

**City of East Bethel  
City Council Agenda  
City Council Regular Meeting  
Date: June 10, 2024 at 7:00 p.m.**



The regular City Council meeting may be monitored live via the following means:  
Cable Channel 10, MidcoTV Channel 77, or the City of East Bethel YouTube channel  
([www.youtube.com/channel/UC8\\_7ShcME-XG14pN5JrmBGg/live](http://www.youtube.com/channel/UC8_7ShcME-XG14pN5JrmBGg/live))

**7:00 PM**

**1.0 Call to Order**

**2.0 Pledge of Allegiance**

**3.0 Adopt Agenda**

**4.0 Presentations and Public Hearings**

**5.0 Public Forum**

**6.0 Consent Agenda (p. 2)**

***Any item on the consent agenda may be removed for consideration by request of any Council Member and put on the regular agenda for discussion and consideration***

- A. Approve Bill List (p. 3-6)
- B. Minutes: May 29, 2024 City Council meeting (p. 7-14)
- C. Weather Warning Siren System Upgrade

**7.0 New Business - Commission, Association and Task Force Reports**

- A. Planning Commission
  - 1. Setback Variance: Septic Mound, 18116 Deerwood Ln NE (p. 15-25)
  - 2. Setback Variance: Mfd Home Placement, 18164 Hwy 65 NE (p. 26-92)
- B. Economic Development Authority (None)
- C. Park Commission (None)

**8.0 Department Reports**

- A. Community Development (None)
- B. Engineer (None)
- C. City Attorney (None)
- D. Finance (None)
- E. Public Works (None)
- F. Fire Department (None)
- G. City Administrator

**9.0 Other**

- A. Staff Report
- B. Council Reports

**10.0 Adjourn**

**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** June 10, 2024

**Agenda Item Number:** Item 6.0 A-C

**Requested Action:** Consider approving the Consent Agenda as presented

**Background Information:**

Item A – Approve Bills

Item B – May 29, 2024 City Council Meeting Minutes

Minutes from the May 29, 2024 City Council Meeting are attached for your review.

Item C – Weather Warning Siren System Upgrade

The current weather warning siren system has been in the service since the mid 2000’s. The parts to repair and maintain the equipment are quickly becoming obsolete and in certain cases not obtainable. The current equipment has lasted longer than expected and is a testimonial to the durability of these electronics.

That said, the City will be required to update and install a new circuit board in each of its 15 sirens at a cost of \$995 per circuit board or a total cost of \$14,925. The boards are manufactured by Embedded System—the same entity that provides maintenance on the sirens. Each board also comes with a 12 month warranty.

During the transition period Anoka County will be transmitting using the old protocol that the existing boards operate on as well as the new protocol. After the transition period has been completed, Anoka County will be switching over to the new protocol. The old boards will be rendered nonfunctional and will no longer be able to receive commands from Anoka County. Staff would anticipate having the installation of the circuit boards done after September 15, 2024 | the tornado season.

Staff recommends the City Council approve the upgrade of 15 circuit boards at a total cost of \$14,925. The funding for this upgrade is available in the current 2024 fire department budget.

**Fiscal Impact:** As noted above

**Recommendation(s):** Staff recommends approval of the Consent Agenda as presented.

**City Council Action:**

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

Vote Yes: \_\_\_\_\_

Vote No: \_\_\_\_\_



## City of East Bethel

### June 10, 2024

### Payment Summary

Payments for Council Approval						
Bills to be approved for payment					\$99,041.51	
Electronic Payroll Payments					\$38,565.82	
Payroll City Staff - May 23, 2024					\$47,719.86	
Total to be Approved for Payment					\$185,327.19	
Dept Descr	Object Descr	Invoice	Check Name	Fund	Dept	Amount
Arena Operations	Auto/Misc Licensing Fees/Taxes	1049095	MN Dept of Health	615	49851	\$40.00
Arena Operations	Bldgs/Facilities Repair/Maint	31522	Blaine Lock & Safe, Inc.	615	49851	\$728.00
Arena Operations	Bldgs/Facilities Repair/Maint	35031368984	Wright-Hennepin Coop Electric	615	49851	\$30.95
Arena Operations	Professional Services Fees	06 2024	Gibson's Management Company	615	49851	\$3,500.00
Arena Operations	Refuse Removal	10613717T067	Ace Solid Waste, Inc.	615	49851	\$282.50
Arena Operations	Telephone	06 2024-1	T MOBILE	615	49851	\$29.36
Assessing	Professional Services Fees	2nd Qtr 2025	Kenneth A. Tolzmann	101	41550	\$14,877.50
Building Inspection	Information Systems	1976	Metro-Inet	101	42410	\$952.55
Building Inspection	Motor Fuels	25410162	Mansfield Oil Company	101	42410	\$281.15
City Administration	Information Systems	1976	Metro-Inet	101	41320	\$1,044.15
City Administration	Information Systems	1988	Metro-Inet	101	41320	\$1,528.18
City Administration	Office Supplies	IN4551897	Innovative Office Solutions	101	41320	\$146.46
City Administration	Office Supplies	IN4551897	Innovative Office Solutions	101	41320	\$8.68
City Administration	Travel Expenses		Carrie Frost	101	41320	\$348.40
Elections	Repairs/Maint Machinery/Equip	ELEC05152410	Anoka County Treasury Dept	101	41410	\$1,295.15
Finance	Information Systems	1976	Metro-Inet	101	41520	\$952.54
Finance	Sales Tax Remittance	05 2024	Minnesota Revenue	101		\$233.00
Fire Department	Bldgs/Facilities Repair/Maint	72341	Aker Doors, Inc.	101	42210	\$199.00
Fire Department	Clothing & Personal Equipment	21145	FES, Inc.	101	42210	\$110.00
Fire Department	Conferences/Meetings	2697	Customized Fire Rescue Trng	101	42210	\$2,000.00
Fire Department	Conferences/Meetings	052724	Kyle Howard	101	42210	\$475.16
Fire Department	General Operating Supplies	1018651	Ham Lake Hardware	101	42210	\$58.98
Fire Department	Information Systems	1976	Metro-Inet	101	42210	\$2,733.79
Fire Department	Information Systems	1988	Metro-Inet	101	42210	\$764.09
Fire Department	Motor Fuels	1012260	Linwood Country Store	101	42210	\$8.60
Fire Department	Motor Fuels	25410162	Mansfield Oil Company	101	42210	\$447.30
Fire Department	Motor Fuels	25410182	Mansfield Oil Company	101	42210	\$272.92
Fire Department	Office Supplies	IN4551897	Innovative Office Solutions	101	42210	\$52.62
Fire Department	Refuse Removal	10613717T067	Ace Solid Waste, Inc.	101	42210	\$92.06
Fire Department	Refuse Removal	10613717T067	Ace Solid Waste, Inc.	101	42210	\$37.84
Fire Department	Safety Supplies	89911094	Henry Schein, Inc.	101	42210	\$490.99
Fire Department	Small Tools and Minor Equip	0624-355	Advanced First Aid	101	42210	\$281.00
Fire Department	Telephone		Midcontinent Communications	101	42210	\$218.10
Fire Department	Telephone	06 2024-1	T MOBILE	101	42210	\$29.36
Fire Department	Telephone	06 2024-2	T MOBILE	101	42210	\$99.68
Fire Department	Telephone	9964466038	Verizon	101	42210	\$560.14
General Govt Buildings/Plant	Bldgs/Facilities Repair/Maint	35031368843	Wright-Hennepin Coop Electric	101	41940	\$23.95
General Govt Buildings/Plant	General Operating Supplies	5214051556	CINTAS	101	41940	\$180.75
General Govt Buildings/Plant	Refuse Removal	10613717T067	Ace Solid Waste, Inc.	101	41940	\$93.46
Park Capital Projects	Bldg/Facility Repair Supplies	7438375	Cemstone Products Company	407	40700	\$1,799.00



**City of East Bethel**  
**June 10, 2024**  
**Payment Summary**

Park Maintenance	Bldg/Facility Repair Supplies	506095	Central Wood Products	101	43201	\$864.45
Park Maintenance	Cleaning Supplies	4238395	Imperial Dade	101	43201	\$112.75
Park Maintenance	Clothing & Personal Equipment	4193895542	Cintas Corporation	101	43201	\$33.69
Park Maintenance	Clothing & Personal Equipment	4194765534	Cintas Corporation	101	43201	\$33.69
Park Maintenance	Clothing & Personal Equipment		Fisher, Andrew	101	43201	\$50.00
Park Maintenance	Equipment Parts	MP052124-50	Emergency Automotive	101	43201	\$85.40
Park Maintenance	Equipment Parts	1018039	Ham Lake Hardware	101	43201	\$35.99
Park Maintenance	Equipment Parts	02-1076327	Lano Equipment, Inc.	101	43201	\$52.80
Park Maintenance	Equipment Parts	P21992	MN Equipment	101	43201	\$644.08
Park Maintenance	Information Systems	1976	Metro-Inet	101	43201	\$22.90
Park Maintenance	Motor Fuels	25410162	Mansfield Oil Company	101	43201	\$383.40
Park Maintenance	Motor Fuels	25410182	Mansfield Oil Company	101	43201	\$524.85
Park Maintenance	Other Equipment Rentals	MP249414	LRS	101	43201	\$310.00
Park Maintenance	Other Equipment Rentals	MP249415	LRS	101	43201	\$430.00
Park Maintenance	Other Equipment Rentals	MP249417	LRS	101	43201	\$22.86
Park Maintenance	Other Equipment Rentals	MP249418	LRS	101	43201	\$150.00
Park Maintenance	Other Equipment Rentals	MP249419	LRS	101	43201	\$80.00
Park Maintenance	Other Equipment Rentals	MP249421	LRS	101	43201	\$80.00
Park Maintenance	Other Equipment Rentals	MP249422	LRS	101	43201	\$80.00
Park Maintenance	Other Equipment Rentals	MP249423	LRS	101	43201	\$80.00
Planning and Zoning	Escrow Release	3640	MJL Contracting	101		\$24,271.25
Planning and Zoning	Escrow Release		2849 Northside Septic Svc, LLC	101		\$17,375.00
Planning and Zoning	Information Systems	1976	Metro-Inet	101	41910	\$635.03
Recycling Operations	Other Equipment Rentals	MP249420	LRS	226	43235	\$80.00
Recycling Operations	Postage/Delivery	479047	Gregory Cardey	226	43235	\$475.00
Recycling Operations	Professional Services Fees	06 2024	Cedar East Bethel Lions	226	43235	\$419.72
Recycling Operations	Professional Services Fees	06 2024	Cedar East Bethel Lions	226	43235	\$1,300.00
Recycling Operations	Professional Services Fees	3446b	Evergreen Recycling	226	43235	\$850.00
Recycling Operations	Professional Services Fees	05 2024	Freimuth Enterprises LLC	226	43235	\$150.00
Recycling Operations	Professional Services Fees	479046	Gregory Cardey	226	43235	\$475.00
Recycling Operations	Refuse Removal	10613717T067	Ace Solid Waste, Inc.	226	43235	\$604.53
Sewer Operations	Professional Services Fees	0001173641	Metropolitan Council Env Svcs	602	49451	\$6,071.09
Street Maintenance	Bldgs/Facilities Repair/Maint	4193895542	Cintas Corporation	101	43220	\$9.19
Street Maintenance	Bldgs/Facilities Repair/Maint	4194765534	Cintas Corporation	101	43220	\$9.19
Street Maintenance	Clothing & Personal Equipment	4193895542	Cintas Corporation	101	43220	\$33.68
Street Maintenance	Clothing & Personal Equipment	4194765534	Cintas Corporation	101	43220	\$33.68
Street Maintenance	Equipment Parts		Force America Distributing LLC	101	43220	\$23.69
Street Maintenance	Equipment Parts	0198258-IN	Zarnoth Brush Works, Inc.	101	43220	\$1,446.40
Street Maintenance	Information Systems	1976	Metro-Inet	101	43220	\$627.40
Street Maintenance	Motor Fuels	25410162	Mansfield Oil Company	101	43220	\$166.14
Street Maintenance	Motor Fuels	25410182	Mansfield Oil Company	101	43220	\$1,301.64
Street Maintenance	Motor Vehicles Parts	PSO059689-1	MGX Equipment Services LLC	101	43220	\$56.88
Street Maintenance	Refuse Removal	10613717T067	Ace Solid Waste, Inc.	101	43220	\$483.39
Street Maintenance	Shop Supplies	179645 - 1	Metro Products, Inc.	101	43220	\$50.00
Street Maintenance	Street Maint Materials	IN58391	City of St. Paul	101	43220	\$339.44
Street Maintenance	Telephone	06 2024-1	T MOBILE	101	43220	\$29.36
Water Utility Operations	Bldgs/Facilities Repair/Maint	35031368843	Wright-Hennepin Coop Electric	601	49401	\$42.95



# City of East Bethel

June 10, 2024

## Payment Summary

Water Utility Operations	Information Systems	1976	Metro-Inet	601	49401	\$297.64
						<b>\$99,041.51</b>



# City of East Bethel

June 10, 2024

## Payment Summary

Electronic Payroll Payments		
Payroll	PERA	\$10,274.25
Payroll	Federal Withholding	\$7,333.24
Payroll	Medicare Withholding	\$2,205.70
Payroll	FICA Tax Withholding	\$8,464.72
Payroll	State Withholding	\$3,489.01
Payroll	MSRS/H.S.A./HCSP	\$6,798.90
		<b>\$38,565.82</b>

# DRAFT MINUTES: NOT YET APPROVED

## EAST BETHEL CITY COUNCIL MEETING

May 29, 2024

The East Bethel City Council met on May 29, 2024, at 7:00 p.m. for the regular City Council meeting at City Hall.

**MEMBERS PRESENT:** Kevin Lewis Brian Mundle Bob DeRoche  
Tim Miller Jim Smith

**ALSO PRESENT:** Matt Look, City Administrator  
Eric Larson, City Attorney  
Rodney Sanow, Fire Chief  
Aaron Berg, Community Development Director  
Nate Ayshford, Public Works Manager  
Carrie Frost, Administrative Coordinator

### 1.0 Call to Order

The May 29, 2024, City Council meeting was called to order by Mayor Lewis at 7:00 p.m.

### 2.0 Pledge of Allegiance

The Pledge of Allegiance was recited.

### 3.0 Adopt Agenda

**Mundle stated I'll make a motion to adopt tonight's agenda. Miller stated I'll second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

### 4.0 Presentations and Public Hearings

#### 4.0 A Anoka County Sheriff's Report

Lieutenant Derek Peters presented the April 2024, Sheriff's Report, stating the Sheriff's Department responded to 409 calls for service including 2 thefts, 4 assaults, 3 damage to property, 7 PI accidents, 11 PD accidents, 55 medicals, 33 animal complaints, 13 alarms, 2 felony arrests, 6 gross misdemeanor arrests, 8 misdemeanor arrests, 2 DUI arrests, 1 drug arrest, 1 domestic arrests, 8 warrant arrests, 128 traffic stops, and 29 traffic arrests. He noted they had seen an increase in activity due to the warmer weather. He reminded everyone to buckle up and to drive safely as they are entering the 100 deadliest days on Minnesota roadways between Memorial Day and Labor Day.

DeRoche asked if the animal calls were dogs running loose. Lieutenant Peters responded it could be a combination of dogs, bears, cats, etc. He noted they were all lumped together.

DeRoche noted domestic assaults were up. Lieutenant Peters noted that with the warmer weather, people were outside which created some issues. He indicated this was typical for this time of year and not unexpected.

Lewis asked if the construction on Highway 65 was having an impact with accidents. Lieutenant Peters indicated a lot of people were staying away from that area, so they have not seen an increase in accidents. However, he indicated the data had not shown that one way or the other.

1 Miller noted going back six years, the City had more than doubled the year-to-date assaults. He  
2 noted this was concerning and asked if something was happening in different areas of the City, or  
3 what was happening. Lieutenant Peters responded this was cyclical and they were used to seeing  
4 these types of numbers when it got warmer outside. He acknowledged it had doubled, but he did not  
5 have any trend data to suggest the reason(s) why, but it was something they could keep an eye on  
6 throughout the summer.

7 **Informational; no action required.**

#### 8 **4.0 B Fire Department Monthly Report**

9 Fire Chief Sanow presented the April 2024 report and noted that they responded to 75 calls, of which  
10 55 were medicals, 7 crashes, 1 alarms, 4 burning/smoke, 4 other, 3 fires, 1 mutual aid. He stated they  
11 were looking for people to join the Fire Department. He reminded everyone about the size of  
12 recreational fires (3-foot x 3-foot x 3-foot high) with anything bigger needing a burning permit which  
13 they could get from the City Hall. He stated burning could occur between 6 pm and 8 am, but he  
14 requested they let their neighbors know if they were going to be burning, so they do not call 911.

15 Mundle asked if the Fire Department was going to hold a recruitment event again like last year.  
16 Sanow responded they were discussing this as well as discussing other ideas such as the East Bethel  
17 Bulletin and the City's reader board for letting people know they needed firefighters.

18 Smith noted the Council had approved a probationary period for firefighter Rachel Miller earlier in  
19 the year and indicated the previous Fire Chief used to bring a firefighter to the Council meeting after  
20 their probationary period ended so the Council could thank them for their service. He asked if this  
21 would be done again. Sanow responded he would like to do that, but that would pull them out of  
22 their training because both the Council meeting and firefighter's training was on Monday night.

23 Smith suggested an email be sent to the firefighter to let them know the Council was appreciative of  
24 what they were doing. Sanow responded he did send emails to them and it also gets put in the  
25 newsletter.

26 Smith stated it was important to him that the firefighters get recognized for their service as it was a  
27 big commitment for the firefighters.

28 Mundle inquired about the fire danger now that they have had rain. Sanow believed the DNR had  
29 said it was not an issue right now, but he was not positive. He noted just because they got a lot of  
30 rain, the grass still would dry out and it could burn.

31 **Informational; no action required.**

#### 32 **4.0 C ACEIT Election Presentation**

33 Channing Stowell, East Bethel resident, presented the ACEIT Election presentation noting this was a  
34 return of self-governance. He indicated people did not trust the voting system. He believed the State  
35 registration system was out of control. He summarized their thoughts on what needed to be done  
36 about their concerns and noted they were willing to do a feasibility study on the cost. He stated they  
37 had done one for Oak Grove.

38 Lewis requested a copy of the Oak Grove study. He stated he had no doubt that there was corruption  
39 in the election system.

40 **Informational; no action required.**

#### 41 **5.0 Public Forum**

1 No comments were made.

2 **6.0 Consent Agenda**

3 Item A: Approve Bills

4 Item B: Approve Meeting Minutes May 13, 2024 City Council Meeting

5 Item C: 2024-2025 Liquor License Renewals

6 Item D: Playground Equipment and Site Improvements for Maynard Peterson and Coon Lake Beach  
7 Parks

8 Item E: Bataan St Trail Paving Quote

9 Item F: Shade Structures for Booster West

10 Item G: Approve Hire of Seasonal Maintenance Public Works Employee

11  
12 **Mundle stated I'll make a motion to approve Consent Agenda as amended. DeRoche stated I'll**  
13 **second.** Lewis asked any discussion?

14 Lewis asked on the digital it said work meeting minutes, but it was just a regular meeting and he  
15 knew they were corrected on the printed version. He asked if steps had been taken to ensure that  
16 Mundle would receive notification of the Anoka County Blaine Area Advisory Commission in the  
17 future. Mundle responded Look had corrected that and he had been given the correct information.

18 To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes.  
19 **Motion passes unanimously.**

20 The Council reordered the agenda to next consider Item 8.0.G.1.

21 **8.0 Department Reports**

22 **8.0 G City Administrator Report**

23 **8.0 G.1 Consider Approval of Assessor Contract**

24 Look stated the current City Assessor's contract expired on December 31, 2024. The City sent notices  
25 for request for proposals for this service to Mary Wells and the Anoka County Assessor's Office. The  
26 City also advertised for request for proposals on the League of MN Cities website and in the Union  
27 Herald. Ms. Wells thanked the City for extending her an invitation to submit a proposal but chose not  
28 to submit one for this contract term.

29 Look indicated the only proposal the City received was from the Anoka County Assessor's Office Alex  
30 Guggenberger with the Anoka County Assessor's Office. Mr. Guggenberger attended the 5/13/24  
31 Council Meeting in order to provide an overview of the County proposal and answer any questions the  
32 Council had.

33 Look stated the Anoka County Assessor's Office provided the City a cost proposal for a modified 3-year  
34 term that would run through May 15, 2028.

35 Look indicated staff recommends Council consider the approval of the Joint Powers Agreement  
36 between the City of East Bethel and the Anoka County Assessor's Office with a term commencing  
37 January 1, 2025 and ending May 15, 2028.

38 **DeRoche stated I'll make a motion to approve the Joint Powers Agreement between the City of**  
39 **East Bethel and Anoka County for the assessment of property. Miller stated I'll second.** Lewis  
40 asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed?  
41 That motion passes. **Motion passes unanimously.**

1 **7.0 New Business. Commission, Association, and Task Force Reports**

2 No reports given.

3 **8.0 Department Reports**

4 **8.0 A Community Development**

5 **8.0A.1 Architectural Standards for Businesses**

6 Berg stated at the April 3, 2023 City Council meeting, Councilmembers Smith and Miller  
7 recommended amendments to various City Codes which are contained in the Zoning Code. Council  
8 directed staff to route the amendments to the Planning Commission for a Public Hearing and  
9 recommendation. At the April 25, 2023 meeting the Planning Commission discussed these after  
10 holding a public hearing.

11 Berg noted due to the mixed levels of support and limited amount of time for discussion of the  
12 proposed revisions staff thought it was in the best interest to bring two of the Zoning Codes  
13 amendments back for further discussion and formal recommendation at the May 23, 2023 Planning  
14 Commission meeting. A formal recommendation on Section 24. Exterior Storage was presented and  
15 passed at the June 26th, 2023 City Council meeting. Section 28. Architectural Standards had  
16 numerous revisions. City staff has compiled the recommendations and created a third draft revision  
17 for review on December 27, 2023. At that time it was the Council’s request to allow Council Member  
18 Miller review the revisions.

19 Council Member Miller’s revisions were discussed at the May 13, 2024 meeting and were to be  
20 brought back for further discussion, consideration, or adoption.

21 Berg stated staff recommends the City Council conduct further review and discussion of the proposed  
22 amendments and make a formal recommendation or adoption.

23 **DeRoche stated I’ll make a motion to approve the changes. Smith stated I’ll second.**

24  
25 Berg noted the motion should also include a summary publication to be in the newspaper for 10 days  
26 in order to make it official at the end of the 10-day period. He indicated it would then become an  
27 Ordinance.

28  
29 **DeRoche stated I’ll make an amended motion to approve the changes to the architectural  
30 standards and authorize a summary publication for 10 days. Smith stated I’ll second.**

31 Lewis asked any discussion?

32  
33 Mundle asked would the concrete block be some sort of finished concrete block. Berg responded  
34 that was correct and the concrete block would be finished.

35  
36 To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes.  
37 **Motion passes unanimously.**

38  
39 **8.0 B Engineer Report**

40 None.

41 **8.0 C City Attorney**

42 None.

43 **8.0 D Finance**

44 None.

1 **8.0 E Public Works**

2 **8.0 E.1 2025 Street Capital Improvement Plan**

3 Ayshford stated staff prepares an annual Capital Improvement Plan (CIP) which updates needs and  
4 costs of proposed projects, evaluates priorities and establishes funding for these works for the  
5 coming year and for each of the subsequent years for a five-year period. This plan is presented to City  
6 Council for their approval and used in the preparation of the 2025 budget. He reviewed the Capital  
7 Improvement Plan for the Council.

8 Ayshford noted approval of the plans only commits the City for the projects identified for 2025.  
9 Projects beyond 2025 are for planning purposes and will be reevaluated annually for funding  
10 prioritization during the capital improvement needs assessment and planning process.

11 Ayshford indicated the budget included a proposed general fund transfer increase of \$50,000 for road  
12 improvement projects for 2025 subject to City Council approval

13 Ayshford stated staff recommends the 2025-2029 Roads Capital Improvement Plan to the City Council  
14 for their consideration and approval.

15 DeRoche asked what shape was the gravel portion of Klondike in. Ayshford responded they put  
16 chloride on it once a year and they got approximately six weeks out of the chloride. He indicated  
17 they usually put chloride down at the end of June or early July which would last until mid-August.

18 DeRoche noted the road going to the Gun Club was not very attractive. He asked if it was ever  
19 graded. Ayshford responded they did grade it and if people would drive slower it would last a lot  
20 longer. He indicated the faster the traffic drove on gravel roads, the quicker washboards occurred  
21 and the quicker the road would get dusty.

22 Look commented on Viking Boulevard/Sand Hill Parkway left turn lane agreement with the County  
23 and noted the one change that may happen over time was if Viking changed to a full grade separated  
24 interchange. He indicated he wanted to talk to the County and ask if any improvements such as this  
25 get torn up in the event of a separated interchange. He noted if that were the case, why would they  
26 spend the money on a pork chop. He believed they might want to spend some time on this and try to  
27 find a solution.

28 Look stated they should keep a close eye on inflation and the cost of doing these projects. He noted  
29 getting behind on roads was a huge problem for cities. He indicated they were trying to address this  
30 a little bit at a time, but if they continued to see spiking costs they might have to look at options such  
31 as bonding for projects, but he acknowledged that was not a favorable option.

32 Lewis stated neither one was palatable – debt or inflation.

33 **DeRoche stated I'll make a motion to approve the 2025 Capital Street Improvement Plan with the**  
34 **\$50,000 addition. Mundle stated I'll second.** Lewis asked any discussion?

35 Smith asked if Look checked whether Sandhill Crane was something that would affect this. Look  
36 responded currently as a part of the plan, they would uphold the agreement. He stated they might  
37 be able to come up with a plan that didn't need to spend that money and the funds would just be left  
38 in reserve at that point.

39 Ayshford noted the City also received State aid funds that most cities put toward the road capital, so  
40 those funds could be earmarked for this maintenance. He noted currently East Bethel put those  
41 funds into the general fund. Look noted the general funds essentially paid for maintenance, so it was  
42 an offset.

To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes.  
**Motion passes unanimously.**

**8.0 E.2 2025 Park Capital Improvement Plan**

Ayshford stated the Parks Commission prepares an annual Capital Improvement Plan (CIP) which updates needs and costs of proposed projects, evaluates priorities and establishes funding for these works for the coming year and for each of the subsequent years for a five-year period. This plan is presented to City Council for their approval and used in the preparation of the 2025 budget. He reviewed the plan for the Council.

Ayshford indicated approval of the plans only commits the City for the projects identified for 2025. Projects beyond 2025 are for planning purposes and will be reevaluated annually for funding prioritization during the capital improvement needs assessment and planning process.

Ayshford stated the budget includes a general fund transfer of \$110,000 for Parks Capital Improvement Projects for 2025 and is a \$10,000 increase over the 2024 budget to adjust for inflation and is subject to City Council approval. It is anticipated that Park Dedication Fees from developers will provide an additional \$363,000 to the Parks Acquisition and Development Fund for 2025 mainly from the proposed Viking Meadows development.

Ayshford indicated the Park Commission voted unanimously to recommend the 2025-2029 Parks Capital Improvement Plan for approval by City Council.

Mundle asked if they should consider using the Ice Arena for pickleball in the summertime as this was becoming a popular sport. Ayshford responded staff could look into this, but noted they would not be able to put anything into the floor itself due to the cooling lines and it would also require some kind of a freestanding net.

**Mundle stated I'll make a motion to approve the 2025-2029 Parks Capital Improvement Plan with \$110,000 for park capital improvement. Smith stated I'll second.** Lewis asked any discussion? To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

**8.0 E.3 Ice Arena Management Contract Proposals**

Ayshford stated the current Ice Arena Management Contract with Gibson Management Corporation (GMC) is set to expire on July 31, 2024. The City has utilized Gibson Management since 2008 for the management and operation of the City Ice Arena.

Ayshford indicated the City was responsible for the operation of this facility from its opening in 1994 until 2006. The Minnesota Amateur Sports Commission (Super Rink) managed the Arena from 2006 to 2008 but declined to renew their contract with the City beyond 2008. Gibson Management was hired for the 2008-2009 year as the Arena Manager and then received approval for a three-year contract extension in 2009, 2012, 2015, 2018 and 2021.

Ayshford noted the City published notice for and invited "Request for Proposals" for this service this year and received two proposals with the annual costs summarized below.

- Gibson Management Company LLC
- 8/1/24 to 7/31/25.....\$115,000
- 8/1/25 to 7/31/26.....\$120,000
- 8/1/26 to 7/31/27..... \$125,000

The Sports Facilities Companies

- \$204,000 plus 10% of Ice Rental Revenue, 20% of Sponsorship Revenue, and reimbursed travel expenses.

Ayshford stated the East Bethel Ice Arena is a City-owned building that is operated as an Enterprise Fund with the costs of operation directly funded by the users without the need for funds from the general fund tax levy if operated as designed. The Ice Arena Enterprise Fund began operating in the black in 2013 and has been able to grow a positive balance to pay for facility repairs and upgrades since that time.

Ayshford noted both of the submitted proposals would require securing additional funding to keep the ice arena operating at a break-even point with the low proposal from Gibson Management representing a 32% increase over the 2024 costs. Possible sources of additional funding could come from raising ice rental rates, greatly increasing advertising, or subsidizing costs with general fund tax revenue.

Ayshford stated another possible option is to reduce operational costs by performing the management of the Ice Arena in-house with City staff. Staff has put together an estimate of the operational costs for the City to perform this service and are shown in attachment 3. The estimated annual cost would be approximately \$102,000 with a \$13,300 contingency built into the estimate. City Staff would be responsible for hiring and managing part-time ice arena attendants, coordinating and scheduling ice rental times, installing and removing the ice sheet, and the administrative and HR responsibilities associated with the part-time employees.

Ayshford indicated these responsibilities would be in addition to all of the employee’s workload so every effort would be made to minimize the use of existing City Staff and maximize the use of part time help and vendors along with leveraging any options that the St Francis Youth Hockey Association can offer.

**DeRoche stated I’ll make a motion to approve the City self-manage the Ice Arena with the understanding that it was a trial and if someone wants to buy it, it would be sold. Miller stated I’ll second.** Lewis asked any discussion?

Mundle asked if the motion included selling the building. Look believed the past discussions were that if someone wanted to buy the business, the City would lease the building to the new owner of the business.

Lewis asked if the City could sell the building if they wanted. Ayshford responded the City had a tower lease on the property and there was an agreement with MnDOT for parking on the property.

Lewis asked if those could be transferred to a new owner. Look responded the City could lease the building to someone for one dollar or any other amount they wanted.

Mundle stated he did not want the City approving any open bidding sale and that this was strictly for operational management of the ice arena.

To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

**8.0 F Fire Department**

None.

**8.0 G City Administrator Report**

**8.0 G.1 Consider Approval of Assessor Contract**

This item was considered prior to Item 7.0 New Business.

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**9.0 – Other Items**

**9.0 A Staff Report**

Look stated Ekberg and Lammers was going through a Legislative update tomorrow if Council wanted to listen in.

Look stated there would be an Open House at City Hall on June 6 that the County was putting on for the ditch abandonment for Capstone. He indicated this would meet the public requirement to go through the process.

**9.0 B Council Reports**

DeRoche stated he had stopped by the ball field at Coon Beach and Midwest Speed was putting their new signage was up, which looked good.

**10.0 Adjourn**

**DeRoche stated I'll make a motion to adjourn. Mundle stated I'll second.** To the motion, all in favor say aye. **All in favor.** Lewis asked any opposed? That motion passes. **Motion passes unanimously.**

Meeting adjourned at 8:30 PM.

Submitted by:  
Kathy Altman  
*TimeSaver Off Site Secretarial, Inc.*

**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** June 10, 2024

**Agenda Item Number:** 7.0 A.1

**Agenda Item:** Variance – Reduction of Front Yard setback for Raised Bed Box Mound Drain Field and Tank Placement – 18116 Deerwood Ln NE.

**Requested Action:** Consider a variance request to reduce the front yard setback standard from 10 feet to 2 feet for the placement of a Type III, raised pressure bed, septic box mound and a tank at 5 feet.

**Background Information:** On January 30, 2024, Blake Robinson purchase 18116 Deerwood Ln NE. At the time of the sale the septic system, which was installed in 1978, failed an inspection and was declared non-compliant.

***Sec. 74-36. - Compliance.** No person shall cause or permit the location, construction, alteration, extension, conversion, operation, or maintenance of a subsurface sewage treatment system, except in full compliance with the provisions of this article.*

***Sec. 74-48. - Compliance inspection.** An SSTS compliance inspection is required: (2) Before the sale or property transfer within the city.*

Boettcher Excavating and Septic was hired to replace the system. Due to the age of the existing system, the condition of the soils and lack of available space on the property, it was noted that a variance would be necessary to install a replacement system.

On April 11th, 2024, the city received an application from Mr. Robinson, for a variance to reduce the front yard setback standard from 10 feet to 2 feet for the placement of a Type III, raised pressure bed, septic box mound and a tank at 5 feet.

The proposed septic design calls for soil corrections (removal of all existing material and replacement) with additional soils, approximately three (3) feet above ground, contained within a landscape block retaining wall. The proposed placement requires the raised bed be placed two (2) feet from the City Right of Way (ROW) in the front yard setback in order to achieve the required 20 foot setback from the residence basement/foundation wall.

This proposed placement of the raised pressure bed is completely on the property and not in the city ROW however, due to the proximity of the City ROW the Public Works Manager was consulted. After a visual observation of the property, it is believed that if approved the placement would not interfere with maintenance operations or future street repair.

The proposed system meets setback requirements for all wells.

Consideration of a variance requires the following three-factor test for practical difficulties:

- The first factor, a test of reasonableness, means that the landowner would like to use the property in a practical way but cannot do so under the rules of the ordinance.

In this case:

***Septic systems are required for a home to be considered habitable. The approval of the variance would allow this property to continue to be used as a residential use.***

- The second factor is, a test of uniqueness, the issue for the variance is due to circumstances unique to the property and not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular property.

In this case:

***The property has limited space for a drain field due to the irregular shaped corner lot. A branch of Anoka County Ditch 28 runs through the property from the rear lot line to the front lot line dividing it into two land areas.***

- The third factor is, that a variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure or improvement will be out of scale, out of place, or otherwise inconsistent with the surrounding area. When applying this test to a setback reduction, the visual impact or use or improvement relative to the surrounding dwellings is the emphasis of assessment. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

In this case:

***The property has an existing hedge running parallel to the front property line and in the city Right of Way. The proposed raised bed box mound will not exceed the height of the hedge.***

**Planning Commission:** On May 28, 2024, the Planning Commission held a Public Hearing which there was no public comment. After a review of the application material and hearing from the applicant the Planning Commission, by a 7-0 vote recommended approval of the variance to reduce the front yard setback standard of 10 feet to 2 feet, for the placement of a raised pressure bed septic box mound and a tank at 5 feet on a property at 18116 Deerwood Ln NE.

**Recommendation:** City Council should review the request, consider the Planning Commission’s formal recommendation and approve the variance to reduce the front yard setback standard of 10 feet to 2 feet, for the placement of a raised pressure bed septic box mound and a tank at 5 feet on a property at 18116 Deerwood Ln NE or deny the CUPA as presented in Resolution 2024-40, with the following conditions:

1. A licensed septic designer must obtain all necessary building permits and complete all necessary inspections for the installation, as required by the Minnesota Septic Code.
2. A Monitor and Mitigation Plan must be submitted and approved.

**Attachments:**

1. Resolution 2024-40, Approving Variance to the Standard for the Installation of a Septic Mound and Tank in Front Yard Setback
2. Location Map
3. Aerial Map
4. SSTS Design
5. Site Photos

**City Council Action:**

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

Vote Yes: \_\_\_\_\_

Vote No: \_\_\_\_\_

**CITY OF EAST BETHEL  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 2024-40**

A RESOLUTION **GRANTING** VARIANCE FOR THE REDUCTION IN SETBACK FROM THE FRONT PROPERTY LINE FROM TEN FEET TO TWO FEET FOR THE INSTALLATION OF A SEPTIC SYSTEM DRAINFIELD PROPERTY LOCATED AT 18116 DEERWOOD LN. NE (PIN 33-33-23-34-0043), LEGALLY DESCRIBED AS:

LOTS 9 & 10 BLK 1 PINE GROVE ESTATES, SUBJ TO EASE OF REC

**WHEREAS**, the property owner requested a variance for a reduction in setbacks from the front yard setback from 10 feet to 2 feet for the placement of a septic system box mound, and;

**WHEREAS**, the property owner requested a variance for a reduction in setbacks from the front yard setback from 10 feet to 5 feet for the placement of a tank, and;

**WHEREAS**, the Minnesota Septic Code requires the approval of a variance to the standards by the governing municipality, per Minnesota Rule Chapter 7080; and,

**WHEREAS**, the Planning Commission held a public hearing on May 28th, 2024; and,

**WHEREAS**, the Planning Commission finds the request:

1. Is a reasonable request:
  - Minnesota Septic Code allows municipalities to grant variances to the standards.
  - The issuance of a variance for the drain field box mound installation is necessary for this home to be a habitable structure.
2. Is due to circumstances unique to the property, not caused by the landowner;
  - Due to the irregular shaped corner lot, the property has limited space for a compliant drain field.
  - A branch of Anoka County Ditch 28 runs through the property from the rear lot line to the front lot line dividing it into two land areas.
3. Will not have a negative effect on the characteristic of the neighborhood;
  - The property has an existing hedge running parallel to the front property line and in the city Right-of-Way.
  - The proposed raised bed box mound will not exceed the height of the hedge.

**WHEREAS**, the Planning Commission recommends to the City Council approval of the variance request, and;

**WHEREAS**, the City Council approves of the variance request.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of East Bethel hereby approves the variance to the front yard setback standards from 10 feet to 2 feet and a tank at 5 feet on a property at 18116 Deerwood Ln NE, with the following conditions:

- 1. A licensed septic designer must obtain all necessary building permits and complete all necessary inspections for the installation, as required by the Minnesota Septic Code.
- 2. A Monitor and Mitigation Plan must be submitted and approved.

Adopted this 10th day of June, 2024 by the City Council of the City of East Bethel.

CITY OF EAST BETHEL

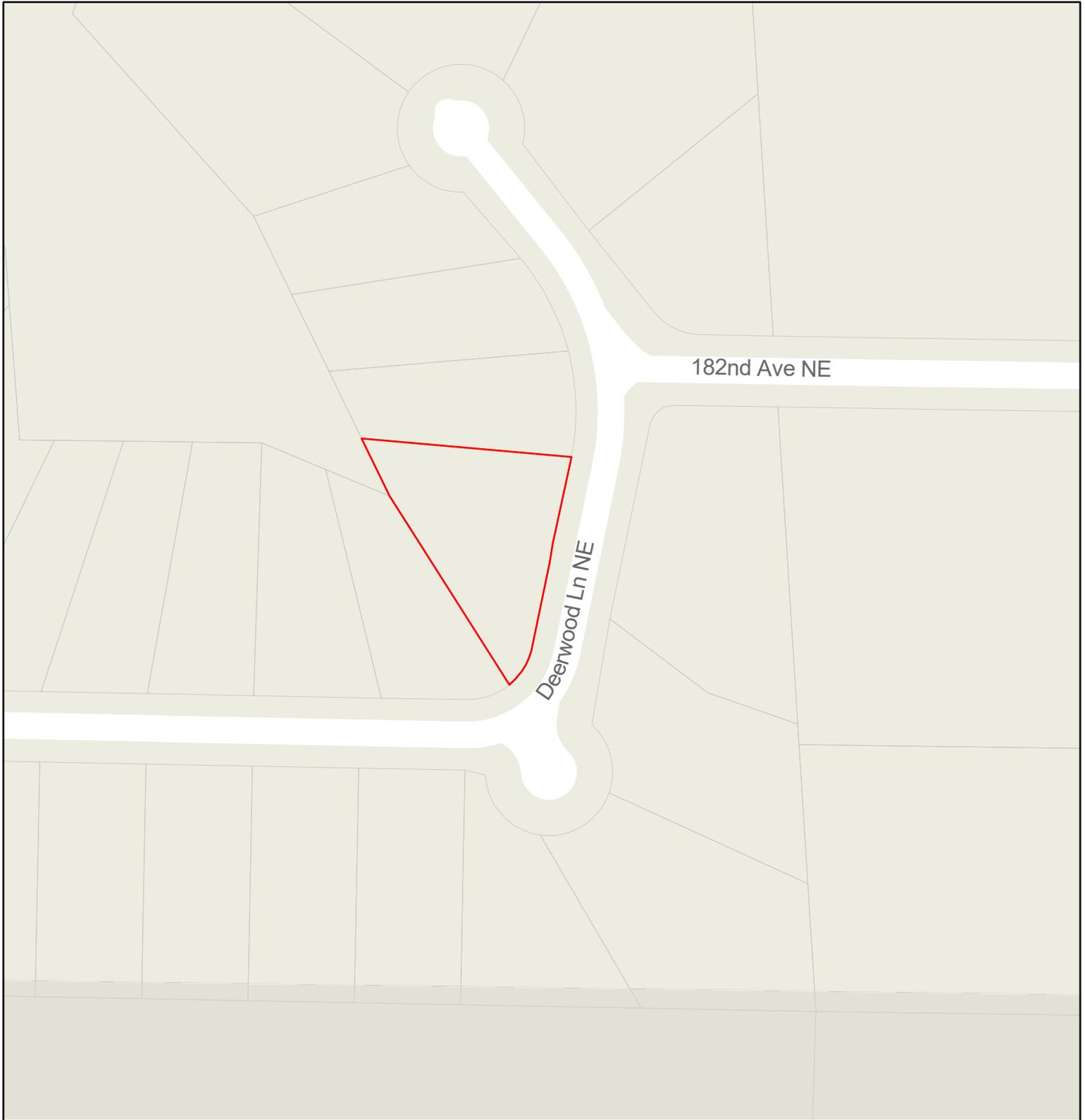
ATTEST

\_\_\_\_\_  
Kevin Lewis, Mayor

\_\_\_\_\_  
Matt Look, City Administrator

# 18116 Deerwood LN NE - Location Map

Item 7.0 A.1, Attachment 2



1 inch equals 180 feet

Parcels

 City Mask



# 18116 Deerwood LN NE - Aerial Map

Item 7.0 A.1, Attachment 3



Parcels

City Mask

1 inch equals 136 feet



# SITE PLAN



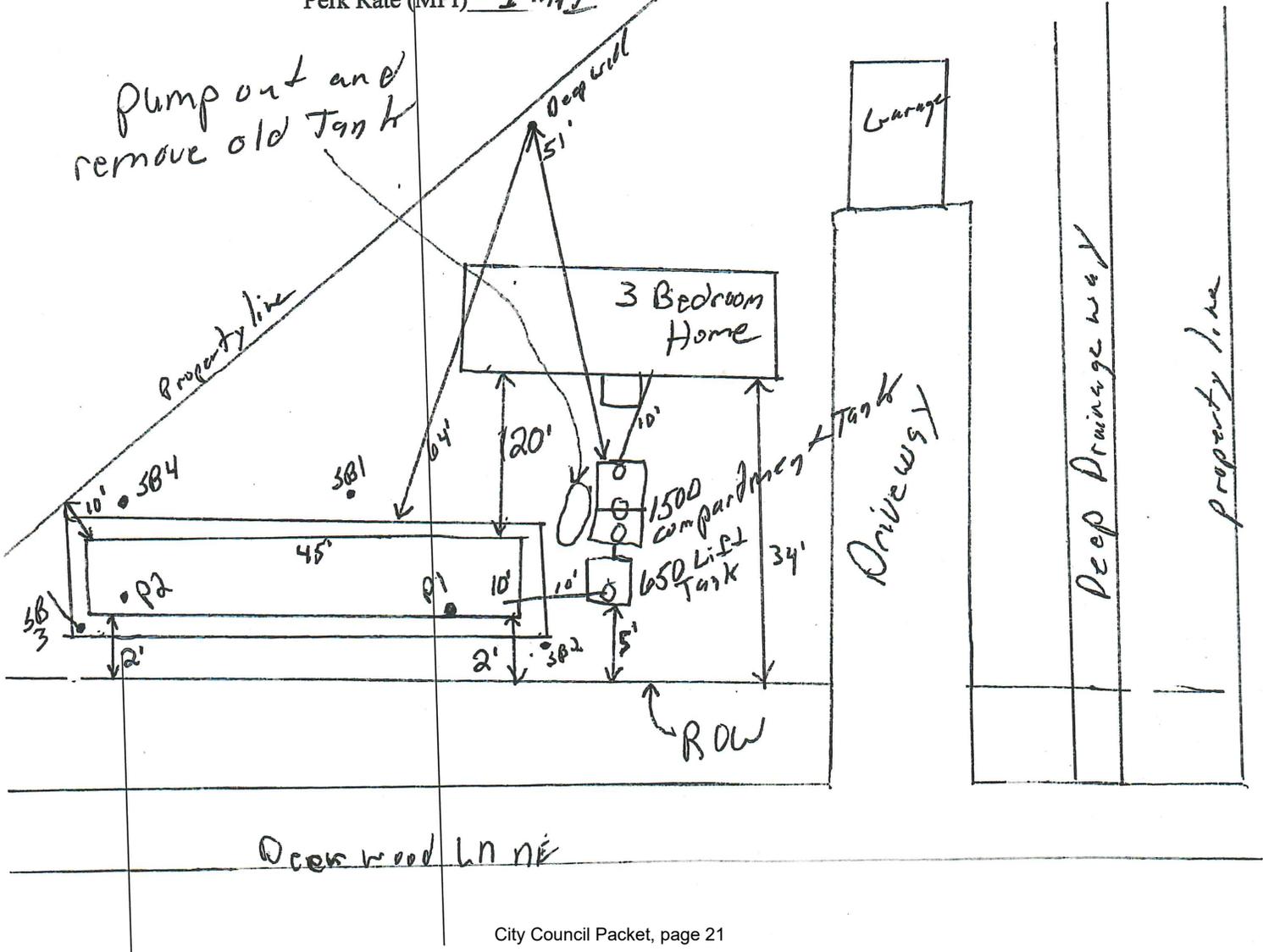
**BOETTCHER**  
EXCAVATING AND SEPTIC, LLC.

By Shannon Boettcher MPCA License # 41229  
763-291-6844

## Check List:

North Arrow	Drain field location
Lot lines	Wetlands
Structures	Wells & Depth within 100' septic
ROW	Water lines
Septic Tank Location	Location of borings
Scale	Slope- <u>0 %</u>
Elevation and	Lift from pump to drainfield <u>10</u>
Location of	Soil Structure <u>Sandy loam</u>
Restrictive layer.	Soil hyd Loading Rate <u>1</u>
<u>SB #4 99'</u>	Absorption Ratio <u>1</u>
	Lift required is basement <u>yes</u>
	Perk Rate (MPI) <u>1 MPI</u>

BM <u>Top Stoop 100'</u>	Elevations
# Bedrooms <u>3</u>	BM @ 100'
Address <u>18116 Deerwood Ln NE</u>	Tank- <u>98.7</u>
<u>East Bethel</u>	Lift Station- <u>98.7</u>
Township <u>East Bethel</u>	SB#1- <u>99.1</u>
PID# <u>33-83-13-34-000/3</u>	SB#2- <u>98.3</u>
	SB#3- <u>98.5</u>
	SB#4- <u>99</u>
	House- <u>Stoop 100'</u>
	Perk #1- <u>982</u>
	Perk #2- <u>985</u>











**City of East Bethel  
City Council Meeting  
Agenda Item Information**



**Date:** June 10, 2024

**Agenda Item Number:** 7.0 A.2

**Agenda Item: Variance Request** – General Regulations – for a variance to setback and lot standards for placement of manufactured homes, on sites 17 and 125, at the property located at 18164 Highway 65 NE — Continental Communities.

**Requested Action:** Consider a variance request for the placement of manufactured homes on Lot 17 and Lot 125.

**Background Information:** Cedarwood Estates, formerly Village Green North, is a 150 + unit Manufactured Home Park, located in an R2 Residential Zoning District, at the corner of Hwy 65 NE and 181<sup>st</sup> Ave NE. Continental Communities purchased the property in November 2021. The city does not have any certificates of survey or official recorded plats for the four parcels that make up the manufactured home park.

Historical research and documentation shows that this property was issued a Special Permit by the Village of East Bethel to be a Mobile Park as early as September 1969.

**Ordinance #12 - Section X (Zoning Code) - Special Use Permit** was enacted on July 13, 1960. Although Mobile Home Park is not specifically listed as a use requiring a Special Use Permit, there are provisions allowing the Council the authority to require them for other uses. (Attachment 3)

On May 17, 1961, **Ordinance #16 – An Ordinance regulating the Parking of Mobile Homes in the Village of East Bethel** was enacted. Additionally, on June 2, 1965, **Ordinance #27- An Ordinance Regulating Mobile Home Parks and the Occupancy thereof in the Village of East Bethel, Minnesota** was enacted. These ordinances, in combination, permitted mobile homes to be placed for a 6 month period in order to allow the occupant time to construct a permanent dwelling within the village and required further required removal at the conclusion of the month limit. Ordinance #27 included a Special Use Permit requirement as well as design standards. These standards include a minimum lot size of 3,200 sq. ft. with a 40 foot width minimum, 4 feet of distance between home and sidewalk, a rear lot line setback of 10 feet, side yard setback of 5 feet, 20 foot boundaries, 30 foot streets, 30 inch wide sidewalks, a single shade tree, parking restrictions, skirting and a requirement that the wheels and running gear remain attached. (Attachment 4 & 5)

On January 31, 1969, Harlan Kemper submitted an application for Kemper Manor Trail Court and payed a \$50 Mobile Park Fee for the property. (Attachment 6) On February 5, 1969, the Village of East Bethel Council approved the application with a condition that the Kemper rezone the property to a Commercial and on September 3, 1969 the rezoning was approved. By February 4, 1970, at Village of East Bethel Council meeting, the Planning and Zoning report shows that a representative from Premier Realty appeared representing Kemper’s Trailer Park discussing the acquisition of 80 additional acres.

On April 7, 1970, Par-Ex appears at a Planning and Zoning Meeting reporting that “the plans for the mobile home park would not be finally approved for years, and the PCA (Pollution Control Agency) couldn’t give finalization for maybe 5 years.” On April 28, 1970, Par-Ex again appears at a Planning and Zoning Meeting in regard to Village Green North Mobile Home Court, formerly known as Kemper Manor. Plans included, but were not limited to 370 Units, 4,500 sq. ft lot minimums and that they would meet state and local requirements. A Special Use Hearing

was held on May 6, 1970 at a Special Planning and Zoning Meeting where Par-Ex was reported as the new property owner. At the conclusion of the Special Use Hearing the Village of East Bethel Council met and approved the Special Use Permit for Village Green North with a phase one plan for 170 units.

On September 1, 1971, the Village of East Bethel Council approve a Phase II of the Village Green North with an additional 18 units.

On October 4, 1972, Ordinance #16A – an amendment to Ord. 16 maintained the original 6 month provisions but replaced the responsible agent for permit issuance from a Constable to a Building Inspector.

On January 1, 1974, The City of East Bethel is incorporated as a city.

On May 3, 1978, a 1 year moratorium on new mobile home parks and the expansion of existing parks was enacted while the Metropolitan Council studied the impacts on local public services, facilitates and increases in the danger of air and water pollution. This was intended to allow cities to begin implementation of official controls in coordination with a Comprehensive Plan.

On May 9, 1979, **Ordinance No. 122 – An Ordinance Regulating Mobile Home and Mobile Home Parks and the Use and Location** thereof in the City of East Bethel was approved by the East Bethel City Council. This included the repeal of all previous ordinances regulating mobile home parks and the use and occupancy thereof. This included single lot sizes at 7,800 sq. ft., 60 feet lot widths, 130 foot lot depths, 30 foot front setbacks, 20 feet rear yard lot setbacks, and 15 feet side lot setbacks. A minimum distance of 30 feet between homes in all directions with no more that 25 percent lot coverages and eliminated the 6 month occupancy provisions. (Attachment 7)

On March 4, 1987, **Ordinance #142 – An Ordinance Regulating Manufactured Homes and Manufacture Home Parks and the Use and Location thereof in the City of East Bethel** was approved. This ordinance not only repealed Ordinance #122 but it included the requirement of Conditional Use Permits, replaced the words Mobile with Manufactured, added the Zoning requirement of B-1 Business Commercial District location requirements, required building permits, increased buffer zones, and maintained individual lot dimensions and standards. (Attachment 8)

On June 18, 2008, Ordinance #142 was adopted as **Chapter 38 -MANUFACTURED HOMES AND MANUFACTURED HOME PARKS**, the current ordinance.

This historical review demonstrates that multiple zoning code and ordinance revisions (May 1979 & March 1987) have been occurred since 1969 to include but not limited to, an occupancy timeframe beyond 6 months, a 1 year moratorium, special use permit, a requirement that Manufactured Home Parks have Conditional Use Permits, and a change in zoning district. City Staff and Continental Communities staff have searched and are unable to locate any Conditional Use Permit issuance for the property.

**Sec. 38-20. - Location of manufactured homes and manufactured home parks. (e) Zoning. No person shall construct, locate, operate or maintain a manufactured home park in the city unless the proposed area is zoned for B-1 business commercial district as stated in the city's zoning ordinance. (Ord. No. 142, § 2(subd. 2), 3-4-1987)**

Sometime between September 3, 1969 and September 5, 2007, the property 18164 Hwy 65 NE was rezoned R2 Residential. Without a Conditional Use Permit this entire property could be a potential non-conforming use. In addition to the potential non-conforming use, there are also potentially non-conforming home placements, as a result of changes in zoning standards.

**Sec 05. – NONCONFORMITIES - 1. - Purpose.** *Within the zoning districts established by this chapter, or amendments that may later be adopted, situations may occur where, as a result of the requirements*

contained in this chapter, an existing lot, structure, site improvement, or use does not conform to one or more of the requirements of this chapter. It is the intent of this section to regulate such nonconforming situations to accomplish the following:

- A. Recognize the existence of uses and structures which were lawful when established but which no longer meet all ordinance requirements.
- B. Discourage the enlargement, expansion, intensification, or extension of any nonconforming use or structure and discourage any increase in the impact of a nonconforming use or structure on adjacent properties. Only exceptional cases of any expansion or intensification of a nonconforming use will be permitted and only after city approval of a variance.
- C. Encourage the elimination of nonconforming uses and structures or reduce their impact on adjacent properties.

**2. - Nonconforming use.** A nonconforming use may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion unless:

- A. The nonconforming [use] or occupancy is discontinued for a period of more than one year.
- B. Any nonconforming use is destroyed by fire to the extent of 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged. In such a case, any such building permit shall be subject to reasonable conditions in order to mitigate any newly created impact on adjacent property.
- C. A nonconforming use may not be changed to another nonconforming use.
- D. When any nonconforming use has been changed to a conforming use, it may not be later changed to a nonconforming use.
- E. A nonconforming use may be changed to lessen the nonconformity, but once lessened, the use may not be changed to increase the nonconformity.

**Minn. Stat. § 462.357, subd. 1e** says any legal nonconformity has a right to continue. It may be continued through repair, replacement, restoration, maintenance, or improvement. These rights were limited to repair and maintenance until 2004 when the Legislature added replacement, restoration, and improvement, but not expansion.

The East Bethel City Council in 1987 must have recognized that there would be complications and impacts when enacting new citywide zoning standards.

**Sec. 38-44. - Existing manufactured home parks.** *Manufactured home parks in existence or for which conditional use permits have been issued as of the effective date of the ordinance from which this article is derived may continue to operate for a period not to exceed two years from the effective date of the ordinance from which this article is derived, during which two-year period this article shall not apply to such parks; at the termination of said two-year period, however, all the provisions contained herein shall apply and must be met by such parks within the following exceptions: sections 38-24(2) and (3), 38-25, 38-26(d) through (i), and 38-27(a) and (b); other variances may be approved by city council if strict compliance with said provisions of this article would be an undue hardship upon the owner of the park. (Ord. No. 142, § 11, 3-4-1987)*

**Sec. 38-25. - Lot standards.** *All lots in a manufactured home park are subject to the following regulations:*

- (1) *Size, single lot. Each lot in a manufactured home park intended as the location for one singlewide unit shall contain not less than 7,800 square feet of unoccupied space excluding street and sidewalk right-of-way and shall have a minimum width of 60 feet except corner lots which shall have a minimum width of 70 feet and shall have a minimum depth of 130 feet*

*measured from the curb face to the rear lot line, provided, however, that in all cases lots shall be of sufficient size to meet all setback requirements of this article.*

- (2) Size, double lot. Each special width lot in a manufactured home park intended as the location for one doublewide unit shall contain not less than 11,700 square feet of unoccupied space excluding street and sidewalk right-of-way and shall have a minimum width of 90 feet and a minimum depth of 130 feet, provided, however, that in all cases lots shall be of sufficient size to meet all setback requirements of this article. An applicant may designate lots for doublewide units in the original plans or may recombine single lots to achieve the necessary width to the satisfaction of the building official. No doublewide unit may be installed on any but a special width lot.*
  - (3) Front setback. Front setback of the manufactured home shall be no less than 30 feet from the curb face. On corner lots the setback shall be observed on both frontages.*
  - (4) Rear setback. Rear setback of the manufactured home shall be not less than 20 feet from the rear lot line.*
  - (5) Side yard. The side yard setback shall be no less than 15 feet from the lot line.*
  - (6) Minimum distance. There shall be no less than 30 feet between manufactured homes in all directions.*
  - (7) Area occupied. No more than 25 percent of each lot may be occupied by a dwelling or structure.*
- (Ord. No. 142, § 6 (subd. 2), 3-4-1987)*

Historical mapping shows that last time homes were placed on Lots 17 and Lot 125 was in 2008, prior to Continental Communities purchase. The lots remained empty until October 2022, when Continental Communities applied for a permits to place a new homes on the lots. Without a Conditional Use Permit, these non-conforming lots were lessened in conformity sometime after 2008, when the previous non-conforming homes were removed. They remained vacant all the way up to 2022, which is more than 1 year. The placement of a new manufactured homes, with a larger foot prints and square footages, would meet the definition of expansion.

In comparing the existing lot proposals to the standards of Ord. No. 16 (1961), Ord. No. 27 (1965), Ord. No. 122 (1979), and Ord. No. 142 (1987) shows that the lots did not, nor would not meet the standards required then potentially making them Illegal Nonconformities, without a Conditional Use Permit. Illegal nonconformities are defined as those that were not permitted when established. They may exist because a prior zoning ordinance was not enforced as written. A city's failure to enforce a prior zoning ordinance does not give a landowner the legal right to continue an illegal nonconformity. Illegal nonconformities do not have the rights associated with legal nonconformities. Municipalities should consider whether the nonconformity ever complied with existing ordinance or law before assuming a particular nonconformity is entitled to the statutory right to continue.

**Minn. Stat. § 462.357 OFFICIAL CONTROLS: ZONING ORDINANCE. Subd. 1a.** *Certain zoning ordinances. A municipality must not enact, amend, or enforce a zoning ordinance that has the effect of altering the existing density, lot-size requirements, or manufactured home setback requirements in any manufactured home park constructed before January 1, 1995, if the manufactured home park, when constructed, complied with the then existing density, lot-size and setback requirements.*

Landowners may assert their continuance rights in response to city enforcement of a zoning ordinance. The burden is on the landowner to establish that their property qualifies for nonconforming rights. Continental Communities has not provided the city any documentation to establish the manufactured home park complied with existing requirements when constructed.

**The proposed placements** - Lot 17 is an interior lot with a reported width of 30 feet and a length of 80 feet.

The newly proposed home is 16' X 76' home. The placement is 5 foot 9 inches from the curb face, 21 feet from the home to the rear, 21 feet from the home to the right and 27 feet from the home to the left. (Attachment 9)

In 2008, the home on Lot 17 was approximately a 14' x 65' home with a placement of approximately 10 feet from the curb face, 25 feet from the home to the rear, 20 feet from the home to the right and 25 feet from the home on the left.

Lot 125 is a corner lot at the intersection of Cedarwood Rd NE and Linden PL NE with the possible dimensions of 50' X 90', however lot lines cannot be established. The newly proposed home is a 16' x 76' home and was placed on the lot 6 foot 5 inches off of the curb face of Cedarwood Drive NE. There is 29 feet of distance between the new home and the home to the east however there is 14 feet 5 inches of distance between this and the home to the north. Additionally, this is a corner lot so the side yard placement off of the curb face of Linden PI NE is 30 feet. (Attachment 10)

In 2008, the home on Lot 125 was approximately a 14' X 68' and it was placed 15 feet off of the curb face of Cedarwood Drive, 26 feet from the curb face of Linden PI NE and 28 feet from the neighboring home to the east and 15 feet from the home to the north.

These placements do not meet the criteria set forth to allow for the structures to be placed on the lots, so variances would be required.

Consideration of a variance requires the consideration of a three-factor test for practical difficulties:

- The first factor, a test of reasonableness, means that the landowner would like to use the property in a practical way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.
- In this case:
  - ***The placement of a new manufactured home on a lot in an existing manufactured home park is reasonable.***
  - ***Placing a manufactured home with the dimensions larger than a previous non-conforming home is not be reasonable.***
  - ***Expansion of a non-conformity is prohibited by East Bethel Ordinance Sec 05. & Minn. Stat. § 462.357, subd. 1e.***
  - ***Placing a manufactured home within 30' of another manufacture home may not be reasonable.***
- The second factor is that the landowner's problem is due to circumstances unique to the property and not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands.
- In this case:
  - ***Continental Communities purchased the property in its existing form and design.***
  - ***Due to the lack of CUP and non-conforming/ illegal non-conforming status of the entire property, the existing lot dimensions in Cedarwood Estate cannot be expanded to accommodate placements of manufactured homes within existing setbacks.***

- **Sec. 38-44. – Existing Manufactured Home Parks contains provisions that allow “other variances may be approved by the city council if strict compliance with said provisions of this article would be an undue hardship upon the park owner.”**
- The third factor is that a variance would not alter the essential character of the neighborhood. This factor is used to consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.
- In this case:
  - **There are 150 + manufactured homes in the park of which all would not meet Sec. 38-25. - Lot standards.**
  - **The encroachment in setbacks vary on each lot as a result of the inconsistent lot dimensions.**
  - **A variety of manufactured home dimensions have been placed on lots throughout the history of the park.**

**Planning Commission:** On May 28, 2024, the Planning Commission held a Public Hearing. Aside from a representative of Continental Communities, there was no public comment. After a review of the application material and hearing from the applicant the Planning Commission, after a lengthy discussion, by a 7-0 vote recommended denial to the City Council to the variance requests to reduce the lot standards and setback distances to allow the existing placements of Manufactured Homes on Lot 17 and Lot 125.

One item of concern raised by the planning commission was risk associated with fire. The National Fire Protection Association 501A - Standard for Fire Safety Criteria for Manufactured Home Installations, Sites and Communities states in **Sec. 6.2.1 Fire Separation Separation Requirements. Sec. 6.2.1.1 Fire separation distances shall comply with the jurisdiction’s adopted building code, local rules, or regulations.**

**Recommendation:** City Council should review the request, consider the historical information as well as the Planning Commission’s formal recommendation and approve, provide a modified approval or deny the variance requests to reduce the lot standards and setback distances to allow the placement of Manufactured Homes on Lot 17 and Lot 125.

**Attachments:**

1. Location Map
2. Aerial Map
3. Ordinance 12
4. Ordinance 16
5. Ordinance 27
6. Kemper Manor Trail Court Receipt
7. Ordinance 122
8. Ordinance 142
9. Sketch of Lot 17
10. Sketch of Lot 125
11. Photographs

**City Council Action:**

Motion by: \_\_\_\_\_

Second by: \_\_\_\_\_

Vote Yes: \_\_\_\_\_

Vote No: \_\_\_\_\_

# 18164 Highway 65 - Location Map

Item 7.0 A.2, Attachment 1



-  Parcels
-  City Mask

1 inch equals 359 feet



# 18164 Highway 65 - Aerial Map

Item 7.0 A.2, Attachment 2



-  Parcels
-  City Mask

1 inch equals 271 feet



**SECTION X SPECIAL USE PERMITS**  
**SUBDIVISION A**

Special use permits may be issued for any of the following: (1) Any of the uses or purposes for which such permits are required or permitted by the provisions of this ordinance. (2) Public utility or public service uses, or public building in any district when found to be necessary for the public health, safety, convenience or welfare. (3) Commercial excavating of natural materials used for building or construction purposes, creating borrow pits or gravel pits in any district. (4) To classify as a conforming use any institutional use existing in any district at the time of the establishment of such district. (5) To permit the location of any of the following uses in a district from which they are excluded by the provisions of this ordinance: airport, library, community center, church, hospital, any institution of an educational, philanthropic or charitable nature, cemetery, crematory, mausoleum or any other place for the disposal of the human dead.

**SUBDIVISION B**

Application for the issuance of a special use permit shall be made to the Planning and Zoning Commission, except that any proceedings to classify certain uses as conforming uses as provided in this section may be initiated either by such application or by the Planning and Zoning Commission.

The Planning and Zoning Commission may hold such hearings on the proposal to issue a special use permit as it may consider necessary: but at least one (1) public hearing shall be held on any application for a special use permit after ten (10) days published notice of such hearing.

Following the hearing, the Planning and Zoning Commission shall make a report to the Village Council upon the proposal and shall recommend to the Village Council whatever action it deems advisable, but it shall not recommend the granting of a permit unless it finds that the establishment, maintenance or conducting of the use for which a special use permit is sought will under the circumstances of the particular case be detrimental: (1) To the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the neighborhood of such use, or (2) to the public welfare, or injurious to property or improvements in the neighborhood. It may designate conditions and require guarantees in the granting of use permits in the manner provided in Section IX for the granting of adjustments. Upon receipt of the report of the Planning and Zoning Commission, the Village Council shall hold whatever public hearings it deems advisable, and shall make a decision on the proposal to grant a special use permit. If it finds that the conditions exist which are necessary under this section before the Planning and Zoning Commission may recommend the granting of a use permit, the Village Council may grant the use permit and may attach to the permit such conditions and guarantees as are provided for in Section IX for the granting of adjustments.

**SUBDIVISION C**

Any use permitted under the terms of any special use permit shall be established and conducted in conformity to the terms designated in connection therewith.

ORDINANCE #16

AN ORDINANCE REGULATING THE PARKING OF MOBILE HOMES  
IN THE VILLAGE OF EAST BETHEL.

THE VILLAGE COUNCIL OF THE VILLAGE OF EAST BETHEL DO ORDAIN AS FOLLOWS:

SECTION I-FOR THE PURPOSE OF THIS ORDINANCE THE FOLLOWING WORDS AND TERMS  
SHALL HAVE THE MEANINGS HEREIN ASCRIBED THERETO:

- (a) MOBILE HOME - Any vehicle or structure designed or constructed in such a manner as will permit occupancy thereof as sleeping and/or living quarters for one or more persons, and so designed 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, and the fact that the wheels have been removed shall not exclude it therefrom.
- (b) OWNER - A person owning any interest in a mobile home, or a tenant, bailee, user or custodian thereof, or anyone entitled to possession thereof.
- (c) VILLAGE - The Village of East Bethel.

SECTION II -

No owner of a mobile home shall allow such mobile home to remain in any location within the Village for over twelve (12) hours unless said owner has complied with all laws of the State of Minnesota covering registration, licensing, or payment of tax on such mobile home.

SECTION III -

A mobile home may be parked in the Village for a thirty (30) day period without permit or fee provided that (a) said mobile home be parked or located on premises owned by the owner of the mobile home, or with the express permission of the owner of such premises. (b) That adequate sanitary facilities and water supply be available for occupants use twenty-four (24) hours each day.

SECTION IV -

Within and before the expiration of the thirty (30) day period mentioned above, the owner of said mobile home may apply to the Village Constable for a permit to keep such mobile home in the Village for an additional six (6) month period. If the Constable finds that the owner has complied with all the provisions of this ordinance said Constable may issue a permit allowing said mobile home to remain in the Village for an additional six (6) month period upon payment of a fee of ten (\$10.00) dollars, one-half of this fee to be retained by the Constable for his services and the balance to be turned over to the Village Clerk along with two copies of the permit issued.

SECTION V -

Upon the expiration of the six (6) month period mentioned above, no further permits shall be issued, and said mobile home shall be removed from the Village, except that if the owner, during the six (6) month period provided in Section IV has obtained a building permit for a dwelling to be constructed within the Village, and has begun construction of such dwelling, he may obtain from the Constable a permit to keep said mobile home in the Village for an additional six (6) month period.

In the event that the owner while constructing such dwelling require the use of the mobile home in the Village for a longer period he may apply to the Constable for an extension of the time allowed by the permit. Such application shall be referred by the Constable to the Planning and Zoning Commission for a decision as provided by the special use permit Section X of the Zoning Ordinance of the Village of East Bethel.

## SECTION VI - SPECIAL PROVISIONS AND EXCEPTIONS

- (a) A permit shall not be required under this ordinance for any mobile home parked in a trailer park which has been established and properly licensed under Chapter 428 of the Minnesota Statutes of 1951 as amended.
- (b) No permit shall be required under the provisions of Sections IV and V of this ordinance for a mobile home parked on property owned by the owner of said mobile home, if said mobile home is not used for any living, sleeping, or business purpose at any time while parked within the limits of the Village.
- (c) It shall be the duty of any police officer or any Village official observing any newly parked mobile home in the Village to report the same to the Village Constable.
- (d) All applications for mobile home permits shall state the name of the owner, complete description of the location, description of mobile home, and other details which may be deemed necessary by the Constable.

## SECTION VII -

Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined not more than one hundred dollars (\$100.00) or imprisoned for not more than ninety (90) days. Each day that the violation is permitted to continue after any such conviction shall constitute a separate and distinct offense.

## SECTION VIII -

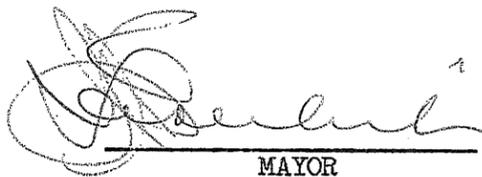
If any section, clause, provision or sentence of this ordinance shall be declared invalid by any court or competent jurisdiction, such invalidity shall not affect the validity of the whole of any other provision thereof.

Effective Date-

This ordinance shall be in full force and effect from and after its passage and publication according to law.

PASSED UNANIMOUSLY BY THE COUNCIL OF THE VILLAGE OF EAST BETHEL THIS 17<sup>th</sup> DAY

OF May 1961



MAYOR



CLERK

VILLAGE OF EAST BETHEL, MINNESOTA

ORDINANCE NO. 27

AN ORDINANCE REGULATING MOBILE HOME PARKS AND THE  
OCCUPANCY THEREOF IN THE VILLAGE OF EAST BETHEL, MINNESOTA

THE VILLAGE COUNCIL OF EAST BETHEL DOES HEREBY ORDAIN:

SECTION I

Definitions. Whenever used in this ordinance, unless a different meaning appears in the context:

(a) "A trailer" or "mobile home" means an automobile trailer, trailer coach or any vehicle or structure so designed and constructed in such manner as will permit occupancy thereof as living quarters for one or more persons, and so designed that it is or may be mounted on wheels and used as a conveyance on highways or streets, propelled or drawn by its own or other motive power.

(b) The word "person" shall be construed to include persons, partnerships, firm, company, corporation, tenant, owner, leasee, or licensee, their agents, heirs or assigns.

(c) The words "mobile home park" shall be construed to mean any site, lot, field or tract of land upon which two or more occupied mobile homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such mobile home park.

SECTION 2

(a) Application for a special use permit to establish and construct a mobile home park under the provisions of this ordinance shall be made to the Village Council of East Bethel Village.

(b) The application for a permit shall be accompanied by four (4) copies of the mobile home park plan showing the following, either existing or proposed, and conforming to State and Village specification.

1. The extent and area proposed for mobile home purposes.
2. Roads and driveways.
3. Location and number of sites or plots for mobile homes.
4. Location and number of sanitary conveniences.
5. Proposed disposition of surface drainage.
6. Proposed street surfacing and lighting.
7. Proposed well and water system.
8. Proposed sanitary sewer system.
9. Proposed location of fire hydrants.
10. Any other information requested by the Village Council or Planning and Zoning Commission.

(c) Each application for such special permit shall be accompanied by a certificate of ownership of property within the Village by applicant, and ownership of all property within 300 feet of any boundary line of the proposed mobile home park.

(d) Each applicant shall be required to pay a fee of \$50.00 at the time such application is filed with the Village Clerk. This money shall be used by the Village to defray the expense of processing said application.

(e) The Village Council may, in its discretion require such applicant to file a bond in such form and amount as shall be satisfactory to the Council to insure the compliance by the applicant with the plans and specifications before the issuance of such special construction permit. Approval of such permit shall be limited to the number of mobile home plots shown on the plan presented, and any departures from the original plan at any later date must be approved by the Council.

SECTION 3

(a) The construction of a mobile home park shall comply with all of the provisions of the Village Building Code applicable thereto.

(b) Before construction commences, the Village shall be provided with four copies of the detailed plans for the construction and improvement of the Park.

(c) It shall be the obligation of the holder of the special construction permit to secure the approval of the Department of Health of the State of Minnesota, and to provide satisfactory evidence to the Village that all of the requirements of the State of Minnesota and the State Law are being complied with, and have been complied with before such mobile home park shall be occupied for use.

SECTION 4.

a. Every mobile home shall be so located on a well drained area and the premises shall be properly graded so as to prevent the accumulation of storm or other waters. A plan for rubbish and garbage disposal shall be presented to the Village Council for approval before such mobile home park begins operation.

b. Each plot shall have a gross area of not less than 3200 square feet with a minimum width of 40 feet.

c. There shall be a minimum distance of four (4) feet between the front of the mobile home and the sidewalk line of the plot.

d. Where an alley is provided adjacent to the back line of a plot there shall be a minimum setback of five (5) feet from said back line, where there is not an alley, the setback from the back line of the plot shall not be less than ten (10) feet.

e. There shall be not less than (5) five feet between a mobile home and any side line of a plot.

f. A concrete slab or patio may be constructed on the ground beside each mobile home parking space; this slab shall be not less than ten (10) feet wide, twenty-five (25) feet long, and four inches thick.

g. At least one shade tree (minimum diameter of two (2) inches at time of planting) shall be placed and maintained on each plot, all dead trees to be replaced within 90 days, or at a reasonable time, and such additional landscaping shall be included as may have been approved or required by the Village Council.

h. Except for the areas used for the mobile home, patio, sidewalk or off street parking space, the entire plot shall be sodded and maintained with grass.

i. Each plot shall abut on and have access to a street which shall be at least 30 feet wide between sidewalks. This street shall be stabilized to provide a firm base and the surface shall be maintained so as to be smooth and dust free to conform to Village requirements.

j. A cement sidewalk, not less than 30 inches wide shall be constructed adjacent to the street on the plot side thereof.

k. Every mobile home park shall provide for a minimum setback of at least twenty (20) feet on all boundaries, except boundary adjacent to Village, State or County roads where the setback shall conform to that of resident houses; or such other or greater setbacks as the Council shall require before the issuance of the special construction permit. Where a section line forms one of the boundaries of a mobile home park there shall be an additional setback of 33 feet on either side of such section line. Where abutting upon a public street or a residential area, this setback area shall be planted to provide a pleasant landscaped screen.

l. The parking of more than one mobile home or trailer on any single plot shall not be permitted.

m. No mobile home shall be inhabited by a greater number of occupants than that for which it is designed.

n. Water shall be supplied to the entire area through a central water supply system constructed in accordance with the laws of the Village of East Bethel and State of Minnesota and the recommendations of the State Department of Health.

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

p. No boats, boat trailers or other vehicles other than the personal automobiles of the occupants shall be parked on mobile home plots and there shall be provided a separate area upon which these boats or other vehicles shall be stored. This area to be located away from any public land and shall be densely screened by landscaping.

q. All mobile home parks shall contain a recreation or park area or areas, to be established and maintained within the mobile home park site, of not less than five (5) per cent of the total mobile home park area. The screening may be varied, if considered reasonable in any given instance, if recommended by the Planning and Zoning Commission and approved by the Council.

#### SECTION 5

Every person operating a mobile home park within this Village shall provide and keep thereat a suitable guest register for the registration of all persons provided with accommodations thereat; and each such person shall be registered therein, as provided by State Law. Such registration shall be kept accessible for inspection by Village authorities at all times.

#### SECTION 6

Each mobile home in a licensed mobile home park shall be equipped with a fire marshall-approved type fire extinguisher in usable condition. The occupant of the mobile home shall be responsible for providing such extinguisher for his mobile home.

#### SECTION 7

It shall be unlawful for any type vehicle to travel at a rate in excess of ten miles per hour within the limits of the mobile home park.

#### SECTION 8

The wheels and running gear of every mobile home located within a mobile home park shall be left on the mobile home.

#### SECTION 10

Where enclosures or skirts are used around the base of mobile homes they shall conform in appearance and design with those used by other mobile homes in the park, and of a type approved by the Planning and Zoning Commission and Village Council. In a like manner, steps and utility enclosures shall be standardized and approved by the Planning Commission and the Council, and any such step or enclosure not so approved shall be removed, but the mobile home owner or occupant shall be entitled to a hearing before any prosecution shall be instituted. Awnings or shades of cloth, canvas or other material, which are readily collapsible and removable in case of windstorm, fire, or flood or other emergency may be used.

SECTION 11

Mobile home parks shall be maintained by the owner or operator so as not to become unsightly with respect to containers, junk, trash, ashes or any other unsightly or unsanitary condition. No animal washing, car washing or other slop creating practices shall be carried on in any building, structure or other place not designated for such purposes. No pets or domesticated animals shall be allowed to enter buildings containing sanitary or washing facilities; nor shall they be allowed to run at large, but must be attached to a leash at all times when out of doors, or kept within a fenced area or otherwise controlled.

SECTION 12

Should any sentence, word, phrase, clause or provision of this ordinance be held to be invalid for any reason, such holding shall not be construed as effecting the validity of any remaining portion of this ordinance.

SECTION 13

This ordinance shall be construed and applied along with Ordinance No. 12, No. 13, and No. 16, of the Village of East Bethel, whenever an issue involving mobile homes, or mobile home parks arises.

SECTION 14

Any person violating any of the provisions hereof shall, upon conviction therefore, be punished by a fine of not to exceed \$100.00 or by imprisonment for not to exceed 90 days, provided that as to violations of a continuing nature, each day during which such violation is continued shall constitute a separate violation and shall be punishable as such.

AFFIDAVIT OF PUBLICATION

*The Record*

Columbia Heights, Minnesota

STATE OF MINNESOTA }  
COUNTY OF ANOKA } ss.

R. I. Chalmers being duly sworn, on oath says: that he now is and during all the time herein stated has been the general manager of the newspaper known as The Record and that he has full knowledge of the facts herein stated.

That for more than one year immediately prior to the publication therein of the printed

Ordinance No. 27

hereto attached, said newspaper was published in the English language from its known office of publication within the County of Anoka, State of Minnesota, on Wednesday of each week in column and sheet form equivalent in space to 450 running inches of single column two inches wide; has been issued from a known office established in said place of publication: THE RECORD has had in its makeup not less than twenty-five percent of its news of interest to said community it purports to serve; has contained general news, comments and miscellany; has not duplicated any other publication; has not been entirely made up of patents, plate matter and advertisements; has been circulated at and near its said place of publication to the extent of 240 copies regularly delivered to paying subscribers; has been entered as second class matter in local post office of its said place of publication; that there has been on file in the office of the County Auditor of said county the affidavit of a person having first hand knowledge of the facts constituting its qualification as a newspaper for publication of legal notices; and that its publishers have complied with all demands of said County Auditor for proofs of its said qualification. A copy of each issue has been filed with the State Historical Society, St. Paul.

That the printed Ordinance No. 27

hereto attached as a part hereof was cut from the columns of said newspaper; was published

therein in the English language once a week for 1 successive weeks; that it was

first so published on the 9th day of June, 1965 and

thereafter on Wednesday of each week to and including the

day of , 19 ; and that the following is a copy of the lower case

alphabet which is acknowledged to have been the size and kind of type used in the publica-

tion of said Ordinance No. 27

abcdefghijklmnopqrstuvwxyz

*R. I. Chalmers*  
General Manager

Subscribed and sworn to before me this 10th day of June, 1965

*Marilyn H. Reinart*

MARILYN H. REINART  
Notary Public, Anoka County, Minn.  
Notary Public Anoka County, Minn.  
My Commission Expires Feb. 3, 1971  
My Commission expires , 19



: Pauline Ekvall, E. Bethel Village Treasurer

FROM: A. Meyenburg, Secretary, Planning and Zoning Commission

\$50 Mobile Park Permit fee from Harlan Kemper given to P. Ekvall, Treasurer  
on Friday, January 31, 1969.

cc: Clerk

## ORDINANCE No. 122

May 9, 1979

## AN ORDINANCE REGULATING MOBILE HOMES AND MOBILE HOME PARKS AND THE USE AND LOCATION THEREOF IN THE CITY OF EAST BETHEL.

The City Council of the City of East Bethel ordains:

SECTION 1. ORDINANCES REPEALED. City of East Bethel Ordinances No's. 16, 16A, 16B, 27, 30, 117 and 118 regulating mobile homes and mobile home parks and the use and occupancy thereof are hereby repealed.

## SECTION 2.

## Subdivision 1. DEFINITIONS

a. Mobile Home. The words "mobile home" when used in this ordinance shall mean a transportable, single-family dwelling unit 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, as such, under the provisions of Minnesota Statutes, Chapters 168 or 273 and having no foundation other than wheels, jacks or skirting.

b. Singlewide Unit. Means one self contained mobile home designed to be a complete dwelling unit.

c. Doublewide Unit or Multiple Unit. Means two or more segments constituting one mobile home designed to be transported separately and attached to each other at the mobile home park to form one multiple home.

d. Mobile Home Park. The words "mobile home park" as used in this ordinance shall mean any site, lot, field or tract of land upon which two or more occupied mobile homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such mobile home park.

e. Lot. Means a section of ground in a mobile home park of not less than 7,800 sq. ft., excluding any street right-of-way, of otherwise unoccupied space designated as the location for one singlewide unit, and all other necessary improvements required by this ordinance.

f. Special Width Lot. Means a section of ground in a mobile home park of not less than 11,700 sq. ft., excluding any street right-of-way, of otherwise unoccupied space designated as the location for one doublewide unit.

g. Recreational Camping Vehicle. The words "recreational camping vehicle" as used in this ordinance shall mean any of the following:

(1). Travel trailer means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, permanently identified "Travel Trailer" by the manufacturer of the trailer.

(2). 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.

(3). 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.

(4). Camping trailer means a folding structure, mounted on wheels and designed for travel, recreation, and vacation use.

## Subdivision 2. LOCATION OF MOBILE HOMES AND MOBILE HOME PARKS.

a. Parking and Placement Prohibited. It shall be unlawful within the limits of the City of East Bethel for any person to park any mobile home on any street, alley or highway or other public place or on any tract of land owned by any person, occupied or unoccupied.

b. Emergency Parking Permitted. Emergency or temporary stopping or parking is permitted on any street, alley or highway for not longer than twenty four hours subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.

c. Placement Outside a Mobile Home Park Prohibited. No person shall park or occupy any mobile home on either the premises of any occupied dwelling unit or on any lot which is not a part of the premises of any occupied dwelling which is situated outside of an approved mobile home park. The parking of no more than three unoccupied recreational camping vehicles is permitted in an accessory private garage building, side yard or rear yard provided no living or sleeping quarters shall be maintained nor any business conducted in said recreational camping vehicle while such vehicle is so parked or stored. An occupied recreational camping vehicle is permitted on owner's property for up to three weeks within any two month period.

d. Special Use Permit Required. No person shall construct, locate, operate or maintain a mobile home park within the City of East Bethel without first obtaining a special use permit and all such other permits and licenses as shall be required and described herein.

e. Zoning. No person shall construct, locate, operate or maintain a mobile home park in the City of East Bethel unless the proposed area is zoned for multiple residential occupancy.

### SECTION 3. APPLICATION FOR MOBILE HOME PARK SPECIAL USE PERMIT.

Subdivision 1. Information Required. Application for a special use permit for a mobile home park shall be made to the City Clerk and shall contain the following information:

- a. Name and address of applicant.
- b. Location, legal description and boundary survey of the property proposed for the mobile home park.
- c. Proof of ownership of all land within the boundaries of the proposed park.
- d. Existing zoning classification of the subject property and of all property within 500 ft. of the proposed park and present uses of such land.
- e. Name and address of all property owners within 1,000 ft. of the proposed park.
- f. A Soils Map for the area proposed for the mobile home park, prepared by the Anoka County Soil Conservation District.
- g. Soil borings prepared by an approved soils consultant.

Subdivision 2. Plans Required. Twelve copies of complete engineering plans and specifications of the proposed park, showing at least the following and drawn to the design standards set forth in Section 6:

- a. The area and dimensions of the tract of land.
- b. Location of abutting existing streets and highways and any future proposed right-of-way.
- c. The existing topography and the proposed or finished topography, both at intervals of two feet, together with the corresponding hydrological data.
- d. Proposed disposition of surface drainage, including any necessary storm sewers.
- e. The number, location and dimensions of all proposed mobile home lots, together with the location of all setback lines, sidewalks, patios and on-site parking areas.
- f. Location of all service and emergency shelter buildings, laundry drying areas, guest parking areas, overload parking and storage areas.
- g. Plans and specifications for all buildings to be constructed within the mobile home park.
- h. The location and size of all recreational areas and the type and quantity of recreational equipment proposed.
- i. Plans and specifications for all proposed roadways, parking areas and walkways.
- j. Plans and specifications for the water supply, refuse and sewage disposal facilities, electrical service, telephone service, gas lines and/or fuel supply and storage, TV cables and any other utilities and the location of all utility easements and all fire hydrants.
- k. Plans and specifications for landscaping and fencing.
- l. Plans, specifications and location of the lighting system.
- m. Location and design of any signs.
- n. Location of mobile home display lots, if any, accompanied by an application for a special use permit for such lots as required in Section 6, Subd. 7.
- o. An environmental impact statement shall be furnished if required by the applicable governmental authority upon request of the City. The cost of such a statement shall be the obligation of the applicant.
- p. Any other information requested by the City Clerk, Planning and Zoning Committee, City Council or City Engineer.

Subdivision 3. Filing Fees. The applicant shall pay a fee in the amount of \$1,000.00 at the time the application is filed. If and when a permit is granted hereunder the applicant shall pay an additional amount equal to \$15.00 per mobile home lot. These fees are imposed for the purpose of defraying expenses incurred by the City in the administration of this ordinance and shall not be construed to be a license.

Subdivision 4. Incurred Costs. The applicant shall pay, in addition to the filing fees, all reasonable costs incurred by the City for review and inspection, including preparation and review of plans, specifications, plats and other data by the City Planner, City Engineer and City Attorney, and the costs of any other legal, professional or staff services of a similar nature, upon receipt of a statement therefor from the City Clerk. Nonpayment of the amount specified in said statement for a period of fifteen working days from the mailing date thereof shall result in the automatic tabling of the application. These costs plus the filing fees shall not exceed \$7,000.00 without the written approval of the applicant. The City Council may at its discretion require an escrow deposit in an amount it deems necessary from the applicant to cover such anticipated costs.

Subdivision 5. Investigation. The Planning Committee shall require such investigation of the applicant, the plans, the site and any other related matters as it may deem necessary and proper. For the purpose of this investigation, the Planning Committee may use the services of regular city staff and officers or may employ the services of such outside consultants and experts as it deems necessary. The Planning Committee shall receive written reports and recommendations from the staff and/or experts, evaluating the proposal with respect to the requirements of Section 6 of this ordinance and all other applicable provisions.

Subdivision 6. East Bethel Fire Marshall. Plans shall also be submitted to the East Bethel Fire Marshall or the Fire Chief of the district in which the park is to be located. The Fire Marshall shall evaluate the design of the park and the road layout from the standpoint of emergency access, approve the type and location of all fire hydrants for adequate fire protection and advise the Planning Committee on fire protection problems.

Subdivision 7. Plan Review or Approval by Other Governmental Units. The applicant shall submit to the City such additional sets of plans as shall be required to supply plans to such other governmental units as may be affected by the proposal. Such units may include but are not limited to the following: Minnesota Department of Health, Metropolitan Council, Metropolitan Waste Commission, Anoka County Highway Department, Minnesota State Highway Department, local school districts and neighboring municipalities. The City shall request the comments or approvals, as needed, from these agencies in writing and it shall be the duty of the applicant to provide to such governmental units the information necessary to process plan review.

Subdivision 8. Partial Development. In the event that the applicant proposes developing the park in several stages, the following additional requirements are imposed:

- a. Information Required. The plans for the later stages must show the information required by Section 3, Subd. 1, (a), (b), (c), (d), (e), (f) and (g), together with Section 3, Subd. 2, (a), (b) and (o), together with existing topography at two ft. intervals, together with preliminary street, lot and sewer layouts. Such information shall be shown for all proposed stages. If the plans at time of initial development do not show the above information, then each request for an addition to the initial stage shall be treated as a new proposal and subject to the entire special use review procedure.
- b. Minimum Development. The initial stage of development shall be for no less than fifty lots. Subsequent stages must be for no less than fifty lots.
- c. Service Facilities Required. The plans must show that all necessary and required service buildings and facilities are included and that the other requirements of this ordinance are met in the initial stage of installation and all subsequent stages.
- d. Independent Approvals Required. Approvals for prior stages of development of the park do not mandate approval for subsequent stages.
- e. Subsequent Development. Plans submitted for all development after initial stage must meet all standards and requirements of the Ordinance.

Subdivision 9. Fees. Partial Development. Filing fees for partial development shall be as cited in Subd. 3 of this Section for the initial stage, including the lot fee of \$15.00 per lot (or as otherwise determined by council resolution from time to time), applying only to the lots proposed for the initial stage. Subsequent applications for additions shall be accompanied by a \$500.00 filing fee (or as determined by council resolution from time to time) and the per lot fee shall apply to the new lots proposed.

#### Section 4. NOTIFICATION, PUBLIC HEARING AND ACTION.

Subdivision 1. Initial Hearing. Upon receipt of an application, the City Clerk, City Council or someone they may designate shall determine whether the plans submitted meet the requirements of Section 3 of this ordinance. If the application does not meet said requirements, the applicant shall be so notified. If the application meets the said requirements, the City Clerk shall present said application to the Planning Committee at the initial hearing together with such staff reports as are necessary for a preliminary evaluation of the application.

- a. Public Hearing. No permit for a mobile home park shall be issued until a public hearing has been held by the Planning Committee. Notice of the hearing shall be published in the official newspaper of the City at least 10 days prior to the public hearing. In addition the City shall notify by United States mail all property owners within 2,000 feet of the proposed park. However, failure on the part of any property owner to receive such notification shall not invalidate the proceedings.
- b. Responsibility of Applicant. The applicant shall be present at the Public Hearing and he or his agent(s) shall be prepared to answer questions.

Subdivision 2. Land Use Standards for Special Use Permit. No special use permit shall be recommended by the Planning Committee nor granted by the City Council unless the applicant demonstrates that the park location is consistent with sound land use planning and zoning principles as follows:

- a. Injury to Surrounding Lands. The mobile home park will not be injurious to the use and enjoyment of other property in the vicinity for the purposes already permitted, nor substantially diminish or impair the property values within the vicinity.
- b. Orderly Development Impeded. The mobile home park will not impede the normal and orderly development and improvement of surrounding property for uses predominant in the area or permitted under applicable ordinances.
- c. Health, Safety and Welfare. That adequate measures have been or will be taken to protect the health, safety and welfare of all occupants of the proposed mobile home park and all persons occupying the vicinity of the mobile home park.
- d. Nuisance. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, to the end that no nuisance will be created thereby.
- e. Other Applicable Regulations. That the mobile home park meets all other requirements of the zoning district in which it is located.

Subdivision 3. Design and Construction Standards for Special Use Permits.

No special use permit shall be recommended by the Planning Committee nor granted by the City Council unless the applicant demonstrates that the establishment of the mobile home park at the proposed location is consistent with sound design and construction principles as follows:

- a. Utilities Provided. That adequate sewer, water, roadways, service facilities, lighting, drainage, parking areas and all other necessary utility requirements have been or will be provided.
- b. Other Design Standards. That all the design standards of this ordinance have been met.
- c. Construction Standards. That the construction standards of all applicable ordinances and statutes have been met.

Subdivision 4. Other Considerations. The Planning Committee, in conducting the public hearing, shall also consider the following:

- a. Staff Reports. The staff and/or professional reports and recommendations following the investigation of the application.
- b. Reports of Other Governmental Units. The reports of other governmental units having regulatory or advisory review powers over any factors involved in the establishment of a mobile home park at the proposed location shall be considered. In the case where connection is sought to any sewage facility operated or owned by any governmental agency other than the City of East Bethel, no special use permit may be issued until and unless written approval to connect to the sewage facility has been obtained and submitted as part of the application.
- c. Fire Safety Report. Report of the East Bethel Fire Marshall or Fire Chief for the district shall be considered.

Subdivision 5. Planning Committee and City Council Action. Following the public hearing, the Planning Committee shall, within seventy days, submit its report and recommendations to the City Council. Upon receiving the report and recommendation of the Planning Committee, the City Council shall act to grant or deny the application for a special use permit. Such special use permits shall be granted by a majority vote of all City Council members and may be denied by a simple majority of members present and voting.

Subdivision 6. Action and Approval of Partial Development or Additions. In cases of partial development, the action and approval procedure for the initial stage shall be as stated in Section 4 hereof. Later requests for the development of subsequent stages of an established mobile home park, which stages previously met the requirements of Section 3, Subd. 8 hereof, shall receive Planning Committee and City Council action as set forth in Section 4, Subd. 5 hereof. No public hearing shall be required for such subsequent stages but may be held at the discretion of the Planning Committee or the City Council. Expansion of mobile home parks in existence prior to the effective date of this ordinance shall not be allowed without following the procedures herein set forth for applicants for initial special use permits.

#### SECTION 5. BUILDING PERMITS AND FEES.

Subdivision 1. Application. Upon receipt of the special use permit, the applicant shall apply for a building permit provided that the applicant has applied for and received approval for all other such procedures, permits or action as may be required in each case, i.e., rezoning of property, platting, variances, land alteration permits, special use permit for display lots and such other approvals which are required by statute or ordinance.

Subdivision 2. Detailed Plans Required. Each application for a building permit must be accompanied by detailed building plans for all structures and construction, stamped and dated by a registered architect or engineer. The plans must be approved by the Minnesota Department of Health and shall meet the requirements of the Minnesota State Building Code, and all applicable provisions of the Zoning Code of the City of East Bethel, except as provided herein.

Subdivision 3. Building Permit, Sewer Permit and Other Fees. The building permit fees for the mobile home park shall be determined by the rate table in the Minnesota State Building Code, based upon valuation. The valuation shall be determined by the City Engineer's appraisal of total construction costs for the project. The permit fees for such other charges as are required by law, such as SAC charges and sewer and water unit charges in districts subject to these charges, shall be paid before a building permit is issued. All permit fees for any sewer and water units shall be computed on a per lot basis for all lots proposed in addition to those required for park service facilities. Permit fees for all lots in the mobile home park or all lots to be developed in any one stage of building are due and payable at the time of application for building permit.

Subdivision 4. Certificate of Compliance Fees. No mobile home shall be occupied for dwelling purposes until a certificate of compliance has been issued pursuant to Section 7 of this ordinance. The fee for the inspections required for a certificate of compliance shall be \$25.00 or as changed by council resolution from time to time.

Subdivision 5. Approval. Approval of any building permit shall be limited to the number of mobile home lots shown on the approved plan and any departure from the original plan at any later date must be recommended by the Planning Committee and approved by the City Council. Within 120 days from time of application for a special use permit to construct a mobile home park, all work is to be completed. Approval is for one year and work is to commence within one year and be completed within one and a half years from the approval date or approval is withdrawn.

## SECTION 6. DESIGN STANDARDS FOR MOBILE HOME PARKS.

Subdivision 1. Development Standards. All mobile home parks shall conform to the following minimum standards for development of the park.

- a. Surface Drainage. Every mobile home park shall be located on a well drained area and the premises shall be properly graded and equipped with storm sewers if necessary so as to prevent the accumulation of storm or other waters on the lots. However, runoff to adjacent properties shall not be increased. Where there is water ponding on the site provisions shall be taken to retain the natural ponding features of the land or provide for the same amount of water storage in some other manner at the site. Adequate fencing shall be provided around ponding areas to keep children out.
- b. Parks and Recreation. A minimum of 15 percent of the total mobile home park area shall be devoted to park and recreation according to the following standards: One tot lot for every fifteen lots or less on one side of a street, furnished with playground equipment; one or more general park areas with tennis courts, shuffleboard, badminton or horseshoe courts; and other similar features and games for the entire park. Any cooking shelters, barbecue pits or outdoor fireplaces planned for the park shall be located in the general park areas and be so designed so as to eliminate or minimize fire hazards and smoke. All areas required for park setback areas shall not be utilized nor computed as park and recreational areas.
- c. Setbacks and Buffer Zones. There shall be a minimum setback of eighty feet between the park outside boundary line and any use within the mobile home park; such setback area shall be landscaped and screened by a fence and/or screen plantings of sufficient size and density to permit complete privacy for the residents of both the mobile home park and adjacent properties. In cases where the park abuts industrial or commercial zoned property or a major highway, the City may require a six ft. high masonry wall circumscribing the entire boundaries within the above mentioned setback, except for main entrance to park, to permit greater privacy, security and safety for the residents of the park.
- d. Landscaping. Every mobile home park shall be landscaped and maintained with cultured sod on the entire park except for areas used for streets, sidewalks, patios, mobile home parking areas or vehicle parking areas.

Subdivision 2. Lot Standards. All lots in a mobile home park are subject to the following regulations.

- a. Size, Single Lot. Each lot in a mobile home park intended as the location for one singlewide unit shall contain not less than 7,800 sq. ft. of unoccupied space excluding street and sidewalk right-of-way and shall have a minimum width of sixty feet except corner lots which shall have a minimum width of seventy feet and shall have a minimum depth of 130 feet measured from the curb face to the rear lot line. Provided, however, that in all cases lots shall be of sufficient size to meet all setback requirements of this ordinance.
- b. Size, Double Lot. Each special width lot in a mobile home park intended as the location for one doublewide unit shall contain not less than 11,700 sq. ft. of unoccupied space excluding street and sidewalk right-of-way and shall have a minimum width of ninety feet and a minimum depth of 130 feet. Provided, however, that in all cases lots shall be of sufficient size to meet all setback requirements of this ordinance. Applicant may designate lots for doublewide units in the original plans or may recombine single lots to achieve the necessary width to the satisfaction of the Building Inspector. No doublewide unit may be installed on any but a special width lot.
- c. Front Setback. Front setback of the mobile home shall be no less than thirty feet from curb face. On corner lots the setback shall be observed on both frontages.
- d. Rear Setback. Rear setback of the mobile home shall be not less than twenty feet from the rear lot line.
- e. Side Yard. The side yard setback shall be no less than fifteen feet from the lot line.

- f. Minimum Distance. There shall be no less than thirty feet between mobile homes in all directions.
- g. Area Occupied. No more than twenty five percent of each lot may be occupied by a dwelling or structure.

Subdivision 3. Street Standards and Parking Requirements.

- a. Access to Public Thoroughfare Required. All mobile home parks must have adequate and direct access to a public thoroughfare. No access roads will be permitted through residential subdivisions.
- b. Paving Required. All streets, parking spaces on lots, guest parking and overload parking areas within the park and any access road to the park shall be paved with bituminous or concrete surfacing material to seven ton specifications recommended by the City Engineer and approved by the City Council.
- c. Street Access Required. Each lot shall abut on and have access to a street within the mobile home park.
- d. Minimum Street Width Required. Each street in the mobile home park shall have a minimum of forty feet of width and street layout and design shall conform to the other provisions of the subdivision street standards of the City of East Bethel, Ordinances Nos. 62 and 113 and any subsequent ordinances regulating streets.
- e. Street Construction Required. All streets shall have concrete curb and gutters so as to provide drainage away from any and all mobile homes and park facilities.
- f. Off-street Parking Required and Regulated. Two off-street parking spaces providing a minimum of 440 sq. ft. of parking area shall be provided for each mobile home lot. No off-street parking shall be closer than five feet to a mobile home nor closer than five feet to any lot line.
- g. Sidewalks Required. Sidewalks of at least thirty-six inches in width and four inches in thickness shall be constructed on both sides of all streets, parallel with streets and on the unit side of the curb.
- h. Guest Parking Required. Each mobile home park shall maintain a paved, off-street parking lot for guests of occupants in the amount of one space for each two mobile home lots, and located within 300 feet of the lot to be served.
- i. Overload Parking Required. Each mobile home park shall have not less than 7500 sq. ft. of area for overload parking and dead storage for every fifty mobile home lots or major fraction thereof. This area shall be completely enclosed with a security fence and screened from view by dense shrubbery.

Subdivision 4. Additional Lot Regulations.

- a. Concrete Patio Required. Each lot shall have a concrete patio adjacent to each home in addition to the off-street parking area. Each patio shall be not less than 300 sq. ft. and a minimum of four inches thick.
- b. Adjoining Sidewalk Required. Each patio shall be connected to the front sidewalk by a concrete sidewalk of a minimum of twenty-four inches in width and four inches in thickness.
- c. Shade Tree Required. Each lot shall have at least one shade tree with a minimum trunk diameter of one and one-half inches at the time of planting and shall be placed and maintained on each lot, all dead trees to be replaced within ninety days, or at a reasonable time, and such additional landscaping shall be included as may have been approved or required by the City Council.
- d. Anchors Required. Each mobile home lot shall be provided with anchors and tie downs, such as cast in place concrete foundations or runways, screw augers, arrowhead anchors or other State approved devices providing for stability of the mobile home. The placement of such anchors and tie downs shall be in compliance with the State Building Code.
- e. Individual Site Preparation. Every mobile home lot shall have a base of at least four inches of compacted gravel or aggregate on the site where the home is to be parked, in addition to whatever foundation structures are necessary to secure the mobile home anchors and tie downs.

- f. Porch steps with railings which are structurally sound are required on both doors of the mobile home.
- g. Two separate sewer and water hook-ups (one for each end of the mobile home) are to be installed on each lot.

Subdivision 5. Emergency Shelters.

- a. Shelter Required. Every mobile home park shall provide one or more tornado and wind storm emergency shelters capable of seating comfortably and collectively three people per every mobile home lot. Each shelter shall be constructed so as to be dry, well ventilated, to have more than one exit and to be capable of withstanding winds of tornado force and to be state approved.
- b. Storm Warning Device Required. Every mobile home park shall have warning devices so placed to provide tornado or serious wind storm warning to alert all residents.
- c. Emergency Electrical Generator Required. Every mobile home park shall have an emergency electrical power generator in case of power failure to provide power for the storm warning device, the inside and outside lights of the emergency shelter and sufficient street lights for residents to find their way to the shelter at night.

Subdivision 6. Service Building and Service Facilities.

Each mobile home park shall have one or more service buildings to provide space for the park office, laundry facilities, sanitation facilities and indoor community meeting and recreational space.

- a. Manager's Office Required. Every mobile home park shall have a central office for the Manager or Caretaker of the park.
- b. Laundry Facilities Required. Laundry facilities shall be provided at the following ratio: one clothes washer for every eight lots and one clothes dryer for every sixteen lots in the park, or section thereof to be served by the laundry building. The park shall also provide space adjacent to the laundry for the exterior drying of clothes.
- c. Indoor Recreation Room Required. Indoor recreational or community meeting space shall be provided at the minimum ratio of twenty-three sq. ft. of space for every lot in the mobile home park, or section thereof served by the building. Space provided for such requirements as laundry facilities and other public service facilities, except emergency shelters, shall not be deemed to meet the requirements of this section.
- d. Central Kitchen. The mobile home park may provide a central kitchen in the service building for use by park residents for group gatherings.
- e. Lavatory Facilities Required. The mobile home park shall provide complete lavatory facilities for park residents if the park is designed to accommodate homes without full baths.
- f. Service Building Parking Required. In addition to the off-street parking spaces required elsewhere in this ordinance, there shall be provided parking spaces for the service building(s) in the following ratio:
  - (1) One parking space for every 200 sq. ft. of building space planned for use by park residents, or
  - (2) One parking space for every five lots in the park, located conveniently to such service buildings, whichever yields the greater number of spaces.
- g. Setbacks Required. Setbacks from internal streets for all service buildings shall conform to the City's residential setback requirements.

Subdivision 7. Mobile Home Display Lots Permitted; Sales Lots Prohibited.

The establishment of a commercial sales lot for selling mobile homes is prohibited. A mobile home display may be established within the mobile home park by special use permit at the time the park is approved or later by recommendation of the Planning Committee and approval of the City Council, based upon the same criteria as set forth in Section 4, Subd. 2 of this Ordinance. Such approval shall regulate the size, number and location of all display lots. No mobile home display may exceed one mobile home per mobile home lot. The liveable display lots shall be landscaped, designed and maintained as required of other park lots under Section 6, Subds. 1 - 4.

Subdivision 8. Water Supply and Sewage Disposal Systems.

- a. Central Water System Required. All mobile home parks must have a central water system serviced either by a municipal water system or a central deep well of adequate capacity as approved by the City Engineer and the Minnesota Department of Health.
- b. Sanitary Sewer Required. All mobile home parks shall have a sanitary sewer system to serve the mobile homes therein. The design and specifications of the sewer system shall meet the approval of the City Engineer and the Minnesota Department of Health.
- c. Underground Utilities Required. All sewer and water system lines shall be underground.

Subdivision 9. Utilities, Fuel Supply, Storage and Lighting.

- a. Underground Utilities Required. All utility lines for electricity, telephone, TV Cable, gas or fuel oil must be underground. There shall be no overhead wires or supporting poles except poles for street lights or other lighting purposes.
- b. Fuel Storage Regulated. All fuel supply and storage systems shall be installed and maintained in accordance with applicable state codes and regulations governing such systems.
- c. General Illumination Required. The mobile home park shall provide overhead lights to adequately illuminate the streets and sidewalks of the park and all service building parking areas and entrances. Such lighting will be shielded to prevent any light to be directed at traffic, nearby mobile homes or neighboring residential property in such brilliance as to constitute a danger or a nuisance.

Subdivision 10. Refuse, Receptacle Required.

The mobile home park shall provide at least one individual garbage receptacle for each lot or suitable receptacles at a central collection point, no further than 200 feet from any unit, with suitable screening.

Section 7. CERTIFICATE OF OCCUPANCY REQUIRED.

Subdivision 1. Certificate of Occupancy Required for Mobile Home Park.

No mobile home shall be occupied for residency in any mobile home park in the City of East Bethel until a Certificate of Occupancy has been issued as follows:

Certificate of Occupancy Required for Mobile Home Park. Upon completion of all construction and improvements required under all applicable ordinances, for the entire mobile home park or portion to be completed in any one stage of construction, such completion shall be certified by the City Engineer and approved by the Planning & Zoning Committee and the Building Inspector. Upon finding that said construction and improvements have been completed in accordance with applicable ordinance requirements and the special use permit issued, the City Council shall approve the issuance of a Certificate of Occupancy for the mobile home park by the Building Inspector.

Subdivision 2. Certificate of Compliance Required for Mobile Homes.

Mobile homes shall not be used or occupied until the Building Inspector has issued a Certificate of Compliance in accordance with the following provisions:

- a. The mobile home park operator shall have certified in writing that the mobile home is in good repair, is in a sanitary condition, is structurally sound and is fit for human habitation.
- b. It shall be the duty of mobile home park operator to notify the Building Department in advance of all mobile home installations to be made in his jurisdiction.
- c. An application shall have been made by an installer and a permit issued for installation of the mobile home.
- d. Inspection shall have been made and the installation is approved as in compliance with State of Minnesota Mobile Home Installation Standards 1977, identified as 2 MCAR 1.90450 and related definition in 2 MCAR 1.90103.
- e. Payment of permit fee has been made as set by resolution of Council from time to time.
- f. In the case of a temporary installation or non-complying installation, the installer shall have requested a re-inspection to approve permanent installation or certify installation compliance.
- g. Payment of fee for re-inspection has been made as set by resolution of Council from time to time.

## Section 8. ANNUAL INSPECTION FEES.

Subdivision 1. The mobile home park owner shall pay an annual fee to the City to cover the aggregate cost of such inspections as may be required by this ordinance.

- a. Building Inspector. All mobile home parks shall be inspected quarterly by the City Building Inspector, or as often as deemed necessary by City Council, to ascertain that all provisions of this ordinance, all other applicable city ordinances and the provisions of any special use permit are being observed. The fee for such quarterly inspections shall be \$300.00 per year or as set by council resolution from time to time.
- b. Fire Marshal. All mobile home parks shall be inspected no less than annually and more frequently, if deemed necessary, by the East Bethel Fire Marshal, to ascertain that no fire hazards are present, to ascertain that fire hydrants and fire extinguishing equipment are in working order and to ascertain that all provisions of this ordinance and other applicable codes and ordinances pertaining to fire protection and prevention are being observed. The fee for such inspection shall be \$100.00 per year or as set by council resolution from time to time.

Subdivision 2. All fees hereunder are due and payable in advance on January 1st of each year following the issuance of a Certificate of Occupancy for the mobile home park as provided in Section 7 of this ordinance.

## Section 9. OPERATION REQUIREMENTS.

### Subdivision 1. General Operation and Maintenance.

- a. Manager. Every mobile home park shall have an adult manager or caretaker on duty in or about the mobile home park at all times, to keep the park, its facilities and equipment in a clean, orderly and sanitary condition and to be available in case of emergencies. The manager or caretaker shall be answerable with said owner for the violations or any provisions of this ordinance.
- b. Office. Each mobile home park shall maintain a central office for the use of the owner or manager, distinctly marked OFFICE and such marking shall be illuminated during all hours of darkness.
- c. Map. A map of the mobile home park, with all lots clearly numbered, shall be displayed at the mobile home park office. The lots themselves shall also be numbered in a manner visible from the frontage street. The mobile home park shall be open at reasonable times to the visiting public and a directory shall be readily available to visitors.
- d. Lighting. The mobile home park grounds shall be lighted as approved by the City during all hours of darkness.
- e. Public Address Prohibited. No public address or loud speaker system shall be permitted.
- f. Rules. Each mobile home park shall adopt a set of rules and regulations for orderly operation of the park in conformance with this ordinance, and these rules shall be clearly posted in the park office and made available to the residents of the park.
- g. Pets. No domestic animals or house pets of park occupants shall be allowed to run at large or commit any nuisances within the limits of the park.
- h. Clothes Drying. No exterior clothes drying shall be permitted upon any lot or any other area of the mobile home park except in an area specifically provided.
- i. Use of Lots. The use of any lot or other area within a mobile home park for tent sites, camper trailers, pickup campers or any other use other than for mobile home placement is prohibited.
- j. Mobile homes shall not be used for residential purposes if they:
  - (1) Do not conform to the requirements of the Vehicle Code of the State of Minnesota or
  - (2) Are in an unsanitary condition or have an exterior in bad repair or
  - (3) Are structurally unsound and do not protect the inhabitants against all elements.

### Subdivision 2. Lot Regulations.

- a. Placement Restricted. No more than one mobile home shall be parked upon any lot.
- b. Occupancy Regulated. No mobile home may be inhabited by a greater number of occupants than that for which it was designed.
- c. Skirts Required. The base of all mobile homes shall be enclosed with skirting, such skirting to be installed within ten days from the date

- of installation of the unit. Such enclosure must be accessible for inspection and no obstruction shall be permitted that impedes the inspection of the mobile home, plumbing, electrical facilities and related equipment. No storage shall be permitted beneath the mobile home.
- d. Use Restrictions. All mobile home lots shall be used for residential purposes only or for the display and sale of mobile homes for residential purposes for said park, pursuant to a special use permit as provided in Section 6, Subd. 7 hereof.

Subdivision 3. Lot Display Regulations.

No mobile home owner nor prospective mobile home owner shall be required to purchase a mobile home from the owner or operator of the mobile home park in which said owner desires to locate or from someone designated by said owner of the mobile home park. This provision, however, shall not prevent the owner of the mobile home park from establishing certain minimal standards and conditions of quality and design as to mobile homes permitted in a mobile home park owned by him.

Subdivision 4. Street Maintenance and Regulations.

- a. Snow Removal. The mobile home park operator shall remove snow from all streets, guest parking areas and sidewalk areas within the park after each snowfall, and these areas shall be kept sanded and/or free of ice and snow.
- b. Maintenance and Repair. All streets within the park shall be kept in good repair and kept clean and free of litter.
- c. Speed Limit. A speed limit of 10 m.p.h. shall be maintained within the park limits and signs shall be posted accordingly. The operator may use raised bumps or ridges across the road surfaces to assure compliance with the posted limits.

Subdivision 5. Storage and Parking.

- a. On Site Parking Restricted. No more than two vehicles may be parked on any mobile home lot.
- b. On Site Storage Prohibited. All boats, boat trailers, hauling trailers and all other equipment not stored within the mobile home nor the utility enclosure that may have been provided shall be stored in the overload parking area and not upon the lots occupied by the mobile homes nor upon the streets within the mobile home park nor upon any other City streets.

Subdivision 6. Registration Required.

- a. It shall be the duty of the owner or manager of the mobile home park to maintain a register containing a record of all mobile home owners and occupants residing within the park. The register shall contain the following information:
- (1) Name and address of each mobile home occupant.
  - (2) Name and address of the owner of each mobile home motor vehicle by which each mobile home is towed.
  - (3) The make, model, year and license number or serial number of each mobile home or motor vehicle.
  - (4) The date of arrival and departure of each mobile home.
  - (5) Forwarding address of all mobile homes leaving park.
- b. Records Required. The mobile home park management shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duty necessitates acquisition of the information contained in the register. The register record for each registered occupant shall not be destroyed for a period of three years following the date of departure of the occupant from the park.
- c. Registration of Mobile Homes Required. All mobile homes occupied or stored or displayed in the mobile home park shall be registered with the Motor Vehicle Division, State of Minnesota, and shall display license plates for the current year if required by the State of Minnesota.
- d. All individual mobile homes shall be owner occupied except that each owner may lease his mobile home to a lessee for a period not to exceed five months in any calendar year. The park owner shall maintain a record of all such leases.

Subdivision 7. Fire and Police Protection.

- a. Fire Alarm System Required. Every mobile home occupied in a mobile home park shall have a UL approved smoke and fire detector installed and in operating condition.
- b. Fire Extinguisher Required. Every mobile home occupied in a mobile home park shall be equipped with a fire extinguisher in usable condition and in compliance with the State Fire Code and approved by the State Fire Marshall. The occupant of the mobile home shall be responsible for providing such extinguisher for his mobile home.
- c. Fire Extinguisher Required in Service Buildings. Portable fire extinguishers rated for classes B and C fires, with a capacity of 10 pounds dry powder, shall be kept visible in service buildings and at other locations as approved or required by the East Bethel Fire Marshall, for convenient access by all of the occupants of the mobile home park. Such fire extinguishers shall be maintained in good operating condition.
- d. Open Burning Prohibited. No fire shall be kindled or maintained except in a stove, fireplace, barbecue pit, incinerator or other equipment intended for such purpose. No such fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors. Open burning is prohibited.
- e. Storage of Flammable Liquids Prohibited. Storage of flammable liquids or materials or gases within or under a mobile home is expressly forbidden.
- f. Litter and Rubbish Storage Prohibited. All areas of the mobile home park shall be kept free of litter, rubbish and other flammable material.
- g. Open to Police, Fire and Emergency Vehicles. The mobile home park shall be open to fire, police and other emergency vehicles and personnel at all times, and the City Police Department and area Fire Department(s) shall be provided with a current directory showing the names and lot numbers of the occupants.
- h. Identification Numbers. Identification numbers at least three inches in height for each lot or home in a mobile home park shall be affixed to each mobile home; such numbers shall be visible from the nearest street.

Subdivision 8. Storm Protection.

- a. Storm Warning Device Required. The storm warning device required for the mobile home park shall be kept in good operating condition and tested once a month at a designated time in a manner approved by the City.
- b. Weather Alerts Required. The mobile home park manager shall be responsible for obtaining weather warning information from the appropriate media and for alerting residents to the hazards of a storm via the warning device when any storm with damaging winds is imminent.
- c. Emergency Shelter Maintained. The emergency shelter area or building shall be kept open twenty-four hours a day. Entrances shall be illuminated during all hours of darkness. The manager shall keep the shelter area clean and sanitary and stocked with emergency supplies and first aid equipment.
- d. Generator Required. The emergency electrical power generator shall be tested once a month at the same time as the storm warning device, to assure good working order.

Subdivision 9. Refuse Handling.

- a. Management Responsible. The mobile home park shall provide for the collection and disposal of all refuse and garbage generated within the mobile home park. The park may contract with private garbage haulers or provide the service itself. All refuse handling must adhere to the following standards:
  - (1) Nuisance Prohibited. The storage, collection and disposal of refuse in the mobile home park shall be so conducted so as to create no health hazards, rodent harborage, insect breeding, accident or fire hazards or air pollution.
  - (2) Garbage Collection Required. Garbage and refuse shall be collected and disposed of as frequently as may be necessary to insure that garbage receptacles shall not overflow.

Subdivision 10. Sewer and Water.

- a. Maintenance Required. All sewer and water systems within the mobile home park shall be kept in good operating condition in conformance with regulations of the Minnesota Department of Health and the City of East Bethel. Any maintenance of water and sewer systems within the Park shall be at the owner's expense, but shall be under the supervision of an official designated by the City, who shall have authority to initiate necessary repairs.

- b. Water Pressure Maintained. If the City deems it necessary, auxilliary pumps to boost water pressure shall be installed at the expense of the park owner to maintain needed pressure for fire protection.
- c. Service Charges. For sewer service and water service when available the City will charge the service rates established in the appropriate district. All charges will be computed on a per unit basis and charged to the mobile home park.

## Section 10. ADMINISTRATION.

### Subdivision 1. Enforcement by the Building Inspector.

Except as otherwise provided herein, this ordinance shall be administered and enforced by the Building Inspector, who is hereby designated as enforcing officer. The Building Inspector may institute in the name of the City of East Bethel any appropriate actions or proceedings against a violator as provided by law.

### Subdivision 2. Permit Required.

Before any person shall operate and maintain a mobile home park in the City of East Bethel, said person shall first obtain a permit to do so as herein provided. An application for a permit shall be filed with the City Clerk on forms furnished by the municipality. The fee for each permit shall be \$350.00 per year, or as set by council resolution from time to time. The Clerk shall submit said permit application to the City Council for its approval. Permits shall expire on January 1st following the date of issuance unless sooner revoked or forfeited.

### Subdivision 3. Permit Standards.

The City Council shall have the power to deny or revoke the mobile home park permit of any person who fails to conform to the requirements of this ordinance or of any other municipal or State law that is applicable.

### Subdivision 4. Variance.

The City Council shall have the right to vary or modify the strict application of any of the regulations or provisions contained in this ordinance in cases in which the strict application thereof would create unnecessary hardship to the owner of the property, provided that all of the following conditions have been met:

- a. Uniqueness. The conditions upon which the application for a variance is based are unique to the parcel of land for which the variance is sought and are not generally applicable to other property within the same zoning classification.
- b. Injury to Surrounding Land. The granting of the variance will not be detrimental to the public welfare or injurious to other land or improvements in the neighborhood in which the parcel of land is located, nor be injurious to any occupant of the mobile home park.
- c. Conditions and Restrictions. The City Council may impose such conditions and restrictions on the granting of a variance so as to insure compliance with both the letter and the intent of this ordinance and so as to insure the protection of affected properties.

## Section 11. EXISTING MOBILE HOME PARKS.

Mobile home parks in existence or for which special use permits have been issued as of the effective date of this ordinance may continue to operate for a period not to exceed three years from the effective date of this ordinance, during which three year period this ordinance shall not apply to such parks; at the termination of said three year period however all the provisions contained herein shall apply and must be met by such parks with the following exceptions: Section 6, Subds. 1, b and c, 2, 3, d, e, f, g, h and i/<sup>and</sup> 4, a and b; said exceptions may be permitted as variances if strict compliance with said provisions of this ordinance would be an undue hardship upon the owner of the park. In any case that such variances are permitted the provisions of East Bethel Ordinance No. 27 shall control to the extent applicable and to such extent such provisions of said Ordinance No. 27 are not repealed by this ordinance.

## Section 12. PENALTY.

Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$500.00 or by imprisonment not to exceed 90 days or both.

Section 13. SEVERABILITY.

If any provision of this ordinance shall be declared void or of no effect, for any reason whatsoever, such decision shall not affect the validity of any other provision of this ordinance.

Section 14. OTHER ORDINANCES.

This ordinance repeals all other ordinances of the City of East Bethel in their entirety relating to mobile homes and mobile home parks.

Section 15. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of the City of East Bethel, Minnesota, this 9th day of May, 1979.

*Wayne E. Anderson*  
\_\_\_\_\_  
Mayor

ATTEST:

*Shawn Schulte*  
\_\_\_\_\_  
Clerk

Introduced: October 23, 1978 Public Hearing: May 7, 1979 Planning Committee  
Review: April 30, 1979  
Adopted: May 9, 1979  
Published: May 11, 1979

ORDINANCE 142

AN ORDINANCE REGULATING MANUFACTURED HOMES AND MANUFACTURED HOME PARKS AND THE USE AND LOCATION THEREOF IN THE CITY OF EAST BETHEL.

The City Council of the City of East Bethel ordains:

SECTION 1. ORDINANCES REPEALED.

City of East Bethel Ordinance No. 122 regulating manufactured homes and manufactured home parks and the use and occupancy thereof is hereby repealed.

SECTION 2.

Subdivision 1. DEFINITIONS

- a. Manufactured Home. The word "manufactured home" as used in this ordinance 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 which the manufacturer voluntarily files a certification required by the secretary and complies with the standards established under Chapter 327.31.
- b. Singlewide Unit. Means one self contained manufactured home designed to be a complete dwelling unit.
- c. Doublewide Unit or Multiple unit. Means two or more segments constituting one manufactured home designed to be transported separately and attached to each other at the manufactured home park to form one home.
- d. Manufactured Home Park. The words "manufactured home park" as used in this ordinance shall mean any site, lot, field or tract of land upon which two or more occupied manufactured homes are harbored, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such manufactured home park.
- e. Lot. Means a section of ground in a manufactured home park of not less than 7,800 sq. ft., excluding any street right-of-way, of otherwise unoccupied space designated as the location of one singlewide unit, and all other necessary improvements required by this ordinance.
- f. Special Width Lot. Means a section of ground in a manufactured home park of not less than 11,700 sq. ft., excluding any street right-of-way, of otherwise unoccupied space designated as the location for one doublewide unit.

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- g. Recreational Camping Vehicle. The words "recreational camping vehicle" as used in this ordinance shall mean any of the following:
- (1). Travel trailer means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, permanently identified "Travel Trailer" by the manufacturer of the trailer.
  - (2). 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.
  - (3). 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.
  - (4). Camping trailer means a folding structure, mounted on wheels and designed for travel, recreation, and vacation use.

#### Subdivision 2. LOCATION OF MANUFACTURED HOMES AND MANUFACTURED HOME PARKS.

- a. Parking and Placement Prohibited. It shall be unlawful within the limits of the City of East Bethel for any person to park any manufactured home on any street, alley or highway or other public place or on any tract of land owned by any person, occupied or unoccupied.
- b. Emergency Parking Permitted. Emergency or temporary stopping or parking is permitted on any street, alley or highway for not longer than twenty-four hours subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.
- c. Placement Outside a Manufactured Home Park Prohibited. No person shall park or occupy any manufactured home on either the premises of any occupied dwelling unit or on any lot which is not a part of the premises of any occupied dwelling which is situated outside of an approved manufactured home park unless it meets the architectural standards and other regulations as stated in the city's zoning ordinance and amendments thereof. The parking of no more than three unoccupied recreational camping vehicles is permitted in an accessory private garage building, side yard or rear yard provided no living or sleeping quarters shall be maintained nor any business conducted in said recreational camping vehicle while such vehicle is so parked or stored. A recreational camping vehicle is permitted on owner's property for storage purposes provided the property has a single family residence on it connected to a sewer and well, and may not be occupied for more than three weeks within any two-month period.
- d. Conditional use Permit Required. No person shall construct, locate, operate or maintain a manufactured home park within the City of East Bethel without first obtaining a conditional use permit and all such other permits and licenses as shall be required and described herein.
- e. Zoning. No person shall construct, locate, operate or maintain a manufactured home park in the City of East Bethel unless the proposed area is

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zoned for B-1 Business Commercial District as stated in the city's zoning ordinance.

### SECTION 3. APPLICATION FOR MANUFACTURED HOME PARK CONDITIONAL USE PERMIT.

#### Subdivision 1. Information Required.

Application for a conditional use permit for a manufactured home park shall be made to the City Clerk and shall contain the following information:

- a. Name and address of applicant.
- b. Location, legal description and boundary survey of the property proposed for the manufactured home park.
- c. Proof of ownership of all land within the boundaries of the proposed park.
- d. Existing zoning classification of the subject property and of all property within 500 ft. of the proposed park and present uses of such land.
- e. Name and address of all property owners within 1,000 ft. of the proposed park.
- f. A Soils Map for the area proposed for the manufactured home park, prepared by the Anoka County Soil Conservation District.
- g. Soil borings prepared by an approved soils consultant.

#### Subdivision 2. Plans Required.

Twelve copies of complete engineering plans and specifications of the proposed park, showing at least the following and drawn to the design standards set forth in Section 6:

- a. The area and dimensions of the tract of land.
- b. Location of abutting existing streets and highways and any future proposed right-of-way.
- c. The existing topography and the proposed or finished topography, both at intervals of two feet, together with the corresponding hydrological data.
- d. Proposed disposition of surface drainage, including any necessary storm sewers.
- e. The number, location and dimensions of all proposed manufactured home lots, together with the location of all setback lines, sidewalks, patios, and on-site parking area.
- f. Location of all service and emergency shelter buildings, laundry drying areas, guest parking areas, overload parking and storage areas.
- g. Plans and specifications for all buildings to be constructed within the manufactured home park.

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- h. The location and size of all recreational areas and the type and quantity of recreational equipment proposed.
- i. Plans and specifications for all proposed roadways, parking areas and walkways.
- j. Plans and specifications for the water supply, refuse and sewage disposal facilities, electrical service, telephone service, gas lines and/or fuel supply and storage, TV cables and any other utilities and the location of all utility easements and all fire hydrants.
- k. Plans and specifications for landscaping and fencing.
- l. Plans, specifications and location of the lighting system.
- m. Location and design of any signs.
- n. Location of manufactured home display lots, if any, accompanied by an application for a conditional use permit for such lots as required in Section 6, Subd. 6.
- o. An environmental impact statement shall be furnished if required by the applicable governmental authority upon request of the City. The cost of such a statement shall be the obligation of the applicant.
- p. Any other information requested by the City Clerk, Planning and Zoning Committee, City Council or City Engineer.

### Subdivision 3. Filing Fees.

The applicant shall pay a fee in the amount of \$1,000.00 at the time the application is filed. If and when a permit is granted hereunder the applicant shall pay an additional amount equal to \$15.00 per manufactured home lot. These fees are imposed for the purpose of defraying expenses incurred by the City in the administration of this ordinance and shall not be construed to be a license.

### Subdivision 4. Incurred Costs.

The applicant shall pay, in addition to the filing fees, all reasonable costs incurred by the City for review and inspection, including preparation and review of plans, specifications, plats and other data by the City Planner, City Engineer and City Attorney, and the costs of any other legal, professional or staff services of a similar nature, upon receipt of a statement therefor from the City Clerk. Nonpayment of the amount specified in said statement for a period of fifteen working days from the mailing date thereof shall result in the automatic tabling of the application. These costs plus the filing fees shall not exceed \$7,000.00 without the written approval of the applicant. The City Council may at its discretion require an escrow deposit in an amount it deems necessary from the applicant to cover such anticipated costs.

### Subdivision 5. Investigation.

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The Planning Committee shall require such investigation of the applicant, the plans, the site and any other related matters as it may deem necessary and proper. For the purpose of this investigation, the Planning Committee may use the services of regular city staff and officers or may employ the services of such outside consultants and experts as it deems necessary. The Planning Committee shall receive written reports and recommendations from the staff and/or experts, evaluating the proposal with respect to the requirements of Section 6 of this ordinance and all other applicable provisions.

Subdivision 6. East Bethel Fire Marshal.

Plans shall also be submitted to the East Bethel Fire Marshal or the Fire Chief of the district in which the park is to be located. The Fire Marshal shall evaluate the design of the park and the road layout from the standpoint of emergency access, approve the type and location of all fire hydrants for adequate fire protection and advise the Planning Committee on fire protection problems.

Subdivision 7. Plan Review or Approval by Other Governmental Units.

The applicant shall submit to the City such additional sets of plans as shall be required to supply plans to such other governmental units as may be affected by the proposal. Such units may include but are not limited to the following: Minnesota Department of Health, Metropolitan Council, Metropolitan Waste Commission, Anoka County Highway Department, Minnesota State Highway Department, local school districts and neighboring municipalities. The City shall request the comments or approvals, as needed, from these agencies in writing and it shall be the duty of the applicant to provide to such governmental units the information necessary to process plan review.

Subdivision 8. Partial Development.

In the event that the applicant proposes developing the park in several stages, the following additional requirements are imposed:

- a. Information Required. The plans for the later stages must show the information required by Section 3, Subd. 1, (a), (b), (c), (d), (e), (f), and (g), together with Section 3, Subd. 2, (a), (b) and (c), together with existing topography at two ft. intervals, together with preliminary street, lot and sewer layouts. Such information shall be shown for all proposed stages. If the plans at time of initial development do not show the above information, then each request for an addition to the initial stage shall be treated as a new proposal and subject to the entire conditional use review procedure.
- b. Minimum Development. The initial stage of development shall be for no less than fifty lots. Subsequent stages must be for no less than fifty lots.
- c. Service Facilities Required. The plans must show that all necessary and required service buildings and facilities are included and that the other requirements of this ordinance are met in the initial stage of installation and all subsequent stages.
- d. Independent Approvals Required. Approvals for prior stages of development of the park do not mandate approval for subsequent stages.

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- e. Subsequent Development. Plans submitted for all development after initial stages must meet all standards and requirements of the Ordinance.

Subdivision 9. Fees. Partial Development.

Filing fees for partial development shall be as cited in Subd. 3 of this Section for the initial stage, including the lot fee of \$15.00 per lot (or as otherwise determined by council resolution from time to time), applying only to the lots proposed for the initial stage. Subsequent applications for additions shall be accompanied by a \$500.00 filing fee (or as determined by council resolution from time to time) and the per lot fee shall apply to the new lots proposed.

**SECTION 4. NOTIFICATION, PUBLIC HEARING AND ACTION.**

Subdivision 1. Initial Hearing.

Upon receipt of an application, the City Clerk, City Council or someone they may designate shall determine whether the plans submitted meet the requirements of Section 3 of this ordinance. If the application does not meet said requirements, the applicant shall be so notified. If the application meets the said requirements, the City Clerk shall present said application to the Planning Committee at the initial hearing together with such staff reports as are necessary for a preliminary evaluation of the application.

- a. Public Hearing. No permit for a manufactured home park shall be issued until a public hearing has been held by the Planning Committee. Notice of the hearing shall be published in the official newspaper of the City at least 10 days prior to the public hearing. In addition the City shall notify by United States mail all property owners within 2,000 feet of the proposed park. However, failure on the part of any property owner to receive such notification shall not invalidate the proceedings.
- b. Responsibility of Applicant. The applicant shall be present at the Public Hearing and the applicant or agent(s) shall be prepared to answer questions.

Subdivision 2. Land Use Standards for Conditional Use Permit.

No conditional use permit shall be recommended by the Planning Committee nor granted by the City Council unless the applicant demonstrates that the park location is consistent with sound land use planning and zoning principles as follows:

- a. Injury to Surrounding Lands. The manufactured home park will not be injurious to the use and enjoyment of other property in the vicinity for the purposes already permitted, nor substantially diminish or impair the property values within the vicinity.
- b. Orderly Development Impeded. The manufactured home park will not impede the normal and orderly development and improvement of surrounding property for uses predominant in the area or permitted under applicable ordinances.
- c. Health, Safety and Welfare. That adequate measures have been or will be taken

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to protect the health, safety and welfare of all occupants of the proposed manufactured home park and all persons occupying the vicinity of the manufactured home park.

- d. Nuisance. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, to the end that no nuisance will be created thereby.
- e. Other Applicable Regulations. That the manufactured home park meets all other requirements of the zoning district in which it is located.

### Subdivision 3. Design and Construction Standards for Conditional Use Permits.

No conditional use permit shall be recommended by the Planning Committee nor granted by the City Council unless the applicant demonstrates that the establishment of the manufactured home park at the proposed location is consistent with sound design and construction principles as follows:

- a. Utilities Provided. That adequate sewer, water, roadways, service facilities, lighting, drainage, parking areas and all other necessary utility requirements have been or will be provided.
- b. Other Design Standards. That all the design standards of this ordinance have been met.
- c. Construction Standards. That the construction standards of all applicable ordinances and statutes have been met.

### Subdivision 4. Other Considerations.

The Planning Committee, in conducting the public hearing, shall also consider the following:

- a. Staff Reports. The staff and/or professional reports and recommendations following the investigation of the application.
- b. Reports of Other Governmental Units. The reports of other governmental units having regulatory or advisory review powers over any factors involved in the establishment of a manufactured home park at the proposed location shall be considered. In the case where connection is sought to any sewage facility operated or owned by any governmental agency other than the City of East Bethel, no conditional use permit may be issued until and unless written approval to connect to the sewage facility has been obtained and submitted as part of the application.
- c. Fire Safety Report. Report of the East Bethel Fire Marshal or Fire Chief for the district shall be considered.

### Subdivision 5. Planning Committee and City Council Action.

Following the public hearing, the Planning Committee shall, within seventy days, submit its report and recommendations to City Council. Upon receiving the report and

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recommendation of the Planning Committee, the City Council shall act to grant or deny the application for a conditional use permit. Such conditional use permits shall be granted by a majority vote of all City Council members and may be denied by a simple majority of members present and voting.

Subdivision 6. Action and Approval of Partial Development or Additions.

In cases of partial development, the action and approval procedure for the initial stage shall be as stated in Section 4 hereof. Later requests for the development of subsequent stages of an established manufactured home park, which stages previously met the requirements of Section 3, Subd. 8 hereof, shall receive Planning Committee and City Council action as set forth in Section 4, Subd. 5 hereof. No public hearing shall be required for such subsequent stages but may be held at the discretion of the Planning Committee or the City Council. Expansion of manufactured home parks in existence prior to the effective date of this ordinance shall not be allowed without following the procedures herein set forth for applicants for initial conditional use permits.

**SECTION 5. BUILDING PERMITS AND FEES.**

Subdivision 1. Application.

Upon receipt of the conditional use permit, the applicant shall apply for a building permit provided that the applicant has applied for and received approval for all other such procedures, permits or action as may be required in each case, i.e., rezoning of property, platting, variances, land alteration permits, conditional use permit for display lots and such other approvals which are required by statute or ordinance.

Subdivision 2. Detailed Plans Required.

Each application for a building permit must be accompanied by detailed building plans for all structures and construction, stamped and dated by a registered architect or engineer. The plans must be approved by the Minnesota Department of Health and shall meet the requirements of the Minnesota State Building Code, and all applicable provisions of the Zoning Code of the City of East Bethel, except as provided herein.

Subdivision 3. Building Permit, Sewer Permit and Other Fees.

The project and building permit fees for the manufactured home park shall be determined by the rate table in the Minnesota State Building Code, based upon valuation. The valuation shall be determined by the City Engineer's appraisal of total construction costs for the project. Building permits and fees for individual buildings shall be separate from the project permit, and valuation for building permits shall be deducted from the project valuation in determining project fee. The permit fees for such other charges as are required by law, such as SAC charges and sewer and water unit charges in districts subject to these charges, shall be paid before a project permit is issued. All permit fees for any sewer and water units shall be computed on a per lot basis for all lots proposed in addition to those required for park service facilities. Permit fees for all lots in the manufactured home park or all lots to be developed in any one stage of construction are due and payable at the time of application for project or building permits.

Subdivision 4. Certificate of Compliance Fees.

No manufactured home shall be occupied for dwelling purposes until a certificate of compliance has been issued pursuant to Section 7 of this ordinance. The fee for the inspections required for a certificate of compliance shall be \$35.00 or as changed by council resolution from time to time.

Subdivision 5. Approval.

Approval of any project permit shall be limited to the number of manufactured home lots shown on the approved plan and any departure from the original plan at any later date must be recommended by the Planning Committee and approved by the City Council. Approval is for one year and work is to commence within one year and be completed within one and a half years from the approval date or approval is withdrawn.

**SECTION 6. DESIGN STANDARDS FOR MANUFACTURED HOME PARKS.**

Subdivision 1. Development Standards. All manufactured home parks shall conform to the following minimum standards for development of the park.

- a. **Surface Drainage.** Every manufactured home park shall be located on a well drained area and the premises shall be properly graded and equipped with storm sewers if necessary so as to prevent the accumulation of storm or other waters on the lots. However, runoff to adjacent properties shall not be increased. Where there is water ponding on the site provisions shall be taken to retain the natural ponding features of the land or provide for the same amount of water storage in some other manner at the site. It shall be the total responsibility of the caretaker/owner of the park to determine hazardous areas, i.e. ponding areas, etc., and to take whatever precautions are necessary.
- b. **Parks and Recreation.** A minimum of 15 percent of the total manufactured home park area shall be devoted to park and recreation according to the following standards: One tot lot for every fifteen lots or less on one side of a street, furnished with playground equipment; one or more general park areas with tennis courts, shuffleboard, badminton or horseshoe courts or other similar features and games for the entire park. Any cooking shelters, barbecue pits or outdoor fireplaces planned for the park shall be located in the general park areas and be so designed so as to eliminate or minimize fire hazards and smoke. All areas required for park setback areas shall not be utilized nor computed as park and recreational areas.
- c. **Setbacks and Buffer Zones.** There shall be a minimum setback of eighty feet between the park outside boundary line and any use within the manufactured home park; such setback area shall be landscaped and screened by a fence and/or screen plantings of sufficient size and density to permit complete privacy for the residents of both the manufactured home park and adjacent properties. In cases where the park abuts industrial or commercial zoned property or a major highway, the City may require a six ft. high masonry wall circumscribing the entire boundaries within the above mentioned setback, except for main entrance to park, to permit greater privacy, security and safety for the residents of the park.
- d. **Landscaping.** Every manufactured home park shall be landscaped and maintained with lawn on the entire park except for areas used for streets, sidewalks,

patios, manufactured home parking areas or vehicle parking areas.

Subdivision 2. Lot Standards.

All lots in a manufactured home park are subject to the following regulations.

- a. **Size, Single Lot.** Each lot in a manufactured home park intended as the location for one singlewide unit shall contain not less than 7,800 sq. ft. of unoccupied space excluding street and sidewalk right-of-way and shall have a minimum width of sixty feet except corner lots which shall have a minimum width of seventy feet and shall have a minimum depth of 130 feet measured from the curb face to the rear lot line. Provided, however, that in all cases lots shall be of sufficient size to meet all setback requirements of this ordinance.
- b. **Size, Double Lot.** Each special width lot in a manufactured home park intended as the location for one doublewide unit shall contain not less than 11,700 sq. ft. of unoccupied space excluding street and sidewalk right-of-way and shall have a minimum width of ninety feet and a minimum depth of 130 feet. Provided, however, that in all cases lots shall be of sufficient size to meet all setback requirements of this ordinance. Applicant may designate lots for doublewide units in the original plans or may recombine single lots to achieve the necessary width to the satisfaction of the Building official. No doublewide unit may be installed on any but a special width lot.
- c. **Front Setback.** Front setback of the manufactured home shall be no less than thirty feet from curb face. On corner lots the setback shall be observed on both frontages.
- d. **Rear Setback.** Rear setback of the manufactured home shall be not less than twenty feet from the rear lot line.
- e. **Side Yard.** The side yard setback shall be no less than fifteen feet from the lot line.
- f. **Minimum Distance.** There shall be no less than thirty feet between manufactured homes in all directions.
- g. **Area Occupied.** No more than twenty five percent of each lot may be occupied by a dwelling or structure.

Subdivision 3. Street Standards and Parking Requirements.

- a. **Access to Public Thoroughfare Required.** All manufactured home parks must have adequate and direct access to a public thoroughfare. No access roads will be permitted through residential subdivisions.
- b. **Paving Required.** All streets, parking spaces on lots, guest parking and overload parking areas within the park and any access road to the park shall be paved with bituminous or concrete surfacing material to seven ton specifications recommended by the City Engineer and approved by the City Council.
- c. **Street Access Required.** Each lot shall abut on and have access to a street within the manufactured home park.

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- d. **Minimum Street Width Required.** Each street in the manufactured home park shall have a minimum of forty feet of width and street layout and design shall conform to the other provisions of the subdivision street standards of the City of East Bethel, Ordinances Nos. 62 and 113 and any subsequent ordinances regulating streets.
- e. **Street Construction Required.** All streets shall have concrete curb and gutters so as to provide drainage away from any and all manufactured homes and park facilities.
- f. **Off-street Parking Required and Regulated.** Two off-street parking spaces providing a minimum of 440 sq. ft. of parking area shall be provided for each manufactured home lot. No off-street parking shall be closer than five feet to a manufactured home nor closer than five feet to any lot line.
- g. **Sidewalks Required.** Sidewalks of at least thirty-six inches in width and four inches in thickness shall be constructed on both sides of all streets, parallel with streets and on the unit side of the curb.
- h. **Guest Parking Required.** Each manufactured home park shall maintain a paved, off-street parking lot for guests of occupants in the amount of one space for each two manufactured home lots, and located within 300 feet of the lot to be served.
- i. **Overload Parking Required.** Each manufactured home park shall have not less than 7500 sq. ft. of area for overload parking and dead storage for every fifty manufactured home lots or major fraction thereof. This area shall be completely enclosed with a security fence and screened from view by dense shrubbery.

#### Subdivision 4. Additional Lot Regulations.

- a. **Concrete Patio Required.** Each lot shall have a concrete patio adjacent to each home in addition to the off-street parking area. Each patio shall be not less than 300 sq. ft. and a minimum of four inches thick reinforced with wire mesh.
- b. **Adjoining Sidewalk Required.** Each patio shall be connected to the front sidewalk by a concrete sidewalk of a minimum of twenty-four inches in width and four inches in thickness.
- c. **Shade Tree Required.** Each lot shall have at least one shade tree with a minimum trunk diameter of one and one-half inches at the time of planting and shall be placed and maintained on each lot, all dead trees to be replaced within ninety days, or at a reasonable time, and such additional landscaping shall be included as may have been approved or required by the City Council.
- d. **Anchors Required.** Each manufactured home shall have anchors and tie downs, such as cast in place concrete foundations or runways, screw augers, arrowhead anchors or other State approved devices providing for stability of the manufactured home. Provided, however, that in the cases of manufactured home parks in existence on the effective date of this ordinance, such anchors and tie downs only shall be required as follows: 1) after such time as there is a change in ownership of any manufactured home located in such a park on said

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date and 2) in the case of any manufactured home placed within such a park after the effective date of this ordinance. In the case of change of ownership, it shall be the responsibility of the owner/caretaker to enforce the placement of anchors. The placement of such anchors and tie downs shall be in compliance with the State Building Code.

- e. Individual Site Preparation. Every manufactured home lot shall have whatever foundation structures are necessary to secure the manufactured home anchors and tie downs.
- f. At least one set of steps with railing(s), where required, which are structurally sound and meet building code, shall be installed at manufactured home entrance/exit.
- g. One sewer and water hook-up is to be installed on each lot.

#### Subdivision 5. Service Building and Service Facilities.

Each manufactured home park shall have one building to provide space for the park office. Every manufactured home park shall have a central office for the Manager or Caretaker of the park.

#### Subdivision 6. Manufactured Home Display Lots Permitted; Sales Lot Prohibited.

The establishment of a commercial sales lot for selling manufactured homes is prohibited. A manufactured home display may be established within the manufactured home park by conditional use permit at the time the park is approved or later by recommendation of the Planning Committee and approval of the City Council, based upon the same criteria as set forth in Section 4, Subd. 2 of this Ordinance. Such approval shall regulate the size, number and location of all display lots. No manufactured home display may exceed one manufactured home per manufactured home lot. The liveable display lots shall be landscaped, designed and maintained as required of other park lots under Section 6, Subds. 1-4.

#### Subdivision 7. Water Supply and Sewage Disposal Systems.

- a. Central Water System Required. All manufactured home parks must have a central water system serviced either by a municipal water system or a central deep well of adequate capacity as approved by the City Engineer and the Minnesota Department of Health.
- b. Sanitary Sewer Required. All manufactured home parks shall have a sanitary sewer system to serve the manufactured homes therein. The design and specifications of the sewer system shall meet the approval of the City Engineer and the Minnesota Department of Health.
- c. Underground Utilities Required. All sewer and water system lines shall be underground.

#### Subdivision 8. Utilities, Fuel Supply, Storage and Lighting.

- a. Underground Utilities Required. All utility lines for electricity, telephone, TV Cable, gas or fuel oil must be underground. There shall be no overhead wires or supporting poles except poles for street lights or other lighting purposes.

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- b. Fuel Storage Regulated. All fuel supply and storage systems shall be installed and maintained in accordance with applicable State Codes and regulations governing such systems.
- c. General Illumination Required. The manufactured home park shall provide overhead lights to adequately illuminate the streets and sidewalks of the park and all service building parking areas and entrances. Such lighting will be shielded to prevent any light to be directed at traffic, nearby manufactured homes or neighboring residential property in such brilliance as to constitute a danger or a nuisance.

## Section 7. CERTIFICATE OF OCCUPANCY REQUIRED.

### Subdivision 1. Certificate of Occupancy Required for Manufactured Home Park.

No manufactured home shall be occupied for residency in any manufactured home park in the City of East Bethel until a Certificate of Occupancy has been issued as follows:

Certificate of Occupancy Required for Manufactured Home Park. Upon completion of all construction and improvements required under all applicable ordinances, for the entire manufactured home park or portion to be completed in any one stage of construction, such completion shall be certified by the City Engineer and approved by the Planning & Zoning Committee and the Building Official. Upon finding that said construction and improvements have been completed in accordance with applicable ordinance requirements and the conditional use permit issued, the City Council shall approve the issuance of a Certificate of Occupancy for the manufactured home park by the Building Official.

### Subdivision 2. Certificate of Compliance Required for Manufactured Homes.

Manufactured homes shall not be used or occupied until the Building Official has issued a Certificate of Compliance in accordance with the following provisions:

- a. The manufactured home park operator shall be responsible to assure that the manufactured home is in good repair, is in a sanitary condition, is structurally sound and is fit for human habitation.
- b. It shall be the duty of manufactured home park operators to notify the Building Department in advance of all manufactured home installations to be made in their jurisdiction.
- c. An application shall have been made by an installer and a permit issued for installation of the manufactured home.
- d. Inspection shall have been made and the installation approved as in compliance with State of Minnesota Building Code, Chapter 1350.
- e. Payment of permit fee has been made as set by resolution of Council from time to time.
- f. In the case of a temporary installation or non-complying installation, the installer shall have requested a re-inspection to approve permanent

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installation or certify installation compliance.

- g. Payment of fee for re-inspection has been made as set by resolution of Council from time to time.

### Section 8. ANNUAL INSPECTION FEES.

The manufactured home park owner shall pay an annual fee as may be required by the City to cover the aggregate cost of fire and building inspections performed by the City.

### Section 9. OPERATION REQUIREMENTS.

#### Subdivision 1. General Operation and Maintenance.

- a. **Manager.** Every manufactured home park shall have an adult manager or caretaker on duty in or about the manufactured home park at all times, to keep the park, its facilities and equipment in a clean, orderly and sanitary condition and to be available in case of emergencies. The manager or caretaker shall be answerable with said owner for the violations or any provisions of this ordinance.
- b. **Office.** Each manufactured home park shall maintain a central office for the use of the owner or manager, distinctly marked OFFICE and such marking shall be illuminated during all hours of darkness.
- c. **Map.** A map of the manufactured home park, with all lots clearly numbered, shall be displayed at the manufactured home park office. The lots themselves shall also be numbered in a manner visible from the frontage street. The manufactured home park shall be open at reasonable times to the visiting public and a directory shall be readily available to visitors.
- d. **Lighting.** The manufactured home park grounds shall be lighted as approved by the City during all hours of darkness.
- e. **Public Address Prohibited.** No public address or loud speaker system shall be permitted.
- f. **Rules.** Each manufactured home park shall adopt a set of rules and regulations for orderly operation of the park in conformance with this ordinance, and these rules shall be clearly posted in the park office and made available to the residents of the park.
- g. **Pets.** No domestic animals or house pets of park occupants shall be allowed to run at large or commit any nuisances within the limits of the park.
- h. **Use of Lots.** The use of any lot or other area within a manufactured home park for tent sites, camper trailers, pickup campers or any other use other than for manufactured home placement is prohibited.
- i. **Manufactured homes shall not be used for residential purposes if they:**
  - (1) Do not conform to the requirements of the Vehicle Code of the State of Minnesota or
  - (2) Are in an unsanitary condition or have an exterior in bad repair or

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- (3) Are structurally unsound and do not protect the inhabitants against all elements.

Subdivision 2. Lot Regulations.

- a. Placement Restricted. No more than one manufactured home shall be parked upon any lot.
- b. Occupancy Regulated. No manufactured home may be inhabited by a greater number of occupants than that for which it was designed.
- c. Skirts Required. The base of all manufactured homes shall be enclosed with skirting, such skirting to be installed within ten days from the date of installation of the unit. Such enclosure must be accessible for inspection and no obstruction shall be permitted that impedes the inspection of the manufactured home, plumbing, electrical facilities and related equipment. No storage shall be permitted beneath the manufactured home.
- d. Use Restrictions. All manufactured home lots shall be used for residential purposes only or for the display and sale of manufactured homes for residential purposes for said park, pursuant to a conditional use permit as provided in Section 6, Subd. 7 hereof.

Subdivision 3. Lot Display Regulations.

No manufactured home owner nor prospective manufactured home owner shall be required to purchase a manufactured home from the owner or operator of the manufactured home park in which said owner desires to locate or from someone designated by said owner of the manufactured home park. This provision, however, shall not prevent the owners of the manufactured home park from establishing certain minimal standards and conditions of quality and design as to manufactured homes permitted in a manufactured home park owned by them.

Subdivision 4. Street Maintenance and Regulations.

- a. Snow Removal. The manufactured home park operator shall remove snow from all streets, guest parking areas and sidewalk areas within the park after each snowfall, and these areas shall be kept sanded and/or free of ice and snow.
- b. Maintenance and Repair. All streets within the park shall be kept in good repair and kept clean and free of litter.
- c. Speed Limit. A speed limit of 10 M.P.H. shall be maintained within the park limits and signs shall be posted accordingly. The operator may use raised bumps or ridges across the road surfaces to assure compliance with the posted limits.

Subdivision 5. Storage and Parking.

- a. On Site Parking Restricted. No more than two automobiles and one motorcycle may be parked on any manufactured home lot; the term "automobiles" shall include trucks and recreational vehicles.
- b. On Site Storage. Boats, City Court Park, trailers, hauling trailers and all other

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equipment not stored within a manufactured home nor in the utility enclosure that may have been provided or in the overload parking area may be stored on the lot occupied by the manufactured home, unless specifically prohibited by rule or regulation of the owner or manager of the manufactured home park.

- c. Storage Sheds Required. Every manufactured home lot upon which a manufactured home is located shall have a storage shed. The size and type of material of such storage sheds shall be established by rule or regulation of the owner or manager of the manufactured home park. Provided, however, that as to manufactured home parks in existence on the effective date of this ordinance, it shall be left up to the owner/caretaker as to enforcement.

Subdivision 6. Registration Required.

- a. It shall be the duty of the owner or manager of the manufactured home park to maintain a register containing a record of all manufactured home owners and occupants residing within the park. the register shall contain the following information:
- (1) Name and address of each manufactured home occupant.
  - (2) Name and address of the owner of each manufactured home motor vehicle by which each manufactured home is towed.
  - (3) The make, model, year and license number or serial number of each manufactured home or motor vehicle.
  - (4) The date of arrival and departure of each manufactured home.
  - (5) Forwarding address of all manufactured homes leaving park.
- b. Records Required. The manufactured home park management shall keep the register available for inspection at all times by law enforcement officers, public health officials and other officials whose duty necessitates acquisition of the information contained in the register. The register record for each registered occupant shall not be destroyed for a period of three years following the date of departure of the occupant from the park.
- c. Registration of Manufactured Homes Required. All manufactured homes occupied or stored or displayed in the manufactured home park shall be registered with the Motor Vehicle Division, State of Minnesota.

Subdivision 7. Fire and Police Protection.

- a. Fire Alarm System Required. Every manufactured home occupied in a manufactured home park shall have a UL approved smoke and fire detector installed and in operating condition.
- b. Fire Extinguisher Required. Every manufactured home occupied in a manufactured home park shall be equipped with a fire extinguisher in usable condition and in compliance with the State Fire Code and approved by the State Fire Marshal. The occupant of the manufactured home shall be responsible for providing such extinguisher for his manufactured home.

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- c. Fire Extinguisher Required in the Service Buildings. Portable fire extinguishers rated for classes B and C fires, with a capacity of 10 pounds dry powder, shall be kept visible in service buildings and at other locations as approved or required by the East Bethel Fire Marshal, for convenient access by all of the occupants of the manufactured home park. Such fire extinguishers shall be maintained in good operating condition.
- d. Open Burning Prohibited. No fire shall be kindled or maintained except in a stove, fireplace, barbecue pit, incinerator or other equipment intended for such purpose. No such fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors. Open burning is prohibited.
- e. Storage of Flammable Liquids Prohibited. Storage of flammable liquids or materials or gasses within or under a manufactured home is expressly forbidden.
- f. Litter and Rubbish Storage Prohibited. All areas of the manufactured home park shall be kept free of litter, rubbish and other flammable material.
- g. Emergency Vehicle Access Required. The manufactured home park shall be open to fire, police and other emergency vehicles and personnel at all times, and the manufactured home operator shall maintain a current directory showing the names and lot numbers of the occupants.
- h. Identification Numbers Required. Identification numbers at least three inches in height for each lot or home in a manufactured home park shall be affixed to each manufactured home; such numbers shall be visible from the nearest street.

#### Subdivision 8. Refuse Handling.

- a. Management Responsible. The manufactured home park shall provide for the collection and disposal of all refuse and garbage generated within the manufactured home park. The park may contract with private garbage haulers or provide the service itself. All refuse handling must adhere to the following standards:
  - (1) Nuisance Prohibited. the storage, collection and disposal of refuse in the manufactured home park shall be so conducted so as to create no health hazards, rodent harborage, insect breeding, accident or fire hazards or air pollution.
  - (2) Garbage Collection Required. Garbage and refuse shall be collected and disposed of as frequently as may be necessary to insure that garbage receptacles shall not overflow.

#### Subdivision 9. Sewer and Water.

- a. Maintenance Required. All sewer and water systems within the manufactured home park shall be kept in good operating condition in conformance with regulations of the Minnesota Department of Health and the City of East Bethel. Any maintenance of water and sewer systems within the Park shall be at the park owner's expense.

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- b. Water Pressure Maintained. If the City deems it necessary, auxilliary pumps to boost water pressure shall be installed at the expense of the park owner to maintain needed pressure for fire protection.
- c. Service Charges. For sewer service and water service when available the City will charge the service rates established in the appropriate district. All charges will be computed on a per unit basis and charged to the manufactured home park.

## Section 10. ADMINISTRATION.

### Subdivision 1. Enforcement by the Building Official.

The manager or caretaker shall be answerable with said owner for any violations of any provisions of this ordinance. The Building Official may institute in the name of the City of East Bethel any appropriate actions or proceedings against a violator as provided by law.

### Subdivision 2. Permit Standards

The City Council shall have the power to deny or revoke the manufactured home park permit of any person who fails to conform to the requirements of this ordinance or of any other municipal or State law that is applicable.

### Subdivision 3. Variance.

The City Council shall have the right to vary or modify the strict application of any of the regulations or provisions contained in this ordinance in cases in which the strict application thereof would create unnecessary hardship to the owner of the property, provided that all of the following conditions have been met:

- a. Uniqueness. The conditions upon which the application for a variance is based are unique to the parcel of land for which the variance is sought and are not generally applicable to other property within the same zoning classification.
- b. Injury to Surrounding Land. The granting of the variance will not be detrimental to the public welfare or injurious to other land or improvements in the neighborhood in which the parcel of land is located, nor be injurious to any occupant of the manufactured home park.
- c. Conditions and Restrictions. The City Council may impose such conditions and restrictions on the granting of a variance so as to insure compliance with both the letter and the intent of this ordinance and so as to insure the protection of affected properties.
- d. If variances are requested, the variance application fee shall be nonrefundable.

## Section 11. EXISTING MANUFACTURED HOME PARKS.

Manufactured home parks in existence or for which conditional use permits have been issued as of the effective date of this ordinance may continue to operate for a period not to exceed two years from the effective date of this ordinance, during which two

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year period this ordinance shall not apply to such parks; at the termination of said two year period, however, all the provisions contained herein shall apply and must be met by such parks with the following exceptions: Section 6, Subds. 1, b and c, 2, 3, d, e, f, g, h and i, and 4, a and b; other variances may be approved by city council if strict compliance with said provisions of this ordinance would be an undue hardship upon the owner of the park. In any case where such variances are permitted, the provisions of East Bethel Ordinance No. 27 shall control to the extent applicable and to the extent such provisions of said Ordinance No. 27 are not repealed by this ordinance.

**Section 12. PENALTY.**

Any person or firm who violates any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed \$500.00 or by imprisonment in the county jail for not more than 90 days, plus the costs of prosecution in either case.

**Section 13. SEVERABILITY.**

If any provision of this ordinance shall be declared void or of no effect, for any reason whatsoever, such decision shall not affect the validity of any other provision of this ordinance.

**Section 14. OTHER ORDINANCES OR REGULATIONS.**

This ordinance repeals all ordinances or parts of ordinances in conflict herewith. A particular manufactured home park rule or regulation may be more restrictive than this ordinance.

**Section 15. EFFECTIVE DATE.**

This ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of the City of East Bethel, Minnesota this 4th  
day of March, 1987.

  
\_\_\_\_\_  
Mayor

ATTEST:

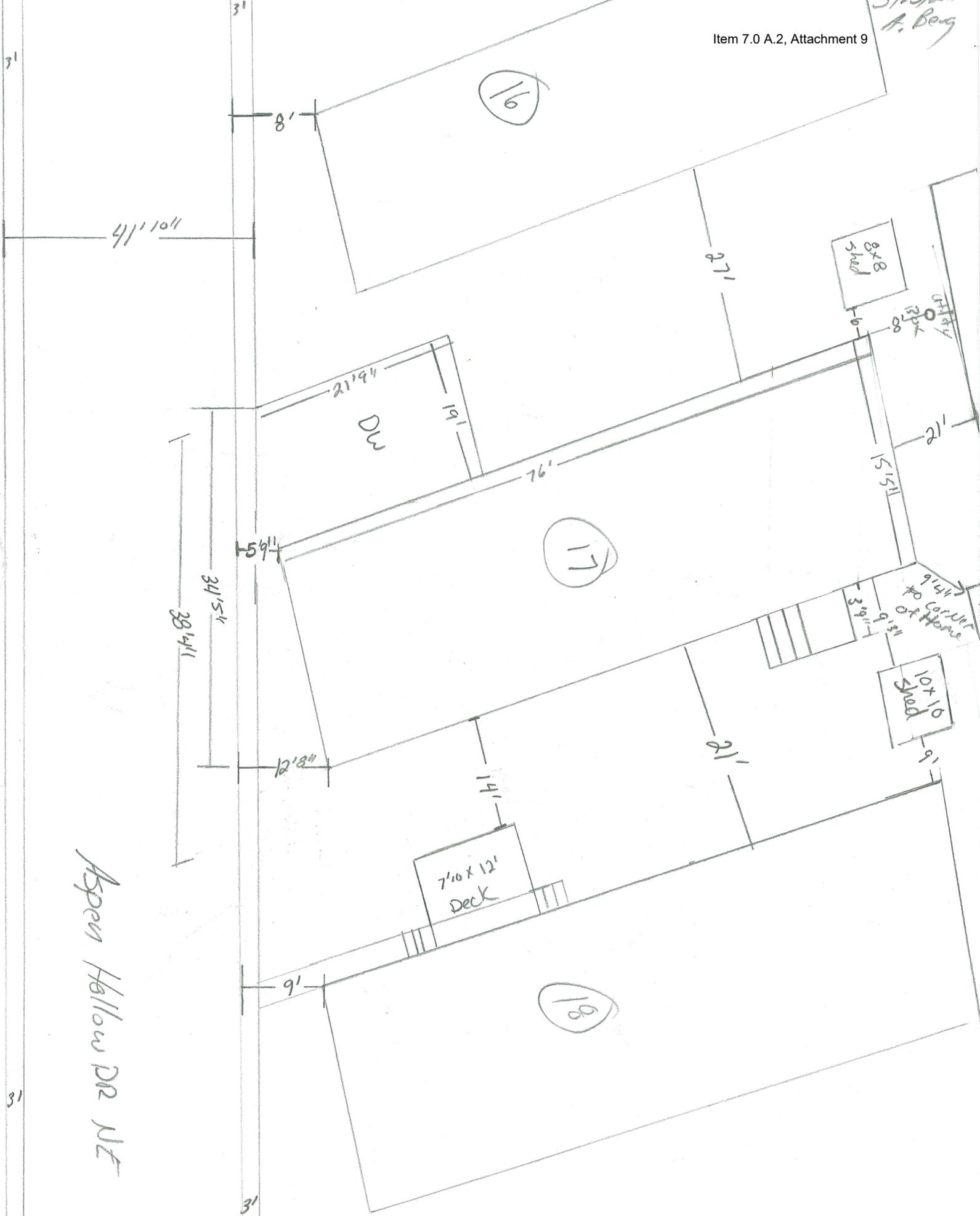
  
\_\_\_\_\_  
City Clerk

Introduced:	February 26, 1986
P & Z Public Hearing:	February 24, 1987
Adopted:	March 4, 1987
Published:	March 12, 1987

Approved by City Attorney as to form

  
\_\_\_\_\_  
City Attorney

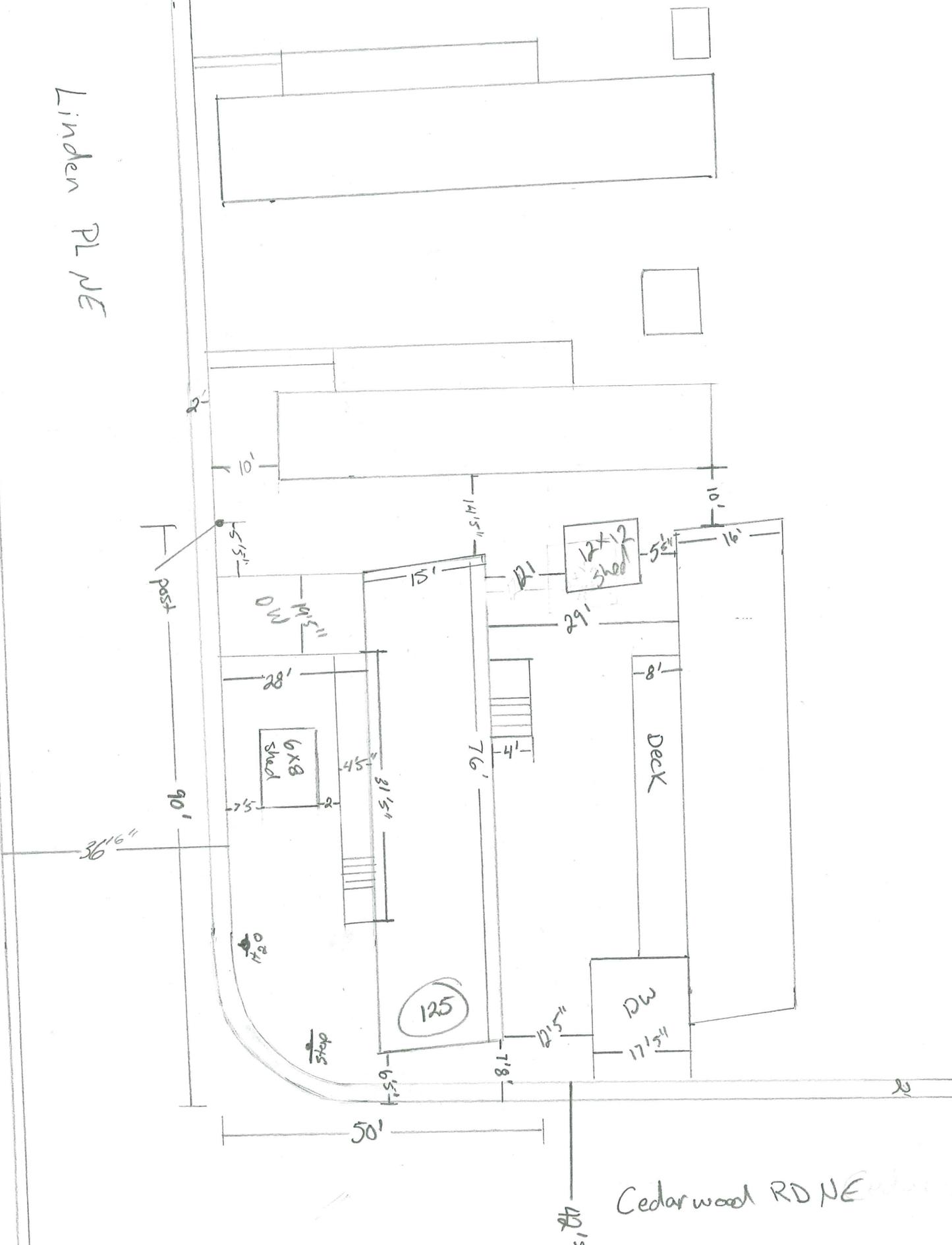
5/23/20  
A. Berg



Aspen Hollow DR NE

5/28/24  
A. Berg

Linden PL NE



Cedarwood RD NE

**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**



**Item 7.0 A.2, Attachment 11**

