed in two phases and featuring two three-story buildings.

A map of the properties and an aerial map showing the zoning designations of the parcels and adjoining parcels was shown. The conceptual plan, photos of the property and the posting of the property were shown.

Mr. Carroll noted that a proposed revision of the conceptual plan was received this afternoon. It included a slight shift in the orientation of the building, and a modification to include a left-in from the northbound across from Hartsock Sawmill Road, as well as a right-out.

Mayor Richards commented that Hartsock Sawmill Road may one day be made directional if enough accidents occur there, and then they would not be able to turn left from this property to go north on US 27/441.

Mr. Carroll stated this could potentially occur, or this intersection could be signalized depending on the volume of the traffic coming out from both sides of the road. In that case, it would allow traffic to enter from the southbound entrance.

The subject properties lie in Section 28, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application.

The rezoning application was received on Wednesday, September 20, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for rezoning. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Zoning

Subject Property	Lady Lake Heavy Commercial (HC)
Zoning of Adjacent Properties	
West	Lady Lake- Residential Professional (RP)
East	ROW/Lady Lake Planned Commercial (CP) and Lady Lake Heavy Commercial (HC)
North	Lady Lake Heavy Commercial (HC)
South	Lady Lake Heavy Commercial (HC)

Notices to inform the surrounding five property owners within 150’ of the property of the proposed amendment were mailed on Monday, September 25, 2017. The property was posted on Tuesday, September 26, 2017. Town staff re-posted the property on Tuesday, December 26, 2017 and re-mailed notices to adjacent property owners this same date. No objections or letters of support have been received to date.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2017-45 and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the October 9, 2017 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance 2017-45 to the Town Commission with the recommendation of approval. The Town Commission considered Ordinance 2017-45 upon first reading at their regular meeting on Monday, November 6, 2017, recommending approval with a 5-0 vote.

Mr. Carroll stated Mr. Hass and Mr. Hudak are present if there are any questions.

Mayor Richards asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Vincent and seconded by Commissioner Kussard, the Commission approved the Second/Final reading of Ordinance 2017-45 by the following roll call vote:

<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

8. Ordinance 2017-51 – First Reading – Annexation – The Villages of Lake-Sumter, Inc. – Annexing Four Lots (0.65 +/- Acres) – Located Within Orange Blossom Gardens Units 1, 2, 3, and 4, Lake County, FL (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's Office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed an application to annex property consisting of four lots located within Orange Blossom Gardens Units 1, 2, 3, and 4. The application involves annexing 0.65 +/- acres from unincorporated Lake County into the Town of Lady Lake.

The lots are addressed as follows:

- 1012 Aloha Way
- 1411 Lester Drive
- 814 Royal Palm Avenue
- 962 Tarrson Boulevard

A map of the properties was shown, as were photos of the properties and the postings, as well as the survey map submitted by the property owner. It was noted that some of the structures have already been demolished.

The subject properties are in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the properties have been included with the submitted application. The lots will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex properties into the Town that are non-contiguous to the existing municipal boundary.

The annexation application was received on Wednesday, November 15, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (80) within 150 feet of the properties proposed by the annexation request were mailed Monday, November 27, 2017, and the properties were also posted this same date.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2017-51, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the December 11, 2017 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance 2017-51 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Monday, February 5, 2018 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

Mayor Richards asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and seconded by Commissioner Hannan, the Commission approved the First reading of Ordinance 2017-51 by the following roll call vote:

<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

9. Ordinance 2017-52 – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – Changing from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Four Lots (0.65 +/- Acres) – Located Within Orange Blossom Gardens Units 1 ,2, 3, and 4, Lake County, FL (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk’s Office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed an application to amend the future land use comprehensive plan designation from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for four lots located within Orange Blossom Gardens Units 1, 2, 3, and 4. The application involves 0.65 +/- acres of property and the lots are addressed as follows:

- 1012 Aloha Way
- 1411 Lester Drive
- 814 Royal Palm Avenue
- 962 Tarrson Boulevard

A map and an aerial view of the properties was presented showing the future land use of the subject parcel and adjacent properties.

The Small Scale Future Land Use Map Amendment application was received on Wednesday, November 15, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Concurrency Determination Statement: A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment application, which the applicant submitted to explain expected impacts on Town services. The Villages proposes to remove the existing manufactured homes on the lots to construct conventional built homes. There will be no increase in utility services, traffic, population, or recreation use.

Mr. Carroll reported there will be no impact on Town services as shown below:

Potable Water - No impact, the lots are served by the Village Center Community Development District Central Water System.

Sewer - No impact, the lots are served by the Village Center Community Development District Central Sewer System.

Schools - Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.

Transportation - No impact, the existing homes will be replaced with new homes. There will be no change in average daily trip generation.

Parks & Recreation - The small-scale future land use amendment will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, the Villages provides its residents with all Park and Recreation Amenities.

Stormwater - Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

The subject property lies in Section 06, Township 18 South, Range 24 East in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Property	1012 Aloha Way - Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake Paradise
East	Lake County Medium Urban Density
North	Lake County Medium Urban Density
South	Lady Lake Manufactured Home – High Density

Subject Property	1411 Lester Drive - Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County Medium Urban Density
East	Lady Lake Manufactured Home – High Density
North	Lady Lake Manufactured Home – High Density
South	Lake County Medium Urban Density

Subject Property	814 Royal Palm - Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County Medium Urban Density
East	Lake County Medium Urban Density
North	Lady Lake Manufactured Home – High Density
South	Lady Lake Manufactured Home – High Density

Subject Property	962 Tarrson Blvd. - Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lady Lake Manufactured Home – High Density
East	Lady Lake Manufactured Home – High Density
North	Lake Paradise
South	Lady Lake Manufactured Home – High Density

Comments:

1. Annexation and Rezoning applications have been submitted concurrently with this Small Scale Future Land Use Amendment application.
2. In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if the Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.
3. Project will be required to adhere to St. John’s River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Mr. Carroll reported that notices to inform the surrounding property owners (80) within 150 feet of the property proposed by the SSFLUM Amendment request were mailed Monday, November 27, 2017, and the properties were also posted this same date. No objections or letters of support have been received to date.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2017-52, and determined it to be complete and ready for transmittal to the Planning and Zoning Board. At the December 11, 2017 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance 2017-52 to the Town Commission with the recommendation of approval. The Local Planning Agency is scheduled to consider Ordinance 2017-52 on Wednesday, January 17, 2018 at 5:30 p.m. The Town Commission is scheduled to consider this ordinance for second/final reading on Monday, February 5, 2018 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

Mayor Richards asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Kussard and seconded by Commissioner Hannan, the Commission approved the First reading of Ordinance 2017-52 by the following roll call vote:

HANNAN	YES
KUSSARD	YES
HOLDEN	YES
VINCENT	YES
RICHARDS	YES

10. Ordinance 2017–53 – First Reading – Rezoning – The Villages of Lake–Sumter, Inc. – Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX–8) for Four Lots (0.65 +/- Acres) – Located Within Orange Blossom Gardens Units 1 ,2, 3, and 4, Lake County, FL (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk’s Office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed an application to rezone property consisting of four lots located within Orange Blossom Gardens Units 1, 2, 3, and 4. The application involves rezoning 0.65 +/- acres from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8). The MX-8 designation is consistent with the other lots in The Villages that are presently in the Town of Lady Lake’s jurisdiction. The proposed properties are addressed as follows:

- 1012 Aloha Way
- 1411 Lester Drive
- 814 Royal Palm Avenue
- 962 Tarrson Boulevard

A map of the properties and an aerial map showing the zoning designations of the parcels and adjoining parcels was shown.

The rezoning application was received on Wednesday, October 15, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

Zoning

Subject Property	1012 Aloha Way - Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake Paradise
East	Lake County Residential Medium (RM)
North	Lake County Residential Medium (RM)
South	Lady Lake Mixed Residential Medium Density (MX-8)

Subject Property	1411 Lester Drive - Lake County Residential Medium
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM)
East	Lady Lake Mixed Residential Medium Density (MX-8)
North	Lady Lake Mixed Residential Medium Density (MX-8)
South	Lake County Residential Medium (RM)

Subject Property	814 Royal Palm - Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM)
East	Lake County Residential Medium (RM)
North	Lady Lake Mixed Residential Medium Density (MX-8)
South	Lady Lake Mixed Residential Medium Density (MX-8)

Subject Property	962 Tarrson Blvd. - Lake County Residential Medium
Zoning of Adjacent Properties	
West	Lady Lake Mixed Residential Medium Density (MX-8)
East	Lady Lake Mixed Residential Medium Density (MX-8)
North	Lake Paradise
South	Lady Lake Mixed Residential Medium Density (MX-8)

Mr. Carroll reported that notices to inform the surrounding property owners (80) within 150 feet of the property proposed by the rezoning request were mailed Monday, November 27, 2017, and the properties were also posted this same date. No objections or letters of support have been received to date.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2017-53, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the December 11, 2017 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance 2017-53 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance 2017-53 for second/final reading on Monday, February 5, 2018 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

Mayor Richards asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Kussard and seconded by Commissioner Vincent, the Commission approved the First reading of Ordinance 2017-53 by the following roll call vote:

<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

11. Ordinance 2017-54 – First Reading – Annexation – Richard L. and Jennifer L. Daniels – Annexing One Lot (5.0 +/- Acres) – Located Approximately 665 Ft. East of Rolling Acres Rd. and Approximately 3,325 Ft. North of the SW Corner of Lake Ella Rd. and Rolling Acres Rd.; Addressed as 37637 Rolling Acres Rd., Lake County, FL (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk’s Office). He stated that applications have been filed with the Town of Lady Lake by Arlene Udick, on behalf of property owners Richard L. and Jennifer L. Daniels, to annex one lot located approximately 665 lineal feet east of South Rolling Acres Rd. and approximately 3,325 lineal

feet north of the southwest corner of Lake Ella Rd. and Rolling Acres Rd., within Lake County, Florida. The application involves annexing 5.0 +/- acres from unincorporated Lake County into the Town of Lady Lake.

A map and aerial view of the property was shown, as were photos of the postings, and the survey map submitted by the property owner.

Currently, there is an existing single family residence and pole barn placed on the parcel. This property is currently serviced by an existing well to service potable water and a residential septic tank for drainage water and waste matter.

Mr. Carroll reported that the primary reason for the annexation is for the applicant to be able to construct a single family residence on the property. The property owners would like to convert the existing single family residence into an accessory building and then they would like to build a new home. Originally, this lot was part of a 20-acre tract of land that was later subdivided into four parcels. Lake County indicated that the lot is not recognized as a legal lot because the lot split was completed by deed and not through the County's zoning process; thus the applicant cannot obtain a permit application from Lake County Building Department. To that effect, the applicant has decided to annex into the Town. The applicant has provided a Justification Statement supplying more in-depth details regarding this application.

The annexation application was received on Thursday, November 16, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements. The subject property lies in Section 30, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a survey of the property have been included with the submitted application. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (6) within 150 feet of the properties proposed by annexation request were mailed Monday, November 27, 2017, and the properties were also posted on this date. No objections or letters of support have been received to date, although there was one inquiry by an adjacent property owner.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2017-54, provided comments by November 27, 2017, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the December 11, 2017 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance 2017-54 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Monday, February 5, 2018 at 6:00 p.m.

Mr. Carroll stated Ms. Arlene Udick, the attorney representing the property owners, is present if there are any questions.

Mayor Richards asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission approved the First reading of Ordinance 2017-54 by the following roll call vote:

<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

12. Ordinance 2017-55 – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment – Richard L. and Jennifer L. Daniels – from Lake County Urban Low Density to Lady Lake Rural Low Density for One Lot (5.0 +/- Acres) – Located Approximately 665 Ft. East of Rolling Acres Rd. and Approximately 3,325 Ft. North of the SW Corner of Lake Ella Rd. and Rolling Acres Rd.; Addressed as 37637 Rolling Acres Rd., Lake County, FL (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk’s Office). He stated that applications have been filed with the Town of Lady Lake by Arlene Udick, on behalf of property owners Richard L. and Jennifer L. Daniels, to amend future land use designation of one lot located approximately 665 lineal feet east of South Rolling Acres Rd. and approximately 3,325 lineal feet north of the southwest corner of Lake Ella Rd. and Rolling Acres Rd., within Lake County, Florida. The small-scale future land use map amendment application involves 5.0 +/- acres and proposes a change from unincorporated Lake County into the Town of Lady Lake. The primary reason for the annexation is for the applicant to be able to construct a single-family residence on the property.

A map and an aerial view of the property was presented showing the future land use of the subject parcel and adjacent properties.

Applicant’s Justification from Application: The proposed land use and zoning changes will not adversely impact surrounding residential and commercial properties and will serve to limit the density allowed in the future.

Staff’s Basis for Recommendation:

1. The request is compatible with approved land uses and developments to the north, east, south, and west of the subject parcel.
2. The request change will not affect Town’s water and sewer facilities.

Table 1- Existing and Proposed FLU for Site

Acres	Existing FLU	Proposed FLU
5.0 +/-	Lake County- Urban Low Density	Lady Lake Rural Low Density (RLD)

Table 2- Future Land Use Descriptions

Existing FLU	Proposed FLU
<u>Lake County- Urban Low Density</u> - This land use provides a range of residential development at a maximum density of four (4) dwelling units per net buildable acre in addition to civic, commercial, and office uses	<u>Lady Lake Rural Low Density (RLD)</u> - This land use category permits one dwelling unit per five (5) net buildable acres. This designation encourages rural communities and very low density for the purpose of maximizing open

at an appropriate scale and intensity to serve this category. Limited light industrial uses may only be allowed as a conditional use, unless permitted as an Economic Development Overlay District Use.	space. Rural equestrian communities and low densities for the purpose of maximizing open space are encouraged within this land use.
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The subject property lies in Section 30, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a survey of the property have been included with the submitted application.

The small scale application was received on Thursday, November 16, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Local Planning Agency.

Mr. Carroll stated there will be no impact on Town services at this time as shown below:

Potable Water - The Town does not service water at this location. This property is currently serviced by an existing well for potable water. No connection to Town Utilities will be needed at this time; therefore, there is no impact to Town potable water facilities in accordance with Objective FLU 1-5, coordinating future land uses with the concurrency management system for adequate Level of Service (LOS) as per the Comprehensive Plan Goal FLU 1-5.

Sewer - The Town does not service sewer at this location. This property is currently serviced by an existing septic tank system for drainage water and waste matter. No connection to Town Utilities will be needed at this time; therefore, there is no impact to Town sewer facilities.

Schools - No additional impact to school facilities is expected as only one single family residence will remain on the 5-acre parcel at any given time. Using the updated Lake County student generation rates based on the recently-updated impact fee study, the current impact is a maximum of three school children (one student for each school):

	SF-DU	Single Family School Impact (based on replacement)
Total	0.328	3
Elementary	0.152	1
Middle School	0.074	1
High School	0.102	1

Transportation - No additional impact is expected in that there will be no change in the average daily trip generation.

Parks & Recreation - The annexation, small scale future land use amendment, and the rezoning applications will cause minimum impact to the Town’s Parks and Recreation facility in that the highest use would be one single family dwelling unit. This small scale future land use map shall not affect the Town’s LOS for Parks and Recreation in accordance to Goal REC1 and Objective REC1-1 of the Town’s Comprehensive Plan.

Stormwater - Project will be required to adhere to SJRWMD guidelines. As per FEMA FIRM MAP 12069C0165E effective 12/18/2012, the subject parcel is within the Flood Zone X- Outside the 500-yr Floodplain.

Table 3. Adjacent Property Characteristics

Direction	Current Use	Future Land Use
West	Pasture, vegetated, undeveloped vacant residential land	Lady Lake- Single Family Medium Density (SF-MD)
East	Pasture, vegetated, undeveloped vacant residential land	Lake County – Urban Low Density
North	Manufactured Home on 5-acre parcel	Lake County – Urban Low Density
South	Manufactured Home on 5-acre parcel	Lake County – Urban Low Density

Comments:

1. Annexation and Rezoning applications have been submitted concurrently with this Small Scale Future Land Use Amendment application.
2. If approved, the applicant will have to submit Building Permit applications to the Town’s Building Department for the new single family residence to make structural changes to any existing structures, and/or for other miscellaneous improvements.

Mr. Carroll reported that notices to inform the surrounding property owners (6) within 150 feet of the property proposed by annexation request were mailed Monday, November 27, 2017, and the property was also posted this same date. No objections or letters of support have been received to date, although there was one inquiry by an adjacent property owner.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2017-55, provided comments by November 27, 2017, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the December 11, 2017 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance 2017-55 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Monday, February 5, 2018 at 6 p.m.

Mr. Carroll stated Ms. Udick is present if there are any questions.

Mayor Richards asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and seconded by Commissioner Kussard, the Commission approved the First reading of Ordinance 2017-55 by the following roll call vote:

HANNAN	YES
KUSSARD	YES
HOLDEN	YES
VINCENT	YES
RICHARDS	YES

13. Ordinance 2017-56 – First Reading – Rezoning – Richard L. and Jennifer L. Daniels – Rezoning from Lake County Agriculture (AG) to Lady Lake Agriculture (AG-1) for One Lot (5.0 +/- Acres) – Located Approximately 665 Ft. East of Rolling Acres Rd. and Approximately 3,325 Ft. North of the SW Corner of Lake Ella Rd. and Rolling Acres Rd.; Addressed as 37637 Rolling Acres Rd., Lake County, FL (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk’s Office). He stated that applications have been filed with the Town of Lady Lake by Arlene Udick, on behalf of property owners Richard L. and Jennifer L. Daniels, to amend future land use designation of one lot located approximately 665 lineal feet east of South Rolling Acres Rd., and approximately 3,325 lineal feet north of the southwest corner of Lake Ella Rd. and Rolling Acres Rd., within Lake County, Florida. The application involves rezoning 5.0 +/- acres from Lake County Agriculture (AG) to Lady Lake Agriculture (AG-1). The primary reason for the annexation is for the applicant to be able to construct a single family residence on the property

A map of the property and an aerial map showing the zoning designation of the parcel and adjoining parcels was shown.

The subject property lie in Section 30, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a survey of the property have been included with the submitted application.

Zoning

Subject Property	Lake County Agriculture (AG)
Zoning of Adjacent Properties	
West	Lady Lake- Planned Unit Development (PUD)- Residential
East	Lake County Agriculture (AG)
North	Lake County Agriculture (AG)
South	Lake County Agriculture (AG)

The rezoning application was received on Thursday, November 16, 2017, and has been reviewed and determined to be complete, satisfying the necessary criteria as required under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (6) within 150 feet of the property proposed by the annexation request were mailed Monday, November 27, 2017, and the property was also posted this same date. No objections or letters of support have been received to date, although there was one inquiry by an adjacent property owner.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance 2017-56, provided comments by November 27, 2017, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the December 11, 2017 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance 2017-56 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance 2017-56 for second/final reading on Monday, February 5, 2018 at 6:00 p.m.

Mr. Carroll stated Ms. Udick is present if there are any questions.

Mayor Richards asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission approved the First reading of Ordinance 2017-56 by the following roll call vote:

<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

14. Ordinance 2018-05 – First Reading – Relating to Medical Marijuana – Amending the Land Development Regulations, Chapter V, "Zoning District Regulations"; Amending Chapter VI, "Conditional Uses and Special Exceptions" – Providing that Medical Marijuana Dispensaries are a Permitted Use in the Heavy Commercial (HC) Zoning District, the Light Commercial (LC) Zoning District, the Commercial Planned Unit Development Zoning District, the Mixed-Use Planned Unit Development District, the Industrial Planned Unit Development Zoning District, and the Industrial Zoning District (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's Office). He stated that on December 4, 2017, the Town Commission of the Town of Lady Lake considered Ordinance 2017-50 at a public hearing to determine whether the language of Chapter 5, Section 5-4 of the Land Development Regulations entitled "Zoning District Uses", as well as the language of Chapter 6, "Conditional Uses and Special Exceptions", should be amended to fully prohibit the establishment of medical marijuana dispensaries within the municipal limits. At that meeting, a motion was made for approval of Ordinance 2017-50; however, the motion failed due to the lack of a second of the motion.

Since that time, it has been expressed that the majority of the Town Commission does not wish to regulate the establishment of medical marijuana dispensaries within the Town of Lady Lake. Therefore, staff has prepared Ordinance 2018-05, making amendments to Chapter 5 and Chapter 6 of the Land Development Regulations.

The attached ordinance provides for the following:

- The ordinance allows medical marijuana dispensaries to operate within the Heavy Commercial, Light Commercial, Industrial, Mixed Use PUD and Commercial PUD zoning districts (Chapter 5 changes).
- It repeals all of the criteria that needed to be met in order for a medical marijuana dispensary to be established as a Special Exception Use (Chapter 6 changes).

Mr. Carroll reported that on or about June 23, 2017, Florida Governor Rick Scott signed Senate Bill No. 8-A which created a unified regulatory structure for sale, use, distribution, and consumption of medical marijuana in the State of Florida. This same bill also allows a county or municipality to ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality. Following the signing of Senate Bill No. 8-A, now codified as Section

381.986(11) Florida Statutes (2017), the Town of Lady Lake elected to impose a 180-day moratorium, effective August 7, 2017, through the passage of Ordinance 2017-30 by the Town Commission.

Mr. Carroll stated that the moratorium imposed under Ordinance 2017-30 is set to expire on February 3, 2018. The adoption of Ordinance 2018-05 shall become effective immediately upon adoption, which is anticipated to occur on Monday, February 5, 2018.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed Ordinance 2018-05 and determined it to be ready for transmittal to the Planning and Zoning Board. At the January 8, 2018 meeting, the Planning and Zoning Board voted 5-0 to forward Ordinance 2018-05 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider this ordinance for second/final reading on Monday, February 5, 2018 at 6 p.m.

Mr. Carroll noted that the Planned Commercial (CP) zoning uses will need to be added to this ordinance and included in the motion. He stated it will be corrected prior to second/final reading.

Commissioner Hannan stated he was not present for the December 4th meeting. He read a prepared statement regarding the prescription opioid epidemic in the country, and asked if allowing the dispensaries may be the beginning of such an epidemic in this town. He stated he is against allowing these medical marijuana dispensaries within the Town of Lady Lake.

Commissioner Kussard stated she did research on medical marijuana over the weekend. She also read a prepared report stating that the Town will not be able to place limits on the number or locations of medical marijuana dispensaries within the Town limits if they are allowed according to Senate Bill 8-A. They would be allowed in almost every zoning district except residential. She stated her concern is that if recreational use of marijuana is allowed in the State of Florida in the future, dispensaries will already be here if allowed under this ordinance. She stated they are not needed here as there are already two dispensaries in the vicinity and doctor home visits and deliveries are available.

Commissioner Holden stated medical marijuana dispensaries have nothing to do with opioids or street marijuana as the hallucinogenic part is removed for medical marijuana. He stated people should be allowed to purchase medical marijuana to help control their pain, and may even help someone to get off of opioids. He stated he is in favor of it.

Commissioner Vincent responded to the comment that a dispensary could be on every corner. He stated that he might be more concerned if the two dispensaries in the area were doing more business. He stated they appear to be barely succeeding at this time.

Commissioner Holden stated that he recently stopped by the dispensary in Sumter County to see how their business was doing, and the doors were locked and there were no customers.

Mayor Richards stated that he lives in the historic side of The Villages where many residents' only means of transportation is a golf cart. He stated allowing medical marijuana dispensaries within Town limits may make them accessible to those who need it. He agreed with Commissioner Holden's statement that medical marijuana may reduce the need for prescription opioids.

Mayor Richards asked if anyone had any questions or comments, and hearing none, asked for a motion.

Commissioner Hannan made a motion to disapprove the First reading of Ordinance 2018-05, and it was seconded by Commissioner Kussard. The motion failed by the following roll call vote:

<i>HANNAN</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>
<i>HOLDEN</i>	<i>NO</i>
<i>VINCENT</i>	<i>NO</i>
<i>RICHARDS</i>	<i>NO</i>

Upon a motion by Commissioner Vincent, with a second by Commissioner Holden, the Commission approved the First reading of Ordinance 2018-05, to include the addition of the Planned Commercial (CP) zoning, by the following roll call vote:

<i>HANNAN</i>	<i>NO</i>
<i>KUSSARD</i>	<i>NO</i>
<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>

L. TOWN MANAGER’S REPORT:

15. Consideration of Two Appointments/Reappointments to the Parks, Recreation and Tree Advisory Committee (Kris Kollgaard)

Town Manager Kris Kollgaard read the background summary for this agenda item. She stated that the terms of two Parks, Recreation & Tree Advisory Committee members, Linda Denby and Betty Cantelmo, expire in February 2018; and both would like to be reappointed. There is also one other application on file for consideration from Nora Choquette.

Mayor Richards asked if any of the applicants were present. No applicants were present.

Ms. Kollgaard asked the Commissioners to make their selections, and the following results were read into the record and tallied:

- Commissioner Hannan voted for Betty Cantelmo and Nora Choquette.
- Commissioner Kussard voted for Linda Denby and Nora Choquette.
- Commissioner Holden voted for Betty Cantelmo and Nora Choquette.
- Commissioner Vincent voted for Betty Cantelmo and Linda Denby.
- Mayor Richards voted for Betty Cantelmo and Linda Denby.

This resulted in a tie vote between Ms. Denby and Ms. Choquette, and Ms. Kollgaard requested a re-vote between these two applicants only. A roll call vote resulted in Commissioner Vincent changing his vote from Ms. Denby to Ms. Choquette, breaking the tie.

This vote resulted in the reappointment of Betty Cantelmo and the appointment of Nora Choquette to the Parks, Recreation and Tree Advisory Committee.

16. Consideration of Two Appointments/Reappointments to the Planning and Zoning Board (Kris Kollgaard)

Town Manager Kris Kollgaard read the background summary for this agenda item. She stated that the terms of two Planning and Zoning Board members, Carole Rohan and Regis LeClerc, expire in February 2018, and both would like to be reappointed. There are also two other applications on file for consideration from Nora Choquette and Jeremiah Delgado.

Mayor Richards asked if any of the applicants were present.

Ms. Rohan indicated she was present.

Commissioner Hannan commented that he has been attending the Planning and Zoning Board meetings, and he feels that Ms. Rohan and Mr. LeClerc are wise choices and add a lot to the meetings. He encouraged the other Commissioners to vote for them.

Ms. Kollgaard asked the Commissioners to make their selections. The following results were read into the record and tallied:

Commissioner Kussard voted for Regis LeClerc and Carole Rohan.
Commissioner Hannan voted for Regis LeClerc and Carole Rohan.
Commissioner Holden voted for Regis LeClerc and Carole Rohan.
Commissioner Vincent voted for Regis LeClerc and Carole Rohan.
Mayor Richards voted for Regis LeClerc and Carole Rohan.

As a result, Regis LeClerc and Carole Rohan were re-appointed as members of the Planning and Zoning Board.

17. Consideration of Additional Advertisement in the Welcome to Lake County Visitor/Newcomer's Guide (Kris Kollgaard)

Town Manager Kris Kollgaard read the background summary for this agenda item. She stated that Aker's Media and Lake County Economic Development and Tourism are working together to produce a comprehensive visitor's guide to Lake County. Aker's Media has contacted the Town to see if we are interested in placing an additional ad in this year's magazine. She noted that the Town will already be included in the magazine along with the other cities at no charge. If the Commission desires to do an additional advertisement, samples from last year's magazine have been attached for review. The funds would have to come out of contingency as this is not a budgeted item.

Commissioner Hannan verified the type of ad for Lady Lake that will be included at no charge.

Ms. Kollgaard stated that they will come out and take a photograph, and that they do a good job with the regular ad. She stated she does not feel the Town has a need for an additional advertisement.

It was the consensus of the Commissioners that they did not want to pay for additional advertising in this year's Welcome to Lake County Visitor/Newcomer's Guide.

Ms. Kollgaard stated that there was discussion at last December's Commission meeting regarding the possibility of amending Chapter 12, Article 3 of the Land Development Regulations (LDRs) to allow habitable structures to be built closer than 35 feet from the Ordinary High Water Line (OHWL). She stated three options were discussed:

1. Leave LDRs as they are, but include a grandfather clause to allow a structure to be replaced with a larger structure as long as it is no closer to the water than the original structure.

Ms. Kollgaard stated that staff looked at this option and found that it can be done, although cross-referencing of sections of the code would have to be looked at to determine what the setback was on the original structure.

2. Amend the LDRs to allow for a variance process.

Staff reviewed this option and feels it will be costly for the applicant and time-consuming.

3. Amend the LDRs to reduce the setback distance from the OHWL and maintain that no variances can be granted.

Staff feels the best way to accomplish this is to reduce the setback from the OHWL to 25 feet from the current requirement of 35 feet. Then no variances would be required and there would be less changes to the code and re-codifying the LDRs.

Ms. Kollgaard stated that staff can draft an ordinance based on the Commissioners direction, and it would then go before the Planning and Zoning Board, then before the Town Commission for two readings.

Mayor Richards commented that option #3 would solve having the homes closer to the street, and Commissioner Kussard agreed.

Commissioner Hannan stated that another option would be to do nothing.

Ms. Kollgaard replied the variance process is already an option.

Commissioner Holden voiced his concern about flooding if the setback was reduced. He asked if the 18-inch base elevation of a home in a floodplain should be higher in this case.

Ms. Kollgaard replied that a home in a floodplain already has to be built up.

Mayor Richards agreed that the current standards already require a home to be built 18 inches higher than the floodplain, so it would not be flooded.

After further discussion, it was the consensus of the Commissioners, with Commissioner Hannan not in favor, to direct staff to draft an ordinance to amend Chapter 12, Article 3 of the LDRs to allow for a 25-foot setback from the OHWL rather than the current requirement for a 35-foot setback from the OHWL.

Ms. Kollgaard reported that I.T. Director John Pearl is currently working on creating a new website for the Town. She stated he has found there is a lot more to it than originally thought, and the goal is to create a website that is easy to use. Content must be structured so that it can be scanned and still be searchable, and it must be accessible for the disabled, such as the visually impaired who use a screen reader. Ms. Kollgaard passed out examples of agenda cover sheets that have been condensed and reformatted to make it easier to meet these requirements on the new website. She noted that the text is not justified as it has been determined that people with dyslexia find justified text harder to read. The agenda cover sheets will also contain links to additional information rather than having so much information in the packet. She asked that the Commissioners review this new format. She stated that a meeting regarding this can be scheduled in the future if the Commissioners so choose.

Commissioner Hannan stated that staff should move forward with this if it make sense to them.

Ms. Kollgaard reminded everyone that the 7th grade students from the Villages Charter School Civics Class will be arriving about 9 a.m. this coming Monday. She stated that the Mock Commission meeting will begin around 11 a.m. She asked that the Commissioners arrive as soon as they can as they can help the students prepare for the Mock Commission meeting.

M. MAYOR/COMMISSIONER’S REPORT:

Mayor Richards asked if there were any comments from the Commissioners. There were no comments.

N. PUBLIC COMMENTSⁱⁱ

Mayor Richards asked if there were any comments from the audience. There were no comments.

O. ADJOURN: There being no further business, the meeting was adjourned at 7:02 p.m.

Kristen Kollgaard, Town Clerk

Jim Richards, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

ⁱ *All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.*

ⁱⁱ *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*