

City of Oronoco
Thursday, October 8, 2020
P&Z Meeting @ 7:00 pm

I. CALL TO ORDER: At 7:00 PM meeting was called to order by Paul Jannetto

II. ROLL CALL:

- i. Committee Members Present: Paul Jannetto (Chair), Mark Johnson (Vice-chair) Jim Richards, and Carl Krause.
- ii. Late: NA
- iii. Absent: Trish Shields, Jose Cornejo, and Scott Sorenson

III. APPROVAL OF MINUTES: Motion made by: Mark Seconded by: Jim and unanimously approved.

IV. APPROVAL OF AGENDA: Motion made by: Paul Seconded by: Jim and unanimously approved.

V. AGENDA ITEMS:

A. Discussion of PUD for tiny home ordinance:

- Based on city attorney's recommendation, PZ created a PUD section and defined: tiny home subdivision
- Additional clarity around tiny home size was recommended and updated to be 120-499 square feet.
- PZ discussed other PUD examples in MN including Walker, MN and Bemidji, MN.
- Committee made minor edits to the Oronoco tiny home proposed code and recommend adopting a modified PUD similar to those reviewed. Refer to the updated PUD and Oronoco Tiny Home Code for specific details.
- **Motion: Paul made a motion to approve the proposed PUD on tiny home subdivisions and the updated tiny home code and to send it to city council for consideration and determination if they want the city attorney or American Legal Publishing to format it so it's consistent with the current code. It can then go to a public hearing for comment and approval by city council. It was seconded by Jim, and unanimously approved.**

VI. ADJOURNMENT: Paul made a motion to adjourn at 7:30 PM. It was seconded by Mark and unanimously approved.

Planned Unit Development

1. Tiny homes subdivision:

a. Definitions:

i. **Tiny home:** A house that is 120 to 499 square feet.

ii. **Tiny home subdivision:** A subdivision of land which promotes the development of tiny homes (120-499 square feet) as a primary residential dwelling unit.

b. Tiny home subdivision standards:

i. Tiny home subdivisions will consist of individual dwelling structures 120-499 square feet. The purpose of small lot subdivisions is to encourage affordable housing, infill development and sustainable practices. All PUD, subdivision, and tiny home code standards shall apply to tiny home subdivisions. Additional standards are required below:

1. Tiny home subdivisions may only be approved with the review and approval of a Planned Unit Development (PUD) conditional use process.
2. Tiny home subdivisions can only occur in R2 districts (medium residential districts).
3. The density of a tiny home subdivision will be no more than one and one-half times the underlying zoning.
4. Small lot subdivisions are not condominiums, multi-family, mobile homes, or recreational vehicles. Properties are titled in fee simple.
5. Tiny homes must be structurally independent, with no shared foundations or common walls.
6. Lot size, frontage, and yard requirements are defined in the Oronoco code tiny home section.
7. Fifty percent open space is required.
8. Parking density: minimum of one on-site parking space per lot.
9. Tiny homes are required to connect to city water and sewer service lines if available.
10. These are private residential homes and not intended for commercial use.
11. Tiny homes must be built to Minnesota Building Code.

Oronoco Tiny Home Code Section

1. This ordinance is intended to provide the registered design professional, future homeowner, and/or contractor with basic information about certain zoning ordinance, building code, property maintenance code (housing code), and contractor licensing regulations pertinent to the design and construction of very small houses, commonly called "Tiny Houses", intended to be used as a dwelling unit. It should be noted that the Minnesota State Building Code is the standard of construction that applies statewide for the construction of buildings (MS § 326B.121) including tiny houses. By definition, a tiny house is a dwelling unit and regulated by the code and must also be compliant with the current Minnesota residential code on tiny homes.

2. **Definitions:** For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
 - a. **Tiny Homes:** Tiny homes range from 120 to 499 square feet excluding lofts.
 - b. **Dwelling unit:** A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
 - c. **Habitable space:** A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.
 - d. **Modular component:** a structural part of housing or a building constructed at a location other than the building site in a manner that prevents the construction from being adequately inspected for code compliance at the building site without:
 - i. damage;
 - ii. Removal and reconstruction of a part of the housing or building.
 - e. **Manufactured home:** means a single family dwelling in one or more sections, which in the traveling mode is 8 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.
 - f. **Egress roof access window:** A skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirement.
 - g. **Landing platform:** A landing provided as the top step of a stairway accessing a loft.
 - h. **Loft:** A floor level located more than 30 inches above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches and used as a living or sleeping space.

3. General code:

- a. Tiny houses, like all other houses, built on-site are required to comply with building codes. Minnesota adopts the 2012 International Residential Code (IRC) by reference with amendments. It is known as the current Minnesota Residential Code. The "code," for the purpose of constructing houses, means the current Minnesota Residential Code. It is the standard that applies statewide.

4. **Zoning code:** Tiny home subdivisions must follow an approved planned unit development (PUD) conditional use process and is only allowed in R2 medium density residential districts.

5. Prefabricated buildings:

- a. Manufactured (prefabricated) "Tiny Houses" are also permitted provided they comply with the requirements of Minnesota Rules Chapter 1360, be designed and constructed in accordance with the current Minnesota Residential Code, and set on an "approved foundation." Review of building plans and inspections are performed by the Minnesota Department of Labor and Industry. The completed building requires a Minnesota prefabricated building label. Prefabricated building manufacturers are permitted to build three or fewer buildings per year. Construction of more than three buildings is regulated by Minnesota Rules Chapter 1361 for industrialized/modular buildings. A data plate must be attached to the dwelling that includes the following minimum information:
 - i. design loads
 - ii. Codes
 - iii. IBC label numbers
 - iv. serial numbers
 - v. model designation
 - vi. date of manufacture
 - vii. name and address of manufacture
 - viii. occupancy and type of construction
- b. All on-site work is subject to local jurisdiction and inspections according to the current Minnesota Residential Code. Prefabricated homes are generally transported to the site on flatbed trucks or on a temporary axle with wheels that is removed at the destination site so that the home can be set on a permanent foundation. A certificate of occupancy will only be issued for tiny homes set on permanent foundations.

6. Modular buildings:

- a. Dwellings constructed as modular buildings must comply with Minnesota Rules Chapter 1361 and the Industrialized Modular Buildings Commission (IMBC). These modular dwellings must be designed and constructed in accordance with the current Minnesota Residential Code. Review of dwelling plans and in-plant inspections are performed by a certified IMBC third-party agency. Modular buildings must have IMBC construction labels on each building section or every 600 square feet of closed panels. A data plate must be attached to the dwelling that includes the following minimum information:
 - i. design loads
 - ii. codes
 - iii. serial numbers
 - iv. IBC label numbers
 - v. model designation
 - vi. date of manufacture
 - vii. name and address of manufacture
 - viii. occupancy and type of construction
- b. All on-site work is subject to local jurisdiction and inspections according to the current Minnesota Residential Code.

7. Application:

- a. Buildings and structures shall be constructed to safely support all loads, including dead loads, live loads, roof loads, flood loads, snow loads, wind loads and seismic loads prescribed in this code. The construction of buildings and structures in this code shall result in a structure that transfers all loads from their point of origin to the permanent foundation.

8. Minimum Requirements:

- a. Light, ventilation and heating:
 - i. Light: (note exceptions to natural lighting in Residential code R303)
 1. Habitable rooms shall have 8 percent of the floor area as natural light and 4 percent of the floor area as natural ventilation.
 2. Bathrooms shall have 3 square feet of natural light and 1.5 square feet of natural ventilation
 - ii. Mechanical ventilation requirements (see Minnesota Rules 1322 and 1346 and exceptions in Residential code R303).

1. Intake and exhaust openings (see Minnesota Rules 1346) requirements.
- iii. Heating:
 1. Dwelling must be capable of maintaining a minimum room temperature of 68 degrees at three feet above the floor and two feet from the exterior walls (excludes use of portable heaters).
- b. Minimum room areas, space, and ceiling:
- i. The aggregate area of the rooms and spaces, and ceiling heights within, shall meet the minimum code requirements listed below except that the design may include combined use of spaces in an economical or “efficient” manner provided the design complies with the requirements listed below for an “efficiency living unit” and the occupancy is limited to 2 or 3 occupants depending on the floor area provided.
 - ii. Every dwelling unit shall have at least one habitable room of not less than 120 square feet for one occupant and 100 square feet for each additional occupant (e.g. 2 people = 220 square feet).
 - iii. Kitchens: Each dwelling unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink. Kitchens shall have a minimum area of 50 square feet and have a clear passageway of not less than 3 feet between counter fronts and appliances or counter fronts and walls.
 - iv. Habitable rooms (except kitchens and lofts) must have a minimum dimension of 7 feet in any horizontal dimension and shall have a floor area of not less than 70 square feet when occupied by one person and every bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each occupant thereof.
 - v. Bathroom: Every dwelling unit shall be provided with a bathroom having a water closet, lavatory, and a bathtub or shower. The
 - vi. Ceiling height:
 1. Habitable space and hallways shall have a ceiling height of not less than 6 feet 8 inches.
 2. Bathrooms, toilet rooms, and kitchens shall have a ceiling height of not less than 6 feet 4 inches.
 3. Obstructions including, but not limited to beams, girders, ducts, and lighting shall not extend below these minimum ceiling heights.

4. Exception: Ceiling heights in lofts are permitted to be less than 6 feet 8 inches.

c. Lofts:

i. Minimum loft area and dimensions: Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements.

1. Minimum area: Lofts shall have a floor area of not less than 35 square feet.
2. Minimum dimensions: Lofts shall not be less than 5 feet in any horizontal dimension.
3. Height effect on loft area: Portions of a loft with a sloped ceiling measuring less than 3 feet from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

- a. Exception: Under gable roofs with a minimum slope of 6 units vertical in 12 units horizontal (50% slope), portions of a loft with a sloped ceiling measuring less than 16 inches from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

d. Loft access:

i. Stairways: Stairways accessing the loft shall comply with this code.

1. Width: Stairways accessing a loft shall not be less than 17 inches in clear width at or above the handrail. The width below the handrail shall not be less than 20 inches.
2. Headroom: The headroom in stairways accessing a loft shall not be less than 6 feet 2 inches, as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.

ii. Treads and risers: Risers for stairs accessing a loft shall not be less than 7 inches and not more than 12 inches in height. Tread depth and riser heights shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches minus four-thirds of the riser height.
2. The riser height shall be 15 inches minus three-fourths of the tread depth.

iii. Landing platforms: The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling

height is less than 6 feet 2 inches where the stairway meets the loft. The landing platform shall be 18 inches to 22 inches in depth measured from the nosing of the landing platform to the edge of the loft and 16 to 18 inches in height measured from the landing platform to the loft floor.

- iv. Handrails: A handrail is required at stairs having four or more risers (reference handrail and guardrail requirements from MN residential code book).
- v. Stairway guards: Guards at open sides of stairways should comply with codes.
- e. Ladders:
 - i. Size and capacity: Ladders accessing lofts shall have a rung width of not less than 12 inches and 10 inch to 14 inch spacing between rungs. Ladders shall be capable of supporting a 200 pound (75 kg) load on any rung. Rung spacing shall be uniform within 3/8 inch.
 - ii. Incline: Ladders shall be installed at 70 to 80 degrees from horizontal.
- f. Alternating tread devices: Alternating tread devices accessing lofts shall comply with building codes. The clear width at and below the handrails shall be not less than 20 inches.
- g. Ship ladders: Ship ladders accessing lofts must comply with the code. The clear width at and below the handrails shall be not less than 20 inches.
- h. Loft guards: Loft guards shall be located along the open sides of lofts. Loft guards shall not be less than 36 inches in height or one-half of the clear height to the ceiling, whichever is less.
- i. Sanitation and Plumbing:
 - i. Minnesota Plumbing Code: The dwelling must comply with the Minnesota Plumbing code. MINNESOTA RESIDENTIAL CODE G
 - ii. Every dwelling unit must have a water closet, lavatory and a tub or shower.
 - iii. Each kitchen must have a sink.
 - iv. The kitchen sink shall not substitute for the lavatory.
 - v. All plumbing fixtures must be connected to a sanitary sewer or approved private sewage system.
 - vi. All plumbing fixtures must be connected to an approved water supply.
 - vii. Kitchen sinks, lavatories, bathtubs, showers, bidets, laundry tubs, and washing machines must have hot and cold water.
 - viii. Space required, see Minnesota plumbing code for required plumbing fixture clearances.

ix. Bathtub and shower floors and walls (bathtubs installed with shower heads and in shower compartments) must have a nonabsorbent surface a minimum of six feet above the floor.

j. Emergency escape and rescue openings:

i. Habitable attics and every sleeping room must have at least one operable emergency escape and rescue opening (door or window) and meet the requirements of this section for emergency escape and rescue openings.

Exception: Egress roof access windows in lofts used as sleeping rooms shall be deemed to meet the minimum requirements where installed such that the bottom of the clear opening is not more than 44 inches (1118 mm) above the loft floor, provided the egress roof access window complies with the minimum opening area requirements.

ii. Minimum opening area must be 5.7 square feet (see full code text for minimum height and width dimensions).

iii. Means of egress:

1. All dwellings must have a means of egress.
2. The egress door must have a clear width of 32 inches and a clear height of 78 inches.
3. A floor or landing is required on each side of exterior doors.
4. Exterior landings must be positively attached to the primary structure.
5. Hallway must have a minimum width of 36 inches.
6. Stairways must have a minimum width of 36 inches.
7. Stair treads must be 10 inch minimum and stair risers 7.75 inch maximum.
8. Stair nosings must be provided and compliant with this section.
9. Composite wood or plastic stair treads must comply with building codes
10. A floor or landing is required at the top and bottom of each stairway.
11. A handrail is required at stairs having four or more risers (reference handrail and guardrail requirements and parameters from MN residential code).

iv. Smoke alarms (Reference MN Code section R314):

1. Smoke alarms are required in each sleeping room, in the immediate vicinity of the bedrooms and on each additional story of the dwelling including basements and habitable attics.

- v. Carbon monoxide alarms (Reference MN Code section R315):
 - 1. A carbon monoxide alarm is required in every dwelling unit having fuel fired appliances or attached garage.
- vi. Radon requirements: The dwelling must comply with Minnesota Rules Chapter 1303 for either passive or active radon control systems.

- k. MR 1322 – 2015 Minnesota Residential Energy Code: The dwelling must comply with the Minnesota Energy Code.

- l. MR 1346 – 2015 Minnesota Mechanical Code: The dwelling must comply with the Minnesota Mechanical Code. MR 1303

- m. MR 1315 – Minnesota Electrical Code: All electrical service, wiring and fixtures for the structure must comply with the 2014 National Electrical Code. MR 4715

9. Additional Zoning Code Requirements for Tiny Houses:

- a. Lot area, frontage, and yard requirements:
 - i. The following minimum requirements shall apply:

Use	Lot area (square feet)	Street Line	Side Yard Building Line	Front yard	Least Width	Sum	Rear Yard
Tiny Home	5500	25 feet	80 feet	25 feet	6 feet	16 feet	25 feet

- b. Lot landscaping:
 - i. Except for the areas used for the tiny home, patio, sidewalk or hard-surfaced off-street parking, the entire lot shall be sodded and maintained with grass.

- c. Maintenance requirements:
 - i. Tiny home communities shall be maintained in an attractive state by the owner or operator so as not to become unsightly with respect to containers, junk, trash or any other unsightly or unsanitary conditions.
 - ii. No painting, washing or repairing of automobiles or other vehicles shall be allowed on the streets or roadways of the tiny home community.
 - iii. Any tiny home lot that is unoccupied or becomes in disrepair because of neglect by the occupant shall be the responsibility of the park

operator, who shall maintain or upgrade the lot to its original permit condition.

d. Storm shelters:

- i. Tiny home subdivisions are to build a centrally located storm shelter, designed by a licensed structural engineer or architect or built in accordance with plans sealed by the structural engineer or architect, with a minimum of 10 square feet for each unit.
- ii. Structures would be required to meet all FEMA requirements and be constructed to meet minimum lighting and ventilation laws of the municipality the park is located in.
- iii. The residents of the tiny home subdivision must have access to the storm shelter in times of severe weather conditions, such as tornadoes, high winds, and floods.
- iv. The shelter must comply with MN code 327.205 and other state building codes. The Department of Labor and Industry enforces the state's building code and has jurisdiction over the proper construction of storm shelters.

e. Off street parking:

- i. Should be compliant with Oronoco code 151.076 with the exception that a minimum of one paved parking space is required within 300 feet of the tiny home it serves.