

**CITY OF CREDIT RIVER
SCOTT COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 2022-04

AN ORDINANCE AMENDING THE ZONING ORDINANCE

The City Council of Credit River, Minnesota ordains:

SECTION 1. RESCIND AND REPLACE SECTION. Section 4-3-9 of the Credit River Zoning Ordinance is hereby rescinded and a new Section 4-3-9 is added as follows:

4-3-9 Accessory Buildings and Structures

1. Residential Districts.
 - a. No accessory building shall exceed the height in the respective zoning district.
 - b. One (1) accessory building, not to exceed two hundred (200) square feet of floor area, shall be allowed and is not required to meet accessory structure setbacks and shall be permitted in addition to the allowed square footage of accessory building size.
 - c. One (1) three-sided animal shelter shall be allowed for horses and other livestock uses on parcels 10 acres or greater, and shall be exempted from detached accessory building area calculations up to 288 square feet. Any animal shelter no longer used for housing animals shall be removed from the property and at no time shall be used for other storage.
 - d. No accessory building permit shall be issued on a lot until the foundation for the principal building to which it is accessory is complete.
 - e. Parcels having existing accessory structures at or above the maximum square footage may be issued a permit to construct a new accessory structure if a financial guarantee is provided to ensure removal of other accessory structures to come into compliance with this Ordinance. Other accessory structures shall be removed within sixty (60) days of final inspection approval.

The financial guarantee amount shall be ten thousand dollars (\$10,000) or acceptable amount based on a submitted demolition and removal estimate at discretion or and subject to review by the Zoning Administrator.
2. Residential Accessory Buildings.

- a. Detached accessory structures, individual and combined, shall be subject to the maximums listed in the following table.

Lot Size	Maximum Building Area	Maximum Building Height
Less than 1/2 acre	200 square feet	15 feet
1/2 acre to .99 acres	1,000 square feet	15 feet
1 – 1.99 acres	1,600 square feet	18 feet
2 – 4.99 acres	3,000 square feet	20 feet
5 – 7.99 acres	3,600 square feet	20 feet
8 – 9.99 acres	4,000 square feet	24 feet
10 – 19.99 acres	5,000 square feet	24 feet
20 – 39.99 acres	6,000 square feet	24 feet
40 or more acres	6,000 square feet for the first 40 acres, and 1,250 square feet for each additional 10 acres located within the same tax parcel	24 feet

- Exceptions: Existing or proposed agricultural buildings currently used for agricultural purposes.
- b. Attached Garages. The maximum floor area for attached garages shall be the greater of eight hundred (800) square feet or a footprint equal to the footprint of the principal building.
- c. No accessory building shall exceed the height of the principal building except by conditional use permit.
- d. Outside wall dimensions will be used to determine maximum building area, except where a roof projects out greater than two (2) feet from the side wall, roof area will be used to determine maximum building area.
3. Commercial and Industrial Districts. No accessory building shall exceed the height of the principal building except by conditional use permit.

SECTION 2. RESCIND AND REPLACE SECTION. Section 4-3-10 of the Credit River Zoning Ordinance is hereby rescinded and a new Section 4-3-10 is added as follows:

4-3-10 Fencing

Fences are a permitted accessory use in all zoning districts subject to the following standards:

1. All fences (except agricultural fences) shall be entirely located upon the property of the person, firm or corporation constructing, or causing the construction of such fence.

2. Fences shall not exceed four (4) feet in height from finished grade in front or corner side yards. In rear yards, fences shall not exceed six (6) feet in height from finished grade in residential zoning districts or eight (8) feet in height from finished grade in Commercial and Industrial Districts. Agricultural fences that are seventy-five (75) percent or more open are exempt from the district fence height standards.
3. Taller Fences. Fences taller than the district fence height standards may be allowed by conditional use permit in the Commercial or Industrial Districts subject to the following conditions:
 - a. Taller fences shall be seventy-five (75) percent open or more to allow for the passage of air and light, and shall be setback a minimum of ten (10) feet from a property line.
 - b. Taller fences that are less than seventy-five (75) percent open shall comply with the required principal building setbacks of the zoning district.
4. Fences which are greater than twenty (20) percent opaque shall not exceed three and one-half (3.5) feet in height within fifteen (15) feet of a street right-of-way.
5. That side of the fence considered to be the face (finished side as opposed to structural supports) shall face the abutting property.
6. Fences shall not obstruct drainage or access to drainage facilities.

SECTION 3. RESCIND AND REPLACE DEFINITION. The definition of the word “setback” in the Credit River Zoning Ordinance is hereby rescinded and a new definition is added as follows:

Setback: The minimum horizontal distance between a structure, individual sewage treatment system, well, or other facility, and a road, road right-of-way, property line, top of bluff, or the ordinary high-water level of a lake, stream, river, or other protected water.

SECTION 4. RESCIND AND REPLACE SECTION. Section 9-3 of the Credit River Zoning Ordinance is hereby rescinded and a new Section 9-3 is added as follows:

9-3 STABLES

9-3-1 Private Horse Riding Arena

1. Private horse riding arenas may be allowed in the UER, UER-C and RR zoning districts. The following are the minimum lot requirements:
 - a. Private horse riding arenas shall only be located on parcels having an area of 10.0 acres or greater.

- b. Private horse riding arenas shall meet minimum principal structure front, side, and rear yard setback standards in all applicable zoning districts.
2. The following shall be submitted: Site survey with all existing and proposed improvements indicated, building elevations, interior building layout/floor plan indicating use of each room/area in the riding arena, vehicle parking area, outdoor fencing and paddock areas, type of footing/flooring material to be installed, and a detailed operations plan of how the applicant intends to use/operate the private horse arena.
3. The footing material in the horse riding arena shall be sand, wood chips, stone-dust, or other surface approved by the City Council.

9-3-2 Public Stables

Public stables may be allowed subject to approval of an Interim Use Permit in applicable zoning districts. Conditions for the operation of a public stable shall include, but not be limited to, the following:

1. Provision for plans, drawn to scale, of the public stable operation shall include a site plan, consistent with Section 2-10 of this Ordinance, building plans to be designed as a commercial building, operational plans, elevations, trails, signs, lighting, parking, individual sewage treatment system and well systems. A plan shall be submitted for fences, paddocks and outside arenas to be constructed and maintained to safely contain equine at all times. A productive acreage determination will be required.
2. When the public stable property is less than forty (40) acres, the property shall have a minimum of two (2) productive acres for the first equine and one (1) productive acre for each additional equine. If equine are kept in an in-house operation, this density may be increased pending a building plan, drawn to scale, site plan and detailed operations plan. The plan shall include an area providing daily exercise, interior building layout and equine confinement areas, which shall be not less than one hundred (100) square feet per equine.
3. All structures, parking lots, and storage areas shall be set back at least one hundred (100) feet from the property line and at least two hundred (200) feet from an adjacent parcel residence or well.
4. The applicant shall submit a plan for manure handling, removal of other waste materials, and receive a Minnesota Pollution Control Agency Feedlot Permit, if required. The plan shall provide for the storage of manure and other waste materials at least one hundred (200) feet from an adjacent parcel, residence, surface water feature or well.

5. Depending upon the size of the operation, one employee dwelling unit may be allowed as part of the public stable operation. This shall be submitted as part of the detailed plan.

SECTION 5. RESCIND AND REPLACE SECTION. Section 16-2 (6.) of the Credit River Zoning Ordinance is hereby rescinded and a new Section 16-2 (6.) is added as follows:

6. Animal Hospital – a place where animals or pets are given medical or surgical treatment by a licensed veterinarian. In the C-1, General Commercial Zoning District an animal kennel can be permitted as a use accessory to the animal hospital provided that:
 - a. The number of animals boarded shall not exceed twenty-five (25).
 - b. Animal exercise areas (indoor or outdoor) may be allowed through the Conditional Use Permit. All exercise areas must meet required property line setbacks. Screening may be required for dog exercise areas or for exercise areas immediately adjacent to an existing residential use.
 - c. A ventilation system shall be designed so that no odors or organisms will spread between wards or to the outside air and will be capable of completely exchanging internal air at a rate of at least twice per hour. Air temperature must be maintained between sixty and seventy-five (60 - 75) degrees Fahrenheit.
 - d. A room separate from the kennel area shall be provided of sufficient size to adequately separate animals that are sick or injured from healthy animals.
 - e. Indoor animal kennel floors and walls shall be made of non-porous materials or sealed concrete to make it non-porous.
 - f. Animal wastes shall be flushed down an existing sanitary sewer system or enclosed in a container of sufficient construction to eliminate odors and organisms and shall be properly disposed of at least once a day.
 - g. All State Health Department and Minnesota Pollution Control Agency requirements for such facilities are met.

SECTION 6. RESCIND AND REPLACE SECTION. Section 35-3 (3.) of the Credit River Zoning Ordinance is hereby rescinded and a new Section 35-3 (3.) is added as follows:

3. Lot Size Minimum. Two and one-half (2.5) acres with at least one (1) acre of non-hydric soils that is not encumbered by easements or other conditions that render it unbuildable, and would not require a second driveway to access upland areas. Lot must demonstrate sufficient area to accommodate two independent sewage treatment systems consisting of at least 5,000 square feet (50 x 100) each and be shown on contour (100 foot length must be parallel to contour) Septic sites must meet all other requirements of Scott County ordinances. Lot must also meet the following requirements:

1. Each lot shall contain an eligible building area of at least 20,000 square feet of contiguous land that is not irregular in shape, and should be generally rectangular or ovoid, with no panhandles, narrow necks or peninsulas. The eligible building area must have a length-to-width ratio that does not exceed 4:1.
2. To the maximum extent practical, all upland shall be accessible from a public road or from the eligible building area of the lot for maintenance purposes.

SECTION 7. RESCIND AND REPLACE SECTION. Section 50-3 (3.) of the Credit River Zoning Ordinance is hereby rescinded and a new Section 50-3 (3.) is added as follows:

3. **Lot Width Minimum.** A minimum of two hundred (200) feet at the minimum front yard setback line and extending to the location of the principal structure. In addition, the lot must have a minimum of two hundred (200) feet of frontage on a 10-ton road improved to current City standards.

SECTION 8. RESCIND AND REPLACE SECTION. Section 60-3 (3.) of the Credit River Zoning Ordinance is hereby rescinded and a new Section 60-3 (3.) is added as follows:

3. **Lot Width Minimum.** Two hundred (200) feet at the minimum front yard setback line and extending to the location of the principal structure. In addition, the lot must have a minimum of two hundred (200) feet of frontage on a 10-ton road improved to current City standards.

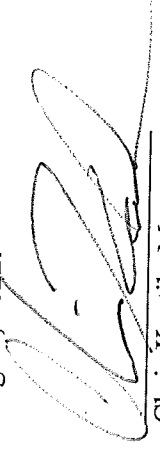
SECTION 9. EFFECTIVE DATE

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

SECTION 10. REPEALER


All prior ordinances to the extent that they are inconsistent with the terms and provisions of this Ordinance, shall be deemed repealed after the effective date of this Ordinance with regard to those inconsistent terms and provisions.

Passed by the City Council of Credit River this 15th day of August, 2022.



Chris Kostik, Mayor

Attested:


~~Karen Donovan~~ City Clerk Deputy
Sarah LeNoir

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