

## Staff Report

**To:** Okeechobee Planning Board  
**From:** Ben Smith, AICP  
**Meeting Date:** June 17, 2021  
**Subject:** Commercial Corridor Overlay Comprehensive Plan Amendment

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In May of 2013, the Planning Board recommended to the City Council adoption of an amendment to the City's Comprehensive Plan to create a Commercial Corridor Overlay which included restrictions on rezonings that could be approved within that Overlay. That amendment was never adopted by the City Council. Staff had an opportunity to review that previously proposed amendment and brought it back to a Planning Board workshop, along with some additional corridor planning options to consider. After discussion of the various options, the Board suggested that staff bring back amendment language that would define the commercial corridor for planning purposes and provide aspirational guidelines and objectives for development and redevelopment along the City's major corridors, but that would not burden that area with any additional requirements or rigid limitations. Additionally, the Board discussed the previously proposed boundaries of the overlay and suggested changes to that as well.

Attached is a proposed Ordinance to amend the Future Land Use Element and the Future Land Use Map of the City's Comprehensive Plan. The purpose of this amendment is to assist the Planning Board and Council when making determinations on requests for rezoning and amending the future land use map, while still allowing for flexibility in that decision making process as needed. Additionally, as the city continues to pursue the initiative of correcting the existing map inconsistencies between the future land use map and the zoning map, an amendment such as this would provide another tool to help guide the City's efforts in identifying appropriate map changes. This amendment also provides property owners and potential developers with a more certain understanding of the City's preferred development patterns for the commercial corridor areas.

No changes are proposed to the City's Zoning Map at this time. However, please see attached zoning map with the proposed boundary of the Overlay depicted, which is provided for reference purposes only.

If the Planning Board, acting as City's Local Planning Agency, agrees that the text and map changes in this proposed amendment are desirable and consistent with the City's Comprehensive Plan, we request that they recommend that the City Council transmit this amendment to the Florida Department of Economic Opportunity (DEO), which is the state land planning agency.

If the City Council also agrees that this proposed amendment is desirable and consistent with the City's Comprehensive Plan, then they may vote to transmit to DEO. Once the state and various agencies (FDOT, FDEP, SFWMD, etc.) have had 30 days to review the amendment, if there are no objections, then the City Council may adopt the amendment at a final public hearing.

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## ORDINANCE NO \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; AMENDING THE CITY'S COMPREHENSIVE PLAN; AMENDING POLICY 2.1 OF THE FUTURE LAND USE ELEMENT BY ADDING SUBSECTION G, DESIGNATING A COMMERCIAL CORRIDOR OVERLAY, DESCRIBING THE COMMERCIAL CORRIDOR OVERLAY BOUNDARIES AS GENERALLY, WITH EXCEPTIONS, THOSE PROPERTIES IN THE CITY WITHIN TWO BLOCKS OF PARROTT AVENUE (U.S. HIGHWAY 441) AND NORTH PARK STREET (STATE ROAD 70), DECLARING THE CITY'S PLANNING ASPIRATIONS FOR PROPERTIES WITHIN AND ADJACENT TO THE BOUNDARIES OF THE OVERLAY; AMENDING THE CITY'S FUTURE LAND USE MAP, DEPICTING THE BOUNDARIES OF THE COMMERCIAL CORRIDOR OVERLAY ON THE FUTURE LAND USE MAP; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, The City Of Okeechobee recognizes the need to plan for orderly growth and development; and the State Legislature passed the Community Planning Act requiring all local governments to prepare and adopt a Comprehensive Plan; and

**WHEREAS**, Chapter 163, Florida Statutes, authorizes amendments to Adopted Comprehensive Plans under the Expedited Review Process; and

**WHEREAS**, The City recognizes that Parrott Avenue (US-441) and North Park Street (SR-70) are the primary travel corridors within the City which have historically been drivers of commercial uses to be developed along those roadways, serving as the City's de-facto commercial corridors; and

**WHEREAS**, The City desires to preserve and encourage the commercial development patterns along those corridors to continue to serve the needs of the City's residents and visitors in ways that improve the quality of life within the City and promote a sustainable economy and vibrant social experiences; and

**WHEREAS**, The City desires to eliminate any uncertainty as to the planning aspirations that the City has for the commercial corridor areas, while still protecting private property rights and retaining flexibility to approve development which is consistent with the City's Comprehensive Plan and Land Development Codes; and

**WHEREAS**, the Planning Board, acting as the Local Planning Agency of the City of Okeechobee, Florida, recently reviewed and discussed proposed Comprehensive Plan Amendment No 21-001-CPA at a duly advertised public hearing on June 17, 2021, determined such request to be consistent with the City's Comprehensive Plan and recommends the City Council transmit the proposed amendments to the State Land Planning Agency for review and approval, and subsequent adoption by ordinance by the City Council; and

**WHEREAS**, the City Council has agreed with the recommendation of the Planning Board and finds that Comprehensive Plan Amendment 21-001-CPA complies with the requirements of Florida Statute 163, Part II, and that the proposed application is consistent with the City's Comprehensive Plan.

**NOW, THEREFORE**, it is ordained before the City Council for the City of Okeechobee, Florida; presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City:

**SECTION 1:     SHORT TITLE.**

**THIS ORDINANCE** shall be known as a "City of Okeechobee Comprehensive Plan Amendment," pursuant to F.S. 163.3184, regarding Application No. 21-001-CPA and shall be effective within the City limits of the City of Okeechobee, Florida.

**SECTION 2:     AUTHORITY.**

This City of Okeechobee Comprehensive Plan Amendment is adopted pursuant to the provisions of Chapter 163.3184, Florida Statutes.

**SECTION 3:     REVISIONS TO THE FUTURE LAND USE ELEMENT.**

The City Council for the City of Okeechobee, Florida amends herein the Future Land Use Element of the Comprehensive Plan by modifying Policy 2.1 to read as follows:

\*       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*       \*

**g) Commercial Corridor Overlay.** The City recognizes the importance of SR-70 and US-441 as the City's primary commercial corridor roadways and desires to follow a considered, limited, and consistent approach to encourage private sector development and expansion of commercial, high density residential, and mixed-use opportunities in close proximity to city's major arterials. To this end, the City has identified those areas generally within one to two blocks of each of these roadways, but as more specifically delineated on Map 1.2 in the Future Land Use Map Series, as the Commercial Corridor Overlay (CCO). To eliminate any uncertainty as to the desired pattern of land use within the boundaries of the CCO, the City declares the following planning aspirations for the CCO:

1. Improve the quality of life for the City's residents and visitors by promoting development and redevelopment within the CCO which contributes to a thriving economic and cultural center with varied commercial opportunities, multi-family housing options, and social venues.
2. Foster infill and compatibility with existing development.
3. Encourage transitional development patterns with gradually lessening intensity outward from the corridors toward the low density residential neighborhoods.
4. Consider rezoning requests within and adjacent to the CCO in light of the City's stated goals for the CCO.

**SECTION 4:     REVISIONS TO THE FUTURE LAND USE MAP.**

The City Council for the City of Okeechobee, Florida amends herein the Future Land Use Map 1.1 of the Comprehensive Plan by designating a Commercial Corridor Overlay (CCO) herein attached as Exhibit A:

**SECTION 5:     INCLUSION OF ORDINANCE AND REVISED FUTURE LAND USE MAP IN THE COMPREHENSIVE PLAN.**

It is the intention of the City Council of the City of Okeechobee, Florida that the provisions of this Ordinance, and the revisions to the Future Land Use Element and the Future Land Use Map which are incorporated herein by reference, shall become and be made a part of the City of Okeechobee Comprehensive Plan (City of Okeechobee Ordinance No. 635, as amended).

**SECTION 6:     CONFLICT.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 7:     SEVERABILITY.**

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 8:     EFFECTIVE DATE.**

Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

**INTRODUCED** for first reading of the ordinance for transmittal to the State Land Planning Agency at a public hearing this \_\_\_\_ day of \_\_\_\_\_ 2021, pursuant to F.S. 163.3184.

\_\_\_\_\_  
Dowling R. Watford, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

**PASSED AND ADOPTED** after Second and Final Public Hearing this \_\_\_\_ day of \_\_\_\_\_, 2021, pursuant to F.S. 163.3184.

\_\_\_\_\_  
Dowling R. Watford, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Lane Gamiotea, CMC, City Clerk

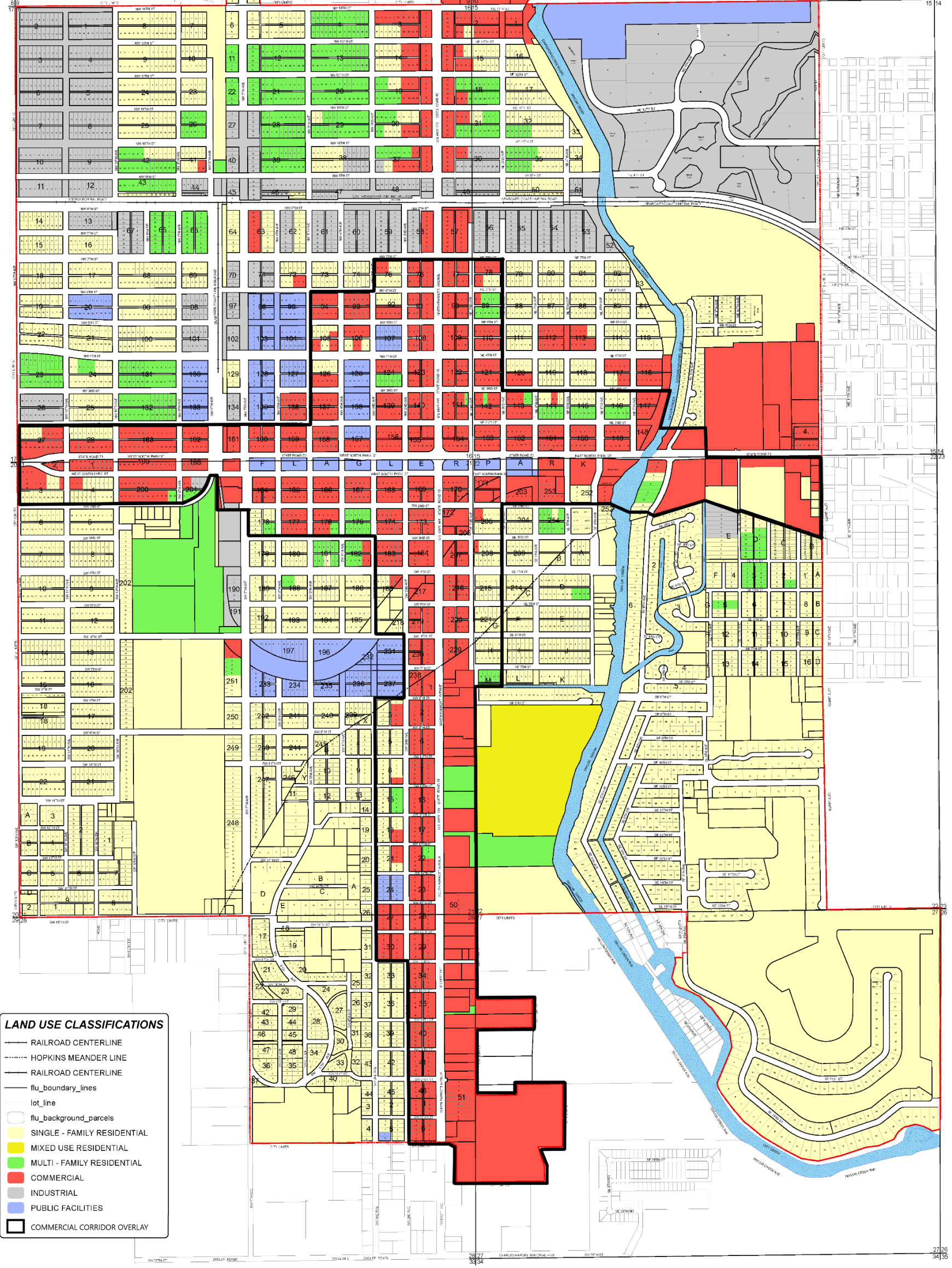
**REVIEWED FOR LEGAL SUFFICIENCY:**

\_\_\_\_\_  
John J. Fumero, City Attorney



EXHIBIT A FUTURE LAND USE MAP 1.1

City of Okeechobee  
Future Land Use



- LAND USE CLASSIFICATIONS**
- RAILROAD CENTERLINE
  - HOPKINS MEANDER LINE
  - RAILROAD CENTERLINE
  - flu\_boundary\_lines
  - lot\_line
  - flu\_background\_parcel
  - SINGLE - FAMILY RESIDENTIAL
  - MIXED USE RESIDENTIAL
  - MULTI - FAMILY RESIDENTIAL
  - COMMERCIAL
  - INDUSTRIAL
  - PUBLIC FACILITIES
  - COMMERCIAL CORRIDOR OVERLAY

On December 31, 2020 changes were made to the Official Comprehensive Plan Future Land Use Map. Land Use Changes, Alley/Street Closings thru Petition #20-002-SC, Ord #1220 are reflected herein.  
City of Okeechobee, FL  
City Clerk: Lane Gamble

General Notes:  
Alleys shown hereon are 15 or 20 feet in width. See appropriate subdivision plat for specific alley widths. This map has been compiled from the most current data available. The City of Okeechobee is not responsible for any errors or omissions contained herein.

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