



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

6:00 PM Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. March 21, 2022 PAC Meeting Minutes

Documents:

[MINUTES_DRAFT_MARCH2022_PAC.PDF](#)

Conflict/Disclosure Of Interests

Public Hearings:

1. TABLED: Conservation Subdivision Plat (Hinrichs)

Request submitted by Laurie Hinrichs (owner) for Preliminary and Final Plat approval of the proposed "Hinrichs Subdivision" to rezone 40.0 acres and create a one lot Conservation Subdivision District on the property currently zoned A-1 (Agricultural Protection District). Parcel 39.008.2601. TBD 195th AVE Zumbrota, MN 55992. Part of the E 1/2 of the SW ¼ of Section 08 TWP 109 Range 15 in Pine Island Township.

Documents:

[PACPACKET_HINRICHS_TABLED.PDF](#)

Other-Discussion

1. Discussion: Business & Industrial Districts And Mini-Storage Use

Planning Advisory Commission discussion on proposed ordinance amendments to the Business and Industrial Zoning Districts. Planning Advisory Commission discussion on adding mini storage as a use in the County Zoning Ordinance.

Documents:

[ORDINANCEAMENDMENTS_PACKET.PDF](#)

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
March 21, 2022 MEETING MINUTES
DRAFT**

The meeting of the Goodhue County Planning Advisory Commission was called to order at 6:00 PM by Chair Carli Stark virtually via GoToMeeting.

Roll Call

Commissioners Present virtually via GoToMeeting: Tom Gale, Richard Miller, Darwin Fox, Chris Buck, Howard Stenerson, Todd Greseth, Carli Stark, and Richard Nystuen (Arrived at 6:20 pm).

Commissioners Absent: Marc Huneke

Staff Present: Land Use Director Lisa Hanni (Virtual), Zoning Administrator Samantha Pierret, and Zoning Assistant Alexandra Koberoski

1. Approval of Agenda

¹Motion by Commissioner Miller; seconded by Commissioner Greseth to approve the meeting agenda.

Motion carried 7:0.

2. Approval of Minutes

²Motion by Commissioner Fox; seconded by Commissioner Miller to approve the previous month's meeting minutes.

Motion carried 7:0.

3. Conflict/Disclosure of Interest

There were no reported conflicts/disclosures of interest.

4. TABLED: CUP Request to Establish an Animal Unit Feedlot Greater than 500 Animal Units Outside of a Farmyard and a Liquid Manure Storage Basin Exceeding 500,000 Gallons

Request for CUP, submitted by Kent Billman (Applicant) on behalf of Billman Farms LLC (Owners), to establish a hog finishing Feedlot for up to 2,400 head (720 Animal Units) outside of a Farmyard and construction of an animal waste storage pit exceeding 500,000 gallons. Parcel 40.015.0400. TBD 150th AVE Pine Island, MN 55963. Part of the NW ¼ of the NW ¼ of Section 15 TWP 109 Range 16 in Roscoe Township. A-1 Zoned District.

³It was moved by Commissioner Greseth and seconded by Commissioner Miller for the Planning Advisory Commission to take the Billman Feedlot requests off the table.

Motion Carried 7:0

Pierret presented the updated staff report and attachments.

Kent Billman (Applicant) commented that all the rules and regulations to receive the CUP and establish a feedlot have been met, and staff sufficiently addressed the public's questions.

Commissioners Stenerson and Greseth thanked staff for thoroughly addressing the public's questions.

⁴It was moved by Commissioner Stenerson and seconded by Commissioner Miller for the Planning Advisory Commission to:

- adopt the staff report into the record

**PLANNING COMMISSION
GOODHUE COUNTY, MN
March 21, 2022 MEETING MINUTES
DRAFT**

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

Recommend the County Board of Commissioners **APPROVE** the CUP request, submitted by Kent Billman (Applicant) on behalf of Billman Farms LLC (Owners), to establish a hog finishing Feedlot Outside of a Farmyard for up to 720 Animal Units and construction of an animal waste storage pit of up to 1,100,000 gallons.

Subject to the following conditions:

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

Motion carried 7:0

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

Request submitted by Sturgeon Garden LLC (Brendan Dillon, Applicant) and Seth & Lisa Thomforde (Owners) for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System (SES) occupying approximately 8.0-acres. Parcel 33.026.0600. TBD 230th AVE Goodhue, MN 55027. The S 1/2 of the SE 1/4 of Section 26 TWP 111 Range 15 in Goodhue Township. A-1 Zoned District.

Koberoski presented the staff report and attachments.

Commissioner Miller requested clarification of the agricultural fence construction.

Nate Bell (Applicant) replied that the agricultural fence would consist of wooden posts and steel mesh, as depicted on plans provided to the Board.

Chair Stark Opened the Public Hearing

No one spoke for or against the request

5After Chair Stark called three times for comments it was moved by Commissioner Stenerson and seconded by Commissioner Fox to close the Public Hearing.

Motion Carried 8:0

6It was moved by Commissioner Greseth and seconded by Commissioner Nystuen for the Planning Advisory Commission to:

**PLANNING COMMISSION
GOODHUE COUNTY, MN
March 21, 2022 MEETING MINUTES
DRAFT**

- 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 an IUP, submitted by Sturgeon Garden LLC (Applicant) and Seth and Lisa Thomforde (Owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 8 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 IUP;
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 Sturgeon Garden 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. Applicants shall work with the Goodhue 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;
6. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
7. Applicants shall 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; and
10. This IUP shall expire 35 years from the date of approval unless terminated prior to tha

Motion carried 8:0

PUBLIC HEARING: "Gesme Second Addition" Preliminary and Final Plat Review

Request submitted by David Rapp (Authorized Agent/Surveyor) on behalf of Keith and Roger Gesme (Owners) for Preliminary and Final Plat review of the proposed Gesme Second Addition Plat comprising approximately 547.5-acres. Parcels 28.006.0100, 28.006.2000, 28.005.0900, 28.125.0010, 28.005.1000, 28.005.1400, 28.008.0400, and 28.008.0500. 28170 HWY 20 BLVD Cannon Falls, MN 55009. Part of the E ½ of Section 06 and Part of the W ½ of Section 05 and Part of the NW ¼ of Section 08 all in Township 112 Range 17 Cannon Falls Township. A-3 Zoned District.

Pierret presented the staff report and attachments

Commissioner Stenerson asked the Applicant for their intentions behind splitting the property.

Roger Gesme (Applicant) replied that estate planning was the main motivation for splitting the

**PLANNING COMMISSION
GOODHUE COUNTY, MN
March 21, 2022 MEETING MINUTES
DRAFT**

property.

Commissioner Stenerson asked if the parcels were configured to separate the creek from the farmland.

Mr. Gesme confirmed that was the reasoning behind the parcel configurations.

Chair Stark Opened the Public Hearing

No one spoke for or against the request

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

Motion carried 8:0

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

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

Recommend that the County Board of Commissioners **APPROVE** the request submitted by David Rapp (Authorized Agent/Surveyor) on behalf of Keith and Roger Gesme (owners) for Preliminary and Final Plat approval of the proposed "Gesme Second Addition" Plat comprising approximately 547.67-acres.

Motion carried 8:0

PUBLIC HEARING: Conservation Subdivision Plat (Hinrichs)

Request submitted by Laurie Hinrichs (owner) for Preliminary and Final Plat approval of the proposed "Hinrichs Subdivision" to rezone 40.0 acres and create a two lot Conservation Subdivision District on the property currently zoned A-1 (Agricultural Protection District). Parcel 39.008.2601. TBD 195th AVE Zumbrota, MN 55992. Part of the E 1/2 of the SW 1/4 of Section 08 TWP 109 Range 15 in Pine Island Township.

Pierret presented the staff report and attachments, noting that a neighbor of the Hinrichs, James Perry, was concerned about losing his hunting rights due to the proximity of Lot 1 to his property used for hunting.

Commissioner Greseth asked when Mr. Perry sent staff his concerns.

Pierret answered that staff received an email on March 14th, 2022 regarding the issue, and then reached out to the Applicant with the concern.

Chair Stark Opened the Public Hearing

Pierret presented public comments received regarding the request.

Matthew and Devin Perry (who use the Perry land for hunting), stated the State of Minnesota has a statute that prohibits discharging of a firearm within 500-feet of a dwelling or animal building without permission from the adjacent property owner. Due to the proximity of Lot 1 to the Perry property, any building situated on Lot 1 of the Hinrich's Subdivision Plat would not meet this 500-foot

**PLANNING COMMISSION
GOODHUE COUNTY, MN
March 21, 2022 MEETING MINUTES
DRAFT**

setback. The Perrys noted that approval of the Conservation Subdivision Plat would not ensure that the new owner of Lot 1 will grant permission for them to hunt on their property. Furthermore, the Perrys stated their willingness to purchase Lot 1 from the Hinrichs in order to ensure their ability to hunt.

James Perry (19611 449th St Way, Zumbrota), stated that the plat would affect his ability to hunt on his property, and stated his willingness to purchase Lot 1 from the Hinrichs.

Sam Boraas (who utilizes the Perry property for hunting), stated the Perrys have allowed him to hunt on their property for years and commented his concern that approval of the plat would affect his ability to hunt on the Perry's land.

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

Motion carried 8:0

Commissioner Stenerson asked for Pine Island Township's thoughts on the increase in density in Section 8 if the Conservation Subdivision were to be approved.

Commissioner Miller replied that Pine Island Township supports the ability for individuals to build in the Township, and does not have any concerns with added density. Commissioner Miller noted that the area in which the Conservation Subdivision is proposed is not farmable land.

Commissioner Stenerson stated his concern with the loss of hunting rights for the Perry family and asked staff if there were any methods to ensure the property could be used for hunting. He questioned whether the Perrys could use the conserved land for hunting.

Pierret replied the Conservation Easement could be amended to include provisions for hunting, including who is allowed to use the land for hunting. Pierret pointed out that most of the land contained within the Conservation Easement is row-crop agriculture.

Commissioner Stenerson asked if the property owner has attempted negotiations with the Perrys.

Mr. Hinrichs explained that once the Conservation Subdivision is established, they would be open to negotiating with the Perrys to sell Lot 1, however they already have an interested buyer. Mr. Hinrichs mentioned they haven't discussed the hunting issue with the potential buyer.

Commissioner Greseth asked staff if they still recommended approval given the hunting issue with the neighbors.

Lisa Hanni remarked that the neighbor's comments were provided after the report was sent out. Hanni suggested moving or eliminating Lot 1 to ensure a 500-foot setback.

Mr. Hinrichs replied that Lot 1 was not able to be moved south due to the location of tile lines.

Commissioner Greseth asked if staff could include a stipulation or condition that the dwelling

**PLANNING COMMISSION
GOODHUE COUNTY, MN
March 21, 2022 MEETING MINUTES
DRAFT**

would need to be built 500-feet from the Perry property.

Pierret replied that the setback could not be achieved, as the 500-foot buffer completely encapsulates Lot 1.

¹⁰It was moved by Commissioner Stenerson and seconded by Commissioner Miller for the Planning Advisory Commission to:

TABLE the request submitted by Laurie Hinrichs (Owner), for Preliminary and Final Plat approval of the proposed "Hinrichs Subdivision" to rezone 40.0 acres and create a two lot Conservation Subdivision District on property currently zoned A1 (Agricultural Protection District). To give the Applicant time to work with the neighbors and/or amend their proposal.

Motion carried 8:0

Other-Discussion

Pierret commented that there was a packet included with the agenda items for the Commissioners' consideration regarding amending the Business and Industrial Districts as well as whether or not to include mini-storage facilities in the ordinance. These topics would be addressed at the next PAC meeting.

Hanni commented that the County Board will meet in person in May and that there is a possibility the April PAC meeting will be in-person.

¹¹ADJOURN: Motion by Commissioner Fox and seconded by Commissioner Greseth to adjourn the Planning Commission Meeting at 7:10 PM.

Motion carried 8:0

Respectfully Submitted,

Alexandra Koberoski, Zoning Assistant

¹ APPROVE the PAC meeting agenda

Motion carried 7:0

² APPROVE the previous month's meeting minutes

Motion carried 7:0

³ Remove the Billman Feedlot item from the table

Motion carried 7:0

⁴ APPROVE the Feedlot request from Kent Billman

Motion carried 7:0

⁵ Motion to close the public hearing

Motion carried 8:0

⁶ APPROVE the IUP request from Sturgeon Garden LLC

Motion carried 8:0

⁷ Motion to close the public hearing

Motion carried 8:0

⁸ APPROVE the Preliminary and Final Plat request from David Rapp

Motion carried 8:0

⁹ Motion to close the public hearing

Motion carried 8:0

¹⁰Motion to TABLE the Preliminary and Final Plat request submitted by Laurie Hinrichs.

Motion carried 8:0

¹¹ ADJOURN. Motion to adjourn the meeting.

Motion carried 8:0

UNOFFICIAL UNTIL APPROVED BY THE PAC

Pierret, Samantha

From: matthew perry
Sent: Monday, March 14, 2022 7:32 PM
To: Pierret, Samantha
Cc: Sam Boraas, ; Jim Perry;
; Devin Thorson; MaryAnn Sitta
Subject: Hinrichs Subdivision
Attachments: A-Hinrichs Subdivision 500ft Incurrence 390082700.JPG; B-Hinrichs Subdivision 300ft Incurrence 390082700.JPG

External Email - Use caution opening links or attachments!

To whom it may concern,

In regards to the proposed Hinrichs Subdivision on 195th Ave. in Zumbrota, I have attached two visual references as to what that proposal would mean for my family's property which I will define more in depth in the following.

The state of Minnesota has a statute (97B.001) that "Unless otherwise provided by law, a person may not discharge a firearm within 500 feet of a building occupied by a human or livestock without the written permission of the owner, occupant, or lessee." This statute also applies to "stockade," "corral," and "holding or sorting operations." As this future subdivision would be ideal as a hobby farm it is a reasonable assumption that any and all of proposed "Lot 1" would be occupied by one or more of these qualifying events.

To my first point, and as signified by attachment "A", a 500 foot firearm discharge buffer around this lot would mean a complete elimination of recreational firearm opportunities on our land incurred by family and friends- an extensive group which has regularly engaged in that specific activity for over forty years. This is a period of time long precluding the adjacent land acquisition by the Hinrichs.

In an attempt at finding an acceptable compromise for all parties, it has been found that some Minnesota cities and townships hold local provisions more accommodating to tighter confines with a 300 foot firearm discharge buffer, a 40% reduction in setbacks. As denoted in attachment "B" the vast majority of our land would remain restricted and therefore no longer suitable as recreational hunting land if such a variance were to be considered.

Furthermore, as the future owner(s) or tenant(s) of proposed "Lot 1" are currently unknown and likely to evolve in the future, the possibility of "written permission by the owner, occupant, or lessee" for the purpose of firearm use on our adjacent parcel cannot be formalized and guaranteed prior to the approval of the Hinrichs Subdivision and in perpetuity.

The limitation to the former being the sale of future "Lot 1" to a member of the Perry family, to assure the current and continued uses of land parcel 390082700 as we intend (either prior to or after the creation of the Hinrichs Subdivision, at a previously agreed upon value). This would allow for the creation and sale of "Lot 2" as well as the proposed adjacent Conservation Easement as desired by the Hinrichs. Any less compromise pertaining to the creation of "Lot 1" will not be considered a reasonable solution and therefore be resolutely opposed by the Perry family and associates.

Regards,

Matthew Perry/Devin Perry

RECEIVED

MAR 16 2022

Land Use Management

3-14-22

Dear Ms. Hanni,

I'm writing in regards to the proposed zoning changes requested by Lauri Henricks (see attached copy). I bought the wood lot next to Ms. Henricks' land from my Grandmother, Martha Perry, approximately 40 years ago and have used it for hunting ever since. Prior to my purchase, I hunted there with my dad as I was growing up. And now ^{with} my son since he was growing up. It's been in my family for many, many years, and hopefully my new grandson will be able to hunt there for years to come. This wood lot will be inherited by my son after my passing.

If the rezoning proposed by Laurie Henricks is allowed, and houses or structures built, our woods would no longer be a hunttable area and would end this long history for my family.

I am strongly against the rezoning of the proposed area. However, I would be open to discussion about purchasing the area labeled Lot 1, and possibly Lot 2 from Ms. Henricks.

Sincerely, James T. Perry

Pierret, Samantha

From: Sam Boraas
Sent: Tuesday, March 15, 2022 1:14 PM
To: Pierret, Samantha
Subject: Hinrichs Subdivision

Ms. Pierret,

I have recently been made aware of the proposed Hinrichs Subdivision on 195th Ave. in Zumbrota. One of the lots within this development is adjacent to a plot of land I have long used for recreational hunting. Since I was a child growing up in Zumbrota, the Perry's have allowed me to hunt this parcel of land. This plot of land is where I harvested my first Turkey. To this day, the Perry family continuously offers up their land for my use. A generous offering that is becoming harder and harder to find when I return to the Zumbrota area each year to hunt.

I would ask that all options be considered to allow the Perry family to maintain their hunting rights to this piece of land so that they may continue to generously share those rights with myself and several others of whom they allow to hunt.

Thank you,

Sam Boraas

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: April 18, 2022
Report date: April 8, 2022

TABLED: Conservation Subdivision Plat – Hinrichs

Request submitted by Laurie Hinrichs (owner) for Preliminary and Final Plat approval of the proposed “Hinrichs Subdivision” to rezone 40.0 acres and create a one-lot Conservation Subdivision District on the property currently zoned A-1 (Agriculture Protection District).

Application Information:

Applicant: Laurie Hinrichs (Owner)
Address of zoning request: TBD 195th AVE Zumbrota, MN 55992
Parcel: 39.008.2601
Legal Description: Part of the E 1/2 of the SW ¼ of Section 08 TWP 109 Range 15 in Pine Island Township
Zoning District: A1 (Agriculture Protection District)

Attachments and links:

Application and Revised Plat
Proposed Conservation Easement
CS District (Article 35)
MN Statute Chapter 84C
Site Map(s)
Goodhue County Zoning Ordinance (GCZO):
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Overview:

The Planning Advisory Commission considered the Hinrichs Subdivision request at the March 2022 meeting. During that meeting, public comments from a neighboring property owner (James Perry) and other impacted parties were heard. These individuals were concerned that the creation of proposed Lot 1 would eliminate hunting rights on the Perry property (parcel 39.008.2700). The PAC decided to table consideration of the request to give the Applicant time to work with the neighbor or revise their proposal.

The Applicants have decided to remove proposed Lot 1 from the plat and move forward with a single-lot Conservation Subdivision request only creating proposed Lot 2 as shown on the original plat. A revised plat and revised Conservation Easement have been submitted for consideration. A proposed site plan was submitted to staff showing that the proposed dwelling would be located more than 500-foot from the southern property line of parcel 39.008.2700 (Perry property). A map showing the proposed dwelling location and a 500-foot buffer is attached.

The Applicant (Laurie Hinrichs) is requesting Preliminary and Final Plat approval for the proposed “Hinrichs Subdivision” as a Conservation Subdivision in Pine Island Township. The proposal is to plat 40.0-acres of land into a one-lot Conservation Subdivision to allow the property owner to establish a dwelling site on the property. The property is located in section 08 of Pine Island Township which is zoned A1 (Agriculture Protection District) allowing a maximum of 4 dwellings in the section. The section currently has 16 dwellings therefore there is no density remaining to

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

www.co.goodhue.mn.us

establish any more dwellings at this time.

In 2017 Goodhue County amended the zoning ordinance adding language requiring requests for increased dwelling density to be pursued through the change of zone process and not through the variance process. The Conservation Subdivision (CS) District was approved by the County Board in August 2019 as a new option for increasing density in the rural areas with a focus on conservation and natural resource preservation. The CS District requires a potential Applicant to Plat the property in conformance with the Goodhue County Subdivision Controls Ordinance and place a minimum of 50% of the total acreage under a permanent Conservation Easement conforming to Minnesota Statute Chapter 84C. The CS District is a separate zone that would replace the existing A1 zoning designation. The allowable building density within the Conservation Subdivision is determined through the review process (maximum of 6).

It should be noted the dwelling density within a CS District does not count against the overall section density for A1 or A2 districts.

Project Summary:

Property Information:

- The subject property consists of a single 40.0-acre parcel. This acreage has been owned by the Applicant since 2019.
- The parcel and all adjacent properties are zoned A1 (Agriculture Protection District). Surrounding land uses are a mix of undeveloped woodlands, row-crop agriculture, and medium-density residential uses.
- The property has slopes of approximately 3%-12%. There are no Blufflands (>30% slopes) identified on the parcel.

Existing/Proposed Uses:

- The Applicant proposes to plat the property into one lot with one outlet. Lot 1 Block 1 would contain 5.0-acres and Outlot A would contain approximately 33.17-acres. The parcel comprises approximately 40-acres after accounting for the public dedication of 1.83-acres of Right-Of-Way easement along 195th AVE and 480th ST.

The minimum lot size for lots served by an individual Subsurface Sewage Treatment System (SSTS) is 3 acres in the CS District. A minimum of 40 contiguous acres is required for a CS District.

- Density for one primary dwelling site would be created by the plat.

No additional buildable lots (dwelling density) could be created in the future without being reviewed through the formal platting process. Additional buildable lots could not be created within the area dedicated as a Conservation Easement.

The Applicant would need to obtain a Building Permit from the Goodhue County Building Permits Department before commencing construction of any structures.

- The remainder of the property consists of actively farmed tilled acreage. The Applicant intends to continue using this acreage for row crop agriculture.

Access/Traffic:

- The property does not currently have driveway access off of 195th AVE or 480th ST. New driveway access would need to be established for the proposed dwelling site onto 195th AVE. The Applicant will need to work with Pine Island Township to obtain any necessary approvals prior to establishing the new access drive.
- No new public roadway is proposed within the plat. The plat dedicates the existing Township Right-of-Way easement to the public along 195th AVE and 480th ST.
- 195th AVE and 480th ST are aggregate surface roads. 480th ST connects to Highway 52 approximately ¼ mile west of the property.
- The proposed plat is not anticipated to generate traffic uncharacteristic to the area. Given the plat would create one additional development site, the potential additional traffic volume is not anticipated to exceed the capacity of the existing road infrastructure or substantially impact

existing traffic circulation or safety.

Utilities:

- The proposed dwelling would be served by an individual well and septic system upon development. There are no existing wells or septic systems on the property.

Drainage/Landscaping:

- Stormwater drainage is directed downslope to the east and south of the property, towards the ditches along the roadways.

The Applicant is not proposing to change the existing site grades. Some grading of the property is anticipated as a result of the proposed future development of a dwelling, however, the limited scale of development is not likely to produce ongoing erosion and sediment control issues off-site provided construction Best Management Practices and erosion control devices are implemented as necessary during the construction phase.

- Goodhue County SWCD Water Planner Chad Hildebrand reviewed the proposal and offered the following comments:

Where the proposed new subdivision is identified appear to be on the higher ground and not towards the lowland area. From reviewing the NWI and hydric soils, areas to the north outside of the subdivision was identified.

Pine Island Township:

- Pine Island Township considered the Conservation Subdivision proposal at their December 28, 2021 meeting. The Township encouraged the Applicant to consider platting more than two buildable lots. The Township Clerk provided staff with a letter of approval for the proposed Conservation Subdivision. Staff has encouraged the Applicant to bring the revised proposal for only one dwelling site to the Township prior to County Board consideration. The Township is a required signator of the plat.

Open Space/Conservation Easement:

- The CS District requires a minimum of 50% of the total acreage in the Conservation Subdivision to be designated as Open Space which shall identify a “conservation theme” that guides the location and use of the designated Open Space.
- A permanent Conservation Easement, governed by Minnesota Statute 84C.01-84C.05 encompassing the entirety of the Open Space is required to be recorded prior to or at the time of platting.
- The Applicant has provided a Conservation Easement for PAC consideration. The easement encompasses 20.0-acres and identifies the promotion of an open environment, protection of water and air quality, and the protection of farmland to provide food safety and security as the “theme”. The easement states the protected property “...has significant natural, open space, and agricultural values (individually and collectively, “Conservation Values”), that protect natural resources, and maintain or enhance air or water quality.”

Use of the designated conservation easement area for industrial, commercial, and residential uses or development is exclusively prohibited. The easement does provide for continued agricultural use of the Open Space consistent with the stated conservation values. The Applicant intends to continue using the Open Space for crop production. Improvements such as utility services and septic systems, roads, parking areas, paths, and trails or like improvements are permissible within the conserved area so long as they are installed consistent with the easement’s Conservation Values.

The agreement also includes customary provisions for annual inspection access and rights of enforcement for any violations of the agreement by the easement holder (trustee) and appears generally in conformance with the requirements of the CS District Regulations and the requirements of Minnesota Statute 84C.

LUM Staff Conservation Easement Comments:

- LUM Staff has evaluated the Applicant’s proposed Conservation Subdivision plat in accordance with the associated performance standards and purpose and intent of the CS District. Staff agrees

that the proposal to establish one dwelling on the property is both a reasonable use of the property and largely aligns with the purpose and intent of the CS District.

The Applicant has worked with their attorney (Charles O. Richardson of Richardson & Richardson) to create a Minnesota Statute Chapter 501B Charitable Trust to hold the easement. The "Hinrichs Open Spaces Trust" is proposed to be the designated holder of the conservation easement. The "Trustee" has been designated as Alison Peters. The Trustee is an independent third party and is not the landowner nor will the Trustee have any ownership interest in either the Open Space (Outlot A) or the developable lots. A secondary Trustee has also been named, Cory Hinrichs who also does not have any ownership interest in the Open Space (Outlot A) or the developable lot. Charitable trusts are identified as qualified easement holders by MN Statute 84C.

- Staff conveyed concerns to Gary Hinrichs regarding the proposed conservation easement boundaries as the easement terminates at a location that is indistinguishable from the other tillable acreage on the property. Mr. Hinrichs noted that the conservation easement area has been delineated to contain the minimum acreage required (20-acres) to facilitate any possible future uses of the land outside of the easement.
- The proposed conservation easement agreement was provided to the Goodhue County Attorney's Office (Stephen O'Keefe) for review and comment. Mr. O'Keefe did not see any legal issues with the documents as written.

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

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

recommend the County Board of Commissioners **APPROVE** the request submitted by Laurie Hinrichs (Owner), for Preliminary and Final Plat approval of the proposed "Hinrichs Subdivision" to rezone 40.0 acres and create a one lot Conservation Subdivision District on property currently zoned A1 (Agricultural Protection District).

Subject to the following condition:

1. The change of zone shall not occur until the Conservation Easement and Plat have been recorded with the Goodhue County Recorder's Office.

RECEIVED

FEB 22 2022

FILE #	222-0016
PARCEL #	39.008.2601

Land Use Management

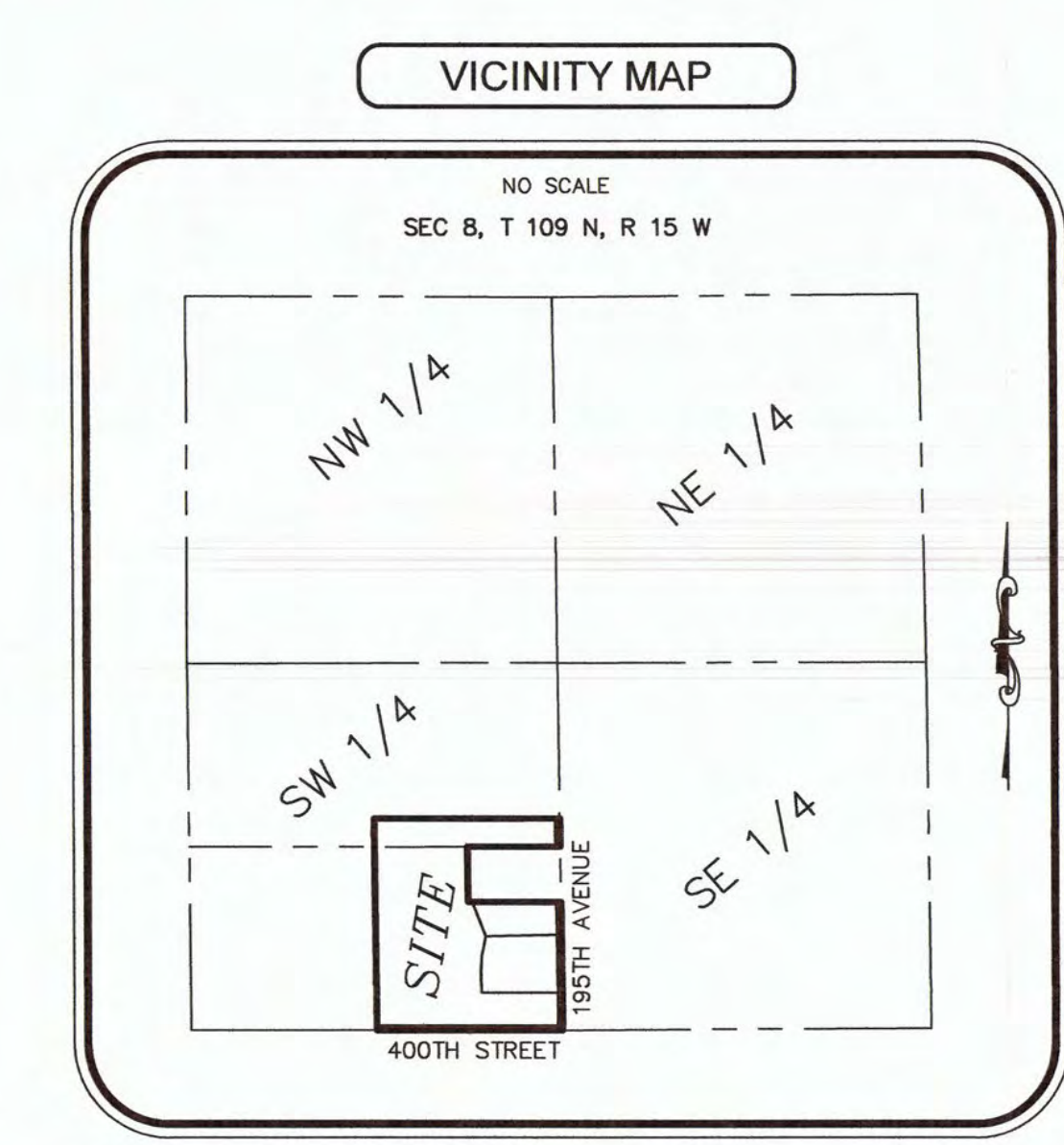
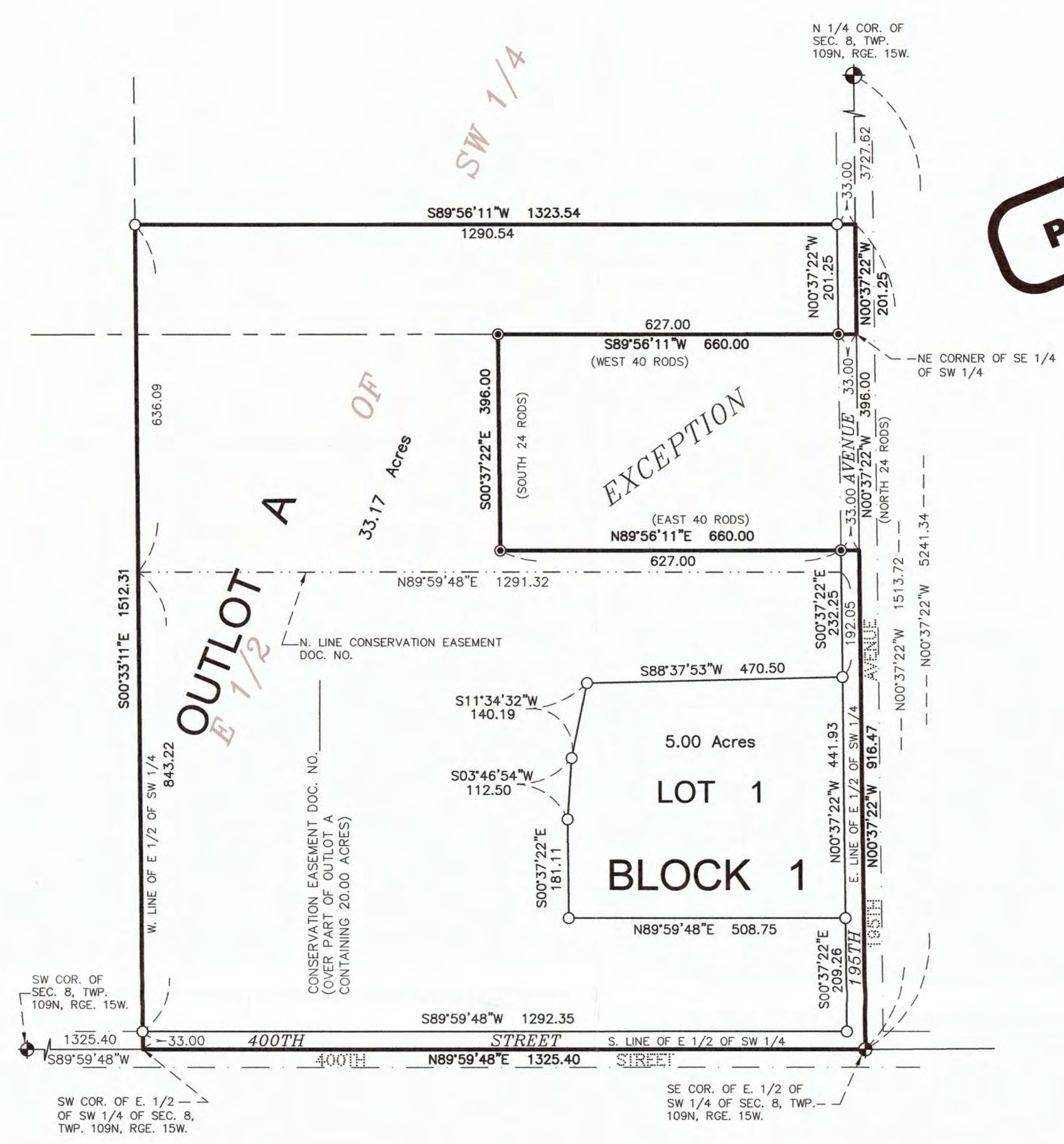
Conservation Subdivision

The Conservation Subdivision (CS) District is intended to provide a residential development option that supports the rural character and residential development goals of Goodhue County, while permanently preserving open space, agriculture and natural resource areas, beyond planned future extension of urban services.

Landowner Information			
Landowner Name	Laurie Hinrichs	Email	
Mailing Address	20339 315th Street Red Wing MN		
Daytime Phone			
Applicant Information (if different than above)			
Applicant Name		Email	
Mailing Address			
Daytime Phone			
Township Information			
Township position	Attached	Date	
Signature			
County Use			
Application Fee	\$350	Receipt Number	17537
		Received Date	2/22/22
Initial Reviewed by			
Plat Name			
Request complies with Goodhue County Zoning and Subdivision requirements as attested by me			
_____ the Goodhue County Planner/Zoning Administrator on			
this day _____			

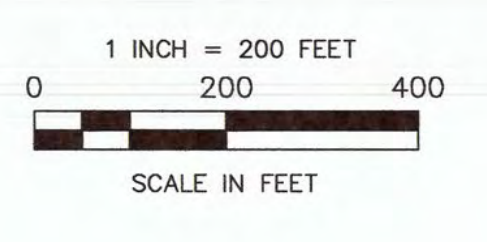
HINRICHS SUBDIVISION

PRELIMINARY



LEGEND

- DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 47460.
- DENOTES FOUND IRON MONUMENT.
- ◆ DENOTES GOODHUE CO. SECTION CORNER. (EAST 40 RODS) DENOTES BEARING AND/OR DISTANCE OF RECORD.



BEARINGS SHOWN HEREON ARE ORIENTED TO THE GOODHUE COUNTY COORDINATE SYSTEM, NAD 83, 1996 ADJUSTMENT (HARN)

KNOW ALL PERSONS BY THESE PRESENTS: That Gary H. Hinrichs and Laurie J. Hinrichs, husband and wife, owners and Compeer Financial, FLCA a Federally Chartered Corporation, mortgagee of the following described property: That part of the East Half of the Southwest Quarter of Section 8, Township 109 North, Range 15 West, Goodhue County, Minnesota, described as follows: Beginning at the southeast corner of said East Half of the Southwest Quarter; thence North 00 degrees 37 minutes 22 seconds West, assumed bearing, along the east line of said East Half of the Southwest Quarter, a distance of 1513.72 feet; thence South 89 degrees 56 minutes 11 seconds West, a distance of 1323.54 feet to the west line of said East Half of the Southwest Quarter; thence South 00 degrees 33 minutes 11 seconds East, along said west line, a distance of 1512.31 feet to the southwest corner of said East Half of the Southwest Quarter; thence North 89 degrees 59 minutes 48 seconds East, along the south line of said East Half of the Southwest Quarter, a distance of 1325.40 feet to the point of beginning. Except that part described as follows: Beginning at the northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 8; thence west 40 rods; thence south 24 rods; thence east 40 rods; thence north 24 rods to the point of beginning.

Have caused the same to be surveyed and plotted as HINRICHS SUBDIVISION and do hereby dedicate to the public for public use the public ways as created herewith. In witness whereof said Gary H. Hinrichs and Laurie J. Hinrichs, husband and wife, have hereunto set their hands this ____ day of _____, 20__.

Gary H. Hinrichs Laurie J. Hinrichs

STATE OF MINNESOTA
COUNTY OF GOODHUE
This instrument was acknowledged before me on this ____ day of _____, 20__, by Gary H. Hinrichs and Laurie J. Hinrichs, husband and wife.
(Notary signature)
(Print Notary name)
Notary Public Goodhue County, Minnesota
My Commission Expires _____

In witness whereof said Compeer Financial, FLCA a Federally Chartered Corporation, has caused these presents to be signed by its proper officer this ____ day of _____, 20__.
Signed Compeer Financial, FLCA a Federally Chartered Corporation

its _____
STATE OF MINNESOTA
COUNTY OF _____
This instrument was acknowledged before me on this ____ day of _____, 20__, by _____, its _____ of Compeer Financial, FLCA a Federally Chartered Corporation.
(Notary signature)
(Print Notary name)
Notary Public _____ County, Minnesota
My Commission Expires _____

I, Marcus S. Johnson do hereby certify that I have surveyed or directly supervised the survey of the property described on this plot; that I prepared or directly supervised the preparation of this plot as HINRICHS SUBDIVISION; that this plot is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plot; that all monuments depicted on the plot have been correctly set; that as of the date of this certificate, all water boundaries and wetlands, as defined in Minnesota Statutes 505.01, Subd. 3, are shown and labeled on the plot; and that all public ways are shown and labeled on the plot.

Dated this ____ day of _____, 20__
Marcus S. Johnson, Professional Land Surveyor
Minnesota License Number 47460
STATE OF MINNESOTA
COUNTY OF GOODHUE
This instrument was acknowledged before me on this ____ day of _____, 20__, by Marcus S. Johnson, Professional Land Surveyor.
(Notary signature)
(Print Notary name)
Notary Public Goodhue County, Minnesota
My Commission Expires _____

Approved by the County Board of Commissioners of Goodhue County Minnesota, at their _____, 202__ County Board Meeting
Signed: _____ Attest: _____
Chairperson County Administrator

Approved by the Pine Island Township Board, this ____ day of _____, 20__
Signed: _____
Chairperson

Taxes payable in the year 20__ on the land herein described have been paid, there are no delinquent taxes and transfer has been entered this ____ day of _____, 20__
By _____
Goodhue County Auditor/Treasurer

By _____ Deputy
Pursuant to Chapter 389.09, laws of Minnesota, and Goodhue County Ordinance No. 2-78, this plot has been approved this ____ day of _____, 20__
By _____
Lisa M. Hanni, Goodhue County Surveyor

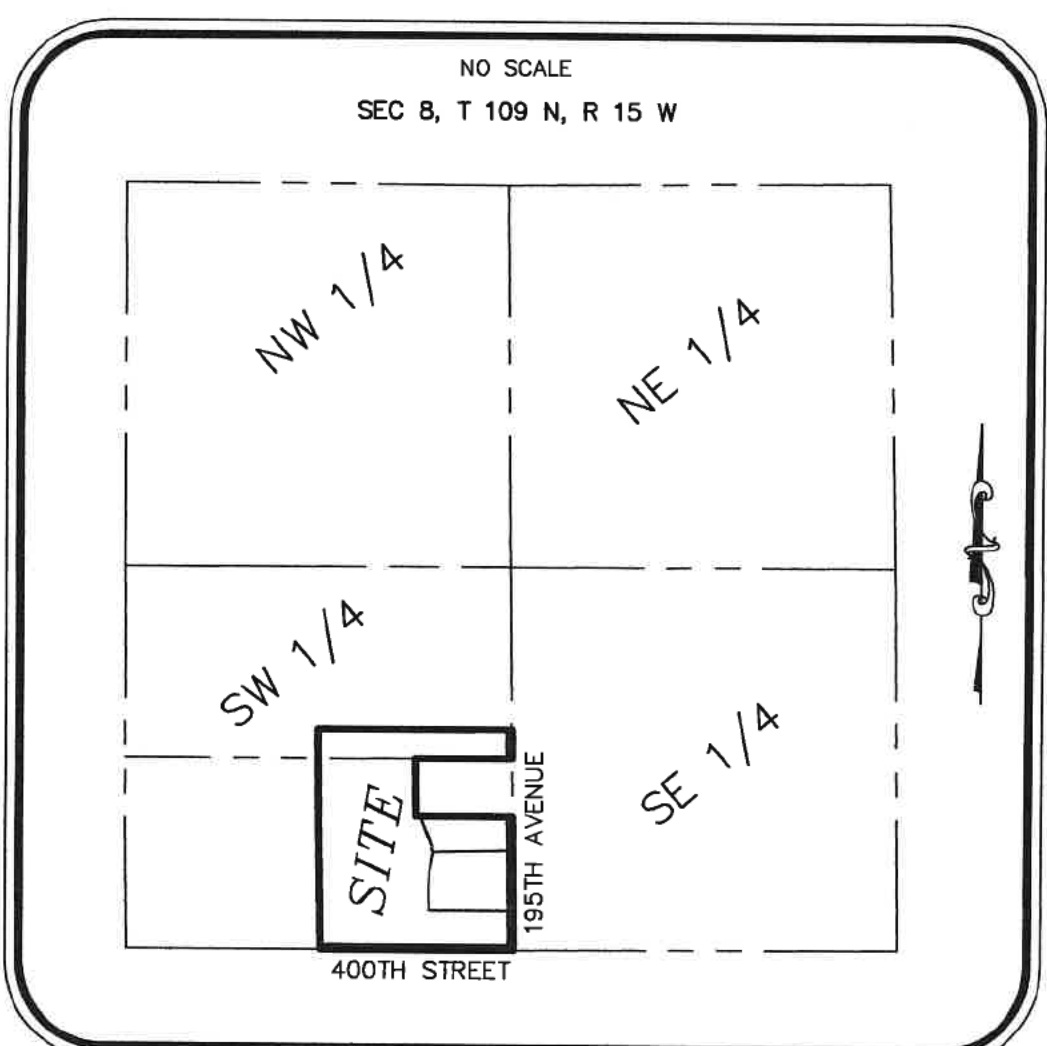
I hereby certify that the within instrument was filed in this office for record this ____ day of _____, 20__, at _____m and was duly recorded as document number _____
By _____
Goodhue County Recorder

JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING
1203 MAIN STREET, RED WING, MN 55066
(651)3881558

N 1/4 COR. OF
SEC. 8, TWP.
109N, RGE. 15W.

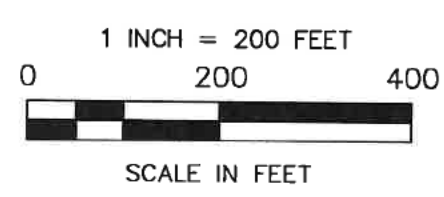


VICINITY MAP



LEGEND

- DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 47460.
- DENOTES FOUND IRON MONUMENT.
- ⊕ DENOTES GOODHUE CO. SECTION CORNER. (EAST 40 RODS)
- DENOTES BEARING AND/OR DISTANCE OF RECORD



BEARINGS SHOWN HEREON ARE ORIENTED TO THE GOODHUE COUNTY COORDINATE SYSTEM, NAD 83, 1996 ADJUSTMENT (HARN)

DESCRIPTION FOR PROPOSED CONSERVATION EASEMENT

That part of OUTLOT A, HINRICHS SUBDIVISION, according to the recorded plat thereof, on file in the County Recorder's Office, Goodhue County, Minnesota, described as follows:

Beginning at the southwest corner of said Outlot A; thence North 00 degrees 33 minutes 11 seconds West, assumed bearing, along the west line of said Outlot A, a distance of 843.22 feet; thence North 89 degrees 59 minutes 48 seconds East, a distance of 1291.32 feet to the east line of said Outlot A; thence South 00 degrees 37 minutes 22 seconds East, along the east line of said Outlot A, a distance of 192.05 feet to the northeast corner of Lot 1, Block 1 of said HINRICHS SUBDIVISION; thence South 88 degrees 37 minutes 53 seconds West, along the north line of said Lot 1, a distance of 470.50 feet to the northwest corner of said Lot 1; thence South 11 degrees 34 minutes 32 seconds West, along the west line of said Lot 1, a distance of 140.19 feet to an angle point in said west line; thence South 03 degrees 46 minutes 54 seconds West, along said west line, a distance of 112.50 feet to an angle point in said west line; thence South 00 degrees 37 minutes 22 seconds East, along said west line, a distance of 181.11 feet to the southwest corner of said Lot 1; thence North 89 degrees 59 minutes 48 seconds East, along the south line of said Lot 1, a distance of 508.75 feet to the southeast corner of said Lot 1; thence South 00 degrees 37 minutes 22 seconds East, along the east line of said Outlot A, a distance of 209.26 feet to the southeast corner of said Outlot A; thence South 89 degrees 59 minutes 48 seconds West, along the south line of said Outlot A, a distance of 1292.35 feet to the point of beginning.

EASEMENT DESCRIPTION FOR:

GARY HINRICHS



JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING

1203 MAIN STREET, RED WING, MN 55066
(651) 388-1558

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

REVISED 4/5/2022

Marcus S. Johnson
Minnesota License No. 47460
Date: March 31, 2022

BK. NA	PG. NA	W.O.#
SHEET 1 OF 1 SHEETS		21-1196

CONSERVATION EASEMENT

This is a CONSERVATION EASEMENT granted by LAURIE J. HINRICHS and GARY H. HINRICHS, husband and wife, (“Grantor”) to ALISON PETERS, as trustee of THE HINRICHS OPEN SPACES TRUST (“Grantee”).

- A. GRANTOR. The Grantor, LAURIE J. HINRICHS, is the current owner of approximately 40 acres of real property (“Real Property”) located in Goodhue County, Minnesota whereby this conservation easement shall be granted on 20 acres of such Real Property (“Protected Property”).
- B. GRANTEE. THE HINRICHS OPEN SPACES TRUST is a Minnesota Charitable trust created pursuant to Minnesota Statutes Chapter 501B for the purposes of holding this easement’s real property interests.
- C. REAL PROPERTY AND PROTECTED PROPERTY AREAS. The Real Property’s legal description is Outlot A and Lot 1 Block 1 HINRICHS Subdivision, and Protected Property’s legal description is provided in the attached Exhibit A.
- D. PROTECTED PROPERTY DESCRIPTION AND PURPOSE. The Protected Property consists of open fields and is currently used for agricultural purposes.

The Protected Property is important as such promotes conservation and an open environment, and farmland to provide food safety and security.

- E. CONSERVATION VALUES. The Protected Property, as outlined above, has significant natural, open space, and agricultural values (individually and collectively, “Conservation Values”), that protect natural resources, and maintain or enhance air or water quality. Additionally, the use of the property as farmland is to be used for production agricultural purposes.

These Conservation Values are not likely to be significantly impaired by the continued use of the Protected Property as described above or as authorized in this Easement. Preservation and protection of these Conservation Values will provide significant benefit to the public. Grantor and Grantee are committed to protecting and preserving the

Conservation Values of the Protected Property in perpetuity for the benefit of this and future generations. Accordingly, it is their intent to create and implement a conservation easement that is binding upon the current landowner and all future owners of the Protected Property.

- F. CONSERVATION POLICY AND INTENT. Protection of the Conservation Values of the Protected Property is consistent with and will further governmental policies, including those established by the following:
1. Minnesota Statutes Chapter 103A, which promotes protection of the state's waters and their adjacent lands, and Section 103A.206 in particular, which recognizes the economic and environmental importance of maintaining and enhancing the soil and water resources of the state and the role of private lands in these conservation efforts, to among other reasons, preserve natural resources, protect water quality, preserve wildlife, and protect public lands and waters.
 2. Minnesota Statutes Chapter 84C, which recognizes the importance of private conservation efforts by authorizing conservation easements for the protection of natural, scenic, or open space values of real property, assuring its availability for agriculture, forest, recreational or open space use, protecting natural resources and maintaining or enhancing air or water quality.
 3. Goodhue County has adopted a comprehensive and long-term land conservation vision and implementation programs and improve natural areas; productive farmland; shoreland along all rivers, streams, and undeveloped lakeshore; regional parks; and multi-purpose regional greenways throughout the County.
 4. Grantor and Grantee are committed to protecting and preserving the Conservation Values of the Protected Property in perpetuity for the benefit of this and future generations. Accordingly, it is their intent to create and implement a conservation easement that is binding upon the current landowners and all future owners of the Protected Property.
- G. GRANT OF CONSERVATION EASEMENT. Pursuant to the laws of the State of Minnesota, and in particular Minnesota Statutes Chapter 84C, and in consideration of the facts recited above and the mutual covenants contained herein, for \$500 or less of consideration, the Grantor hereby conveys and warrants to the Grantee and its successors and assigns a perpetual conservation easement ("Easement") over the Protected Property subject to building and zoning laws, federal, state, and local laws, and encumbrances, easement, or like of records, if any.
- H. EASEMENT PURPOSE. It is the purpose of this Easement to ensure that the Protected Property will be retained forever substantially unchanged from its present condition as natural open space, to protect water quality and farmland, and to prevent any use that will significantly impair or interfere with the Conservation Values of the Protected Property.

Grantor intends that this Easement will confine the use of the Protected Property to activities that are consistent with the purposes of this Easement.

- I. COVENANTS AND RESTRICTIONS. All activities on or uses of the Protected Property must be consistent with the purpose of this Easement. Agriculture or like uses are expressly permissible. The following activities and uses are expressly prohibited:
1. Prohibited Uses. No industrial, commercial, residential use or developments are permitted.
 2. Building, Structures, and Improvements. Utility services and septic systems, roads, parking areas, paths, and trails, or like improvements are permissible so long as such improvements are consistent with the Easement's Conservation Values.
- J. GRANTOR'S RESERVED RIGHTS. Grantor reserves for itself, its heirs, successors and assigns any and all rights to use the Protected Property for all purposes that are not expressly restricted or prohibited herein and are not inconsistent with this Easement's Conservation Values.
- K. PUBLIC ACCESS. Although the public benefits from this Easement through the preservation and protection of the Conservation Values of the Protected Property, nothing in this Easement gives the public a right to enter upon or use the Protected Property where no such right existed prior to the conveyance of this Easement.

The Owner retains the right to permit any public use of the Protected Property consistent with the preservation and protection of the Conservation Values of the Protected Property.

L. MISCELLANEOUS PROVISIONS

1. Easement Standards. The Grantee is to maintain the Protected Property with the customary standards for open spaces in Minnesota and consistent with the Conservation values.
2. Real Estate Taxes. Grantor agrees to pay any and all real estate taxes due and payable for the Protected Property in the year 2022, for all prior years and thereafter so long as the Grantor is the fee owner of the Protected Property and will pay all assessments levied by competent authority on the Protected Property.
3. Costs and Liabilities. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Protected Property, including the maintenance of adequate comprehensive general liability insurance coverage. Grantee shall have no duty or responsibility to manage or maintain the Protected Property. If, however, the Protected Property is damaged by causes beyond Grantor's control, such as changes caused by fire, flood, storm, infestations, natural deterioration, the acts of third parties legally authorized to act by

recorded document or other legally established rights or the unauthorized wrongful acts of third persons, Grantor and Grantee will meet and seek to arrive at an equitable solution to restore the Protected Property.

4. Grantee Access To Ensure Compliance. Grantee shall have access to the Protected Property at least annually to ensure that Grantor is acting consistent with this easement's terms.
5. Grantee's Enforcement Rights. Grantee shall have all the rights at law or equity to enforce its property rights granted to it via this easement.
6. Easement Runs With The Land. This easement's terms shall run with the land and be binding on Grantor's and Grantee's successors.

(remainder of this page is left intentionally blank)

IN WITNESS WHEREOF, the undersigned has caused this instrument to be duly executed this _____ day of _____, 2022.

Laurie Hinrichs

Gary Hinrichs

State of Minnesota, County of Goodhue

This instrument was acknowledged before me on _____, 2022, by Laurie Hinrichs and Gary Hinrichs, husband and wife.

(Stamp)

(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____

THIS INSTRUMENT WAS DRAFTED BY:

Charles O. Richardson
Richardson & Richardson
434 W. 4th Street, Suite 100
Red Wing, MN 55066
Phone: 651-388-4796
Fax: 651-267-0325

THE HINRICHS OPEN SPACES TRUST

This trust agreement is made on _____, 2022, between LAURIE J. HINRICHS of Goodhue County, Minnesota ("Settlor") and ALISON PETERS of Goodhue County, Minnesota ("Trustee").

RECITALS

- The Settlor has established this trust for charitable purposes consistent with the Minnesota Statutes Chapter 501B Charitable Trusts.
- The trust intends to be a Grantee of a conservation easement in the furtherance of open spaces in agricultural areas.

ARTICLE ONE IRREVOCABLE

This trust shall be irrevocable, and the settlor retains no rights herein.

ARTICLE TWO ADMINISTRATION OF TRUST ASSETS

The trustees shall administer the trust consistent with the conservation easement's rights granted thereto, and may exercise any other rights, elections, remedies, or like granted to it by federal, state, or legal laws.

In the event that this trust is terminated, any remaining trust assets shall be distributed to a charitable entity that the then trustee shall solely determine.

ARTICLE THREE TRUSTEE SELECTION

Trustees shall be appointed, removed, and replaced as follows:

- 3.1 All trustees and successor trustees shall have the power to appoint successor or additional trustees.
- 3.2 In the event that the initial trustee is unable or unwilling to act, and fails to name a successor trustee, **CORY HINRICHS**, shall be nominated as trustee.
- 3.3 In the event that the trust fails to have a trustee, such shall be determined consistent with Minn. Stat. 501C.0704 or amendments thereto.

ARTICLE FOUR FIDUCIARY PROVISIONS

My trustees may exercise the powers given to them during the term of any trust, and during such time after the termination of any trust as is reasonably necessary to distribute the trust assets.

4.1 *Powers.* I give to my trustees all administrative powers as are listed in the Minnesota Trustees Powers Act 501C.816.

4.2 *Additional Provisions.* The following provisions apply to the exercise of all fiduciary functions under this instrument:

4.2.1 *Waiver of Court Jurisdiction.* I expressly waive any requirement that any trust be submitted to the jurisdiction of any court, that the Trustee be appointed or confirmed, that the actions of the Trustee be authorized, or the accounts of the Trustee be allowed by any court. This waiver shall not prevent any Trustee or beneficiary from requesting any of those procedures.

4.2.2 *Trustee Succession, Appointment, and Removal Procedures.* The following provisions shall apply to the appointment, removal, and succession of Trustees:

4.2.2.1 *Exercise of Power to Appoint.* Any power to appoint a Co-Trustee or successor Trustee under this instrument shall be exercised by written instrument delivered to the person or entity appointed.

4.2.2.2 *Acceptance of Trusteeship.* The appointment of any person or entity eligible to act as a Co-Trustee or successor Trustee shall become effective only if the appointee's written acceptance of the appointment and trusteeship is delivered to the then acting Trustee, or, if no Trustee is then acting, to a descendant of **LAURIE J. HINRICHS** and **GARY H. HINRICHS**.

4.2.3 *Resignation Right.* Any Trustee may resign at any time by delivering a written resignation to those entitled to appoint a Trustee. The resignation shall be effective (a) upon delivery of the resignation to a Co-Trustee or (b) if there is no Co-Trustee, upon acceptance of appointment of a successor Trustee. After the resignation becomes effective, the Trustee shall not be liable for the acts of any successor Trustee.

ARTICLE FIVE GENERAL GOVERNING PROVISIONS

In applying the provisions of this document, the following shall govern:

5.1 *Definitions.*

5.1.1 "Trustee" means an original or successor trustee of any trust whether an individual or a corporation.

5.2 *Rules of Construction.*

5.2.1 *Governing Law.* Except as altered by this agreement, the law of Minnesota shall govern the meaning of this document and the validity, legal effect, and administration of my trust. Except as otherwise provided, all references to applicable law and Minnesota Statutes

mean those in force on the date of this agreement and shall incorporate any amendments and successor provisions.

In the presence of:

Witness

LAURIE J. HINRICHS
Settlor

Witness

Witness

ALISON PETERS
Trustee

Witness

STATE OF MINNESOTA)
)SS.
COUNTY OF GOODHUE)

This instrument was acknowledged before me on February _____, 2022, by _____.

LAURIE J. HINRICHS
Settlor

(stamp)

(signature of notarial officer)

Title

STATE OF MINNESOTA)
)SS.
COUNTY OF GOODHUE)

This instrument was acknowledged before me on February _____, 2022, by _____.

ALISON PETERS
Trustee

(stamp)

(signature of notarial officer)

Title

The secondary trustee, Cory Hinrichs is not and will not be a future property owner of the outlot nor the two lots proposed for development.

Laurie Hinrichs

3/1/22

This instrument was acknowledged before me on March 1, 2022 by Laurie Hinrichs.

(stamp)



Tina Paider

(signature of notarial officer)

Title (and Rank): Recording Clerk

My commission expires: Jan 31, 2027

David A. Arndt (Clerk)
Pine Island Township
21156 510th Street
Pine Island, MN 55963

December 28, 2021

Goodhue County Land Use Management
509 West 5th Street
Red Wing, MN 55066

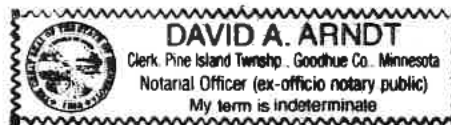
To Whom it may concern,

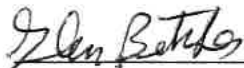
Pine Island Township approves the request of the Hinrichs family for the establishment of a Conservation Subdivision in Section 8 of Pine Island Township. Action on this request was taken at the December 28 meeting. The applicants were urged to request more than two sites for the building of homes, but the number chosen by them should be at theirs alone.

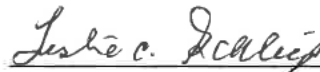
If there are any further questions, please contact me or Richard Miller whose address and phone number you have in the office.

Sincerely yours,


David A. Arndt, Clerk




Glen Betcher, Chairman


Leslie Schliep, Supervisor


Richard M. Miller, Supervisor


Kenneth Markson, Treasurer

MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

Public Hearing
March 21, 2022

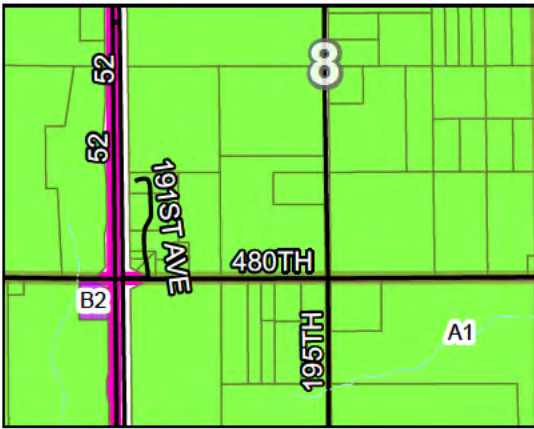
Laurie Hinrichs (Owner)
A3 Zoned District

Part of the E 1/2 of the SW 1/4 of
Section 08 TWP 109 Range 15 in
Pine Island Township

Request for Preliminary & Final Plat
Hinrichs Subdivision and rezone to
create Conservation Subdivision Dist.

Legend

- | | |
|----------------------------|-----------------------------------|
| Intermittent Streams | Bluff Impact Zones (% slope) 20 |
| Protected Streams | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | FEMA Flood Zones 2% Annual Chance |
| Shoreland | FEMA Flood Zones A |
| Historic Districts | FEMA Flood Zones AE |
| Parcels | FEMA Flood Zones AO |
| Registered Feedlots | FEMA Flood Zones X |
| Dwellings | |
| 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 2022.

2018 Aerial Imagery
Map Created March, 2022 by LUM



MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

PAC Meeting
April 18, 2022

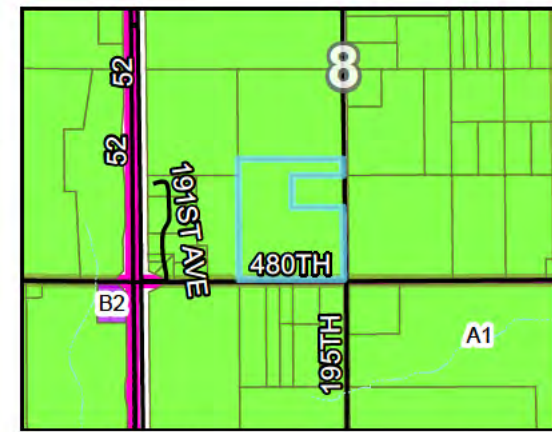
Laurie Hinrichs (Owner)
A3 Zoned District

Part of the E 1/2 of the SW 1/4 of
Section 08 TWP 109 Range 15 in
Pine Island Township

Request for Preliminary & Final Plat
Hinrichs Subdivision and rezone to
create Conservation Subdivision Dist.

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 2022.

2018 Aerial Imagery
Map Created April, 2022 by LUM

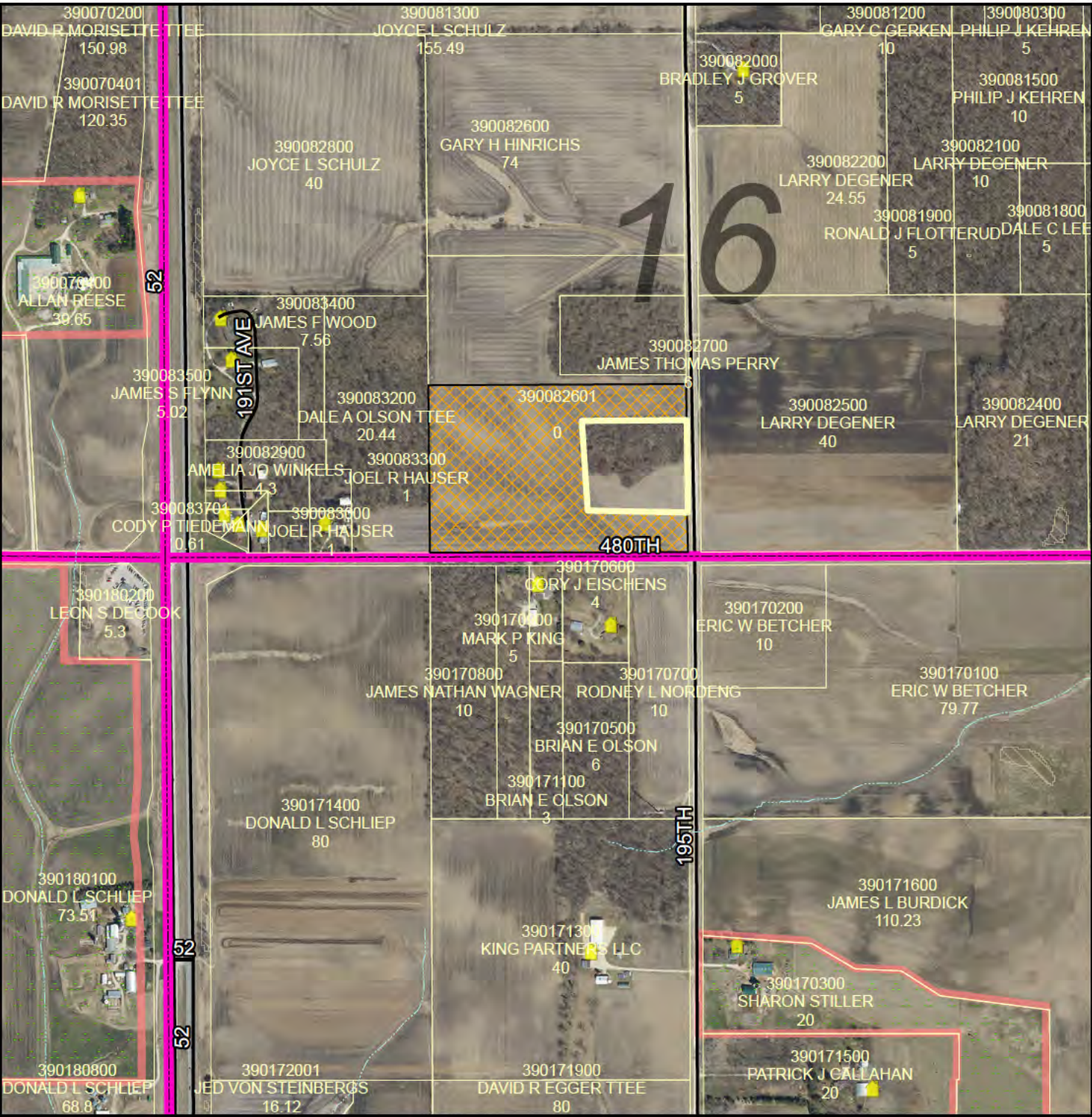


PAC Meeting
April 18, 2022

Laurie Hinrichs (Owner)
A3 Zoned District

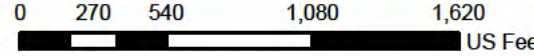
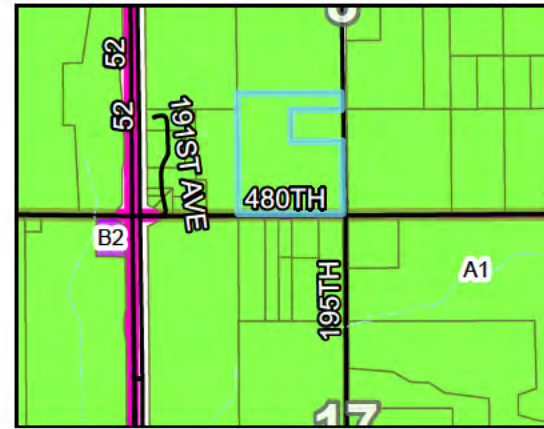
Part of the E 1/2 of the SW 1/4 of
Section 08 TWP 109 Range 15 in
Pine Island Township

Request for Preliminary & Final Plat
Hinrichs Subdivision and rezone to
create Conservation Subdivision Dist.



Legend

- Intermittent Streams
 - Protected Streams
 - Lakes & Other Water Bodies
 - Shoreland
 - Historic Districts
 - Parcels
 - Registered Feedlots
 - Dwellings
 - Municipalities
- Bluff Impact Zones (% slope)**
 - 20
 - 30
 - FEMA Flood Zones**
 - 2% Annual Chance
 - A
 - AE
 - AO
 - 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 2022.



PAC Meeting
April 18, 2022

Laurie Hinrichs (Owner)
A3 Zoned District

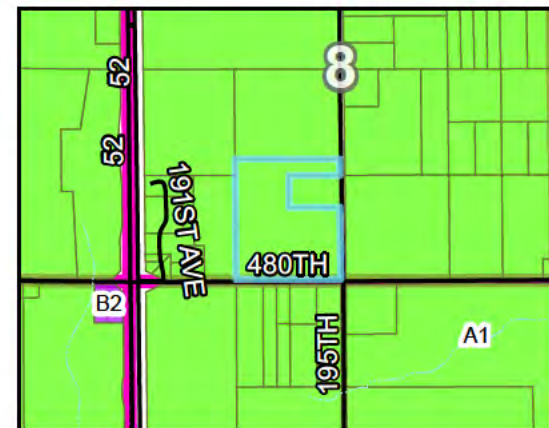
Part of the E 1/2 of the SW 1/4 of
Section 08 TWP 109 Range 15 in
Pine Island Township

Request for Preliminary & Final Plat
Hinrichs Subdivision and rezone to
create Conservation Subdivision Dist.



Legend

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

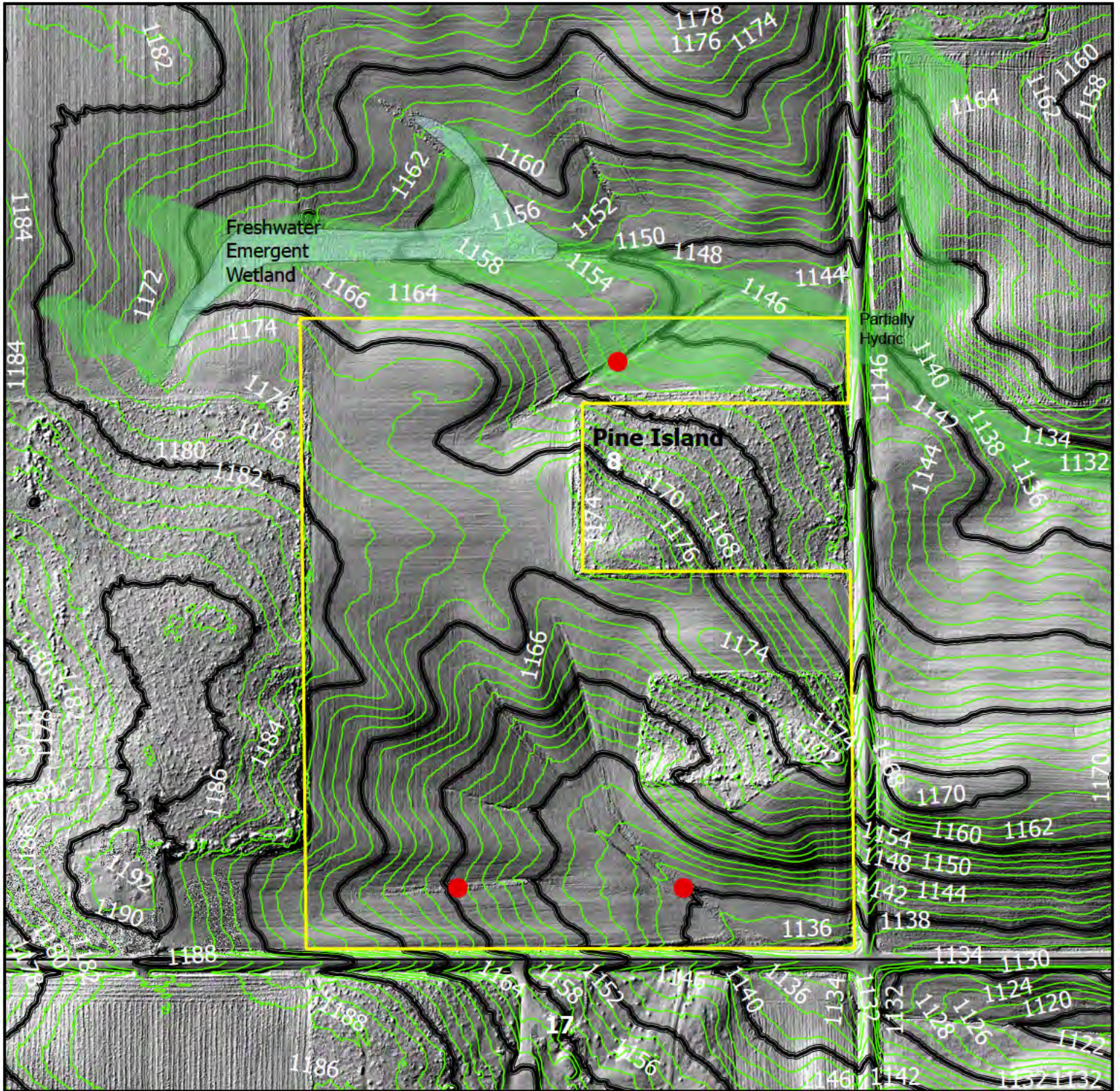


DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2022.

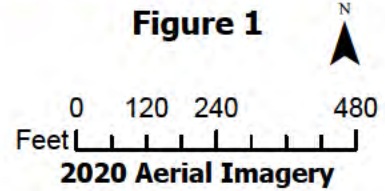


Plat_Hinrichs

Pine Island TWP, Section 8



- | | | |
|---------------------------|---------------------|-------------------------|
| Parcel | Contours_2ft | Intermediate |
| Hydric Soil Rating | Type | Intermediate Depression |
| All Hydric | Index | <all other values> |
| Partially Hydric | Index Depression | |



This is for informational use only and not used for precise or construction measurements. Only informational.

ARTICLE 35 CS, CONSERVATION SUBDIVISION DISTRICT

SECTION 1. PURPOSE

The Conservation Subdivision (CS) District is intended to provide a residential development option that supports the rural character and residential development goals of Goodhue County, while permanently preserving open space, agriculture, and natural resource areas, beyond planned future extension of urban services.

Section 2. PERMITTED USES

All permitted uses are subject to zoning and building permits. Permitted uses allowed in the CS Zoning District shall be as shown in Article 20, Section 7, "Table of Uses".

Section 3. CONDITIONAL USES AND INTERIM USES

All conditional uses and interim uses are subject to zoning and building permits. Conditional and interim uses allowed in the CS Zoning District shall be as shown in Article 20, Section 7, "Table of Uses."

Section 4. ACCESSORY STRUCTURES AND USES

Accessory buildings in the CS district may be permitted when located on the same parcel as the principal building and shall comply with the following standards:

- Subd. 1. No accessory buildings shall be permitted on a parcel prior to the establishment of the principal building.
- Subd. 2. Detached accessory buildings shall be limited in size to 7,200 square feet in area.
- Subd. 3. Greenhouses, conservatories, swimming pools, tennis courts or similar non-commercial recreational facilities for the private enjoyment and convenience of the residents of the principal use and their guests shall be allowed.
- Subd. 4. Livestock shall be permissible as an accessory use provided no parcel exceeds 9 Animal Units.
- Subd. 5. Any temporary buildings for uses incidental to construction work, which shall be removed upon completion or abandonment of such construction work.

Section 5. DIMENSIONAL REQUIREMENTS

- Subd. 1. Minimum Subdivision Size. The minimum area required for a Conservation Subdivision shall be 40 contiguous acres.
- Subd 2. Density. The maximum density of Conservation Subdivisions without a shared SSTS shall be 4 dwellings. The maximum density of Conservation Subdivisions with a shared SSTS shall be 6 dwellings.

- Subd. 3 Lot Size. Any lot on which a single-family dwelling unit is to be erected shall contain a minimum of 3 acres of Buildable Area. Lots with a shared SSTS shall be a minimum of 2 acres of Buildable Area.
- Subd. 4 Yard Requirements. Every building shall meet the following Yard requirements:
- A. Front Yard.
 1. There shall be a minimum setback of 40 feet from the right-of-way line of any public road or highway.
 2. There shall be a minimum setback of 25 feet from the right-of-way line any private road.
 - B. Side and Rear Yards. Every building shall have a minimum setback of 40 feet.
 - C. Buffer zones. All dwellings and accessory structures shall have a minimum setback of 100 feet from surrounding agricultural uses.
- Subd. 5 Height Requirements. Every building shall have a maximum height of 35 feet.
- Subd. 6 Open Space Requirements. Conservation Subdivisions shall identify a conservation theme. Conservation themes may include, but are not limited to, forest, water quality, farmland, or view-shed preservation. The conservation theme shall guide the location and use of the designated Open Space.
- A. A minimum of 50% of the total acreage in the Conservation Subdivision shall be designated as Open Space.
 - B. Where practical, designated Open Space shall be contiguous with adjacent agriculture, wildlife corridors, forestry, natural habitats, preserves, or trails.

SECTION 6. GENERAL DISTRICT REGULATIONS

- Subd. 1 A proposed Minnesota Statute 505 plat shall accompany all Conservation Subdivision change of zone requests and shall be considered part of the application. The plat must obtain the approval of the Township in which it is located in order to be recorded. No buildings or development may occur on the site until the plat is recorded.
- Subd. 2 Open Space Ownership and Management. All lands and improvements in designated Open Spaces shall be established, managed and maintained in accordance with the following:
- A. Conservation Easement. A permanent Conservation Easement that encompasses the entire Open Space area must be recorded prior to, or at the time of platting.
 - B. Conservation Easements shall be governed by Minnesota Statute 84C.01-84C.05, and include:
 1. The entity to maintain the designated Open Space;
 2. The purposes of the Conservation Easement;

3. The legal description of the land within the easement;
 4. The restrictions on the use of the land;
 5. A restriction from future dwelling development of the easement;
 6. The standards under which the Open Space will be maintained; and
 7. Who will have access to the Open Space.
- C. All structures located within the designated Open Space must obtain appropriate permits. As part of the permit application, structures must demonstrate they are in harmony with the associated Open Space theme. Shared SSTS and shared wells within the Conservation Subdivision may be located within the Open Space designated parcels if allowed by the Conservation Easement restrictions.

Subd. 3. Public Road Frontage or Road Access Easements Standards:

- A. Each Parcel shall include a minimum 33 feet of frontage on a public road right-of-way line extending to the building line. As an alternative, a single parcel that does not front on a public road may be permitted upon the recording (with the Goodhue County Recorder) of a driveway access easement that is a minimum of 33 feet in width and has been determined to be acceptable by the Goodhue County Land Use Management Department.
- B. Access for two or more lots shall follow the Road Design Standards in the Goodhue County Subdivision Controls Ordinance.

CHAPTER 84C

CONSERVATION EASEMENTS

84C.01	DEFINITIONS.	84C.03	JUDICIAL ACTIONS.
84C.02	CREATION, CONVEYANCE, ACCEPTANCE, AND DURATION.	84C.04	VALIDITY.
		84C.05	APPLICABILITY.

84C.01 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

(1) "Conservation easement" means a nonpossessory interest of a holder in real property imposing limitations or affirmative obligations the purposes of which include retaining or protecting natural, scenic, or open-space values of real property, assuring its availability for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.

(2) "Holder" means:

(i) a governmental body empowered to hold an interest in real property under the laws of this state or the United States; or

(ii) a charitable corporation, charitable association, or charitable trust, the purposes or powers of which include retaining or protecting the natural, scenic, or open-space values of real property, assuring the availability of real property for agricultural, forest, recreational, or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of real property.

(3) "Third-party right of enforcement" means a right provided in a conservation easement to enforce any of its terms granted to a governmental body, charitable corporation, charitable association, or charitable trust, which, although eligible to be a holder, is not a holder.

History: 1985 c 232 s 1

84C.02 CREATION, CONVEYANCE, ACCEPTANCE, AND DURATION.

(a) Except as otherwise provided in this chapter, a conservation easement may be created, conveyed, recorded, assigned, released, modified, terminated, or otherwise altered or affected in the same manner as other easements.

(b) No right or duty in favor of or against a holder and no right in favor of a person having a third-party right of enforcement arises under a conservation easement before its acceptance by the holder and a recordation of the acceptance.

(c) Except as provided in section 84C.03, clause (b), a conservation easement is unlimited in duration unless the instrument creating it otherwise provides.

(d) An interest in real property in existence at the time a conservation easement is created is not impaired by it unless the owner of the interest is a party to the conservation easement or consents to it.

History: 1985 c 232 s 2

84C.03 JUDICIAL ACTIONS.

(a) An action affecting a conservation easement may be brought by:

- (1) an owner of an interest in the real property burdened by the easement;
- (2) a holder of the easement;
- (3) a person having a third-party right of enforcement; or
- (4) a person authorized by other law.

(b) This chapter does not affect the power of a court to modify or terminate a conservation easement in accordance with the principles of law and equity.

History: *1985 c 232 s 3*

84C.04 VALIDITY.

A conservation easement is valid even though:

- (1) it is not appurtenant to an interest in real property;
- (2) it can be or has been assigned to another holder;
- (3) it is not of a character that has been recognized traditionally at common law;
- (4) it imposes a negative burden;
- (5) it imposes affirmative obligations upon the owner of an interest in the burdened property or upon the holder;
- (6) the benefit does not touch or concern real property; or
- (7) there is no privity of estate or of contract.

History: *1985 c 232 s 4*

84C.05 APPLICABILITY.

(a) This chapter applies to any interest created after August 1, 1985, which complies with this chapter, whether designated as a conservation easement or as a covenant, equitable servitude, restriction, easement, or otherwise.

(b) This chapter applies to any interest created before August 1, 1985, if it would have been enforceable had it been created after August 1, 1985, unless retroactive application contravenes the constitution or laws of this state or the United States.

(c) This chapter does not invalidate any interest, whether designated as a conservation or preservation easement or as a covenant, equitable servitude, restriction, easement, or otherwise, that is enforceable under other law of this state.

History: *1985 c 232 s 5*

Goodhue County Land Use Management

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

Lisa M. Hanni, L.S. Director

County Surveyor / Recorder

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.267.4875



Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.267.4875

TO: Planning Advisory Commission
FROM: LUM Staff
RE: Business/Industrial Districts Ordinance Amendments
DATE: April 8, 2022

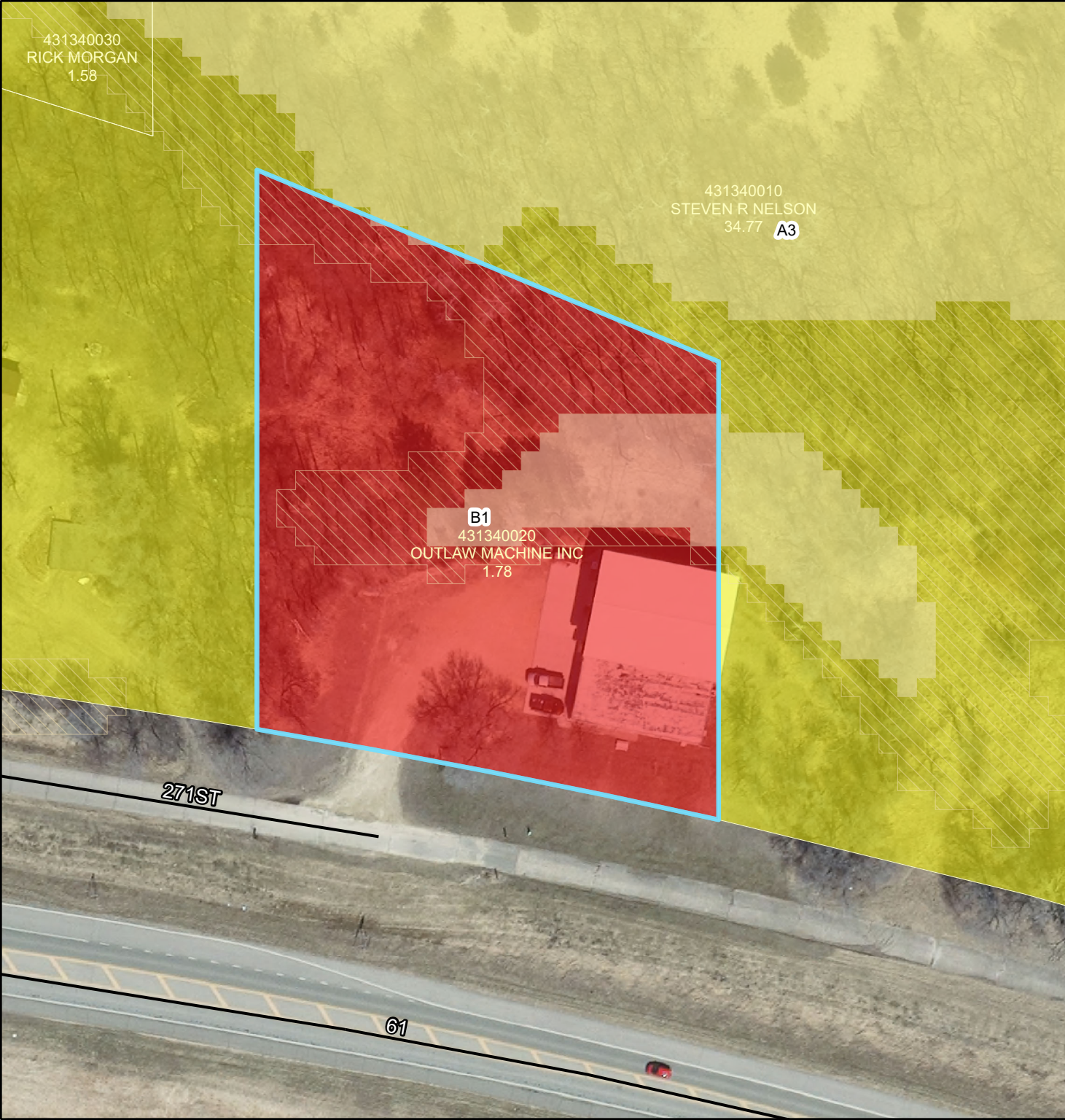
Staff has provided the Planning Commission members with the existing Business and Industrial District regulations for review. Staff reviewed all Business/Industrial zoned properties in 2020, resulting in the following findings:

- Approximately 366-acres of land (51 parcels) in Goodhue County are zoned Business or Industrial.
- Only two parcels are zoned B-1 (General Business District), both in Wacouta Township (43.136.0200 and 43.134.0020). Parcel 43.134.0020 is owned by Outlaw Machine Inc and the property is used as a machine/CNC shop. Parcel 43.136.0200 is owned by Burbank Company LLC and is used as a multifamily dwelling.
- Staff recommends as amending uses like motor fuel stations, hotels/motels, and large retail operations (over 40,000 square feet) to Conditional/Interim uses instead of Permitted uses in the proposed Table of Uses.
- There may be uses listed in the Ordinance that could be consolidated under a single term instead of a lengthy list of uses (i.e. retail sales or professional offices).
- Most Counties require larger lot sizes for Business and Industrial zoned parcels than Goodhue County (anywhere from 40,000 square feet to 2.5 acres). The smallest parcel zoned Business or Industrial in Goodhue County is approximately 0.32-acres, parcel 28.030.3500 owned by Goodhue County COOP Electric for an electric station south of Cannon Falls. The largest parcel zoned Business or Industrial is approximately 40.93 acres, parcel 28.190.0010 owned by Mon Cheval Training Center west of Cannon Falls.

Requested Action: The PAC should consider the B-1 District, its usefulness in the Zoning Ordinance, and whether it should be eliminated and the existing B-1 parcels rezoned to an appropriate district. Staff would also like direction on proceeding with the proposed Table of Uses, any uses that should be added, removed, or researched, and uses that may require performance standards. The PAC should also consider whether an Ordinance subcommittee should be established for review of these items.

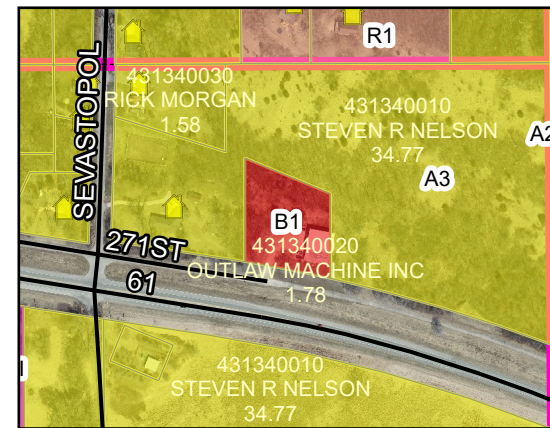
SITE PLAN

State the use of the property. Show the size, shape and location of structures with distance to property lines and location of ALL wells and septic systems.



Legend

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



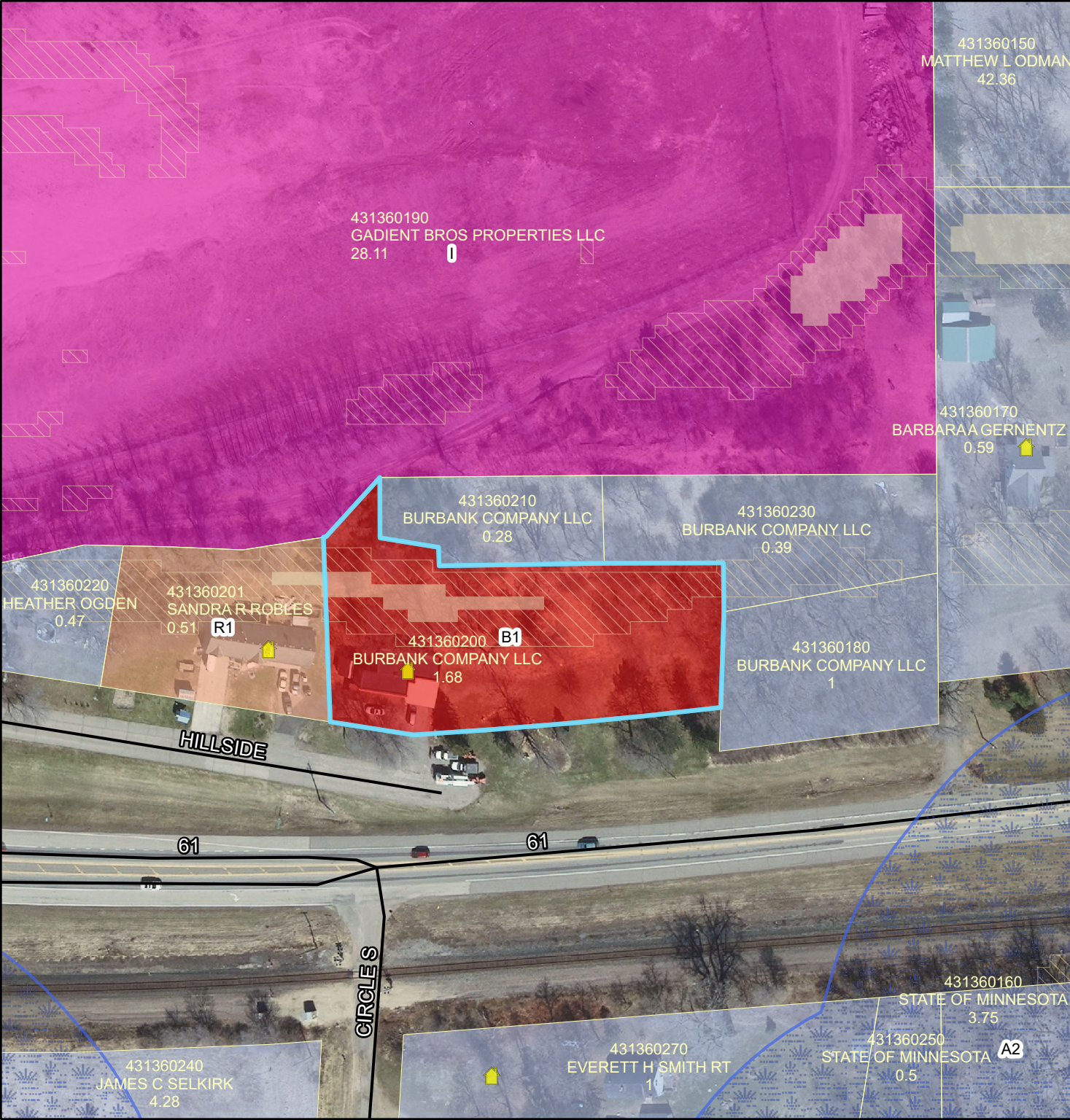
DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2022.

2020 Aerial Imagery
Map Created April, 2022 by Samantha Pierret



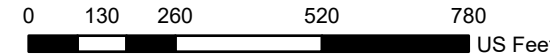
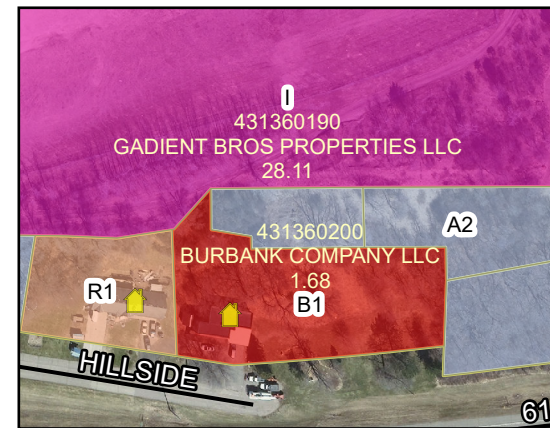
SITE PLAN

State the use of the property. Show the size, shape and location of structures with distance to property lines and location of ALL wells and septic systems.



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 2022.

2020 Aerial Imagery
Map Created April, 2022 by Samantha Pierret



GOODHUE COUNTY ZONING ORDINANCE
Business and Industrial Districts Table of Uses

Use	B-1	B-2	I
Retail			
Smaller retail stores, under 40,000 square feet in floor area:			
Grocery store, meat market, supermarket, fruit market or bakery	P	NP P	NP
Drug store, apparel shop or store, hardware store, bookstore, stationary store, or flower shop	P	NP P	NP
Automotive service station	P	P	NP
Larger retail stores 40,000 square feet or greater, engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of such merchandise	C/I	NP C/I	NP
Automobile sales, car wash, trailer sales or service, auto repair garage, or automobile rental	NP	P	NP
Motor fuel station	NP	<u>PC/I</u>	NP
Agricultural equipment sales or service	NP	P	NP
Truck sales or service, truck wash or truck repair garage	NP	P	NP
Building supply sales	NP	P	NP
Boat sales or repair	NP	P	NP
Landscape nursery or commercial greenhouse	NP	P	NP
Shopping center	NP	<u>PC/I</u>	NP
Services			
Personal services generally involving the care of the person or his personal effects			
Cleaning or laundry establishment, self-service laundry (pressing, cleaning or garment repair)	P	NP P	NP
Dressmaking, millinery, tailor shop or shoe repair shop	P	NP	NP
Beauty shop or barber shop	P	<u>NP P</u>	NP
Photographic studio	P	NP	NP
Bank or savings and loan institution	P	<u>NP P</u>	NP
Insurance or real estate agent or broker	P	NP	NP

Professional offices: physician, dentist, chiropractor, engineer, architect, lawyer or recognized profession	P	NP P	NP
Convenience service stores that sell petroleum products, groceries, deli foods or movie rentals	C/I	NP	NP
Drive-in establishment including banks and restaurant	NP	P	NP
Eating or drinking establishment	NP	P	NP
Motel	NP	PC/I	NP
Bed & Breakfast Inn	NP	C/I	NP

Entertainment/Recreational Establishments

Theater, dance hall, bowling alley, pool or billiard hall	C/I	P	NP
Public swimming pool, roller or ice rink	NP	P	NP

KEY: P = PERMITTED NP = NOT PERMITTED C = CONDITIONAL USE PERMIT I = INTERIM USE PERMIT

GOODHUE COUNTY ZONING ORDINANCE

Table of Uses

Use	B-1	B-2	I
Industrial			
Assembly of previously prepared materials which have been manufactured elsewhere	NP	P	P
Building materials storage yards	NP	NP	P
Contractor's establishment, storage yard or equipment rental	NP	NP	P
Grain elevator including storage and processing	NP	NP	P
Wholesale establishment: warehousing, storage buildings, commercial laundries or dry cleaning plants	NP	NP	P
Manufacture, compounding, processing, packaging, assembly or treatment of products and materials bakery goods, candy, cosmetics, dairy products, food products, drugs, perfumes, pharmaceutical, soap (cold mix only) or toiletries	NP	NP	P
Manufacturing process or treatment of products using light machinery; such as tool and die shops or metal fabricating plants	NP	NP	P
Manufacturing of cement, lime, gypsum or plaster	NP	NP	C/I
Distillation of bone, coal, tar petroleum, refuse, grain or wood	NP	NP	C/I
Explosives manufacture or storage	NP	NP	C/I

Fertilizer manufacture, compost or storage	NP	NP	C/I
Garbage, offal, dead animals, refuse, rancid fats, incineration, glue manufacturing, size or gelatin manufacturing whenever the processes include the refining or recovery of products from animal refuse or offal	NP	NP	C/I
Junkyard	NP	NP	C/I
Livestock feeding yards, slaughtering of animals or stock yards	NP	NP	C/I
Petroleum or asphalt refining or manufacturing	NP	NP	C/I
Smelting or refining of metals from ores	NP	NP	C/I
Steam board hammers or forging presses	NP	NP	C/I
Storing, curing, or tanning of raw, green or salted hides or skins	NP	NP	C/I
Any lawful use of land or building not elsewhere provided for and which by its nature does not constitute either a public or private nuisance			
Institutional			
Church	C/I	C/I	C/I
Miscellaneous			
WECS (Non-Commercial Micro) (Art. 18)	P	P	P
WECS (Non-Commercial) (Art. 18)	C/I	C/I	P
WECS (Commercial) (Art. 18)	NP	NP	C/I
WECS (Meteorological Tower) (Art. 18)	NP	NP	P
SES (Utility Scale) (Art. 19)	C/I	C/I	C/I
SES (Commercial Scale) (Art. 19)	P	P	P
SES (Residential Scale) (Art. 19)	P	P	P
Commercial Radio Towers/TV Towers/Transmitters	C/I	C/I	C/I
KEY: P = PERMITTED NP = NOT PERMITTED C = CONDITIONAL USE PERMIT I = INTERIM USE PERMIT			

Goodhue County Land Use Management

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

Lisa M. Hanni, L.S. Director

County Surveyor / Recorder

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.267.4875



Environmental Health | Land Surveying | GIS
Telephone: 651.385.3223
Fax: 651.267.4875

TO: Planning Advisory Commission
FROM: LUM Staff
RE: Business/Industrial Districts Ordinance Amendments
DATE: April 8, 2022

Mini-Storage/Self-Serve Storage:

Staff has been contacted several times in 2022 by property owners who wish to establish self-service mini-storage facilities on their properties. These are not listed as a permitted or conditional/interim use in any zoning district therefore they are prohibited in all districts. Staff has researched other Counties' Ordinances regarding mini-storage facilities specifically which districts they are allowed in, definitions, whether they are permitted or conditional uses, and any performance standards associated with the use.

Most Counties in Minnesota that allow self-service mini storage facilities only allow them in Business and Industrial Districts. Staff would recommend a similar restriction in Goodhue County. Business and Industrial zoned properties are intended to be concentrated along major roads and highways.

Mini-storage facilities were allowed as permitted uses in Business and/or Industrial Districts in a majority of the Counties that listed mini-storage or a similar use in their Ordinances. Staff would recommend mini-storage facilities be either a permitted or conditional use in Business and Industrial Districts in Goodhue County.

Staff has prepared the following definition:

Mini-Storage Facilities: Structure or group of structures containing individual, separate, self-contained storage spaces of varying sizes leased or rented for storage of customer's items only.

Below are various performance standards for mini-storage facilities prepared by staff for PAC member consideration.

- 1. Storage units may only be used for storage. Storage units may not be used for retail sales (including garage sales), industrial uses, vehicle repair, offices, human habitation, or storing any living animal or organism.**
- 2. Storage of hazardous, flammable, or explosive materials is prohibited.**
- 3. All materials and equipment shall be stored in an enclosed building, no exterior storage is allowed.**
- 4. Water service to storage units is prohibited except for a fire suppression system.**
- 5. The site shall not be located within any wetland, floodplain or bluffslands.**

6. All lighting shall be downward projecting or shielded to prevent light from being directed off the premises.

Requested Action: Staff is looking for direction from the Planning Commission whether a formal Ordinance Amendment to allow mini-storage facilities in Goodhue County should be prepared for a future meeting. Discussion regarding allowing the use, proposed performance standards, and definition(s) is encouraged. The PAC could also elect to establish an Ordinance subcommittee to discuss the proposal before it is formally considered by the PAC.