

**CITY OF JORDAN, MINNESOTA
ORDINANCE NO. 2024-02**

AN ORDINANCE AMENDING CHAPTER 153 OF JORDAN CITY CODE

NOW BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF JORDAN AS FOLLOWS:

Section 1. Background.

On November 13, 2023, the City Council extended its subdivision authority under Minnesota Statutes section 462.358, subd. 1a, to beyond the City limits, subject to existing orderly annexation agreements, in order to control development that may adversely affect long term infrastructure plans. The area subject to this subdivision authority may have its own unique subdivision needs necessitating amendments to the City's existing subdivision ordinance.

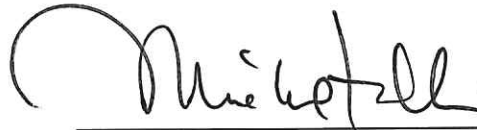
Section 2. Findings.

- A. The City Council finds there are appropriate amendments to be made to the Subdivision Code to regulate areas beyond the City limits.
- B. Chapter 153 (Subdivisions) of the City Code, is hereby amended as proposed in Exhibit A.

Section 3. Effective Date.

This Ordinance shall become effective from and after its passage and publication.

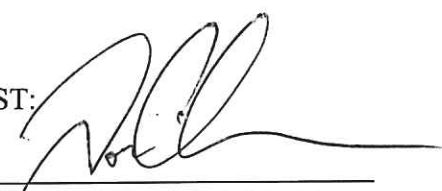
ORDAINED by the City Council of the City of Jordan, Scott County, Minnesota this 26th day of February 2024.



Mike Franklin, Mayor

Moved by: Council member Schuh
Seconded by: Council member Johnson

ATTEST:



Tom Nikunen, City Administrator

Published in the Jordan Independent on the ____ day of ____, 2024.

EXHIBT A

The following Subdivision Code subsections are amended as follows:

153.03 (D) The City of Jordan hereby extends the application of its subdivision regulations to unincorporated territory located within the radius identified by Resolution 11-67-2023 but not in a town which has adopted subdivision regulations pursuant to M.S. §§ 462.358, Subd. 1A.

153.08 (A) Any preliminary plat of a proposed subdivision deemed premature for development shall be denied by the City Council except under the provisions of § 153.16 (C).

153.11 A) Any preliminary plat of a proposed subdivision deemed premature for development shall be denied by the City Council except under the provisions of § 153.16 (C).

153.16 (B) Conveyance by metes and bounds. No conveyance of any parcel in which the land conveyed is described by metes and bounds shall be made or recorded if the parcels described in the conveyance are less than 40 net acres in area or 500 feet in width and unless each parcel was a separate parcel of record on August 11, 1979.

153.16 (C) Council Resolution Waiving Requirements. In any case in which compliance with the restrictions in § 153.16 (B) will create an unnecessary hardship as identified by the City Council and failure to comply will not interfere with the purpose of the Subdivision Code under § 153.01 (A), the City Council may waive such compliance by the approval of a resolution to the effect and the conveyance may then be filed. A subdivider desiring to subdivide land conveyed by metes and bounds shall file with the City Administrator or the Administrator's designee an application which shall consist of the following:

(1) A completed application form, the required filing fee established by the city, and documents demonstrating sufficient ownership, control or authorization in the applicant to apply for the subdivision.

(2) At least 1 full size (at least 22" x 34") copy of the survey plan and a digital copy, plus any additional copies deemed necessary by the city, prepared by a registered land surveyor.

(3) A written statement identifying the hardship involved and stating how the proposed conveyance will not interfere with the purposes of the Subdivision Code.

153.16 (D) Division or consolidation of platted lots. Neither a lot which is part of a recorded plat nor a tract which is part of a recorded registered land survey may be divided or consolidated into another lot or tract until the following conditions have been met.

(1) The owner(s) of such platted lot(s) or tract(s) to be so divided shall file with the Community Development Director, or designee, an application for such division or consolidation together with a proposed survey plat or registered land survey of the lot or lots to be divided or consolidated. The plat or survey shall show the dimensions of the lots as measured upon the record plat and also the proposed division or consolidation thereof. A written description of the separately described tract or tracts which will result from the

proposed division or consolidation shall be filed with such plat or survey. The plat or survey shall also show the location of all buildings then existing and all proposed structures to be built upon the lot or lots to be divided or consolidated.

(2) Conformity. The developer shall make every effort to minimize the degree of nonconformity with existing lot and area requirements and setback requirements. Lot lines shall be arranged to provide the largest possible setbacks between structures that will become the principal structures on the newly created lots. Accessory buildings shall be moved or removed when and where possible to create the lowest, most uniform density possible.

(3) Density. The conversion shall not result in an increase in residential density, unless the residential density requirements of the applicable zoning district are met.

(4) Upon receipt by the city of the application and plat or survey as required in division (D)(1) above, and in accordance with M.S. Chapter 515B governing Common Interest Communities, as applicable, and upon payment by the applicant of the fee, the City Administrator or the Administrator's designee shall make a physical inspection of the lot or lots proposed to be divided or consolidated.

(5) Following said physical inspection; the application shall be acted upon by the Council.

(6) No building permit shall be issued in the event an owner or owners shall fail to comply with this section in making a division or consolidation of lands included in recorded plats.