



CITY OF BLACKDUCK ORDINANCE #2022-01

AN ORDINANCE AMENDING CHAPTER 15, LAND USE AND SUBDIVISION ORDINANCE, TO ALLOW FOR ADMINISTRATIVE BOUNDARY LINE ADJUSTMENTS, LOT COMBINATIONS AND PARCEL SPLITS

Findings and Purpose:

The existing City Code does not contain a procedure for administratively adjusting a lot line between abutting parcels or a procedure for combining two or three abutting parcels into one parcel, or splitting one parcel into two. The Council finds that adding such procedures, instead of using burdensome platting procedures, is in the best interest of the City.

The City Council of Blackduck, Minnesota, ordains:

Section 1.

Chapter 15, section 11.1(2), of the City Code is amended by adding the following:

- N. To review and act upon applications for the adjustment of a boundary line between two abutting properties, the combination of two or three abutting parcels, and the split of a single parcel into two parcels, as provided in this Chapter.

Section 2.

Chapter 15 of the City Code is amended by inserting the following after section 11.7:

11.8 Boundary Line Adjustment.

1. A boundary line adjustment is the exchange of abutting land between owners through the relocation of the boundary line between two abutting, existing parcels of property, which does not result in the creation of a new parcel or the complete removal of an existing parcel.
2. No boundary line adjustment may result in a lot that is substandard for the applicable zoning district in which it lies or may expand the substandard character of an existing substandard lot.
3. No boundary line adjustment shall create a need for a new road.
4. To initiate a boundary line adjustment, two abutting property owners shall jointly submit a signed application to the Zoning Administrator on a form provided by the Zoning Administrator and submit the required fee. Included with the application shall be a certificate of survey prepared by a licensed surveyor identifying the following:
 - a. Scale at not larger than one inch equals 100 feet.
 - b. Name, address and phone number of property owners.
 - c. North point indication.
 - d. Boundaries, dimensions and area of existing lots and the lots after the proposed line adjustment.
 - e. Legal descriptions of the existing and new lots.

- f. Easements of record.
 - g. Water courses.
 - h. All encroachments, easements and rights-of-way.
 - i. Existing buildings within the two parcels and those within 25 feet of the boundaries.
 - j. Locations and names of all public streets, rights-of-way, and railroad rights-of-way within 100 feet of the outside boundaries of the parcels.
 - k. Location of any abandoned wells.
 - l. Additional data as required by the Zoning Administrator.
5. The Zoning Administrator is authorized to request additional information or waive the submission of required information in the Zoning Administrator's discretion.
 6. The Zoning Administrator shall reach a decision on the application within 60 days of receipt of a complete application unless the applicants agree to an extension.
 7. If approved, the applicants shall record the deed effectuating the boundary adjustment in the County Recorder's Office within 90 days of the date of approval, along with the accompanying survey. Failure to record the deed within said timeline shall render the Zoning Administrator's decision void.

11.9 Parcel Combination.

1. For purposes of this section, a parcel combination is the consolidation of two or three parcels resulting in a single parcel conforming to zoning standards, or a single parcel that is more conforming than the conditions existing prior to the combination.
2. All parcels to be combined must be in common ownership.
3. To initiate a parcel combination, the property owner shall submit a signed application to the Zoning Administrator on a form provided by the Zoning Administrator and submit the required fee. Included with the application shall be a certificate of survey prepared by a licensed surveyor identifying the information set forth in Section 11.8(4) above.
4. The Zoning Administrator is authorized to request additional information or waive the submission of required information in the Zoning Administrator's discretion.
5. The Zoning Administrator shall reach a decision on the application within 60 days of receipt of a complete application unless the applicants agree to an extension.
6. If approved, the applicant shall record the Zoning Administrator's approval effectuating the parcel combination in the County Recorder's Office within 90 days of the date of approval, along with the accompanying survey. Failure to record said documents within the timeline shall render the Zoning Administrator's decision void.

11.10 Parcel Split.

1. For purposes of this section, a parcel split is the division of a single parcel into two parcels, each of which conforms to existing zoning standards, including access to an improved public street. Splitting a non-conforming parcel under this procedure is prohibited.
2. To initiate a property split, the property owner shall submit a signed application to the Zoning Administrator on a form provided by the Zoning Administrator and submit the required fee. Included with the application shall be a certificate of survey prepared by a licensed surveyor identifying the information set forth in Section 11.8(4) above.

3. The Zoning Administrator is authorized to request additional information or waive the submission of required information in the Zoning Administrator's discretion.
4. The Zoning Administrator shall reach a decision on the application within 60 days of receipt of a complete application unless the applicants agree to an extension.
5. If approved, the applicant shall record the Zoning Administrator's approval effectuating the property split in the County Recorder's Office within 90 days of the date of approval, along with the accompanying survey. Failure to record said documents within the timeline shall render the Zoning Administrator's decision void.

Section 3.

Existing sections 11.8, 11.9, and 11.10 of Chapter 15 shall be renumbered 11.11, 11.12 and 11.13, respectively.

Section 4.

This ordinance becomes effective from and after its passage and publication.

Passed by the City Council of Blackduck, Minnesota this ____ day of _____, 2022.

Maxwell Gullette, Mayor

Attested:

Christina Regas, City Administrator