

## **SECTION 14. EDUCATIONAL FARM RETREAT**

Conditionally permitted in A-1, A-2, and A-3. The following standards shall apply to all Educational Farm Retreat:

- Subd. 1. — They must be part of an owner occupied single family dwelling.
- Subd. 2. — Maximum length of stay for guests shall be limited to two weeks.
- Subd. 3. — No more than two Educational Farm Retreat units shall be permitted per property.
- Subd. 4. — That Educational Farm Retreat units may not be converted into permanent dwelling units.
- Subd. 5. — Owner must show proof of liability insurance.
- Subd. 6. — An annual inspection by the Fire Marshall and Public Health Services must be performed.
- Subd. 7. — The property must have adequate parking.
- Subd. 8. — The farm owner/operator must provide an educational and interpretive program to educate guests on the farm operations.

## **SECTION 15. OFF-STREET LOADING AND UNLOADING REQUIREMENTS**

On the premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, shopping center, laundry or other uses similarly involving receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the site adequate space for the required number of ten (10) foot by twenty-five (25) foot berths.

- Subd. 1. For Educational and Religious Uses. One (1) berth for each building containing ten thousand (10,000) square feet of gross floor area to two hundred thousand (200,000) square feet of gross floor area, plus one/each additional two hundred thousand (200,000) square feet of gross floor area.
- Subd. 2. For Health and Medical Institutions. One (1) berth for each building containing ten thousand (10,000) square feet to one hundred thousand (100,000) square feet plus one/each additional one hundred thousand (100,000) square feet.
- Subd. 3. Commercial. One (1) berth for each building containing forty thousand (40,000) square feet.
- Subd. 4. Industrial. One (1) berth for each building containing forty thousand (40,000) square feet. Two (2) berths each building containing forty thousand (40,000) square feet to one hundred thousand (100,000) square feet.

## **SECTION 16. OFF-STREET PARKING REQUIREMENTS**

In all zoning districts, off-street parking facilities for the storage of self-propelled motor vehicles for the use of occupants, employees, and patrons of the buildings or structures hereafter erected, altered or extended after the effective date of this Ordinance shall be provided and maintained as herein prescribed.

- Subd. 1. In the case of a use not specifically mentioned, the requirements for off-street parking facilities for a use which is so mentioned and which said use is similar, shall apply.

Commissioners have been met as determined by the Planner/Zoning Administrator. In the instance of renewal due to property ownership transfer; if the home business will continue under the same circumstances presented at the time of approval, an administrative approval may be permitted.

- G. If the permit is expired more than 30 days and the permit has not been renewed, the permit is null and void and a new interim use permit must be granted for the use to continue.
- H. Any subdivision of land separating the business buildings and/or operations from the principal dwelling shall result in revocation of the IUP.
- I. The home business shall be proximate to the associated principal dwelling.
- J. No more than two home businesses shall be permitted on a single parcel. The total space allowed for two home businesses combined shall not exceed the maximum allowed for a single home business.
- K. Such other conditions as specified by the Planning Advisory Commission pursuant to Article 4.

Subd. 4. **PERMITTED USES AND INTERIM PERMITTED USES:** Home Businesses shall be allowed as shown in the table below.

	A-1	A-2	A-3	R-1	B	I	CR	MXH
<b>HOME BUSINESSES</b>								
Tier 1 Home Business	P	P	P	P	NP	NP	NP	I
Tier 2 Home Business	P	P	P	I	NP	NP	NP	I
Tier 3 Home Business	I	I	I	NP	NP	NP	NP	I

**KEY:** P = Permitted Use I = Interim Use Permit NP = Use not permitted in the district

### **SECTION 13. BED & BREAKFAST INNS**

Subd. 1. The following standards shall apply to all Bed & Breakfast Inns:

- A. The parcel shall meet the minimum size standards for the applicable zone.
- B. Breakfast may be served to overnight guests only.
- C. Maps identifying property limits shall be provided to guests.
- D. Maximum occupancy shall not exceed 15 guests.
- E. A maximum of 6 designated guest rooms is allowed.
- F. No cooking facilities shall be allowed in guest rooms.
- G. All guest rooms shall be contained within the principal or accessory dwelling.
- ~~H. Proof of a compliant septic system shall be required as part of the application.~~
- ~~I. The property shall provide adequate off-street parking.~~
- J.H. Any existing buildings in which the public may have access shall obtain all applicable Building Code approvals prior to being utilized as part of a Bed & Breakfast facility.

Subd. 3. **AGRICULTURAL OPERATION NOT A NUISANCE.** An agricultural operation which continues without interruption or change shall not become a private nuisance if the operation was not a nuisance at its established date of operation. The provisions of this subdivision do not apply:

- A. To a condition or injury which results from the negligent or improper operation of an agricultural operation or from operations contrary to commonly accepted agricultural practices.
- B. To applicable State or local laws, ordinances, rules or permits.
- C. When an agricultural operation causes injury or direct threat or injury to the health or safety of any person.
- D. To the pollution of, or change in the condition of, waters of the State or the water flow of waters on the lands of any person;
- E. To an animal feedlot facility of one thousand (1,000) or more animal units.

## **SECTION 25. RETREAT CENTERS**

Subd. 1. The following standards shall apply to all Retreat Centers:

- A. A proposed schedule of events and any proposed special events, which consist of any events not part of the normal operating schedule.
- B. Contact information for caretaker(s) on duty and on site and the times they are present.
- C. Provide a general floor plan indicating the units to be used for the retreat center (in which the public may have access).
- D. Maps identifying property limits shall be provided to guests.
- E. The PAC may require installation of property boundary indicator signs along property boundary lines in accordance with Goodhue County Ordinance Sign regulations.
- F. Retreat units shall not be converted into permanent dwelling units, unless an application is approved showing that the units meet the requirements of the Zoning Ordinance, Building Code, and Environmental Health regulations.
- G. The maximum stay of the occupants shall not exceed two weeks, unless otherwise established by the IUP/CUP.
- H. Allow periodic inspections by the Land Use Management Department, Environmental Health Department, and Fire Marshall.
- I. Any existing buildings in which the public may have access shall obtain all applicable Building Code approvals prior to being utilized as part of a Retreat Center.
- J. Proof of liability insurance for the structures, property, occupants, visitors, and events shall be maintained.
- ~~K. Adequate off-street parking shall be provided.~~
- ~~L.K.~~ Maximum capacity shall not exceed 50 guests.

## **SECTION 26. KENNELS**

- Subd. 1. Application and standards. In addition to the other requirements, the application for conditional use permit shall be accompanied by 25 copies of the plans, which indicate or address the following:
- A. The stated purpose for the kennel;
  - B. The species and maximum number of animals that will be at the site (include all animals over the age of 28 weeks on the property);
  - C. All animals at the property must have current vaccinations. Records need to be kept on-site, or at an identified veterinarian office, and produced immediately upon request;
  - D. Location and size of all existing and proposed physical improvements such as buildings, landscaping, parking areas, etc.;
  - E. Location of existing or proposed indoor/outdoor runs;
  - F. Plans for sanitary sewage disposal, water systems (natural or manmade), and utilities servicing the site;
  - G. Show the existing and proposed surface drainage;
  - H. Existing or proposed location for overhead lighting;
  - I. Location and width of all streets abutting the site;
  - J. The kennel facility must have proper heating, cooling, ventilation and lighting:
    - 1. Confinement areas must be maintained at a temperature suitable for the animal involved.
    - 2. An indoor confinement area must be ventilated. Drafts, odors, and moisture condensation must be minimized. Auxiliary ventilation, such as exhaust fans, vents, and air conditioning, must be used when the ambient temperature rises to a level that may endanger the health of the animal.
    - 3. An indoor confinement area must have at least eight hours of illumination sufficient to permit routine inspection and cleaning.
  - K. The kennel construction material must be impervious to water and odor and easily cleanable;
  - L. A manure management plan describing manure pick up and disposal;
  - M. All structures shall require a building permit;
  - N. Existing buildings used as any part of the kennel (in which the public may have access) must pass building code inspections prior to it being utilized by the kennel;
  - O. Any licenses or permits required by Environmental Health including but not limited to: water supply and septic systems.

## **SECTION 30. RURAL TOURISM—NON-AGRICULTURAL USES ASSOCIATED WITH AGRICULTURAL TOURISM**

Subd. 1. ~~Non-agriculturally related uses that are associated with Agricultural Tourism as defined in Article 10 (Definitions) Rural Tourism events~~ may be permitted in the A-1, A-2, or A-3 Zone Districts ~~at the discretion of the subject to approval subject to approval of a zoning permit by the~~ Zoning Administrator for up to two (2) events/activities per calendar year. The right to utilize property for more than two events/activities per calendar year is subject to approval of a conditional use permit or an interim use permit by the Board of County Commissioners. ~~The following information must be provided with a zoning permit, interim use or conditional use permit:~~ In addition to submittal requirements set forth in Article 4 (Conditional and Interim Uses), the following information must be provided with a conditional use permit or interim use permit application.

- A. Plan drawn to an appropriate scale for effective interpretation.
- B. Property boundaries, onsite parking areas and access roads.
- C. Existing uses on adjacent properties and distance of dwellings within 500 feet of the property boundary.
- D. Existing and proposed structures with maximum capacity of each building where guests have access as required to comply with building code and applicable fire safety requirements.
- E. Location of temporary toilet facilities, which may be required.
- F. Location of any existing or proposed wells or Subsurface Wastewater Treatments Systems (SSTS).
- G. A written description of the planned activities providing including maximum number of guests/visitors.
- H. Frequency and number of activities proposed in a calendar year.
- I. Hours of Operation/Activity including set-up/clean-up for activities and events.
- ~~J. — Maximum number of guests for any activity.~~
- ~~K.J.~~ Proposed site lighting or landscaping.
- ~~L.K.~~ Anticipated maximum number of vehicle trips per day.

Subd. 2 Performance Standards.

In addition to all other applicable zoning ordinance requirements including but not limited to the review criteria (findings) included in Article 4, Section 5, the following items shall be considered by the Planning Advisory Commission and County Board when reviewing a Conditional Use Permit or Interim Use Permit Application for various ~~Non-Agricultural Uses associated with Agricultural Tourism.~~ Rural Tourism uses. Bed and Breakfasts and Retreat Centers shall also meet the standards found in Article 11 Section 13 and Article 11 Section 25 respectively.

- A. The size of the function and the number of expected guests on the property at one time shall be determined at the sole discretion of the County based on parcel size,

proximity to adjacent neighbors and the ability of the applicant to demonstrate that there will be no unreasonable adverse impact on the neighbors from the noise, traffic, trespass, light or other impacts deemed relevant by the County.

- B. There is adequate provision for parking of vehicles so that there is no parking on public roads and adequate setbacks from adjacent properties are maintained. Temporary parking areas may be approved at the sole discretion of the County. Parking areas for facilities with greater than 50 guest capacity must be a minimum of forty (40) feet from all property lines, and appropriately screened from neighboring property. Light sources shall be directed downwards and shielded to prevent light being directed off the premises.
- C. The County may require a planted buffer between adjacent properties and parking or building if it is determined that such a buffer is necessary to avoid adverse impacts on adjacent properties.
- D. All State of Minnesota and Goodhue County requirements related to Water and Subsurface Wastewater Treatment Systems must be met.
- E. Outside activities shall be completed during daylight hours. Inside activities for facilities with greater than 50 guest capacity shall be completed by 10:00 PM unless approved through the CUP process to conclude no later than 12:00 AM (midnight).
- F. Any on-site preparation and handling of food or beverages must comply with all applicable Federal, State or Local Standards.
- G. The owner/operator will maintain a log of the activities occurring at the included activity/event dates, group identity, times and number of guests.
- H. The site plan with the above written descriptions along with any condition added during Planning Advisory Commission and/or County Board review will become a part of any approved conditional use permit or interim use permit.
- I. The main event area for facilities with greater than 50 guest capacity shall be at least 500 feet from neighboring dwellings.
- H.J. Rural Tourism uses for facilities with greater than 50 guest capacity shall be located on a parcel at least 3 acres in size.

## **Section 31. ACCESSORY DWELLING UNITS (ADUS)**

Subd. 1. Accessory Dwelling Units (ADUs) are dwelling units that are accessory to a primary dwelling unit and are on the same tax parcel of land as the primary dwelling unit.

- A. An ADU can be either:
  - 1. Attached to, or within the primary dwelling unit; or
  - 2. Located within 100 feet of the primary dwelling unit on the same tax parcel as the primary dwelling unit.
- B. ADU's must have separate kitchen and bathroom facilities
- C. Only one (1) ADU is permitted per primary dwelling site tax parcel
- D. The ADU cannot be separated from the primary dwelling tax parcel