

**TOWN OF ASTATULA  
LOCAL PLANNING  
AGENCY MINUTES**



**SPECIAL MEETING  
MONDAY DECEMBER 13, 2021  
TOWN HALL**

Having been duly advertised as required by law, Mayor Mack called the Local Planning Agency meeting to order at 8:10 pm.

**Members Present:**

Mitchell Mack, Mayor  
Stephen Cross, Vice-Mayor  
Gayle Sikkema  
Orita Issartel

**Town Staff Present:**

Graham Wells, Town Clerk  
Wally Hoagland, Police Chief  
Tim Green, Planner

Roll Call was performed, and it was determined that a quorum was present.

**PUBLIC HEARING**

**COMPREHENSIVE PLAN AMENDING THE FUTURE LAND USE MAP OF THE TOWN OF ASTATULA, FLORIDA.**

**ORDINANCE 2021-23**

**AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE TOWN OF ASTATULA, FLORIDA, BY CHANGING THE FUTURE LAND USE CLASSIFICATION FOR THE PROPERTY LOCATED NORTH OF CR 48 AT THE INTERSECTION OF FAIR STREET AND MORNING GLORY WAY IN ASTATULA, FLORIDA, CONTAINING APPROXIMATELY 98 ACRES, AND MORE PARTICULARLY DESCRIBED BELOW FROM LAKE COUNTY RURAL TO TOWN OF ASTATULA SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL; FINDING CONFORMITY WITH STATE STATUTES AND THE COMPREHENSIVE PLAN OF THE TOWN OF ASTATULA, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

Planner, Tim Green gave a detailed overview of the role of the Local Planning Agency in the town and that this was a review of a Comprehensive Plan Amendment. He added that the discussion could be done at this meeting or at the regular council meeting. Following discussion Council agreed to discuss approval at the regular council meeting.

**MOTION by Vice-Mayor Cross to send Ordinance 2021-23 to Council; SECONDED by Councilwoman Sikkema.**

**A Roll Call vote was taken.**

**Cross            YES  
Sikkema        YES  
Issartel        YES  
Mack            YES**

**MOTION CARRIED 4-0**

**COMPREHENSIVE PLAN AMENDMENT EAR (EVALUATION AND APPRAISAL REPORT) AND PRIVATE PROPERTY RIGHTS ELEMENT.**

**ORDINANCE 2021-25**

**AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163.3187 FLORIDA STATUTES BY AMENDING AND UPDATING THE FUTURE LAND USE ELEMENT, ADDING A PRIVATE PROPERTY RIGHTS ELEMENT, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AUTHORIZING THE TOWN CLERK TO AMEND SAID COMPREHENSIVE LAND USE PLAN; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR FOWARDING THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY PURSUANT TO CHAPTER 163 OF THE FLORIDA STATUTES.**

Mr. Green explained that this amendment is to update the comprehensive plan to include the private property rights element passed in HB59 which states that the property owner has rights. All Counties and Municipalities in the State of Florida are required to adopt this plan. The wording was given to the Town and has been formatted to be included in the comprehensive plan.

The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

In addition to adding the contents of HB59, it is necessary every seven years to include an Evaluation and Appraisal Report updating the plan for the legislative changes made in state law. The plan has also been reviewed to rectify inconsistencies with the future land use element. This ordinance, if approved will be transmitted to the DEO. Once approved by the DEO it will come back to Council for final reading and adoption.

Ordinance 2021-23 and Ordinance 2021-25 were brought before the Planning and Zoning Board on November 29, 2021 who recommended unanimously for Council to approve.

**MOTION by Vice-Mayor Cross to send Ordinance 2021-25 to the Council; SECONDED by Councilwoman Sikkema.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 4-0**

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:17 pm.

Respectfully submitted



Mitchell Mack, Mayor

ATTEST:



Graham Wells, CMC  
Town Clerk

