

City of South St. Paul  
Dakota County, Minnesota

**ORDINANCE NO. 2012-**

**AN INTERIM ORDINANCE TEMPORARILY  
PROHIBITING APPLICATIONS FOR DEVELOPMENT WITHIN THE  
NORTHERN PART OF THE SOUTH CONCORD CORRIDOR AREA**

**WHEREAS**, the “South Concord Corridor Area” generally consists of that real property within the City of South St. Paul, County of Dakota, State of Minnesota, bounded on the north by Interstate Highway 494, bounded on the south by the South St. Paul City ~~Limits~~limits, bounded on the east by the Mississippi River and bounded on the west by the ~~westernmost boundary of properties abutting the west~~east side of South Concord Street.

**WHEREAS**, the South Concord Corridor Area has recently received significant public investments, including construction of the new Wakota Bridge, upgrading of Concord Street, and construction of the Mississippi River Regional Trail.

**WHEREAS**, in light of this substantial investment, 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 South Concord Corridor Area.

**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 South Concord Corridor Area and provide a basis for any future changes to official controls and the comprehensive municipal plan for the South Concord Corridor Area.

**WHEREAS**, in December 2010, the Metropolitan Council awarded the City of South St. Paul a \$40,000 Livable Communities Demonstration Account Planning Grant for a planning study and market assessment of the South Concord Corridor Area.

**WHEREAS**, a Steering Committee comprised of residents, business owners, policy makers, and City planning staff has met and will continue to meet, and various community forums have been and will be held, to allow residents, business owners, realtors, and other interested parties make recommendations regarding an appropriate land use plan and zoning regulations for the South Concord Corridor Area.

**WHEREAS**, a draft plan for the South Concord Corridor Area is being reviewed by the Steering Committee and the City Council, which contemplates that the development of the South Concord Corridor Area will occur in phases over an extended period of time.

**WHEREAS**, in order to study the South Concord Corridor Area, 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 ~~in for~~ the properties in the first phases of the South Concord Corridor Area is required ~~in the interim~~, 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:

*South Concord Corridor Area.* The “South Concord Corridor Area” is hereby defined as that real property located within Dakota County, Minnesota, bounded on the north by the centerline of Interstate Highway 494, bounded on the south ~~and east~~ by the South St. Paul City ~~Limits~~limits, bounded on the east by the Mississippi River and bounded on the west by the ~~westernmost boundary of properties abutting the west~~east side of South Concord Street.

*Properties in the First Phases of the South Concord Corridor Area.* “Properties in the First Phase of the South Concord Corridor Area” is hereby defined as that real property located within Dakota County, Minnesota, bounded on the north by the centerline of Interstate Highway 494, bounded on the south by the properties abutting Richmond Street, bounded on the east by the Mississippi River and bounded on the west by the east side of South Concord Street.

SECTION 2. INTENT. This ordinance, as authorized by Minnesota Statutes, Section 462.355, Subdivision 4, is intended to facilitate the study of the South Concord Corridor Area, 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. ~~PROHIBITION~~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, ~~for twelve (12) months from the effective date of this ordinance or until ordinances further amending such uses become effective, whichever occurs first, no approval will be granted, nor shall any applications be accepted or considered, including but not limited to any of the following in the South Concord Corridor Area: 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) Interim use permits~~
- ~~(e)~~(d) Variances

- ~~(f)~~(e) Site plans
- ~~(g)~~(f) Development
- ~~(h)~~(g) Building permits
- ~~(i)~~(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.

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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 South Concord Corridor Area to promote the health, safety, and welfare of the citizens of the community.

SECTION 56. 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 first phases of the South Concord Corridor Area, including consideration or issuance of building permits and licenses, variances, site plans, and conditional use permits. The properties included in the interim ordinance area are located south of Interstate Highway 494, west of the Mississippi River, along Richmond Street and east of South Concord Street.

SECTION 67. 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 and the repeal of this ordinance or one year from the date of adoption, whichever occurs first.

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
City Clerk

