MINUTES REPORT
LOCAL PLANNING AGENCY
FEBRUARY 23, 2026

MEMBERS PRESENT:

Dawn Russell
Jennifer Sapen
Don Schrotenboer (Vice Chair)
Stan Stouder (Chair)
Henry Zuba

MEMBERS ABSENT:

Dustin Gardner

STAFF PRESENT:

Amanda Swindle, Asst. Cty. Atty.
Nathan Beals, Utilities
Kate Burgess, Principal Planner, Planning
Brandon Dunn, Planning Manager
Lindsey Karczewski, Planning
Janet Miller, DCD Admin.
Brian Roberts, Development Services Manager

REPRESENTATIVES

Richard Akin, Henderson, Franklin, Starnes & Holt, P.A.
Al Quattrone, Quattrone & Associates, Inc.
Yury Bykau, TR Transportation Consultants, Inc.
Kathleen Berkey, Becker Law Firm
Max Forgey, Forgey Planning, LLC
Stacey Hewitt from RVi Planning & Landscape Architecture
Neale Montgomery, Pavese Law Firm
Brandon Frey, J.R. Evans Engineering, P.A.
David Brown, P.G., RESPEC
Shane Johnson, Passarella & Associates, Inc.
Ray Blacksmith, Cameratta Companies

Agenda Item 1 – Call to Order, Review of Affidavit of Publication/Pledge of Allegiance

Mr. Stouder, Chair, called the meeting to order at 9:00 a.m.

Ms. Swindle, Assistant County Attorney, certified that the affidavit of publication for today's meeting was properly advertised.

Agenda Item 2 – Public Forum- None

Agenda Item 3 - Election of Officers

Chair

Mr. Schrotenboer made a motion to nominate Mr. Stouder as Chair. Mr. Zuba seconded the motion. The Chair called the motion, and it passed 5-0.

Vice Chair

Mr. Zuba made a motion to nominate Mr. Schrotenboer as Vice Chair. Ms. Russell seconded the motion. The Chair called the motion, and it passed 5-0.

Agenda Item 4 – Approval of Minutes – December 8, 2025

Mr. Schrotenboer made a motion to approve the December 8, 2025 meeting minutes. The motion was seconded by Ms. Sapen. The Chair called the motion, and it passed 5-0.

Agenda Item 5 – Lee Plan Amendment

A. CPA2025-00003 US 41 Pugliese Multi-Family – Map Amendment
Amend Lee Plan Map 1-A, Future Land use Map, to change the future land use category of the 13.2-acre subject property from Suburban to Urban Community. The property is located approximately a tenth of a mile north of the intersection of South Tamiami Trail and Timberlakes Drive.

Richard Akin from Henderson, Franklin, Starnes & Holt, P.A. and Al Quattrone, Quattrone & Associates, Inc. gave an overview of the project along with a PowerPoint Presentation. It was also noted that Yury Bykau from TR Transportation Consultants, Inc. was in attendance in case the Board had questions regarding traffic.

Ms. Sapen asked if the property was in the Coastal High Hazard area.

Mr. Akin confirmed that the property is in the Coastal High Hazard area.

Ms. Sapen asked if this means that the affordable housing does not apply.

Mr. Akin stated you cannot use Pine Island Transfer of Development Units (TDUs) because it is in the Coastal High Hazard area. He noted there are also other provisions they must keep in mind when dealing with the Coastal High Hazard area that will be addressed as part of the application process.

Ms. Sapen referred to the borrow pit on the property and asked if it is designated as a wetland that counts against their density if it is impacted by the development or is it designated as other surface water.

Mr. Quattrone stated this issue is still to be determined. Since it is a manmade feature designed for holding water, the question is whether that means it is truly a wetland. He noted they had not yet gone through the South Florida Wetland JD process to determine that. Mr. Quattrone referred to the 1953 aerials and noted that, although he is not a biologist, everything on the property, with the exception of the borrow pit, looks fairly dry and did not look as if it had wetland type historical features.

Ms. Sapen asked if this was something they would work out during the zoning process.

Mr. Quattrone stated that was correct.

Mr. Zuba asked for confirmation that there is currently no decision on what the future use for this property will be even if today's request to change the future land use category to Urban Community is approved.

Mr. Akin stated that is correct. The client does not currently know what the exact use of the property will be.

Mr. Zuba asked how a decision could be made with regard to the capacity of utilities, roads, etc. if they do not know what type of development option will be placed on the property.

Mr. Akin stated those are analyzed, assuming the most intense use with the most intense traffic, such as a retail shopping center. He noted there are Land Development Code provisions that discourage increased/higher densities through areas with significantly lower residential densities, especially if you want affordable housing. However, this location has its frontage on US 41. The northern end of the property is another frontage road that allows someone to travel further north to Jonathan Bay. If there is increased traffic, these are the types of places from a planning perspective that the County will allow traffic because they do not have to go through collective roads or minor roadways. It is on a major arterial roadway, so it makes more sense to be placed in that type of area.

Mr. Zuba thanked the applicant and their representatives for the affordable housing inclusion, even if it is only a peripheral consideration at this point, because although bonus densities are available, they are not always taken.

Ms. Russell asked for confirmation that since the applicant will be unable to use the Greater Pine Island TDUs, they will be unable to reach the 15 dwelling units per acre meaning that the maximum will be 10 units per acre.

Mr. Akin stated that was correct. In order to get to 10 units per acre, you must site build affordable housing. The Pine Island TDUs cannot be used on the property because the property is in a Coastal High Hazard Area.

Mr. Stouder referred to comments during the presentation about the right-in and right-out on US 41 and about taking the frontage road to Jonathan Bay. He asked if Jonathan Bay was a signalized intersection.

Mr. Quattrone stated that Jonathan Bay is not a signalized intersection. It is his understanding that there are no easements on the frontage road that gives them the ability to connect. He noted it is the goal of Lee County for the property to connect to the frontage road all the way through. This would require a development order to get the easement to the property's southernmost border so that in the future, they would have the ability to connect.

Mr. Stouder asked for confirmation that the traffic would access at the unsignalized Jonathan Bay via frontage road or a right-in and right-out.

Mr. Quattrone stated that was correct.

Ms. Karczewski reviewed the staff report and recommendations along with a PowerPoint presentation.

Mr. Stouder referred to Policy 5.1.5 on Page 5 of 9 of the staff report that deals with buffering. He noted it says that *"Requests for conventional rezonings will be denied in the event that the buffers provided in the LDC, Chapter 10, are not adequate to address potentially incompatible uses in a satisfactory manner."* He noted that it then goes on to say that planned developments and special exceptions are also subject to buffering. He asked staff to elaborate.

Mr. Dunn stated that as the staff report notes, there will be required buffers that will be identified at the time of the development order or zoning depending on what comes next and the uses identified for the property. There are standard buffers in Chapter 10 of the LDC. If those buffers are not deemed to be adequate dependent on what that use is, in order to protect the multi-use that is within the Forest Country Club, staff could recommend or require this go through a process such as a planned development where staff would work closely with the developer and applicant to identify buffers that would better protect the residential areas surrounding the property.

The LPA had no further questions, so the Chair opened this item for public comment.

Ms. Katie Berkey distributed a handout and asked that it be submitted into the record. She reviewed her credentials and stated the following: 1) She is legal counsel is to the Forest Property Owner's Association that is immediately adjacent to the subject property and the contemplated map amendment; 2) Her handout includes a request for the Association to be accepted as an affected person under Chapter 163 and all hearings on this case. It also includes correspondence with county staff from February 12th and a copy of the Accela case status page as of Friday, February 20th; 3) She reviewed the definition of an *"Affected Person,"* and noted that the Forest Property Owner's Association qualifies for it; 4) She noted that the proposed amendment, if adopted, provides significant incompatible density, not necessarily as described by staff and the applicant, but also in conjunction with the Live Local Act which would allow upwards of 22 dwelling units per acre for qualifying projects and the proposal is to develop not only on the uplands and the Coastal High Area, but also on approximately +/-4.26 acres of wetlands; 5) In the Live Local Act, opportunities for administrative entitlements is alluded to in the applicant's original application from May 2025 but was stricken through the insufficiency process. However, the original traffic study references going from 14 units per acre to 22 dwelling units per acre potentially under the Live Local Act, which is entirely administrative and preempted by State law, so the Association and its members stand to be injured to a degree far greater than the public at large given the qualification for their status as an affected person; 6) As to procedural due process, under Administrative Code 13-6 it requires that within 15 working days of the application being found sufficient, the County is to send a notice to all owners within that notice radius. The application was found sufficient on December 8th, but it does not appear that the sufficiency notice was actually transmitted. In addition, at least 15 calendar days before the Local Planning Agency hearing, which would be January 29th, a sign is to be supplied by the county and posted on the subject property and the applicants are to make a good faith effort to maintain that signage up and through the Board of County Commissioners. In performing site visits on February 18th, February 20th, and February 22nd, there were no such signs posted. Photographs in Mr. Forgey's packet reflects that as well; 7) In addition, if the public were going to independently verify the scheduling of today's hearing, the status of the application in the county's Accela system as of Friday, February 20th, shows that the application is noted by county staff as both being insufficient and sufficient on the same day (December 8th) and the LPA Hearing notice is still said to be due as of December 8 and it is marked as TBD. Absent the proper noticing, the public would get a deficit when independently confirming the status of the application and when it would be heard before the Local Planning Agency; 8) In the lobby, it notes the Lee County Commission and Planning Workshop instead of naming it the Local Planning Agency further confusing the issue; 9) Ms. Berkey stated she e-mailed Mr. Dunn on February 12th to inquire as to the status of the case and when it would be brought to the Local Planning Agency and she was advised that staff was planning to bring it to the LPA on February 23rd and that the staff report was still being finalized yet the signs must be posted by January 29th. She did not know how the timing of that would work if staff was still only planning to have the case heard on February 23rd; and 10) In closing, she felt that for these reasons alone, the case should not be heard today and the deficiencies in the prior notice should be cured. However, if the Local Planning Agency still wishes to proceed today, she and Mr. Forgey recommend that the amendment not be transmitted for reasons that Mr. Forgey will outline when he speaks and that are listed in his report. To them, the density is incompatible with the existing neighborhoods, it presents

transportation access and hurricane evacuation impacts in an already vulnerable Coastal High Hazard Area as well as wetland impacts.

Mr. Max Forgey from Forgey Planning, LLC reviewed his credentials and stated the following: 1) This is a legislative case, and the Local Planning Agency is not under any obligation to recommend adoption of it to the Board of County Commissioners; 2) The Live Local Act takes away the Board of County Commissioners long range opportunity to make decisions about land use once they have received the amendments to the comprehensive plan; 3) The Local Planning Agency should consider the irreversible impact which might result from any subsequent quasi-judicial change sought by the previous owner; 4) They do not have a definitive plan for the property and are expecting the Local Planning Agency to make a *"black box"* decision; 5) When comparing the existing maximum suburban density of 185 units maximum versus urban community which is just 290, it is a dramatic increase in density and intensity along a constrained regional corridor; 6) Approving a full amendment on the subject property, The Board of County Commissioners will swing the door wide open to an irreversible 40% jump in entitlement density which cannot be regulated by the historically available regulatory tools used by local governments in their permitting process; and 7) He urged the Local Planning Agency to recommend denial of the proposal.

The remaining comments received were from the general public:

Scott Rasor (opposed)
Greg Horn (opposed)
Paul Ben-Susan (opposed)
Terry Deford (opposed)
Mark Reimet (opposed)

The major concerns by the attendees were: 1) The proposal will adversely affect their relatively quiet and natural preserve; 2) It is currently treacherous to make a left out of the development or turn left into the development, so the issue of roadways needs to be evaluated further before approving this type of capacity and density; 3) noise pollution; 4) The property is in a flood plain. During Hurricane Ian, 30 inches of water passed through the area even though they actively maintain the central canal; 5) Comments regarding what is across the street is irrelevant to what is on the west side of the street; 6) Although the community recognizes that this property will be developed in some way at some point, there is plenty of opportunities for other types of commercial development in that area under the current suburban category. Let the development be smart development rather than a "black box"; 7) Concerns over compatibility with the community when it is currently vacant property and the future use of the property is unknown; 8) US 41 had extensive work done to it many years ago where it was raised, widened, etc. With this type of proposal opening the door to much more development, will we be looking at further alterations to US 41?; and 9) what they are proposing is drastically different than what is currently in the Forest community.

At this point, the public comment portion was closed.

Mr. Stouder thanked those in attendance and stated they were a material part of this process. He thanked those who provided public comment and to all the attendees for taking time out of their day to attend.

Ms. Burgess provided some responses to comments made today regarding this application. Regarding the Live Local Act, a member of the public brought up flooding as a potential problem. She noted the flood zone on this property is AE11, so regardless of what the development ends up being, they will have to design for that and meet the elevation and stormwater requirements. This will be handled during the development order process as opposed to the future land use stage. Ms. Burgess referred to comments regarding uses. She noted that the major difference between Urban Community, which is the future land

use category being requested, versus Suburban is that Urban Community allows light industrial, but it only allows that through the planned development. She noted that C-1 zoning is already in place and it allows for several commercial uses such as a shopping center, car wash, grocery store, or a multi-family development. These are allowed uses as it currently exists. She reviewed a PowerPoint slide of the existing zoning map and reviewed it with the Local Planning Agency and public. She noted that on the east side of US 41 some of the uses in the commercial areas are car sales centers and flooring centers that are on the border of commercial and industrial uses. They classify under the C-1 zoning district, but from staff's perspective, they are similar to a light industrial use and are around the subject property. Regarding discussion on the Live Local Act, Ms. Burgess stated that it can be used on this property currently and is not something staff has control over regardless of what the future land use is (suburban or urban). The county has allowed, in urban areas, up to the 22 units per acre in the urban future land use categories. It is for the purposes of incentivizing affordable housing in places that already have existing utilities and infrastructure (public transit, water and sewer, and commercial) which are amenities you would expect to be around a multi-family development. Having said this, Ms. Burgess acknowledged that staff has not received an application for a Live Local project and they have not had a pre-application meeting for a Live Local project. Although this was initially in the applicant's first submittal, it was removed from the application materials. During the staff review, no insufficiencies were found regarding water, sewer, traffic, etc.

Mr. Schrotenboer asked staff to address the accusation that there was no signage.

Ms. Burgess stated she believed there were signs posted because we received an Affidavit of Posting from the applicant along with pictures of the signs that were posted.

Mr. Quattrone concurred with Ms. Burgess that they did post signs and provided the affidavit and photographs to the County.

Mr. Schrotenboer asked why this proposal is being brought forward to change the future land use category if C-1 is already allowed on the subject property and you can have residential as well under certain situations under the Live Local Act.

Mr. Akin stated his client is trying to increase the value of the property by increasing the opportunities of what can be developed on site because they are currently having difficulty finding a user. He understands the public's concerns of what can be allowed there with the Live Local Act, but nothing specific is being proposed right now. Although he cannot assure everyone that there is no chance that a Live Local project will ever be on this property, there is no application submitted for that, and no pre-application meeting has been held with staff. There is a possibility that there could be one in the future, but that is not the purpose of the Planned Development. What is under consideration today is whether changing the future land use category from Suburban to Urban is consistent with the Lee Plan and if it is compatible with surrounding uses. Regarding Policy 5.1.5, which talks about protecting existing residential uses from uses that are incompatible. He noted that multi-family is also residential, so this is not an issue. The area is already zoned C-1, and the Land Development Code has within it standard buffering requirements. It is based on what is adjacent to your project and it is already built into the Code. He understands the public's concern regarding compatibility because it is vacant property and it is unknown as to what is going to be placed there. However, those concerns will be addressed during the rezoning process. He noted that if light industrial is sought, it must go through a planned development and rezoning process. During those processes, staff will be reviewing compatibility, buffers, etc. However, that is not what is being considered today. He referred to another public comment where it was discussed that many years ago there were road improvements on US 41 and they asked if that is where we are again. Mr. Akin stated that if you look at traffic studies, the answer is *"yes"* whether this future land use change takes place or

not because there has been a lot of development in Southwest Florida over the last few years and the roadways need improvements at intersections such as widening, turn lanes, etc. He noted that the analysis of traffic will take place when something is submitted, but for now, an analysis of the traffic study was performed assuming the most intense use (worst case scenario). However, the question today is whether an Urban Community future land use is compatible with consistent land use in this location with frontage on a major arterial road, with all of the urban services in place along with bus stops within walking distance, commercial uses and light industrial nearby. Staff concluded it is consistent. They further determined that not only is it an appropriate use, but that the Urban Community future land use is more consistent with the current make up of this area than the suburban future land use.

Ms. Russell asked what opportunities would be available for the public to participate and provide comments if the applicant decides to rezone to an industrial planned development.

Ms. Burgess stated that if the applicant were to decide to rezone to anything, it goes through a public hearing process, whether it is an industrial planned development, another planned development, or a conventional rezone. A rezoning would go through the Hearing Examiner. Whenever something goes to public hearing, everyone within a 500 foot radius would get notified via mail. The public are allowed to provide public comment at the public hearing. If the proposal is a Planned Development, it will also go to the Board of County Commissioners, which also allows public input.

Ms. Sapen referred to the possible lack of sign posting. She hoped this would be resolved before this case goes before the Board of County Commissioners. She asked legal counsel if signs are required.

Ms. Swindle stated it is a courtesy posting. She noted that the Administrative Code makes it clear that as long as Chapter 125 (Notice Requirements) is met, then notice is considered sufficient to conduct this hearing. The notice requirements mean that an ad must be placed in a newspaper of general publication.

Ms. Sapen asked if courtesy notices were also sent out.

Ms. Swindle stated she believed that courtesy notices were sent out per usual. To her, it was clear there was actual notice based on two factors: 1) The Forest Property Owners Association retained an expert who prepared a report; and 2) based on e-mail communication.

Mr. Stouder referred to the Live Local Act and asked 1) what the density is under C-1; 2) what the density is under the current Suburban land use; and 3) what is the density in an Urban Community land use.

Ms. Burgess stated that the Live Local is a State Statute and preemption over local government regulations or density allowances. Under the Live Local, the county is required to allow the highest standard density in all places (i.e. commercial, industrial, planned development future land use categories). The highest standard density that the County has is 14 units per acre. The county, in all the urban districts, already allows for bonus density for affordable housing. In order to incentivize Live Local in the Urban areas as opposed to a Suburban, Outlying Suburban, Rural, or something else that is further away from centralized utilities, or from development generally, the County has been allowing bonus density for affordable housing in the Urban districts at a maximum density of 22 units per acre. In the Suburban it would be 14 units per acre. C-1, across the board, has zero impact other than the fact that it is a commercial zone which makes it eligible for Live Local.

Ms. Sapen stated it seems to come down to: 1) the difference between what is proposed and what exists; 2) Whether light industrial would be allowed which would only be allowed through the Planned Development process, and 3) The Live Local going from 14 units per acre to possibly 22 units per acre.

Ms. Sapen stated she could understand the public's concerns because this is a change coming directly to their area, but looking at the existing site features, there is a large borrow pit abutting the Forest community followed by a fence, landscaping, a road, parking, and residential units. She felt it was a rare instance where the existing features create a good degree of separation between the proposed uses and the existing uses naturally as it functions. She believed the intent of the Live Local is to bring affordable housing, which is needed, near services. To her, this proposal is an appropriate location for Live Local since it is along a major arterial road and is already an urban corridor. With this in mind, she felt the proposed future land use change is consistent with the Lee Plan.

Ms. Russell concurred with Ms. Sapen's statements and noted that the Local Planning Agency must compare this request to the Lee Plan. She also found it to be consistent with the Urban Community future land use designation. She also agreed it is in a place where Live Local applies to and should apply to.

Mr. Schrotenboer thanked the public for attending and providing input and agreed with Mr. Stouder that it is an important integral part of this process. Regardless of personal feelings on whether this application is appropriate or not for this particular area, the Local Planning Agency has to put that aside and look at it in terms of compatibility to the Lee Plan. Mr. Schrotenboer stated that he had not found anything presented today or in the application that would provide for any inconsistencies in that. Therefore, despite some personal issues with it, he would be in support of a motion to recommend adoption.

Mr. Zuba stated that, as indicated at today's meeting, the future land use of the project is going to be reviewed several times since there are several processes involved once the final application in zoning comes through. He noted that this is not the definitive land use decision but rather whether it is consistent with the Lee Plan. Mr. Zuba stated he would support a motion to recommend adoption.

Mr. Stouder stated that it is easy for concerned citizens to let zoning issues blend into the Comprehensive Plan discussion. When that happens, it is outside the purview of the Local Planning Agency. The Local Planning Agency's purview is to determine whether the proposal is consistent with the Comprehensive Plan. There will be many processes and reviews before anything is developed on the property. He concurred with other members that he could not find anything in the application or in Policy 5.1.5 that would prohibit him from finding this proposal to be consistent with the Lee Plan and from recommending it for adoption. He referred to a comment made by Mr. Akin that if a multi-family development was placed there it would be residential next to residential. However, he felt it would be quite different because the Forest community will be next to a development with 22 units per acre. He encouraged the public to maintain their vigilance should the applicant proceed in any kind of zoning action.

Mr. Zuba made a motion to recommend adoption of CPA2025-00003 (US 41 Pugliese Multi-Family Map Amendment). The motion was seconded by Mr. Schrotenboer. The Chair called the motion and it passed 5-0.

The meeting convened at 10:20 a.m. for a 10 minute break and it reconvened at 10:30 a.m.

B. <u>CPA2025-00012 Amenity Improvement – Text Amendment</u>

Amend Goal 13 and associated Objectives and Policies to allow for golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22 CA-002743 approved under Sec. 70.001 F.S.

Ms. Sapen stated she had a voting conflict on this item and would abstain from the vote. She submitted the appropriate Voting Conflict Form and submitted it to staff for their records.

Stacey Hewitt from RVi Planning & Landscape Architecture representing the applicant, gave an overview of the project along with a PowerPoint presentation and noted that the project team was in attendance as well (Neale Montgomery, Pavese Law Firm, Brandon Frey, J.R. Evans Engineering, P.A., David Brown, RESPEC, and Shane Johnson, Passarella & Associates, Inc.).

Mr. Zuba referred to the second paragraph on Page 10 of 11 under the Settlement Agreement description, which states, *"The proposed amendment would not permit any golf courses that exceed the golf course threshold set forth in Objective 13.8, even though the amendment technically exempts the Kngston MPD from this threshold."* He asked Ms. Hewitt to explain how those two points are consistent.
Ms. Hewitt stated that language referred to by Mr. Zuba, is under Staff Report findings and it is regarding the number of golf holes in the DRGR. There were only two others that have been approved and there is only one proposed for the Kingston development, so staff's finding is that this request is not increasing any limit because it is already capped within the MPD itself.

Mr. Zuba asked for confirmation that, in Ms. Hewitt's opinion, there is no inconsistency between the DRGR recommendations or limitations on golf courses with this amendment.

Ms. Hewitt stated that was correct because the PRFPD requirements were done a long time ago and there have only been two that have come forward since then and there is only one proposed with this development, which is why staff found that this project would not be exceeding that threshold.

Ms. Burgess reviewed the staff report and recommendations along with a PowerPoint presentation.

Ms. Russell asked if, due to the uniqueness of this settlement agreement, no other MPDs in the DRGR would be able to use this as precedent as a result.

Ms. Burgess stated this was not a concern because all of the proposed amendments specifically address the Settlement Agreement case number.

Mr. Schrotenboer asked for confirmation that under this, nothing would prevent another golf course coming forward through the DRGR through the private recreational planned development.

Ms. Burgess stated that was correct. They could still apply for a PRFPD to be able to develop as a golf course.

Mr. Zuba complimented staff on the nice job they did on this application, especially since it was a complicated one.

Mr. Blacksmith showed the LPA how extensive the Settlement Agreement was and noted that everything they are exempt from in this case is covered through the existing lawsuit settlement.

The LPA had no further questions or comments, so the Chair opened this item to the public. There were no members of the public that wished to comment, so the public comment portion was closed.

Ms. Russell made a motion to recommend transmittal of CPA2025-00012 (Amenity Improvement – Text Amendment). The motion was seconded by Mr. Schrotenboer. The Chair called the motion, and it passed 5-0.

Ms. Schrotenboer commended the applicant for following all the regulations that govern the private recreational planned development in terms of wildlife, water quality monitoring, and adhering to it.

Mr. Stouder stated that when he was prepping for this meeting and reviewing the materials, it was an interesting narrative. He complimented staff on handling this project in a different way.

Agenda Item 6 – Land Development Code Amendments

A. Off-Street Parking and Loading Requirements

Mr. Roberts gave an overview of the amendments along with a PowerPoint presentation.

Mr. Stouder stated his question would relate to all three Land Development Code items. He asked if these amendments were merely relocating text or if there are changes to the processes, standards, or requirements.

Mr. Roberts stated that much of the amendments involve relocation of text, but that there will be changes to Section 10-104 that is forthcoming. The change to 10-104 will allow for administrative deviations versus a variance process, which is a simpler process for applicants. In addition, Item (d) under Chapter 34-2017 on Page 13 of 22 is being removed. It dealt with the *"Reservation of spaces for future use."* However, it is being removed because this portion of the Land Development Code has never been used. It basically allowed someone to not have to pave certain future parking spaces, but they had to set the spaces aside and these particular spaces were not allowed to be used as part of their open space calculations.

Mr. Stouder stated he had read that churches were still allowed to use grass parking.

Mr. Roberts stated that churches would still be allowed to use grass parking. That allowance will remain in the Land Development Code.

Mr. Schrotenboer made a motion to find the Off-Street Parking and Loading Requirements to be consistent with the Lee Plan. The motion was seconded by Mr. Zuba. The Chair called the motion and it passed 5-0.

B. Outdoor Lighting Standards

Mr. Roberts gave an overview of the amendments along with a PowerPoint presentation.

Mr. Stouder stated that staff is bifurcating the calculation from Chapter 34 to Chapter 10. He asked if it was easier for staff to have it bifurcated or if it was easier to have all of the parking requirements in one place.

Ms. Sapen stated that with the way the public can query items, they will still be able to find it, so it comes down to what is easier for staff.

Ms. Russell concurred with Ms. Sapen and stated it would not be harder for her to search for something in Chapter 10 versus Chapter 34. It is still easily accessible.

Mr. Schrotenboer made a motion to find the Outdoor Lighting Standards to be consistent with the Lee Plan. The motion was seconded by Ms. Sapen. The Chair called the motion, and it passed 5-0.

C. Turn Lane Extension Exemption

Mr. Roberts gave an overview of the amendments along with a PowerPoint presentation.

Ms. Sapen referred to the Turn Lane Detail under Section 10-288 and noted that the Turn Lane detail was very tiny making it difficult to view it.

Mr. Roberts agreed and stated that staff would see what the final product would look like. He thought it may have been this small in order to fit it on Page 1.

Ms. Sapen made a motion to find the Turn Lane Extension Exemption amendments to be consistent with the Lee Plan. The motion was seconded by Ms. Russell. The Chair called the motion, and it passed 5-0.

Agenda Item 7 – Other Business

Mr. Stouder asked if staff had impending cases for March and April.

Mr. Dunn felt staff would not have any cases ready for the March meeting but noted there were several amendments moving through the process that will likely be on the April agenda.

Agenda Item 8 – Adjournment

The meeting adjourned at 11:04 a.m.