



Council Work Session
Monday, February 22, 2021
5:00 P.M.
Orono Council Chambers,
2780 Kelley Parkway, Orono, MN 55356

WORK SESSION AGENDA

The Orono Council Work Session is open to the public

1. Boat Storage Regulations Discussion
2. City Administrator Search Update



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Past Meeting Agendas

February 8, 2021

- City Administrator Search Update

January 25, 2021

- Deer Hunting
- City Administrator Search Update

January 11, 2021

- Update/Direction on Medina Fire District Discussions
- City Administrator Search Process Update
- Update of Text Amendments
- Text Amendment Boat Storage Discussion

Annual Discussions Timeframe:

- Budget: Part of June, All of July, August and October.
- City Administrator & Police Chief Update (3 times per year for 15 minutes)

CITY OF ORONO MEMORANDUM



DATE: February 22, 2021
TO: Mayor Walsh, City Council members
FROM: Jeremy Barnhart, AICP, Community Development Director
RE: Planning Commission Vacancy update

The City Council directed staff to prepare revisions to the Boat Storage regulations for consideration at an upcoming Council workshop, and “to keep the regulations simple”.

Staff has prepared a draft for discussion purposes. This draft:

- Requires all boats to be licensed, but removes the operable requirement. It is the operable requirement that the City Attorney noted difficulty in enforcing as written.
- Removes the length distinction. If the Council wants to keep length, must add measurement definition.
- Places boats/ and trailers in any yard throughout the year, with a 5’ setback.
- Removes dispute resolution via Staff. Unclear how binding that process would be.

General discussion

1. Does the Council want different rules for summer or winter storage?
2. Does the Council want to avoid having boats in a particular area (front yard, lake yard)?
3. If the requirement was to place boats on paved surfaces (for weed control primarily), boat storage options would be reduced (Outside of lakeshore, etc.)
4. Does the Council want to introduce inoperable as a nuisance?

Deephaven defines Inoperable vehicles, including boats/ trailers as a nuisance if (1) has a broken, missing or defective part that is necessary for normal operation thereof; (2) is stored on blocks, jacks or other supports; or (3) does not display a license or displays a license that is 60 days or more past its required renewal date.

I am working on generating a table to allow for the comparison of regulations from other cities, and hope to have that for discussion on Monday.

Sec. 78-1577. - Exterior storage in R districts.

In all R districts, it is the responsibility of the owner of any property, improved or unimproved, to maintain the outdoor areas; including courtyards and the like, of the property and adjacent rights-of-way in a manner that complies with the following requirements. All recreational vehicles, mobile homes, camping trailers, motor homes, pickup coaches, travel trailers, special mobile equipment, and utility trailers shall meet the requirements of this Code. Additionally, all exterior storage must comply with subdivision (6) of this section.

(1) *Definitions:*

- a. *Blight* means a deteriorated condition, something that impairs or destroys.
- b. *Junk* means any cast-off, damaged, discarded, junked, obsolete, salvage, scrapped, unusable, worn-out or wrecked object, thing or material composed in whole or in part of asphalt, brick, carbon, cement, plastic, or other synthetic substance, fiber, glass, metal, paper, plaster, plaster of paris, rubber, terra cotta, wool, cotton, cloth, canvas, organic matter or other substance, regardless of perceived market value or requiring reconditioning in order to be used for its original purpose.
- c. *Recreational vehicle. Mobile home and recreational vehicle* shall mean and include the following definitions, and shall not include any manufactured housing unit bearing a State of Minnesota manufactured housing seal or certificate, for uses including but not limited to those listed below:
 1. *Camping trailer* means a folding structure, mounted on wheels and designed for travel, recreation and vacation uses, also called a pop-up camper.
 2. *Motor home* means a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
 3. *Pickup camper* means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.
 4. *Travel trailer* means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently identified as a travel trailer by the manufacturer of the trailer.
- d. *Special mobile equipment* means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch digging equipment, moving dollies, pump hoists and other well-drilling equipment, street sweeping vehicles, and other machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving equipment. The term does not include travel trailers, dump trucks, truck-mounted transit mixers, truck-mounted feed grinders, or other motor vehicles designed for the transportation of persons or property to which machinery has been attached.
- e. *Utility trailer* means any motorless vehicle, other than a boat trailer or personal watercraft trailer, designed for carrying of snowmobiles, motorcycles, all terrain vehicles, or property on its own structure and for being drawn by a motor vehicle but shall not include boat trailers, a trailer drawn by a truck-tractor semitrailer combination, or an auxiliary axle on a motor vehicle which carries a portion of the weight of the motor vehicle to which it is attached.

(2) *[Parking regulated.]* Parking of recreational vehicles, mobile homes and utility trailers shall be regulated as follows:

- a. It is unlawful for any person to park a mobile home or recreational vehicle upon public property for human habitation

- b. It is unlawful for any person to park or store a utility trailer, mobile home, recreational vehicle in any "R" district for more than 24 hours, except in a side or rear yard at least five feet from any property line.
 - c. It is unlawful to use a mobile home or recreational vehicle for human habitation on any private property for more than 72 hours without a permit from the city.
- (3) *Vehicle storage.* All vehicles parked or stored on any property within the city shall be operable and currently licensed. The parking of vehicles, other than recreational vehicles, in "R" districts is regulated as follows:
- a. Parking of vehicles other than recreational vehicles, with a maximum gross vehicle weight (GVW) of 14,000 pounds or less is allowed in all "R" districts.
 - b. Parking of vehicles in "R" districts in excess of 14,000 pounds GVW has the potential to create negative impacts on the surrounding neighborhood. These impacts may include noise (from operation as well as maintenance of vehicle); vibration; glare; odors; soil/water contamination (from dripping, washing, etc.); hazards to pedestrians by way of proximity, especially on private roads; wear and tear on local or private roads; propensity to offload remaining cargo on site at end of day; and visual incompatibility with the character of a neighborhood. Such use may be acceptable under certain conditions in zoning districts where lot areas are generally two acres or larger. Therefore, parking of such vehicles requires each of the following conditions be met:
 - 1. Property owner must be vehicle owner or operator.
 - 2. Vehicle must be set back 50 feet from property lines.
 - 3. Vehicle must not be visible from neighboring properties and public streets; vegetative screening is preferred.
 - 4. Maintenance of said vehicle shall occur within an enclosed building.
 - 5. The vehicle shall not constitute a nuisance at any time.
 - 6. In a shared driveway situation, the applicant shall demonstrate that the appropriate easement exists.
 - 7. Minimum lot size of five acres. For any property at least two acres but less than five acres in area, where it can be shown that prior to the effective date of this section such a vehicle was previously stored on a regular basis prior to and after January 1, 2004, a vehicle storage permit may be granted if the above conditions a. through f. are met, subject also to the following limitations:
 - i. A vehicle storage permit may only be issued for properties within the RR-1B, RR-1A, and LR-1A zoning districts.
 - ii. Such permit shall be granted only to the current property owner and only for the specific vehicle applied for. The current owner may replace the vehicle in kind, but shall not add other such vehicles. Any replacement vehicle must be registered with the city within 30 days to transfer its permitted status.
 - iii. This permit shall not apply to subsequent property owners, subsequent property owners shall not be considered as having a grandfathered permit by virtue of their predecessor's permit.
 - iv. This permit shall automatically and permanently expire if the vehicle storage is voluntarily discontinued for a period of one year.
- (4) *[Storage of boats and boat trailers.]* Boats, unoccupied boat trailers, and boats on trailers shall be subject to the following storage requirements when not stored for commercial purposes:
- a. *Licensing, operability and restorations.* All boats stored outside on a residential property shall be currently licensed to the owner or occupant of the property. ~~All boats stored on a property~~

~~shall be in operable condition, except that inoperable boats under active restoration may be stored on a property for not more than two years, the intent being to discourage the long-term storage of inoperable boats on residential property.~~

b. *Principal residence required.* No boat shall be stored on a property or on a group of contiguous commonly owned properties that does not contain a principle residence structure.

~~c. *Maximum length.* Boats and unoccupied boat trailers exceeding 30 feet in length shall not be stored on any residential property except within a fully enclosed building meeting all applicable zoning and building code standards. Exception: Existing boats over 30 feet in length which are documented to have been stored on the property within the 24 months prior to the effective date of the ordinance from which this section is derived shall be allowed to continue such storage practice until the property is sold, and shall meet the setback requirements of this section.~~

~~d. *Allowed storage locations.* Boats and unoccupied boat trailers up to 30 feet in length may be stored outside on residential property as follows:~~

~~1. *Lakeshore lots.* Boats may be stored in a side yard, street yard, side street yard and lakeshore yard as long as they meet required setbacks and have no significant impact on lake views enjoyed by adjacent neighbors.~~

~~2. *Nonlakeshore lots.* Boats may be stored in a side yard and rear yard; trailerable boats may be stored on trailers in a driveway in a front yard or side street yard.~~

e. *Required setbacks.* Boats and unoccupied boat trailers shall be stored no less than five feet from any lot line in any yard and no less than 15 feet from the principal residence structure on any adjacent lot.

f. *Screening.* Screening is not required for outside boat storage when in conformance with this section. If boats are shrink wrapped, white is the preferred color but is not mandatory.

~~g. *Dispute resolution.* Complaints regarding boats stored in lakeshore yards and potentially impacting a neighbor's views of the lake will be referred to a dispute resolution committee, consisting of the planning director, the building official, and a member of the planning and zoning staff.~~

(5) *[Prohibited parking or storage.]* Outdoor parking or storage of special mobile equipment as defined in this section shall be prohibited in any "R" district.

(6) *Prohibited material storage.* Any violation of this section is subject to abatement upon seven days' written notice to the owner of private premises on which such material is found or any conditions in violation of this code section exist. The owner of the property will be determined as shown by the records of the office of the county recorder. The city may remove such matter or correct any conditions in violation, and certify the cost of such removals or corrections as any other special assessment. Additionally, the city may also seek injunctive relief for violation of this section. Owners of private property shall remove and keep removed from all exterior areas of all residential properties the following items:

a. *Pest harborage.* All exterior property shall be free from rodent harborage and infestation. Boxes, lumber, scrap metal, and similar materials shall not be allowed to accumulate outside a structure in a manner that attracts an infestation of pests. Materials permitted and approved for exterior storage shall be neatly stacked.

b. *Trash and debris.*

1. All household garbage, offal, dead animals, animal and human waste, and waste materials.

2. Accumulations of litter, glass, scrap materials (such as wood, metal, paper, and plastics), junk, combustible materials, stagnant water, plastic bags or trash.

3. Accumulations of clothing and any other items not designed for outdoor storage.
- c. *Non-trash items.*
1. Accumulations of wood pallets.
 2. Accumulations of vehicle parts or tires.
 3. All construction and building materials unless such materials are being used at the time in the construction of a building, in which case such construction must be permitted and on a continuous, uninterrupted basis.
 4. All appliances or appliance parts.
 5. All indoor or upholstered furniture of a type or material which is deteriorated by exposure to outdoor elements.
 6. All recycling materials except for reasonable accumulations, amounts consistent with a policy of regular removal, which are stored in a well-maintained manner according to Chapter 50 and Chapter 54.
 7. All other non-trash items which:
 - (i) Are of a type or quantity inconsistent with normal and usual use; or
 - (ii) Are of a type or quantity inconsistent with the intended use of the property; or
 - (iii) Are likely to obstruct or impede the necessary passage of fire or other emergency personnel.
- d. *Fertilizer and burial of waste.* No person shall leave, deposit, or cause to be placed on any private ground any garbage, sewage, waste, debris, carcass, or other substance or matter which is offensive or unhealthy by decomposition unless the same be buried at least three (3) feet under the surface of the ground; provided, that the use of manure and phosphorous free fertilizer in the normal course for agriculture or horticulture is permitted.

(Code 1984, § 10.60(13); Ord. No. 206 2nd series, § 1, 9-10-2001; Ord. No. 4 3rd series, § 2, 11-11-2003; Ord. No. 21 3rd series, § 1, 11-8-2004; Ord. No. 29 3rd series, §§ 1—3, 10-24-2005)

CITY OF ORONO MEMORANDUM



DATE: February 22, 2021
TO: Mayor Walsh, City Council members
FROM: City Council Members Victoria Seals, Aaron Printup, and City Clerk, Anna Carlson
RE: City Administrator Search Update

The Council met last week and selected six candidate finalists to be considered for interviews. The Organizational Committee will be meeting Monday, February 22nd and Tuesday, February 23rd with the candidates by virtual interview. All candidates selected have accepted the first round of interviews. The next steps will be for the candidates to be interviewed separately with Staff and then with Council during the week of March 8th.