

MEMORANDUM

TO: City Planning Commission, Committee of the Whole

FROM: [Mei-Ling Smith](#) – CPED Land Use, Design, and Preservation

DATE: July 21, 2016

SUBJECT: Zoning code text amendment – temporary family health care dwellings

Background

On May 12, 2016, Governor Mark Dayton signed into law Minn. Stat. § 462.3593, which allows for the creation and regulation of temporary family health care dwellings. A “temporary family health care dwelling” – also known as a “drop house” – is a mobile, independent living facility that can be located on a property where a caregiver, or caregiver’s relative who is receiving health care assistance, resides. A “caregiver” is defined in the statutes as the relative, legal guardian, or health care agent of the mentally or physically impaired person who is receiving assistance with two or more instrumental activities or daily living.

Under the statute, the temporary dwelling cannot be attached to a permanent foundation and it may not exceed 300 square feet in size. The dwelling is required to comply with all stormwater, shoreland, setback, and easement requirements, and must also meet state-recognized accessibility standards. Cities may permit temporary family health care dwellings for up to six months, unless an additional six-month extension is granted. Additional criteria and regulatory processes are listed in the statute.

The statute requires all Minnesota cities to issue permits to qualified applicants beginning September 1, 2016. However, subdivision 9 of Minn. Stat. § 462.3593 allows cities to “opt out” of these regulations, as long as it is codified in ordinance. The City of Minneapolis is choosing to opt out of the temporary family health care dwelling program.

Attachments

- Draft ordinance

ORDINANCE

By Glidden

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Chapter 520, Introductory Provisions, be amended by adding thereto a new Section 520.85 to read as follows:

520.85. Temporary Family Health Care Dwellings.

Pursuant to authority granted by Minnesota Statutes, the City of Minneapolis opts-out of the requirements of Minnesota Statute 462.3593, which defines and regulates temporary family health care dwellings.