

Goodhue County Planning Commission
Government Center-Board Room
454 West 6th St, Red Wing MN 55066

Monday, January 9, 2017
7:00 PM

Planning Advisory Commission

Call Meeting To Order

Approval Of Current Agenda

Appointment Of Chair, Vice Chair And BOA Appointee

Approval Of Previous Month's Meeting Minutes

Documents:

[MINUTES_NOVEMBER21_PAC_DRAFT.PDF](#)

Conflict/Disclosure Of Interests

Public Hearing

1. PUBLIC HEARING: Amundson CUP:

Request for a Conditional Use Permit (CUP) to operate Green Edge Lawn service and Spring-Green Lawn Care business in an A1 district. 41396 County 4 Blvd Zumbrota MN 55992, PID 47.011.0700, Part of the SE ¼ of NW ¼, Sect 11 Twp 110 Range 15, in Zumbrota township.

Documents:

[PAC_PACKET_AMUNDSON.PDF](#)

2. PUBLIC HEARING: Consideration Of Amendments To Goodhue County Zoning Ordinance-

Consideration of Amendments to Goodhue County Zoning Ordinance:

1. ARTICLE 10 RULES AND DEFINITIONS

Subd 8. Non-agricultural Uses/Activities Associated with an Agri-tourism

Documents:

[PAC_PACKET_ARTICLE10EVENTS.DOCX](#)

3. PUBLIC HEARING: Consideration Of Amendments To Goodhue County Zoning Ordinance-

Consideration of Amendments to Goodhue County Zoning Ordinance:

2. ARTICLE 11 PERFORMANCE STANDARDS

Section 17. Sign Regulations

3. ARTICLE 12 BLUFF LAND PROTECTION

4. ARTICLE 30 CR, COMMERCIAL RECREATIONAL DISTRICT

Documents:

Other Actions And Discussion

Staff Updates

Adjourn

Anyone interested is invited to attend. Agenda items may be subject to change.

Goodhue County Land Use Management

◆ Goodhue County Government Center ◆ 509 West Fifth Street ◆ Red Wing ◆ Minnesota ◆ 55066 ◆
◆ Building ◆ Planning ◆ Zoning ◆ Telephone: 651/385-3104 ◆ Fax: 651/385-3106 ◆

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

The meeting of the Goodhue County Planning Advisory Commission was called to order at 6:54 pm. by Chair Len Feuling in the Goodhue County Board Room in Red Wing, Minnesota.

1. Roll Call

Commissioners Present: Ron Allen, Darwin Fox, Len Feuling, Sarah Pettit, Richard Bauer, Tom Gale, Brandon Schafer and Tom Drazkowski

Commissioners Absent: Richard (Dick) Nystuen (6:59 pm arrival of Nystuen)

Staff Present: Zoning Administrator Michael Wozniak, Land Use Management (LUM) Director Lisa Hanni and Zoning Assistants Kate Eiyneck and Casey MacCallum.

2. Approval of Agenda

¹Motion by Commissioner Gale and seconded by Commissioner Fox to approve the meeting agenda with the change to move the Round Barn item to the beginning of the agenda. Motion carried 8:0.

3. Approval of Minutes

²Motion by Commissioner Allen and seconded by Commissioner Schafer to approve the previous month's meeting minutes. Motion carried 8:0.

4. Conflict/Disclosure of Interest

None Reported

5. PUBLIC HEARING: Round Barn- Amendment to an existing Bed and Breakfast CUP to add non-agricultural activity associated with agri-tourism to allow Weddings and other special events in an A2 zoned district at 28650 Wildwood Lane Red Wing, MN 55066, PID# 43.135.0190 and 43.135.0190 Pt of the SE ¼ of Section 35 Twp 113 Range 14 in Wacouta Township.

Kirk Sensrud and current owners Robin and Elaine Kleffman were present.

Mike Wozniak presented the staff report and attachments.

6:59 arrival of Nystuen

There was clarification about the requirements for performance standards for Wedding and event facilities and programming. This expansion of use triggers the need to update the CUP.

Commissioner Allen inquired about the current events at the Round Barn and commented that they have been having some events already.

There was discussion about the expansion of the use and the pavilion structure and the need to update the CUP to become current with the Goodhue County Zoning Ordinance.

Chair Feuling opened the Public Hearing.

No one spoke for or against the request.

³After Chair Feuling asked three times for comments it was moved by Commissioner Fox and seconded by Commissioner Allen to close the public hearing. Motion carried 9:0

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

4Motion by Commissioner Schaffer seconded by Drazkowski, for the Planning Advisory Commission to:

- adopt the staff report into the record (dated November 14, 2016);
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners APPROVE the Round Barn Amendment and replace the existing 1999 Bed and Breakfast CUP adding non-agricultural activity associated with agri-tourism to allow Weddings and other special events in an A2 zoned district,

Subject to the following conditions:

- 1. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations,**
- 2. Compliance with Goodhue County Zoning Ordinance , including , but not limited to: ARTICLE 23 A-3, URBAN FRINGE DISTRICT, Article 10, Section 2, Subdivision 8g: Wedding Ceremonies or Receptions, Article 11 Performance Standards SECTION 13. BED & BREAKFAST INNS**
- 3. Allow the existing use of 5 Bed and Breakfast units/rooms,**
- 4. Proof of liability insurance for the structures, property, occupants, visitors, and events proposed,**
- 5. Compliance with Goodhue County Septic Ordinance, including compliance with septic system permitting requirements as administered by Land Use Management Department Environmental Health Staff,**
- 6. Review of the proposed and existing structures by a State of Minnesota licensed design professional to evaluate if the structure is in compliance with applicable Building Code standards and requirements, including occupancy loading to be submitted to the Building Official. Any required improvements to the structures must be completed prior to start of operations,**
- 7. The owners will cooperate with inspections of the facility in coordination with Land Use staff**

at 28650 Wildwood Lane Red Wing, MN 55066, PID# 43.135.0190 and 43.135.0190 Pt of the SE ¼ of Section 35 T113N, R14W, (Wacouta Township

Motion Carried 9:0

- 6. PUBLIC HEARING** By Feedlot-Amendment to an existing CUP (doc#632710) for a 24 AU (animal units) feedlot outside of the farmyard in an A2 zoned district, to allow for an increase to 90 AU of dairy, long beef, or hogs at 50130 158th Ave, Pine Island, MN 55963, PID# 40.027.0200 W75 Acres of the NW ½ of the NE ¼, Section 27 in Roscoe Township.

Mr. and Mrs. Bye were present.

Mike Wozniak presented the staff report and attachments.

Commissioner Feuling inquired about the residential dwelling that is currently under construction, Vogel (previously the Peterman Property), 650 feet North West of the proposed feedlot.

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

There was discussion about the Bye's intention to have different types of animals (dairy, long beef, or hogs). Usually in review of feedlots Goodhue County has received an application that includes the types of animals and animal holding areas (pastures, confinement barn construction type, and open lots) and the maximum number and types of animal to be housed at the facility. Mr. Bye is proposing to have a maximum of 90 animal units (AU). See chart provided by the Goodhue County feedlot officer below for the equivalent animal head for 90 animal units:

DAIRY	AU FACTOR	# OF ANIMALS	AU
Mature Cow over 1,000lbs	1.4	64	89.6
Mature Cow under 1,000lbs	1.0	90	90
Heifer	0.7	128	89.6
Calf	0.2	450	90
BEEF			
Slaughter Steer or Stock Cow	1.0	90	90
Feeder Cattle (stocker or back grounding) or heifer	0.7	128	89.6
Cow and Calf Pair	1.2	75	90
Calf	0.2	450	90
SWINE			
Over 300lbs	0.4	225	90
Between 55 and 300lbs	0.3	300	90
Under 55lbs (and separate from sow)	0.005	1800	90

Virginia Westlie, Goodhue County Feedlot office, commented that as you look at the actual numbers of animals, based on species that make up the 90AU, the actual numbers can be very large and not necessarily reflect the area that is going to be allotted by the building and open lots sizes. Actual number of animals depending on the species and size may over saturate the building space and open lot areas. Which could potentially cause run off from the building site and open lots. The lots will be at full capacity or even over stocked.

Commissioner Drazkowski asked Westlie for clarification of the 94% odor annoyance rating.

Westlie confirmed that the 94% odor annoyance free ratings calculations and the Odor Offset Calculation is based on the size of the confinement areas and not on the number of animal units on the site. In order to allow for enough room for final number and type of animal head Mr. Bye would need to update his site plan and the Odor Offset Calculation would need to be reevaluated to confirm 94% odor annoyance free rating.

Commissioner Drazkowski asked Westlie how many animal units can fit in the 50' x 120' building and 50' x 50' confinement area.

Commissioner Pettit commented that the type of building construction type would also be a factor and that the health of the animals will take care of the size of the confinement areas.

Virginia Westlie, Goodhue County Feedlot officer, provided more information from [Feedlot Animal Unit Capacity Calculator – MPCA](#) and typical Stocking Density regarding project sizing submitted by the applicant, a 50' x 120' building and a 50' x 50' confinement area.

Commissioner Nystuen asked about Vogel's recourse or anyone else would have if the they

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

suspected a violation of the feedlot ordinance rules.

Director Hanni stated that any complaint or investigation would be directed to the Goodhue County Feedlot Officer, Virginia Westlie.

Bauer inquired about the amount pasture area on site.

Mr. Bye clarified that all you people on the planning commission should know that he was upfront and honest. He cannot have young stock on the current operation site east of the road. He wants a diversified farm for his family. His project has been on hold for 2 years because of the Density Variance issued in the property just north of his feedlot and he believes that dwelling is encroaching the required 1000 feet from his existing feedlot.

Commissioner Allen asked if Mr. Bye can live with the 10 conditions presented in the staff report.

Director Hanni clarified that condition 1 and 2 are in conflict with each other.

Westlie commented that 90 animal units of hogs (300 head of 55lbs-300lbs) are very different cows (64 head of 1000lbs.).

Chair Feuling opened the Public Hearing.

Mrs. Bye spoke about vague nature of his application and said that it was because we need to set up for their sons and have an operation that can be flexible.

5 After Chair Feuling asked three times for comments it was moved by Commissioner Allen and seconded by Commissioner Bauer to close the public hearing. Motion carried 9:0

There was discussion and concerns about the number of animals that would fit in the proposed building and open area and that the feedlot officer would need to review the final feed lot application.

6Motion by Commissioner Allen seconded by Fox, for the Planning Advisory Commission to make recommendation to the County Board of Commissioners with the removal of condition #2.

- **adopt the staff report into the record (dated November 14, 2016);**
- **adopt the findings of fact;**
- **accept the application, testimony, exhibits, and other evidence presented into the record; and**

recommend APPROVAL, the action would replace the existing February 2, 2016 CUP permit a feedlot outside a farmyard (previously 24 AU's) subject to the following conditions:

- 1. Feedlot operation is limited to 90 animal units,**
- ~~**2. Building and confinement area need to be sized to accommodate animal type and number,**~~
- 3. The project is limited in location, size, and scope according to the submitted plan proposed by the applicant in their application submittals; minor adjustments may be made to the site plan with approval from the Zoning Administrator,**

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

4. Storm water management plan approved by the zoning administrator and/or MPCA,
5. Land alteration permit application approved by the zoning administrator,
6. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations,
7. Compliance with Goodhue County Zoning Ordinance , including , but not limited to:
**ARTICLE 13 CONFINED FEEDLOT REGULATIONS
ARTICLE 22 A-2, AGRICULTURE DISTRICT,**
8. Compliance with 94% odor annoyance free rating, as determined by the OFFSET odor evaluation model, from any existing dwelling,
9. The owners will cooperate with inspections of the facility in coordination with Land Use staff,
10. The conditional/interim use permit shall expire and be considered null and void one (1) year after the County Board's final decision to grant the permit (February 2, 2016) if the use has not begun. One (1) administrative extension of up to one (1) year may be granted by the Zoning Administrator upon written request of the property owner, provided there is reasonable cause for the request and further provided that the written request is made no less than thirty (30) days prior to expiration of the permit. If no extension has been requested the Zoning Administrator shall record an expiration notice with the County Recorder. A conditional/interim use permit shall be considered null and void if discontinued for a period of one (1) year

**At 50130 158th Ave, Pine Island, MN 55963, PID# 40.027.0200 W75 Acres of the NW ½ of the NE ¼, Section 27, T109N, R16W (Roscoe Township).
Motion Carried 9:0**

PUBLIC HEARING: Persson Mine-The Planning Commission will consider the termination of the Conditional Use Permit for the Persson Mine (PID# 44.028.0100, 44.028.1300, and 44.028.1301). The mine was previously registered to Dean Persson and has not be registered since 2012.

The property owners were not were present.

Ben Hoyt presented the staff report and attachments.

Mike Wozniak offered clarification that the original mining applicant is out of the picture and the owner would like to reclaim the property, but there is a short fall in the funds needed to reclaim the property. The owner was interested in a onetime future public road project (County 1) to help fund the reclamation.

Commissioner Drazkowski inquired about current ownership

LUM Staff Ben Hoyt clarified there are 3 separate owners of the property that once included the mine.

Mike Wozniak indicated that he has had contact with the property owners over the past 3 years, and has told the owner if you want to keep it open then you have to keep it registered. If it is not registered than reclamation would be needed. Wozniak noted that there is not

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

financial assurance on this mine for the reclamation. The township approval required a letter of credit but the bank will not honor that letter of credit.

Chair Feuling opened the Public Hearing.

No one spoke for or against the request

7After Chair Feuling asked three times for comments it was moved by Commissioner Allen and seconded by Commissioner Pettit to close the public hearing. Motion carried 9:0

There was discussion about current ownership and reclamation requirements.

Commissioner Nystuen spoke to the owner last week, the owner indicated that he would be ok with the mine closing or decertified, and would like to get a project to help cover the costs of reclamation.

Director Hanni noted that Goodhue County cannot guarantee the timing or if there will be a road project.

Commissioner Allen commented that this revocation was due to the owners' lack of communication and registration.

8Motion by Commissioner Allen, seconded by Fox, for the Planning Advisory Commission to:

- ***adopt the staff report into the record (dated November 14, 2016);***
- ***adopt the findings of fact;***
- ***accept the application, testimony, exhibits, and other evidence presented into the record; and***

Recommend the County Board of Commissioners revoke the Conditional Use Permit for the Persson Mine located at PID#44.028.0100, 44.028.1300, and 44.028.1301: Pt of the NE 1/4 of Section 28, T 110N, R17W (Wanamingo Township).

And require all conditions of the Reclamation Plan be completed within 12 months, Date: December 6th, 2017.

As required by Goodhue County Zoning Ordinance, which states:

- ***Unless otherwise amended or approved by the County, all final grades and site restoration efforts shall be consistent with the Rehabilitation Plan.***
- ***Within twelve (12) months after completion of mineral extraction or after termination of the permit, all equipment, vehicles, machinery, materials, and debris shall be removed from the subject property.***
- ***Within twelve (12) months after completion of mineral extraction or after termination of the permit, site rehabilitation must be completed. Failure to annually register the mineral extraction facility will be considered termination of the mineral extraction facility and the twelve (12) month period begins.***
- ***All water areas resulting from excavation shall be addressed upon rehabilitation of the site. In unique instances where the County Board has reviewed proposals for water bodies at the time of approval of the overall plan and has determined that such would be appropriate as an***

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

*open space or recreational amenity in subsequent reuse of the site,
water bodies may be permitted.*

Motion Carries 8:1 Drazkowski dissenting

7. **PUBLIC HEARING: Consideration Of Amendments To Goodhue County Zoning Ordinance-Consideration of Amendments to Goodhue County Zoning Ordinance buffer language to parallel the recently updated its Shoreland buffer regulations by the Minnesota legislature.**

Ben Hoyt presented the staff report and attachments.

Commissioner Bauer inquired about funds from the State for enforcement.

Beau Kennedy with the SWCD indicated that funding had not been determined. The County has to decide if the County is the enforcement agent.

There was discussion about the current rule and enforcement and mapping by the DNR.

Chair Feuling opened the Public Hearing.

Richard Priebe 47149 95th Ave Kenyon, Asked about his organic farm with no pesticide or chemicals, does he need a buffer?

Kennedy answered, yes, he would still need a buffer.

⁹After Chair Feuling asked three times for comments it was moved by Commissioner Bauer and seconded by Commissioner Drazkowski to close the public hearing. Motion carried 9:0

There was discussion about existing language and this increase in flexibility for the landowners to go to an average, but not less than 30 feet of width.

¹⁰Motion by Commissioner Drazkowski, seconded by Fox, for the Planning Advisory Commission to with to correction to item B, ~~permanent~~:

- **adopt the staff report into the record (dated November 14, 2016);**
- **adopt the findings of fact;**
- **accept the application, testimony, exhibits, and other evidence presented into the record; and**

Recommend the County Board APPROVE the ordinance wording changes as presented.

Article 31, Section 11, Subdivision 5:
Agriculture Use Standards

- A. The shore impact zone for parcels with permitted agricultural land uses is an area with a 50-foot average width and a 30-foot minimum width, as measured from the ordinary high water level if identified, or the top or crown of bank, or normal water level as provided in Minnesota Statutes, section 103F.48, subd. 3(c), or as determined by the Goodhue County SWCD technical staff. Buffer widths are measured on a per-parcel, per-side of stream basis.

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

- B. General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in perennial permanent vegetation or operated under an approved conservation plan (~~Resource Management Systems~~) consistent with the field office technical guides of the ~~local~~ Goodhue County Soil and Water Conservation Districts or the United States Soil Conservation Service. Natural Resource Conservation Service, as provided by a qualified individual or agency. Incorporation of approved alternative practices may reduce the overall buffer width, however the minimum width cannot be less than 30 feet. The shore impact zone for parcels with permitted agricultural land uses is equal to a line parallel to and fifty (50) feet from the ordinary high water level.
- ~~B. Use of fertilizer, pesticides, or animal wastes within shorelands must be done in such a way as to minimize impact on the shore impact zone or public water by proper application or use of earth or vegetation.~~
- C. Use of fertilizer, pesticides, or animal wastes within shoreland must be done in such a way as to minimize impact on the shore impact zone or public water by proper application.
- D. Standards within this subdivision apply to all shoreland districts as well as streams identified on the Minnesota Department of Natural Resources Buffer Protection Map.

Motion Carries 9:0

8. Other Business:

PAC meeting time possibly beginning earlier

January 2017 Meeting date

Normally the 3rd Monday January 16 is Martin Luther King Day

Moved to January 9th (2nd Monday in January)

February 2017 Meeting Date

Normally the 3rd Monday February 20 is Presidents Day

Moved to February 13 (2nd Monday in February)

November 2017

Year End joint meeting with the BOA

Normally the 3rd Monday November 20 (week of thanksgiving)

December 2017

Normally the 3rd Monday December 18

Adjourn: Moved by Commissioner Allen, second by Commissioner Gale, to adjourn the Planning Commission meeting at 8:30 p.m. Motion carried 9:0.

Respectfully Submitted, Kate Eiynek

Recording Secretary

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

MOTIONS

¹ APPROVE the PAC meeting agenda. Motion carried 8:0.

² APPROVE the last month's PAC minutes. Motion carried 8:0.

³ Motion to close the Public Hearing. Motion carried 9:0

⁴ Motion by Commissioner Schaffer seconded by Drawski, for the Planning Advisory Commission to:

- adopt the staff report into the record (dated November 14, 2016);
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners APPROVE Round Barn Amendment and replace the existing 1999 Bed and Breakfast CUP to add non-agricultural activity associated with agri-tourism to allow Weddings and other special events in an A2 zoned district,

Subject to the following conditions:

1. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations,
2. Compliance with Goodhue County Zoning Ordinance , including , but not limited to: ARTICLE 23 A-3, URBAN FRINGE DISTRICT,
Article 10, Section 2, Subdivision 8g: Wedding Ceremonies or Receptions,
Article 11 Performance Standards SECTION 13. BED & BREAKFAST INNS
3. Allow the existing use of 5 Bed and Breakfast units/rooms,
4. Proof of liability insurance for the structures, property, occupants, visitors, and events proposed,
5. Compliance with Goodhue County Septic Ordinance, including compliance with septic system permitting requirements as administered by Land Use Management Department Environmental Health Staff,
6. Review of the proposed and existing structures by a State of Minnesota licensed design professional to evaluate if the structure is in compliance with applicable Building Code standards and requirements, including occupancy loading to be submitted to the Building Official. Any required improvements to the structures must be completed prior to start of operations,
7. The owners will cooperate with inspections of the facility in coordination with Land Use staff

at 28650 Wildwood Lane Red Wing, MN 55066, PID# 43.135.0190 and 43.135.0190 Pt of the SE ¼ of Section 35

T113N, R14W, (Wacouta Township

Motion Carried 9:0

⁵ Motion to close the Public Hearing. Motion carried 9:0

⁶ Motion by Commissioner Allen seconded by Fox, for the Planning Advisory Commission to make recommendation to the County Board of Commissioners with the removal of condition #2.

- adopt the staff report into the record (dated November 14, 2016);
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

recommend approval, the action would replace the existing February 2, 2016 CUP permit a feedlot outside a farmyard (previously 24 AU's) subject to the following conditions:

1. Feedlot operation is limited to 90 animal units,
2. ~~Building and confinement area need to be sized to accommodate animal type and number,~~
3. The project is limited in location, size, and scope according to the submitted plan proposed by the applicant in their application submittals; minor adjustments may be made to the site plan with approval from the Zoning Administrator,
4. Storm water management plan approved by the zoning administrator and/or MPCA,
5. Land alteration permit application approved by the zoning administrator,
6. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations,
7. Compliance with Goodhue County Zoning Ordinance , including , but not limited to:

ARTICLE 13 CONFINED FEEDLOT REGULATIONS

ARTICLE 22 A-2, AGRICULTURE DISTRICT,

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

8. Compliance with 94% odor annoyance free rating, as determined by the OFFSET odor evaluation model, from any existing dwelling,
9. The owners will cooperate with inspections of the facility in coordination with Land Use staff,
10. The conditional/interim use permit shall expire and be considered null and void one (1) year after the County Board's final decision to grant the permit (February 2, 2016) if the use has not begun. One (1) administrative extension of up to one (1) year may be granted by the Zoning Administrator upon written request of the property owner, provided there is reasonable cause for the request and further provided that the written request is made no less than thirty (30) days prior to expiration of the permit. If no extension has been requested the Zoning Administrator shall record an expiration notice with the County Recorder. A conditional/interim use permit shall be considered null and void if discontinued for a period of one (1) year

At 50130 158th Ave, Pine Island, MN 55963, PID# 40.027.0200 W75 Acres of the NW ¼ of the NE ¼, Section 27, T109N, R16W (Roscoe Township).

Motion Carried 9:0

⁷ Motion to close the Public Hearing. Motion carried 9:0

⁸ Motion by Commissioner Allen, seconded by Fox, for the Planning Advisory Commission to:

- adopt the staff report into the record (dated November 14, 2016);
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners decertify the Persson Mine #25 and revoke the Conditional Use Permit for the Persson Mine located at PID#44.028.0100, 44.028.1300, and 44.028.1301: Pt of the NE ¼ of Section 28, T 110N, R17W (Wanamingo Township).

And require all conditions of the Reclamation Plan be completed within 12 months, Date: December 6th, 2017.

As required by Goodhue County Zoning Ordinance, which states:

- *Unless otherwise amended or approved by the County, all final grades and site restoration efforts shall be consistent with the Rehabilitation Plan.*
- *Within twelve (12) months after completion of mineral extraction or after termination of the permit, all equipment, vehicles, machinery, materials, and debris shall be removed from the subject property.*
- *Within twelve (12) months after completion of mineral extraction or after termination of the permit, site rehabilitation must be completed. Failure to annually register the mineral extraction facility will be considered termination of the mineral extraction facility and the twelve (12) month period begins.*
- *All water areas resulting from excavation shall be addressed upon rehabilitation of the site. In unique instances where the County Board has reviewed proposals for water bodies at the time of approval of the overall plan and has determined that such would be appropriate as an open space or recreational amenity in subsequent reuse of the site, water bodies may be permitted.*

At 23897 510th St Pine Island MN 55963, Part of SE ¼ of SE ¼, Sect 25 Twp 109 Range 15, in Pine Island township, as legally described on EXHIBIT "A" Doc#, PID#39.025.0401.

Motion Carries 8:1 Drazkowski dissenting

⁹ Motion to close the Public Hearing. Motion carried 9:0

¹⁰ Motion by Commissioner Gale, seconded by Fox, for the Planning Advisory Commission to:

- adopt the staff report into the record (dated October 17, 2016);
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners APPROVE both the

Request for a preliminary/final plat for Kenyon Park. The land in question is current tax parcels 361500020, 361500030, 361500040, 361500050, 361500060, 361500070, 361500080, 361500100, 361500110, 361500120.

Part of the SW ¼ of Sect 7 Twp 109 Range 18 Kenyon Township. Motion carried 7:0

And

**PLANNING COMMISSION
GOODHUE COUNTY, MN
November 21, 2016 MEETING MINUTES
DRAFT**

Request for a Conditional Use Permit (CUP) for a park or recreational area operated by a governmental agency.
Part of the SW ¼ of Sect 7 Twp 109 Range 18 Kenyon Township. Motion carried 7:0

¹¹ ADJOURN the Planning Commission meeting. Motion carried 7:0

UNOFFICIAL UNTIL APPROVED BY THE PAC

Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director



County Surveyor / Recorder

Building | Planning | Zoning
Telephone: 651.385.3104
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Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Planning Commission
From: Land Use Management
Meeting Date: January 9, 2016
Report date: September 12, 2016

PUBLIC HEARING: Amundson CUP: Request for a Conditional Use Permit (CUP) to operate Green Edge Lawn service and Spring-Green Lawn Care business in an A1 district.

Application Information:

Applicant(s): Marty Amundson
Address of zoning request: 41396 County 4 Blvd Zumbrota MN 55992
PID: 47.011.0700
Short Legal Description: Part of the SE ¼ of NW ¼, Sect 11 Twp 110 Range 15
Township Information: Zumbrota has acknowledged the request and offered no comments.

Attachments:

Description of Business Use from Applicant
Site Maps identifying Existing and Proposed Business Facilities
Goodhue County Zoning Ordinance: Article 21 (A-1 Zone District Regulations) and Article 11 (Performance Standards) - <http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

Current owners are requesting a CUP for Green Edge Lawn service and Spring-Green Lawn Care and expand the business with a new office building.

The property is a 10 acre parcel adjacent to County 4 Blvd. Existing access to dwelling and the business is provided by a driveway access from County 4 Blvd.

Green Edge Lawn is primarily lawn mowing, yard clean up and snow removal and *Spring-Green Lawn Care* primarily focuses on lawn care with fertilization, weed control, lawn aeration and mosquito reduction. As a business that provides lawn care these businesses generally qualify as a "business primarily intended to serve the agricultural community" or could be considered a Home Occupation;

The following home occupations shall require an interim use permit when operated in any agricultural district.

- A. Home occupations employing more than one (1) non-resident employee on the premises.*
- B. Home occupations carried on in an accessory building greater than 2200 of gross floor area feet on lots up to 2 acres or 3400 of gross floor area for lots 2 acres or greater.*

The applicant has indicated that wastewater treatment will be developed prior to a building permit application for the new building. Plenty of site area exists for an on-site sub-surface wastewater treatment system and for any storm water ponding areas or other related improvements.

Actions for consideration:

Staff recommendation is based on the review of the submission and project area prior to the public hearing. The following should be edited to reflect any concerns raised at the PAC meeting and public hearing:

Draft Findings of Fact to support approval:

- A. The proposed use does not appear to be injurious to the use and enjoyment of other property in the immediate vicinity, nor substantially diminish and impair property values within the immediate vicinity.
- B. Green Edge Lawn service and Spring-Green Lawn Care has conducted business on the site since 2001, and does not appear to have impeded the normal and orderly development and improvement of the surrounding properties.
- C. Direct access to the site is provided by County 4 Blvd with connection to 410th Street (north of the site) and 420th Street (south of the site).
- D. Existing and proposed facilities conform with the off-street parking and loading requirements set forth in Goodhue County Zoning Ordinance, Article 11 (Performance Standards, Sections 15 and 16).
- E. The proposed expansion of Green Edge Lawn service and Spring-Green Lawn Care on the property located within the County's A-1 (Agricultural Protection Zone District) represents an appropriate conditionally permitted use as a "business intended to primarily serve the agricultural community".

Staff Recommendation:

LUM Staff recommends the Planning Commission

- **adopt the staff report into the record (dated December 30, 2016);**
- **adopt the findings of fact;**
- **accept the application, testimony, exhibits, and other evidence presented into the record; and**

Recommend the County Board of Commissioners APPROVE

The request for a Conditional Use Permit (CUP) to operate Green Edge Lawn service and Spring-Green Lawn Care business in an A1 district.; subject to the following conditions:

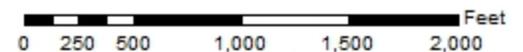
1. Conformance with plans and supporting information included with the Conditional Use Permit application submitted to Goodhue County Land Use Management Office,
 2. Compliance with any applicable local, state and federal permits and/or licensing,
 3. The applicant or their contractor shall submit a complete application for an on-site subsurface sewage treatment system needed to serve existing and proposed facilities in compliance with applicable County and State of Minnesota Wastewater Water Treatment rules and standards,
 4. The owners will cooperate with inspections of the facility in coordination with Land Use staff.
- The Planning Advisory Commission recommendation,

At 41396 County 4 Blvd Zumbrota MN 55992, PID: 47.011.0700, Part of the SE ¼ of NW ¼, Sect 11 Twp 110 Range 15 in Zumbrota Township.



PUBLIC HEARING: Amundson CUP:
 Request for a Conditional Use Permit (CUP)
 to operate Green Edge Lawn service and
 Spring-Green Lawn Care business in an A1 district.
 41396 County 4 Blvd Zumbrota MN 55992,
 PID 47.011.0700,
 Part of the SE ¼ of NW ¼,
 Sect 11 Twp 110 Range 15,
 Zumbrota township.

- Legend**
- Stream Center Line**
 - STATUS**
 - Intermittent
 - Protected
 - Tax Parcel
 - Section Line
 - Road
 - 2014 Feedlot parcel
 - Municipal Boundaries
 - Dwelling Point
 - % Slope**
 - 20
 - 30
 - Shoreland



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2016 Aerial Imagery

Map Created 2016 Kate Eiynek

RECEIVED

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

DEC 14 2016

Parcel # 470-11-0700

Permit Land Use Management

217-0001

PROPERTY OWNER INFORMATION

Last Name Amundson First Martin Email: _____
 Street Address 41396 County 4 Blvd Phone _____
 City Zumbrota State MN Zip 55992 Attach Legal Description as Exhibit "A"
 Authorized Agent Phone _____
 Mailing Address of Landowner: 41396 County 4 Blvd Zumbrota MN 55992
 Mailing Address of Agent: _____

PROJECT INFORMATION

Site Address (if different than above): _____
 Lot Size 10 Acres Structure Dimensions (if applicable) Up to 2000 Sqft 50x30 possibly
 What is the conditional/interim use permit for? To build a office building that employees will work from Seasonally
 Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized
Currently working out of my Home need space to allow the farm and lawn care companies to have adequate space to function properly. Currently have employees on site so see no conflicts with nearby land uses, possible increase in traffic flow on County 4

DISCLAIMER AND PROPERTY OWNER SIGNATURE

I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.

Signature of Landowner [Signature] Date 12-12-16
 Signature of Agent Authorized by Agent _____

TOWNSHIP INFORMATION

Township Zoning Permit Attached? If no please have township complete below:

By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the variance request.

Signature [Signature] Title Clerk Date 12-13-16
 Comments: _____

COUNTY SECTION COUNTY FEE \$350 RECEIPT # _____ DATE PAID _____

Applicant requests a variance from Article _____ Section _____ Subdivision _____ of the Goodhue County Zoning Ordinance
 What is the formal wording of the request? _____
 Shoreland _____ Lake/Stream Name _____ Zoning District _____
 Date Received _____ Date of Public Hearing _____ DNR Notice _____ City Notice _____
 Action Taken: ___ Approve ___ Deny Conditions: _____

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

**APPLICANT FINDINGS OF FACT
AND SUPPORTING INFORMATION REGARDING CONDITIONAL/INTERIM USE PERMIT**

1. In the foreseeable future could the use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or will the use substantially diminish and impair property values within the immediate vicinity. Please explain why or why not.

Believe No effect maybe will increase property value

2. Could the conditional/interim use permit impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area? Why or why not.

Don't think so! Currently all Ag land surrounds site for which I farm

3. Will adequate utilities, access roads, drainage and other necessary facilities be provided, or are they currently being provided. Please explain.

All are provided already since there was a temporary living structure there at one time

4. Will adequate measures be, or are they currently being, taken to provide sufficient off-street parking and loading space to serve the proposed use. Please describe.

This site is almost a quarter mile off Road so NO issue with using country for any purposes

5. Will adequate measures be, or are they currently being, taken control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result. Please describe.

office Building will produce light and will be built with trees surrounding it to isolate the lights at night

12-13-16
LH

Exhibit A

PID 470110700

Zoning District: A1

The following information is required for a Site Plan:

1. Location, size and shape of any structures clearly distinguish between existing and proposed;
2. Distances from structures to property lines;
3. Distances between structures, porches and decks;
4. All wells and sanitary sewer systems (including any abandoned) and the distance to nearby structures and the distance to nearby structures and the distance to nearby structures and the distance to nearby structures;
5. The existing and intended use of the property;
6. All landscape, screening, and fencing plans;

Upon review, projects may require other information

Stream Center Line

STATUS

- Intermittent
- Perennial
- Zoning Type
- Tax Parcel
- Section Line
- Robo
- 2014 Resub Parcels
- Municipal Boundaries
- Dwelling Unit
- % Slope
- 20
- 30
- Shoreline

Special Flood Hazard Area

FLD_ZONE

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- AO
- X

Goodhue_Co_2016.sid

- RGB
- Red_Band_1
- Green_Band_2
- Blue_Band_3

Feet

0 30 60 120 180 240

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2016 Aerial Imagery

Map Created 2016 Kate Erynck

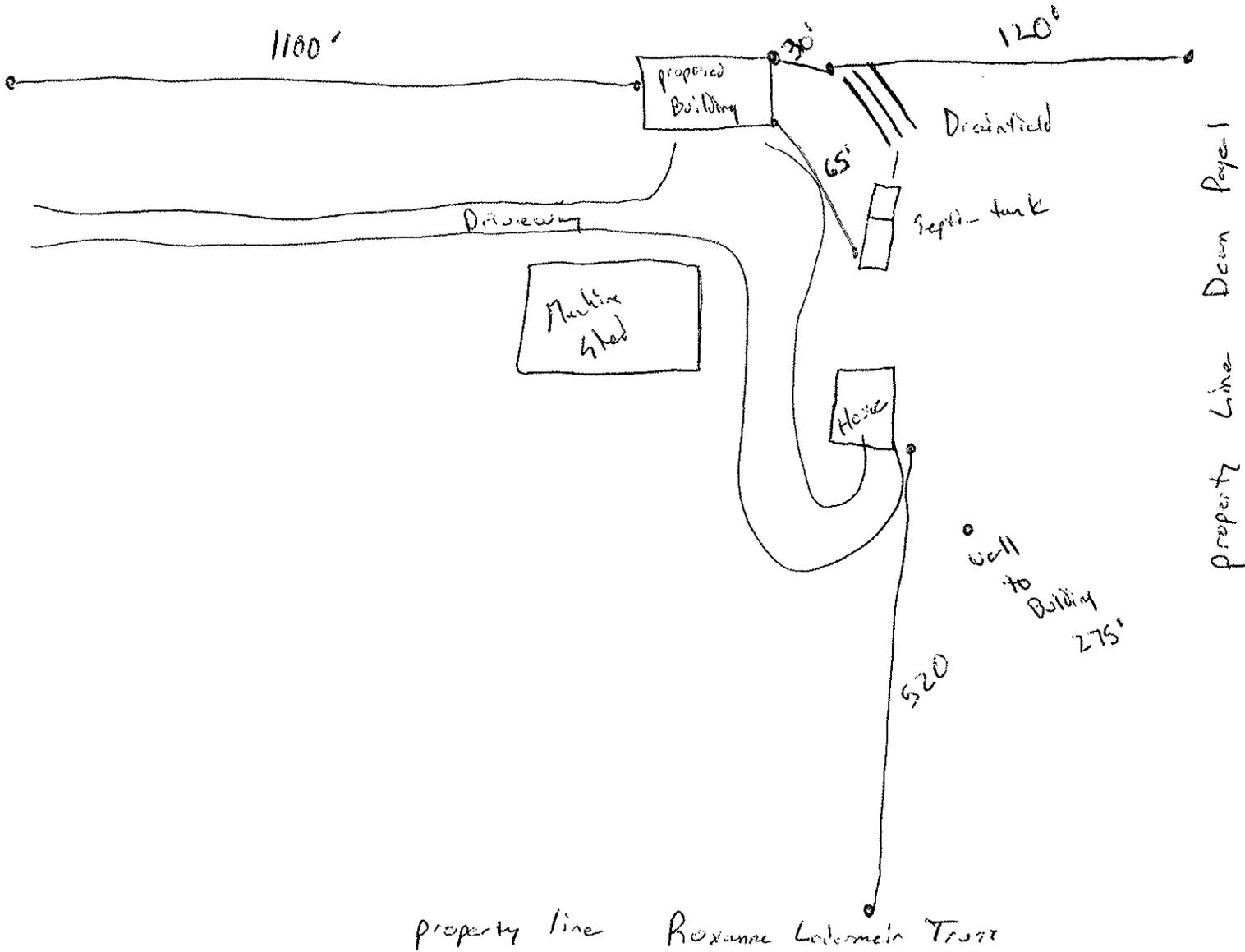
12-13-16



Site Plan

North farm field owned by Mary Ambrose

County 4 BLOD



- Must include the following information (if applicable):
- North arrow
 - Property lines
 - Dimensions of parcel
 - All buildings with dimensions
 - Distance
 - Proposed building(s) with dimensions and distances to property lines
 - Distance from proposed building(s) to well
 - Distance from proposed building(s) to septic system
 - Any natural feature(s) having an influence on the variance

12-13-16
LH

Marty Amundson

I am a farmer first and foremost. I grow Corn and Soybeans and Custom harvest 2400 acres for family and friends. I also Custom dry corn on my farm. I also own two separate entities that provide lawn care to customers throughout the region. I have 1 office staff person that is on full time and 1 that is on only during the spring sales season.

Green Edge Lawn service is my baby that was started from the ground up. Green edge primarily does lawn mowing, yard clean up and snow removal. Green Edge has been in the current business structure since 2008 but was started in 2001 currently there is 4 people on payroll when the grass is growing and 3 on payroll during snow removal. Green Edge has been operating from the current property since it began.

Spring-Green Lawn Care is a franchise that was added to Green Edge in the spring 2016. Spring-green primarily focuses on lawn care with fertilization, weed control, lawn aeration and mosquito reduction. I have 8 licensed commercial pesticide applicators that apply products primarily on personal lawns and some commercial properties in the region. We also go one step further and take soils samples and make corrections to peoples lawns to provide better use of the products we apply that help our environment with less waste.

We have no retail sales and all employees are off site to work at customer locations during the day.

From: martin amundson
Sent: Wednesday, December 21, 2016 9:27 AM
To: Eiyneck, Kate
Subject: Re: Getting started on your project

Will the public visit the site? No retail sales. So no public will be on site. No I don't foresee this in the future. Been doing this on site for 13 seasons and no public has been on site for really anything. This should not change.

Currently there is no storage of product or chemical. I use suppliers that deliver product as needed. What is held on site temporarily is stored in a machine shed east of grain bins. In the past I order as we need product. Everything in the past 13 years has come in bags and lawn chemical has come in 30 gallon drums.

On Dec 21, 2016, at 9:14 AM, Eiyneck, Kate <kate.eiyneck@co.goodhue.mn.us> wrote:

Marty,

Will the public visit your site? If not now, is that a possibility in the future?

Will you have any equipment or landscaping (rock, seed, chemical, etc.) storage on site, if so, where will the storage be located?

Kate Eiyneck
Zoning Assistant Goodhue County Land Use Management Department
509 West 5th Street, Red Wing, MN 55066
651-385-3103 (phone) kate.eiyneck@co.goodhue.mn.us

Goodhue County Land Use Management

Goodhue County Government Center | 509 West Fifth Street | Red Wing, Minnesota 55066

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106



County Surveyor / Recorder

Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.385.3098

To: Planning Advisory Commission
From: Land Use Management
Meeting Date: January 9th, 2017

Summary: Discusses changes to the Zoning Ordinance

Farmers and Landowners in Goodhue County can choose to expand into agricultural tourism opportunities to help sustain the profitability of farm operations and preserve historic structures, farmland, and open space. This type of tourism can bring many economic and social benefits, particularly in rural areas. Tourism should be carefully managed so that potential negative effects on the host community and the environment can successfully coexist with other uses in the area.

Actions for PAC Consideration:

Recommend that the County Board

- **adopt the staff report into the record**
- **adopt the findings of fact;**
- **accept the application, testimony, exhibits, and other evidence presented into the record; and**

APPROVE the ordinance wording changes as presented:

Article 10 Rules and Definitions

Subd 8. NON-AGRICULTURAL USES/ACTIVITIES ASSOCIATED WITH AN AGRI-TOURISM USE.

This means activities that are part of an agri tourism operation's total offerings but not tied to farming or the farm's buildings, equipment, fields, etc. Such non-agriculturally related uses include but are not limited to:

- a. Amusement rides
- b. Art or cultural related festivals
- c. Gift shops for the sale of non-agricultural products
- d. ~~Non-profit~~ benefits events
- e. Kitchen facilities, processing/cooking items for sale (subject to State of Minnesota, Department of Public Health standards) including eating establishments such as restaurants or café's.
- f. Temporary camping (subject to State of Minnesota Department of Public Health Standards for Recreation Camping)
- g. Wedding ceremonies or receptions
- h. Wine and catered food events
- i. reunions
- j. concerts
- k. social gatherings or similar types of events.

Goodhue County Land Use Management

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Telephone: 651.385.3223
Fax: 651.385.3098

To: Planning Advisory Commission
From: Land Use Management Staff
Meeting Date: January 9, 2017
Report Date: December 29, 2016

PUBLIC HEARING to consider Zoning Ordinance Text Amendments involving: Article 11 PERFORMANCE STANDARDS, Section 17. Sign Regulations; ARTICLE 12 BLUFF LAND PROTECTIONS; and, ARTICLE 30 CR, COMMERCIAL RECREATIONAL DISTRICT

Background: Attached with this staff report are copies of proposed amendments to the Goodhue County Zoning Ordinance: Article 11 PERFORMANCE STANDARDS, Section 17. Sign Regulations; ARTICLE 12 BLUFF LAND PROTECTION; and, ARTICLE 30 CR, COMMERCIAL RECREATIONAL DISTRICT.

The proposed amendments to ARTICLE 12 (BLUFF LAND PROTECTION) and Article 30 CR (COMMERCIAL RECREATION) District are being presented with proposed changes being illustrated with text to be deleted denoted in blue using strikethrough and text to be added denoted in red and underlined. The changes to Article 11 (PERFORMANCE STANDARDS), Section 17 (Sign Regulations) are more substantial and the proposed text is intended to entirely replace the current Section 17.

Proposed changes to ARTICLE 12 (BLUFF LAND PROTECTION) Regulations include minor “housekeeping” wording revisions to delete the use of the term “physically handicapped” and to reference a survey requirement as needed to be provided by a “Minnesota Licensed Surveyor” rather than a “registered surveyor”. The proposed changes to the Bluff Land Protection Regulations also provide for height exceptions to the thirty-five (35) foot height limit for certain structures allowed within the CR (COMMERCIAL RECREATION) District. Bluff Lands located with Shoreland Areas are subject to a twenty-five (25) foot height limit for structures with exceptions being subject to approval of a variance that must be referred to the Minnesota Department of Natural Resources for review and comment. The proposed change regarding heights exceptions references various uses referenced in Subdivisions 6, 12, and 13 of the proposed amendments to Article 30 CR (COMMERCIAL RECREATION) District Regulations. This includes such structures as ski jumps, ski lifts, zip lines, rope or disc golf courses and outdoor concert facilities. Height limits for these types of facilities would be established through a Conditional Use Permit or Interim Use Permit process.

Proposed changes to ARTICLE 30 CR (COMMERCIAL RECREATIONAL DISTRICT) regulations are being recommended to provide for a broader range of uses and activities that would be compatible with the purpose of the District. The amendments being recommended for Article 30 would provide the potential for additional commercial recreation uses and would also more clearly reference structures/facilities/activities that may already exist within the County.

The proposed version of Article 11 PERFORMANCE STANDARDS, Section 17. Sign Regulations being recommended to replace the current Section 17, includes significant changes to the County's approach in regulating signs while also retaining some of the current provisions.

Significant changes include the following:

- Content Neutral Approach: The proposed sign regulations would not distinguish between on premise and off-premise signs. For example: Signs subject to obtaining a permit within the County's Business Districts, Industrial District or Commercial Recreation District may be used for advertising either for on premise or off-premise messages.
- Types of Signs: Standards for monument, pylon and wall mounted signs are proposed for signs subject to obtaining a permit within the County's Business Districts, Industrial District or Commercial Recreation District. Current standards do not distinguish between these types of signs.

The proposed changes to Article 11, Section 17, and provisions of State Statutes (prohibiting Amortization) may warrant removal of Article 11, Section 18 (Off-Premise Advertising Signs - Billboards), Section 19 (Amortization). In addition, the language included in Article 11, Section 20 (Inspection) may need to be revised to reflect current practices regarding administration of sign regulations and permits. Also, the proposed changes to Article 11, Section 17, may require changes to the Sign Definitions included in Article 10.

Because changes to Article 11, Section 17, may lead to a need for the additional zoning ordinance text amendment referenced above, a sensible approach may be to begin discussion of revisions of the County's Sign Regulations, hear any public comments, and for the Planning Advisory Commission to provide direction that will clarify the need for further Zoning Ordinance Text Amendments. The PAC may wish to table the proposed Amendment of Article 11 (Performance Standards), Section 17 (Sign Regulations) so that any further amendments related to Sign Regulation may be prepared for PAC consideration.

Findings of Fact:

Proposed Amendments to Article 12 (Bluff Land Protection) represent both housekeeping and substantive change to the County's Bluff Land Protection Regulations. Exceptions to certain structures that may be permitted within the County's CR (Commercial Recreation Zone) will be thoughtfully regulated through a Conditional Use Permit or Interim Use Permit procedure. The commercial recreation related structures that may be subject to height exceptions such as ski jumps, ski lifts, zip lines, rope or disc golf courses, and outdoor concert facilities are expected to be allowed on a limited basis with careful review of site related issues.

Proposed amendments to Article 30 CR (Commercial Recreation) District Regulations to permit various additional structures/uses/facilities such as ski jumps, ski lifts, zip lines, rope or disc golf courses, and outdoor concert facilities are consistent with the "purpose" of the CR District.

Actions for PAC Consideration:

Amendment of Article 12 (Bluff Land Protection) Regulations (see enclosed)

Recommend that the County Board

- **adopt the staff report into the record**
- **adopt the findings of fact;**
- **accept the application, testimony, exhibits, and other evidence presented into the record; and**

APPROVE the ordinance wording changes as presented:

Article 12, Section 3, Subd. 1, Subd. 2, Subd. 3, Subd. 6 and Subd. 8.

Recommend Approval to County Board

Amendment of Article 30 CR (Commercial Recreation) District Regulations (see enclosed)

Recommend that the County Board

- **adopt the staff report into the record**
- **adopt the findings of fact;**
- **accept the application, testimony, exhibits, and other evidence presented into the record; and**

APPROVE the ordinance wording changes as presented:

Article 30, Section 3, Subd. 6, Subd. 2, Subd. 12, and Subd. 13.

Table consideration of Amendments to Article 11 (Performance Standards), Section 17 (Sign Regulations) until the February PAC Meeting.

PROPOSED ZONING ORDINANCE, ARTICLE 11 (PERFORMANCE STANDARDS), SECTION 17 (SIGN REGULATIONS) – JANUARY 3, 2017. THIS AMENDED VERSION OF SECTION 17 IS INTENDED TO COMPLETELY REPLACE THE CURRENT SECTION 17.

SECTION 17. SIGN REGULATIONS

- Subd. 1. All signs hereinafter erected, altered, substantially repaired, relocated or maintained shall conform to the provisions of this Ordinance. No sign shall be allowed in any zoning district unless it is a permitted use, conditionally permitted use or accessory use established in accordance with the provisions of this Ordinance.
- Subd. 2. Signs Generally.
- A. All sign locations shall be kept free from unreasonable growth, debris or rubbish. Failure to correct such conditions after being so directed in writing by the Zoning Administrator shall be cause for revocation of the existing permit and removal of sign or signs on said location or locations.
 - B. All signs shall be properly identified stating the name and address of the individual or firm responsible for the sign.
 - C. Private signs other than underground utility warning signs are prohibited within public right-of-way and easements provided, however, such underground utility is located within such right-of-way easement.
 - D. Illuminated signs may be permitted; except that devices giving off an intermittent or rotating beam of rays of light shall be prohibited.
 - E. No sign shall, by reason of position, shape or color interfere in any way with the proper functioning or purpose of a traffic sign or signal.
 - F. Signs shall not be painted on fences, rocks, or similar structures or features nor shall paper or similar signs be attached directly to a building wall by an adhesive or similar means.
 - G. No lighting for signs shall directly reflect light beams onto any public road or highway.
 - H. All signs shall be setback from the right-of-way of public roads not less than ten (10) feet from the closest part of the sign. All signs shall be setback ten (10) feet from adjacent property lines.
 - I. No sign in excess of three (3) square feet shall be less than three hundred (300) feet from the intersection of two (2) or more public roads or less than three hundred (300) feet from the intersection of a public road and a railroad, provided that advertising may be affixed to

or located adjacent to a building at such intersection in such a manner as not to cause any greater obstruction of vision than that caused by the building itself.

- Subd. 3. No Sign Permit required. The following signs are allowed without a sign permit but shall comply with all other applicable provisions of this Section. Signs allowed under this subdivision may require a building permit if applicable.
- A. Government Signs. Signs of a public, non-commercial nature to include safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques and the like, when such signs are erected by or on order of a public officer or employee in the performance of their official duties.
 - B. Directory Signs. Wall sign which identifies the business, owners, manager, or resident occupant and sets forth the occupation or other address information but contains no advertising. There may be one (1) directory sign per zoning lot not to exceed two (2) square feet per business or resident occupant. Home occupations may display a directory sign.
 - C. Directional and Parking Signs (On-Site). On-site directional and parking signs intended to facilitate the movement of vehicles and pedestrians upon which the sign is located. Such signs shall not exceed six (6) square feet in total area.
 - D. Integral Signs. Names of buildings, date of construction, commemorative tablets and the like, which are part of the building or structure.
 - E. Real Estate Signs. For the purpose of selling, renting, or leasing a single parcel, a sign not in excess of twenty-five (25) square feet per surface may be placed in the front yard.
 - F. Construction Signs. The purpose of selling or promoting a residential project, commercial area or an industrial area, one sign not to exceed one hundred (100) square feet of surface may be erected upon the project site.
 - G. Election Signs. Election signs are permitted in all districts provided such signs are removed within ten (10) days following the election. No election signs shall be permitted more than two (2) months preceding the election the sign relates to.
 - H. Agricultural Product Signs. Signs indicating that the proprietor of a farm is a dealer in seed, fertilizer or other agricultural products only when such dealership is incidental to the primary agricultural business of the farm.
 - I. Crop Demonstration Signs. Any farm crop demonstration sign for informational use.

- J. **Holiday Signs.** Signs or displays which contain or depict messages pertaining to a national or state holiday and no other material. Such signs may be displayed for a period not exceeding thirty (30) days.
- K. **Institutional Signs.** One wall mounted sign up to thirty-two (32) square feet and one (1) freestanding sign not exceeding twelve (12) feet in height and single or combined surface area shall not exceed thirty (30) square feet.

Subd. 4. **Sign Permit required.** Except for signs listed in Subd. 3, no signs shall be erected, altered, reconstructed, maintained or moved in the County without first securing a sign permit or a building permit (if the sign is subject to issuance of a building permit) from the County. The content of the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit. The applicant shall include sign dimensions, height, colors, construction materials, method of anchoring and location. A sketch or photograph of the proposed sign and a site plan that adequately illustrates the location of the sign is required. In addition, the application shall include the location and size of all other signs at the subject property/development. .

A. **Signs Allowed in the FP, Floodplain; A-1, A-2, A-3 Districts; and the R-1, Residential District.**

1. **Permitted Signs.** Permitted signs as regulated by Subdivision 3 of this Section.

2. **Home occupation signs** as regulated by Section 13 of this Article.

3. **Residential Signs.**

- a) One (1) nameplate sign for each dwelling not to exceed six (6) square feet in area per surface, and no sign shall be so constructed as to have more than two (2) surfaces.
- b) One (1) nameplate sign for each permitted non-residential use or use by conditional use permit or by interim use permit. Such sign shall not exceed thirty-two (32) square feet in area per surface and no sign shall be so constructed as to have more than two (2) surfaces.
- c) Symbols, statues, sculptures, and integrated architectural features on buildings may be illuminated by floodlights provided the source of the light is not visible from the public right-of-way or adjacent property.

B. **Signs Allowed in the B-1 (General Business); B-2 (Highway Business); I (Industry), and CR (Commercial Recreation) Districts.**

1. **Permitted Signs.** Permitted signs as regulated by Subdivision 3 of this Section.

2. **Signs monument or pylon and wall mounted :**

- (a) **One Monument or pylon freestanding sign** for each parcel not to

exceed fifty (50) square feet. Signs for properties with multiple tenant may not exceed (100) square feet. Freestanding signs may not exceed thirty-five (35) feet in height.

(b) Wall mounted signs may not exceed fifty (50) square feet or 5% of wall surface.

(c) No sign may be erected within one hundred (100) feet of an adjoining residential property.

B. Signs Allowed in the MXH, Mixed Use Hamlet District

1. **Permitted Signs.** Permitted signs as regulated by Subdivision 3 of this Section.
2. One Monument or pylon freestanding sign for each parcel not to exceed thirty-two (32) square feet. Freestanding signs may not exceed (25) feet in height.
3. Wall signs not to exceed two (2) square feet per lineal foot of wall surface not exceed fifty (50) square feet or 5% of wall surface.

ARTICLE 12 BLUFF LAND PROTECTION

SECTION 1. INTENT AND PURPOSE

Goodhue County recognizes the historic and economic values of the bluffs that line the many rivers and valleys of the County. These standards set out to protect and preserve the sensitive physical features of the bluffs by regulating development, preventing erosion and controlling the cutting of timber on the slopes and tops of the bluffs.

SECTION 2. SCOPE

These standards shall regulate the setback of structures, sanitary waste treatment facilities and row crops from bluff impact zones to protect the existing and/or natural scenic values, significant historic sites, vegetation, soils, water and bedrock from disruption by man-made structures or facilities. These standards will also regulate alterations of the natural vegetation and topography.

- Subd. 1. **BLUFF.** A natural topographic feature such as a hill, cliff, or embankment having the following characteristics:
- A. The slope rises at least twenty-five (25) feet above the toe of the bluff; and
 - B. The grade of the slope from the toe of the bluff to a point twenty-five (25) feet or more above the toe of the bluff averages thirty (30) percent or greater;
 - C. An area with an average slope of less than twenty (20) percent over a horizontal distance of fifty (50) feet shall not be considered part of the bluff.
- Subd. 2. **BLUFF IMPACT ZONE.** All of the land lying between the top of the bluff and the toe of the bluff.
- Subd. 3. **SIGNIFICANT HISTORIC SITE.** Any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the provisions of Minnesota Statutes, Section 307.08. A historic site meets these criteria if it is presented listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota State Archaeologist or the Director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.
- Subd. 4. **TOE OF THE BLUFF.** The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from gentler to steeper slope above. If no break in the slope is apparent, the toe of the bluff shall be determined to be the lowest end of the lowest fifty (50) foot segment that exceeds twenty (20) percent slope.
- Subd. 5. **TOP OF THE BLUFF.** The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from steeper to gentler slope above. If no break in the

slope is apparent, the top of the bluff shall be determined to be the highest end of the highest fifty (50) foot segment that exceeds twenty (20) percent slope.

- Subd. 6. **VISUALLY INCONSPICUOUS.** Difficult to be seen and not readily noticeable from any point on the river or valley during the time when the leaves are on the deciduous trees.

SECTION 3. BOUNDARIES

- Subd. 1. The bluff land protection area shall include all areas with the following soil types as determined by the Goodhue County Soil Survey:

- A. N634E - Massbach-Schapville complex, 18-35% slopes
- B. N598E - Winneshiek-Waucoma complex, 18-35% slopes
- C. N594E - Chelsea loamy sand, 12-35% slopes
- D. N553E - Frankville-Nasset-Mt. Carroll complex, 18-35% slopes
- E. N635E - Frankville-Nasset-Downs complex, 18-35% slopes
- F. N642E - Frankville-Nasset complex, Oneota formation, 18-35% slopes
- G. N609E - Hawick sandy loam, 18-45% slopes
- H. M516E - Wangs-Wagen Prairie complex, 18-35% slopes
- I. M537E - Meridian-Bassett complex, 18-35% slopes
- J. N526F - Gale-Oak Center complex, 18-45% slopes
- K. M540F - Frontenac-Bellechester complex, 18-45% slopes
- L. N639F - Frontenac-Lacrescent complex, 20-45% slopes
- M. N631E - Schapville silt loam, 18-35% slopes
- N. N580G - Brodale, very flaggy-Bellechester-Rock outcrop complex, 45-90% slopes
- O. N632G - Brodale, flaggy-Schapville complex, 18-80% slopes
- P. N638G - Brodale, flaggy-Bellechester complex, 30-70% slopes
- Q. N640G - Lacrescent, flaggy-Frontenac-Rock outcrop complex, 45-90% slopes
- R. N641F - Brodale channery loam, 20-45% slopes, flaggy
- S. N639G - Frontenac-Lacrescent complex, 30-70% slopes
- T. M539F - Bellechester loamy sand, 18-45% slopes

SECTION 4. GENERAL REGULATIONS

- Subd. 1. Developments and other land disturbing activities including: structures, accessory facilities, ~~(except stairways and landings)~~, driveways, and parking areas shall not be placed within bluff impact zones except the following:

A. Stairways and landing subject to provisions set forth in Subd. 6, of this Section.

B. Facilities such as ramps, lifts, or mobility paths for ~~physically handicapped persons~~ subject to provisions set forth in Subd. 6, of this Section.

C. Uses identified in Article 30 ~~(CR - Commercial Recreation District Regulations)~~; Section 3 ~~(Conditional and Interim Uses)~~; Subd. 6, Subd. 12, and ~~Subd. 13., and Subd. 14.~~

Article 12 Bluff Land Protection

- Subd. 2. Setback from top or toe of the bluff to any structure in any district shall be no less than thirty (30) feet. Exceptions may include structures allowed under Article 30, Section 3, Subdivisions 6, 12, and 13..
- Subd. 3. The maximum height of any structure shall be twenty-five (25) feet from the highest natural grade touching foundation. Exceptions may include structures allowed under the following provisions: Article 30 (~~CR – Commerical Recreation District Regulations~~); Section 3 (~~Conditional and Interim Uses~~; Subd. 6, Subd. 12, and Subd. 13., and Subd. 14. ~~Permitted Hheight for structures that may be permitted within bluff impact zones under these provisons~~provisions shall be set forth within Conditional or Interim Use Permits.
- Subd. 4. No person may begin a mining or quarrying activity or expand a mining or quarrying activity within three hundred (300) feet of the toe or top of a bluff without a conditional use permit.
- Subd. 5. Towers as defined in Article 17 (Wireless Communication Facilities) must be located outside of bluff impact zones and shall be subject to a minimum setback of 1.1 times the height of the tower from the top of a bluff and a minimum of 30 feet from the toe of a bluff.
- Subd. 6. All stairways and lifts on bluffs and in shoreland areas shall be visually inconspicuous. Stairways and lifts shall meet the following design requirements:
- A. Stairways and lifts must not exceed four (4) feet in width on residential lots.
 - B. Landings for stairways and lifts on residential lots must not exceed thirty-two (32) square feet in area. Landings larger than thirty-two (32) square feet may be used for public open space recreational properties.
 - C. Canopies or roofs are not allowed on stairways, lifts, or landings.
 - D. Stairways, lifts, and landings may be either constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion.
 - E. Stairways, lifts, and landings must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water assuming Summer, leaf on conditions, whenever practical.
 - F. Facilities such as ramps, lifts, or mobility paths ~~for physically handicapped persons~~ are also allowed for achieving access to shore areas, provided that the dimensional and performance standards of sub-items A-E are complied with in addition to the requirements of Minnesota Regulations, Chapter 1340.
- Subd. 7. No grading, excavating or filling (including Mineral Extraction) within the bluff impact zones, except for approved erosion control measures. Erosion control projects within the bluff impact zone shall comply with A. and B. below:

Article 12 Bluff Land Protection

- A. Altered areas shall be stabilized to acceptable erosion control standards consistent with the field office technical guides of the Goodhue Soil and Water Conservation District and the USDA, Natural Resources Conservation Service.
- B. Plans to place fill or excavated materials in bluff impact zones shall be prepared by qualified professional for continued slope stability, and approved by Land Use Management. All costs to be borne by the applicant.

Subd. 8. The top or toe of bluffs shall be certified by a Minnesota Licensed registered Land Surveyor or Zoning Administrator.

Subd. 9. Vegetation Alterations. Vegetation alterations shall be subject to the standards found in Article 11, Section 7 of the Goodhue County Zoning Ordinance.

ARTICLE 30 CR, COMMERCIAL RECREATIONAL DISTRICT

SECTION 1. PURPOSE

The intent of the CR Commercial Recreational District is to provide suitable locations for, and to encourage the development of, commercial recreation facilities in those areas of the county which benefit the recreational needs of both residents and tourists and restrict incompatible commercial and industrial uses. The Commercial Recreational District shall not be an overlay district, but shall be an exclusive district when used. It shall be the only district where new commercial uses are allowed in the shoreland areas. Such uses shall be limited to those listed below. Performance standards shall be those listed in Article 11 and as otherwise applicable in this Ordinance.

SECTION 2. PERMITTED USES

Subd. 1. None.

SECTION 3. CONDITIONAL USES AND INTERIM USES

- Subd. 1. Resort facilities to include lodges, guesthouses, cabins and retreat facilities.
- Subd. 2. On-site taverns where the main function is servicing a resort or recreational development.
- Subd. 3. On-site restaurants where the main function is servicing a resort or recreational development.
- Subd. 4. Golf courses and clubhouses.
- Subd. 5. Dinner theaters.
- Subd. 6. Ski areas, ski jumps, related lifts, and lodges, and maintenance facilities.
- Subd. 7. Yacht slips, service and storage and storage marinas, harbor and docking facilities subject also to all approved regulations and ordinances of governmental agencies for the same.
- Subd. 8. Recreational trailer parks and commercial camping facilities for short duration uses.
- Subd. 9. Nature trails, snowmobile trails, ski trails, and similar facilities.
- Subd. 10. Museums and commercialized historical attractions.
- Subd. 11. Accessory structures, size and location to be determined by the Planning Advisory Commission and the Board of Commissioners.
- Subd. 12. Nordic Ski Jumps and related ski lift(s), chalets, and maintenance facilities.
- Subd. 132. Outdoor Recreational uses including, but not limited to: Zip Lines, rope or dDisc gGolf cCourses, Tubing Runs and Mountain Bike Trails.
- Subd. 143. Outdoor Concert Facilities.

SECTION 4. GENERAL DISTRICT REGULATIONS

Subd. 1. Height Regulations.

A. No building or structure shall exceed thirty-five (35) feet in height, with the exception of Ski jump facilities-

Subd. 2. Each lot or parcel shall have an area of not less than two (2) acres.

Subd. 3. Every permitted, conditionally permitted building, or accessory building shall meet the following setbacks:

A. Front yard

1. A front yard of not less than forty five (45) feet shall be provided as measured from the street.
2. In the event any building is located on a lot at the intersection of two (2) or more roads or highways, such a lot shall have a front yard abutting each such road or highway.

B. Side Yard

1. Every building shall have two (2) side yards. Each side yard shall have a minimum depth of thirty (30) feet.

C. Rear Yard

1. Every building shall have a rear yard. The rear yard for parcels that do not abut a "Minnesota Protected Water" shall be a minimum of fifty (50) feet.

Subd. 4. Lot Width. Each lot shall have a minimum width of one hundred (100) feet.