

ORDINANCE NO. 2025-05

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA AMENDING THE CLEWISTON CODE OF ORDINANCES, AMENDING CHAPTER 110 - ZONING; ARTICLE V. – DISTRICTS AND DISTRICT REGULATIONS; DIVISION 13. CPID COMMERCE PARK INDUSTRIAL DISTRICT; DELETING SECTION 110-494 IN ITS ENTIRETY; AMENDING SECTION 110-495 TO ADD ADDITIONAL PERMITTED USES; AMENDING SECTION 110-498 INCREASING ALLOWED BUILDING HEIGHT; AMENDING SECTION 110-499 CLARIFYING DEVELOPMENT REVIEW REQUIREMENTS; DELETING SECTION 110-500 IN ITS ENTIRETY PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; CONFLICT; SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community Development Division has reviewed and recommends updates to the CPID commerce park industrial district to remove unnecessary provisions, add additional permitted uses, and clarify development review requirements; and

WHEREAS, the City's Planning & Zoning Board met to review the proposed revisions on March 11th, 2025 and recommends approval.

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

SECTION 1. The Clewiston Code of Ordinances, Chapter 110 – Zoning is hereby amended to delete section 110-494 in its entirety.

~~Sec. 110-494. -- Land acquisition.~~

~~(a) *Determination.* The city commission may adjust sale or lease price for all city owned parcels within the CPID. Pricing may be reviewed, and adjustments may be made, as market value fluctuates. Economic incentives may be employed to attract desirable businesses.~~

~~(b) *Economic goals.* The city will place a measure of control to prevent land speculation within the park and to ensure properties are used for bona fide projects that locate or retain jobs and provide for new capital investment which meets the purpose of the CPID and the economic development goals, objectives, and policies of the city comprehensive plan. Limitations on use, preference for certain uses over other uses, construction and appearance standards, capital investment, number and quality of job created and the development standards contained herein are designed toward these ends.~~

SECTION 2. The Clewiston Code of Ordinances, Chapter 110 – Zoning is hereby amended section 110-495, additions denoted by green underline deletions denoted by red strikethrough and shall hereafter read as follows:

Sec. 110-495. - Permitted uses.

Permitted uses within the CPID include and comply with the following:

(~~1~~a) Light industrial and commercial operations, which produce:

~~A~~1.. Computer components;

~~B~~2.. Robotics;

~~C~~3.. Food processing and packaging (no animal process/meat packing);

~~D~~4.. Apparel-related products;

~~E~~5.. Finished wood products;

~~F~~6.. Furniture and fixtures;

~~G~~7.. Assembled paper products;

~~H~~8.. Formulation and packaging of drugs, cosmetics, soap;

~~I~~9.. Fabricated metal products;

~~J~~10.. Manufactured machinery;

~~K~~11.. Electrical equipment and components;

~~L~~12.. Optics;

~~M~~13.. Aerospace composites;

~~N~~14.. Integrated circuits;

~~O~~15.. Ceramics and glass products;

~~P~~16.. Consumer electronics;

~~Q~~17.. Image recognition;

~~R~~18.. Medical devices, dental equipment and supplies; and

~~S~~19.. Restaurant, hotel and store supplies, fixtures and equipment.

20. Bookbinding;

21. Bakery;

22. Blending of liquor;

23. Cheese making;

24. Carpet and Rug Cleaning;

25. Diaper service;

27. Drapery and window blind factication and service;

28. Glass and mirror shop;

29. Linen supply;

30. Magazine wholesale agency;

31. Pattern making;

32. Printing, publishing, lithography, and engraving;

33. Communication-information/data processing;

34. Telecommunication;

35. Exterminating;

36. Exterminating;

37. Janitorial;

38. Plumbing, mechanical, or electrical shop;

39. Shipping and parcel services;

40. Manufacture of powder blends;

41. Call service centers.

(2b) Conditional uses. The following conditional uses, if they only provide limited retail services may be acceptable in the CPID by the addition of conditions of approval that ameliorate any adverse impacts the use may have on adjoining businesses:

~~a. Bookbinding;~~

~~b. Bakery;~~

~~c. Blending of liquor;~~

~~d. Cheese making;~~

~~e. Carpet and rug cleaning;~~

~~f. Diaper service;~~

~~g. Drapery and window blind fabrication and service;~~

~~h. Glass and mirror shop;~~

~~i. Linen supply;~~

~~j. Magazine wholesale agency;~~

~~k. Pattern making;~~

~~l. Printing, publishing, lithography, and engraving;~~

~~m. Communication-information/data processing;~~

~~n. Telecommunication;~~

~~o. Exterminating;~~

~~p. Janitorial;~~

~~q. Plumbing, mechanical, or electrical shop;~~

~~r. Shipping and parcel services;~~

~~s. Manufacture of powder blends;~~

~~t. Call service centers; and~~

~~u~~1. Repair and maintenance of automotive, agricultural and marine equipment when:

(i) All repairs and maintenance activity shall occur within the building;

(ii) All equipment (automotive, agricultural and marine) stored on-site, while waiting for repairs or for pick up, shall be stored on a stabilized hard surface, free of vegetation, visually screened from all streets and adjacent properties;

(iii) No equipment which is required to be licensed shall be stored on-site without a license.

~~(3c)~~ Conditional use approval process. The project will require a site plan, landscaping plan, and architectural renderings which will be reviewed by the department and then reviewed by the PZB. If the project receives a positive recommendation from PZB, PZB will recommend written conditions of approval. The site plan, landscape plan, architectural renderings, and conditions of approval shall be reviewed by the city commission. The city commission will review the proposal and the recommendations of the PZB and shall either approve the project with the conditions of approval, modify the PZB recommendation, or deny the proposal.

SECTION 3. The Clewiston Code of Ordinances, Chapter 110 – Zoning is hereby amended additions denoted by green underline deletions denoted by red strikethrough and section 110-498 shall hereafter read as follows:

Sec. 110-498. Development standards.

(a) Lot size. No lot shall be less than 75 feet in width and not less than 20,000 square feet in area.

(b) Height. No building shall exceed ~~70~~ 75 feet in height without alternative fire safety provisions made by the company and specifically allowed by special exception of the city commission. Smoke stacks, radio antennas, chimneys, and similar structures are excluded from this restriction.

(c) Setbacks.

(1) Street side. All parcels shall have a minimum front yard setback of 20 feet. Front yard setbacks shall be measured from the property line.

(2) Interior side yard. The minimum interior side yard shall be 15 feet, except that the interior side yard setback may be reduced to zero on one side of the lot provided that:

a. The wall constructed at the zero setback shall be of maintenance-free masonry material.

b. The opposite side yard is increased to 30 feet. 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 15 feet provided easements are obtained and recorded ensuring a 30-foot minimum separation between the two buildings for ingress and egress to the rear of the property. This 30-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 ten feet.

(d) Off-street parking. Two parking spaces for each three employees, but in no event less than two spaces for each 1,000 square feet of gross floor area. Parking on any public street within the CPID is strictly prohibited.

(e) Landscaping. Landscaping shall be as set forth in article IV of chapter 102.

(f) Signage. Sign standards shall be as set forth in chapter 100.

(g) Fences and walls. All fences and walls shall be constructed of concrete, masonry, or metal. Metal fences shall be of the open-weave, chainlink type. Fences and walls shall not exceed ten feet in height. Fences and walls shall not be located within any setback area on a street with the exception that a double frontage plot shall be permitted to contain fences and walls in the rear or secondary required setback area when provided with a 25-foot planting area adjacent to the street landscaped in conformance with this division.

(h) Lighting. Adequate lighting shall be provided for all automobile parking areas, truck loading and unloading areas, and all pedestrian and vehicle access points. Lighting design should conform with IESNA RP-33-99 recommended practices, Lighting for exterior environments.

(i) Loading areas. Loading and unloading areas will be designed to permit the pickup and delivery of materials without impeding the public right-of-way.

(j) Outdoor storage areas. All industrial and manufacturing activities of a business will be carried on within the confines of the building. The storage of materials and finished product outside of a building is permitting, so long as it does not constitute a nuisance or interfere with adjoining owners' reasonable use of their land. All outdoor storage shall be on a stabilized hard surfaced area, free of vegetation, visually screened from access streets, residential neighborhoods, and adjacent property with a complete opaque fence or wall (that is architecturally compatible to the building's finished materials) or landscaping as approved by the city. This requirement does not prohibit parking of company owned and operated motor vehicles and equipment. No storage shall be permitted between a frontage street and the building line. No waste materials, manufacturing process by-product, rubbish, or discarded matter of any kind shall be permitted to be stored in open areas beyond the time reasonably required to arrange removal. The use of Conex boxes and tractortrailers that are well-maintained, painted, and show no rust are permitted. Other trucks or vehicles for storage is prohibited.

(k) Improvement standards. All developed property shall be landscaped, improved, and maintained in full conformity with all applicable requirements of the city land development code, and other state and federal standards.

(1) Buildings. All exterior walls, façades, and claddings fronting on any street shall be aesthetically pleasing, and if concrete block, shall be given a veneer of either stucco, plaster, ceramic, or similar covering approved by the city. Metal buildings with façades or claddings constructed of ceramic, masonry, concrete, stucco, or similar material may be allowed with the approval of the technical review committee, provided the façade or cladding is a minimum of four feet in height from the ground and covers all exterior walls of the building, except the rear wall. All buildings and structures shall be kept properly; and protected from deterioration and shall not be permitted to become dilapidated. No building or structure, or part thereof, shall be erected, in whole or in part,

that is obnoxious, objectionable, a nuisance, or a hazard to adjoining properties, as they relate to sound, vibrations odors, glare, radioactive materials, smoke and particulate matters. This determination will be made by the technical review committee.

(2) Stormwater. Each site shall be designed to accommodate a minimum of one-half inch of dry pretreatment to be detained on site prior to discharge into the master surface water management system.

(3) Access areas. All driveways, walkways, parking areas, storage, and loading areas of developed property shall be well-graded and surfaced with asphalt concrete, concrete, or other materials approved by the city. It is intended that driveways on boundary streets be minimized. Spacing on boundary streets shall be at least 75 feet apart (center spacing), at least 100 feet from any street intersection, and a maximum of 24 feet in width. Joint driveways may be developed to serve abutting parcels and are favorably encouraged.

(4) Property maintenance. Building, landscaping, and other improvements shall be continuously maintained yielding a well-kept appearance, especially along the perimeters of the property. The city shall from time to time inspect site and landscape maintenance, and if not satisfied with the level of maintenance on a site, shall notify the owner in writing. If, within 15 days from notification, maintenance has not been brought to acceptable standards in conformance with the following maintenance standards, the city may open a case on the matter before the special magistrate of violations of the city's Code of Ordinances.

(5) Waste. All trash and garbage shall be placed in designated containers, or within the tenant's contained service area which shall be screened or properly landscaped. The size and number of containers shall be determined by the city. Yards and landscape areas will be kept free of trash, leaves, and dead landscaping materials. All tenants must use the city's designated disposal service.

(6) Parking lots and sidewalks. All parking lots, sidewalks, and other hard surface areas shall be swept and cleaned regularly and cracks and damaged areas of sidewalks shall be repaired or replaced as required. Damaged or eroding areas of the asphalt parking surface shall be replaced as required and an overall resurfacing of the parking area will be done as necessary. Broken wheel stops and/or curbing shall be replaced as required; and drainage inlets, storm sewers, and any surface drainage facilities shall be maintained in good repair and clear of debris so as to ensure their proper function. Each tenant, grantee, or lessee shall provide adequate off-street motor vehicle and trailer storage for the tenant's, grantee's, or lessee's needs, but, in any event, no less than that required by subsection (d) of this section.

SECTION 4. The Clewiston Code of Ordinances, Chapter 110 – Zoning is hereby amended additions denoted by green underline deletions denoted by red strikethrough and section 110-499 shall hereafter read as follows:

Sec. 110-499. Development review.

~~(a) Pre application and conference. The applicant shall file a pre application with the city manager. The city will invite all of the necessary city representatives to provide review and input. The applicant shall provide a letter of intent and summary of the proposed CPID development one week prior to the pre application conference. Upon determination by the city manager and community development director that the application meets the purpose of the CPID and the economic development goals, objectives and policies of the city comprehensive plan, the application will be forwarded to the technical review committee.~~

(1) A city development application for site plan review along with ~~six~~ two sets of printed and a digital set of the site development plan shall be submitted to the planning department. The site development plan must include or reflect the following information:

- a. Shall be drawn at a scale of not more than one inch equals 100 feet.
- b. Vicinity sketch of adjacent properties.
- c. Date site plan was prepared.
- d. Name, address and professional seal of architect, landscape architect, engineer or professional surveyor who prepared the plan.
- e. North arrow and legal description.
- f. Property lines, dimensions, and building setback distances from roof overhang or foundations to edge of public street rights-of-way or property lines and all structures, lot lines within 100 feet of the site.
- g. Existing and proposed topographic elevations at two-foot intervals on the site and to a distance of 50 feet outside the boundary lines of the site.
- h. Direction of stormwater drainage and how stormwater runoff will be handled as well as a statement describing where stormwater will be ultimately discharged.
- i. Location of existing and proposed buildings, their intended use, the length, width and height of each building, the square footage of each building and the specific types of material to be used in construction.
- j. Location of abutting streets, rights-of-way, service drives, curb cuts, and access easements serving the site, as well as driveways opposite the site and driveways within 100 feet on either side of the site including all driveway widths and curb radius.
- k. Location and size of all water and sanitary sewer lines and storm drainage lines, catch basins, and location of storm retention/detention ponds with a maximum depth in excess of two feet are permitted in the rear yard only and must be adequately fenced and screened.
- l. Location and type of all sidewalks, bike paths, and other walkways.
- m. Location, type and size of any walls, fences or other screening provisions.
- n. Location of all proposed landscape materials, including size and type of plantings.
- o. Location, size and height of all proposed accessory structures, if prior approval is received, transformers, dumpsters or trash removal areas or devices, and method of screening and signs. Rooftop or outdoor equipment should also be indicated including proposed method of screening where appropriate.
- p. Proposed parking areas and access drives showing number and size of spaces and aisles, loading areas, and handicapped access ramps. Also note method of surfacing such areas.
- q. Exterior lighting showing area of illumination and type of fixture as well a method of shielding from adjacent properties and roadways.

r. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by this division or other state or federal agencies.

s. Architectural elevation drawing of the buildings including type and color of outer wall coverings and cross-section drawings of the site.

3) A narrative explanation as to how the proposed development complies with the city's comprehensive plan and objective of the CPID.

(4) Any other information deemed appropriate by the city commission or staff.

(b) Staff technical review.

(1) The application shall be reviewed by the TRC for compliance with the submittal requirements. Upon a determination that sufficient information has been submitted to initiate the substantive review, a sufficiency letter shall be sent to the applicant by the ~~city manager~~ planning department. If the determination is that the application does not include sufficient information, a letter shall be sent to the applicant identifying the deficiencies that need to be addressed. The staff shall conduct a sufficiency review of all additional information submitted in response to a sufficiency letter and either identify additional deficiencies, or provide the letter finding the application to be complete.

(2) Once the application is determined to be complete, the staff technical review committee shall conduct their substantive review. The application shall be reviewed for consistency with the CPID development standards, the comprehensive plan and this Code; written recommendations shall be provided to the applicant.

~~(c) City commission action. The city commission shall review the application in accordance with the requirements of articles II and III of this chapter and shall make findings of consistency with the comprehensive plan and this Code.~~

(2) A traffic impact statement on lots larger than two acres, unless this requirement is waived by the technical review committee (prepared by professional engineer or duly qualified transportation planner) that identifies the number of net new external trips, identifies pass-by calculations, internal capture calculations, identifies the a.m. and p.m. peak hour trips on all adjacent roadway links, and which identifies the level of service (LOS) on all adjacent roadway links with and without the project.

SECTION 5. The Clewiston Code of Ordinances, Chapter 110 – Zoning is hereby amended section 110-500 shall be deleted in its entirety:

~~**Sec. 110-500. Required approvals.**~~

~~Approval of the proposed CPID development shall require:~~

~~(1) Purchase or lease of the CPID property at agreed upon price. The city attorney will provide the sales or lease agreement and associated documents.~~

~~(2) Site plan approval and development authorization (preliminary and/or final) and the preparation of any associated development agreements.~~

SECTION 5. 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 6. 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 7. 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 8. Effective Date. This Ordinance shall take effect immediately upon its passage and consistent with all requirements of general law.

Commissioner _____ offered the foregoing ordinance. Commissioner _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
JAMES PITTMAN, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GREG THOMPSON, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARBARA EDMONDS, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MILA GARDNER, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HILLARY HYSLOPE, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, ON FIRST READING, THIS ___ DAY OF _____, 20__.

Commissioner _____ offered the foregoing ordinance. Commissioner _____ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
JAMES PITTMAN, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GREG THOMPSON, VICE MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARBARA EDMONDS, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MILA GARDNER, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HILLARY HYSLOPE, COMMISSIONER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
CLEWISTON, FLORIDA, ON SECOND READING, THIS ____ DAY OF
_____, 20____.**

ATTEST:

CITY OF CLEWISTON, FLORIDA

Lakisha Burch, City Clerk

James Pittman, Mayor

(MUNICIPAL SEAL)

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

**By: _____
Dylan J. Brandenburg, City Attorney**