



CITY OF CLEWISTON
115 West Ventura Avenue
Clewiston, Florida 33440

**CITY COMMISSION BUDGET
AND REGULAR WORKSHOP AGENDA**

Monday, August 15, 2022 – 5:00 p.m.

Call Workshop to Order

Prayer and Pledge of Allegiance

Additions/Deletions/Changes and Approval of the Agenda

Public Comments

- 1. Solid Waste Operating & CIP Fund Budget**
- 2. Other Budget Updates**
- 3. US 27 Corridor Ordinance Review**
- 4. Commission Comments and Discussion**

Adjournment

The City of Clewiston is an equal opportunity provider and employer.

City Hall is wheelchair accessible and accessible parking spaces are available. Accommodation requests or interpretive services must be made 48 hours prior to the meeting. Please contact the City Clerk's office at (863) 983-1484, extension 105, or FAX (863) 983-4055 for information or assistance.

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, the person will need a record of the proceedings, and that, for such purpose, the person may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

I, the undersigned authority, do hereby certify the above Notice of Meeting of the City Commission of the City of Clewiston is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice at the front and rear entrances of City Hall, a place convenient and readily accessible to the general public at all times.

Mary K. Combass, City Clerk



City of Clewiston

Budget Workshop August 15, 2022

Solid Waste Budget Discussion



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

- Solid Waste is Disposed of by Lee County Solid Waste, Through an Agreement Between Hendry & Lee County
- Lee County Solid Waste Sets the Disposal Fees
- Revised Fees are Effective January 1st of Each Year
- Fees for Fiscal Year 2023
 - Oct – Dec 2022 = \$72.45
 - Jan – Sept 2023 = \$83.57



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

- *MSW – Municipal Solid Waste*
- Before Collected, MSW is Considered Loose, i.e. Not Compacted
- MSW is Compacted as it is Collected
- Disposal Fees are Applied to Compacted MSW per Ton
- 1 Cubic Yard Loose MSW Equates to 1/16 of a Compacted Ton



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

- Solid Waste Disposal Fees Comprise 41% of Operating Expenses & General Fund Transfer
- Budget Estimated Based on 5 Year Average of Solid Waste Disposed (Tonnage), Rounded to the Nearest 100 Tons

➤ **9,300 Tons**



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

➤ **9,300 Tons**

- 57% Tipper Carts
 - 5,300 Tons
- 43% Containers
 - 4,000 Tons
- 25% Occurs Oct – Dec
 - Tipper Carts = 1,325 Tons
 - Containers = 1,000 Tons
- 75% Occurs Jan – Sept
 - Tipper Carts = 3,975 Tons
 - Containers = 3,000 Tons



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Tipper Cart Tonnage

- Oct – Dec
 - 1,325 Tons x \$72.45 per Ton = \$95,996
 - Jan – Sept
 - 3,975 Tons x \$83.57 per Ton = \$332,191
- **Total Tipper Cart Cost = \$428,187**



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Container Tonnage

- Oct – Dec
 - 1,000 Tons x \$72.45 per Ton = \$72,450
 - Jan – Sept
 - 3,000 Tons x \$83.57 per Ton = \$250,710
- **Total Container Cost = \$323,160**



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Tipper Carts

- *1 Unit = 1 Tipper Cart = 95 Gallons = 0.55 Cubic Yard Loose MSW*
- 2,736 Total Units
 - 2,562 Residential
 - 174 Commercial
- Service is 2x Weekly Collection
- 2x Weekly Collection = 1.1 Cubic Yard Capacity per Week or 57.2 Cubic Yards Annually
- 2,736 Units x 57.2 Cubic Yards = 156,499 Available Cubic Yard Capacity for Loose MSW per Year or 9,781 Tons of Compacted MSW



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Tipper Carts

- 5,300 Tons x 16 (1/16 = Compacted) = 84,800 Cubic Yards of Loose MSW Annually
 - Available Capacity = 156,499
 - Available Capacity 156,499 – Current Usage 84,800 = 71,699 Unused
- 54% Used Available Capacity (46% Unused Capacity)



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Tipper Carts Disposal Costs

- Cost to Dispose of 1 Cubic Yard Loose MSW
 - Oct – Dec $1/16$ of \$72.45 = \$4.53
 - Jan – Sept $1/16$ of \$83.57 = \$5.22
 - \$0.69 Increase or 15%
- Total Tipper Cart Disposal Cost of \$428,187 ÷ 2,736 Units = \$156.50 per Unit Annually or \$13.04 Monthly



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Solid Waste Collection Expense

- Total Budget Less Disposal Fees & Contingency

Total Budget \$2,111,641

-\$ 751,347 Disposal Fees

-\$ 270,608 Contingency

\$1,089,686 Annual Cost to Collect Solid Waste

- Collection Expense:

- \$1,089,686 ÷ 9,300 Tons = \$117.17 per Ton



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Tipper Carts Collection Expense

- Tipper Cart Collection is 5,300 Tons x \$117.17 Collection Expense per Ton = \$621,001 Collection Cost
- Activity in Horticulture, Construction, Tire Disposal, and Roll-off Containers Netted Against Tipper Cart Collection Cost Due to Small Amount of Activity (\$28,702 Combined)
 $\$621,001 - \$28,702 = \mathbf{\$592,299 \text{ Total Collection Cost}}$
- Total Collection Cost \$592,299 ÷ 2,736 Units = \$216.48 per Unit Annually or Cost of \$18.04 per Month



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Tipper Carts: Disposal Fees & Collection Expense

	Annual	Monthly
Disposal Fee	\$156.50	\$13.04
Collection Expense	\$216.48	\$18.04
Disposal Fee + Collection Expense	\$372.98	\$31.08
Proposed (FY23)	\$372.98	\$31.08
Current (FY22)	\$292.80	\$24.40
Difference of	\$80.18	\$6.68

- 27% Revision



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Container Collection

- Collection Service Determined by User
- Initial Rate Applied to All Containers in Use for 0 – 1 Collection
- Minimum Fee for a Container is Equivalent to the Tipper Cart Fee
- Minimum Container Size is 2 Yards
- Fee is Applied Per Cubic Yard



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Container Collection

- Current Rate \$12.20 per Cubic Yard
- Proposed Rate \$15.54 per Cubic Yard
- Based on \$31.08 per Month Residential Tipper Rate Proposed (\$24.40 Current)

Container Size	Proposed	Current
2 Yard	\$31.08	\$24.40
4 Yard	\$62.16	\$48.80
6 Yard	\$93.24	\$73.20
8 Yard	\$124.32	\$97.60



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Container Collection

- *1 Unit = 1 Cubic Yard Loose MSW Capacity*
 - *Unlike Tipper Carts, Containers Vary in Size; for Calculation Purposes, Units Need to be Able to be Applied to All Sizes of Containers*
- Once the Initial Fee for 0 – 1 Collection has Been Applied to Each Container, There is a Unit Fee Applied per Cubic Yard for Each Additional Collection.



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Additional Container Collections: Calculating Unit Fee

Disposal Costs

Cost to Dispose of 1 Cubic Yard of Loose MSW

- Oct – Dec **\$4.53**
- Jan – Sept **\$5.22**

❖ Cost Determined on Page 9; Fees Set by Lee County Solid Waste



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Solid Waste Collection Expense

- Total Budget Less Disposal Fees & Contingency

Total Budget \$2,111,641

-\$ 751,347 Disposal Fees

-\$ 270,608 Contingency

\$1,089,686 Annual Cost to Collect Solid Waste

- Collection Expense:

- \$1,089,686 ÷ 9,300 Tons = \$117.17 per Ton



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Additional Container Collections: Calculating Unit Fee

Collection Expense

Size of Container	Number of Containers	Average Collections a Month	Total Monthly Units Calculation
2yd	96	4.33	831.36
4yd	70	6.198	1735.44
6yd	36	10.45	2257.20
8yd	12	12.1	1161.60
Totals:	214		5,985.6*

*Rounded to nearest 10th

- $5,986 \times 12 = \text{Annual Billed Units} = 71,832 \text{ Cubic Yards}$



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Additional Container Collections: Calculating Unit Fee

Collection Expense

- Total Annual Collection Expense for Containers = \$468,685
- Annual Billed Units = 71,832 Cubic Yards

Expense \$468,685 ÷ 71,832 Units = **\$6.52** per Unit



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Additional Container Collections: Calculating Unit Fee

Consideration of Uncollected Capacity

71,832 Billed Units

64,000 Collected Loose Cubic Yards

- Difference of 7,832 Units

Average Disposal Fees in Effect During Fiscal Year 2023

- $(\$4.53 + \$5.22) / 2 = \$4.87$



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Additional Container Collections: Calculating Unit Fee

Consideration of Uncollected Capacity

7,832 Units x \$4.87 Average Disposal Fee = \$38,142

- \$38,142 ÷ 71,832 Units = **\$0.53** Consideration



Solid Waste Discussion FY 2023

Solid Waste Disposal Fees

Additional Container Collections: Calculating Unit Fee

Unit Fees for Oct - Dec	
Disposal Cost	\$4.53
Collection Expense	\$6.52
Consideration of Uncollected Capacity	\$0.53
Total:	\$11.58

Unit Fees for Jan - Sept	
Disposal Cost	\$5.22
Collection Expense	\$6.52
Consideration of Uncollected Capacity	\$0.53
Total:	\$12.27

2023 Solid Waste Revenue Calculations

Residential

Units	Rate	Monthly Total	Annual Total
2562	\$ 31.08	\$79,627	\$955,524

Commercial

Containers charged at base rate

Container Size	Container Size	Number of Containers	Units	Base Rate	Monthly Total	Annual Total
2	2	96	192	\$15.54	\$2,984	\$35,804
4	4	70	280	\$15.54	\$4,351	\$52,214
6	6	36	216	\$15.54	\$3,357	\$40,280
8	8	12	96	\$15.54	\$1,492	\$17,902
Total	Total	214	784		\$ 12,183	\$ 146,200

Unit fees after base applied

Time Period	Units	Unit Fee	Monthly Total	Annual Total
Oct. - Dec.	5202	\$11.58	\$60,239	\$180,717
Jan. - Sept.	5202	\$12.27	\$63,829	\$574,457
Total Annual			\$ 124,068	\$ 755,174

Tipper Carts

Carts/Con	Flat Rate	Monthly Total	Annual Total
174	\$31.08	\$5,408	\$64,895

Total Commercial	\$ 141,659	\$ 966,270
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TOTAL RESIDENTIAL AND COMMERCIAL	\$221,286	\$1,921,794
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City of Clewiston, FL

Budget Worksheet

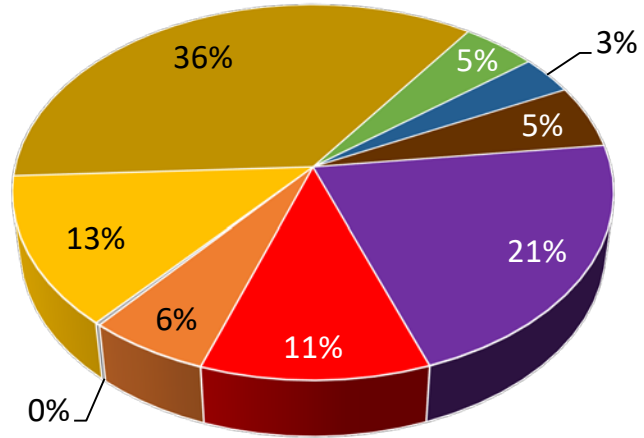
Account Summary

For Fiscal: 2021 - 2022 Period Ending: 05/31/2022

		2019 - 2020	2019 - 2020	2020 - 2021	2020 - 2021	2021 - 2022	2021 - 2022	Defined Budgets
		Total Budget	Total Activity	Total Budget	Total Activity	Total Budget	YTD Activity	2022 - 2023 Preliminary
Revenue								
Fund: 430 - SOLID WASTE								
SubCategory: 343 - Charges for Services-Physical Environment								
430-343410	Garbage Collect. - Res	596,345.00	616,050.87	696,110.00	729,835.98	729,365.00	499,877.13	955,524.00
430-343411	Garbage Collect.-Comm.	671,244.00	648,765.87	739,638.00	806,015.78	784,862.00	590,974.33	966,270.00
430-343412	Garbage Coll - Roll-offs	50,000.00	62,292.63	50,000.00	44,242.64	25,000.00	16,186.89	20,000.00
430-343413	GC - Res. Special Pick-Up	500.00	0.00	500.00	977.19	500.00	4,800.00	4,000.00
430-343414	GC - Commercial Spec	500.00	275.00	500.00	3,730.70	500.00	400.00	4,000.00
430-343415	Garbage Collection - Misc.	500.00	480.00	500.00	80.00	500.00	0.00	902.00
SubCategory: 343 - Charges for Services-Physical Environment Total		1,319,089.00	1,327,864.37	1,487,248.00	1,584,882.29	1,540,727.00	1,112,238.35	1,950,696.00
SubCategory: 361 - Interest and Other Earnings								
430-361000	Interest Earned	300.00	244.50	300.00	244.93	200.00	163.68	300.00
SubCategory: 361 - Interest and Other Earnings Total:		300.00	244.50	300.00	244.93	200.00	163.68	300.00
SubCategory: 364 - Sales-Disposition of Fixed Assets								
430-365200	Sale of Equipment	0.00	0.00	0.00	2,700.00	0.00	39,560.00	0.00
SubCategory: 364 - Sales-Disposition of Fixed Assets Total:		0.00	0.00	0.00	2,700.00	0.00	39,560.00	0.00
SubCategory: 369 - Other Miscellaneous Revenues								
430-369901	Insurance Proceeds	0.00	0.00	0.00	30.25	0.00	0.00	0.00
SubCategory: 369 - Other Miscellaneous Revenues Total:		0.00	0.00	0.00	30.25	0.00	0.00	0.00
SubCategory: 382 - Enterprise Contributions								
430-382301	Transfer-Solid Waste Reserves	231,894.00	0.00	87,639.00	0.00	147,500.00	0.00	160,645.00
SubCategory: 382 - Enterprise Contributions Total:		231,894.00	0.00	87,639.00	0.00	147,500.00	0.00	160,645.00
Fund: 430 - SOLID WASTE Total:		1,551,283.00	1,328,108.87	1,575,187.00	1,587,857.47	1,688,427.00	1,151,962.03	2,111,641.00

Solid Waste

2022-2023 Proposed Budget



- Salaries & Wages
- Benefits
- Contractual Services
- Operating Expenditures
- Solid Waste Disposal Fees
- Repair & Maintenance
- Capital
- Debt Service/Lease
- Transfers

Solid Waste Expenses	2020-2021 Budget	2021-2022 Budget	2022-2023 Proposed Budget	Variation
Salary & Wages	213,016	223,922	229,985	6,063
Benefits	118,631	116,507	121,715	5,208
Contractual Services	4,500	4,500	5,000	500
Operating Expenditures	263,414	254,773	272,402	17,629
Solid Waste Disposal Fees	638,588	666,607	751,347	84,740
Repair & Maintenance	75,250	85,250	96,000	10,750
Capital	0	0	70,000	70,000
Debt Service/Lease	0	0	114,584	114,584
Transfers	261,788	336,868	450,608	113,740
TOTAL	1,575,187	1,688,427	2,111,641	423,214

Employee Data	
Full-time	5.5



City of Clewiston, FL

Budget Worksheet

Account Summary

For Fiscal: 2021 - 2022 Period Ending: 05/31/2022

		2019 - 2020	2019 - 2020	2020 - 2021	2020 - 2021	2021 - 2022	2021 - 2022	Defined Budgets
		Total Budget	Total Activity	Total Budget	Total Activity	Total Budget	YTD Activity	2022 - 2023 Preliminary
Expense								
Fund: 430 - SOLID WASTE								
Department : 7072 - Solid Waste								
SubCategory: 510 - Salaries and Wages								
430-7072-512000	Regular Salaries	205,593.00	204,175.58	200,725.00	182,429.76	210,484.00	121,408.49	216,611.00
430-7072-512002	2% COLA for Fund	2,375.00	0.00	0.00	0.00	0.00	0.00	0.00
430-7072-512005	Appreciation & 24 Hr.	0.00	0.00	3,028.00	0.00	4,041.00	0.00	3,451.00
430-7072-514000	Overtime Salaries	9,277.00	11,587.76	9,263.00	12,481.87	9,397.00	10,479.10	9,923.00
SubCategory: 510 - Salaries and Wages Total:		217,245.00	215,763.34	213,016.00	194,911.63	223,922.00	131,887.59	229,985.00
SubCategory: 520 - Benefits								
430-7072-520002	OPEB	0.00	3,769.00	0.00	2,056.00	0.00	0.00	0.00
430-7072-521000	Taxes-FICA	16,411.00	15,592.66	16,296.00	14,060.52	17,130.00	9,457.27	17,594.00
430-7072-522000	Retirement Contribution	12,183.00	16,965.97	12,043.00	-22,754.45	12,629.00	5,454.05	12,997.00
430-7072-522001	Frozen Defined Benefit	4,183.00	2,393.00	4,183.00	3,405.00	4,183.00	0.00	1,250.00
430-7072-522500	457 Match	6,092.00	4,624.93	6,022.00	3,731.29	6,315.00	2,475.40	6,498.00
430-7072-523000	Insurance-Health	64,007.00	50,614.88	57,711.00	43,781.45	57,800.00	31,518.04	64,576.00
430-7072-523001	Insurance - Dental	2,715.00	2,427.40	2,715.00	1,964.10	2,544.00	1,337.84	2,592.00
430-7072-523002	Insurance - Life	1,146.00	1,104.38	1,435.00	966.09	1,526.00	803.82	1,534.00
430-7072-523003	Insurance - AD & D	143.00	136.20	142.00	106.83	153.00	72.99	153.00
430-7072-524000	Worker's Compensation	16,064.00	15,514.00	16,980.00	16,377.00	13,069.00	8,712.00	13,330.00
430-7072-526000	Long Term Disability Ins.	1,112.00	1,061.90	1,104.00	837.20	1,158.00	571.98	1,191.00
SubCategory: 520 - Benefits Total:		124,056.00	114,204.32	118,631.00	64,531.03	116,507.00	60,403.39	121,715.00
SubCategory: 530 - Contractual Services								
430-7072-532000	Accounting & Auditing	3,500.00	2,346.00	3,500.00	2,514.00	3,500.00	1,930.00	3,500.00
430-7072-534000	Other Contractual Serv	1,000.00	846.81	1,000.00	1,411.66	1,000.00	895.67	1,500.00
SubCategory: 530 - Contractual Services Total:		4,500.00	3,192.81	4,500.00	3,925.66	4,500.00	2,825.67	5,000.00
SubCategory: 540 - Operating Expenditures								
430-7072-537700	001 Admin. Charges	38,868.00	38,868.00	48,641.00	48,641.00	52,257.00	34,840.00	57,482.00

Budget Worksheet

For Fiscal: 2021 - 2022 Period Ending: 05/31/2022

								Defined Budgets	
		2019 - 2020	2019 - 2020	2020 - 2021	2020 - 2021	2021 - 2022	2021 - 2022	2022 - 2023	
		Total Budget	Total Activity	Total Budget	Total Activity	Total Budget	YTD Activity	Preliminary	
430-7072-537701	410 Admin. Charges	16,265.00	16,265.00	16,265.00	16,265.00	18,830.00	12,552.00	20,713.00	
430-7072-540000	Travel & Per Diem	0.00	0.00	0.00	0.00	0.00	135.00	0.00	
430-7072-542500	Safety	600.00	42.18	600.00	18.08	600.00	129.59	0.00	
430-7072-544100	Rental & Lease - Equip.	0.00	37,555.24	0.00	0.00	0.00	40,200.00	0.00	
430-7072-545000	Insurance	75,570.00	75,360.00	89,846.00	89,988.00	103,043.00	68,592.00	114,207.00	
430-7072-548000	Promotional Activities	0.00	0.00	0.00	182.99	0.00	174.89	1,000.00	
430-7072-551900	Solid Waste Disposal	660,000.00	638,588.07	664,000.00	666,606.86	664,000.00	415,766.36	751,347.00	
430-7072-552100	Fuel	40,000.00	26,543.76	40,000.00	30,993.04	40,000.00	31,645.96	70,000.00	
430-7072-552500	Uniforms	3,150.00	4,103.95	3,150.00	3,513.20	3,150.00	2,140.78	4,000.00	
430-7072-552600	Tires & Tubes	0.00	0.00	0.00	714.18	0.00	0.00	0.00	
430-7072-552700	Operating Supplies	39,500.00	34,005.70	39,500.00	44,219.77	39,500.00	40,098.91	5,000.00	
SubCategory: 540 - Operating Expenditures Total:		873,953.00	871,331.90	902,002.00	901,142.12	921,380.00	646,275.49	1,023,749.00	
SubCategory: 545 - Depreciation									
430-7072-593000	Depreciation	0.00	64,660.00	0.00	80,257.36	0.00	0.00	0.00	
SubCategory: 545 - Depreciation Total:		0.00	64,660.00	0.00	80,257.36	0.00	0.00	0.00	
SubCategory: 550 - Repair and Maintenance									
430-7072-546100	Maintenance - Buildings	250.00	0.00	250.00	2,000.00	250.00	470.24	1,000.00	
430-7072-546200	Maint.-Mach. & Equip.	35,000.00	37,536.12	35,000.00	42,667.26	35,000.00	40,968.46	40,000.00	
430-7072-546500	Maint. - Vehicles	40,000.00	50,324.17	40,000.00	70,606.24	50,000.00	48,805.98	55,000.00	
SubCategory: 550 - Repair and Maintenance Total:		75,250.00	87,860.29	75,250.00	115,273.50	85,250.00	90,244.68	96,000.00	
SubCategory: 560 - Capital Outlay									
430-7072-564000	Machinery & Equipment	0.00	0.00	0.00	0.00	0.00	2,620.66	70,000.00	
SubCategory: 560 - Capital Outlay Total:		0.00	0.00	0.00	0.00	0.00	2,620.66	70,000.00	
SubCategory: 571 - Principal									
430-7072-571000	Principal	0.00	0.00	0.00	0.00	0.00	0.00	71,200.00	
SubCategory: 571 - Principal Total:		0.00	0.00	0.00	0.00	0.00	0.00	71,200.00	
SubCategory: 572 - Interest									
430-7072-572000	Interest Expense	0.00	0.00	0.00	0.00	0.00	0.00	43,384.00	
SubCategory: 572 - Interest Total:		0.00	0.00	0.00	0.00	0.00	0.00	43,384.00	
SubCategory: 590 - Transfers									
430-7072-591000	Transfer To Other Funds	101,407.00	101,407.00	114,860.00	114,860.00	123,234.00	82,152.00	130,000.00	
430-7072-592000	Contingent Expenses	141,065.00	0.00	96,928.00	0.00	163,634.00	0.00	270,608.00	

Budget Worksheet

For Fiscal: 2021 - 2022 Period Ending: 05/31/2022

	2019 - 2020 Total Budget	2019 - 2020 Total Activity	2020 - 2021 Total Budget	2020 - 2021 Total Activity	2021 - 2022 Total Budget	2021 - 2022 YTD Activity	Defined Budgets 2022 - 2023 Preliminary
430-7072-592002 Pay to Capital Reserve	13,807.00	0.00	50,000.00	0.00	50,000.00	0.00	50,000.00
SubCategory: 590 - Transfers Total:	256,279.00	101,407.00	261,788.00	114,860.00	336,868.00	82,152.00	450,608.00
Department : 7072 - Solid Waste Total:	1,551,283.00	1,458,419.66	1,575,187.00	1,474,901.30	1,688,427.00	1,016,409.48	2,111,641.00
Fund: 430 - SOLID WASTE Total:	1,551,283.00	1,458,419.66	1,575,187.00	1,474,901.30	1,688,427.00	1,016,409.48	2,111,641.00

Department/Item	Account Number	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031	2031-2032	TOTAL
<i>Solid Waste</i>												
Commercial Front Loader	001-7072-564000	\$ 360,000.00					\$ 360,000.00					\$ 720,000.00
Grab Loader	001-7072-564000	\$ 180,000.00			\$ 180,000.00					\$ 180,000.00		\$ 540,000.00
Residential Side Loader	001-7072-564000	\$ 380,000.00						\$ 380,000.00				\$ 760,000.00
Dumpster	001-7072-564000	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 400,000.00
Tipper Carts	001-7072-564000	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 300,000.00
Total		\$ 990,000.00	\$ 70,000.00	\$ 70,000.00	\$ 250,000.00	\$ 70,000.00	\$ 430,000.00	\$ 450,000.00	\$ 70,000.00	\$ 250,000.00	\$ 70,000.00	\$ 2,720,000.00
Five Year total		\$ 1,450,000.00										
Ten Year total		\$ 2,720,000.00										

Preliminary US 27 Commercial Corridor District

Purpose: The Clewiston City Commission has expressed interest in adopting a new zoning district for business and industry along the US 27 Commercial Corridor in a manner that is attractive in appearance, for the benefit of the City, property, and owners/lessees.

The following draft ordinance has been prepared as an example of provisions that such a district might include. Further drafting and debate is required for each section, including whether the existing code addresses the issues sufficiently without further regulation.

ORDINANCE NO. 2022 _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA RELATING TO ZONING REGULATIONS; AMENDING ARTICLE V, CHAPTER 110, ENTITLED "DISTRICTS AND DISTRICT REGULATIONS" OF THE CITY CODE; PROVIDING FOR ENACTMENT OF SECTION 110-501 THROUGH SECTION 110-518, ENTITLED "US 27 COMMERCIAL CORRIDOR DISTRICT ZONING REGULATIONS"; AMENDING SECTION 110-149 TO ADD A NEW ZONING DISTRICT; AMENDING SECTION 110-2 TO ADD NEW DEFINITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Clewiston desires to create Division 15, "US 27 Commercial Corridor District Zoning Regulations", of Article V, "Districts and District Regulations", of Chapter 110, "Zoning", governing the zoning and land use of the US 27 Commercial Corridor District.

Comment [DB1]: Wouldn't this be Division 14? So far article V only has 1-13 as far as I'm aware.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, AS FOLLOWS:

SECTION 1. US 27 Commercial Corridor District. The Clewiston Code of Ordinances is hereby amended and Division 15, "US 27 Commercial Corridor District", Article V, "Districts and District Regulations", of Chapter 110, "Zoning" is hereby created to read as follows:

Sec. 110-501 Purpose

The purpose of the US 27 Commercial Corridor District is to provide lands for business and industry which support the economic base of the city and contribute to its economic growth and self-sufficiency. The US 27 Commercial Corridor District uses shall include commercial activities consisting of mixed use not likely to be objectionable to neighboring properties. The US 27 Commercial Corridor District development standards provided herein are intended to result in new commerce that is attractive in appearance for the benefit of the property, the City of Clewiston and the owners and/or lessees of all lots within the US 27 Commercial Corridor. These requirements are intended to provide a pleasant, attractive, and safe business environment for the convenience and benefit of business owners and customers, and foster an environment of economic growth and redevelopment in the City of Clewiston.

The US 27 Commercial Corridor District designation and development standards contained herein shall apply to all lands within the district at the date of adoption of this division and to all

future expansions of the district. All requirements of Chapter 110, Zoning, also apply in the US 27 Commercial Corridor District; Section 110-501 through Section 110-518 are additional requirements of the District. When the US 27 Commercial Corridor District requirements conflict with other provisions of Chapter 110, the more stringent requirements shall be applied.

Sec. 110-502 Permitted uses.

Permitted uses within the US 27 Commercial Corridor District are as follows:

1. Appliance and furniture stores.
2. Bakeries, confectionery providing on-premises retail sales.
3. Clinics, medical and dental out-patient only.
4. Commercial or municipal parking lots or garages.
5. Commercial recreation facilities, including marinas.
6. Convenience food and beverage store.
7. Department stores.
8. Financial institutions with or without drive-thru teller units.
9. Gasoline service stations.
10. General retail establishments.
11. Hardware, paint and garden supplies.
12. Hotels or motels.
13. Indoor and outdoor vehicular sales such as automobile, motorcycle and all-terrain vehicles and boat and boat trailer and utility trailer sales.
14. Laundries and dry-cleaning plants, which do not use flammable solvents.
15. Mortuary and funeral homes.
16. Newsstand.
17. ~~Reserved.~~
18. Personal services (including, but not limited to, barbershops, beauty salons, spa).
19. Pharmacy.
20. Theaters.
21. Professional services, ~~business services.~~
22. Public assembly buildings.
23. Repair and service of personal, household and office items and equipment.
24. Restaurants.
25. Shopping centers.
26. Supermarkets.
27. Veterinarian clinics.

Comment [DB2]: This list was missing periods. I've added them.

Comment [DB3]: Remove.

Comment [DB4]: 'Business services' could be a bit vague I could envision someone arguing that anything could fall into that category.

Sec. 110-503 Accessory Structures

Accessory structures located within the US 27 Commercial Corridor District must comply with the following regulations.

1. All accessory uses shall not exceed 30 percent of the gross floor area of the principal use. An accessory use shall be located on the same lot as the principal use, except for off-site parking, as approved by a valid development order.
2. Maximum height shall not exceed the principle structure or twenty feet in height.
3. Accessory structures shall not be used as living quarters.
4. Shall not be located on street side or front yard of parcel.
5. Exterior of structure shall match the principle building aesthetically.

Sec. 110-504 Conditional Uses.

Comment [DB5]: This list was missing periods. I've added them.

The following uses are not permitted in the US 27 Commercial Corridor District, but may be authorized by the imposition of Conditions of Approval, if all negative impacts are ameliorated by those conditions:

1. Liquor store.
2. Nightclubs, Lounges, Bars.
3. Repair and services for automobiles, trucks, boats, recreational vehicles and other automotive equipment.
4. Pawn shops.
5. Payday, check cashing or deferred deposit loan businesses.
6. Tobacco retailers.
7. Extended-stay hotel or motel, with occupancy limits for each unit established by condition.
- ~~8. Kennels; provided that they shall be allowed only if they are located on the same property with and are ancillary to either a veterinary clinic or a pet grooming facility; provided that no more than two animals at any such facility are allowed to be in outside runs at any one time and that such animals not be allowed in such outside runs before 6:30 a.m. or after 6:30 p.m. of any day; provided that all other animals are kept in cages, pens or runs located inside a fully enclosed air conditioned structure; provided that no more than 35 pets are kept in any such facility at any one time; provided the facilities are used to house only dogs, cats and birds; and also provided that the facilities are operated in a manner so that they do not create any noise or smell that is unreasonably objectionable to the occupants of other property~~
9. Kindergarten and day care facilities.
10. Vocational schools, limited to office-oriented vocations, such as, but not limited to secretarial, business, real estate and computer programming.
11. Automatic amusement centers/game rooms.
12. Limited residential use must be in harmony with overall development and not as a primary or principal use and not allowed on ground floor.

Sec. 110-505 Development standards.

Setback requirements (US 27 Commercial Corridor District)

1. *Street side.* All parcels shall have a minimum street side yard setback of 5 feet and, for every ten feet the building length exceeds 150', an additional 1 foot of setback shall be required, up to the maximum of 30 feet. Street side yard setbacks shall be measured from back of street property line.
2. *Interior side yard.* The minimum interior side yard shall be 12 feet, except that the interior side yard setback may be reduced to zero on one side of the lot provided that:
 - a. A wall constructed of brick or maintenance-free masonry material with a stucco finish is constructed at the zero-setback side, and the opposite side yard is increased to 24 feet.
 - b. In the event that two contiguous property owners desire to construct buildings using zero side yard setbacks, utilizing a common driveway for ingress and egress to the rear of both properties, said opposite side yard may be reduced to 12 feet provided easements are obtained and recorded ensuring a 24 foot minimum separation between the two buildings for ingress and egress to the rear of the property. This 24-foot access way shall be maintained free of obstructions skyward and with no openings that would facilitate any loading or unloading, in any portion of the buildings which fronts on the easement.
3. *Rear yard.* There shall be a minimum rear yard setback of 5 feet.
4. *Height.* Maximum height of building in the US 27 **Commercial** Corridor District shall not exceed 55 feet.

*Special exception height allowance may be authorized by the imposition of additional conditions of approval, if all negative impacts are ameliorated, height maximum may be increased not to exceed 65 feet.

Sec. 110-507 Trash receptacles (US 27 Commercial Corridor District)

- A. All properties must comply with Chapter 74, Article VI.
- B. Trash receptacles located on public sidewalks for use by pedestrians shall be consistent with the size and style approved by City Public Works Department.

Sec. 110-512 Parking (US 27 Commercial Corridor District)

- A. **Alternative Parking Plans (APP).**

An alternative parking plan is a means to meet vehicle parking requirements other than providing parking spaces on site in accordance with Code requirements. Applicants

seeking to meet the requirements of this section by alternative means shall be required to secure approval of an alternative parking plan by the Technical Review Committee (TRC).

1. Contents: alternative parking plans shall be submitted in a form and with such documentation as established by the Community Development Director. At a minimum, such plans shall include the parking alternative and rationale for how the alternative will compensate for the provision of the required parking on site.
2. Eligible alternatives: potential alternatives to be considered include, but are not limited to:

Shared parking: shared parking is encouraged to promote efficient use of land and resources by allowing users to share off-street parking facilities for uses that are located near one another and that have different peak parking demands or different operating hours. Shared parking shall be subject to the following standards:

- (1) Location. Shared off-street parking spaces shall be located no further than 600 feet from the buildings and uses they are intended to serve.
- (2) Shared parking agreement. A shared parking plan shall require an application for shared parking and submission of a shared parking agreement, acceptable to the Community Development Director and City Attorney, which shall include an agreement by the owners(s) of record of the parking area and of the applicant. The owner who has applied for shared parking shall be responsible for recording the shared parking agreement in the county's official records and providing copies of the recorded agreement to the city prior to the issuance of a of site plan approval. The agreement shall be fully executed, reviewed by the City Attorney, and then recorded in the Public Records of Hendry County, prior to issuance of a certificate of zoning compliance. A shared parking agreement shall be revocable by the parties to the agreement only if the off street parking requirement is satisfied by all parties to the agreement. The agreement shall specify that the shared spaces are not leased for a use that operates during the same time frame and would create a conflict. The agreement shall specify the time frame, number, and location of spaces to be shared.
- (3) Site plan. A site plan shall be submitted to indicate the spaces that are to be shared, the location and access to the properties to be served, the number of spaces, and the projected time of use of the properties which are sharing the spaces.
- (4) Changes in uses or other conditions. Once established, in order to maintain compliance with a shared parking agreement, the owner shall take one of the following actions to address any change in the uses identified in the agreement which would cause an

Comment [DB6]: Some changes clarifying it is the applicant's responsibility to record docs. Not the City's.

Comment [DB7]: Instead of permanently locking a contract between private parties I would suggest the revised language added in section 4 outlining available procedures to maintain compliance.

increase in parking demand or to address a finding of any other related change in conditions by the Community Development Director:

- (a) Submit a new shared parking plan agreement approved by the Community Development Director with an application to officially amend the shared parking plan approval for the property.
- (b) Provide the required number of parking spaces for each use to negate the need for shared parking, and submit an application to officially amend the site plan approval accordingly.
- (c) Revise the existing shared parking agreement addressing the changes.

Until such action is taken a certificate of zoning compliance shall not be approved for any proposed use on the property subject to the shared parking agreement which generates a parking demand, as determined by the town's parking requirements, which exceeds that of the previous use identified in the share parking agreement.

- 3. Credit for on-street parking spaces. On-street parking spaces may be used to satisfy 50% of the requirements for off-street parking. Such on-street parking may be located in the public right-of-way and shall be located within 1,000 feet of the use. All such spaces must meet size and delineation requirements.
- 4. Bicycle parking. The TRC may approve a reduction in the number of required off-street parking spaces for developments or uses that provide bicycle parking or that make special provisions to accommodate bicyclists.
 - a. Bicycle parking shall be located and clearly designated in a safe and convenient location, at least as convenient as the majority of auto spaces provided.
 - b. Facilities shall be designed to accommodate U-shaped locking devices and shall support bicycles in a stable position without damage to wheels, frame or other components and shall be securely anchored and of sufficient strength to resist vandalism and theft.

B. Parking lot landscaping. The following shall apply:

- 1. A landscaped area shall have a minimum width of 2 feet, excluding curbs, retaining walls or similar enclosing structures.
- 2. All front yard perimeter landscaping shall include concrete, masonry or metal barriers to contain and/or protect landscaping materials.

Sec. 110-513 Landscape Requirements (US 27 Commercial Corridor District)

All areas not improved for parking, or occupied by a structure, paved walkway, shall be landscaped in accordance with the landscaping requirements as follows:

1. *Quality.* Plant materials used in conformance with the provisions of this article shall conform to the standard for Florida No. 1 or better, as given in Grades and Standards for Nursery Plants, part I, 1963, and part II, published by the state department of agriculture, or equal.
2. *Trees.* Tree species shall be have a minimum of five (5) feet of clear trunk immediately after planting. Trees of species whose roots are known to cause damage to public roadways or other public works shall be prohibited.
3. *Shrubs and hedges.* Shrubs and hedges shall be a minimum of 2 feet in height when measured immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous unbroken solid visual screen within 1 year after time of planting. At intersections and driveways, shrubs cannot be more than twenty-four (24) inches high at maturity and any tree, in the visibility triangle, must have at least seven (7) feet of clear trunk immediately after planting.
4. *Vines.* Vines shall be a minimum of 30 inches in height immediately after planting and may be used in conjunction with fences, screens or walls to meet physical barrier requirements as specified.
5. *Ground covers.* Ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage and shall be used with a decorative mulch, such as pine or cypress bark or other material of a similar nature. In no instance shall stone or gravel be utilized for more than 20 percent of the ground cover area.
6. *Plan approval.* All new construction, prior to the issuance of a building permit, must have a landscape plan approved by the TRC. The landscape plan shall be drawn to a scale not less than 1 inch equals 20 feet and shall include all pertinent dimensions, walls, parking spaces, and vehicular use areas, buildings and accessory structures, pools, ponds and waterways, hydrants and irrigation systems, landscape materials, including types and location of planting protective devices, and a stormwater management plan with calculations
7. *Installation.* All landscaping shall be installed in accordance with the landscape plan prior to issuance of a certificate of occupancy. All landscaping shall be installed in accordance with accepted landscape practices.
8. *Maintenance.* The owner and tenant, if any, shall be jointly and severally responsible for the maintenance of all landscaping, and landscaped areas shall be so maintained as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. If trees, shrubs or other landscape material should die, such materials must be replaced within 30 days.
9. *Preservation of existing plant material.* Where healthy plant material exists on a site prior to its development, an applicant will be encouraged to retain such landscaping where possible.
10. *Landscaped areas.* 50% of all lot lines fronting a public street shall be landscaped. ~~Each landscaped area shall contain at least 1 tree, shrubs, grass or ground cover.~~
11. *Other materials.* Required landscaped areas shall be adequately landscaped with shrubs, grass, ground cover or other approved landscape treatment. The TRC may approve alternative landscaping plans that include container plantings.

12. *Areas abutting an interior property line.* On any parcel providing an off-street parking area or other vehicular use area, storage area, outdoor dining area or loading area there shall be provided landscaping between such area and the property line as follows:

Areas abutting to residential zoning: Where such area abuts property zoned for residential for that portion not entirely screened visually by an intervening structure or conforming buffer on the subject property, there shall be provided a landscaped buffer.

Sec. 110-514 Fences, Walls and Hedges (US 27 Commercial Corridor District)

Fences, walls and hedges shall be constructed and maintained in accordance with Sec. 110-524 Fences, Walls and hedges with the following exceptions:

1. Chain link fences and other wire fences are prohibited in front yard of lots in the US 27 Commercial Corridor District. Other fencing subject to TRC approval.
2. Barbed wire and razor wire are prohibited.

Sec. 110-515. Outside Storage (US 27 Commercial Corridor District)

Except as expressly permitted by this section, no material, refuse, machinery, merchandise, or vehicles shall be stored outside of any enclosed structure within this district. This requirement shall not apply to the following:

1. Placement, storage, or keeping of construction equipment, tools, supplies, material, pallets, and all other material related to new construction, provided that all required permits have been obtained for that construction, and that all materials and waste products shall be removed from the premises promptly upon completion of that construction.
2. Motorized vehicles, boats or recreational vehicles for sale by an authorized dealer provided such outdoor storage is solely for display of vehicles immediately available for sale or lease.
3. Other outside storage uses as expressly permitted under a final site plan approval by the TRC.

Secs. 110-516 – 110-518. Reserved.

SECTION 2. Section 110-149, Zoning Districts Classified is hereby amended to add a new classification as follows:

Sect. 110-149. Zoning Districts classified.

For the purpose of classifying, regulating and restricting the location of residences, apartments, businesses, industry and other uses, the city is hereby divided into the following zoning districts:

P	Public District
R-1A	Single-Family Residential District
R-1B	Single-Family Residential District
R-1C	Single-Family Residential District
R-2	Two-Family (Duplex) Residential District
R-3	Multiple-Family Residential District
RM-1	Mobile Home and Recreational Vehicle Park District
RM-2	Mobile Home Subdivision District
C	General Commercial District
I	Industrial District
PUD	Planned Unit Development
CPID	Commerce Park Industrial District
<u>US 27</u>	<u>US 27 Commercial Corridor District</u>

SECTION 3. Definitions.

Section 110-2 is hereby amended to add the following definitions, which shall be codified in alphabetical order with existing definitions:

Awning. An architectural projection that provides weather protection, identity and/or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight, rigid or retractable skeleton over which an approved cover is attached.

Commercially developed parcel. A parcel of property on which there is at least one walled and roofed structure used, or designed to be used, for other than residential or agricultural purposes.

Fast Food restaurant. A restaurant with drive-up window service, or that otherwise receives payment and/or dispenses products to patrons while in their vehicles (such as a drive-in restaurant).

Front yard. Any portion of land that is past the front façade of the principal structure.

Frontage. The length of the property line of any one parcel along the main street on which it borders.

Lounge. A place where alcoholic beverages are sold for consumption on site.

Multiple occupancy complex. A commercial use, i.e. any use other than residential consisting of a parcel of property, or parcel of contiguous properties, existing as a unified or coordinated project, with a building or buildings housing more than one occupant.

Nightclub. A place that is open at night, has music, dancing, or a show, and is operated for the purpose of supplying entertainment where alcoholic beverages are dispensed and consumed on the premises, and where meals and refreshments may be provided.

Occupant (occupancy). The use of a building or structure, or any portion thereof for commercial transactions.

Parcel. A unit of land within legally established property lines. If, however, the property lines are such as to defeat the purposes of this Code or lead to absurd results, a "parcel" may be as designated for a particular site by the building official.

Permanent. Designed, constructed and intended for more than short term use.

Roof line. A horizontal line intersecting the highest point or points of a roof.

Street. A public or private right-of-way for vehicular traffic, including highways, thoroughfares, lanes, roads, ways, and boulevards.

Technical Review Committee (TRC). Technical Review Committee is made up of representatives from City Engineering, Building, Public Works, and Utilities Department.

Tobacco Retailers. Any place that sells, offers for sale, or does or offers to exchange for any form of consideration, tobacco products or tobacco paraphernalia.

Unit. That part of a multiple occupancy complex housing one occupant.

SECTION 4. Codification. The provisions of this Ordinance shall become and be made part of the Code of Laws and Ordinances of the City of Clewiston.

SECTION 5. Severability. If any phrase, sentence or portion of this Ordinance is, for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and individual provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. Repeal of Laws in Conflict. All ordinances of the City of Clewiston, Florida, which are in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. Effective Date. This Ordinance shall take effect immediately upon its passage and consistent with all requirements of general law.

PASSED on first reading by the City Commission on _____, 2022.

PASSED AND ADOPTED on second and final reading by the City Commission on

_____, 2022.

ATTEST:

CITY OF CLEWISTON, FLORIDA

Mary K. Combass, City Clerk

Kristine Peterson, Mayor

(MUNICIPAL SEAL)

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Dylan J. Brandenburg, City Attorney