

Part 5 Earth Sheltered, Recreation Vehicles, etc.

AN ORDINANCE ENHANCING AND AMENDING CITY ORDINANCE CHAPTER 9, PART 3 (ZONING ORDINANCE), DEFINING EARTH SHELTERED DWELLINGS, MOBILE HOMES, MANUFACTURED HOUSING AND RECREATIONAL VEHICLES, AND ESTABLISHING STANDARDS FOR SINGLE FAMILY DWELLINGS WITHIN THE RESIDENTIAL ZONES OF THE CITY OF CARLTON.

PURPOSE: The purpose of this ordinance is to maintain property values, and otherwise promote the health, safety, order, convenience and general welfare of the citizens and property owners of the City of Carlton.

905.01 - Definitions

Subd. 1. Mobile Home. A mobile home is a manufactured home that is less than 20 feet wide over at least 30 feet of its length in the erected mode, suitable for year round occupancy and containing the same water supply, waste disposal and electrical conveniences as immobile housing and subject to tax or registration under state law, and having no foundation other than wheels, jacks or skirting. Width measurements shall not take account of overhangs and other projections beyond the principal exterior walls.

Subd. 2. Dwelling - Earth Sheltered. A detached dwelling unit insulated by earth embankment or overburden or both on more than 60% of its outer surface, excluding floor areas, and architecturally designed and landscaped to harmonize with its surrounding naturally existing and man-made features.

Subd. 3. Manufactured Home. "Manufactured Home" means 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 therein: except that the term includes any structure which meets all the requirements and with respect to the manufacturer voluntarily files a certification required by the secretary and complies with the standards established which meets the Manufactured Home Building Code promulgated pursuant to M.S. 327.31, subdivision 3.

Subd. 4. Recreational Travel Vehicle. The words "recreational travel vehicle" or "recreational vehicle" shall mean any of the following:

- A. Travel trailer means a vehicular, portable structure built on a chassis, to be used as a temporary dwelling for travel, recreational, and vacation uses, and permanently identified "Travel Trailer" by the manufacturer of the trailer.
- B. Pick-up coach means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
- C. 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.
- D. Camping trailer means a folding structure, mounted on wheels and designed for travel, vacation and recreational use.

905.02 - Mobile Homes, General Provisions

Subd. 1. Restricted to Mobile Home Park. No mobile home for residential purposes shall be permitted on any site within the city unless said site is part of a Mobile Home Park approved by the Minnesota Department of Health in accordance with Minnesota Statute 327.14 through 327.34 as amended, and Minnesota Agency Rule 2MCAR 1.90103.

Subd. 2. Existing Mobile Homes - Residential Zones. No mobile home, as defined by this ordinance, shall be continued to a new owner. The present owner of a mobile home may continue to own it and maintain it at its present location, for so long as it is habitable and able to be maintained in a state of reasonable repair, and he may further remove a mobile home and replace it with a manufactured home, as defined in Section I, Subdivision 3, without regard to the size requirements in Section III, Subdivision 5, provided that the same is habitable, and in a state of reasonable repair. Manufactured housing, so placed, or presently existing, may be continued to a new owner. All of the above shall be subject to the general provisions of Chapter 9, Part 3 - the City Zoning Ordinance. Prior to replacing an existing mobile home or manufactured home with a newer manufactured home, the owner must make application for a building permit and zoning compliance.

905.03 - Standards for Single Family Dwellings, Residential Zones (Whether Manufactured Housing, Earth Sheltered or Conventional Site Built)

Subd. 1. Building permits are required for the erection or construction of any single family dwelling in the City of Carlton, and all such dwellings shall comply with the zoning regulations for the zone in which they are to be located.

Subd. 2. Except for permitted earth sheltered structures, no cellar, garage, tent, recreational vehicle or accessory building shall at any time be used as an independent residence or dwelling unit, temporarily or permanently, except in multiple family dwellings with additional dwelling units located above ground, and except that basements may be used as living quarters or rooms as apportion of residential dwellings, and except that a city of Carlton property owner or his/her guests may be allowed to park a recreational vehicle on his/her property for the purpose of seasonally residing therein for a period of up to 30 days per year. Such recreational vehicle shall be parked at least 20 feet from any adjacent residence. If such recreational vehicle is connected to the city sewer and/or water system, the connection shall be of a type approved by the City. Any other recreational vehicle shall be parked in such a manner so as to observe the front yard setback requirements as applicable to buildings under the City Zoning Ordinance; which is Chapter 9, Part 3.

Subd. 3. Tents, play houses or similar structures may be used for play or recreational purposes.

Subd. 4. All Dwellings other than mobile homes in approved mobile home parks, shall be located upon a foundation that meets the requirements of the State Building code. The foundation shall form a complete enclosure under the exterior walls.

Subd. 5. All site built dwellings and manufactured homes, other than mobile homes in an approved mobile home park, shall be no less than 25 feet in length and no less than 20 feet in width over that entire minimum length. Width measurements shall not take account of overhangs and other projections beyond the principal walls. However, all dwelling units shall meet the minimum per-unit floor area as set out in Chapter 9, Part 3.

Subdivision 6. All dwellings shall appear to face the fronting street. Usually, this will mean that the long axis will be parallel to the fronting street.

905.04 Architectural Design.

The architectural design, color, roof pitch, or lack of it, roof overhang, or lack of it, size, placement on lot, and exterior material of all dwellings and accessory buildings shall not be so similar to, or inconsistent with surrounding buildings and area as to constitute a blighting influence.

905.05 Administration

The City Clerk and such other staff assistance as is provided by the City Council shall administer and enforce this Ordinance.

- A. If the City Clerk shall find that any provision(s) of this Ordinance is being violated he/she shall notify, in writing, the person responsible for such violation and order corrective action(s).

- B. The City Clerk shall order discontinuance of illegal use of land, structures, or buildings. The City Clerk shall order removal of illegal buildings, structures, additions, alterations or structural changes, or discontinuance of any illegal work being done. The City Clerk shall take any other action authorized by this Ordinance to insure compliance to prevent its violation.

905.06 Restrictive Covenants

Nothing in this Ordinance shall prevent the regulation of uses of property by means of restrictive covenants which are valid except for this ordinance.

905.07 Penalties

Any person violating any provision of this ordinance shall, upon conviction, be guilty of a misdemeanor. Each day such a violation continues shall constitute a separate offense.