

ORDINANCE NO. 224, THIRD SERIES

**CITY OF ORONO
HENNEPIN COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
PERTAINING TO ACCESSORY STRUCTURES AND BUILDINGS**

THE CITY COUNCIL OF ORONO ORDAINS:

SECTION 1. Section 78-228. – Conditional uses. shall be amended to read as follows:

Within any R-1A one-family residential district, no structure or land shall be used for the following uses except by conditional use permit:

- (6) Provision of a bathtub or shower in an accessory building. Approval shall be conditioned on provision of municipal sanitary sewer or a conforming sewage treatment system designed to handle the anticipated flows from the building plumbing. Approval shall be granted only when the following criteria are met:
 - a. The council finds that the proposed use of the accessory structure with a bathtub or shower will not be detrimental to the residential character of the neighborhood.
 - b. The council finds that the plumbing fixtures proposed are in keeping with the intended use of the accessory building.
 - c. ~~The accessory building is conforming in location, size and height.~~
 - d. The property owner agrees to the filing of a covenant in the title of the property providing that the accessory building will not be:
 1. Used for a home occupation unless specifically approved by the city or if allowed by this Code.
 2. Used as a dwelling unless a guest house conditional use permit is obtained.
 3. Rented, leased or otherwise provided for use as a dwelling under any circumstances.

SECTION 2. Section 78-253. – Conditional uses. shall be amended to read as follows:

Within any R-1B one-family residential district, no structure or land shall be used for the following uses except by conditional use permit:

- (6) Provision of a bathtub or shower in an accessory building. Approval shall be conditioned on provision of municipal sanitary sewer or a conforming sewage treatment system designed to handle the anticipated flows from the building plumbing. Approval shall be granted only when the following criteria are met:
 - a. The council finds that the proposed use of the accessory structure with a bathtub or shower will not be detrimental to the residential character of the neighborhood.

- b. The council finds that the plumbing fixtures proposed are in keeping with the intended use of the accessory building.
- c. ~~The accessory building is conforming in location, size and height.~~
- d.—The property owner agrees to the filing of a covenant in the title of the property providing that the accessory building will not be:
 - 1. Used for a home occupation unless specifically approved by the city or if allowed by this Code.
 - 2. Used as a dwelling unless a guest house conditional use permit is obtained.
 - 3. Rented, leased or otherwise provided for use as a dwelling under any circumstances.

SECTION 3. Section 78-303.- Conditional uses. shall be amended to read as follows:

Within any LR-1A one-family lakeshore residential district, no structure or land shall be used for the following uses except by conditional use permit:

- (7) Provision of a bathtub or shower in an accessory building. Approval shall be conditioned on provision of municipal sanitary sewer or a conforming sewage treatment system designed to handle the anticipated flows from the building plumbing. Approval shall be granted only when the following criteria are met:
 - a. The council finds that the proposed use of the accessory structure with a bathtub or shower will not be detrimental to the residential character of the neighborhood.
 - b. The council finds that the plumbing fixtures proposed are in keeping with the intended use of the accessory building.
 - c. ~~The accessory building is conforming in location, size and height.~~
 - d.—The property owner agrees to the filing of a covenant in the title of the property providing that the accessory building will not be:
 - 1. Used for a home occupation unless specifically approved by the city or if allowed by this Code.
 - 2. Used as a dwelling unless a guest house conditional use permit is obtained.
 - 3. Rented, leased or otherwise provided for use as a dwelling under any circumstances.

SECTION 4. Section 78-328.- Conditional uses. shall be amended to read as follows:

Within any LR-1B one-family lakeshore residential district, no structure or land shall be used for the following uses except by conditional use permit:

- (7) Provision of a bathtub or shower in an accessory building. Approval shall be conditioned on provision of municipal sanitary sewer or a conforming sewage treatment system designed to handle the anticipated flows from the building plumbing. Approval shall be granted only when the following criteria are met:

- a. The council finds that the proposed use of the accessory structure with a bathtub or shower will not be detrimental to the residential character of the neighborhood.
- b. The council finds that the plumbing fixtures proposed are in keeping with the intended use of the accessory building.
- c. ~~The accessory building is conforming in location, size and height.~~
- d.—The property owner agrees to the filing of a covenant in the title of the property providing that the accessory building will not be:
 - 1. Used for a home occupation unless specifically approved by the city or if allowed by this Code.
 - 2. Used as a dwelling unless a guest house conditional use permit is obtained.
 - 3. Rented, leased or otherwise provided for use as a dwelling under any circumstances.

SECTION 5. Section 78-348. – Conditional uses. shall be amended to read as follows:

Within any LR-1C one-family lakeshore residential district, no structure or land shall be used for the following uses without a conditional use permit:

- (8) Provision of a bathtub or shower in an accessory building. Approval shall be conditioned on provision of municipal sanitary sewer or a conforming sewage treatment system designed to handle the anticipated flows from the building plumbing. Approval shall be granted only when the following criteria are met:
 - a. The council finds that the proposed use of the accessory structure with a bathtub or shower will not be detrimental to the residential character of the neighborhood.
 - b. The council finds that the plumbing fixtures proposed are in keeping with the intended use of the accessory building.
 - c. ~~The accessory building is conforming in location, size and height.~~
 - d.—The property owner agrees to the filing of a covenant in the title of the property providing that the accessory building will not be:
 - 1. Used for a home occupation unless specifically approved by the city or if allowed by this Code.
 - 2. Used as a dwelling unless a guest house conditional use permit is obtained.
 - 3. Rented, leased or otherwise provided for use as a dwelling under any circumstances.

SECTION 6. Section 78-367. - Conditional uses shall be amended to read as follows:

Within the LR-1C-1 one-family lakeshore residential district, no structure or land shall be used for the following uses without a conditional use permit:

- (8) Provision of a bathtub or shower in an accessory building. Approval shall be conditioned on provision of municipal sanitary sewer or a conforming sewage treatment system designed to handle the anticipated flows from the building plumbing. Approval shall be granted only when the following criteria are met:

- a. The council finds that the proposed use of the accessory structure with a bathtub or shower will not be detrimental to the residential character of the neighborhood.
- b. The council finds that the plumbing fixtures proposed are in keeping with the intended use of the accessory building.
- c. ~~The accessory building is conforming in location, size and height.~~
- d. ~~The property owner agrees to the filing of a covenant in the title of the property providing that the accessory building will not be:~~
 - 1. Used for a home occupation unless specifically approved by the city or if allowed by this Code.
 - 2. Used as a dwelling unless a guest house conditional use permit is obtained.
 - 3. Rented, leased or otherwise provided for use as a dwelling under any circumstances.

SECTION 7. Section 78-393. – Conditional uses. shall be amended to read as follows:

Within any RR-1A one-family rural residential district, no structure or land shall be used for the following uses without a conditional use permit.

- (6) Provision of a bathtub or shower in an accessory building. Approval shall be conditioned on provision of municipal sanitary sewer or a conforming sewage treatment system designed to handle the anticipated flows from the building plumbing. Approval shall be granted only when the following criteria are met:
 - a. The council finds that the proposed use of the accessory structure with a bathtub or shower will not be detrimental to the residential character of the neighborhood.
 - b. The council finds that the plumbing fixtures proposed are in keeping with the intended use of the accessory building.
 - c. ~~The accessory building is conforming in location, size and height.~~
 - d. ~~The property owner agrees to the filing of a covenant in the title of the property providing that the accessory building will not be:~~
 - 1. Used for a home occupation unless specifically approved by the city or if allowed by this Code.
 - 2. Used as a dwelling unless a guest house conditional use permit is obtained.
 - 3. Rented, leased or otherwise provided for use as a dwelling under any circumstances.

SECTION 8. Section 78-418. - Conditional uses shall be amended to read as follows:

Within any RR-1B one-family rural residential district, no structure or land shall be used for the following uses without a conditional use permit:

- (6) Provision of a bathtub or shower in an accessory building. Approval shall be conditioned on provision of municipal sanitary sewer or a conforming sewage treatment system designed to handle the anticipated flows from the building plumbing. Approval shall be granted only when the following criteria are met:

- a. The council finds that the proposed use of the accessory structure with a bathtub or shower will not be detrimental to the residential character of the neighborhood.
- b. The council finds that the plumbing fixtures proposed are in keeping with the intended use of the accessory building.
- c. ~~The accessory building is conforming in location, size and height.~~
- d. The property owner agrees to the filing of a covenant in the title of the property providing that the accessory building will not be:
 1. Used for a home occupation unless specifically approved by the city or if allowed by this Code.
 2. Used as a dwelling unless a guest house conditional use permit is obtained.
 3. Rented, leased or otherwise provided for use as a dwelling under any circumstances.

EFFECTIVE DATE: This ordinance shall take effect immediately upon its passage and publication.

ADOPTED this 10th day of June, 2019 on a vote of 5 ayes and 0 nays by the City Council of Orono, Minnesota.

ATTEST:



Anna Carlson, City Clerk



Dennis Walsh, Mayor

Ordinance published in The Laker and The Pioneer newspapers the week of June 15, 2019.