



## **MAYOR AND COUNCIL COMMUNICATION**

DATE: October 18, 2016

**REGULAR**

ITEM #: 22

**MOTION**

**AGENDA ITEM:** Interim Ordinance on Development Activity within the Shoreland District

**SUBMITTED BY:** Sarah Sonsalla, City Attorney

**REVIEWED BY:** Kristina Handt, City Administrator  
Stephen Wensman, Planning Director

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### **BACKGROUND:**

In July of 2016, the City extended its interim ordinance (moratorium) on development within Stage 1, 2 and 3 development areas. The City was authorized by Minnesota Statutes Section 462.355, subdivision 4 (c)(1) to extend the moratorium because the City was in the process of studying and revising its shoreland regulations which were being reviewed by the Department of Natural Resources.

After the original moratorium was extended, it was found there are properties that are in the Shoreland District that were not included in the moratorium because they were outside of the Stage 1, 2 and 3 development areas. At its meeting on October 4, 2016, the City Council decided that because these properties are also subject to the City's shoreland regulations and because the shoreland regulations affect the use and development of properties within the Shoreland District, there should be a moratorium on development activity on all properties that are within the Shoreland District and not only properties within the Stage 1, 2 and 3 development areas. The City Council then directed staff to prepare an interim ordinance that would apply to all properties within the Shoreland District with the exception of (a) any project that have been granted concept, preliminary, or final plan or plat approval; and (b) any project that would address environmental threats through the installation of essential services such as sewer, water, storm sewer, or other public safety mechanisms and that would extend these services into areas that are planned for public infrastructure. Staff has prepared a draft of the interim ordinance for the City Council's review.

### **ISSUE BEFORE COUNCIL:**

Does the City Council wish to adopt the attached "Interim Ordinance Authorizing Continuance of a Study of the City's Shoreland Regulations and Imposing a Moratorium on Development Activity within the Shoreland District"?

### **PROPOSAL DETAILS/ANALYSIS:**

The statute does not require that a public hearing be held by the City before this particular interim ordinance is adopted. The interim ordinance will be effective on the date that it is published. It is being proposed that the interim ordinance would remain in effect until the effective date of an ordinance amending the City's shoreland regulations or one year from the interim ordinance's effective date, whichever occurs first, unless it is otherwise expressly repealed by the City Council.

### **OPTIONS:**

The City Council has three options:

1. Adopt the interim ordinance;
2. Adopt the interim ordinance with changes;
3. Do not adopt the interim ordinance.