

File Number: H.F. 330

Date: March 5, 2017

Version: Second engrossment

Authors: Nash and others

Subject: Local planning; interim ordinances, housing

Analyst: Deborah A. Dyson

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/.

An interim ordinance, also referred to as a moratorium, is an ordinance to protect the planning process while the city or town is studying changes to or adoption of a local comprehensive plan and official controls (zoning, subdivision controls, site plan regulations, sanitary codes, building codes, and official maps). It may be in effect for up to one year and in some cases may be extended for up to 18 months more. Except for an interim ordinance affecting livestock production, no notice or hearing is required to adopt an interim ordinance (but is required to extend it).

This bill requires a two-thirds vote of the members of a city council present to adopt an interim ordinance that regulates or prohibits a housing proposal. A "housing proposal" is a written request for approval of a project intended primarily to provide residential dwellings, and involves the subdivision or development of land, or demolition, construction, reconstruction, alteration, repair, or occupancy of residential dwellings.

Before adopting the ordinance, the city must provide written notice to anyone who has submitted written information about a housing proposal that may be affected by the moratorium. The notice must be provided at least three business days before the public hearing. Requires notice to be on the city's Web site, if there is one.

Requires the public hearing to be at the next regularly scheduled council meeting or within 10 days of the notice, whichever is earlier. Prohibits activities proposed to be restricted by the moratorium before the hearing.

Effective for interim ordinances proposed on or after August 1, 2017.