

Tab 2

SUNNYDALE PROPERTIES, LLC.

CU-2011-03

(Farm Labor Camp)

Staff Report
Conditional Use Permit (CU-2011-03)
Farm Labor Camp
2005 & 2011 Bayshore Road and 500 20th Street W

BACKGROUND

Sunnydale Properties, LLC is the applicant of this Conditional Use (CU) for a farm labor camp located within a Residential Multi-Family (RM-6) zoning district. The subject property is currently being used for a farm labor camp that is surrounded by commercial zoning in both the City and unincorporated Manatee County. The definition of *Farm Labor Camp* in the Zoning Code is:

One (1) or more buildings or structures, or any portion thereof, together with the land appertaining thereto, established, operated, furnished as an incident of employment or used as a living quarters for seasonal, temporary or migrant farm workers or their families, whether or not rent is paid or reserved in connection with the use or occupancy of such premises.

In 2008, the subject property was annexed into the City, assigned the Res-10 plan category and rezoned from County CG to City RM-6 consistent with the following Plan policy:

Policy 3.6.8: The City may consider plan amendment requests for additional residential acreage consistent with the Future Land Use Element when and where substantiated by residential growth trends and need for affordable housing.

The 2008 staff report indicated that the annexation request was made to address health safety issues relating to a failed septic system. The subject property containing 12 residential units is now connected to City water and sewer.

ADDRESS/PARCEL ID/SIZE

1. 2005 Bayshore Road/2436500009/0.28 acres
2. 2011 Bayshore Road/2436200006/0.39 acres
3. 500 20th Street W/2435900002/0.21 acres

Total site: 0.88 acres

PLAN CATEGORY/ZONING DISTRICT/EXISTING LAND USE OF SUBJECT PARCELS

1. 2005 Bayshore Road/RES-10/RM-6/multi-family residential
2. 2011 Bayshore Road/ RES-10/RM-6/ multi-family residential
3. 500 20th Street W/ RES-10/RM-6/vacant land

Total number of MF residential units: 12

PLAN CATEGORY/ZONING DISTRICT/EXISTING LAND USES OF SURROUNDING PROPERTIES

1. North: City-GCOM/CG/vacant land

2. South: County - RES-9 /GC/ multi-family residential
3. East: County - RES-9/GC/vacant land & right-of-way
4. West: County - RES-9/GC/ multi-family residential

A conditional use permit may be issued for small (less than 10 units) and large (more than 10 units) farm labor camps within the RM-6 zoning district. The subject property with 12 units is considered a large farm labor camp with a density of 13.6 du/ac.

The City's Comprehensive Plan permits farm labor camps in appropriate locations of the City and encourages the provision of affordable housing within the City limits as demonstrated by the following Plan objective and policies:

Objective 3.9: Continue to recognize the need for safe and sanitary farm worker housing within the City.

Policy 3.9.2: The City will permit farm worker housing in appropriate locations in accordance with the City's land development regulations.

Policy 3.5.1: The City shall provide information, technical assistance and efficient permitting processes to assist the private sector to maintain a rate of housing production especially for affordable housing sufficient to meet the needs of the population.

REQUESTED APPROVAL

The following conditions have been analyzed in reviewing this request:

1. The proposed use shall be consistent with the purpose and intent of the applicable zoning district regulations, this article, and the comprehensive plan.

The use currently exists. The proposed request for a farm labor camp conditional use within the RM-6 zoning is required for consistency with the City's Comprehensive Plan and Zoning Code.

2. The proposed use shall be compatible with surrounding land uses and the general character of the area, considering, without limitation, such factors as traffic, lighting, appearance, and effect on surrounding property values.

The subject property is bordered by multi-family residential uses on the west and vacant multi-family residential uses to the south. Generally, the surrounding uses for the most part are located in the county and zoned for light commercial uses such as offices, retail, personal and professional services and multi-family residential uses.

3. The conditional use will not adversely impact on the public interest or adjacent property and all necessary alternative measures shall be taken by the applicant to prevent any such impact.

The farm labor camp was annexed into the City in 2008 to connect to City water and sewer and has operated as such at this location since then. The farm labor camp has access onto

Bayshore Road and is not expected to have an adverse impact on commercially zoned lands and multi-family uses which surrounds the subject site.

The City's zoning ordinance contains landscape buffering requirements for adjacent uses that are less intense than the proposed use. In this case, the adjacent uses are comparable to the subject farm labor camp use which is considered multi-family residential uses for purposes of comparison. In addition, the parcel located at 500 20th Street W consists of a 32' vacant strip of land which buffers the subject property from the adjacent multi-family use to the west.

4. The conditional use is not discriminatory, considering similar situations in the general area and in past decisions under this article.

This request is not discriminatory. While there are other existing farm labor camps located within the City limits, there is no record of a Conditional Use approval for this use. A CU application to recognize existing farm worker housing at 713 17th Street W and to add 2 more buildings was denied in 2008. Another application by Taylor Fulton, Inc. for farm worker housing at 409 9th Street W was withdrawn on April 12, 2004.

5. The purpose of the requirement is otherwise fully achieved, or more important purposes of this article will be served thereby, or the requirement serves no valid public purpose in the particular case.

The requirement provides a valid public purpose. A farm labor camp is only permitted with a conditional use permit in RM-6. In this case the use is already established. The Conditional Use permit affords the community an opportunity to review and evaluate whether a site is appropriate for farm labor camps while recognizing the need for these uses, consistent with the objectives and policies of the Housing Element of the Comprehensive Plan.

6. The proposal shall be consistent with the stated purpose and intent of the applicable district regulations and this article.

This Conditional Use proposal for a farm labor camp is permitted in the RM-6 zoning district as outlined in Sec. 4.2, the use table of the City's zoning ordinance.

7. The proposal shall comply, where applicable, with the regulations of the zoning district in which the proposed use is most commonly permitted.

This Conditional Use proposal for a farm labor camp complies with the RM-6 zoning district which is the only district in which farm labor camps are allowed as a conditional use.

8. The proposal shall not create hazardous vehicular or pedestrian traffic conditions or any other type of unsafe condition.

The farm labor camp has existed at this location for several years and is not expected to create hazardous vehicular or pedestrian traffic conditions, nor is it expected to create any

other type of unsafe conditions. While its location north of 17th Street W on the west side of Bayshore Road is somewhat secluded, it is also in close proximity to commercial uses to serve the residents of the farm labor camp.

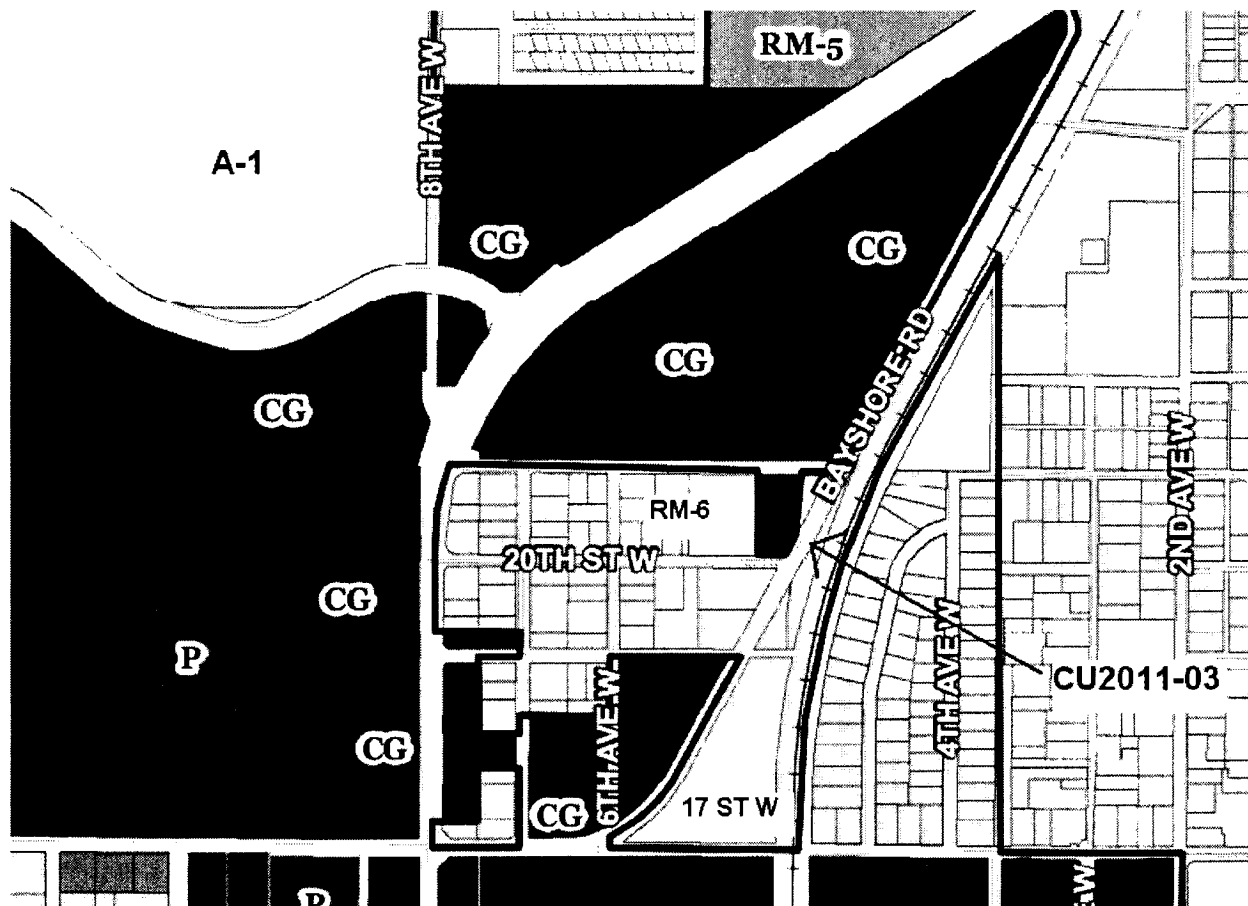
STAFF RECOMMENDATION:

Staff recommends approval of the proposed conditional use permit given the location of the subject property which is surrounded by commercial zoning and compatible land uses.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board shall recommend **APPROVAL, APPROVAL WITH CONDITION(S) or DENIAL** the proposed conditional use permit.

**ZONING MAP FOR CONDITIONAL USE 2011-03
FARM LABOR CAMP
2005 & 2011 BAYSHORE ROAD & 500 20TH STREET W**



Sunnydale Properties LLC
CU 2011-03

LAND USE PLAN MAP FOR CONDITIONAL USE 2011-03
FARM LABOR CAMP
2005 & 2011 BAYSHORE ROAD & 500 20TH STREET W



Sunnydale Properties, LLC.

