



Legislation Details (With Text)

File #: Ord. 985 **Version:** 1 **Name:**
Type: Ordinance **Status:** Second Reading
File created: 12/16/2016 **In control:** City Council
On agenda: 2/7/2017 **Final action:**
Title: Consider Temporary Family Health Care Dwellings Ordinance

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1 - Ordinance, 2. 2 - Planning Commission Rationale, 3. 3 - TFHCD PowerPoint Presentation

Date	Ver.	Action By	Action	Result
1/17/2017	1	City Council	approve the first reading	Pass

Date: February 7, 2017

To: City Council

From: Scott Tempel, City Planner

Consider Temporary Family Health Care Dwellings Ordinance

Action Requested:

The Northfield City Council approves the second reading of an Ordinance to permit Temporary Family Health Care Dwellings in residential zoning districts in Northfield.

Summary Report:

Attached is a draft ordinance allowing Temporary Family Health Care Dwellings (TFHCD) in Northfield residential districts. Key components of the ordinance include:

- TFHCD are allowed only as an accessory use on owner-occupied residential properties.
- Administratively issued permits are good for six months with one extension.
- Units must be less than 240 square feet and meet specific construction standards.
- Units must be on an improved surface and have utility service.

On May 12, 2016, Governor Dayton signed into law a bill passed during the 2016 legislative session requiring cities to allow temporary family health care dwellings. A temporary health care dwelling would be occupied by a mentally or physically impaired person on a residential lot that is owned and/or occupied by a relative or caregiver of the mentally or physically impaired person occupying the temporary family health care dwelling. Unless a municipality passed an ordinance before September 1, 2016 opting out of this statute, the law became effective statewide. Cities that opted out of the law may adopt their own ordinance allowing the use.

The Planning Commission reviewed the law related to Temporary Family Health Care Dwellings at the July 21st, 2016 Planning Commission meeting. The Planning Commission reviewed the findings laid out in the staff

report and concurred the City of Northfield should opt out of the statute. The Planning Commission unanimously passed a motion recommending the City Council adopt the ordinance opting out of the legislation. The ordinance passed first reading at the August 2nd, 2016, City Council meeting and passed at the second reading on August 16th, opting Northfield out of the law.

Both the Planning Commission and the Council expressed desire to develop new language in the Land Development Code (LDC) to address Temporary Family Health Care Dwellings. Staff consulted with Planning and Zoning Consultant Bill Weber to assist in the analysis and to draft ordinance language to expedite this process. The Planning Commission discussed the issue and reviewed draft Ordinance language at its October 20th and November 17th meetings and provided further direction to staff. The proposed language was also shared with the Northfield HRA and the Affordable Housing Task Force.

On December 15, 2016, the Planning Commission conducted a public hearing on the proposed ordinance following publication of the notice in the Northfield News. There were no comments received in writing or at the public hearing regarding this issue. Following the public hearing, the Planning Commission discussed the draft ordinance and made several technical changes. The Planning Commission then voted to recommend approval of the Temporary Family Health Care Ordinance to the City Council.

Included in the agenda packet is the proposed ordinance language for Temporary Family Health Care Dwellings, the Planning Commission rationale for approval from the LDC and the Northfield Comprehensive Plan, and a PowerPoint presentation on TFHCD's.

Alternative Options:

The City Council can choose to amend or deny the proposed Ordinance.

Financial Impacts:

There is no direct financial impact to the City of Northfield.

Tentative Timelines:

The City Council approved the first reading of Ordinance No. 985 on January 17, 2017. If approved, the summary publication of the ordinance will be on Wednesday, February 15, 2017. The ordinance would then be effective on March 15, 2017.