

## ORDINANCE NO. 79

### AN ORDINANCE FOR THE PURPOSE OF ENACTING A MORATORIUM ON CONSTRUCTION OF MEMBRANE STRUCTURES IN THE TOWN OF WHITE BEAR

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF WHITE BEAR  
ORDAINS:

#### SECTION 1. PURPOSE.

1-1. The Town of White Bear has placed under consideration the construction of membrane structures on properties in the Town of White Bear.

1-2. The objective of this study is to develop building, land use and zoning regulations that are consistent with livable neighborhoods.

1-3. There is a need for these studies to be conducted so that the Town can adopt changes to the Town's Building Code and Zoning Ordinances.

#### SECTION 2. MEMBRANE STRUCTURE STUDY - MORATORIUM.

2-1. The study is authorized by the Town of White Bear. Township staff shall coordinate the study with the Planning Commission, consultants, property owners, interested citizens and the Town Board.

2-2. Upon completion of the study, the Planning Commission shall present it's recommendation to the Town Board.

2-3. A moratorium on construction of membrane structures which are defined as follows:

Membrane Structure – A structure usually consisting of an aluminum, steel or plastic frame, which is covered with a plastic, fabric, canvas or similar non-permanent material, and is used to provide storage of vehicles, boats, recreational vehicles or other personal property. The term shall also apply to structures commonly known as hoop houses, canopy-covered carports, and tent garages and can be fully or partially covered but shall not apply to boat lifts and canopies which are placed in public waters, and temporary tents or canopies used for special events such as graduations, weddings, commercial fireworks sales or commercial landscaping material sales,

is adopted pending completion of this study and adoption of any amendments to the Town's Building Code and Zoning Ordinances, as deemed necessary as a result of this study. The Town will not approve any applications for building permits for membrane structures as defined above during the moratorium period.

**SECTION 3. TERM.** The term of this Ordinance shall be for 12 months from the date provided in Section 5 of this Ordinance or such time as the Town Board

adopts amendments to the Town's Building Code and Zoning Ordinances as deemed necessary as a result of this study.

#### SECTION 4. VARIANCES.

4-1. Variances from this Ordinance may be granted by the Town Board based upon a determination that a proposed project would be compatible with the proposed building and zoning, and that such proposals would be in keeping with the spirit and intent of this Ordinance. The procedures to be followed in applying for construction of a membrane structure shall be in accordance with State law on findings for membrane structures, and shall include the following:

4-1.1. The applicant shall file a completed application form, together with required exhibits, to the Town.

4-1.2. The application shall set forth special circumstances or conditions which the applicant alleges creates the need to act on the request prior to expiration of this moratorium, and shall demonstrate that the proposed project is compatible with the Town's Building Code and Zoning Ordinances.

4-1.3. The application shall be submitted to the Planning Commission for its review and recommendation to the Town Board.

4-1.4. The Town Board may impose such restrictions upon the proposed project as may be necessary to comply with the purpose and intent of this Ordinance.

**SECTION 5. EFFECTIVE DATE.** Passed by the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, this 16<sup>th</sup> day of April, 2007.

APPROVED:

  
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ROBERT J. WEISENBURGER, Chairman

ATTEST:

  
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WILLIAM F. SHORT, Clerk-Treasurer

Board of Supervisors:  
ROBERT J. WEISENBURGER, Chair  
RICHARD A. SAND, Supervisor  
WILLIAM R. MAMPLE, Supervisor

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