

**WINDEMERE TOWNSHIP
PINE COUNTY, MINNESOTA**
Ordinance No. 2025-ORD005

**AN INTERIM ORDINANCE AUTHORIZING A STUDY
AND PLACING A MORATORIUM ON SUBDIVISIONS**

The Board of Supervisors of the Town of Windemere ordains:

Section 1: Purpose and Intent. The purpose and intent of this interim ordinance (“Ordinance”) is to impose, pursuant to Minnesota Statutes, section 462.355, subdivision 4, temporary restrictions within Windemere Township (“Town”) on subdividing property during the period of this Ordinance to protect the planning process and the health, safety, and welfare of the citizens of the Town.

Section 2: Legislative Findings. The Town Board hereby finds and determines as follows:

- (a) The Town is a “municipality” for the purposes of the Municipal Planning Act in Minnesota Statutes, chapter 462.
- (b) Minnesota Statutes, section 462.355, subdivision 4 authorizes the Town Board to adopt interim ordinances to regulate, restrict, or prohibit any use, development, or subdivision within the Town.
- (c) The Town’s most current Zoning Ordinance, which was adopted in 2015, regulates the subdivision of land within the Town and the Town recently adopted an updated Shoreland Ordinance that includes regulations on minor subdivisions within shoreland areas.
- (d) The Town has recognized the need to review and update its comprehensive plan and its zoning regulations, including incorporating the shoreland regulations, general zoning regulations, and subdivision regulations into a single ordinance to establish a unified set of regulations for the Town.
- (e) The Town is experiencing an increased interest in the subdivision of land and determines a study is needed to consider its subdivision regulations, both within and

outside of shoreland areas, to determine the amendments needed to create a consistent and uniform set of subdivision regulations that are in the best interests of the Town and its residents.

- (f) In order to protect the planning process while the Town undertakes a study of its subdivision regulations, the Town Board determines it is in the best interest of the Town to adopt an interim ordinance imposing a moratorium on the subdivision of property within the Town.

Section 3. Definitions. For the purposes of this Ordinance, the following terms shall have the meaning given them in this Section. Any term not defined in this Section shall have the meaning given it in the Zoning Ordinance or Shoreland Ordinance (whichever is most relevant) and, if not defined therein, it shall have the meaning given it in most applicable Minnesota Statute or Rule.

- (a) **Lot Line Adjustment**. “Lot line Adjustment” means the division of land made for the purpose of adjusting the boundary lines of parcels which does not create any new lots, tracts, parcels, or sites, and which does not create any lot, tract, parcel, or site which contains insufficient area and dimensions to meet minimum requirements for width and area for building as required by the Zoning Ordinance or, within a shoreland area, the Shoreland Ordinance.
- (b) **Ordinance**. “Ordinance” means this interim ordinance imposing a moratorium pursuant to Minnesota Statutes, section 462.355, subdivision 4.
- (c) **Planning Commission**. “Planning Commission” means the Windemere Township Planning Commission.
- (d) **Plat**. “Plat” has the same meaning given the term in Minnesota Statutes, section 462.352, subdivision 13.
- (e) **Shoreland Ordinance**. “Shoreland Ordinance” means the most current enactment of the Windemere Township Shoreland Management Ordinance.
- (f) **Subdivision**. “Subdivision” has the same meaning given the term in Minnesota Statutes, section 462.352, subdivision 12. The term includes any plat of land, minor subdivision, and major subdivision.
- (g) **Subdivision Regulations**. “Subdivision Regulations” means the official controls adopted by the Town as part of its Zoning Ordinance and Shoreland Ordinance regulating the process to subdivide property.
- (h) **Town**. “Town” means Windemere Township, Pine County, Minnesota.
- (i) **Town Board**. “Town Board” means the board of supervisors of Windemere Township.

(j) Zoning Ordinance. "Zoning Ordinance" means the most current enactment of the Windemere Township Zoning Ordinance.

Section 4. Study Authorized. The Town Board hereby authorizes and directs the Planning Commission to conduct a study of Subdivision Regulations in both the Shoreland Ordinance and the Zoning Ordinance to make recommendations on whether any amendments are needed in the standards or procedures for reviewing and acting on proposed Subdivisions. The Planning Commission shall consider and make recommendations to the Town Board on the best way to integrate its Subdivision Regulations. The Planning Commission shall work with the Town Attorney to prepare and present to the Town Board proposed amendments to the Subdivision Regulations. The Planning Commission shall make its recommendations to the Town Board regarding the proposed amendments at least three months before the expiration of this Ordinance.

Section 5. Moratorium. A moratorium is hereby imposed on, and the Town shall not issue any approvals for, any new Subdivision within the Town. During the period of this Ordinance, no person, corporation, or other entity shall subdivide or otherwise establish a Subdivision within the Town.

Section 6. Exemptions. The moratorium imposed by this Ordinance does not apply to any of the following:

- (a) Any Subdivision for which the Town has received what it determines to be a completed application prior to the adoption of this Ordinance;
- (b) Any Subdivision for which the Town has issued at least preliminary approval prior to the adoption of this Ordinance; and
- (c) Lot line adjustments approved by the Town.

Section 7. Application and Duration. This Ordinance shall remain in effect for twelve (12) months from the date of its adoption, until it is expressly repealed by Town Board resolution, or until the effective date of a new combined Town zoning ordinance that includes shoreland regulations. All inquiries regarding the application of this Ordinance shall be submitted to the Town in writing and the Town Board's decision regarding the matter shall be final. As part of interpreting this Ordinance, the Town Board may issue written clarifications of, and variances from, its terms as needed to effectuate its purpose and intent.

Section 8. Penalty and Enforcement. Any person, firm, partnership, corporation, or other entity violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to imprisonment for up to 90 days, a fine of up to \$1,000, or both, plus the costs of prosecution. Each day that a violation occurs shall be considered a separate offense. The Town may enforce this Ordinance through criminal prosecution or by undertaking such civil actions or proceedings, including injunctive relief, as it determines appropriate to prevent, restrain, correct, or abate any violation or threatened violation of this Ordinance. The initiation

of one type of enforcement action shall not preclude the Town from instituting any other action or proceeding available to it under law to enforce this Ordinance.

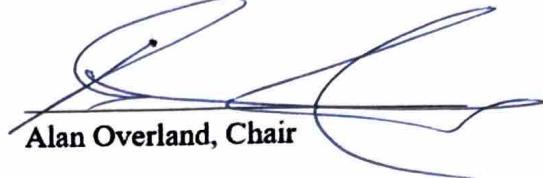
Section 9. Severability. Every section, provision and part of this Ordinance is declared severable from every other section, provision and part thereof. If any section, provision or part of this Ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision or part of this Ordinance.

Section 10. Effective Date. This Ordinance shall take effect immediately upon its adoption.

Adopted this 8th day of May 2025.

BY THE TOWN BOARD

Attest: Paula Engstrom
Paula Engstrom, Clerk-Treasurer



Alan Overland, Chair

ACKNOWLEDGMENT:

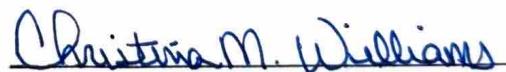
STATE OF Minnesota } ss.

COUNTY OF Carlton } ss.

This instrument was acknowledged before me this 15 day of September 2025

by Alan Overland
(Insert name of person signed above)

Notary Seal



(Notary Public Signature)

Jan 31, 2027
My Commission Expires

Drafted By:
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