

## MINUTES

### Levy County Planning Commission

June 11, 2007

6:30 p.m.

The Levy County Planning Commission was called to order Chair Thad Barber. Other members present were:

Thomas Harper  
Vaughn Lee  
Ron Grant  
Toni Collins

Also present was Development Director, Mr. Rob Corbitt and Planning Director, Ms. Kathy Winburn and County Attorney, Anne Brown.

No minutes were available for review at this time.

Chair Barber called for the board to disclose any ex-parte communications related to the petitions being presented. There were none.

Chair Barber asked the Planning Director, Mrs. Winburn to begin with her items.

#### TABLED BUSINESS: PLANNING DEPARTMENT

**PETITION NO. CPA 07-02** application for a County initiated Comprehensive Plan text amendment, amending Policy 2.6 of the Conservation Element to remove a 330 foot setback and create a minimum of 100 foot buffer width for the development of property adjacent to lands designated Natural Reservation on the Future Land Use Map or lands which have been acquired by government or non-profit agencies and managed for the purpose of conservation; amending existing policies 2.5, 2.7 and 2.8 and creating new Policies 2.7 and 2.10, relating to the protection of natural reservation areas.

Mrs. Winburn read into the record the tabled petition. Mrs. Winburn stated that after discussion at the last meeting, the board asked staff to make some changes. One of the changes was to change the buffer width to a minimum building setback. There were no changes to the flexibility or the standards to be set for increasing or decreasing the building setback. Mrs. Winburn said that the basic change was to amend the minimum buffer width to a minimum building setback of 100' and remove any reference to creating the standards in the Land Development Code for the buffer area.

Chair Barber closed the floor to discussion.

Chair Barber asked for anyone in support of or in opposition to the petition. There were none.

After a short discussion Chairman Barber called for a motion to this item. Mr. Lee motioned to recommend transmittal of CPA 07-02 as presented to the Board of County Commissioners. Mr. Harper seconded the motion; motion carried. Mr. Grant and Mrs. Collins voted “ney.”

**PETITION NO. LSA 07-01** application by Progress Energy Service Company LLC, agent for Rayonier Timberlands Management, LLC, to amend the Future Land Use Map from Forestry/Rural Residential to Public Use on approximately 3,132 acres. Located in Sections 07, 17, 18, 19, 20, 29 and 30 of Township 16 South, Range 17 East. Situated in southeastern Levy County.

Mrs. Winburn presented her staff report.

Attorney Greg Beauchamp stated that the proposed project would be a wonderful thing for Levy County. Attorney Beauchamp also said that he has been working with Progress Energy for approximately 6 to 8 months. Attorney Beauchamp stated that Progress Energy has done a really good job in informing the public regarding the nature of the project.

Present were Mr. Roger Simms, lead attorney for the Progress Energy project. Mr. Simms stated that his goal was to coordinate the presentation which will be done via a power point. Mr. Simms asked that after hearing the presentation, the board transmit both amendments with a recommendation of approval. He stated that there were two items to be heard, first being the Future Land Use Amendment and the second being a Text Amendment. Mr. Simms stated that there were individual specialist that would be speaking and addressing each subject.

Mr. Danny Roderick (engineer), Vice President of Nuclear Projects and Construction gave a project overview. Mr. Roderick stated that Progress Energy Florida evaluated numerous sites across the state and with this evaluation there were both technical and non-technical considerations such as land, water, transmission and the long history and partnership in the region. Mr. Roderick stated that the plant is designed to be self-sufficient so as not to tax the county or city with any other burdens for water or sewer, etc. Mr. Roderick stated that Progress Energy’s nuclear plants have consistently top performance in the industry in both safety and production in areas such as regulatory oversight, continuous monitoring, emergency planning and safety systems. Mr. Roderick stated that the benefits to the community would be economic benefits, no greenhouse gas emissions and continued community investment and involvement.

Mrs. Ethel Hammer (land use planner), President of Englehardt, Hammer and Associates, Inc. Mrs. Hammer stated that the request for the amendments was to clarify the language in the Comprehensive Plan and change the Future Land Use designation on the subject property from Forestry/Rural Residential to Public use. Mrs. Hammer stated by allowing the amendment to the Comprehensive Plan Text, would clarify electric generating facilities as an allowable use within the Public land use category. Mrs. Hammer stated

that other Text Amendments be addressed are as follows: 1. Clarify the timing of approvals by regulatory agencies; 2. Clarify the use of wetland mitigation; 3. Clarify the definition of water dependent uses. Mrs. Hammer stated that the compatibility of a Public Use FLU Category would compliment the established land uses and future land uses in the vicinity by encouraging enhancement of existing forestry/open space and growth and vitality of the economy of Levy County. Mrs. Hammer stated that the Concurrency/Level of Service Impact. is most important when viewing an application of this type. The following six items were discussed: Water and Sewer, Solid Waste, Storm Water Management, Recreational Facilities, Open Space and Traffic Circulation.

Mr. Douglas Durbin, V.P. Biological Research Associates. Mr. Durbin addressed the ecological considerations associated with the change to the Comprehensive Plan and the association with the construction of a power generated facility at the subject site. Mr. Durbin stated that one of the things done was an Ecological Site Evaluation which included soil types, land use, habitat connections, listed species presence, wetland issues and other types of ecological information. Mr. Durbin stated that the proposed changes are consistent with the Levy County Comprehensive Plan (Conservation and Infrastructure Element).

Mr. James P. Guida, P.G., V.P. Integrated Water Solutions. Mr. Guida addressed the water resource issues in connection with the project. Mr. Guida stated that there are two sources of self- supply. One being tidal surface waters and the other being the Floridan aquifer. Mr. Guida stated that there is a low density of domestic wells near the proposed site and that no adverse impacts were anticipated.

Mr. Steve Henry, V.P. of Lincks & Associates, Inc. (Professional Registered Engineer). Mr. Henry addressed the traffic impact analysis. Mr. Henry stated that the traffic impact analysis consisted of two phases. One being construction and the other being the operation.

Mr. Brian Martin, Fishkind & Associations, Inc. Mr. Martin addressed the issues of fiscal and economic impacts of the power plant on Levy County and the Levy County School District. Mr. Martin stated that the proposed power plant will provide property tax revenues for the County to use for roads, sheriff, fire, parks, etc. Mr. Martin stated that findings indicate that real estate values near nuclear plants are not affected adversely and that many times home values increase.

Chair Barber closed the floor to discussion.

10 Minute Break - 8:25 p.m. Re-convene - 8:35 p.m.

Chair Barber asked for anyone in support. Mr. Jeff Davis (Levy County School Board), Ryan Bell and Mark Johnson (Emergency Management) addressed the good relationship they have with Progress Energy and commend them for team effort and for having the necessary safety measures in place when needed.

Chair Barber asked for anyone in opposition. Charles Smith, Robert Smith, Donald Moss and Bob Hofer voiced their concerns regarding the proposed location of the pipeline, impact on the aquifer, property values, security, rural area, nuisance from the glow of lights and jobs will not be for the local citizens.

**ISSUES OF CONCERN:**

Location of pipeline, water discharge, traffic analysis, wetland delineation, distance between Crystal River site and new site, economic impact and mitigation.

After a short discussion Chairman Barber called for a motion to this item. Mrs. Collins motioned to recommend transmittal of LSA 07-01 as presented to the Board of County Commissioners. Mr. Grant seconded the motion; motion carried. All members voted “aye.”

**PETITION NO. CPA 07-01** application by Progress Energy Service Company, LLC, agent for Rayonier Timberlands Management, LLC, to amend Policy 1.5 of the Future Land Use Element to specifically enumerate power generating facilities as a permitted use within the Public Use land use designation; to amend Policy 1.11 a.4. of the Infrastructure Element, Sanitary Sewer Sub-element, to clarify the definition of water dependent uses; to amend Policies 2.2 b., 3.1 and 6.8 of the Conservation Element, related to the timing of approvals by regulatory agencies; and to amend Policies 3.1 and 6.14 of the Conservation Element, and Policy 1.3 of the Infrastructure Element (Aquifer Recharge Sub-element), related to wetland mitigation.

Chair Barber closed the floor to discussion.

Chair Barber asked for anyone in support of or in opposition to the petition. There were none.

After a short discussion Chairman Barber called for a motion to this item. Mrs. Collins motioned to recommend transmittal of CPA 07-01 as presented to the Board of County Commissioners. Mr. Grant seconded the motion; motion carried. All members voted “aye.”

5 Minute break. 9:15 p.m., Re-convene 9:20 p.m.

**LEGAL DEPARTMENT:** County Attorney, Mrs. Anne Bast Brown

**ORDINANCE 2007-03**

AN ORDINANCE OF LEVY COUNTY, FLORIDA, PROVIDING THAT THE LEVY COUNTY CODE BE AMENDED BY AMENDING THE LAND DEVELOPMENT CODE CONTAINED IN CHAPTER 50 OF SUCH CODE; PROVIDING FOR EXTENSIVE REORGANIZATIONS OF THE SECTIONS OF SUCH LAND DEVELOPMENT CODE; PROVIDING FOR REVISIONS RELATED TO DEFINITIONS; PROVIDING FOR REVISIONS RELATED TO THE PLANNING

COMMISSION AND ITS DUTIES; PROVIDING FOR REVISIONS RELATING TO THE BOARD OF ADJUSTMENT AND ITS DUTIES; PROVIDING FOR CLARIFICATION OF REQUIREMENTS FOR SPECIFIC USES AND SPECIFIC APPLICATION PROCESSES; PROVIDING FOR PROVISIONS GOVERNING APPEALS FROM DECISIONS OF THE ZONING OFFICIAL; PROVIDING FOR RENUMBERING OF SECTION, SUBDIVISION, DIVISION AND ARTICLE REFERENCES THROUGHOUT THE LEVY COUNTY CODE RESULTING FROM THIS AMENDMENT; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Brown explained that the purpose of the ordinance was for clean-up. Mrs. Brown stated that some of the language deals with several issues such as the Planning Commission structure and duties. Mrs. Brown stated that similar clean-up was done for the Board of Adjustment structure and duties. Mrs. Brown stated that a large portion dealt with the platting process and for re-organization.

After a short discussion Chairman Barber called for a motion to this item. Mrs. Collins motioned to recommend approval of Ordinance 2007-03 finding it consistent with the Comprehensive Plan to the Board of County Commissioners to include the corrections as noted. Mr. Grant seconded the motion; motion carried. All members voted “aye.”

There being no further business for the Levy County Planning Commission, the meeting was adjourned.

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Chairman