

**DRAFT MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
January 19, 2012 – 5:30 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

PLANNING AND ZONING BOARD MEMBERS

ERIC GILBERT,
JAMES PASTOR
BARBARA JENNINGS

JON MOORE
CHARLIE UGARTE -Absent

Staff

Lorraine Lyn, City Planner
Scott Rudacille
Linda Butler

Anyone wishing to speak before the Planning and Zoning Board must sign in prior to the meeting, stating name, address and topic to address. All comments will be limited to two minutes.

“Do you swear or affirm that the evidence or factual representations that you are about to give or present to the Planning and Zoning Board on this 19th day of January 2012 are truthful?”

ORDER OF BUSINESS:

1. Election of 2012 Officers

Tab 1

Mrs. Jennings moved to nominate Mr. Ugarte as Chair. Mr. Moore moved to nominate Mr. Pastor as Chair. After discussion Mrs. Jennings rescinded her nomination and moved to keep the current officers. Eric Gilbert as Chair and James Pastor as Vice Chair. Mr. Moore seconded. **MOTION CARRIED UNANIMOUSLY.**

2. Approval of December 15, 2011 Meeting Minutes

Tab 2

Mr. Pastor moved to approve the December 15, 2011 meeting minutes. Mr. Moore seconded. **MOTION CARRIED UNANIMOUSLY.**

3. ***Continuance from December 15, 2011***

SpaceBox Palmetto, LLC. Conditional Use (CU-2011-05)

Tab 3

Application withdrawn

Ms Lyn stated Jack May; agent for the applicant withdrew the conditional use application for additional signage. Staff and Council worked closely together and determined a conditional use application is not warranted if the applicant is willing to decrease the total square footage of signage originally requested. The applicant agreed. The code allows 100 sq ft of signage in the commercial districts and 150 sq. ft in the industrial districts. An interpretation of the code will be brought back at the February meeting.

4. **Farm Labor Camp Conditional Use Stipulations Ord. 2011-33**

Tab 4

Chair Gilbert stated he distributed a printout titled Farm Worker Housing Facilities located within the City of Palmetto.

Lorraine Lyn, City Planner reported on the agenda item. Ms. Lyn stated the City Commission held workshops to discuss farm labor camps on October 3 and 17, 2011 and November 7, 2011. The Commission voiced concerns about maintaining the gateways into the City as well as the safety of residents of farm labor camps.

Currently there are 15 facilities located within the City of Palmetto, with only one operating with a conditional use permit. Farm labor camps require permitting through Manatee County Department of Health (DOH) which monitors sanitation and health standards relating to construction, operation and maintenance of these facilities. According to DOH staff, the State's farm housing permit process is independent of local codes or ordinances.

The existing zoning ordinance allows farm labor camps as a Conditional Use (CU) in the RM-6 zoning district but the Code does not contain any standards or criteria by which to consider these uses. Section 4.2, Schedule of Permitted and Conditional Uses by District of the current Code identifies a "small farm labor camp" as 10 units or less and a "large farm labor camp" as more than 10 units but the Code does not contain any information or requirement distinguishing these categories.

The proposed ordinance contains standards relating to maintaining farm labor camps in good condition, installing lighting and security cameras, requiring contact information from the owner and property manager and requiring follow-up inspections by Code Enforcement.

Mrs. Jennings asked when the notices were mailed out. Ms. Lyn stated they were mailed on January 4th. It was at the request of this Board that the affected properties owners be notified.

Mr. Rudacille stated the Board was sent an e-mail on yesterday and as Ms. Lyn stated it was this board recommendation that notices be sent out especially to the farming industry to obtain their input. Council is recommending that this item be continued so that City staff will have an opportunity to meet with the farming industry and anyone that will be impacted to review their issues and concerns.

Mrs. Jennings asked how many of the existing camps will be impacted by the proposed ordinance. Ms. Lyn stated based on the list Chair Gilbert distributed it will be three. Mrs. Jennings requested information showing the percentage of Manatee County's migrant workers or housing facilities that are located in the City of Palmetto?

Chair Gilbert stated he would like to see a map showing farm labor camp facilities location and the gateway areas. Ms. Lyn stated a map will be provided at the next meeting showing the location of the camps and whether they fall into the gateway area.

Mr. Moore stated there is documentation showing the heaviest pedestrian traffic area is the 301 corridor, primarily the Wal-mart area. If we are going to accommodate the segment of population that we say we need it would make sense to have them in walking distance of what they need. The question is does the buffer that is being proposed along 301 becomes counterproductive in maintaining a pedestrian connection.

Chair Gilbert opened the public hearing.

Mr. David McDaniel, representative of Pacific Tomato stated he is grateful that this agenda item will be continued. Mr. McDaniel stated he has read the staff report and the proposed ordinance and there appears to be some disagreement about the intent of the ordinance and how it works and they look forward to working this out and finding answers. Mr. Heller CEO has said many times they are good neighbors and wish to continue to do so.

The answer to the question regarding how many properties will be affected, 8 of the 15 identified will touch the 300 ft buffer. The properties that are outside of the RM-6 zoning have no way of obtaining a conditional use permit. There are 5 that have improper zoning and can't even get a conditional use permit. Pacific Tomato has been operating the farm housing complex since 1976. As representative for his client they look forward to engaging in conversation with the City. For Pacific Tomato to bring this property into a conforming use will require a lot of different issues and will need to be sorted out.

Shirley Groover- Bryant, Mayor, stated lot of the issues is being driven by stats. A lot of statistical analyst has been performed and the finding is those farm workers is being victimized and are attracting elements that are detrimental. Mayor Bryant stated in looking at the 300 ft buffer and how many will be impacted, maybe a discussion need to be had regarding the different depth you would want to consider it going back and some alternative for some of the

properties that have different zoning. Some benchmarks need to be set for the City rather than leaving it up to the Health Department. Most of the owners of these facilities want to work with the City. Mayor Bryant stated she also recommends continuing the agenda item and she will recommend the same at the Commission meeting on Monday night.

Action request: Mrs. Jennings moved to continue the Farm Labor Camp Conditional Use Stipulations Ord. 2011-33 until February 16th 2012 @ 5:30 Commission Chambers. Mr. Moore seconded. **MOTION CARRIED UNANIMOUSLY.**

5. Old Business

- a. None

6. New Business

The 2012 Meeting Schedule is in the notebooks.

- Ms. Lyn stated the Arbor Day Tree Planting is tomorrow, January 20, 2012 at 1pm at Hidden Lake Park. The Tree Board is invited to attend. A representative of the Tree Board is on the agenda to speak.
- Mr. Moore asked if the Downtown Development Guideline (DDG), are just guideline or in fact an ordinance. Mr. Rudacille stated they were adopted by ordinance, there has been discussion regarding that issue. Mr. Rudacille stated he will report back with the answer after he speaks with Mr. Barnebey. Mr. Moore recommended if the DDG is an ordinance then the title should be changed, remove guideline.
- Mr. Moore asked if the City has a light ordinance, if not this is something the City should consider. Mr. Rudacille stated he will research and report back. Most communities have some type of guideline.
- Mrs. Jennings asked if the City have a noise ordinance and what, if anything can be done regarding noise from another jurisdiction. Mr. Burton stated speaking as a former City of Bradenton employee an incident of this nature happened in the past with a restaurant called the High Sea of Palma Sola Bay, the people in the loop, that lives in the County called and the City of Bradenton enforced the noise ordinance. This happen about 10 years ago. Mr. Burton suggested finding the records and take it to the City of Bradenton.

6. Adjournment 6:30