



# 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. June 20, 2022 PAC Meeting Minutes

Documents:

[MINUTES\\_DRAFT\\_JUNE\\_MEETING\\_2022.PDF](#)

Conflict/Disclosure Of Interests

Public Hearings:

1. PUBLIC HEARING: Request For CUP For A Retreat Center  
Request, submitted by Trisha Studer (Applicant) on behalf of Catching Fireflies Inc. (Owner), to establish a retreat center in an existing structure. Parcel 39.034.1001. 51506 210th AVE Pine Island, MN 55963. Part of the NW ¼ of the SW ¼ of Section 34 TWP 109 Range 15 in Pine Island Township. A-2 Zoned District.

Documents:

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

2. PUBLIC HEARING: Request For IUP For A Utility-Scale Solar Energy System (SES)  
Request, submitted by Brian Keenan (IPS Solar, Applicant) and Mark Dykes (owner) for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System occupying approximately 11-acres. Parcel 39.012.0600. TBD 240th Avenue Mazeppa, MN 55956. Part of the SE ¼ of the NE ¼ of Section 12 TWP 109 Range 15 in Pine Island Township. A-2 Zoned District.

Documents:

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

3. PUBLIC HEARING: Request For CUP To Establish A Liquid Manure Storage Basin Exceeding 500,000 Gallons  
Request, submitted by Ann Buck (Owner) to construct a concrete liquid manure

storage basin capable of holding up to 963,262 gallons at a 280 animal unit dairy heifer facility with confinement barns and open lots that are without runoff controls. Parcel 25.024.0401. 37609 180th AVE Goodhue, MN 55027. Part of the SE ¼ of Section 24 TWP 111 Range 16 in Belle Creek Township. A-1 Zoned District.

Documents:

[PACPACKET\\_BUCK.PDF](#)

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

Documents:

[PACPACKETB1\\_B2\\_WACOUTA.PDF](#)

5. PUBLIC HEARING: Request For Map Amendment (Rezone)  
Administrative request to rezone 1.68 acres from B-1 (General Business District) to R-1 (Suburban Residence District). Parcel 43.136.0200. 29665 Hillside Drive Red Wing, MN 55066. Part of the SW ¼ of the SE ¼ of Section 36 TWP 113 Range 14 in Wacouta Township.

Documents:

[PACPACKETB1\\_R1\\_WACOUTA.PDF](#)

6. PUBLIC HEARING: Consider Goodhue County Zoning Ordinance Updates  
Proposed amendments to Articles 27 (B-2, Highway Business District), 28 (I, Industrial District), and 20 (Table of Uses) to create a Table of Uses for Business and Industrial District uses and remove Article 25 the B-1 (General Business District) to consolidate commercial uses into a single B (Business District). Proposal to amend Article 11 (Performance Standards) and Article 10 (Definitions) to include Self-Service Storage Facilities.

Documents:

[PACPACKET\\_ORDINANCEREVISIONS.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 ADVISORY COMMISSION  
GOODHUE COUNTY, MN  
June 20, 2022 MEETING MINUTES  
DRAFT**

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The meeting of the Goodhue County Planning Advisory Commission was called to order at 6:00 PM by Chair Carli Stark at the Goodhue County Government Center in Red Wing.

### **Roll Call**

Commissioners Present: Carli Stark, Marc Huneke (arrived at 6:12pm), Richard Nystuen, Tom Gale, Richard Miller, Chris Buck, and Todd Greseth (departed at 6:25pm).

Commissioners Absent: Darwin Fox, Howard Stenerson.

Staff Present: Land Use Director Lisa Hanni, Zoning Administrator Samantha Pierret, Zoning Assistant Alexandra Koberoski, and Zoning Administrative Assistant Patty Field.

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

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

**Motion carried 6:0**

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

<sup>2</sup>Motion by Commissioner Gale; seconded by Commissioner Greseth 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)**

Request, submitted by Jason Paciorek (owner) to rezone 16,134 square feet from R-1 (Suburban Residence District) to A-2 (General Agriculture District). Parcel 37.110.0060. 34050 Serendipity Road Cannon Falls, MN 55009. Part of Lot 06 Block 01 of the Serendipity Addition in Leon Township.

*Pierret presented the staff report and attachments.*

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### 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 Miller and seconded by Commissioner Greseth to close the Public Hearing.**

### Motion carried 6:0

**It was moved by Commissioner Greseth and seconded by Commissioner Buck for the Planning Advisory Commission to:**

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

Recommend that the County Board of Commissioners **APPROVE** the map amendment request from Jason Paciorek to rezone 16,134 square feet of parcel 37.110.0060 from R-1 (Suburban Residence District) to A-2 (General Agriculture District).

### Motion carried 6:0

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

Request for map amendment submitted by Phillip Hoey (Owner) to rezone 27.27-acres from A2 (General Agriculture District) to R1 (Suburban Residence District). Parcel 37.006.0701. HWY 52 BLVD, Cannon Falls, MN 55009. Part of the W 1/2 of the NE 1/4 of Section 06 TWP 111 Range 17 in Leon Township.

*Pierret presented the staff report and attachments.*

*Phillip Hoey (Applicant) stated the only way for tractors to get to the site is via Highway 52. He has tried to work with the DOT to obtain access for tractors across Highway 52. The DOT's goal is to have zero tractors on Highway 52. He has worked with the Township and they support the rezoning. Commissioner Gale asked if MnDOT will approve a residential access?*

*Mr. Hoey stated he already has an easement for access from Highway 52. He stated MnDOT cannot prevent him from using the access but they can support or not support the rezone. In talking with the DOT staff they did not have any concerns with it being rezoned to residential.*

*Commissioner Gale stated his concern that if Mr. Hoey goes through the whole rezoning process and the DOT decides not to give him access.*

*Mr. Hoey stated that he spoke to Tracy Schnell at MnDOT and granting access should not be an issue. It would be tough to deny access when they are already denying him tractor access. The DOT staff had no concerns with the rezone.*

*Pierret stated that she agrees with Mr. Hoey's comments. She also spoke to Ms. Schnell at MnDOT and there are no issues with Mr. Hoey using the access. It is just a matter of*

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submitting the proper permit and engineering information to make sure the right of way is not negatively impacted by the driveway.

Mr. Hoey agreed, stating that widening the driveway and making sure the houses are not too close to the right of way are MnDOT's biggest concerns. Hanni asked Mr. Hoey if he has access through the Knoth property.

Mr. Hoey stated that is correct.

Hanni asked if the easement was specifically for agriculture use.

Mr. Hoey stated it is not. He also noted, that as part of the sale, the easement will be modified to split off from the driveway closer to the right of way, instead of having an easement all the way up the Knoth driveway.

Hanni asked how Mr. Hoey would access land over steep slopes.

Mr. Hoey stated that there would have to be a new approach put in place, with the appropriate grade. His understanding is that the grade requirement is 14% so it would need to be designed appropriately.

Commissioner Nystuen asked why the 1.35 acre piece of land is not going to be rezoned with the other 27 acres?

Mr. Hoey said his neighbor wants the 1.35 acre parcel. The neighbor has horses and wants to expand the pastureland. In order to do this, the acreage cannot be rezoned to residential and transferred to his neighbor since his neighbor's property is currently zoned agricultural.

### **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 Miller and seconded by Commissioner Huneke to close the Public Hearing.**

**Motion carried 7:0**

Commissioner Miller stated that he thinks this might be happening more as we close off more access to Highway 52.

**It was moved by Commissioner Gale and seconded by Commissioner Huneke for the Planning Advisory Commission to:**

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

recommend that the County Board of Commissioners **APPROVE** the map amendment request from Phillip Hoey (Property Owner) to rezone 27.27-acres of parcel 37.006.0701 from A2

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(General Agriculture District) to R1 (Suburban Residence District). Subject to the following condition:

1. This rezoning shall not be recorded until the 1.35-acre as depicted in the attached survey as Parcel B is officially split from parcel 37.006.0701 and combined with parcel 37.006.0700.

**Motion carried 7:0**

**Other Discussion**

*Proposed Ordinance Amendments were shared with the group by Pierret. The Ordinance Subcommittee has met two times to discuss some amendments to the Business and Industrial District Ordinances. They are recommending the elimination of the B1 District, changing this to be included in a General Commercial District. There are only two properties in Goodhue County that are zoned B1.*

*The Ordinance Subcommittee has reviewed proposed definitions and performance standards to allow self-service storage facilities as a conditional use in Business and Industrial Districts. This use has been brought up by several property owners in the past. This will include 10 performance standards that have to be met to apply for a conditional use permit.*

*Pierret stated that the information is being provided for input, thoughts, etc. We will be moving forward with bringing this as a formal ordinance amendment at the July meeting.*

*Commissioner Nystuen asked for clarification on Section 4, Subd. 1., which states rental areas, or permitted exterior storage shall be conducted entirely within a building.*

*Pierret stated that this is meant as an exception for motor fuel stations, open automobile sales, display areas, etc. to be conducted outdoors.*

*Commissioner Miller thought that maybe we should re-write that sentence. Pierret agreed that staff would reword that sentence so it is clearer.*

*Pierret stated that the committee brought up, under the Business District, Section 5, Subd. 1., Accessory Uses, the wording regarding detrimental activities. They were considering whether the language should even be included as there are no specific measurements for the "detrimental activities", so it is hard for staff to enforce those types of uses.*

**7ADJOURN: Motion by Commissioner Nystuen and seconded by Commissioner Miller to adjourn the Planning Commission Meeting at 6:28 p.m.**

**Motion carried 6:0**

Respectfully Submitted,

Patty Field, Zoning Administrative Assistant

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MOTIONS

<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 6:0

<sup>4</sup> Recommend the County Board of Commissioners APPROVE the map amendment request from Jason Paciorek.

Motion carried 6:0

<sup>5</sup>Motion to close the Public Hearing

Motion carried 7:0

<sup>6</sup>Recommend the County Board of Commissioners APPROVE map amendment request from Phillip Hoey.

Motion carried 7:0

<sup>7</sup>ADJOURN. Motion to adjourn the meeting

Motion carried 6:0

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  
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*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:** July 18, 2022  
**Report date:** July 8, 2022

## **PUBLIC HEARING: Request for CUP for a Retreat Center**

Request, submitted by Trisha Studer (Applicant) on behalf of Catching Fireflies Inc. (Owner), to establish a retreat center in an existing structure.

### **Application Information:**

Applicant(s): Trisha Studer (Applicant) on behalf of Catching Fireflies Inc. (Owner)

Address of zoning request: 51506 210<sup>th</sup> AVE Pine Island, MN 55963

Parcel(s): 39.034.1001

Abbreviated Legal Description: Part of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 34 TWP 109 Range 15 in Pine Island Township

Township Information: Pine Island Township signed acknowledgment of the request with no additional comments on May 24, 2022

Zoning District: A2 (General Agriculture District)

### **Attachments and links:**

Application and submitted Project Summary

Site Map(s)

Article 11 Section 25 Retreat Centers

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

### **Background:**

The Applicant currently owns and operates Firefly Farm, a craft supplies retail store, at 51525 210<sup>th</sup> Avenue Pine Island (parcel 39.033.0800) which was permitted via CUP in 2016. The Applicant was approved to construct a retreat center on the property however, this was never completed. In 2021 the Applicant purchased the property at 51506 210<sup>th</sup> AVE Pine Island with the intent of opening a retreat center in the existing dwelling. This proposal was put on hold due to zoning regulations at the time, the property was zoned A-1 Agriculture Protection District where Retreat Centers are not a permitted use.

In March 2022 the County Board approved rezoning Section 34 of Pine Island Township from A-1 to A-2 (General Agriculture District). The A-2 District allows Retreat Centers as a conditional use.

### **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 subject parcel comprises 9.95 acres. Apart from the existing dwelling, the property consists mostly of woodlands and natural areas.
- The property is zoned A2 (General Agriculture District) and is bordered by A2 zoned districts to the north, east, and south and A3 (Urban Fringe District) to the west. Adjacent land uses include row crop agriculture and low-density residential.
- The property is located within the A2 Zoning District where a maximum of 12 dwellings are permitted, one per original ¼ ¼ section. Section 34 currently has 6 dwellings.
- Access to the site is located off of 210<sup>th</sup> AVE (gravel surface) on the west side of the property. 210<sup>th</sup> AVE connects to White Pines Road (blacktop surface) approximately 0.15-miles south of the property. White Pines Road accesses Highway 52 and County 11 BLVD approximately 1.15-miles to the west in the City of Pine Island.
- The dwelling is screened from the road by wooded areas and is setback over 400 feet from the roadway.

### **Retreat Center Operations:**

- The Applicant is proposing to utilize the existing 6,000-square-foot dwelling to host 9 crafting retreats per year associated with the Firefly Farms crafting business. These retreats would be staffed by the Applicant who is on-site during the retreat. Additional retreats may be booked that are not staffed by the Applicant and are not associated with Firefly Farms.
- The Applicant has indicated most activities would be held within the existing dwelling and in the vicinity of the dwelling to minimize off-site noise impacts.
- The Applicant has proposed a phased development process for the retreat center including renovating the existing dwelling, finishing the basement area, and finishing a space above the garage.

Phase 1: Creation of a rental space above the garage which will have a bedroom, kitchen, bathroom, and crafting space. This space will sleep up to 5 guests. The unit will be accessible via stairs or an elevator that has been installed.

Remodel the existing main and second level of the dwelling to accommodate 4 bedrooms, 4.5 bathrooms, 2 crafting spaces, and a kitchen. This space will sleep up to 16 guests. This space is accessible via the current front door of the dwelling.

Phase 2: Finish the lower level of the dwelling to have 3 bedrooms, 3 bathrooms, a kitchen, and a crafting space. This space will utilize an existing door on the south side of the dwelling for direct access to the lower level.

- The three retreat areas could be booked separately or parties could book two or three areas for larger groups.
- Retreat bookings would be offered year-round 7-days a week however it is anticipated most retreats will take place between Thursdays and Sundays.
- The Applicant anticipates the need for two house cleaners to maintain the facility.
- The Applicant currently resides in the dwelling. Upon completion of Phase 1, they would move to a finished space in the lower level of the home during construction of Phase 2. Upon completion of Phase 2, the Applicant would move off-site.
- The structure will need to be reviewed by the Goodhue County Building Permits Department to ensure compliance with the Minnesota State Building Code for a change of use.
- The Applicant has indicated upon completion of Phases 1 and 2 there will be sleeping space for up to 32 guests. The Applicant has requested CUP approval for up to 50 guests (maximum number allowed by the GCZO) to avoid the need for a CUP amendment if additional guests can be accommodated.
- The Applicant intends to install a sign at the driveway entrance to the property. Per GCZO Article

11 Section 17, the use is limited to 32 square feet of signage for each of two allowed sign faces. No signage should be placed within the public right-of-way without permission from the road authority (Pine Island Township).

- The Applicant will be required to obtain all appropriate permits from the Minnesota Department of Health.
- The existing dwelling has exterior lighting and additional yard-type lighting will be added for parking areas and walkways as needed.

**Accessibility/Parking:**

- The existing road system appears adequate to accommodate traffic for the proposed use. Adequate emergency service vehicle access appears available to support the site.
- Pursuant to GCZO Article 11, Section 16, the Zoning Administrator has determined minimum off-street parking provisions shall be one parking space per guest room. A minimum of 8 off-street parking spaces are required for this facility with the proposed 8 sleeping rooms.
- The Applicant has designated the attached 4-stall garage as parking for the rental space above the garage. A space north of the existing dwelling on the existing driveway has been designated as the parking area for the rental space on the main and second levels of the dwelling. A parking area is proposed to be established south of the dwelling near the entrance to the lower-level rental space. Ample room exists on the property to accommodate parking needs.
- GCZO Article 11 section 30 stipulates parking areas shall be setback 40 feet from property lines. The Applicant's proposed parking areas satisfy all setback and screening requirements.

**Utilities:**

- The existing dwelling is served by an individual Subsurface Sewage Treatment Systems (SSTS). The septic system received a certificate of compliance upon the sale of the property in 2021, however, the system will need to be evaluated by a septic professional prior to establishing the use to determine if upgrades are needed to address the change of use. The Applicant should work with Goodhue County Environmental Health to provide appropriate documentation of septic evaluation for each phase of construction.
- Any future changes in the number of guests able to stay on-site should include a septic system review by a septic professional. The Applicant should work with Goodhue County Environmental Health to obtain appropriate permits to upgrade the system if needed.
- Solid waste disposal services will be provided locally. Any hazardous materials or fluids generated shall be properly disposed of.

**DRAFT Findings of Fact:**

1. The proposed Retreat Center 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 site is isolated from neighboring dwellings by distance and vegetative cover and most activities will take place indoors to prevent off-site impacts.
2. The Retreat Center 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 operations will be confined within the existing structure. The use, as proposed, appears compatible with existing 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 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 Retreat Center will be conducted primarily within the existing structure to prevent and control offensive odor, fumes, noise, and vibration so that none of these will constitute a nuisance. The applicant's lighting plans appear capable of controlling lights in such a manner

that no disturbance to neighboring properties will result.

**Staff Recommendation:**

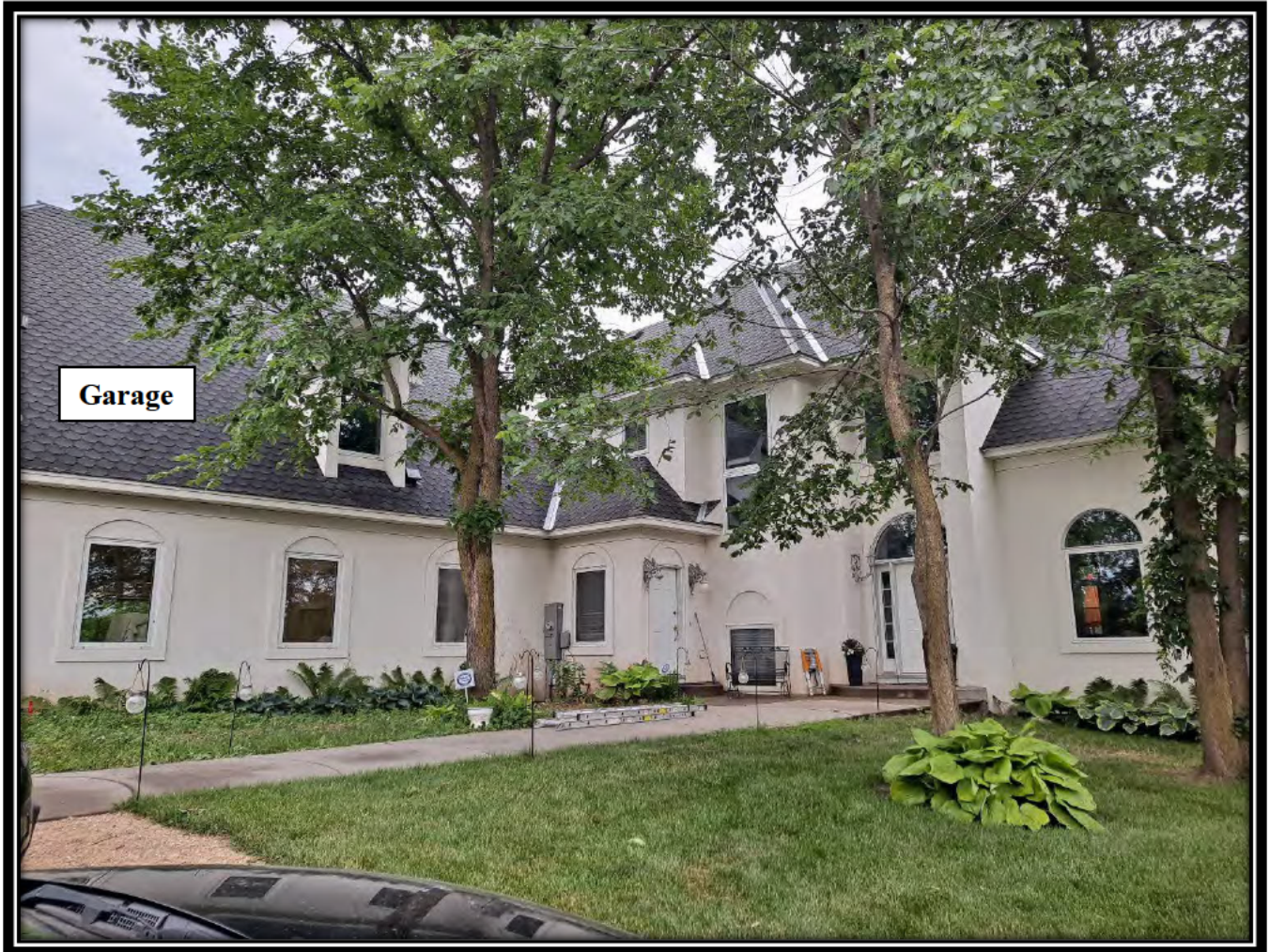
LUM staff recommends the Planning Advisory Commission

- 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

and recommend the County Board of Commissioners **APPROVE** the request from Trisha Studer (Applicant) on behalf of Catching Fireflies Inc. (Owner) to establish a Retreat Center within an existing structure.

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. Retreat Center occupancy shall not exceed 50 guests;
3. On-street parking/loading shall be prohibited;
4. All exterior signage located on the property must follow Goodhue County Zoning Ordinance Article 11 section 17 (Sign Regulations). The applicant shall consult the appropriate road authority prior to placing signs within road Right-of-Way;
5. Applicant shall obtain Building Permit approvals for a change of use to the existing structure from the Goodhue County Building Permits Department prior to establishing the use;
6. Applicant shall work with Goodhue County Environmental Health to provide documentation on septic system compliance and obtain appropriate permits for future septic construction or capacity increases;
7. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
8. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, section 25 Retreat Centers and Article 22 A2, General Agriculture District.



Front walk to main level entrance.

RECEIVED

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 39-034.1001 Land Use Management

Permit# E 220042

Land Use Mana

JUN 24 2022

RECEIVED

PROPERTY OWNER INFORMATION

Last Name Studer First Trisha  
Street Address 51506 210th Avenue

City Pine Island State MN Zip 55963 Attach Legal Description as Exhibit "A"

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

Mailing Address of Landowner: 51506 210TH Avenue, Pine Island, MN 55963

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

PROJECT INFORMATION

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

Lot Size 9 acres Structure Dimensions (if applicable) \_\_\_\_\_

What is the conditional/interim use permit request for? Retreat Center

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: [Signature] Date 5-24-22

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 [Signature] Title Chairman Date 5-24-22

Comments: TOWNSHIP Fee 950 Receipt 766080

COUNTY SECTION COUNTY FEE \$350 RECEIPT # 17646 DATE PAID 6-27-2022

Applicant requests a CUP/IUP pursuant to Article \_\_\_\_\_ Section \_\_\_\_\_ Subdivision \_\_\_\_\_ of the Goodhue County Zoning Ordinance

What is the formal wording of the request? \_\_\_\_\_

Shoreland \_\_\_\_\_ Lake/Stream Name \_\_\_\_\_ Zoning District \_\_\_\_\_

Date Received \_\_\_\_\_ Date of Public Hearing \_\_\_\_\_ DNR Notice \_\_\_\_\_ City Notice \_\_\_\_\_

Action Taken:  Approve  Deny Conditions: \_\_\_\_\_

Goodhue County CUP Application  
Trisha Studer  
51506 210th Avenue  
Pine Island, MN 55963

1. I would like a CUP to operate a retreat center out of the existing structure at 51506 210th Avenue. I purchased the 6,000 square foot property in March of 2021 with the intension of offering it as a retreat center to my customers. I have owned and operated Firefly Farm, a retail store (paper crafts, DIY projects, seasonal decor, and gifts) at the property I own right next to 51506 (at 51525 210th Avenue). I opened this store in June 2017 and have a substantial customer base. I also have hosted retreats (off-site) for 10 years and have a large following of retreat guests. My retreats are for crafters that bring their projects to work on while spending time with their friends. If granted the CUP, we will finish the proposed phases of 51506 as soon as we can.
  - Phase 1: Retreat Center will have 2 rental spaces.
    - Space 1: Above the garage (in what most people consider a "bonus room") will sleep 5 guests and contains a small kitchen, bathroom, bedroom, and crafting space. This space has private parking inside the 4 stall garage, and a private entrance that is accessed thru the garage.
    - Space 2: The main level and 2nd level of the home which contains 4 bedrooms, 4.5 bathrooms, 2 large crafting areas, a large kitchen, and patio. This space can sleep up to 16 guests and has a parking lot in the front of the house. Guests will access this rental through the front and side doors.
  - Phase 2: Finish the lower level which was unfinished when I purchased it. Upon completion it will have 3 bedrooms, 3 bathrooms, a kitchen, and large crafting area. It will sleep up to 11 guests that will access the space from their own (existing) door located at the back entrance of the house.

I plan on hosting 9 retreats per year (like I did before 2020) and will use the entire space for my guests. When I am not hosting my retreats, guests will have the option of renting a space (or 2 or 3 spaces) for their own retreat. The difference is that they take care of their meals and I am not onsite with them unless they have a question.

Of note, I applied for a CUP to operate a retreat center on the 51525 property in 2019, but long story short, the 51506 property went on the market and it made more sense to use this existing home for my retreat center. The 51506 property was zoned A1 (which does not allow for a CUP to operate a retreat center, but has recently been rezoned to A2 which does allow retreat centers to operate via an approved CUP.

2. We will be using the existing home and do not plan on adding any additional structures on the property. My husband and I currently live at the property and after Phase 1 is completed, we will move to a finished space in the lower level. After Phase 2 is completed, we will move out of the property.
3. I will likely employ 2 house cleaners to keep up with the weekly cleaning needed.
4. My hosted retreats will likely be offered 9 times per year and are Thursday thru Sunday. Guests can rent the space anytime they would like, but the majority of the rentals will also take place Thursday thru Sunday. I anticipate some weekdays being rented as well. Guests use the space for crafting, cooking, socializing, and sleeping.
5. Phase 1 has a maximum of 21 guests. Phase 2 will increase this to 32 guests.
- 6 and 7. For the most part (from my experience of hosting over 70 retreats in the last 10 years), guests arrive and don't leave until they check out. I do anticipate that the guests renting the space for their own retreats will leave to go out to eat a few times. We have assigned parking for all 3 spaces. Phase 1 parking is already in place with use of the 4 car garage and parking onsite (over gravel) to comfortably fit 20 more vehicles. Phase 2 will add parking in the lower level walkout area of the property as well as the extra space that is not needed for Phase 1 around the garage area. I have

worked with my general contractor closely to make unloading and loading easy, as well as the flow of traffic as guests arrive and depart.

8. We have created a space in the garage that will easily house recycling and garbage containers. This space is accessible to all guests. We will have a dumpster on site that will have a fence around it for aesthetic purposes.

9. The current septic system and well are sufficient for phase 1. Phase 2 will require the septic tank to be enlarged and we have already discussed this with a septic company. We have also made sure we have enough electrical capacity as well as a water heater that can provide for a group size of over 32 guests.

10. The home already has exterior lighting around the perimeter and we will likely add 2 additional lights in the parking areas.

11. We plan on having a sign (no larger than what is allowed) at the driveway entrance.

12. There are no storage areas needed outside of the home.

13. We are making sure that all exterior walkways are flat, lit, and safe. The home will be compliant on all smoke and CO alarms, as well as fitted with fire extinguishers and anything else required by law.

14. Emergency vehicles can access the property via the driveway.

15. In my experience of hosting over 70 retreats as well as attending dozens as a guest, crafting guests are a quiet group that's main purpose is to catch up on crafting and chatting. I do not anticipate loud noises or any disruptions of the property outside of the center. I anticipate that the guests will walk on the grounds for exercise and fresh air as well as to go to my store across the gravel road.

16. We are updating the existing landscaping and reseeding part of the existing yard, but do not plan on changing the current property exterior.

17. We are making sure that all drainage runs away from the property and are adding rain gutters.

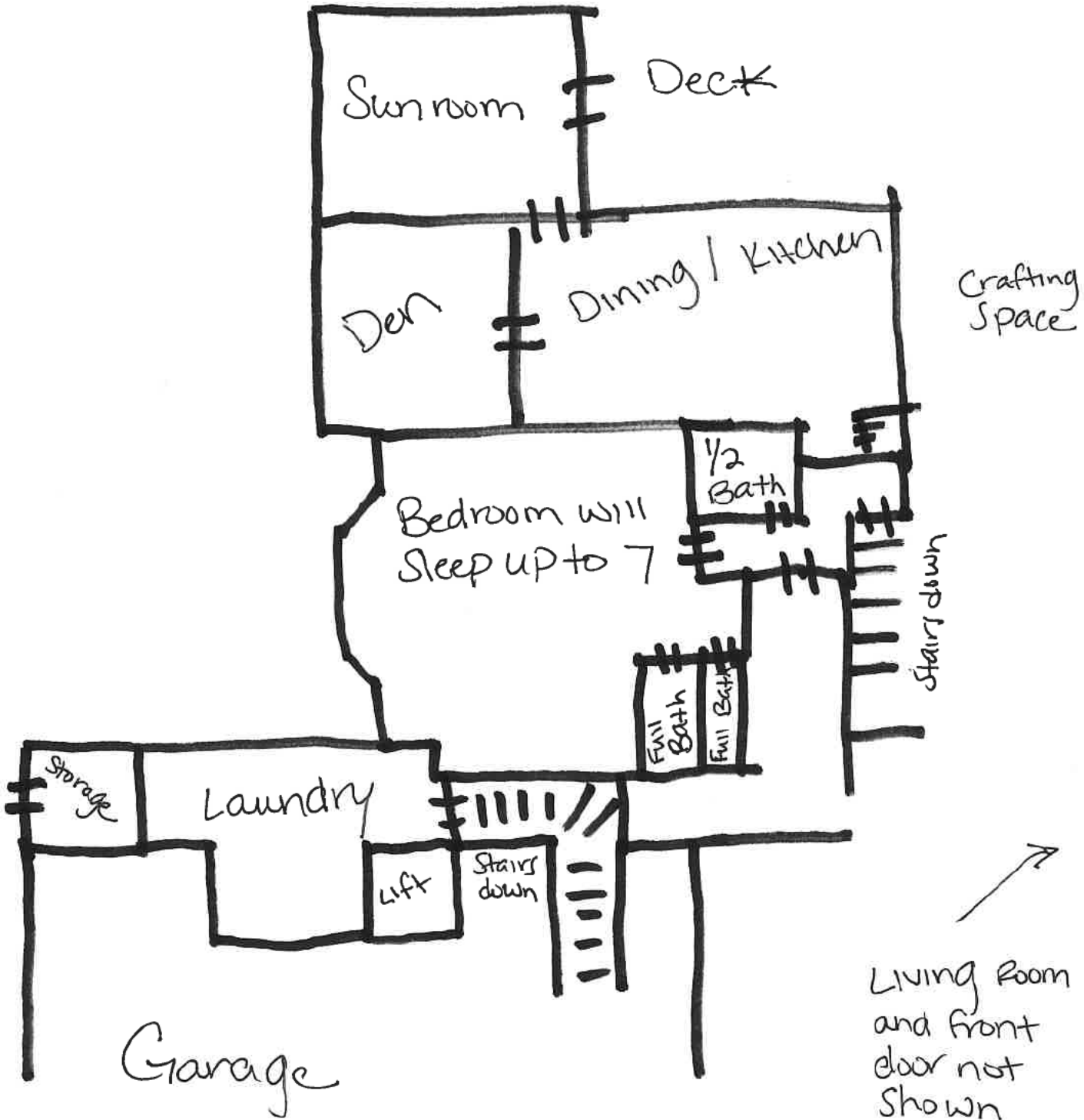
18. When I am hosting retreats, I cater meals. When retreat guests are renting the space for their own purposes, they will use their kitchen to prepare meals for their group.

19. My husband and I moved into the property in June of 2021 and started work (via our general contractor) to finish more of the square footage. The 6,000 plus square feet were roughly half finished. We are hoping to have approval of a CUP to run the retreat center, but have been cognitive of the fact with our current updates that it is not a guarantee to be approved. We would have to operate the home as an AIRBNB, or another back up plan as it is too expensive of a property for us to use it solely as our residence. We have run into obstacles along the way as I wrongly assumed the property was zoned A2 like our neighboring property at 51525.. We do have the full support of the Pine Island Township to operate a retreat center and I also know running the retreat center would bring in a significant amount of income to the community. Many guests would be supporting the grocery store, gas stations, and restaurants in Pine Island, as well as Firefly Farm, during their stay.

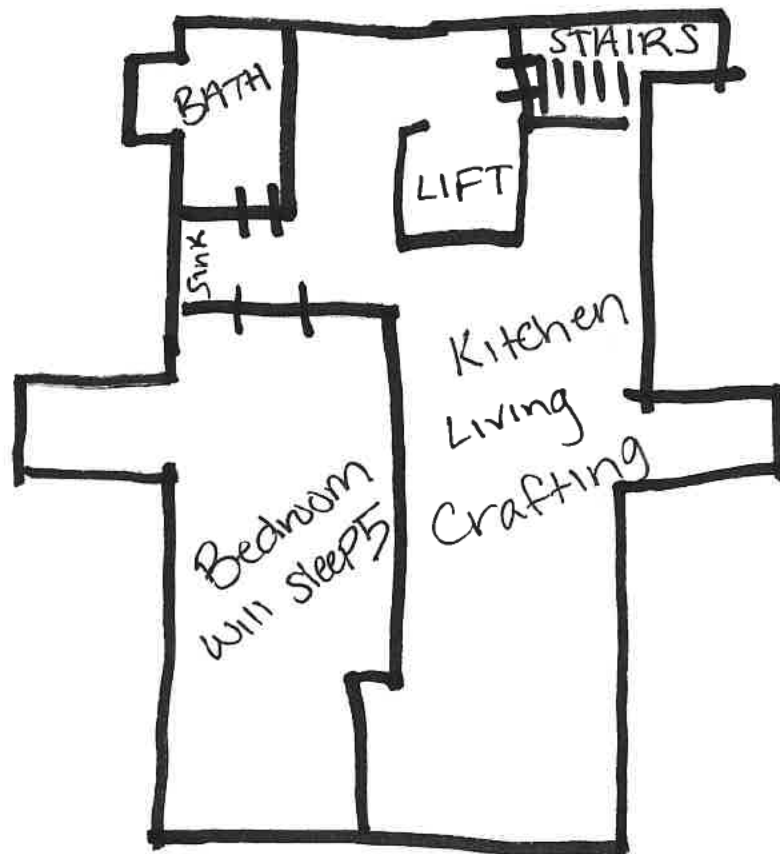
Thank you for your time and consideration, Trisha Studer



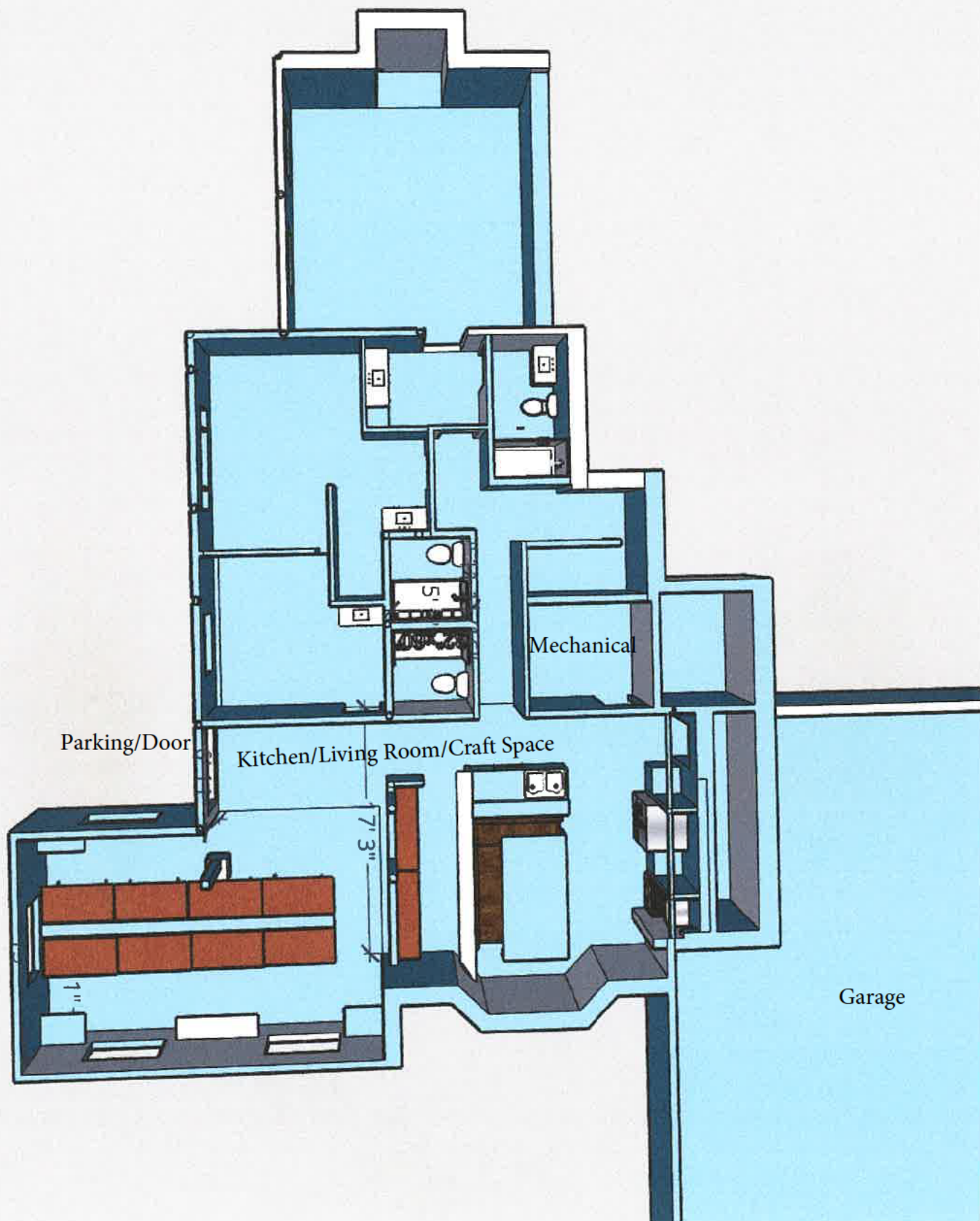
# Main Level Renovations



# Space Above Garage



Basement Level



210TH

390340400  
DAVID A ARNDT ET AL  
149.2

390341001  
CATCHING FIREFLIES INC  
9.95

390340800  
SHEILA M O'BRIEN RL  
61.85

390341000  
REED S CLEMENTSON  
28.05

**BOARD OF ADJUSTMENT**

Public Hearing  
July 18, 2022

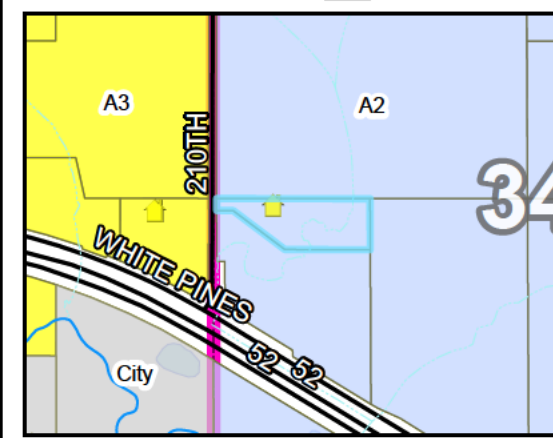
Trisha Studer (Applicant) on behalf of  
Catching Fireflies Inc (Owner)  
A2 Zoned District

Part of the NW 1/4 of the SW 1/4 of  
Section 34 TWP 109 Range 15 in  
Pine Island Township

Request to establish a retreat center in  
an existing structure

**Legend**

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

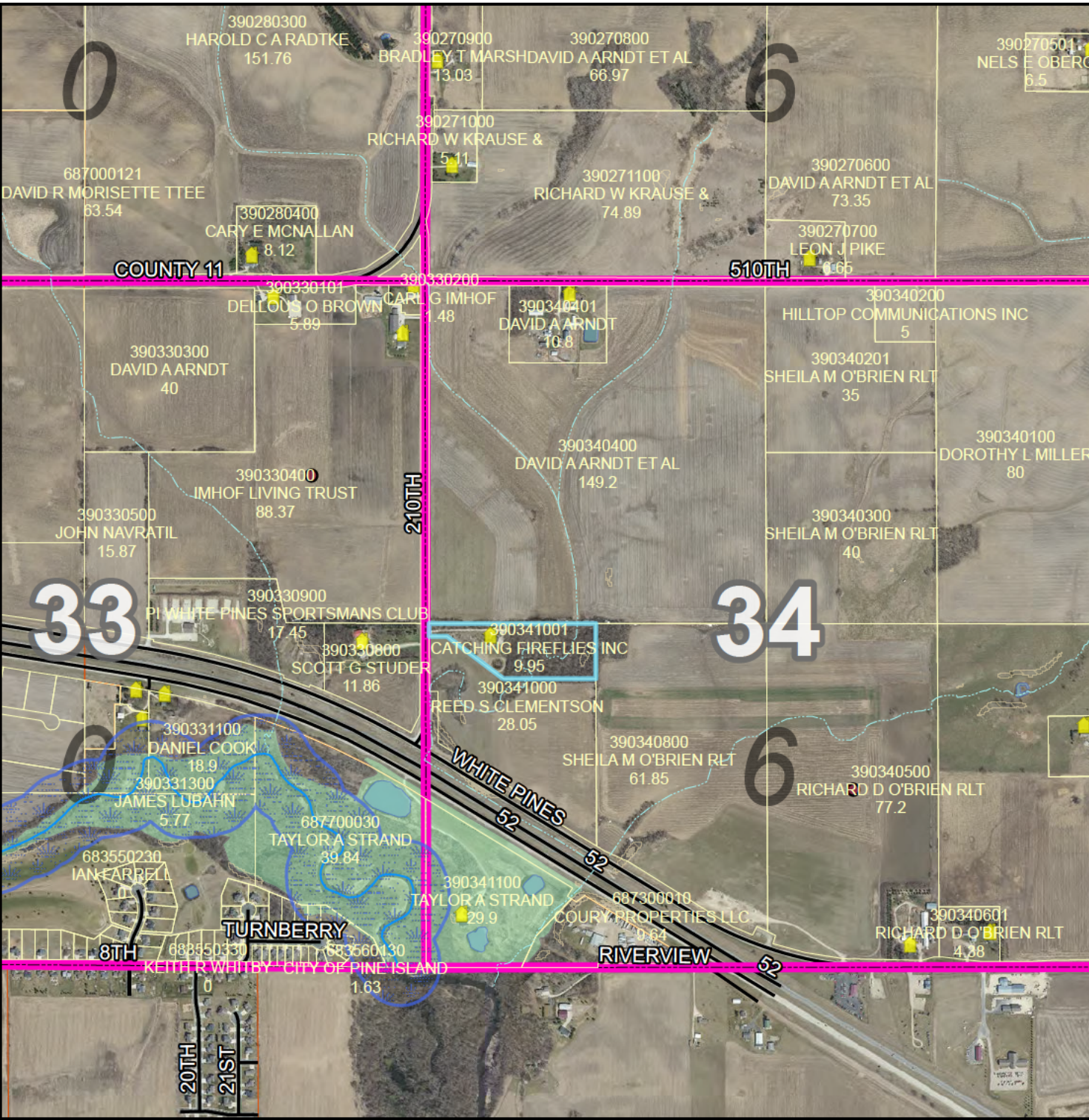


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# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
July 18, 2022

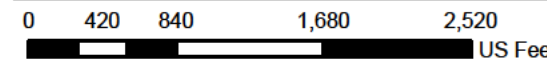
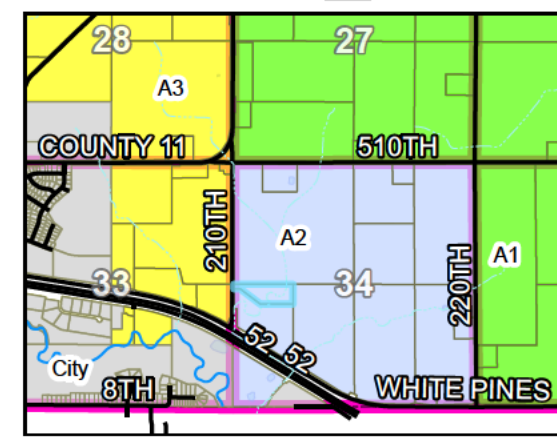
Trisha Studer (Applicant) on behalf of  
Catching Fireflies Inc (Owner)  
A2 Zoned District

Part of the NW 1/4 of the SW 1/4 of  
Section 34 TWP 109 Range 15 in  
Pine Island Township

Request to establish a retreat center in  
an existing structure

### Legend

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

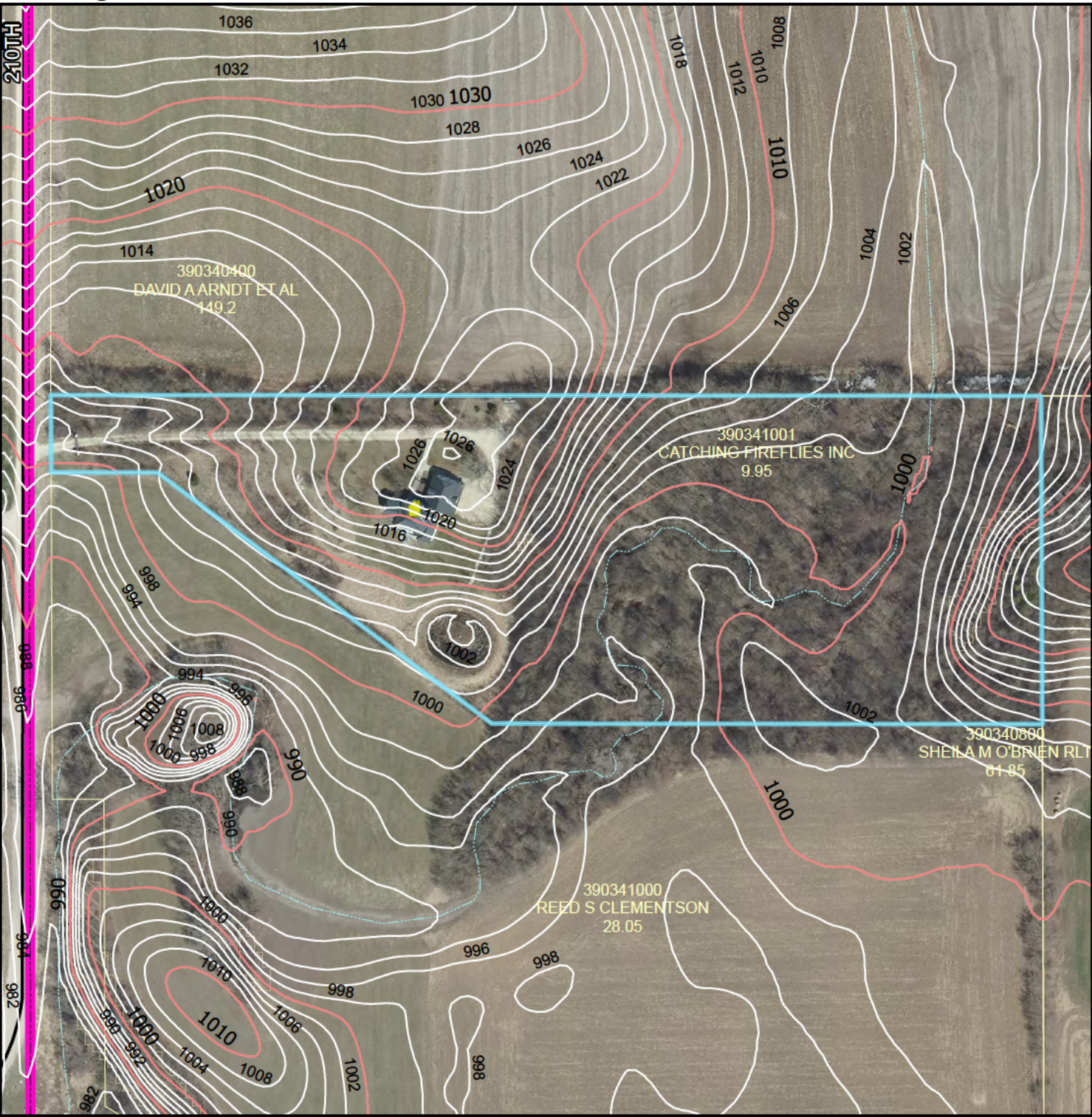


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MAP 03: ELEVATIONS



**BOARD OF ADJUSTMENT**

Public Hearing  
July 18, 2022

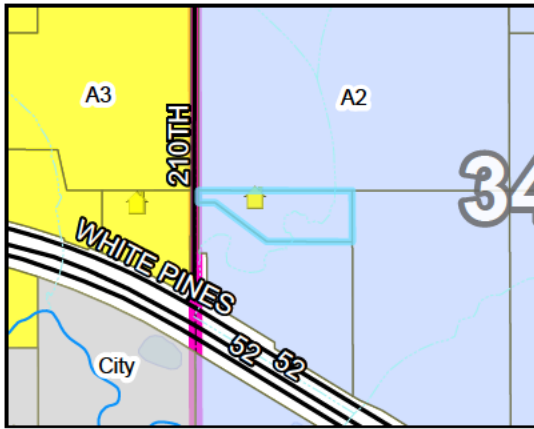
Trisha Studer (Applicant) on behalf of  
Catching Fireflies Inc (Owner)  
A2 Zoned District

Part of the NW 1/4 of the SW 1/4 of  
Section 34 TWP 109 Range 15 in  
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Request to establish a retreat center in  
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**Legend**

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



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

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

## **SECTION 25. RETREAT CENTERS**

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

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

- M. Proof of a compliant septic system shall be required as part of the application.

## **SECTION 26. KENNELS**

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



**RETREAT CENTER.** A private facility or facilities oriented to using the natural features and outdoor character of the area to offer professional, educational, recreational or religious meetings, seminars, workshops, or gatherings which may provide meals, temporary lodging, and passive recreation for visitors and may include multiple related uses managed as one operation.

**RIGHT-OF-WAY.** A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, and other similar uses.

**RIGHT-OF-WAY LINES.** The lines that form the boundaries of a right-of-way.

**ROTOR.** See Article 18 (WECS)

**ROTOR BLADES.** See Article 18 (WECS)

**ROTOR DIAMETER.** See Article 18 (WECS)

**SCREENED.** When a structure is built or placed on a lot or vegetation is planted such that when the structure is built, it is visually inconspicuous as viewed from the river during the summer months. Visually inconspicuous means difficult to see or not readily noticeable in summer months as viewed from the river.

**SENSITIVE AREAS.** Shoreland, Floodplains, wetlands, bluff impact zones, bluff protection areas, and the Cannon River Recreational and Scenic Districts.

**SETBACK.** The minimum horizontal distance between a structure or sewage treatment system and the ordinary high water level or between a structure or sewage treatment system, toe or top of a bluff, bluffline, road, highway or property line.

**SES (SOLAR ENERGY SYSTEM).** See Article 19 (SES)

**SES, GRID-INERTIE.** See Article 19 (SES)

**SES, GROUND MOUNTED.** See Article 19 (SES)

**SES, COMMERCIAL.** See Article 19 (SES)

**SES, OFF-GRID.** See Article 19 (SES)

**SES, RESIDENTIAL.** See Article 19 (SES)

**SES, UTILITY SCALE.** See Article 19 (SES)

**SES, UTILITY-SCALED.** See Article 19 (SES)

**SEWAGE TREATMENT SYSTEM.** A septic tank and soil absorption system or other individual or cluster type sewage treatment system as described and regulated in Section 5.8 of this Ordinance.

**SEWER SYSTEM.** Pipelines or conduits, pumping stations, and force main, and all other construction, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.

**SHORELAND.** Land located within the following distances from public waters: 1) One thousand (1,000) feet from the ordinary high water level of a lake, pond, or flowage; and 2) three hundred (300) feet from a river or stream or the landward extension of a floodplain designated by this Ordinance on such a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by natural topographic divides which may extend landward from the waters for lesser distances and when approved by the Commissioner of the Department of Natural Resources, and the County Commissioners.

# 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: 651.385.3106

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

**To:** Planning Advisory Commission  
**From:** Land Use Management  
**Meeting Date:** July 18, 2022  
**Report date:** July 8, 2022

## **CONSIDER: Request for IUP for a Utility-Scale Solar Energy System (SES)**

Request for IUP, submitted by Brian Keenan (IPS Solar, Applicant) and Mark Dykes (Owner), for a Utility-Scale Photovoltaic Ground 1-Megawatt Solar Energy System occupying approximately 11 acres.

### **Application Information:**

Applicant: Brian Keenan (IPS Solar, Applicant) and Mark Dykes (Owner)

Address of zoning request: TBD 240<sup>th</sup> AVE, Mazeppa, MN 55956

Parcel(s): 39.012.0600

Abbreviated Legal: Part of the SE ¼ of the NE ¼ of Section 12 TWP 109 Range 15 in Pine Island Township.

Township Information: Pine Island Township received the application materials from the applicant and signed the acknowledgment form with no objections.

Zoning District: A-2 (General Agriculture District)

### **Attachments and links:**

Applications and submitted project summary (excerpt of materials; full submittal available upon request)

Site Map(s)

Goodhue SWCD Comments and Maps

Goodhue County Zoning Ordinance (GCZO):

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

### **Background:**

The Applicant has submitted an IUP request to construct and operate a 1 Megawatt (MW) photovoltaic (PV) utility-scale solar garden on approximately 11 acres of leased land located in Pine Island Township that is currently owned by Mark Dykes. 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 35 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 permitted as a "Utility-Scale SES" within the County's A-2 zoned districts.

### **Project Summary:**

#### **Property Information:**

- The approximately 11-acre site to be leased by the applicant is currently used for row-crop agriculture.

The nearest residence to the north is owned by Henry Schultz (Parcel 39.012.0601) and is located approximately 106-feet from the proposed facility. The nearest residence to the east is located 200-feet from the proposed facility and is owned by Vincent and Ann Steffen in Wabasha County

(PID 09.00048.03).

Adjacent land uses include row-crop agriculture and animal agriculture (feedlots) among medium-density residential uses.

- The property is surrounded by A-2 zoned properties to the north, south and west. Land to the east across 240<sup>th</sup> AVE is located in Wabasha County. Section 12 and all neighboring sections of Pine Island Township are considered “full” for dwelling development.

#### **Solar Array:**

- The solar array is proposed to include 3,666 single-axis tracking panels installed in 31 rows. Steel-driven posts will hold up solar panels, reaching 10 feet above grade at the maximum 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 concrete equipment pad in the southeast corner of the project area, facilitating connection to the existing Xcel Energy grid.

- A 15-foot wide crushed aggregate access road will be provided to access the leased project area. The Applicant will need to work with the appropriate road authority to permit the new access road onto 240<sup>th</sup> AVE. Emergency vehicle access appears adequate to service the facility.

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.

- 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.

#### **Landscaping/Drainage:**

- The site slopes generally from northwest to southeast with areas of steep slopes classified as blufflands in the northeast corner of the parcel along 240<sup>th</sup> AVE. The solar panels and fencing need to meet the required 30-foot setback from the top of any bluffs.
- Apart from the meter pad (typically less than 300 square feet), the entire area within the project boundary will be seeded with low-growth pollinator-friendly vegetative mix based on the guidelines of the MN Board of Water and Soil Resources Habitat Friendly Solar Program. Specific seed types are typically reviewed by Goodhue County SWCD during the building permit phase.
- Chad Hildebrand, SWCD Water Planner has reviewed the site and submitted comments (see attachment).
- 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 approval.
- An 8-foot tall fixed knot fence will be constructed around the perimeter of the project area for visual screening and site security.
- The Applicants have also proposed to install vegetative screening north of the array to minimize visual impacts to the adjacent property. Screening would consist of 45 Black Hills spruce trees spaced 16-feet apart and arranged in a single row. Existing vegetation would be preserved wherever possible.
- Ample room exists on the property to fulfill GCZO off-street parking requirements.
- Construction is expected to begin in the spring of 2023 and typically takes 3 months to complete.

#### **Maintenance/Decommissioning:**

- The project is subject to the 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.

- Mowing will be limited and utilized only when necessary for routine maintenance and potential weed and shrub control. Twice a year solar operations and maintenance crews will conduct an on-site inspection on the array, fence, and solar components. The site will be monitored remotely 24 hours a day, 365 days a year using a computer data acquisition system (DAS) to detect and address potential problems.
- The Applicant has drafted a Decommissioning Agreement between IPS and Mark Dykes. Upon the end of the project's useful life, decommissioning would include removal and recycling of all non-biodegradable equipment including concrete foundations, access roads, fencing, cables, and other ancillary facilities owned by the solar garden. The land will then be restored to grassland.

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 County Board should consider if the County should require financial assurance to cover anticipated decommissioning costs.

**PAC Findings of Fact:**

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 use appears harmonious with the established uses in the vicinity.
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 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:**

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 an IUP, submitted by Brian Keenan (IPS Solar, Applicant) and Mark Dykes (Owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 11 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 IPS Solar shall be maintained to ensure reclamation of the area;
4. LUM staff shall be notified by the landowner or solar company 30 days prior to ownership transfer or operator changes;
5. Applicants shall 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 22 (General Agriculture District) and Article 12 (Bluffland Protection). 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 that date.

Images taken from 240<sup>th</sup> Ave Right-of-Way



Permit# 7220043

# Solar Energy System Application

## 1. Owner/Applicant Information

PROPERTY OWNER'S NAME:

Mark Dykes

PROPERTY OWNER'S ADDRESS:

47995 240th Ave, Mazeppa, MN 55956

EMAIL:

APPLICANT OR AUTHORIZED AGENT'S NAME:

Impact Power Solutions/ Brian Keenan

Same as Above

APPLICANT'S ADDRESS:

2670 Patton Rd, Roseville, MN 55113

TELEPHONE:

EMAIL:

## 2. Location and Classification

STREET ADDRESS OF PROJECT:

47471 240th Ave, Mazeppa, MN 55956

PARCEL #:

39.012.0600

LEGAL DESCRIPTION:

Attached

## 3. Supporting information

NUMBER OF SOLAR COLLECTORS TO BE INSTALLED

3,666

TOTAL SIZE OF PROJECT

11.1 Acres

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: \_\_\_\_\_

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

6/24/22

Print name: Brian Keenan

### County Section

SES Application Fee:

SES Zoning Permit: \$200

SES CUP/IUP: \$1000

Receipt Number

Date

17643

6-24-22

Building permit #:

Shoreland \_\_\_\_\_

Lake/Stream Name \_\_\_\_\_

Zoning District \_\_\_\_\_

Conditions:

Zoning Administrator Signature

RECEIVED JUN 24 2022 Land Use Management

## 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.

See attached narrative.

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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.

See attached narrative.

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

See attached narrative.

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

See attached narrative.

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5. Proposed decommissioning procedures.

See attached narrative.

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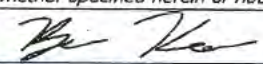
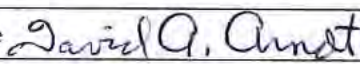
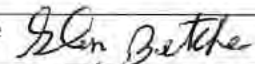


**TOWNSHIP ZONING APPLICATION**

**TOWNSHIP NAME** Pine Island

Goodhue County

Parcel # 39 012.0500

APPLICANT INFORMATION			
Last Name <u>Keenan/Impact Power Solutions</u>		First <u>Brian</u>	M.I. <u>S</u>
Street Address <u>2670 Patton Rd</u>		Phone <span style="background-color: black; color: black;">[REDACTED]</span>	
City <u>Roseville</u>	State <u>MN</u>		ZIP <u>55113</u>
Email Address <span style="background-color: black; color: black;">[REDACTED]</span>			
Township <u>109</u>	Range <u>015</u>	Section <u>12</u>	
PROJECT INFORMATION			
Site Address <u>47471 240th St, Mazeppa, MN 55956</u>			
Zoning District <u>Agriculture</u>	Lot Size <u>19.85</u>	Structure Dimensions <u>11.1 acres</u>	
Type of Project <u>Utility scale solar</u>		Proposed Use <u>Community Solar Garden</u>	
Structure Type	Replacement?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Variance # _____		Conditional Use Permit # _____	
Name of Property Owner: <u>Mark Dykes</u>			
DISCLAIMER AND SIGNATURE			
<p><i>I hereby apply for a zoning permit and I acknowledge that the information above is complete and accurate, that the work will be in conformance with the ordinances and codes of Goodhue County. The applicant also understands by signing this application he / she could be held responsible as representative of this project for any violation of compliance with all applicable laws and ordinances of Goodhue County. This permit may be suspended or revoked if the permit has been issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation of Goodhue County. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not</i></p>			
Signature 	Digitally signed by Brian Keenan Date: 2022.06.27 13:29:24 -05'00'		Date <u>6/27/2022</u>
TOWNSHIP APPROVALS			
<p><i>I hereby certify by signing that I am authorized to act on the behalf of the Township Board, and the structure and use will meet all Township Codes and Ordinances if constructed as indicated.</i></p>			
Signature 	Title <u>Clerk</u>	Date <u>6/28/22</u>	
Signature 	Title <u>Chairman</u>	Date <u>6-28-22</u>	
Application fee <u>\$150</u>		Receipt Number <u>766083</u>	



Goodhue County SWCD  
104 East 3<sup>rd</sup> Ave, P.O. Box 335  
Goodhue, MN 55027  
651-923-5286 Ext. 4  
[www.goodhueswcd.org](http://www.goodhueswcd.org)

**Date: Thursday, July 7, 2022**

**Subject: Dykes - IPS Solar Array CUP**

Reviewed the provided application and material for the CUP for the Dykes – IPS Solar Array. Below are my comments.

Comments:

1. Reviewed the project site and would say that “no wetlands” are present based off the soils, topography and National Wetland Index (NWI) map.
2. Proposed infiltration basin areas identified on the concept plan are good locations to help treat any runoff from the solar site and control extensive rainfall.
3. Have determined that bluffs are present in the NE corner of the project site (shown in Red on Figure 1). Small area of bluff and was reviewed by desktop using 2020 LIDAR & 2-foot contours. A map showing the hillshade (Figure 2) is also attached to help depict the topography.
  - a. From reviewing the concept plan, it appear the solar panels may be within the 30 ft setback area to the top of bluff but with the area being vegetated shouldn't have any detrimental impact overall to the small bluff area.
4. The access road, approximately 2.85 acres of contributing watershed comes through the access road point heading south. How are they managing that? Are they allowing it to flow over the access road or installing a culvert to control the flow?
5. Ensure that all necessary silt fences are properly installed prior to any work being started. Purpose to protect the properties to the north and south of the proposed solar array.

Overall review of the CUP application, the site for the solar array appears to be located in a good area. Proper items are being addressed to control any runoff and erosion, use of a pollinator seed mixture within the solar array area has multi benefits.

Sincerely,

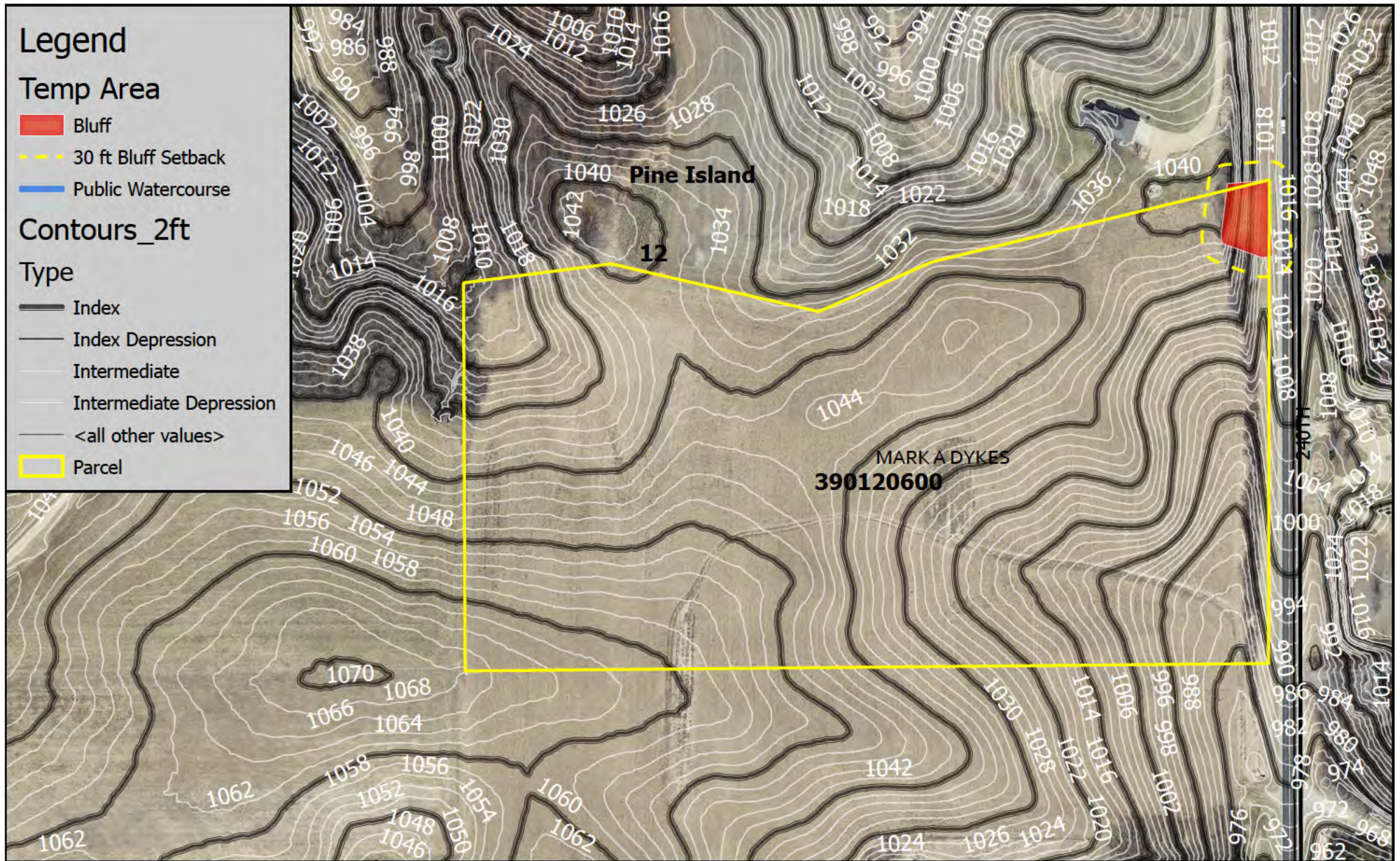
A handwritten signature in black ink, appearing to read "CHAD HILDEBRAND", is written over a horizontal line. The signature is fluid and cursive.

Chad Hildebrand

Natural Resource Specialist

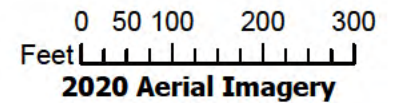
Goodhue SWCD

[childebrand@goodhueswcd.org](mailto:childebrand@goodhueswcd.org)



**Dykes CUP - IPS Solar Array**  
**Pine Island Township, Section 12, Range 15**

**Figure 1**



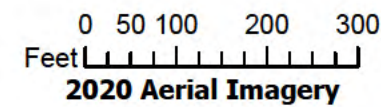
# Legend

- Public Watercourse
- Parcel



**Dykes CUP - IPS Solar Array**  
**Pine Island Township, Section 12, Range 15**

**Figure 2**



# **Application for a Conditional Use Permit Dykes 1MW CSG**

June 24th, 2022  
Goodhue County Land Use Management  
509 W 5<sup>th</sup> St  
Red Wing, MN 55066

Impact Power Solutions (IPS) is requesting a Conditional Use Permit for a period of Thirty-Five years on behalf of MN CSG 2019-46 LLC to construct a 1MW AC photovoltaic community solar garden (solar farm) on approximately 11.1 acres of land in Goodhue County known as PID 39.012.0600. The property address is: 47471 240<sup>th</sup> St, Mazeppa, MN 55956. The site was selected due to its physical characteristics, proximity to existing electrical infrastructure and distribution lines, zoning and permitting requirements, and landowner participation.

1. Design and Interconnection .....	3
2. Preservation of Agricultural Soils .....	3
3. Construction.....	4
4. Storm Water Management .....	4
5. Operations & Emergency Response .....	4
6. Access, Parking, Road Use and Maintenance.....	4
7. Landscaping .....	4
8. Fire Prevention.....	5
9. Visual Impact Analysis .....	5
10. Decommissioning Plan .....	5
11. Insurance Information.....	5
12. Exhibit List.....	6

## **1. Design and Interconnection:**

The garden will consist of approximately Three thousand six hundred sixty six solar panels. The panels are mounted on a steel and aluminum racking structure that reaches a maximum height of approximately eight feet above grade. The overall installation will not exceed a maximum height of ten feet above grade. The racking system is installed in the ground with pilings (I-beams) that are driven directly into the ground at a depth usually between six feet and ten feet depending on soil conditions. The racking system manufacturer's engineer will provide certification that the design of the foundations and panels are within accepted professional standards, given local soil and climate controls. The equipment is designed to withstand wind up to one hundred five MPH and fifty pounds per square foot of snow. The garden will have one concrete equipment pad, typically less than three hundred square feet, to support interconnection and metering equipment. The only proposed grading that will occur is for the roads and concrete equipment pads. Demonstrative equipment specifications are attached as **Exhibit C**.

The panels will be arranged into rows. Each row of solar panels will connect to an inverter. The inverters will be connected by directionally bored underground conduit that is housed inside of biodegradable PVC housing which will be installed two feet below the surface. The conduit will lead to the concrete equipment pad for each garden. The inverters transform the direct current power generated by the photovoltaic system to alternating current power, which is then connected to the existing three-phase power distribution line at the point of interconnection.

The solar array will be contained within an area protected by an eight-foot tall deer style fence. It will not create any noise, dust, fumes, glare, or other pollutants or nuisance to surrounding neighbors. There will be signage along the fence, approximately 2' x 2', including utility hazard, company information, and contact information on the fence.

## **2. Preservation of Agricultural Soils**

When considering the design of this project we have put significant focus on minimizing potential project effects on future agricultural land use. This plan includes measures that have been developed to maintain and / or improve the quality of soil resource with the expectation that the site can be returned to row crop agricultural use at the end of the project operation. Our goal is not simply to maintain, but actually improve soil health during the operational phase of the project by sustaining soil functions including groundwater recharge, carbon sequestration, improving surface water quality and minimizing soil loss due to erosion. Our lease has a 25 year standard operating term with the possibility of 10 years extension. Allowing the land to rest for 35 years will provide an opportunity for it to regain the benefits of natural organic processes that don't happen when the land is constantly worked with modern farming practices.

### **Agricultural Soil Protection Practices:**

1. To the extent practical, the solar facility will be developed without modifying grades.
2. Wherever possible facility roads are laid out over existing farm roads.
3. While the entire site needs to be accessed during construction, routine access patterns will avoid crossing agriculture soils unless necessary.
4. When practical, use lower ground pressure tracked equipment and farm carts to haul construction materials across fields.

5. Pile drivers will be track mounted to lessen the soil compaction caused.
6. Construction equipment travel will be limited in agricultural fields when soils are visibly saturated.
7. Use perimeter roads around fields to avoid crossing fields with heavy equipment such as dump trucks or cement trucks.
8. Cover crops and deep-rooted perennial vegetation will be used to promote the development of soil structure and reduce compaction potential.
9. When trenches need to be installed across farmland, the topsoil will be segregated from the subsoil and substrata. When the trench is backfilled care will be taken to replace topsoil back at the top of the trench.

**Maintain Vegetative Cover During Construction** - Vegetative cover is important to promote soil health and minimize erosion losses. Maintaining healthy vegetative cover will help reduce the proliferation of noxious and invasive weeds. The goals of maintaining vegetative cover are:

1. Protect soils from erosion losses and promote healthy soil by establishing and maintaining a vegetated surface and healthy root zone during construction and throughout the operational phase.
2. Increase organic matter content of the soil to improve soil structure, increase the pool of nutrients available for cycling and promote long term carbon sequestration.
3. During construction temporary erosion control will be provided by mulching and the use of temporary vegetative cover as well as other measures outlined in the storm water management measures.
4. When possible, seeding will be conducted using the guidelines established by the MN Board of Soil and Water Resources. <http://bwsr.state.mn.us/vegetation-establishment-and-management> At times seeding will occur outside optimal windows however monitoring will be conducted to ensure if the seeding is not successful. The area which failed will be reseeded during the next optimal seeding window.

**Establish and Maintain Permanent Vegetative Cover** - A properly designed and maintained vegetative cover will improve the surrounding agricultural community, surface and ground water quality, increase biodiversity and improve onsite soil health. The goal is to have a vegetative community that stabilizes the site to minimize erosion. The permanent vegetative cover is designed to be sustainable with low maintenance and high ecological and agricultural significance.

1. The seed mix will be chosen using the guidance of the MN Board of Water and Soil Resources Habitat Friendly Solar Program. <http://bwsr.state.mn.us/minnesota-habitat-friendly-solar-program>
2. During establishment, mowing may be required to initially control undesirable species before they can become established.
3. After successful establishment of the permanent vegetative community, mowing may be required for general maintenance and potential weed and shrub control. Mowing will be limited and only used when necessary. Mowing should not occur within 24 hours after a significant rainfall event when the soil would be susceptible to compaction.

**Temporary Roads and Parking Surfaces** - Existing roads will be utilized as much as possible for temporary access during construction. Temporary roads that are not located along existing roads and that require heavy equipment to cross agricultural fields during construction will use the following:

1. Install geotextile matting designed for soil separation over exposed topsoil (or subsoil if topsoil is stripped) surface prior to placing a 4 inch layer of crushed rock for the road surface.
2. Complete removal of the temporary access fill and geotextile required for temporary access during construction or decommissioning will be removed upon completion of task.



3. The topsoil and subsoil should be decompacted by tillage after the roads are removed and seeded as described above.

#### Decompaction

1. At decommissioning in areas where topsoil was stripped to install slabs, pads or gravel access roads they will be removed to expose the original subsoil.
2. This subsoil will then be decompacted up by deep tillage using a deep ripper or heavy duty chisel plow.
3. After the subsoil is decompacted, all stone and rock material 4 inches and larger in size and in greater quantities than surrounding areas, will be removed and disposed of at the edge of the field away from wetlands.
4. Topsoil will then be applied in these areas to match adjacent grades.
5. Agricultural restoration will be completed when soils are not excessively wet, frozen or incapable of vegetative stabilization.

While the above section only relates to agricultural soil management during decommissioning, a separate equipment decommissioning plan is included in the attachments. The goal is to return the site with soil quality better than before the solar project. In that way the value of the land as prime farmland is not just retained but truly made better. IPS is willing to obtain a certification letter from a licensed landscape architect or other soil conservation professional stating that the property will be in as good or better condition for farming by following the measures outlined in this section.

### **3. Construction:**

The construction process typically takes approximately three months. IPS would like to begin construction in Spring of 2023. The site will have a portable toilet for workers. No water supply will be required. Any waste or debris will be gathered in a dumpster that will be removed during construction progress as necessary. Multiple truckloads of equipment will be delivered throughout the construction period. In addition, crews in passenger vehicles, pickup trucks, bobcats and skid steer loaders on tracks will be on site almost every day throughout the construction process. IPS will use appropriate temporary (construction-related) erosion and sediment control best management practices through construction. IPS agrees to the Site Rules attached as **Exhibit D**.

### **4. Storm Water Management Measures**

A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project. A licensed civil engineering firm will determine storm water management measures. Measures will include an analysis of the existing topography, the use of erosion control logs and silt fences where necessary, and establishment a germinated pollinator friendly vegetative base underneath the project site before construction begins to prevent erosion. Any drain tile existing on the site will be identified and maintained.

### **5. Operations & Emergency Response:**

The solar garden site will operate and be monitored 24 hours a day, 365 days a year after construction has been completed. It will be monitored remotely through a computer data acquisition system (DAS) so that appropriate personnel can be dispatched to investigate potential problems. Additionally, twice a year qualified solar operations and maintenance crews will perform maintenance on the array and inspect the solar components, array and fence.

Construction, maintenance and decommissioning of the garden will be conducted in accordance with the Innovative Power Systems Safety Manual, which is attached as **Exhibit E**. The proposed contacts for emergency response as well as ongoing maintenance and operations are local and easily accessible. No chemicals will be used, stored, or disposed of on the modules unless they are certified organic cleaning products.

Drainage, weeds, screening, general operations, maintenance, stray voltage or electrical:  
Impact Power Solutions Inc.  
jamieb@ips-solar.com  
612-801-5999

## **6. Access, Parking, Road Use and Maintenance:**

Construction and operation and maintenance crews will access to the site by a fifteen foot wide gravel road that will have an entrance connected to 240<sup>th</sup> Ave on the east side of the property. Road access will be controlled for erosion control during construction. Construction crew parking will be located entirely within the site. No additional permanent parking is required. Maintenance crews will park within the site access road and turnaround area.

## **7. Landscaping:**

The Minnesota Board of Water and Soil Resources has produced guidelines on establishing pollinator friendly solar sites, including “checklists” and other tools. A landscape plan will be developed and included with the Building Permit submission using these guidelines. <http://bwsr.state.mn.us/minnesota-habitat-friendly-solar-program>

## **8. Fire Prevention:**

This solar array will meet the requirements of the 2012 International Fire Code, specifically to sections 605.11 – 605.11.2 for clearance, markings and location of underground DC conductors. The solar garden will meet the international Building Code (IBC), National Electric Code (NEC), and local electric and fire code. NEC code is produced by the National Fire Protection Agency (NFPA) with safety of the public, contractors, and firefighters as the entire objective. Solar specific Code has been included in the NEC for over a decade. Safety is paramount in our solar PV facilities, as we need them to function optimally for their entire system life.

## **9. Visual Impact Analysis:**

IPS conducted a site visit and visual analysis of the parcel and adjacent parcels to determine if any nearby properties would have their line of site substantially obstructed or impeded by the proposed project. As shown on our site plan, vegetative screening is being proposed on the north side of the project due to the distance from the adjacent residence. Existing vegetation will be preserved wherever possible. Typically the point of interconnection consists of three electric poles, however IPS is working on a plan to limit the number to two if possible.

## **10. Decommissioning Plan:**

IPS has contractual obligations to the landowner regarding decommissioning arising out of Section 4.4 of the lease. These obligations include removal of all equipment, timelines for removal, owner's rights to remove the solar facility upon failure by the Project Company, and establishment of a monetary security for removal in the form of a bond, escrow, or letter of credit.

The purpose of the security is to ensure there is sufficient money available to return the project site to an appropriate condition at the end of the project's useful life, or earlier. The landowner will be the designated beneficiary of the fund and the County will be provided a copy of the document establishing the security before construction commences.

IPS or its successors agree to be responsible for all decommissioning costs, and agree that any future buyer or successor of the project will assume the same decommissioning responsibilities. Installation by IPS will be done with no significant or permanent alterations to the land. Upon removal, the project site shall be restored to pre-construction conditions as is reasonably practical, including removal of structures, foundation, and restoration of soil and vegetation. The system will be dismantled and removed using minimal impact construction equipment and materials will be safely recycled or disposed. Appropriate temporary construction-related erosion and sediment control best management practices (BMP) during the decommissioning of the project.

IPS expects that decommissioning will occur 25-35 years after the date that the system becomes operational. Decommissioning will occur in the event that the array is not used for twelve consecutive months. All structures, foundations, electrical equipment all internal or perimeter access roads will be removed. Soils and vegetation will be restored. Disposal of structures and foundations shall meet the provisions of Goodhue County Solid Waste Ordinance or successor ordinance.

Installation by IPS will be done with no significant or permanent alterations to the land. The system will be dismantled and removed using minimal impact construction equipment and materials will be safely recycled or disposed. Appropriate temporary construction-related erosion and sediment control best management practices will be used during the decommissioning of the project.

Nonfunctioning solar components consist of valuable recyclable materials including silver, semiconductor material, steel, aluminum, copper and plastics that have a significant salvage value. Also, it is more likely that the System components would be used for continued electrical generation than for scrap.

IPS estimates that 125% of the cost to meet the requirements of the decommissioning plan is \$22,417.13. We propose that IPS or its partners shall submit a financial guarantee by posting a bond for that amount in favor of the landowners to satisfy that requirement.

A full schedule of removal and restoration costs is included as **Exhibit F**.

#### Decommissioning requirements:

The decommissioning party shall:

- a. Obtain any permits required for the decommissioning, removal, and legal disposal of the system components prior to the commencement of the decommissioning activities.
- b. Remove and dispose of all equipment and components.
- c. Remove all hazardous materials (if any) and transport them to be disposed of by licensed contractors at an appropriate facility in accordance with rules and regulations.
- d. If appropriate, grading, and re-vegetation in accordance with permits and in compliance with all applicable rules and regulations.
- e. Preserve and reclaim the soils on the project site to a level of pre-project quality
- f. Reclaim soils in the access driveway and equipment pad areas by removing imported aggregate material and concrete foundations and replacing with soils as needed.
- g. Remove non-biodegradable electrical conduits and backfill trenches with the native soils removed.

#### Equipment Removal Procedure:

The decommissioning of the project proceeds in reverse order of the installation:

- a. The solar system shall be disconnected from the utility power grid.
- b. PV modules shall be disconnected, unattached, collected, and removed.
- c. Site aboveground and underground electrical interconnection and distribution materials shall be removed and recycled off site by an approved recycler, provided that IPS will not remove one biodegradable underground conduit housing.
- d. PV module support racking shall be removed and recycled off site by an approved recycler.
- e. PV modules support steel and support posts shall be removed and recycled off site by an approved recycler.
- f. Electrical devices, including transformers and inverters, shall be removed and recycled off-site by an approved recycler.
- g. Concrete pads shall be removed and recycled by an approved recycler.
- h. Fencing shall be removed and recycled by an approved recycler.

### **11. Insurance Information:**

IPS's or its successor will provide a certificate of insurance meeting the following requirements:

- Insurance provider must be rated B+ or better by "Best."
- Limits of \$2,000,000 for each occurrence.
- Coverage against claims for damages resulting from bodily injury, wrongful death, and property damage arising out of the Interconnection Customer's ownership and/or operating of the Generation System under the interconnection agreement.

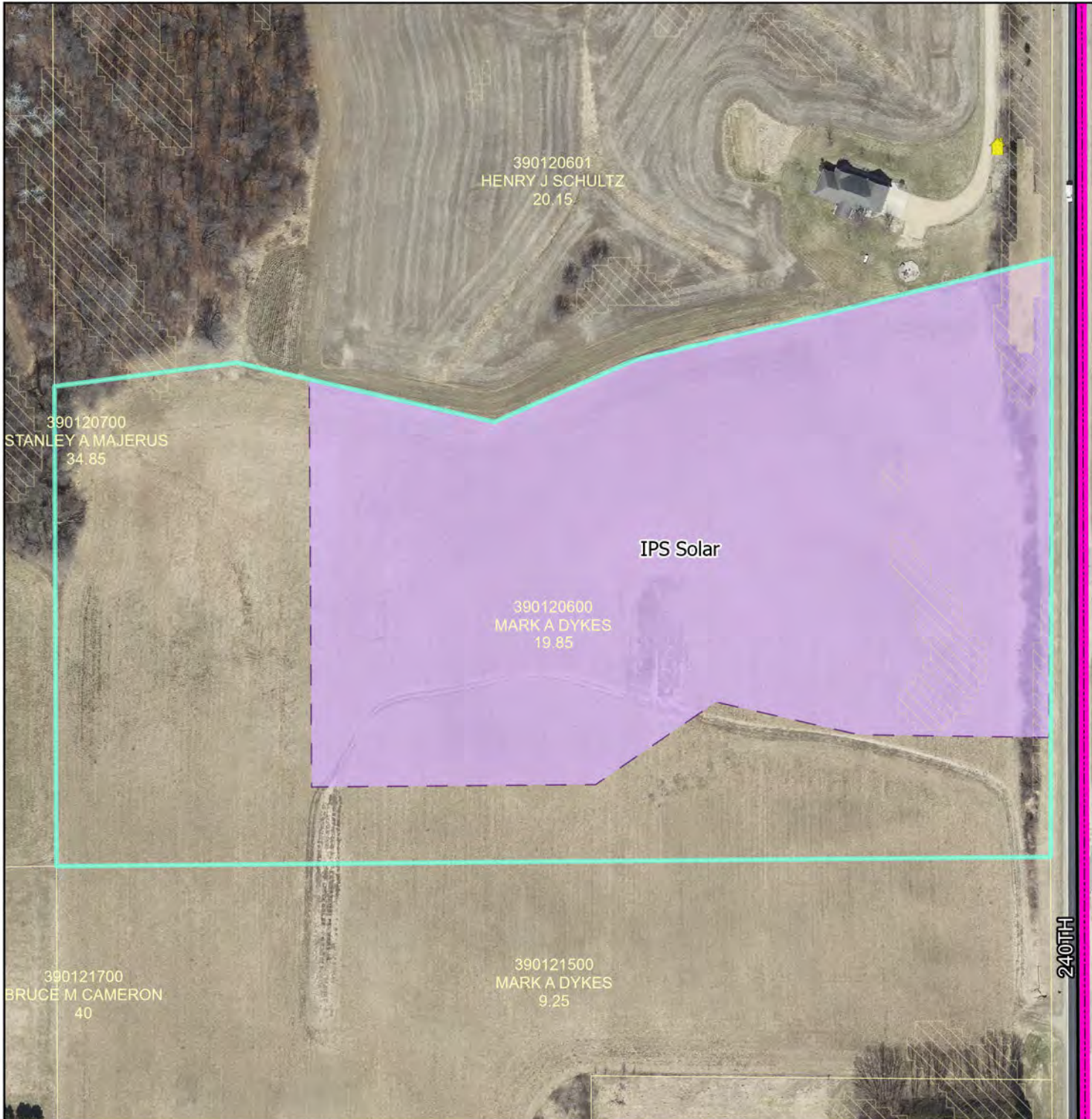
- Contain a severability of interest clause of cross-liability insurance

We at IPS sincerely appreciate all of the help we have received from your staff with regard to our applications and we look forward to collaborating with you further to develop a great project that we can all be proud of.

**12. Exhibit List:**

- A. Application Forms
- B. Site Plan
- C. Equipment Pack
- D. Site Rules
- E. IPS Safety Manual
- F. Decommissioning Plan

# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

Public Hearing

July 18, 2022

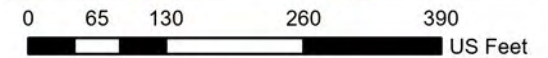
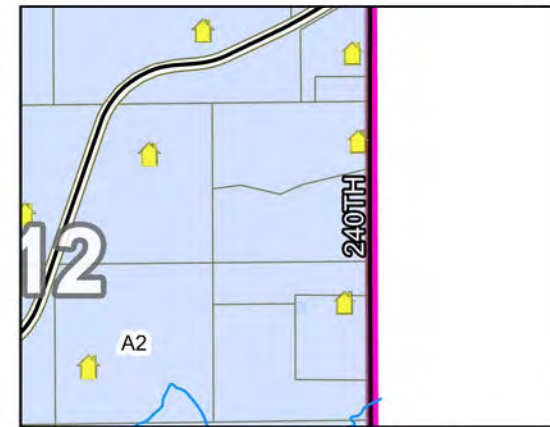
IPS Solar (Brian Keenan, Applicant) and  
Mark A Dykes (Owner)  
A2 Zoned District

Part of the SE 1/4 of the NE 1/4 of  
Section 12 TWP 109 Range 15  
in Pine Island Township

Request for a Utility-Scale Photovoltaic  
1 MW SES occupying approximately  
11 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	

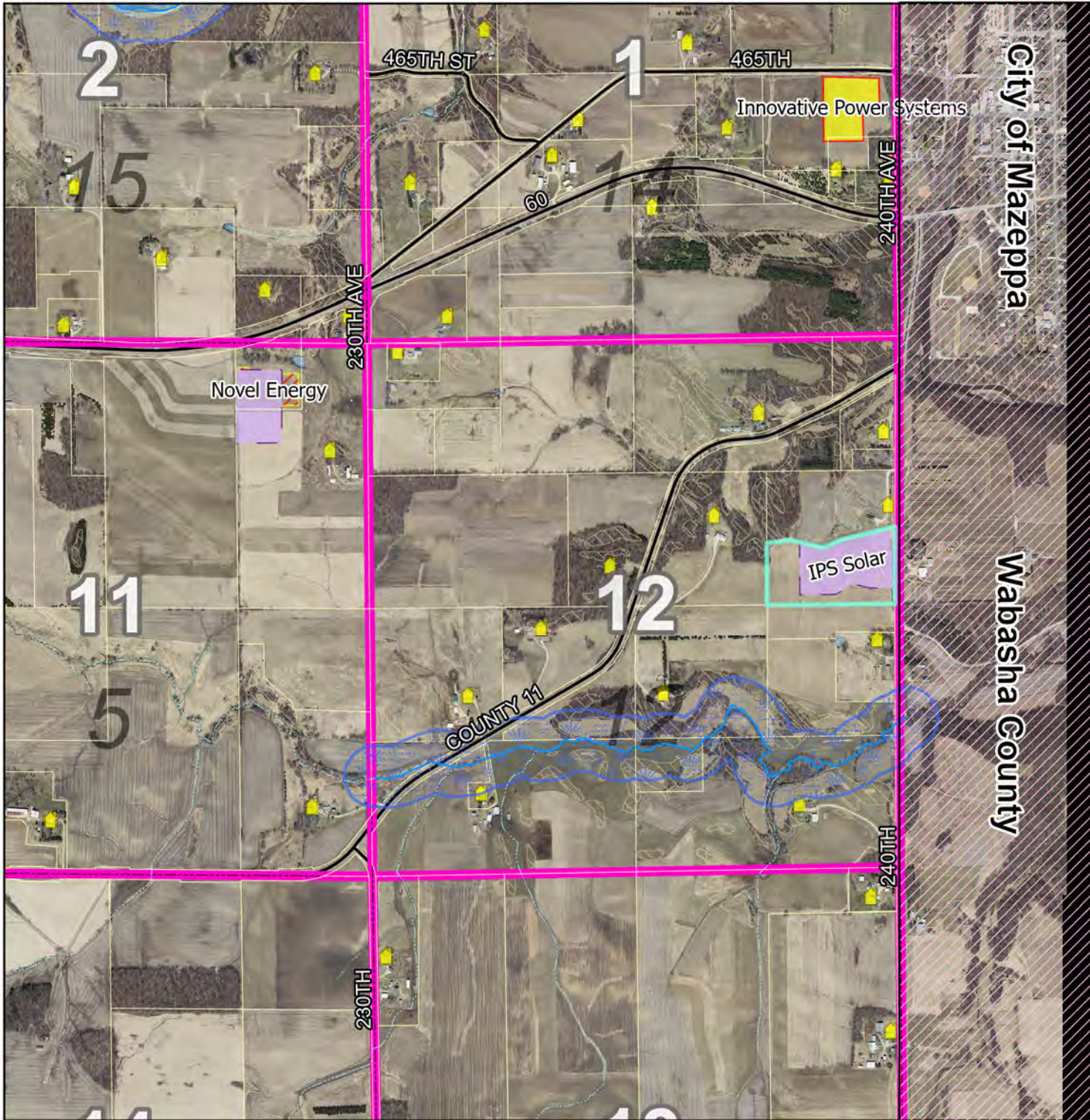


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Map Created June, 2022 by LUM



MAP 02: VICINITY MAP



**PLANNING COMMISSION**

Public Hearing  
July 18, 2022

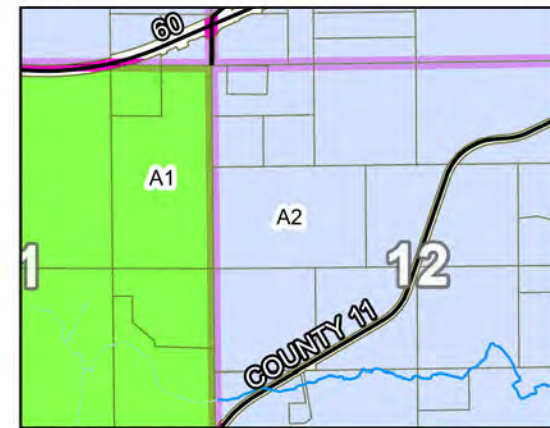
IPS Solar (Brian Keenan, Applicant) and  
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A2 Zoned District

Part of the SE 1/4 of the NE 1/4 of  
Section 12 TWP 109 Range 15  
in Pine Island Township

Request for a Utility-Scale Photovoltaic  
1 MW SES occupying approximately  
11 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             |                                 |



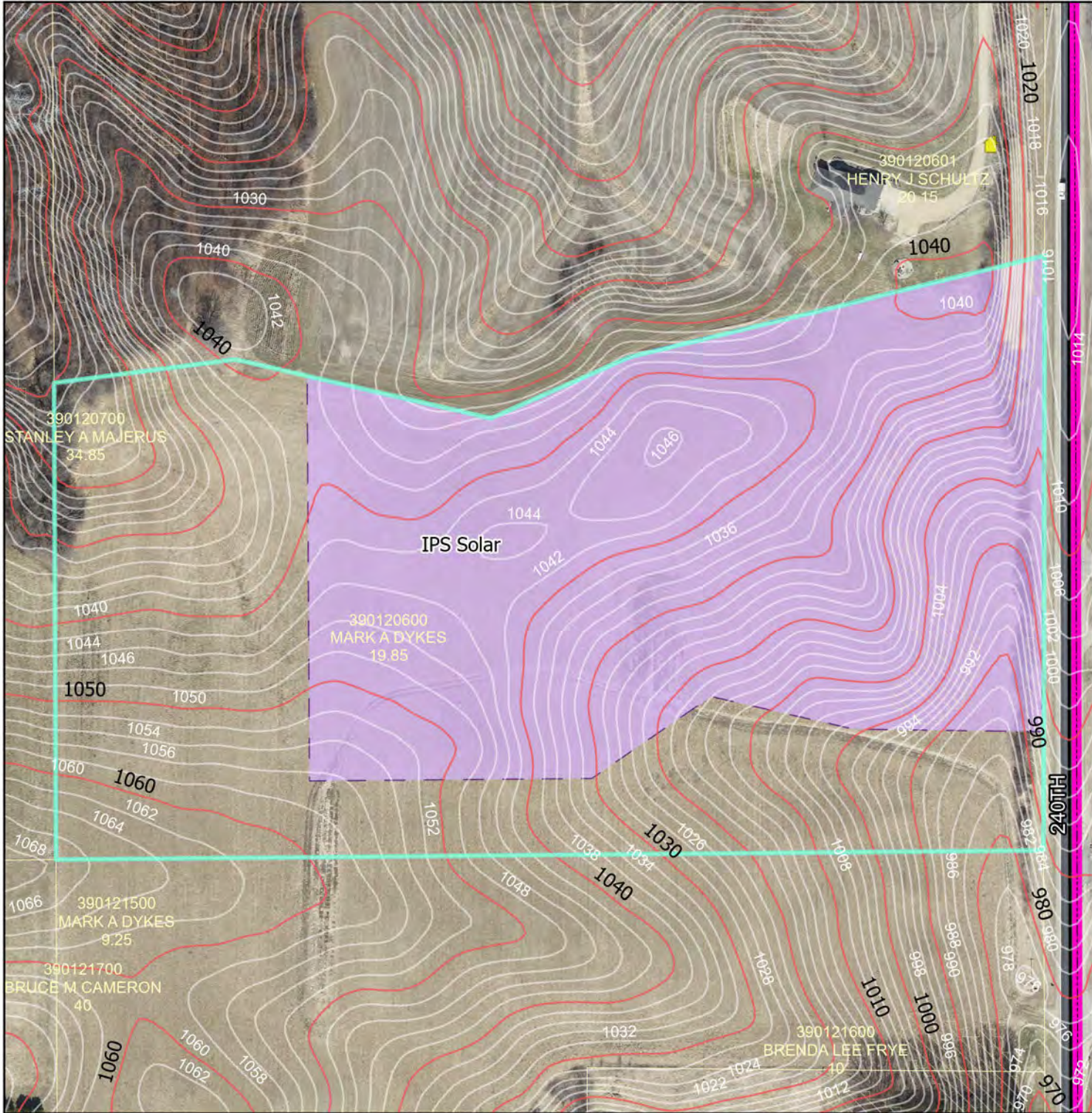
0 500 1,000 2,000 3,000 US Feet

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Map Created June, 2022 by LUM



# MAP 03: ELEVATIONS



## PLANNING COMMISSION

Public Hearing  
July 18, 2022

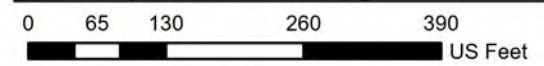
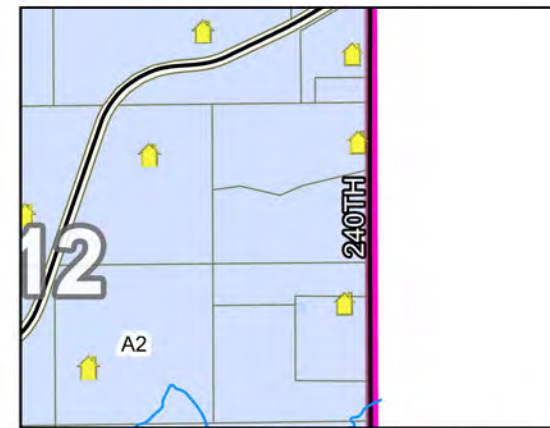
IPS Solar (Brian Keenan, Applicant) and  
Mark A Dykes (Owner)  
A2 Zoned District

Part of the SE 1/4 of the NE 1/4 of  
Section 12 TWP 109 Range 15  
in Pine Island Township

Request for a Utility-Scale Photovoltaic  
1 MW SES occupying approximately  
11 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             |                                 |



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2020 Aerial Imagery  
Map Created June, 2022 by LUM





SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	1.925 MW
SYSTEM SIZE AC	LIMITED TO 1.000 MW
DC/AC RATIO	1.925
AZIMUTH	180°
TILT	+/- 52° SAT / 30° FT
MODULE COUNT	3688 TOTAL - 1950 SAT; 1718 FT
MODULE TYPE	JINKO EAGLE 72HM G5B-JKM525M-72HL4-TV
MODULE STC RATING	525 W
INVERTER COUNT	9
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK3 125-US
INVERTER POWER	125kW, EACH INVERTER POWER LIMITED TO ~111.11 kW
RACKING	TBD
MONITORING	ALSO ENERGY

DESIGN CRITERIA

MIN/MAX TEMP.	-29°C / 31°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	50 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER 03796066

NO POSITION, DISTANCE, OR CLEARANCE ISSUES WITH OVERHEAD ELECTRIC SERVICE LINES OR OTHER UTILITIES IN RELATION TO THE PV PANELS.

24/ 7 UNESCORTED KEYLESS ACCESS PROVIDED FOR THE METERS AND AC DISCONNECT.

REVISIONS

#	DESCRIPTION	BY	DATE
0	ORIGINAL DESIGN	IR	6/9/2020
2	SITE PLAN UPDATE	JT	6/2/2021
3	TRACKER DESIGN UPDATE	JT	8/13/2021
4	INCREASE TO 1.7825 DC/AC	MPH	8/20/2021
5	RECTANGULAR DESIGN	MPH	8/31/2021
6	MOVE ACCESS RD & INFILTRATION BASINS	MPH	9/9/2021
7	MIXED SAT/FT DESIGN	MPH	10/5/2021
8	JINKO 525	AE	5/10/2022

DRAWN BY

ISHA REGE

PROJECT NAME

DYKES CSG

DRAWING TITLE

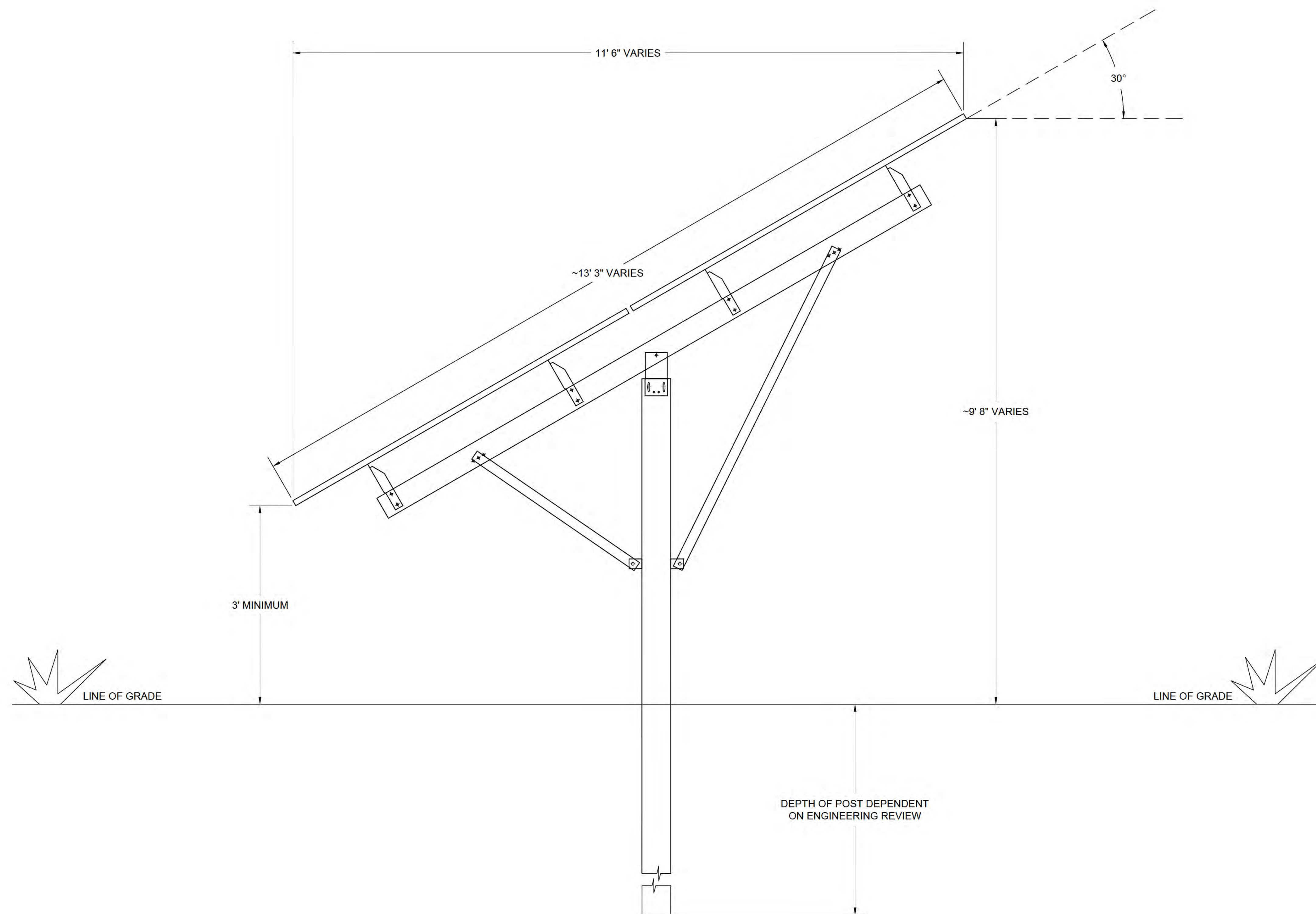
FT RACKING DETAIL

SCALE <sup>1</sup>

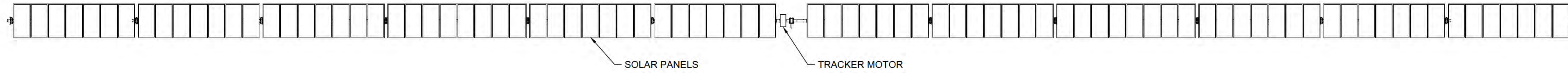
NTS

SHEET

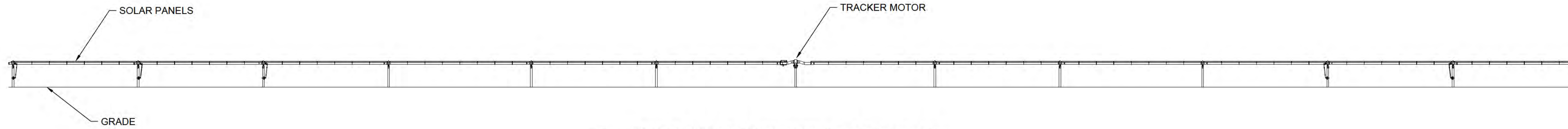
PV2a



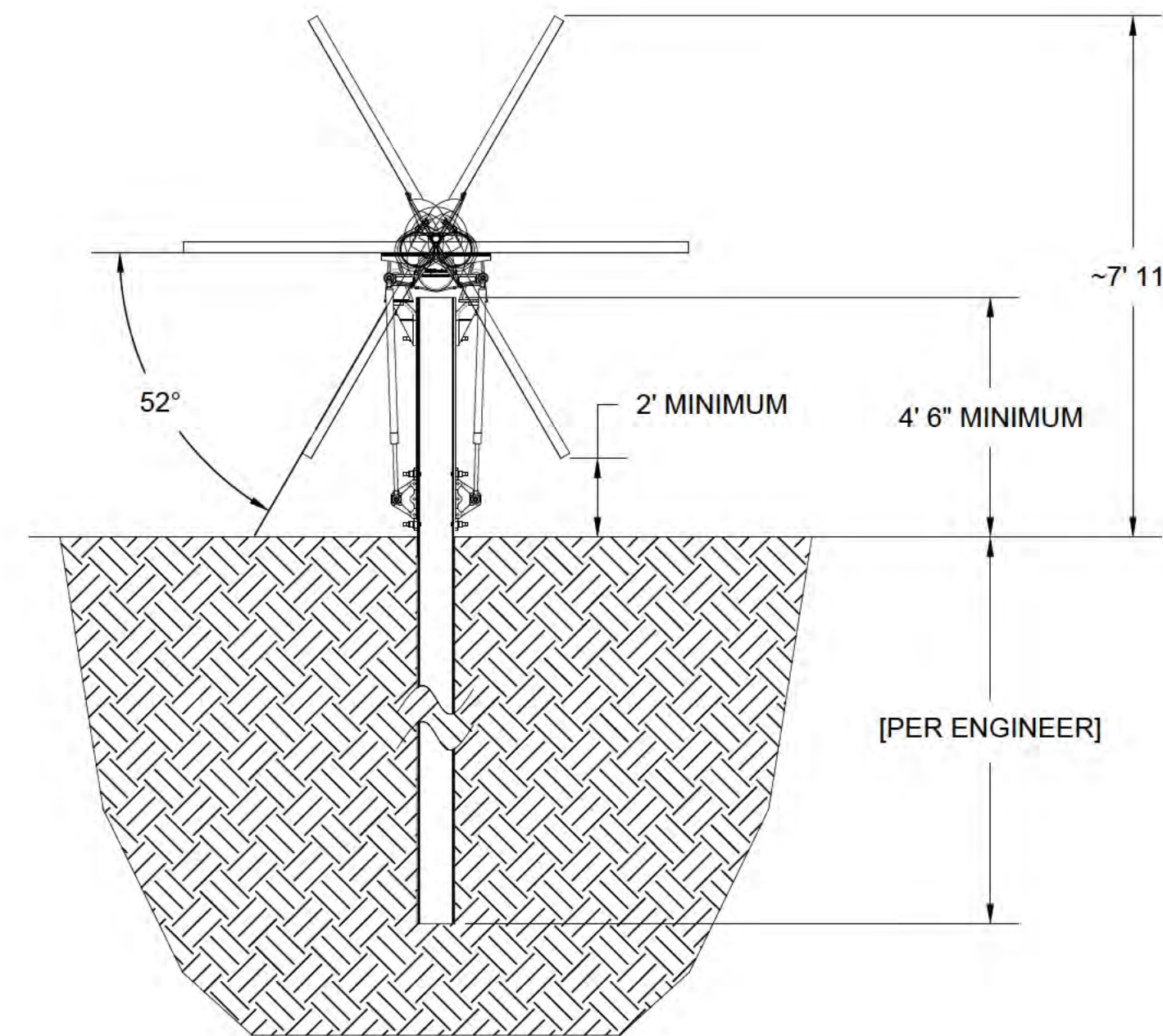
1 FIXED TILT RACKING EAST-WEST ELEVATION  
NTS



1 SINGLE AXIS TRACKER TOP DOWN VIEW  
NTS



2 SINGLE AXIS TRACKER EAST-WEST ELEVATION  
NTS



3 SINGLE AXIS TRACKER NORTH-SOUTH ELEVATION  
NTS

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	1.925 MW
SYSTEM SIZE AC	LIMITED TO 1.000 MW
DC/AC RATIO	1.925
AZIMUTH	180°
TILT	+/- 52° SAT / 30° FT
MODULE COUNT	3688 TOTAL - 1950 SAT; 1718 FT
MODULE TYPE	JINKO EAGLE 72HM G5B-JKM525M-72HL4-TV
MODULE STC RATING	525 W
INVERTER COUNT	9
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK3 125-US
INVERTER POWER	125kW; EACH INVERTER POWER LIMITED TO ~111.11 kW
RACKING	TBD
MONITORING	ALSO ENERGY

DESIGN CRITERIA

MIN/MAX TEMP.	-29°C / 31°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	50 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER 03796066

NO POSITION, DISTANCE, OR CLEARANCE ISSUES WITH OVERHEAD ELECTRIC SERVICE LINES OR OTHER UTILITIES IN RELATION TO THE PV PANELS.

24/ 7 UNESCORTED KEYLESS ACCESS PROVIDED FOR THE METERS AND AC DISCONNECT.

REVISIONS

#	DESCRIPTION	BY	DATE
0	ORIGINAL DESIGN	IR	6/9/2020
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6	MOVE ACCESS RD & INFILTRATION BASINS	MPH	9/9/2021
7	MIXED SAT/FT DESIGN	MPH	10/5/2021
8	JINKO 525	AE	5/10/2022

DRAWN BY

ISHA REGE

PROJECT NAME

DYKES CSG

DRAWING TITLE

SAT RACKING DETAIL

SCALE <sup>1</sup>

NTS

SHEET

PV2b

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	1.925 MW
SYSTEM SIZE AC	LIMITED TO 1.000 MW
DC/AC RATIO	1.925
AZIMUTH	180°
TILT	+/- 52° SAT / 30° FT
MODULE COUNT	3688 TOTAL - 1950 SAT; 1718 FT
MODULE TYPE	JINKO EAGLE 72HM G5B-JKM525M-72HL4-TV
MODULE STC RATING	525 W
INVERTER COUNT	9
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INVERTER POWER	125kW, EACH INVERTER POWER LIMITED TO ~111.11 kW
RACKING	TBD
MONITORING	ALSO ENERGY

DESIGN CRITERIA

MIN/MAX TEMP.	-29°C / 31°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	50 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER 03796066

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DRAWN BY

ISHA REGE

PROJECT NAME

DYKES CSG

DRAWING TITLE

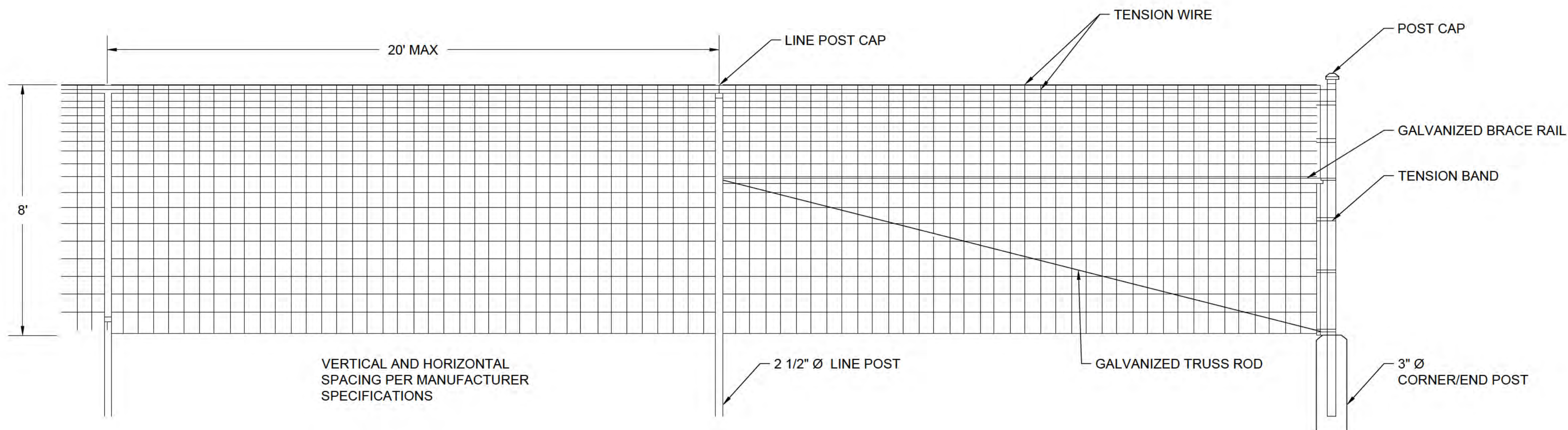
FENCE DETAIL

SCALE <sup>1</sup>

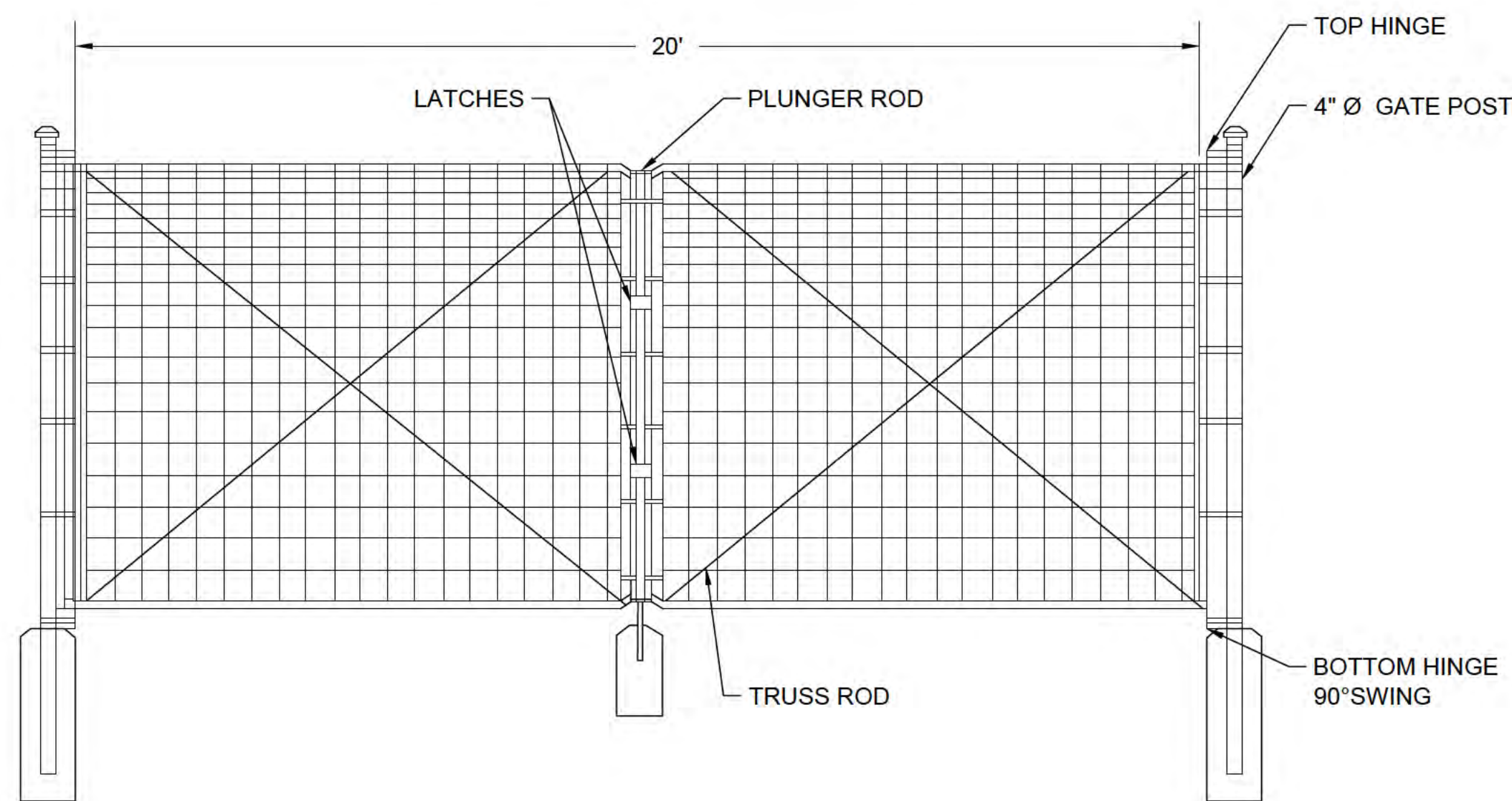
NTS

SHEET

PV3



1 8' FIXED KNOT FENCE  
NTS



2 8' FIXED KNOT FENCE GATE  
NTS

NOTE:  
1. THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND NOT TO BE USED FOR CONSTRUCTION.  
2. DO NOT SCALE DRAWING

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	1.925 MW
SYSTEM SIZE AC	LIMITED TO 1,000 MW
DC/AC RATIO	1.925
AZIMUTH	180°
TILT	+/- 52° SAT / 30° FT
MODULE COUNT	3686 TOTAL - 1950 SAT; 1716 FT
MODULE TYPE	JINKO EAGLE 72HM G5B-JKM525M-72HL4-TV
MODULE STC RATING	525 W
INVERTER COUNT	9
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK3 125-US
INVERTER POWER	125KW; EACH INVERTER POWER LIMITED TO ~111.11 KW
RACKING	TBD
MONITORING	ALSO ENERGY

DESIGN CRITERIA

MIN/MAX TEMP.	-29° C / 31° C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	50 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER 03796066

NO POSITION, DISTANCE, OR CLEARANCE ISSUES WITH OVERHEAD ELECTRIC SERVICE LINES OR OTHER UTILITIES IN RELATION TO THE PV PANELS.

24/7 UNESCORTED KEYLESS ACCESS PROVIDED FOR THE METERS AND AC DISCONNECT.

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5	RECTANGULAR DESIGN	MPH	8/31/2021
6	MOVE ACCESS RD & INFILTRATION BASINS	MPH	9/9/2021
7	MIXED SAT/FT DESIGN	MPH	10/5/2021
8	JINKO 525	AE	5/10/2022

DRAWN BY

ISHA REGE

PROJECT NAME

DYKES CSG

DRAWING TITLE

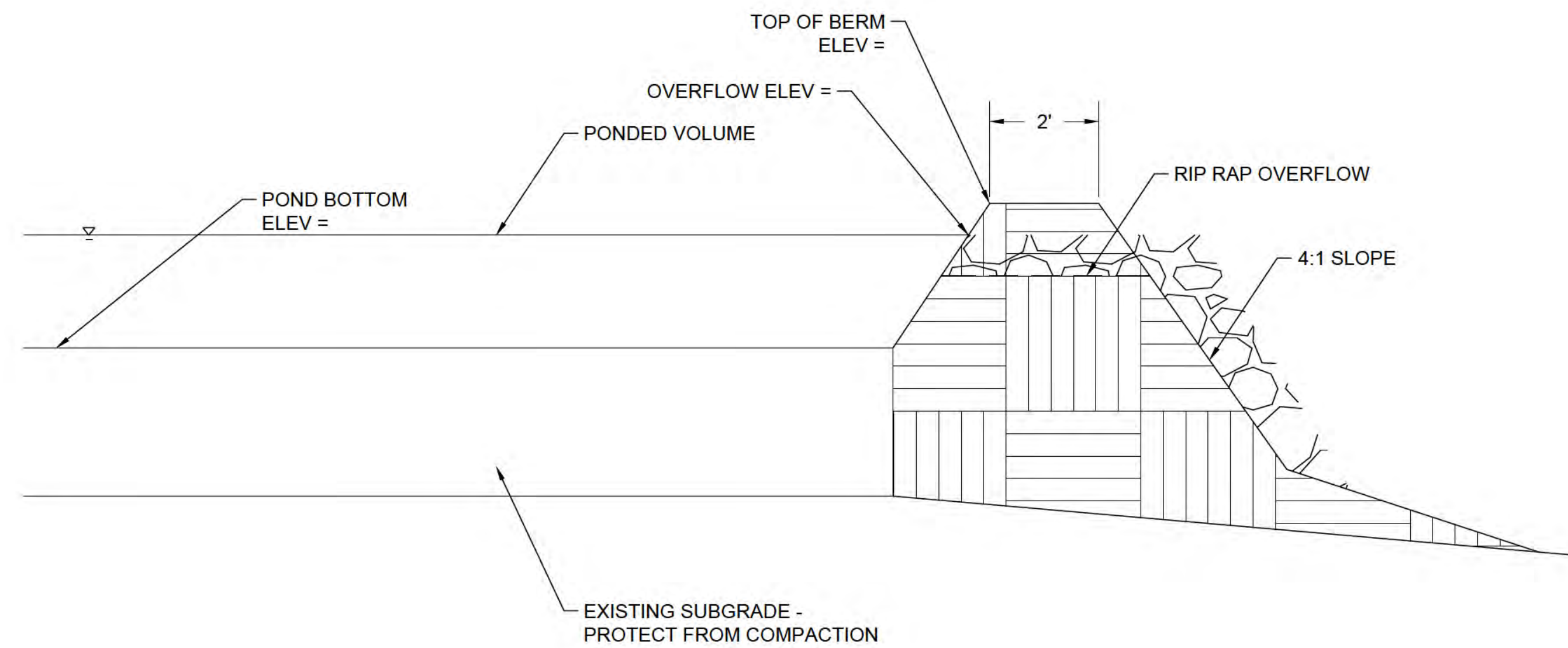
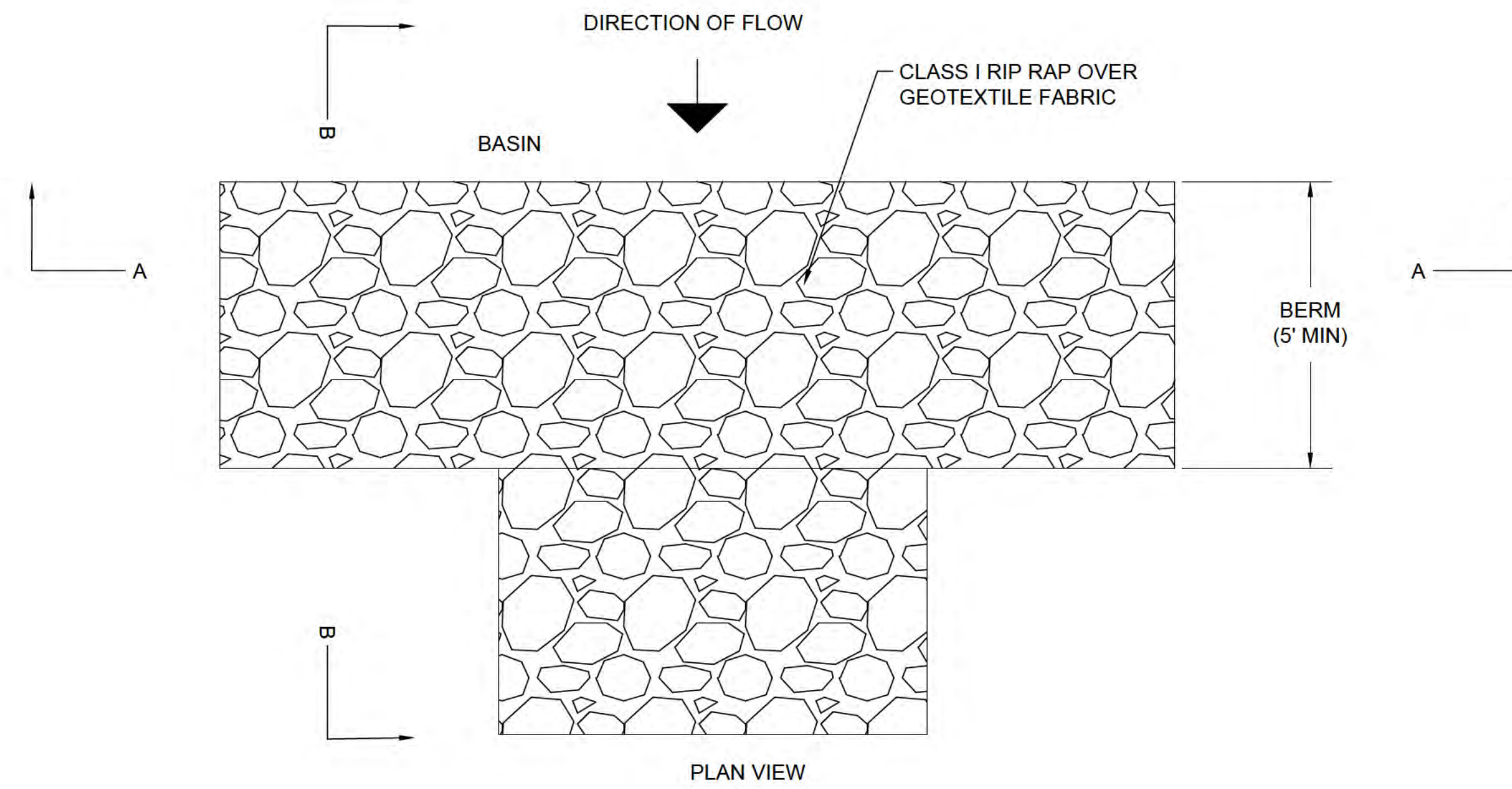
INFILTRATION BASIN DETAIL

SCALE<sup>1</sup>

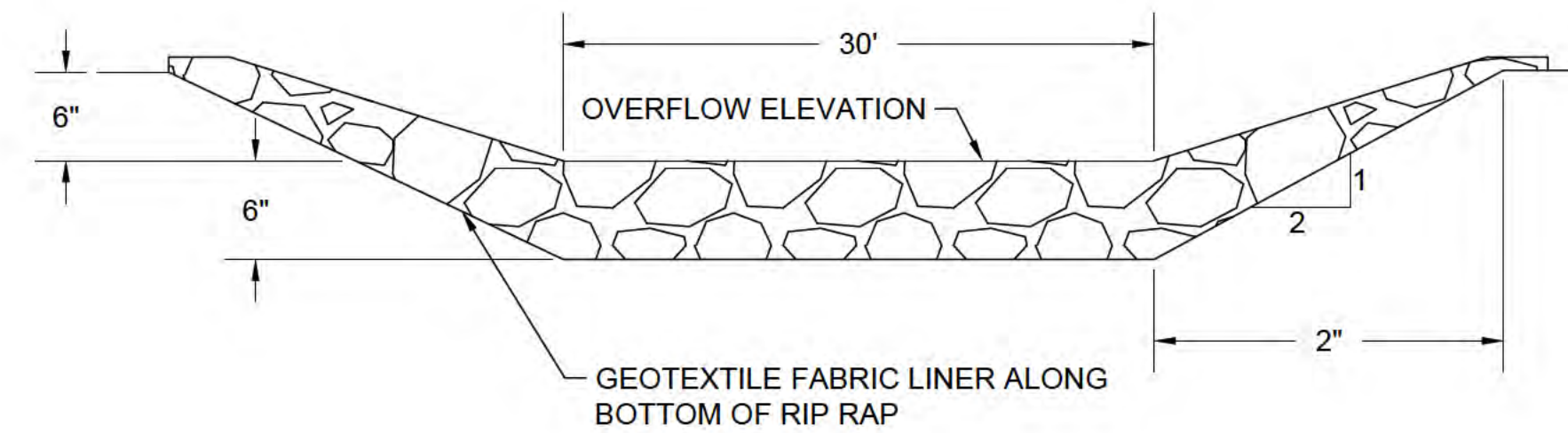
NTS

SHEET

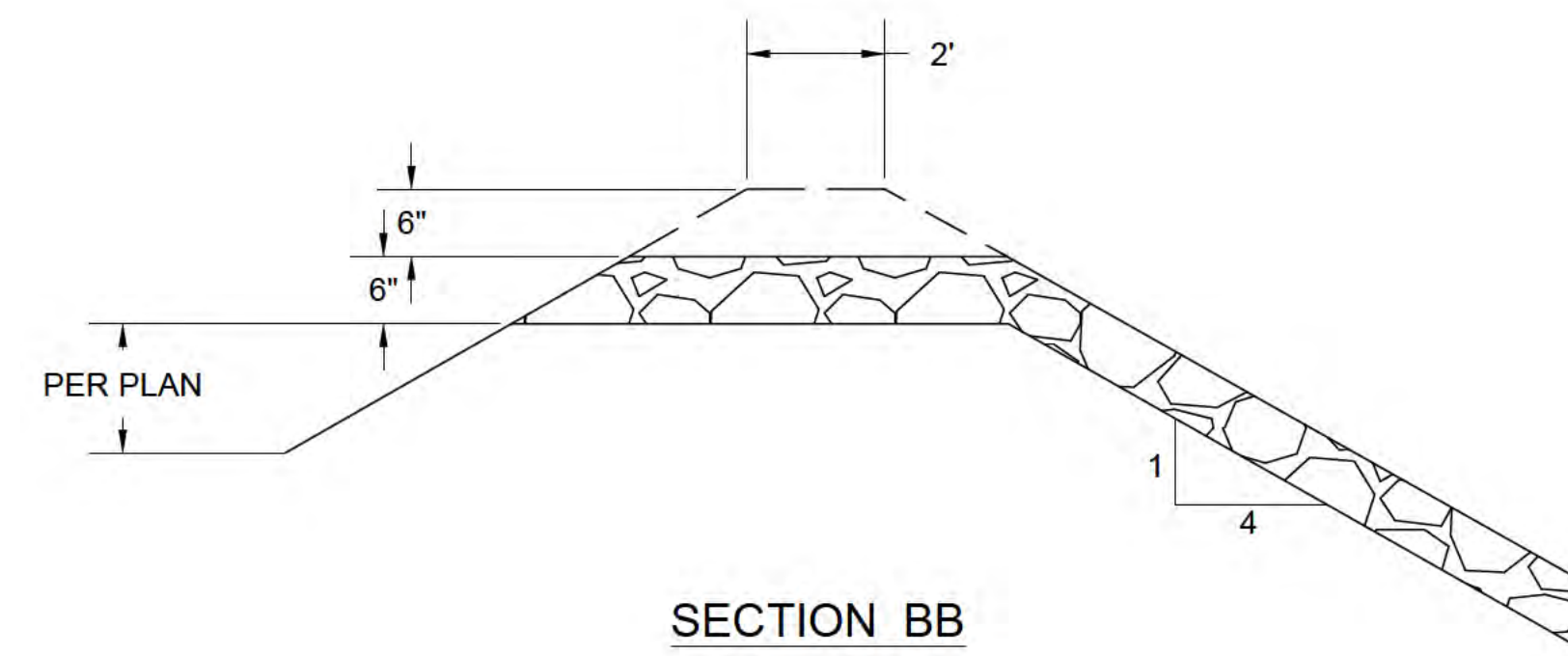
PV4



1 INFILTRATION BASIN  
NTS



SECTION AA



SECTION BB

2 RIP RAP OVERFLOW  
NTS



**PLANTING SCHEDULE**

TYPE : BLACK HILLS SPRUCE

HEIGHT : 6' MIN WITHIN 3 YEARS OF PLANTING

NUMBER OF ROWS: 1

SPACING: 16' O.C.



NEW ENERGY EQUITY, LLC  
2530 RIVA ROAD, SUITE 200  
ANNAPOLIS, MD 21041  
NEWENERGYEQUITY.COM  
443-287-5012

PROJECT ADDRESS  
47471 240TH AVE,  
MAZEPPA, MN 55956

LAT: 44.28081389  
LONG: -92.55134444

SYSTEM SPECIFICATIONS	
SYSTEM SIZE DC	1.925 MW
SYSTEM SIZE AC	LIMITED TO 1.000 MW
DC/AC RATIO	1.925
AZIMUTH	180°
TILT	+/- 52° SAT / 30° FT
MODULE COUNT	3668 TOTAL - 1950 SAT; 1718 FT
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MODULE STC RATING	525 W
INVERTER COUNT	9
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INVERTER POWER	125kW; EACH INVERTER POWER LIMITED TO ~111.11 kW
RACKING	TBD
MONITORING	ALSO ENERGY

DESIGN CRITERIA	
MIN/MAX TEMP.	-29°C / 31°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	50 PSF
BUILDING HEIGHT	0'-0"

**OTHER NOTES**

CASE NUMBER 03796066

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7	MIXED SAT/FT DESIGN	MPH	10/5/2021
8	JINKO 525	AE	5/10/2022

DRAWN BY  
**ISHA REGE**

PROJECT NAME  
**DYKES CSG**

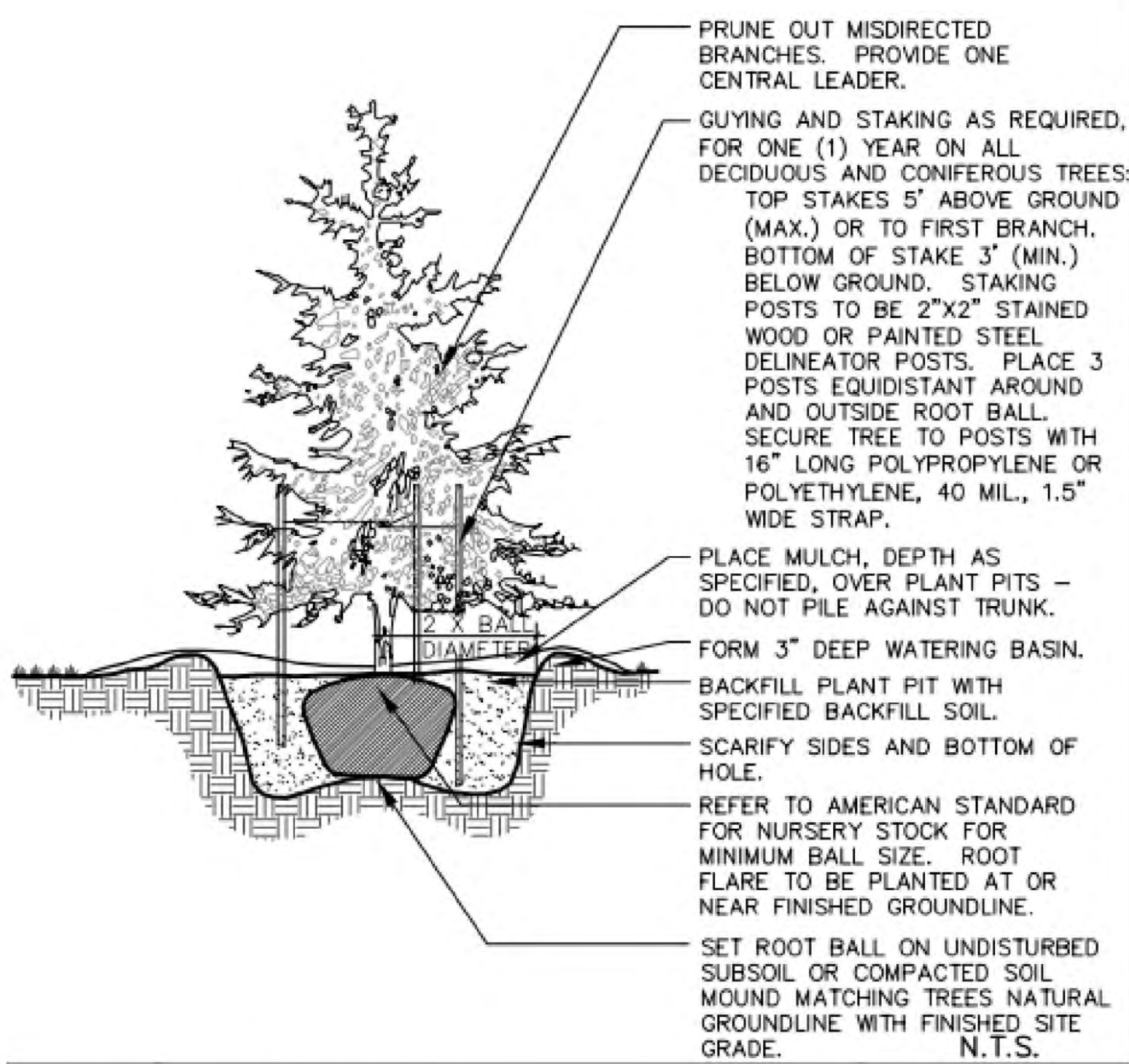
DRAWING TITLE  
**TREE PLAN**

SCALE<sup>1</sup>  
**NTS**

SHEET  
**PV5**

1 BLACK HILLS SPRUCE SCREENING

Scale: N.T.S.



2 EVERGREEN PLANTING DETAIL

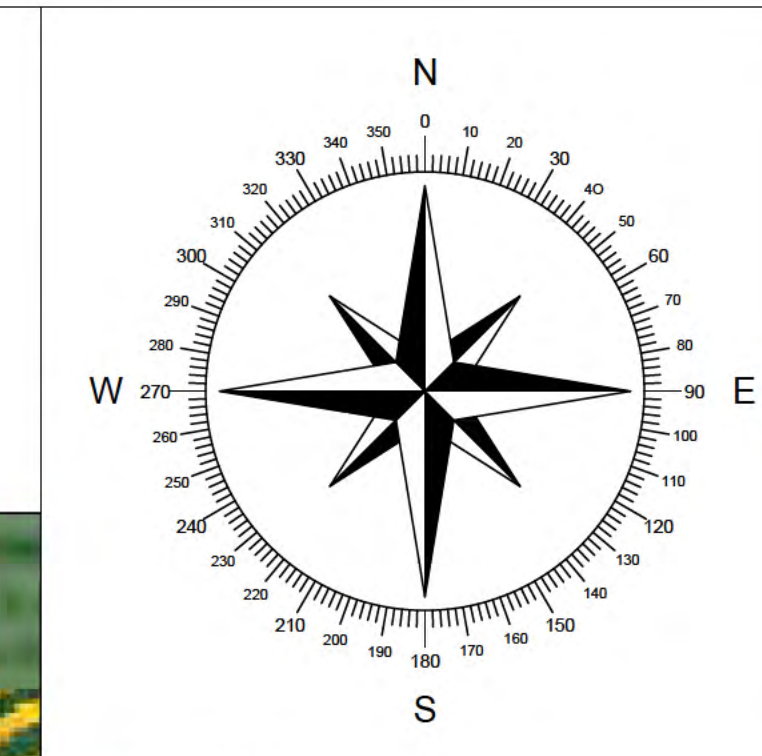
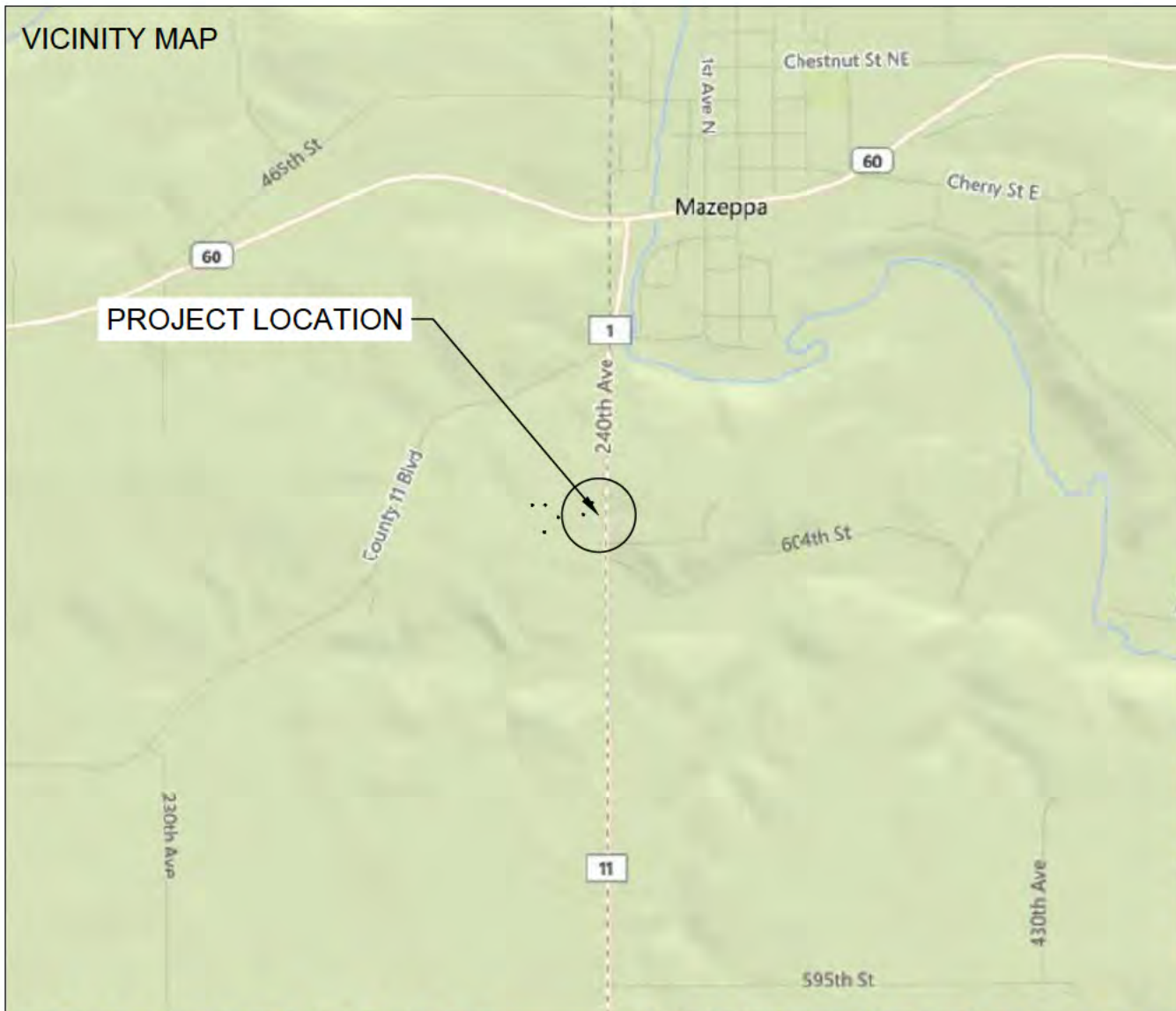
Scale: N.T.S.



3 PLAN VIEW

Scale: N.T.S.





**NEW ENERGY EQUITY**

NEW ENERGY EQUITY, LLC  
2530 RIVA ROAD, SUITE 200  
ANNAPOLIS, MD 21041  
NEWENERGYEQUITY.COM  
443-267-5012

PROJECT ADDRESS  
47471 240TH AVE,  
MAZEPPA, MN 55956

LAT: 44.28081389  
LONG: -92.55134444



**SHEET NOTES:**  
UTILITY POLES ARE SHOWN FOR INDICATING LOCATIONS ONLY. SPACING BETWEEN POLES, PHYSICAL PROTECTION BARRIER FOR SWITCHBOARDS, ETC. WILL BE ADDED IN THE DRAWINGS PREPARED FOR THE CONSTRUCTION DOCUMENTS

SYSTEM SPECIFICATIONS	
SYSTEM SIZE DC	1.925 MW
SYSTEM SIZE AC	LIMITED TO 1.000 MW
DC/AC RATIO	1.925
AZIMUTH	180°
TILT	+/- 52° SAT / 30° FT
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INVERTER COUNT	9
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INVERTER POWER	125KW; EACH INVERTER POWER LIMITED TO ~111.11 KW
RACKING	TBD
MONITORING	ALSO ENERGY

DESIGN CRITERIA	
MIN/MAX TEMP.	-29°C / 31°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	50 PSF
BUILDING HEIGHT	0'-0"

**OTHER NOTES**

CASE NUMBER 03796066

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24/ 7 UNESCORTED KEYLESS ACCESS PROVIDED FOR THE METERS AND AC DISCONNECT.

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7	MIXED SAT/FT DESIGN	MPH	10/5/2021
8	JINKO 525	AE	5/10/2022

**DRAWN BY**  
ISHA REGE

**PROJECT NAME**  
DYKES CSG

**DRAWING TITLE**  
TOPOGRAPHY & DRAINAGE

**SCALE**<sup>1</sup>  
1" = 80'

**SHEET**  
**PV6**

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	1.925 MW
SYSTEM SIZE AC	LIMITED TO 1.000 MW
DC/AC RATIO	1.925
AZIMUTH	180°
TILT	+/- 52° SAT / 30° FT
MODULE COUNT	3688 TOTAL - 1950 SAT; 1718 FT
MODULE TYPE	JINKO EAGLE 72HM G5B-JKM525M-72HL4-TV
MODULE STC RATING	525 W
INVERTER COUNT	9
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK3 125-US
INVERTER POWER	125kW; EACH INVERTER POWER LIMITED TO ~111.11 kW
RACKING	TBD
MONITORING	ALSO ENERGY

DESIGN CRITERIA

MIN/MAX TEMP.	-29°C / 31°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	50 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER 03796066

NO POSITION, DISTANCE, OR CLEARANCE ISSUES WITH OVERHEAD ELECTRIC SERVICE LINES OR OTHER UTILITIES IN RELATION TO THE PV PANELS.

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8	JINKO 525	AE	5/10/2022

DRAWN BY

ISHA REGE

PROJECT NAME

DYKES CSG

DRAWING TITLE

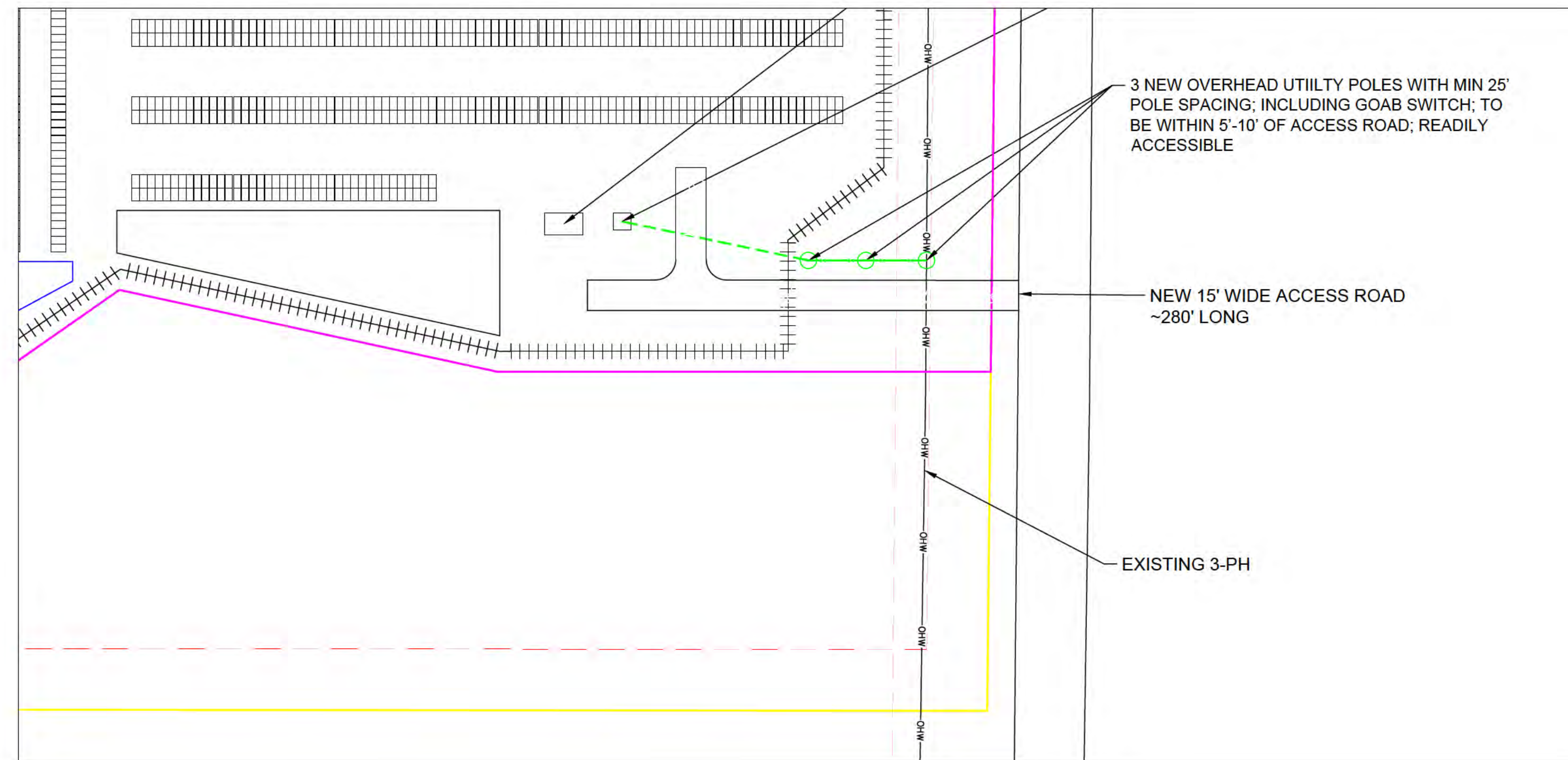
ELECTRICAL DETAILS

SCALE<sup>1</sup>

AS NOTED

SHEET

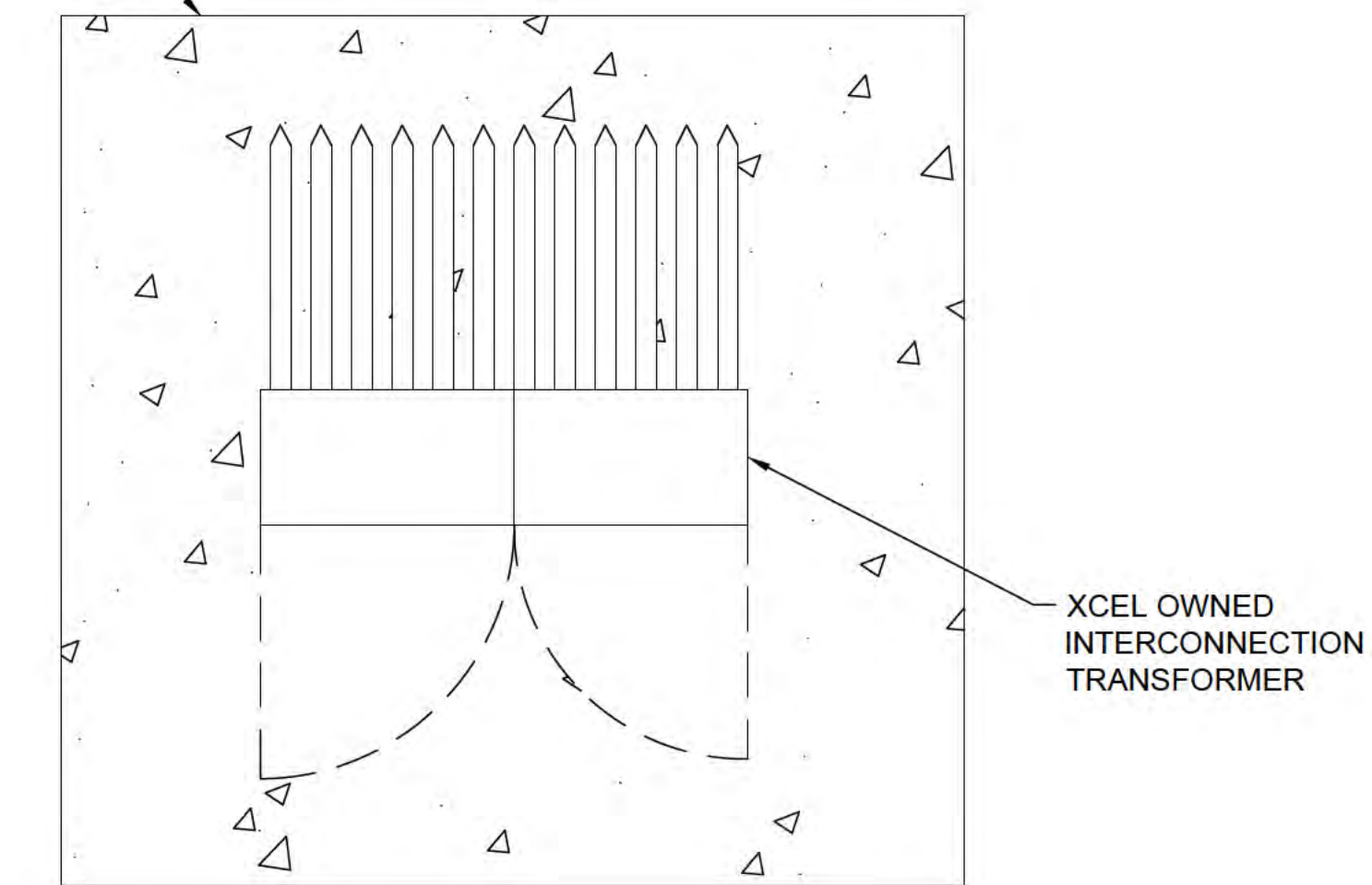
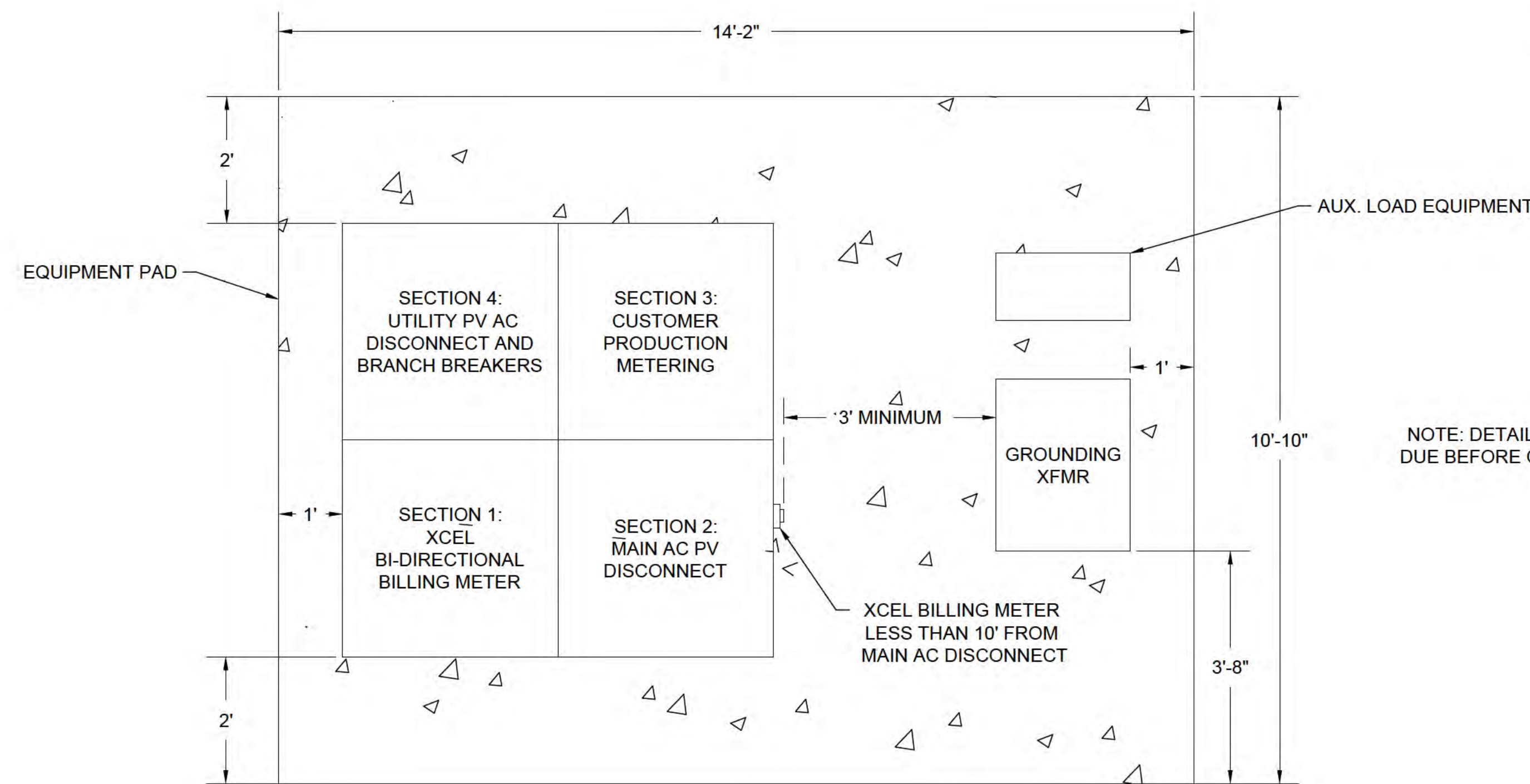
E1



SHEET NOTES:

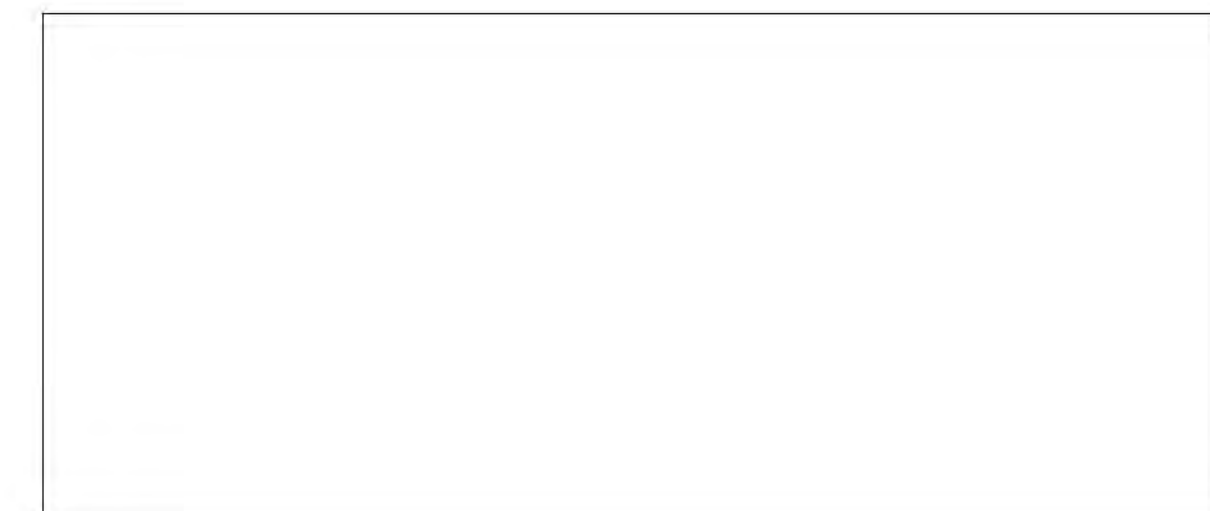
- Overhead line to underground service conductors detail - provided by utility
- Fence Detail and Fence Grounding - provided in the civil engineering drawings

1 INTERCONNECTION PLAN  
Scale: 1" = 50'



SPACE FOR PE STAMP:

2 EQUIPMENT PAD PLAN  
Scale: 3/4" = 1'





# 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:** July 18, 2022  
**Report date:** July 8, 2022

## **PUBLIC HEARING: Request for CUP to Establish a Liquid Manure Storage Basin Exceeding 500,000 Gallons**

Request, submitted by Ann Buck (Owner) to construct a concrete liquid manure storage basin capable of holding up to 963,262 gallons at a 280 animal unit dairy heifer facility with confinement barns and open lots that are without runoff controls.

### **Application Information:**

Applicant: Ann Buck (Owner)  
Address of zoning request: 37609 180<sup>th</sup> Ave, Goodhue, MN 55027  
Parcel(s): 25.024.0401  
Abbreviated Legal: Part of the SE ¼ of Section 24 TWP 111 Range 16 in Belle Creek Township  
Zoning District: A-1 (Agriculture Protection District)  
Township: Belle Creek Township signed acknowledgment of the CUP request on April 13, 2022, with no additional comments.

### **Attachments and links:**

Application and project summary (Ann's Farm)  
Site Map(s)  
Odor OFFSET calculations (Kelsey Petit, Feedlot Officer)  
TEP Wetlands Notice of Decision  
Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Background:**

The Applicant has an existing Feedlot registration for a 280 animal unit dairy heifer facility. They are requesting to construct a 100-foot x 204-foot concrete liquid manure storage basin capable of holding up to 963,262 gallons to aid in the collection of runoff and manure management.

The Goodhue County Zoning Ordinance (GCZO) requires CUP approval for any animal waste storage basins exceeding 500,000 gallons.

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

*No CUP/IUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/IUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, will not substantially diminish and impair property values within the immediate vicinity, will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area, that adequate measures have been, or will be, taken to provide utilities, access roads, drainage and other necessary facilities, to provide sufficient off-street parking and loading space, to control offensive odor, fumes, dust, noise and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*

### **Project Summary:**

#### **Property Information:**

- The 140-acre (approximate) property includes a dwelling, four cattle barns (two north of the

existing dwelling and two to the south), and tilled cropland.

- The parcel and all adjacent properties are zoned A1. Surrounding land uses are primarily agricultural (feedlots and row-crop agriculture). The immediate area has very low-density residential uses.
- Site access is via multiple crushed aggregate driveways located off 180<sup>th</sup> Ave (crushed aggregate road) on the east side of the property. Emergency vehicle access appears adequate to service the property.

#### **Feedlot Facilities:**

- The Applicants are proposing to construct a 100-foot x 204-foot concrete manure storage basin capable of holding 963,262 gallons south of the existing dwelling and north of an existing cattle barn. The proposed manure storage basin will be used for the southerly two barns to manage the area as a confined feeding operation.

#### **Odor Offsets/Setbacks:**

- New construction on existing Feedlots is required to meet a 91% Odor Annoyance-Free Rating distance (as determined by the Odor OFFSET Evaluation Model) to existing dwellings. The proposed manure storage basin achieves a 97% Odor Annoyance-Free Rating distance to the nearest dwelling (on parcel 33.019.0400 owned by David Buck TTEE) approximately 1,770 feet to the northeast.
- The property is approximately 1.5 miles west of the City of Goodhue. The city of Goodhue does not require a 99% Odor Annoyance-Free Rating distance for new construction on existing feedlots as other municipalities in the County do.
- There are currently 4 dwellings located in section 24. As an A1 zone, a maximum of 4 dwellings are allowed in the section and there is no more dwelling density available in the section. The sections to the east and west are also “full” A1 zoned sections. New dwellings cannot be located within 1,000 feet or 94% Odor Annoyance-Free Rating distance (as determined by the Odor OFFSET Evaluation Model) to existing Feedlot operations.
- The proposed manure storage basin is sited to comply with all other setback standards of the GCZO including property lines, wells, septic systems, Shoreland, Floodplains, sinkholes, and Blufflands. The site is not located within an abandoned quarry.

#### **Drainage/Landscaping:**

- The site has relatively limited topographic relief with slopes of approximately 3.0% in the project area. The landscape drains generally towards the west towards an existing field drainage way.
- The MPCA has determined the adjacent registered Feedlot (David Buck TTEE, parcel 33.019.0400) is under common ownership meeting the state definition for “multiple sites.” When combined, the two sites exceed the 1,000 Animal Unit threshold and therefore an MPCA NPDES Stormwater Pollution Prevention Plan (SWPPP) permit is required.

An NPDES SWPPP permit was prepared and approved for the Buck feedlot expansion on parcel 33.019.0400 in 2019. This permit included engineering information for the proposed manure storage pit on parcel 25.024.0401. NPDES permits are valid for 5 years after approval therefore a new NPDES permit is not required for this project.

- There are areas of wetlands located on the property. The proposed manure storage basin will impact 15,800 square feet of Type II wetland. The Technical Evaluation Panel (TEP) met on-site to review the proposed wetland impacts on June 16, 2022. The TEP recommended approval and SWCD staff approved a 1:1 wetland replacement. A complete copy of the TEP decision and findings of fact are attached to this report.

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

- The manure storage basin will accommodate at least 9 months of manure storage capacity.

The new storage basin will be subject to MPCA inspection throughout the construction process to ensure structural integrity and conformance with approved engineered plans. The manure storage area has been designed by MSA Professional Services, a licensed engineering firm.

- The Applicants have an existing manure management plan that will be updated to address the expansion. As a state-level Feedlot permit, the Nutrient Management Plan review will be conducted by the MPCA.
- Manure will be land applied via hose in the spring or fall. The Applicants have provided appropriate manure ownership transfer and land spreading agreements.
- The manure storage basin will be capable of holding up to 963,262 gallons. This accounts for liquid manure, runoff, and one foot of freeboard.
- Emergency Response Plans and Animal Mortality Plans have been completed and were approved by the MPCA as part of the 2019 NPDES permit submittal.

**County Feedlot Officer Comments:**

- Goodhue County Feedlot Officer Kelsey Petit reviewed the Application. She noted the registration, permitting, and inspections will be primarily handled by the MPCA but the County will maintain a Feedlot registration for the facility under the individual parcel as required by the County Ordinance.

**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 manure storage basin does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The use is located in an A1 (Agriculture Protection District) zone which is intended to allow for large-scale farming operations. There is also very low residential density in the surrounding area which limits the potential for future land-use conflicts. The proposal appears harmonious with the established uses in the vicinity which include primarily cropland and animal agriculture operations.
2. The manure storage basin is not anticipated to impede the normal and orderly development or improvement of surrounding vacant property for uses predominant to the area. The proposal meets or exceeds all setback and development standards of the Goodhue County Zoning Ordinance and appears compatible with adjacent land uses.
3. A review of the Applicant’s submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available to accommodate the proposed use.
4. The property contains area to provide sufficient off-street parking and loading space to serve the proposed use and meet the Goodhue County Zoning Ordinance’s parking requirements.
5. The submitted plans detail adequate measures to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. The Applicant’s plans also appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result.

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

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend the County Board of Commissioners **APPROVE** the request for CUP, submitted by Ann Buck (Owner), to construct a concrete liquid manure storage basin capable of holding up to 963,262 gallons at a 280 animal unit dairy heifer facility with confinement barns and open lots that are without runoff controls.

Subject to the following conditions:

1. The manure storage basin shall be constructed according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;

2. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 21 (Agriculture Protection District) and Article 13 (Confined Feedlot Regulations);
3. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # R 25,024,0401

Permit# \_\_\_\_\_

PROPERTY OWNER INFORMATION

Last Name Buck First Ann

Street Address 37609 180<sup>th</sup> Ave

City Goodhue State MN Zip 55027 Attach Legal Description as Exhibit "A"

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

Mailing Address of Landowner: 37298 180<sup>th</sup> Ave

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

PROJECT INFORMATION

Site Address (if different than above): 37609 180<sup>th</sup> Ave Goodhue MN 55027

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

What is the conditional/interim use permit request for? Manure Storage

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

This is to help collect any runoff and hold manure

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: Ann H. Buck

Date 4-6-2022

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 Chris Ry

Title Chairman

Date 4-13-2022

Comments: \_\_\_\_\_

COUNTY SECTION \_\_\_\_\_ COUNTY FEE \$350 RECEIPT # 17571 DATE PAID 4-19-22

Applicant requests a CUP/IUP pursuant to Article \_\_\_\_\_ Section \_\_\_\_\_ Subdivision \_\_\_\_\_ of the Goodhue County Zoning Ordinance

What is the formal wording of the request? \_\_\_\_\_

RECEIVED

Shoreland \_\_\_\_\_ Lake/Stream Name \_\_\_\_\_ Zoning District \_\_\_\_\_

Date Received \_\_\_\_\_ Date of Public Hearing \_\_\_\_\_ DNR Notice \_\_\_\_\_ City Notice \_\_\_\_\_

Action Taken: \_\_\_\_\_ Approve \_\_\_\_\_ Deny \_\_\_\_\_ Conditions: \_\_\_\_\_

Land Use Management

10. Existing and proposed exterior lighting.

There is currently a yard light

11. Existing and proposed exterior signage.

none

12. Existing and proposed exterior storage.

none

13. Proposed safety and security measures.

We will put a fence around the structure

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

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

no more than there already is

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

We will be moving dirt to do the project

17. Existing and proposed surface-water drainage provisions.

We will be collecting the runoff from our outside lots

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

none

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

This project is part of our 5 year compliance with the state. We are working towards ~~2020~~ 2020 this through them.

**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).

To build a cement manure storage structure 100' x 204'

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

The existing buildings house dairy heifers and the new structure will be used as manure storage

3. Proposed number of non-resident employees.

none

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

Clean it out in the spring or fall. Take 1-2 days

5. Planned maximum capacity/occupancy.

It will hold 883,490 gallons

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

nothing new

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

none

8. Proposed solid waste disposal provisions.

The manure will be hosed out onto the nearby farm land

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

none

# Odors From Feedlots Setback Estimation Tool

OFFSET Ver 2.0  
University of Minnesota  
12/2011

Farm Name	Bucks Unlimited LLC Ann's
Address or County	Goodhue County
Evaluator	K. Petit
Date	4/6/2022

Clear All

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

Source Edge to Nearest Neighbor (ft)	1770
Source Edge to Property Line (ft)	36

## Building Sources

Building Type	Width (ft)	Length (ft)	# of Similar Sources	Total Area (sqft)	Control Technology	% air treated
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	Biofilter	

## AREA SOURCES

Source Description	Shape	Width (ft) (or Dia)	Length (ft)	Area (sqft)	Control Technology
Steel or concrete tank	Rectangle	100	204	20400	None
User added	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None

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

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



# OFFSET Summary and Results



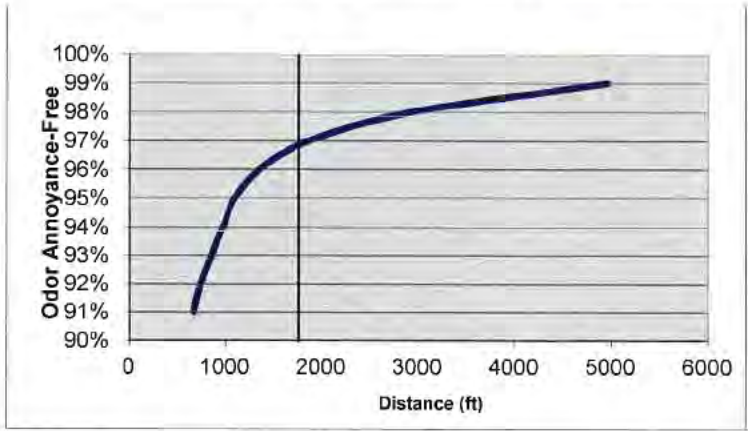
Farm Name	Bucks Unlimited LLC Ann's
County	Goodhue County
Evaluator	K. Petit
Date	4/6/2022

Source Characteristics Summary					Flux Rates (with control technology)				Source Emission Rates*		
	Similar Sources	Emit Area sq ft	Control Technology Type	Percent Treated	Odor	OFFSET	H2S	Ammonia	Odor	H2S	Ammonia
					ou/s/m2	OER	ug/s/m2	ug/s/m2	ou/s	ug/s	ug/s
<b>Buildings</b>											
<b>Area Sources</b>											
Steel or concrete tank		20400	None		30.0	28	38.0	194.0	56886	72055	367861
User added		0	None		0.0	0.0	0.0	0.0	0	0	0

\*includes control technologies

Site Emissions	
Total Site Area (ft <sup>2</sup> )	20,400
Total Odor Emission Factor (TOEF)	57
Total Site H2S Emissions (mg/s)	72
Total Site H2S Emission AVERAGE (lbs/day)	14
Total Site H2S Emission MAX (lbs/day)	27
Total Site H2S Emissions (tons/yr)	3
Total Site Ammonia Emissions (mg/s)	368
Total Site Ammonia Emission AVERAGE (lbs/day)	70
Total Site Ammonia Emissions MAX (lbs/day)	140
Total Site Ammonia Emissions (tons/yr)	13

Source Edge to Nearest Neighbor (ft)	1770
OFFSET Annoyance-free frequency	97%



# Animal Mortality Plan

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

Facility name: Ann Buck Bucks Unlimited Feedlot registration no. 049-100634  
 Owner/Operator name: \_\_\_\_\_ Feedlot permit no. \_\_\_\_\_

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

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

Animal type	Primary method	Secondary method	Catastrophic loss
Dairy Heifers	Render	Bury	Minnesota Duty Officer: 1-800-422-0798

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

## Legal Methods of Disposal

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

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

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

## Bury

Operators choosing to bury animals must select sites very carefully due to the high risk of ground-water contamination. Buried carcasses must:

- Stay five (5) feet above seasonal high water table.
- Stay 1000' away from lakes and 300' away from rivers, streams, ditches, etc.
- Be covered immediately with enough soil to keep scavengers out (Minnesota Board of Animal Health guidelines indicate three (3) feet is sufficient).
- Not be placed in sandy or gravelly soil types.
- Maintain at least ten (10) feet vertical separation between dead animals and bedrock.

## Compost

The composting process must, at a minimum, meet the following:

- The owner of the compost facility shall have a written protocol for the operation containing at least the minimum steps listed below and instructing all employees to follow the protocol.
- Mortalities must be processed daily.
- A base of litter is required. The carcasses or discarded animal parts and litter plus bulking agent are added in layers so that the carbon to nitrogen ratio is in the range of 15:1 to 35:1 (optimal 23:1).
- The carcasses or discarded animal parts must be kept six (6) inches from the edges and sealed with litter each day.
- The temperature must be taken and recorded on site daily. The compost temperature must reach a minimum of 130 degrees Fahrenheit. Approximately seven (7) to ten (10) days are needed in each heat cycle to process the carcasses and kill the pathogens. The temperature drop indicates the time to mix and move the compost. A minimum of two (2) heat cycles is required.
- The finished compost must not contain visible pieces of soft tissue and must be handled, stored, and used according to all other applicable rules.

In addition, composting facilities must be:

- Built on an impervious, weight-bearing pad that is large enough to allow equipment to maneuver.
- Covered with a roof to prevent excessive moisture on the composting material, but if sawdust or other water-repelling material is used as the bulking agent, a roof may not be necessary.
- Built of rot-resistant material that is strong enough to withstand the force exerted by equipment.
- Large enough to handle each day's normal mortality through the endpoint of the composting which consists of a minimum of two (2) heat cycles.

## Incinerate

Incinerator must be:

- Capable of producing emissions not to exceed 20 percent opacity.
- Fitted with an afterburner that maintains flue gases at 1,200 degrees Fahrenheit for at least 0.3 seconds.
- Ash from the incinerator must be handled in such a manner as to prevent particulate matter from becoming airborne.

In addition, it is recommended that the incinerator is large enough to handle each day's mortalities.

## Render

Carcasses left at an off-site pickup point must be:

- Kept in an animal-proof, enclosed area.
- At least 200 yards from a neighbor's buildings.
- Picked up within 72 hours.
- If the enclosed area is refrigerated to less than 45 degrees Fahrenheit, the carcasses must be picked up within seven (7) days.

## Alternative methods

Alternative methods of mortality disposal including, but not limited to, pet food processing, fur farm consumption, lactic fermentation, extrusion, and experimental composting, require a permit from the Minnesota Board of Animal Health. For more information on alternative methods of carcass disposal, contact the Board of Animal Health at 651-296-2942.

---

\*For the purpose of compost pad construction, Class V gravel material is not considered to be impervious.

**Land Application Agreement  
For Receiving Manure on Cropland**

Participant: Ann Buck

Address of Feedlot Facility: 37609 180<sup>th</sup> Ave

City, State, Zip: Goodhue MN 55027

Signature: Ann H. Buck Date: 4-6-2022

The undersigned manure recipient agrees to manage or allow manure to be managed accordingly for the duration of this agreement on ~~2000~~ 140 acres of his/her land located in the \_\_\_\_\_ one quarter of 24 section in Belle Creek Township of Goodhue County.

Please attach a map with fields identified. → We have numerous fields to haul on.

The manure spreading agreement is good until: 30 years

Is the recipient also receiving manure from another producer? \_\_\_\_\_

If receiving manure from another producer, please list the number and types of livestock. \_\_\_\_\_

Name of manure recipient: Bucks Unlimited LLC

Address: 37298 180<sup>th</sup> Ave

City, State, Zip: Goodhue MN 55027

Signature: Chi Buck Date: 4-4-2022

RECEIVED

APR 14 2022

Land Use Management

## USDA-NRCS Manure Ownership Transfer Agreement

Producer/USDA-NRCS Contract Holder	Bucks Unlimited
Address 37298 180 <sup>th</sup> Ave Goodhue, MN 55027	Phone 651-764-1162

Manure Ownership Transfer Agreements are required when the feedlot owner/operator applies manure from their facility onto land that they:

- Do not own, lease, or rent and
- Do not have control over crop and nutrient planning decisions

Livestock producers receiving financial assistance from NRCS with a conservation practice that requires development of a Nutrient Management plan or Comprehensive Nutrient Management Plan (CNMP) must manage or have their manure managed according to NRCS requirements (same as state law). This requirement applies to all land where their manure is applied; regardless of land ownership, manure transfer, or sale to another.

Manure Source to be Transferred <b>New Lagoon</b>					
When Transferred (Months)	April		May	October	November
Volume Transferred	Units Gallons	800,000			
USDA-NRCS Contract Holder Signature 				Date <b>5/28/2020</b>	

### Fields to Receive Manure

Acres Available for Land Application	<b>240</b>
<input checked="" type="checkbox"/> Map(s) attached with areas to receive manure identified	
Are these fields also receiving manure from another source? <b>No</b>	
This agreement is valid through: <b>2030</b>	

*The undersigned manure recipient agrees to allow manure from the above source to be applied to the fields on the attached map(s) and will manage these manure applications according to NRCS Nutrient Management Requirements for the duration of this agreement.*

Manure Recipient	<b>Larry Lexvold</b>	
Address	<b>36160 Co. 6 Blvd Goodhue, Mn 55027</b>	
Manure Recipient Signature 	Date <b>5-28-20</b>	

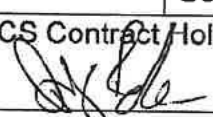
## USDA-NRCS Manure Ownership Transfer Agreement

Producer/USDA-NRCS Contract Holder	Bucks Unlimited
Address 37298 180 <sup>th</sup> Ave Goodhue, MN 55027	

Manure Ownership Transfer Agreements are required when the feedlot owner/operator applies manure from their facility onto land that they:

- Do not own, lease, or rent and
- Do not have control over crop and nutrient planning decisions

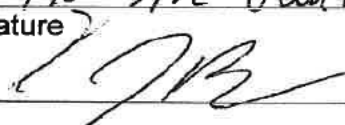
Livestock producers receiving financial assistance from NRCS with a conservation practice that requires development of a Nutrient Management plan or Comprehensive Nutrient Management Plan (CNMP) must manage or have their manure managed according to NRCS requirements (same as state law). This requirement applies to all land where their manure is applied; regardless of land ownership, manure transfer, or sale to another.

Manure Source to be Transferred <b>New Lagoon</b>						
When Transferred (Months)		April		May	October	November
Volume Transferred	Units	890,000				
	Gallons					
USDA-NRCS Contract Holder Signature 				Date 5/28/20		

### Fields to Receive Manure

Acres Available for Land Application	200
<input checked="" type="checkbox"/> Map(s) attached with areas to receive manure identified	
Are these fields also receiving manure from another source?	No
This agreement is valid through: 2030	

*The undersigned manure recipient agrees to allow manure from the above source to be applied to the fields on the attached map(s) and will manage these manure applications according to NRCS Nutrient Management Requirements for the duration of this agreement.*

Manure Recipient	Kenny Ryan	
Address	37221 190 <sup>th</sup> Ave Goodhue MN 55027	
Manure Recipient Signature		Date 5/28/20

## USDA-NRCS Manure Ownership Transfer Agreement

Producer/USDA-NRCS Contract Holder	Bucks Unlimited
Address 37298 180 <sup>th</sup> Ave Goodhue, MN 55027	

Manure Ownership Transfer Agreements are required when the feedlot owner/operator applies manure from their facility onto land that they:

- Do not own, lease, or rent and
- Do not have control over crop and nutrient planning decisions

Livestock producers receiving financial assistance from NRCS with a conservation practice that requires development of a Nutrient Management plan or Comprehensive Nutrient Management Plan (CNMP) must manage or have their manure managed according to NRCS requirements (same as state law). This requirement applies to all land where their manure is applied; regardless of land ownership, manure transfer, or sale to another.

Manure Source to be Transferred <b>New Lagoon</b>					
When Transferred (Months)	April		May	October	November
Volume Transferred	Units Gallons	800,000			
USDA-NRCS Contract Holder Signature 				Date <b>5/28/2020</b>	

### Fields to Receive Manure

Acres Available for Land Application	<b>240</b>
<input checked="" type="checkbox"/> Map(s) attached with areas to receive manure identified	
Are these fields also receiving manure from another source?	No
This agreement is valid through: 2030	

*The undersigned manure recipient agrees to allow manure from the above source to be applied to the fields on the attached map(s) and will manage these manure applications according to NRCS Nutrient Management Requirements for the duration of this agreement.*

Manure Recipient	<b>Larry Lexvold</b>		
Address	<b>36160 Co. 6 Blvd Goodhue, Mn 55027</b>		
Manure Recipient Signature			Date <b>5-28-20</b>

## USDA-NRCS Manure Ownership Transfer Agreement

Producer/USDA-NRCS Contract Holder	Bucks Unlimited
Address 37298 180 <sup>th</sup> Ave Goodhue, MN 55027	

Manure Ownership Transfer Agreements are required when the feedlot owner/operator applies manure from their facility onto land that they:

- Do not own, lease, or rent and
- Do not have control over crop and nutrient planning decisions

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Manure Source to be Transferred <b>New Lagoon</b>					
When Transferred (Months)	April		May	October	November
Volume Transferred	Units	615,000			
	Gallons				
USDA-NRCS Contract Holder Signature				Date	
				5/28/2020	

### Fields to Receive Manure

Acres Available for Land Application	65, 70 = 135
<input checked="" type="checkbox"/> Map(s) attached with areas to receive manure identified	
Are these fields also receiving manure from another source? <span style="float: right;">No</span>	
This agreement is valid through: 2030	

*The undersigned manure recipient agrees to allow manure from the above source to be applied to the fields on the attached map(s) and will manage these manure applications according to NRCS Nutrient Management Requirements for the duration of this agreement.*

Manure Recipient	Reed Lexvold
Address 37375 County 6 Blvd	
Manure Recipient Signature	Date
	05-28-2020



## USDA-NRCS Manure Ownership Transfer Agreement

Producer/USDA-NRCS Contract Holder	Bucks Unlimited
Address 37298 180 <sup>th</sup> Ave Goodhue, MN 55027	

Manure Ownership Transfer Agreements are required when the feedlot owner/operator applies manure from their facility onto land that they:

- Do not own, lease, or rent and
- Do not have control over crop and nutrient planning decisions

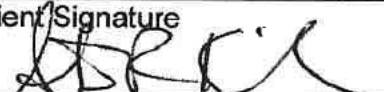
Livestock producers receiving financial assistance from NRCS with a conservation practice that requires development of a Nutrient Management plan or Comprehensive Nutrient Management Plan (CNMP) must manage or have their manure managed according to NRCS requirements (same as state law). This requirement applies to all land where their manure is applied; regardless of land ownership, manure transfer, or sale to another.

Manure Source to be Transferred <b>New Lagoon</b>					
When Transferred (Months)	April		May	October	November
Volume Transferred	Units Gallons	4,110,000			
USDA-NRCS Contract Holder Signature				Date	

### Fields to Receive Manure

Acres Available for Land Application	966
<input checked="" type="checkbox"/> Map(s) attached with areas to receive manure identified	
Are these fields also receiving manure from another source?	No
This agreement is valid through: 2030	

*The undersigned manure recipient agrees to allow manure from the above source to be applied to the fields on the attached map(s) and will manage these manure applications according to NRCS Nutrient Management Requirements for the duration of this agreement.*

Manure Recipient	McNamara Family Farm - Steve + Carolyn Kozicki	
Address	800 Mayflower Ct Northfield, MN 55057	
Manure Recipient Signature		Date 5/28/20

## USDA-NRCS Manure Ownership Transfer Agreement

Producer/USDA-NRCS Contract Holder	Bucks Unlimited
Address 37298 180 <sup>th</sup> Ave Goodhue, MN 55027	

Manure Ownership Transfer Agreements are required when the feedlot owner/operator applies manure from their facility onto land that they:

- Do not own, lease, or rent and
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Livestock producers receiving financial assistance from NRCS with a conservation practice that requires development of a Nutrient Management plan or Comprehensive Nutrient Management Plan (CNMP) must manage or have their manure managed according to NRCS requirements (same as state law). This requirement applies to all land where their manure is applied; regardless of land ownership, manure transfer, or sale to another.

Manure Source to be Transferred <b>New Lagoon</b>					
When Transferred (Months)	April		May	October	November
Volume Transferred	Units	865,000			
	Gallons				
USDA-NRCS Contract Holder Signature				Date	

### Fields to Receive Manure

Acres Available for Land Application	<b>206</b>
<input checked="" type="checkbox"/> Map(s) attached with areas to receive manure identified	
Are these fields also receiving manure from another source?	No
This agreement is valid through: 2030	

*The undersigned manure recipient agrees to allow manure from the above source to be applied to the fields on the attached map(s) and will manage these manure applications according to NRCS Nutrient Management Requirements for the duration of this agreement.*

Manure Recipient	<i>Mrs Jones</i>	
Address	<i>3619B 180<sup>th</sup> Ave</i>	
Manure Recipient Signature	<i>Mrs Jones</i>	Date <i>5-27-20</i>

Bucks Unlimited: Land Application Field Summary									
Field Name	Field #	Overall Acres	Setback Acres	Application Acres	Quarter	Section	Township	Range	Application Type
Alvins North Back	1	65.3	0.4	64.9	SW 1/4	31	111	15	Farm 4829-Tract 3140
Alvins North Road	1	73.3		73.3	SW 1/4	31	111	15	Farm 4829-Tract 3140
Alvins South L Shape	8	68.3	1.7	66.6	NW 1/4	6	110	15	Farm 4829-Tract 4899
Alvins South Around Jerry's	8	61.5		61.5	NW 1/4	6	110	15	Farm 4829-Tract 4899
Bode	2,3,4	101.2	2.7	98.5	S1/2	14	111	15	Farm 7895-Tract 3187
Brians	6	64.1	1.3	62.8	SW 1/4	2	110	16	Farm 4084-Tract-9546, 6
Church	19-20	129.5	1.2	128.27		14	111	15	Farm 4829-Tract 3184
The 40	1	35.2	0.7	34.5	SE 1/4	19	111	15	Farm 4234-Tract 3124-1
Burfeinds-100	1-8-	70.3	0.4	69.9	SE 1/4	25	111	16	Farm 4741-Tract 5441
Burfiends 100 Front	9	9.2		9.2	SE 1/4	25	111	16	Farm 4741-Tract 5441
Chris East	3	75.2	2	73.2	SE 1/4	23	111	16	Farm 7845-Tract 11251
Chris West	9	65.8	1.9	63.9	SE 1/4	23	111	16	Farm 7845-Tract 11250
DJs House	1	52.2	0.1	52.1	SW 1/4	19	111	15	Farm 4234, Tract 11780
Hilberts	1	43.8	0.1	43.7	SW 1/4	19	111	15	Farm 1515-Tract 3122
Hilberts Line	11	59.1	0.1	59	SW 1/4	19	111	15	Farm 4234, Tract 11781
Home Woods	1	15.02		15.02	NW 1/4	19	111	15	Farm 4234-Tract 9427
Home Dean Line	2, 3	50.2	1	49.2	NW 1/4	19	111	15	Farm 4234-Tract 9427
Home Bunker	4	48.07	0.2	47.87	NW 1/4	19	111	15	Farm 4234-Tract 9427
Scharpen Roads	2, 3	68.22	0.1	68.12	SE 1/4	36	111	16	Farm 6443-Tract 9459
Scharpens DJ	1, 4	52.75		52.75	SE 1/4	36	111	16	Farm 6443-Tract 9459
Around Kelly's	1	105.44		105.44	SW 1/4	36	111	16	Farm 7111-Tract 11320
Verns	1, 3	69.5		69.5	SE 1/4	24	111	16	Farm 4234, Tract 4293
Grain Bin	2	23.5		23.5	SE 1/4	24	111	16	Farm 4234, Tract 4293
Total		1406.7	13.9	1392.8					
<b>Transfer Acres</b>									
Larry Lexvold	1	39.94		39.94	SE1/4NE1/4	20	111	15	

### General Farm Field Information

Field	Acres	Irrigated	Soil Productivity Potential for N	Location/Description
<b>Farm 1515-Tract 3</b>				
Hilberts	43.7	<input type="checkbox"/>	High	SW 1/4, S 19, T 111, R 15
<b>Farm 4084-Tract 9</b>				
Alvin's South Around Jerrys	61.5	<input type="checkbox"/>	High	NW 1/4, Section 6, T 110, R 15
Brians-6	62.8	<input type="checkbox"/>	High	SW 1/4, S 2, T 110, R 16
<b>Farm 4234, Tract 4</b>				
Vern's 1, 3	69.5	<input type="checkbox"/>	High	SE 1/4, S 24, T 111, R 16
<b>Farm 4234-Tract 1</b>				
DJ's House	52.1	<input type="checkbox"/>	High	SW 1/4, S 19, T 111, R 15
<b>Farm 4234-Tract 1</b>				
Hilberts Line	59.0	<input type="checkbox"/>	High	SW 1/4, S 19, T 111, R 15
<b>Farm 4234-Tract 3</b>				
The 40-1	34.5	<input type="checkbox"/>	High	SE 1/4, S 19, T 111, R 15
<b>Farm 4234-Tract 4</b>				
Grain Bin-2	23.5	<input type="checkbox"/>	High	SE 1/4, S 24, T 111, R 16
<b>Farm 4234-Tract 9</b>				
Home Woods	15.0	<input type="checkbox"/>	High	NW 1/4, S 19, T 111, R 15
<b>Farm 4234-Tract 9</b>				
Dean's Line 2-3	49.2	<input type="checkbox"/>	High	NW 1/4, S 19, T 111, R 15
<b>Farm 4234-Tract 9</b>				
Chris East-3	73.2	<input type="checkbox"/>	High	SE 1/4, S 23, T 111, R 16
Home Bunker-4	47.9	<input type="checkbox"/>	High	NW 1/4, S 19, T 111, R 15
<b>Farm 4741-Tract 5</b>				
Burfeinds-100-1-8	69.9	<input type="checkbox"/>	High	SE 1/4, S 25, T 111 R 16
Church, 19-20	128.3	<input type="checkbox"/>	High	S 14, T 111, R 15
<b>Farm 4741-Tract 5</b>				
Alvins North Back	65.3	<input type="checkbox"/>	High	SW 1/4, Section 31, T 111 N, R 15
Burfeinds 100 Front	9.2	<input type="checkbox"/>	High	SE 1/4, S 25, T 111, R 16

**General Farm Field Information**

Field	Acres	Irrigated	Soil Productivity Potential for N	Location/Description
<b>Farm 4829-Tract 3</b>				
Alvins North Road	73.3	<input type="checkbox"/>	High	SW 1/4, Section 31, T 111 N, R 15
<b>Farm 4829-Tract 4</b>				
Alvin's South L-Shape	66.6	<input type="checkbox"/>	High	NW 1/4, Section 6 T 110 R 15
<b>Farm 6443-Tract 9</b>				
Scharpens DJ	52.8	<input type="checkbox"/>	High	SE 1/4, S 36, T 111, R 16
<b>Farm 6443-Tract 9</b>				
Scharpen Roads 2-3	68.1	<input type="checkbox"/>	High	SE 1/4, S 36, T 111, R 16
<b>Farm 7111-Tract-1</b>				
Around Kelly's	105.4	<input type="checkbox"/>	High	SW 1/4, S 36, T 111, R 16
<b>Farm 7845-Tract 1</b>				
Chris West-9	63.9	<input type="checkbox"/>	High	SE 1/4, S 23, T 111, R 16
<b>Farm 7895-Tract 3</b>				
Bode, 2-4	101.2	<input type="checkbox"/>	High	S 1/2, S14, T 111, R 15
<b>Total Acres</b>	<b>1395.9</b>			

## Minnesota Wetland Conservation Act Notice of Decision

<b>Local Government Unit:</b> Goodhue SWCD	<b>County:</b> Goodhue
<b>Applicant Name:</b> Dave & Chris Buck	<b>Applicant Representative:</b> Jeff Anderson (MSA)
<b>Project Name:</b> Bucks Unlimited Dairy Expansion <b>LGU Project No. (if any):</b>	
<b>Date Complete Application Received by LGU:</b> 5/12/2022	
<b>Date of LGU Decision:</b> 6/24/2022	
<b>Date this Notice was Sent:</b> 6/27/2022	

**WCA Decision Type** - check all that apply

<input checked="" type="checkbox"/> Wetland Boundary/Type	<input checked="" type="checkbox"/> Sequencing	<input checked="" type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> No-Loss (8420.0415)	<input type="checkbox"/> Exemption (8420.0420)		
Part: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H	Subpart: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9		

**Replacement Plan Impacts** (replacement plan decisions only)

Total WCA Wetland Impact Area: <b>15,800 sf (0.3627 acres)</b>
Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits: <input checked="" type="checkbox"/> Bank Credits: BSA 8
Bank Account Number(s): <b>#1083</b>

**Technical Evaluation Panel Findings and Recommendations (attach if any)**

<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve w/Conditions <input type="checkbox"/> Deny <input type="checkbox"/> No TEP Recommendation
--

**LGU Decision**

<input type="checkbox"/> Approved with Conditions (specify below) <sup>1</sup> List Conditions:	<input checked="" type="checkbox"/> Approved <sup>1</sup>	<input type="checkbox"/> Denied
<b>Decision-Maker for this Application:</b> <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other:		
<b>Decision is valid for:</b> <input checked="" type="checkbox"/> 5 years (default) <input type="checkbox"/> Other (specify):		

<sup>1</sup> *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

**LGU Findings** – Attach document(s) and/or insert narrative providing the basis for the LGU decision<sup>1</sup>.

<input checked="" type="checkbox"/> Attachment(s) (specify): <b>TEP Findings document for additional information.</b>
<input checked="" type="checkbox"/> Summary: <b>TEP visited 6/16/2022 at noon. Reviewed and agreed with the identified wetland boundary. TEP noted that the wetland continues further west outside the project area. Agreed with a “low quality” type 2 wetland present in the pasture area and per rule, a 1:1 ratio wetland replacement is allowed since the manure storage is an agricultural accessory component.</b>

<sup>1</sup> *Findings must consider any TEP recommendations.*

**Attached Project Documents**

<input checked="" type="checkbox"/> Site Location Map <input checked="" type="checkbox"/> Project Plan(s)/Descriptions/Reports (specify):
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**Appeals of LGU Decisions**

If you wish to appeal this decision, you must provide a written request within 30 calendar days of the date you received the notice. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator  
Minnesota Board of Water & Soils Resources  
520 Lafayette Road North  
St. Paul, MN 55155  
[travis.germundson@state.mn.us](mailto:travis.germundson@state.mn.us)

Does the LGU have a local appeal process applicable to this decision?

- Yes<sup>1</sup>       No

<sup>1</sup>If yes, all appeals must first be considered via the local appeals process.

**Local Appeals Submittal Requirements** (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

**Notice Distribution (include name)**

*Required on all notices:*

<input checked="" type="checkbox"/> SWCD TEP Member: Chad Hildebrand	<input checked="" type="checkbox"/> BWSR TEP Member: Alyssa Core
<input checked="" type="checkbox"/> LGU TEP Member (if different than LGU contact): Willie Root (Goodhue County)	
<input checked="" type="checkbox"/> DNR Representative: Brandon Schad	
<input type="checkbox"/> Watershed District or Watershed Mgmt. Org.:	
<input checked="" type="checkbox"/> Applicant: Dave & Chris Buck	<input checked="" type="checkbox"/> Agent/Consultant: Jeff Anderson (MSA)

*Optional or As Applicable:*

<input checked="" type="checkbox"/> Corps of Engineers: Raelene Hegge	
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):	
<input type="checkbox"/> Members of the Public (notice only):	<input type="checkbox"/> Other:

<b>Signature:</b> 	<b>Date:</b> 06/27/2022
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**This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.**



Goodhue County SWCD  
104 East 3<sup>rd</sup> Ave, P.O. Box 335  
Goodhue, MN 55027  
651-923-5286 Ext. 4  
[www.goodhueswcd.org](http://www.goodhueswcd.org)

TEP Meeting Date: Thursday, June 16, 2022

Time: 12:00 pm

Project Name: Bucks Unlimited Dairy Expansion

Location: Goodhue County, Belle Creek Twp, Section 24, Range 16

Subject: Bucks Unlimited Dairy - WCA TEP Findings and Recommendations

Present: Chad Hildebrand (Goodhue SWCD), Alyssa Core (BWSR), Willie Root (Goodhue County), Kelsey Petit (Goodhue County Feedlot Officer), Chris Buck (Landowner)

### **TEP Findings of Fact: (6/16/2022 site visit)**

- Note that the delineated wetland stops at the Investigation Limits by MSA. TEP would like to note that the wetland continues further west and the boundary would be extended. That any project would take that into consideration to protect.
- Consider the Type 2 wetland to be of low quality.
- TEP agrees with the location of the wetland boundary that was delineated by MSA.
- Discussion with the landowner & Goodhue County Feedlot Officer, funding for the manure storage comes from the Federal NRCS EQIP program. EQIP program has specific standards that must be followed to be eligible. Puts a limiting factor on the size, shape, and location of the structure.
- Agree with a 1:1 ratio for wetland replacement credits for the proposed project. Due to a manure storage area is an agricultural accessory component and would allow a minimum 1:1 ratio within bank service area on agricultural land.
- June 22, 2022 – Jenise Anderson (MSA) responded with an email regarding to the additional items requested.
  - Corrected the measurements of wetland impacts to 15,800 sf or 0.3627 acres.
  - Attached signed wetland credit purchase agreement form.
  - Sent narratives of the alternative options that were considered for the build site

### **TEP Additional Items Requested:**

1. Need the different configurations that were evaluated for the manure storage to review, document, and ensure WCA rule steps were met.
2. Clarification on the total impact area of the project. Application stated 0.40 acres or 15,800 SF will be impacted. Converting 0.40 acres equals 17,424 SF (1 acre = 43,560 SF).
3. Per WCA rule 8420.0330 Subp 3.C.(4) – a completed application for withdrawal of wetland credits from the wetland bank in a form provided by the board or a purchase agreement signed by the applicant and bank account holder.
  - a. Do you have either forms with the correct square footage of impacted wetlands? An email is all that was provided. Need additional documentation.
4. What was the reason for limiting the investigation limits to what was displayed on the map when the wetland boundary continued further west?





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### MSA (Consultant) responses to Additional Items Requested:

Responses to your questions follow. Please let us know if you have any other questions!

1. The configurations we considered were controlled by several design constraints – the minimum volume had to be what it is, and the width (40' ramp and 40' between ramp and south wall) was chosen as the narrowest option controlled by manure handling and equipment access (this is fairly solid heifer manure). We also chose an internal ramp, opposed to external, to reduce footprint and keep from pushing the storage further west. The top elevation of 1195 is controlled by the existing lot elevation on the west and keeping the slope to the storage at a safe slope for scraping to the pushoff. Due to these constraints we didn't get to preliminary sketched design on a lot of options. The total depth was also a constraint, though that is discussed in more detail in the descriptions below.
  - a. Option A: Narrower N-S, Longer to the West. This option would reduce the wetland impact to the north but increase wetland impact to the west. This was not chosen because the farm requires 40' of distance for manure handling equipment to maneuver safely and to allow for the successful handling/transfer of the solid manure. While this option was not modeled, the overall top footprint needs to stay the same and the wetland increases to the west, so overall wetland impact would not be reduced dramatically.
  - b. Option B: increasing depth, decreasing footprint (likely by decreasing length to the west, see width constraint). The depth was decided based on two factors – the standard details for the walls (walls vary 8' to 10', and taller than 10' would need a structural engineer), and the perched water below the storage. The design accounts for draining perched water to 1185.5, but between the top elevation constraints, the wall design constraints, and the additional perched water to 1182.4, the bottom was chosen to be 1187.00.
  - c. Option C: Vertical walled storage. This is by far the most appealing option for reducing footprint. **A sketch is attached.** While the northwest corner would be placed entirely on fill, the option was still given considerable weight due to the reduction in footprint and the reduced impact to the wetland. In addition to reducing the footprint of the storage and eliminating the width of the berm, the backfill would only need to be to 1191 rather than to 1195, so the wetland impact is even further reduced. This option was ultimately not chosen due to the increased cost of an additional 300' of vertical wall.
  - d. Option D: The final configuration is the one submitted. The combination of sloped and vertical walls allows the farm to use a pushoff system without incurring the cost of vertical walls all the way around. Additionally, the larger surface area allows for greater collection of precipitation into the storage. Increasing the amount of water going into the heifer manure allows it to be agitated and pumped versus all loaded onto a spreader using a payload; this provides the farm flexibility in management. The footprint,



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depth, and top elevation were decided as previously discussed. Something I realized upon a review of the plans is that the exterior side slopes can be reduced from a 4:1 (H:V) to a 3:1 (H:V), reducing the impact to 13,000 sf rather than 15,800 sf. This slope is not quite as easily maintainable, however.

2. Size of impact is 15,800 sf or 0.3627 acres
3. See **attached** purchase agreement.
4. The delineation covered the extent of the planned project, and it's known that extending to the west the wetland increases, so we did not feel extending the delineation was necessary.

## PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

**Applicant/Landowner Name:** Dave and Chris Buck

**Mailing Address:** 37298 180th Avenue  
Goodhue, MN 55027

**Phone:**

**E-mail Address:**

**Authorized Contact (do not complete if same as above):** Jenise Anderson MSA Professional Services, Inc.

**Mailing Address:** 201 W Springfield Ave STE 400, Champaign, IL 61820

**Phone:**

**E-mail Address:**

**Agent Name:** Jeff Anderson MSA Professional Services, Inc.

**Mailing Address:** 332 W Superior Street, Suite 600 Duluth, MN 55802

**Phone:**

**E-mail Address:**

## PART TWO: Site Location Information

**County:** Goodhue

**City/Township:** Goodhue

**Parcel ID and/or Address:** PID 250240401

**Legal Description (Section, Township, Range):** Sec 24, T111N, R16W

**Lat/Long (decimal degrees):**

**Attach a map showing the location of the site in relation to local streets, roads, highways.**

**Approximate size of site (acres) or if a linear project, length (feet):** ½ acre

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

[http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform\\_4345\\_2012oct.pdf](http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf)

## PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted *prior to* this application then describe that here and provide the Corps of Engineers project number.

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

Buck's Unlimited has contracted MSA Professional Services, Inc. to develop a plan to address manure management at Ann's Farm. Ann's Farm is a satellite farm just south and west of their dairy and is their heifer raising facility. Ann's Farm is made up

of two cattle housing units on the north side of the parcel and two cattle housing facilities on the south side of the parcel. Housing units have been managed with roofed structures, but also with adjacent pastures and lots. The farm has been encouraged to manage facilities with increased confinement to reduce the amount of erosion and sedimentation happening within the pastures. For the two south housing units, manure storage is needed to manage the area as a confinement.

The housing units were constructed on the local high point, and because of this, the north ends of the buildings are raised higher than the near ground surface. Each housing unit has an open lot which also contributes to contaminated runoff. Siting design and implementation of a waste (manure) storage facility reduces the environmental impact and impact to aquatic resources from these animal housing areas by upgrading them and allowing the Buck family to better manage nutrients and reduce runoff from the lots.

The best location for the waste storage facility is on the north end of the confinement area. The south end has numerous cattle handling improvements made and the lots were all sloped to the north. Heifer manure is dryer and does not flow as well as manure from lactating cows, so scraping to a vertical wall storage made the most sense. Access was also going to be an important design because a greater portion of the manure accumulated and processed during land application periods would need to be loaded onto a spreader by a pay loader or skid loader instead of loading by a pump. The other primary design factor related to economic factors: the design was focused on providing the most days of storage within a reasonable cost. The challenge with siting the storage on the north side of the housing units was its proximity to a drainage course and the wetland that exists in the area as well, as reviewed by Goodhue County Soil and Water District and delineated by MSA Professional Services, Inc.

The proposed wetland impacts are 0.40 acre (15,800 SF) of Type 2 (Wet Meadow) wetlands. Wetland credits will be purchased for all wetland impacts for the proposed project. Wetland credits will be purchased in Bank Service Area 8 (BSA 8) with a 1:1 ratio.

The following figures and plan drawings are provided to visually depict the project location and layout of the proposed project features, in addition to identifying the specific wetland impacts subject to this permit application:

Figure 1P:	Project Location Map
Figure 2P:	Wetland Impact Map
Appendix A:	Project Drawings
Appendix B:	Wetland Delineation Report
Appendix C:	Wetland Credit Availability Documentation
Appendix D:	De Minimis Exemption Calculation Worksheet

## PART FOUR: Aquatic Resource Impact<sup>1</sup> Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) <sup>1</sup>	Size of Impact <sup>2</sup>	Overall Size of Aquatic Resource <sup>3</sup>	Existing Plant Community Type(s) in Impact Area <sup>4</sup>	County, Major Watershed #, and Bank Service Area # of Impact Area <sup>5</sup>
Wetland Area 1	Wetland	Fill	P	0.40 acres (15,800 SF)	0.75 acres	Type 2 Wet Meadow	Goodhue, #41, BSA 8

<sup>1</sup>If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

<sup>2</sup>Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

<sup>3</sup>This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

<sup>4</sup>Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3<sup>rd</sup> Ed. as modified in MN Rules 8420.0405 Subp. 2.

<sup>5</sup>Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

## PART FIVE: Applicant Signature

Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I hereby authorize MSA Professional Services, Inc. to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

<sup>1</sup> The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

## **Attachment B**

# **Supporting Information for Applications Involving Exemptions, No Loss Determinations, and Activities Not Requiring Mitigation**

Complete this part *if* you maintain that the identified aquatic resource impacts in Part Four do not require wetland replacement/compensatory mitigation OR *if* you are seeking verification that the proposed water resource impacts are either exempt from replacement or are not under CWA/WCA jurisdiction.

Identify the specific exemption or no-loss provision for which you believe your project or site qualifies:

The proposed impacts exceed the de minimis exemption standard and therefore a replacement plan is required and addressed as part of this joint application package. The de minimis exemption calculation worksheet is provided for reference in Appendix D.

Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), and permit conditions (e.g. Corps General Permit conditions) to determine the necessary information to support the application. Applicants are strongly encouraged to contact the WCA LGU and Corps Project Manager prior to submitting an application if they are unsure of what type of information to provide:

## Attachment C

### Avoidance and Minimization

**Project Purpose, Need, and Requirements.** Clearly state the purpose of your project and need for your project. Also include a description of any specific requirements of the project as they relate to project location, project footprint, water management, and any other applicable requirements. Attach an overhead plan sheet showing all relevant features of the project (buildings, roads, etc.), aquatic resource features (impact areas noted) and construction details (grading plans, storm water management plans, etc.), referencing these as necessary:

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Appendix D:	De Minimis Exemption Calculation Worksheet

**Avoidance.** Both the CWA and the WCA require that impacts to aquatic resources be avoided if practicable alternatives exist. Clearly describe all on-site measures considered to avoid impacts to aquatic resources and discuss at least two project alternatives that avoid all impacts to aquatic resources on the site. These alternatives may include alternative site plans, alternate sites, and/or not doing the project. Alternatives should be feasible and prudent (see MN Rules 8420.0520 Subp. 2 C). Applicants are encouraged to attach drawings and plans to support their analysis:

Several configurations were evaluated from an effective management perspective and minimizing impact to the delineated wetland. All alternatives impacted the wetland because of the volume of storage required to appropriately manage nutrients and have an acceptable storage period that covers the winter months. The chosen storage (as shown in the attached plans) is part vertical wall and part sloped earthen embankment. The vertical wall minimizes the footprint and the overall shape allows the manure and runoff water to equalize better while providing a safe and effective space for equipment operation. The design does avoid the most functional portion of the wetland and its associated drainage. Hydrology has been maintained and will not affect down gradient portions of the wetland.

**Minimization.** Both the CWA and the WCA require that all unavoidable impacts to aquatic resources be minimized to the greatest extent practicable. Discuss all features of the proposed project that have been modified to minimize the impacts to water resources (see MN Rules 8420.0520 Subp. 4):

Minimization efforts have been incorporated into this project as much as possible without decreasing functionality. Wetland impacts have been minimized by orienting the manure storage basin lengthwise and utilizing walls and the steepest allowable design slopes for adjacent grading. Use of lowered slopes and eliminating wall features would effectively expand grading boundaries much further into the wetland.

**Off-Site Alternatives.** An off-site alternatives analysis is not required for all permit applications. If you know that your proposal will require an individual permit (standard permit or letter of permission) from the U.S. Army Corps of Engineers, you may be required to provide an off-site alternatives analysis. The alternatives analysis is not required for a complete application but must be provided during the review process in order for the Corps to complete the evaluation of your application and reach a final decision. Applicants with questions about when an off-site alternatives analysis is required should contact their Corps Project Manager.

No other off site alternative exist since Bucks Unlimited owns this property and the storage area needs to be contiguous with the rest of the cattle management area to the most effectively manage the containment efforts.



## Attachment D

### Replacement/Compensatory Mitigation

Complete this part *if* your application involves wetland replacement/compensatory mitigation not associated with the local road wetland replacement program. Applicants should consult Corps mitigation guidelines and WCA rules for requirements.

**Replacement/Compensatory Mitigation via Wetland Banking.** Complete this section if you are proposing to use credits from an existing wetland bank (with an account number in the State wetland banking system) for all or part of your replacement/compensatory mitigation requirements.

Wetland Bank Account #	County	Major Watershed #	Bank Service Area #	Credit Type (if applicable)	Number of Credits
1083	Dodge	41	8	Type 3	0.40

Applicants should attach documentation indicating that they have contacted the wetland bank account owner and reached at least a tentative agreement to utilize the identified credits for the project. This documentation could be a signed purchase agreement, signed application for withdrawal of credits or some other correspondence indicating an agreement between the applicant and the bank owner. *However, applicants are advised not to enter into a binding agreement to purchase credits until the mitigation plan is approved by the Corps and LGU.*

**Project-Specific Replacement/Permittee Responsible Mitigation.** Complete this section if you are proposing to pursue actions (restoration, creation, preservation, etc.) to generate wetland replacement/compensatory mitigation credits for this proposed project.

WCA Action Eligible for Credit <sup>1</sup>	Corps Mitigation Compensation Technique <sup>2</sup>	Acres	Credit % Requested	Credits Anticipated <sup>3</sup>	County	Major Watershed #	Bank Service Area #

<sup>1</sup>Refer to the name and subpart number in MN Rule 8420.0526.

<sup>2</sup>Refer to the technique listed in *St. Paul District Policy for Wetland Compensatory Mitigation in Minnesota*.

<sup>3</sup>If WCA and Corps crediting differs, then enter both numbers and distinguish which is Corps and which is WCA.

Explain how each proposed action or technique will be completed (e.g. wetland hydrology will be restored by breaking the tile.....) and how the proposal meets the crediting criteria associated with it. Applicants should refer to the Corps mitigation policy language, WCA rule language, and all associated Corps and WCA guidance related to the action or technique:

Attach a site location map, soils map, recent aerial photograph, and any other maps to show the location and other relevant features of each wetland replacement/mitigation site. Discuss in detail existing vegetation, existing landscape features, land use (on and surrounding the site), existing soils, drainage systems (if present), and water sources and movement. Include a topographic map showing key features related to hydrology and water flow (inlets, outlets, ditches, pumps, etc.):

# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

Public Hearing  
July 18, 2022

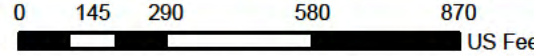
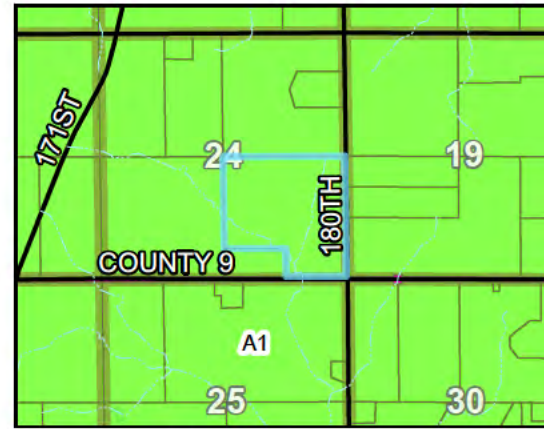
Ann Buck (Owner)  
A1 Zoned District

Part of the SE 1/4 of Section 24 TWP 111  
Range 16 in Belle Creek Township

Request for CUP to construct a concrete  
liquid manure storage basin capable of  
holding up to 963,262 gallons.

### 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



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2020Aerial Imagery  
Map Created July, 2022 by LUM



# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

Public Hearing  
July 18, 2022

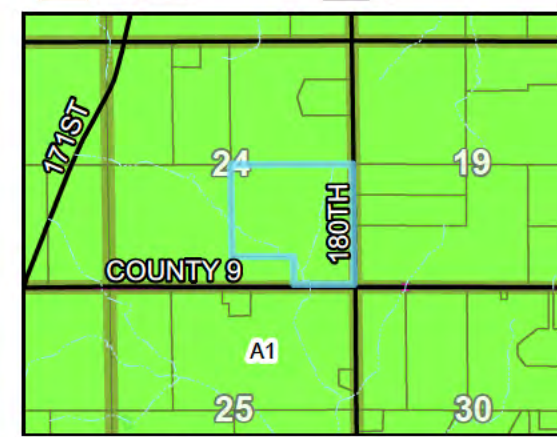
Ann Buck (Owner)  
A1 Zoned District

Part of the SE 1/4 of Section 24 TWP 111  
Range 16 in Belle Creek Township

Request for CUP to construct a concrete  
liquid manure storage basin capable of  
holding up to 963,262 gallons.

### Legend

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



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Map Created July, 2022 by LUM

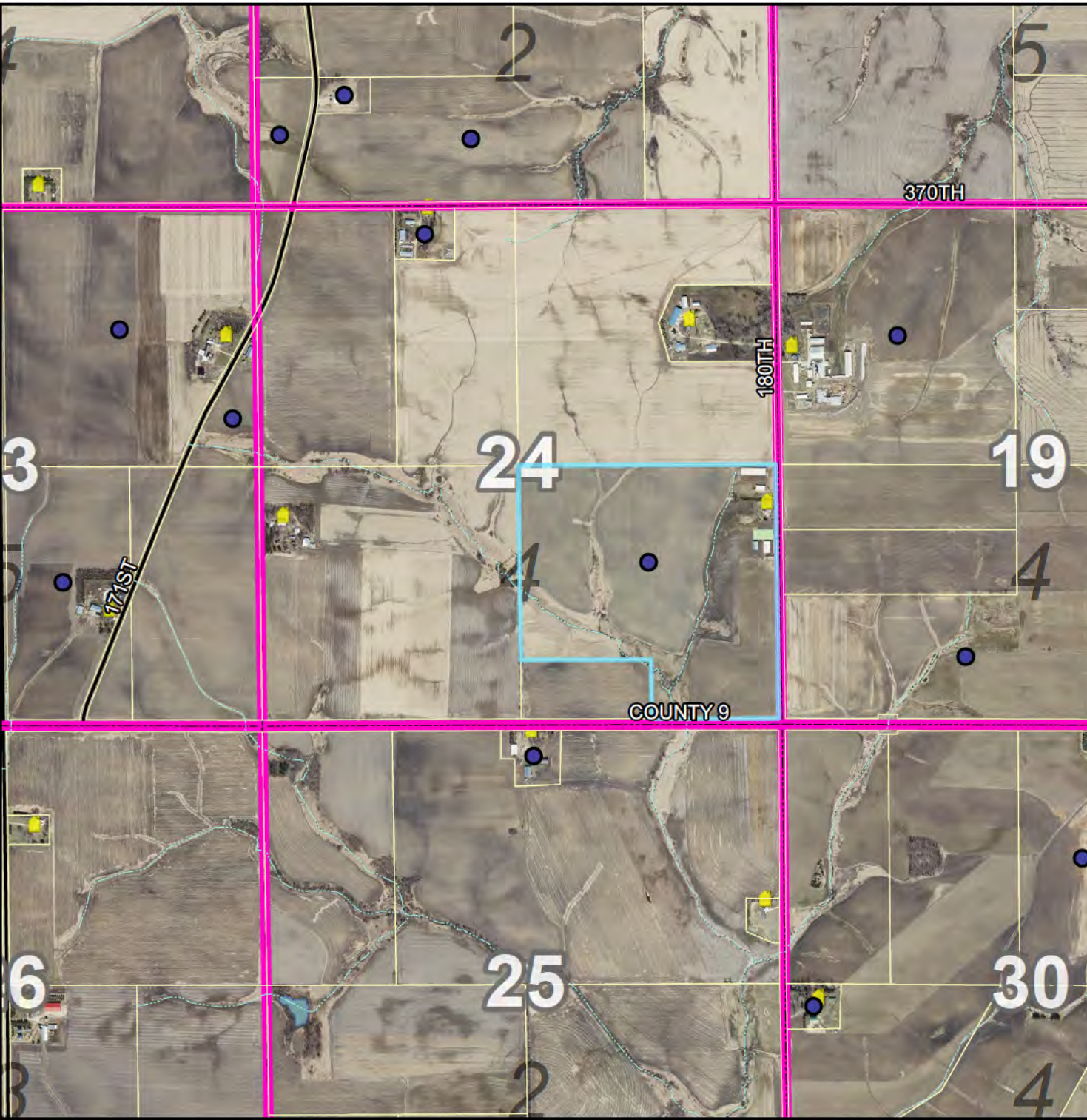


Public Hearing  
July 18, 2022

Ann Buck (Owner)  
A1 Zoned District

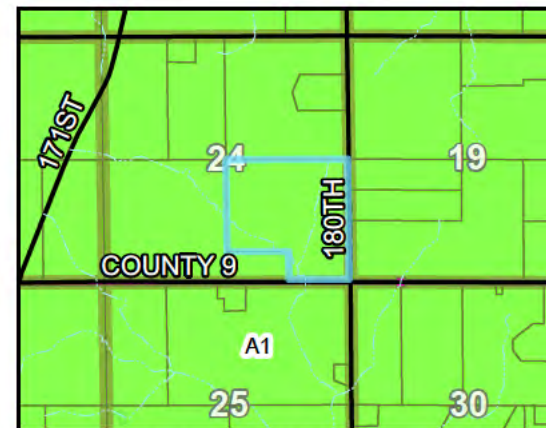
Part of the SE 1/4 of Section 24 TWP 111  
Range 16 in Belle Creek Township

Request for CUP to construct a concrete  
liquid manure storage basin capable of  
holding up to 963,262 gallons.



**Legend**

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



0 500 1,000 2,000 3,000 US Feet

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# MAP 03: ELEVATIONS



## PLANNING COMMISSION

Public Hearing  
July 18, 2022

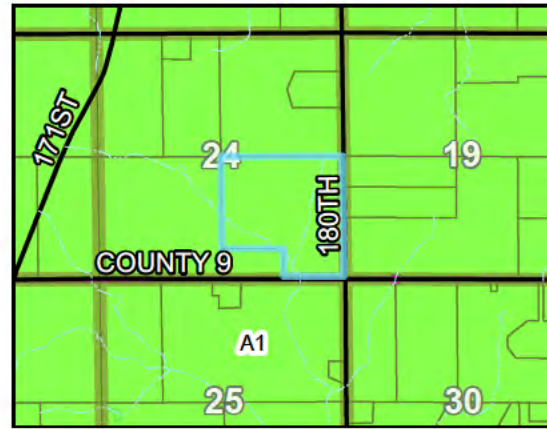
Ann Buck (Owner)  
A1 Zoned District

Part of the SE 1/4 of Section 24 TWP 111  
Range 16 in Belle Creek Township

Request for CUP to construct a concrete  
liquid manure storage basin capable of  
holding up to 963,262 gallons.

### 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             |                                   |



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Map Created July, 2022 by LUM



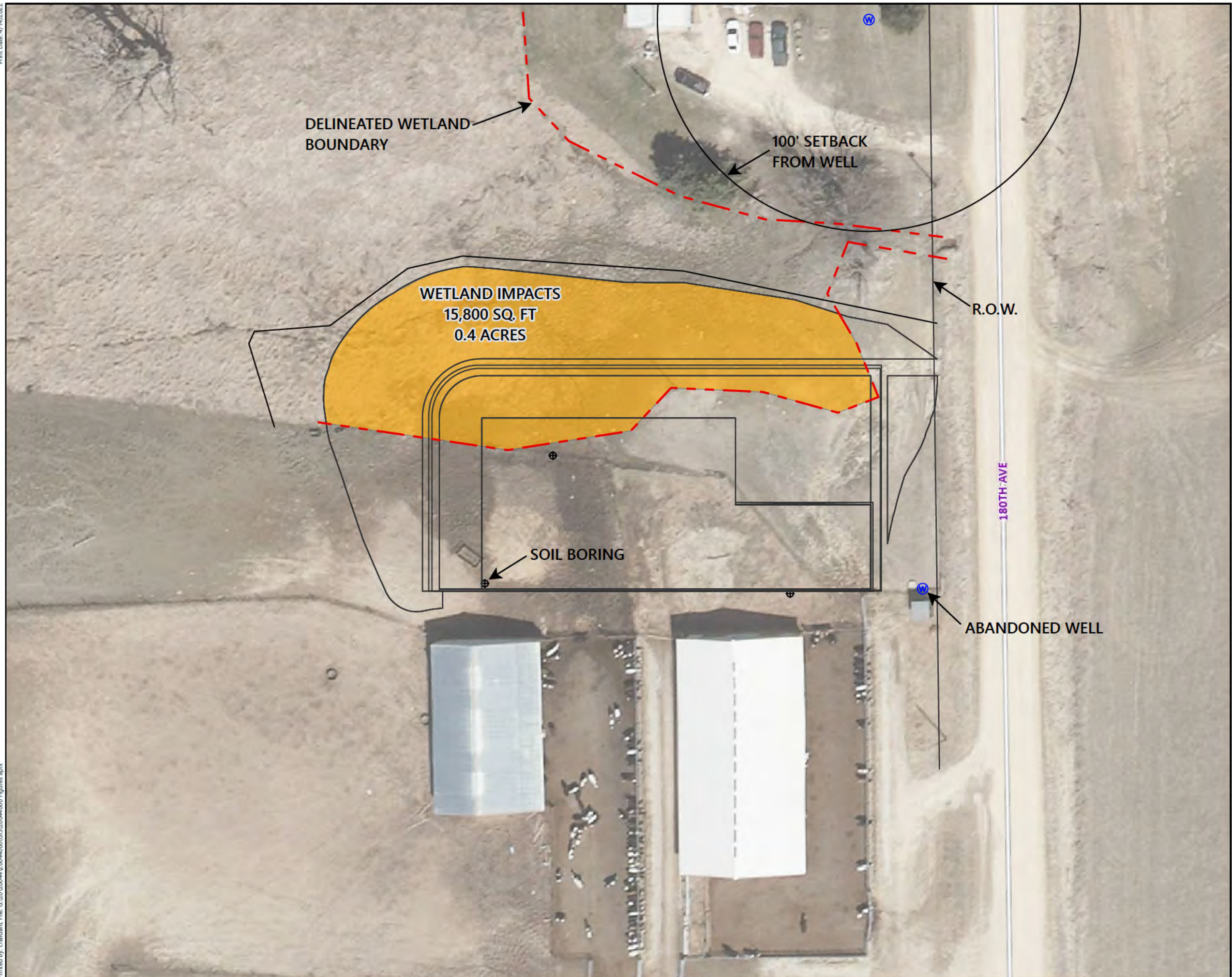
# Figure 2P

## WETLAND IMPACT MAP

**Bucks Unlimited**  
37298 180th Ave,  
Goodhue, Goodhue County,  
Minnesota

### Legend

- Wetland Impact Area
- Wetland Boundary
- Linework from Design Drawings
- W Well Location



Data Sources:  
Goodhue County



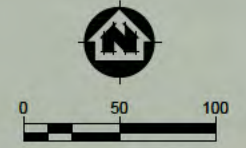
**NOTE:**  
A WETLAND FILL PERMIT IS REQUIRED

**PROPOSED MANURE STORAGE - ANN'S**

TOP ELEV. - 1195.00  
M.O.L. - 1193.10  
BOTTOM - 1187.00

TOTAL VOLUME - 963,262 GAL.  
M.O.L. VOLUME - 588,262 GAL.

INTERIOR SIDE SLOPE - 2.5:1 (H:V)  
EXTERIOR SIDE SLOPE - 4:1 (H:V)



PROJECT DATE	DRAWN BY	NO.	DATE	REVISION	BY
	init	-	-	-	-
	init	-	-	-	-
	init	-	-	-	-



ENGINEERING | ARCHITECTURE | SURVEYING  
FUNDING | PLANNING | ENVIRONMENTAL  
1230 South Boulevard, Baraboo WI 53913  
(608) 356-2771 www.msa-ps.com

**BUCKS UNLIMITED 2020 EXPANSION**  
BUCKS UNLIMITED DAIRY  
GOODHUE TOWNSHIP, GOODHUE COUNTY MINNESOTA

**PROPOSED - SITE OVERVIEW - ANN'S**

PROJECT NO.  
**20044000**  
SHEET  
**C102**

**CUT/FILL REPORT - ANN'S**  
 CUT: 2,060 CY  
 FILL: 4,380 CY  
 NET (FILL): 2,320 CY

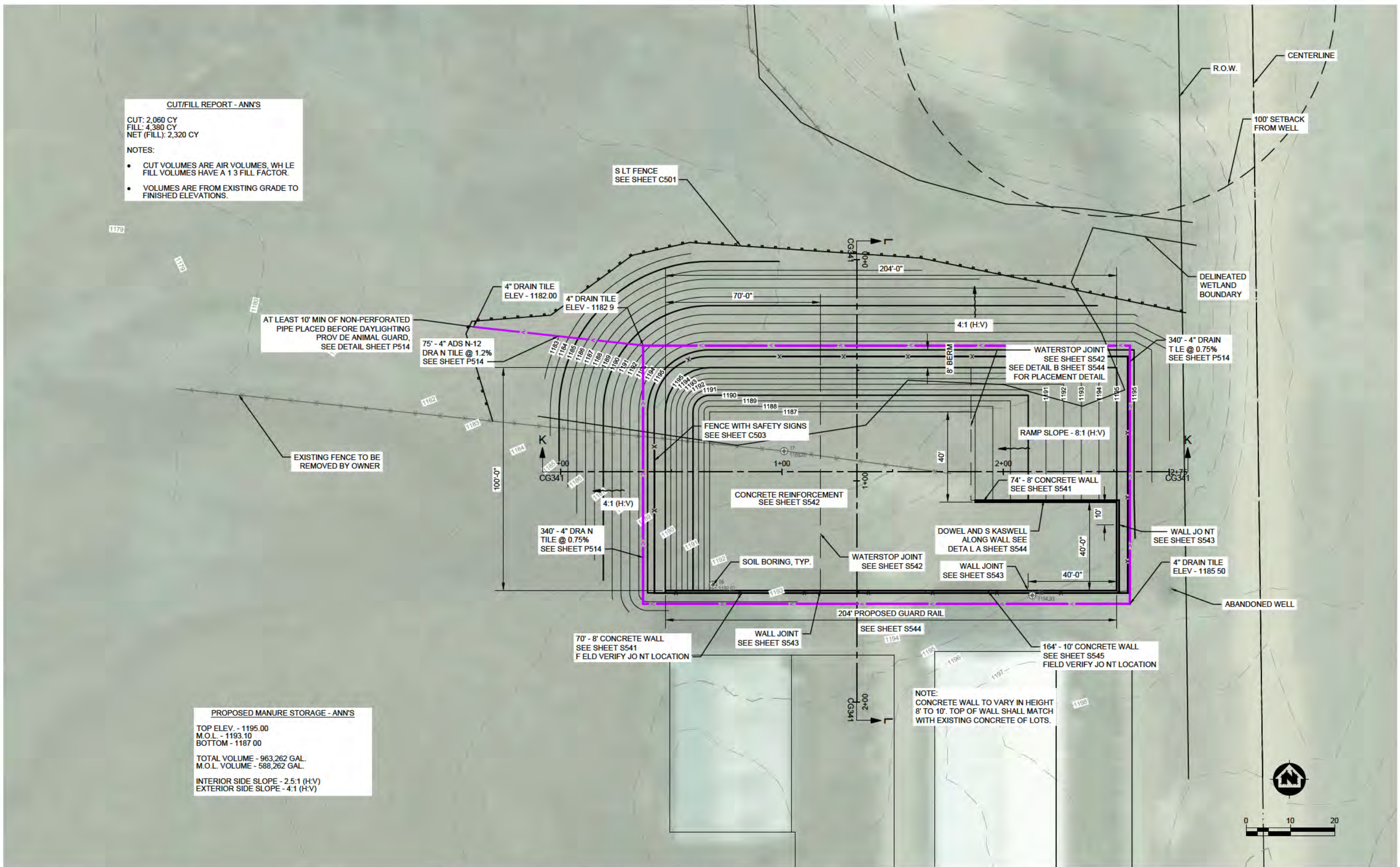
NOTES:

- CUT VOLUMES ARE AIR VOLUMES, WHILE FILL VOLUMES HAVE A 1.3 FILL FACTOR.
- VOLUMES ARE FROM EXISTING GRADE TO FINISHED ELEVATIONS.

**PROPOSED MANURE STORAGE - ANN'S**  
 TOP ELEV. - 1195.00  
 M.O.L. - 1193.10  
 BOTTOM - 1187.00

TOTAL VOLUME - 963,262 GAL.  
 M.O.L. VOLUME - 588,262 GAL.

INTERIOR SIDE SLOPE - 2.5:1 (H:V)  
 EXTERIOR SIDE SLOPE - 4:1 (H:V)



NOTE:  
 CONCRETE WALL TO VARY IN HEIGHT  
 8' TO 10'. TOP OF WALL SHALL MATCH  
 WITH EXISTING CONCRETE OF LOTS.



PROJECT DATE	DRAWN BY	NO.	DATE	REVISION	BY
	init	-	-	-	-
	init	-	-	-	-
	init	-	-	-	-

PLOT DATE: 7/27/2020 11:57 AM, G:\2020044\20044000\CADD\Construction Documents\C141 Proposed Manure Storage - Ann's Site.dwg

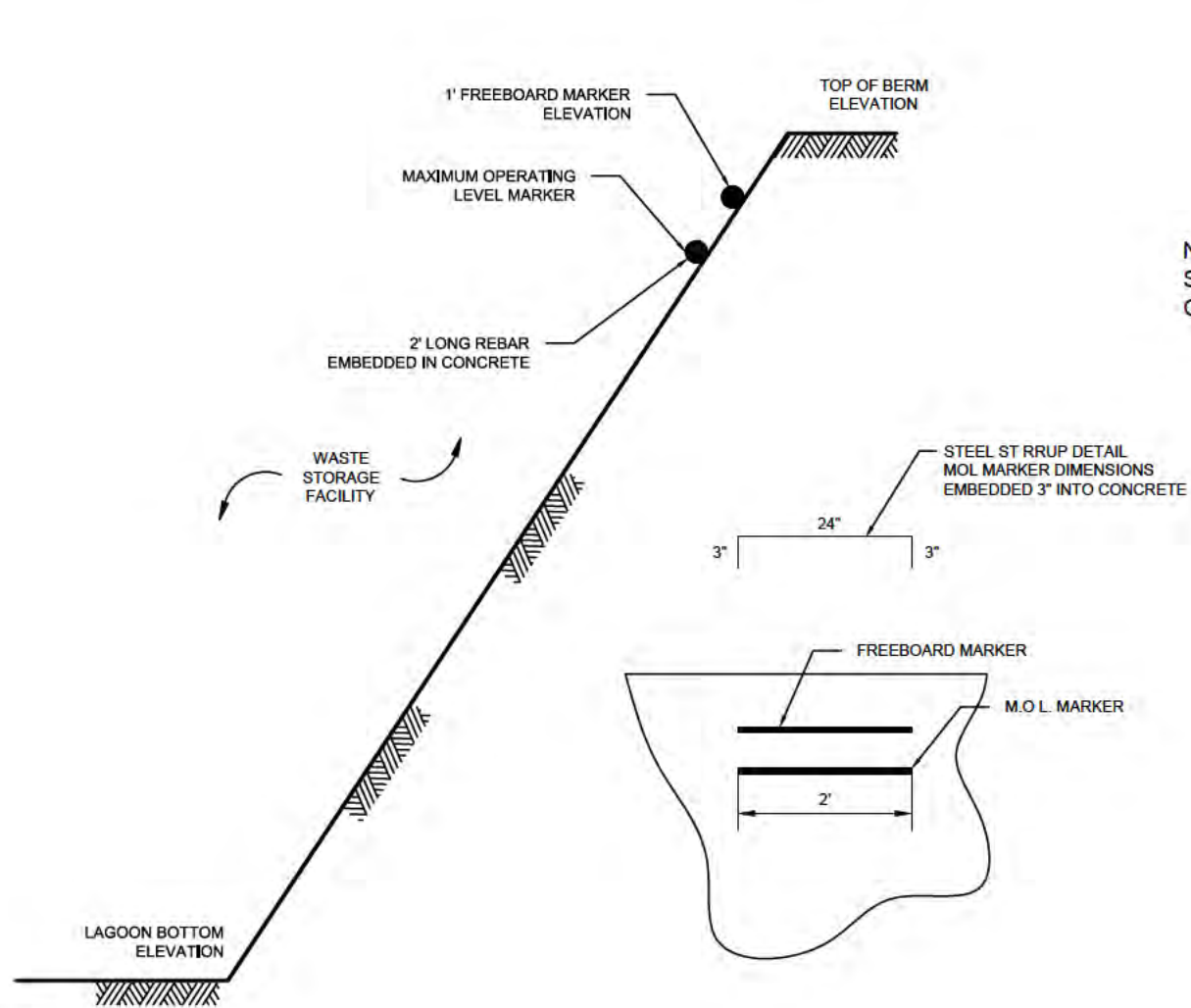
**MSA** ENGINEERING | ARCHITECTURE | SURVEYING  
 FUNDING | PLANNING | ENVIRONMENTAL  
 1230 South Boulevard, Baraboo WI 53913  
 (608) 356-2771 www.msa-ps.com

**BUCKS UNLIMITED 2020 EXPANSION**  
 BUCKS UNLIMITED DAIRY  
 GOODHUE TOWNSHIP, GOODHUE COUNTY MINNESOTA

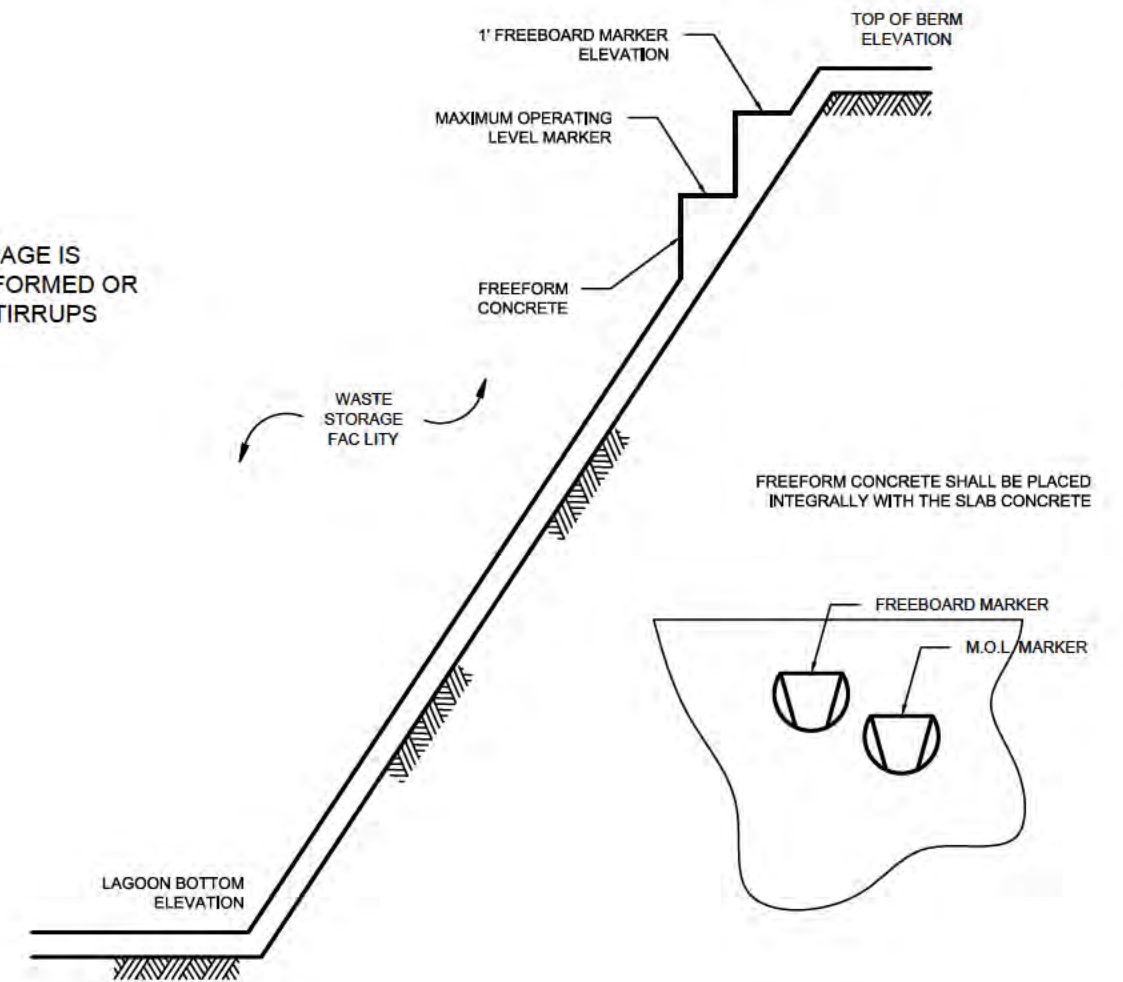
PROPOSED - MANURE STORAGE - ANN'S

PROJECT NO.  
 20044000  
 SHEET  
 C141





NOTE: EITHER OPTION SHOWN ON THIS PAGE IS SUFFICIENT. A THIRD OPTION IS TO USE FORMED OR CUT-IN SLOTS IN PLACE OF THE STEEL STIRRUPS



**A** LAGOON M.O.L. INDICATOR  
C504

- NOTES:  
 1. MARKER MAY BE PLACED ON AGITATION/ACCESS PADS.  
 2. MARKER SHALL BE MARKED TO NOT TRAVERSE OVER DUE TO HAZARD.

LAGOON ELEVATIONS TABLE				
LAGOON	TOP BERM EL	BOTTOM EL	MOL	FREEBOARD
PROPOSED LMSA MAIN	1204.25	1180.25 TO 1184.25	1202.25	1203.25
PROPOSED LMSA ANN'S	1194.00	1186.00	1192.00	1193.00

PROJECT DATE	DRAWN BY	NO.	DATE	REVISION	BY
	INH	-	-	-	-
	INH	-	-	-	-
	INH	-	-	-	-



ENGINEERING | ARCHITECTURE | SURVEYING  
 FUNDING | PLANNING | ENVIRONMENTAL  
 1230 South Boulevard, Baraboo WI 53913  
 (608) 356-2771 www.msa-ps.com

BUCKS UNLIMITED 2020 EXPANSION  
 BUCKS UNLIMITED DAIRY  
 GOODHUE TOWNSHIP, GOODHUE COUNTY MINNESOTA

SITE DETAILS

PROJECT NO.  
20044000  
SHEET  
C504

# 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:** July 18, 2022  
**Report date:** July 8, 2022

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

Administrative request for map amendment to rezone 1.78 acres from B-1 (General Business District) to B-2 (Highway Business District).

### **Application Information:**

Applicant: Goodhue County Land Use Management

Owner: Outlaw Machine Inc.

Address of zoning request: 27837 271<sup>st</sup> ST Red Wing, MN 55066

Parcel: 43.134.0020

Abbreviated Legal Description: Part of the NE 1/4 of the NE 1/4 of Section 34 TWP 113 Range 14 in Wacouta Township.

Township Information: Wacouta Township is aware of the request and has not noted any objection to the request.

Zoning District: B1 (General Business District)

### **Attachments and links:**

Property Maps

GCZO Article 25 B-1, General Business District

GCZO Article 27 B-2, Highway Business District

Goodhue County Zoning Ordinance (GCZO):

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

### **Background:**

Zoning staff has been reviewing business and industrial zoned properties throughout Goodhue County for possible Zoning Ordinance Amendments. Currently there are only two properties zoned B-1 (General Business District) in Goodhue County. Staff along with the Ordinance Subcommittee have discussed removing the B-1 District from the Goodhue County Zoning Ordinance. In order to adopt the proposed Ordinance amendment to eliminate the B-1 District, existing B-1 zoned parcels must be rezoned to avoid having parcels with no assigned zoning district.

The existing structure on parcel 43.134.0020 has been assessed as a light manufacturing office and shop since the 1960's. Staff has determined that the current use of the property would be permitted within the B-2 (Highway Business District). Staff was able to locate a sewage installation permit for the property from 1983, and a permit for the structure was obtained from Land Use Management in 1971.

### **Project Summary:**

#### **Property Information:**

- The Outlaw Machine Inc. property proposed to be rezoned is a 1.78 acre parcel in Section 34 of Wacouta Township.
- Surrounding properties are zoned A-3 (Urban Fringe District), and surrounding land uses include medium-density residential, woodlands, and bluffslands.
- The Outlaw Machine Inc property is not designated as Shoreland or Floodplain. The area does

consist of steeper slopes classified as blufflands.

**Existing/Permitted Uses:**

- The B-1 (General Business) District is intended to encourage the concentration of a broad range of individual commercial establishment into an area of general commercial activity serving the daily staple needs of the people in surrounding rural areas. These include businesses such as eating or drinking establishments, professional offices, beauty shops, etc.
- With the proposed elimination of the B-1 District, staff and the Ordinance Subcommittee agreed that the B-2 Highway Business District would be the best zoning district for the existing use of the property. The proposed rezone is not anticipated to have any negative effects on the current use of the property.

**Planning Information:**

- The B-2 (Highway Business District) is intended for major retail, service and repair establishments serving a large trade area, usually the entire County or beyond and oriented to the traveling public. The trade area population served by these establishments requires easy access, although patronage is more dispersed and visits to these establishments are less frequent than in the B-1 District.
- The property is easily accessed via a frontage road from Highway 61 BLVD and is located near a high-traffic area. Adjacent properties are zoned I (Industrial District) and B-2 (Highway Business District). A majority of section 34 has been annexed by the City of Red Wing.
- The B-2 District only allows dwellings so long as the residence is included as an integral part of the principal building and it must be occupied by either the owner or his employee.
- The land to be rezoned is not currently used for agricultural purposes. The Prime Farmland Rating for Agriculture is as follows:

<i>Soil Name</i>	<i>Slope</i>	<i>Amount (acres)</i>	<i>% of Total</i>	<i>Prime Farmland Rating</i>
Lindstrom Silt Loam	12-18%	0.9	49%	Not Prime Farmland
Chelsea Loamy Sand	12-35%	0.2	13.2%	Not Prime Farmland
Meridian Silt Loam	6-12%	0.6	31.7%	Farmland of Statewide Importance
Brodale-Bellechester Rock outcrop complex	60-90%	0.1	6.1%	Not Prime Farmland

- The proposed rezone appears compatible with the goals and objectives of the Goodhue County Comprehensive Plan:

*“Direct business and industry growth to the appropriately zoned districts keeping in mind access to public services and surrounding land uses.”*

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend that the County Board of Commissioners **APPROVE** the administrative request to rezone parcel 43.134.0020 from B-1 (General Business District) to B-2 (Highway Business District).

Image taken April 2020



# 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

## **Project Review per Article 3, Section 2, Subd. 5-10:**

- Subd. 5
- A. The names and addresses of the petitioner or petitioners and their signatures to the petition. **See application**
  - B. Survey information: **See application**
  - C. The current and proposed district: **B1 to B2**
  - D. The current use and the proposed use of the land. **The property to be rezoned is a 1.78 acre parcel that consists of steep slopes, and a structure that has been assessed as a light manufacturing office and shop since the 1960's.**
  - E. The reason for the requested change of zoning district. **Staff and the Ordinance Subcommittee are considering removing the B1 District from the Goodhue County Zoning Ordinance. Parcels zoned B1 must be rezoned to avoid having parcels with no assigned zoning district, and staff has determined that the current use of the property would be permitted within the B2 (Highway Business District).**
  - F. A copy of the soil map showing the soils types within the proposed boundary and the surrounding area. **A soils map for the site has been prepared.**
  - G. Prime Farmland Rating of the soil types in F.  
 The Prime Farmland Rating for Agriculture is as follows:

<b>Soil Name</b>	<b>Slope</b>	<b>Amount (acres)</b>	<b>% of Total</b>	<b>Prime Farmland Rating</b>
Lindstrom Silt Loam	12-18%	0.9	49%	Not Prime Farmland
Chelsea Loamy Sand	12-35%	0.2	13.2%	Not Prime Farmland
Meridian Silt Loam	6-12%	0.6	31.7%	Farmland of Statewide Importance
Brodale-Bellechester Rock outcrop complex	60-90%	0.1	6.1%	Not Prime Farmland

H. A statement of how the requested change is compatible with the Goodhue County Comprehensive Plan including but not limited to the following:

1. The environmental impacts of the proposed use of land on the:
  - a. Groundwater
  - b. Natural plant and animal communities
  - c. Existing trees and vegetation
  - d. Bluffland stability
  - e. Shoreland stability

**The Applicant's parcel is not designated shoreland or floodplain. A portion of the land is classified as bluffland.**

2. The compatibility with surrounding land uses  
**Surrounding land uses include medium-density residential and industrial areas with woodlands and blufflands surrounding the properties. The property is located in a high-traffic area. The proposed rezoning appears compatible with surrounding uses.**

3. The physical and visual impacts on any scenic or historic amenities within or surrounding the proposed parcel.

**It is not anticipated that any scenic or historic amenities will be negatively impacted as a result of the proposed rezone.**

Subd. 6 The housing density of the affected Section

**Section 34 is a mix of I and A3 Districts. A3 Districts require at least 35-acres per principal use. There are currently 4 dwellings within the A3 zoned portions of this section. Rezoning the parcel to B2 due to the removal of the B1 District would not affect the existing dwelling eligibility of surrounding A3 parcels as no new parcels will be created and dwelling density in the A3 District is contingent upon the number of acres and not the number of dwellings in a section.**

- Subd. 7 The impact on any surrounding agricultural uses  
**This property is not currently being farmed and the existing slopes, tree coverage, and soils would not be conducive to agriculture.**
- Subd. 8 The impact on the existing transportation infrastructure  
**The Applicant's property is accessed from 271<sup>st</sup> ST which is off of Highway 61 (paved surface). The change of zone is not anticipated to negatively impact traffic or existing transportation infrastructure.**
- Subd. 9 The impact on surrounding zoning districts  
**The parcel to be rezoned has been designated as business for decades, and there has been no proposal to change this classification. Surrounding property is zoned A3 and a nearby property is zoned I (Industrial District).**
- Subd. 10 A statement concerning the cumulative effect and compatibility of the requested zoning change on the affected Township and any cities located within 2 miles of the proposed parcel.  
**Rezoning the subject acreage to B2 does not appear to have negative cumulative effects on the immediate surrounding area or the City of Red Wing. The area is used primarily for medium density residential with woodlands and bluffs among Industrial and Residential Uses.**
- Subd. 11. Additional information as may be requested by the Planning Commission or zoning staff.

# Custom Soil Resource Report Soil Map




Map Scale: 1:744 if printed on A portrait (8.5" x 11") sheet.



### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)

**Soils**

 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features


**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Goodhue County, Minnesota  
 Survey Area Data: Version 17, Sep 10, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 4, 2010—Nov 20, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

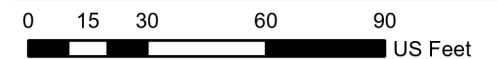
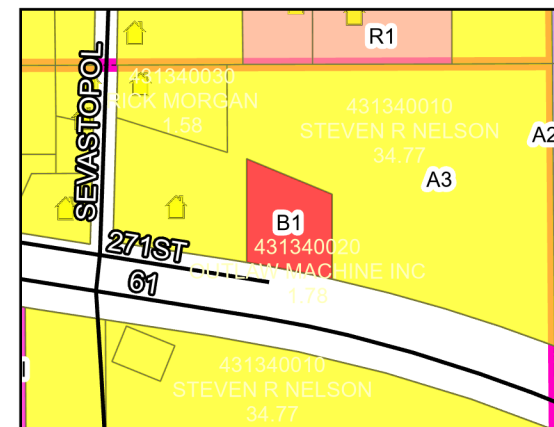
Public Hearing  
July 18, 2022

Administrative request to rezone  
1.78-acres from B-1 to B-2

Part of the NE ¼ of the NE ¼  
of Section 34 TWP 113 Range 14  
in Wacouta Township.

### Legend

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

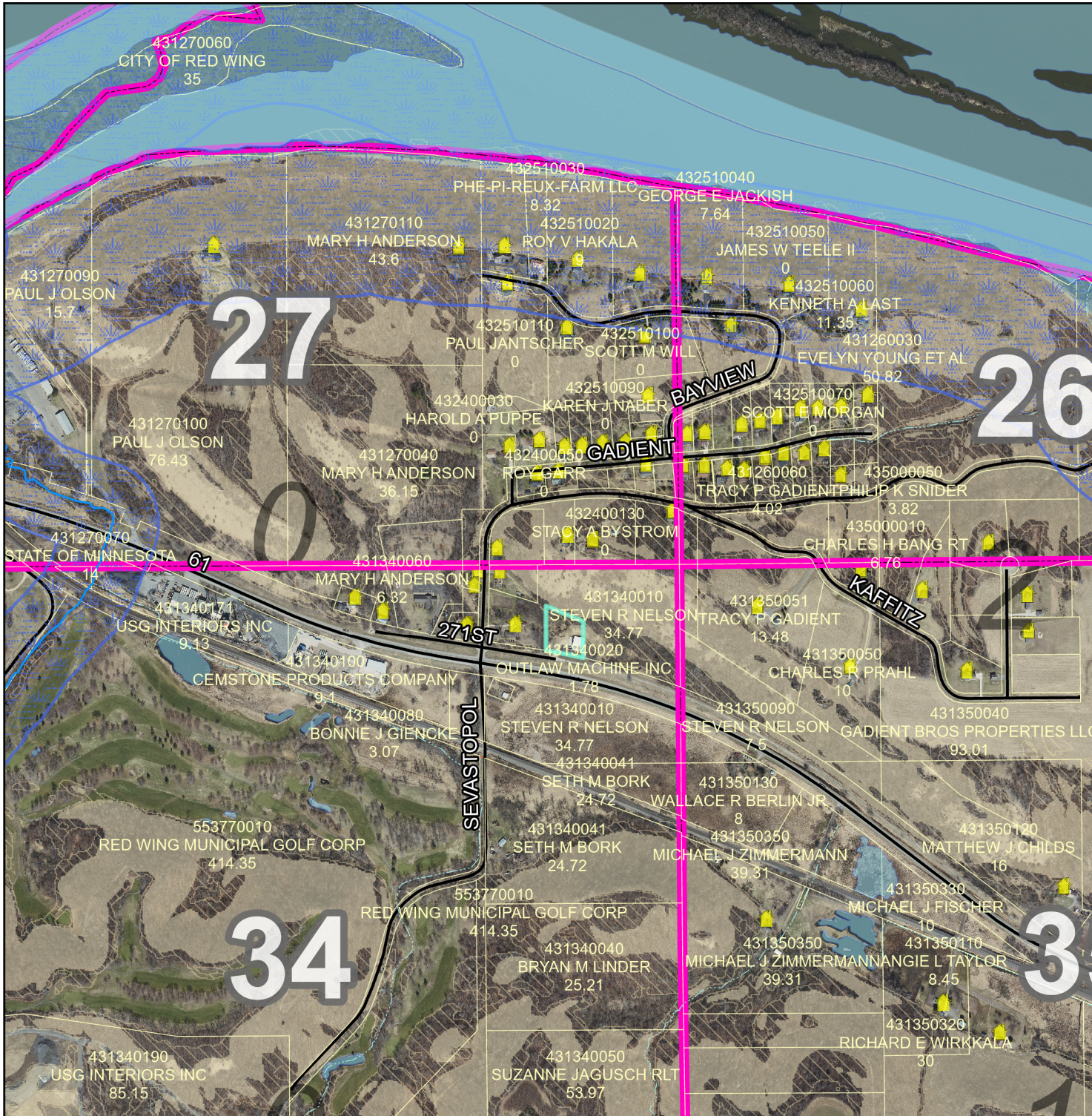


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# MAP 02: VICINITY MAP



## PLANNING COMMISSION

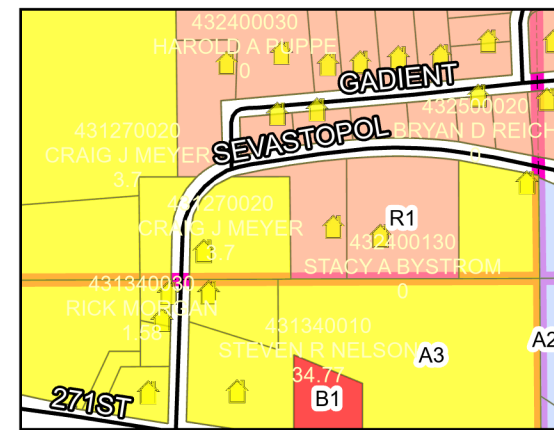
Public Hearing  
July 18, 2022

Administrative request to rezone  
1.78-acres from B-1 to B-2

Part of the NE ¼ of the NE ¼  
of Section 34 TWP 113 Range 14  
in Wacouta Township.

### Legend

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



0 360 720 1,440 2,160 US Feet

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# MAP 03: ELEVATIONS



## PLANNING COMMISSION

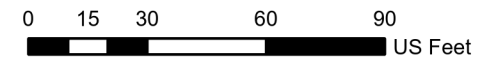
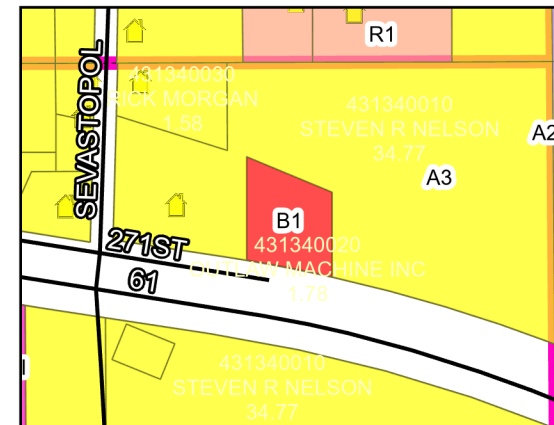
Public Hearing  
July 18, 2022

Administrative request to rezone  
1.78-acres from B-1 to B-2

Part of the NE ¼ of the NE ¼  
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in Wacouta Township.

### Legend

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



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2020 Aerial Imagery  
Map Created June, 2022 by LUM



# 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:** July 18, 2022  
**Report date:** July 8, 2022

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

Administrative request for map amendment to rezone 1.68 acres from B-1 (General Business District) to R-1 (Suburban Residence District).

### **Application Information:**

Applicant: Goodhue County Land Use Management

Owner: Burbank Company LLC

Address of zoning request: 29665 Hillside Drive Red Wing, MN 55066

Parcel: 43.136.0200

Abbreviated Legal Description: Part of the SW 1/4 of the SE 1/4 of Section 36 TWP 113 Range 14 in Wacouta Township.

Township Information: Wacouta Township is aware of the request and has not noted any objection to the request.

Zoning District: B1 (General Business District)

### **Attachments and links:**

Property Maps

GCZO Article 24 R-1, Suburban Residence District

GCZO Article 25 B-1, General Business District

Goodhue County Zoning Ordinance (GCZO):

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

### **Background:**

Zoning staff has been reviewing business and industrial zoned properties throughout Goodhue County for possible Zoning Ordinance Amendments. Currently there are only two properties zoned B-1 (General Business District) in Goodhue County. Staff along with the Ordinance Subcommittee have discussed removing the B-1 District from the Goodhue County Zoning Ordinance. In order to adopt the proposed Ordinance amendment to eliminate the B-1 District, existing B-1 zoned parcels must be rezoned to avoid having parcels with no assigned zoning district.

The structure on parcel 43.136.0200 is currently assessed as a multi-family dwelling. The structure is considered a non-conforming use in the B-1 zoning district. Non-conforming uses are allowed to be maintained and repaired, but not expanded. Staff has determined that the current use of the property would be permitted within the R-1 (Suburban Residential District).

Parcels 43.136.0201 and 43.136.0200 were originally one 2.14 acre parcel, which was split in 1995. Parcel 43.136.0201 was rezoned from B-1 to R-1 in 2010.

### **Project Summary:**

#### **Property Information:**

- The Burbank Company LLC property proposed to be rezoned is a 1.68-acre parcel in Section 36 of Wacouta Township.
- The Burbank Company LLC owns three parcels zoned A-2 (General Agriculture District) that border the property (Parcels 43.136.0210, 43.136.0230, 43.136.0180).

- Surrounding properties are zoned R-1 (Suburban Residential) to the west, I (Industrial) to the north, and A-2 (General Agriculture) to the south across Highway 61 Blvd.
- Surrounding land uses include medium-density residential, industrial, woodlands, shoreland, and blufflands along the Highway 61 Corridor.
- The Burbank Company LLC property is not designated as Shoreland or Floodplain. The area does consist of steeper slopes classified as blufflands.

**Existing/Permitted Uses:**

- The B-1 (General Business) District is intended to encourage the concentration of a broad range of individual commercial establishments into an area of general commercial activity serving the daily staple needs of the people in surrounding rural areas. These include businesses such as eating or drinking establishments, professional offices, beauty shops, etc.
- With the proposed elimination of the B-1 District, staff and the Ordinance Subcommittee agreed that the R-1 Suburban Residential District would be the best zoning district for the existing use of the property. The proposed rezone is not anticipated to have any negative effects on the current use of the property.

**Planning Information:**

- The R-1 (Suburban Residential) District is intended to provide a district which will define and protect areas suitable for low to medium density residential development as the principal land use and to allow related facilities desirable for a residential environment.
- The minimum lot size for a dwelling in the R-1 District is 1 acre. The proposed parcel to be rezoned consists of 1.68 acres therefore the proposed lot rezoning would not result in any additional building sites.
- The land to be split is not currently used for agricultural purposes. The Prime Agricultural Farmland Rating for Agriculture is as follows:

<i>Soil Name</i>	<i>Slope</i>	<i>Amount (acres)</i>	<i>% of Total</i>	<i>Prime Farmland Rating</i>
Anthroportic Udorthents	2-9%	0.9	54.9%	Not Prime Farmland
Malardi Loam	0-3%	0.7	45.1%	Farmland of Statewide Importance

- The proposed rezone appears compatible with the goals and objectives of the Goodhue County Comprehensive Plan:

*“Support the establishment of rural residences to provide rural living opportunities in the unincorporated areas of Goodhue County”*

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend that the County Board of Commissioners **APPROVE** the administrative request to rezone parcel 43.136.0200 consisting of 1.68 acres from B-1 (General Business District) to R-1 (Suburban Residential District).

Images taken April 2020



# Goodhue County Land Use Management

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

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*County Surveyor / Recorder*

Environmental Health | Land Surveying | GIS  
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 Fax: 651.385.3098

## **Project Review per Article 3, Section 2, Subd. 5-10:**

- Subd. 5
- A. The names and addresses of the petitioner or petitioners and their signatures to the petition. **See application**
  - B. Survey information: **See application**
  - C. The current and proposed district: **B1 to R1**
  - D. The current use and the proposed use of the land. **The property to be rezoned is a 1.68 acre parcel containing a structure that is assessed as a multi-family dwelling. The property contains steep slopes classified as blufflands and woodlands.**
  - E. The reason for the requested change of zoning district. **Zoning staff and the Ordinance Subcommittee are considering removing the B1 District from the Goodhue County Zoning Ordinance. Parcels zoned B1 must be rezoned to avoid having parcels with no assigned zoning district, and staff has determined that the current use of the property would be permitted with in the R1 (Suburban Residential District).**
  - F. A copy of the soil map showing the soils types within the proposed boundary and the surrounding area. **A soils map for the site has been prepared.**
  - G. Prime Farmland Rating of the soil types in F.  
 The Prime Farmland Rating for Agriculture is as follows:

<i>Soil Name</i>	<i>Slope</i>	<i>Amount (acres)</i>	<i>% of Total</i>	<i>Prime Farmland Rating</i>
Anthroportic Udorthents	2-9%	0.9	54.9%	Not Prime Farmland
Malardi Loam	0-3%	0.7	45.1%	Farmland of Statewide Importance

- H. A statement of how the requested change is compatible with the Goodhue County Comprehensive Plan including but not limited to the following:
  - 1. The environmental impacts of the proposed use of land on the:
    - a. Groundwater
    - b. Natural plant and animal communities
    - c. Existing trees and vegetation
    - d. Bluffland stability
    - e. Shoreland stability

**The Applicant's parcel is not designated shoreland or floodplain. A portion of the land contains steeper slopes classified as bluffland.**
  - 2. The compatibility with surrounding land uses
 

**Surrounding land uses include medium-density residential along Hillside Drive and across Highway 61 Blvd zoned A2 with woodlands, blufflands, and Bullard Creek to the south and east. The parcel to the west is currently zoned R1 and the parcel directly north of the property is zoned I (Industrial District). The proposed rezoning appears compatible with surrounding uses.**
  - 3. The physical and visual impacts on any scenic or historic amenities within or surrounding the proposed parcel.
 

**It is not anticipated that any scenic or historic amenities will be negatively impacted as a result of the proposed rezone.**

- Subd. 6 The housing density of the affected Section
 

**Section 36 is a mix of R1, A2 and I Districts. A2 Districts allow a maximum of**

**12 dwellings per section with a limitation of one per original ¼ ¼ section. There are currently 19 dwellings within the A2 zoned portions of the section. There are currently 13 dwellings in the R1 zoned portion of the section. Dwellings in R1 Districts do not count towards overall section density. Rezoning the acreage to R1 due to the proposed removal of the B1 District would not affect the existing dwelling eligibility of surrounding A2 and R1 parcels as the section is considered ‘full’ for A2 zoned properties, and the size of the parcel will not allow for an additional dwelling in the R1 District. (1 acre minimum).**

- Subd. 7 The impact on any surrounding agricultural uses  
**This property is not currently being farmed and the existing slopes, tree coverage, and soils would not be conducive to agriculture.**
- Subd. 8 The impact on the existing transportation infrastructure  
**The Applicant’s property is accessed off of Hillside Drive from Highway 61 Blvd (paved surface). The change of zone is not anticipated to negatively impact traffic or existing transportation infrastructure.**
- Subd. 9 The impact on surrounding zoning districts  
**The property is currently zoned B1. Adjacent zoning districts are A2 to the south and east, R1 to the west, and I to the north.**
- Subd. 10 A statement concerning the cumulative effect and compatibility of the requested zoning change on the affected Township and any cities located within 2 miles of the proposed parcel.  
**Rezoning the subject acreage to R1 does not appear to have negative cumulative effects on the immediate surrounding area or the City of Red Wing. The area is used primarily for medium density residential and Industrial with woodlands and blufflands among Shoreland and row crop agriculture uses.**
- Subd. 11. Additional information as may be requested by the Planning Commission or zoning staff.

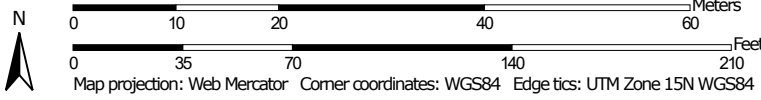


Custom Soil Resource Report  
Soil Map (Burbank LLC )




Soil Map may not be valid at this scale.

Map Scale: 1:735 if printed on A landscape (11" x 8.5") sheet.



### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)

**Soils**

 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

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Soil Survey Area: Goodhue County, Minnesota  
 Survey Area Data: Version 17, Sep 10, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 4, 2010—Nov 20, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

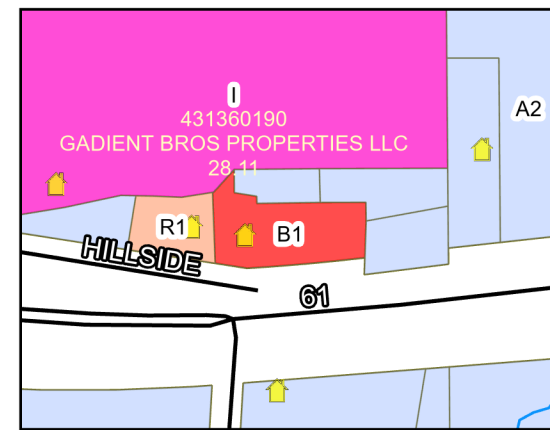
Public Hearing  
July 18, 2022

Administrative request to rezone  
1.68 acres from B-1 to R-1

Part of the SW ¼ of the SE ¼ of  
Section 36 TWP 113 Range 14  
in Wacouta Township

### Legend

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



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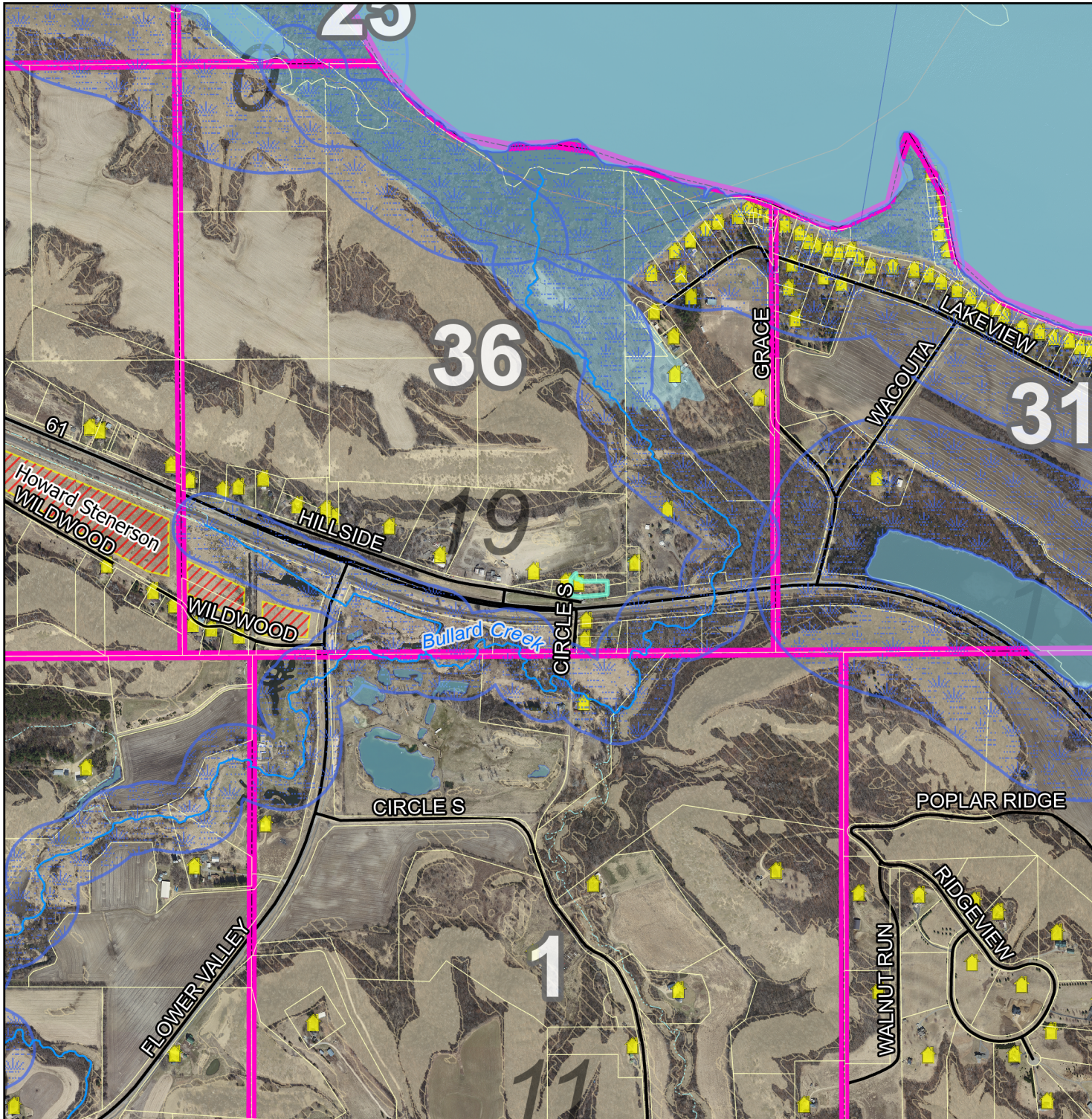
MAP 02: VICINITY MAP

**PLANNING COMMISSION**

Public Hearing  
July 18, 2022

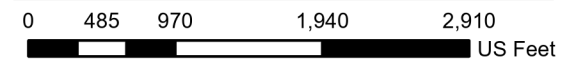
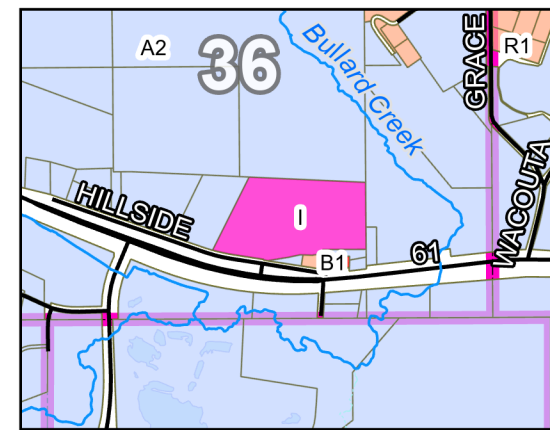
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Part of the SW ¼ of the SE ¼ of  
Section 36 TWP 113 Range 14  
in Wacouta Township



**Legend**

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

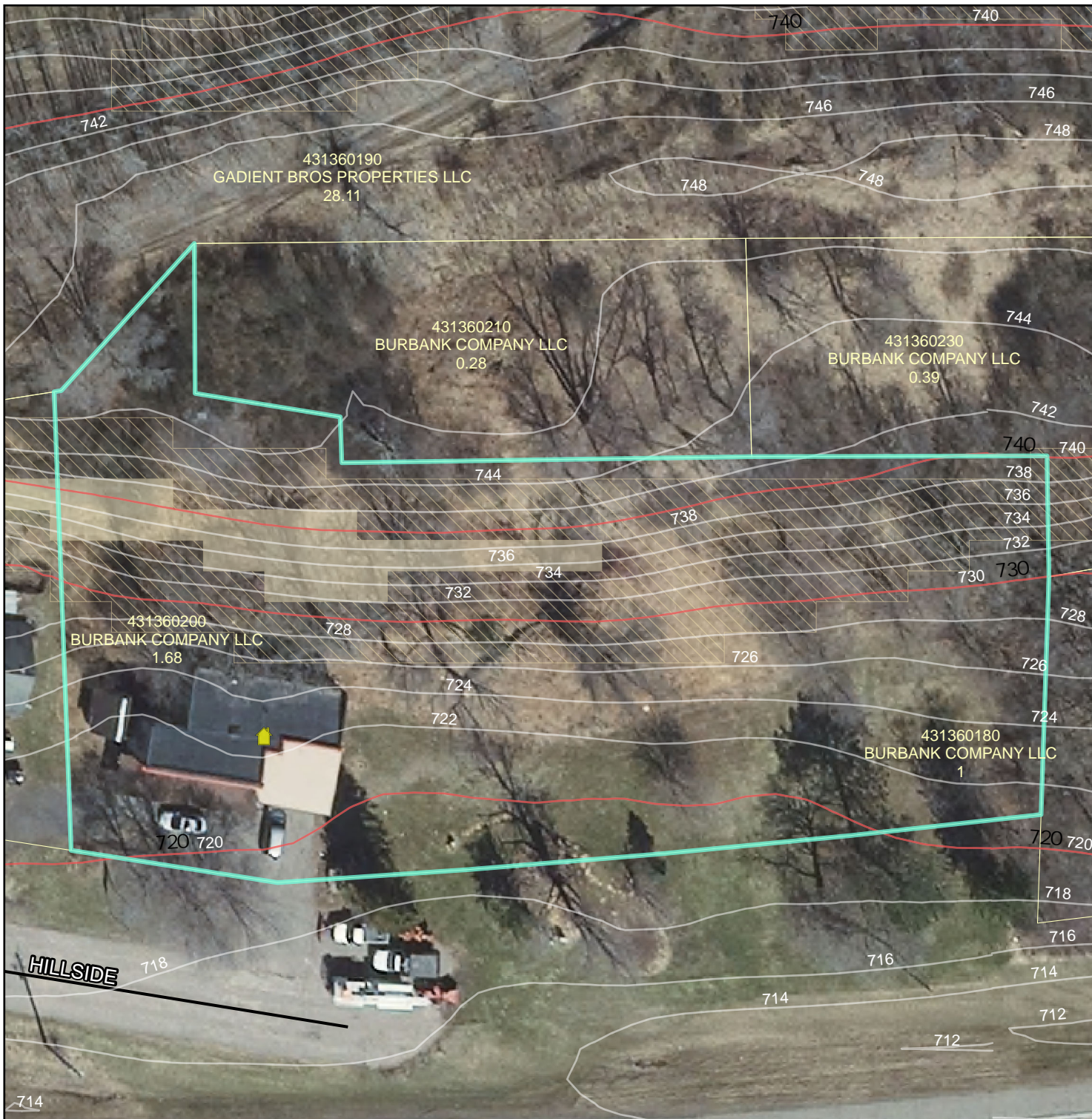


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# MAP 03 ELEVATIONS



## PLANNING COMMISSION

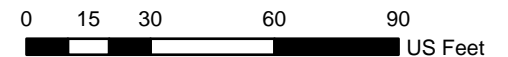
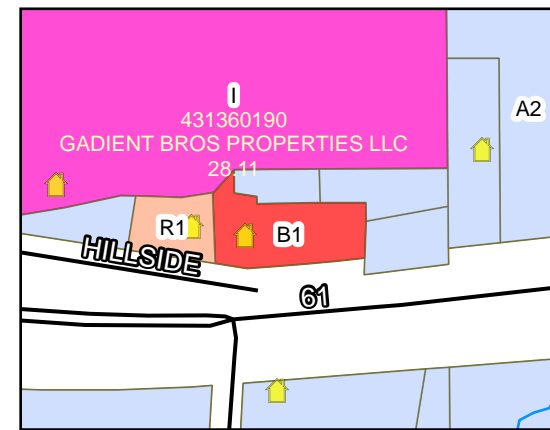
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# Goodhue County Land Use Management

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*County Surveyor / Recorder*

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Telephone: 651.385.3223  
Fax: 651.385.3098

**To:** Planning Advisory Commission  
**From:** Land Use Management  
**Meeting Date:** July 18, 2022  
**Report date:** July 8, 2022

## **PUBLIC HEARING: Consider Goodhue County Ordinance Updates**

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

### **Attachments:**

Proposed Amendments  
[Goodhue County Zoning Ordinance](#)

### **Summary:**

#### **Article 25, Article 27 and Article 28:**

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

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

#### **TABLE OF USES:**

Add a new Table of Uses for Business and Industrial Districts to Article 20.

#### **Article 11:**

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

#### **Article 10:**

Add a definition for Self Service Storage Facilities.

#### **Staff Recommendation:**

Land Use Management staff recommends the Planning Advisory Commission adopt the staff report into the record, and recommend the County Board of Commissioners **APPROVE** the amendments to Articles 27 (B-2, Highway Business District), 28 (I, Industrial District), 20 (Table of Uses), 11 (Performance Standards) and 10 (Definitions) and remove all of Article 25 (B-1, General Business District).

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

---

## SECTION 1. PURPOSE

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

## SECTION 2. PERMITTED USES

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

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

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

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

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

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

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

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

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

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

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

### SECTION 3. CONDITIONAL USES AND INTERIM USES

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

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

~~Subd. 2. — Bed & Breakfast Inn.~~

~~Subd. 3. — Any Church.~~

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

### SECTION 4. COMMERCIAL DEVELOPMENT STANDARDS

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

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

### SECTION 5. ACCESSORY USE

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

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

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

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

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



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

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

A. Front Yard.

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

B. Side Yard.

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

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

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

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

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

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

## SECTION 7. ESSENTIAL SERVICES REGULATIONS

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

## SECTION 8. GENERAL REGULATIONS

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

# ARTICLE 28 I, INDUSTRY DISTRICT

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## SECTION 1. PURPOSE

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

## SECTION 2. PERMITTED USES

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

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

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

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

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

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

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

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

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

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

## SECTION 3. CONDITIONAL USES AND INTERIM USES

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

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

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

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

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

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

#### **SECTION 4. INDUSTRIAL DEVELOPMENT STANDARDS**

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

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

#### **SECTION 5. ACCESSORY USES**

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

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

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

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

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

## **SECTION 7. ESSENTIAL SERVICES REGULATIONS**

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

## **SECTION 8. GENERAL REGULATIONS**

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

**GOODHUE COUNTY ZONING ORDINANCE**  
*Business and Industrial Districts Table of Uses*

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

**GOODHUE COUNTY ZONING ORDINANCE**  
*Building and Industrial Districts Table of Uses*

<b>Use</b>	<b>B</b>	<b>I</b>
Wholesale establishment: warehousing, storage buildings, commercial laundries or dry cleaning plants	NP	P
Manufacture, compounding or treatment of materials	NP	P
Manufacturing process or treatment of products using light machinery; such as tool and die shops or metal fabricating plants	NP	P
Manufacturing of cement, lime, gypsum or plaster	NP	C/I
Distillation of bone, coal, tar petroleum, refuse, grain or wood	NP	C/I
Essential services building or storage yards	P	P
Explosives manufacture or storage	NP	C/I
Fertilizer manufacture, compost or storage	NP	C/I
Refining or recovery of products from animal refuse or offal	NP	C/I
Junkyard	NP	C/I
Livestock feeding yards, slaughtering of animals or stock yards	NP	C/I
Petroleum or asphalt refining or manufacturing	NP	C/I
Smelting or refining of metals from ores	NP	C/I
Steam board hammers or forging presses	NP	C/I
Storing, curing, or tanning of raw, green or salted hides or skins	NP	C/I
<b>Institutional</b>		
Church	C/I	C/I
<b>Miscellaneous</b>		
WECS (Non-Commercial Micro) (Art. 18)	P	P
WECS (Non-Commercial) (Art. 18)	C/I	P
WECS (Commercial) (Art. 18)	NP	C/I
WECS (Meteorological Tower) (Art. 18)	NP	P
SES (Utility Scale) (Art. 19)	C/I	C/I
SES (Commercial Scale) (Art. 19)	P	P
SES (Residential Scale) (Art. 19)	P	P
Commercial Radio Towers/TV Towers/Transmitters	C/I	C/I
Residence when included as part of the principal building occupied by owner or their employee	P	P
<b>Self service storage facility</b>	<b>C/I</b>	<b>C/I</b>
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  
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Environmental Health | Land Surveying | GIS  
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Self-Service Storage Facilities are proposed to be added as a conditional/interim use in the Business and Industrial zoning districts. Self-service storage facilities would not be permitted in Agricultural, Residential, MXH, Park, Conservation Subdivision, or Commercial Recreational Districts.

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

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

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

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

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

[www.co.goodhue.mn.us](http://www.co.goodhue.mn.us)