



# GOODHUE COUNTY MINNESOTA

TO EFFECTIVELY PROMOTE THE SAFETY, HEALTH, AND WELL-BEING OF OUR RESIDENTS

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](#)

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**

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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**

<sup>1</sup>Motion 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**

<sup>2</sup>Motion 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.*

**<sup>3</sup>After 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**

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**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.*

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*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
<b>BEEF</b>			
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
<b>SWINE</b>			
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*

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*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,**

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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*

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*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 6<sup>th</sup>, 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***

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*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 95<sup>th</sup> 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.*

**<sup>9</sup>After 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.*

**<sup>10</sup>Motion 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.

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- 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 3<sup>rd</sup> Monday January 16 is Martin Luther King Day**

**Moved to January 9<sup>th</sup> (2<sup>nd</sup> Monday in January)**

**February 2017 Meeting Date**

**Normally the 3<sup>rd</sup> Monday February 20 is Presidents Day**

**Moved to February 13 (2<sup>nd</sup> Monday in February)**

**November 2017**

**Year End joint meeting with the BOA**

**Normally the 3<sup>rd</sup> Monday November 20 (week of thanksgiving)**

**December 2017**

**Normally the 3<sup>rd</sup> 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

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MOTIONS

<sup>1</sup> APPROVE the PAC meeting agenda. Motion carried 8:0.

<sup>2</sup> APPROVE the last month's PAC minutes. Motion carried 8:0.

<sup>3</sup> Motion to close the Public Hearing. Motion carried 9:0

<sup>4</sup> 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

<sup>5</sup> Motion to close the Public Hearing. Motion carried 9:0

<sup>6</sup> 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,

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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

<sup>7</sup> Motion to close the Public Hearing. Motion carried 9:0

<sup>8</sup> 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 6<sup>th</sup>, 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

<sup>9</sup> Motion to close the Public Hearing. Motion carried 9:0

<sup>10</sup> 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

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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

<sup>11</sup> 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*

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 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 410<sup>th</sup> Street (north of the site) and 420<sup>th</sup> 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:

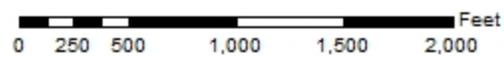
1. Conformance with plans and supporting information included with the Conditional Use Permit application submitted to Goodhue County Land Use Management Office,
  2. Compliance with any applicable local, state and federal permits and/or licensing,
  3. The applicant or their contractor shall submit 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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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

Interment  
 Processed  
 Zoning Term  
 Tax Parcel  
 Section Line  
 Road  
 2014 Resub Parcel  
 Municipal Boundaries  
 Dwelling Foot  
 % 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



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2016 Aerial Imagery  
 Map Created 2016 Kate Erynck

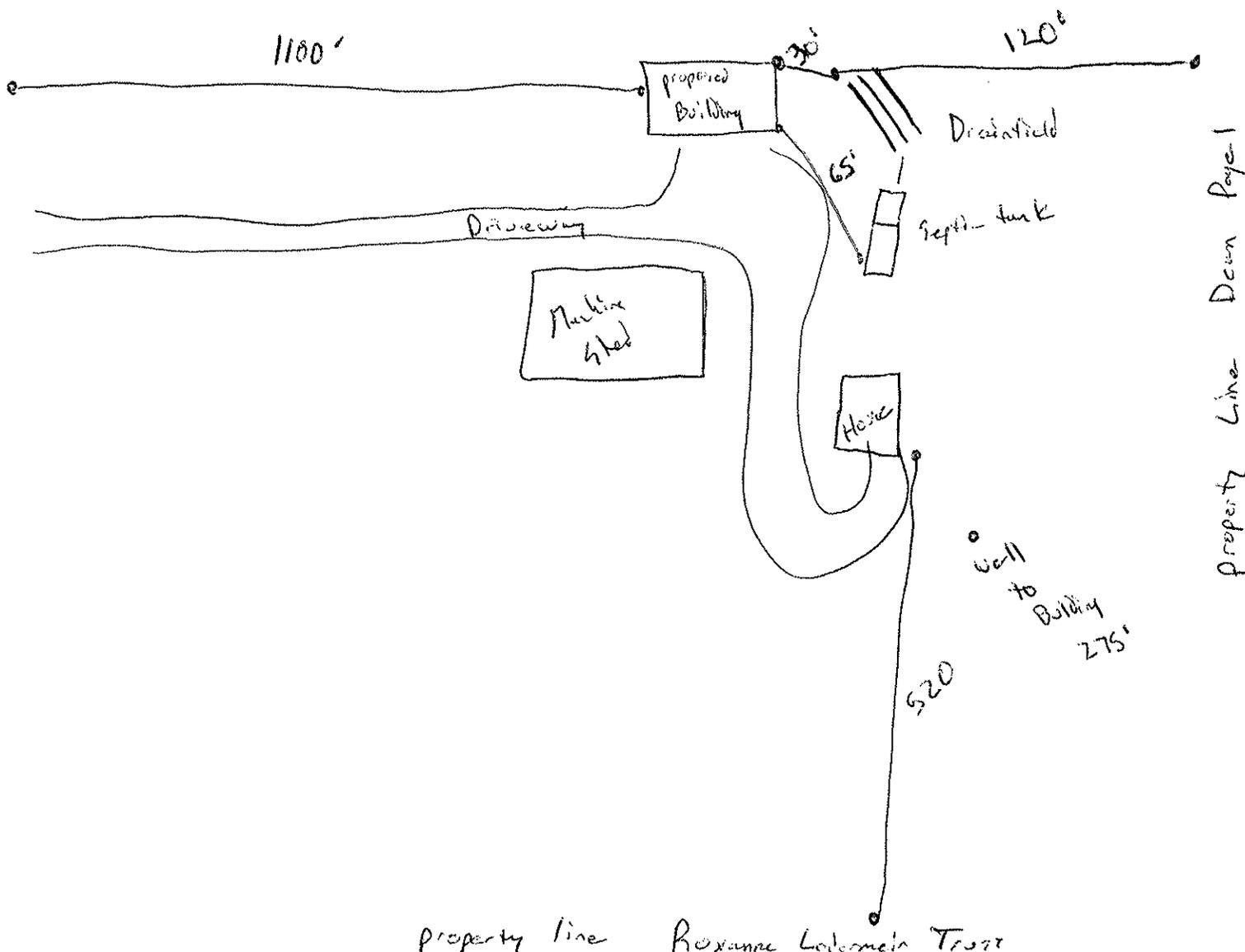
12-13-19  
 RE



# Site Plan

North farm field owned by Mary Ambrose

County 4 Block



- 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](mailto: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](mailto: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 9<sup>th</sup>, 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:

- Amusement rides
- Art or cultural related festivals
- Gift shops for the sale of non-agricultural products
- Non-profit benefits **events**
- 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.
- Temporary camping (subject to State of Minnesota Department of Public Health Standards for Recreation Camping)
- Wedding ceremonies or receptions
- Wine and catered food events
- reunions**
- concerts**
- social gatherings or similar types of events.**