



# 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

## Virtual Meeting Notice

Virtual Meeting Notice: The Goodhue County Planning Advisory Commission will be conducting a meeting on January 11, 2021 at 6:00 p.m. Due to concerns surrounding the spread of COVID-19, the meeting and all public hearings will be conducted by telephone or other electronic means.

The public may monitor the meeting from a remote site by logging into <https://global.gotomeeting.com/join/824207509> or calling 1 866 899 4679 beginning at 5:50 PM or any time during the meeting. Access Code: 824-207-509

Public Comments: Interested persons must submit comments by phone, in writing, or via email by noon on Monday, January 11, 2021. To submit your comments please email them to [samantha.pierret@co.goodhue.mn.us](mailto:samantha.pierret@co.goodhue.mn.us) or mail them to the Land Use Management Department at 509 West 5th Street, Red Wing, MN 55066. Comments received by this deadline will be read into the record during the public hearing for that item, including name and address.

Staff reports can be viewed online 5-days prior to the meeting. Agenda items may be subject to change.

## Approval Of Current Agenda

## Approval Of Previous Month's Meeting Minutes

1. PAC Minutes: December 14, 2020

Documents:

[MINUTES\\_DECEMBER2020\\_PAC\\_DRAFT.PDF](#)

## Appointment Of Chair, Vice-Chair And BOA Representative

## Conflict/Disclosure Of Interests

## Public Hearings:

1. PUBLIC HEARING: IUP Request For Home Businesses  
Request for an Interim Use Permit (IUP) submitted by David and Robin Koenig (Owners/Operators) to establish two Tier-3 Home Businesses manufacturing cotton candy and canvas cover products. Parcel 31.025.1200. 32360 HWY 58 BLVD, Red Wing, MN 55066. Part of the SW ¼ of the NE ¼ Section 25 TWP 112 Range 15 in Featherstone Township. A-2 Zoned District.

Documents:

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

2. PUBLIC HEARING: CUP Request For A Utility-Scale Solar Energy System (SES)  
Request submitted by USS Wildcat Solar LLC (Applicant) and Paul Betcher (Owner) for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System (SES) occupying approximately 7.57 acres. Parcel 33.027.0400. TBD County 9 BLVD, Goodhue, MN 55027. The NW ¼ of Section 27 TWP 111 Range 15 in Goodhue Township. A-1 Zoned District.

Documents:

[PACPACKET\\_BETCHERSES.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 ◆

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
December 14, 2020 MEETING MINUTES  
DRAFT**

The meeting of the Goodhue County Planning Advisory Commission was called to order at 6:00PM by Chair Tom Gale in the Basement IT Conference Room at the Government Center in Red Wing.

### **Roll Call**

Commissioners Present virtually via GoToMeeting: Tom Gale, Barney Nesseth, Richard Miller, Chris Buck, Darwin Fox, Richard Nystuen, Howard Stenerson, Marc Huneke (arrived 6:18PM) and Tom Drazkowski (arrived 6:04PM).

Commissioners Absent: None

Staff Present: Land Use Director Lisa Hanni (via GoToMeeting), Zoning Administrator Ryan Bechel, and Zoning Assistant Samantha Pierret

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

<sup>1</sup>Motion by Commissioner Miller; seconded by Commissioner Fox to approve the meeting agenda.

**Motion carried 6:0.**

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

<sup>2</sup>Motion by Commissioner Nesseth; seconded by Commissioner Fox to approve the previous month's meeting minutes.

**Motion carried 6:0.**

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

There were no reported conflicts/disclosures of interest.

### **4. Public Hearings**

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

Request for map amendment, submitted by John Anderson (Owner), to rezone 19.31 acres from A3 (Urban Fringe District) to R1 (Suburban Residence District). Parcel 31.006.0500. TBD 280<sup>th</sup> AVE, Red Wing, MN 55066. Part of the NW ¼ of the NE ¼ of Section 6 TWP 112 Range 15 of Featherstone Township.

*Pierret presented the staff report and attachments. She reviewed an email sent to the Commissioners regarding Featherstone Township's position on the request and staff's considerations to rezone the property to A-2 instead of R-1.*

*Terri Jensen (Applicant's Representative) clarified that the property in question is owned by a Trust and that John Anderson is the Trustee of that land. She noted that the parcel has been in existence as a parcel of record since the 1800s. She added that staff had suggested Mr. Anderson could add acreage to the 19.31 acre parcel from his personally owned land bordering the parcel to meet the 35 acre lot size requirement however the Applicant is not interested in intermingling Trust interests with his personal property interests and land would have to be taken out of production. She concluded by discussing the Goodhue County Comprehensive Plan language regarding dwelling sites in rural areas around municipalities.*

*John Anderson (Applicant) was present via GoToMeeting.*

*Commissioner Nystuen questioned why land would be taken out of production if combined*

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
December 14, 2020 MEETING MINUTES  
DRAFT**

---

*with the 19.31 acre parcel when the land is already in production.*

*Ms. Jensen stated that the land would not need to be taken out of production however any new landowners could cease production on the land.*

*Mr. Anderson discussed the topography of the parcel and its limited value for agriculture production. He added that he had contacted a neighboring property owner to purchase property to meet the 35 acre minimum lot size however that owner was not willing to sell their land at this point.*

*Hanni questioned who owns the 84 acres south of 280<sup>th</sup> Street.*

*Mr. Anderson stated that he personally owns the surrounding acreage and the parcel in question was owned by his parents and is now in a Trust.*

*Hanni stated staff's suggestion was not to combine the cropland with the 19.31 acres however there are blufflands on the 84 acre parcel that may be comined to get to the 35 acre size.*

*Mr. Anderson confirmed that he is not interested in selling his personal land to the Trust to combine properties.*

*Commissioner Drazkowski questioned whether the ¼ ¼ with Mr. Anderson's land was full.*

*Bechel stated that this property is zoned A3 Urban Fringe and section based density is not used in this District, properties are required to have 35 acres to be considered buildable. Bechel noted there are 5 dwellings in Section 6.*

*Pierret commented that the ¼ ¼ is open. If the Commission chose to rezone the land to A2 General Agriculture District this property would be eligible for a dwelling.*

*Commissioner Drazkowski questioned what the difficulty of rezoning the property to A2 would be.*

*Hanni noted that if a single parcel were zoned to A2 in the A3 District, there are several parcels in Goodhue County that are zoned A3 but do not meet the 35 acre minimum lot size. Therefore, more requests of that nature could be brought forward in the future for dwelling sites.*

*Mr. Anderson questioned Featherstone Township's position as noted during staff's presentation.*

*Bechel noted that Featherstone Township held a meeting on December 8<sup>th</sup> and staff received an email from the Clerk noting that Featherstone Township was not in favor of a rezone of this parcel to R1 however they would be in favor of the County rezoning the property to A2.*

*Mr. Anderson noted that he was not aware the Township would be reconsidering their request.*

*Bechel clarified that staff received the draft meeting minutes with Mr. Anderson's application which stated the Township approved of the rezone to R1.*

*Mr. Anderson read the minutes as sent by Featherstone Township in November. He noted that had he known the Township was not in favor of the proposal he would have withdrawn his request.*

*Hanni stated the Township may have acknowledged that the property conforms with their A2 zoning district standards however upon receiving the public hearing notices stating the*

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
December 14, 2020 MEETING MINUTES  
DRAFT**

---

*property would be rezoned to R1 there may have been confusion as to the request.*

*Chair Gale questioned what direction the Commissioners wanted to go with the request.*

*Ms. Jensen questioned whether there was an option for a different request like a variance or different CUP instead of a rezone for this parcel to become buildable given it has existed as a stand-alone parcel for so long. She noted that agriculture is not the best use of this site.*

*Hanni stated that additional houses are not allowed via a variance request.*

*Bechel added that because there are several parcels around the County that are zoned A3 but are under the 35 acre size. He noted the Goodhue County Planning Commission, County Board and Board of Adjustment have been of the opinion in the past that these A3 areas should remain held for future annexation or urban development by Cities.*

*Commissioner Nystuen commented on the density requirement for A2 versus the acreage requirement for A3 and questioned why there could not be an 18 dwelling density maximum in the A3 District.*

*Hanni noted that would be a Zoning Ordinance Amendment. She reviewed the history of density discussions between the County and the Townships and that the Townships have not been interested in increasing density restrictions in the County. This is what led to adoption of the Conservation Subdivision in 2019.*

*Commissioner Miller stated that Dodge County had recently allowed smaller parcels in some Townships to be sold as building sites if they existed prior to 2019. He questioned whether this could be a tool Goodhue County could use in the A3 Districts.*

*Hanni stated that after the Zoning Ordinance was amended in 1994 the County went through a sun-setting period where existing parcels could be permitted as dwelling sites. This was noticed in newspapers and extended for an additional two years at the time.*

*Ms. Jensen commented that when the Ordinance was changed in the 1990s some owners may not have been aware of the new restrictions and some owners may not have been ready to sell their land at that time.*

*Pierret re-read the email received by staff from Featherstone Township.*

*Commissioner Drazkowski commented that there are three entities involved in this decision: Goodhue County, City of Red Wing and Featherstone Township. He added that areas around other cities in the County may be conducive for being held in an A3 District for future annexation given topography and accessibility noting this parcel does not appear to be one of those. He noted that the County appears to be the only entity against rezoning this parcel to either R1 or A2 given the County's desire to avoid "piecemeal" zoning. Commissioner Drazkowski noted that typically agricultural producers would be against rezoning property to R1 however in this case there has been no objection to the request from that group. He concluded that there is a better use for the land than being vacant.*

*Commissioner Stenerson commented that the Planning Commission requested some years ago that additional density not be approved with variances but via rezonings.*

*Ms. Jensen stated that this property is unique and should be considered as such.*

*Hanni stated that in all of the A3 Districts of the County there are parcels smaller than 35 acres that would request rezonings if the Commission approved this request. She added that if the Commissioners felt there is another way to address the A3 District in a way the Cities and*

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
December 14, 2020 MEETING MINUTES  
DRAFT**

---

*Townships would agree to that staff can look into other options for the District in the future.*

*Commissioner Drazkowski questioned whether the Commission could put a condition on the rezone that only one dwelling be allowed on the parcel.*

*Bechel stated that rezonings typically do not have conditions attached to them. He noted that any future splits of the property to create another building site would need to be considered through the formal platting process.*

*Hanni stated that when a property is rezoned not only the density is affected. Surrounding land uses and setbacks from that new district are also impacted.*

*Commissioner Stenerson questioned whether the Williamson Feedlot was still operating.*

*Pierret stated that the Williamson property is in the City of Red Wing and is over 1000 feet from the property proposed to be rezoned.*

*Mr. Anderson stated that the Williamsons are considering dropping their Feedlot registration in the future.*

*Chair Gale questioned whether a change in zone to A2 instead of R1 would require a new meeting.*

*Bechel stated the Commission can consider a request to rezone the parcel to either R1 or A2 as a single parcel. He noted that a new meeting would need to be held to change the zoning classification of Section 6 of Featherstone Township.*

**Chair Gale Opened the Public Hearing.**

*No one spoke for or against the request.*

**<sup>3</sup>After Chair Gale asked three times for comments is was moved by Commissioner Stenerson and seconded by Commissioner Huneke to close the Public Hearing.**

**Motion carried 9:0**

*Commissioner Stenerson commented that Featherstone Township has a different zoning system than Goodhue County without an A3 District. He added that per the Featherstone Ordinance this parcel is eligible as a building site however they do not want additional R1 Districts that could be platted with several dwelling sites leading to well and septic issues.*

*Ms. Jensen questioned if the Township's zoning allowed a building site on this parcel and questioned whether some restrictions could be added to the approval to only allow one building site on this parcel.*

*Hanni stated that the Township has its own restrictions and process for approval. Looking at the County Ordinance, if the property were rezoned to R1 a future owner could apply to split the property in the future per County Ordinance. She noted that the County takes into consideration the Township's recommendation.*

*Commissioner Stenerson stated that the County had considered changing the A3 Districts to A2 Districts around 2014 however the incorporated municipalities in the County did not want a change to A2 around the Cities.*

*Bechel stated that Featherstone Township would have to meet with Section 6 property owners and discuss the possibility of the County rezoning the Section to A2. After that consideration the Township could come forward and request a change of zone of Section 6 from A3 to A2.*

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
December 14, 2020 MEETING MINUTES  
DRAFT**

---

Commissioner Stenerson stated he is not against the property being used as a dwelling site however he is against an R1 zoning which would lead to restrictions on neighboring landowners' agriculture operations. He questioned if the Applicant would have to wait 6 months to request a rezone to A2 instead of R1 if the Commission rejected the request at this meeting.

Bechel stated that the recommendation for denial would still need to be heard by the County Board for a final decision. If the request were denied by the County Board and the owner wanted to request a rezone to A2 they would have to wait 6 months per the Ordinance for map amendment requests on the same parcel. He added that if the Township brought forward a request to rezone all of Section 6 the 6 month waiting period would not apply. He concluded noting that the 6 month rule would be dependent on the request being formally denied by the County Board.

Hanni suggested the Commission Table the request to give staff time to communicate with the Township on their feelings on rezoning all of Section 6 and researching A2 requirements in the Featherstone Township Ordinance. If the Township was agreeable to rezoning the whole section the County could advertise a rezoning request of Section 6 to be heard at a future meeting. She noted that the Township appears to already have the section zoned A2.

Commissioner Stenerson brought up the 60 day rule for approval or denial.

Hanni stated that the applicant could sign a waiver extending the 60 day timeline for consideration.

Commissioner Stenerson stated he was in favor of tabling the request.

Hanni stated that when a Township requests a rezone the County would not charge a specific landowner the associated fees for the request but staff would work with the Township on the request.

**It was moved by Commissioner Stenerson and seconded by Commissioner Drazkowski for the Planning Advisory Commission to:**

**TABLE** consideration of the rezoning request for John Anderson to allow time for the Applicant and staff to communicate with Featherstone Township on the possibility of rezoning all of Section 6 from A3 to A2.

Discussion continued regarding the request for an extension and a timeline for the request to be heard at a future meeting.

Ms. Jensen questioned whether the request would be only for Section 6 to be rezoned to A2.

Commissioner Stenerson commented that his motion was intended to be only for Section 6 of Featherstone Township.

Ms. Jensen questioned how many landowners there were in Section 6.

Pierret stated approximately 15 landowners occupied Section 6.

Mr. Anderson questioned whether the Commission would consider rezoning the north half of Section 6.

Chair Gale noted that the whole section should be rezoned.

Commissioner Stenerson agreed with Chair Gale's comment.

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
December 14, 2020 MEETING MINUTES  
DRAFT**

---

*Discussion continued regarding the timeline for extension of the request and future meeting dates.*

**Motion carried 9:0.**

**Other-Discussion**

*Bechel reviewed a packet prepared by staff regarding bonds for Utility Scale Solar projects.*

*Commissioner Stenerson stated he preferred having the landowner responsible for the decommissioning bonds. He questioned what the County's options would be if the landowner refused to clean-up the project and whether the County could seize the property for resale.*

*Hanni stated that if the County needed to clean up a solar facility the cost would go onto the tax bill for the landowner. If the owner did not pay their taxes then the County could claim the property as tax forfeiture. She added that several projects are being upgraded every year to the newest technology and that the State and Xcel Energy have large stakes in this program that they would not walk away from the projects. She noted that Goodhue County does not have the staff resources to monitor the bonds and that this is a decision between the landowner and the solar company. Hanni noted that if there were a lapse in the bond or letter of credit the County may be responsible to go onto the property to remove the solar facility before its 25 year lifespan.*

*Commissioner Nesseth stated that there is a cost in recycling the panels. He noted that projects on over 100 acres seem preferable to projects on 10 acres. He added that the other Counties that oversee the bonds are protecting the County and questioned whether staff is already monitoring bonds for mining properties in the County.*

*Bechel stated that mines have an annual registration fee to cover staff costs for monitoring the bonds.*

*Commissioner Nesseth commented on a meeting regarding recycling solar panels attended by County Board Commissioner Drotos. He noted that the bonds would be protecting the landowners and taxpayers.*

*Commissioner Stenerson stated that 25 years from now these projects may still be viable and operational however he had concerns about a natural disaster destroying a solar garden one or two years into its lifespan. He detailed the insurance policy required by some lenders for natural disaster clean-up. He stated that the County could require proof that the project is properly insured for disasters.*

*Hanni stated that bonds and proof of insurance are not required for large Feedlots or manure pits which have a larger impact than these solar projects. She noted that mines also have more impact to the land than solar gardens which is why the County monitors those sites.*

*Chair Gale stated he felt the County should not be the bond holder nor the enforcer of the bond requirements.*

*Commissioner Miller questioned whether the County is responsible for ensuring the bonds are kept up-to-date because it is a requirement of the CUPs. He noted that the cost to clean up a project may be more than the value of the property it is on.*

*Commissioner Stenerson stated that the value would be dependent on the value of the property the project is on.*

*Commissioner Miller questioned whether most parcels that had solar facilities were*



**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
December 14, 2020 MEETING MINUTES  
DRAFT**

---

*approximately 7 or 8 acres in size.*

*Hanni stated that the solar companies are leasing 5 to 10 acres however the solar facility is not being split from the larger parcel of property where it exists.*

*Commissioner Nesseth stated that the County should be careful about the size of parcel where Utility Scale Solar facilities are permitted.*

*Commissioner Stenerson questioned what the dangers of abandoned solar facilities are, if they are impacting groundwater through leaching etc. He stated that the impacts seem to be mostly visual impacts.*

*Discussion continued regarding the potential impacts of abandoned solar panels.*

*Hanni stated that staff could research the size of the parcels where solar facilities have been permitted.*

*Commissioner Huneke stated that in the future, technology could change and the companies could walk away from these sites leaving them to be cleaned up the County.*

*Commissioner Nystuen questioned whether the solar site could be split from the parcel it is located on.*

*Hanni stated that the County Board has not been in favor of allowing utility scale solar sites to be split from the adjoining parcel. She suggested that an Ordinance amendment could be entertained stating that the solar sites cannot be split from the parcel they are located on. She added that another option would be to only allow utility scale solar projects on parcels of a certain size.*

*Bechel suggested the parcel size be per megawatt because some properties have multiple solar sites.*

*Discussion continued regarding splitting solar sites from the larger parcel.*

*Bechel noted that staff could bring back some statistics on the solar facilities for discussion in January. The Commission agreed staff should do this.*

*Commissioner Drazkowski stated that another possibility could be a 5 or 10 year review of the projects and their decommissioning agreements.*

*Commissioner Stenerson noted that every time staff reviews the projects it would be costing staff-time for the work.*

*Discussion continued regarding the lifetime of solar projects.*

**<sup>13</sup>ADJOURN: Motion by Commissioner Miller and seconded by Commissioner Fox to adjourn the Planning Commission Meeting at 7:32 PM.**

**Motion carried 9:0**

Respectfully Submitted,

Samantha Pierret; Zoning Assistant

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
December 14, 2020 MEETING MINUTES  
DRAFT**

---

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

*Motion carried 6:0.*

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

*Motion carried 6:0.*

<sup>3</sup> Motion to close the Public Hearing

*Motion carried 9:0*

<sup>4</sup> **TABLE** the request to rezone 19.31 acres from A3 to R1 to allow time for the Township to consider rezoning all of Section 6 to A2.

*Motion carried 9:0*

<sup>5</sup> ADJOURN. Motion to adjourn the 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:** January 11, 2021  
**Report date:** December 31, 2020

## **PUBLIC HEARING: IUP Request for Home Business**

Request for an Interim Use Permit (IUP) submitted by David and Robin Koenig (Owners/Operators), to establish two Tier-3 Home Businesses manufacturing cotton candy and canvas cover products.

## **Application Information:**

Applicant: David and Robin Koenig (Owners/Operators)

Address of zoning request: 32360 HWY 58 BLVD, Red Wing, MN 55066

Parcel(s): 31.025.1200

Abbreviated Legal Description: Part of the SW 1/4 of the NE 1/4 Section 25 TWP 112 Range 15 in Featherstone Township.

Township Information: Featherstone Township approved a variance for the Tier-3 Home Occupation at their November 10, 2020 meeting.

Zoning District: A2 (Agricultural Protection District)

## **Attachments and links:**

Application and submitted project summary

Site Map(s)

Goodhue County Zoning Ordinance (GCZO):

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

## **Summary:**

The Applicants propose to expand two existing Tier-2 Home Businesses on their property to Tier-3 Home Businesses. The businesses manufacture cotton candy and canvas covers. They are requesting an IUP (Interim Use Permit) to establish these businesses within an existing 4,800 square foot accessory structure on the property. Tier-3 Home Businesses are required to receive IUP approval in A2 Zoned Districts when business activities are conducted in an accessory structure greater than 3,400 square feet.

## **Project Summary:**

### **Property / Building Information:**

- The subject property is the Applicants' primary residence and consists of a single 11.2-acre parcel. *Per GCZO Article 11, Section 12 the minimum lot size for Tier-3 Home Businesses is 5 acres.*
- All adjacent properties are also zone A2. Adjacent land uses include low to medium-density single-family dwellings, row crop agriculture, and bluffslands.
- The Applicants constructed a new 48-foot x 100-foot accessory building with a mezzanine and restroom facility in the spring of 2020. The structure was permitted and inspected by the Goodhue County Building Permits Department (Permit 19-0390).

The structure will accommodate all equipment for both businesses.

*Per GCZO Article 11, Section 12 a Tier-3 Home Business may occupy no more than 7200 square feet of gross floor area. The total size allowed for two businesses shall not exceed the maximum*

size allowed for a single business.

- The Applicants do not employ any additional employees at this time. They have proposed 3 employees to be hired in the future depending on demand.

Goodhue County Building Official, Doug Morem, has noted that if non-resident employees (other than the property owners) are employed in the future, the restroom in the accessory structure will need to comply with ADA Accessibility requirements.

Goodhue County Sanitarian, Benjamin Hoyt, stated that the Applicants should provide an assessment of proposed water usage and impact to the existing septic system from a septic professional prior to expanding the operation.

- Solid waste disposal services are provided by a local professional business.
- Window decals are proposed to be installed on existing windows to identify the businesses. All signs must comply with Goodhue County Zoning Ordinance Article 11 Section 17.
- Exterior lighting is proposed for the accessory structure. The lights will be directed toward the accessory structure.
- No exterior storage of business-related materials is proposed.

### **Business Information:**

- The Applicants received administrative Zoning approval in September 2020 to establish two Tier-2 Home Businesses (cotton candy manufacturing and canvas cover manufacturing) in the dwelling and parts of the existing accessory building (occupying no more than 3,400 cumulative square feet). To use the entire area of the 4,800 square foot accessory structure for the businesses, a Tier-3 Home Business IUP must be approved.

LUM staff have received no comments or complaints regarding the business operations since permit approval.

- The main activities on-site will be the manufacturing of cotton candy and canvas covers for online sale. Customers will occasionally come to the property to view product samples.
- Equipment used for the cotton candy business will be two industrial cotton candy machines and one blower fan to inflate bags. Equipment used for canvas cover manufacturing are two industrial sewing machines.
- All business activities will be conducted inside the existing structure to limit potential off-site noise, dust, odors, or fumes impacts generated as a result of the manufacturing processes.
- Deliveries will be loaded and off-loaded on-site near the existing building. An average of 1 to 2 deliveries are anticipated per week. Deliveries are brought on-site via UPS, FedEx or USPS, etc. Weekly shipment quantities fluctuate with demand.
- Primary hours of operation are proposed to be year-round, Monday through Friday from 8:00 AM to 6:00 PM.
- No traffic beyond that which is reasonable for the local transportation network is anticipated. LUM staff sent the proposed change of use to MNDOT District 6 for review, however, a response has not yet been received as of print. *LUM staff will update the PAC at the hearing with any comments received from MNDOT.*
- Parcel access is located off of HWY 58 BLVD on the west side of the property. Adequate emergency vehicle access is available to service the facility.
- There is a gravel and concrete paved driveway on the property. Additional pavement has been added to access the new structure. *Pursuant to GCZO Article 11, Section 16 minimum off-street parking provisions shall be one parking space for every 500 square feet of floor area. A minimum of 10 off-street parking spaces is required for this facility.*

Ample room exists on the property to fulfill parking requirements.

## **Township Information:**

- Featherstone Township granted a variance to allow the Home Businesses at their November 10, 2020 meeting. The Township Board variance included a condition of approval limiting the operation to no more than 3 non-resident employees.

## **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 Home Businesses do 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. All activities will be conducted inside an existing building and the businesses have been operating without issue on site since September 2020.
2. The establishment of the proposed Home Businesses is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and the majority of the business operations will be confined within the existing structure. The use as proposed appears compatible with existing 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 property has existing 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 Home Businesses will be conducted within the accessory structure to prevent and control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance.

*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 that the County Board of Commissioners **APPROVE** the request from David and Robin Koenig for an IUP to establish two Tier-3 Home Businesses on the property.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. Primary hours of operation shall be Monday through Friday, 8:00 AM to 6:00 PM;
3. On-street parking shall be prohibited;
4. On-street loading or off-loading shall be prohibited;
5. An assessment of water use and impact to the existing septic system should be conducted by a septic professional prior to expansion of the businesses;
6. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
7. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, Section 12, Home Businesses and Article 22 A-2, General Agricultural District; and
8. The IUP shall become null and void upon a change of property ownership or if the use is discontinued for a period of one year.

RECEIVED

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

DEC 18 2020

Parcel # 31.025.1200

Land Use Management

Permit # 720-0068

PROPERTY OWNER INFORMATION

Last Name Koenig First David & Robin Email: [REDACTED]

Street Address 32360 Hwy 58 BLVD Phone: [REDACTED]

City Red Wing State MN Zip 55066 Attach Legal Description as Exhibit "A"

Authorized Agent \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address of Landowner: Same as above

Mailing Address of Agent: \_\_\_\_\_

PROJECT INFORMATION

Site Address (if different than above): \_\_\_\_\_

Lot Size \_\_\_\_\_ Structure Dimensions (if applicable) 48' x 100'

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: David a. Koenig Robin S. Koenig Date 12/16/20

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 # 17815 DATE PAID 12-18-2020

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: \_\_\_\_\_

2 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).

Manufactures of cotton candy for retail.

Manufactures of canvas covers, vinyl leather.

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

Existing home on property. Commerical spec. 48'x100'

3. Proposed number of non-resident employees.

3 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.

8AM to 6pm 5days a week.

5. Planned maximum capacity/occupancy.

5

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

Minimal, property is 11 acres with ample concrete parking and paved driveway from hwy 58.

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

Concrete parking 14+. Gravel 20+ Driveway widened for access off of hwy 58.

8. Proposed solid waste disposal provisions.

Dumpster.

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

New septic system installed 2019. Existing well water.

LP in floor heating, Electric A/C.

10. Existing and proposed exterior lighting.

② 100 watt LED's lights on front and rear of building. ③ 75 watt LED's above garage door and entry door.

11. Existing and proposed exterior signage.

Window on garage doors will have decals denoting business, also entry doors.

12. Existing and proposed exterior storage.

All in the building.

13. Proposed safety and security measures.

Cameras on 3 sides of building. Motion detector lights. 24 hour surveillance video. Inside fire extinguishers. Battery backup. Lighting for exits.

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

Yes.

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

None.

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

Back filling around building. Land scaping adding bushes, plants.

17. Existing and proposed surface-water drainage provisions.

None.

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

Certification by dept of agriculture.

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



**Pierret, Samantha**

---

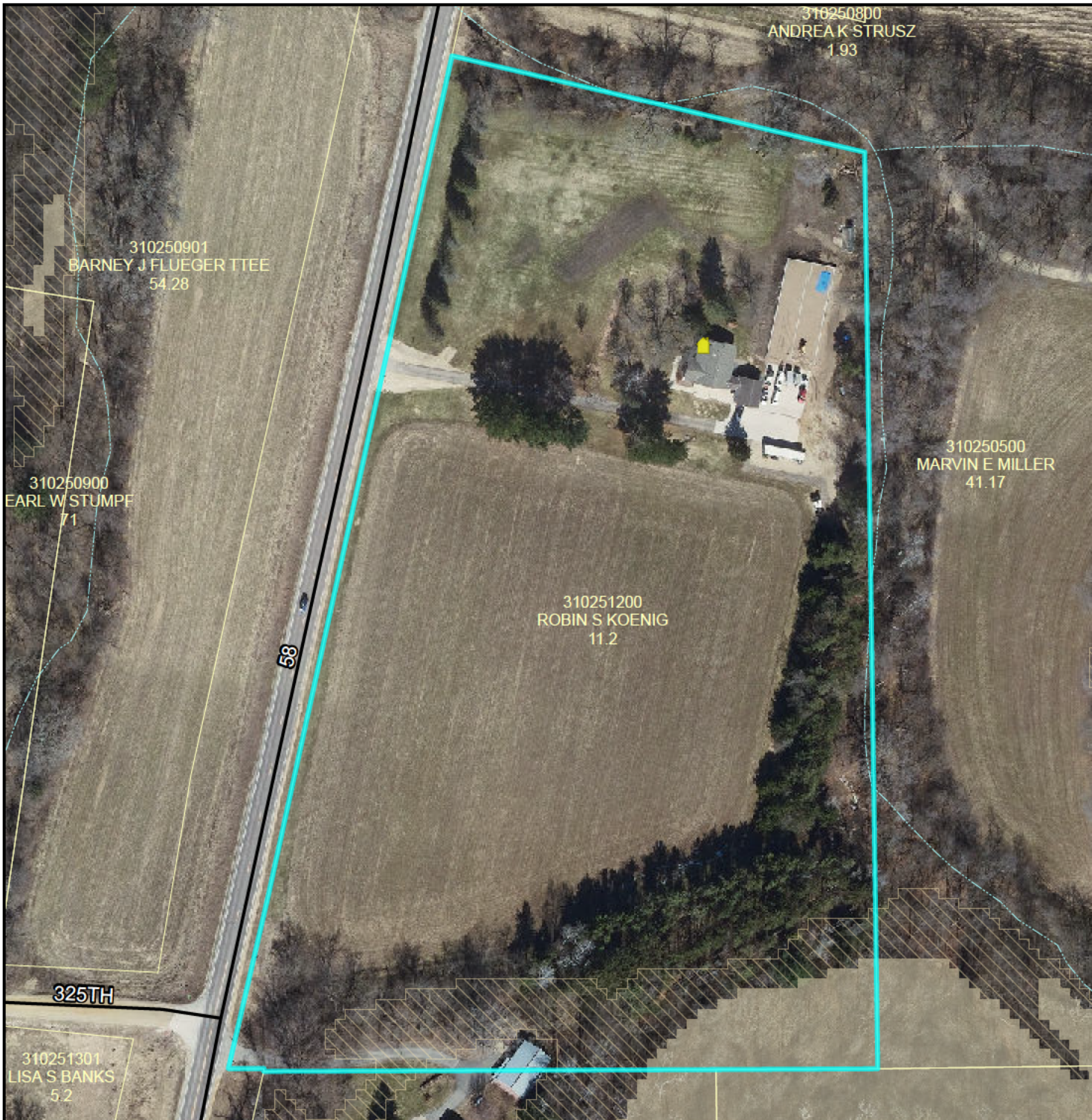
**From:** Featherstone Township <featherstone.twp@gmail.com>  
**Sent:** Wednesday, November 11, 2020 11:33 AM  
**To:** Pierret, Samantha  
**Subject:** Dave and Robyn Koenig variance application

**On November 10, 2020 the Featherstone Township Board of Supervisors approved the request for a variance from Dave and Robyn Koenig, 32360 Highway 58 Blvd, Red Wing, for a home-based business based on cotton candy production. The board imposed one restriction that the business may employ no more than three (3) non-resident employees. The motion was approved unanimously.**

--

Chuck Schwartau, Clerk  
Featherstone Township

# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

Public Hearing  
January 11, 2021

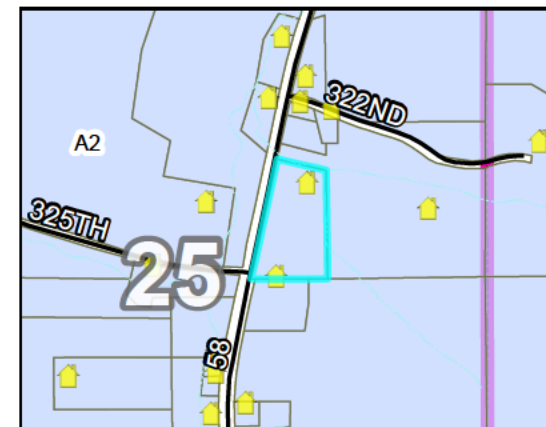
David and Robin Koenig (Owners/Operators)  
A2 Zoned District

Part of the SW 1/4 of the NE 1/4  
Sect 25 TWP 112 R15 in  
Featherstone Township

Request for an IUP to establish two  
Tier-3 Home Businesses manufacturing  
cotton candy and canvas cover products.

### 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

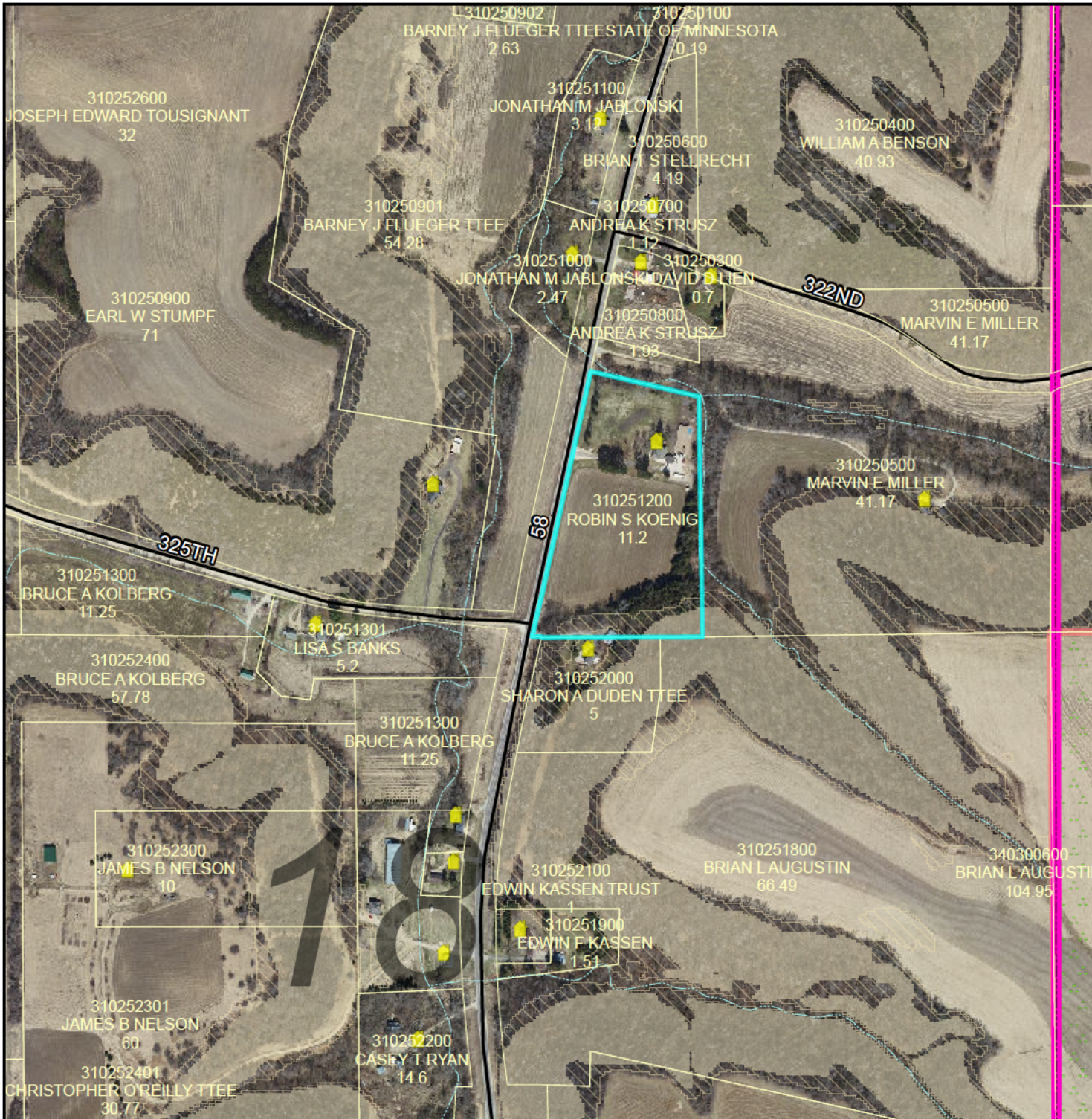


DATA DISCLAIMER: Goodhue County assumes  
NO liability for the accuracy or completeness of this map  
OR responsibility for any associated direct, indirect,  
or consequential damages that may result from its use  
or misuse. Goodhue County Copyright 2020.

2020 Aerial Imagery  
Map Created December, 2020 by LUM



# MAP 02: VICINITY MAP



## PLANNING COMMISSION

Public Hearing  
January 11, 2021

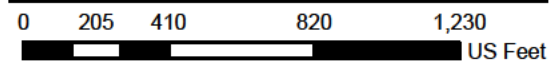
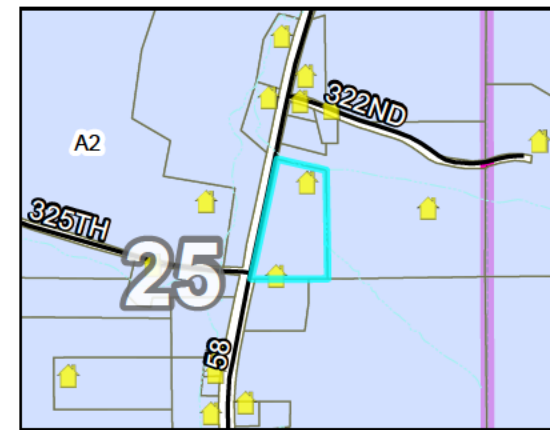
David and Robin Koenig (Owners/Operators)  
A2 Zoned District

Part of the SW 1/4 of the NE 1/4  
Sect 25 TWP 112 R15 in  
Featherstone Township

Request for an IUP to establish two  
Tier-3 Home Businesses manufacturing  
cotton candy and canvas cover products.

### Legend

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

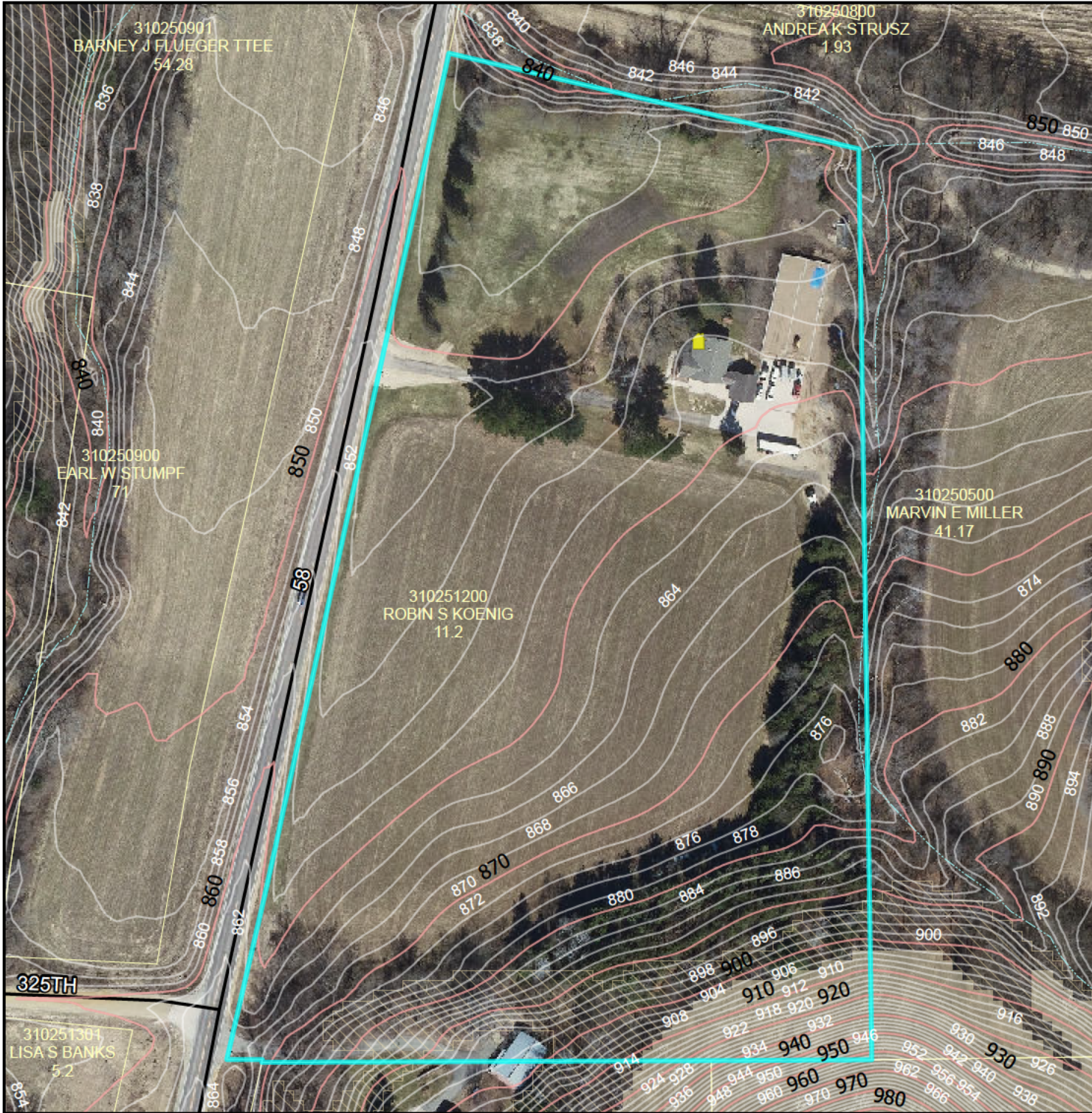


DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2020.

2020 Aerial Imagery  
Map Created December, 2020 by LUM



# MAP 03: ELEVATIONS



## PLANNING COMMISSION

Public Hearing  
January 11, 2021

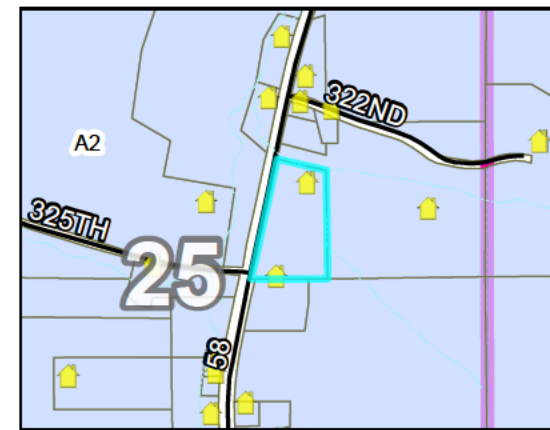
David and Robin Koenig (Owners/Operators)  
A2 Zoned District

Part of the SW 1/4 of the NE 1/4  
Sect 25 TWP 112 R15 in  
Featherstone Township

Request for an IUP to establish two  
Tier-3 Home Businesses manufacturing  
cotton candy and canvas cover products.

### Legend

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



0 50 100 200 300 US Feet

DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2020.

2020 Aerial Imagery  
Map Created December, 2020 by LUM



- J. No more than two home businesses shall be permitted on a single parcel. The total space allowed for two home businesses combined shall not exceed the maximum allowed for a single home business.

Subd. 2. **TIER 2 HOME BUSINESS.** The following standards shall apply to Tier 2 home businesses:

- A. No more than two (2) non-resident employees shall be employed in conjunction with a permitted Tier 2 home business.
- B. The home business shall be incidental and subordinate to the use of the premises for farming or residential purposes.
- C. If located within a dwelling, the home business shall occupy no more than 50% of the gross floor area of the dwelling. If located in an accessory building, the home business shall not occupy an area greater than 2100 of gross floor area feet on parcels up to 2 acres or 3400 of gross floor area feet for parcels 2 acres or greater.
- D. No traffic shall be generated by the home business beyond that which is reasonable and normal for the area in which it is located.
- E. No equipment or process shall be used in such home business which creates noise, vibration, glare, fumes, odors, or electrical interference detectable off the premises.
- F. Exterior display or storage of goods, equipment or other materials associated with the home business is prohibited.
- G. Adequate off-street parking shall be provided in accordance with the requirements of Article 11, Section 16.
- H. The parcel must meet or exceed the minimum size standards for the applicable zone.
- I. All equipment, buildings, and activities associated with the home business shall be required to meet all setbacks for the applicable zoning district.
- J. No more than two home businesses shall be permitted on a single parcel. The total space allowed for two home businesses combined shall not exceed the maximum allowed for a single home business.

Subd. 3. **TIER 3 HOME BUSINESS.** The following standards shall apply to Tier 3 Home Businesses:

- A. The maximum number of non-resident employees employed in conjunction with a home business shall be 10.
- B. The minimum parcel size shall be 5 acres.
- C. If located in an accessory building, the home business shall not occupy an area greater than 7200 of gross floor area feet.
- D. Exterior operations and storage of goods, equipment or materials shall be screened from view of public roads, adjacent dwellings and adjoining residential districts.
- E. The Planning Advisory Commission shall determine the expiration of the interim use permit; which may include a time limit or a transfer of the property ownership.
- F. The Interim Use Permit may be renewed administratively up to 30 days after the expiration of the permit so long as all the conditions placed by the Board of

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

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

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

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

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

**SECTION 13. BED & BREAKFAST INNS**

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

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

# Goodhue County Land Use Management

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

*Lisa M. Hanni, L.S. Director*

Building | Planning | Zoning  
Telephone: 651.385.3104  
Fax: 651.385.3106



*County Surveyor / Recorder*

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

**To:** Planning Commission  
**From:** Land Use Management  
**Meeting Date:** January 11, 2021  
**Report date:** December 31, 2020

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

Request, submitted by USS Wildcat Solar LLC (Applicant) and Paul Betcher (Owner) for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System (SES) occupying approximately 7.57 acres.

### **Application Information:**

Applicant: USS Wildcat Solar LLC (Applicant) and Paul Betcher (Owner)  
Address of zoning request: TBD County 9 BLVD, Goodhue, MN 55027  
Parcel(s): 33.027.0400  
Abbreviated Legal: The NW ¼ of Section 27 TWP 111 Range 15 in Goodhue Township  
Zoning District: A-1 (Agricultural Protection District)

### **Attachments and links:**

Applications and submitted project summary (excerpt of materials; full submittal available upon request)  
Site Map(s)  
Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Background:**

The Applicant has submitted a CUP request to construct and operate a 1 Megawatt (MW) photovoltaic (PV) utility-scale solar garden on approximately 7.57-acres of leased land located in Goodhue Township that is owned by Paul Betcher. The project would be developed in conjunction with the State of Minnesota Solar Garden program and Xcel Energy's Solar Rewards Community Program. The program allows developers to design, permit, own, and operate solar energy systems and sell the generated power directly to consumers. Upon completion, the Solar Garden would connect to Xcel Energy's distribution grid and generate up to 1 MW of energy annually over the next 25 years.

Per Goodhue County regulations, Solar Energy Systems (SES) that are the primary use of the land and are designed to primarily provide energy to off-site users or export to the wholesale market may be conditionally permitted as a "Utility-Scale SES" within the County's A-1 zoned districts.

### **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 7.57-acre (approximate) area to be leased by the Applicant is situated on a 159.4-acre parcel owned by Paul Betcher. The proposed lease area and a majority of the remainder of the property is currently used for row-crop agriculture.

There are two existing 1-megawatt utility-scale SES arrays located on the property directly west of the proposed site. The first site was approved February 2017 (Z17-0005) and installation was completed in the fall of 2018. The second site was approved in February 2019 (Z19-0001) and installation began in the spring of 2020.

The Betcher property includes a dwelling, a registered Feedlot, tilled cropland and pasture areas in the southeast corner away from the proposed SES site.

- Adjacent land uses include primarily row-crop and animal agriculture (Feedlots) and low-density residential. The nearest residence is located approximately 275 feet from the proposed array to the northeast (Kimm Burns). The Goodhue City limits abut the property to the west.
- Adjacent zoning districts include A-1 (Agriculture Protection) to the north, east and south; A-3 (Urban Fringe)/City of Goodhue to the west.

### **Solar Array:**

- The solar array is proposed to include 3,400 (400W) single-axis tracker panels installed in 17 rows spaced 13.4-feet apart. Steel and aluminum racks will hold up the solar panels, reaching 6 to 8 feet above grade at the maximum tilt configuration.

The racking will be installed with piles that are anchored into the ground to an appropriate depth based on soil and geotechnical analysis.

The solar array will interconnect to the power grid via a pad-mounted transformer in the center of the project area, facilitating connection to an existing Xcel Energy circuit.

- An existing driveway access to CTY 9 BLVD serving the established solar sites to the west will also be used for the new site. A 16-foot wide access drive will be installed for direct access to this site composed of crushed aggregate.
- Staff has consulted with Goodhue County Public Works Department Assistant Engineer Jess Greenwood regarding the proposed access. Mr. Greenwood noted Public Works does not have any concerns with the proposed access drive location. He noted that an Access Permit would not be required as long as no changes to the existing access occurred in the County 9 BLVD ROW.

A recorded ingress/egress easement is not required for the property given the site is to be leased and all land to be crossed to access the site will remain under common ownership.

A separate fire number will be required for the site. Emergency vehicle access appears adequate to service the facility.

- Ample space exists within the project area to provide off-street parking, turnaround, unloading, and storage space for workers and materials during the construction phase.
- Once constructed, traffic to the site would be limited to periodic visits by maintenance and landscaping personnel to perform routine maintenance, in addition to any unplanned maintenance.
- The solar garden is sited to comply with all GCZO setback requirements for Solar Energy Systems.

### **Landscaping/Drainage:**

- The site slopes generally from south to north with stormwater runoff draining towards the lower areas in the northwest corner of the parcel.
- A preliminary grading and erosion control plan has been provided for this project. The plan notes that stormwater management will include the use of best management practices and perimeter control devices (silt fencing) to prevent erosion until the site is re-vegetated. A infiltration basin is proposed on submitted plans. No wetland or Bluffland features have been identified on this



site.

Beau Kennedy (Goodhue SWCD Water Planner) reviewed the proposal and offered the following comments:

*I concur with the initial assessment of “no wetlands present” on this site. Looks like they are planning to incorporate some stormwater runoff storage which is good. I’d like to see more detail on the erosion control plan, but it sounds like they will provide that during the building permit process. Looks good.*

- An erosion control/stormwater management plan is customarily submitted for administrative review at the time of building permit application. An NPDES (National Pollutant Discharge Elimination System) and SWPPP will be required for this project and will need to be submitted by the Applicant prior to Building Permit approvals.
- There is no vegetative screening existing at the site or proposed. Screening was not required for either of the existing SES installations to the west. The Planning Commission should consider whether any screening of the proposed SES is warranted.
- Apart from the meter pad (typically less than 500 square feet), the entire area within the project boundary will be seeded with a “diverse mix of pollinator friendly, low-lying, deep-rooted plants”.
- An 8-foot tall farm-field style fence will be constructed around the perimeter of the project area for security.
- Construction is expected to last approximately 4 months and is anticipated to begin in summer or fall of 2021.

**Maintenance/Decommissioning:**

- The project is subject to issuance of a Building Permit and must be constructed according to applicable building code requirements. The project will be inspected by County Building Inspections Staff and the State Electrical Inspector. In addition, Planning and Zoning Staff will inspect the project upon completion to ensure conformance with applicable zoning requirements.
- The Applicant has prepared a Decommissioning Agreement between USS Wildcat Solar LLC and Paul Betcher. The plan includes the removal of all of the solar arrays, cables, electrical components, accessory structures, fencing, roads, and other ancillary facilities owned by the solar garden and the establishment of a financial security. The Applicant has proposed to post a \$25,000 decommissioning financial surety in the form of a cash deposit or letter of credit with the landowner.
- Per GCZO Article 19, the applicant may be required to provide a financial surety at up to 125% of the estimated decommissioning cost. The County has not typically exercised the right to financial assurance requirements for similar solar installations. The Planning Advisory Commission and County Board should consider if the County should require financial assurance to cover anticipated decommissioning costs.

**Goodhue Township:**

- The Applicant has contacted Goodhue Township regarding the proposal. Township comments were not available at the time of print. LUM staff will update the Commission with any Township comments.
- A Township Zoning Approval permit will need to be acquired by the Applicant as part of the Building Permit submittal package.

**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 Solar Garden 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 Solar Garden is located within a primarily agricultural area with two existing Solar Gardens directly west of the site that have been

functioning and been installed without record of complaint from neighboring residences.

2. The establishment of the proposed Solar Garden is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and it does not appear incompatible with adjacent land uses.
3. A review of the Applicant's submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available or will be provided 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.

*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 that the County Board of Commissioners **APPROVE** the request for a CUP, submitted by USS Wildcat Solar LLC (Applicant) and Paul Betcher (Owner) for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System (SES) occupying approximately 7.57 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 USS Wildcat Solar LLC 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. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
6. Applicant shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix for disturbed areas of the site and should submit "seed tags" to the Land Use Management Department prior to final inspection;
7. Applicant shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
8. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 21 (Agricultural Protection District). The Applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
9. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
10. This CUP shall expire 30 years from the date of approval unless terminated prior to that date.

RECEIVED

DEC 21 2020

# Land Use Management Solar Energy System Application

Permit# 20-0078

## 1. Owner/Applicant Information

PROPERTY OWNER'S NAME:

Paul Betcher

PROPERTY OWNER'S ADDRESS:

38369 215th Ave., Goodhue, MN 55027

TELEPHONE:

EMAIL:

APPLICANT OR AUTHORIZED AGENT'S NAME:

USS Wildcat Solar LLC

Same as Above

APPLICANT'S ADDRESS:

100 N. 6th St. Suite 410B, Minneapolis, MN 55403

TELEPHONE:

EMAIL:

## 2. Location and Classification

STREET ADDRESS OF PROJECT:

38369 215th Ave., Goodhue, MN 55027

ZIPCODE:

LEGAL DESCRIPTION:

Attached

## 3. Supporting information

NUMBER OF SOLAR COLLECTORS TO BE INSTALLED

3400

TOTAL SIZE OF PROJECT

1 megawatt

DESCRIBE METHOD OF CONNECTING THE ARRAY TO A BUILDING OR SUBSTATION

Attach signed interconnection agreement

## 4. Applicant's Affidavit

Under penalty of perjury the following declarations are made:

1. The undersigned is the owner or authorized agent of the owner of this property.
2. The information presented is true and correct to the best of my knowledge.
3. Other information or applications may be required.

Signature: Paul C Betcher

Date: 12/16/2020

Print name: Paul Betcher

County Section				
SES Application Fee:	SES Zoning Permit: \$200	SES CUP/IUP: \$1000	Receipt Number <u>17817</u>	Date <u>12-21-2020</u>
Building permit #:				
Shoreland _____ Lake/Stream Name _____ Zoning District _____				
Conditions:				
Zoning Administrator Signature				

RECEIVED

DEC 8 1 30 PM

## **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. Visual Impact Analysis. Is the project anticipated to adversely effect visual sightlines of neighboring dwellings, properties or public rights-of-way. Identify measures to avoid, minimize or mitigate visual effects.

The surrounding land use is primarily agricultural, with existing solar arrays located on the same parcel. The project is setback from County Blvd. 9 and will not create any adverse visual effects.

2. Proposed stormwater management measures. Identify specific erosion control, sedimentation control or stabilization measures to address soil limitations during and after construction. An NPDES permit may be required.

Please see attached narrative for more information on erosion control and stormwater management measures.

3. Maintenance plan for grounds surrounding the system(s).

USS Wildcat Solar LLC will control for noxious weeds around the system throughout the life of the project. The area underneath the modules and between rows will be transformed into a diverse mix of pollinator-friendly, deep rooted plants.

4. Anticipated wetlands impacts. Has a wetlands impact study been completed?

No wetlands were identified during the desktop delineation. Soils within the site are classified as non-hydric.

5. Proposed decommissioning procedures.

Please see the attached narrative for more information.

## COVER LETTER

December 15, 2020  
Goodhue County Planning Commission  
509 W 5th Street Suite 103  
Red Wing, MN 55066

**RE: Application by USS Wildcat Solar LLC for a Conditional Use Permit to Construct and Operate a Community Solar Garden**

Dear Goodhue County Planning Commission,

Attached, please find an application for a Conditional Use Permit ("CUP") to construct and operate a community solar garden within Goodhue Township. Pursuant to Article 19 Solar Energy System (SES) Regulations (the "Ordinance"), the request is being made by USS Wildcat Solar LLC, a subsidiary of United States Solar Corporation ("US Solar"). US Solar, a developer/owner/operator based in Minnesota, seeks to make the benefits of solar more accessible. We coordinate all Project details— site acquisition, development, interconnection, permitting, finance, construction, operations, and maintenance.

USS Wildcat Solar LLC plans to develop and construct a 1-megawatt (MW) community solar garden (the "Solar Garden") in Goodhue County on approximately 7.57 acres of parcel 330270400 in Goodhue Township at 38369 215th Ave., Goodhue, MN 55027 (the "Property") through Goodhue County's CUP process. Our application includes information about the site and provides detailed analysis of the applicable land use permitting considerations. You will also find information about the residents, schools, cities, and businesses who subscribe to these Solar Gardens and the local benefits to the economy and environment.

The US Solar team appreciates the coordination and insights already provided by Goodhue County staff and looks forward to working with both Goodhue Township and Goodhue County. Together, we will ensure that this Solar Garden will operate safely and efficiently over its lifespan, while providing environmental, financial, and social benefits to the surrounding area.

Please contact us with any questions, comments, or points for clarification. We look forward to working with the Commission on this Solar Garden.

Sincerely,



**Cullen Kobayashi – Project Developer**

USS Wildcat Solar LLC  
100 N 6th St., Suite 410B  
Minneapolis, MN 55403  
W: (612) 294.6932  
E: Cullen.kobayashi@us-solar.com

## SOLAR GARDEN SUMMARY

USS Wildcat Solar LLC respectfully submits this CUP application to construct, own, and operate a community solar garden (the "Solar Garden").

<b>Parcel Identification Number</b>	330270400
<b>Site Address</b>	38369 215th Ave., Goodhue, MN 55027
<b>Project Capacity</b>	1 Mvac
<b>Project Acreage</b>	7.57
<b>Site Control Status</b>	Memorandum recorded, see Appendix II
<b>Landowner</b>	Paul Betcher
<b>Township</b>	Goodhue
<b>Current Use of Property</b>	Agriculture

## SELECTING THIS PROPERTY

The Property was selected because of its solar resource, physical characteristics, proximity to sufficient distribution facilities, ability to meet all local permitting requirements, and of course, landowner support.

- Solar Resource
  - Relatively large, flat, and open to provide unobstructed access to natural sunlight
- Physical Characteristics
  - Limited grading, if any, maintaining natural topsoil and existing drainage patterns
  - Not in Agricultural Preserve
  - No impact to wetlands or neighboring properties
  - Adequate space for setbacks or landscape screening
  - Soils capable of supporting facility and equipment
  - No water or other infrastructure improvements needed
- Proximity to Sufficient Distribution Facilities
  - Existing distribution line on the Project-side of County 9 Blvd
  - Adequate capacity for the Solar Garden on existing distribution line and other infrastructure
  - Supplies electricity throughout the local community
  - Existing substation in relatively close proximity with adequate available capacity for the Solar Garden, according to Capacity Screens provided by Xcel Energy
- Ability to meet all local permitting requirements
- Landowner support

## LOCAL IMPACT

### ENVIRONMENTAL

The area underneath the modules and between rows will be transformed into a diverse mix of pollinator-friendly, low-lying, deep-rooted plants. This enhances soil, water, and air quality. A study has shown that these seed mixes reduce stormwater runoff by 23 percent for the 2-year storm event (2.9 inches of rain) and 8 percent for the 100-year storm event (7.8 inches of rain)<sup>1</sup>. These native plantings also expand habitat for pollinators and other species that increase crop yields and improve the local environment.

Beyond the local environment, there is also a measurable impact to the global environment by producing clean energy. The Solar Garden would provide decades of pollution-free and greenhouse-gas-free electrical generation.

### ECONOMIC

US Solar is a leading provider of community solar solutions to residents, businesses, and public entities across Minnesota. We are proud to work with over 70 commercial customers and 1,000 residential customers in Minnesota. Our subscribers get the opportunity to save money on their monthly electric bill through Xcel Energy's community solar program. Xcel Energy customers in Goodhue County may subscribe to a portion of the electricity generated and receive bill credits on their Xcel Energy bills. In this way, local residents and businesses receive a direct economic benefit from the Solar Garden.

In addition to the subscriptions, here are some local economic impacts:

#### Already Spent

- o Local engineering, environmental, and permitting consulting services
- o Legal fees, county recordings, travel, and meals,

#### During Construction

- o Private capital infrastructure investment
- o Local spending
- o Construction and related labor jobs

#### During Operation

- o Increased property tax payments throughout operation
- o Permanent, part-time work to monitor and maintain

---

<sup>1</sup> (Jeffrey Broberg, "Utility & Community Solar Should Use Native Landscaping," <http://cleantechnica.com/2016/03/15/utility-and-community-solar-should-use-native-landscaping/>)

## ELECTRICAL

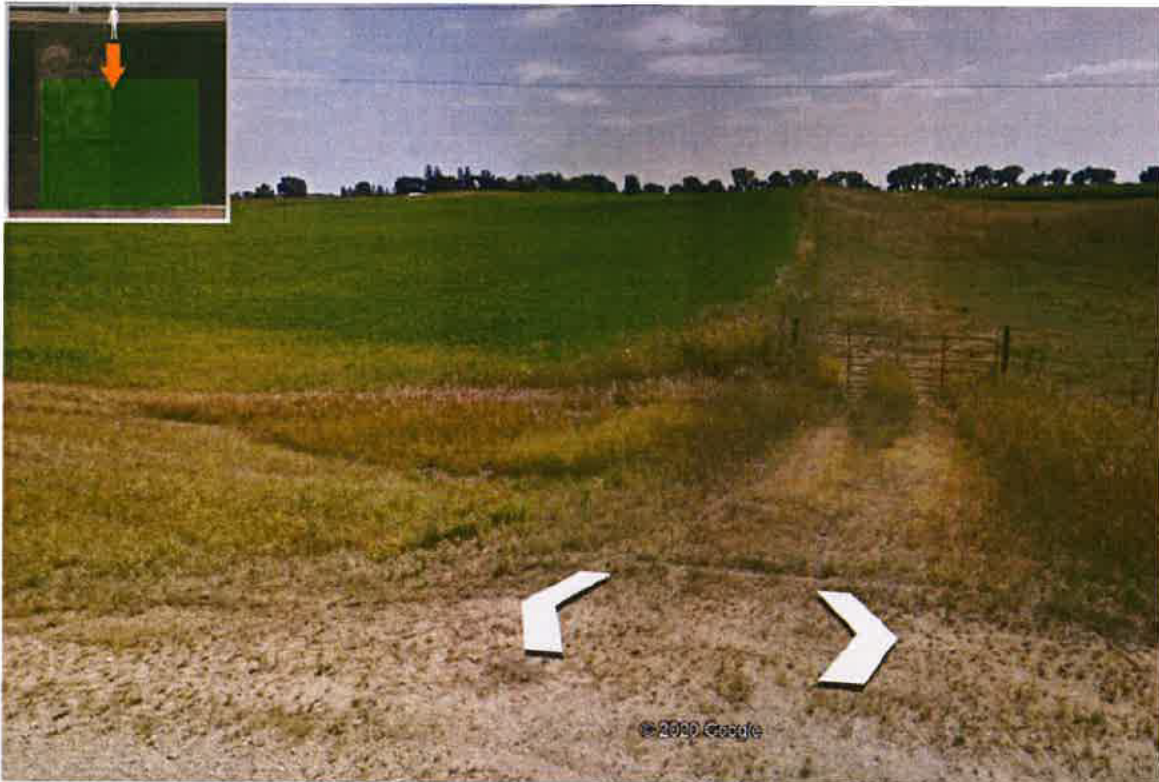
The Solar Garden will generate enough clean electricity to power approximately 225 homes annually. Because the Solar Garden will interconnect to the existing distribution system of Xcel Energy, the clean energy will be used by nearby electric customers. This Solar Garden will also contribute to energy independence, decreasing our reliance on importing energy. USS Wildcat Solar LLC is contracted to deliver electricity for a period of 25 years, commencing on the date of commercial operation, which is expected to occur by Q4 2021.

## VISUAL IMPACT

### OVERVIEW

The surrounding land use is primarily agricultural, with some farmsteads within a half mile of the Solar Garden. Currently, the relevant area of the parcel is 100% row crop agriculture. The Solar Garden is composed of single-axis trackers, which means the panels rotate from east to west as the sun rises and sets. The panels are about 6"-8" tall, depending on the tilt angle which varies throughout the day. Between each row of solar panels is about 20', and the entire Solar Garden area is planted in a mix of native grasses and pollinator-friendly habitat. There are no permanent structures or buildings.

### PHOTOS OF THE SITE





## **FENCE**

Our Solar Garden will include a security fence around the entire perimeter, as required by National Electric Code. The security fencing will be located entirely on the Property. The fence will not exceed 8 feet in height, and it will be a farm-field style fence without barbwire. See the image below for a representative photo taken of a Solar Garden under construction in Minnesota in 2020.



## **VEGETATIVE SEEDING PLAN**

As mentioned in the LOCAL IMPACT section, the area underneath the modules and between rows will be transformed into a diverse mix of pollinator-friendly, low-lying, deep-rooted plants. USS Wildcat Solar LLC will control for noxious weeds throughout the life of the Solar Garden.

# CONSTRUCTION

## OVERVIEW

The construction of a Solar Garden is simpler than many people realize. Galvanized steel I-beams are driven into the ground to the appropriate depth to ensure long-term stability, according to detailed structural and geotechnical analysis. Racking sits on top of the steel I-beams. Solar panels clip into the racks. Inverters are set up in between sections of solar panels. Electrical line is buried 4' deep in an electrical conduit. There are no concrete footings and no permanent structures or buildings, which makes the eventual decommissioning process easy at the end of the Solar Garden life. The Solar Garden will comply with Minnesota Rules 7030 governing noise. We use Tier 1 solar panels to achieve high efficiency and conform to high quality control and safety standards.

The bulk of the construction will occur in approximately 7 weeks, followed by testing, inspections, and commissioning work. The most noticeable phase of the construction is the pile driving, which is often completed in 2 days or less. In total, the construction period is expected to last about 4 months. Hours of construction will be 7:00am to 7:00pm Monday-Saturday. No work will be done on Sundays and nationally-observed holidays.

## PARKING

During our construction phase, a temporary parking area, adjacent to the Project, will be used for installation crews, delivery trucks (as needed), and construction and supervision personnel.

## VEHICLES/CONSTRUCTION TRIPS

Trucks for maintenance activities will be standard, with minimal tooling and parts for activities as described above.

- Most deliveries will be in the first month and most electrical testing will be in the later stages of construction.
- Modules will come on 40-foot flatbed trucks or in 40-foot containers.
- We expect no more than 8 deliveries for all solar modules.
- We expect no more than 5 container trucks to deliver racking material
- We expect no more than 2 deliveries for inverters, switchgears, and transformer
- We expect 4 trips for Balance of Plant equipment in containers that are 40 feet or smaller.
- Note: We expect no more than 4 deliveries per day.

## STRUCTURES

All monitoring is done remotely. No permanent structures will be built onsite.

## STORAGE DURING OPERATION

As referenced above, there will be no equipment or materials storage onsite.

## SIGNAGE

There will be no external signage of the facility. To provide safety and support good practices, labeling of electrical equipment requires internal signage. All signage will be in compliance with Chapter 154 –Sign Regulations.

## **WATER, SEWAGE, AND WASTE**

No water, sewage, or waste management services are required onsite. Portable waste facilities will be provided during the construction period. Delivery routes will be designed to pose the smallest traffic impact in the local community. We will coordinate with local authorities as to preferred times and routes prior to construction mobilization. Construction employees will park within the Project premises. There will be no permanent storage on-site. Employees will be provided with mobile waste management options sourced from the local area. USS Wildcat Solar LLC takes responsibility for maintenance or replacement or new installation of any drain tile servicing this site, if USS Wildcat Solar LLC and landowner determine it necessary.

## **SITE ACCESS**

An unpaved access road will be built from the public road to the Project. This provides necessary access for construction, regular mowing and maintenance activities, and decommissioning of the Project, while minimizing impact to adjacent land uses. The road also provides access in the unlikely event that emergency crews are needed onsite. We utilize the following simple process for construction of the access road:

- (1) Remove topsoil from a 15-foot wide area and spread it thinly in adjacent areas,
- (2) Lay down geotextile fabric over compacted subgrades, if necessary, to prevent vegetative growth, and
- (3) Install and compact approximately 8-10" of aggregate material/gravel to level with surrounding grade.

This Project will be accessed from a 15-foot-wide access road directly off County 9 Blvd. via the existing field access. The access road will enter the tilled field directly to the Project location. USS Wildcat Solar LLC will work with the road authority, Goodhue County, for approval. See the Site Plan in Appendix I for a depiction of the access road.

## **OPERATIONS AND MAINTENANCE**

As a long-term owner and operator, US Solar's operations team analyzes Solar Garden performance remotely 24/7 through our data acquisition system. This real-time monitoring aids in detecting and diagnosing any production anomalies, identifying, and addressing underperformance issues, managing service teams and technicians, and contacting landowners and the utility if necessary.

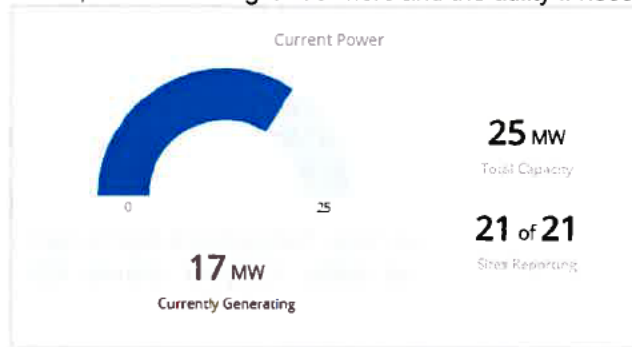


Figure: Snapshot of instantaneous generation for an operating portfolio

Approximately 4 times per year, authorized and insured technicians will be sent out to perform routine maintenance on the site, in addition to any unplanned maintenance. During the first few years, maintenance personnel will visit the site a few extra times per year to ensure the health of vegetation and landscaping.

Maintenance and Operations questions can be directed to the USS Wildcat Solar LLC Operations Team at 612-260-2230. The Operations Team will be able to address any issues related to drainage, weed control, screening, general maintenance, and operation. Emergency contact details to be provided prior to construction.

In addition, Xcel Energy personnel will have an easement and will perform any maintenance activities of their interconnection facilities, if needed.

## **PARKING**

After construction is completed, there will be approximately two parking spots within the boundaries of the perimeter fence. Our vehicles will park there to avoid disrupting traffic or adjacent land use.

## **OTHER**

There will be:

- No daily traffic
- No equipment or materials storage onsite
- No marketing/advertising signage
- No water/sewer/trash utilities required onsite

## **GRADING AND STORMWATER POLLUTION PREVENTION**

### **GRADING**

Grading, filling, removal of soils, and addition of soils will be limited to the extent practical. Our solar racking can accommodate various terrain.

We will maintain the existing drainage patterns of this parcel, minimizing impact to surrounding land. A preliminary drainage plan has been included in Appendix I. A full drainage report is forthcoming and will be completed as part of the Stormwater and Pollution Prevention Plan (SWPPP) permit. Volume control (infiltration) will be provided through infiltration basins and the newly established perennial vegetation.

As described in the Minnesota Stormwater Manual, Best Management Practices have been incorporated to ensure a site maintains good drainage. All impervious surfaces are fully disconnected and routed over low maintenance grass. The MPCA's spreadsheet tool has been used to calculate the volume of stormwater that must be treated on site from solar installations to meet the requirement of 1.0 inch of runoff from new impervious surfaces. A small basin may be provided to make up the remainder of the volume required. The basin design will allow for a 48-hour draw down time. Pretreatment is provided throughout the site by fully vegetative land cover that will be utilized as buffer. Goodhue County WMO requirements are met throughout.

The SWPPP will include the following:

- Storm water mitigation and management resources
- Wetland impacts (if any)
- Temporary erosion prevention measures
- Temporary sediment control measures
- Permanent erosion and sediment control measures, if needed
- Best management practices (BMPs) regarding erosion control
- Inspection and maintenance
- Pollution prevention measures
- Final stabilization plan for long-term soil stability

## **EROSION AND SEDIMENT CONTROL PLAN**

USS Wildcat Solar LLC will comply with the requirements outline above, including obtaining a stormwater permit prior to construction. Our racking equipment is very accommodating of various terrain types and topography. Please refer to [Appendix I](#) for the erosion and sediment control site plan.

The existing topography creates enough storage, so no grading is needed for this design. In addition to the silt fence, we propose a stormwater basin within the Solar Garden and permanent erosion control at the outlet.

## **NO HAZARDOUS MATERIALS INVOLVED**

We exclusively use Tier 1 solar panels. The materials that comprise Tier 1 solar panels are the same materials that comprise a cell phone: glass, silicon, silver, aluminum. All the materials used in the Solar Garden are stable and fully contained. There is no pollution of the air, groundwater, or surface area of the site on which they sit.

## **PROPERTY VALUES**

According to a widely circulated independent study conducted by researchers at the [LBJ School of Public Affairs at the University of Texas](#), the results from the survey of residential home assessors show that the majority of respondents believe that proximity to a solar installation has either no impact or a positive impact on home values. Data comes from a survey of 37 different appraisers across the U.S. and represents 23 states of the 42 to have utility scale solar facilities. Responses that indicated negative impact were primarily from properties with closer proximity to larger facilities i.e. homes studied within 100 feet of a larger facility (25MW -100MW in size). It is also important to note that assessors with experience assessing homes near solar installations perceived considerably smaller impacts than those without experience.

[Kirkland Appraisals, LLC](#) conducted a matched pair analysis of the property value of homes and agricultural land adjoining existing solar farms in North Carolina, South Carolina, Tennessee, Virginia, Mississippi, Texas, Oregon, New York and Maryland. The conclusion of this study was no indication of any impact on property values, positive or negative, of homes or vacant residential or agricultural land due to adjacency to a solar farm. Note that the average distance from a residential home to solar panels in this study was 150'.

Locally, Chisago County decided to study this independently. They released a report conducted by the County Assessor reviewing property value impacts due to the 100MW North Star solar project which covers approximately 1,000 acres. Note that North Star is approximately 100x the size of this project. Between January 2016 and October of 2017 fifteen (15) properties sold adjacent or near the solar array. After analyzing sales prices, they concluded no adverse impact due to the solar array was found.

In summary, all available data finds no negative impacts to property values of residential homes or agricultural land adjacent or near a solar array. This fact has been confirmed in decisions by the Minnesota Court of Appeals.

## **DECOMMISSIONING PLAN**

The Solar Garden consists of many recyclable materials, including glass, semiconductor material, steel, aluminum, copper, and plastics. When the Solar Garden reaches the end of its operational life, the component parts will be dismantled and recycled as described below. We have a lease contract with the property owner, which requires us to decommission and restore the site at our expense. The decommissioning plan would commence at the end of the lease term or in the event of twelve (12) months of non-operation. At the time of decommissioning, the Solar Garden components will be dismantled and removed using minimal impact construction equipment, and materials will be safely recycled or disposed. USS Wildcat Solar LLC will be responsible for all the decommissioning costs.

### **REMOVAL PROCESS**

The decommissioning of the Solar Garden proceeds in the following reverse order of the installation:

1. The solar system will be disconnected from the utility power grid
2. PV modules will be disconnected and removed
3. Electrical cables will be removed and recycled off-site
4. PV module racking will be removed and recycled off-site
5. PV module support posts will be removed and recycled off-site
6. Electrical devices, including transformers and inverters, will be removed and recycled off-site
7. Concrete pads will be removed and recycled off-site
8. Fencing will be removed and recycled off-site
9. Reclaim soils in the access driveway and equipment pad areas by removing imported aggregate material and concrete foundations; replace with soils as needed

The Solar Garden site may be converted to other uses in accordance with applicable land use regulations at the time of decommissioning. There are no permanent changes to the site, and it will be returned in terrific condition. This is one of the many great things about community solar gardens. If desired, the site can return to productive farmland after the system is removed.

### **DECOMMISSIONING CONSIDERATIONS**

We ask that Goodhue County take note of 3 important considerations: 1) a community solar garden is not a public nuisance, 2) the resale and recycle value are expected to exceed the cost of decommissioning, and 3) Goodhue County and taxpayers are not at risk.

1) Our modules do not contain hazardous materials and the Solar Garden is not connected to government utilities (water, sewer, etc.). the Solar Garden is required to be fenced. Additionally, almost all the land is

permanent vegetation which improves erosion control, soil quality, and water quality. For these reasons, the Solar Garden, whether operational or non-operational, is not a public nuisance threat that would require government involvement in decommissioning or removal of the Solar Garden. Compare this to an abandoned home, barn, etc. that may regularly include hazardous materials and/or become a public nuisance.

2) Upon the end of the Solar Garden's life, the component parts may be resold and recycled. The aggregate value of the equipment is expected to exceed the cost of decommissioning and removal. Solar modules, for example, have power output warranties guaranteeing a minimum power output in Year 25 of at least 80% of Year 1. Since the value of solar panels is measured by their production of watts and the value of electricity, it is easy to calculate expected resale value. Even using extremely conservative assumptions, the value of the solar modules alone greatly exceeds the cost of decommissioning. This does not factor in the recycle value of other raw materials like steel, copper, etc. So, decommissioning is seen as a process that results in a net profit, incentivizing the Solar Garden owner to do it.

3) In the extremely unlikely, "worst-case" scenario where (1) the Solar Garden owner fails to decommission and neither our lender nor any power generation entities want the assets, and then (2) the landowner fails to decommission the Solar Garden (which the landowner would have the right to do under the Property lease), and then (3) the decommissioning financial surety was insufficient to decommission the Solar Garden, Goodhue County would have its standard police powers to enforce decommissioning. If that process ultimately resulted in Goodhue County gaining ownership of the property, Goodhue County could sell the parcel which would absolutely exceed the decommissioning cost.

### **DECOMMISSIONING FINANCIAL SURETIES**

Despite the considerations of 1) the Solar Garden is not a public nuisance, 2) the resale and recycle value is expected to exceed the cost of decommissioning, and 3) Goodhue County and taxpayers are not at risk, we propose posting with the landowner a decommissioning financial surety totaling \$25,000. The surety would be in the form of a cash deposit, a letter of credit, or some other form approved by Goodhue County. This meets the ordinance requirement and is consistent with similar projects previously approved by the County.

This financial surety provides an extra layer of security that the Solar Garden site will be returned to the appropriate condition at the end of the Solar Garden's useful life or earlier, should the Solar Garden cease operations for a twelve-month period. Paul Betcher will be the designated beneficiary of the fund and Goodhue County will be provided a copy of the document, thereby establishing the obligation before construction commences.

## INSURANCE INFORMATION

USS Wildcat Solar LLC will be required to meet insurance requirements under long-term contracts with several parties, including the site landowner, Xcel Energy and its Solar Garden lenders and investors. USS Wildcat Solar LLC will be listed on a policy that includes:

- Liability coverage that will include \$1,000,000 in coverage against damage to rented property
- Excess liability coverage of an additional \$1,000,000 per occurrence
- Property coverage in an amount necessary to cover the value of the Solar Garden and up to one year of lost revenue in the event the project is destroyed and needs to be rebuilt

## PROJECT OWNERSHIP

The applicant of the CUP, USS Wildcat Solar LLC, is a subsidiary of US Solar. USS Wildcat Solar is the owner of the Project. Please find more information about US Solar at [www.us-solar.com](http://www.us-solar.com).

## INTERCONNECTION WITH XCEL ENERGY

An Interconnection Application is expected to be generated by Xcel Energy on 12/17/2020. The application has been deemed complete by Xcel Energy on 5/19/2020, and the public and private data shows that there is available capacity for this Solar Garden on this distribution infrastructure.

 Interconnection Application 03684826						
Program Type	Product	Address	City	County	Zip Code	
Solar*Rewards Community	Solar*Rewards Community - MN	28369 215TH Ave.	Goodhue	Goodhue	55027	
Deemed Complete Date	The 'deemed complete' date for queue position and regulatory reporting has been captured			Xcel Energy	5/20/2020, 01:00 AM CDT	5/19/2020, 01:40 PM CDT

## MANUFACTURER'S SPECIFICATIONS

USS Wildcat Solar LLC uses only Tier 1 solar modules. Tier 1 solar modules are manufactured to the highest quality, performance, and lifespan, produced by companies that have at least a five-year history in manufacturing them. Countless banks and financiers have vetted these modules. They are designed to absorb light and reflect less than 2% of the incoming sunlight, which is less than many natural features, including water, snow, crops, and grass. There will be no material impact from glare.

We are using Tier 1 string inverters for this Solar Garden installed throughout the site. The inverters and electrical cabinets are enclosed and will meet all applicable codes and requirements.

## CONCLUSION

USS Wildcat Solar LLC has complied with all criteria and requirements of Goodhue County, and we respectfully request that the Goodhue County Planning Commission approves the application.





Data Source(s): Westwood (2020); USDA NAIP Goodhue County (2019); Minnesota DNR - Mineral Division/Section of Wildlife (2017); US Census Bureau (2017); USGS NHD (2015); USFWS NWI (2016); FEMA NFHL (2012); Minnesota Pollution Control Agency (2014).

**Legend**

- Project Premises Boundary
- Impaired Stream
- Drainage Ditch
- Subject Parcel Boundary
- Impaired Lake
- NHD Flowline
- Desktop Wetland Delineation Area Boundary
- Desktop Delineated Wetland
- NHD Waterbody
- PWI Watercourse
- NWI Wetland
- 100-Year Floodplain
- PWI Basin
- 300ft Watercourse Shoreland District
- 500-Year Floodplain

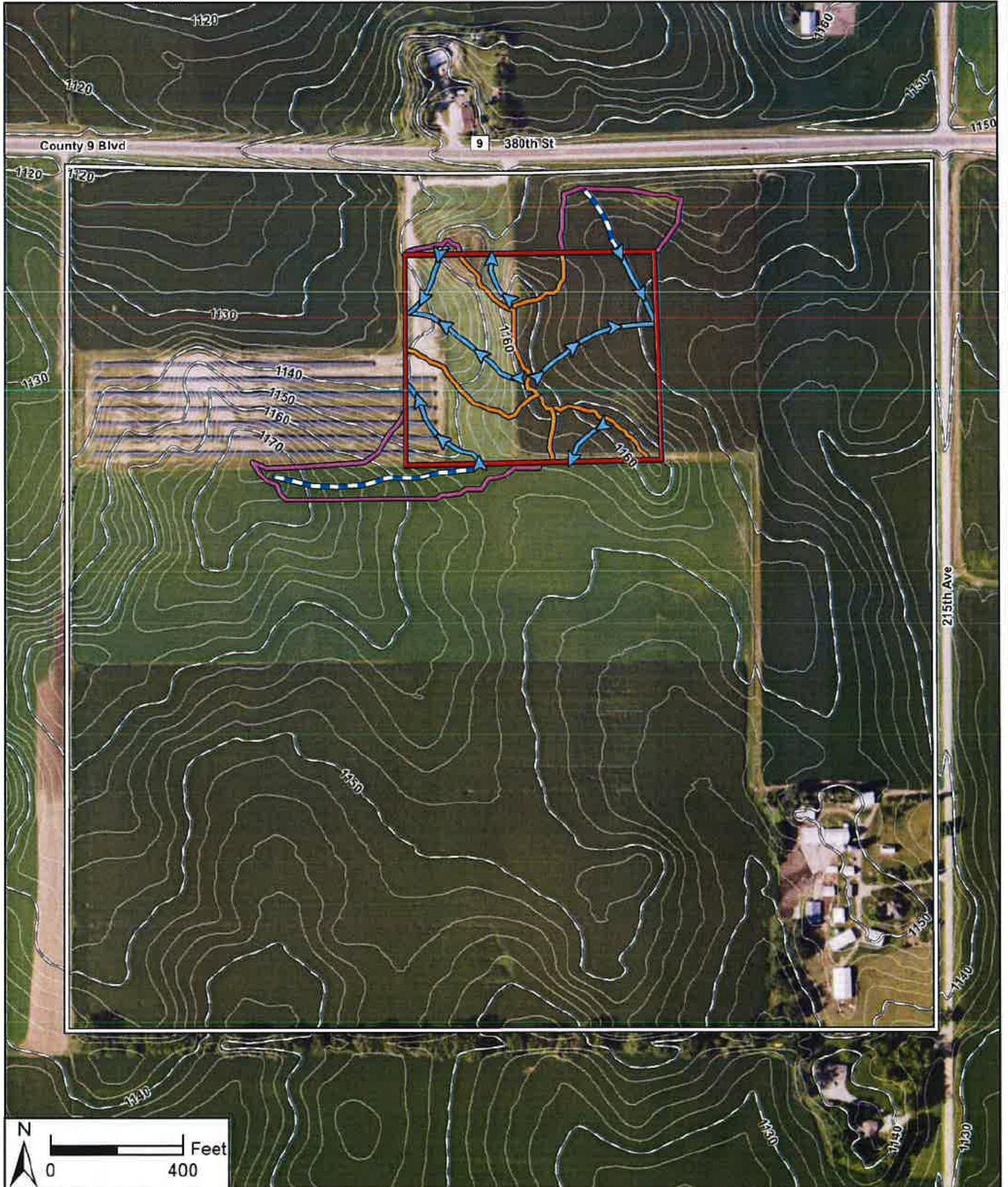
**Wildcat Community Solar Garden**

Goodhue Township  
Goodhue County, Minnesota

**Water Resources**









**Westwood**  
Toll Free (888) 937-6150 westwoodps.com  
Westwood Professional Services, Inc.

Map Document: \\westwoodps.local\GIS\Global\_Projects\027180\_10\GIS\CA\_Exhibits\Wildcat\_CA\_Exc2\_WaterResources\_200518.mxd 6/19/2020 10:50:43 AM NGB\byant



Data Source(s): Westwood (2020) USDA NAIP  
 Goodhue County (2019); US Census Bureau  
 (2017); Mntopo 2ft Contours (Accessed 2020)

**Legend**

-  Project Premises Boundary
-  Onsite Flow Path
-  Subject Parcel Boundary
-  Offsite Flow Path
-  10ft Contour
-  Onsite Drainage Area
-  Offsite Drainage Area
-  2ft Contour

**Wildcat Community  
 Solar Garden**  
 Goodhue Township  
 Goodhue County, Minnesota

Desktop Hydrology



Map Document: N:\0027180\_10\GIS\GIA\_Erhibits\Wildcat\_CA\_Ext\DesktopHydrology\_200619.mxd 6/19/2020 11:18:37 AM ICBryant



Data Source(s): Westwood (2020); USDA NAIP Goodhue County (2019); Census Bureau (2017); MNDNR (Various Dates); The Minnesota County Biological Survey, MNDNR, Division of Ecological Resources (2015); NCEC and Partners (2018); U.S. Fish and Wildlife Service (Various Dates); Conservation Biology Institute PAD-US (2018); USDA SSURGO (2020).

Note: NHIS data referenced here were provided by the Division of Ecological and Water Resources, Minnesota Department of Natural Resources (DNR), and were current as of May, 2020. These data are not based on an exhaustive inventory of the state. The lack of data for any geographic area shall not be construed to mean that no significant

**Legend**

- Project Premises Boundary
- Subject Parcel Boundary
- Native Plant Community
- MBS Site of Biodiversity Significance
- National Conservation Easement
- Regionally Significant Ecological Area
- National Wildlife Refuge Boundary
- Wildlife Management Area
- Scientific & Natural Area
- Waterfowl Production Area
- PAD Public Land
- Rusty Patched Bumble Bee - High Potential Zone
- Rusty Patched Bumble Bee - Low Potential Zone
- Prime Farmland Classification
- All areas are prime farmland
- Farmland of statewide importance
- Prime farmland if protected from flooding
- Not prime farmland

**Wildcat Community Solar Garden**

Goodhue Township  
Goodhue County, Minnesota

**Biological Resources & Public Lands**

**Westwood**  
Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

NHIS data indicate two records for rare Vertebrate Animals within 1 mile of the Subject Parcel.



Data Sources: Data and map are approximate. Westwood (2020); USDA NRI Goodhue County (2019); US Census Bureau (2017); Verity Velocity Sole, Verity Energy LLC (2019); Minnesota Pollution Control Agency (2009); Minnesota Geological Survey (2014); National Transportation Atlas Database (2014).

**Legend**

- Project Premises Boundary
- Subject Parcel Boundary
- Oil Pipeline
- CO2 Pipeline
- Natural Gas Pipeline
- Transmission Line
- ✈ Airport
- MPCA Site
- Substation
- ✳ Natural Gas Compressor Station
- ⊙ Approximate Well Location

**Wildcat Community Solar Garden**  
 Goodhue Township  
 Goodhue County, Minnesota

Infrastructure

**Westwood**  
 Toll Free (888) 937-6160 westwoodps.com  
 Westwood Professional Services, Inc.



Map Document: \\westwoodps.local\GIS\Global Projects\02027100\_10\GIS\CIA\_Exhibits\Wildcat\_CA\_Ext\_Soils\_200019.mxd 6/19/2020 12:13:30 PM NGBryant

Data Sources: Westwood (2020); USDA NHP Goodhue County (2018); US Census Bureau (2017); U.S. Department of Agriculture, Natural Resources Conservation Service (2020).

**Legend**

- Project Premises Boundary
- Subject Parcel Boundary
- Soil Unit Boundary (Labeled by Map Unit Symbol & Soil Erodibility Factor)
- All Hydric/Predominantly Hydric Soil

**Unified Soil Classification System | USDA Map Unit Symbol | USDA Map Unit Name | Hydric Soils Classification**

- CL | N585B | Mt. Carroll-Hersey complex, 2 to 6 percent slopes | 0% Hydric
- CL | N585C2 | Mt. Carroll-Hersey complex, 6 to 12 percent slopes, moderately eroded | 0% Hydric
- CL | N601C2 | Oak Center-Hersey complex, 6 to 12 percent slopes, moderately eroded | 0% Hydric
- ML | N514B | Joy-Ossian, occasionally flooded, complex, 1 to 5 percent slopes | 25% Hydric
- SM | N594B | Chelsea loamy sand, 2 to 6 percent slopes | 0% Hydric
- SM | N601D2 | Oak Center-Hersey complex, 12 to 18 percent slopes, moderately eroded | 0% Hydric

**Wildcat Community Solar Garden**

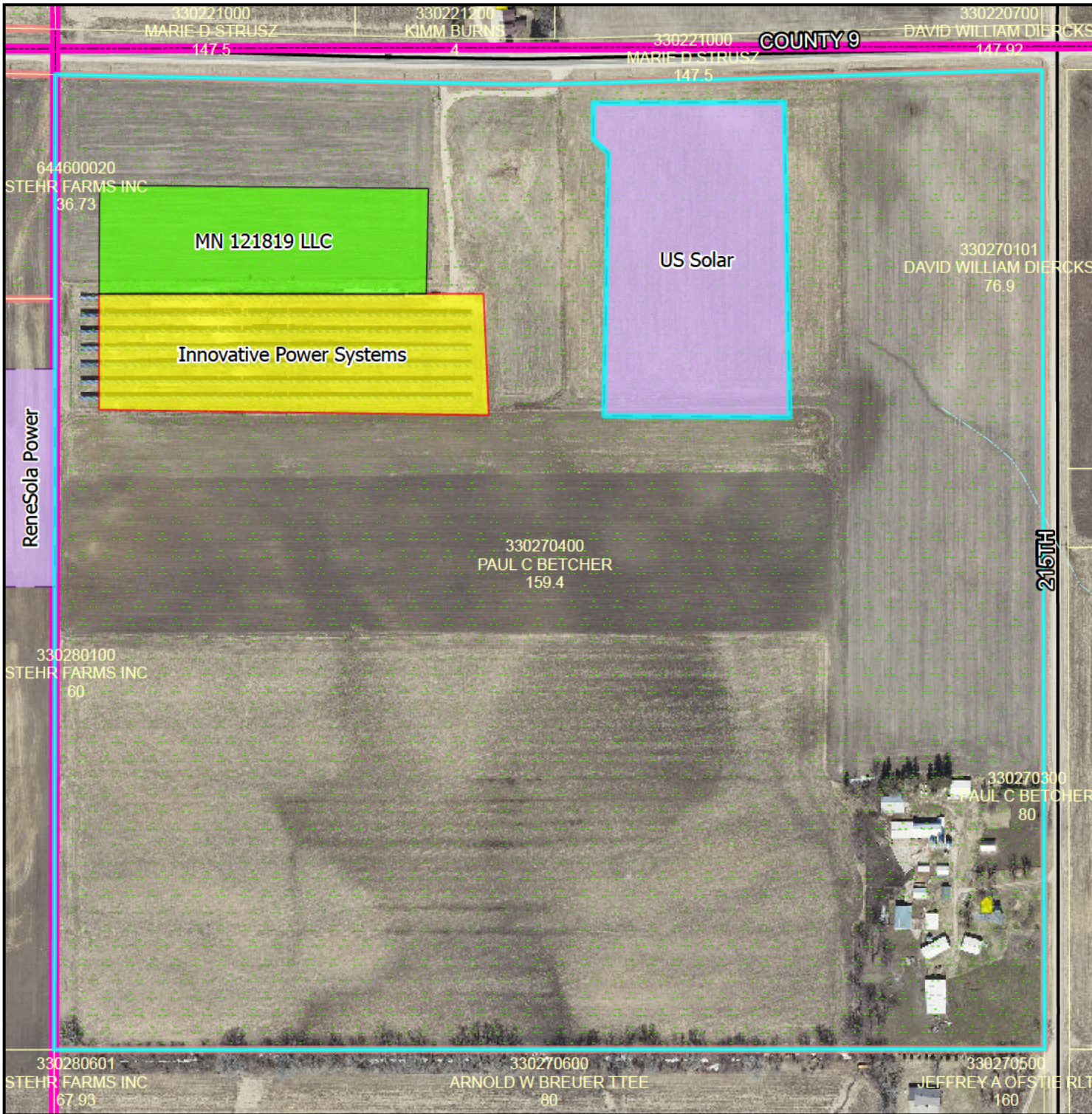
Goodhue Township  
Goodhue County, Minnesota

Soils

**Westwood**

Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

Public Hearing  
 January 11, 2021

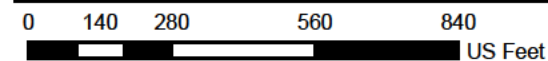
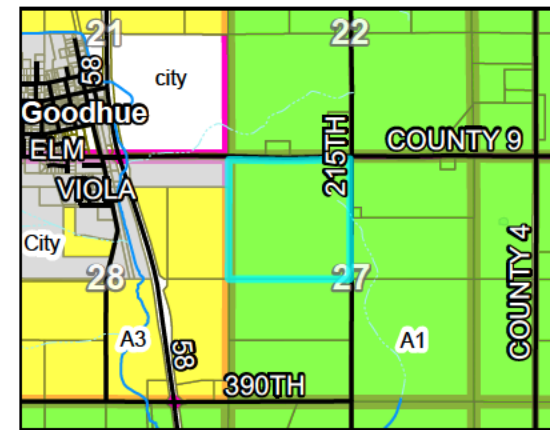
USS Wildcat Solar LLC (Applicant) and  
 Paul Betcher (Owner)  
 A-1 Zoned District

The NW 1/4 of Section 27  
 TWP 111 Range 15 in Goodhue Township

Request for Utility Scale Photovoltaic  
 Ground 1-Megawatt Solar Energy System  
 occupying approximately 7.57 acres

### 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             |                                 |

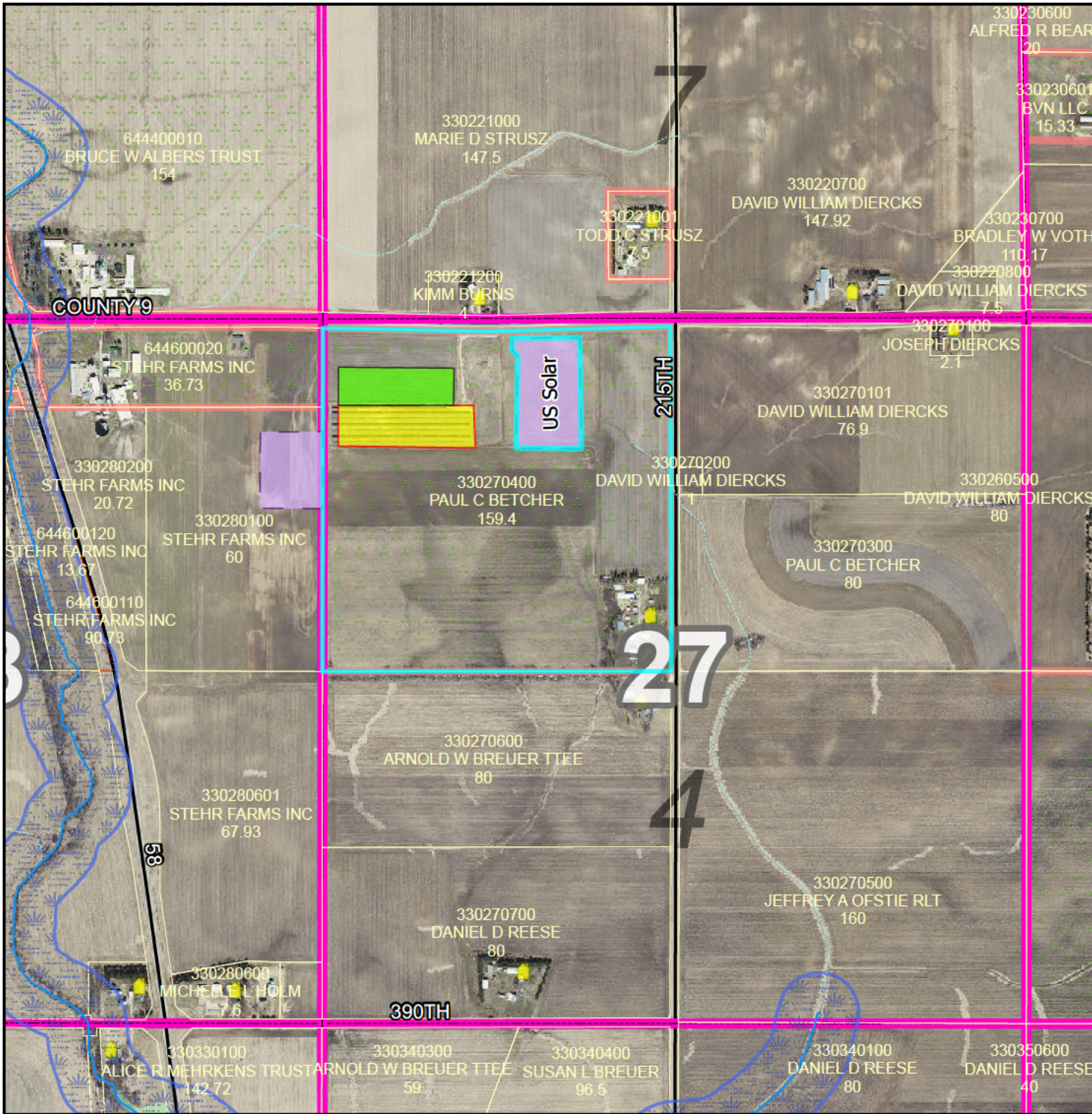


DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2020.

20120Aerial Imagery  
 Map Created December, 2020 by LUM



# MAP 02: VICINITY MAP



## PLANNING COMMISSION

Public Hearing  
January 11, 2021

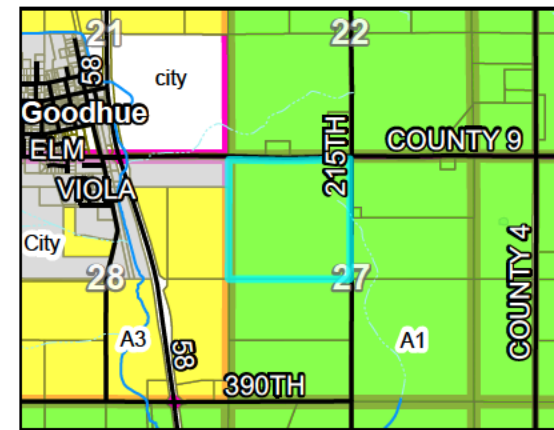
USS Wildcat Solar LLC (Applicant) and  
Paul Betcher (Owner)  
A-1 Zoned District

The NW 1/4 of Section 27  
TWP 111 Range 15 in Goodhue Township

Request for Utility Scale Photovoltaic  
Ground 1-Megawatt Solar Energy System  
occupying approximately 7.57 acres

### 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



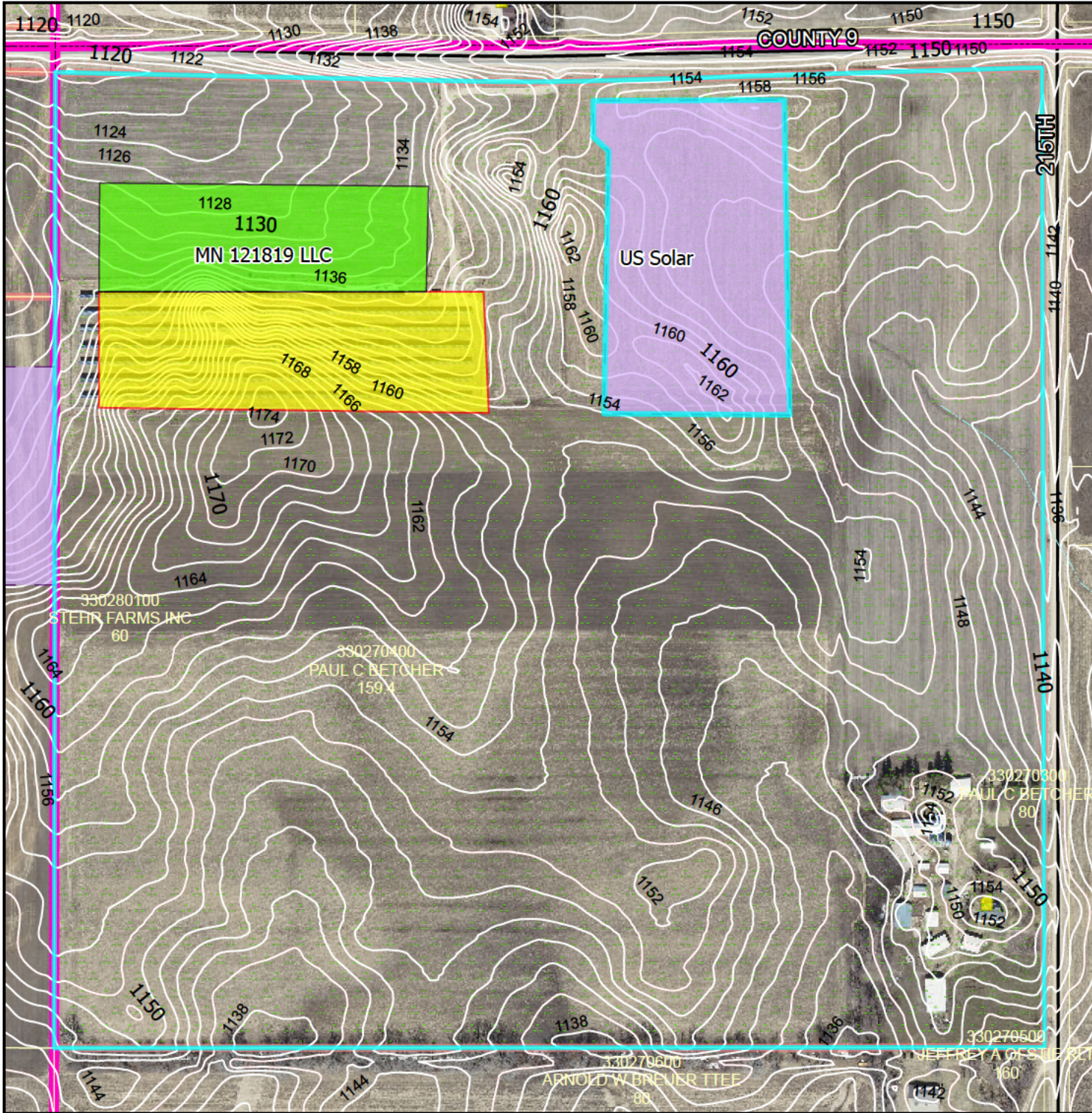
0 410 820 1,640 2,460  
US Feet

DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2020.

2020 Aerial Imagery  
Map Created December, 2020 by LUM



# MAP 03: ELEVATIONS



## PLANNING COMMISSION

Public Hearing  
January 11, 2021

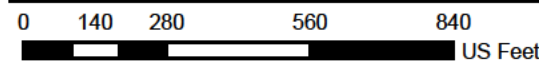
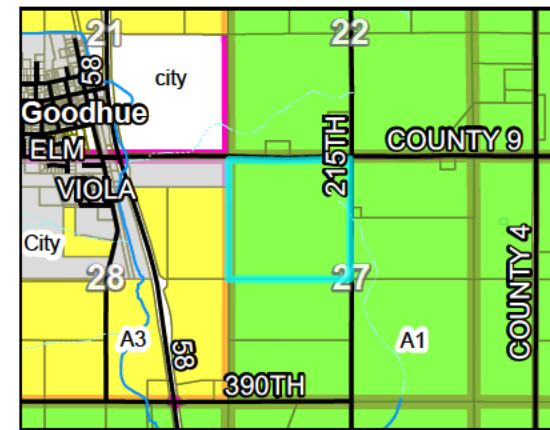
USS Wildcat Solar LLC (Applicant) and  
Paul Betcher (Owner)  
A-1 Zoned District

The NW 1/4 of Section 27  
TWP 111 Range 15 in Goodhue Township

Request for Utility Scale Photovoltaic  
Ground 1-Megawatt Solar Energy System  
occupying approximately 7.57 acres

### Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2020.

2020 Aerial Imagery  
Map Created December, 2020 by LUM





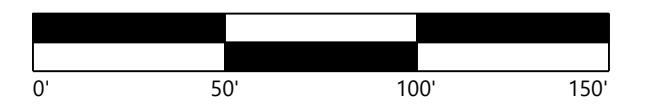
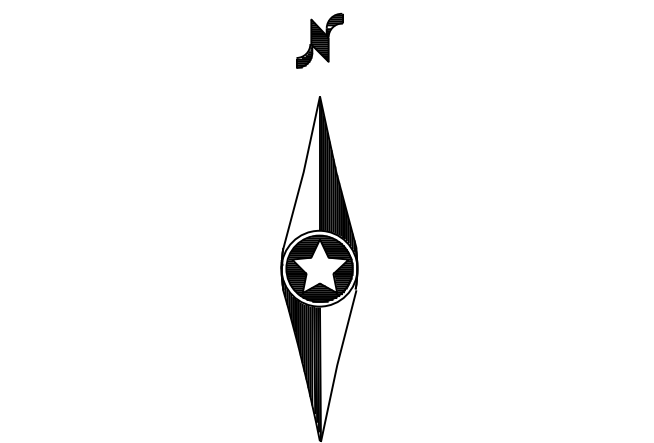
PREPARED FOR:



100 N 6th St. #410B  
Minneapolis, MN, 55403

REVISIONS:

#	DATE	COMMENT
A	12/11/20	Conditional Use Permit Site Plan



### LEGEND

- SWITCHBOARD AND TRANSFORMER PAD
- SINGLE AXIS TRACKER
- PROPOSED POWER POLE
- PROJECT BOUNDARY
- EXISTING OVERHEAD POWERLINE
- EXISTING ROAD RIGHT OF WAY
- YARD SETBACK LINE
- EX. 5' CONTOUR  
EX. 1' CONTOUR
- PROPOSED GRAVEL ACCESS ROAD (DRIVEWAY)
- PROPOSED UNDERGROUND COLLECTOR
- PROPOSED OVERHEAD POWERLINE
- PROPOSED FENCE LINE
- PROPOSED STORMWATER BASIN

SYSTEM SPECIFICATIONS	
SYSTEM SIZE DC	1,360 kW
SYSTEM SIZE AC	1,000 kW
DC/AC RATIO	1.3600
MODULE RATING	400 W
TOTAL MODULE QTY	3400
TOTAL NO. TRACKER RACKS	34
TOTAL NO. MODULES PER TRACKER RACK	100
INTER-ROW SPACING	13.4'
PITCH	20.0'
GCR	33.0%
FENCED AREA	7.57 ACRES

### GENERAL NOTES

1. INSTALLATION TO COMPLY WITH NEC 2017 ARTICLE 690 AND ALL APPLICABLE LOCAL, STATE AND NATIONAL CODES OR REGULATIONS
2. EQUIPMENT SHALL BE LABELED PER NEC 690 AND XCEL ENERGY REGULATIONS
3. 16' ACCESS ROADS SHALL BE DESIGNED TO ACCOMMODATE ALL CONSTRUCTION, OPERATIONS, MAINTENANCE, AND UTILITY TRAFFIC THROUGHOUT THE SITE.
4. DIMENSIONS TO PROPERTY LINES AND EXISTING FEATURES ARE APPROXIMATE PENDING SURVEY.



## USS Wildcat Solar LLC

Goodhue County, Minnesota

TBD  
TBD

### PV Site Plan

PRELIMINARY  
NOT FOR CONSTRUCTION

DATE: 12/11/2020

SHEET: C.100

©2020 Westwood Professional Services, Inc. All Rights Reserved. Drawing No. C.100-1. Date: 12/11/2020 9:31 AM by: WPS

CO BLVD 9



### LEGEND

- SWITCHBOARD AND TRANSFORMER PAD
- SINGLE AXIS TRACKER
- PROPOSED POWER POLE
- PROJECT BOUNDARY
- EXISTING OVERHEAD POWERLINE
- EXISTING ROAD RIGHT OF WAY
- YARD SETBACK LINE
- EX. 5' CONTOUR
- EX. 1' CONTOUR
- PROPOSED GRAVEL ACCESS ROAD (DRIVEWAY)
- PROPOSED UNDERGROUND COLLECTOR
- PROPOSED OVERHEAD POWERLINE
- PROPOSED FENCE LINE
- PROPOSED STORMWATER BASIN
- PROPOSED SILT FENCE
- DRAINAGE AREA BOUNDARY

SYSTEM SPECIFICATIONS	
SYSTEM SIZE DC	1,360 kW
SYSTEM SIZE AC	1,000 kW
DC/AC RATIO	1.3600
MODULE RATING	400 W
TOTAL MODULE QTY	3400
TOTAL NO. TRACKER RACKS	34
TOTAL NO. MODULES PER TRACKER RACK	100
INTER-ROW SPACING	13.4'
PITCH	20.0'
GCR	33.0%
FENCED AREA	7.57 ACRES

### GENERAL NOTES

- INSTALLATION TO COMPLY WITH NEC 2017 ARTICLE 690 AND ALL APPLICABLE LOCAL, STATE AND NATIONAL CODES OR REGULATIONS
- EQUIPMENT SHALL BE LABELED PER NEC 690 AND XCEL ENERGY REGULATIONS
- 16' ACCESS ROADS SHALL BE DESIGNED TO ACCOMMODATE ALL CONSTRUCTION, OPERATIONS, MAINTENANCE, AND UTILITY TRAFFIC THROUGHOUT THE SITE.
- DIMENSIONS TO PROPERTY LINES AND EXISTING FEATURES ARE APPROXIMATE PENDING SURVEY.

# Westwood

Phone (608) 821-6600 8401 Greenway Blvd., Suite 400  
Middleton, WI 53562  
westwoodsps.com

Westwood Professional Services, Inc.  
Wisconsin Professional Firm Registration # (Engineering) 3997-11  
Expires 01/31/2020

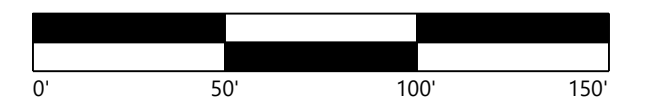
PREPARED FOR:



100 N 6th St. #410B  
Minneapolis, MN, 55403

### REVISIONS:

#	DATE	COMMENT
A	12/11/20	Conditional Use Permit Site Plan



## USS Wildcat Solar LLC

Goodhue County, Minnesota  
TBD  
TBD

### Site Hydrology

PRELIMINARY  
NOT FOR CONSTRUCTION

DATE: 12/11/2020

SHEET: C.101

\\s:\projects\2020\12112020\12112020\_01.dwg 12/11/2020 9:51 AM WPS