

Sec. 78-349. - Accessory uses.

Within any LR-1C one-family lakeshore residential district, the only permitted accessory uses and structures are the following:

- (1) Buildings temporarily located for purposes of construction on the premises for a period not to exceed time necessary for such constructing.
- (2) Driveways, sidewalks and parking spaces.
- (3) Detached private garages and buildings subject to the performance standards of this chapter.
- (4) [Reserved].
- (5) Private docks, subject to this code and other applicable regulations, including boat storage density requirements. The accessory use of a private dock shall not include renting space.
- (6) Kennel structures and dog runs, subject to the provisions of chapter 62, article 3.
- (7) Fencing subject to the provisions of section 78-1405(7).
- (8) Signs, as regulated in this chapter.
- (9) Flagpoles, subject to accessory structure location and height requirements of this chapter.
- (10) Gardening and other horticultural uses, including arbors, trellises, aviaries and decorative landscape features, and lawn sprinkler systems.
- (11) Compost structures and firewood piles, subject to the accessory structure location requirements of this chapter.
- (12) Home occupations, as defined in this chapter. All home occupations shall comply with the provisions of section 78-1376, and the licensing provisions of [section] 26-76, when applicable.
- (13) One temporary roadside stand offering for sale only farm products produced on the premises, provided such stand does not exceed 200 square feet in area and is located at least 30 feet back from the public right-of-way.
- (14) Storage of recreational vehicles and equipment such as RVs, boats, snowmobiles, etc., subject to the provisions of sections 78-1511 through 78-1515 and 78-1577. Ice fishing houses and similar structures equipped with wheels or mounted on a trailer shall be regulated as recreational vehicles. Ice fishing houses and similar structures not equipped with wheels or mounted on a trailer shall be regulated as accessory buildings and subject to accessory building regulations.
- (15) Garage sales, yard sales, estate sales or rummage sales, limited to a maximum of four consecutive days and occurring no more than two times within one calendar year per property; and sales of personal or recreational vehicles and equipment, limited to no more than two items per calendar year, and such items for sale shall not be parked in any portion of the public right-of-way, public boulevard, or required front yard except a designated, improved driveway.
- (16) Laundry drying equipment.
- (17) Other uses that are customarily incidental to, and subordinate to, the allowed permitted and conditional uses in this district.

(Code 1984, §§ 10.20(4), 10.25(5); Ord. No. 161 2nd series, § 6, 6-7-1997; Ord. No. 221 2nd series, § 3, 9-23-2002; Ord. No. 82 3rd series, § 16, 12-13-2010; Ord. No. 93 3rd series, § 3, 6-25-2012; Ord. No. 96 3rd series, § 3(3.01, 3.02), 11-13-2012; Ord. No. 106 3rd series, § 7, 6-10-2013; Ord. No. 222 3rd series, § 10, 12-10-2018)

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## City of Orono

### Sec. 78-1577. - Exterior storage in R districts.

In all R districts, it is the responsibility of the owner of any property, improved or unimproved, to maintain the outdoor areas; including courtyards and the like, of the property and adjacent rights-of-way in a manner that complies with the following requirements. All recreational vehicles, mobile homes, camping trailers, motor homes, pickup coaches, travel trailers, special mobile equipment, and utility trailers shall meet the requirements of this Code. Additionally, all exterior storage must comply with subdivision (6) of this section.

(1) *Definitions:*

- a. *Blight* means a deteriorated condition, something that impairs or destroys.
- b. *Junk* means any cast-off, damaged, discarded, junked, obsolete, salvage, scrapped, unusable, worn-out or wrecked object, thing or material composed in whole or in part of asphalt, brick, carbon, cement, plastic, or other synthetic substance, fiber, glass, metal, paper, plaster, plaster of paris, rubber, terra cotta, wool, cotton, cloth, canvas, organic matter or other substance, regardless of perceived market value or requiring reconditioning in order to be used for its original purpose.
- c. *Recreational vehicle. Mobile home and recreational vehicle* shall mean and include the following definitions, and shall not include any manufactured housing unit bearing a State of Minnesota manufactured housing seal or certificate, for uses including but not limited to those listed below:
  1. *Camping trailer* means a folding structure, mounted on wheels and designed for travel, recreation and vacation uses, also called a pop-up camper.
  2. *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.
  3. *Pickup camper* means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.
  4. *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 as a travel trailer by the manufacturer of the trailer.
- d. *Special mobile equipment* means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch digging equipment, moving dollies, pump hoists and other well-drilling equipment, street sweeping vehicles, and other machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving equipment. The term does not include travel trailers, dump trucks, truck-mounted transit mixers, truck-mounted feed grinders, or other motor vehicles designed for the transportation of persons or property to which machinery has been attached.
- e. **Utility trailer means** any motorless vehicle, other than a boat trailer or personal watercraft trailer, designed for carrying of snowmobiles, motorcycles, all terrain vehicles, or property on its own structure and for being drawn by a motor vehicle but shall not include boat trailers, a trailer drawn by a truck-tractor semitrailer combination, or an auxiliary axle on a motor vehicle which carries a portion of the weight of the motor vehicle to which it is attached.

- (2) *[Parking regulated.]* Parking of recreational vehicles, mobile homes and utility trailers shall be regulated as follows:

- a. It is unlawful for any person to park a mobile home or recreational vehicle upon public property for human habitation
  - b. It is unlawful for any person to park or store a utility trailer, mobile home, recreational vehicle in any "R" district for more than 24 hours, except in a side or rear yard at least five feet from any property line.
  - c. It is unlawful to use a mobile home or recreational vehicle for human habitation on any private property for more than 72 hours without a permit from the city.
- (3) *Vehicle storage.* All vehicles parked or stored on any property within the city shall be operable and currently licensed. The parking of vehicles, other than recreational vehicles, in "R" districts is regulated as follows:
- a. Parking of vehicles other than recreational vehicles, with a maximum gross vehicle weight (GVW) of 14,000 pounds or less is allowed in all "R" districts.
  - b. Parking of vehicles in "R" districts in excess of 14,000 pounds GVW has the potential to create negative impacts on the surrounding neighborhood. These impacts may include noise (from operation as well as maintenance of vehicle); vibration; glare; odors; soil/water contamination (from dripping, washing, etc.); hazards to pedestrians by way of proximity, especially on private roads; wear and tear on local or private roads; propensity to offload remaining cargo on site at end of day; and visual incompatibility with the character of a neighborhood. Such use may be acceptable under certain conditions in zoning districts where lot areas are generally two acres or larger. Therefore, parking of such vehicles requires each of the following conditions be met:
    - 1. Property owner must be vehicle owner or operator.
    - 2. Vehicle must be set back 50 feet from property lines.
    - 3. Vehicle must not be visible from neighboring properties and public streets; vegetative screening is preferred.
    - 4. Maintenance of said vehicle shall occur within an enclosed building.
    - 5. The vehicle shall not constitute a nuisance at any time.
    - 6. In a shared driveway situation, the applicant shall demonstrate that the appropriate easement exists.
    - 7. Minimum lot size of five acres. For any property at least two acres but less than five acres in area, where it can be shown that prior to the effective date of this section such a vehicle was previously stored on a regular basis prior to and after January 1, 2004, a vehicle storage permit may be granted if the above conditions a. through f. are met, subject also to the following limitations:
      - i. A vehicle storage permit may only be issued for properties within the RR-1B, RR-1A, and LR-1A zoning districts.
      - ii. Such permit shall be granted only to the current property owner and only for the specific vehicle applied for. The current owner may replace the vehicle in kind, but shall not add other such vehicles. Any replacement vehicle must be registered with the city within 30 days to transfer its permitted status.
      - iii. This permit shall not apply to subsequent property owners, subsequent property owners shall not be considered as having a grandfathered permit by virtue of their predecessor's permit.
      - iv. This permit shall automatically and permanently expire if the vehicle storage is voluntarily discontinued for a period of one year.
- (4) *[Storage of boats and boat trailers.]* Boats, unoccupied boat trailers, and boats on trailers shall be subject to the following storage requirements when not stored for commercial purposes:

- a. *Licensing, operability and restorations.* All boats stored outside on a residential property shall be licensed to the owner or occupant of the property. All boats stored on a property shall be in operable condition, except that inoperable boats under active restoration may be stored on a property for not more than two years, the intent being to discourage the long-term storage of inoperable boats on residential property.
  - b. *Principal residence required.* No boat shall be stored on a property or on a group of contiguous commonly owned properties that does not contain a principle residence structure.
  - c. *Maximum length.* Boats and unoccupied boat trailers exceeding 30 feet in length shall not be stored on any residential property except within a fully enclosed building meeting all applicable zoning and building code standards. Exception: Existing boats over 30 feet in length which are documented to have been stored on the property within the 24 months prior to the effective date of the ordinance from which this section is derived shall be allowed to continue such storage practice until the property is sold, and shall meet the setback requirements of this section.
  - d. *Allowed storage locations.* Boats and unoccupied boat trailers up to 30 feet in length may be stored outside on residential property as follows:
    1. *Lakeshore lots.* Boats may be stored in a side yard, street yard, side street yard and lakeshore yard as long as they meet required setbacks and have no significant impact on lake views enjoyed by adjacent neighbors.
    2. *Nonlakeshore lots.* Boats maybe stored in a side yard and rear yard; trailerable boats may be stored on trailers in a driveway in a front yard or side street yard.
  - e. *Required setbacks.* Boats and unoccupied boat trailers shall be stored no less than five feet from any lot line and no less than 15 feet from the principal residence structure on any adjacent lot.
  - f. *Screening.* Screening is not required for outside boat storage when in conformance with this section. If boats are shrink wrapped, white is the preferred color but is not mandatory.
  - g. *Dispute resolution.* Complaints regarding boats stored in lakeshore yards and potentially impacting a neighbor's views of the lake will be referred to a dispute resolution committee, consisting of the planning director, the building official, and a member of the planning and zoning staff.
- (5) *[Prohibited parking or storage.]* Outdoor parking or storage of special mobile equipment as defined in this section shall be prohibited in any "R" district.
- (6) *Prohibited material storage.* Any violation of this section is subject to abatement upon seven days' written notice to the owner of private premises on which such material is found or any conditions in violation of this code section exist. The owner of the property will be determined as shown by the records of the office of the county recorder. The city may remove such matter or correct any conditions in violation, and certify the cost of such removals or corrections as any other special assessment. Additionally, the city may also seek injunctive relief for violation of this section. Owners of private property shall remove and keep removed from all exterior areas of all residential properties the following items:
- a. *Pest harborage.* All exterior property shall be free from rodent harborage and infestation. Boxes, lumber, scrap metal, and similar materials shall not be allowed to accumulate outside a structure in a manner that attracts an infestation of pests. Materials permitted and approved for exterior storage shall be neatly stacked.
  - b. *Trash and debris.*
    1. All household garbage, offal, dead animals, animal and human waste, and waste materials.

2. Accumulations of litter, glass, scrap materials (such as wood, metal, paper, and plastics), junk, combustible materials, stagnant water, plastic bags or trash.
  3. Accumulations of clothing and any other items not designed for outdoor storage.
- c. *Non-trash items.*
1. Accumulations of wood pallets.
  2. Accumulations of vehicle parts or tires.
  3. All construction and building materials unless such materials are being used at the time in the construction of a building, in which case such construction must be permitted and on a continuous, uninterrupted basis.
  4. All appliances or appliance parts.
  5. All indoor or upholstered furniture of a type or material which is deteriorated by exposure to outdoor elements.
  6. All recycling materials except for reasonable accumulations, amounts consistent with a policy of regular removal, which are stored in a well-maintained manner according to Chapter 50 and Chapter 54.
  7. All other non-trash items which:
    - (i) Are of a type or quantity inconsistent with normal and usual use; or
    - (ii) Are of a type or quantity inconsistent with the intended use of the property; or
    - (iii) Are likely to obstruct or impede the necessary passage of fire or other emergency personnel.
- d. *Fertilizer and burial of waste.* No person shall leave, deposit, or cause to be placed on any private ground any garbage, sewage, waste, debris, carcass, or other substance or matter which is offensive or unhealthy by decomposition unless the same be buried at least three (3) feet under the surface of the ground; provided, that the use of manure and phosphorous free fertilizer in the normal course for agriculture or horticulture is permitted.

(Code 1984, § 10.60(13); Ord. No. 206 2nd series, § 1, 9-10-2001; Ord. No. 4 3rd series, § 2, 11-11-2003; Ord. No. 21 3rd series, § 1, 11-8-2004; Ord. No. 29 3rd series, §§ 1—3, 10-24-2005)

**Sec. 90-1.** - Prohibited use and parking of mobile homes and recreational vehicles.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- (1) *Recreational vehicle.* *Mobile home* and *recreational vehicle* shall mean and include the following definitions, and shall not include any manufactured housing unit bearing a State of Minnesota manufactured housing seal or certificate, for uses including but not limited to those listed below:
    - a. *Camping trailer* means a folding structure, mounted on wheels and designed for travel, recreation and vacation uses, also called a pop-up camper.
    - b. *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.
    - c. *Pickup camper* means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.

- d. *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 as a travel trailer by the manufacturer of the trailer.
- (2) *Utility trailer* means any motorless vehicle, other than a boat trailer or personal watercraft trailer, designed for carrying of snowmobiles, motorcycles, all terrain vehicles, or property on its own structure and for being drawn by a motor vehicle but shall not include boat trailers, a trailer drawn by a truck-tractor semitrailer combination, or an auxiliary axle on a motor vehicle which carries a portion of the weight of the motor vehicle to which it is attached.
- (b) *[Parking regulated.]* Parking of recreational vehicles, mobile homes and utility trailers shall be regulated as follows:
  - (1) It is unlawful for any person to park a mobile home or recreational vehicle upon public property for human habitation.
  - (2) It is unlawful for any person to park or store a utility trailer, mobile home, recreational vehicle in any "R" district for more than 24 hours, except in a side or rear yard at least five feet from any property line.
  - (3) It is unlawful to use a mobile home or recreational vehicle for human habitation on any private property for more than 72 hours without a permit from the city.

(Code 1984, § 9.52; Ord. No. 4 3rd series, § 3, 11-11-2003)

**Cross reference**— Stopping, standing and parking generally, § 66-76 et seq.