



# GOODHUE COUNTY MINNESOTA

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

Goodhue County Planning Commission  
Government Center - Board Room  
509 West 5th St, Red Wing MN 55066

Planning Advisory Commission

7:00 PM Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. April 15, 2019 Planning Advisory Commission Meeting Minutes

Documents:

[MINUTES\\_APRIL2019\\_PAC\\_DRAFT.PDF](#)

Conflict/Disclosure Of Interests

Public Hearings:

PUBLIC HEARING: Request For Map Amendment (Rezone)

Request for map amendment, submitted by Colleen and Douglas Hill (Owners), to rezone 15.23 acres from A3 (Urban Fringe District) to R1 (Suburban Residence District). Parcel 31.001.4300. 1790 Bluebird Lane, Red Wing, MN 55066. Part of the NW ¼ of the NE ¼ of Sect 01 Twp 112 R15 in Featherstone Township.

Documents:

[PACPACKET\\_HILL\\_REDACTED.PDF](#)

PUBLIC HEARING: CUP Request For A Feedlot Outside Of A Farmyard

Request for a CUP, submitted by Edward Fletcher (owner), to operate a Feedlot outside of a farmyard to allow a dwelling to be split from an existing Feedlot. Parcel 35.033.0200. 2636 450th ST, Kenyon, MN 55946. Part of the W ½ of the NE ¼ of Sect 33 Twp 110 Range 18 in Holden Township. A1 Zoned District.

Documents:

[PACPACKET\\_FLETCHER\\_REDACTED.PDF](#)

PUBLIC HEARING: CUP Request To Establish Feedlot And Liquid Manure Storage Exceeding 500,000 Gallons (Kehren)

Request for a CUP, submitted by Phillip and Annette Kehren (owner/operators), to establish a hog finishing Feedlot for up to 2,400 head (720 Animal Units) and construction of an animal waste storage pit exceeding 500,000 gallons. Parcel 39.009.0300. 2000 470th ST, Zumbrota, MN 55992. NW ¼ and W ½ of NE ¼ of Sect 09 Twp 109 Range 15 in Pine Island Township. A1 Zoned District.

Documents:

[PACPACKET\\_KEHREN\\_REDACTED.PDF](#)

PUBLIC HEARING: CUP Request For Feedlot Expansion And Liquid Manure Storage Exceeding 500,000 Gallons (Dicke)

Request for a CUP, submitted by Sue and Micah Dicke (owner/operators), for an estimated 300 Animal Unit

expansion of an existing 444 Animal Unit Beef cattle Feedlot and construction of an animal waste storage pit exceeding 500,000 gallons. Parcel 42.036.0700. 17744 CTY 1 BLVD, Red Wing, MN 55066. Part of the N ½ of the SE ¼ of Sect 36 Twp 112 Range 16 in Vasa Township. A2 Zoned District.

Documents:

[PACPACKET\\_DICKE\\_REDACTED.PDF](#)

TABLED: Consider Adoption Of Parks And Trails District

Hearing to consider creation of a Park and Trails District in the Goodhue County Zoning Ordinance. The new district would provide an appropriate zone to accommodate areas designated for public open space and recreational uses such as conservation of natural amenities, hiking, trails, wildlife habitat, and park and recreation facilities.

Documents:

[PACREPORT\\_ORDINANCEREVISIONS\\_PT\\_TABLED.PDF](#)

Other-Discussion

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 ◆

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The meeting of the Goodhue County Planning Advisory Commission was called to order at 5:00 PM by Chair Sarah Pettit at the Goodhue County Government Center 3<sup>rd</sup> Floor Court Room in Red Wing, Minnesota.

### **Roll Call**

Commissioners Present: Darwin Fox, Richard (Dick) Nystuen, Tom Gale, Barney Nesseth (Arrived at 5:05 PM), Richard Miller, Tom Draskowski, Howard Stenerson, Marc Huneke (Arrived at 5:07 PM), and Sarah Pettit

Commissioners Absent: none

Staff Present: Land Use Management Director Lisa Hanni, Zoning Administrator Mike Wozniak, Zoning Assistant Ryan Bechel, Zoning Assistant Samantha Pierret

### **1. Approval of Agenda**

<sup>1</sup>Motion by Commissioner Gale; seconded by Commissioner Nystuen to approve the meeting agenda. Motion carried 7:0 (Commissioners Nesseth and Huneke absent)

### **2. Approval of Minutes**

<sup>2</sup>Motion by Commissioner Fox; seconded by Commissioner Miller to approve the previous month's meeting minutes. Motion carried 7:0 (Commissioners Nesseth and Huneke Absent)

### **3. Conflict/Disclosure of Interest**

There were no conflicts or disclosures of interest reported.

### **4. Public Hearings**

#### **PAC DISCUSSION: Solar Energy Systems (SES)**

Review the status of Solar Energy System permits, installations and ordinance provisions in Goodhue County. Topics of discussion to include permitting and application processes, Xcel Energy solar energy program overview, and county-wide distribution of Solar Energy Systems.

*Hanni presented the staff report and attachments.*

*Commissioner Stenerson questioned whether the number of facilities noted in the provided exhibit was all those approved or all that has been constructed.*

*Ryan Bechel (Bechel) clarified that the provided numbers were all approved facilities that could be built.*

*Hanni referenced a map provided that showed where Xcel Energy has territory within Goodhue County. Also mentioned was a conversation between Xcel Energy and staff where the process of obtaining a solar energy system site was explained by Xcel Energy staff. Hanni noted that applicants are coming to the County for zoning approval while Xcel Energy is performing several other reviews at varying costs to the applicants.*

*Commissioner Draskowski questioned whether solar facilities could be located in Goodhue County Cooperative's electric territory. Commissioner Gale stated that REA's (Rural Electric Associations) are attempting to join the solar energy system business; therefore, these ideas and projects could occur all around the county in the future.*

*Hanni introduced Evan Carlson with IPS Solar. Mr. Carlson clarified information on the co-ops' projects around the state.*

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Commissioner Drazkowski questioned how many counties in Minnesota ask for a bond for decommissioning costs.

Mr. Carlson noted most counties do require a bond and clarified that there is a bond for the landowners even if the County does not require one.

Commissioner Miller questioned whether a bond was posted before a project begins and if Mr. Carlson could provide a range of the dollar values for bonds.

Mr. Carlson stated that a bond must be posted before a project begins and the cost can vary between \$25,000 to \$50,000 per megawatt.

Commissioner Drazkowski questioned why the life span has gone up for these projects over the years.

Mr. Carlson stated that there may be a difference between developers but IPS Solar has always had the same term on their lease which is for 25 years with two options to renew for five years each at a maximum of 35 years each.

Commissioner Stenerson questioned the dollar value range for interconnection costs.

Mr. Carlson stated that the costs can vary greatly, variables include distance away from lines, new poles that need to be installed and work on the substation that may be required.

Commissioner Pettit questioned about REAs and the reasoning for the location proposals for projects.

Mr. Carlson stated that Xcel has outlined their territory and will not accept applications for projects outside of their territory. He explained the differences between community solar gardens and power plants.

Hanni reviewed the three levels of solar found in the Goodhue County Ordinance.

**3Motion by Commissioner Miller; seconded by Commissioner Huneke to open the discussion to the public. Motion carried 9:0**

Jay McLeary of Featherstone Township stated he supported the Commission in their efforts to allow the development of solar projects in Goodhue County. He clarified that projects should occur on marginal farmland and wooded areas away from buildings and homes. Mr. McLeary stated he has joined a community solar garden.

Commissioner Stenerson questioned the reasons Mr. McLeary joined the community solar garden.

Mr. Mcleary gave information on his contract.

Rich Hillscamp of Hay Creek Township gave information on decommissioning fees and solar garden developers versus land-owners. Mr. Hillscamp stated that land-owners should be able to site a solar garden on their property if they choose to.

Commissioner Stenerson questioned different design concepts for solar garden installation in relation to soil disruptions.

Mr. Carlson stated that "driven beam" systems are standard unless the conditions on site are stone or subject to erosion. There is no longer gravel placed under solar arrays. There is also conduit underground which is installed via boring or trenching depending on the contractor.

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*Michael Johnson of Red Wing questioned what the purpose of protecting the farmland is. Mr. Johnson encouraged the Commission to be more flexible with farmland use.*

*Randy McLaughlin of Red Wing stated that subscribing to a community solar garden helps residents of Goodhue and surrounding counties.*

*Bernie Overby with Kenyon Township stated that he had spoken with some property owners who have entered into solar contracts and those individuals stated that the revenue from solar is two to three times the revenue they make by planting that land with corn or beans.*

*Henry Thomforde of Belvidere Township stated he would like to see the Commission attempt to keep solar gardens on the marginal ground instead of prime farmland.*

*Brian Keenan with IPS Solar stated that REAs are not power generators and they are locked into contracts with power generators. Mr. Keenan referenced the Goodhue County Comprehensive Plan which states that tillable acreage has increased in the County. Mr. Keenan noted that solar takes a minimal amount of available acreage.*

*Commissioner Stenerson questioned the potential for environmental damage if a solar project were abandoned.*

*Mr. Keenan stated that all of the glass on the panels is sealed watertight and there are no liquids in the systems. Mr. Keenan noted that there are no oils used.*

*Commissioner Stenerson questioned whether solar gardens could be placed in a pasture or area without pollinators.*

*Mr. Keenan stated that some clients do have animals around the solar panels however there is the potential that animals could destroy the equipment.*

*Commissioner Nesseth questioned what would happen if a panel were broken or smashed, particularly the semiconductors inside of the panels.*

*Mr. Carlson stated that the panels are constructed of safety glass.*

*Mr. Keenan stated that the panels are sealed together and are water-tight.*

*Commissioner Nesseth questioned the classification of solar panel waste.*

*Mr. Carlson gave an explanation of the decommissioning process for a solar garden.*

*Commissioner Stenerson questioned what the cells are made of and whether the materials are considered hazardous.*

*Mr. Keenan stated several studies have been conducted regarding different ways a panel could be destroyed.*

*Rick Duvous of Red Wing commented on the board's concerns with environmental contamination from solar panels.*

*Joan Halgren of Red Wing gave an explanation of the reusable components of solar panels and spoke about entities currently recycling solar panels around the world.*

*Travis Luhman of Goodhue stated that as a dairy farmer, solar panels allow him a way to diversify his income. Mr. Luhman also commented on farms in the county using "prime farmland" for lagoons.*

*Tilton Davis of Red Wing gave information on native plants that are planted in solar gardens.*

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*Michael Johnson of Red Wing gave information on the specific materials that solar panels are made of.*

*Kurt Stensrud with Wacouta Township asked the commission to consider townships' views with regards to solar facilities.*

*Commissioner Nesseth questioned what general input Mr. Stesrud was hearing from constituents with regards to setbacks from solar gardens.*

*Mr. Stesrud detailed specific setback distances that seemed reasonable to him.*

*Commissioner Fox noted that there is an existing ordinance and the commission is trying to gain information on solar.*

*Riley Budensiek with Minneola Township gave some concerns from Minneola Township regarding community solar gardens including siting and protecting a "natural look". Mr. Budensiek also commented on "stacking" of projects.*

*Paul Drotos of Red Wing thanked the commission for investigating and thanked the audience members for coming to the meeting. He added that he was in opposition of a solar moratorium.*

***4After Chair Pettit asked three times for additional comments, it was moved by Commissioner Fox and seconded by Commissioner Stenerson to close the public comment period. Motion carried 9:0.***

*Commissioner Pettit questioned the number of poles in stacked solar arrays.*

*Mr. Carlson gave information on the number of projects occurring at a property and referenced the number of poles used on projects.*

*Commissioner Pettit referenced questions from the public during the comment period including the reasoning for the preservation of farmland, how these projects affect the tax base and the setbacks required for solar projects.*

*Commissioner Nesseth referenced assessor values for properties.*

*Bechel gave the specific setback requirements for solar projects.*

*Commissioner Nystuen commented on the rental rates and tax rates for parcels that have solar gardens.*

*Commissioner Nesseth questioned whether the commission wanted to address setbacks.*

*Commissioner Fox stated the board should keep setbacks to a per project consideration.*

*Commissioner Nystuen commented on addressing the location of facilities on "prime farmland".*

*Bechel gave clarification on the classification of "prime farmland" and soil mapping practices.*

*Commissioner Stenerson questioned whether an ordinance amendment could be drafted to address soil disruption of solar gardens.*

*Commissioner Gale questioned the likelihood a property would be returned to farmland after a solar garden was located on a property.*

*Wozniak commented on the County's Comprehensive Plan process and the amount of land that*

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*has been devoted to solar versus the total area of the County.*

*Commissioner Nesseth questioned whether the stacking of projects could be addressed in the conditional use permit.*

*Hanni stated the commission could require more screening if projects were being “stacked”.*

*Commissioner Drazkowski commented on the documents provided by staff for the discussion and suggested the chart detailing the number of projects that have been constructed be included in future packets.*

*Commissioner Nesseth questioned whether staff could investigate other counties’ bond requirements.*

*Commissioner Stenerson questioned whether other agricultural projects should be bonded.*

*NO ACTION WAS RECOMMENDED BY THE PAC*

**TABLED: Request for CUP for a Utility-Scale Solar Energy System (SES)**

Request for a CUP submitted by IPS Solar (applicant) and Brenda Luhman (owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7.30 acres. Parcel 38.034.1301. TBD HWY 60 BLVD, Zumbrota, MN 55992. Part of the NW ¼, SW ¼ and the SW ¼, NW ¼ of Sect 34 Twp 110 Range 16 in Minneola Township. A1 Zoned District.

**It was moved by Commissioner Nystuen and seconded by Commissioner Huneke to take the item off of the table. Motion carried 9:0.**

*Bechel reviewed the item and additional information that was provided.*

*Commissioner Nystuen questioned the reason the item was tabled at the previous meeting.*

*Commissioner Drazkowski stated that the reasoning included there were multiple projects applied for at one time and the information regarding the number of projects that have been applied for and approved versus the number actually constructed was not available. He also felt the testimony from the neighboring property owner at the March meeting was compelling enough to warrant tabling the item.*

*Commissioner Nystuen questioned whether the commission has the right to slow a project down if the applicants follow all of the rules.*

*Commissioner Drazkowski clarified the need to make a clear decision under past circumstances.*

*Wozniak clarified some additional concerns that were present with this project versus others that have been approved in the past.*

*Commissioner Pettit commented on concerns from Minneola Town Board regarding screening including driveway screening.*

*Bechel clarified current site conditions.*

*Commissioner Stenerson commented on the Comprehensive Plan’s rationale for agriculture preservation and agricultural areas as an “industrial zone”.*

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**It was moved by Commissioner Stenerson and seconded by Commissioner Huneke to:**

- 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 recommend that the County Board of Commissioners **APPROVE** the request for a CUP submitted by IPS Solar (applicant) and Brenda Luhman (owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7.30 acres. Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. The project shall be decommissioned according to Article 19 Section 6 of the Goodhue County Zoning Ordinance and submitted plans;
3. A decommissioning agreement between the landowner and IPS Solar shall be maintained to ensure reclamation of the area;
4. LUM staff shall be notified by the landowner or solar company 30 days prior to ownership transfer or operator changes;
5. Applicants shall communicate with Beau Kennedy, Wetlands Coordinator with the Goodhue SWCD to ensure compliance with applicable Wetlands Rules prior to completion of any site grading/construction and/or submittal of the Building Permit Application;
6. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
7. Applicants shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix to establish on disturbed areas of the site;
8. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 21 (Agriculture Protection District). The applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
10. Compliance with all necessary State and Federal registrations, permits, licensing and regulations;
11. This CUP shall expire 30 years from the date of approval unless terminated prior to that date.

**Motion carried 9:0**

**PUBLIC HEARING: Request for CUP for a Utility-Scale Solar Energy System (SES)**

Request for a CUP submitted by IPS Solar (applicant) and Genevieve Siems (owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7.41 acres. Parcels 39.001.0900 and 39.001.1300. TBD HWY 60 BLVD, Mazeppa, MN 55956. Part of the N 1/2 of the SE 1/4 of Sect 01 Twp 109 Range 15 in Pine Island Township. A2 Zoned District.

*The Applicant's Representatives (Evan Carlson and Brian Keenan) were present to represent the application.*



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*Bechel presented the staff report and attachments.*

*Wozniak detailed a meeting with Bruce Goetsch (neighbor) regarding the proposed project.*

*Mr. Carlson stated that several site plan revisions had occurred with this project including the change from a fixed system to a tracker system. Mr. Carlson addressed the proposed layout which was dependent on the fact that this project would use a tracker system. He also clarified that IPS Solar is willing to work with the neighbor to address any screening concerns and preferences.*

*Mr. Keenan stated that the western portion of the site would require more extensive grading if it were used for the project.*

*Commissioner Miller questioned whether the project transmission lines would need to cross Highway 60.*

*Mr. Keenan stated the transmission lines will be running along the Township Road into a transformer in Mazeppa.*

**Chair Pettit opened the Public Hearing.**

*Bruce Goetsch (23863 Highway 60 Blvd, Mazeppa) stated concerns with the proposed aesthetic impacts and potential land value impacts. Mr. Goetsch questioned the proposed location of the solar arrays. Mr. Goetsch also questioned the proposed size of the project and whether a smaller facility could be constructed. He also referenced Goodhue County LUM Article 4 regarding the finding of facts and who presents those facts.*

*Fran Reuter of Mazeppa (189 4<sup>th</sup> Ave NW, Mazeppa) stated concerns with aesthetic impacts of the proposed project. Mr. Reuter detailed his properties' locations and his concerns with property value impacts. Mr. Reuter questioned why the solar array cannot be moved west of the proposed location.*

**After Chair Pettit asked three times for comments, it was moved by Commissioner Stenerson and seconded by Commissioner Miller to close the public hearing.**

**Motion carried 9:0**

*Commissioner Stenerson questioned the tracker versus fixed system choice.*

*Mr. Carlson stated tracker systems are more efficient and more profitable. He noted that there are several upgrades to the substation that will need to be made and topography issues west of the proposed location.*

*Commissioner Stenerson questioned whether a "mixed" project of tracker and fixed systems could be done.*

*Mr. Keenan stated they have never done a "mixed" system.*

*Commissioner Miller commented that the site plan proposed at this meeting was not the site plan that was presented to Pine Island Township.*

*Commissioner Pettit questioned the process if a project that is presented to a township and approved and then significantly changed when the project is presented at the county, should the applicant be required to go back to the township.*

*Bechel noted that the Townships would still need to approve the building permit application for the site to be constructed.*

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*Commissioner Miller stated Pine Island Township approved the project when it was on less desirable agricultural land.*

*Discussion continued regarding Township approval and returning to the Township with a new plan. The applicants noted their regret in not returning to the Township with the new site plan.*

*Commissioner Drazkowski detailed a site visit he made to the project location recently.*

*Discussion continued on a possible amendment to the proposed conditions regarding landscaping.*

**<sup>8</sup>Motion by Commissioner Stenerson and seconded by Commissioner Fox for the Planning Advisory Commission to:**

- Adopt the staff report into the record;
- Adopt the findings of fact;
- Add condition #12 to staff's suggested conditions;
- Accept the application, testimony, exhibits, and other evidence presented into the record;

and recommend that the County Board of Commissioners **APPROVE** the request for a CUP submitted by IPS Solar (applicant) and Genevieve Siems (owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7.36 acres.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. The project shall be decommissioned according to Article 19 Section 6 of the Goodhue County Zoning Ordinance and submitted plans;
3. A decommissioning agreement between the landowner and IPS Solar shall be maintained to ensure reclamation of the area;
4. LUM staff shall be notified by the landowner or solar company 30 days prior to ownership transfer or operator changes;
5. Applicants shall communicate with Beau Kennedy, Wetlands Coordinator with the Goodhue SWCD to ensure compliance with applicable Wetlands Rules prior to completion of any site grading/construction and/or submittal of the Building Permit Application;
6. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
7. Applicants shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix to establish on disturbed areas of the site;
8. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 21 (Agriculture Protection District). The applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
10. Compliance with all necessary State and Federal registrations, permits, licensing and regulations;
11. This CUP shall expire 30 years from the date of approval unless terminated prior to that date;

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12. A 100-foot long double row of six (6) foot tall Black Hill's Spruce trees shall be established in view of the dwelling south of the proposed project unless another screening agreement is reached between the south property owner (Bruce Goetsch) and the applicants (IPS Solar) prior to construction.

*Another amendment to the conditions was proposed regarding the east side of the project.*

**9Motion to amend Commissioner Stenerson's motion by Commissioner Nesseth and seconded by Commissioner Miller for the Planning Advisory Commission to:**

- Adopt the staff report into the record;
- Adopt the findings of fact;
- Add condition #12 to staff's suggested conditions;
- Add condition #13 to staff's suggested conditions;
- Accept the application, testimony, exhibits, and other evidence presented into the record;

and recommend that the County Board of Commissioners **APPROVE** the request for a CUP submitted by IPS Solar (applicant) and Genevieve Siems (owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7.36 acres.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. The project shall be decommissioned according to Article 19 Section 6 of the Goodhue County Zoning Ordinance and submitted plans;
3. A decommissioning agreement between the landowner and IPS Solar shall be maintained to ensure reclamation of the area;
4. LUM staff shall be notified by the landowner or solar company 30 days prior to ownership transfer or operator changes;
5. Applicants shall communicate with Beau Kennedy, Wetlands Coordinator with the Goodhue SWCD to ensure compliance with applicable Wetlands Rules prior to completion of any site grading/construction and/or submittal of the Building Permit Application;
6. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
7. Applicants shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix to establish on disturbed areas of the site;
8. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 21 (Agriculture Protection District). The applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
10. Compliance with all necessary State and Federal registrations, permits, licensing and regulations;
11. This CUP shall expire 30 years from the date of approval unless terminated prior to that date;
12. A 100-foot long double row of six (6) foot tall Black Hills Spruce trees shall be established in view of the dwelling south of the proposed project unless another screening agreement is reached between the south property owner (Bruce Goetsch) and the applicants (IPS Solar) prior to construction;

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13. A single row of Black Hills Spruce trees shall be established along the length of the east side of the northern array adjacent to the existing woods unless another screening agreement is reached between the property owner to the east (Fran Reuter) and the applicants (IPS Solar) prior to construction.

*Discussion continued regarding the proposed conditions and proposed landscaping and available farmland.*

*There was a clarification of the proposed amendments by Pierret.*

**Motion carried 9:0**

**PUBLIC HEARING: Request for Map Amendment (Rezone)**

Request for map amendment submitted by Bradd Strelow (Agent) and Debbie Bjerck (Owner) to rezone 22 acres from A3 (Urban Fringe District) to R1 (Suburban Residence District). Parcel 41.024.2800. TBD Oxford Mill Road, Cannon Falls, MN 55009. Part of the S 1/2 of the SW 1/4 of Sect 24 Twp 112 R18 in Stanton Township.

*The Applicant's Representative (Bradd Strelow) was present to address any questions.*

*Wozniak presented the staff report and attachments.*

*Commissioner Stenerson questioned the minimum lot size in the residential zoning district.*

*Wozniak stated the minimum lot size is 20,000 square feet.*

*Hanni clarified that the minimum lot size is 20,000 square feet and enough space for two septic systems.*

*Commissioner Stenerson questioned whether this was considered "spot zoning" and whether any consideration has been given to re-zoning the entire area.*

*Hanni stated Stanton Township did a study regarding the zoning in this area.*

*The applicant Bradd Strelow stated he had been in contact with Stanton Township and they were in favor of two possible locations for a singular building site at this property.*

**Chair Pettit opened the Public Hearing.**

*Steve Burgstahler (31599 Oxford Mill Rd, Cannon Falls) stated he would like clarification that there would only be one building site on the site. Mr. Burgstahler gave a history of well water nitrates testing on his property as more dwellings have been developed in the area. Mr. Burgstahler questioned whether the commission would consider adopting easements for wells and monitor more closely the number of dwellings in the area.*

**<sup>10</sup>After Chair Pettit asked three times for comments, it was moved by Commissioner Stenerson and seconded by Commissioner Nystuen to close the public hearing.**

**Motion carried 9:0**

*Commissioner Stenerson stated his concerns regarding the density in this area leading to sewer and water issues. Commissioner Stenerson discussed the possibility of a variance process for density.*

*Bechel clarified sanitation system designs, rules and regulations today have created much better septic system performance and, when followed, are not responsible for producing nitrate and phosphorous pollution in drinking water aquifers.*

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**“Motion by Commissioner Nystuen seconded by Commissioner Huneke, for the Planning Advisory Commission 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 map amendment request from Bradd Strelow (Authorized Agent for Property Owner) to rezone parcel 41.024.2800 from A3 (Urban Fringe District) to R1 (Suburban Residence District).

**Motion Carried 8:1 (Commissioner Stenerson opposed).**

**PUBLIC HEARING: Consider Adoption of Parks and Trails District**

Hearing to consider creation of a Park and Trails District in the Goodhue County Zoning Ordinance. The new district would provide an appropriate zone to accommodate areas designated for public open space and recreational uses such as conservation of natural amenities, hiking, trails, wildlife habitat, and park and recreation facilities.

*Hanni presented the staff report and attachments.*

*Commissioner Miller questioned whether the phrase “Goodhue County lands” referred to any land in Goodhue County and suggested rephrasing to “Goodhue County owned lands”.*

*Commissioner Nystuen questioned whether the County was responsible for payment for park amenity upgrades.*

*Hanni stated that upgrades typically go through the County Park Board.*

*Commissioner Gale questioned what happens if the Park Plan is proposed to be amended.*

*Hanni stated the master plans are established through a public process.*

*Commissioner Nesseth gave insight into Park Board current processes and projects.*

*Discussion continued on master plans and projects requiring a conditional use in the proposed district during implementation of projects.*

*Hanni noted changes to the proposed language including removing the phrase “native and manmade”, adding educational language and the previously mentioned “Goodhue County owned lands” language.*

**Chair Pettit opened the Public Hearing.**

*Bernie Overby with Kenyon Township questioned when citizens are able to comment on proposed projects in parks.*

*Hanni noted that public input occurs during the master plan public process.*

*Ken Burns with Stanton Township discussed the existing Byllesby park plan. Mr. Burns stated several concerns with the proposed district requirements (or lack thereof) and language.*

*Kathy Shay with Stanton Township echoed Mr. Burns’ concerns and stated that using the master plan would be cumbersome due to its size. Ms. Shay noted that the proposed district would be difficult for the Township to apply.*

**<sup>12</sup>After Chair Pettit asked three times for comments, it was moved by Commissioner Stenerson and seconded by Commissioner Fox to close the public hearing.**

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
April 15<sup>th</sup>, 2019 MEETING MINUTES  
DRAFT**

**Motion carried 9:0**

*Hanni discussed concerns that were raised during the public comment period.*

*Commissioner Gale questioned about building permits and other required permits.*

*Hanni stated health and safety permits would still need to be issued by the respective departments at the County.*

*Discussion continued regarding permitting of specific items, using the park plans as referenced documents in the zoning district, public participation and working with Townships.*

*Hanni questioned whether Commissioner Nesseth would bring this topic to the next Park Board meeting, Commissioner Nesseth stated he would.*

**<sup>13</sup>Motion by Commissioner Nesseth seconded by Commissioner Fox, for the Planning Advisory Commission to:**

**TABLE** the request to consider the creation of a Park and Trails District in the Goodhue County Zoning Ordinance.

**Motion carried 9:0****5. Other discussion**

- *Hanni introduced Samantha Pierret who has just begun working as the full time Zoning Assitant.*

**<sup>14</sup>Adjourn: Moved by Commissioner Nesseth and seconded by Commissioner Miller to adjourn the Planning Advisory Commission meeting at 9:24 PM.****Motion carried 9:0**

Respectfully Submitted,

Samantha Pierret; Zoning Assistant

<sup>1</sup> APPROVE the PAC meeting agenda.

*Motion carried 7:0.*

<sup>2</sup> APPROVE the previous month's meeting minutes.

*Motion carried 7:0.*

<sup>3</sup> Motion to open the discussion for public comments.

*Motion carried 9:0*

<sup>4</sup> Motion to close the public comment period.

*Motion carried 9:0*

<sup>5</sup> Motion to take the item off of the table.

*Motion carried 9:0*

<sup>6</sup> Recommend the County Board of Commissioners Approve the request for a CUP submitted by IPS Solar (applicant) and Brenda Luhman (owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7.30 acres.

*Motion carried 9:0*

<sup>7</sup> Motion to close the Public Hearing.

*Motion carried 9:0*

<sup>8</sup> Recommend the County Board of Commissioners Approve the request for a CUP submitted by IPS Solar (applicant)

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
April 15<sup>th</sup>, 2019 MEETING MINUTES  
DRAFT**

---

*and Genevieve Siems (owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7.41 acres.*

*9 Recommend the County Board of Commissioners Approve the request for a CUP submitted by IPS Solar (applicant) and Genevieve Siems (owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7.41 acres.*

*Motion carried 9:0*

*10 Motion to close the Public Hearing.*

*Motion carried 9:0*

*11 Recommend the County Board of Commissioners Approve the request for map amendment submitted by Bradd Strelow (Agent) and Debbie Bjerk (Owner) to rezone 22 acres from A3 (Urban Fringe District) to R1 (Suburban Residence District).*

*Motion carried 8:1*

*12 Motion to close the Public Hearing.*

*Motion carried 9:0*

*13 Recommend the County Board of Commissioners TABLE the request to create a Park and Trails District in the Goodhue County Zoning Ordinance.*

*Motion carried 9:0*

*14 ADJOURN the Planning Commission meeting.*

*Motion carried 9:0*

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 Advisory Commission  
**From:** Land Use Management  
**Meeting Date:** May 13, 2019  
**Report date:** May 3, 2019

## **PUBLIC HEARING: Request for Map Amendment (Rezone)**

Request for map amendment submitted by Colleen Hill (Owner) to rezone 15.23 acres from A3 (Urban Fringe District) to R1 (Suburban Residence District). Parcel #31.001.4300 1790 Bluebird Lane, Red Wing, MN 55066. Part of the NW 1/4 of the NE 1/4 of Sect 1 Twp 112 R15 in Featherstone Township.

### **Application Information:**

Applicant: Colleen Hill

Address of zoning request: 1790 Bluebird Lane

Parcel: 31.001.43000

Legal Description: Part of the NW 1/4 of the NE 1/4 of Sect 1 Twp 112 R15 in Featherstone Township (see enclosed Certificate of Survey for detailed property legal descriptions).

Township Information: The Applicant has been in communication with Featherstone Township. The Township has the property currently zoned R-1. The Applicant plans to attend a Featherstone Township Meeting to be held on May 14, the day after the PAC Meeting.

Zoning District: A3 (Urban Fringe)

### **Attachments and links:**

Application and submitted project summary

Site Map(s)

Project Review (Rezone)

Goodhue County Zoning Ordinance (GCZO):

<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Summary:**

The Applicant (Owner: Colleen Hill) has submitted a “change of zone” request involving a 15.23-acre parcel of property in Featherstone Township. The Applicant is requesting to rezone the 15.23-acre parcel from A3 (Urban Fringe District) to R1 (Suburban Residence District) to allow the potential for development of a residential subdivision. A concept plan has been included with the Change of Zone Application that indicates an intent to subdivide the property into six lots, one of which would include an existing dwelling located on the subject property. The current A-3 zoning classification will not allow further subdivision of the property into additional dwelling because of the District’s 35-acre parcel minimum. If the Change of Zone request is approved by the County it is the intent of the Applicant to propose a residential subdivision that would be subject to the County’s Platting requirement as spelled out in the Goodhue County Subdivision Controls Ordinance.

Featherstone Township already has the subject property designated within an R-1 Zone. The Applicant will be attending the May 14, 2019, Featherstone Township Board of Supervisors Meeting. Any comments offered by the Township Board can be presented to County Board. Since the County Board will also hold a public hearing to consider the Change of Zone request, Township Officials are also welcome to attend the County Board Meeting (expected to be considered at the June 4, 2019 – Board Meeting) and offer comments.



## **Project Summary:**

### **Property Information:**

- The subject property consists of a single parcel comprising 15.23 acres. The applicant also own an abutting property (Parcel #311100020 – approximately 1.05 acres), located within the Comstock 2<sup>nd</sup> Addition (residential subdivision). This lot is already within an R-1 Zone and provides a means of connecting to Bluebird Lane (a Township Road).
- The property is currently zoned A3. Adjacent properties to the north, south, and west are zoned A3; residential subdivision to the east is zoned R-1.
- The subject property is surrounded by residential development and wooded open space. The subject property is located immediately west of the Comstock 2<sup>nd</sup> Addition and the Comstock Subdivision.
- The properties are not located within a Historic Preservation District. It is not anticipated that any scenic or historic amenities will be negatively impacted as a result of the proposed rezone.
- The parcel is not designated shoreland or floodplain. There are some steep slopes and areas that qualify as Blufflands along the northern portion of the parcel. Blufflands and tree and vegetative alterations are regulated by Goodhue County's Zoning Ordinance. Any future disturbance to these natural features would be required to conform to the requirements in place designed to protect these sensitive areas from the potential negative impacts of development.
- The Applicant has made Featherstone Township Clerk (Chuck Schwartau) aware that they have applied to the County for the Change of Zone. The Applicant will attend a Township Board Meeting to be held on May 14, 2019. The Township currently has the property zoned: R-1. Generally, Featherstone Township has been receptive to residential development in Section 1.

### **Proposed Uses:**

- The Applicant has included a concept plan with the Zoning Map Amendment request indicating their intent to subdivide the property into six residential lots served by a cul-de-sac street extending from Bluebird Lane to the east. The concept plan includes proposed lot sizes ranging from 1.8 acres to 3.8 acres. One of the proposed lots would include the existing dwelling currently located on the property. If the Zoning Map Amendment is approved, the Applicant intends to make application to subdivide the property including submittal of Preliminary and Final Plats including information referenced within the County's Subdivisions Controls Ordinance.

### **Planning Information:**

- The R1 District is intended to provide a district that defines and protects areas suitable for low to medium density residential development as the principal use of the land and to allow related facilities desirable for a residential environment. It is also intended that the district allows varying densities of development in accordance with the ability to provide water and sewer facilities.
- The property is currently used as a dwelling site and is mostly wooded with a few acres of pasture land. There are no registered feedlots on the property or within 1000 feet of the parcel. There are no soils within the parcels that are recognized as prime farmland of statewide significance.
- The proposed rezone appears compatible with the goals and objectives of the Goodhue County Comprehensive Plan:  
"Support the establishment of rural residences to provide rural living opportunities in the unincorporated areas of Goodhue County"  
*"Soils with Prime Farmland Rating shall be protected from residential development whenever possible"*
- Section 1 includes a combination of A-3 and R-1 Zoned Areas. Currently there are 70 dwellings located within Section 1. The Applicant has consulted with the City of Red Wing Planning and has indicated that the City is not interested in annexing the subject property.

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

- 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 map amendment request from Colleen Hill (Property Owner) to rezone parcel 31.001.43000 from A3 (Urban Fringe District) to R1 (Suburban Residence District).

# MAP 01: PROPERTY OVERVIEW



## Planning Advisory Commission

Public Hearing  
May 13, 2019

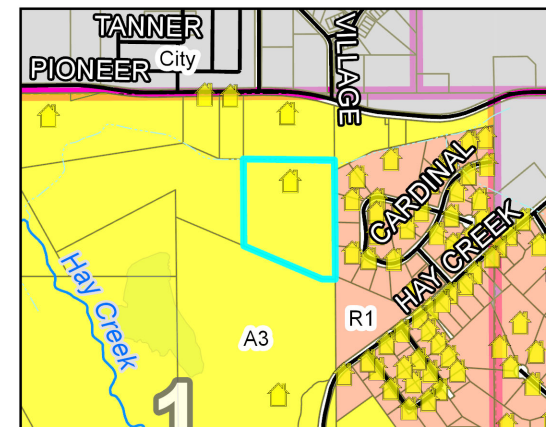
Colleen and Doulas Hill  
A3 Zoned District

Parcel 31.001.4300  
Part of NW ¼ NE ¼  
Sect 01 Twp 112 R15 in  
Featherstone Township

Map Amendment request to  
rezone 15.23 acres from A3 to R1

### Legend

Intermittent Streams	Bluff Impact Zones (% slope)
Protected Streams	20
Lakes & Other Water Bodies	30
Shoreland	<b>FEMA Flood Zones</b>
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



0 50 100 200 300 US Feet

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2018 Aerial Imagery  
Map Created April, 2019 by LUM



# MAP 02: VICINITY

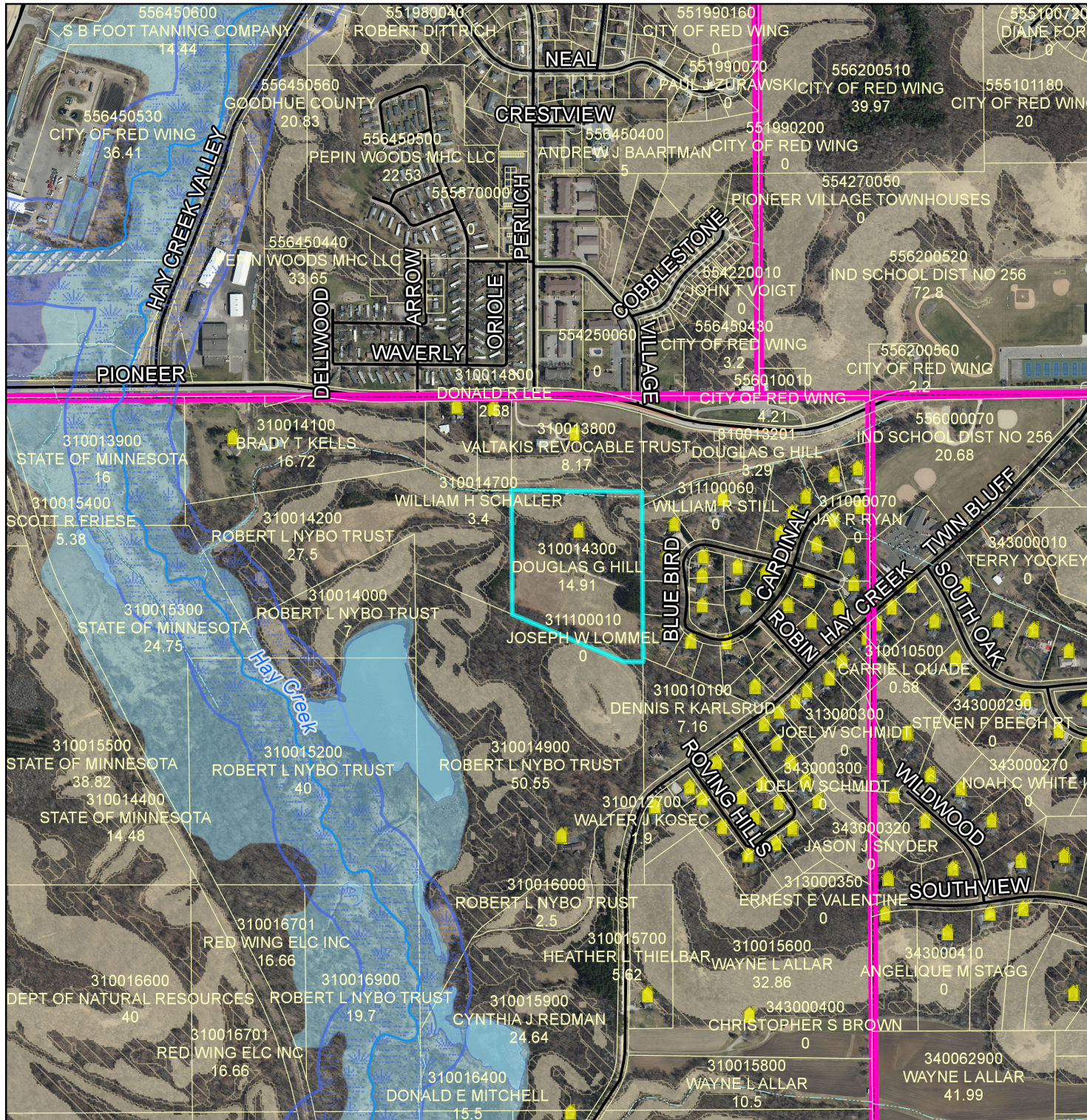
## Planning Advisory Commission

Public Hearing  
May 13, 2019

Colleen and Doulas Hill  
A3 Zoned District

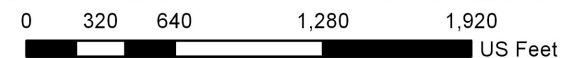
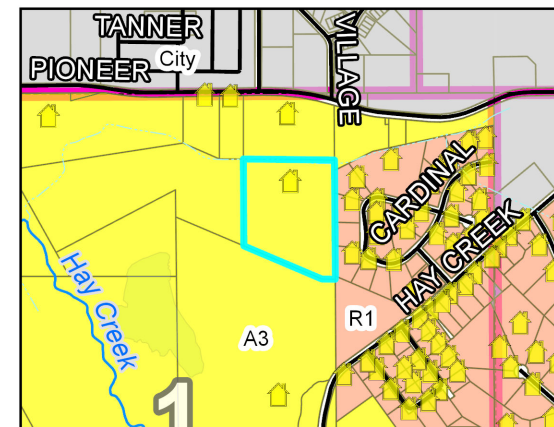
Parcel 31.001.4300  
Part of NW ¼ NE ¼  
Sect 01 Twp 112 R15 in  
Featherstone Township

Map Amendment request to  
rezone 15.23 acres from A3 to R1



### Legend

- |  |                            |  |                              |
|--|----------------------------|--|------------------------------|
|  | Intermittent Streams       |  | Bluff Impact Zones (% slope) |
|  | Protected Streams          |  | 30                           |
|  | Lakes & Other Water Bodies |  |                              |
|  | Shoreland                  |  |                              |
|  | Historic Districts         |  | FEMA Flood Zones             |
|  | Parcels                    |  | 2% Annual Chance             |
|  | Registered Feedlots        |  | A                            |
|  | Dwellings                  |  | AO                           |
|  | Municipalities             |  | X                            |

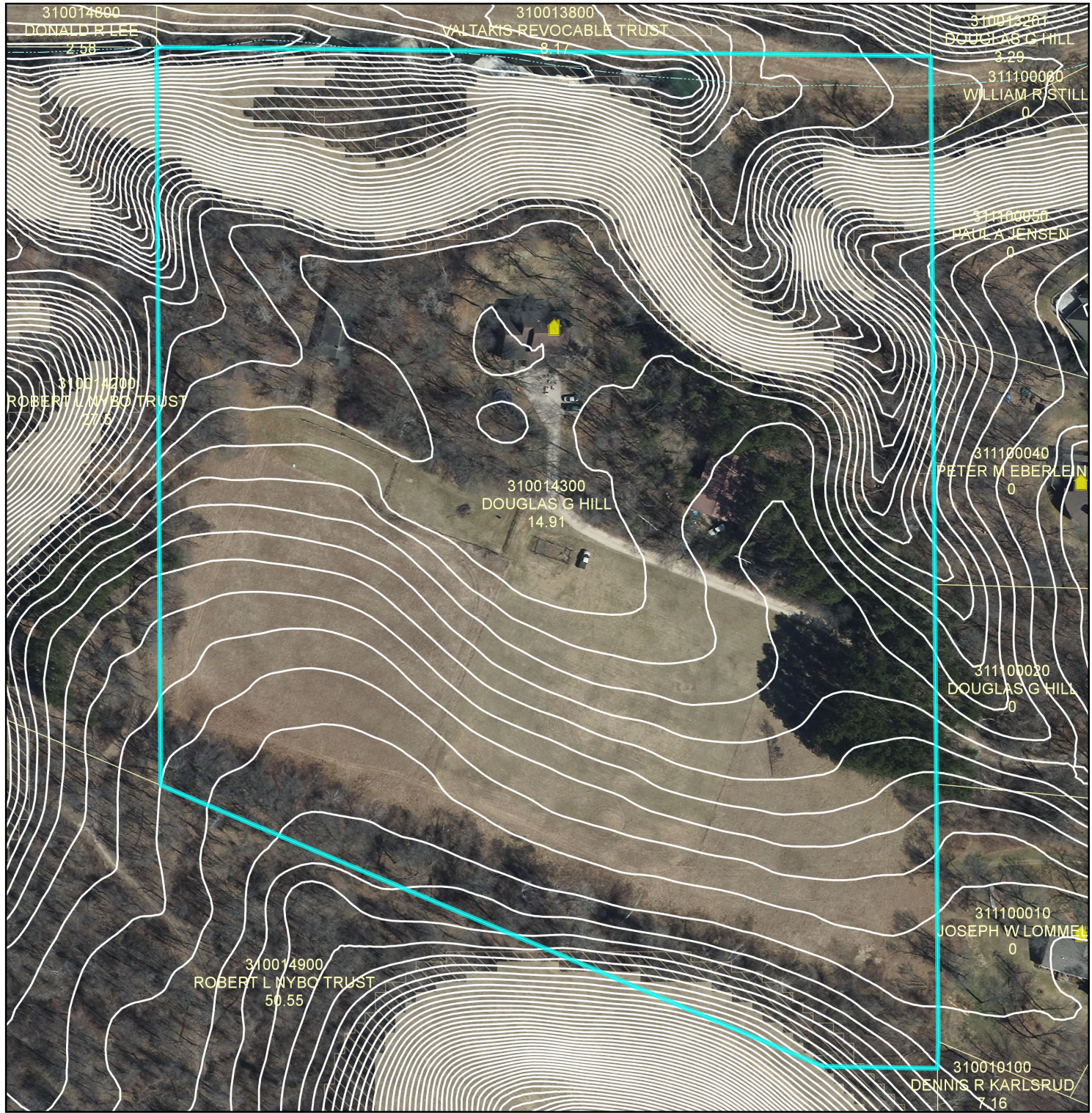


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# MAP 03: ELEVATION (2-foot contours)



## Planning Advisory Commission

Public Hearing  
May 13, 2019

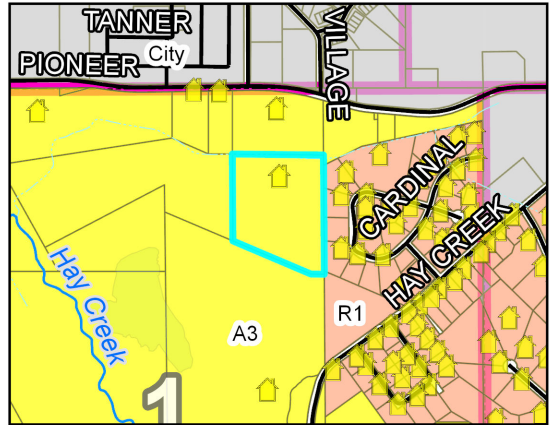
Colleen and Douglas Hill  
A3 Zoned District

Parcel 31.001.4300  
Part of NW ¼ NE ¼  
Sect 01 Twp 112 R15 in  
Featherstone Township

Map Amendment request to  
rezone 15.23 acres from A3 to R1

### Legend

- |  |                            |  |                              |
|--|----------------------------|--|------------------------------|
|  | Intermittent Streams       |  | Bluff Impact Zones (% slope) |
|  | Protected Streams          |  | 30                           |
|  | Lakes & Other Water Bodies |  | FEMA Flood Zones             |
|  | Shoreland                  |  | 2% Annual Chance             |
|  | Historic Districts         |  | A                            |
|  | Parcels                    |  | AE                           |
|  | Registered Feedlots        |  | AO                           |
|  | Dwellings                  |  | X                            |
|  | Municipalities             |  |                              |



0 50 100 200 300 US Feet

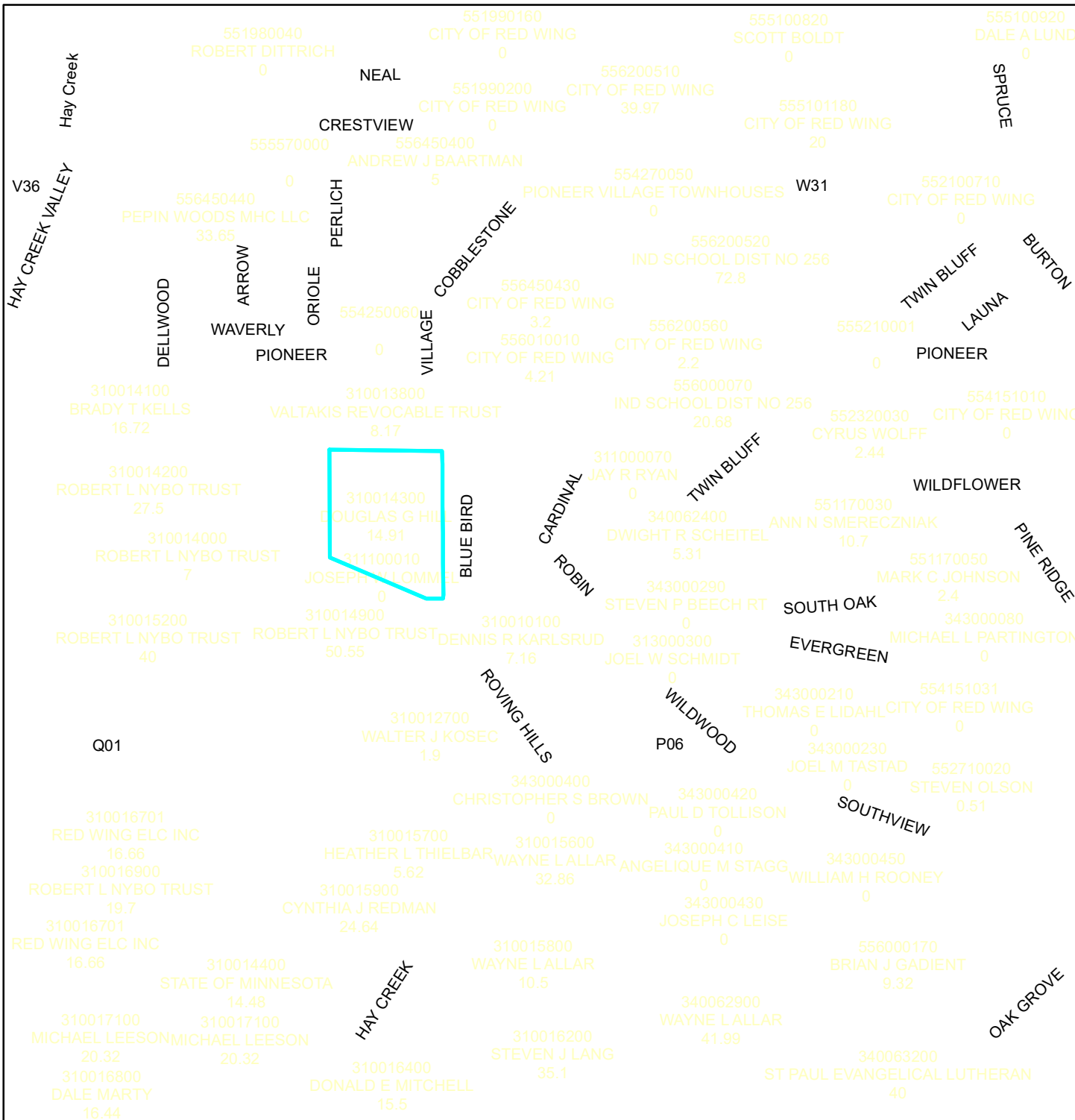
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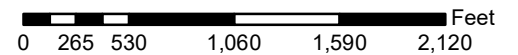
# Colleen Hill - Change of Zone Request A3 (Urban Fringe) to R-1 (Suburban Residence)

## Area Zoning Map



### Legend

- A1 - Agricultural Protection
- A2 - Agricultural
- A3 - Urban Fringe
- B1 - General Business
- B2 - Highway Business
- I - Industry
- MXH - Mixed Use
- R1 - Suburban Residential
- SCN - Cannon River Scenic
- Within City Limits
- Tax Parcel
- Section Line
- Road
- Municipal Boundaries
- Dwelling Point
- FLOODWAY

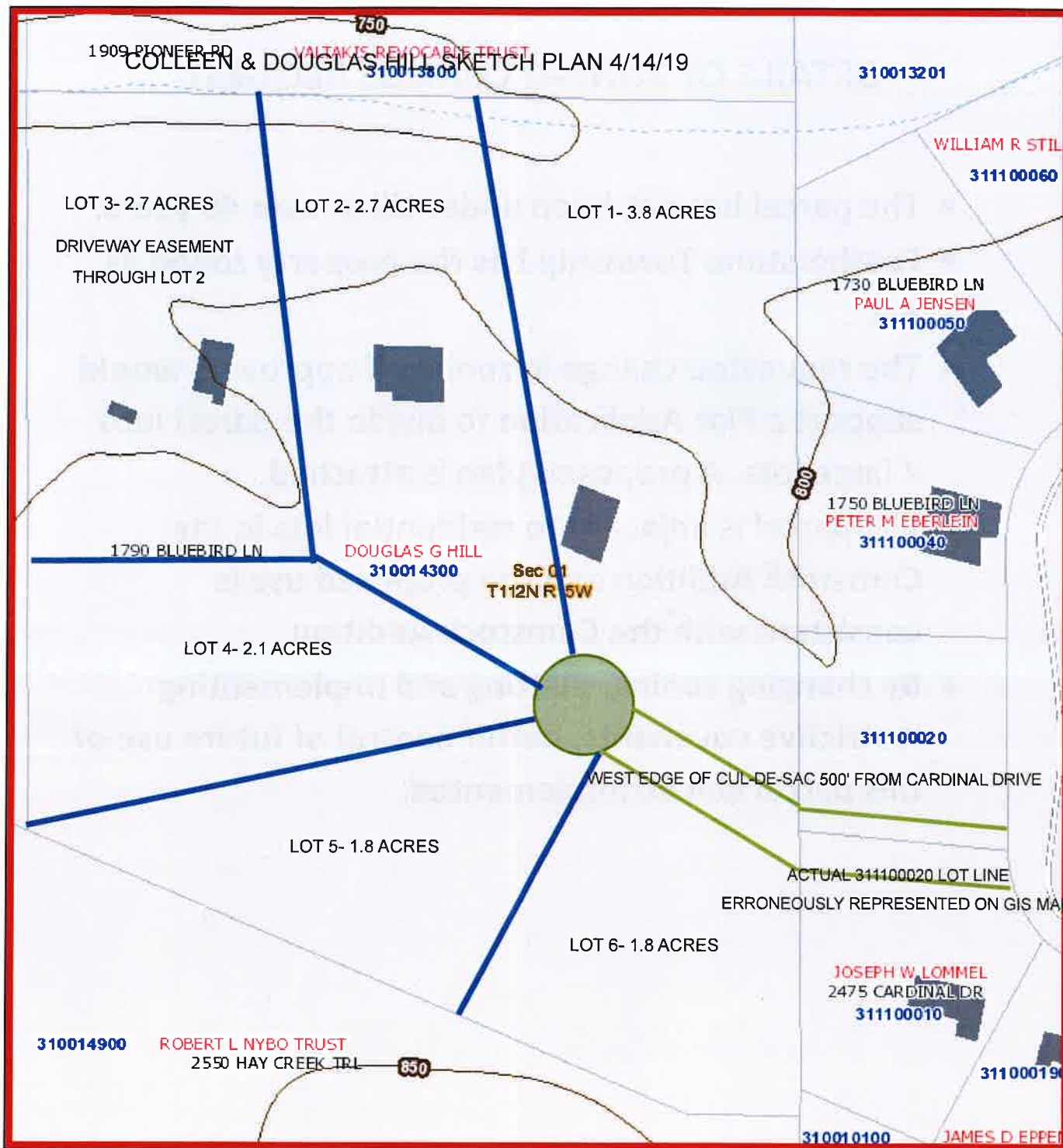


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2018 Aerial Imagery

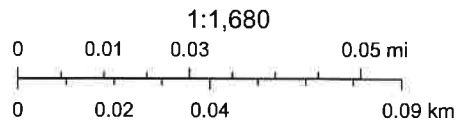
Map Created 2016 Kate Eiyneck

# ArcGIS WebMap



April 15, 2019

- 50ft Contour Intervals - brown
- Full Address
- PIN
- Full Name
- Red Wing Structures



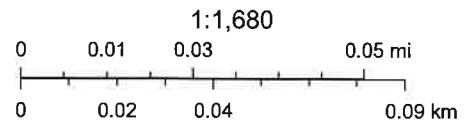
Goodhue County

# ArcGIS WebMap



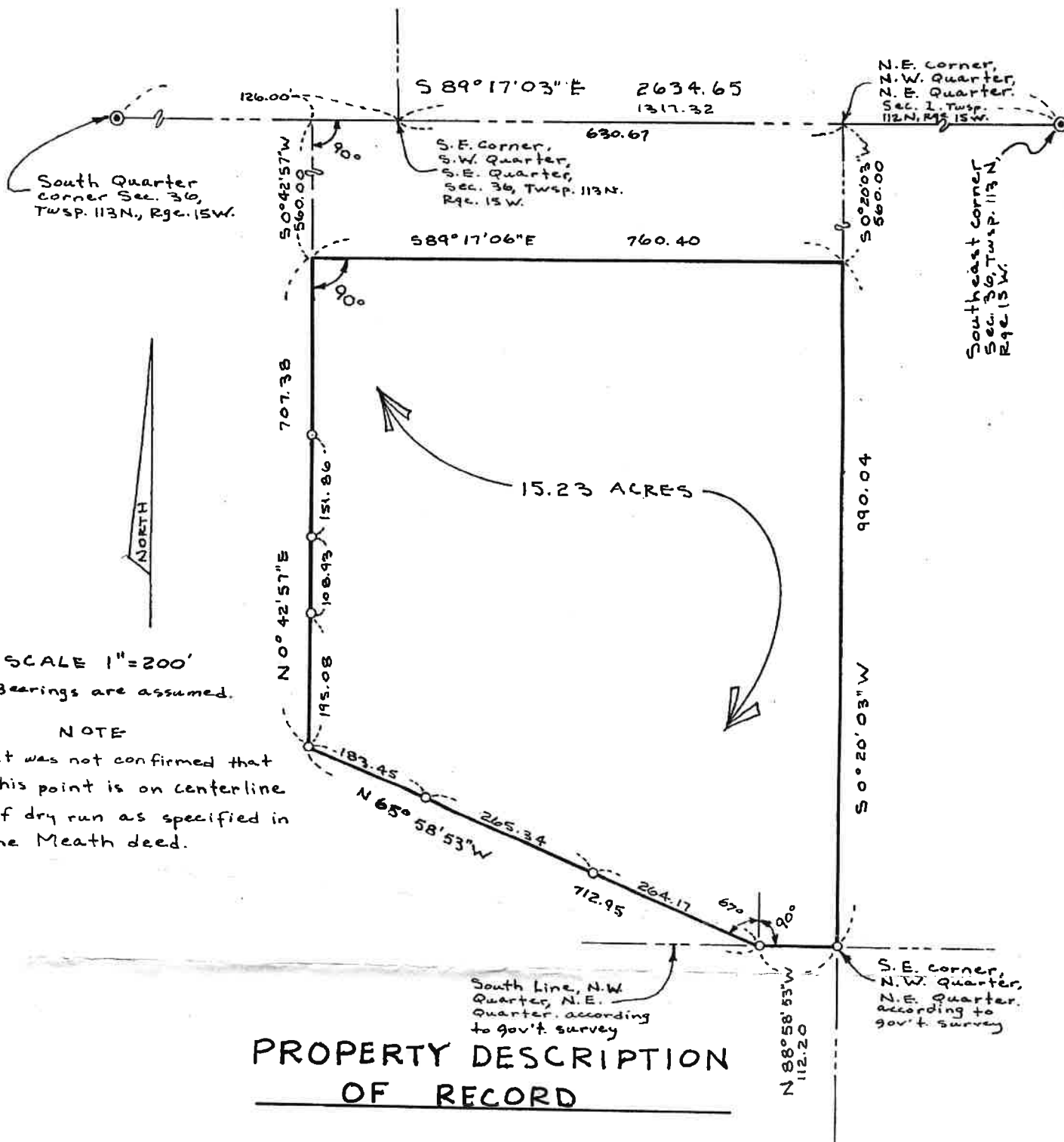
April 15, 2019

- 50ft Contour Intervals - brown
- Full Address
- PIN
- Full Name
- Red Wing Structures



Goodhue County





SCALE 1"=200'  
Bearings are assumed.

NOTE  
It was not confirmed that this point is on centerline of dry run as specified in the Meath deed.

**PROPERTY DESCRIPTION OF RECORD**

That part of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 1, in Township 112 North, of Range 15 West, Goodhue County, Minnesota, described as follows, to-wit:  
Commencing at the northeast corner of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said section 1; thence south on the east line of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of section 1, in township 112 north, of range 15 west, 560 feet for the point of beginning of the land herein to be described; thence south to the southeast corner of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of section 1, in township 112 north, of range 15 west; thence west 112.2 feet; thence north 67 degrees west 680 feet, more or less, to a point on said course which is due south of a point described as being a point on the north line of Section 1, distance 126 feet west of the southeast corner of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of section 36, in township 113 north, of range 15 west; thence north to a point due west of the point of beginning and 560 feet south of that point described as a point on the north line of section 1, distance 126 feet west of the southeast corner of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of section 36, township 113 north, range 15 west, said point due west of the point of beginning also being described as the southeast corner of land owned by Sharon and James Meath; thence due east to the point of beginning.

- DENOTES PLACED 1 INCH BY 18 INCH IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR REGISTRATION NUMBER 19090 . UNLESS OTHERWISE INDICATED.
- DENOTES FOUND IRON MONUMENT.

CERTIFICATE OF SURVEY for **DOUGLAS & COLLEEN HILL**  
 BOOK - PAGE -  
 I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of MINNESOTA  
*Robert Redden* 19090 13 July 1989  
 reg. no. / date

**JOHNSON & SCOFIELD INC.**  
**LAND SURVEYORS**  
 1203 MAIN STREET · REDWING · MN 55066 612 · 388 · 1558  
 Wabasha County Surveyors  
 Wabasha County Courthouse · Wabasha · MN 55981  
 612 · 565 · 3244

# GOODHUE COUNTY ZONING DISTRICT CHANGE APPLICATION

Parcel # 310014300

Permit # Z19.0022

### PROPERTY OWNER INFORMATION

Last Name <u>Hill</u>	First <u>Colleen</u>	M.I. <u>A.</u>	Date of Birth <u>11/12/52</u>
Street Address <u>1055B Cottonwood Pass Road</u>			Phone:
City <u>Gypsum</u>	State <u>CO</u>	Zip <u>81637</u>	Attach Legal Description as Exhibit "A" <input checked="" type="checkbox"/>
Authorized Agent		Phone	
Mailing Address of Landowner:			
Mailing Address of Agent:			

### PROJECT INFORMATION

Site Address (if different than above): access at 1790 Bluebird Lane, Red Wing, MN 55066

Lot Size <u>14.91 Acres</u>	Structure Dimensions (if applicable)
Existing Zone <u>A-3</u>	Proposed Zone <u>R-1</u>
Existing Use <u>Single family home</u>	
Proposed Use: <u>Plat for low-density home sites</u>	

### 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 <u>Colleen Hill</u>	Date <u>4-12-19</u>
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	Title	Date
Comments: <u>16731 - 4-22-19. (350<sup>00</sup>)</u>		

### COUNTY SECTION

COUNTY FEE \$500 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:

**APPLICANT FINDINGS OF FACT  
AND SUPPORTING INFORMATION REGARDING ZONING DISTRICT CHANGE APPLICATION**

1. How does the requested change compatible with the Goodhue County Comprehensive Plan?

The requested change recognizes that this property has been non-agricultural for over 40 years

and is adjacent to a residential neighborhood. The proposed change is consistent with this neighborhood.

2. What is the cumulative effect of the requested zoning change on the affected Township and any cities located within 2 miles of the proposed parcel?

Minimal effect as private sewer and water systems will be used. The proposed use is a low-density development with

negligible traffic increases.

3. Is the zoning change compatible with the affected Township and any cities located within 2 miles of the proposed parcel?

Featherstone Township currently has this parcel zoned R-1. This action will result in a consistent zoning for

the Township and Goodhue County.

## **DETAILS OF ZONING CHANGE REQUEST**

- **The parcel has not been under-till in over 40 years.**
- **Featherstone Township has the property zoned as R-1**
- **The requested change in zoning, if approved, would support a Plat Application to divide the parcel into 7 large lots. A proposed plan is attached.**
- **The parcel is adjacent to residential lots in the Comstock Addition and the proposed use is consistent with the Comstock Addition.**
- **By changing zoning, platting and implementing restrictive covenants, better control of future use of this parcel will be implemented.**

# 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:** May 13, 2019  
**Report date:** May 3, 2019

**PUBLIC HEARING: CUP for (Swine) feedlot –outside of a Farmyard – Ed Fletcher,**

Request for a conditional use permit (CUP) for an existing confined animal feedlot (450 animal units – swine). This feedlot is being proposed so that an existing dwelling may be split from the feedlot.

**Application Information:**

Applicant(s): Ed Fletcher

Address of zoning request: 2636 450<sup>th</sup> Street, Kenyon, MN 55946

Parcel Number: 35.033.0200

Short Legal Description: Part of the W ½ of SW ¼ of NE ¼ Section 33 Twp-110 Range 18 in Holden Township

Zoning District: A1 zoned district

Township Signature/Comments: Holden Township is aware of the request and has signed the application (4/22/2019) and offered the following comment: “Holden Town Board feels any variance or CUP request will be the responsibility of the buyer”.

**Attachments and links:**

Application Form

Certificate of Survey for proposed parcel split

Photographs of Feedlot and Dwelling Site

Goodhue County Zoning Ordinance: <http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

**Summary of Project:**

Ed Fletcher is requesting a Conditional Use Permit (CUP) to allow an existing 450 Animal Unit (AU) Swine Feedlot to be split off from the farmyard of an existing dwelling resulting in a feedlot outside of a farmyard. In addition to this request for a CUP to allow the feedlot to be operated on a separate parcel, the Applicant has applied for a Variance to address the setback of the dwelling from the feedlot (@215 feet) because the dwelling will be on a separate parcel if the CUP and Variance are both approved. Mr. Fletcher is trying to sell his property and he has indicated that he expects to sell both the dwelling site that would include 13.29 acres and the feedlot property (2.47 acres) to the same party.

No changes to the operation are anticipated. Splitting the two swine barns off on 2.47 acres would limit the potential for expansion based on the requirement of meeting the 100-foot setback from property lines for feedlot buildings or confined outdoor animal yards.

Besides Mr. Fletcher’s dwelling, the nearest other dwellings to the feedlot buildings are the Lehman Property (Parcel #3503300100) with a dwelling located approximately 1500 feet to the southeast and the Peters Property (Parcel #3502800300) with the dwelling located approximately 1150 feet to the northeast of the feedlot.

Mr. Fletcher has found it difficult to sell his property with the dwelling located on the same parcel as the feedlot. Lenders are less willing to offer a 30-year mortgage on the dwelling when it is located on the same parcel as the feedlot.

## **Compliance with County Feedlot Regulations**

The project is subject to provisions set forth in the Goodhue County Zoning Ordinance, Article 13 (Confined Feedlot Regulations).

**Kelsey Petit**, Goodhue County Feedlot Officer:

The Applicant has been in contact with the Feedlot Officer. Kelsey has indicated that Mr. Fletcher needs to submit some paperwork to make his feedlot current with feedlot registration requirements. The feedlot was last registered in 2013. Kelsey has provided Mr. Fletcher with the required registration application form and he has indicated that he will submit the required information as soon as possible.

The 2013 Feedlot Registration included authorization for up to 1500 Swine (55 – 300 lbs.) which at a 0.3 multiplier equates to 450 animal units. In his application, Mr. Fletcher has indicated that each of the two feedlot structures (40 x 110 feet) house 520 animals.

### **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:**

**Findings: No Conditional/Interim Use Permit use shall be recommended by the County Planning Commission unless said Commission specifies in their findings, the facts in each case which shall establish:**

A. That the conditional/interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

**The proposed Confined Animal Feedlot appears to conform to applicable County Regulations and has existed in the location for many years. The Applicant is working with the County Feedlot Officer to renew the feedlot registration for the operation. No changes to the operation are being proposed.**

B. That the establishment of the conditional/interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area.

**The Confined Animal Feedlot is proposed within an A-1 (Agricultural Protection Zone). Agriculture uses including confined animal feedlots are common land uses within the A-1 Zone. The project should not negatively impact normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The limited size of the parcel the feedlot will be located on following the proposed parcel split (2.47 acres) will not allow for any future expansion of the operation.**

C. That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

**The property will continue to have access to 450<sup>th</sup> street and the applicant has included adequate access roads and parking.**

D. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

**The Applicant's site has sufficient gravel surfaced areas for off-street parking and loading space.**

E. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance, and control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

**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. The Feedlot is located 1150 feet from the nearest dwelling. It has been operated since the late 1990s with no complaints.**

**Staff Recommendation:**

LUM Staff recommends the Planning Commission

- 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

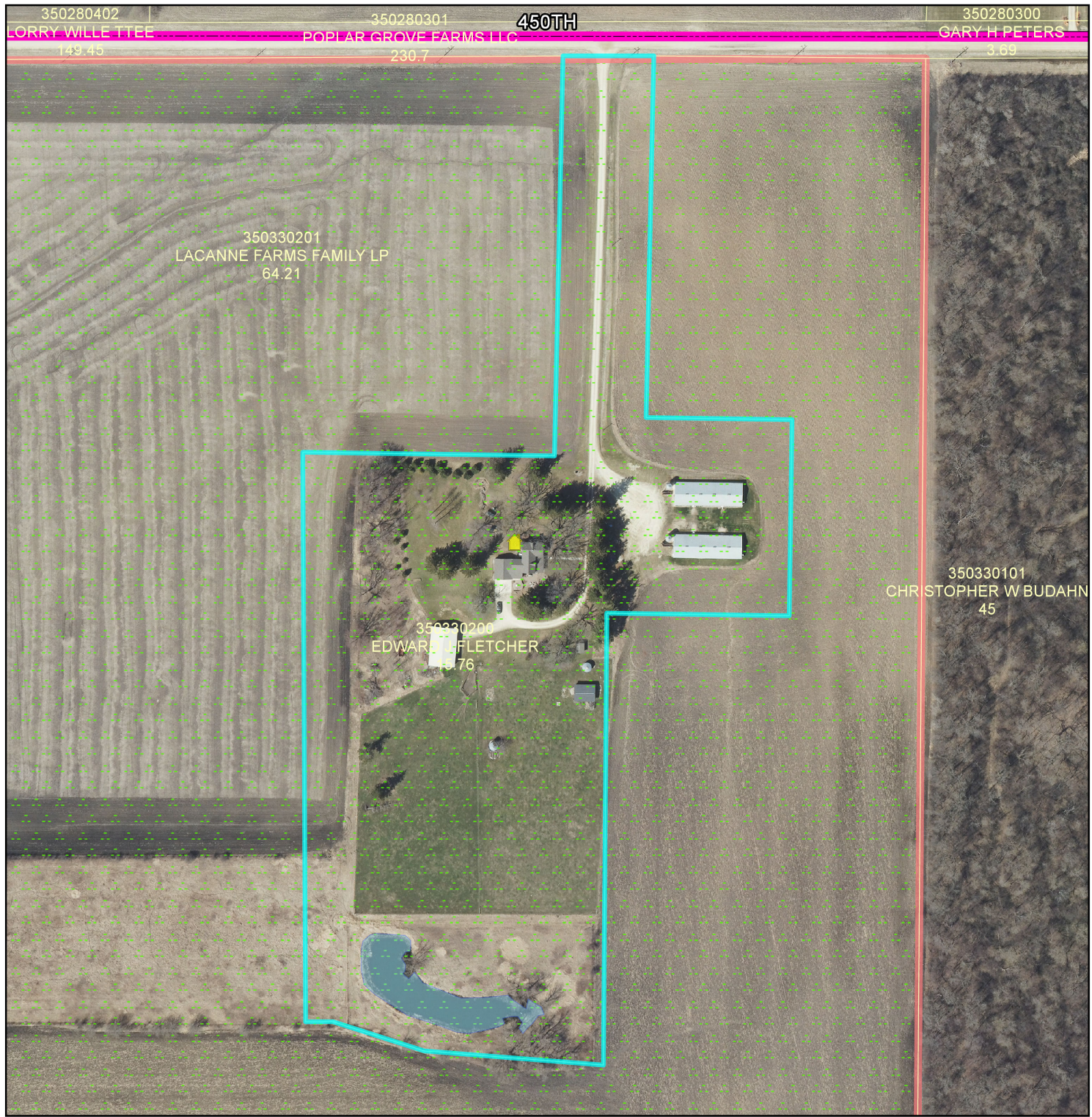
Recommend the County Board of Commissioners **APPROVE**

The request from Ed Fletcher for a conditional use permit (CUP) for a Feedlot Outside of a Farmyard to allow operation of a 450 Animal Unit existing Swine Feedlot.

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 13 CONFINED FEEDLOT REGULATIONS; and Article 21 A-1, AGRICULTURE DISTRICT;

# MAP 01: PROPERTY OVERVIEW



## Planning Advisory Commission

Public Hearing  
May 13, 2019

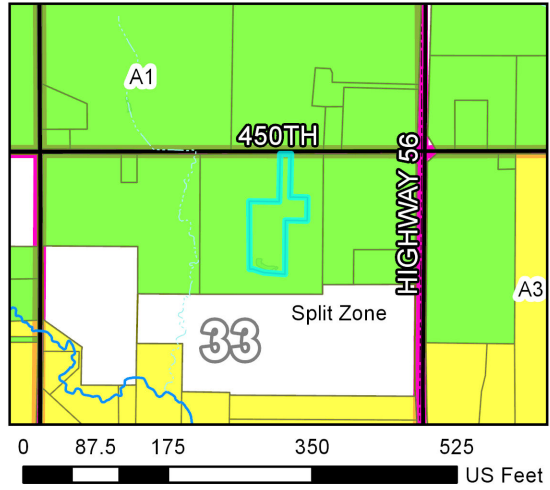
Edward Fletcher  
A1 Zoned District

Parcel 35.033.0200  
Part of W 1/2 NE 1/4  
Sect 33 Twp110 R18  
in Holden Township

Operate a Feedlot  
outside of a Farmyard

### Legend

	Intermittent Streams		Bluff Impact Zones (% slope)
	Protected Streams		20
	Lakes & Other Water Bodies		30
	Shoreland		
	Historic Districts		
	Parcels		
	Registered Feedlots		
	Dwellings		
	Municipalities		
			<b>FEMA Flood Zones</b>
			2% Annual Chance
			A
			AE
			AO
			X



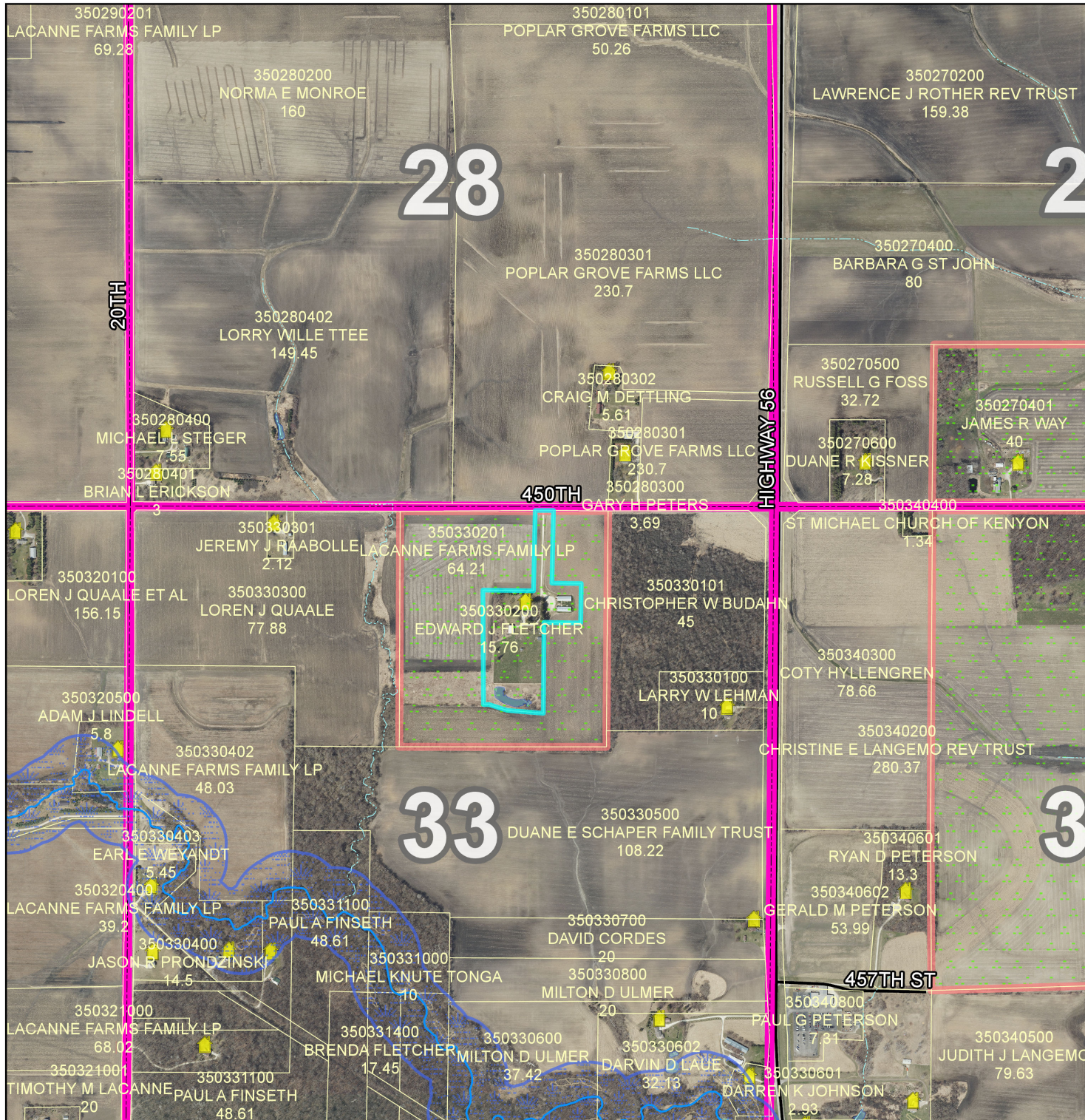
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# MAP 02: VICINITY



## Planning Advisory Commission

Public Hearing  
May 13, 2019

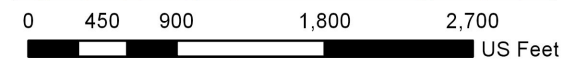
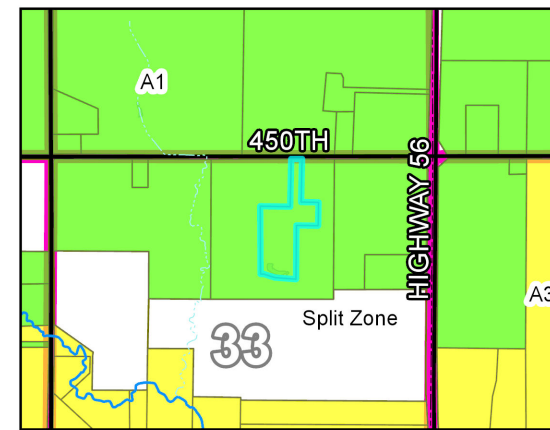
Edward Fletcher  
A1 Zoned District

Parcel 35.033.0200  
Part of W 1/2 NE 1/4  
Sect 33 Twp110 R18  
in Holden Township

Operate a Feedlot  
outside of a Farmyard

### Legend

- |  |                            |  |                              |
|--|----------------------------|--|------------------------------|
|  | Intermittent Streams       |  | Bluff Impact Zones (% slope) |
|  | Protected Streams          |  | 30                           |
|  | Lakes & Other Water Bodies |  | FEMA Flood Zones             |
|  | Shoreland                  |  | 2% Annual Chance             |
|  | Historic Districts         |  | A                            |
|  | Parcels                    |  | AE                           |
|  | Registered Feedlots        |  | AO                           |
|  | Dwellings                  |  | X                            |
|  | Municipalities             |  |                              |

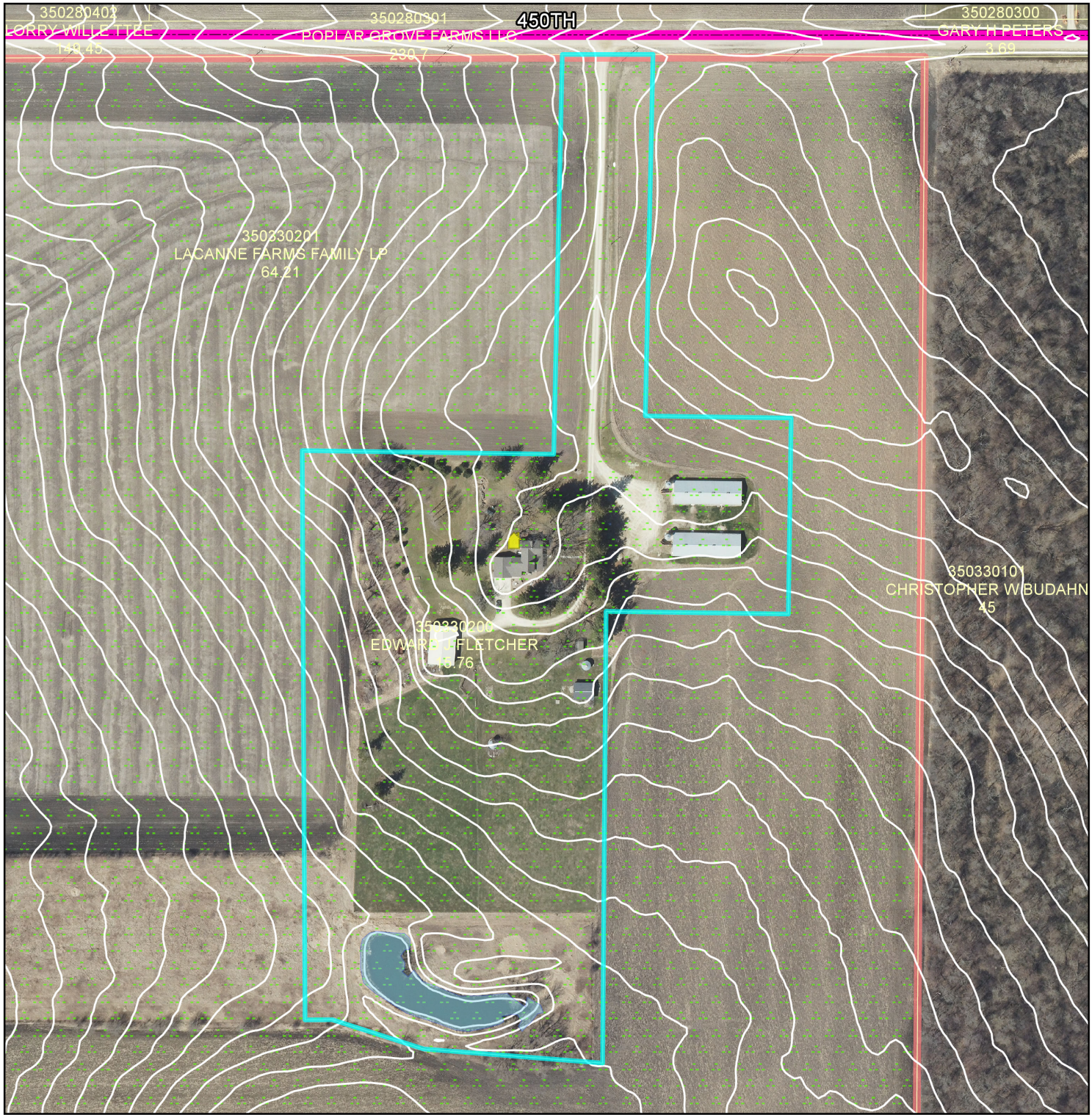


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# MAP 03: ELEVATION (2-foot contours)



## Planning Advisory Commission

Public Hearing  
May 13, 2019

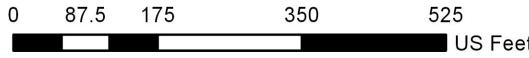
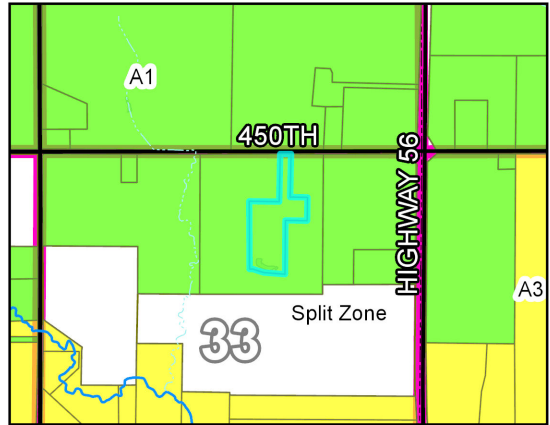
Edward Fletcher  
A1 Zoned District

Parcel 35.033.0200  
Part of W 1/2 NE 1/4  
Sect 33 Twp110 R18  
in Holden Township

Operate a Feedlot  
outside of a Farmyard

### Legend

- |                            |                                 |
|----------------------------|---------------------------------|
| Intermittent Streams       | Bluff Impact Zones (% slope) 20 |
| Protected Streams          | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | <b>FEMA Flood Zones</b>         |
| Shoreland                  | 2% Annual Chance                |
| Historic Districts         | A                               |
| Parcels                    | AE                              |
| Registered Feedlots        | AO                              |
| Dwellings                  | X                               |
| Municipalities             |                                 |



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# GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 35-033-0200

Permit# 219-0018

RECEIVED

APR 22 2019

Land Use Management

**PROPERTY OWNER INFORMATION**

Last Name <input checked="" type="checkbox"/> Fletcher	First Ed	Email:
Street Address 2636 450th St		Phone
City Kenyon	State MN	Zip 55946
Authorized Agent		Attach Legal Description as Exhibit "A" <input type="checkbox"/>
Mailing Address of Landowner: 309 Whitetail Lane Kenyon, MN, 55946		Phone
Mailing Address of Agent:		

**PROJECT INFORMATION**

Site Address (if different than above):

Lot Size \_\_\_\_\_ Structure Dimensions (if applicable) \_\_\_\_\_

What is the conditional/interim use permit request for?

Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized

**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: \_\_\_\_\_ Date \_\_\_\_\_

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 request.

Signature Barbara St John Title Clerk Date 4-22-2019

Comments: Holden town Board feels any variance or CUP request will be the responsibility of the new owner.

**COUNTY SECTION** COUNTY FEE \$350 RECEIPT # 16717 DATE PAID 4-22-19

Applicant requests a CUP/IUP pursuant to 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

## PROJECT SUMMARY

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

1. Description of purpose and planned scope of operations (including retail/wholesale activities).

Buyer will purchase both Barnyard & Hog barns split off approx 2 acres & hog barns from farmyard so that buyers can obtain 30 yr. fixed standard mortgage

2. Planned use of existing buildings and proposed new structures associated with the proposal.

No new structures, Hog barns will continue to operate as they have historically

3. Proposed number of non-resident employees.

Hog barns will continue to operate as they have historically

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

Standard hog operation

5. Planned maximum capacity/occupancy.

~~current~~ They hog Barns each contain 520 each 4150 1500 0.3 ST-300 163

6. Traffic generation and congestion, loading and unloading areas, and site access.

Normal farm operation

7. Off-street parking provisions (number of spaces, location, and surface materials).

N/A

8. Proposed solid waste disposal provisions.

N/A

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services.

Currently hog waste pumped into a transfer truck and hauled away. Hog barns have independent Electric & heating systems

10. Existing and proposed exterior lighting.

N/A

11. Existing and proposed exterior signage.

N/A

12. Existing and proposed exterior storage.

N/A

13. Proposed safety and security measures.

N/A

14. Adequacy of accessibility for emergency services to the site.

N/A

15. Potential for generation of noise, odor, or dust and proposed mitigation measures.

N/A

16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities.

N/A

17. Existing and proposed surface-water drainage provisions.

N/A

18. Description of food and liquor preparation, serving, and handling provisions.

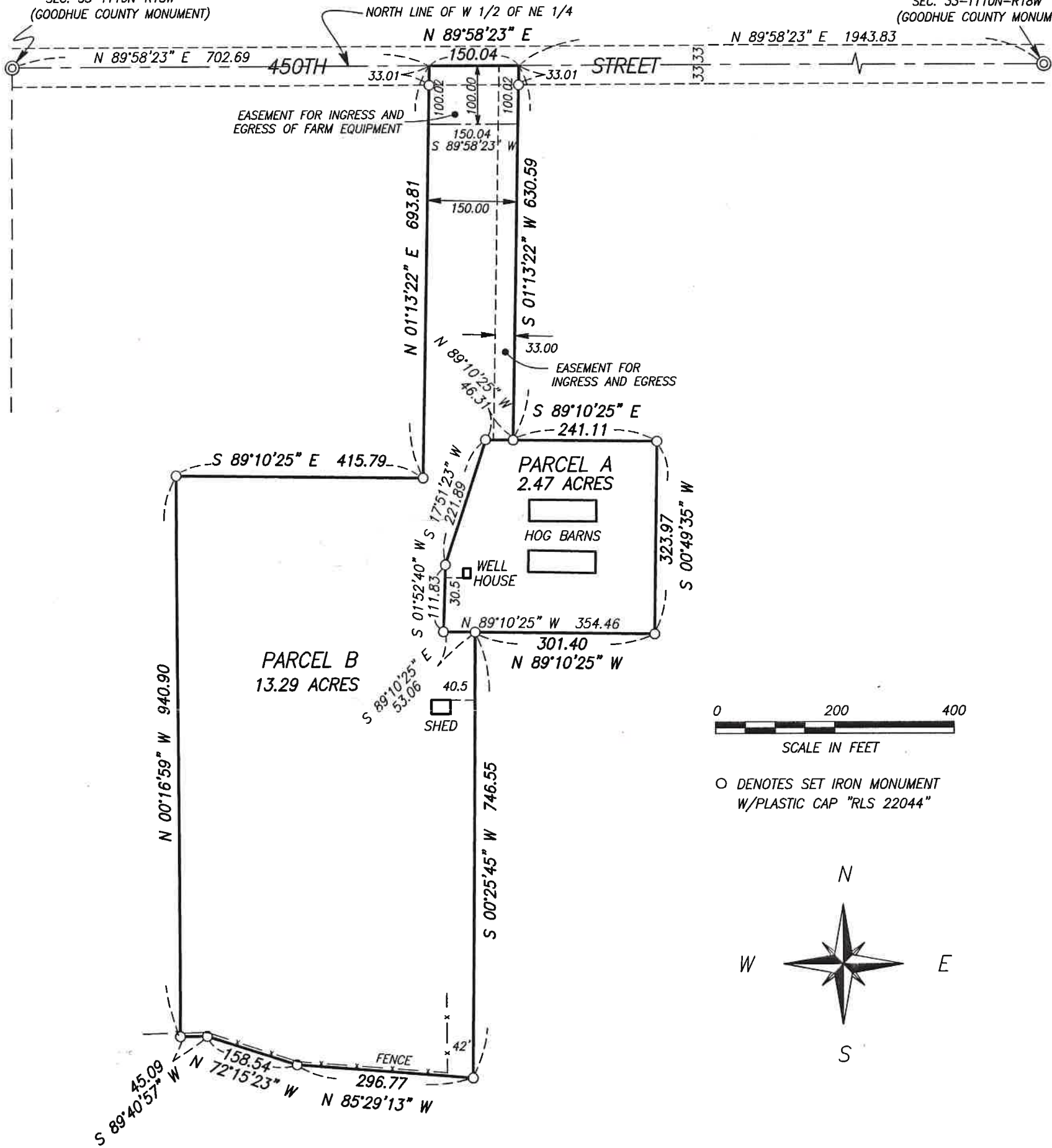
N/A

19. Provide any other such information you feel is essential to the review of your proposal.

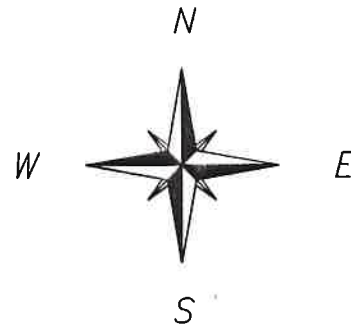
The reason we are requesting the split is because the hog operation has made it very difficult for Bayer to obtain financing

NW CORNER OF  
W 1/2 OF NE 1/4  
SEC. 33-T110N-R18W  
(GOODHUE COUNTY MONUMENT)

NE CORNER OF NE 1/4  
SEC. 33-T110N-R18W  
(GOODHUE COUNTY MONUMENT)



○ DENOTES SET IRON MONUMENT  
W/PLASTIC CAP "RLS 22044"



Certificate for:  
Ed and Tammy Fletcher  
2636 450th Street  
Kenyon, MN 55946

PLEASE SEE ATTACHED SHEET FOR LEGAL DESCRIPTIONS

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JANUARY 3, 2019  
Dated:

*David G. Rapp*  
David G. Rapp  
Minnesota Registration No. 22044



**RAPP LAND SURVEYING, INC.**  
45967 HIGHWAY 56 BLVD  
KENYON, MN 55946  
612-532-1263

DRAWN BY: DGR	DATE: 1-03-19	PROJECT NO. D18207C
SCALE: 1"=200'	SHEET 1 of 1 sheet	BOOK/PAGE 43/64

# 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:** May 13, 2019  
**Report date:** May 3, 2019

## **PUBLIC HEARING: CUP Request to Establish Feedlot and Liquid Manure Storage Exceeding 500,000 Gallons (Kehren)**

Request for a CUP, submitted by Phillip and Annette Kehren (owner/operators), to establish a hog finishing Feedlot for up to 2,400 head (720 Animal Units) and construction of an animal waste storage pit exceeding 500,000 gallons.

### **Application Information:**

Applicant: Phillip and Annette Kehren (owner/operators)  
Address of zoning request: 2000 470th ST, Zumbrota, MN 55992  
Parcel(s): 39.009.0300  
Abbreviated Legal: NW ¼ and W ½ of NE ¼ of Sect 09 Twp 109 Range 15 in Pine Island Township  
Township Information: Pine Island Township endorsed acknowledgment of the Applicants' request on 3/26/19.  
Zoning District: A1 (Agriculture Protection District)

### **Attachments and links:**

Application and submitted project summary (excerpt of submitted materials; full submittal available from LUM Department upon request)  
Site Map(s)  
Feedlot Officer Review and Odor OFFSET calculations (Kelsey Petit)  
Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Background:**

The Applicants are requesting Conditional Use Permit (CUP) approval to establish a 2,400 head swine finishing barn on their 240-acre farmstead in section 09 of Pine Island Township. Though the site didn't become an official registered Feedlot until February of this year, it has historically been used for animal and crop agriculture purposes. The Applicants plan to discontinue the current Feedlot registration for up to 10 Beef Cattle (10 Animal Units) to solely raise swine upon CUP approval.

The Goodhue County Zoning Ordinance (GCZO) requires CUP approval for all Feedlots exceeding 500 Animal Units in the A1 District and any animal waste storage pits exceeding 500,000 gallons.

### **Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses**

*No CUP/IUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/IUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, will not substantially diminish and impair property values within the immediate vicinity, will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area, that adequate measures have been, or will be, taken to provide utilities, access roads, drainage and other necessary facilities, to provide sufficient off-street parking and loading space, to 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.*

**Project Summary:**

**Property Information:**

- The 240-acre (approximate) property includes a dwelling, a registered feedlot, and tilled cropland. The Applicants also own 6 adjacent parcels south and west of the site (115 acres).
- The parcel is zoned A1. All adjacent properties are also zoned A1. Surrounding land uses are primarily agricultural (feedlots and row-crop agriculture). There are some low-density residential uses to the south and west that are separated by roughly a half-mile of undeveloped woodlands.
- The site is accessed by a 12-foot wide crushed aggregate driveway located off of ST HWY 60 BLVD/470<sup>th</sup> ST (asphalt paved road). Emergency vehicle access appears adequate to service the property.

**Feedlot Facilities:**

- The Applicants are proposing to construct a 393-foot x 51-foot swine finishing Confinement Barn with a slatted concrete floor constructed above an 8-foot deep concrete manure containment pit. The barn and manure storage area have been designed by ProAg Engineering, a licensed engineering firm.
- There are 5 existing sheds and barns that will be used for agricultural storage and equipment maintenance purposes (36 feet x 60 feet, 30 feet x 60 feet, 56 feet x 86 feet, 126 feet x 40 feet, and 144 feet x 40 feet). Additional facilities include feed and grain storage silos, bunkers, and bins as well as machinery storage buildings.

**Animal Units/Setbacks:**

- The Applicants are proposing to discontinue the Beef Cattle operations and add 2400 head of swine producing a total of 720 Animal Units as shown below (new Animal Units shown in red).

Animal Type	A.U. Factor	# of Animals	Animal Units
<u>Beef Cattle</u>			
one slaughter steer or stock cow	1.0	<del>40</del> 0	<del>40</del> 0
one feeder Cattle (stocker or backgrounding) or heifer	0.7	0	0
one cow and calf pair	1.2	0	0
one calf	.2	0	0
<u>One Head of Swine</u>			
over 300 lbs.	0.4	0	0
between 55 lbs. and 300 lbs.	0.3	2400	720
under 55 lbs.	0.1	0	0
<b>Total Animal Units</b>			<b>720</b>

- New Feedlots are required to be setback 1000 feet or 94% Odor Annoyance-Free Rating distance (as determined by the Odor OFFSET Evaluation Model), whichever is greater, from existing dwellings. A 1,454-foot setback is required for the facility to meet a 94% Odor Annoyance-Free Rating. Given the nearest dwellings are located 2,564 feet southwest of the proposed Feedlot (Ronald Young, Glen Betcher), a 97% Odor Annoyance-Free Rating would be achieved.

The Feedlot is 2 miles southeast of Zumbrota’s city limits. A 99% Odor Annoyance-Free Rating distance (1.14 miles/6000 feet) is required by Ordinance.

- There are currently 7 dwellings located in section 09. As an A1 zoned section, a maximum of 4 dwellings are allowed in the section. The sections north, east, south, and west of the site (4, 8, 10, 16) are also zoned A1 and have either met or exceeded their available dwelling density.
- The proposed Feedlot expansion is sited to comply with all other setback standards of the GCZO including property lines, wells, septic systems, Shoreland, Floodplains, sinkholes, and Blufflands. The site is not located within an abandoned quarry.



### **Drainage/Landscaping:**

- Slopes in the project area range from 7-10%. There is an existing manmade lined stormwater pond northwest of the proposed barn location. The pond was built to control snowmelt and stormwater runoff flowing northeast from the woods and fields south of the site. Water from the pond is directed into an existing grassed waterway and flows northeast for distribution into the surrounding cropland.

A new “clean water” diversion swale is proposed along the southern border of the property to capture additional stormwater runoff from the south and direct it east into existing drainage swale to limit stormwater intrusion around the new structure.

Construction is anticipated to disturb less than 3 acres of soil and create less than 1 acres of impervious surface. An NPDES stormwater pollution prevention plan (SWPPP) is not mandatory for this project. ProAg Engineering has developed an erosion control/stormwater management plan to minimize erosion during construction. Roof water runoff collection and containment is not proposed for the barn.

- An erosion control/stormwater management plan is customarily submitted for administrative review at the time of building permit application.

### **Nutrient/Waste Management:**

- Animal waste will be collected in the manure containment pit beneath the new barn until it can later be field-applied as fertilizer. The 390-foot x 50-foot x 6.5-foot concrete pit is designed to store up to 943,623 gallons. The pit will be constructed according to ProAg’s engineered specifications.
- A preliminary Nutrient Management Plan has been submitted for review to the Goodhue County Feedlot Officer. The plan anticipates the use of both “knife injection” and surface spreading followed by tillage incorporation for manure field applications. A final review and approval of the Applicants’ Nutrient Management Plan will be required prior to completion of the Feedlot Registration process for the expansion.
- An Animal Mortality Plan has also been submitted for initial review. The Applicants plan to utilize composting and rendering in accordance with MPCA rules as the primary and secondary methods of disposal of deceased animals. A 40-foot x 17-foot concrete composting pit will be located immediately west of the new barn as noted on the site plan.

### **County Feedlot Officer Comments:**

- Goodhue County Feedlot Office Kelsey Petit offered the following comments regarding the application:

*“For the manure management plan for Mitchell Kehren he will have enough land to spread/incorporate on for the swine manure. In the manure management plan it shows he will be knife injecting on a total of 184 acres (2 fields) for 2020-2021 crop year. He will not be using any commercial fertilizer/starter/supplemental. In the manure management plan he has 7 different fields to incorporate/apply on. Kehren has land application agreements and land maps for receiving manure on cropland for all of the rented cropland”.*

### **Draft Findings of Fact:**

*The following staff findings shall be amended to reflect concerns conveyed during the PAC meeting and public hearing.*

1. The proposed Feedlot expansion and manure storage pit does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The use is located in an A1 (Agriculture Protection) zone which was intended to allow for large scale agricultural operations. Large separation distances and existing woodlands in the vicinity buffer the Feedlot from existing non-compatible uses in the surrounding area. The use appears harmonious with the established uses in the vicinity which include primarily cropland and animal agriculture operations.
2. The Feedlot expansion and liquid manure storage pit is not anticipated to impede the normal and

orderly development or improvement of surrounding vacant property for uses predominant to the area. The proposal meets or exceeds all setback and development standards of the Goodhue County Zoning Ordinance and appears compatible with adjacent land uses.

3. A review of the applicants submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available to accommodate the proposed use.
4. The submitted plans identify means to provide sufficient off-street parking and loading space to serve the proposed use and meet the Goodhue County Zoning Ordinance's parking requirements.
5. The submitted plans detail adequate measures to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. Furthermore, the applicant's plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result. The new barn and manure pit exceed the 94% Odor Annoyance-Free Rating minimum required setback distance to minimize odor or fume impacts to surrounding landowners.

*Staff recommendation is based on the review of the submitted application and project area prior to the public hearing.*

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

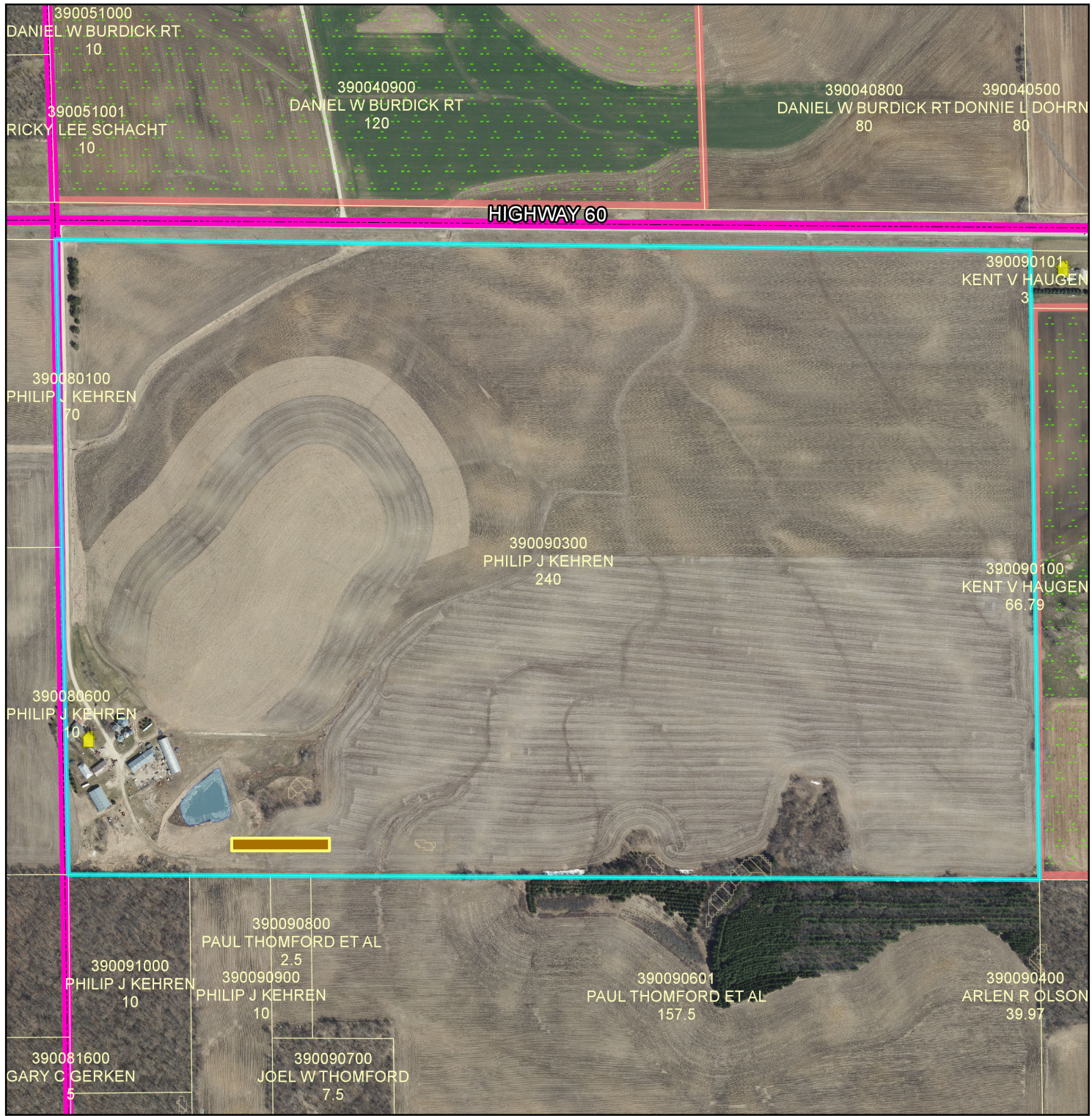
- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend the County Board of Commissioners **APPROVE** the request for a CUP, submitted by Phillip and Annette Kehren (owner/operators), to establish a hog finishing Feedlot for up to 720 Animal Units and construction of an animal waste storage pit of up to 943,623 gallons.

Subject to the following conditions:

1. The Feedlot shall be constructed according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
3. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
4. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 21 (Agriculture Protection District) and Article 13 (Confined Feedlot Regulations);
5. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

# MAP 01: PROPERTY OVERVIEW



## Planning Advisory Commission

Public Hearing  
 May 13, 2019

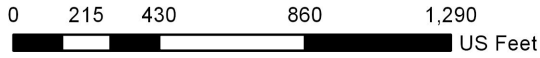
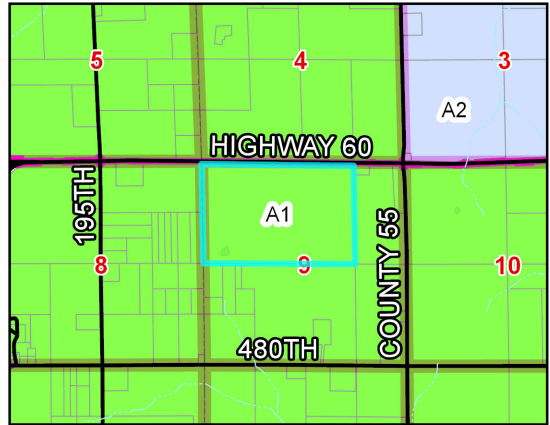
Phillip and Annette Kehren  
 A1 Zoned District

Parcel 39.009.0300  
 NW ¼ and W ½ of NE ¼  
 Sect 09 Twp109 R15 in  
 Pine Island Township

Establish 720 AU Hog Feedlot  
 and manure storage facility  
 exceeding 500,000 gallons

### Legend

- |                            |                                 |
|----------------------------|---------------------------------|
| Intermittent Streams       | Bluff Impact Zones (% slope) 20 |
| Protected Streams          | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | <b>FEMA Flood Zones</b>         |
| Shoreland                  | 2% Annual Chance                |
| Historic Districts         | A                               |
| Parcels                    | AE                              |
| Registered Feedlots        | AO                              |
| Dwellings                  | X                               |
| Municipalities             |                                 |



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2018 Aerial Imagery  
 Map Created May, 2019 by LUM



# MAP 02: VICINITY

## Planning Advisory Commission

Public Hearing  
May 13, 2019

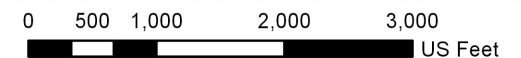
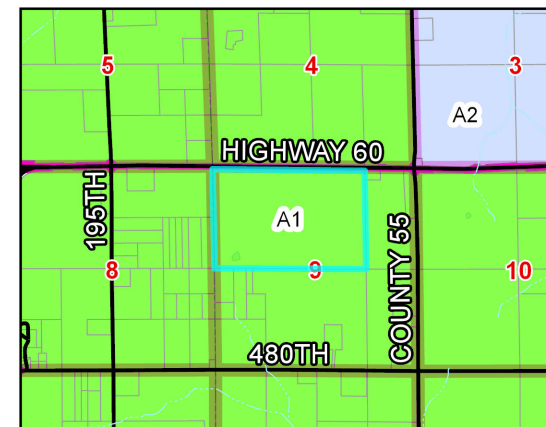
Phillip and Annette Kehren  
A1 Zoned District

Parcel 39.009.0300  
NW ¼ and W ½ of NE ¼  
Sect 09 Twp109 R15 in  
Pine Island Township

Establish 720 AU Hog Feedlot  
and manure storage facility  
exceeding 500,000 gallons

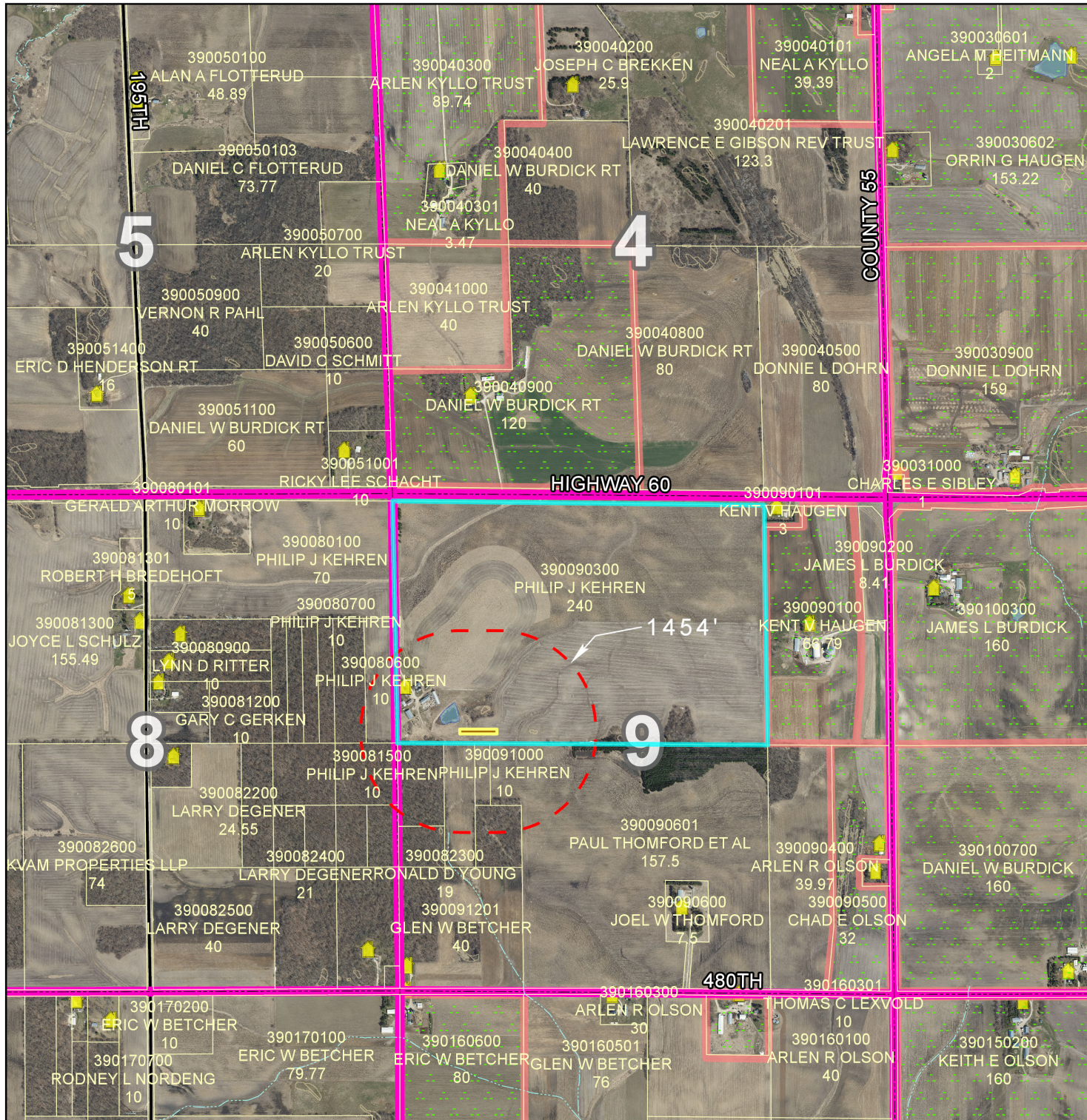
### Legend

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			2% Annual Chance
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			X

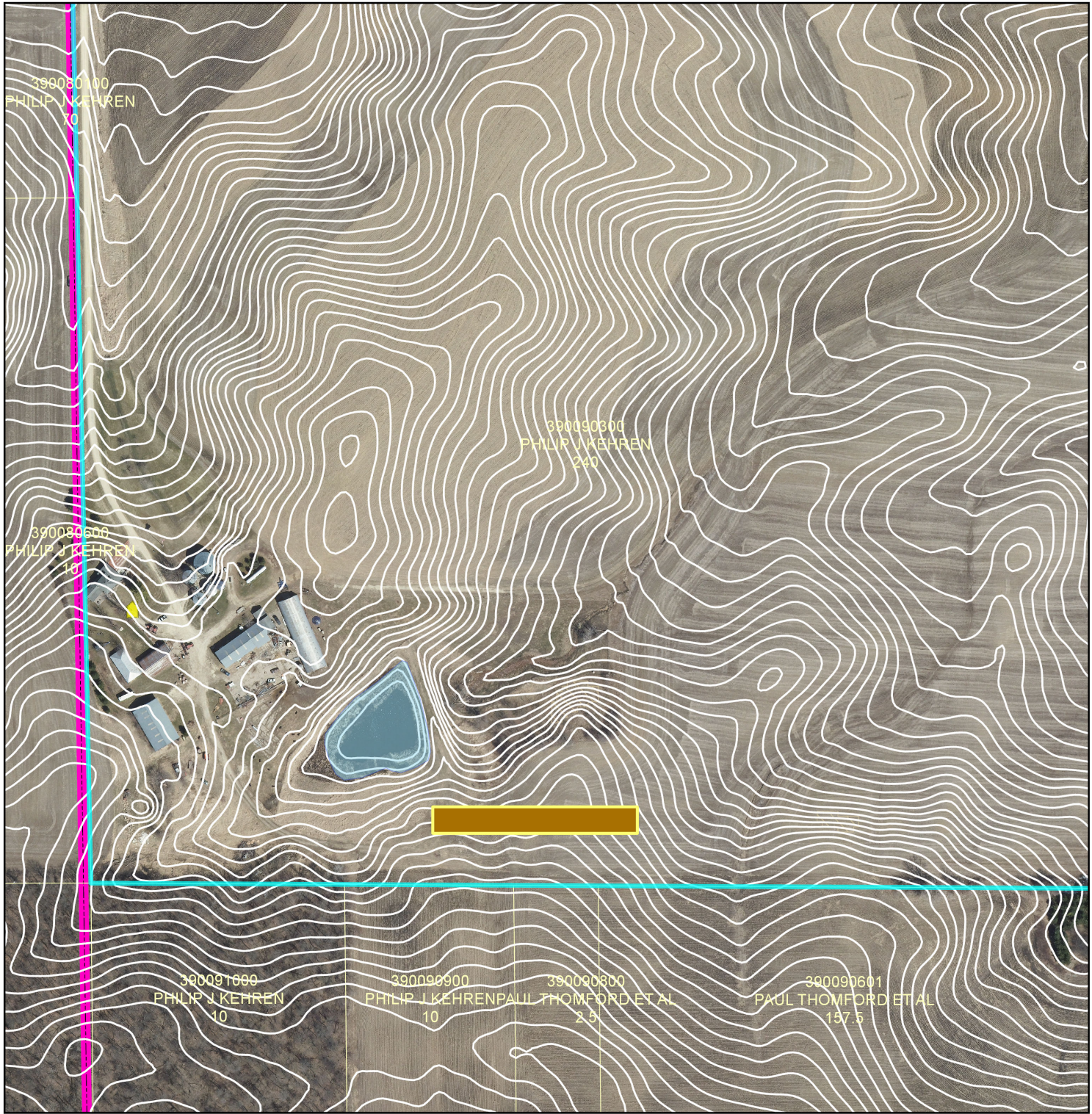


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2018 Aerial Imagery  
Map Created May, 2019 by LUM



# MAP 03: ELEVATION (2-foot contours)



## Planning Advisory Commission

Public Hearing  
May 13, 2019

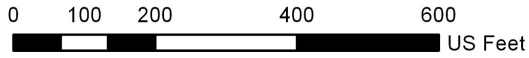
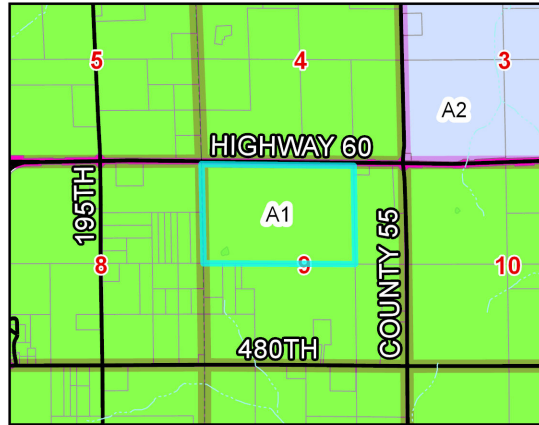
Phillip and Annette Kehren  
A1 Zoned District

Parcel 39.009.0300  
NW ¼ and W ½ of NE ¼  
Sect 09 Twp109 R15 in  
Pine Island Township

Establish 720 AU Hog Feedlot  
and manure storage facility  
exceeding 500,000 gallons

### Legend

- |  |                            |  |                              |
|--|----------------------------|--|------------------------------|
|  | Intermittent Streams       |  | Bluff Impact Zones (% slope) |
|  | Protected Streams          |  | 30                           |
|  | Lakes & Other Water Bodies |  |                              |
|  | Shoreland                  |  |                              |
|  | Historic Districts         |  |                              |
|  | Parcels                    |  |                              |
|  | Registered Feedlots        |  |                              |
|  | Dwellings                  |  |                              |
|  | Municipalities             |  |                              |
|  |                            |  | FEMA Flood Zones             |
|  |                            |  | 2% Annual Chance             |
|  |                            |  | A                            |
|  |                            |  | AE                           |
|  |                            |  | AO                           |
|  |                            |  | X                            |



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2018 Aerial Imagery  
Map Created May, 2019 by LUM





1. HOUSE: about 750ft from barn
  2. GRAIN STORAGE: about 580ft from barn
  3. SHOP: 36x60, 590ft from barn
  4. STORAGE 1: 30x60, about 650ft from barn, used for small equipment storage
  5. STORAGE 2: 56x86, about 540ft from barn, used for large equipment storage
  6. STORAGE 3: 100x40 with 26x40 parlor, about 460ft from barn, used for general storage, parlor is not in use and has been vacant for 30+ years
  7. QUONSET: 40x144, about 340ft from barn, used for general storage, *Beef cow barn 20x40*
  8. COMPOST: 40x17, new construction
  9. FINISH BARN: 51x393, new construction
- WELL: about 450ft from barn

## **Mitchell Kehren Distances**

### **Distance from structures to property lines:**

1. House: 550ft from property line
2. Grain Storage: 580<sup>th</sup> from property line
3. Shop: 430ft from property line
4. Storage 1: 75ft from property line
5. Storage 2: 255ft from property line
6. Storage 3: 420ft from property line
7. Quonset: 415ft from property line
8. New construction: Compost: 110ft from property line
9. New construction: Hog Barn: 100ft from property line

### **Distance to nearest dwelling:**

From the new proposed 51x 393 hog finisher barn, the nearest dwelling/residence is 2564' ft.

# GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 39.009.0300

Permit# Z19.0016

### PROPERTY OWNER INFORMATION

Last Name <u>Kehren</u>		First <u>Philip + Annette</u>		Email:
Street Address <u>20,000 470<sup>th</sup> St.</u>			Phone	
City <u>Zumbrota</u>	State <u>MN</u>	Zip <u>55992</u>	Attach Legal Description as Exhibit "A" <input checked="" type="checkbox"/> <u>2018 Tax Statement</u>	
Authorized Agent <u>Mitchell Kehren</u>			Phone	
Mailing Address of Landowner: <u>(same as above)</u>				
Mailing Address of Agent: <u>210 E 8<sup>th</sup> St. Zumbrota MN 55992</u>				

### PROJECT INFORMATION

Site Address (if different than above):


Lot Size 240 Ac.      Structure Dimensions (if applicable) ~ 51 x 393

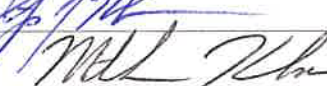
What is the conditional/interim use permit request for? Construction of Barn, Manure Storage Exceeding 500,000 gal

Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized

### 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:       Date 3/26/19

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 request.

Signature	Title	Date
-----------	-------	------

Comments:

**COUNTY SECTION**      COUNTY FEE \$350      RECEIPT # 16106      DATE PAID 4-15-19

Applicant requests a CUP/IUP pursuant to 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

**PROJECT SUMMARY**

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

1. Description of purpose and planned scope of operations (including retail/wholesale activities).

Raise 2,400 hd. Finishing Hogs

2. Planned use of existing buildings and proposed new structures associated with the proposal.

↳ Same as before. General farm equip. storage.

Proposed structure is a single, 2400 hd curtain sided barn and Compost area.

3. Proposed number of non-resident employees.

0

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

I'll be in the barn about 2 hrs./day. Loadouts occur 2 1/2 x a year and would likely be very early in the morning and lasts 6-10 hrs.

5. Planned maximum capacity/occupancy.

2400 (720 Animal Units)

6. Traffic generation and congestion, loading and unloading areas, and site access.

Feed Truck weekly, Semis for loadouts south side of barn → current driveway

7. Off-street parking provisions (number of spaces, location, and surface materials).

Gravel parking/turn around area south of barn

8. Proposed solid waste disposal provisions.

8' Concrete pit under barn.

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services.

no proposed  
septic tanks

current drilled well

new elec. buried  
to barn.

new water line will  
be buried from existing  
well.

10. Existing and proposed exterior lighting.

Minimal

11. Existing and proposed exterior signage.

Small Bio Security sign @ entrance just south of the existing bldg site.

12. Existing and proposed exterior storage.

4 Feed Bins on South side of barn.

13. Proposed safety and security measures.

All access points to the pit will have covers or pit fans over them. All doors will have latches. Bio security measures will be taken.

14. Adequacy of accessibility for emergency services to the site.

They can drive right up to the site.

15. Potential for generation of noise, odor, or dust and proposed mitigation measures.

Noise will be ~~minimal~~ minimal during normal hours. The hogs may be noisy during loadouts, but that happens only 2.5 x a year. Manure will be injected. A field will get manure applied every 3 yrs.

16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities.

The site will slope away from the barn. A majority of the fill from excavation will go on the north side of the barn.

17. Existing and proposed surface-water drainage provisions.

The pond is a man-made structure and has a tarp lining. Drainage tile around barn will drain north. The engineer has plans for redirecting run-off.

18. Description of food and liquor preparation, serving, and handling provisions.

None.

19. Provide any other such information you feel is essential to the review of your proposal.

The barn is the very common 2400 hd curtain barns seen in SW Minnesota. It'll be located more than 2500 ft. from any neighboring residence. This barn provides an opportunity for my family to get started in to agriculture. It fits well with the current site and we're hoping this barn helps us diversify so that the farming tradition continues into my children's generation.

Pine Island Township Variance CUP/IUP Form

Pine Island Township grants a CUP to Mitchell & Kethren

for the purpose of A 2400 Hog Unit 720 Animal Units

on the date of 3-26-19.

[Signature] (Recipient)

Ken Bettes (Chairman Pine Island Township)

David A. Arndt (Clerk Pine Island Township)

Comments:

# APPLICANT FEEDLOT PROJECT SUMMARY SHEET

This form must be completed and submitted to the Feedlot Officer prior to CUP application or Variance:  
 (Upon review, projects may require other information and Well Testing and Baseline data may be required):

Application Information:	
Applicant:	Mitchell Kehren
Address of feedlot and PID #	20,000 470th St Zumbrota MN 55992 PID #39-009-0300
Project Information:	
Describe feedlot size and type (new registration or expansion)	2400 Swine Finishing Barn with deep pit and a Compost area.
Animal type	Swine
Animal units	Include expansion amount 720 AU
Total gallons of liquid storage	Include expansion amount 1,000,000 gallons
Dimensions of New Buildings	See descriptions below or circle 51x393 & 40x17
Dimensions of New Areas	See descriptions below or circle 51x393x8 Concrete tank
Building Sources	
Beef - loose housing Dairy - free stall Dairy - loose housing Dairy - tie stall Poultry Broiler - Litter built up Poultry Layer Belt (3-day with storage) Poultry Layer Belt (daily with storage) Poultry Layer High Rise Poultry Turkey - litter Poultry Turkey brooder -litter	Swine Farrowing - pull plug <u>Swine Finishing - deep pit</u> Swine Finishing - hoop barn Swine Finishing - open front monoslope Swine Gestation - pull plug Swine Gestation or Farrow -deep pit Swine Nursery - deep pit Swine Nursery - pull plug Swine Wean to Finish - deep pit Other/None
Area Sources	
Dry crusted stockpile Earthen manure storage Open lot Dairy or Beef <u>Open lot Swine</u> <u>Steel or concrete tank</u> Other/None	Control Technology <b>Reductions</b> Building type: Biofilter Oil Sprinkling Area Type: Geotextile cover (>= 2.4 mm) 4" straw or natural crust 8" straw or natural crust Impermeable cover Other/None

### Applicant Requirements for Submittal to the Goodhue County Feedlot officer:

1. Any required feedlot application forms/registration forms (may be obtained from the Feedlot Officer). ✓
2. Feedlot Site Plan (clearly distinguish between **existing** and **proposed**): ✓
  - a. Location, size, and shape of any structures and confinement areas ✓
  - b. Distances to property lines ✓
  - c. Distances between structures ✓
  - d. All wells and sanitary sewer systems (including any abandoned)

Structure floor plan:

  - e. Identify any building or portion of a building that is used for animals. ✓
  - f. Identify any building or portion of a building that is not used exclusively for animals, feed or equipment, such as: offices, bathrooms, showers or locker rooms and provide a scaled drawing of the area. ..
3. Nutrient Management Plan submitted to the Goodhue County Feedlot officer, including: ✓
  - a. The quantity and type of effluent to be discharged from the site,
  - b. The method of spreading or incorporating manure from the feedlot,
  - c. The measures which will be taken to minimize odor during the disposal of manure, and
  - d. Location of all manure application sites,
  - e. Crop types, application rate in gallons/acre or tons/acre, and the resulting application rate of N, in pounds/acre.

*Required manure application setbacks:*  
 more than 300-foot setback from any dwelling, church, or school (surface, incorporated, or injected)  
 more than 200-foot setback from any public or private well (surface, incorporated, injected, or irrigation manure application.)  
 more than 1000 foot setback from any dwelling, church, or school (irrigation manure application)  
 Written agreements between affected neighbors may be an exception to minimum setback requirements for the land application of manure, provided the setback complies with the MPCA 7020 rules and Goodhue County Environmental Health ordinance.
4. Land spreading agreements submitted to the Goodhue County Feedlot officer.  
*Land spreading agreements shall be provided if the applicant does not own the minimum acreage as required in the nutrient management plan and that minimum must be under agreement throughout the lifetime of the permitted feedlot. Any shortage of minimum required acreage is cause for revocation of the permit and constitutes a violation of the Ordinance.*
5. What is the method of disposal of dead, dying, or diseased animals? ✓  
 Compost

# Odors From Feedlots Setback Estimation Tool

**OFFSET Ver 2.0**  
**University of Minnesota**  
 1/21/2017

Farm Name	Mitchell Kehren
Address or County	Goodhue
Evaluator	Kelsey Petit
Date	4/8/19

Clear All

**OFFSET**  
**Annoyance-free**  
**97%**

Source Edge to Nearest Neighbor (ft)	2564
Source Edge to Property Line (ft)	100

## Building Sources

Building Type	Width (ft)	Length (ft)	# of Similar Sources	Total Area (sqft)	Control Technology	% air treated
Swine Finishing - deep pit	51	393	1	20043	None	
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	Biofilter	

## AREA SOURCES

Source Description	Shape	Width (ft) (or Dia)	Length (ft)	Area (sqft)	Control Technology
Steel or concrete tank	Rectangle	51	393	20043	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None

Building Sources	
<b>Add Source Type</b>	
Name of Source	
Odor Flux (ou/s/m2)	
H2S Flux (ug/s/m2)	
NH3 Flux (ug/s/m2)	
Documentation	
<b>Add a Control Technology</b>	
Name of technology	
Odor reduction (%)	
H2S reduction (%)	
NH3 Reduction (%)	
Documentation	

Area Sources	
<b>Add a Source Type</b>	
Name of Source	
Odor Flux (ou/s/m2)	
H2S Flux (ug/s/m2)	
NH3 Flux (ug/s/m2)	
Documentation	
<b>Add Control Technology</b>	
Name of technology	
Odor reduction (%)	
H2S reduction (%)	
NH3 Reduction (%)	
Documentation	

# OFFSET Summary and Results

**OFFSET Ver 2.0**  
**University of Minnesota**  
 1/21/2017

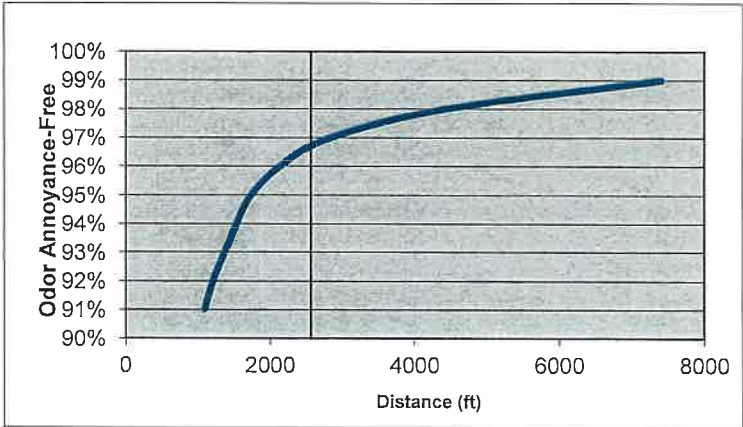
Farm Name	Mitchell Kehren
County	Goodhue
Evaluator	Kelsey Petit
Date	4/8/19

Source Characteristics Summary					Flux Rates (with control technology)				Source Emission Rates*		
	Similar Sources	Emit Area sq ft	Control Technology Type	Percent Treated	Odor ou/s/m2	OFFSET OER	H2S ug/s/m2	Ammonia ug/s/m2	Odor ou/s	H2S ug/s	Ammonia ug/s
<b>Buildings</b>											
Swine Finishing - deep pit	1	20043	None	0%	10.5	34.2	6.0	99.0	19562	11178	184438
<b>Area Sources</b>											
Steel or concrete tank		20043	None		30.0	28	38.0	194.0	55890	70794	361424

\*includes control technologies

Site Emissions	
Total Site Area (ft2)	40,086
Total Odor Emission Factor (TOEF)	124
Total Site H2S Emissions (mg/s)	82
Total Site H2S Emission AVERAGE (lbs/day)	16
Total Site H2S Emission MAX (lbs/day)	31
Total Site H2S Emissions (tons/yr)	3
Total Site Ammonia Emissions (mg/s)	546
Total Site Ammonia Emission AVERAGE (lbs/day)	104
Total Site Ammonia Emissions MAX (lbs/day)	208
Total Site Ammonia Emissions (tons/yr)	19

Source Edge to Nearest Neighbor (ft)	2564
OFFSET Annoyance-free frequency	97%



# Animal Mortality Plan

**Purpose:** This Animal Mortality Plan is for the handling of dead animals in accordance with State requirements, including Minn. Stat. § 35.82 and Minn. R. chs. 1719.0100 to 1719.4600 and 7011.1215.

Facility name: Mitchell Kehren Feedlot registration no. 049-126655  
 Owner/Operator name: Mitchell Kehren Feedlot permit no. \_\_\_\_\_

**Planned method of animal disposal:** Complete the table below by identifying the animal type, the primary method and the secondary method of disposal of dead animals at your feedlot. The legal methods of disposal are listed below and the minimum requirements for each management option are described on the following page. Please make sure the locations of burial sites, incinerators, temporary mortality storage, and/or compost areas are indicated on the site sketch of your facility included with the permit application.

**Catastrophic loss:** A catastrophic event such as a fire, collapse, tornado, floods or loss of power that results in a mass amount of animal mortalities shall be reported within 24 hours after the event started. Notifications should include the Minnesota Department of Public Safety Duty Officer at 800-422-0798 and the MPCA.

Animal type	Primary method	Secondary method	Catastrophic loss
Swine	Compost	Rendering	<b>Minnesota Duty Officer:</b> <b>1-800-422-0798</b>

Check here:  By checking here, I indicated that I have read and understand the minimum requirements listed on the second page of this form for the dead animal disposal options identified above for my operation. I agree to adhere to and follow the minimum requirements for the proper disposal of dead animals.

## Legal Methods of Disposal

Species	Method				Exempt by Law
	Bury	Incinerate	Render	Compost	
Poultry	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Swine	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cattle	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>
Horses	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>
Sheep/Goats	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Household pets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wild animals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Game farm/Exotic animals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> *	<input type="checkbox"/>

\*If composting cattle, horses, or game/exotic animals, contact the Minnesota Board of Animal Health at 651-296-2942 or 800-627-3529.

Animal carcasses should be disposed of as soon as possible, within 48-72 hours. Any vehicles transporting carcasses must be leak proof, covered, inspected, and permitted by the Minnesota Board of Animal Health (if owner is transporting his own dead animals a permit is not required).

RECEIVED

PAID

RETURNED

FEB 19 2019

FEB 19 2019

FEB 19 2019



GOODHUE SWCD  
104 EAST 3<sup>RD</sup> AVENUE - PO Box 335  
GOODHUE, MN 55027  
651-923-5286 Ext 4

# Feedlot registration form

Feedlot Program

Doc Type: Feedlot Registration

**Instructions:** Minn. R. ch. 7020 requires most owners of livestock operations to provide information requested in this form to the Minnesota Pollution Control Agency (MPCA) at least once in a four-year cycle, unless a permit application has been made. Feedlots with a National Pollutant Discharge Elimination System (NPDES) or State Disposal System (SDS) permit cannot use this form to document change of name or ownership.

## Facility name and address The information below reflects a change to the name of an existing registered facility.

Facility name: Mitchell Kehren Registration number: \_\_\_\_\_  
Facility Address: 20,000 470<sup>th</sup> St. Parcel ID number: 39-009-0300  
City: Zumbrota State: MN Zip code: 55992  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## Ownership information The information below reflects a change of ownership of an existing registered facility.

**Feedlot owner**  Same as feedlot name and address  
Name: Mitchell Kehren  
Address: 210 E 8<sup>th</sup> St.  
City: Zumbrota State: MN  
Phone: \_\_\_\_\_ Zip: 55992  
Email: \_\_\_\_\_

**Contact person**  Same as feedlot owner information  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_  
Phone: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: \_\_\_\_\_

## Facility locational information

County: Goodhue City/Township: Pine Island Township

Township (26-71 or 101-168)	Range (1-51)	Section (1-36)	¼ Section (NW, NE, SW, SE)	¼ of ¼ Section (NW, NE, SW, SE)

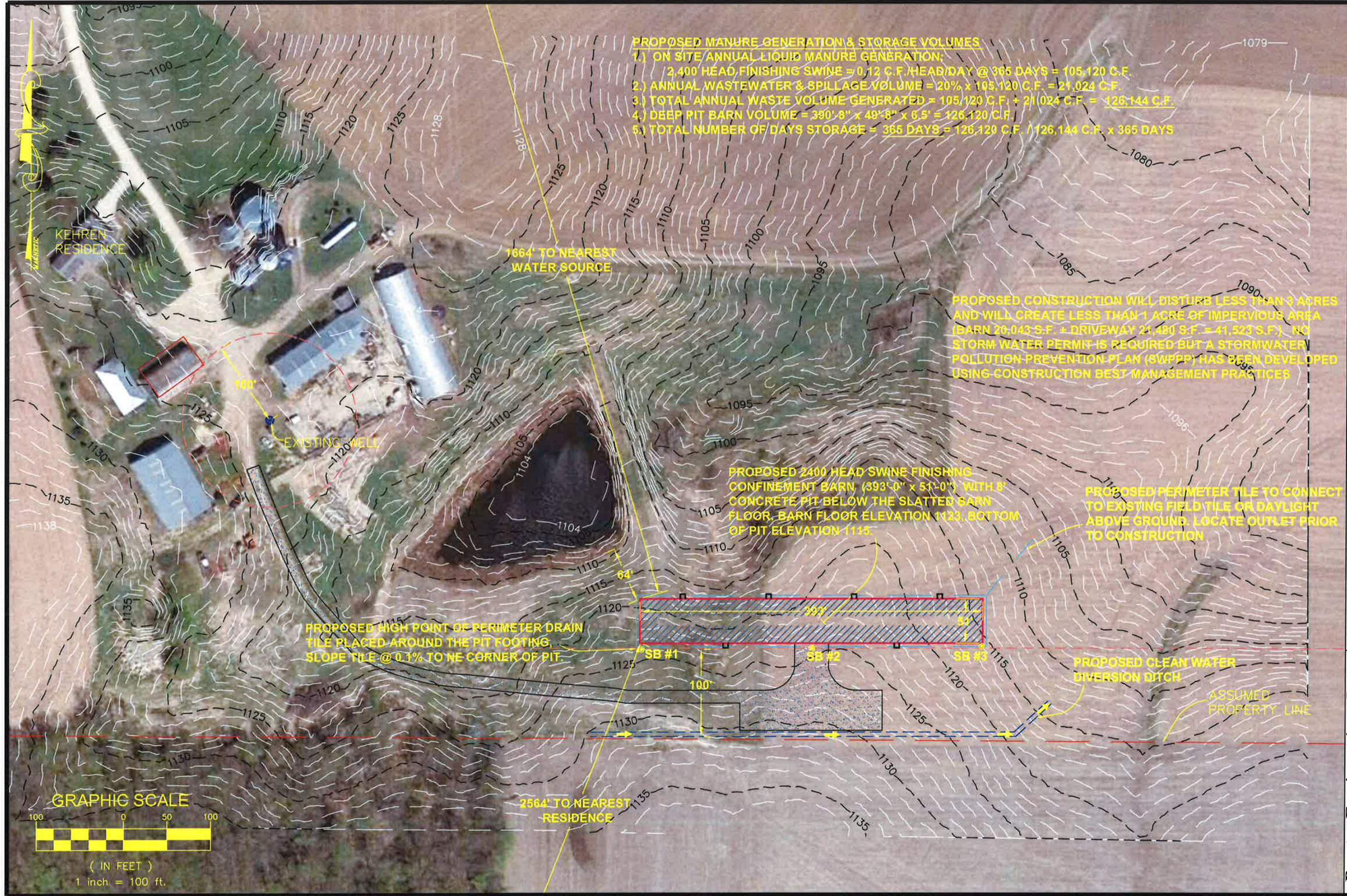
Any surface waters or tile intakes within 1,000 feet of the facility? (If Yes, indicate types below)  Yes  No  
 Lake/Pond larger than 25 acres  Wetland  Drainage ditch  River/Stream/Creek  Tile intake  
Is any part of the facility within 300 feet of a river/stream?  Yes  No  
Any part of the facility located within a delineated flood plain (100 year flood)?  Yes  No  
Any part of the facility located within designated shoreland?  Yes  No  
Any part of the facility within 300 feet of a known sinkhole?  Yes  No

## Facility operations information (indicate components that are currently part of your livestock or poultry operation)

Animals on pasture for part of the year  Yes  No <10 steers  
Open lots (dirt, concrete, other) that are designed as animal holding areas  Yes  No  
Buildings that are designed for animal confinement or as animal holding areas  Yes  No  
If yes to either above, what is the shortest distance from an animal holding area to a well? (including unused or unsealed wells) \_\_\_\_\_ feet  
A liquid manure storage structure  Yes  No  
A manure stockpile (solid manure storage area)  Yes  No  
If yes to either above, what is the shortest distance from a manure storage area to a well? (including unused or unsealed wells) \_\_\_\_\_ feet  
If you closed a liquid manure storage area or permanent manure stockpile since your last registration, complete the following:  
Date closed: \_\_\_\_\_  Liquid storage  Solid storage  
Date closed: \_\_\_\_\_  Liquid storage  Solid storage







**PROPOSED MANURE GENERATION & STORAGE VOLUMES**

- 1.) ON SITE ANNUAL LIQUID MANURE GENERATION:  
2,400 HEAD FINISHING SWINE = 0.12 C.F./HEAD/DAY @ 365 DAYS = 105,120 C.F.
- 2.) ANNUAL WASTEWATER & SPILLAGE VOLUME = 20% x 105,120 C.F. = 21,024 C.F.
- 3.) TOTAL ANNUAL WASTE VOLUME GENERATED = 105,120 C.F. + 21,024 C.F. = 126,144 C.F.
- 4.) DEEP PIT BARN VOLUME = 390'-8" x 48'-8" x 6.5' = 126,120 C.F.
- 5.) TOTAL NUMBER OF DAYS STORAGE = 365 DAYS = 126,120 C.F. / 126,144 C.F. x 365 DAYS

PROPOSED CONSTRUCTION WILL DISTURB LESS THAN 3 ACRES AND WILL CREATE LESS THAN 1 ACRE OF IMPERVIOUS AREA (BARN 20,043 S.F. + DRIVEWAY 21,480 S.F. = 41,523 S.F.). NO STORM WATER PERMIT IS REQUIRED BUT A STORMWATER POLLUTION PREVENTION PLAN (SWPPP) HAS BEEN DEVELOPED USING CONSTRUCTION BEST MANAGEMENT PRACTICES

PROPOSED 2400 HEAD SWINE FINISHING CONFINEMENT BARN, (393'-0" x 51'-0") WITH 8' CONCRETE PIT BELOW THE SLATTED BARN FLOOR. BARN FLOOR ELEVATION 1123, BOTTOM OF PIT ELEVATION 1115.

PROPOSED PERIMETER TILE TO CONNECT TO EXISTING FIELD TILE OR DAYLIGHT ABOVE GROUND. LOCATE OUTLET PRIOR TO CONSTRUCTION

PROPOSED HIGH POINT OF PERIMETER DRAIN TILE PLACED AROUND THE PIT FOOTING. SLOPE TILE @ 0.1% TO NE CORNER OF PIT

PROPOSED CLEAN WATER DIVERSION DITCH

ASSUMED PROPERTY LINE

**GRAPHIC SCALE**



( IN FEET )  
1 inch = 100 ft.

\*These are recommendations and are not intended to meet the requirements of a site specific SWPPP for an NPDES Storm Water Discharge Permit.

Description of the site:

The site is currently cropland. The project consists of construction of a cattle confinement operation with a deep pit. After construction, the area surrounding pit will be planted to grass.

Construction Sequence and Best Management Practices (BMP's)

1. The construction site shall be planted to grass (or cover crop) prior to commencement of construction. See Grass Seeding Guidelines.
2. Areas not to be disturbed during construction shall be staked and marked. Considerable rain water and sediment can be trapped on areas planted to grass and not compacted by construction traffic.
3. Install silt fence as shown on the site plan as needed to prevent erosion.
4. All drive entrances shall be protected with rock. Install road culvert(s) as per highway department specifications.
5. Build a berm to prevent field water from entering the construction site. Make berm 18-24" high with 3:1 side slopes. Use loose top soil from the barn area. A berm is an alternative to using silt fence. The loose soil will absorb a lot of water. Construct the berm on the contour with no channel on the up-hill side of the berm.
6. Temporary stockpiles shall have silt fence or other effective sediment controls and cannot be placed in stormwater conveyances, ditches or grass waterways.
7. Dewatering of pits and basins shall be done in a manner that does not cause nuisance conditions or discharge onto down-slope property. Rain and ground water in pit excavations shall not be allowed to flow direct into open tile, unless the tile inlet has silt fence or other protection or the perimeter tile is installed and covered with pea rock or crushed rock.
8. After backfilling and final grading is done, those areas shall be planted to grass. Slopes steeper than 5:1 shall be mulched. All seeding and mulching operations shall commence within 1 week after completion of each portion of the construction or as soon as soil conditions permit. See Grass Seeding Guidelines.
9. After berms are removed and backfill around barns is re-graded (the following spring) those areas shall be re-seeded to grass.
10. Final stabilization is achieved when soils have been stabilized by a uniform perennial vegetative cover over at least 70% of the pervious area, and all drainage ditches and grass waterways have been stabilized, then the silt fence may be removed.
11. The Owner shall keep the plans and records on file for a minimum of six (6) years.

Maintenance of BMP's

1. Owner shall inspect all BMP's weekly and within 24 hours after each rain event of 1/2" or more in 24 hours.
2. Silt shall be removed from behind silt fences within 24 hours of when the depth reaches 1/3 the height of the fence.
3. Mud and crushed rock are tracked onto public roads, it shall be removed within 24 hours.
4. If sediment escapes the site, off-site accumulations must be removed in a manner and frequency sufficient to minimize off-site impacts.

Assignment of Responsibilities for Execution of the SWPPP

1. Owner shall be responsible for execution, inspection, record keeping and up-dating The SWPPP as required in Appendix C of the NPDES Feedlot Permit. See form for the Storm Water Pollution Prevention Plan Record.
2. Owner shall inspect all BMP's weekly and within 24 hours after each rain event of 1/2" or more in 24 hours and supervise proper maintenance of erosion and sediment control practices.
3. Earthwork Contractor shall be responsible for implement, manage and maintain both temporary and permanent erosion and sediment control BMP's (except seeding) until final grading has been completed on site.
4. Owner shall be responsible for seedbed preparation, planting and mulching operations prescribed by the SWPPP.
5. Changes to the SWPPP shall be approved and recorded by Owner prior to implementation.

Grass Seeding Guidelines

All in-place topsoil shall be salvaged to the maximum extent possible. It is ideal to place 6 inches of top soil in areas to be seeded. Harrowing before and packing with roller after planting will help germination, make the ground smoother and easier to mow. Seeding mixture and rates are recommendations based on DOT specs. Fertilizer is important for quick growth. Mixtures 250 and 280 can be mowed.

Temporary seeding: Fertilizer 10-10-20 at 200 lbs/acre.

- Oats at 100 lbs/ac for spring/summer seeding of areas that will be left undisturbed for 21 days or more.
- Winter wheat at 100 lbs/ac for fall seeding of areas that will be disturbed again in the spring, such as backfill around barns.

Turf and agricultural grasses: Fertilizer 20-10-20 at 350 lbs/acre.

General Roadside mix.

Brome grass, smooth	9.8 lbs/ac	14.0%
Bluegrass, Kentucky "Certified Park"	20.3	29.0
Bluegrass, Canada	9.8	14.0
Switch grass	2.1	3.0
Wheat-grass, slender	2.8	4.0
Rye-grass, perennial	14.7	21.0
Timothy	2.1	3.0
Redtop	2.1	3.0
Alfalfa, creeping	4.2	6.0
White clover	2.1	3.0
Total		

70 lb/ac

Agricultural Roadside mix.

Alfalfa, creeping	15 lb/ac	30.0%
Brome grass, smooth	10	20.0
Redtop	3	6.0
Rye-grass, perennial	15	30.0
Switch grass	2	4.0
Timothy	2	4.0
Wheat-grass, slender	3	6.0
Total	50 lb/ac	

# 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:** May 13, 2019  
**Report date:** May 3, 2019

## **PUBLIC HEARING: CUP Request for Feedlot Expansion and Liquid Manure Storage Exceeding 500,000 Gallons (Dicke)**

Request for a CUP, submitted by Sue and Micah Dicke (owner/operators), for an estimated 300 Animal Unit expansion of an existing 444 Animal Unit Beef cattle Feedlot and construction of an animal waste storage pit exceeding 500,000 gallons.

### **Application Information:**

Applicant: Sue and Micah Dicke (owner/operators)  
Address of zoning request: 17744 CTY 1 BLVD, Red Wing, MN 55066.  
Parcel(s): 42.036.0700  
Abbreviated Legal: Part of the N ½ of the SE ¼ of Sect 36 Twp 112 Range 16 in Vasa Township  
Township Information: Vasa Township endorsed acknowledgment of the Applicants' request on 4/7/19.  
Zoning District: A2 (Agriculture District)

### **Attachments and links:**

Application and submitted project summary (excerpt of submitted materials; full submittal available from LUM Department upon request)  
Site Map(s)  
Feedlot Officer Review and Odor OFFSET calculations (Kelsey Petit)  
Recorded Document 14-CU03 (Existing CUP)  
Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Background:**

The Applicants have an existing Feedlot registration and Conditional Use Permit (CUP) to raise Beef Cattle on their multigenerational family farm. They are requesting to amend their existing CUP (14-CU03) to allow them to construct a new 300 Animal Unit Beef finishing barn with a below-grade manure storage pit. If approved, the expansion would allow the Applicants to have a total of 744 Animal Units at the site.

The Goodhue County Zoning Ordinance (GCZO) requires CUP approval for all Feedlots exceeding 300 Animal Units in the A2 District and any animal waste storage pits exceeding 500,000 gallons.

### **Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses**

*No CUP/IUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/IUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, will not substantially diminish and impair property values within the immediate vicinity, will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area, that adequate measures have been, or will be, taken to provide utilities, access roads, drainage and other necessary facilities, to provide sufficient off-street parking and loading space, to 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.*

**Project Summary:**

**Property Information:**

- The 76.93-acre (approximate) property includes a dwelling, a registered feedlot, and tilled cropland. The Applicants also own 2 adjoining parcels south of the site (60 acres).
- The parcel is zoned A2. Adjacent zoning districts are A1 to the east; A2 to the north, south, and west. Surrounding land uses are primarily agricultural (feedlots and row-crop agriculture). There are some undeveloped woodlands and low-density residential uses south of the site.
- The site is accessed by a 12-foot wide crushed aggregate driveway located off of CTY 1 BLVD (asphalt paved road). Emergency vehicle access appears adequate to service the property.

**Feedlot Facilities:**

- The Applicants are proposing to construct a 120-foot x 72-foot Beef Cattle Confinement Barn with a slatted concrete floor constructed above a 12-foot deep concrete manure containment pit. A 20-foot wide concrete “feed alley” will also be constructed along the south edge of the barn. The barn and manure storage area have been designed by ProAg Engineering, a licensed engineering firm.
- There are 3 existing confinement areas including a 320 head bedding pack confinement barn (320 feet x 68 feet) and two 80-head feeder barns with open-air lots (140 feet x 40 feet and 80 feet x 50 feet). Additional facilities include feed and grain storage silos, bunkers, and bins as well as machinery storage buildings.

**Animal Units/Setbacks:**

- The proposed addition of 300 Beef Cattle to the existing Feedlot operation will produce a total of 744 Animal Units as shown below (additional Animal Units shown in red).

Animal Type	A.U. Factor	# of Animals	Animal Units
Beef Cattle			
<i>one slaughter steer or stock cow</i>	1.0	240 + 300	240 540
<i>one feeder Cattle (stocker or backgrounding) or heifer</i>	0.7	240	168
<i>one cow and calf pair</i>	1.2	30	36
<i>one calf</i>	.2	0	0
<b>Total Animal Units</b>			<b>744</b>

- New construction on existing Feedlots is required to meet a 91% Odor Annoyance-Free Rating distance (as determined by the Odor OFFSET Evaluation Model) to existing dwellings. A 205-foot minimum setback was calculated for the new facility. Given the nearest dwelling is located 1,110 feet south of the proposed expansion (William Bradley), a 98% Odor Annoyance-Free Rating would be achieved.
- There are currently 4 dwellings located in section 36. As an A2 zoned section, a maximum of 12 dwellings are allowed in the section (no more than one dwelling per quarter-quarter section).
- The proposed Feedlot expansion is sited to comply with all other setback standards of the GCZO including property lines, wells, septic systems, Shoreland, Floodplains, sinkholes, and Blufflands. The site is not located within an abandoned quarry.

**Drainage/Landscaping:**

- The site is mostly flat with a slight slope to the west with stormwater runoff draining towards a drainage basin southwest of the site.

Construction is anticipated to disturb less than 3 acres of soil and create less than 1 acre of impervious surface. An NPDES stormwater pollution prevention plan (SWPPP) is not mandatory for this project. ProAg Engineering has developed an erosion control/stormwater management plan to minimize erosion during construction. Roof water runoff collection and containment is not proposed for the barn.

- An erosion control/stormwater management plan is customarily submitted for administrative

review at the time of building permit application.

**Nutrient/Waste Management:**

- Animal waste will be collected in the manure containment pit beneath the new barn until it can later be field-applied as fertilizer. The 143-foot x 52-foot x 11-foot concrete manure containment pit is designed to store up to 612,547 gallons. The pit will be constructed according to ProAg's engineered specifications.
- The Applicants have an existing Nutrient Management Plan for their current Feedlot CUP. A preliminary Nutrient Management Plan for the expansion has been submitted for review to the Goodhue County Feedlot Officer. The plan anticipates the use of both "knife injection" and surface spreading followed by tillage incorporation for manure field applications. A final review and approval of the Nutrient Management Plan will be required prior to completion of the Feedlot Registration process for the expansion.
- An Animal Mortality Plan has also been submitted for initial review. The Applicants plan to utilize composting and rendering in accordance with MPCA rules as the primary and secondary methods of disposal of deceased animals. The existing compost pile is located 500 feet southwest of the new barn.

**County Feedlot Officer Comments:**

- Goodhue County Feedlot Office Kelsey Petit offered the following comments regarding the application:  
*"The manure management planner applicant M. Dicke is taking all protective measures to meet state and county requirements to provide sufficient protection of waters. The manure planner meets all of the nutrients necessities that meet the requirements for Goodhue County."*
- A review of the Applicants parcel file indicates the LUM Department has not received any official complaints regarding the existing Feedlot operation.

**Draft Findings of Fact:**

*The following staff findings shall be amended to reflect concerns conveyed during the PAC meeting and public hearing.*

1. The proposed Feedlot expansion and manure storage pit does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The use is located in an A2 (General Agriculture) zone which was intended to allow for large operations. The proposal appears harmonious with the established uses in the vicinity which include primarily cropland and animal agriculture operations.
2. The Feedlot expansion and liquid manure storage pit is not anticipated to impede the normal and orderly development or improvement of surrounding vacant property for uses predominant to the area. The proposal meets or exceeds all setback and development standards of the Goodhue County Zoning Ordinance and appears compatible with adjacent land uses.
3. A review of the applicants submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available to accommodate the proposed use.
4. The submitted plans identify means to provide sufficient off-street parking and loading space to serve the proposed use and meet the Goodhue County Zoning Ordinance's parking requirements.
5. The submitted plans detail adequate measures to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. The applicant's plans also appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result. The new barn and manure pit exceed the 91% Odor Annoyance-Free Rating distance to minimize odor or fume impacts to surrounding landowners.

*Staff recommendation is based on the review of the submitted application and project area prior to the public hearing.*

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

- 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

Recommend the County Board of Commissioners **APPROVE** the request for a CUP, submitted by Sue and Micah Dicke (owner/operators), to expand an existing 444 Animal Unit Beef Cattle Feedlot to 744 Animal Units and allow construction of an animal waste storage pit of up to 612,547 gallons. Upon approval, this CUP shall revoke and replace existing CUP 14-CU03.

Subject to the following conditions:

1. The Feedlot shall be constructed according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
3. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
4. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 22 (Agriculture District) and Article 13 (Confined Feedlot Regulations);
5. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

# MAP 01: PROPERTY OVERVIEW

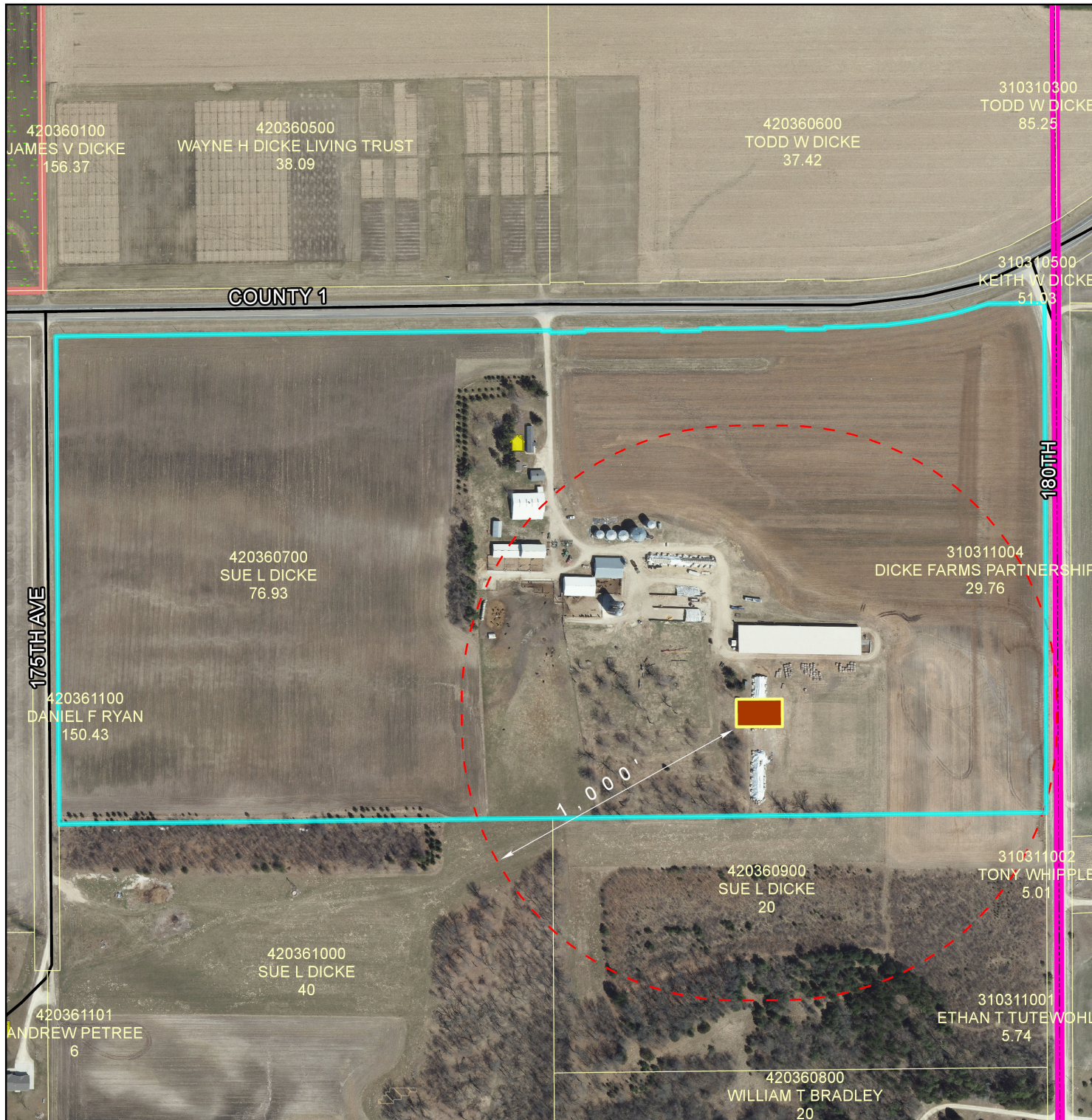
## Planning Advisory Commission

Public Hearing  
May 13, 2019

Micah and Sue Dicke  
A2 Zoned District

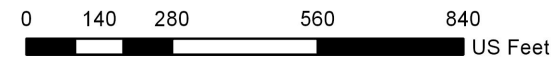
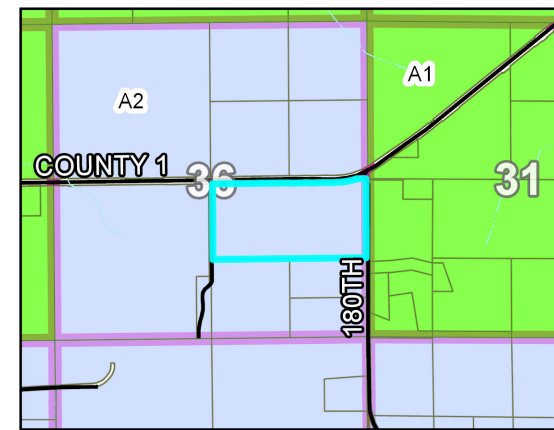
Parcel 42.036.0700  
Part of N 1/2 SE 1/4  
Sect 36 Twp 112 R16  
in Vasa Township

Expand Feedlot by 300 AU  
and manure storage facility  
exceeding 500,000 gallons



### Legend

Intermittent Streams	Bluff Impact Zones (% slope)
Protected Streams	20
Lakes & Other Water Bodies	30
Shoreland	<b>FEMA Flood Zones</b>
Historic Districts	2% Annual Chance
Parcels	A
Registered Feedlots	AE
Dwellings	AO
Municipalities	X



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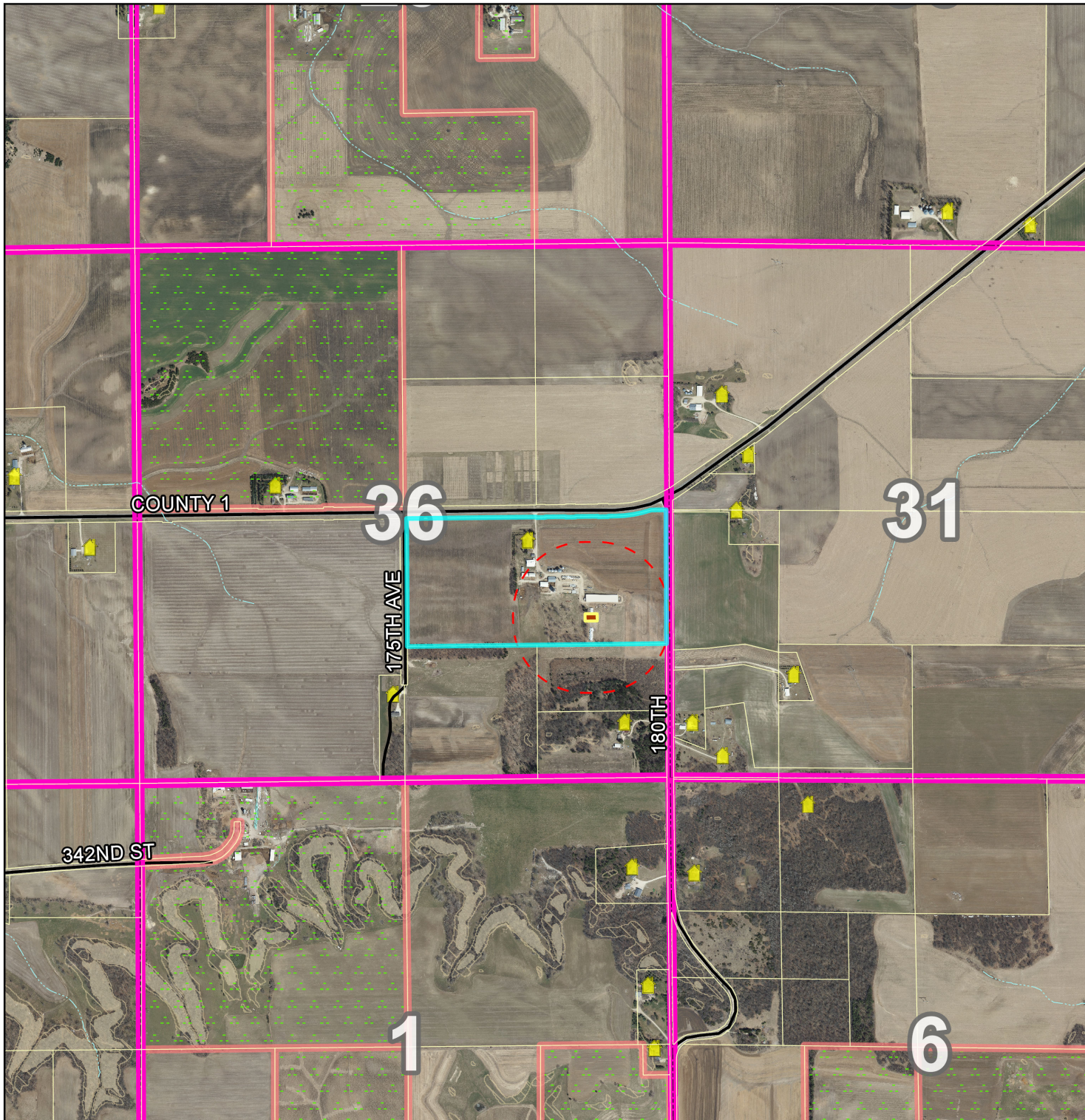


Public Hearing  
May 13, 2019

Micah and Sue Dicke  
A2 Zoned District

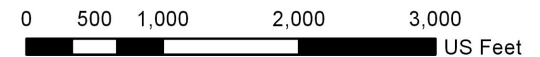
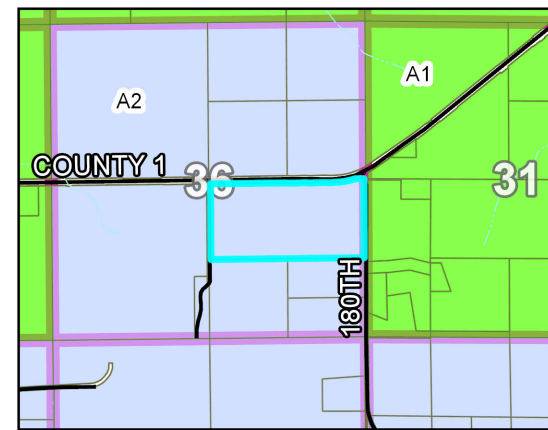
Parcel 42.036.0700  
Part of N ½ SE ¼  
Sect 36 Twp 112 R16  
in Vasa Township

Expand Feedlot by 300 AU  
and manure storage facility  
exceeding 500,000 gallons



**Legend**

- |                            |                                 |
|----------------------------|---------------------------------|
| Intermittent Streams       | Bluff Impact Zones (% slope) 20 |
| Protected Streams          | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | <b>FEMA Flood Zones</b>         |
| Shoreland                  | 2% Annual Chance                |
| Historic Districts         | A                               |
| Parcels                    | AE                              |
| Registered Feedlots        | AO                              |
| Dwellings                  | X                               |
| Municipalities             |                                 |

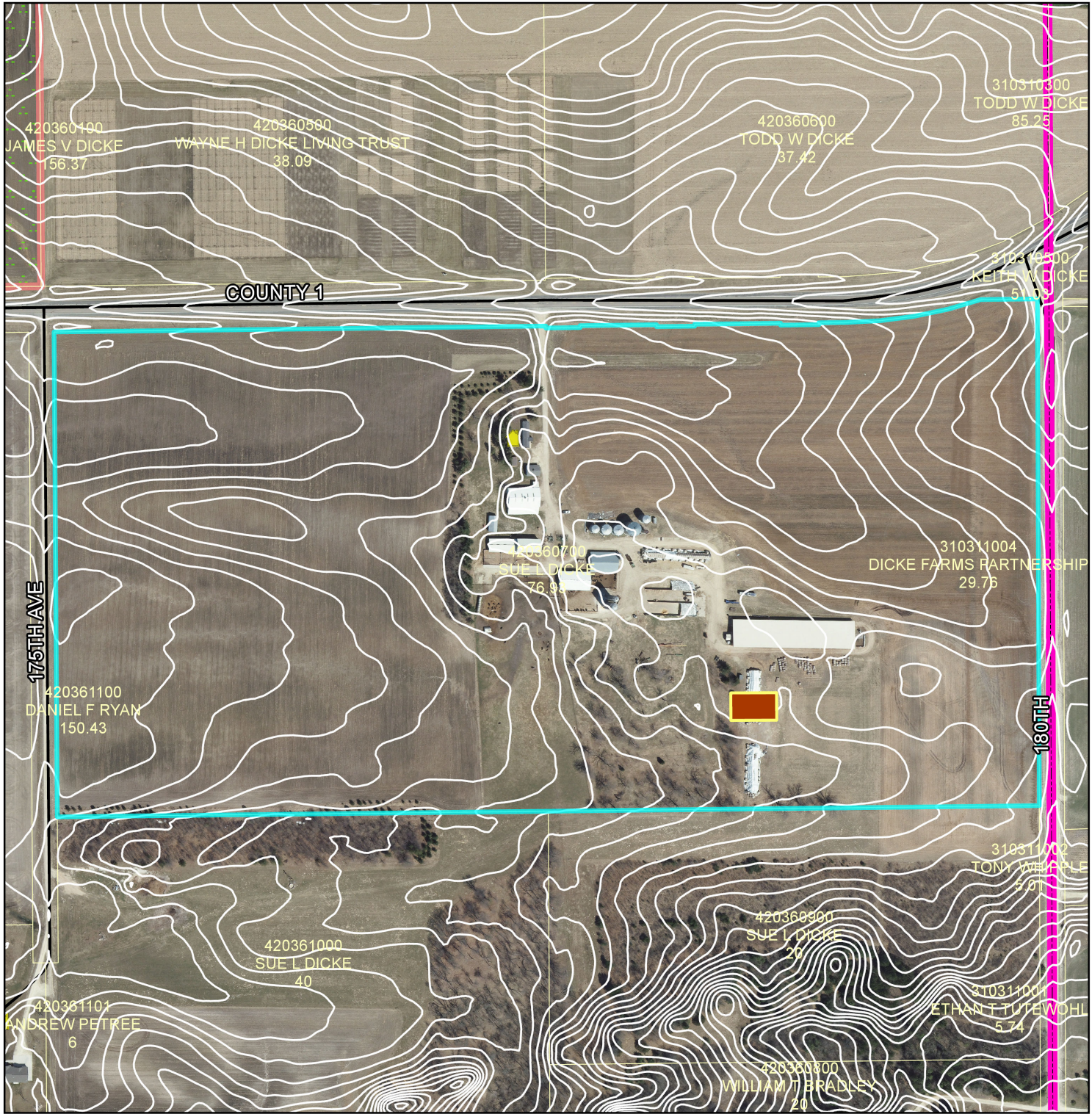


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# MAP 03: ELEVATION (2-foot contours)



## Planning Advisory Commission

Public Hearing  
May 13, 2019

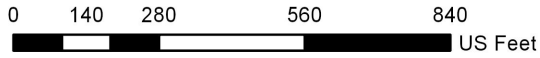
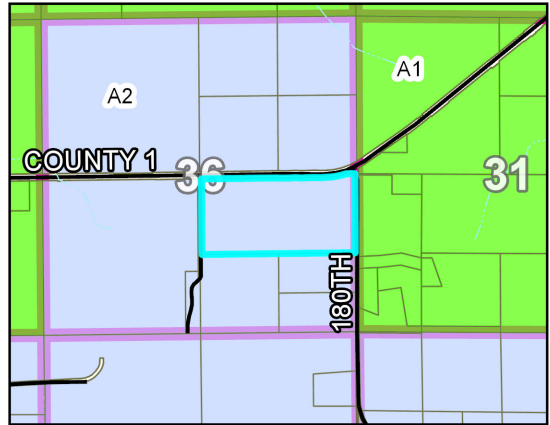
Micah and Sue Dicke  
A2 Zoned District

Parcel 42.036.0700  
Part of N 1/2 SE 1/4  
Sect 36 Twp 112 R16  
in Vasa Township

Expand Feedlot by 300 AU  
and manure storage facility  
exceeding 500,000 gallons

### Legend

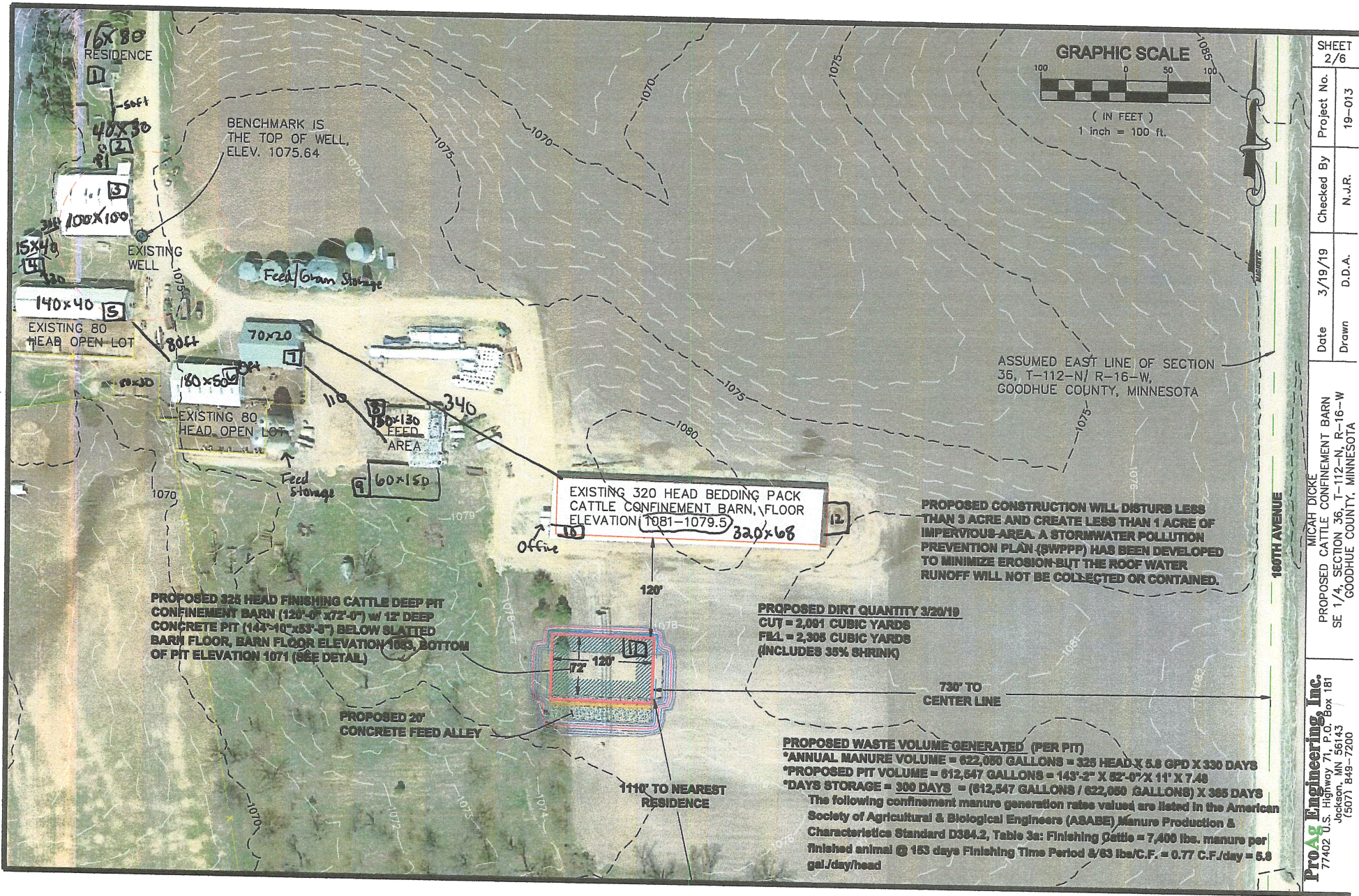
- |                            |                                 |
|----------------------------|---------------------------------|
| Intermittent Streams       | Bluff Impact Zones (% slope) 20 |
| Protected Streams          | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | <b>FEMA Flood Zones</b>         |
| Shoreland                  | 2% Annual Chance                |
| Historic Districts         | A                               |
| Parcels                    | AE                              |
| Registered Feedlots        | AO                              |
| Dwellings                  | X                               |
| Municipalities             |                                 |



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2018 Aerial Imagery  
Map Created April, 2019 by LUM





SHEET  
2/6

Project No.  
19-013

Checked By  
N.J.R.

Date  
3/19/19

Drawn  
D.D.A.

PROPOSED CATTLE CONFINEMENT BARN  
SE 1/4, SECTION 36, T-112-N, R-16-W  
GOODHUE COUNTY, MINNESOTA

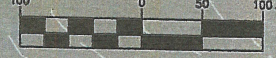
**ProAg Engineering, Inc.**  
77402 U.S. Highway 71, P.O. Box 181  
Jackson, MN 56143  
(507) 849-7200

MICAH DICKE

PROPOSED CATTLE CONFINEMENT BARN

SE 1/4, SECTION 36, T-112-N, R-16-W  
GOODHUE COUNTY, MINNESOTA

GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.

ASSUMED EAST LINE OF SECTION  
36, T-112-N/ R-16-W,  
GOODHUE COUNTY, MINNESOTA

PROPOSED CONSTRUCTION WILL DISTURB LESS  
THAN 3 ACRE AND CREATE LESS THAN 1 ACRE OF  
IMPERVIOUS AREA. A STORMWATER POLLUTION  
PREVENTION PLAN (SWPPP) HAS BEEN DEVELOPED  
TO MINIMIZE EROSION BUT THE ROOF WATER  
RUNOFF WILL NOT BE COLLECTED OR CONTAINED.

PROPOSED DIRT QUANTITY 3/20/19  
CUT = 2,081 CUBIC YARDS  
FILL = 2,305 CUBIC YARDS  
(INCLUDES 35% SHRINK)

PROPOSED WASTE VOLUME GENERATED (PER PIT)  
ANNUAL MANURE VOLUME = 622,080 GALLONS = 325 HEAD X 6.8 GPD X 330 DAYS  
PROPOSED PIT VOLUME = 612,547 GALLONS = 143'-2" X 82'-0" X 11" X 7.48  
DAYS STORAGE = 385 DAYS = (612,547 GALLONS / 622,080 GALLONS) X 385 DAYS  
The following confinement manure generation rates valued are listed in the American  
Society of Agricultural & Biological Engineers (ASABE) Manure Production &  
Characteristics Standard D384.2, Table 3a: Finishing Cattle = 7,400 lbs. manure per  
finished animal @ 153 days Finishing Time Period & 63 lbs/C.F. = 0.77 C.F./day = 6.8  
gal./day/head

PROPOSED 325 HEAD FINISHING CATTLE DEEP PIT  
CONFINEMENT BARN (120'-0" X 72'-0") w/ 12" DEEP  
CONCRETE PIT (144'-0" X 83'-8") BELOW SLATTED  
BARN FLOOR, BARN FLOOR ELEVATION 1083, BOTTOM  
OF PIT ELEVATION 1071 (SEE DETAIL)

PROPOSED 20'  
CONCRETE FEED ALLEY

1110' TO NEAREST  
RESIDENCE

730' TO  
CENTER LINE

EXISTING 320 HEAD BEDDING PACK  
CATTLE CONFINEMENT BARN, FLOOR  
ELEVATION 1081-1079.5

BENCHMARK IS  
THE TOP OF WELL,  
ELEV. 1075.64

100TH AVENUE



100x100

140x40

80x50

70x20

60x150

320x68

120x72

150x130

40x20

feed/grain storage

feed storage

feed storage

office



100 200 400 Feet

## M. Dicke Structures & Distances

1. House: 16x80 about 180ft from well.
2. Garage: 40x30 about 100ft from well.
3. Shop: 100x100 10ft from well.
4. Storage: 15x40 130ft from well.
5. Feeder Barn: 140x40 70ft from well.
6. Feeder barn: 80x50 160ft from well.
7. Feed Storage/ Feeder barn: 70x20 180ft from well.
8. Feed Area: 150x130: 370ft from well.
9. Feed Area, new construction: 60x150 430ft from well.
10. Feeder Barn: 320x68 500ft from well.
11. Finishing barn: 120x72 630ft from well.
12. Stacking slab: 40x20 900ft from well.

### **Distance from structures to property lines:**

1. House: 240ft to property line
2. Feeder barn 140x40: 680ft to property line.
3. Feeder Barn 80x50: 560ft to property line.
4. Feed Area new construction: 480ft to property line.
5. Feeder Barn 320x68: 490ft to property line.
6. Finisher Barn new construction: 315ft to property line.

### **Distance to nearest dwelling:**

From new proposed 120x72 finisher barn, the nearest dwelling/residence is 1110'' ft.

### **Distance to the nearest property line:**

The nearest property line to the new/proposed 120x72 finishing barn is 730ft.

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 42-036-0700

Permit# 219.0015

PROPERTY OWNER INFORMATION			
Last Name	<u>Dicke</u>	First	<u>Sue</u>
Street Address	<u>17273 Co 2 Blvd</u>		Email:
City	<u>Red Wing</u>	State	<u>MN</u>
Authorized Agent	<u>Micah Dicke</u>	Zip	<u>55066</u>
Mailing Address of Landowner:	<u>17273 Co 2 Blvd</u>		<u>Red Wing MN 55066</u>
Mailing Address of Agent:	<u>17744 Co 2 Blvd</u>		<u>Red Wing MN 55066</u>
PROJECT INFORMATION			
Site Address (if different than above):	<u>17744 City 1 Blvd Red Wing</u>		
Lot Size	<u>80 AC</u>	Structure Dimensions (if applicable)	<u>120' x 72'</u>
What is the conditional/interim use permit request for?	<u>Feed Lot, Manure Storage Exceeding 500k</u>		
Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized			
<u>Family farm expanding feedlot operation. Adequate setbacks to avoid noise or odor emissions. Little to no change in traffic levels.</u>			
DISCLAIMER AND PROPERTY OWNER SIGNATURE			
<i>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.</i>			
Signature of Landowner:	<u>Sue Dicke</u>	Date	<u>4/2/19</u>
Signature of Agent Authorized by Agent:	<u>Micah Dicke</u>		
TOWNSHIP INFORMATION			
Township Zoning Permit Attached? <input type="checkbox"/> 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 request.			
Signature	<u>Mike Carlson</u>	Title	<u>SUP</u>
Comments:		Date	<u>4-7-19</u>
COUNTY SECTION	COUNTY FEE <u>\$350</u>	RECEIPT # <u>16709</u>	DATE PAID <u>4-15-19</u>
Applicant requests a CUP/IUP pursuant to 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

**PROJECT SUMMARY**

Please provide answers to the following questions in the spaces below. If additional space is needed, you may provide an attached document.

1. Description of purpose and planned scope of operations (including retail/wholesale activities).

300 hd cattle feeding building with in ground manure storage.

2. Planned use of existing buildings and proposed new structures associated with the proposal.

Planned buildings will be to feed cattle, existing buildings will all continue as currently used.

3. Proposed number of non-resident employees.

-

4. Proposed hours of operation (time of day, days of the week, time of year) including special events not within the normal operating schedule.

Farm hours

5. Planned maximum capacity/occupancy.

300 hd

6. Traffic generation and congestion, loading and unloading areas, and site access.

There will be an increase in cattle coming to and leaving the farm. There will be a decrease in corn leaving the farm.

7. Off-street parking provisions (number of spaces, location, and surface materials).

-

8. Proposed solid waste disposal provisions.

Under barn pit

9. Proposed sanitary sewage disposal systems, potable water systems, and utility services.

-



10. Existing and proposed exterior lighting.

—

11. Existing and proposed exterior signage.

—

12. Existing and proposed exterior storage.

—

13. Proposed safety and security measures.

—

14. Adequacy of accessibility for emergency services to the site.

—

15. Potential for generation of noise, odor, or dust and proposed mitigation measures.

Adequate setbacks to neighbors. Manure will be injected when applied to land.

16. Anticipated landscaping, grading, excavation, filling, and vegetation removal activities.

300 ft of new driveway

17. Existing and proposed surface-water drainage provisions.

—

18. Description of food and liquor preparation, serving, and handling provisions.

—

19. Provide any other such information you feel is essential to the review of your proposal.

—



# APPLICANT FEEDLOT PROJECT SUMMARY SHEET

This form must be completed and submitted to the Feedlot Officer prior to CUP application or Variance:  
 (Upon review, projects may require other information and Well Testing and Baseline data may be required):

Application Information:	
Applicant:	Micah Dicke
Address of feedlot and PID #	17744 County 1 Blvd Red Wing, MN 55066 PID# 42-036-0700
Project Information:	
Describe feedlot size and type (new registration or expansion)	Total Confinement (slatted floor) & Feed Area Barn for beef finishing steers. Bunker
Animal type	Beef
Animal units	Include expansion amount Now: 444 AU Final: 744 AU
Total gallons of liquid storage	Include expansion amount 500,000 42319 R.B.
Dimensions of New Buildings	See descriptions below or circle 120x72
Dimensions of New Areas	See descriptions below or circle 144x52x12 Below Barn Concrete tank

Building Sources	Area Sources	Control Technology Reductions
<ul style="list-style-type: none"> <li>Beef - loose housing</li> <li>Dairy - free stall</li> <li>Dairy - loose housing</li> <li>Dairy - tie stall</li> <li>Poultry Broiler - Litter built up</li> <li>Poultry Layer Belt (3-day with storage)</li> <li>Poultry Layer Belt (daily with storage)</li> <li>Poultry Layer High Rise</li> <li>Poultry Turkey - litter</li> <li>Poultry Turkey brooder -litter</li> </ul>	<ul style="list-style-type: none"> <li>Swine Farrowing - pull plug</li> <li>Swine Finishing - deep pit</li> <li>Swine Finishing - hoop barn</li> <li>Swine Finishing - open front monoslope</li> <li>Swine Gestation - pull plug</li> <li>Swine Gestation or Farrow -deep pit</li> <li>Swine Nursery - deep pit</li> <li>Swine Nursery - pull plug</li> <li>Swine Wean to Finish - deep pit</li> <li>Other/None</li> </ul>	<ul style="list-style-type: none"> <li>Dry crusted stockpile</li> <li>Earthen manure storage</li> <li>Open lot Dairy or Beef</li> <li>Open lot Swine</li> <li>Steel or concrete tank</li> <li>Other/None</li> </ul>

Bunker  
60x150

**Applicant Requirements for Submittal to the Goodhue County Feedlot officer:**

1. Any required feedlot application forms/registration forms (may be obtained from the Feedlot Officer).
2. Feedlot Site Plan (clearly distinguish between **existing** and **proposed**):
  - a. Location, size, and shape of any structures and confinement areas ✓
  - b. Distances to property lines ✓
  - c. Distances between structures ✓
  - d. All wells and sanitary sewer systems (including any abandoned) ✓

Structure floor plan:

  - e. Identify any building or portion of a building that is used for animals. ✓
  - f. Identify any building or portion of a building that is not used exclusively for animals, feed or equipment, such as: offices, bathrooms, showers or locker rooms and provide a scaled drawing of the area. ✓
3. Nutrient Management Plan submitted to the Goodhue County Feedlot officer, including: ✓
  - a. The quantity and type of effluent to be discharged from the site,
  - b. The method of spreading or incorporating manure from the feedlot,
  - c. The measures which will be taken to minimize odor during the disposal of manure, and
  - d. Location of all manure application sites,
  - e. Crop types, application rate in gallons/acre or tons/acre, and the resulting application rate of N, in pounds/acre.

*Required manure application setbacks:*  
 more than 300-foot setback from any dwelling, church, or school(surface, incorporated, or injected)  
 more than 200-foot setback from any public or private well (surface, incorporated, injected, or irrigation manure application.)  
 more than 1000 foot setback from any dwelling, church, or school (irrigation manure application)  
 Written agreements between affected neighbors may be an exception to minimum setback requirements for the land application of manure, provided the setback complies with the MPCA 7020 rules and Goodhue County Environmental Health ordinance.
4. Land spreading agreements submitted to the Goodhue County Feedlot officer. — None  

*Land spreading agreements shall be provided if the applicant does not own the minimum acreage as required in the nutrient management plan and that minimum must be under agreement throughout the lifetime of the permitted feedlot. Any shortage of minimum required acreage is cause for revocation of the permit and constitutes a violation of the Ordinance.*
5. What is the method of disposal of dead, dying, or diseased animals?  

Compost.

# Odors From Feedlots Setback Estimation Tool

**OFFSET Ver 2.0**  
 University of Minnesota  
 1/21/2017

Farm Name	Micah Dicke
Address or County	Goodhue
Evaluator	Kelsey Petit
Date	4/8/19

Clear All

**OFFSET**  
 Annoyance-free  
 98%

Source Edge to Nearest Neighbor (ft)	1110
Source Edge to Property Line (ft)	730

## Building Sources

Building Type	Width (ft)	Length (ft)	# of Similar Sources	Total Area (sqft)	Control Technology	% air treated
Dairy - free stall	72	120	1	8640	None	
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	Biofilter	

## AREA SOURCES

Source Description	Shape	Width (ft) (or Dia)	Length (ft)	Area (sqft)	Control Technology
Steel or concrete tank	Rectangle	10	144	1440	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None

Building Sources	
<b>Add Source Type</b>	
Name of Source	
Odor Flux (ou/s/m2)	
H2S Flux (ug/s/m2)	
NH3 Flux (ug/s/m2)	
Documentation	
<b>Add a Control Technology</b>	
Name of technology	
Odor reduction (%)	
H2S reduction (%)	
NH3 Reduction (%)	
Documentation	

Area Sources	
<b>Add a Source Type</b>	
Name of Source	
Odor Flux (ou/s/m2)	
H2S Flux (ug/s/m2)	
NH3 Flux (ug/s/m2)	
Documentation	
<b>Add Control Technology</b>	
Name of technology	
Odor reduction (%)	
H2S reduction (%)	
NH3 Reduction (%)	
Documentation	

# OFFSET Summary and Results

**OFFSET Ver 2.0**  
**University of Minnesota**  
 1/21/2017

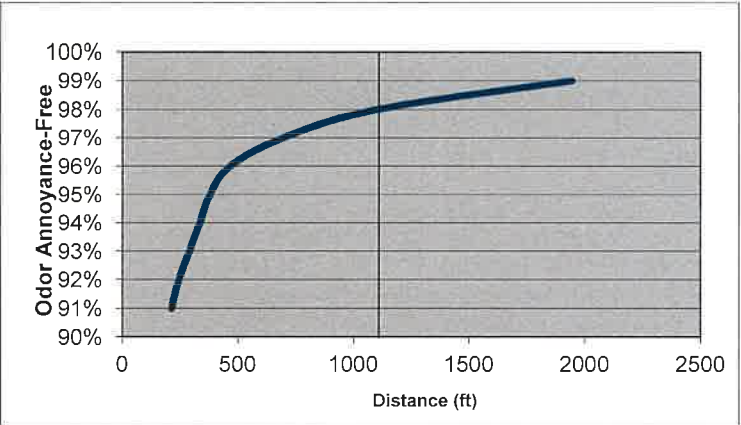
Farm Name	Micah Dicke
County	Goodhue
Evaluator	Kelsey Petit
Date	4/8/19

Source Characteristics Summary					Flux Rates (with control technology)				Source Emission Rates*		
	Similar Sources	Emit Area sq ft	Control Technology Type	Percent Treated	Odor ou/s/m2	OFFSET OER	H2S ug/s/m2	Ammonia ug/s/m2	Odor ou/s	H2S ug/s	Ammonia ug/s
<b>Buildings</b>											
Dairy - free stall	1	8640	None	0%	1.8	6.0	0.7	31.0	1478	562	24896
<b>Area Sources</b>											
Steel or concrete tank		1440	None		30.0	28	38.0	194.0	4015	5086	25967

\*Includes control technologies

Site Emissions	
Total Site Area (ft2)	10,080
Total Odor Emission Factor (TOEF)	9
Total Site H2S Emissions (mg/s)	6
Total Site H2S Emission AVERAGE (lbs/day)	1
Total Site H2S Emission MAX (lbs/day)	2
Total Site H2S Emissions (tons/yr)	0
Total Site Ammonia Emissions (mg/s)	51
Total Site Ammonia Emission AVERAGE (lbs/day)	10
Total Site Ammonia Emissions MAX (lbs/day)	19
Total Site Ammonia Emissions (tons/yr)	2

Source Edge to Nearest Neighbor (ft)	<b>1110</b>
OFFSET Annoyance-free frequency	<b>98%</b>



# Animal Mortality Plan

**Purpose:** This Animal Mortality Plan is for the handling of dead animals in accordance with State requirements, including Minn. Stat. § 35.82 and Minn. R. chs. 1719.0100 to 1719.4600 and 7011.1215.

Facility name: Micah Dicke Feedlot registration no. 049-121780  
 Owner/Operator name: Micah Dicke Feedlot permit no. \_\_\_\_\_

**Planned method of animal disposal:** Complete the table below by identifying the animal type, the primary method and the secondary method of disposal of dead animals at your feedlot. The legal methods of disposal are listed below and the minimum requirements for each management option are described on the following page. Please make sure the locations of burial sites, incinerators, temporary mortality storage, and/or compost areas are indicated on the site sketch of your facility included with the permit application.

**Catastrophic loss:** A catastrophic event such as a fire, collapse, tornado, floods or loss of power that results in a mass amount of animal mortalities shall be reported within 24 hours after the event started. Notifications should include the Minnesota Department of Public Safety Duty Officer at 800-422-0798 and the MPCA.

Animal type	Primary method	Secondary method	Catastrophic loss
Bee f	Compost	Render	Minnesota Duty Officer: 1-800-422-0798

Check here:  By checking here, I indicated that I have read and understand the minimum requirements listed on the second page of this form for the dead animal disposal options identified above for my operation. I agree to adhere to and follow the minimum requirements for the proper disposal of dead animals.

## Legal Methods of Disposal

Species	Method				Exempt by Law
	Bury	Incinerate	Render	Compost	
Poultry	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Swine	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cattle	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Horses	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheep/Goats	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Household pets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wild animals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Game farm/Exotic animals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*If composting cattle, horses, or game/exotic animals, contact the Minnesota Board of Animal Health at 651-296-2942 or 800-627-3529.

Animal carcasses should be disposed of as soon as possible, within 48-72 hours. Any vehicles transporting carcasses must be: leak proof, covered, inspected, and permitted by the Minnesota Board of Animal Health (if owner is transporting his own dead animals a permit is not required).

RECEIVED

Goodhue County Feedlot Registration Form

PAID JUN 08 2017

JUN 08 2017

All blanks in bold print are required information. Your form will not be complete without this information. Please sign the form. If there are no changes from the original registration please re-copy the information from the original to provide a new registration for the next four years.

I. Name of Applicant Micah Dickc Title: Owner / Operator (Circle one or both)

Phone: \_\_\_\_\_ Address: 17744 Cty 1 Blvd City: Red Wing Zip: 55066

Email: \_\_\_\_\_

Name of Owner (if different from above) \_\_\_\_\_

Name and Address of others that should be listed with this feedlot (specify Owner or Operator)

Farm Name: \_\_\_\_\_ Active (10 or more animal units in the last five years)

Location of Feedlot facility: \_\_\_\_\_ Inactive (less than 10 animal units throughout the last five years)

Township: Vasa Section: 36 Qtr Section: SE Qtr of Qtr Section: NE

Township T \_\_\_\_\_ N Range R \_\_\_\_\_ W

Feedlot Permit #: Existing NPDES permit or Registration number: 049-121780

Parcel I.D. # 42-000-43205 (Same as your county tax ID number)

Unique Well Number: \_\_\_\_\_ Are there any other wells on the property used or unused: (Y or N)

Shortest Distance from any Well to Feedlot or Manure Storage is: 150 feet.

Listed below are common components of livestock operations, please check all that apply:

- 1. Feedlot is total confinement.
- 2. Feedlot has open lots (dirt, concrete, other) that are designed as animal holding areas.
- 3. Feedlot has buildings that are designed for animal confinement or as animal holding areas.
- 4. Animals are on pasture for at least part of the year.
- 5. Feedlot has a liquid manure storage basin or pit.
- 6. Part or all of the manure storage basin or pit is underground.
- 7. Feedlot has a manure (solids) stockpile.
- 8. Feedlot is within 1000 feet of the following surface waters: \_\_\_\_\_ Distance \_\_\_\_\_  
(Includes lakes, rivers, streams, drainage ditches, tile intakes, floodplains, and wetlands)
- 9. Sinkholes are located on or near your property. (Location: Qtr/Qtr \_\_\_\_\_)
- 10. Is the facility located within a drinking water supply management area (DWSMA)?

If you checked yes, list the name of the DWSMA: \_\_\_\_\_

III. Animal Units 494 (Transferred from worksheet on back of this form) Worksheet must be completed.

By completing, signing, and submitting this form to the entity listed below you have completed the Minnesota feedlot registration requirements.

To the best of my knowledge, the information submitted on this Registration form is complete and accurate.

M Dickc

Signature

6-6

Date

FOR OFFICE USE ONLY

RECEIVED ON #1053

COPY SENT TO APPLICANT

parcel doesn't make  
not #  
420-360-700

Return to: Goodhue SWCD, 104 E. 3<sup>rd</sup> Ave., P O Box 335, Goodhue, MN 55027  
 Phone: (651) 923-5286 ext.4

**Example:**

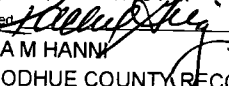
For each animal type, Enter the maximum number of animals that you have maintained (standing herd or flock size) at the facility at any given time in the past five years. Fill that number in column #3. Multiply Animal Unit Factor (column #2) by # of Animals (column #3) to get Animal Units (column #4)

1. Animal Type	2. Animal Unit Factor	3. # of Animals	4. Animal Units
Heifer	0.7	70	49

1. Animal Type	2. Animal Unit Factor	3. # of Animals	4. Animal Units
<b>Dairy Cattle</b>			
Mature Cow over 1,000 Pounds	1.4		
Mature Cow under 1,000 Pounds	1.0		
Heifer	0.7		
Calf	0.2		
<b>Beef Cattle</b>			
Slaughter Steer or stock cow	1.0	240	240
Feeder Cattle (stocker or backgrounding) or heifer	0.7	240	168
Cow and calf pair	1.2	30	36
Calf	0.2		
<b>Swine</b>			
Over 300 pounds	0.4		
Between 55 and 300 pounds	0.3		
Under 55 pounds (and separate from sow)	0.05		
<b>Horses</b>			
Horse	1.0		
<b>Sheep</b>			
Sheep or lamb	0.1		
<b>Chickens</b>			
Laying hen or broiler, if the facility has a liquid manure system	0.033		
Chicken over 5 pounds, if using a dry manure system	0.005		
Chicken under 5 pounds, if using a dry manure system	0.003		
<b>Turkeys</b>			
Over five pounds	0.018		
Under five pounds	0.005		
<b>Ducks</b>			
Duck	0.01		
<b>Animals not listed above</b>			
List:	Average weight of the animal in pounds divided by 1,000 pounds		
<b>TOTAL ANIMAL UNITS</b>			444

Certified, Filed, and or Recorded on:

June 23, 2014 1:18 PM

Signed:  Deputy

LISA M HANN

GOODHUE COUNTY RECORDER

Fee Amount: \$46.00

STATE OF MINNESOTA  
COUNTY OF GOODHUE

PLANNING ADVISORY COMMITTEE  
BOARD OF COMMISSIONERS  
CONDITIONAL USE PERMIT PROCEEDINGS  
FILE NO. 14-CU03

In the matter of: James and Sue Dicke Conditional Use Permit

A request for a Conditional Use Permit submitted by James and Sue Dicke for a animal feedlot over 300 animal units in the A-2 Agricultural Zoning District.

A public hearing was held by the Goodhue County Planning Advisory Committee on the 21<sup>st</sup> day of April, 2014 on a petition for a conditional use permit pursuant to Goodhue County Zoning Ordinance.

PROPERTY ADDRESS: 17744 County 1 Blvd Red Wing MN 55066

PARCLE NO. 42-036-0700

LEGAL DESCRIPTION: See Attached document.

The above entitled matter came before the Goodhue County Board of Commissioners on the 6<sup>th</sup> day of May, 2014 on a petition for a conditional use permit pursuant to Goodhue County Zoning Ordinance.

IT IS ORDERED that the Conditional Use Permit to operate a feedlot up to 350 animal units with the following conditions is hereby approved with the following conditions:

1. Obtain an agricultural permit for the proposed mono-slope barn prior to its construction.
2. Compliance with Goodhue County Zoning Ordinance Article 13, Confined Feedlot Regulations
3. Completion of all necessary state and federal permits.

Date signed: 6/20/2014



Ron Allen, Chairperson

Goodhue County Board of Commissioners

STATE OF MINNESOTA )

) ss.

LAND USE MANAGEMENT DEPARTMENT

COUNTY OF GOODHUE )

I, Michael Wozniak, AICP, Planner/Zoning Administrator for Goodhue County, do hereby certify that I have compared the foregoing copy and Order this conditional use permit with the original record thereof preserved in my office, and have found the same to be correct and true transcript of the whole thereof.

Dated this 20<sup>th</sup> day of June, 2014.

  
\_\_\_\_\_  
Planner/Zoning Administrator, Goodhue County

Drafted by:  
Goodhue County Land Use Management Department  
509 West Fifth Street  
Red Wing MN 55066

(SEAL)



# 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:** May 13, 2019  
**Report date:** May 3, 2019

## **TABLED: Consider Adoption of Parks and Trails District**

Hearing to consider the creation of a Park and Trails District in the Goodhue County Zoning Ordinance. The new district would provide an appropriate zone to accommodate areas designated for public open space and recreational uses such as conservation of natural amenities, hiking, trails, wildlife habitat, and park and recreation facilities.

### **Attachments:**

Updated Draft Ordinance  
[Goodhue County Zoning Ordinance](#)

### **Summary:**

LUM staff is proposing the adoption of a Parks and Trails District as a new zoning district within the Goodhue County Zoning Ordinance. The purpose of the zone is to provide an appropriate zoning district to apply to Goodhue County lands that are designated for permanent use as public open space, trails, and recreational areas.

Currently, parks and trails operated by governmental agencies are allowed as conditionally permitted uses in the Agricultural (A1, A2, A3) and Residential (R1) districts. A dedicated Parks and Trails district would provide an appropriate zoning district for current and future county recreational areas and trails and detail the types of uses which could be allowed in the district.

The request was Tabled at the April 15, 2019 Planning Advisory Commission to allow the Goodhue County Park Board to review the draft ordinance and provide feedback. The Park Board reviewed the proposal at their April meeting and did not recommend any changes to the ordinance as presented.

### **Staff Recommendation:**

Land Use Management staff recommends the Planning Advisory Commission adopt the staff report into the record, and recommend the County Board of Commissioners **APPROVE** the adoption of the Parks and Trails District.

# **ARTICLE 34 PT ZONE: PROPOSED ORDINANCE AMENDMENT**

## **ARTICLE 34 PT, PARKS AND TRAILS DISTRICT**

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### **SECTION 1. PURPOSE**

The purpose of this district is to preserve, conserve, and protect open space and recreation areas throughout the County. It is intended that this district will accommodate a wide variety of open space and recreational uses such as conservation of natural amenities, hiking, trails, wildlife habitat, educational programs, and park and recreation facilities among other similar uses. The District shall be applied only to Goodhue County owned property reserved for recreational parks or trails.

The district is intended to coordinate with Goodhue County parks and trails Master Plans and Comprehensive Plans by allowing uses consistent with those plans.

### **SECTION 2. PERMITTED USES**

All amenities and incidental Accessory Uses identified in an approved park or trail master plan or comprehensive plan shall be allowed within the District. Where a parcel is not part of an approved park or trail master plan, the following uses shall be allowed by permit:

- Subd. 1. Park or Recreational Area (operated by a governmental agency)
- Subd. 2. Any agriculture operation including tree farms
- Subd. 3. SES (Commercial or Residential scale)

### **SECTION 3. CONDITIONAL USES AND INTERIM USES**

The following uses shall require the approval of a Conditional or Interim Use Permit (including when identified in an approved park or trail master plan):

- Subd. 1. Campground and RV sites
- Subd. 2. SES (Utility-scale)
- Subd. 3. Radio Towers/TV Towers/Transmitters
- Subd. 4. Hunting club or shooting preserve
- Subd. 5. Accessory Uses or amenities, not identified in an approved park or trail master plan or comprehensive plan, with the potential for significant land use impacts to adjacent properties