



**MISSION TOWNSHIP
CROW WING COUNTY, MINNESOTA
Ordinance Number: 2026-02**

**AN ORDINANCE AMENDING THE MISSION TOWNSHIP
SUBDIVISION ORDINANCE REGARDING ADMINISTRATIVE
SUBDIVISIONS, MINOR SUBDIVISIONS, AND MAJOR SUBDIVISIONS**

The Board of Supervisors of the Town of Mission ordains:

Article I. Definitions. Section 4 of the Mission Township Subdivision Ordinance is hereby amended by adding the following definitions and updating the lettering in the Section as may be needed:

- () Major Subdivision. “Major Subdivision” means any subdivision of land that does not constitute a Minor Subdivision and includes, but is not limited to, any subdivision resulting in four or more parcels, or any size subdivision proposing to dedicate to the public a new street or road. This term includes any subdivision required to be platted under the County Ordinance.
- () Minor Subdivision. “Minor Subdivision” means any subdivision of land resulting in three or less parcels fronting on an existing public road and which does not proposed to dedicate to the public any new streets or roads.

Article I. Exempt Subdivisions. The Mission Township Subdivision Ordinance is hereby amended by adding a new Section 6.5 as follows:

Section 6.5. Exempt Activities. No subdivision of land is exempt from the platting and plat approval requirements of this Ordinance except for those conveyances expressly exempted from subdivision regulations under Minnesota Statutes, section 462.358, subdivision 4b(b).

Article II. Administrative Subdivisions. Section 7 of the Mission Township Subdivision Ordinance is hereby amended as follows:

Section 7. Administrative Subdivisions Prohibited. The use of the Administrative Subdivision process to subdivide property within the Town is prohibited. Any subdivision of land constituting a Minor Subdivision under this Ordinance may only be approved as provided in Section 8.5 of this Ordinance. This prohibition does not apply

to boundary line adjustments, registered land surveys pursuant to Minnesota Statutes, section 508.47, or surveys prepared for cemetery lots. Any subdivision of property that results in the creation of one or more lots shall be platted.

~~No more than a total of three lots containing less than 10 acres may be established through the Administrative Subdivision process. The total number of allowed lots includes any remaining portion of the property, meaning that no more than two additional lots may be created if the entire property is not being subdivided. No further subdivision of the property shall occur except by plat preapproved by the Town Board in accordance with the Development Process and Standards of this Ordinance. Any subdivision of property in the shoreland district shall be platted if it results in one or more new riparian lots.~~

Article III. Minor Subdivisions. The Mission Township Subdivision Ordinance is amended by adding a new Section 8.5 as follows:

Section 8.5. Minor Subdivision Development Process and Standards.

- (a) Town Approval. The Town is the entity responsible for processing and acting on the preliminary and final plat for a Minor Subdivision within the Town. All Minor Subdivisions shall be platted in accordance with the requirements of this Section and Minnesota Statutes, chapter 505. The Town will process, consider, and act on a preliminary and final plat for a Minor Subdivision at the same time.
- (b) Application. A developer shall submit an application to the Town to seek approval of a proposed Minor Subdivision. The application shall include all submittals required in Section 9.6(F)&(G) of the County Ordinance. The Town may waive one or more submittal requirements if it determines they are not applicable to the proposed Minor Subdivision. The Town will only process and act on complete applications. Once an application is made complete, it shall be forwarded to the Planning Commission to conduct a public hearing.
- (c) Agency Review. The developer is required to submit a copy of its application materials to the following agencies for review at least 10 days prior to the date of the public hearing:

 - (1) To the County;
 - (2) If a proposed Minor Subdivision is located in a shoreland area, to the Minnesota Department of Natural Resources; and
 - (3) If the proposed Minor Subdivision abuts a state highway or a county highway, to the Minnesota Department of Transportation or to the County Highway Department as appropriate.

- (d) Public Hearing. The Town shall provide at least ten days' published notice of a public hearing to be held by the Planning Commission to hear, consider, and act on a recommendation to the Town Board regarding the application for a Minor Subdivision. After conducting the public hearing, the Planning Commission shall act to forward the application to the Town Board with its recommendation regarding approval of the Minor Subdivision. If the Planning Commission recommends approval, it shall identify any conditions the Planning Commission recommends be imposed on the Minor Subdivision if approved by the Town Board.
- (e) Town Board Action. The Town Board shall make the final decision on an application for a Minor Subdivision. If the application is approved, the Town Board may impose conditions on the Minor Subdivision, which may include conditions that must be satisfied before the Minor Subdivision is recorded with the County including, but not limited to, entering into a development agreement with the Town.
- (f) County Requirements. The developer is also required to comply with all requirements of the County Ordinance applicable to the Minor Subdivision and to obtain County approval if required.
- (g) Recording. If approved, the developer shall record the Minor Subdivision with the County Recorder once all prerecording conditions are satisfied. The developer shall provide two sets of mylars and is responsible for addressing any irregularities that prevent recording of the plat. The Minor Subdivision shall be recorded within 120 days of approval unless the Town Board grants an extension before the expiration of the 120 day period.

Article IV. Major Subdivisions. Section 9 of the Mission Township Subdivision Ordinance is amended as follows:

Section 9. Major Subdivision Development Process and Standards.

- (a) Plat Preapproval Required. The County is the entity primarily responsible for processing and acting on requests to ~~subdivide property~~ plat a Major Subdivision within the Town. However, under Minnesota Statutes, section 505.09, the County Board is prohibited from approving a plat of land in the Town unless the Town Board first: (1) approves the plat; and (2) approves the laying of streets and other public ways shown on the plat. It is a violation of this Ordinance for a developer to seek preliminary approval of a plat from the County unless the Town Board has first reviewed and acted to approve the proposed plat and laying of the streets and other public ways.
- (b) Application. A developer shall submit an application for a Major Subdivision to the Town to seek approval of a proposed preliminary plat to be located in the Town.

The application must be on the form approved by the Town Board and the Town will only process complete applications. A copy of the proposed preliminary plat must be included with the application. The Town will notify the developer in writing if its application is incomplete and identify what additional information or materials are required to make the application complete.

- (c) Town Board Review. The proposed preliminary plat shall be presented to the Town Board for consideration at a regular Town Board meeting. The developer is expected to attend the meeting to answer questions from the Town Board. The Town Board may condition its approval of the ~~plat~~ Major Subdivision as it determines is needed to protect the interests of the Town. A condition of approval for a ~~plat~~ Major Subdivision proposing to dedicate any land or easements to the public is that the Town Chairperson is not authorized to sign the final plat until a development agreement for the ~~plat~~ Major Subdivision has been fully executed with the Town, the conditions of approval imposed by the Town Board have been satisfied, and the developer has provided the Town the required letter of credit and escrow associated with the development. The Town Board may waive the requirement to enter into a development agreement if the developer does not propose to dedicate any roads, stormwater facilities, or other lands to the public within the ~~plat~~ Major Subdivision.
- (d) Additional Approval. Approval of a preliminary plat is conditioned on the final plat being substantially similar to the preliminary plat approved by the Town Board. If there are any significant changes between the approved preliminary plat and the proposed final plat, the developer shall be required to obtain Town Board approval of the proposed final plat before seeking final approval from the County. A significant change in the plat requiring additional approval from the Town Board includes, but is not necessarily limited to, a change in the number of proposed lots, the addition, extension, or relocation of any platted roads, or the addition or removal of any dedicated park land or stormwater facilities.
- (e) Development Agreement. Any developer seeking to plat ~~property~~ a Major Subdivision within the Town that involves the proposed dedication of a road, park, utility, stormwater pond or drainage area, or other lands to the public shall enter into a development agreement with the Town Board prior to obtaining final approval of the plat. The development agreement must be in a form acceptable to the Town Board and shall, at a minimum, address the following issues:
 - (1) Identify the approved plans and specifications for all public improvements to be constructed within the plat. Any roads being dedicated to the public within the plat must be constructed in accordance with and comply to the Town's road standards;

- (2) Require a letter of credit, or other form of security acceptable to the Town Board, to secure the construction of any public improvements and indicating the Town may draw upon the letter of credit as needed to correct any breaches in the agreement or to complete the construction of the public improvements;
 - (3) Timeline for completion of the public improvements;
 - (4) Escrow from which the Town Board may reimburse itself for its costs, including attorney fees and engineering costs it incurs related to the development; and
 - (5) The circumstances under which the Town Board will accept the maintenance of any roads dedicated to the public within the plat.
- (f) Plat Signature. Once the Town Board approves a ~~plat~~ Major Subdivision, the Town Chairperson and Clerk are authorized to sign the final plat if all conditions of approval have been satisfied.

Article III. Effective Date. This Ordinance shall take effect and be in full force on the first day of publication after its passage.

Article IV. Incorporate Amendments. The Town Attorney is authorized and directed to incorporate the amendments made by this Ordinance into the Mission Township Subdivision Ordinance. The numbering shall be updated and other non-substantive changes shall be made as may be needed. The updated subdivision ordinance shall constitute the official Mission Township Subdivision Ordinance.

Adopted this ____ day of _____ 2026.

BY THE TOWN BOARD

Jon Auge, Chair

Attest: _____
Naomi Scott, Clerk

New material is double underlined and deleted material is ~~stricken~~.