

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

**ORDINANCE NO. 2023-11**

**AN ORDINANCE AMENDING THE CITY OF CREDIT RIVER ZONING ORDINANCE  
RELATED TO RURAL RESIDENTIAL AND OPEN SPACE DESIGN  
DEVELOPMENTS**

**The City Council of Credit River, Minnesota ordains:**

**SECTION 1. RESCIND AND REPLACE SECTION.** Section 35 of the Credit River Zoning Ordinance is hereby rescinded and a new Section 35 is added as follows:

**SECTION 35: RR, RURAL RESIDENTIAL SINGLE-FAMILY DISTRICT**

**35-1 PURPOSE**

This district is intended to promote reasonable rural residential growth in those areas where supportive infrastructure and similar growth patterns exist. An overlay zoning district may apply to this district.

**35-2 PERMITTED, CONDITIONAL, INTERIM, ADMINISTRATIVE, AND ACCESSORY USES**

In addition to other uses specifically identified elsewhere in this Ordinance, refer to Table 20-4 for a list of permitted, conditional, interim, administrative, and accessory uses in the RR, Rural Residential Single-Family District:

**35-3 DISTRICT PERFORMANCE STANDARDS**

The following performance standards shall be observed in an RR, Rural Residential Single-Family District, subject to additional requirements, exceptions and modifications set forth in this Ordinance:

1. **Platting Required.** No building shall be constructed on unplatted property, except for the addition of accessory structures or additions to existing buildings.
2. **Density Maximum.** One (1) dwelling unit per two and one-half (2.5) acres.

3. Lot Size Minimum.

- a. Lots served by ISTS. Two and one-half (2.5) acres with at least one (1) acre of non-hydric soils that are 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. Lots 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.

b. Lots Served by CSTS. 24,000 square feet of buildable land that meets the requirements of paragraphs 3.a(1) and (2) above.

4. Lot Width Minimum. One hundred fifty (150) or one hundred twenty (120) feet shall be maintained at the front setback line and extending to the location of the principal structure for lots on ISTS and CSTS respectively. In addition, the lot must have a minimum of one hundred feet of frontage on a road improved to current City standards.

5. Front Yard Setback Minimum, Principal Structure.

a. On lots containing two (2) or more acres, one hundred fifty (150) feet from the centerline of a County or State road or one hundred (100) feet from the County or State road right-of-way, whichever is greater. One hundred (100) feet from the centerline of a local public street, or sixty-seven (67) feet from the local public street right-of-way, whichever is greater.

b. On lots of record less than two (2) acres, thirty-five (35) feet from the road right-of-way on a local street, one hundred (100) feet from the right-of-way on other public roads.

c. On lots served by CSTS, 50 feet from the local public street right-of-way.

6. Side Yard Setback Minimum, Principal Structure. On a corner lot, the front yard setback shall be applied to the side fronting on a street. Side yard setbacks are as follows:
  - a. Thirty (30) feet on lots containing two (2) or more acres served by ISTS.
  - b. On lots of record less than two (2) acres, fifteen (15) feet.
  - c. On lots served by CSTS that are less than 140 feet in width or less than one acre in size, the side yard setback shall be 15 feet. For all other lots on CSTS, 20 feet.
  
7. Rear Yard Setback Minimum, Principal Structure. Sixty (60) feet on lots containing 2 or more acres. On lots less than two (2) acres, thirty (30) feet.
  
8. Accessory Structure Setbacks.
  - a. For lots two (2) or more acres in area or lots served by a CSTS, accessory structures shall meet minimum principal structure setback standards.
  
  - b. For parcels less than two (2) acres in area containing a principal structure, accessory structures shall maintain the following minimum setbacks:
    - (1) Front Yard. Same as principal structure.
    - (2) Side Yard. Five (5) feet.
    - (3) Rear Yard. Ten (10) feet.
  
9. No structure shall be located within an easement.
  
10. Impervious Surface Lot Coverage. No more than thirty (30) percent of the lot.
  
11. Principal Structure Height Maximum. Thirty-five (35) feet.

**SECTION 2. RESCIND AND REPLACE SECTION.** Section 80 of the Credit River Zoning Ordinance is hereby rescinded and a new Section 80 is added as follows:

## **SECTION 80: OSD, OPEN SPACE DESIGN DEVELOPMENT**

### **80-1 PURPOSE**

1. The fundamental purpose of this Section is to encourage rural residential development to be clustered in a pattern which satisfies the following planning objectives:

- a. Reserve contiguous open spaces for agricultural production, scenic enjoyment, recreational use, rural identity, preservation of natural resources, and/or to retain land resources for future development when appropriate infrastructure is available to support additional growth.
  - b. Creation of cohesive high amenity neighborhoods in order to establish local identity and community interaction.
  - c. Physical integration of neighborhoods, open spaces, and places of destination in order to create attractive living environments and avoid future urban/rural land use conflicts.
  - d. To provide either public or privately owned open spaces for passive or active recreational use by the residents of the neighborhood or the larger community.
  - e. To provide for a diversity of lot sizes, housing choices and development densities to accommodate a variety of ages and income groups.
  - f. To implement the Comprehensive Plan objectives and policies with regard to rural area residential development, natural resource preservation, and public service delivery.
  - g. Allow for housing to be concentrated on sites having low agricultural production value.
2. The diagrams included in this Section are provided to demonstrate graphically the purpose of the Open Space Design Development, its performance standards, and strategies by which the intended development pattern described by this ordinance may be achieved.

## **80-2 APPLICABILITY**

The requirements in this Section shall only apply to the existing Open Space Design Developments that were approved between 2001 and 2009: Territory OSD, South Passage OSD, Monterey Heights, and Stonebridge OSD. No new applications for a Conditional Use Permit for Open Space Design Developments shall be accepted, but applications may be submitted for an amendment to existing Conditional Use Permits provided that the property is located within an existing Subordinate Service District.

## 80-3 APPLICATION

1. A Conditional Use Permit shall be required for an Open Space Design Development in the Rural Residential Single Family Zoning District pursuant to Section 2-6 of this Ordinance.
2. A Conditional Use Permit application shall be filed with the Zoning Administrator in accordance with Section 2-6 of this Ordinance.
3. In addition to the informational requirements of Section 2-6-3.2 of this Ordinance, the following items shall be submitted as part of the Conditional Use Permit application for the Open Space Design Development.
  - a. General Location Map and Site Description.
    - (1) General location map illustrating the development site in relationship to County and local roads and adjoining property.
    - (2) Legal description of the entire property to be included in the Conditional Use Permit.
    - (3) Identification of the property ownership adjoining the site.
  - b. Resource Inventory. The Open Space Design Development Conditional Use Permit application shall include a resource inventory as illustrated in Figure 80-A. The following mapped at a scale of no less than one (1) inch to one hundred (100) feet.
    - (1) Topographic contours at two (2) foot intervals showing rock outcrops and slopes of more than fifteen (15) percent.
    - (2) Soil type locations and identification of soil type characteristics such as hydric soils, agricultural capability, depth to bedrock, and suitability for wastewater disposal systems.
    - (3) Hydrologic characteristics, including surface water bodies, floodplains, wetlands, natural swales and drainageways.
    - (4) Vegetation of the site, according to general cover type (pasture, woodland, etc.), defining boundaries of woodland areas and individual stand-alone trees with a caliper of more than eighteen (18) inches. Vegetative types shall be classified as generally deciduous, coniferous or mixed and described by plant community, relative age and condition.

- (5) Current land use and land cover (cultivated areas, paved areas, etc.), all buildings and structures on the land, and all encumbrances, such as easements or covenants.
- (6) Visual resources, showing views onto the tract from surrounding roads and public areas, as well as views within the tract.
- (7) Cultural resources. Brief description of historic character of buildings and structures, historically important landscapes, and archeological features.
- (8) Neighborhood Context. General outlines of existing buildings, land use, and natural features such as water bodies or wooded areas, roads, driveways and property boundaries within five hundred (500) feet of the tract. This information may be presented on an aerial photograph at a scale of no less than one (1) inch to two hundred (200) feet.

c. Yield Plan.

- (1) The applicant shall submit a yield plan showing the maximum number of dwelling units that would be permitted given the minimum lot size and lot widths for conventional subdivisions and other requirements of the Zoning Ordinance and Subdivision Regulations. The yield plan need not be engineered; however, it shall be drawn to scale and it shall identify all the major physical features on the parcel. The minimum lot areas and width for each zoning district are as follows:

<b>Base District Lot Requirements</b>			
Zoning District	Density Unit/Acre	Minimum Lot Size (Acres)*	Minimum Lot Width (Feet)
RR**	1 / 2.5	2.5 *	150

\* Refer to Chapter 35 for determination of minimum lot size requirements.

d. Concept Subdivision Plan as illustrated in Figure 80-B.

- (1) One or more Open Space Design Development plans meeting the intent of this Section and including at least the following information:

- (a) Open space areas indicating which areas are to be protected and defined by the purpose of the open space.
  - (b) Boundaries of areas to be developed and proposed general street and lot layout.
  - (c) Number and type of housing units proposed.
  - (d) Areas proposed for stormwater management and on or off-site sewage treatment.
  - (e) Said plans shall be drawn at a scale of no less than one (1) inch to one hundred (100) feet.
- e. Phasing Plan. Open Space Design Development may be phased in accordance with a unified development plan for the entire tract meeting the following requirements:
- (1) A phasing plan identifying the sequence of development showing approximate areas, serially numbered with a description of each phase. Information shall be provided regarding the number of dwelling units, proposed improvements, and common facilities for each.
  - (2) The phasing plan shall be made a part of the subdivision approval.
  - (3) Any common facilities within the approved phase of the Open Space Design Development, including golf courses, trails, play areas, shall be constructed within the timeframe established within the development agreement and shall be clearly marked on the final construction plans.
  - (4) As part of the development agreement, a financial guarantee to ensure completion of common facilities, trails and landscaping shall be provided.
- f. Subdivision Application. Following or simultaneously with the Open Space Design Development Conditional Use Permit application, a subdivision application may be processed in accordance with the Subdivision Ordinance. The preliminary plat shall illustrate compliance with the approved concept plan and the performance standards of this Section.

## 80-4 USES

Within an Open Space Design Development, the range of land uses shall be more limited than the base zoning district. The following uses are permitted within the Open Space Design Development, provided they comply with the performance standards of this Ordinance.

1. Permitted Uses.
  - a. Residential.
    - (1) Single family detached dwelling.
    - (2) Residential care facility serving six (6) or fewer persons in a single-family detached dwelling.
  - b. Open Space. The following uses are allowed in designated open spaces based upon the open space designation.
    - (1) Future development open space.
      - (a) Agricultural uses.
      - (b) Trails (off road).
      - (c) Community Septic Treatment Systems (CSTS) drainfields
      - (d) Informal turf play areas.
      - (e) Community gardens.
    - (2) Natural Habitat.
      - (a) Conservation (i.e., woodlands, meadows, wetlands).
      - (c) Trails (off road).
      - (d) Nature observation structures.
    - (3) Neighborhood Recreation and Pedestrian Corridors.
      - (a) Trails (off road).
      - (b) Picnic areas.
      - (c) Community gardens.
      - (d) Turf play areas.
      - (e) Ball fields.
      - (f) Playgrounds.
      - (g) Courts (tennis, basketball, etc.).
      - (h) Swimming pools.
      - (i) Common open-air buildings/structures.

2. Accessory Uses.

a. Residential.

- (1) Accessory uses, buildings and structures customarily incidental and directly related to the uses allowed as permitted, conditional, interim, and administrative permit in this Section, subject to application regulation of this Ordinance.
- (2) Day care facilities serving twelve (12) or fewer persons in a single-family detached dwelling.
- (3) Fences as regulated by Section 4-3-10 of this Ordinance.
- (4) Play and recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests, except as otherwise permitted.
- (5) On-site parking and loading as regulated by Section 5 of this Ordinance.
- (6) Recreational vehicles and equipment parking and storage.
- (7) Accessory use antennas and satellite dishes for private use.
- (8) Signs as regulated by Section 11 of this Ordinance.

b. Open Space.

- (1) Accessory uses, buildings, structures customarily incidental and directly related to the uses allowed as permitted, conditional, interim, and administrative permit in this Section, subject to applicable regulations of this Ordinance.

3. Conditional Uses. The following uses shall be allowed in a designated open space with a separately applied for and approved conditional use permit.

a. Golf course.

4. Administrative Permitted Uses. The following are uses allowed by administrative approval of an administrative permit based upon the procedures and criteria set forth in Section 2 of this Ordinance.

- a. Personal wireless service antennas and related antenna accessory buildings located upon a public or quasi-public structure or existing tower as regulated by Section 13 of this Ordinance.
- b. Fences taller than maximum height standards.
- c. Grading permits.
- d. Home occupations as regulated by Section 8 of this Ordinance.

**80-5 DENSITY BONUS**

The individual zoning districts shall establish the base residential density for the Open Space Design Development. The base density may be increased according to the following table, if all of the performance standards of Sections 80-8 and 80-9 of this Ordinance are complied with.

Zoning District	Base Density Unit / Acre		Community Sewage Treatment System Bonus
RR*	1 / 2.5		45%

\* Refer to Chapter 35 for calculation of minimum lot size.

**80-6 OPEN SPACE STANDARDS**

- 1. Purpose. The intention of this Ordinance is to promote the creation of open space through cluster residential subdivision design as a means for accomplishing the following objectives:
  - a. Preserving buildable land supply to accommodate future growth
  - b. Preservation of land for continued agricultural production.
  - c. Preservation of natural resources and unique landforms.
  - d. Creation of open spaces for passive and active recreational uses.
  - e. Establishment of a unified landscape amenity for the enjoyment of the neighborhood.
- 2. Open Space Classification Designations. Each open space area shall be classified in one of the following categories: future development, natural habitat, neighborhood recreation, or pedestrian corridor open space, and shall conform to the type of use, location criteria, and deed restrictions of that classification.

- a. Future Development. The future development area should be characterized by buildable non-hydric soils in areas that do not contain environmentally sensitive features that may be damaged by future development. The future development areas should be located in relation to the residential cluster subdivision in a manner that represents a logical expansion of the development pattern, extension of streets, utilities and other support infrastructure. A development build-out plan (ghost plat) shall be required consistent with Section 80-6-5 of this Ordinance for all future development outlots. A golf course may be included and considered a permanent land use within a future development open space.
  - b. Natural Habitat. The development shall preserve the maximum quantity of natural habitat open spaces in a contiguous, connected configuration. Natural habitat open spaces may include, but are not limited to greenways, fields, wetlands, slopes, bluffs, dense woods, lakes, ponds, streams, shoreland, and other environmentally sensitive areas or desirable view sheds. Natural habitat open spaces may be preserved as conservation easements or outlots with shared ownership among the property owners.
  - c. Neighborhood Recreation. The development shall locate neighborhood recreation open spaces such that they are an integral part of the neighborhood of surrounding home sites, at an elevation appropriate to their intended recreational use, defined by coherent boundaries, and accessible to all neighborhood residents. Neighborhood recreation open spaces may include, but are not limited to, greens, commons, playgrounds, ball fields, gardens, or other permitted, conditional or accessory uses allowed within an Open Space Design Development.
  - d. Pedestrian Corridors. Pedestrian corridor open spaces may include, but are not limited to, established regional trails, local pathways and paved walkways. Pedestrian corridor outlots shall be a minimum of twenty (20) feet in width.
  - e. Habitable structures shall not be permitted in any open space outlot.
3. Ownership and Management. Each designated open space area shall be owned and managed according to the following means, subject to City approval.
    - a. Future development open spaces shall be platted as outlots and may be either 1) retained under single ownership by persons or entities who will use the open space for the purposes listed in Section 80-4

1.b.(1) and subject to any deed restrictions as required by Section 80-6 4, or 2) owned by the City

- b. Natural Environment. Open space may be conveyed to an established land trust, homeowner's association non-profit organization, or the City by either a deed or conservation easement. Management of the open space area shall be the responsibility of the entity holding the deed or conservation easement, who may delegate maintenance through a written agreement to another entity including the property owner.
  - c. Neighborhood Recreation and Pedestrian Corridor. Recreational open space or pedestrian corridors intended as parks or trails may be either 1) owned by a Homeowner's Association or 2) conveyed to the City by either a deed or easement at the City's sole discretion. Management and maintenance of neighborhood parks and trails owned by a Homeowner's Association shall be the responsibility of the Homeowner's association. Neighborhood recreation and pedestrian corridors counted as meeting open space under this Chapter shall not be counted as meeting park dedication requirements of the Subdivision Ordinance.
4. Deed Restrictions. Each open space area shall conform to the deed restrictions associated with its open space classification.
- a. Future development open space shall have a deed restriction on the outlot that maintains the property for agriculture use, or other open space permitted uses. A deed restriction shall be provided stating that development may occur upon the advent of one of the following events:
    - (1) Change in the Comprehensive Plan and zoning that would permit a greater development density.
    - (2) The provision of public utilities and support infrastructure to the specific site that supports additional development density.
    - (3) Annexation of a site by a municipality having its own comprehensive plan and zoning authority.

A deed restriction shall be provided to potential homeowners of the residential lots within the Open Space Design Development identifying the intent for development of the future development open space.

- b. Open Space may be protected by establishing conservation easements in perpetuity in favor of an established land trust or non-profit organization as provided in Minnesota statutes 84.64-84.65. Unless the document establishing the restrictions specifically provides to the contrary, the City shall have no responsibility for the maintenance or management of the area subject to the restrictions. The form and content of the deed or other instrument establishing the restrictions must be approved by the City prior to the execution and delivery thereof. Notwithstanding any provision of this Ordinance to the contrary, the City may, in cases where conservation restrictions are utilized to meet open space requirements of this ordinance, waive the requirement that the area subject to the restrictions be platted as a separate outlot.

### **80-7 HOMEOWNERS ASSOCIATION**

A homeowner's association shall be established if any open space area is to be owned by two or more property owners in common. Membership in the association is mandatory for all purchasers of homes in the development and their successors. A draft homeowner's association agreement, guaranteeing continuing maintenance shall be submitted to the City as part of the submittal information required for the conditional use permit for City review and approval, and shall be recorded concurrent with the final plat. The homeowner's association documents or the declaration of covenants, conditions and restrictions shall contain the following information at a minimum:

1. The legal description of the common elements.
2. The restrictions placed upon the use and enjoyment of the common elements including the persons or entities entitled to enforce the restrictions.
3. A mechanism for resolving disputes among the owners or association members.
4. A mechanism to assess and enforce the common expenses for the land or facilities including upkeep and maintenance expenses, real estate taxes and insurance premiums for the common elements.
5. The conditions and timing of the transfer of ownership and control of common elements to the association or to common ownership.
6. Any other matter the developer deems appropriate.

### **80-8 OPEN SPACE DESIGN DEVELOPMENT**

To qualify for an Open Space Design Development conditional use permit and related density increases, the following minimum requirements for open space must be met:

<b>Base District</b>	<b>Percentage of Required Open Space (Gross Acreage)</b>
RR	30%

1. Road rights-of-way may be located within the required open space area, but shall not be counted towards the required minimum open space.
2. At least twenty-five (25) percent of the open space shall be “accessible open space” that shall be able to be utilized by the residents of the development and shall be either owned in common by all residents of the development or owned by the City.
  - a. At least ten (10) percent of the “accessible open space in paragraph 2 shall be suitable for active recreational uses such as trails, playfields, or community gardens. By way of example, if paragraph 2 required 10 acres of “accessible open space”, then a minimum of 1 acre of that 10 acres must be for active recreational uses.
  - b. A pathway system connecting open space area neighborhoods and to planned or developed trails on adjacent parcels shall be identified in the plan.
  - c. That portion of the open space designated for the location of sewage treatment facilities shall not be included as part of this accessible open space.

**80-9 RESIDENTIAL CLUSTER PERFORMANCE STANDARDS**

1. It is the intention of this Ordinance to promote residential cluster development which offers a variety of lot size, configuration, topography, and affordability. Evaluation and subdivision approval by the City shall be subject to demonstration by the applicant that the proposed development plan provides a cohesive residential cluster in a site design appropriate to the location of common open spaces.
2. Residential Cluster Siting Standards.
  - a. Residential clusters should be sited to achieve the following goals, to the extent practicable. In cases where impact on one or more of the following resource areas is unavoidable, the impact should be

minimized through use of landscaping, topography, or other features.

- (1) Avoid prime farmland soils and large tracts of land in agricultural use and avoid interference with normal agricultural practices.
  - (2) Minimize disturbance to woodlands, hedgerows, mature trees or other significant vegetation.
  - (3) Protect scenic views of open land from adjacent roads.
  - (4) Protect existing historic buildings or incorporate them through adaptive reuse.
- b. Whenever possible, open space shall connect with existing or potential open space lands on adjoining parcels.
3. Residential Cluster Subdivision.
- a. An Open Space Design Development conditional use permit shall only be granted to land parcels capable of supporting at least fifteen (15) residential lots including the density bonus identified in Section 80-5 of this Ordinance.
  - b. The intent of the Open Space Design Development is to create cohesive neighborhoods. In this respect, the Open Space Design Development may be subdivided into neighborhoods having no less than five (5) lots.
  - c. A neighborhood cluster shall be oriented toward an identifiable feature which all residential units share in common. Examples are as illustrated in Figures 80-D and 80-E. Neighborhood identity may be established by one (1) or more of the following features:
    - (1) View Shed. The lots of a neighborhood may be arranged such that a majority of the principal structure will take visual advantage of an identifiable feature, building, structure, greenway, wetland, woods, lake, stream, or other open space which could be described as a view shed.
    - (2) Streetscape. The lots may be arranged such that the principal structures face a local street enhanced with landscaping, street trees, boulevards, medians, or other landscaping techniques appropriate to the City's/County's street design standards.

- (3) Future Development. Subdivision design must demonstrate logical extensions of street and development patterns into future development outlots or adjoining properties.
  - (4) Streets. Lots in a cluster subdivision shall receive direct access via local streets. Direct lot access from a County or State road will be prohibited.
- 4. Minimum Lot Size, Lot Width, and Setbacks. The performance standards in Section 35 shall apply.
- 5. Landscaping. A landscape plan illustrating the following components shall be required with all Open Space Design Development applications:
  - a. Residential clusters shall be sited in a manner that preserves existing tree cover consistent with the Subdivision Ordinance, as amended.
  - b. A twenty (20) foot wide landscaped buffer yard shall be established where residential clusters abut a County or State road. The landscape buffer shall provide a green belt planting strip consistent with Section 4-4-1.a of this Ordinance.
  - c. The residential cluster shall provide a boulevard landscape plan that establishes a streetscape design. Said plan shall include a landscaped subdivision entrance and landscape accents throughout the Open Space Design Development subdivision.
  - d. The Open Space Design Development landscaping shall include a landscape maintenance plan that outlines measures to insure the replacement of dead plantings and long-term maintenance landscaping in common open space or public areas.
- 6. Streets.
  - a. All residential clusters shall be accessed via local streets that meet the design standards of the City. Direct lot access from a County or State road is prohibited.
  - b. All local streets leading to and within a residential cluster shall be paved and may have curbing.
  - c. Local streets shall be planned to provide street connections to adjoining parcels, neighborhoods, future development, and open space areas to discourage reliance on County roads for local trips.

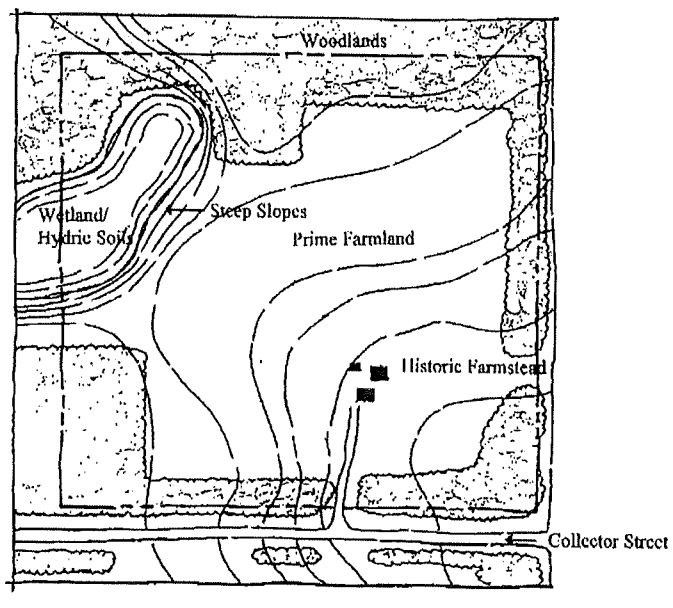
- d. Dead-end streets and cul-de-sacs shall be permitted only in conformance with the Credit River Subdivision Regulations.
- e. The subdivision shall be responsible for the costs of County road improvements as determined by the County Engineer to accommodate the residential cluster.
- f. Developer shall be responsible for the cost and installation of street signs within the subdivision.
- g. Developer shall be responsible for the cost and installation of street lighting. Street lighting plan shall be required for the Open Space Design Development subdivision illustrating the type and location of streetlights.
- h. Flexibility from local street design guidelines including narrow street width, landscape medians, etc. may be approved by the City Council.

7. Utilities.

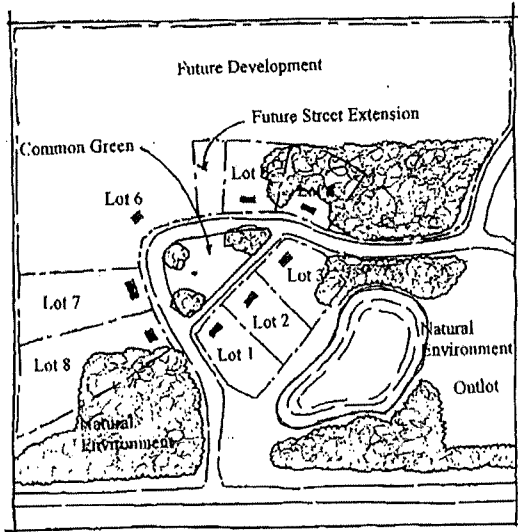
- a. All new subdivisions may be platted to accommodate homesite lots with either individual or community sewage treatment systems.
- b. All sewage treatment systems shall conform to the performance standards of Minnesota Pollution Control Agency's Standards for Sewage Treatment Systems WPC-7080 and its appendices, and the Scott County Subsurface Sewage Treatment System Ordinance No. 4, as may be amended.
- c. All community septic treatment designs shall be prepared by a Professional Engineer and approved by the City.
- d. A community sewage treatment system shall include an operating, financial, and management plan that is controlled by a public entity with taxing authority to ensure proper maintenance, management and financing that is approved by the City and County.
- e. Community sewage treatment systems shall be designed with sufficient land area for a replacement system.
- f. Communal septic systems may have all or a portion of their required drainfields in open spaces provided:
  - (1) The ground cover is restored to its natural condition after installation.

- (2) Recreational uses are prohibited above or within fifty (50) feet of their installation.
  - g. All homesite lots shall accommodate an on-site or an approved communal water supply system with reasonable backup.
  - h. All existing and proposed utility, power, and cable service lines shall be installed underground within easement locations approved by the City.
8. Grading and Drainage. The Open Space Design Development shall comply with grading and stormwater management performance standards of Section 6 of this Ordinance. Stormwater management plans shall encourage infiltration of stormwater.

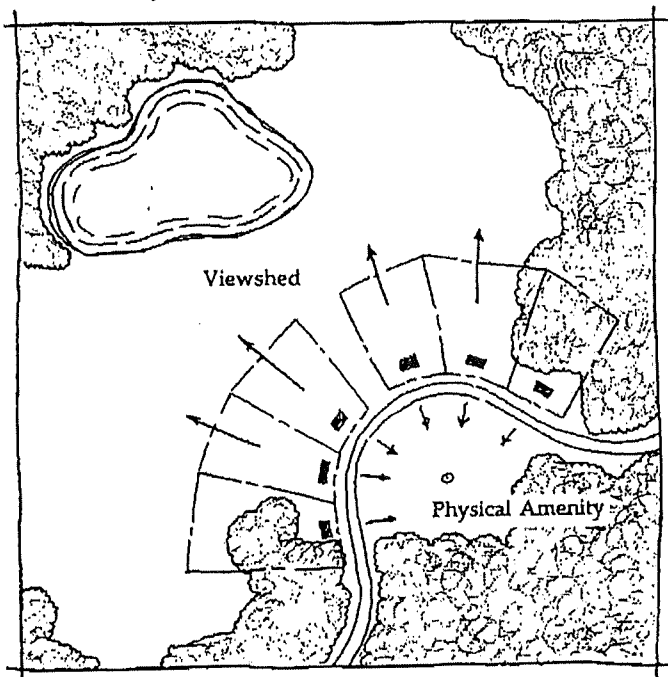
**Figure 80-A Resource Inventory** – Inventory of the physical conditions of a proposed subdivision site.



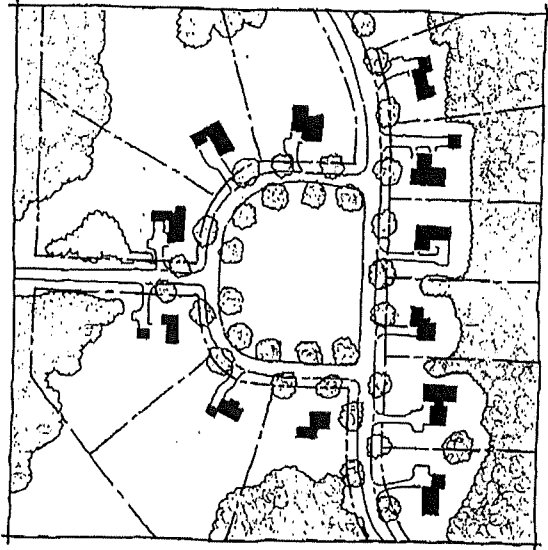
**Figure 80-B Concept Plan** – Illustrates lot layout and open spaces. Future development, natural habitat, pedestrian corridor, and neighborhood recreation open spaces are located on the development site according to their type of use.



**Figure 80-C** – An example of a neighborhood cluster orientated toward a viewshed or a physical amenity.



**Figure 80-D** – An example of a neighborhood cluster orientated toward a park, or green space at an intersection, with streetscape accents.



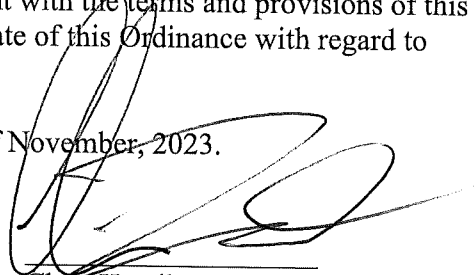
**SECTION 3. EFFECTIVE DATE**

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 4. 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 6th day of November, 2023.



Chris Kostik, Mayor

Attested:



Karen Donovan, City Clerk