

ORDINANCE NO. 881

STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NEW BRIGHTON

**AN ORDINANCE AMENDING CHAPTER 16 OF THE NEW BRIGHTON CITY CODE
AND CHAPTER 4 OF THE ZONING CODE TO AMEND REGULATIONS
GOVERNING MANUFACTURED HOME PARKS**

THE CITY OF NEW BRIGHTON ORDAINS:

SECTION 1. Chapter 16 of the Code of Ordinances of the City of New Brighton, Minnesota, is hereby amended as follows:

The title of the Chapter shall be amended as follows:

~~Mobile Homes~~ Establishment or Expansion of Manufactured Home Parks

ARTICLE 1. GENERAL CONDITIONS

Sec. 16-1. Definitions.

The definitions in this Section shall apply when these words and phrases are used in this Chapter.

~~(1) Mobile Home, Trailer Coach or Trailer, or Automobile Trailer.~~ Any vehicle or structure designed and constructed so that it is or may be mounted on wheels and used as a conveyance on highways or City streets, propelled or drawn by its own or other motive power; or, it may be a structure designed and constructed so that it can be transported in one or several segments by some means other than its own power excepting a device used exclusively upon stationary rails or tracks. The vehicle or structure will permit:

- ~~A. Occupancy as a dwelling or sleeping quarters for one or more persons, or~~
- ~~B. The conduct of any business or profession, occupation, or trade.~~
- ~~C. Use as a selling or advertising device.~~

~~(2) Mobile Home Park.~~ Any park, trailer park, trailer court, trailer camp, court, camp site, lot, parcel, or tract of land designed, maintained, or intended for the purpose of supplying a location or accommodations for any mobile home coach or mobile home coaches and upon such vehicles are parked. The mobile home park shall include all buildings used or intended for use as part of the equipment of such vehicles whether a charge is made for the use of the mobile home park and its facilities or not. A mobile home park shall not include automobile or mobile home sales lots on which unoccupied mobile homes are parked for purposes of inspection and sale.

- (1) **Manufactured (Mobile) Home.** A structure transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in it, and which complies with the Manufactured Home Building Code as defined by Minnesota Statutes Section 327.31, subdivision 3, as it may be amended from time to time.
- (2) **Manufactured Home Park/Base Lot.** A contiguous parcel of land which has been developed for the placement of two or more manufactured homes and is owned by an individual, firm, trust, partnership, public or private association, company, or corporation.
- (3) **Recreational Vehicle.** Any building, structure, or vehicle designed or used for living or sleeping or recreational purposes and equipped with wheels to facilitate movement from place to place. Recreational vehicles also include automobiles that are used for living or sleeping purposes and include pick-up coaches (campers), motorized homes, boats, travel trailers, and camping trailers not meeting the definition of a manufactured home or mobile home.
- ~~(3)~~ (4) **Unit Area.** A section of ground in a ~~mobile~~ manufactured home park of not less than 3,600 square feet of unoccupied space in an area designated as the location for one ~~mobile~~ manufactured home, off-street parking space for one automobile, and other uses considered pertinent to the establishment and use of a manufactured ~~mobile~~ home residence as permitted by this Chapter.

Sec. 16-2. Administration.

The provisions of this Chapter shall be administered and enforced by the Department of Community Assets and Development. ~~administrative authority who is hereby designated the Enforcing Officer. The administrative authority may institute, in the name of the City, any appropriate actions or proceedings against a violator.~~

Sec. 16-3. Conflicts.

- (1) This Chapter is intended to complement other municipal, state, and federal regulations that affect the establishment or expansion of manufactured home parks. This Chapter is not intended to revoke or repeal any other public law, ordinance, regulation, or permit.
- (2) Where the provisions of this ordinance impose greater restrictions on the establishment or expansion of a manufactured home park than those of any statute, other chapter, or regulation; the provisions of this Chapter shall apply.
- (3) Where the provisions of any statute, other chapter, or regulation impose greater restrictions than this Chapter on the establishment or expansion of a manufactured home park, the provisions of that statute, other chapter, or regulation shall apply.

~~If any Section of this Chapter conflicts with any other provision of the Code or other ordinances, the Section of either that places the greater restrictions shall prevail and be in force and effect.~~

Sec. 16-4. Variances.

The City Council shall have the right to vary or modify the strict application of any of the regulations or provisions contained in this Chapter in cases where practical difficulties ~~or unnecessary hardships~~ are created by the strict adherence to the conditions of this Chapter.

Sec. 16-5. ~~Application~~ Applicability.

~~The provisions of this Chapter shall apply to mobile home parks constructed after April 3, 1962, and shall have no application to mobile home parks existing prior to this date except for expansion of the parks and with respect to Section 16-26~~

The provisions of this Chapter shall apply to the creation of new manufactured home parks, and to areas of expansion of existing manufactured home park in existence as of <day ordinance is effective>.

Secs. 16-6--16-15. Reserved. (Code of 2001)

ARTICLE 2. ~~MOBILE~~ MANUFACTURED HOME PARKS

Division 1. General Conditions

Secs. 16-16--16-22. Reserved. (Code of 2001)

Division 2. Special Use Permit

Sec. 16-23. Application.

Requests to establish or expand a manufactured home park shall be reviewed and decided via the special use permit process outlined in the City's Zoning Code.

~~Application for a special permit to establish, a mobile home park shall be made to the City Council.~~

Sec. 16-24. Required Information.

The application for a special use permit shall be made on a form as prescribed by the City. At a minimum, ~~the~~ The application shall ~~show~~ include the following: ~~either existing or proposed:~~

~~(1) The extent and area proposed for mobile home park purposes.~~

~~(2) Roads and driveways.~~

~~(3) Location of sites or units for mobile homes.~~

~~(4) Location and number of sanitary conveniences.~~

~~(5) Proposed disposition of surface drainage.~~

~~(6) Proposed street surfacing and lighting.~~

~~(7) Any other requested information.~~

(1) A written narrative which includes:

- a) A description of the proposed new manufactured home park or expansion area, the number of units proposed, how it will be managed, a description of storm shelter(s) and other amenities being provided, proposed green spaces, etc.
- b) An explanation of how the proposed special use will meet each of the general criteria for special uses as outlined in the New Brighton Zoning Code and any specific criteria established herein for manufactured home parks.

(2) Development plans for the proposed manufactured home park or expansion area showing all information deemed necessary by the Department of Community Assets and Development to ensure that the City can determine whether the proposed use will conform to all City Code standards. Such information may include, but shall not be limited to, the following:

- a) A survey of the property clearly delineating all existing and proposed improvements, utilities, and easements on the site;
- b) Identification of the extent and area proposed for manufactured home park purposes;
- c) Proposed roadways and driveways;
- d) Proposed location(s) for each manufactured home;
- e) Proposed utilities to service each manufactured home site;
- f) Proposed grading plan;
- g) Proposed lighting plan;
- h) Proposed signage plan;
- i) Landscaping and screening plans (if proposed or required); and
- j) Proposed outdoor storage spaces (if applicable).

~~Sec. 16-25. Certificate of Ownership.~~

~~The application shall be accompanied by a certificate of ownership of all property within 300 feet of any boundary line of the proposed mobile home park site.~~

Sec. 16-26. Fee.

The application shall be accompanied by the required fee ~~shall be~~ for a special use permit established by ordinance on a yearly basis. ~~The application fee shall not be refundable.~~

Sec. 16-27. Location Restricted.

A special use permit for a ~~mobile~~ manufactured home park shall only be issued on property that complies with the requirements of Minnesota Statutes Section 462.357, subdivision 1(b). ~~is classified Business District B-3 under the provisions of the Zoning Code or the equivalent zoning in any subsequent ordinance or amendment thereto.~~

Sec. 16-28. Hearing.

A public hearing shall be noticed and held consistent with all procedures outlined in the New Brighton Zoning Code for special use permit public hearings.

~~No special permit for any mobile home park shall be issued by the City Council until after a public hearing has been held on the matter. This hearing shall be advertised in the official newspaper of the City for at least ten days before the hearing. At least ten days prior to the public hearing, the City Council shall mail a notice to all property owners shown on the certificate at their last known address so that they might appear and be heard.~~

Sec. 16-29. Planning Commission.

Before the special use permit is considered by the City Council, the Planning Commission shall hold at least one public hearing after proper notice has been given in accordance with the New Brighton Zoning Code. Following the hearing and subsequent discussion on the merits of the proposal, the Planning Commission shall adopt findings and recommendations for Council consideration. Recommendations for approval may include such conditions as deemed necessary to ensure compliance with the special use permit review criteria. Denial recommendations shall be supported by findings of fact as to why the permit request was denied. The Department of Community Assets and Development may forward an application to the City Council without a recommendation from the Planning Commission only if it is deemed necessary to ensure compliance with state mandated deadlines for application review.

~~The City Council shall refer the application to the Planning Commission for recommendation.~~

~~Within forty days after the first regular meeting of the Planning Commission after the referral, the Planning Commission shall make its recommendation to the City Council.~~

~~If a recommendation is not received from the Planning Commission within forty days after the referral, the City Council may proceed without the recommendation.~~

Sec. 16-30. Issuance.

(1) Upon receiving the recommendations of the Planning Commission, the City Council shall consider the request against the special use permit review criteria and act on the request. In approving a special use permit, the City Council may impose conditions on the approval as deemed appropriate. Denial of any request shall be accompanied by findings of fact as to why the requested permit cannot be approved.

- (2) Approval or denial of a special use permit shall be by simple majority vote of the City Council. ~~After the public hearing, the City Council may grant or deny the application for mobile home park special permit by a majority vote of its members.~~

Sec. 16-31. Building Permits.

- (1) The applicant for a building permit for the construction of a ~~mobile~~ manufactured home park or any part thereof shall comply with all applicable provisions of the Building Code.
- (2) Each application shall be accompanied by a detailed set of plans of the proposed construction and improvements for the site.
- (3) Every application for a building permit to construct individual ~~a mobile~~ manufactured homes authorized by special use permit ~~or to expand an existing mobile home park~~ shall be accompanied by certification that the individual unit meets all requirements of the State of Minnesota. ~~plans approved by the State showing that the applicant is complying with all recommendations, suggestions, and laws under the jurisdiction of the State.~~
- ~~(4) The City Council may refer any application for a mobile home park building permit to the Planning Commission for recommendation.~~
- ~~(5) The building permit shall be issued by the City after it has been approved by a majority vote of the City Council.~~

Secs. 16-32--16-38. Reserved. (Code of 2001)

Division 3. Site Requirements

Sec. 16-39. Drainage.

Every ~~mobile~~ manufactured home park shall be located on a well drained area and the premises shall be properly graded so as to prevent the accumulation of storm or other waters.

Sec. 16-40. Minimum Area and Maximum Density.

The size of a manufactured home park base lot shall determine the maximum number of manufactured homes that can be placed within the park. Steps to make this determination are as follows:

- a) At least two percent of the proposed base lot shall be devoted to a recreation area which must be established, constructed, and maintained for the benefit of the manufactured home park residents. This recreation area shall be excluded from land eligible for manufactured homes.
- b) The location(s) for an on-site community storm shelter shall be identified along with locations for on-site management facilities (if proposed). All land within 10 feet of such facilities shall be excluded from land eligible for manufactured homes.

~~Each unit in a mobile home park shall have a gross area of not less than 3,600 square feet.~~

- c) For every 3,600 square feet of land available after establishment of the required recreation area, storm shelters, and on-site management facilities; one manufactured home may be located within the newly proposed park or park expansion area.

~~Sec. 16-41. Minimum Depth.~~

~~Each unit in a mobile home park shall have a minimum depth of 75 feet.~~

Sec. 16-41. Minimum Setbacks.

- (1) Minimum Base Lot Perimeter Setbacks. The minimum setbacks for a manufactured home park are as follows:

- a) 30 feet from all adjacent public rights-of-way.
- b) 30 feet from all adjacent residentially zoned property having a different zoning classification than the manufactured home park.
- c) 5 feet from all side and rear property lines abutting the same zoning classification, or commercial or industrial property.

- (2) Minimum Internal Unit Setbacks. The minimum setbacks for units within a manufactured home park are as follows:

- a) 10 feet from all internal public streets or alley.
- b) 5 feet from all internal private streets or alleys.
- c) 10 feet between the long sides of adjacent manufactured homes and structures physically attached to the manufactured home. The initial unit layout authorized by the special use permit shall demonstrate there is ample room for accessory structures to be built with each unit while still maintaining the required 10-foot separation.
- d) 3 feet between manufactured homes parked end to end.

~~Sec. 16-42. Minimum Setback for the Front.~~

~~There shall be a minimum distance of five feet between the mobile home and the interior private street line of the unit.~~

~~Sec. 16-43. Minimum Setback for the Back.~~

~~There shall be a minimum setback of five feet from the back line where an alley is provided adjacent to the back line of the unit. The setback line of the unit shall be not more than ten feet where there is no alley.~~

~~Sec. 16-44. Minimum Setback for the Side.~~

~~There shall be not less than five feet between a mobile home and any side line of a unit.~~

~~Sec. 16-45. Proximity of Homes.~~

~~There shall be not less than 25 feet of space between mobile homes in two directions and 10 feet of space in two directions. Proximity shall be measured by the distance between two home facades. Long sides of two adjacent homes shall not be closer than 25 feet. A long side of one home may be 10 feet to the short side of an adjacent home.~~

Sec. 16-~~42~~46. Slab/Patio ~~Required~~ Requirement.

A concrete slab or patio shall be constructed on the ground beside each ~~mobile~~ manufactured home parking space. This slab shall be not less than eight feet wide, thirty feet long, and four inches thick.

Sec. 16-~~43~~47. Trees.

At least one shade tree shall be placed and maintained ~~on~~ near each unit. The tree shall have a minimum diameter of two inches at the time of planting.

Sec. 16-~~44~~48. Grass Cover.

~~The entire~~ Land around each unit and within perimeter setbacks shall be sodded and maintained with grass except for the areas used for the ~~mobile~~ manufactured home, patio, sidewalk, and off-street parking space.

Sec. 16-~~45~~49. Streets.

Each unit shall abut on and have access to a street which shall be:

- a) ~~(1)~~ At least ~~twenty five~~ 25 feet wide between gutters for one way, private streets within developments.
- b) ~~(2)~~ The construction of the street shall conform to the standards established in Chapter 25, Article 2.
- c) ~~(3)~~ The streets are to be built and maintained by the owner of the ~~mobile~~ manufactured home park.
- d) ~~(4)~~ All streets and ways established by the ~~mobile~~ manufactured home park shall be considered public to the extent that they shall be under the supervision and control of the City with respect to traffic and other laws as shall be applicable to public ways and places.

Sec. 16-~~46~~50. Curbing.

A concrete curb shall be constructed on each side of the street. The curb shall be of a standard approved by the City.

Sec. 16-~~47~~51. Sidewalks.

A cement sidewalk not less than ~~thirty~~ 30 inches wide shall be constructed adjacent to the concrete curb on the unit side. This sidewalk shall be connected to the unit patio by a cement walk not less than 24 inches in width.

~~Sec. 16-52. Street Rights-of-Way.~~

~~There shall be an unused area not less than thirty feet in depth along each public street or way. This area shall be sodded and planted.~~

Sec. 16-48. Required Landscaping.

- a) Intent. Every manufactured home park shall provide screening plantings around its periphery with the intent of providing separation and privacy from adjacent, non-manufactured home park uses.
- b) Intensity. The amount, species, and resulting opacity of plantings, as needed to meet the intent of the landscaping requirement, shall be determined by the City Council as part of the special use permit approval.
- c) Fencing. At the sole discretion of the City Council, opaque fencing utilizing acceptable high-quality materials, may be used to supplement or replace required landscaping to fulfill the intent of the landscaping requirement.

~~Sec. 16-53. Site Setbacks.~~

~~Every mobile home park site shall provide for a minimum setback of at least ten feet on all sides except where abutting upon a public street, way, or residential area. This area shall be planted to provide a screen between the mobile home park and adjacent property.~~

~~Sec. 16-54 Sites Abutting a Residential Area.~~

~~Where a mobile home park site abuts upon a residential area, there shall be a minimum setback of at least thirty feet. This area shall be landscaped. Adequate buffer zones shall be established on the perimeter of the mobile home park site. The zones and types of buffering required shall be approved by the City prior to the issuance of a special use permit.~~

~~Sec. 16-55. Use of Units Restricted.~~

~~The parking of more than one mobile home on any single unit shall not be permitted.~~

Sec. 16-~~49~~56. Occupancy of Homes.

No ~~mobile~~ manufactured home may be inhabited by a greater number of occupants than that for which it was designed.

Sec. 16-~~50~~⁵⁷. Utilities.

Water facilities, sewage disposal, and street lighting shall be installed and maintained by the owner of the ~~mobile~~ manufactured home park site and shall be constructed in accordance with State laws, the recommendations of the State, and the requirements of the City Code.

Sec. 16-~~51~~⁵⁸. Fire Hydrants.

Fire hydrants shall be placed throughout the area in such a way as to satisfy the City that adequate fire protection is achieved.

Sec. 16-~~52~~⁵⁹. Storage.

All boats, boat trailers, hauling trailers, and all other equipment not stored within the ~~mobile~~ manufactured home or the utility enclosure that may have been provided shall be stored in a separate place provided by the park owner and not upon the plots occupied by ~~mobile~~ manufactured homes nor upon the streets within the ~~mobile~~ manufactured home park.

Sec. 16-~~53~~⁶⁰. Recreation.

The dedicated recreation area for the manufactured home park shall include improvements geared towards the anticipated demographics of the community being created. As part of the special use permit review, an applicant must demonstrate that a reasonable nexus exists between the number of manufactured homes being served to the level of investment being made into the recreation area.

~~A recreation area must be established, constructed, and maintained within the mobile home park site of not less than two percent of the total area involved.~~

Secs. 16-~~61~~⁵⁴--16-71. Reserved. (Code of 2001)

ARTICLE 3. ACTIVITIES OUTSIDE OF A ~~MOBILE~~ MANUFACTURED HOME PARK

16-72. Parking Prohibited.

Except as provided in this Chapter, it shall be unlawful for any person to park a ~~mobile~~ manufactured home or recreational vehicle on a street, alley, highway, or other public place, or on any tract of privately owned land which is occupied or unoccupied.

Sec. 16-73. Emergency Parking.

Emergency or temporary stopping or parking of a ~~mobile~~ manufactured home or recreational vehicle on a street, alley, or highway shall be permitted for a period not to exceed three hours subject to any other prohibitions, regulations, or limitations imposed by the City.

Sec. 16-74. Recreational Vehicle and Mobile Manufactured Home Storage.

Except as may otherwise be authorized by temporary use permit under the City's zoning regulations, no~~No~~ person shall park or occupy a ~~mobile~~ manufactured home or recreational vehicle on the premises of an occupied dwelling or any lot located outside of an approved ~~mobile~~ manufactured home park except the parking of one unoccupied ~~mobile-home~~ recreational vehicle in an accessory private garage building or in a rear yard in any district is permitted provided no living quarters shall be maintained or any business practiced in the ~~mobile-home~~ recreational vehicle while the ~~mobile-home~~ recreational vehicle is so parked or stored.

~~**Sec. 16-75. Temporary Permit.**~~

~~A temporary special permit may be issued by the City Council for the temporary use of a mobile home as a dwelling or an office when the mobile home is located outside of an authorized mobile home park. The temporary special permit shall be limited to a period of not more than ninety days and must be renewed at the end of each period. The application fee for a temporary permit shall be established by resolution. The temporary special permit shall be displayed in a conspicuous location on the outside of the mobile home.~~

SECTION 2. Chapter 4 of the Zoning Code of the City of New Brighton, Minnesota, is hereby amended as follows:

Articles 1 through 6 are restated and incorporated herein unchanged.

ARTICLE 7. MHC - MANUFACTURED HOME COMMUNITY

Sec. 4-500. Intent.

It is the intent of the Manufactured Home Community (MHC) zoning district to establish regulations governing the placement and continuing development of existing manufactured homes within the manufactured home parks in the City of New Brighton.

Sec. 4-505. Definitions

(1) Lot, Base. Means a contiguous parcel of land making up the overall boundaries of an authorized manufactured home park.

(2) Lot, Unit. Means an individual parcel of land within a manufactured home park's base lot that represent the current or historical location of a manufactured home.

(3) Manufactured (Mobile) Home. A structure transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in it, and which complies with the Manufactured Home Building Code as defined by Minnesota Statutes Section 327.31, subdivision 3, as it may be amended from time to time.

(4) **Manufactured Home Park.** A contiguous parcel of land which has been developed for the placement of two or more manufactured homes and is owned by an individual, firm, trust, partnership, public or private association, company, or corporation.

(5) **Manufactured Home's Perimeter.** Means the entirety of the manufactured home, tiny home, mobile home, or similar dwelling unit plus any accessory structures directly serving the dwelling including decks or porches regardless of whether they are permanently attached to the dwelling. Sheds separated from the dwelling as required by the building code and fences shall not be included in a manufactured home's perimeter.

(6) **Tiny House.** A dwelling that is 400 square feet (37 m2) or less in floor area excluding lofts.

Sec. 4-510. Permitted Uses in a MHC District.

The following uses are permitted in a MHC District:

(1) Manufactured Single Family Dwellings;

(2) Single Family Dwellings;

(3) Private community facilities including but not limited to storm shelters, indoor storage buildings, and on-site management offices;

(4) Private and Public Parks; and

(5) Tiny Homes.

Sec. 4-515 Permitted Accessory Uses in a MHC District.

The following accessory uses are permitted in a MHC District:

(1) Decks;

(2) Porches;

(3) Sheds;

(4) Garages;

(5) Fences;

(6) Signs;

(7) Off street parking or loading areas;

(8) Customary incidental home occupations as regulated by the Zoning Code; and

(9) Model home, which may include an office, for use during the redevelopment of a Manufactured Home Park

Sec. 4-520 Specially Permitted Uses in a MHC District.

The following are specially permitted uses in the MHC District:

- (1) Churches as regulated by the R-1 District;
- (2) Service structures, public or private, designed and used to serve the facilities in the surrounding area such as electric power substations, telephone buildings, deep wells, elevated tanks, and similar structures and uses; and
- (3) Sport court, swimming pool, or similar recreational facilities.

Sec. 4-525 Lot Standards in a MHC District.

(1) Manufactured Home Parks established AFTER <day ordinance is effective>:

- a) The required external setbacks from the perimeter of a manufactured home park's base lot are as follows:
 - i. 30 feet from all adjacent public rights-of-way.
 - ii. 30 feet from all adjacent residentially zoned property having a different zoning classification than the manufactured home park.
 - iii. 5 feet from all side and rear property lines abutting other MHC zoned property or property zoned for commercial or industrial uses.

- b) The required internal setbacks between structures within a manufactured home park's base lot are as follows:

Required setbacks within a manufactured home park's base lot recognize that manufactured homes and their accessory structures can and do move from time to time. The following standards shall therefore be followed to always provide for adequate separation between units as such movement occurs.

- i. 10 feet from all internal public streets or alley.
- ii. 5 feet from all internal private streets or alleys.
- iii. 10 feet between the closest points of two manufactured home perimeters along the long sides of both homes.
- iv. 3 feet between the closest points of two manufactured home perimeters along the short sides of both homes

(2) Manufactured Home Parks established BEFORE <day ordinance is effective>:

a) Except as may be otherwise exempted, all structures in the MHC district shall meet the following setbacks from the perimeter lot lines of a manufactured home park's base lot:

i. 30 feet from all adjacent public rights-of-way.

ii. 30 feet from all adjacent residentially zoned property having a different zoning classification than the manufactured home park.

iii. 5 feet from all side and rear property lines abutting other MHC zoned property or property zoned for commercial or industrial uses.

b) Required internal setbacks between structures within the manufactured home park's base lot:

Required setbacks within a manufactured home park's base lot recognize that manufactured homes and their accessory structures can and do move from time to time. The following standards shall therefore be followed to always provide for adequate separation between units as such movement occurs.

i. 10 feet from all internal public streets or alleys.

ii. 5 feet from all internal private streets or alleys.

iii. 10 feet between the closest points of two manufactured home perimeters along the long sides of both homes.

iv. 3 feet between the closest points of two manufactured home perimeters along the short sides of both homes.

v. 0-foot setback from unit lot lines.

c) Manufactured Homes between 4th Street Northwest and True Street

The historic placement of manufactured homes between 4th Street NW and True Street is recognized to include a significant number of intrusions into both the right-of-way for 4th Street NW to the north, and a normally required 5' setback from True Street to the south. To achieve the best possible outcomes for manufactured homes in this area and to minimize the need for variances any time changes occur, the following standards shall be followed:

i. No more than 38 manufactured homes shall be placed between these two roadways.

ii. At a minimum, a 0-foot lot line setback shall be maintained from the 4th Street NW right-of-way whenever possible. Replacement units in this area shall be placed as close to True Street as reasonably possible and as may be needed to avoid encroachment into the right-of-way.

- iii. Units which are legal nonconforming to setbacks and extend into the 4th Street NW right-of-way as of <day ordinance is effective> should be replaced by shorter units whenever possible to eliminate the ROW encroachment. When elimination of an encroachment is not possible, a replacement unit shall not expand the legal nonconforming encroachment, and the new unit shall be required to enter into a right-of-way encroachment agreement with the City.
- iv. No accessory structures of any kind shall be located within the right-of-way for 4th Street NW.
- v. There shall always be a minimum of 10 feet between the closest points of two manufactured home perimeters in this area.

(3) Separation of Structures. It is recognized that the unit separation requirements in the MHC district may conflict with spacing requirements adopted by the Minnesota Department of Health for manufactured home parks as may be amended from time to time. In the event of a conflict between the two sets of standards, the more restrictive separation requirements shall apply.

Sec. 4-530. Manufactured Homes in General.

- (1)** All manufactured homes within the MHC district shall be built in conformance with the manufactured home building code and shall comply with all provisions of this Article.

Sec. 4-535. Tiny Homes.

Tiny homes are a permissible unit type within an authorized manufactured home park provided:

- (1)** The unit complies with all requirements of the Minnesota State Building Code (Minnesota Statutes Section 326B.121 as may be amended from time to time).
- (2)** The unit can meet minimum separation and setback requirements for manufactured homes as required by the MHC District regulations.

Article 7 (General Requirements) shall be renumbered to Article 8 with numbering as follows:

Sec. 4-540. General Requirements, Residential Districts.

Sec. 4-550. Accessory Buildings in Residential Districts.

Sec. 4-560. Fences.

Sec. 4-570. Home Occupations.

Sec. 4-580. Setback Exemptions.

Sec. 4-590. Flood Plain Zoning.

Sec. 4-600. Height Exceptions.

Said sections shall be restated and remain unchanged.

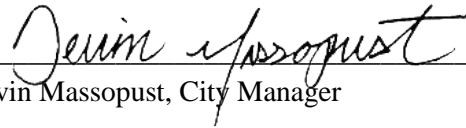
SECTION 3. Effective Date

This ordinance shall take effect upon its adoption by the City Council, its publication in the City's official newspaper.

ADOPTED this 27th day of April 2021, by the New Brighton City Council with a vote of 5 ayes and 0 nays.



Kari Niedfeldt-Thomas, Mayor



Devin Massopust, City Manager

ATTEST:



Terri Spangrud, City Clerk

