

## Chapter 521 Cluster Development Standards

### 521.01 Purpose

The purpose of the Cluster Development Standards is to allow limited residential development in rural areas that do not contain high-quality agricultural land, to permanently preserve open space, natural features and scenic views. The Cluster Development Standards specifically implement the following goals from the Rice County Comprehensive Land Use Plan:

- A. **Goal 17.** Protect and promote agriculture by preserving large tracts of land by encouraging clustering or rural residential development.
- B. **Goal 50.** Encourage clustering of any rural residential development in close proximity to roads in an effort to protect agricultural land, environmentally sensitive areas and to facilitate emergency service.
- C. **Goal 53.** Discourage scattered site residential development and promote clustering.
- D. **Goal 54.** Allow for the Transfer of Development Rights (TDR) within a township.

### 521.02 Geographic Scope and Requirements

Cluster Development is a voluntary option within the Agricultural District, linked to the transfer of development rights. Cluster developments are divided into the following types:

- A. **Minor cluster developments:** Residential clusters of a limited size, located within the Agricultural District, as described in §521.03.
- B. **Golf course cluster developments:** Larger clusters in which at least half the development site is preserved as a golf course, as described in §§521.04-.09, requiring approval as a Planned Unit Development

### 521.03 Minor Cluster Developments

Minor cluster developments shall be processed as a plat (Chapter 523) and must meet the following standards, in addition to the requirements for density transfers in Chapter 520, TDR Regulations.

- A. **Maximum number of lots.** A minor cluster subdivision shall not exceed ten (10) lots within a single quarter-quarter section or within six hundred (600) feet of another ten (10)-unit cluster of homes unless the proposed cluster is adjacent to an existing area zoned Rural Residential (RR). A landowner with a development right, adjacent to a minor cluster, may transfer one (1) TDR next to the cluster as a minor cluster even if this would exceed the ten (10) unit limit
  1. **Density bonus.** A density bonus shall be provided for minor cluster developments, consisting of one (1) additional dwelling unit per four (4) units proposed under this section. (Example: Quarter-quarter section A has 2 development rights. The applicant purchases an additional 6 development rights from four other quarter-quarter sections. Two bonus lots bring the total to the maximum of 10.)
- B. **Minimum lot area.** 1 acre, if sewage treatment is provided off-site through a community treatment system or other method approved by the Environmental Health Services Division.
- C. **Maximum lot area.** 2.5 acres. An increase in maximum lot area may be permitted where required to provide for a sewage treatment system, as required by the Environmental Health Services Division.
- D. **Dimensional standards.** Lot width and setbacks shall be as specified in the Agricultural District, except that the minimum front yard setback from an interior road may be reduced to 50 feet.
- E. **Development standards.** The following standards shall be met for minor cluster developments:
  1. **Shared septic and wells.** Shared sewage treatment systems, meeting the standards of the Rice County Sewage and Wastewater Treatment Ordinance, and shared wells shall be required for any minor cluster development containing two (2) or more lots.

2. **Lot design and siting of dwellings.** Lots and dwellings shall be located and designed according to the following principles:
  - a. Site dwellings in areas with less productive agricultural land, and in locations that minimize visual and physical intrusions into agricultural land and potential interference with agricultural operations.
  - b. Applicants are encouraged to site dwellings along the edges of wooded areas, below ridgelines, and in other locations that protect scenic views, natural areas, and the prevailing rural character of the A Agricultural District.
3. **Roads.** Lots shall not be “lined up” abutting a county or township road. Shared driveways shall be required, consistent with the access management policies of the Rice County Engineer. Any subdivision with a total of four lots or more must include an interior or frontage road from which all lots take access. If a subdivision of less than four lots is proposed with the potential for further subdivision, the Board may require that an interior or frontage road be provided.

**521.04 Golf Course Cluster Developments : Requirements**

This development pattern shall be reviewed as a Planned Unit Development, as outlined in Chapter 522. Each of the following requirements shall be met in order for a golf course cluster development to be approved:

- A. **Utilities.** Centralized wastewater collection and treatment facilities and centralized water supply and distribution facilities shall be provided.
- B. **Minimum size.** A parcel proposed for a golf course cluster development shall be at least 20 acres in size, and the development shall include at least ten (10) dwelling units.
- C. **TDR requirement.** Transferable Development Rights shall be used for a minimum of one-half the dwelling units within the golf course cluster.
- D. **Maximum density.** The maximum density shall not exceed one (1) unit per acre unless density increases are granted based on the standards in §521.05.

**521.05 Golf Course Cluster Developments: Density Standards**

The density of a major cluster development shall not exceed one unit per acre, based on gross acreage. Increases above base density may be allowed, at the discretion of the Planning Commission and County Board, if the planned unit development has met all of the requirements of this Chapter and in addition incorporates any of the items in the list below. Increases above base density are always discretionary and shall not exceed a cumulative total of one hundred percent (100%).

- A. **Stormwater management.** Up to a twenty-five percent (25%) density increase may be given for stormwater management that exceeds the design and performance standards of the Rice County Stormwater Management Ordinance.
- B. **Road improvements.** Up to a twenty-five percent (25%) density increase may be given for road improvements that exceed the design and performance standards of the Rice County Subdivision Ordinance.
- C. **Centralized utilities.** Up to a fifty percent (50%) density increase may be given for creation of a water and wastewater utility district with infrastructure capacity to serve an area larger than the proposed development.
- D. **Amenities.** Up to a twenty-five percent (25%) density increase may be given for provision of amenities such as parks or recreation facilities, walking trails, golf courses, or other amenities considered beneficial to the larger community.
- E. **Historic Preservation.** Up to a ten percent (10%) density increase may be given for preservation and adaptive reuse of historically or architecturally significant buildings or structures on the site.

**521.06 Golf Course Cluster Developments: Open Space Standards**

A minimum of fifty percent (50%) of the site shall be preserved as permanent open space, to include a golf course containing at least nine (9) holes, and additional open space available for resident use, comprising at least ten percent (10%) of the site.

- A. If the site is adjacent to a public or private golf course, and if residents will have access to this amenity, the open space requirement shall be reduced to twenty percent (20%) of the gross acreage, and need not include additional golf course facilities.
- B. In addition to a golf course, open space shall include at least one of the following:
  - 1. Squares or greens
  - 2. Community gardens
  - 3. Pedestrian or bicycle trails
  - 4. Parks, playgrounds
  - 5. Greenbelt; other natural areas
  - 6. Other recreational facilities designed as amenities for residents, as specified in the PUD Master Plan.
- C. A conservation easement shall be granted to Rice County ~~permanently~~ restricting future development or subdivision of the designated open space.

**521.07 Golf Course Cluster Developments: Mix of Uses**

In order to encourage diversity of housing types, up to 30 percent of the total number of housing units proposed for the site may consist of single-family attached dwellings (townhouses). The remainder of the units shall be single-family detached dwellings.

**521.08 Golf Course Cluster Developments: Dimensional Standards**

<b>Minimum lot area</b>	
Detached dwelling	10,000 sf
Attached <sup>1</sup>	7,500 sf per dwelling unit
<b>Maximum lot area</b>	1.0 acres
<b>Minimum lot width</b>	
Detached dwelling	50 feet
Attached	25 feet
<b>Minimum front yard setback (from internal street)</b>	25 feet
<b>Minimum side yard setback</b>	10 feet (attached: end units only)
<b>Minimum rear yard setback</b>	25 feet
<b>Minimum perimeter setbacks</b>	75 feet
<b>Maximum height<sup>2</sup></b>	35 feet

<sup>1</sup> Attached units may be designed as condominiums rather than individual lots

<sup>2</sup> See §505.10 G for height exceptions [church steeples, chimneys, etc.]

**521.09 Golf Course Cluster Developments: Development Standards.**

The following standards shall be met for golf course cluster developments:

- A. **Lot design and siting of dwellings.** Lots and dwellings shall be located and designed according to the following principles:
  - 1. Site dwellings in locations that minimize visual and physical intrusions into agricultural land and potential interference with agricultural operations.
  - 2. Organize lots around the golf course and any other natural or scenic features. Dwellings should have visual access to protected open space.
  - 3. Site dwellings along the edges of wooded areas, below ridgelines, or in other locations that protect scenic views, natural areas, and rural character.
- B. **Internal Streets.** Lots shall be organized around and have access to an interior road or street system, not to a county or township road on the periphery.