



CITY OF OKEECHOBEE, FLORIDA
PLANNING BOARD AND WORKSHOP MEETING
SEPTEMBER 16, 2021
SUMMARY OF BOARD ACTION

I. CALL TO ORDER

Chairperson Hoover called the regular and workshop meeting of the Planning Board for the City of Okeechobee to order on Thursday, September 16, 2021, at 6:53 P.M. in the City Council Chambers, located at 55 Southeast Third Avenue, Room 200, Okeechobee, Florida.

II. ATTENDANCE

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

III. AGENDA

- A. There were no items added, deferred, or withdrawn from the agenda.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

IV. MINUTES

- A. Motion by Alternate Board Member Papasso, seconded by Board Member Baughman to dispense with the reading and approve the August 19, 2021, Regular Meeting minutes. **Motion Carried Unanimously.**

V. CHAIRPERSON HOOVER OPENED THE PUBLIC HEARING AT 6:55 P.M.

- A. Comprehensive Plan Small Scale Future Land Use Map (FLUM) Amendment Application No. 21-006-SSA, from Industrial to Commercial on 0.651± acres located at 804 North Parrott Avenue, Lots 11 to 14, of Block 49, 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. Mrs. Monica Clark, Registered Agent of the Property Owner, Glades Gas Company of Okeechobee, Inc., was present and briefly explained the propane side of the business sold, and the remaining individual rental units are limited to certain uses with the current Industrial designation. By changing the FLUM and Zoning designations, other uses would be permitted, like a medical office. The board had no questions.
 - 3. There were no public comments offered.
 - 4. There were no Ex-Parte disclosures offered.
 - 5. Motion by Board Member Baughman, seconded by Alternate Board Member Papasso to recommend to the City Council approval of Comprehensive Plan Small Scale FLUM Amendment Application No. 21-006-SSA as presented in [Exhibit 1, 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 October 19, 2021.
- B. Continued from the July 15, 2021, meeting, Comprehensive Plan Text Amendment No. 21-001-CPA, which proposes to amend the City's FLUM and textual amendments to the Future Land Use (FLU) Element of the City's Comprehensive Plan.
 - 1. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
 - 2. There was no board discussion.
 - 3. There were no public comments offered.

V. PUBLIC HEARING ITEMS CONTINUED

4. There were no Ex-Parte disclosures offered.
 5. Motion by Board Member Jonassaint, seconded by Alternant Board Member Papasso to recommend the City Council find proposed Comprehensive Plan Amendment No. 21-001-CPA consistent with the City's Comprehensive Plan and transmit the Amendment to the Florida Department of Economic Opportunity for review and approval as presented in [Exhibit 2, which includes 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 Transmittal Public Hearing tentatively scheduled for October 19, 2021.
- C.** Consider Land Development Regulation (LDR) Text Amendment Petition No. 21-003-TA, which proposes to amend Sections 86-2, 86-3, 86-4, 86-71, 86-90, and 86-91, creating a new Article V and adding Section 86-92, amending Form 18 in Appendix A, and adding an application fee to Appendix C.
1. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
 2. Board Member Brass inquired as to why the words "in writing" were only used in Section 86-90 (c)(4) and not also in Section 86-91 (c)(4). Planner Smith commented the words "in writing" should be reflected in both places.
 3. Mr. Steven Dobbs commented when joining more than one parcel it can be expensive. For instance, he recently submitted a request directly to the Property Appraiser's Office to join four parcels for Okeechobee County in regard to a proposed expansion project for the Sheriff's Office. Planner Smith commented he had reached out to other jurisdictions to inquire about their process and most times approval was needed first before the Property Appraiser's Office would shift the property lines. Okeechobee County does not require this approval first.
 4. There were no Ex-Parte disclosures offered.
 5. Motion by Board Member Baughman, seconded by Board Member Jonassaint to recommend approval to the City Council for LDR Text Amendment Petition No. 21-003-TA as presented in [Exhibit 3, which includes the Planning Consultant's analysis of the findings and recommendation for approval] with the words "in writing" included in both Sections 86-90 (c)(4) and 86-91 (c)(4). **Motion Carried Unanimously.** The recommendation will be forwarded to the City Council for consideration at Public Hearings tentatively scheduled for October 19, 2021, and November 16, 2021.

QUASI-JUDICIAL ITEMS

- D.** Rezoning Petition No. 21-004-R, from Industrial to Heavy Commercial on 0.651± acres located at 804 North Parrott Avenue, Lots 11 to 14, of Block 49, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Public Records of Okeechobee County to make the property compatible with the commercial corridor.
1. Notary Public Patty Burnette administered an oath to Mr. Steven Dobbs, 1062 Jakes Way, Okeechobee, Florida, Mrs. Monica Clark, 804 North Parrott Avenue, Okeechobee, Florida, and Mr. Ben Smith, LaRue Planning and Management, 1375 Jackson Street, Suite 206, Fort Myers, Florida, who responded affirmatively.
 2. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
 3. Mrs. Monica Clark, Registered Agent of the Property Owner, Glades Gas Company of Okeechobee, Inc., was present and available for questions. There were none.
 4. There were no public comments offered.
 5. There were no Ex-Parte disclosures offered.
 6. Motion by Board Member Jonassaint, seconded by Board Member Baughman to recommend to the City Council approval of Rezoning Petition No. 21-004-R as presented in [Exhibit 4, which includes the findings as required for granting petitions 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 Public Hearings tentatively scheduled for October 19, 2021, and November 16, 2021.

V. QUASI-JUDICIAL PUBLIC HEARING ITEMS CONTINUED

- E.** Rezoning Petition No. 21-005-R, from Residential Single Family-One to Heavy Commercial (CHV) on 2.07± acres located in the 200 block of Northeast 3rd Street and from Light Commercial to CHV on 1.93± acres located in the 300 block of Northeast 4th Street Lots 1 to 12, of Blocks 121 and 110, CITY OF OKEECHOBEE, Plat Book 5, Page 5, Public Records of Okeechobee County. The City is initiating the changes to make the property's zoning designation consistent with the FLUM designation of Commercial and to allow for development options within the CHV district.
1. Notary Public Patty Burnette administered an oath to Mr. Steven Dobbs, 1062 Jakes Way, Okeechobee, Florida, Mr. Frank Mitchell Stephens, 17705 Middlebrook Way, Boca Raton, Florida, Mrs. Monica Clark, 804 North Parrott Avenue, Okeechobee, Florida, and Mr. Ben Smith, LaRue Planning and Management, 1375 Jackson Street, Suite 206, Fort Myers, Florida, who responded affirmatively.
 2. City Planning Consultant Smith reviewed the Planning Staff Report recommending approval.
 3. Board Member Brass inquired as to why the City was initiating this request. Planner Smith explained the previous requests to rezone to Residential Multiple Family (21-002-R and 21-003-R) were denied by the City Council on July 15, 2021. Given the FLUM is currently Commercial, this rezoning request to CHV would bring the parcels into conformance and consistency with the Comprehensive Plan. Mr. Stephens explained he originally proposed to build townhomes. He is not sure about what the proposed use would be right now as he is waiting to see whether the request to rezone will be approved. Board Member Jonassaint inquired about what the City can do in the future to avoid this type of situation for property owners so one would not have to go through the request process and be charged an application fee more than one time. Board Member Baughman commented he understands about not giving up commercial property although, in regards to the previous request for a multifamily use of apartments, he thinks of this more as a commercial type of business.
 4. Mrs. Monica Clark commented possibly a workshop between the City Council and the Planning Board may be a good idea on this topic.
 5. There were no Ex-Parte disclosures offered.
 6. Motion by Board Member Baughman, seconded by Board Member Jonassaint to recommend to the City Council approval of Rezoning Petition No. 21-005-R as presented in [Exhibit 5, which includes the findings as required for granting petitions 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 Public Hearings tentatively scheduled for October 19, 2021, and November 16, 2021.

CHAIRPERSON HOOVER CLOSED THE PUBLIC HEARING AND CALLED FOR A RECESS AT 7:54 P.M.

VI. CHAIRPERSON HOOVER RECESSED THE REGULAR MEETING AND CONVENED THE WORKSHOP AT 8:00 P.M.

- A.** City Planning Consultant Smith reviewed the Staff Report regarding potential text amendments to the City's Planned Unit Development (PUD) Regulations within Division 12, 13, and 14 of Article III, Chapter 90. As briefly mentioned at the July 15, 2021, Planning Board Meeting, 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. He included some regulations from Naples, Hillsborough County, Sarasota County, Bradenton, Collier County, Fort Myers, and Homestead for inspiration. In general, PUD's are development projects that a county or municipality considers comprehensively at one time, usually through a planned development zoning process. They should contain a site plan for the entire development and any specifications/regulations under which the project will be built. They typically allow for deviations from the standard code requirements, often allowing for a mix of uses. In the case of residential planned developments, clustering of density is often allowed such that lot sizes may be smaller than typically permitted as long as the total density of the subject does not exceed the maximum density.

VI. WORKSHOP ITEM CONTINUED

The remainder of the development can then be dedicated toward open space, preservation area, recreational amenities, and/or ancillary commercial uses.

The City's Comprehensive Plan is the ruling document and any flexibility for planned developments that is desired in LDR's must be provided for in the Comprehensive Plan. The City currently has two different planned development districts, (PUD-R for residential and PUD-M for mixed-use) which are treated as zoning districts. He provided a copy of the FLU Element which lists FLU Categories and provides basic standards such as the maximum density for residential dwelling units, the maximum floor area ratio (FAR) for non-residential development, allowable uses, allowable zoning districts, and describes the general intent of each FLU Category. The PUD-R District is allowed in both the Single-Family (SF) and the Multifamily Residential FLU Category. The PUD-M District is allowed only in the Mixed-Use Residential FLU Category. He provided the standards for both the PUD-R and the PUD-M Districts listed in Divisions 12 and 13 of Article III of Chapter 90 of the City's LDR's. Division 14 provides the planned development submittal requirements and review procedures. Clustering of residential density is encouraged in both PUD-R and PUD-M districts by requiring a minimum of 40% open space. The Mixed-Use Residential Category and the PUD-M District have a minimum area requirement of 30 acres and the PUD-R District of five acres. Maximum and minimum ratios for residential verses commercial development are required in the Mixed-Use Residential FLU Category and reiterated in the PUD-M district standards.

Currently, there is one 40-acre parcel in the City with a FLU designation of Mixed-Use Residential and a zoning designation of Holding; and there is one 50-acre parcel in the City with a FLU designation of SF Residential and a zoning designation of PUD-R. Both tracts are currently undeveloped and there have been no planned development projects completed in the City. As was discussed by at least one Planning Board member at the meeting in July, one of the biggest hurdles to utilizing planned development regulations may be a required mix of uses. Planner Smith is aware of at least one instance where a potential developer's representative expressed this as the main reasoning for not utilizing the City's planned development process/standards. With that knowledge in mind, and after reviewing the codes of other jurisdictions, he provided a version of the City's FLU Policies and the City's planned development codes which are notated with suggested changes and considerations for the purposes of the workshop discussion.

1. The Board then began discussing in more detail materials provided to them from Planner Smith. Public gathering space contributions, density, increased height, affordable housing options, and clustering were briefly touched on. Planner Smith mentioned he would not recommend changing the City's current codes for density or maximum height requirements. Maintenance of common areas for Homeowners Associated developments may be a point to add in, as enforcement of this is a big issue. Planner Smith indicated he would confer with the City Attorney to develop some language regarding this.

Due to the latest of the hour and the size of the materials given to review, the consensus of the board was to continue the discussion of this workshop topic at the next meeting.

CHAIRPERSON HOOVER ADJOURNED THE WORKSHOP AND RECONVENED THE REGULAR MEETING AT 8:35 P.M.

- VII. Chairperson Hoover adjourned the meeting at 8:36 P.M.

Submitted by:

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.