

Goodhue County Land Use Management

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To: County Board
From: Land Use Management
Meeting Date: August 11, 2022
Report date: July 28, 2022

PUBLIC HEARING: Consider Goodhue County Ordinance Updates

Proposed amendments to Articles 27 (B-2, Highway Business District), 28 (I, Industrial District), and 20 (Table of Uses) to create a Table of Uses for Business and Industrial District uses and remove Article 25 the B-1 (General Business District) to consolidate commercial uses into a single B (Business District). Proposal to amend Article 11 (Performance Standards) to include Self-Service Storage Facilities.

Attachments:

Proposed Amendments
July 18, 2022 Planning Commission Meeting Minutes
[Goodhue County Zoning Ordinance](#)

Summary:

Article 25, Article 27 and Article 28:

LUM staff are proposing amendments to Article 27 and 28 to clean up redundant language, remove the list of permitted and conditional uses to include in a new Table of Uses for Business and Industrial Districts, and clarify ordinance language.

Staff has also proposed to remove Article 25 (B-1, General Business District) from the Zoning Ordinance and consolidate commercial uses into a single B, Business District in Article 27. Only two parcels in Goodhue County are zoned B-1 and are proposed to be rezoned upon adoption of the proposed ordinance amendments.

Article 11:

Add Self Service Storage Facility performance standards to Article 11. Self Service Storage Facilities are proposed to be added to the new Business and Industrial Table of Uses as a Conditional/Interim Use in both districts. Self Service Storage facilities would not be permitted in Agricultural, Residential, MXH, Park, Conservation Subdivision, or Commercial Recreational Districts.

Article 10:

Add a definition for Self Service Storage Facilities.

PAC Recommendation:

The Planning Advisory Commission recommends the County Board

- Adopt the staff report into the record;
- Accept the testimony, exhibits, and other evidence presented into the record; and

APPROVE the amendments to the amendments to Articles 27 (B-2, Highway Business District), 28 (I, Industrial District), 20 (Table of Uses), 11 (Performance Standards) and 10 (Definitions) and remove all of Article 25 (B-1, General Business District).

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DRAFT**

Motion carried 9:0

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Pierret presented the staff report and attachments. She noted that the Table of Uses was created by consolidating the two Business Districts' uses and only one use changed from permitted to conditional and that was motor fuel stations. All of the uses remained the same they are just now in a table.

Chair Stark Opened the Public Hearing

No one spoke for or against the request.

¹²After Chair Stark called three times for comments it was moved by Commissioner Buck and seconded by Commissioner Miller to close the Public Hearing.

Motion carried 9:0

Commissioner Stenerson said these aren't drastic Ordinance changes. We are just getting rid of one Business zone and consolidating them into a single General Business District, we are not taking away anyone's ability to operate a business in the County. The one thing that is changing is adding storage. There's been a lot of discussion about that topic over the years and now if someone wants to rezone to B or I district, it's a possible use. Mostly we are simplifying language. A property is either zoned for business or they are not. They don't have to worry about what type of business uses and all of that.

Chair Stark stated she also supports this.

Hanni noted an error on the second page of the Table of Uses the title should be Business and Industrial Districts, not Building and Industrial Districts.

Pierret noted that would be corrected for the County Board report.

¹³It was moved by Commissioner Miller and seconded by Commissioner Fox for the Planning Advisory Commission to:

- adopt the staff report into the record; and

**PLANNING ADVISORY COMMISSION
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DRAFT**

recommend the County Board of Commissioners **APPROVE** the amendments to Articles 27 (B-2, Highway Business District), 28 (I, Industrial District), 20 (Table of Uses), 11 (Performance Standards) and 10 (Definitions) and remove all of Article 25 (B-1, General Business District).

Chair Stark asked if that motion includes the change of the title from building to business.

Commissioner Miller stated yes.

Motion carried 9:0

Chair Stark asked staff whether the PAC should still discuss the rezonings at this meeting because the Ordinance has not been officially changed.

Hanni stated when they go to the board meeting, staff will present the Ordinance Amendments first and follow up with the rezonings. It is helpful for the PAC to make a decision tonight so the items can be at the next board meetings.

Pierret stated that only the request to go from B-1 to B-2 is questionable as to whether it is necessary or whether it automatically changes from B-1 to General Business (B) upon Ordinance adoption. The other request is going to a residential district so she would recommend that they take action on that one tonight.

Discussion continued on the order of items for the County Board and whether staff will request the Board rezone the property from B-1 to B General Business.

¹⁴It was moved by Commissioner Huneke and seconded by Commissioner Miller to take the request for the Map Amendment off the table.

Motion carried 9:0

CONSIDER: Request for Map Amendment (Rezone)

Administrative request to rezone 1.78 acres from B-1 (General Business District) to B-2 (Highway Business District). Parcel 43.134.0020. 27837 271st Street Red Wing, MN 55066. Part of the NE ¼ of the NE ¼ of Section 34 TWP 113 Range 14 in Wacouta Township.

¹⁵It was moved by Commissioner Stenerson and seconded by Chair Stark to:

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

Recommend that the County Board of Commissioners **APPROVE** the administrative request to rezone parcel 43.134.0020 from B-1 (General Business District) to B (Business District).

Motion carried 9:0

ARTICLE 27 ~~B-2~~, ~~HIGHWAY~~ BUSINESS DISTRICT

SECTION 1. PURPOSE

The ~~B-2~~, ~~Highway~~ Business District is intended for ~~major~~ retail, service, and repair establishments ~~servicing a large trade area, usually the entire County or beyond, and oriented to the traveling public.~~ The trade area population served by these establishments requires easy access, ~~although patronage is more dispersed and visits to these establishments less frequent than in the B-1 District.~~ It is the intent of the ~~B-2~~ District regulations that establishments desiring location along major traffic routes be grouped with appropriate and adequate access ways provided.

SECTION 2. PERMITTED USES

~~All permitted uses are subject to zoning and building permits.~~ All permitted uses are subject to zoning and building permits. Permitted uses allowed in the B Zoning District shall be as shown in Article 20, Section 8, "Table of Uses".

~~Subd. 1. — Motor vehicle and implement sales and service.~~

- ~~A. — Any automobile sales or services, car wash, trailer sales or service, auto repair garage, or automobile rental.~~
- ~~B. — Any motor fuel station.~~
- ~~C. — Any agricultural equipment sales or service.~~
- ~~D. — Any truck sales or service, truck wash or truck repair garage.~~

~~Subd. 2. — Entertainment and Recreation Establishments.~~

- ~~A. — Any theater, dance hall, bowling alley, pool or billiard hall, public swimming pool, roller or ice rink.~~

~~Subd. 3. — Drive In Establishments.~~

- ~~A. — Any drive in establishment including banks and restaurants.~~

~~Subd. 4. — Retail or Wholesale Establishments.~~

- ~~A. — Any building supply sales.~~
- ~~B. — Any boat sales or repair.~~
- ~~C. — Any eating or drinking establishment.~~
- ~~D. — Any landscape nursery or commercial greenhouse.~~
- ~~E. — Any motel.~~
- ~~F. — Any shopping center.~~
- ~~G. — Any assembly of previously prepared materials which have been manufactured elsewhere.~~

~~Subd. 5. — Any residence when included as an integral part of the principal building to be occupied by the owner or his employee.~~

~~Subd. 6. — Wind Energy Conversion Systems.~~

SECTION 3. CONDITIONAL USES AND INTERIM USES

~~All conditional and interim uses are subject to zoning and building permits. All conditional uses and interim uses are subject to zoning and building permits. Conditional and interim uses allowed in the B Zoning District shall be as shown in Article 20, Section 8, "Table of Uses".~~

~~Subd. 1. — Any commercial radio and television towers, transmitters, or receivers.~~

~~Subd. 2. — Bed & Breakfast Inn.~~

~~Subd. 3. — Any Church.~~

~~Subd. 4. — Wind Energy Conversion Systems.~~

SECTION 4. COMMERCIAL DEVELOPMENT STANDARDS

Uses established in the B-2, ~~Highway~~ Business District shall be operated subject to the following conditions:

- Subd. 1. ~~Any business, except motor fuel stations and open automobile or trailer sales, display areas or rental areas shall be conducted entirely within a building. All business operations shall be conducted entirely within a building except for motor fuel stations, automobile or trailer sales and display areas, rental areas, and storage areas.~~
- Subd. 2. Any public entrance to such store, shop, or business shall be from the principal street upon which the property abuts, or within ~~fifty (50)~~ feet thereof, except that a rear entrance from the building to a public parking area may be provided.
- Subd. 3. Any ~~open-open~~ air display area, open automobile or truck sales lot, trailer sales lot, or farm implement display area shall provide a graveled or aggregate surfaced area, which shall be properly maintained.

SECTION 5. ACCESSORY USE

In the B-2, ~~Highway~~ Business District, any ~~following~~ accessory uses, buildings, or structures customarily incidental to any permitted or conditionally permitted use shall be permitted, provided that such accessory use, building, or structure shall be located on the same property.

- Subd. 1. Any building or use customarily necessary to any permitted use, which may include the repair, alteration, finishing assembly, or storage of goods.
- Subd. 2. ~~Any building or use customarily necessary to any permitted uses, but which will not be detrimental either by reason of odor, smoke, noise or vibration to the surrounding neighborhood.~~
- Subd. 3. Any temporary building for uses incidental to construction work provided that such building shall be removed upon the completion of the construction work.

SECTION 6. LOT SIZE, SETBACK, YARD, AND HEIGHT REQUIREMENT

Any lot in a B-2, ~~Highway~~ Business District on which any permitted or conditionally permitted use is erected shall meet the following minimum standards:

- Subd. 1. Lot Size and Width. Any lot used as a business shall have an area sufficient in size to provide an adequate and safe water supply and sewage disposal system as established

by standards required by state or County health regulations, but shall not be less than ~~five thousand (5,000)~~ square feet in area and have a frontage of less than ~~fifty (50)~~ feet.

Subd. 2. Yard Requirements. Every permitted, conditionally permitted or accessory building shall meet the following yard requirements:

A. Front Yard.

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

B. Side Yard.

1. No side yard shall be required for any interior lot.
2. For ~~any corner~~ lot abutting any agricultural or residential district, a minimum side yard of ~~forty five (45)~~ feet shall be required.

C. Rear Yard. A rear yard of not less than ~~twenty (20)~~ feet shall be required; ~~where alleys exist the measurements of the rear yard may include one half (1/2) the width of the alley.~~

Subd. 3. Bluff Impact Zone. For any use or structure in the B-~~2~~ District, the setback from the bluff impact zone shall be no less than thirty (30) feet.

Subd. 4. Height Requirements. Every permitted, conditionally permitted or accessory building shall not exceed 35 feet in height. ~~meet the following requirements:~~

~~A. Any building shall not exceed thirty five (35) feet in height.~~

Subd. 5. Exceptions. Certain uses here are exempted from meeting the lot size, yard, and height requirements. These exemptions are listed in Article 11, Section 21.

SECTION 7. ESSENTIAL SERVICES REGULATIONS

Essential service facilities may be allowed in any B-~~2~~, ~~Highway~~ Business District in accordance with the provisions of Article 15 of this Ordinance.

SECTION 8. GENERAL REGULATIONS

Additional requirements for parking and other regulations in the B-~~2~~, ~~Highway~~ Business ~~D~~istrict are set forth in Article 11 of this Ordinance.

ARTICLE 28 I, INDUSTRY DISTRICT

SECTION 1. PURPOSE

The I, Industry District is intended to provide a district that will allow compact, convenient, limited, highway-oriented industry closely related to existing urban areas in the County and at standards that will not impair the traffic carrying capabilities of abutting roads and highways. It is recognized that industrial uses are an important part of the County's ~~land-land~~-use patterns. The regulations for this district are intended to encourage industrial development that is compatible with surrounding or abutting districts.

SECTION 2. PERMITTED USES

~~All permitted uses are subject to zoning and building permits. All permitted uses are subject to zoning and building permits. Permitted uses allowed in the I Zoning District shall be as shown in Article 20, Section 8, "Table of Uses".~~

~~Subd. 1. — Any building materials storage yards.~~

~~Subd. 2. — Any contractor's establishment, storage yard or equipment rental.~~

~~Subd. 3. — Any essential services building or storage yards.~~

~~Subd. 4. — Any grain elevator; including storage and processing.~~

~~Subd. 5. — Any wholesale establishment; including warehousing, storage buildings, commercial laundries or dry cleaning plants.~~

~~Subd. 6. — Any manufacture, compounding or treatment of such products as bakery goods, candy cosmetics, dairy products, food products, drugs, perfumes, pharmaceutical, soap (cold mix only), or toiletries.~~

~~Subd. 7. — Any manufacture, compounding or treatment of such articles or merchandise, previously prepared materials which have been manufactured elsewhere; including bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, leather, paper, plastics, precious or semi-precious metals or stones, shells, textiles, tobacco, wood (excluding planing mills) yarn or paint, not employing a boiling process.~~

~~Subd. 8. — Any manufacturing process or treatment of products using light machinery; such as tool and die shops or metal fabricating plants.~~

~~Subd. 9. — Wind Energy Conversion Systems.~~

SECTION 3. CONDITIONAL USES AND INTERIM USES

~~All conditional and interim uses are subject to zoning and building permits. All conditional uses and interim uses are subject to zoning and building permits. Conditional and interim uses allowed in the I Zoning District shall be as shown in Article 20, Section 8, "Table of Uses".~~

~~Subd. 1. — Any manufacturing of cement, lime, gypsum or plaster.~~

~~Subd. 2. — Any distillation of bone, coal, tar petroleum, refuse, grain or wood.~~

~~Subd. 3. — Any explosives manufacture or storage.~~

~~Subd. 4. — Fertilizer manufacture, compost or storage.~~

- Subd. 5. ~~Any garbage, offal, dead animals, refuse, rancid fats, incineration, glue manufacturing, size or gelatine manufacturing where the processes include the refining or recovery of products from animal refuse or offal.~~
- Subd. 6. ~~Any junkyard.~~
- Subd. 7. ~~Livestock feeding yards, slaughtering of animals or stock yards.~~
- Subd. 8. ~~Any petroleum or asphalt refining or manufacturing.~~
- Subd. 9. ~~Any smelting or refining of metals from ores.~~
- Subd. 10. ~~Any steam board hammers or forging presses.~~
- Subd. 11. ~~Any storing, curing or tanning of raw, green or salted hides or skins.~~
- Subd. 12. ~~Any lawful use of land or building not elsewhere provided for and which by its nature does not through noise, dirt, soot, offensive odors or unsanitary conditions constitute either a public or private nuisance.~~
- Subd. 13. ~~Wind Energy Conversion Systems.~~

SECTION 4. INDUSTRIAL DEVELOPMENT STANDARDS

Uses established in the Industrial District shall be operated subject to the following conditions:

- Subd. 1. Every use, except permitted storage yards ~~for Subdivision 1, 2, 3, 4 and 9 of Section 2 of this Article,~~ shall be conducted entirely wholly within a building with a landscaped front yard and with the side and rear yard used for loading and unloading and parking.
- Subd. 2. Any open storage area shall provide a graveled or aggregate surfaced area which shall be properly maintained.

SECTION 5. ACCESSORY USES

In the Industrial District, any following-accessory uses, buildings, or structures customarily incidental to any permitted or conditionally permitted use shall be permitted, provided that such accessory use, building, or structure shall be located on the same property.

- Subd. 1. Any building or use customarily necessary to any permitted use, which may include ~~which may including~~ the repair, alteration, finishing assembly, fabrication, or storage of goods.
- Subd. 2. ~~Any building or use customarily necessary to any permitted uses, but which will not be detrimental either by reason of odor, smoke, noise or vibration to the surrounding neighborhood.~~
- Subd. 3. Any temporary building for uses incidental to construction work provided that such building shall be removed upon the completion of the construction work.
- Subd. 4. Any dwelling unit for employees having duties in connection with any premises requiring residence on the premises.

SECTION 6. LOT SIZE, SETBACK, YARD, AND HEIGHT REQUIREMENTS

Any lot in the Industrial District on which any permitted or conditionally permitted use is erected shall meet the following minimum standards:

- Subd. 1. Lot Size and Width. Any permitted or conditional use shall have an area sufficient in size to provide an adequate and safe water supply and sewage disposal system as established by standards required by state or County health regulations, but shall not be less than ~~ten thousand (10,000)~~ square feet in area and have a frontage of less than ~~fifty (50)~~ feet.
- Subd. 2. Yard Requirements. Every permitted, conditionally permitted or accessory building shall meet the following yard requirements:
- A. Front Yard.
1. ~~There shall be a minimum setback of 45 feet from any right-of-way lines. A front yard of not less than forty five (45) feet shall be provided as measured from the street right-of-way line.~~
 2. In the event any building is located on a lot at the intersection of two ~~(2)~~ or more roads or highways, such 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 width of ~~twenty (20)~~ feet.
 2. ~~Any~~~~For a corner~~ lot abutting any agricultural or residential district, a minimum side yard of ~~forty five (45)~~ feet shall be required.
- C. Rear Yard. A rear yard of not less than ~~fifty (50)~~ feet shall be required.
- Subd. 3. Bluff Impact Zone. For any use or structure in the I District, the setback from the bluff impact zone shall be no less than thirty (30) feet.
- Subd. 4. Height Requirements. Every permitted, conditionally permitted or accessory building shall ~~not exceed 45 feet in height. meet the following height requirements:~~
- ~~A. All buildings shall not exceed forty five (45) feet in height.~~
- Subd. 5. Exceptions. Certain uses here are exempted from meeting the lot size, yard, and height requirements. These exemptions are listed in Article 11, Section 21.

SECTION 7. ESSENTIAL SERVICES REGULATIONS

Essential service facilities may be allowed in any Industrial District in accordance with the provisions of Article 15 of this Ordinance.

SECTION 8. GENERAL REGULATIONS

Additional requirements for parking and other regulations in the Industrial District are set forth in Article 11 of this Ordinance.

GOODHUE COUNTY ZONING ORDINANCE
Business and Industrial Districts Table of Uses

Use	B	I
Retail		
Retail stores under 40,000 square feet	P	NP
Automotive service station	P	NP
Retail stores over 40,000 square feet	C/I	NP
Automobile sales, car wash, trailer sales or service, auto repair garage, or automobile rental	P	NP
Motor fuel station	C/I	NP
Agricultural equipment sales or service	P	NP
Truck sales or service, truck wash or truck repair garage	P	NP
Building supply sales	P	NP
Boat sales or repair	P	NP
Landscape nursery or commercial greenhouse	P	NP
Shopping center	C/I	NP
Services		
Funeral Home	P	NP
Beauty shop or barber shop	P	NP
Bank or savings and loan institution	P	NP
Professional offices	P	NP
Drive-in establishment including banks and restaurant	P	NP
Eating or drinking establishment	P	NP
Motel	P	NP
Bed & Breakfast Inn	C/I	NP
Entertainment/Recreational Establishments		
Theater, dance hall, bowling alley, pool or billiard hall	P	NP
Public swimming pool, roller or ice rink	P	NP
Industrial		
Assembly of previously prepared materials which have been manufactured elsewhere	P	P
Building materials storage yards	NP	P
Contractor's establishment, storage yard, or equipment rental	NP	P
Grain elevator including storage and processing	NP	P
KEY: P = PERMITTED NP = NOT PERMITTED C = CONDITIONAL USE PERMIT I = INTERIM USE PERMIT		

GOODHUE COUNTY ZONING ORDINANCE
Business and Industrial Districts Table of Uses

Use	B	I
Wholesale establishment: warehousing, storage buildings, commercial laundries or dry cleaning plants	NP	P
Manufacture, compounding or treatment of materials	NP	P
Manufacturing process or treatment of products using light machinery; such as tool and die shops or metal fabricating plants	NP	P
Manufacturing of cement, lime, gypsum or plaster	NP	C/I
Distillation of bone, coal, tar petroleum, refuse, grain or wood	NP	C/I
Essential services building or storage yards	P	P
Explosives manufacture or storage	NP	C/I
Fertilizer manufacture, compost or storage	NP	C/I
Refining or recovery of products from animal refuse or offal	NP	C/I
Junkyard	NP	C/I
Livestock feeding yards, slaughtering of animals or stock yards	NP	C/I
Petroleum or asphalt refining or manufacturing	NP	C/I
Smelting or refining of metals from ores	NP	C/I
Steam board hammers or forging presses	NP	C/I
Storing, curing, or tanning of raw, green or salted hides or skins	NP	C/I
Institutional		
Church	C/I	C/I
Miscellaneous		
WECS (Non-Commercial Micro) (Art. 18)	P	P
WECS (Non-Commercial) (Art. 18)	C/I	P
WECS (Commercial) (Art. 18)	NP	C/I
WECS (Meteorological Tower) (Art. 18)	NP	P
SES (Utility Scale) (Art. 19)	C/I	C/I
SES (Commercial Scale) (Art. 19)	P	P
SES (Residential Scale) (Art. 19)	P	P
Commercial Radio Towers/TV Towers/Transmitters	C/I	C/I
Residence when included as part of the principal building occupied by owner or their employee	P	P
Self service storage facility	C/I	C/I
KEY: P = PERMITTED NP = NOT PERMITTED C = CONDITIONAL USE PERMIT I = INTERIM USE PERMIT		

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Self-Service Storage Facilities are proposed to be added as a conditional/interim use in the Business and Industrial zoning districts. Self-service storage facilities would not be permitted in Agricultural, Residential, MXH, Park, Conservation Subdivision, or Commercial Recreational Districts.

Article 10 “Definitions” would be amended to add a definition for Self-Service Storage Facilities:

Self-service storage facility: real property designed and used for the purpose of renting or leasing secure outdoor storage space and/or self-contained indoor individual storage spaces to customers who have access for the purpose of storing and removing personal property.

Below are various performance standards for self-service storage facilities proposed to be added to Article 11.

1. Storage units/facilities may only be used for storage. Storage units/facilities may not be used for retail sales (including garage sales), industrial uses, vehicle repair, offices, human habitation, or storing any living animal or organism.
2. Storage of hazardous, flammable, or explosive materials as defined in MN Statute 182.651 is prohibited.
3. Water service to storage units is prohibited except for a fire suppression system.
4. The site shall not be located within any wetland, floodplain, or bluffslands.
5. All lighting shall be downward projecting or shielded to prevent light from being directed off the premises.
6. The facility shall be secured by fencing
7. Exterior storage of materials, vehicles, and equipment may require screening from public view.
8. Areas for exterior storage and access lanes for storage structures shall be surfaced with aggregate, asphalt, or similar material.
9. Driving lanes between structures must be a minimum of 18 feet between the nearest points of buildings.
10. A landscaping and drainage plan detailing adequate provisions for stormwater control and erosion prevention shall be provided.

“To effectively promote the safety, health, and well-being of our residents”

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