



**CITY OF OKEECHOBEE, FLORIDA  
PLANNING BOARD MEETING  
MAY 18, 2023  
SUMMARY OF BOARD ACTION**

**I. CALL TO ORDER**

Chairperson Hoover called the regular meeting of the Planning Board for the City of Okeechobee to order on Thursday, May 18, 2023, at 6:03 P.M. in the City Council Chambers, located at 55 Southeast (SE) Third Avenue, Room 200, Okeechobee, Florida, followed by the Pledge of Allegiance.

**II. ATTENDANCE**

Roll was taken by Board Secretary Patty Burnette. Chairperson Dawn Hoover, Board Members Phil Baughman, Karyne Brass, Rick Chartier, Mac Jonassaint, and Alternate Board Members Jon Folbrecht and Jim Shaw were present. Vice Chairperson Doug McCoy, and Board Member Carl Berlin, Jr., were absent with consent. Chairperson Hoover moved Alternate Board Members Folbrecht and Shaw to voting position.

**III. AGENDA**

- A. There were no items added, deferred, or withdrawn from the agenda.
- B. Motion by Member Chartier, seconded by Member Jonassaint to approve the agenda as presented. **Motion Carried Unanimously.**
- C. There were no comment cards submitted for public participation.

**IV. MINUTES**

- A. Motion by Member Brass, seconded by Member Folbrecht to dispense with the reading and approve the April 20, 2023, Regular Meeting minutes. **Motion Carried Unanimously.**

**V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:05 P.M.**

- A. Continued from the April 20, 2023, Meeting, Land Development Regulation (LDR) Text Amendment Application No. 23-001-TA, proposes to amend Chapters 14, Businesses, and 90, Zoning, of the Code of Ordinances, by adding Section VI to allow food trucks as a Special Exception use in the Central Business District (CBD), Heavy Commercial (CHV), Light Commercial (CLT), Commercial Professional Office (CPO), Industrial (IND), Public Use (PUB), and Rural Heritage (RH), Zoning Districts; and create supplemental use standards for food trucks.
  - 1. City Planning Consultant Mr. Ben Smith of Morris-Depew Associates, Inc. briefly explained at the April 20, 2023, Meeting, the Board discussed Mobile Food Dispensing Vehicles (MFDVs) and that in 2020, Governor DeSantis signed into law Senate Bill 474/House Bill 1171, which then enacted Florida Statute 509.102. This law preempts local governments from entirely prohibiting MFDVs within their jurisdiction and requiring a separate license, registration, permit, or fee, other than what is required through the Florida Department of Business and Professional Regulation. He then reviewed a proposed ordinance which included classifications of different MFDVs; regulations for operating without special exception approval or a temporary use permit on private property in the IND, CHV, CLT, CBD, or CPO Zoning Districts or on any property where a permanent house of worship is located; operating with a special exception approval and operating with a temporary use permit; general operating standards and enforcement. He also briefly discussed Martin County's ordinance on the same topic. City Attorney Greg Hyden, of Nason, Yeager, Gerson, Harris and Fumero, provided a copy to the Board and discussed the main components of a simpler proposed version.
  - 2. Mr. Octavio Montiel, 8600 Southwest (SW) 9<sup>th</sup> Street, and Ms. Dennise Rodriguez, 3616 SW 19<sup>th</sup> Street, of Okeechobee, Florida, requested clarification where MFDVs would be permitted, with and without permission. Board Secretary Burnette read into the record an email dated April 20, 2023, from Ms. Ashley Sexton, voicing her support of MFDVs [copy has been made part of the official minute packet].



## PUBLIC HEARING ITEMS CONTINUED

3. No Ex-Parte disclosures were offered.
  4. Motion by Member Chartier, seconded by Member Folbrecht to recommend approval to the City Council for LDR Text Amendment Application No. 23-001-TA, as presented in [Exhibit 1 by the Planning Consultant]. The recommendation will be forwarded to the City Council for consideration at Public Hearings, tentatively scheduled for June 20, 2023, and July 18, 2023, meeting. **Motion Carried six to one, Member Brass voting No.**
- B. Consider LDR Text Amendment Application No. 23-002-TA, which proposes to amend Chapter 78, Land Development Standards, Article IV, Stormwater Management, to reflect changes in the State stormwater management regulations.
1. City Attorney Hyden briefly reviewed the proposed ordinance stating this proposed language is needed to basically come into compliance with the South Florida Water Management District.
  2. Public Works Director David Allen advised that basically the City follows these procedures already and now there is a little more criteria and enforcement when dealing with Illicit discharge.
  3. No Ex-Parte disclosures were offered.
  4. Motion by Member Chartier, seconded by Member Baughman to recommend approval to the City Council for LDR Text Amendment Application No. 23-002-TA, as presented in [Exhibit 2]. The recommendation will be forwarded to the City Council for consideration at Public Hearings, tentatively scheduled for June 20, 2023, and July 18, 2023, meeting. **Motion Carried Unanimously.**
- C. Consider LDR Text Amendment Application No. 23-003-TA, which proposes to amend Chapter 90, Zoning, Article III, Districts and District Regulations, by adding Section 90-84, regulating the installation and removal of storm shutters.
1. City Attorney Hyden briefly reviewed the proposed ordinance explaining this is needed due to Fire and Building codes for ingress and egress safety.
  2. Board Secretary Burnette read into the record an email dated May 16, 2023, from Mrs. Raia Black, 1521 SW 7<sup>th</sup> Avenue, Okeechobee, Florida, which asked questions about procedures for seasonal residents [copy has been made part of the official minute packet].
  3. No Ex-Parte disclosures were offered.
  4. Motion by Member Brass, seconded by Member Folbrecht to recommend approval to the City Council for LDR Text Amendment Application No. 23-003-TA, as presented in [Exhibit 3] with removal of the last sentence in Section 90-84 (b) which reads "coverings which remain on the structure pursuant to this subsection shall be designed or painted to match or complement the color of the walls or trim of the building". The recommendation will be forwarded to the City Council for consideration at Public Hearings, tentatively scheduled for June 20, 2023, and July 18, 2023, meeting. **Motion Carried Unanimously.**

**CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AT 7:29 P.M.**

**VI. CITY ADMINISTRATOR UPDATE**

No updates provided at this time.

**VII. ADJOURNMENT**

Chairperson Hoover adjourned the meeting at 7:29 P.M.

Submitted by:

*Patty M. Burnette*

Patty M. Burnette, Secretary

Please take notice and be advised that when a person decides to appeal any decision made by the Planning Board 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.