



# MAYOR & COUNCIL COMMUNICATION

**DATE:** July 7, 2015  
**REGULAR**  
**ITEM #** 21

**AGENDA ITEM:** Interim Ordinance – Sewered Development Staging Areas

**SUBMITTED BY:** Kyle Klatt, Community Development Director

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Nick Johnson, City Planner  
Julie Fliflet, City Council

**SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item .....Community Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

**POLICY RECCOMENDER:** At the request of Council Member Fliflet, Staff has prepared a draft interim ordinance that would establish a moratorium on new development within the City’s future sewer service areas for a period of one year. This ordinance was tabled at the June 2<sup>nd</sup> Council meeting and is scheduled for further discussion at the July 7<sup>th</sup> meeting.

**FISCAL IMPACT:** The interim ordinance includes language that would allow the City to consider development that meet certain public interests including those that have paid advanced water commitments and those that would benefit the community by provide necessary water or sewer infrastructure.

**SUMMARY AND ACTION REQUESTED:** The City Council is being asked to review the proposed ordinance and make any modifications to the document as may be deemed appropriate. Staff has made revisions to the document since the previous Council review, and any such changes are tracked in the attached draft Ordinance.

The suggested motion to adopt the interim ordinance is as follows:

***“Move to adopt Ordinance 08-123 declaring a moratorium for a period of 12 months on certain types of development as described in the Ordinance”***

**LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:** The proposed ordinance represents a continuation of the Council’s previous discussion on growth management strategies in advance of Met Council’s adoption of the final 2040 forecast numbers. The ordinance would provide the City with time to implement an interim growth management strategy in order to plan against the future population and household forecast reductions and to work on an interim Comprehensive Plan Amendment that plans against these updated numbers. The purpose and intent of the interim ordinance are spelled out in the actual ordinance and attached for review by the City Council.

Based on the previous Council review of this matter, Staff has made minor modifications to the document as originally drafted. Most of these changes are intended to clarify the specific uses that will be impacted by the ordinance or to add additional details to the document. In further considering the implications of the proposed interim ordinance, Staff is also recommending the following:

- That the ordinance include a specific exemption for senior (congregate) housing. Staff has been approached by a developer that is working on a formal application for senior housing in the Village.
- That the PUD section be eliminated from the ordinance. The inclusion of criteria for PUD’s separate from the Zoning Ordinance provisions could cause problems in establishing how such requests would be reviewed in the future. Even if proposed as a PUD, approval of larger residential developments should be delayed until the City is able to complete its review of the Comprehensive Plan and updated growth targets.
- That the ordinance include optional language concerning non-residential uses in the Stage 2 and 3 development areas. At the last Council meeting, the Council was in general agreement to adopt an ordinance concerning residential development, but there was not as clear of a consensus concerning non-residential uses. The optional language is highlighted in yellow in the attached ordinance.

**RECOMMENDATION:** Staff is recommending approval of the interim ordinance *without* the optional language (highlighted in yellow) and as otherwise drafted. As an alternative, the Council may consider including the highlighted provisions or modifying the document in another manner.

The suggested motion to adopt the interim ordinance is as follows:

***“Move to adopt Ordinance 08-123 declaring a moratorium for a period of 12 months on certain types of development as described in the Ordinance”***

**ATTACHMENTS:**

1. Ordinance No. 08-123