

## **ORDINANCE NO. 1258**

**AN ORDINANCE OF THE CITY OF OKEECHOBEE, FLORIDA; EXTENDING THE HOLDING REZONING PROGRAM CREATED BY ORDINANCE No. 1224; PROVIDING FOR A ONE (1) YEAR SUNSET CLAUSE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Okeechobee, Florida, adopted Ordinance No. 716, as amended, known as the Land Development Regulations (LDR); and

**WHEREAS**, the LDR generally contain regulations specific to each zoning district, which provide lists of permitted uses, lists of specially permitted uses and regulations for development within that specific zoning district; and

**WHEREAS**, multiple parcels within the City are zoned Holding, though the LDR does not contain criteria specific to nor regulating the Holding zoning district; and

**WHEREAS**, the City Council has a legitimate interest in ensuring that the potential development of every parcel in the City is regulated by clear and concise LDR; and

**WHEREAS**, the Future Land Use Element of the City of Okeechobee Comprehensive Plan generally contains descriptions of future land use designations in which lists of zoning districts that are appropriate within those designations are provided; and

**WHEREAS**, the Holding zoning district is not listed as an appropriate zoning district within any of the future land use designations; and

**WHEREAS**, the City Council seeks to encourage owners of properties in the Holding zoning district to rezone to other zoning districts which are supported by the LDR, the Future Land Use Element; and the Future Land Use Map; and

**WHEREAS**, the City Council adopted Ordinance No. 1224 (the "Ordinance") which reduced the application submittal requirements and reduced application fees for rezoning of properties which are either partially or entirely zoned Holding; and

**WHEREAS**, the Ordinance was set to sunset on May 18, 2022, however, the City Council finds it is in the best interest of the City and its residents to continue with the program under Ordinance No. 1224 as adopted.

**NOW, THEREFORE**, be it ordained before the City Council of 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; that:

**SECTION 1: Recitals Adopted.** Each of the above stated recitals is true and correct and incorporated herein by this reference:

**SECTION 2:** The sunset date of the Holding Property Rezoning Program created by Ordinance No. 1224 is hereby extended for an additional year from the date of the effective date of this Ordinance.

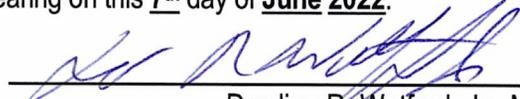
**SECTION 3: Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4: 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 5: Inclusion in the Code.** It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Okeechobee.

**SECTION 6: Effective Date.** This Ordinance shall take effect immediately upon its passage and sunset one (1) year after adoption.

**INTRODUCED** for First Reading and set for Final Public Hearing on this 7<sup>th</sup> day of June 2022.

  
Dowling R. Watford, Jr., Mayor

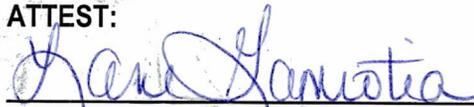
**ATTEST:**

  
Lane Gamiotea, CMC, City Clerk

**PASSED AND ADOPTED** after Second and Final Public Hearing this 5<sup>th</sup> day of July 2022.

  
Dowling R. Watford, Jr., Mayor

**ATTEST:**

  
Lane Gamiotea, CMC, City Clerk

**REVIEWED FOR LEGAL SUFFICIENCY:**

  
John J. Fumero, City Attorney