



**CITY OF OKEECHOBEE, FLORIDA
PLANNING BOARD MEETING
JULY 15, 2021
SUMMARY OF BOARD ACTION**

I. CALL TO ORDER

Chairperson Hoover called the regular Planning Board meeting for the City of Okeechobee to order on Thursday, July 15, 2021, at 6:02 P.M. in the City Council Chambers, located at 55 Southeast 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, and Mac Jonassaint were present. Alternate Board Members Joe Papasso and Jim Shaw were present. Vice Chairperson Doug McCoy and Board Member Felix Granados were absent without consent. Chairperson Hoover moved Alternate Board Members Papasso and Shaw to voting position.

III. AGENDA

- A. New Business Item A. was added.
- B. Motion by Member Chartier, seconded by Member Baughman to approve the agenda as amended. **Motion Carried Unanimously.**

IV. MINUTES

- A. Motion by Member Brass, seconded by Alternate Board Member Papasso to dispense with the reading and approve the May 20, 2021, Regular Meeting and Workshop minutes. **Motion Carried Unanimously.**

V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:06 P.M.

- A. Abandonment of Right-of-Way Petition No. 21-001-AC, requests to vacate the 20-foot wide by 299.75-foot long East to West alleyway lying between Lots 1 through 6 and 7 through 12 of Block 110, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Public Records of Okeechobee County.
 1. City Planning Consultant Mr. Ben Smith of LaRue Planning and Management Services reviewed the Planning Staff Report recommending approval.
 2. Mr. Steven Dobbs was present on behalf of the Property Owner, JKST Holdings, LLC, and commented even though the Rezoning request to change the zoning from Light Commercial to Residential Multiple Family (RMF) was denied by the City Council, (Petition No. 21-002-R), his client still wished to proceed with the abandonment request. He further commented his client was going to petition the City Council to administratively rezone the parcel to Heavy Commercial (CHV).
 3. There were no public comments offered.
 4. There were no Ex-Parte disclosures offered.
 5. Motion by Member Baughman, seconded by Member Jonassaint to recommend to the City Council approval of Abandonment of Right-of-Way Petition No. 21-001-AC as presented in [Exhibit 1, which includes the findings as required for granting a vacation of rights-of-way petitions per Code Section 78-33; Planning Consultant's analysis of the findings and recommendation for approval; and the Technical Review Committee's (TRC) recommendation to approve] with the following conditions: after abandonment the property will reflect the current Future Land Use (FLU) and Zoning Map designations; Florida Power and Light (FPL) is requiring a 10-foot easement be provided for the full 20-foot width of the subject right-of-way on the West side, adjacent to Northeast 2nd Avenue; and Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas. **Motion Carried.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for August 3, 2021, and September 7, 2021.

V. PUBLIC HEARING ITEMS CONTINUED

- B. Abandonment of Right-of-Way Petition No. 21-002-AC, requests to vacate the 15-foot wide by 299.84-foot long East to West alleyway lying between Lots 1 through 6 and 7 through 12 of Block 121, CITY OF OKEECHOBEE, Plat Books 1 and 5, Pages 10 and 5, Public Records of Okeechobee County.
1. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
 2. Mr. Dobbs was present on behalf of the Property Owners, Shaun and Desiree Penrod, and commented even though the Rezoning request to change the zoning from Residential Single Family-One to RMF was denied by the City Council, (Petition No. 21-003-R), his client still wished to proceed with the abandonment request. He further commented his client was going to petition the City Council to administratively rezone the parcel to CHV.
 3. There were no public comments offered.
 4. There were no Ex-Parte disclosures offered.
 5. Motion by Member Chartier, seconded by Member Baughman to recommend to the City Council approval of Abandonment of Right-of-Way Petition No. 21-002-AC as presented in [Exhibit 2, which includes the findings as required for granting a vacation of rights-of-way petitions per Code Section 78-33; Planning Consultant's analysis of the findings and recommendation for approval; and the TRC's recommendation to approve].with the following conditions: after abandonment the property will reflect the current FLU and Zoning Map designations; FPL is requiring a 10-foot easement be provided for the full 15-foot width of the subject right-of-way on the West side, adjacent to Northeast 2nd Avenue; and Century Link has requested a condition that the Applicant will bear the cost of relocation and repair any facilities that are found and/or damaged in the vacated areas. **Motion Carried.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for August 3, 2021, and September 7, 2021.
- C. Comprehensive Plan Small Scale Future Land Use Map Amendment Application No. 21-004-SSA, from Single Family Residential to Industrial on 1.60± acres located in the 500 Block of NW 7th Street.
1. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
 2. There were no comments offered by the Property Owner or Agent.
 3. There were no public comments offered.
 4. There were no Ex-Parte disclosures offered.
 5. Motion by Member Jonassaint, seconded by Member Baughman to recommend to the City Council approval of Comprehensive Plan Small Scale Future Land Use Map Amendment Application No. 21-004-SSA as presented in [Exhibit 3, which includes the findings as required for granting applications per Code Section 70-340; and the Planning Consultant's analysis of the findings and recommendation for approval]. **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at a Public Hearing tentatively scheduled for August 17, 2021.
- D. Comprehensive Plan Text Amendment No. 21-001-CPA, which proposes to amend the City's Future Land Use Map (FLUM) and textual amendments to the FLU Element of the City's Comprehensive Plan.
1. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval. He explained on June 29, 2021, House Bill 59 became law. It basically requires every city to adopt a Property Rights section into their Comprehensive Plan before any other Comprehensive Plan Amendments that were not initiated prior to July 1, 2021, can be adopted. Both he and the City Attorney feel this proposed amendment was initiated before then although the Department of Economic Opportunity does not. This Board can either make their recommendation to the City Council on this Amendment tonight or continue it until a date certain to allow time for Staff to bring forth the proposed Property Rights Element for recommendation.

V. PUBLIC HEARING ITEM D CONTINUED

2. The Board inquired as to whether they could just recommend to the City Council for approval of the Property Rights Element as discussed and what could happen if they made a motion to continue Amendment No. 21-001-CPA to another meeting in the future. Planner Smith commented the Property Rights information would need to be advertised before action can take place. Should the Board wish to continue No. 21-001-CPA to a date certain then no additional advertising would be required.
3. There were no public comments offered.
4. There were no Ex-Parte disclosures offered.
5. Motion by Member Baughman, seconded by Alternate Board Member Papasso to continue Comprehensive Plan Text Amendment No. 21-001-CPA, as presented in Exhibit 4 until the September 16, 2021, meeting to allow time for the required amendment for the Property Rights Element to be presented. **Motion Carried Unanimously.**

CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AT 6:42 P.M.

VI. NEW BUSINESS

- A. Planner Smith briefly discussed a potential development and some proposed changes to the Land Development Regulations he would be preparing for a workshop regarding the Planned Unit Development (PUD) Zoning Districts. He explained it would be positive for the city to bring forth a new PUD section which would allow some flexibility and bring forth some new projects. The Board offered some suggestions as to mimicking areas where PUD changes have been successful once allowances were opened and mixed uses were added.

- VII. Chairperson Hoover adjourned the meeting at 6:56 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.