

**AT A REGULAR MEETING OF THE PLANNING  
COMMISSION HELD IN AND FOR GADSDEN COUNTY,  
FLORIDA ON JUNE 14, 2018 AT 6:00 P.M., THE  
FOLLOWING PROCEEDING WAS HAD, VIZ:**

**Present:** Commissioner Edward J. Dixon, Chair - (P)  
Commissioner Libby Henderson, Vice-Chair  
Commissioner Regina Davis, At-Large Member - (P)  
Commissioner Gail Bridges-Bright-(P)  
Commissioner John Youman – (P)  
Commissioner Marion Lasley - (P)  
Commissioner Doug Nunamaker - (P)  
Commissioner Lori Bouie – Arrived Late  
Commissioner William Chukes  
Commissioner Antwon McNeil  
Commissioner Gerald McSwain  
Commissioner Audrey Lewis, School Board Representative  
Jill Jeglie, Senior Planner  
Roosevelt Morris, Planning Director  
Elizabeth Barron, Assistant County Attorney  
Marcella Blocker, Deputy Clerk

**1. PLEDGE OF ALLEGIANCE**

Chair Dixon called the meeting to order at 6:42 p.m. (no quorum was present until this time) and asked everyone to stand for the Pledge of Allegiance to the U. S. Flag.

**2. ROLL CALL**

Roll Call was conducted by Deputy Clerk, Marcella Blocker.

**3. APPROVAL OF THE AGENDA**

Chair Dixon asked for approval of the Agenda and Commissioner Lasley asked to hear Item 7 after Item 8, it was dealing with the same parcels and felt they should hear the project first before removing language from their Codes. He asked if there were any objections and there were none. The Board voted 7-0 to approve this.

**UPON MOTION BY COMMISSIONER DAVIS FOR APPROVAL OF THE AGENDA AS AMENDED AND SECOND MADE BY COMMISSIONER BRIDGES-BRIGHT, THE BOARD VOTED 7-0 BY VOICE VOTE TO APPROVE.**

**4. APPROVAL OF MINUTES – April 12, 2018**

Commissioner Lasley asked for a correction to be made to the date at the top of the Minutes (change already made) and an amendment on page 6 to change “complete” to “create”.

**UPON MOTION BY COMMISSIONER LASLEY FOR THE APPROVAL OF THE MINUTES AS AMENDED AND SECOND MADE BY COMMISSIONER BRIDGES-BRIGHT, THE BOARD VOTED 7-0 BY VOICE VOTE TO APPROVE THE MINUTES.**

Commissioner Bridges-Bright asked that her name be consistent throughout the minutes and it be “Bridges-Bright”.

## **PUBLIC HEARINGS**

### **5. MIDWAY BUSINESS PARK PRELIMINARY PLAT (Quasi-Judicial) (MSD-2018-02)-Remanded back to the Planning Commission for consideration of a preliminary plat application for the Midway Business Park Major Subdivision, Tax Parcel Identification #'s 4-16-1N-2W-0000-00233-0200 to create thirty-three (33) lots on 191.29 acres.**

Jill Jeglie was sworn in by the Deputy Clerk and she introduced the above item. She said the subdivision was originally approved in 2001 and 2002 and the site construction plan was in 2003 and she listed the Analysis and Findings. She said at the April 12, 2018 meeting, the Planning Commission recommended denial because the package at that time was incomplete. She said the applicant provided a complete plan set and it was presented to the BOCC at the May 15, 2018 and they remanded the application with the complete plan set back to the Planning Commission for consideration. She said Page 5 provided the Finding and Facts of the project and the Planning Division Recommendation was Option 1.

Commissioner Lasley said in the packet received, she was concerned with Attachment #4-Industrial Plants and Industrial Parks-SIC Codes. Ms. Jeglie said Attachment #4 was from Resolution 2001-024 and when they first met this was older and was a point of discussion that was brought up and they made sure they had a copy of the most recent.

There was discussion regarding the SIC Codes and prohibited uses and what was not prohibited uses. Ms. Lasley said it was not listed what was and was not prohibited and wanted to make sure for the record when businesses had applications and wanted to be approved, that the codes were listed specifically as not being allowed.

**Nancy Linnan, Esquire, 215 S. Monroe Street, Tallahassee, FL 32301** appeared before the Board and stated she was representing Anderson-Columbia. She handed out resumes of their experts. She explained the BOCC asked them to come back to the Planning Commission to make sure they had seen all the plats and exhibits and she was before them to answer any questions. She said the first question was the SIC Code issues and that had dogged them all these years and was partially because of the way it was done. She said the uses were originally set in 1987 and included everything. She said Anderson Columbia was not involved and they bought the property in 2001 and came in to show their plan and the Planning Commission and the County Commission amended it in certain places. She said ultimately, the bottom line was the 1987 SIC Codes still existed because it was not totally replaced but had been amended and modified by the 2001 change. She said when anyone buys property, she suggested they attach a list of what could and could not be done, get it to the County once that was agreed upon, could be added and would be easier to follow. She said they did put on the plat that the DRI controlled and that would be the 87 plan as modified by the 2001 plan. She said with the Compatible Uses, she was not there at the Planning Commission meeting but she understood there were questions about how there could be heavy industrial next to neighborhoods and residential. She said with the Development Order itself most of it would be light industrial but anything to the south had to be light industrial and that was what the plan showed and they were restricted to that in the Development Order. She said another question was traffic and said the land use was determined by the development order. She said one concern was the big trucks turning onto Brickyard Road and it was said Midway would

like them to go toward Highway 90 to avoid the residential area. She said a sign was placed advising the trucks “No Left Turn” so they would have to head toward Highway 90. She said the Chair of the County Commissioners asked if they would be willing to help lobby for a turn lane to help keep the traffic from backing up and they agreed.

Commissioner Lasley asked in the original 2001 document, there were two things she had questions about: 1) On page 6 of Attachment 4, it stated “Anderson-Columbia shall relocate the existing driveway from Brickyard Road some 13 feet to the west so that the centerline of the driveway is approximately 100 feet from the centerline of the CSX railroad track”. Ms. Linnan said that had been done, it was redirected. Ms. Lasley asked about the vegetative buffer and Ms. Linnan said the planting was done and approved by the County a number of years ago.

Commissioner Nunamaker asked if Talquin was maintaining a sanitary sewer or was it a storm sewer and was told it was a central water and sewer. He asked if it was Talquin or the City and asked where the treatment facility was and Chair Dixon said it was back where the Budweiser plant was, a separate driveway.

Commissioner Lasley asked about gopher tortoises.

**Ms. Elva Peppers, Florida Environmental and Land Services, Inc., 221-4 Delta Court, Tallahassee, FL 32303**, appeared before the Board and was sworn in by the Deputy Clerk.

Commissioner Lasley said a survey was done in 2016 and would they wait until the homeowners association was created and all the lots will have been sold and all the sites were impacted or would they be dealt with right now, taken care of and moved somewhere else. Ms. Peppers said the only ones that were observed recently were in already developed areas and there would not be a need to be dealt with. Commissioner Lasley asked if there were some, who would be responsible for the permit and Ms. Peppers said the person that was developing the property. Commissioner Lasley asked what if they decided they did not want to do that and Ms. Peppers said there were very stiff penalties for doing that if they were caught. She further explained the problem was the tortoises were animals and if they were moved today and the property was not developed for 1-3 years, they could return.

**Darrin Taylor, 215 S. Monroe Street, Tallahassee, FL** appeared before the Board and was sworn in by the Deputy Clerk. He said this was an issue they specifically talked through with staff and read aloud for Commissioners language that was in one of the exhibits regarding this matter.

Commissioner Nunamaker said Ms. Peppers mentioned developed area and she said there were a couple of tortoises in the storm-water pond area.

Chair Dixon said to Ms. Linnan and Ms. Peppers that over the years they were one of the better companies to come to the County and did not think it wrong to expect them to be honest players and did not expect them to take advantage of the County. He then asked if there were any comments from the audience and there was none.

**UPON MOTION BY COMMISSIONER BRIDGES-BRIGHT TO APPROVE OPTION 1 AND SECOND MADE BY COMMISSIONER NUNAMAKER, THE BOARD VOTED 7-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**6. CW Roberts Future Land Use Map Amendment (Legislative) (LSPA-2018-07)-Amendment to the Future Land Use Map from Agriculture 3 (AG-3) to Mining and Conservation for 145.5 acres addressed as 9914 Pat Thomas Parkway (Tax Parcel Identification # 4-28-1N-4W-0000-00200-000).**

(Brief recess taken at 7:24 p.m.)  
(The meeting was re-convened at 7:30 p.m.)

**Allara Gutcher, AICP, The Planning Collaborative**, appeared before the Board and introduced the above item. She explained this was for an amendment of the Future Land Use Map of the Comprehensive Plan for approximately +/- 145 acres from Agriculture 3 to Conservation and Mining. She said approximately 65.65 acres could be classified as Mining and 79.85 would be classified as Conservation. She said surveys were done for wildlife and was included in their packet and there were Gopher Tortoise burrows and wild ginger on site and appropriate permits would be applied prior to site development. She said there were two on-site septic tanks currently on site and the applicant has received a letter from Talquin Electric to indicate there is a 6" water main located on the east side of Pat Thomas Parkway that would be available for connection for the purpose of use. She said the applicant had provided a Comprehensive Plan analysis and a Compatibility analysis as required. She said a CBOR meeting was held on March 29<sup>th</sup> at Bear Creek Educational Forest Center and the requirement of Section 7001.1 of the Land Development Code was met. She further stated there were no technical issues as to why the request should or should not be approved and they were asked to make a recommendation to the County Commission regarding this request. She said as the consultant to staff, she recommended they send this to the BOCC and ask them to transmit this to the State for review and the next step was for the BOCC to hear this and transmit to the State for review and would come back to the County for adoption.

Commissioner Nunamaker asked if the .15 of an acre that was short was enough to prohibit having two homes on site and Ms. Gutcher said yes; unless they could show a survey that had 80 acres they would be able to have two homes.

Elva Peppers re-appeared before the Board in case there were any questions.

Commissioner Lasley said gopher tortoises were located on high ground then they would be doing something with them and Ms. Peppers said yes and in the scheme of mining the piece of property, they would extend the area that has been mined already before expanding onto the area where the tortoises were located.

Commissioner Davis pointed out she could not guarantee and Ms. Peppers said she had worked with this company in the past and felt certain things would be handled properly.

Commissioner Nunamaker asked if there was mining already adjacent to this property and she responded yes. He asked if the nature of the mining would be primarily sand and asked if there would be other mining materials and she said no.

**Ed Allen, representing Friends of Lake Talquin**, appeared before the Board. He said there was a Citizens Bill of Rights meeting but word did not get out for it and only one person showed up. He said the last thing needed out there were more sand pits and they were overrun by sand trucks

now. He said the original mining permit was for them to clear off the top soil of the hill. He said as far as Industrial Storage, they stored an illegal, unpermitted asphalt plant there. He added there were over 300 acres that was owned by Anderson/Columbia and Peavy and they put 19.99 acres on that plot so they could go under the State's recommended 20 acres. He said 50 truckloads a day could be hauled out and how would that not impact natural resources. He added that sand pits did not protect the wetlands but destroyed them.

Commissioner Nunamaker asked where he lived in regard to the property and Mr. Allen responded he lived off Cooks Landing Road, on the east side.

Elva Peppers reappeared before the Board and wanted to clarify the CBOR notice was mailed out within ½ mile of the property, gave adequate notice and it was published in the three local papers.

Commissioner Nunamaker asked if there was a response there from ones that showed up. Ms. Peppers said there was one that came and was in favor of the project.

Commissioner Lasley asked about the wetlands map, said she was concerned about the buffer on the road and there needed to be one and was concerned about the slopes and assumed they would be protected. Ms. Peppers said what was there would remain and was a wide road and wide right-of-way road and would remain.

Commissioner Nunamaker asked where the 20 acres were in relation to the 80 and was told on the east side.

**COMMISSIONER LASLEY RECOMMENDED OPTION 2 TO NOT TRANSMIT THIS TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR REVIEW AND DIED FOR LACK OF SECOND.**

Commissioner Nunamaker asked what her objections were on this moving forward and she said that it was mostly AG 3 and there were extensive wetlands on the property.

**COMMISSIONER DAVIS MADE A MOTION TO APPROVE OPTION 1 AND SECOND WAS MADE BY COMMISSIONER BRIDGES-BRIGHT. THE BOARD VOTED 6-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER LASLEY OPPOSED.**

**8. Barnes Properties, LLC and Capital City Bank (Legislative) (LSPA-2018-06)-Amendment to the Future Land Use Map from Rural Residential to AG-1 on Carmen Maria Lane, Quincy, FL 4-23-1N-4W-0000-00340-0200 (25.69 acres). #4-23-1N-4W-0000-00340-0200, 4-26-1N-4W-3130-0000-0070 (25.59 ACRES), AND 4-26-1N-4W-0000-00310-0000 (233.19 acres).**

Ms. Gutcher introduced Item 8 and said it was a legislative hearing for an amendment of the Future Land Use Map of the Comprehensive Plan and was a request to change from Rural Residential to Agriculture 1 and the total acreage was approximately 284 acres and was three parcels. She said the parcels were part of a Comprehensive Plan Amendment from 2006 when the Department of Economic Opportunity was the Department of Community Affairs and when things were growing strong and there were multiple amendments that were part of a package that went to DCA. They found that the amendments were not in compliance at the adoption stage that the County was working through and subsequently the County, property owners and DCA entered into a Stipulated Settlement Agreement for the County to re-adopt the policies into the Comprehensive Plan and the map. She said the request was to change the three parcels mentioned earlier from

Rural Residential to Agriculture 1. She said currently the Agriculture 1 category allowed for 1 dwelling unit per five acres and the RR allowed 1 dwelling per acre so the request was to diminish the allowable density on the three parcels. She said the amendment would change the southern end of Carmen Maria Lane, the northern-western most parcel that was approximately 25 acres to a maximum of 5 dwelling units; the parcel south of McCall Bridge Road, approximately 25 acres to a maximum of 5 units, and the larger piece, the southern piece, the Lakeview Point Road parcel, about 233 acres to a maximum of 46 dwelling units and would diminish the maximum density from 284 units to approximately 56. She said the allowable use would remain the same with the exception that within Ag 1 the use would allow for farming activities, commercial activities that were associated with the primary agriculture use and cemeteries. She said it would remove the allowable use of educational facilities but residential uses were still allowed as one. She said the applicant noted the reason for the request was so that the majority of the land within the area was not rural residential but larger parcels; there were no sewer hookups for the parcels. There would have on-site septic, which would be required for any residential use. She also stated the applicant had received a letter from Talquin stating there was limited access to water facilities to this site. She said the properties were owned by Capital City Bank and the Barness Family, LLC. She said Ms. Elva Peppers was the authorized agent.

Commissioner Lasley asked where the Stoddard properties were and Ms. Gutcher said everything that was highlighted on the map and was what they were named in the Stipulated Settlement Agreement that occurred in late 2000. She added they were not the property owners today but were years ago. Commissioner Lasley said the Highlands property was almost 50% wetlands and Ms. Gutcher was misleading the percentage of the wetlands. Ms. Gutcher explained the confusion was the 2008 Stipulated Settlement Agreement included all the parcels on the map but the agent only had authorization to represent the three parcels that were outlined in the exhibits. Ms. Lasley said it sounded like they were going for larger lots but the reality was that currently they were required to have a wastewater package plant that dealt with the waste on this property that would then get pumped out into the lake watershed area. Ms. Lasley stated she could not support this because she knew what the culmination of that was. She continued and stated the Highlands had 50% wetlands on it and they did not need to have septic tanks there. She added that the reality was in Rural Residential, they look at the whole property and identify the wetlands, take them out and the rest was the developable lots; when Ag 1 was put there, they could plat out the whole thing and everyone would get a little bit of the wetlands and they were not protected. Ms. Gutcher said there was a requirement that they have enough buildable upland to develop the property to build a house on. Ms. Lasley said they would have to have room for a septic tank and water. She said to her it was a septic tank issue.

Chair Dixon asked in Item 7, what the text amendment would do and Ms. Gutcher said it was a request to eliminate the parcel ID numbers that the applicant has authorization to represent from the policy. She explained if the amendment was adopted, would not be subject to the policy in the plan. Chair Dixon said Ms. Lasley was correct they would not be subject to the Stipulated Agreement.

Ms. Lasley asked of the other properties not included in this amendment would still be subject to the Stipulated Agreement and Ms. Gutcher said yes.

Commissioner Bouie asked if it would affect the County's position with DEO. She said the County

had to comply to make sure certain protections were in place and now that there was going to be a change, would that make them look at it again to see if they were in compliance. Ms. Gutcher said she could not speak on behalf of what DEO would do. Ms. Gutcher said in talked with the County Attorney, she asked if they could amend the Stipulated Settlement Agreement and was told yes.

Elizabeth Barron, Assistant County Attorney, appeared before the Board to address Commissioners' questions. She said it did not mean that the Agreement went away, but there was nothing in the agreement that would prevent them from adopting the changes.

Ms. Gutcher said when they had the pre-application meeting with the applicant, it was mentioned to her that they were going to propose a change to the future land use element to delete the overlaid district that was in the plan. She said the parcels were subject to the overlay district and have been subdivided and now there are more Parcel ID numbers. There was further discussion regarding the parcels.

Commissioner Lasley said there were quite a few land use changes made to Rural Residential and the only reason they were approved was because they were able to put this Stipulated Agreement and special conditions on the land use change that required the developer to provide sewer to the lots in order to be sold. She added what they wanted to do and had been stated the applicant could create 46 lots and 5 lots and 5 lots automatically without going through this process and what this process would do was take away the special requirement that the developer create the sewage treatment system and that was the issue. She said there would still be 54 septic tanks on the property that would be created just up from the lake and would drain into the lake. She asked how many lots had been platted out and sold and Ms. Gutcher said the ones they saw (on the map) that were diagonally subdivided. Ms. Gutcher further explained the lots outside of the yellow and red boundary (on the map) were not part of the Stipulated Settlement Agreement and were not part of the Stoddard Agreement.

Commissioner Bridges-Bright said the concern that Commissioner Lasley had with the septic tanks, could that be addressed in the text amendment or would it be too late to address at that point. Ms. Gutcher said a recommendation could be made when that item came forward next. Commissioner Bridges-Bright said she felt that was part of the reason for switching the items so they could discuss all this and get clarity because she was also present for the protection of the water with the special septic tanks. She added with making the larger parcels they reduced the number of residents but it would not be protected. She further stated there would be fewer homes but more opportunities to pollute.

Ms. Gutcher said on the next item, they were requesting that these parcels not be subject to the requirement to construct a central waste water treatment facility.

Chair Dixon asked under that, would any parcel be subject to it. Ms. Gutcher said the ones that were outside of the boundary of his request and only if they were subdivided further; they were not subject to it right now.

Chair Dixon said he was a part of this originally and getting the septic system there was the lynchpin to it all and this seemed like an effort to thwart that. He added once they let these out of that, could they keep anyone else in it. Ms. Gutcher explained that the lots that were diagonally

subdivided (shown on map) had well and septic on them.

Commissioner Youman asked how large the lots were and Ms. Gutcher responded she thought they were less than 20 acres. He said they had sufficient amount of room from the septic tank to where the next body of water has been purified and was safe but the smaller lots would not have that.

Commissioner Bouie said her concern was the County's liability with the State Agencies and the State Agency had to intervene and make certain that the County was performing and protecting the properties in the past and if something was done now, they would be putting the County liable.

Ms. Gutcher said if it went forward to the State for review and they found it not compliant, they would issue that report back to them.

Elva Peppers reappeared before the Board. She said the property on the southern portion did have wetlands and if they took that out of the 284 acres, they would still have the opportunity of 227 lots under the rural residential. She added that this amendment was on the radar and she was also here for the Highlands. She said as far as the concern whether there was septic tanks versus a sewage system, majority of the properties in Gadsden County were on septic tanks. She said septic tanks were not the devil, if installed properly and in the correct soil types, they function. She said there would be larger lots and probably larger than 5 acres. She added because of the larger area that was wetland, a lot may have 20 acres or 15. She said overall, environmentally, 227 houses versus 56 septic tanks, she felt the greater protection would be with the 56 septic tanks. She explained the difference in the two. She said they did have the CBOR meeting and 11 people showed and did not think anyone left with an objection. She added that a lot that lived there wanted a more rural area and changing the land use to Agriculture 3 fit better into the area.

Commissioner Lasley said she took strong objection to the legal wording that was in the paper because had she known that the Highlands was going to be in there, she would have been there. She said the only thing mentioned were parcel numbers and Carmen Maria. She also said Ms. Peppers was incorrect in stating they could build 233 1 acre lots because in rural residential, according to Codes, the wetlands are taken out and what was left was the developable lots. There was further discussion regarding the wetlands and amount of lots.

Commissioner Nunamaker concurred with Ms. Peppers about the septic systems, if working right would not drain.

**Sharon Franklin, 214 Carlene Lane, Quincy, FL** appeared before the Board and said she lived behind Carman Maria and had been there for 20 years and was concerned with traffic there already. She said the property behind her was one of the 25 acres; they came in years ago and bulldozed it all down before the Zoning Board had a plan that was not approved. She said they were promised a buffer and that consisted of a sparkleberry bush. She said a road was planned that would have come down and the lights would have shown into her family room and that was another objection. She said above all, the element was to protect the lake. She said Capital City Bank took over when the group filed for bankruptcy. She said the Restrictions died with the bankruptcy and there were lots with trash on them, lots there were not mowed or taken care of and not to mention the gopher that lived in her back yard. She said she would appreciate it if the



Board did not go with this.

**Greta Langley, 2299 McCall Bridge Road, Quincy, FL** appeared before the Board and said not only was she concerned as a resident of the area; there was extensive issues with trash being thrown out on the road. She said she personally drives up and down the road on Sundays and picks up trash. She said she owned two parcels that were previously owned by Capital City so this development would touch her property. She said she owned a total of 66 acres and had no desire to build on it and her concern was if the development moved forward, what impact it would have on her land. She said her goal was to protect the land, wildlife and trees on it. She said she had met with FWC and they had a plan regarding the gopher tortoises already on the property and those were her concerns. She added she was unsure if the development moved forward if mobile homes would be allowed. Ms. Gutcher said there was not an active Development Order. Ms. Langley asked if it moved forward, what animals would be allowed and Ms. Gutcher said if it changed to Agriculture, there would not be much of a restriction on farming activity. Ms. Langley asked if the wetlands would be disturbed and Ms. Gutcher said that would be up to the State, permits would come from the State.

Commissioner Nunamaker asked if she was in one of the diagonal lots and she said yes and indicated on the map where her property was located.

Chair Dixon said his greatest concern was this was developed as a total project and felt it should be addressed as a total project-not piece-milled where the Stipulations no longer mattered. He added protection of the lake was tantamount and was why central sewer was ordered.

Commissioner Bouie asked how could they protect or address the concerns raised by the citizens.

Chair Dixon said his recommendation was to say no to the amendment. He said to “piece-meal” this was wrong, they addressed it as a total situation with the lake, did not want to address it any other way because they did not want anyone doing anything at the lake, they wanted a controlled growth there. He said his recommendation to the BOCC would be to go back and address the whole thing.

Commissioner Nunamaker said they were lessening the density that was already established there and did he not feel the concurrent septic requirement and septic laws they had in the County were sufficient to protect the areas that would be developed and Chair Dixon said he did, the reduction was good. He said he did not have a problem with that but in the concept of developing this piece of property; central sewer was the only way they would allow it to be developed. He said there was not much difference now than there was then; they did not want a bunch of septic tanks. Chair Dixon said they did not want any septic tanks and was why they said central sewer and that was the only way they would consider developing at that rate.

**COMMISSIONER LASLEY MADE A MOTION TO NOT TRANSMIT THE LAND USE CHANGE TO BOCC-OPTION 2 AND COMMISSIONER BRIDGES-BRIGHT MADE THE SECOND WITH A COMMENT.**

Commissioner Bridges-Bright said this was a difficult choice but she supported the motion because one of her biggest concerns was not only the septic issue but changing the rural residential to Ag 1 and all of a sudden there was a pig farm there.

**CHAIR DIXON CALLED FOR THE VOTE. THE BOARD VOTED 5-2 BY VOICE VOTE. COMMISSIONER YOUAMAN AND COMMISSIONER NUNAMAKER OPPOSED.**

**7. Policy 1.5.2, Future Land Use Element Text Amendment (Legislative) (LSPA-2018-08)-Amend Policy 1.5.2 to remove parcels described by Tax Parcel ID(s) 4-23-1N-4W-0000-00310-0200 (25.69 acres). #4-23-1N-4W-0000-00340-0200, 4-26-1N-4W-3130-00000-0070 (25.59 acres) and 4-26-1N-4W-0000-00340-0000 (233.19 acres).**

Ms. Gutcher introduced the above item and said it was a request for an amendment of the Comprehensive Plan Policy 1.5.2 and amend map 1.2 of the Comprehensive Plan. She said the background was the same as Item 8, which was the Stipulated Settlement Agreement from 2008 to include certain policies in the Comprehensive Plan. She said the owners were Capital City Bank and Barness Family. She said it was preferred that the request was to eliminate the entire Policy, but she recognized the Applicant did not have the authority to request the change to certain parcels on the map and the request should only be for the parcels that she represented. She said a CBOR meeting was held on March 28<sup>th</sup> at the Bear Creek Educational Forest Center. She continued and said they requested to eliminate the requirement for a central wastewater treatment facility and the other issues discussed in the last item. She said this was a legislative issue and there was no technical reason why the request should be granted or denied. She said the recommendation was to transmit the request with changes only to include the parcels that the Applicant had authorization to represent (shown on map).

Elva Peppers reappeared before the Board. She said her understanding was that the County was going to recommend removal of the whole text amendment for all the properties. Commissioner Nunamaker asked for this project and she stated no, the entire thing. She said she submitted a text amendment request at the request of her client, which cost additional money, to do that as well to make sure this was covered. She said it was her understanding this could have been taken care of at the last meeting. Chair Dixon asked if someone gave an assurance they would pass it and she said not an assurance. He asked if someone acted like they would pass it and she said she did not say that, she said that was the plan, what they discussed. She said it sounded to her like the neighbors did not want light shining in her windows and trash all over the place and was a problem now. Chair Dixon asked if “poor people put more trash down” and then asked her to make her case. Ms. Peppers said that was “really uncalled for” and Chair Dixon said “No Ma’am, what you are saying is really uncalled for.” There was more dialogue and Ms. Peppers said she would sit down.

Commissioner Nunamaker asked on the west side of Carman Maria was the subdivision that was developed, the property corners were surveyed and asked if that was a dead project, there were no homes there as far as he knew and were they going to have septic or were they to be a part of this sewer plant project. Chair Dixon said as he recalled, they were. Commissioner Nunamaker asked if the lots were still for sale and Chair Dixon said he was not sure.

Ms. Gutcher said the parcels that were subject to the Stipulated Settlement Agreement were outlined in red (in the map shown).

Commissioner Nunamaker asked if someone could buy a lot and put in well and septic tank in the small lots and start living there and Ms. Gutcher said she did not know the size of them but they could.

Commissioner Lasley said the diagonal lots were part of the agreement but they were allowed to put in wells and septic tanks if they were developed before the Highlands went in according to the literature. She added they were in compliance with the wording of the policy and had not done anything wrong and the rest of the lots could be sold also. She added since they were not in favor of the Ag 2, she could not in good faith pull away the requirements that the developer create a septic system and that was the issue this was dealing with and something needed to be done; the County needs to see about getting a grant to extend sewer from somewhere creating a lift station to deal with these kinds of issues to protect the lake. She added the focus needed to be on infrastructure so there could be some nice projects that would be functioning correctly.

Commissioner Nunamaker said as far as drainage on property, the wetlands were centrally located on the larger portion of the property and asked if it were fairly contained.

Chair Dixon said he had never been opposed to development, but proper development. He said the lake was one lake and all we had and if going to develop at lake, put in a central sewer system and it would avoid problems at the lake. He added if they wanted to downgrade the level of service, do it as a whole for the project.

Commissioner Nunamaker asked if they could contain this project to their discussion or if they had to throw away the whole text language for the whole County and Chair Dixon said for this development.

Commissioner Bouie said her concern was the project was worthy of being developed, but providing the solution, she would have been satisfied with language that addressed the concerns tonight but she did not want to open and make a decision that would affect others. She added if they could bring, back it and address their concerns. She strongly suggested both sides come with solutions.

**COMMISSIONER LASLEY MADE A MOTION FOR OPTION 2 TO NOT TRANSMIT UNTIL THERE WAS A BETTER SOLUTION AND COMMISSIONER BRIDGES-BRIGHT MADE THE SECOND. THE BOARD VOTED 6-1 BY VOICE VOTE TO APPROVE THE MOTION. COMMISSIONER NUNAMAKER OPPOSED.**

**9. Traffic (Transportation) Element (Legislative) (LSPA-2018-02)-Consideration of amendments to the Traffic (Transportation) Element of the Comprehensive Plan.**

Ms. Gutcher said this was a Comprehensive Plan text amendment and the element would be renamed to the Transportation Element. She said this would address arterial roads, collector roads, minor and major collectors and was important as Gadsden County had elected to retain transportation concurrency and therefore must have a level of service standards adopted for different types of roads. She read through the objectives. She said the policies within the objective helped identify what they could protect future right-of-ways from building encroachment.

Commissioner Davis asked if Big Bend Transit was a for profit business and Ms. Gutcher said she did not know. Commissioner Davis said the policy stated the “County shall continue to participate” and Ms. Gutcher said the County currently did support them and believed it was transit to and from Tallahassee from Gadsden County and may be a function of the Regional Planning Council. Ms. Gutcher said this was not obligating the County financially, it was saying the County would coordinate and support the coordinated transportation systems. It was asked how they would fix it and Chair Dixon said to remove Big Bend Transit.

Commissioner Lasley said on page 2 at the top on the first line, there was a date and knew there had been trouble in the past using dates and asked if wording could be used such as “the most recent version”. Ms. Gutcher said she did not have it with her but could send the statutory requirement that there is a date. Commissioner Lasley said on Policy 2.2.9, add “and” after site on the last line. She then said on Policy 2.2.14 to take out impact fees because this County did not use them in this system.

Chair Dixon asked the will of the Board.

**UPON MOTION OF COMMISSIONER DAVIS FOR STAFF RECOMMENDATIONS WITH CHANGES AND SECOND MADE BY COMMISSIONER BOUIE, THE BOARD VOTED 7-0 BY VOICE VOTE TO APPROVE.**

**10. Conservation Element (Legislative) (LSPA 2018-03) – Consideration of amendments to the Conservation Element of the Comprehensive Plan.**

Ms. Gutcher introduced the above item and said it was an amendment of the Conservation Element of the Comprehensive Plan to update specific policies for clarification purposes.

Commissioner Lasley asked on Page 3 if striking “perennial rivers, streams, creeks, lakes and” replacing that with “jurisdictional” wetlands, was all the things being struck out jurisdictional wetlands. Ms. Gutcher said she could not testify to every single one but for the most part, yes.

**COMMISSIONER BRIDGES-BRIGHT MADE A MOTION TO APPROVE AND SECOND MADE BY COMMISSIONER YOUAMAN. THE BOARD VOTED 7-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**11. Recreation and Open Space Element (Legislative) (LSPA 2018-04)-Consideration of amendments to the Recreation and Open Space Element of the Comprehensive Plan.**

Ms. Gutcher introduced the above item and read over the changes to the language.

Commissioner Nunamaker asked about the wording “all subdivisions to provide a minimum of ten (10) percent open space...” were they to assume it was a major subdivision and not a minor. Ms. Gutcher said it was regarding commercial and industrial subdivisions and they took out “minor” because they felt it should apply to all. Commissioner Nunamaker asked if it applied to minor subdivisions as well and she responded it applied to all subdivisions, commercial, industrial, major or minor subdivisions.

Chair Dixon asked if they could say all with the exception of minor subdivisions and Ms. Gutcher said they could or she could research it a little more and be brought back to them next month.

There was more discussion regarding “open space” and “recreation space”.

**COMMISSIONER BRIDGES-BRIGHT MADE A MOTION TO TABLE THIS ELEMENT UNTIL THE NEXT MEETING AND THERE WAS DISCUSSION. COMMISSIONER BRIDGES-BRIGHT WITHDREW HER MOTION.**

Ms. Gutcher continued explaining the Objectives in the Open Space.

Commissioner Lasley recommended in Policy 6.1.4, including the Ochlocknee River; on Page Two

at the top “density bonuses, fast tracking of developments...” were not defined and addressed and felt they should be defined.

Commissioner Nunamaker asked about “in lieu-of-fees” and should not be a hyphenated word.

**COMMISSIONER BRIDGES-BRIGHT MADE A MOTION TO TABLE THE RECREATION OPEN SPACE ELEMENT UNTIL THE NEXT MEETING AND SECOND MADE BY COMMISSIONER DAVIS, THE BOARD VOTED 7-0 TO TABLE THIS.**

**12. Concurrency Management System (Legislative) (LSPA 2018-05)-Consideration of amendments to delete the Concurrency Management System in the Comprehensive Plan as it was previously replaced by Chapter 8, Concurrency Management System of the Land Development Code.**

Ms. Gutcher introduced the above item and said this amendment was to remove the Concurrency Management Element from the Comprehensive Plan and said it was actually covered in the Land Development Code and said once it was relocated, the County would have greater discretion regarding the amendment of the regulations at the local government level and would not be required to be submitted to the state Department of Economic Opportunity for review. She said it was Staff recommendation to strike the language.

Commissioner Lasley asked what Florida Statutes required and Ms. Gutcher said it was not a required element in the Comprehensive Plan.

**UPON MOTION BY COMMISSIONER BRIDGES-BRIGHT AND SECOND BY COMMISSIONER BOUIE, THE BOARD VOTED 7-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**GENERAL BUSINESS**

**13. Citizens Requesting to be Heard**

Ed Allen, Friends of Lake Talquin – CW Roberts Mining

Nancy Linnan, 215 S. Monroe St., Ste 500, Tallahassee, FL 32301-Midway Business Park

Darrin Taylor, 215 S. Monroe St., Ste 500, Tallahassee, FL 32301-Midway Business Park

**14. Planning Commissioner Questions and Comments**

**15. Director’s/Planner Comments**

Gadsden County Planning Commission  
June 14, 2018 – Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR DIXON DECLARED THE MEETING ADJOURNED AT 9:52 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**EDWARD DIXON, Chair**

**ATTEST:**

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**NICHOLAS THOMAS, Clerk**