

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

ORDINANCE NUMBER 443

AN ORDINANCE AMENDING THE CITY OF FOLEY'S ZONING ORDINANCE
RELATING TO HOOP/TUBULAR BUILDINGS

WHEREAS, the City of Foley wishes to amend its Zoning Ordinance by making revisions to Sections 4, 12, 13, 14, 15 and 16 of the Zoning Ordinance; and

WHEREAS, the City of Foley issued a public hearing notice regarding this ordinance amendment on *April 23, 2019*, and held said public hearing on *May 7, 2019*.

NOW, THEREFORE, the City of Foley ordains as follows:

Section 1. The following addition shall be made to Section 4 of the City of Foley's Zoning Ordinance:

Subdivision 5: DEFINITIONS

1. Hoop/Tubular Building: A structure composed of a rigid framework supporting a tensioned membrane, which provides the weather barrier.

Section 2. The following addition shall be made to Section 12, Subdivision 3, of the City of Foley's Zoning Ordinance:

Subdivision 3: PERMITTED ACCESSORY USES

1. Hoop/Tubular Frame Buildings as an accessory to Horticultural uses; retail sales are prohibited.

Section 3. The following addition shall be made to Section 13, Subdivision 3, of the City of Foley's Zoning Ordinance:

Subdivision 3: PERMITTED ACCESSORY USES

1. Hoop/Tubular Frame Buildings shall not be permitted as a storage building or for any other use within any residential district within the City except when they are used for gardening.
2. Hoop/tubular frame buildings are allowed with the following conditions:

- a. They are private conservatories for plants and flowers (not including the sale thereof).
- b. They are not to exceed 150 square feet in area and not higher than 8 feet in height.
- c. They must be located in the rear yard of the property.

Section 4. The following addition shall be made to Section 14, Subdivision 3, of the City of Foley's Zoning Ordinance:

Subdivision 3: PERMITTED ACCESSORY USES

1. Hoop/Tubular Frame Buildings shall not be permitted as a storage building or for any other use within any residential district within the City except when they are used for gardening.
2. Hoop/tubular frame buildings are allowed with the following conditions:
 - a. They are private conservatories for plants and flowers (not including the sale thereof).
 - b. They are not to exceed 150 square feet in area and not higher than 8 feet in height.
 - c. They must be located in the rear yard of the property.

Section 5. The following addition shall be made to Section 15, Subdivision 3, of the City of Foley's Zoning Ordinance:

Subdivision 3: PERMITTED ACCESSORY USES

1. Hoop/Tubular Frame Buildings are allowed as an accessory use when used for seasonal sales and subject to the following:
 - a. All buildings shall require a permit from the Zoning Administrator which shall be valid for 90 days. The permit may establish conditions relating to the hoop/tubular frame building, including, but not limited to, hours of operation, building size, location on the property, signage, and additional parking requirements.

Subdivision 4: CONDITIONAL USES

1. Hoop/Tubular Frame Buildings only when they are a part of a greenhouse for the retail sale of merchandise in connection with horticulture or landscaping uses.

Section 6. The following addition shall be made to Section 16, Subdivision 3, of the City of Foley's Zoning Ordinance:

Subdivision 3: PERMITTED ACCESSORY USES

1. Hoop/Tubular Frame Buildings are allowed as an accessory use when used for seasonal sales and subject to the following:
 - a. All buildings shall require a permit from the Zoning Administrator which shall be valid for 90 days. The permit may establish conditions relating to the hoop/tubular frame building, including, but not limited to, hours of operation, building size, location on the property, signage, and additional parking requirements.

Subdivision 4: CONDITIONAL USES

1. Hoop/Tubular Frame Buildings only when they are a part of a greenhouse for the retail sale of merchandise in connection with horticulture or landscaping uses.

Section 3. Summary Publication.

At least four-fifths of the City Council's members direct the Administrator to publish only the title and a summary of this Ordinance as follows:

“ORDINANCE AMENDING SECTIONS 4, 12, 13, 14, 15 and 16 OF THE CITY OF FOLEY’S ZONING CODE.

The ordinance amendment incorporates a definition and regulations of hoop/tubular buildings.

Approved this 7th day of May, 2019.

ATTEST:

Gerard L. Bettendorf, Mayor

Sarah A. Brunn, Administrator