

Ordinance No. 2006-35
AN INTERIM ORDINANCE ESTABLISHING A MORATORIUM ON THE SUBDIVISION
OF CERTAIN LAND WITHIN THE CITY OF ROCKVILLE

WHEREAS, the City of Rockville is currently undertaking to update and amend its zoning code, specifically its Shoreland management ordinance;

WHEREAS, the City is concerned that certain property within its corporate limits, which is located within the Shoreland management area, will be developed inconsistently with the final Shoreland management ordinance;

WHEREAS, the City desires to impose a moratorium on certain land within the City, prohibiting the subdivision or development of certain land, and restricting the use of said land to those approved uses currently existing; and

WHEREAS, the City finds that this moratorium will protect the planning process and the health, safety, and welfare of its citizens.

NOW, THEREFORE, pursuant to Minnesota Statute section 462.355, subd. 4, the Rockville City Council ordains:

SECTION 1: A moratorium prohibiting new subdivision of property located, in whole or in part, on Shoreland as described in Minn. Stat. sec. 103F.205 is established. For a period of six (6) months from the effective date of this Ordinance, or until such time as the City Council determines the moratorium is no longer necessary as to all of the property or any part thereof, the described property shall not be subdivided in any manner.

SECTION 2: An owner of property subject to this moratorium that desires to pursue a prohibited use or activity may apply to the City for a variance. In order for the variance to be granted, the City Council must find that the intended use or activity will not conflict with the proposed Shoreland management ordinance, if any, and meet the minimum requirements of the state's model Shoreland management ordinance. In approving a variance, the City Council may impose such conditions as it determines are necessary to protect the public health, safety, and welfare.

SECTION 3: This moratorium may be extended up to an additional eighteen (18) months.

SECTION 4: This Ordinance shall be effective immediately upon its passage.

SECTION 5: As the City Council finds that publishing the entire ordinance pursuant to Minnesota Statutes Chapter 412 would be unduly expensive and the attached summary

clearly informs the public of the Ordinance's intent and effect, only the title and attached summary of Ordinance No. 2006-35 shall be published. Furthermore, a printed copy of the full ordinance shall be made available for inspection at City Hall, and shall be posted as required.

Adopted this _____ day of _____, 2006.

Brian Herberg, Mayor

ATTEST:

Rena Weber, City Administrator-Clerk