

City of South St. Paul
Dakota County, Minnesota

ORDINANCE NO. 1343

**AN INTERIM ORDINANCE TEMPORARILY
PROHIBITING APPLICATIONS FOR DEVELOPMENT WITHIN THE
HARDMAN TRIANGLE**

WHEREAS, the “Hardman Triangle” generally consists of that real property within the City of South St. Paul, County of Dakota, State of Minnesota, bounded by Hardman Avenue on the east and north, by Concord Street on the west and by Grand Avenue East on the south;

WHEREAS, the public interest requires the City to study, analyze, and evaluate the appropriateness of the current comprehensive municipal plan, as well as zoning regulations and other official controls, for the Hardman Triangle;

WHEREAS, the City Council has authorized a study to explore and evaluate the comprehensive municipal plan, as well as zoning regulations and other official controls, for the Hardman Triangle and provide a basis for any future changes to official controls and the comprehensive municipal plan for the Hardman Triangle;

WHEREAS, in order to study the Hardman Triangle, make any appropriate changes in official controls or the comprehensive municipal plan, and protect the planning process and the health, safety, and welfare of the citizens of the community, a prohibition on development for the properties in the Hardman Triangle is required, while this process is pending.

NOW, THEREFORE, pursuant to Minnesota Statutes, Section 462.355, Subdivision 4:

The City Council of the City of South St. Paul does ordain:

SECTION 1. DEFINITIONS. The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Hardman Triangle. The “Hardman Triangle” is hereby defined as that real property located within Dakota County, Minnesota, bounded on the north by the centerline of Hardman Avenue, bounded on the east by the centerline of Hardman Avenue, bounded on the south by the centerline of Grand Avenue East and bounded on the west by the centerline of South Concord.

SECTION 2. INTENT. This ordinance, as authorized by Minnesota Statutes, Section 462.355, Subdivision 4, is intended to facilitate the study of the Hardman Triangle, to make any appropriate changes in official controls and the comprehensive municipal plan, and to protect the planning process and the health, safety, and welfare of the citizens of the community during the interim. The statute authorizes municipalities to adopt interim ordinances to regulate, restrict, or prohibit

any use, development, or subdivision for the purpose of protecting the planning process and the health, safety, and welfare of its citizens.

SECTION 3. RESTRICTION. In accordance with the findings set forth above and pursuant to the authority vested in the City by Minnesota Statutes, Section 462.355, Subdivision 4, except as stated in Section 4, applications such as, but not limited to the following, shall not be granted, accepted or considered while this interim ordinance is in effect:

- (a) Plats
- (b) Subdivisions
- (c) Conditional use permits
- (d) Variances
- (e) Site plans
- (f) Development
- (g) Building permits for new construction, or expansion or enlargement of an existing building
- (h) Licenses

SECTION 4. EXCEPTIONS. This ordinance shall not apply to the following applications:

- (a) The repair, renovation and/or maintenance of any building that not does enlarge or expand the building or intensify the use;
- (b) Work necessary to preserve health, safety, life or property in the event of an emergency or natural disaster; or
- (c) Interim use permit applications.

SECTION 5. STUDY. During the period of this interim ordinance the City planning staff will gather information, study and make recommendations to the City Council concerning official controls, the comprehensive municipal plan, and the City Code for the Hardman Triangle to promote the health, safety, and welfare of the citizens of the community.

SECTION 6. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes, Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance creates a temporary restriction on all development activities for properties located in the Hardman Triangle, including consideration or issuance of building permits and licenses, variances, site plans, and conditional use permits. The properties included in the interim ordinance are located in the area between Hardman Ave., Grand Ave. East and Concord Street.

SECTION 7. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law and shall remain in effect until the date of the adoption of the official controls contemplated hereunder, or the repeal of this ordinance or one year from the date of adoption, whichever occurs first.

Approved: May 20, 2019

Published: May 26, 2019

City Clerk