

CITY OF OADKALE
ORDINANCE NO. 926

AN INTERIM ORDINANCE ESTABLISHING A MORATORIUM ON
DEVELOPMENT IN THE OAKDALE MARKETPLACE AND OAKDALE STATION PLANNED UNIT
DEVELOPMENTS

The City Council of the City of Oakdale ordains:

Section 1. Background. The City is presently conducting a study (“Study”) relating to the appropriate land uses that should be allowed in the Oakdale Marketplace and Oakdale Station Planned Unit Developments. The Study is being conducted in response to direction given by the City Council in late 2023. Minnesota Statutes, Section 462.355, subd. 4 allows the City to adopt an interim ordinance for the purpose of protecting the planning process and the health, safety, and welfare of its citizens.

Section 2. Findings.

2.01. The City Council finds that it is necessary to complete the Study to address the types of development and land uses that are appropriate in the Oakdale Marketplace and Oakdale Station Planned Unit Developments. The Study might also identify appropriate changes, if any, that should be made to the City’s official land use controls, including, but not limited to, the City’s Zoning Ordinance and Comprehensive Plan.

2.02. While the Study is being conducted, the City Council finds that there is a need to adopt a moratorium on all development, including new building construction and building expansion, on the property described in the attached Exhibit A (the “Moratorium Area”).

2.03. To ensure that no new construction or expansion within the Moratorium Area occurs that might be inconsistent with any potential future changes in the City’s official controls resulting from the Study, the City Council finds that the moratorium established by this ordinance should apply to all applications for development, including new building construction and expansion, within the Moratorium Area, including those that are pending with the City as of the effective date of this ordinance. The City Council further finds that, except as otherwise provided in this ordinance, no new land use or zoning applications or building permits applicable to the Moratorium Area shall be reviewed by City staff after the effective date of this ordinance.

Section 3. Planning and Zoning Study; Moratorium

3.01. Pending the completion of the Study and the adoption of any amendments to the City’s official controls, a moratorium is established on the acceptance, processing, or issuance of any development applications or approvals, including but not limited to preliminary plats, rezonings, variances, conditional use permits, site plans, PUDs, and permits for the construction or expansion of buildings, pertaining to any property located within the Moratorium Area. The moratorium does not apply to any application or approval that seeks only to rehabilitate or maintain, without expanding, an existing building.

3.02. During the period of the moratorium, applications for any permits or approvals related to development in the Moratorium Area shall not be accepted, processed, or issued by the City nor shall the Planning Commission nor the City Council consider or grant approval of any such application. However, the City, including the Planning Commission and the City Council, may accept, process, or issue applications for permits or approvals that seek only to rehabilitate or maintain, without expanding, an existing building.

Section 4. Enforcement. The City may enforce this ordinance by mandamus, injunction, or any other appropriate civil remedy in any court of competent jurisdiction.

Section 5. Separability. Every section, provision, or part of this ordinance is declared separable from every other section, provision, or part of this ordinance. 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 6. Term. Unless repealed earlier by the City Council, this ordinance shall remain in effect for a period of six months after its effective date.

This Ordinance shall take effect and be in full force from and after its adoption and publication, as provided by law.

Voting For: Mayor Zabel, Council Members Her and Morcomb;

Voting Against: Council Member Willenbring;

Absent: Council Member Ingebrigtson.

Adopted this 11th day of June, 2024 by the Oakdale City Council.



Kevin Zabel, Mayor

Attest:

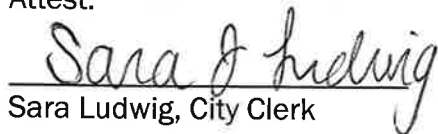

Sara Ludwig, City Clerk

Exhibit A

Description of the Moratorium Area

- Oakdale Station
- Oakdale Marketplace
- Oakdale Marketplace Second Addition
- Oakdale Marketplace Third Addition
- Oakdale Marketplace Fourth Addition
- Oakdale Marketplace Fifth Addition
- Oakdale Marketplace Sixth Addition