

TAB 4



# City of Palmetto Agenda Item

**Meeting Date**

11/21/11

**Presenter:** Lorraine Lyn

**Department:** Planning

**Title:**

**Continued Workshop  
Conditional Use stipulations for Farm Labor Camps**

The City Commission continued its workshop to discuss farm labor camps on November 7, 2011. This is a continued workshop to discuss proposed stipulations for a Conditional Use permit for farm labor camps.

The proposed 300 foot gateway buffers along 10<sup>th</sup> Street and 8<sup>th</sup> Avenue were discussed at the last workshop when Commissioners revised the area covered by the buffers and added the area south of 4<sup>th</sup> Street to the Manatee River. It was also suggested that lighting be added to the CPTED review and a follow up operational inspection of the system by Code Enforcement be required for farm labor camps. The attached revised recommendations show these proposed changes with underlining.

With the addition of gateways areas, the RM-6 zoned areas were reduced from 106.5 acres or 3.4% of the City to 81.1 acres or 2.6% of the City.

The City's Zoning ordinance permits farm labor camps only within the RM-6 zoning district as a Conditional Use. Because the RM-6 zoned areas contain no vacant land, future farm labor camps could result from the conversion of existing apartments or redevelopment of existing uses.

It should be noted that these recommendations, if approved, are a minimum. Because a CU application is required for each farm labor camp proposal, the City Commission would hold a public hearing and could impose additional conditions depending on the particular case, location and circumstances.

**Budgeted Amount:** \$0.00    **Budget Page No(s):**    **Available Amount:** \$0.00    **Expenditure Amount:** \$0.00

**Additional Budgetary Information:**

**Funding Source(s):**    **Sufficient Funds Available:**  Yes  No    **Budget Amendment Required:**  Yes  No    **Source:**

**City Attorney Reviewed:**  Yes  No  N/A    **Advisory Board Recommendation:**  For  Against  N/A    **Consistent With:**  Yes  No  N/A    Palmetto 2030 Comprehensive Plan

**Potential Motion/Direction Requested:** The City Commission may proceed with the proposed recommendations at their regular meeting at 7 PM.

**Staff Contact:** Lorraine Lyn    City Planner    723-4580 Ext. 2135

**Attachments:** Proposed revised Recommendations for Farm Labor Camps

## ORDINANCE 2011-33

**AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING CODE OF ORDINANCES, ZONING CODE, TO PROVIDE STANDARDS FOR FARM LABOR CAMPS AS A CONDITIONAL USE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and,

**WHEREAS**, pursuant to the referenced provision of the Florida Constitution, a city may exercise any power for municipal purposes except as otherwise provided by law; and,

**WHEREAS**, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," reinforces the authority granted under the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and,

**WHEREAS**, within the above-referenced grant of powers, the City of Palmetto (the "City") has the authority to regulate land development and the use of property within the City for the protection of the public health, safety and welfare; and

**WHEREAS**, the City desires to provide appropriate standards for the establishment of farm labor camps as a conditional use within certain zoning districts; and

**WHEREAS**, consistent with the findings stated above, the City Commission has determined that adoption of this ordinance is in the best interest of the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PALMETTO, FLORIDA, as follows:**

**Section 1. Findings of Fact.** The above “WHEREAS” clauses are adopted herein as findings of fact.

**Section 2. Revision Language.**

A. Appendix B, Zoning Code, Article IV Schedule of District Regulations, Section 4.2 Schedule of permitted and conditional uses by district, of the City of Palmetto Code of Ordinances, is hereby amended to remove the classification of Farm Labor Camps into “Small (10 units or less)” and “Large (more than 10 units)”. “Farm Labor Camps” shall continue to be allowed as a conditional use in the RM-6 zoning district, and the Schedule shall be amended accordingly.

B. Appendix B Zoning Code, Article VI Supplemental Regulations, of the City of Palmetto Code of Ordinances is hereby amended to add Section 6.24 to read in its entirety as follows:

**Section 6.24. Farm Labor Camps.** All Farm Labor Camps within the City shall comply with the following requirements, in addition to requirements that may otherwise be provided in the Code:

- (1) The Farm Labor Camp shall have a valid permit issued by the Department of Health, or other appropriate agency, and shall comply at all times with state and federal requirements for such uses.
- (2) The property owner and property manager for the Farm Labor Camp shall maintain updated contact information with the City Code Enforcement Officer, including name, address, and telephone number.
- (3) The site must be accessible to residential support uses, such as health care, recreational facilities, and retail locations for daily personal needs and supplies.

- (4) Prior to consideration of a conditional use permit, the proposed use shall undergo CEPTED review by the Police Chief or his designee, who shall prepare a report with recommendations to be considered during the review process.
- (5) No portion of a site containing a Farm Labor Camp may be located within the area measuring 300 feet from the right-of-way boundary for 4<sup>th</sup> Street West, 10<sup>th</sup> Street or 8<sup>th</sup> Avenue West.
- (6) A six-foot high opaque decorative fence may be required around some or all of the perimeter of the site.
- (7) Any clothes lines for laundry must be screened from public view.
- (8) Commercial vehicles and buses may not be parked on site unless they are screened from public view.
- (9) All vehicles on site must be parked in designated parking spaces.
- (10) All vehicles on site must be operational and must display current tags.
- (11) Within 30 days following the approval of a conditional use permit for a Farm Labor Camp, the City's Code Enforcement Officer shall inspect the facility for compliance with all of the above requirements, as well as any additional conditions imposed in the conditional use permit.

**Section 3.**     **Repeal of Inconsistent Ordinances.**     This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

**Section 4.**     **Severability.**             If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**Section 5.**     **Effective Date.**             This Ordinance shall take effect as provided for by law and by City Charter, Section 14, upon execution by the Mayor or, if disapproval occurs, upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes.

FIRST READING	November 21, 2011
PUBLICATION DATE	November 25, 2011
SECOND READING	December 5, 2011

PASSED AND DULY ADOPTED, BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, with a quorum present and voting, in regular session assembled, this 5th day of December, 2011.

CITY OF PALMETTO, FLORIDA, BY  
AND THROUGH THE CITY  
COMMISSION OF THE CITY OF  
PALMETTO

By: \_\_\_\_\_  
SHIRLEY GROOVER BRYANT, MAYOR

ATTEST: James R. Freeman  
City Clerk

By: \_\_\_\_\_  
City Clerk/Deputy Clerk

## PROPOSED RECOMMENDATIONS FOR FARM LABOR CAMPS

### Sec. 4.2. Schedule of Permitted and Conditional Uses by District

Use	Zoning District													
	E-R	RS-1	RS-2	RS-3	RS-4	MHP-1	RM-5	RM-6	GO	CN	CC	CG	CHI	P
<i>Agriculture and related uses</i>														
Commercial farms	X	—	—	—	—	—	—	—	—	—	—	—	—	—
Farm labor Camps	—	—	—	—	—	—	—	C	—	—	—	—	—	—
Small (10 units or less)	—	—	—	—	—	—	—	C	—	—	—	—	—	—
Large (more than 10 units)	—	—	—	—	—	—	—	C	—	—	—	—	—	—
Stable, private	X	X	—	—	—	—	—	—	—	—	—	—	—	—
Stable, public	X	—	—	—	—	—	—	—	—	—	—	X	X	—

X=Permitted use

C=Conditional use (see Ordinance No. 196)

—=Prohibited use

### Sec. 6.24. Farm Labor Camps

1. Farm labor camps are permitted throughout the City in the RM-6 zoning district with a Conditional Use approval except along the City's gateways defined as the south side of 4<sup>th</sup> Street to the Manatee River and areas within 300 feet of both sides of the corridors of 8<sup>th</sup> Avenue from the River to the northern city limits and along 10<sup>th</sup> Street from the western city limits to the eastern city limits.
- A. In accordance with Sec. 15.4.B.2 of this Code, Conditional Uses may require additional standards to ensure compatibility with adjacent uses and the surrounding neighborhood. Farm labor camps shall comply with supplemental requirements (1-3) of this section and with other applicable regulations of this Code.
1. The operator/owner of the project must possess a valid permit for operation of the farm worker housing from the Manatee County Department of Health.
  2. The name, office, address and phone number(s) of the property owner and manager responsible for maintaining the farm labor camp (structures and grounds) must be provided to the City Code Enforcement officer.
  3. The project site shall be reviewed by the police chief or his designee for compliance with CPTED requirements outlined in Sec. 11.14 of this Code, using principles of natural surveillance, natural access control and territorial reinforcement.
- B. In addition, the following general standards (1-3) shall be considered during development review for a Conditional Use and a final determination shall be made by the City Commission.
1. Compatibility of the proposed project with the character of the existing neighborhood;

- a) The project housing type and density compared with those of adjacent uses and the overall neighborhood.
  - b) Screening, consisting of a minimum 6 foot high opaque decorative fence or wall is required along any boundary/ies of the farm labor camp abutting an existing, adjacent residential use/s.
2. All farm labor camps shall be kept in good condition in order to maintain a neat, orderly and safe appearance.
- a) An inspection by the City Building Department is required for compliance with the current Department of Health (DOH) guidelines, at a minimum. In addition, smoke detectors shall be required in and adjacent to sleeping areas and GFCI (ground fault circuit interrupter) outlets shall be required in all kitchens, bathrooms and outside outlets in accordance with the National Electrical Code (NEC).
  - b) Clothes lines for air drying laundry must be screened from public view.
  - c) No overnight parking of commercial vehicles and/or busses on the farm labor camp site unless not visible from a public street.
  - d) All vehicles on site are required to:
    - park on non-landscaped surfaces;
    - be operable; and
    - display a current registration tag.
  - e) Code Enforcement will conduct follow-up inspections to assure compliance with the City of Palmetto Code of Ordinances.
3. The accessibility to residential support services such as health care, educational opportunities including the availability of wireless internet access and recreational facilities and retail activities for daily personal needs and supplies.





City of Palmetto  
 L-6 Zoning &  
 Gateway Areas  
 November 2011

**Legend**

- Gateway Areas
- CoP Zoning Class
- RM6 w/in Gateway
- City of Palmetto
- Major Roads
- Streets
- Railroads



	Acres	% of City
Total RM6	106.5	3.4%
Gateway Area	-25.4	-0.8%
Total RM6	81.1	2.6%

Miles

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