

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

ORDINANCE NO. 08-195

**AN INTERIM ORDINANCE IMPOSING A MORATORIUM ON 2030
COMPREHENSIVE PLAN AMENDMENTS**

The City of Lake Elmo City Council ordains:

Section 1. Purpose and Intent. The purpose and intent of this interim ordinance (this “Ordinance”) is to impose, pursuant to Minnesota Statutes Section 462.355, subdivision 4, a moratorium within the jurisdictional boundaries of the City of Lake Elmo (the “City”) on amendments to the City’s comprehensive plan during the period of this Ordinance in order to protect the planning process and the health, safety, and welfare of the citizens of the City.

Section 2. Legislative Findings. The City Council hereby finds and determines as follows:

- (a) The City has established a 2030 Comprehensive Plan (“2030 Plan”) that provides a compilation of background data, policy statements, standards, and maps, which help to guide the future physical, social, and economic development of the City; and
- (b) The Metropolitan Land Planning Act requires all cities and counties in the Twin Cities Metropolitan Area to adopt a Comprehensive Plan (“Plan”) and to update the Plan on a decennial basis; and
- (c) The Plan is required to comply with the Metropolitan Council’s regional system plans that include transportation, wastewater services, airports, parks, and open space; and
- (d) The 2040 Comprehensive Plan update must be submitted to the Metropolitan Council by December 31, 2018; and
- (e) The process of updating the Plan generally involves review and study of the existing 2030 Plan; background report preparation, issue identification, visioning and goal setting; identification of specific issues and Plan components that need updating; facilitation of a working group, community review and input opportunities; a comprehensive update of the Plan; and Plan review and adoption by the City’s Planning Commission and the City Council; and
- (f) The City is currently in the process of undergoing the 2040 Comprehensive Plan update; and

- (g) Requested amendments to the 2030 Plan prior to the City's submission of the 2040 Comprehensive Plan update may not take in to consideration the process involved and progress made in the 2040 Comprehensive Plan update; and
- (h) The City determines that it is in the best interests of the City to impose a moratorium on amendments to the 2030 Plan until the 2040 Comprehensive Plan update is complete in order to ensure that any amendments to the Plan are consistent with the future vision of the Plan and to allow the City sufficient time to properly consider the update of the Plan.

Section 3. Study Authorized. The City has initiated a study of its 2030 Comprehensive Plan in order to determine changes that may be needed in the 2040 Comprehensive Plan update.

Section 4. Moratorium Imposed; Exceptions. A moratorium is hereby imposed within the City on Plan amendments. No application for an amendment to the Plan will be accepted by the City during the term of this Ordinance. Plan amendments for which the City has already received an application are exempt from this moratorium. Plan amendments that are necessary for a 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 are exempted from this moratorium.

Section 5. Duration. This Ordinance shall be remain in effect for one year from the date that it is effective unless it is expressly repealed earlier by the City Council.

Section 6. Severability. Every section, provision, and part of this Ordinance is declared severable from every other section, provision, and part thereof. If any section, provision, or part of this Ordinance is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this Ordinance.

Section 7. Enforcement. The City may enforce any provision of this Ordinance by mandamus, injunction, or any other appropriate remedy in any court of competent jurisdiction.

Section 8. Effective Date. This Ordinance shall be effective upon its legal passage and publication.

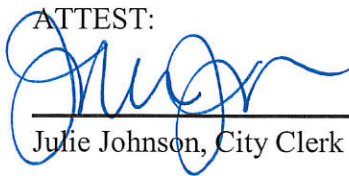
Adopted by the City Council of the City of Lake Elmo on this 16th day of January, 2018, by a vote of ____ Ayes and ____ Nays.

LAKE ELMO CITY COUNCIL



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk

This Ordinance 08-195 was published on the 24th day of January, 2018.