

ORDINANCE NO. 2026-32L

AN ORDINANCE REMOVING HOMEOWNER'S ASSOCIATIONS AS A CONDITION OF APPROVAL FOR TOWNHOUSE DWELLING SUBDIVISIONS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 21: ZONING AND LAND DEVELOPMENT

ARTICLE III: DEVELOPMENT STANDARDS

DIVISION B: USE STANDARDS

§ 21.302.08 TOWNHOUSE STANDARDS.

(c) *Standards.*

(20) *Subdivision.* The City Council may approve the subdivision of townhouse dwellings and the lot upon which the townhouse dwelling is located or is proposed to be constructed to allow separate ownership of each unit of the townhouse dwelling subject to the following standards:

(B) Appropriate agreements or arrangements are made to ensure responsibility for adequate maintenance of all common areas and common infrastructure, including but not limited to common walkways, drives, stormwater facilities, and, if allowed, common sewer and water facilities. ~~[A homeowner's association must be established and a maintenance agreement must be recorded with Hennepin County for each parcel created that contains an agreement by each property owner to:~~

~~(i) Continually maintain all portions of the building's exterior with materials and finish that are accepted by the Minnesota State Building Code as appropriate to the application and the location;~~

~~(ii) Use compatible exterior materials on the entire building with respect to material type, color and texture;~~

~~(iii) Properly maintain the approved landscaping plans, screening plans and any approved storm water management plan for the properties; and~~

~~(iv) Provide adequate maintenance and repair of all common walkways, driveways, and, if allowed, common sewer and water facilities.]~~

§ 21.302.43 DETACHED TOWNHOUSE DWELLINGS.

(c) *Standards.* Detached townhouse dwellings must meet the following standards:

(16) *Subdivision.* The City Council may approve the subdivision of detached townhouse dwellings and the lot upon which the detached townhouse dwelling is located or is proposed to be constructed to allow separate ownership of each unit of the detached townhouse dwelling subject to the following standards:

(E) Appropriate agreements or arrangements are made to ensure responsibility for adequate maintenance of all common areas and common infrastructure, including but not limited to common walkways, drives, stormwater facilities, and, if allowed, common sewer and water facilities. [A maintenance agreement must be recorded with the county for each parcel created that contains an agreement by each property owner to:

~~(i) Continually maintain all portions of the building's exterior with materials and finish that are accepted by the State Building Code as appropriate to the application and the location;~~

~~(ii) Properly maintain the approved landscaping plans, screening plans and any approved storm water management plan for the properties; and~~

~~(iii) Provide adequate maintenance and repair of all common walkways, driveways, and, if allowed, common sewer and water facilities, if applicable.]~~

Section 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed and adopted this 28th day of September, 2026.

/s/ Tim Busse

Mayor

ATTEST:

/s/ Priyanka Rai

Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied

City Attorney