



OPEN SPACE DESIGN DEVELOPMENT APPLICATION  
PUBLIC WORKS DEPARTMENT

Survey & Land Management Division  
14949 62<sup>nd</sup> Street North, P.O. Box 6 Stillwater, Minnesota 55082-0006  
PHONE (651) 430-6656 FAX (651) 430-6888

**FEE: \$500.00**

Rec #: \_\_\_\_\_

Permit #: \_\_\_\_\_

Please make checks payable to **WASHINGTON COUNTY**

Ck #: \_\_\_\_\_

Legal Description and Parcel Identification Number					
Project Address					
Owner	Address	City	State	Zip	Phone
Applicant (if different than owner)      Address      City      State      Zip      Phone					
Description of Request					
<p><b>In connection with your request for an Open Space Development, your signature constitutes permission for a representative of the Washington County Public Works Department to enter upon your property, during normal business hours, for the purpose of evaluating your request. This may involve minor excavation and soil borings. If you wish to be present during such inspection, please contact this office.</b></p>					
Signature of Owner					Date
Signature of Applicant (if different than owner)					Date

An Equal Employment Opportunity/Affirmative Action Employer



## OPEN SPACE DESIGN DEVELOPMENT (OSDD) APPLICATION CHECKLIST

The County must receive the following information to process your application. Your application will not be processed until all of these items are received. During the review of your application by staff, additional information may be requested. For further information regarding open space design development, please refer to Chapter 2, Part 3, Section 4 of the Washington County Development Code. Information regarding the conditional use permit process can be found in Chapter 1, Section 9 of the County's Development Code.

\_\_\_\_\_ **Fee (Non-refundable)**

\_\_\_\_\_ **Application Form**

\_\_\_\_\_ **Certificate of Survey (20 copies)**

\_\_\_\_\_ **Resource Inventory (20 copies):** The plan for an OSDD shall include a resource inventory that includes the following information. The scale of all plans shall be a minimum of 1":100'.

- 1) Topographic contours at 10' intervals, showing rock outcrops and slopes greater than 15%.
- 2) Soil type locations and identification of soil type characteristics such as agricultural capability, depth to bedrock, and suitability for wastewater disposal systems.
- 3) Hydrological characteristics, including surface water bodies, floodplains, wetlands, natural swales and drainage ways.
- 4) Vegetation of the site according to general cover type (ie. grasses, woodland etc.), defining boundaries of woodland areas and stand alone trees with a caliper of more than 18 inches. Vegetative types shall be classified as generally deciduous, coniferous or mixed and described by plant community, relative age and conditions.
- 5) Current land use and land cover (ie. 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 parcel from surrounding roads and public areas as well as views within the parcel.
- 7) Cultural resources: brief description of historic character of buildings and structures, historically important landscapes and archeological features.

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- 8) Context: general outlines of existing buildings, land use, and natural features such as water bodies or wooded areas, roads and property lines within 500' of the parcel being developed. This information may be presented on an aerial photograph at a minimum scale of 1":400'.

\_\_\_\_\_ **Yield Plan (20 copies):** A yield plan must be submitted 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 in the County Development Code. The yield plan does not need to be engineered, however it must be drawn to scale and show all major physical features on the property. Please refer to Chapter 2, Part 3, Section 4, Open Space Design Development for the minimum lot areas and widths.

\_\_\_\_\_ **Concept Subdivision Plan (20 copies):** One or more open space design development plans must be submitted. The plans shall contain information regarding the open space area to be protected, boundaries of the area to be developed, general street design and lot layout, stormwater management and sewage treatment. The scale of the plan shall be 1" = 100'.

If the property is located in a Transition Zone, a "build-out plan must also be submitted showing the ultimate development of the parcel at urban densities.

\_\_\_\_\_ **Phasing Plan (20 copies):** The development may be phased in accordance with a unified development plan for the entire tract. This plan shall include information regarding the sequence of development, the number of dwelling units, proposed improvements and common facilities.

\_\_\_\_\_ **General Location Map (20 copies)**

\_\_\_\_\_ **Proof of Ownership in the Form Of:** Abstract of Title, Certificate of Title, Attorney's Title Opinion, unrecorded documents, where petitioner will acquire legal or equitable ownership

**Department of Transportation and Physical Development**  
**SURVEY & LAND MANAGEMENT DIVISION**  
14949 62<sup>nd</sup> Street North, P.O. Box 6      Stillwater, Minnesota 55082-0006  
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**Excerpt from Washington County Development Code  
Chapter Two – Zoning Regulations  
Part 3 - Performance Standards**

***SECTION 4. OPEN SPACE DEVELOPMENT***

**4.1 Purpose and Scope**

"OSD" Development is established to encourage development of rural housing clusters that meet the following purposes:

- (1) Provide efficient use of the land while maintaining contiguous blocks of economically viable agricultural land, mature woodlands, and open space, and preserving historical features, scenic views, natural drainage systems and other desirable features of the natural environment.
- (2) Allow housing to be concentrated on sites that have low agricultural potential and/or high natural housing appeal.
- (3) Create neighborhoods with direct access to open space, distinct identities and sense of community.
- (4) To encourage innovation and promote flexibility, economy and creativity in residential development.
- (5) To provide commonly-owned open space areas for passive and/or active recreational use by residents of the development and, where specified, the larger community.
- (6) To provide for a diversity of lot sizes, housing choices and building densities to accommodate a variety of age and income groups.
- (7) To preserve scenic views and elements of the County's rural character by minimizing views of new development from existing roads.

**4.2 Definitions**

- (1) Community Garden: Land which is cultivated by the residents of the development for the production of trees, vegetables, fruits, flowers, herbs and grasses for the residents' use or to be sold directly to consumers through membership in the garden.
- (2) Conservation Easement: An interest in real property created in a manner that imposes limitations or affirmative obligations in regard to the use of property including the retention, protection and maintenance of natural resources, open space and agriculture.

- (3) Cultural Resource: The historic and archeological characteristics of the land, including buildings and landscapes, which provide information regarding the history of Washington County and its people.
- (4) Historic Building and Structure: A structure which has been identified by the Washington County History Network inventory or the State Historic Preservation Office as having public value due to their notable architectural features relating to the cultural heritage of the County.
- (5) Homeowners Association: A formally constituted non-profit association or corporation made up of the property owners and/or residents of the development for the purpose of owning, operating and maintaining the common open space and facilities.
- (6) Neighborhood: An area containing a contiguous group of residential lots where people live in close proximity to one another.
- (7) Open Space: Land used for agriculture, natural habitat pedestrian corridors and/or recreational purposes, which is undivided and permanently protected from future development.
- (8) Open Space Development: A grouping of residential structures on smaller lots than allowed in the specific zoning district, leaving some land dedicated as open space.
- (9) Perimeter Road: A road lying outside of and abutting the development parcel.
- (10) Plant Community: A grouping of plants with common environmental requirements living within the landscape, i.e., wetlands, grasslands, boreal forests.
- (11) Protective or Restrictive Covenant: A contract entered into between private parties which constitutes a restriction of the use of a particular parcel of property.
- (12) Resource Inventory: A survey of the land's features including its natural resources, cultural resources, scenic views and viewsheds, and physical characteristics.

### **4.3 Applicability**

The OSD Development standards are an alternative set of standards for residential development within the Agricultural (A-1, A-2, A-4), Residential (RR, SFE, RS), Conservancy (C), and Transition (TZ) zones. OSD Development shall be permitted with a conditional use permit within these districts. The design standards contained in this section are not applicable in the St. Croix River District and Shoreland Overlay Districts.

The regulations of this Development Code are applicable only to open space developments approved after the effective date of this Development Code.

#### 4.4 Application

- (1) A conditional use permit is required for an open space design development in the Agricultural (A-1, A-2, A-4), Residential (RR, SFE, RS), Conservancy (C) and the Transition (TZ) zones.
- (2) A conditional use permit application shall be filed, in writing, with the Zoning Administrator in accordance with Chapter One, Section 9, Conditional Uses.
- (3) In addition to the criteria stated in Chapter One, Section 9.3 (2), the Planning Advisory Commission shall consider the following:
  - (A) The open space development is designed to preserve open space and the County's rural character while creating compact residential neighborhoods.
  - (B) The open space development is designed in accordance with the standards of this Development Code.
  - (C) The open space development supports the goals and policies of the County's Comprehensive Plan.
- (4) In addition to those submittal requirements stated in Chapter One, Section 9, the following items shall be submitted as part of the conditional use permit application for open space development:
  - (A) Resource Inventory

The plan for an Open Space Design Development shall include a resource inventory, to include the following, mapped at a scale of no less than one inch = 100 feet.

1. Topographic contours at 10-foot intervals, showing rock outcrops and slopes of more than 15 percent.
2. Soil type locations and identification of soil type characteristics such as agricultural capability, depth to bedrock, and suitability for wastewater disposal systems.
3. Hydrologic characteristics, including surface water bodies, floodplains, wetlands, natural swales and drainage ways.
4. Vegetation of the site, according to general cover type (pasture, woodland, etc.), defining boundaries of woodland areas and stand-alone trees with a caliper of more than 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. Context: general outlines of existing buildings, land use, and natural features such as water bodies or wooded areas, roads and property boundaries within 500 feet of the tract. This information may be presented on an aerial photograph at a scale of no less than 1 inch = 400 feet.

(B) 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 Development Code 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 the following:

Zoning District	Minimum Lot Size (Acres)	Minimum Lot Width (Feet)
A-1	40	300
A-2	20	300
A-4	10	300
RR	5	300
SFF	2.5	160
TZ	10	300
RS	15,000 sq. ft.	100
C	20	300

(C) Concept Subdivision Plan

1. One or more open space design plans meeting the intent of this Chapter and including at least the following information:
  - (a) Open space areas indicating which areas are to be protected.
  - (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 storm water management and on- or off-site sewage treatment.
  - (e) Said plans shall be drawn at a scale of 1" = 100'.
2. For Open Space Developments in the Transition Zone a "build-out plan" showing the ultimate development of the entire parcel at urban densities is submitted as part of the concept subdivision plan.

(D) 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 conditional use permit and is effective for five (5) years from the date of preliminary plat approval. If final plat approval is not received within five (5) years, the permit shall become null and void.
- 3. Any common facilities, including golf courses, shall be constructed prior to the sale of any lots and shall be clearly marked on a site map which shall be an attachment to all sales agreements for individual lots.
- 4. As part of the development agreement, a financial guarantee to ensure completion of common facilities, trails and landscaping shall be provided.

(E) General Location Map

- (5) Application Procedure. Upon submittal of a complete application, the application shall be processed according to the following:
- (A) Plat Commission. The application will be forwarded to the County Plat Commission for concept review of the proposed subdivision in accordance with the requirements of the Subdivision Regulations.
  - (B) Planning Commission. After concept review by the Plat Commission, the application will be forwarded to the Planning Advisory Commission. The commission will review the application in accordance with the requirements of this Development Code.
  - (C) Plat Commission. Once a conditional use permit is issued, the applicant will then be directed to submit a plat to the Plat Commission in accordance with the requirements of the Subdivision Regulation

#### 4.5 Uses

The following uses are permitted within OSD Developments. The following uses must meet the standards and criteria specified for those uses, as set forth in and regulated by the Washington County Development Code.

- (1) Residential. The following uses are allowed uses in the residential portion of the open space development:
  - (A) Single-family Detached
  - (B) Multi-family Residential
  - (C) Bed and Breakfast
  - (D) Accessory Apartment
  - (E) Community residence
  
- (2) Open Space.
  - (A) The following uses are allowed uses in the designated open space:
    1. Conservation (i.e., woodland, meadow, prairie)
    2. Agricultural
    3. Equestrian
    4. Recreational uses and associated parking.
      - (a) trails (walking, skiing, cycling, horseback riding, snowmobiling)
      - (b) picnic areas
      - (c) community gardens
      - (d) composting (for waste generated by residents of the development)
      - (e) turf areas for informal play
      - (f) common areas such as greens or squares
      - (g) ball fields
      - (h) playgrounds
      - (i) courts (tennis, basketball, etc.)
      - (j) swimming pools or beaches
      - (k) common buildings

5. Stormwater Management Facilities
  6. Sewage Disposal Systems
  7. Essential Services – Utility Substation
- (B) The following uses are allowed in the designated open space with an additional conditional use permit:
1. Golf Course
  2. Recreational uses available to the public including:
    - (a) ball fields
    - (b) playgrounds
    - (c) courts (tennis, basketball, etc.)
    - (d) swimming pools or beaches

#### **4.6 Ownership & Management of Open Space**

- (1) The designated open space and common facilities may be owned and managed by one or a combination of the following:
  - (A) Homeowners' Association
  - (B) Non-profit Organization
  - (C) The County or another governmental body empowered to hold interest in real property (in accordance with Minnesota Statutes Section 84C.01-.05)
  - (D) An individual who will use the land for open space purposes as provided by the permanent conservation restrictions.

#### **4.7 Open Space**

- (1) With the exception of Open Space Development in the Transition Zone (TZ), the minimum open space required per Section 4.6 (4) (A) shall be subject to a permanent conservation easement and used for the purposes as defined by this Development Code. The conservation easement shall be dedicated to an acceptable land trustee or other similar organization as approved by the County.
- (2) Permanent protection of the open space in the Transition Zone is not required because these lands are expected to become urban. Developments in the Transition Zone are subject to the following:

- (A) A title declaration shall be provided stating future development could occur at urban densities when the local unit of government rezones the property
- (B) Lots oriented around central open space features, such as greens, squares, playgrounds and parkways, and that these features or 10% of the open space, whichever is greater, shall be permanently protected.
- (3) The uses within the open space shall be accessible to the residents of the development in accordance with 4.10 (4) (D). These uses may also be available to the general public providing the proper approvals are received.
- (4) A financial guarantee ensuring the construction and completion of the common facilities shall be submitted to the Zoning Administrator.

#### **4.8 Homeowners' Associations**

A Homeowners' Association shall be established *if* the open space is owned by a homeowner's association. Membership in the Association is mandatory for all purchasers of homes in the development and their successors.

A Homeowner's' Association Agreement, guaranteeing continuing maintenance, shall be submitted to the County as part of the data required for the conditional use permit. The Homeowners' Association documents or the declaration *of* covenants, conditions and restrictions shall contain the following information:

- (1) the legal description of the common lands or facilities;
- (2) the restrictions placed upon the use and enjoyment of the lands or facilities 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.
- (5) the conditions and timing of the transfer of ownership and control of land or facilities to the Association or to common ownership.
- (6) any other matter the developer deems appropriate.
- (7) the management of collector sewage treatment systems.

#### **4.9 Density Standards**

- (1) The number of density units for the parcel shall be determined in accordance with Chapter Two, Part 2, Section 1.

(2) Base Density

(A) A title declaration shall be provided stating future development could occur at urban densities when the local unit of government rezones the property.

1. A-1 .....	100%
2. A-2 .....	100%
3. A-4 .....	100%
4. RR .....	25%
5. SFE .....	12.5%
6. TZ .....	50%
7. RS (with public sewer) .....	10%
8. RS (without public sewer) .....	50%
9. C .....	0%

(B) A title declaration shall be provided stating future development could occur at urban densities when the local unit of government rezones the property.

(3) Density Points

The base density may be increased if the development complies with one or more of the following standards. Each standard provides a density increase of 5% over the base density. The maximum bonus permitted is 20%.

- (A) Creating an endowment where the principal would generate sufficient annual interest to cover the conservation easement holder's yearly costs (taxes, insurance, maintenance, enforcement, etc.)
- (B) Providing for access by the general public to trails, parks or other recreational facilities, excluding golf courses.
- (C) Providing affordable housing, to include a minimum of 25 percent of all units that would be affordable to moderate-income households, as defined by the U.S. Department of Housing and Urban Development.
- (D) Reusing historical buildings and structures, including those sites inventoried by the Washington County History Network and the State Historic Preservation Office. The Secretary of Interior's Standards for Rehabilitation shall apply.

**4.10 Performance Standards**

(1) General Considerations

- (A) For single-family attached and multi-family structures, the maximum number of units per freestanding building is six.
- (B) The residential lot shall be large enough to accommodate a house and two car garage.

- (C) All structures shall be setback a minimum of 75 feet from unclassified water bodies.
  - (D) Multi-family structures shall be setback a minimum of 50 feet from the lot line of a lot designated for single family detached dwelling units.
  - (E) A maximum of 40% of the residential dwelling units may be multi-family residential.
- (2) Residential Lot Requirements.
- (A) Minimum Lot Size
    - 1. Septic on-site .....32,670 sq. ft. (.75 acre)
    - 2. Septic off-site .....21,780 sq. ft (.5 acre)
  - (B) Principal Building Setbacks
    - 1. Front lot line ..... 30 feet
    - 2. Side lot line ..... 15 feet
    - 3. Rear lot line ..... 30 feet
  - (C) Accessory Building Setbacks
    - 1. Side lot line ..... 15 feet
    - 2. Rear lot line ..... 10 feet
  - (D) Maximum Lot Coverage .....35%
  - (E) Maximum Building Height ..... 35 feet
  - (F) All lots shall take access from interior local streets.
  - (G) Fifty percent of the lots within a neighborhood shall abut open space on at least one side. A local street may separate lots from the open space.
  - (H) Lots shall be oriented around a central focal point. This may be one or more of the following:
    - 1. A central green or square.
    - 2. A physical amenity such as a meadow, a stand of trees, a stream or other water body, or some other natural feature.
    - 3. A street designed with boulevards planted with shade trees and with a central “parkway” or median, at least 25 feet wide.

- (3) Neighborhood Siting Standards
- (A) Neighborhoods shall be located to minimize their impacts on the natural, scenic and cultural resources of the site.
  - (B) Neighborhoods shall avoid encroaching on rare plant communities or endangered species identified in the Department of Natural Resources' County Biological Survey for Natural Communities and Rare Species.
  - (C) Fragmentation of open space shall be minimized.
  - (D) Whenever possible, open space shall connect with existing or potential open space lands on adjoining parcels.
  - (E) Neighborhoods 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.
  - (F) The maximum number of residential lots permitted in a neighborhood is 50.
  - (G) More than one (1) neighborhood may be developed if separated by a clear boundary comprised of a combination of two or more of the following elements: street pattern, marked topographical changes, drainage ways, ponds, wetlands, streams, greenways and woodlands.
  - (I) Neighborhoods shall be separated from adjacent residential property by a clear boundary, with a minimum width of 300 feet, comprised of two or more of the following elements: street pattern, marked topographical changes, landscape screening, drainage ways, ponds, wetlands, streams, greenways and woodlands.

(4) Open Space Design

(A) Open space shall be designated as part of the development. The minimum required open space is based on a percentage of the gross acreage:

1. A-1 .....	60%
2. A-2 .....	60%
3. A-4 .....	60%
4. RR .....	60%
5. SFE .....	60%
6. TZ .....	70%
7. RS (with public sewer) .....	30%
8. C .....	75%

(B) The required open space shall be undivided and restricted from further development, as specified in Section 4.7.

(C) The following areas or structures may be located within the open space area and shall be counted toward the overall open space percentage required:

1. Parking areas for access to and use of the open space.
2. privately-held buildings or structures unless they are accessory to the use of the open space.

(D) Road rights-of-way may not be located within the required open space area, and shall not be counted towards the required minimum open space.

(E) No more than 50 percent of the required open space may consist of unclassified water bodies, ponds, areas within the 100 year floodplain (or high water mark as documented by County records), wetlands, or slopes of greater than 25 percent.

(F) At least 25 percent of the open space shall be accessible to the residents of the development and shall be owned in common by all residents of the development.

1. At least 25% of the "accessible" open space, shall be suitable for recreational uses such as trails, play fields, or community gardens.
2. A pathway system connecting all parts of those open space areas accessible to neighborhood residents, and connecting these areas to neighborhood streets and to planned or developed trails on adjacent parcels shall be identified in the plan.
3. 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.

(5) Street Standards

Neighborhood streets may take the form of a two-way street, a pair of one-way streets on either side of a landscaped median, or a one-way loop street around a small neighborhood green. Streets shall be developed according to the following standards that promote road safety, assure adequate access for fire and rescue vehicles, and promote adequate vehicular circulation;

- (A) The applicant must demonstrate that access to the development has the capacity to handle traffic generated by the proposed project, and will not endanger the safety of the general public.
- (B) Streets shall have the following design standards:

- 1. Right-of-way widths. The right-of-way width for each road shall be wide enough to provide for all public services, including roadway drainage, trails and walkways, utilities and snow storage. The minimum right-of-way shall be provided in accordance with the following:

Travel lanes	ADT less <u>Than 250</u>	ADT <u>Over 250</u>
One-way roadway	30'	30'
Two-way roadway	50'	60'

- 2. Roadway widths for local roads shall be determined by the expected average daily traffic (ADT) and shall be within the following ranges:

Travel lanes	ADT less <u>than 100</u>	ADT <u>100-250</u>	ADT <u>Over 250</u>
Two-way roadway	18'-24'	20'-24'	22'-24'
One-way roadway	11'-13'	11'-13'	11'-13'
( urban sections* )	13'	13'	13'
Shoulder width*	2'-4'	2'-4'	2'-4'

\* For urban sections, measured from curb face to curb face

- 3. Additional Standards:

- (a) Design Speed: Minimum 20 miles per hour
- (b) Vertical Curves: Minimum 50' (when grade difference less than 1%, no curve is needed)
- (c) Horizontal Curves: Minimum radius of 125'
- (d) Road Grades: Maximum grade 8%
- (e) Super-elevation: Maximum e = 0.04 feet/feet
- (f) Pavement Strength: 7 ton minimum
- (g) Clear Zones: Rural sections: 10' from edge of travel lane  
Urban sections: 2' from face of curb

- (h) Bridges: Width shall be traveled way plus 2' each side Design Loading for Structural Capacity HS-20 Sidewalk necessary to maintain pedestrian crossing
      - (i) Cul-de-sacs: Minimum 30' radius
    - 4. If determined necessary by the Zoning Administrator, shade trees shall be planted on both sides of the street at 50-foot intervals or placed in clusters at the same ratio
    - 5. Street connections to adjacent parcels shall be provided in logical locations to avoid creating landlocked parcels and provide for connecting street patterns.
    - 6. Streets that serve collectors, interconnecting subdivision and other Major traffic generators, shall be designed according to the County standards for collector roads.
    - 7. Where streets will connect with streets having differing standards, the street dimensions shall be the same as those of the connecting street. All street widenings shall occur at the nearest intersection.
- (6) Sewage and Water Facilities

Water for an OSD Development shall be provided by individual on-site wells or by one or more community wells meeting the permit requirements of the Minnesota Department of Health. The use of shared or community wells is encouraged.

All OSD Developments shall be provided with adequate sewage treatment facilities meeting the standards of the County Individual Sewage Treatment Standards Regulations and the permit requirements of the Minnesota Pollution Control Agency.
- (7) Golf Courses
  - (A) Golf courses located in the open space must comply with Chapter Two, Part 3, Section 2.12 of this Development Code.
  - (B) The golf course shall be regulated by a development agreement that restricts any further development or subdivision of land and requires the land to be retained as open space use if a golf course is no longer used as a golf course.
  - (C) The golf course shall be constructed prior to the sale of any residential lots.
  - (D) A financial guarantee ensuring completion of the golf course in accordance with the approved plans and permits shall be submitted to the Zoning Administrator.