

**MINUTES OF THE
ORONO CITY COUNCIL MEETING
Monday, June 20, 2016
6:30 o'clock p.m.**

Council
Exhibit C
16-3840

10. #16-3840 CITY OF ORONO, TEXT AMENDMENT: TEMPORARY FAMILY HEALTH CARE DWELLINGS, 8:40 P.M. – 8:49 P.M.

Barnhart stated during the 2016 Legislative session, the Minnesota legislature enacted a law allowing “temporary family health care dwellings” in Minnesota. These dwellings are 300 square feet, usually on a trailer, that are connected to the houses’ electivity 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 statute 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.

Staff recommends approval of the text amendment. Barnhart noted this was not on the City’s list of priorities but it was identified by the Council in early May that this should be moved to the top of the list prior to the statute becoming effective in September.

Schoenzeit asked if it is like a blood mobile or a library mobile.

Barnhart stated there is actually a company out there that provides this service. The dwelling basically consists of 300 square feet with a holding tank for the septic. The dwelling can be hooked up to water and electricity from the main house and is essentially an addition that is parked in the yard.

Thiesse asked if this is something the City might want to allow. Thiesse stated he can understand the concern about maintaining some control over it but that it might be something the City would want to discuss a little bit more.

Barnhart stated the mobile dwellings are designed to provide avenues for people to get healthcare and that Mr. Thiesse raises a very valid point. Barnhart noted the City’s ordinance already prohibits it and that he did not want to have an ordinance that prohibits it and then have a statute that allows it. Barnhart stated

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the purpose of the text amendment is to clarify it and that perhaps later in the year the City can discuss it further.

Leskinen stated adopting this does not shut the door on it permanently but simply just clarifies what is already on the books. Leskinen stated the City could choose to allow it at some point.

Barnhart stated in his view it would be worthwhile to revisit it.

Lemke asked what the definition is of a guest house and whether a trailer would be considered a guest house.

Barnhart stated a trailer is specifically listed as those that are not allowed for dwelling units.

Curtis stated the definition of a guest house is an accessory separate dwelling constructed on an existing undivided lot for the sole use of the occupants, including their domestic employees or the nonpaying guests of the primary dwelling. All regular lot requirements will be met by the guest house.

Barnhart stated under 1372 in the draft ordinance it says: no cellar, basement, tent or accessory building shall at any time be used as an occupied building. Barnhart indicated he added the words “unless otherwise approved as a guest house.” Barnhart stated the City allows guest houses as an accessory building and a tent and a trailer are expressly listed as those that are not appropriate for a dwelling.

Planning Staff recommends approval of the ordinance as drafted.

Chair Thiesse opened the public hearing at 8:48 p.m.

There were no public comments regarding this application.

Chair Thiesse closed the public hearing at 8:48 p.m.

Leskinen moved, Olson seconded, to recommend approval of Application No. 16-3840, City of Orono, Text Amendment, Temporary Family Health Care Dwellings. VOTE: Ayes 5, Nays 0.