

GROWTH TASK FORCE

The Growth Task Force (GTF) met at 8:00 a.m. on Saturday, May 15, 2004 in the Alston Room at the Conference Center at Dodgertown, 3901 26th Street, Vero Beach, Florida.

Present were William Beardslee, Jr., Mary Berrigan, Chester Clem, Clete Deller, Robert Jackson and Tim Zorc, Commissioner Tom Lowther's delegates; George Blythe, Dan Corrigan, Adriene Cuffe (8:15 a.m.), Dolf Kahle, Gene Waddell and Freddie Woolfork, Commissioner Ken Mach's delegates; Andy Bowler, Bob Bruce, Elwood Holzworth, Ericson Menger, Kenneth Miller and Richard Oujevolk, Commissioner Art Neuberger's delegates; Mark Brackett, John Little, Jay Smith, Tom Trolle, Gene Winne and Grant Withers, Commissioner Caroline Ginn's delegates; Maureen Cummings, Cathy Fulton, Tony Gaskew, Bill Glynn, Donna Keys and Beth Mitchell, Commissioner Fran Adams' delegates.

Also present were Dr. David Sullivan, Facilitator; Commissioner Caroline Ginn; William K. DeBaal, Assistant County Attorney; Stan Boling, County Planning Director; Gary Wheeler, Linda Connors, Walter Perner, Diane Macgowan, Ralph King, Tom Wright and Frank Coffey, Interested Citizens; Henry Stephens, Press Journal and Reta Smith, Assistant to the Executive Aide.

Welcome – Commission Chairman Caroline D. Ginn

Commissioner Ginn welcomed the GTF members and thanked them again for all the hard work they were doing. She hoped when the members were thinking about the Land Development Regulations (LDRs), they would think about things they had seen in the County that they did not like, how they would like the County to be 20 years from now, and what we needed to do to get there. Commissioner Ginn acknowledged this Committee would in fact be starting the visioning process, adding anyone who wished to help with that later on would be welcome to do so.

Roll Call

The secretary called the roll. Dr. Sullivan welcomed everyone back and outlined the program he planned for today's meeting.

Approval of the Minutes of April 24, 2004

Dr. Sullivan noted there was a minor change in paragraph 5 on page 6 of the April 24, 2004 minutes, with the addition of "Mr. Withers then asked how many did not know that the Comprehensive Plan would not be part of the GTF assignment, and most of the members raised their hands". Mr. Menger pointed out on page 8, paragraph 1, it should read "1,400 home owners".

ON MOTION BY Ms. Mitchell, SECONDED BY Mr. Glynn, the Committee voted unanimously (30-0) to approve the minutes of April 24, 2004, as amended.

Dr. Sullivan commented there were 16 LDRs, and we would not be addressing all of them today. He said if someone did not have all the information they needed to make a presentation today or wanted a little more time, they could wait until the next meeting.

Update on Current Projects in Progress – Bob Keating, Indian River County Community Development Director

Mr. Keating gave a PowerPoint presentation, a copy of which is on file in the County Commission office. He advised the University of Florida had projected a 50% population increase in the next 25 years, however he felt there were so many variables it was very difficult to make projections for a long period of time with any degree of certainty. Mr. Keating estimated the maximum buildout of the Urban Service Area at approximately 300,000 people, which would be about 120% increase over the current population. He related a computer model was being developed that would gather data to determine how much vacant land there was and what would be its potential yield. He thought it was important to know the buildout number was decreasing every year, because building was taking place at a lot lower density than allowed in the Comprehensive Plan.

Mr. Keating defined the pipeline as representing the number of units that would be allowed in the projects that were someplace in the County's review approval process, from pre-application to being under construction. He pointed out most of the higher numbers represented projects at the earliest stages of the review and approval process, rather than at the under construction stage. Mr. Keating specified there were 11,066 single-family units and 3,153 multi-family units in the pipeline, for an overall total of 14,219.

Mr. Keating described 7 stand-alone subdivisions in the South County that had been approved at different times over an 11-year period. He pointed out there was no connectivity between the projects and they all had individual access onto a collector or arterial road. He then reviewed the South County Initiative, noting several new developments had come in at the same time and staff had worked to get some design changes that were actually better for the developers, and also the community. Mr. Keating confirmed they would still be gated communities with private streets within the developments, but there would be a public north/south road from 17th Street Southwest to halfway between 21st Street Southwest and 25th Street Southwest, with a lot of interconnections from each of the projects onto a public community road. He added the public community road was designed to give access to a park site, a school site and an accessory commercial area.

Mr. Keating continued with his PowerPoint presentation and described two projects known as North Lakes and Waterway Village. He outlined another set of developments on County Road 510, consisting of several projects that were contiguous to one another and were coming in for review at the same period of time. He detailed how County staff had been working with the City of Sebastian on a Community Road Initiative where the development projects could share access from an internal roadway to keep some trips off the arterial road. Mr. Keating perceived this type of improved design could usually occur only when projects came in during the same general time frame in the same general location.

The prospect of the County being built out at 300,000 people was discussed.

Mr. Keating clarified 300,000 was the yield if the Comprehensive Plan stayed the same and all of the land within the Urban Service Area was developed. He thought that was probably high because we did not take a lot out for infrastructure such as fire stations, schools, etc. He felt the computer model study would give a real time number for that to happen, and that should be ready in a few months.

Mr. Clem wondered if annexations to the City of Sebastian and the Fellsmere annexation would change the projections, since this would have an effect on the Urban Service Area. Mr. Keating detailed 3,700 acres had been annexed by the City of Fellsmere, and approximately 6,000 dwelling units were projected in that area. He acknowledged those were potential policy changes that would have a big impact and increase

the buildout number, but right now County staff looked at what was the existing policy, as reflected by the Comprehensive Plan map.

A discussion followed.

Small Group Meetings for Each LDR

Dr. Sullivan announced the LDR groups would take some time to work together and interact at the tables set up in the Alston Room and the adjoining meeting room.

At 9:25 a.m. the members split up into the various LDR groups. At 10:23 a.m. the entire GTF reconvened in the Alston Room.

Panel Presentations on LDRs

Traffic Concurrency: 910, especially 910.09(4) pp 12-14, 910.10 pp 17-18 and 910.11(1) pp 18-19. Florida Statutes 163.3180

Mr. Kahle and Mr. Zorc gave a report on traffic concurrency.

Mr. Zorc recommended some different methodology to try to secure right-of-way to maintain future concurrency at the lowest cost to the County. He suggested there should be some method of asking property owners living on corridors slated for future road expansion to consider selling their property to the County at the same price per acre as that offer by a developer or an investment company. He thought this could possibly be recorded on each of the pieces of property, so when the site came up for sale the County would have first rights to buy it at the pre-development price.

Levels of Service were discussed.

Mr. Keating clarified concurrency was not a growth control process, because the objective of concurrency was to make sure the infrastructure to support the Comprehensive Plan was there concurrent with the impacts of the development that would occur. He explained local government was obligated to provide that infrastructure unless it wants to go back and change its Comprehensive Plan, and then possibly get into a Bert Harris situation.

A lengthy discussion ensued about the proposed widening of 43rd Avenue.

The following recommendations were made by Mr. Kahle and Mr. Zorc:

- The County should take a proactive response to road concurrency, and get ahead of the curve, using as many revenue streams as possible to help achieve that goal.

Traffic Management & Design: 952.12 – 952.17 pp 24-32

Mr. Bruce reviewed information he distributed on traffic management and design, a copy of which is on file in the Commission office. He recommended the following:

- Increase the Level of Service to Level C.
- Any new development should be required to maintain the Level of Service of the adjacent roadway that existed prior to that development.
- Require left turn lanes at all development entrances, unless it was not feasible.
- Consider frontage roads when possible.
- Developers must maintain at least a D rating on all roads impacted by their projects.

Mr. Oujevolk felt some of the regulations he had reviewed seemed dated. He thought there should be some consideration for context-sensitive design, which meant trying to make the transportation improvement fit into the environment, versus altering the environment to accommodate transportation improvements. He specifically mentioned increase buffering, enhanced pedestrian and bicycle paths. He agreed the turn lane threshold was a little too low and thought perhaps right and left turn lanes should be mandated. Design features should probably be updated as far as internal circulation, and AutoTurn software should be considered for ingress and egress. Mr. Oujevolk suggested the section on gates needed to be modified to promote secondary accesses for gated communities, and not just for emergency vehicles.

Mr. Keating pointed out a Level of Service C would mean you would be widening a lot more roads a lot quicker. He pointed out this would also mean you would have a lot of existing deficiencies that could not be fixed with impact fees and would require another source of revenue.

A discussion followed about trip types.

Dr. Sullivan asked Mr. Oujevolk if he was suggesting only having left turn lanes at some of the major intersections, and not all. Mr. Oujevolk said he meant more left turn lanes at subdivisions off of arterial or collector roads.

A discussion ensued.

A. Building Height: 901 pg 8.1, 911.06 -911.13 pp 7-46 and 911.15(1) pp 46.7-46.8

B. Building Setbacks: 901 pg 41 and 911.06 pp 7-46

Mr. Blythe thought the heights were good right now. He mentioned there were problems along the dune line where homes were being torn down and replaced by new properties, because the elevation of the first floor levels had been increased by new regulations and had to be 18 feet above the mean high water level. He felt this created a cavern-type of atmosphere with the existing properties.

Mr. Blythe also noted three-story townhouses with standard setbacks also created caverns, and thought the solution would be to move the building or the second floor back further than the 1:1 ratio that we now had, possibly to 3:1 or 4:1. He suggested having parking lots incorporated on the first floor of buildings for possible credits for increased heights.

Mr. Brackett commented the City of Vero Beach had just decided they did not want any more parking garages.

Dr. Sullivan asked Mr. Blythe and Mr. Oujevolk to come back with a visual picture of what they were suggesting.

A discussion followed about setbacks.

Dr. Sullivan inquired if Mr. Blythe had said he wanted to make allowances for height on three-story townhouses. Mr. Blythe stated no, he thought that was probably a setback situation, because if you were going to get two and three-story townhouses that were major structures they could become oppressive when they were built too close together.

Mr. Keating asked if it was Mr. Blythe's recommendation that if a building had a parking garage it could exceed 35 feet. Mr. Blythe responded it would be a trade-off, but not to increase the height.

Mr. Blythe felt the County often did not ask enough from outside developers, and thought we needed to demand more from them insofar as design, etc. was concerned

Aesthetics/Corridor Plans: (buildings, utilities, signs, landscaping, public and private improvements) 911.18 – 911.21 pp 56-134. Also: State Road 60 and Wabasso Corridor Plans

Mr. Waddell stated he had worked on the State Road 60 Corridor Plan, and discussed some of the things that had been accomplished by the committee in dealing with commercial development. He pointed out the existing Corridor Plans on a map.

Mr. Waddell gave a presentation of pictures showing the aesthetic aspects of various buildings. Mr. Glynn described improvements that had been made by the Wabasso and North Beach Corridor Task Forces. He emphasized every time Corridor Task Forces had been implemented, they had improved the area.

Mr. Gaskew reviewed information he had distributed to the members about padmounted transformers, and a copy of this is on file in the Commission office. He noted the LDR indicated the transformer was a visually offensive element and all sides should be screened, which was in contradiction to the Florida Power and Light (FPL) regulation. He recommended the County and the developers and FPL work collaboratively to design a plan that would educate the general public on where the transformer box could be located.

The group's recommendations were as follows:

- Require landscaped medians, which would mean building future roadways that drained to the outside so there would be a raised median.
- Adopt Corridor Plans for most of the grids running throughout the County, as per the attachment in the backup on file.
- If the County decided to go forward with the extension of the Corridor Plans, they should work in conjunction with the other municipalities and try to get them to follow through with a similar plan for consistency when going from the unincorporated area to the municipalities.
- Set stricter standards about the types of commercial building the County will allow, and tell developers it must be a certain way for the County to agree to it.

- The County and the developers and FPL work collaboratively to design a plan that would educate the general public on where the transformer box can be located.
- Require some of the older developments on U.S. Highway 1 and in Corridor Plans to comply with the new regulations within a certain amount of time.

A discussion followed about landscaping in the medians.

Mr. Waddell noted Young's Market at the corner of 43rd Avenue and State Road 60 was just outside the corridor and would not have been allowed under the State Road 60 Corridor Plan, but it was allowed by Vero Beach. It was the consensus it would be a good idea to include these ideas in the City of Vero Beach's visioning process. Mr. Keating said he would send a copy of the GTF minutes where this was referenced, and he would also talk to the appropriate people at the City.

A discussion ensued about the feasibility of having corridor plans on most roads.

Mr. Little pointed out there were Federal and State regulations on some roads about what type of landscaping could be put within a certain distance of the edge of the pavement or in the median strip.

A lengthy discussion followed about the Palms of Vero development at Indian River Boulevard and 12th Street.

At 12:26 p.m. the GTF broke for lunch, and reconvened at 1:26 p.m.

Utility Alternatives in Cost Aesthetics

Mr. Little stated the County should pass an ordinance requiring new subdivisions to put all the utilities underground. He recommended all new homes that were on existing wood pole lines require the service to the house to be underground. He felt this would go a long way to improving aesthetics and eliminate 80% to 90% of the interruptions to service after a hurricane.

Mr. Little pointed out padmounted transformers could not be placed underground in Florida, and needed to go on a lot line so the two adjacent homes could be served. He advised shrubbery could not be placed around the transformers because it had a door that opened for service. Mr. Little felt the padmounted transformers were not that

objectionable to the eye, and were far less unsightly than the alternative. He was not sure it was legal to do so, but he suggested the County look into passing an ordinance to prevent utilities from double poling on a single street, such as had occurred on 58th Avenue with FPL and Vero Beach's transmissions on opposite sides of the street. He stated the County should also require big substations, such as the ones at 58th and 26th and across the street from Ruby Tuesday's restaurant, be fully landscaped.

Mr. Little disclosed it cost approximately 1/3 more to put residential lines underground than overhead lines, with the cost being borne by the developer. He cautioned one should not think there would never be a problem during storms, because lightning could still get into underground facilities and it would take days to fix it.

Mr. Boling advised the County presently required underground utilities in all new subdivisions and required landscaping around new substations.

Mr. Little suggested for lines that had to be on a street, the County could require the poles to be concrete, armless construction.

Traffic Impact Analysis: 952.07 pp 1 – 18

Mr. Winne noted the presentation he and Mr. Woolfork had originally prepared would have overlapped three of those given this morning, so they had cut it down to avoid duplication of the information. He emphasized there were actually two issues: impact fees and the appearance of new roads.

Mr. Winne recalled impact fees had been discussed at the County Commission meeting of May 11, 2004, and would be brought back with considerable reduction on May 18th.

The following recommendations were made:

- A three year roadway capital budget to be tied to the discount fees paid, as recommended and as finally approved by the Board of County Commissioners (BCC), to be re-budgeted every three years. The start of this would be related to the other study going on by the Metropolitan Planning Organization to come up with the estimated roadway transportation requirements in the County for the long term. If the accumulated impact fees as budgeted turn out to be too small over time, the discount schedule could be revised downward and no new

construction would be permitted if the budget did not cover the minimum service requirements to the affected roadways.

- Start dressing up some of the roadway systems with median strips and other landscaping along the County's more prominent roadways.

Mr. Zorc asked if Mr. Winne and Mr. Woolfork had given any thought to making impact fees scalable, based on the size of a building. Mr. Winne responded they had, but they were going to go along with the direction of the BCC and staff, which was to work with the discounts. Mr. Winne suggested saving this topic until the next meeting, after the BCC had voted on it and made a policy decision.

A lengthy discussion followed.

Affordable Housing

A. Subdivisions: 913

Using the County's Land Use Designation map, Ms. Keys gave an overview on land use designations and how the zoning worked. She recommended the following:

- Get rid of residential single family 10 units per acre zoning.
- Instead of 3, 6, 8 and 10 units per acre, allow 2, 4, 6 and 8 units per acre on rezoning.
- Have small lot subdivisions go under the Planned Development (PD) process.

Mr. Zorc explained the original intent of the small lot subdivisions had first come about from the Affordable Housing Advisory Committee to help keep certain elements of housing affordable, but it had since been used for very expensive projects, which was not the original intent. He suggested the proposed price range of houses in small lot subdivision should not be more than a certain percent of the affordable target housing value.

A discussion followed.

B. Site Plans: 914

Ms. Mitchell reviewed the information contained in her handout to the members, a copy of which is on file in the Commission office. She said her perspective of affordable housing was not necessarily low cost housing or subsidized housing, but sensed there was a real need for workforce

housing. She related instead of using the median income of \$52,000 per year, she had focused on the middle-income bracket of the average working person. Ms. Mitchell advised from Wabasso, Fellsmere and Sebastian to the North County line, there were only 15 housing units available for under \$135,000.

Her recommendations were as follows:

- Create an LDR requirement that provides an appropriate buffer for multi-family or higher density projects.
- Any new LDR created should include a study of the increased costs to a project.
- Create an architectural review committee for projects that are located in areas of mixed use throughout the County.
- Provide a developer with options of either stricter buffer requirements or an architectural review.
- Review the entire site plan process with the intention of streamlining the process, specifically increasing the coordinating between local, State and Federal agencies.
- Create an expedited permit process specifically for affordable housing projects which meets the goals of the Comprehensive Plan.

C. PD's: 915

Mr. Beardslee's went over the information contained in his report on PD's, a copy of which is on file in the Commission office.

He recommended the following:

- Create a Statement of Philosophy to accompany the LDR's when provided to a developer. This document will include the expectations of our community, including the Corridor Plan requirements, pictures of acceptable public exposure, green space, connectivity, frontage roads, setbacks, buffers, etc. See attachment #2 for a sample of what the Town of Jupiter provides, as per the copy of file in the Commission office.
- Eliminate small lot subdivisions for all but affordable housing projects based on CH420 FS definitions.
- Provide staff with necessary software and training to assist in project design and development.

- Hire or contract design and landscape architects, civil and traffic Engineers, and an environmental specialist to review all PD's and assist County staff in guaranteeing the highest quality projects.
- Eliminate "fee in lieu of" standards for wetlands and natural uplands.
- Manage what is happening outside of the Urban Service Area with 5 and 10 acre lots. Higher development density standards are needed to avoid sprawl, inefficiency in the delivery of services and preservation of open spaces.
- Eliminate "bonus density" for all but affordable housing.
- Treat collector roads and major arterials as corridors. Plan project design and require concurrency accordingly.
- Provide more incentive for developers to use the PD process and/or increase standard subdivision LDR requirements to equal or exceed those included in the PD regulations.
- Require predictability and consistency in all levels of the County government planning and approval process.
- Adopt a Style and Design Code for residential development to be a part of the PD LDRs.
- Require at least two full entry/exits for each PD with monument signage.
- Turn-in lanes and stacking areas shall be required for entry and exits of PDs on collector roads (should apply to all development types).
- There must be connectivity, both vehicle and pedestrian, between PDs and adjoining developments.
- Perimeter buffers will be a minimum of 30 feet and be fully planted with drought tolerant plant material so as to screen the development fully at the time of project development
- Buffers along roads will have berms, to be fully planted with drought tolerant plant material to an initial height of 8 feet. Canopy trees must be included within the buffer.
- Eliminate the use of Type C and D buffers and Type B 20 foot wide buffers. Require the use of Type A buffers (LDR 926.08).
- Streets shall provide curbs, be lighted (100 foot intervals), with right-of-way equal to 55 feet, and meander where possible. This will include curb-to-curb width of 35 feet, parkways on both sides of 5 feet and sidewalks on both sides of 5 feet.
- Where feasible, adequate storm drains will be provided in lieu of swales.
- Lakes will have created or natural wetland buffers.
- Parkway landscape which includes canopy trees at 25 foot centers will be required.

- A minimum lot size of 7,000 square feet is required on the perimeter of the PD. Smaller interior lots may be allowed as a trade-off for additional open space.
- Open space within a PD shall be a minimum of 50% of the project site.
- Each primary house structure on a block or within 300 feet on adjoining blocks, front, back or side, shall have significant differentiation from all other primary structures. There may be a common building style, but all buildings will have significant variation in façade, design and elevation.
- Garage doors may not face the street.
- Driveways shall cover no more than 35% of the front yard.
- The minimum front yard setback will be 25 feet.
- At least two 12 foot canopy trees shall be required on all individual lots. Use of draught tolerant plant materials other than sod shall be encouraged.
- All front yard shrubs and other front landscaped areas shall be located on berms so as to reduce the view of the house from the public street.
- Mechanicals and trash receptacles shall be screened from view from the public right-of-way and adjacent neighbors.
- The developer shall post a 10-year bond equal to 20% of the common area landscape cost to cover the cost of landscape replacement within the first 10 years of the development.
- All developments must have a complete set of Conditions, Covenants and Restrictions (CC&R) outlining the rules for maintenance of common and private areas, landscape replacement and HOA fees to accomplish this.

D. Small Lot Subdivisions and Accessory Dwelling Units: 971.49(9)
pp38.4 and 39 972.41(10) pp 38.5 and 38.6

Mr. Bowler briefly reviewed his handout, a copy of which is on file in the Commission office. He showed pictures of the 28 home small lot subdivision called Grace Pines built through Habitat for Humanity and other affordable housing projects around town. He maintained allowing higher priced housing units in small lot subdivisions would deplete the amount of land available in the affordable market range.

Mr. Bowler had the following recommendations:

- Require that some portion (say 30%) of the small lot subdivision project be set aside for affordable single-family units.

OR

- Require that all small lot subdivision projects be allocated for affordable units within a designated geographic district, in the M1 and M2 density residential areas, which are zoned for 6 units per acre or higher density.
- Although both sidewalks and recreation areas are desirable, they should be at the developers' option, in order to maintain the affordability of the housing units being offered.

Mr. Bowler explained what the Habitat for Humanity program was all about.

Mr. Brackett felt increasing the LDRs would only serve to increase the gap between what was affordable and what was available in the County.

Mr. Brackett recommended:

- Create "Affordable Housing Zones" that would allow for less stringent development requirements (i.e. small lot subdivisions).
- Small lot subdivisions should no longer be permitted on land zoned for single family homes, outside of possible future "Affordable Housing Zones".

Mr. Brackett related projects designed under the small lot subdivision ordinance on land with multi-family zoning designation were less dense than would be allowed, and should not be looked at the same way. He clarified those projects resulted in a decrease in the actual density and should be permitted to remain in multi-family zoning designations as an affordable alternative to apartments.

The purchase or donation of right-of-way was discussed.

Mr. Keating explained what the State Housing Initiatives Partnership (SHIP) program was all about.

A discussion ensued about allowing affordable housing only in multi-family zoning.

Tree Protection and Land Clearing: 927

Mr. Menger outlined the penalties for removing specimen and protected trees.

He recommended the following to Sec. 927.06(8):

- The removal, pruning, trimming or alteration of any tree or vegetation when necessary to ensure safety and efficiency of flight operations and to protect the public using any airport in the incorporated and unincorporated areas of Indian River County. This includes, but is not limited to, any tree or vegetation which penetrates or otherwise impedes navigable airspace as provided under Title 14 Code of Federal Regulations Part 77, or which obstructs air traffic control of aircraft under Federal Aviation Administration regulations.

A copy of Mr. Menger's recommendation, along with definitions, is on file in the Commission office.

Mr. Zorc pointed out the developer was responsible for putting in a meter to water a tree that had been relocated and would also have to pay sewer fees for the water used to irrigate the tree. He said it might cost \$5,000 to move the tree and \$2,500 on water and sewer fees to keep the tree alive after it was moved. He recommended:

- The County Utilities Department should remove the sewer fee portion for a water line established to support tree location.

Open Space: 901, p34; 911.06 – 911.13 pp7-46 for PD's 915.18 pp11-12.1

Dr. Sullivan passed out a handout prepared by Mr. Corrigan, a copy of which is on file in the Commission office. Mrs. Fulton said she had visited a lot of older developments in the County and found a lot of trees and open spaces with parks, etc. Mr. Corrigan reviewed the amount of open space in single, multi-family, PD and commercially zoned developments, and showed some pictures.

Mr. Corrigan noted it was more attractive to have open space between the main entrance and where the homes were located. Mrs. Fulton discussed sites in the South County where commercial areas abutted two developments, and thought it would be better to afford more open space in those areas to get additional pedestrian traffic and walking paths and cut down on vehicular traffic.

Following were their recommendations:

- Put the open space up front between the entrance and where the homes are located.
- Have more common open space between developments.

- Have open space LDR's reflect two scales – one for public view and one for inside the PD or subdivisions.
- More common space with trees and green space, and cut down on the percentage of water for open space.
- Revise the list of what is categorized as open space for PD's.

A discussion followed.

Providing Infrastructure: Advance Right-of-way Acquisition

Mrs. Cuffe read the information contained in her handout, a copy of which is on file in the Commission office. She explained how right-of-way acquisition was currently being done, and the related problems that existed with getting land for right-of-ways.

Mr. Trolle suggested a pragmatic approach, emphasizing we had a basic design to know where the arterial road was going to be and where right-of-way would have to be acquired. He thought the chances of acquiring land that would not be used were very small, and he felt it was important to pre-acquire right-of-way at a very early stage. He recommended the following:

- Use the community matrix to move forward on advance right-of-way incrementally.

Mrs. Cuffe wondered if there was any way to get property at an appraised price and not have the cost be inflated just because someone knew the County needed to purchase their land for a future road widening project. Mr. Keating agreed it was great to purchase advance right-of-way, but one of the problems was when you spent a lot of your money to buy right-of-way, you had less left to build roads. He added more and more the County had to buy additional land off-site for ponds for stormwater, which also involved separate right-of-way acquisitions.

Mr. Keating explained the County could not require right-of-way dedication of property beyond 60 feet because that would be a taking, particularly since people were being charged impact fees. He mentioned even if the County knew the ultimate right-of-way, we could not require people to set back unless we bought the property, because people were legally allowed to do their setback from the property line.

Mr. Zorc suggested forming a Right-of-way Acquisition Advisory Committee, similar to the Land Acquisition Advisory Committee, to more

accurately specify actual landowners and how much property would be needed. After some discussion, it was generally felt County staff was already taking care of this.

Mr. Zorc recommended:

- Using extra gas tax dollars for advance right-of-way acquisition.

Dr. Sullivan thanked those who had given a presentation today, and noted there were six LDR groups left. He expected the remainder of the presentations would be given on the morning of the June 5th meeting, and in the afternoon the GTF would be whittling down the list of recommendations. He asked the members who would be presenting at the next meeting to give him their recommendations in advance in their presentation, so the list would be 98% complete and last minute revisions could be made.

A discussion followed.

Dr. Sullivan distributed information on Small Lot Subdivisions to go with Mr. Brackett's presentation, and a copy of this is on file in the Commission office. He passed out presentations and recommendations from some of those who would be addressing the remaining LDR's at the June 5th meeting. Dr. Sullivan also gave the members information on solid waste, wastewater and water, on file in the Commission office.

There being no further business, the meeting was adjourned at 4:55 p.m.