To: Chair Thiesse and Planning Commission Members
              Jessica Loftus, City Administrator

From: Jeremy Barnhart, Community Development Director

Date: June 20, 2016

Subject: #16-3840, City of Orono,
              Text Amendment: Temporary Family Health Care Dwellings
              Public Hearing

Application Summary: The proposed ordinance formally confirms that Temporary Family Health Care Dwellings are not permitted in the city of Orono.

Staff Recommendation: Planning Department Staff recommends approval of the ordinance as drafted.

List of Exhibits
Exhibit A.   Draft Ordinance
Exhibit B.   Applicable state law

Background
During the 2016 legislative session, the Minnesota legislature enacted a law allowing "Temporary Family Health Care Dwellings" (TFHCD, or drop houses) in Minnesota. These Dwellings are 300 sq. ft., usually on a trailer, are connected to the houses electricity and water sources, contain a sewage tank for pumping, and can be placed anywhere on the property. The legislature noted that these drop houses provide a viable housing option for patients needing care provided by others, but not necessarily in a hospital or nursing facility. The legislature also wanted to allow these structures to be placed quickly, noting that an extended review period would negate the benefits of the temporary structure. The law states that if the applicant meets 9 conditions, the city must decide on a permit within 15 days of receipt of a permit application.

One of the conditions imposed by the statute is that the accessory building must meet all city codes and ordinances. City Ordinance Section 78-1372 prohibits the use of a trailer or accessory building to be used as an occupied dwelling. Guest Houses are allowed in certain districts, meeting certain size requirements, as a conditional use.

The statute also allows a city to 'opt-out' of the requirements of this statute. To alleviate possible confusion and to avoid situations where a property owner may place a Temporary Family Health Care Dwelling as a guest house, the proposed ordinance opts out of the statute.