

HOUSE RESEARCH

Bill Summary

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Version: As introduced

Authors: Beard and others

Subject: Local government, interim planning ordinances, municipal development contracts

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Overview

This bill prohibits interim resolutions or ordinances from halting, delaying, or impeding consideration of a use, development, or subdivision for which a complete application is pending. An "interim ordinance" is also called a moratorium ordinance. It allows the city, county or town to place on hold any land use decisions while it considers adopting or amending a comprehensive plan or official controls (zoning). The bill also amends the law governing city and town subdivision regulations.

- 1 Interim zoning (county planning statute).** (a) Requires a county to provide public notice, hold a hearing and then adopt by a two-thirds vote a temporary interim zoning map or ordinance as an emergency measure. Deletes the authority to extend the interim resolution beyond one year.

(b) Prohibits an interim resolution from halting, delaying, or impeding consideration of a use, development, or subdivision for which a completed application is pending before the county. States that completeness of the application is determined by meeting the requirements of the ordinance and an application that is not complete must be returned to the applicant with an explanation and an opportunity to correct.
- 2 Interim ordinance (city and town planning statute).** (a), (c) Requires a city or town to provide 10 day public notice and hold a hearing before adopting by a two-thirds vote an interim ordinance, which must be applicable to all of the jurisdiction, not just part of it. Under current law, a hearing is only required if the ordinance relates to livestock production and the vote is a simply majority.

(b) Prohibits an interim ordinance from halting, delaying, or impeding consideration of a use, development, or subdivision for which a completed application is pending before the city or town. States that completeness of the application is determined by meeting the requirements of the ordinance and an application that is not complete must be returned to the applicant with an explanation and an opportunity to correct.
- 3 Terms of regulations (city and town authority to adopt subdivision regulations).** Prohibits a city or town from imposing conditions in a development contract that are not authorized by statute or agreed to by all parties. Requires financial security required for work to have a direct and

proportionate relationship to the work. Requires the city or town to provide to the subdivider or contractor a copy of the complete development contract at least three days before approval.