



MEMO

To Mayor and City Council
From Lindy Crawford, City Administrator
Date September 13, 2016
Re Amend Chapter X, Zoning, Section 1011– Temporary Health Care Dwelling Opt-Out

On May 12, 2016 the governor signed into law a bill creating a process whereby landowners can place mobile residential dwellings on their property to serve as a temporary family health care dwelling. This law requires all cities to allow these temporary dwelling units as a permitted use unless the City enacts an ordinance opting out of the new law.

Because these dwellings fall under the classification of recreational vehicles, most provisions of the State Building Code do not apply. The time frame under the state law for occupancy of these structures is up to six months. More information on this law is attached in the FAQ sheet from the League of MN Cities.

The new law would alter the city's level of zoning authority for these types of structures (recreational vehicles), which staff does not feel is consistent with the desired character of the City. Staff has provided draft ordinance language opting out of the new law below. This language is proposed to be added to the zoning ordinance, Section 1011.02 Subd. 2 – Dwelling Unit Restriction:

Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Tonka Bay opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

Attachments

Temporary Health Care Dwellings FAQ Sheet
Proposed Ordinance Language
Summary Ordinance
Resolution 16-34

Council Action Requested

Motion to approve Ordinance 2016-03 amending Section 1011 Subd. 2 – Dwelling Unit Restriction. Motion to adopt Resolution 16-34 approving summary publication for Section 1011 Subd. 2 – Dwelling Unit Restriction.