



**CITY OF OKEECHOBEE, FLORIDA
PLANNING BOARD WORKSHOP MEETING
AUGUST 20, 2020
SUMMARY OF BOARD DISCUSSION**

I. CALL TO ORDER

Chairperson Hoover called the Workshop meeting of the Planning Board for the City of Okeechobee to order on Thursday, August 20, 2020, at 6:41 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida. Pursuant to Executive Order No. 20-69 issued by Governor DeSantis on March 20, 2020, and extended by Executive Order No. 20-193 effective August 7, 2020, the meeting was conducted utilizing communications media technology (CMT) as provided by Florida Statutes 120.54(5)(b)2, by means of Zoom.com Meeting ID 2459713294. The Host computer was operated by Executive Assistant Brock. The video, audio, and other digital comments are recorded and retained as a permanent record.

II. ATTENDANCE

General Services Secretary Montoya called the roll. Chairperson Dawn Hoover, Vice Chairperson Doug McCoy, Board Members Karyne Brass, Rick Chartier, Felix Granados and Mac Jonassaint were present. Alternate Board Member Joe Papasso was present. Board Member Phil Baughman and Alternate Board Member Jim Shaw were absent.

CITY STAFF: City Planning Consultant Ben Smith, Planning Board Secretary Patty Burnette, and Executive Assistant Robin Brock were present. City Attorney John Fumero was absent.

III. ITEMS OF DISCUSSION

A.1 Mr. Ben Smith of LaRue Planning and Management Services was present as the City's Planning Consultant and briefly explained his Staff Report regarding Land Development Regulation (LDR) amendments that will allow the City of Okeechobee to initiate Zoning map changes and Future Land Use Map (FLUM) changes with less requirements than are currently required for map changes requested by property owners. He confirmed with other local governments that no survey is required for a City initiated rezoning or a City initiated FLUM Amendment. Identifying the subject property on maps and providing a legal description is sufficient. He is proposing the following minor changes to the processing procedures of Applicant initiated map changes in order to more clearly align with the manner in which requests are actually processed.

Amend Appendix A, Form 1 Comprehensive Plan Amendment Petition number 2.b., to read Administrator reviews petition, initiates processing, issues notice of Planning Board public hearing.

Amend Appendix A, Form 1 Comprehensive Plan Amendment Petition number 2.d., to read Administrator issues notice of City Council public hearing.

Amend Appendix A, Form 3, Zoning district boundary change Petition number 2.b., to read Administrator reviews petition, initiates processing, issues notice of Planning Board public hearing.

Amend Appendix A, Form 3, Zoning district boundary change Petition number 2.d., to read Administrator issues notice of City Council public hearing.

Amend Appendix A, Form 3, Zoning district boundary change Petition number 2.e., by adding City Council holds first public hearing, renders decision.

Amend Appendix A, Form 3, Zoning district boundary change Petition number 2.f., by adding if approved, Administrator issues notice of second City Council public hearing.

Amend Appendix A, Form 3, Zoning district boundary change Petitions number 2.g., to read City Council holds second public hearing, renders final decision on petition.

Amend Appendix A by adding Form 19, Administratively Initiated Comprehensive Plan Future Land Use Map Amendment and Form 20, Administratively Initiated Zoning District Boundary Change petition that list petition contents and processing information.

In addition to new application requirements proposed in Appendix A, some minor revisions are also proposed to Section 70-340 in order to broaden the applicability of the required findings for zoning map changes and land development code changes.

Amend the first paragraph to read, All petitions for change of land development regulations and change of zoning district boundary shall be considered in relation to the following criteria, where applicable.

In acting upon a petition, the City Council, Planning Board, or Board of Adjustment, as appropriate, shall find that: (1) amend the word use to request and in (3), (5), (7), and (8) amend the wording at the beginning of each sentence from The use to Approval of the request.

The consensus of the Board was in agreement with the City Planner's recommendations as noted above.

- A.2** Mr. Smith discussed the Planning Staff Report and copies of minutes he had distributed from the Planning Board and City Council Meetings held on July 19, 2007, August 16, 2007, September 5, 2007, and September 19, 2007, regarding several issues related to the current Residential Mobile Home (RMH) district standards and the maximum density allowed in the Single Family (SF) Residential Future Land Use (FLU) category. First issue is the list of permitted uses which includes types of development that do not seem correct in the context of the definitions provided for those uses. Section 90-162(2) lists mobile home park, with one mobile home per lot as a permitted use. However, the definition of mobile home park requires that the park must be under single ownership. While this could mean an area with separate lots all owned by the same entity, it is more typically one parcel of land owned by one entity, with multiple mobile home sites for rent or lease by that entity. Section 90-162(8), which was a result of Ordinance No. 997 adopted on September 19, 2007, site-built or modular single-family homes on lots in mobile home parks existing as of August 1, 2007, can be interpreted at least three different ways: Site built or modular single family homes can be built on a lot in a mobile home park if that mobile home park was in existence in August 1, 2007; Site built or modular single family homes can be built on a lot in a mobile home park if that lot was in existence in August 1, 2007; or Site built or modular single family homes are a permitted use (not nonconforming) on lots in mobile home parks only if those structures were in existence as of August 1, 2007. If the third interpretation is used, then no new site built, or modular single-family homes would be allowed in the RMH district. However, there are development standards provided for single family homes in Section 90-165, so this is likely not the correct interpretation, as some construction of new single-family homes is clearly envisioned in this district. Whether the first or second interpretation is used, it seems unlikely that site built, or modular single-family homes would be confined only to lots in mobile home parks. The intent seems more likely to allow single family homes in what is currently defined as a mobile home subdivision. Based on the above, he proposes the following:

Amend Section 90-162(2) to read mobile home park, with one mobile home per site

Amend Section 90-162(8) to either read site-built or modular single-family homes in mobile home subdivisions on lots existing as of August 1, 2007 or site-built or modular single-family homes in mobile home subdivisions. The first option would prohibit the placement of single-family homes in new mobile home subdivisions and the second option would allow it.

Amend Section 90-165(2) to read minimum lot/site area.

Second issue Section 90-165(3)(a) reads district yard minimum of 20 feet on all property boundaries. This seems to contradict the other required setbacks of the district which seem to cover all potential structures. Since the 10-foot rear and side setbacks allowed under Section (b) do seem appropriate, he proposes Section (a) be stricken from the code.

- A.3** Lastly, the minimum allowed lot size could create a density that would exceed the maximum allowed density of the SF Residential FLU category. The RMH zoning district is only permitted within this FLU category, the standards for which are provided in FLU Policy 2.1(a) of the City's Comprehensive Plan.

Maximum density is four units per acre for residential units on individual lots, and six units per acre for mobile home parks.

Where affordable housing is provided in accordance with Housing Policy 1.6, the maximum density for single family development shall be five units per acre. Section 90-165(2)(a) allows for minimum lot sizes of 5,000 square feet for mobile homes and single-family homes.

If a mobile home subdivision were to be created with 5,000 square foot lots, the density would be 8.7 dwelling units per acre which would be inconsistent with the City's Comprehensive Plan. Since there are quite a few existing 5,000 square foot lots in the RMH district and to avoid the creation of non-conforming lots he proposes amending FLU Policy 2.1(a) of the City's Comprehensive Plan as follows:

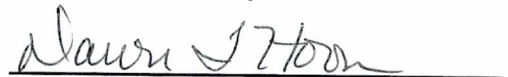
Delete what is currently number 1 and replace it to now read Zoning districts considered appropriate within this future land use category include Rural Heritage (RH), Residential Single-Family One (RSF 1), Residential Mobile Home (RMH), and Residential Planned Unit Development (PUD-R).

Add number 2 to read For the RH, RSFf-1 and PUD-R zoning districts, the maximum density is four units per acre. Where affordable housing is provided in accordance with Housing Policy 1.6, the maximum density for single-family development shall be five units per acre.

Add number 3 to read For the RMH zoning district, the maximum density is nine units per acre.

After a lengthy discussion the consensus of the Board was to remove the 20 foot minimum yard setback required in Section 90-165(3)(a); to permit and encourage the redevelopment of lots in the RMH district with single family dwellings to replace mobile homes; to leave the maximum densities allowed by the SF Residential FLU Category unchanged; and permit no new subdivisions or lot splitting which is inconsistent with the maximum densities allowed by the comprehensive plan; and that the permitted uses and lot area requirements of the RMH district should be amended to achieve this.

- IV. There being no further items on the agenda, Chairperson Hoover adjourned the workshop at 7:28 P.M.


Dawn T. Hoover, Chairperson

ATTEST:


Patty M. Burnette, Secretary

Please take notice and be advised that when a person decides to appeal any decision made by the Planning Board/Board of Adjustment and Appeals with respect to any matter considered at this proceeding, he/she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. General Services' media are for the sole purpose of backup for official records.