

TAB 9

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, Section 381.00896, Florida Statutes, provides that it is the policy of the State of Florida that each municipality must permit and encourage the development and use of a sufficient number and sufficient types of farmworker housing facilities to meet local needs; 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 CPTED review by the Police Chief or his designee, who shall prepare a report with recommendations to be considered during the review process.
- 5) The project shall be reviewed for necessary safety considerations, including installation of appropriate lighting and security cameras.
- 6) No portion of a site containing a Farm Labor Camp may be located within the following gateway areas:
 - a. The area between the Manatee River and the southern right-of-way boundary for 4th Street and Floramana Lane.
 - b. The corridor extending out 300 feet in both directions from the right-of-way boundaries for 10th Street, from the western City limits to the eastern City limits.
 - c. The corridor extending 300 feet in both directions from the right-of-way boundaries for 8th Avenue, from the Manatee River to the northern City limits.
- 7) Screening, including opaque decorative fencing, may be required around some or all of the perimeter of the site, after consideration of compatibility with surrounding properties and CPTED recommendations.
- 8) Any clothes lines for laundry must be screened from public view.
- 9) Commercial vehicles and buses may not be parked on site overnight unless they are screened from public view.
- 10) All vehicles on site must be parked in designated parking spaces.
- 11) All vehicles on site must be operational and must display current tags.
- 12) Following the approval of a conditional use permit for a Farm Labor Camp, the City's Code Enforcement Officer shall conduct periodic operational inspections of 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
First Public Hearing	December 5, 2011
First Publication Date	November 25, 2011
Second Public Hearing Continued to:	January 9, 2012 January 23, 2012
Second Publication Date	December 30, 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 9th day of January, 2012.

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

By: _____
SHIRLEY GROOVER BRYANT, MAYOR

ATTEST:

By: _____
James R. Freeman, City Clerk



Farm Worker Housing Spatial Analysis

October 17
2011

Created by the GIS Staff at the Palmetto Community
Redevelopment Agency in conjunction with the
Palmetto Police Department.

Zack Schwartz

Summary

The purpose of this analysis is to determine if there is a relationship between the locations of Farm Worker Housing and the locations of Part 1 Crimes at certain distances. A positive relationship between the two sets of data means that the locations of the Farm Worker Housing and the locations Part 1 Crimes are somehow influencing each other. A negative relationship would mean that the locations have no influence or relationship and are independent of each other.

After concluding the statistical analysis, the results indicate that there is a positive relationship between the locations of Farm Worker Housing and Part 1 Crime. As previously stated a positive relationship means that somehow the locations of the Farm Worker Housing and the Part 1 Crimes are related and are influencing each other at specific distances. How and why the two data sets influence each other is beyond the scope of this analysis.

Methods

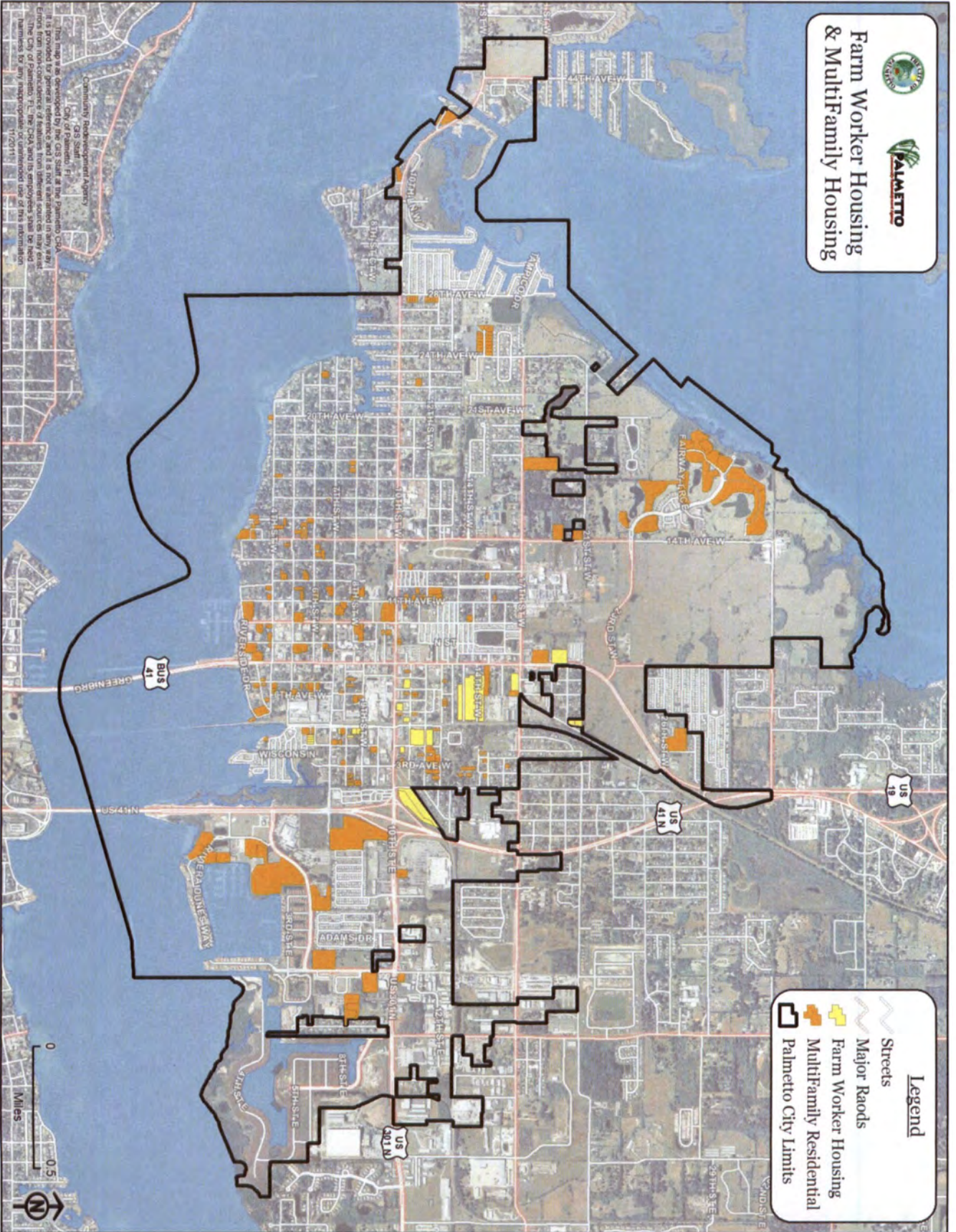
The methods for determining spatial relationships between data sets are as follows;

- Step 1: Use Cross K function (Bivariate K) to determine if "the locations of events in one point pattern (Part 1 Incidents) are random with respect to the locations of events in another point pattern (center point representing Farm Worker Housing)".
- Step 2: Use Cross K function (Bivariate K) to determine if the Part 1 incidents are random with respect to the center points for all Land Use designation Multi-Family Residential.
- Step 3: Use Cross K function (Bivariate K) to determine if the Part 1 incidents are random with respect to the center points for all Parcels.
- Step 4: Visually compare Kernel Density Analysis of all Part 1 Incidents (January 2008 to January 2011) to current locations of Farm Worker Housing

Each Cross K function (Bivariate K) calculation is run 99 times at both one half and one quarter mile maximum distances with test intervals of ten feet. Farm Worker Housing information was provided by Manatee County and the City of Palmetto. Part 1 Incidents were provided by the Palmetto Police Department. The statistical analysis program "R" was used for all analysis and ESRI's ArcGIS was used in map production. All code, charts and maps are available upon request.

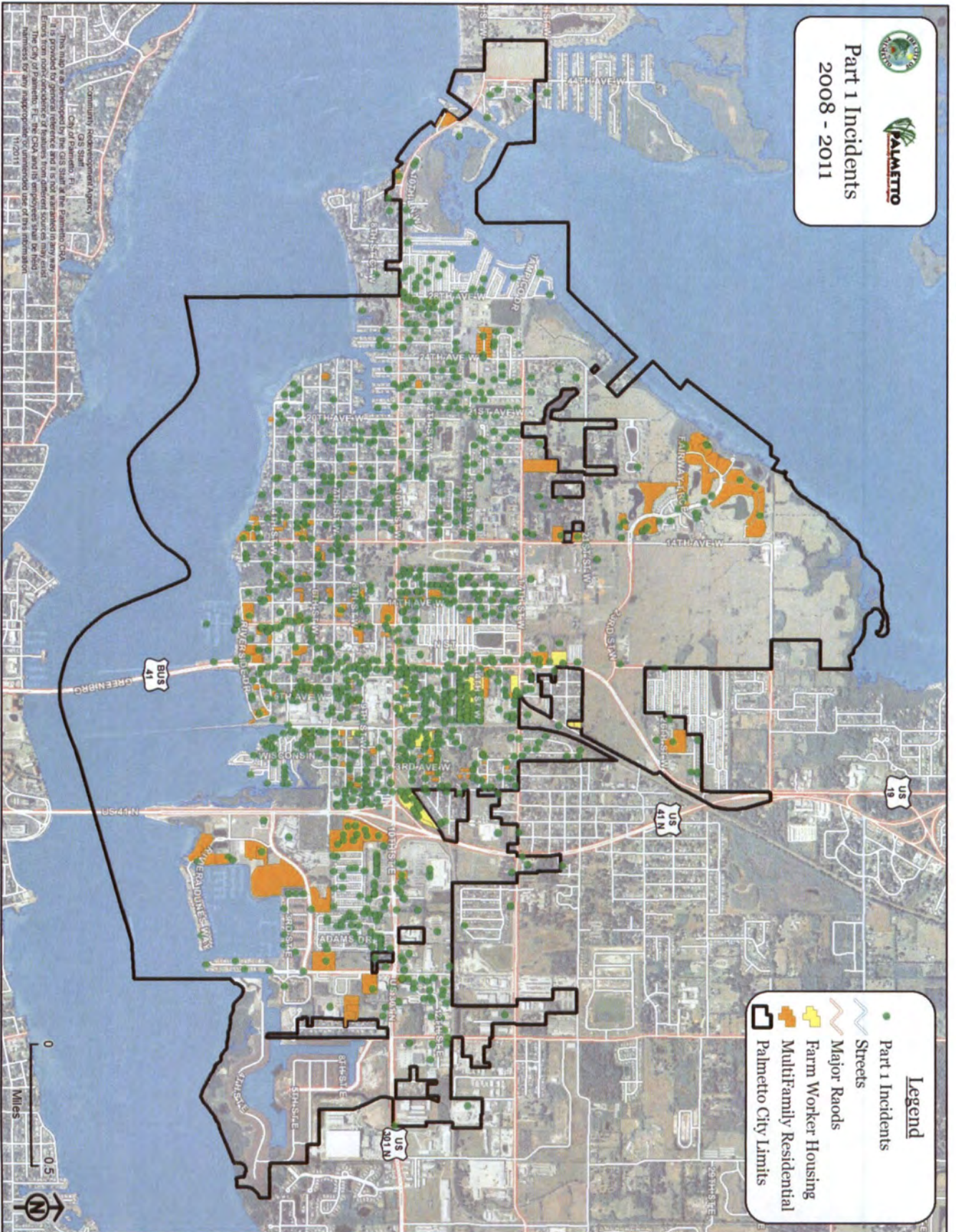


Farm Worker Housing & MultiFamily Housing





Part 1 Incidents
2008 - 2011



Legend

- Part 1 Incidents
- Streets
- Major Roads
- Farm Worker Housing
- Multifamily Residential
- ▭ Palmetto City Limits

0 0.5
Miles

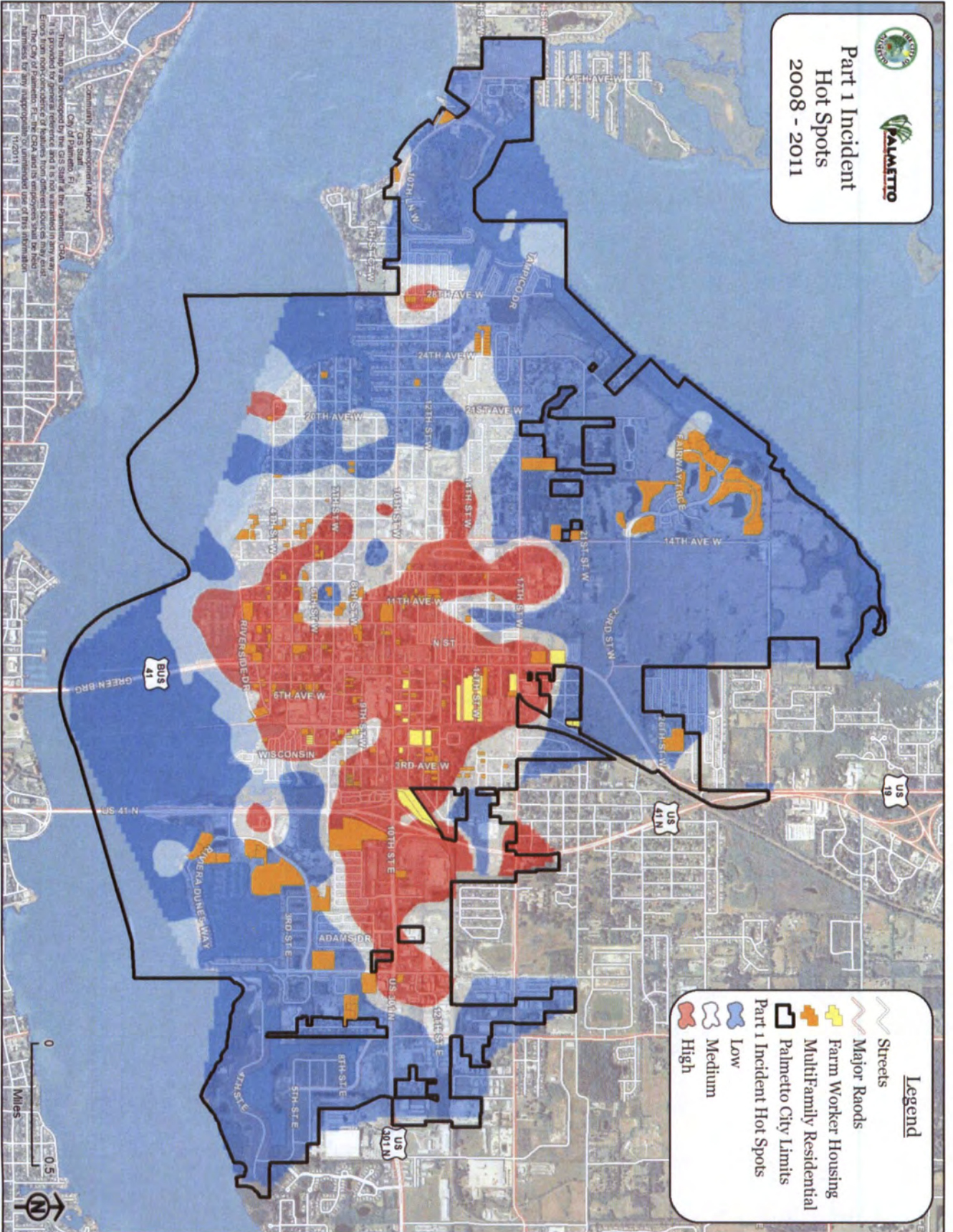


This map is developed by the GIS Staff at the Palmetto CDA and is not intended to be used for legal purposes. Errors from non-conformance of features from different sources may exist. The City of Palmetto, FL, the CDA and its employees shall be held harmless for any inappropriate or unintended use of this information. 11/2011



PALMETTO

Part 1 Incident Hot Spots 2008 - 2011

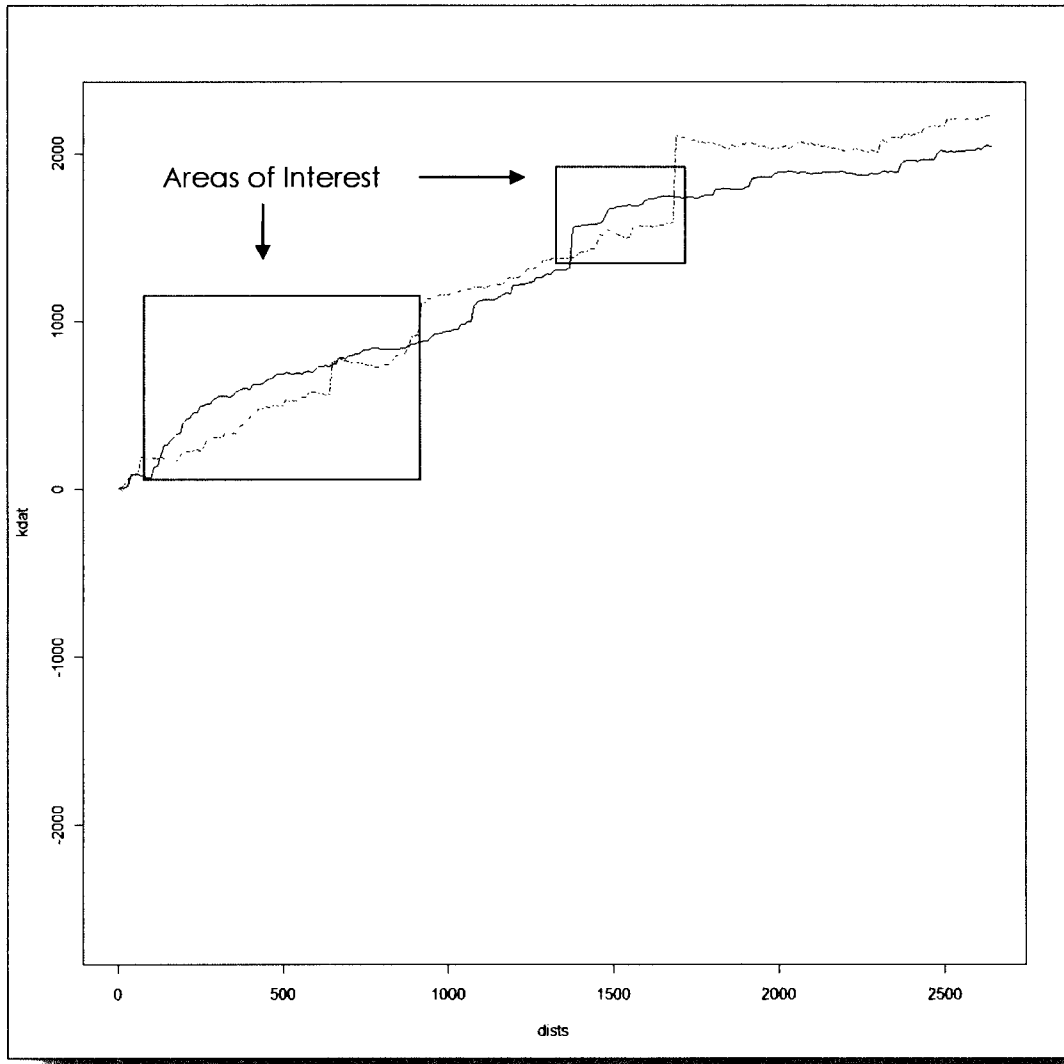


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Community Redevelopment Agency
 1001 S. State St.
 Palmetto, FL 34107

Result 1:

There is a positive statistical correlation between the locations of Part 1 Incidents and the locations of the Farm Worker Housing. This positive correlation is illustrated in the following chart:



This chart displays the positive relationship between the locations of Part 1 Incidents and the locations of the Farm Worker Housing. The red and green lines represent the typical values for a completely random pattern. The black line represents the comparison between our locations. Distance is on the horizontal axis (0 - 2600 feet or approximately 1/2 a mile) and the statistical calculation on the vertical axis (Cross K function). At distances of less than one thousand feet and between 1500 - 1700 feet the black line goes above the red line. The jump above the red line indicates that the values calculated from our data go outside the

typical range of values. Traveling outside the typical range of values signifies a positive relationship between the locations of the Part 1 Incidents and Farm Worker Housing.

Result 2:

After running numerous tests it was determined that there was no positive correlation between the locations of Multi-Family Residential Land Use designations and the locations of Part 1 Incidents.

Result 3:

After running numerous tests it was determined that there was no positive correlation between the locations of all parcels citywide and the locations of Part 1 Incidents.

Result 4:

Visual inspection of the hot spot analysis (kernel density raster) of Part 1 Incidents, Map titled "Part 1 Incident Hot Spots 2008-2011", appears to reinforce the previous conclusion that there is a relationship between the locations of the Farm Worker Housing and the Part 1 Incidents. The red areas indicate areas of high density for Part 1 Incidents. Ten of the fourteen Farm Worker Housing parcels or 86.12% by acreage (23.24 of 26.99 acres) is within the highest density areas for Part 1 Incidents.

Conclusion:

The results from the Cross K function (Bivariate K) analysis and the visual analysis of the "Part 1 Incidents Hot Spots 2008 – 2011" indicate that there is a positive spatial relationship between the locations of the Part 1 Incidents and the Farm Worker Housing. One potential underlying cause may be population density and socioeconomic status. It is widely believed, that in combination, these factors can lead to an increase in overall criminal incidents (Danziger, 1976, Harries, 1980). Although, further analysis is needed in order to effectively hypothesize underlying causes.

Citations:

Danziger, S. (1976), EXPLAINING URBAN CRIME RATES. *Criminology*, 14: 291–296. doi: 10.1111/j.1745-9125.1976.tb00023.x,

Harries, K D (1980), CRIME AND THE ENVIRONMENT, American Lecture Series No. 1035, <http://www.ncjrs.gov/App/publications/abstract.aspx?ID=64263>