

18.04.048 - Extraterritorial subdivisions.

- (a) Extraterritorial Subdivision Policies. The following policies shall govern the city in approving major and minor subdivisions (plats and CSMs) within the extraterritorial jurisdiction in order to protect rural character and farming viability, and to preserve future opportunities for orderly urban development and associated public utility extensions.
- (1) Within portions of the extraterritorial jurisdiction that are also within the sewer service area, subdivisions shall be permitted where the cumulative development density will not exceed one lot for each thirty-five acres of land owned on January 1, 2001, by the then-current property owner. The city shall determine the land ownership configuration as of January 1, 2001, using the 2001 Land Atlas and Plat Book for the respective county. The city shall determine the parcel acreage as of January 1, 2001, using more detailed records available from the respective county government, if historic records dating back to January 1, 2001, are available. All lots divided from the January 1, 2001, parcel since January 1, 2001, shall be counted against this density standard, except for a lot created to separate the farmstead from the January 1, 2001, parcel. Exceptions to this policy may be granted under one or more of the following circumstances:
- (A) New lots in excess of one lot per thirty-five acres will result in the filling in of areas surrounded or nearly surrounded by pre-existing subdivisions;
- (B) The subdivisions is recommended by adopted elements of the city's comprehensive (master) plan for development on private well and septic systems at a density in excess of one lot per thirty-five acres;
- (C) The subdivision is allowed by intergovernmental agreement of the city and town;
- (D) The subdivision is consistent with the detailed policies of the Jefferson County Agricultural Preservation and Land Use Plan for lands within the Agricultural Preservation Area, as described in that plan;
- (E) Conditions allowing for an exception or waiver under the provisions of Section 18.04.010(l) are or will be met.
- (2) The minimum lot size in the extraterritorial jurisdiction shall be one acre. A smaller lot size may be allowed if also approved by the appropriate town board.
- (3) The city will attempt to seek consistency with locally adopted town plans. To the extent that the adopted plans and policies of the city are more restrictive, the city's policies shall prevail with respect to city review of extraterritorial subdivisions, subject to the limitations in subsection (a)(1) above.
- (4) All subdivisions within the extraterritorial jurisdiction shall be subject to the park land reservation or dedication requirements made applicable to extraterritorial subdivisions under Section 18.04.030(g).

- (5) Subdivisions within the city's extraterritorial jurisdiction shall be required to follow erosion control plans in compliance with this chapter to the extent allowed by law, or town or county ordinances where at least as restrictive as comparable city ordinances.
 - (6) The city council may require placement of covenants or deed restrictions that are deemed necessary and appropriate to protect the purpose and intent of the city's comprehensive (master) plan and ordinances. Any such restrictions shall be placed on the face of the certified survey map or plat, or on surrounding lands from which the lot or lots were created if necessary to verify the density standards established in subsection (a)(1).
 - (7) All subdivisions located within the extraterritorial jurisdiction shall be designed to be served by city sanitary sewer and water in the future, with lands within the city's sewer service area subject to the additional requirements prescribed under Section 18.04.070(b). The city shall not extend its sanitary sewer and water facilities to lands located outside of the city's corporate limits.
- (b) Extraterritorial Subdivision Procedures. Procedural requirements for subdivisions within the extraterritorial jurisdiction shall be identical to those required for subdivisions within the corporate limits of the city. In all cases, the time period within which action is required shall not begin until the city has received all maps, drawings and data required for plat or certified survey map approval. All subdivisions within the extraterritorial jurisdiction shall pay city-required review fees contained in this chapter.
- (c) Extraterritorial Subdivision Requirements. Submittal requirements for subdivisions within the extraterritorial jurisdiction shall be identical to those required for subdivisions within the city limits.

(Ord. 1510 §1(part), 2002).