

Temporary Health Care Dwellings

City Council Meeting July 28, 2016



Request

1. Consider ordinance amendment to “opt-out” of requirements of §462.3593 related to Temporary Family Health Care Dwellings.



What is a Temporary Health Care Dwelling?

- Temporary structure 300 sq. ft. or less, able to be transported by one-ton pickup truck.
- Designed to be compatible with residential structures with lap siding, asphalt shingle roof, windows and residential doors.
- Placed on a driveway or in rear yard of a single family lot.
- For the purpose of providing care for an ill or convalescing relative in a separate dwelling unit for a short period of time.



Examples Temporary Health Care Dwellings

12' x 24' "Granny Pod"
Med Cottage

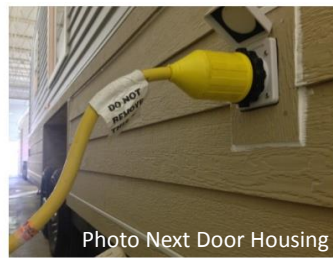


8' x 30' "Drop Home" Next Door Housing



Utilities

- Heating and Utilities powered by electrical connection to 50 amp service from 50 amp electrical cord. Most residential properties need to retrofit an outdoor outlet to provide 50 amp service.
- Water Connection from insulated hose to outdoor faucet
- Self-contained septic tank must be regularly pumped



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Temporary Health Care Dwelling State Law Provisions

- Unless a city designates Temporary Health Care Dwellings as a permitted use, these dwellings are regulated by State Law.
- A city cannot prohibit a temporary health care dwelling meeting the State law requirements – ***unless...***
- Cities may “opt-out” of the new State Law but must enact an ordinance to opt-out.
- State law becomes effective September 1, 2016.

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City Zoning Issues

1. All homes must be placed on a permanent foundation.
2. All homes must be connected to City water and sewer.
 - a. City is working to phase-out private septic systems.
 - b. Hose and extension cord between main house and health care dwelling is problematic.
3. All homes must have a minimum width of 18'. These units can be as little as 8' wide.
4. Technically, the units on wheels would be classified as a "Recreational Vehicle" and any habitation of the unit would be limited to parking 7 consecutive days or a total of 14 days per year on a residential property.



City Zoning Issues

5. Would need to be placed on a paved surface, either on a driveway or on a pad in rear yard.
 - a. Visually imposing in front yard.
 - b. Difficult to access in rear yard.
6. In single family zoning districts, only one dwelling permitted per lot.



Public Hearing Comments

1. Families need to be able to provide short-term care to ailing family members quickly and affordably. The temporary home health care dwelling meets that need.
2. It's difficult for families to construct additions onto the back of their homes. It takes time and money.
3. An AUD is a permanent improvement while a Temporary Health Care Dwelling is temporary. It's not a one-to-one comparison.
4. City process would have been lengthy, cost \$600, and even then the staff said they would probably not recommend approval.
5. City doesn't need to rush into opting out. Why not give it a try and opt-out later?
6. These dwellings meet the IBC for Modular Homes Label and Fire Code 1192 for safety and viability of all temporary dwellings.



Planning Commission Comments

- Consistent rules are applied across the City so that neighbors can expect what their neighbors will do. Opting out would give the City time to study the structures and how they impact, not only families providing care, but also neighboring properties.
- Even if City opts out, the City still could create a program to allow them in the future. Opting out will allow the City to get better understanding of how the units perform.
- What would happen in neighborhoods with associations that don't allow trailers to be parked outside?
- It is very rare for the State to dictate local zoning requirements
- Concern that this type of care usually requires a longer time period. A 6-month or 1-year time frame is short.



Planning Commission Comments

- Like the idea of providing families with options, but concerned about impacts in neighborhoods with smaller lot sizes. If on the driveway, the driveway may be sloped, it would block garage doors.
- If units need 50 amps power - very few houses have 50 amps to spare in their boxes. Fire concern if someone just retrofits an existing outlet.
- Would like to see conditions established that would work for every lot in Apple Valley. There would need to be setbacks and maintaining access for emergency vehicles. May not be appropriate for every lot in the City.
- Is this a one-time option? Is it one time per ownership of the lot? Or could it allow care for number of different people?



Planning Commission Comments

- The law does not require that the caretaker be a relative – a health care agent would be allowed. Concerned that this could become an enterprise.
- This needs to be reviewed in light of Apple Valley's Comprehensive Plan Vision of providing life-cycle housing. City supports seniors, supportive housing, and family care of ailing relatives.
- Statute as it currently exists has a lot of holes. We need to more thoughtfully look at this in light of all of the other solutions we have available for life-cycle housing.



Planning Commission Recommendation

At its **July 20, 2016**, meeting, the Planning Commission voted **unanimously** to recommend **approval** of the following motion:

- Recommend adoption of ordinance amendment to “opt-out” of requirements of §462.3593 related to Temporary Family Health Care Dwellings.



Questions?

