

TAB 2



City of Palmetto Agenda Item

Meeting Date

10/3/11

Presenter: Lorraine Lyn

Department: Planning

Title:

**Workshop on Farm Labor Camps and Migrant housing
Staff from Code Enforcement, Planning, Building, Attorney's Office, CRA, NR Fire District and
the Police Department were involved with this agenda item.**

Following a petition for a Conditional Use (CU) permit for a farm labor camp in the City, staff was asked to develop standards for conditional use permits that would address and avert future violations at these sites. Currently, farm labor camps are allowed as a Conditional Use in the RM-6 zoning district only. The attached updated list of farm labor camps in the City shows that there are several facilities located within commercial zoning districts as well. Staff recommends that the Zoning Code be amended to allow consideration of farm labor camps as a Conditional Use in office and commercial zoned areas which are generally considered more intense with less impacts.

The Code currently identifies 2 levels of farm labor camps; small (10 units or less) and large (10 units or more). Staff recommends a single use since there are no distinctive differences and the size or number of units will be available for review with each CU application.

Based on Code Enforcement's experience with farm labor camps, staff provided a list of stipulations which were incorporated into the proposed Sec. 6.24 which future farm labor camps would have to meet as a condition of a CU approval. The City Attorney's office recommended that at a minimum the City should stipulate compliance with Department of Health (DOH) requirements for farm worker housing. In that way the City will have recourse, instead of relying on DOH, if it is determined that farm labor camps are not in compliance. The Building Department added 2 additional requirements.

It should be noted that these recommendations, if approved, are a minimum. The City Commission would have to hear each CU application for a farm labor camp. At that time, depending on the particular case, location and circumstances, the Commission could impose additional conditions that are deemed appropriate.

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

Potential Motion/Direction Requested: The City Commission MAY or MAY NOT proceed with the recommendations

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

Attachments: Farm Labor Camp Recommendations, List of DOH permitted and pending farm labor camps in the City and DOH Guidelines

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	C	C	C	C	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

All farm labor camps within the City shall comply with the following requirements:

1. Prior to granting an Occupational License, the Building Department shall:
 - Inspect all farm labor camps 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).
 - Obtain the name, office, address and phone number(s) of the property manager responsible for maintaining the premises (structures and grounds).
2. When a farm labor camp abuts an existing residential use:
 - Screening shall consist of a 6 foot high opaque fence or wall along the boundary/ies of the farm labor camp and the residential use/s;
 - There shall be no parking of commercial vehicles and/or busses on the farm labor camp site.
3. All vehicles on site must be operable and display a current registration tag.
4. Clothes lines for air drying laundry must be screened from public view.

Migrant Farm-workers and Residential Migrant Housing Basic Guidelines Florida Department of Health

The following guidelines are a summary of department rules and regulations that apply to Migrant Labor Camps and Residential Migrant Housing. The intent of the guidelines is to provide basic information about these requirements. Chapter 64E-14, the governing rules, provides the minimum sanitation and health standards relating to construction, operation, and maintenance of migrant labor camps and residential migrant housing. Chapter 64E-14 is applicable to mobile homes, private residential rentals, rooming houses, barracks, and housing authority projects for farmworkers when these facilities constitute a migrant labor camp or residential migrant housing.

Standards

Before any person establishes, operates, or allows occupancy of a migrant labor camp or migrant residential housing, the operator/owner shall make an application for, and receive from the department, a valid permit for operation of the farmworker housing.

Application for Permits

All applications shall be filed with the department 30 days prior to the date of operation on [DOH form 4082 \(29.4 KB PDF document\)](#), Application for a Migrant Labor Camp Permit and [Instructions \(7 KB PDF document\)](#).

Permit

If the department finds after inspection that the proposed migrant labor camp or residential migrant housing operation conforms to the minimum standards required by the rules, and the applicant has paid the fee when required, the department shall issue a permit for operation for the migrant labor camp or residential migrant housing.

Inspections

Migrant labor camps and residential migrant housing shall be inspected AT LEAST twice quarterly during periods of occupancy except housing authorities which shall only be inspected twice annually.

Violations

When a major deficiency is reported to housing permittees or supervisors, a MAXIMUM 48 HOURS shall be given to make satisfactory corrections or provisions for correction that are satisfactory to the county health department. Continual or repeat violations of the same inspection items related to migrant farmworker housing are cause for the issuance of a fining citation.

Buildings and Structures

- (1) Buildings and structures of migrant labor camps and residential migrant housing shall be weather-tight and provide protection from the elements.
- (2) All private living quarters constructed, renovated, or used for sleeping purposes in migrant labor camps and residential migrant housing shall provide a minimum of 50 square feet for each occupant. In a room where workers cook, live, and sleep a minimum of 100 square feet per person shall be provided.

Water Supply

An approved or permitted supply of potable water under pressure with the requirements of Chapter 62-550, 62-555, and 62-560, FAC, or Chapter 64E-8, FAC, shall be available at all times during occupancy in each migrant labor camp and residential migrant housing for drinking, culinary, bathing, dishwashing, and laundry purposes.

Garbage and Refuse Disposal

Garbage shall be retained in watertight receptacles to protect contents from flies, insects, rodents and other animals.

Insect and Rodent Control

Measures shall be taken to prevent infestation by and harborage of animal or insect vectors, or pests.

Heating

All private living quarters, and bathrooms shall be equipped with heat producing devices to maintain a room temperature of 68 degrees Fahrenheit.

Lighting

At least one ceiling or wall type light fixture, and at least one separate double electric wall outlet shall be provided for private living quarters, shower and toilet rooms.

Sewage and Liquid Waste Disposal

Approved facilities shall be provided and maintained in all migrant labor camps and residential migrant housing for the satisfactory disposal and treatment of excreta and liquid waste.

Plumbing

All plumbing shall be in compliance with provisions of local plumbing codes.

Personal Hygiene Facilities

A toilet, hand washing, and bathing facility shall be located within 200 feet of each sleeping area of a migrant labor camp. Each individual family unit shall contain at least one flush toilet, bathing facility, and hand washing unit. Toilet rooms shall be located so that no individual is required to pass through a sleeping area, other than their own, in order to use toilet facilities. Adequate lighting shall be provided. Toilet rooms shall be ventilated to outside where there is no window.

Food Service Facilities

In each individual family unit, there shall be provided a range, a sink supplied with hot and cold water under pressure, and a refrigerator-freezer capable of maintaining temperatures at or below 41 degrees Fahrenheit for the refrigerator and at or below 0 degrees Fahrenheit for the freezer.

Beds and Bedding

Sleeping facilities shall be available to each migrant labor camp and residential migrant housing occupant. Every bed, cot, or bunk in migrant labor camps or residential migrant housing shall be elevated from the floor.

NOTE: The Department may issue citations to any person who (1) constructs, maintains, or operates a migrant labor camp or residential migrant housing that does not meet minimum health standards, (2) operates a facility without first obtaining a permit, or (3) operates a facility after revocation of the permit

Farm Worker Housing Facilities Located Within City of Palmetto

Name	Address	Zoning	FLUC
Permitted by Manatee County Health Department			
Carriage Court Motel	1911 8 th Ave W	CG	GCOM
Old Florida Investments (Foy-Taylor 701 11th St W)	619 11 th St W	RM-6	GCOM
	1000 block of 7 th Ave W	RM-6	GCOM
Oakridge Apartments	500 - 700 13 th St W	RM-6	RES-10
	500 - 700 14 th St W	RM-6	RES-10
	1000 1 st Ave Ct W, # 1 - 37	CG	GCOM
Pacific Tomato Growers	1001 1st Ave Ct W	CG	GCOM
	401 - 413 6 th St W	CG	GCOM
Doctor's Camp Peerless Manatee	501 11 th St W	RM-6	RES-10
Palmetto Land Company Apts	804 5 th Ave W	CN	GCOM
Taylor - Fulton 8 th St W Apts	710 5 th Ave W	CG	GCOM
Peerless 5 th Ave W Apts			
Pending permitting by Manatee County Health Department			
C&D Fruit	713 17 th St W	RM-6	GCOM
Old Florida Investments	415 9 th St W	RS-4	GCOM
Peerless Manatee Inc	408 8th St W	RS-4	RES-10
Sunnydale Apts	2005 Bayshore Rd	RM-6	RES-10
<i>Prepared 2008. Updated August, 2011</i>			