



Goodhue County

Minnesota

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. April 17, 2023 Planning Commission Draft Minutes

Documents:

[MINUTES_DRAFT_APRIL_2023.PDF](#)

Conflict/Disclosure Of Interests

Public Hearings:

1. PUBLIC HEARING: Request For CUP For A Non-Agricultural Use Associated With Agri-Tourism (Wedding And Event Center)
Request for CUP submitted by James Goplen (Owner) to establish a wedding and event center with a proposed maximum occupancy of 299 guests. Parcel 40.022.0600. 49540 158th AVE Pine Island, MN 55963. The NE ¼ of the SE ¼ of Section 22 TWP 109 Range 16 in Roscoe Township. A-1 Zoned District.

Documents:

[PACPACKET_GOPLEN.PDF](#)

2. PUBLIC HEARING: Request For CUP For A Contractors Yard (L&L Trucking Of Mazeppa Inc.)
Request for CUP submitted by Luke Luhman (Owner/Operator) to allow a Contractors Yard for parking and storage of trucks as part of L&L Trucking of Mazeppa Inc. Parcel 47.014.0201. 42107 228th AVE Mazeppa, MN 55956. Part of the NW ¼ of the NE ¼ of Section 14 TWP 110 Range 15 in Zumbrota Township. A-1 Zoned District.

Documents:

Other-Discussion

1. Rural Tourism Discussion

Documents:

TABLEOFTOURISM.PDF
COUNTY ZONING COUNTY LEVELFORSAMPROJECT.PDF
RURALTOURISMDEFINITIONEDITS_MAY.PDF
ARTICLE11_EDITS.PDF

Adjourn

Anyone interested is invited to attend. Agenda items may be subject to change.

Goodhue County Land Use Management

◆ Goodhue County Government Center ◆ 509 West Fifth Street ◆ Red Wing ◆ Minnesota ◆ 55066 ◆
◆ Building ◆ Planning ◆ Zoning ◆ Telephone: 651/385-3104 ◆ Fax: 651/385-3106 ◆

PLANNING ADVISORY COMMISSION
GOODHUE COUNTY, MN
April 17, 2023 MEETING MINUTES
DRAFT

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

Roll Call

Commissioners Present: Tom Gale, Richard Miller, Darwin Fox, Chris Buck, Marc Huneke, Howard Stenerson, Richard Nystuen, and Todd Greseth.

Commissioners Absent: Carli Stark

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

1. Approval of Agenda

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

Motion carried 8:0

2. Approval of Minutes

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

Motion carried 8:0

3. Conflict/Disclosure of Interest

Commissioner Greseth will not be participating in this Public Hearing due to a conflict of interest.

4. Public Hearings

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

Request, submitted by Anthony Scheffler (Owner) to construct a concrete liquid manure storage basin capable of holding up to 2,700,000 gallons at a 275.5 animal unit dairy facility that contains a confinement barn, partial confinement barns, and open lot areas without runoff controls. Parcel 38.009.0200. 14874 410th Street Zumbrota MN, 55992. Part of the NE 1/4 of the NE 1/4 of Section 9, TWP 110, Range 16 in Minneola Township, Goodhue County. A-1 Zoned District.

Pierret presented the staff report and attachments.

Commissioner Nystuen asked why they chose to use concrete.

PLANNING ADVISORY COMMISSION
GOODHUE COUNTY, MN
April 17, 2023 MEETING MINUTES
DRAFT

Anthony Scheffler (Owner) said that concrete has the best longevity and it is more attractive to the neighborhood.

Chair Buck Opened the Public Hearing

3After Chair Buck called three times for comments it was moved by Commissioner Nystuen and seconded by Commissioner Huneke to close the Public Hearing.

Motion carried 7:0 (Greseth Abstained)

Commissioner Stenerson said he likes this option better than the rubber liner because you can't poke holes in it. He is impressed that they can catch all of the runoff and believes this is a great plan.

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

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

Recommend the County Board of Commissioners **APPROVE** the request for CUP, submitted by Anthony Scheffler (Owner), to construct a concrete liquid manure storage basin capable of holding up to 2,700,000 gallons at a 275.5 animal unit dairy facility that contains a confinement barn, partial confinement barns, and open lot areas 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.

Motion carried 7:0 (Commissioner Greseth Abstained)

Other Discussion

Discussion of Ordinance Amendments (Rural Tourism)

Pierret said that the ordinance subcommittee has met two times to discuss proposed revisions to the zoning ordinance regarding Non-Agricultural Uses Associated with Ag Tourism and also some definition cleanup. The subcommittee decided to bring this to the entire board for further discussion. They would like for the larger group to discuss rural tourism and where it is allowed. The question is should rural tourism be allowed as a conditional use in the A-1, A-2, and A-3 Districts as well as the Business (B) District.

PLANNING ADVISORY COMMISSION
GOODHUE COUNTY, MN
April 17, 2023 MEETING MINUTES
DRAFT

Commissioner Stenerson said he doesn't believe that Bed & Breakfasts and rural tourism should be allowed in A-1. He thinks keeping these in A-2 and A-3 makes the most sense.

Commissioner Fox said he agrees with limiting the A-1 District and thought it would be helpful to know how many Conditional Use Permits (CUPs) there are in A-1.

Hanni stated staff would get the number of Conditional Use Permits that are in the A-1 District and map out where those are at.

Commissioner Stenerson said he would also like to see the number of Conditional Use Permits in A-2 and A-3 for comparison.

Discussion continued on types of uses and operations that qualify as "Agricultural".

5ADJOURN: Motion by Commissioner Miller and seconded by Commissioner Greseth to adjourn the Planning Commission Meeting at 7:01 p.m.

Motion carried 8:0

Respectfully Submitted,

Patty Field, Zoning Administrative Assistant

MOTIONS

¹ APPROVE the PAC meeting agenda

Motion carried 8:0

² APPROVE the previous month's meeting minutes

Motion carried 8:0

³ Motion to close the Public Hearing

Motion carried 7:0 (Greseth Abstained)

⁴ APPROVE the request for a CUP to establish liquid manure storage basin

Motion carried 7:0 (Greseth Abstained)

⁵ ADJOURN. Motion to adjourn the meeting

Motion carried 8:0

Goodhue County Land Use Management

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

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106



County Surveyor / Recorder

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

To: Planning Advisory Commission
From: Land Use Management
Meeting Date: May 15, 2023
Report date: May 5, 2023

PUBLIC HEARING: CUP request for a Non-Agricultural Use Associated with Agri-tourism (Wedding/Event Facility)

Request, submitted by James Goplen (Owner) to establish a wedding and event facility with a proposed maximum occupancy of 299 guests. Parcel 40.022.0600. 49540 158th AVE Pine Island, MN 55963. The NE ¼ of the SE ¼ of Section 22 TWP 109 Range 16 in Roscoe Township. A-1 Zoned District.

Application Information:

Applicant: James Goplen (owner)

Address of zoning request: 49540 158th AVE Pine Island, MN 55963

Parcel(s): 40.022.0600

Abbreviated Legal Description: The NE ¼ of the SE ¼ of Section 22 TWP 109 Range 16 in Roscoe Township

Township Information: Roscoe Township signed acknowledgment of the request on April 10, 2023, with no additional comments.

Zoning District: A-1 (Agricultural Protection District)

Attachments and links:

Application and submitted project summary

Site Map(s)

Article 11, Section 30 Non-Agricultural Uses Associated with Agricultural Tourism

Goodhue County Zoning Ordinance (GCZO):

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

Summary:

The Applicant (James Goplen) is requesting a CUP to establish a wedding and event facility on his property in Roscoe Township for up to 299 guests. The request includes the use of an existing pole building to host wedding receptions and other events. The Applicant has held various gatherings for family and friends on the property and is interested in allowing more people to enjoy his property.

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 property consists of one non-contiguous parcel comprising 80 acres. The portion of the parcel to be used for the wedding/event center is 40 acres and contains the Applicant's primary residence, an Accessory Dwelling Unit, various barns, and agricultural storage buildings along with the pole building proposed to be used for events. Two ponds are also present on the property among pastureland and land used for row crops. The non-contiguous portion of the property to the northwest is not proposed to be used for the wedding/event facility and consists mainly of row crop land with some wooded bluffs.
- The property is currently registered as a Feedlot however it is not currently an active Feedlot operation. The Applicant has donkeys and allows cattle to pasture on the property for part of the year.
- The property is bordered by A1 zoning districts on all sides. Adjacent land uses include row-crop and animal agriculture among undeveloped woodlands with steep slopes and medium-density residential uses. The nearest registered Feedlot not associated with the Applicant's operation is located approximately ½ mile to the south owned by David Bye.
- As an A1 zoned section, a maximum of 4 dwellings are permitted within Section 22. Currently, there are 6 dwellings in section 22 therefore there is no additional dwelling density available. Section 23 directly west of the property is also considered "full" for dwelling development with 4 dwellings.
- Access to the site is located off 158th Avenue (aggregate surface) on the west side of the property.

Weddings/Events:

- An existing 50-foot by 60-foot pole building will be used for events. Wedding ceremonies will take place just north of the pole building on a concrete paved area overlooking the existing ponds. The Applicant has proposed a maximum of 299 guests per event.

The Applicant's dwelling and other structures on-site are not proposed to be used in conjunction with weddings or events.
- The Applicant is aware that a change-of-use permit will need to be approved before public use of the pole building. A professional architect will need to review the structure for code compliance as a public building for the building permit application to be considered by the Building Official.
- Hours of operation are proposed to be year-round Friday, Saturday, and Sunday. Events would take place from 8:00 AM to midnight on Fridays and Saturdays and from 8:00 AM to 10:00 PM on Sundays. Goodhue County Zoning Ordinance (GCZO) Article 11, Section 30 stipulates outdoor activities must be concluded during daylight hours and indoor activities must be completed by 10:00 PM unless approved through the CUP process to conclude no later than midnight. The Applicant has requested that activities be permitted to conclude no later than midnight as part of the CUP application.
- All food and/or liquor offered during events will be prepared and catered by appropriately licensed professionals.
- The Applicant or a designated representative will be present on-site at all times to ensure guest safety and security.

Employees:

- The Applicant does not anticipate a need for any non-resident employees.

Noise:

- Noise generated during events would be contained within the pole building. There is a possibility noise may be audible during ceremonies or from the parking areas. The nearest residence is located approximately 700 feet from the pole building and approximately 500 feet from the proposed parking area. This residence is owned by the Applicant's daughter Rebecca Goplen.
- The nearest residences owned by individuals not related to the Applicant are approximately ½ mile away to the southwest and northeast. The distance from neighboring residences,

topography, and tree coverage in the area provide noise barriers.

Odors:

- The property is located within an A-1 Zone among tilled crop fields. The Applicant is aware various agricultural odors may be present during the year. The Applicant is familiar with the farmers and their manure application practices. The Applicant owns and rents out approximately 175 of the surrounding acres for crops. The Applicant will make customers aware that the area is in an actively farmed setting therefore farm noises, dust, and odors may be present during events.

Lighting:

- Existing light poles will be used for lighting the event area and parking areas.

Traffic and Parking:

- The property is accessed via 158th Avenue on the west side of the property. The existing transportation network is capable of handling anticipated traffic for the proposed facility. The road authority, Roscoe Township, did not provide comments regarding increased road use due to events.
- The property is located approximately one mile north of County 11 BLVD (asphalt surface).
- The Applicant has identified several parking areas on the property. Handicap parking areas would be on a gravel base. Most parking would be on existing grass areas and would meet setback requirements of 40 feet from property lines.

Pursuant to GCZO Article 11, Section 16, the Zoning Administrator has determined minimum off-street parking provisions shall be one parking space for every 4 guests. A minimum of 75 off-street parking spaces are required for this facility at a maximum occupancy of 299 guests.

Utilities:

- The existing pole building has electricity. The Applicant has proposed using satellite toilets rented from a professional company for restroom facilities. These would be located on the east side of the pole building.
- Solid waste disposal services will be provided locally. Any hazardous materials or fluids generated shall be properly disposed of.

Signage:

- The Applicant has discussed sign ordinance regulations with staff and has proposed to install signage near the property entrance. Signage must follow the requirements of GCZO Article 11 Section 17.

Landscaping/Drainage:

- No additional grading or landscape work will be required for this project. Runoff from the building area currently flows to the north towards the existing ponds.

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 wedding/event facility 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 property is surrounded by agricultural (row crop) land and wooded areas, several acres of which are owned by the Applicant. The event space is approximately ½ mile from the nearest neighbors not related to the Applicant.
2. The wedding/event facility 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. The property is located within an A1 zoned section that is considered “full” for dwelling development.

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 wedding/event facility will be conducted to prevent and control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance.

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

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
 - adopt the findings of fact;
 - accept the application, testimony, exhibits, and other evidence presented into the record; and
- recommend that the County Board of Commissioners **APPROVE** the request from James Goplen to establish a wedding/event facility with a maximum occupancy of 299 guests.

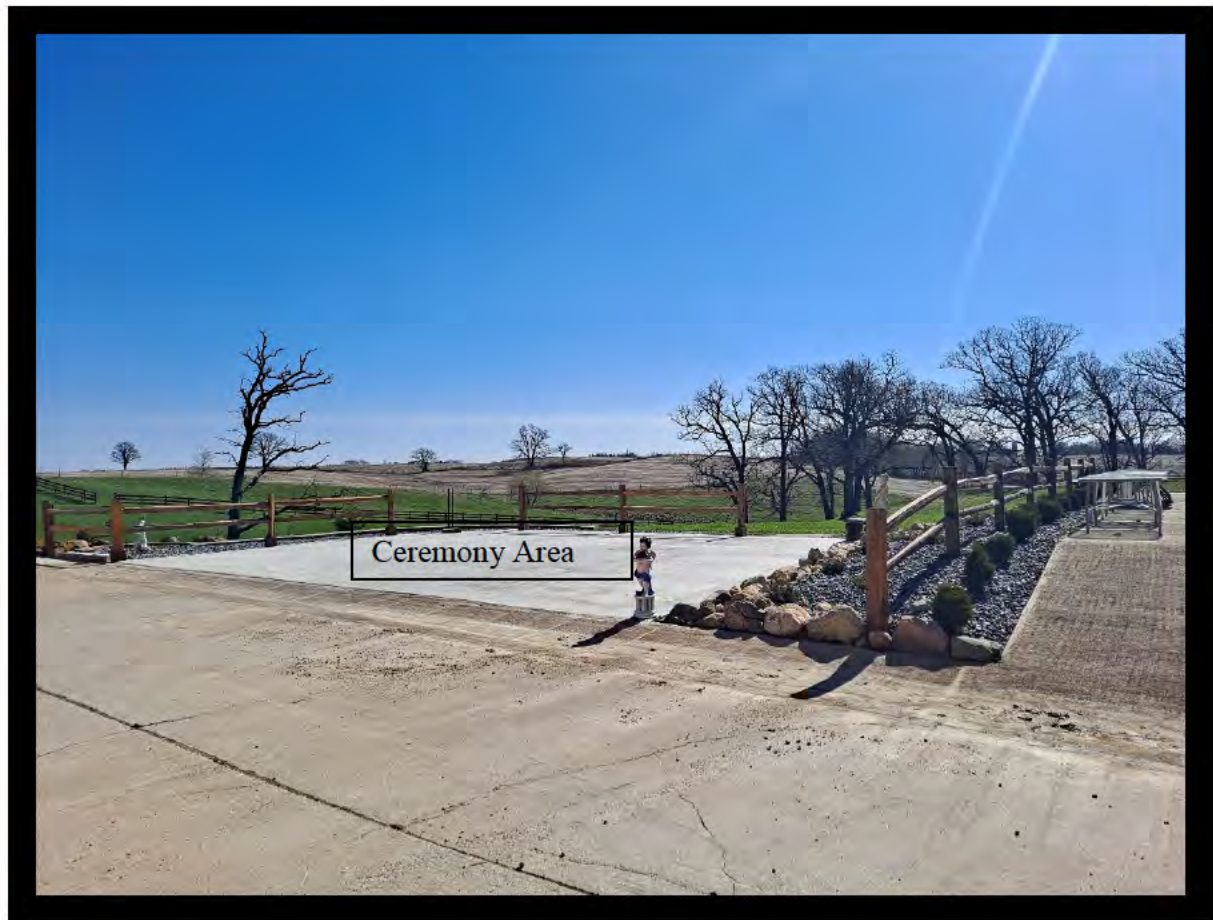
Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP.
2. Hours of operation shall be year-round Fridays and Saturdays from 8:00 AM to midnight and Sundays from 8:00 AM to 10:00 PM;
3. Maximum occupancy shall be limited to 299 guests per event;
4. On-street loading, off-loading, and parking shall be prohibited;
5. All exterior signage located on the property must follow Goodhue County Zoning Ordinance Article 11 Section 17 (Sign Regulations);
6. Applicant shall obtain Building Permit approval for change-of-use of an existing structure prior to establishing the use;
7. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations; and
8. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11 Section 30 Non-Agricultural Uses Associated with Agricultural Tourism and Article 21 Agricultural Protection District.





North side of event building



Ceremony Area



View looking north from the ceremony site





Event Building is behind the camera in both photos.





View looking to the southeast standing in the proposed parking area

RECEIVED

APR 13 2023

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Land Use Management

Parcel # 40-027-0600

Permit# 7230011

PROPERTY OWNER INFORMATION

Last Name <u>Goplen</u>		First <u>James</u>	Email:
Street Address <u>49540 158th Ave</u>			Phone:
City <u>Pine Island</u>	State <u>MN</u>	Zip <u>55963</u>	Attach Legal Description as Exhibit "A" <input type="checkbox"/>
Authorized Agent		Phone	
Mailing Address of Landowner: <u>49540 158th Ave, Pine Island MN 55963</u>			
Mailing Address of Agent:			

PROJECT INFORMATION

Site Address (if different than above):

Lot Size 80 acres Structure Dimensions (if applicable) 50x60 pole building

What is the conditional/interim use permit request for? Event Location

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: James Goplen Date 4-10-2023

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 Stacy Ren Title Clerk Date 4/10/2023

Comments:

COUNTY SECTION

COUNTY FEE \$350 RECEIPT # 18076 DATE PAID 4-13-23

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

What is the formal wording of the request?

Shoreland _____ Lake/Stream Name _____ Zoning District _____

Date Received _____ Date of Public Hearing _____ DNR Notice _____ City Notice _____

Action Taken: ____ Approve ____ Deny Conditions:



GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

PROJECT SUMMARY

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

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

The plan is to provide a rural location for events such as family reunions, weddings and retreats. Providing only location and seating.

No sales are planned.

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

The proposed building is a 50 x 60 pole structure with concrete floor. It will be the only one open to public.

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.

At this time hours of operation would be limited to 12pm Friday - Sunday 6pm. Preferably ~~April - October~~ year-round

8am - midnight Fri, Saturday. Sunday 8am to 10pm

5. Planned maximum capacity/occupancy.

Planned indoor capacity 299

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

There is ample room for maneuvering and parking on site. Access via existing driveway directly to event building and parking.

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

All guests will have plenty of parking space on site. Gravel high traffic areas, well established grass parking lot

Grass and gravel base

8. Proposed solid waste disposal provisions.

Sanitation service will be used for event generated garbage

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

Portable relief stations will be rented from reputable provider and maintained frequently



10. Existing and proposed exterior lighting.

Public areas including parking lot have permanent elevated light fixtures

Public areas including parking lot have permanent elevated light fixtures

11. Existing and proposed exterior signage.

Have no parking on road sign, handicapped parking sign.

Event center sign by road.

12. Existing and proposed exterior storage.

Personal property and excess supplies are stored in non-public buildings

13. Proposed safety and security measures.

Roadways are to remain open to event. Plans are to hire security person(s) as needed. Fire extinguishers available.

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

A good relationship has been developed with local emergency service. A clear and marked route will be maintained for an emergency

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

Location is secluded so noise shouldn't be an issue. If road dust gets to be an issue, measures will be taken to pacify those who are affected.

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

No major changes in foreseeable future

17. Existing and proposed surface-water drainage provisions.

All areas have previously been approved for building permits and feed lot regulations

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

Any foodstuffs will be catered at client's discretion. Facility will not assist in preparation or serving.

Possibility of leasing space to licensed liquor establishment who will provide supplies and staff.

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

Attached

#19

This property is Jim's lifetime home. He takes great pride in maintaining and improving the grounds. Having raised three girls here, we have enjoyed educating classmates and college friends on crops, livestock and rural living. The goal is to create a warm and inviting environment and look forward to sharing it with those seeking the peaceful country experience on their special day.



Porta Potties

P - Parking
HP - Handicap Parking

SECTION 30. NON-AGRICULTURAL USES ASSOCIATED WITH AGRICULTURAL TOURISM

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

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

Subd. 2 Performance Standards.

In addition to all other applicable zoning ordinance requirements including but not limited to the review criteria (findings) included in Article 4, Section 5, the following items shall be considered by the Planning Advisory Commission and County Board when reviewing a Conditional Use Permit or Interim Use Permit Application for various Non-Agricultural Uses associated with Agricultural Tourism.

- A. The size of the function and the number of expected guests on the property at one time shall be determined at the sole discretion of the County based on parcel size, proximity to adjacent neighbors and the ability of the applicant to demonstrate

that there will be no unreasonable adverse impact on the neighbors from the noise, traffic, trespass, light or other impacts deemed relevant by the County.

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

Section 31. ACCESSORY DWELLING UNITS (ADUS)

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

- A. An ADU can be either:
 - 1. Attached to, or within the primary dwelling unit; or
 - 2. Located within 100 feet of the primary dwelling unit on the same tax parcel as the primary dwelling unit.
- B. ADU's must have separate kitchen and bathroom facilities
- C. Only one (1) ADU is permitted per primary dwelling site tax parcel
- D. The ADU cannot be separated from the primary dwelling tax parcel
- E. Dwelling units that were permitted as temporary dwelling units that request to be converted to ADU status must have a public hearing at the PAC and approved by the County Board.

Subd. 2. Performance Standards

- A. Setbacks: The ADU must meet all district setbacks for structures
- B. Size: An ADU cannot exceed the size of the primary dwelling

MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

PAC Meeting
May 15, 2023

James Goplen (Owner)

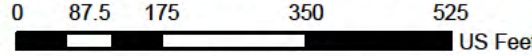
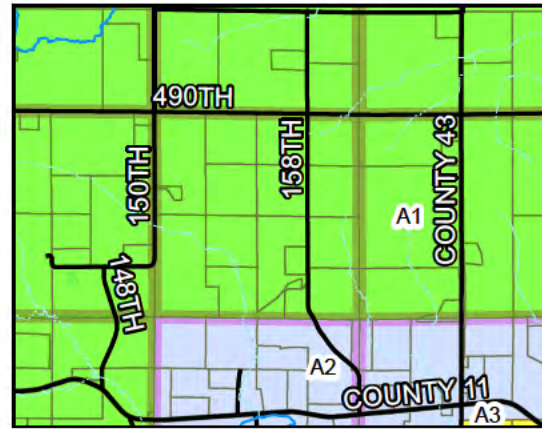
A1 Zoned District

NE 1/4 of the SE 1/4 of Section 22
TWP 109 Range 16 in Roscoe Township

Request for Wedding/Event Center

Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery
Map Created April, 2023 by LUM



PAC Meeting
May 15, 2023

James Goplen (Owner)

A1 Zoned District

NE 1/4 of the SE 1/4 of Section 22
TWP 109 Range 16 in Roscoe Township

Request for Wedding/Event Center



Ceremony Area



100220000
JAMES A GOPLEN
80

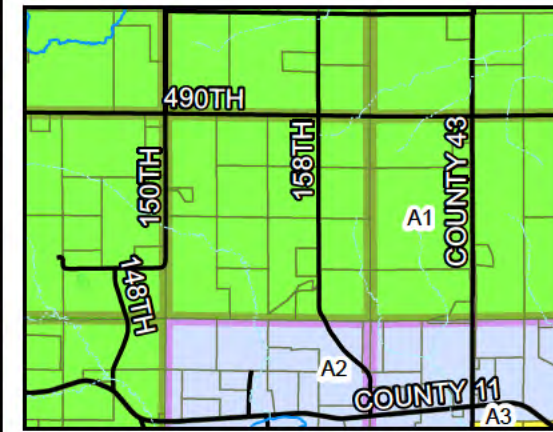
Parking

Parking

Parking

Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery
Map Created April, 2023 by LUM



PAC Meeting
May 15, 2023

James Goplen (Owner)

A1 Zoned District

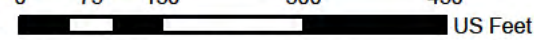
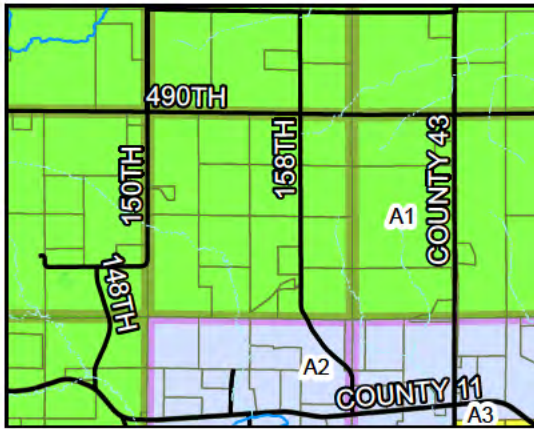
NE 1/4 of the SE 1/4 of Section 22
TWP 109 Range 16 in Roscoe Township

Request for Wedding/Event Center



Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.



PAC Meeting
May 15, 2023

James Goplen (Owner)

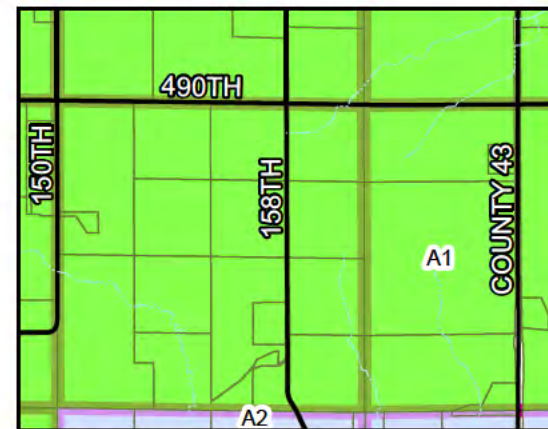
A1 Zoned District

NE 1/4 of the SE 1/4 of Section 22
TWP 109 Range 16 in Roscoe Township

Request for Wedding/Event Center

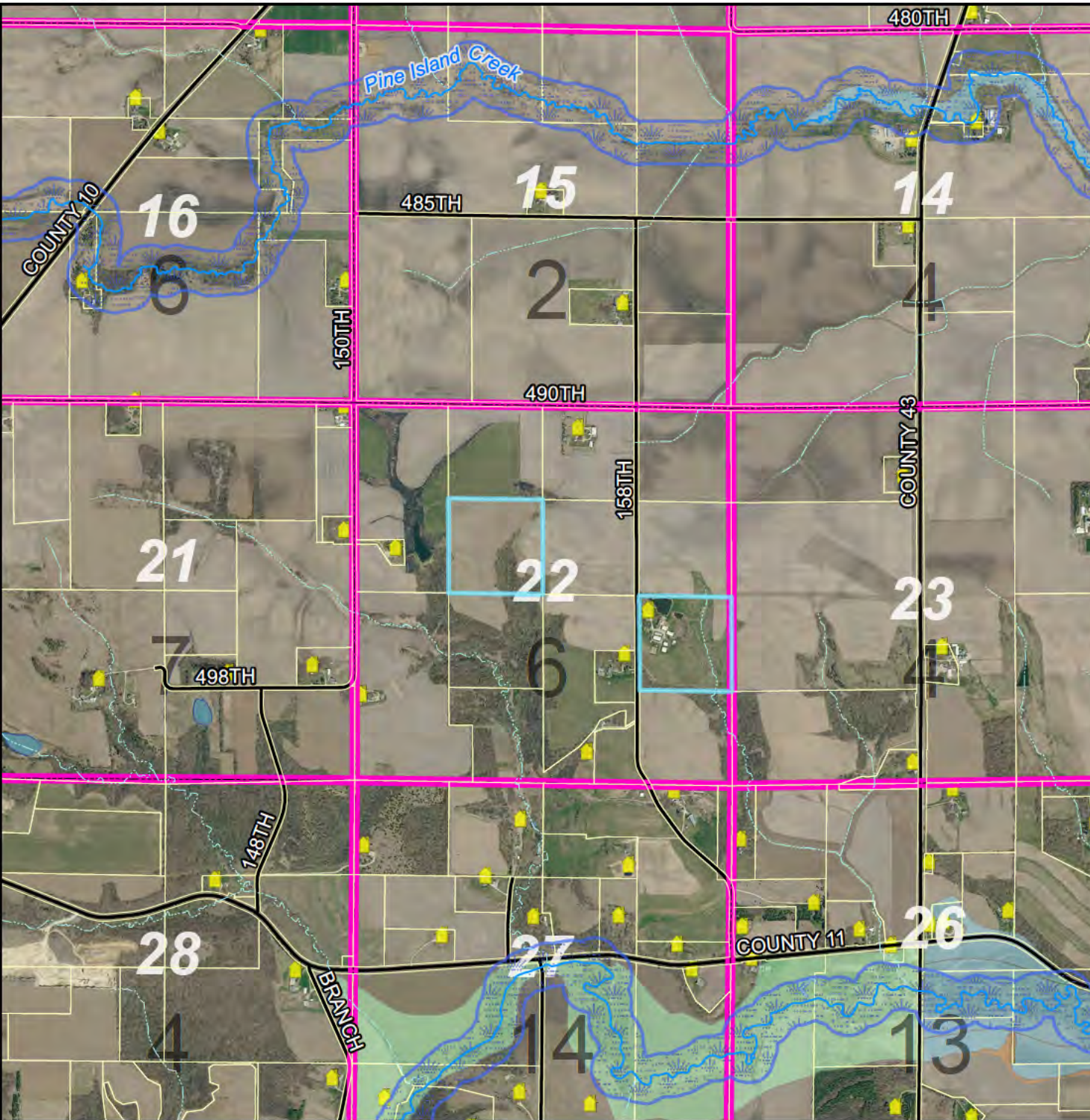
Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery
Map Created April, 2023 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 Commission
From: Land Use Management
Meeting Date: May 15, 2023
Report date: May 5, 2023

PUBLIC HEARING: Request for CUP for a Contractors Yard (L&L Trucking of Mazepa Inc.)

Request submitted by Luke Luhman (Owner/Operator) to allow a Contractors Yard for parking and storage of trucks as part of L&L Trucking of Mazepa Inc.

Application Information:

Applicant: Luke Luhman (owner/operator)

Address of zoning request: 42107 228th AVE Mazepa, MN 55956

Parcel(s): 47.014.0201

Abbreviated Legal: Part of the NW ¼ of the NE ¼ of Section 14 TWP 110 Range 15 in Zumbrota Township

Township Information: Zumbrota Township signed acknowledgment of the proposal on April 25, 2023, with the comment that “the Township is fine with this”.

Zoning District: A-1 (Agricultural Protection District)

Attachments and links:

Application and submitted project summary

Goodhue County Zoning Ordinance Article 11 Section 33 Contractors Yard

Site Map(s)

Goodhue County Zoning Ordinance (GCZO):

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

Background:

The applicant (Luke Luhman) is currently storing trucks on his property as part of his business L&L Trucking of Mazepa Inc. No truck repairs take place on-site, no materials are brought to the site for storage, and there is not an on-site office or on-site sales. The business hauls agricultural lime, aggregate, and scrap metal.

Contractors Yards are defined in the Goodhue County Zoning Ordinance as: “A site used for storage, maintenance, and staging of vehicles, equipment, and materials related to contracting work in any of the building trades, landscaping, road building, sewer installation, transport and hauling, or similar professions in which work is principally conducted off-site”. Based on the use of the property and business operations, staff has determined the operation qualifies as a Contractors Yard requiring a Conditional Use Permit in the A-1 District.

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.

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

www.co.goodhue.mn.us

Project Summary:

Property / Building Information:

- The subject property consists of a single parcel comprising approximately 11.85 acres.
- The property and all adjacent land is zoned A-1 Agricultural Protection District. Adjacent land uses consist mainly of row crop agriculture among low-density residential and feedlot operations.
- Section 14 of Zumbrota Township is limited to 4 dwellings as an A-1 zoned section. There are currently 8 dwellings in Section 14 therefore there is no dwelling density available in the section.
- The Applicant uses an existing 60-foot x 100-foot shed for storage of equipment related to the business. Additional equipment including trailers are stored outdoors in the southwest portion of the property.

No new structures are proposed for the business.

- The property contains a single-family dwelling, detached garage, residential storage sheds, and various agricultural buildings including barns and silos. These structures are not used as part of the trucking business.
- Solid waste disposal services are provided by a local professional business. Any hazardous wastes are disposed of properly.
- The property has existing exterior lighting, no additional lighting is proposed to be installed.
- There is the potential for some noise to be generated by the trucks. This noise is not uncharacteristic of other agricultural operations in the area. The nearest dwelling not associated with the business is located approximately ¼ mile to the northeast (Parcel 47.011.0500 owned by Erich Hemenway). Truck noise is limited to the beginning of the day and evening upon return as no work is conducted on-site.
- There is the potential for dust to be created by the operation as it is located on an aggregate road (228th Avenue). The Applicant currently chlorides the road past their property line and plans to continue to do so. The road authority, Zumbrota Township, did not indicate any concerns with the proposal regarding dust or impacts on their roadway.

Business Information:

- The main activity on site is the storage of trucks and trailers for L&L Trucking of Mazeppa Inc. No repair work is conducted on-site and there is not a public office on-site.
- Primary hours of operation are year-round, Monday through Friday from 6:00 AM to 6:00 PM.
- The Applicant operates the business with the assistance of his wife, son, and one employee. The Applicant has indicated he could grow to 5 employees if business warrants.
- Parcel access is located off 228th Avenue on the east side of the property. Adequate emergency vehicle access is available to service the facility.
- Ample space exists on the property to accommodate parking requirements.
- Staff was in contact with the owner/Applicant in early 2022 regarding the storage of inoperable vehicles or junk. This issue was quickly resolved. Staff was not aware until 2023 that a trucking operation was taking place on-site which prompted additional communication from staff and the CUP application for a Contractors Yard.

Drainage/Landscaping:

- The site has minor topographic relief with slopes ranging from 0-6% in the business storage area. Land north of the dwelling has steeper slopes around 13%. Most drainage flows to the east towards the ditch along 228th Avenue or away from the property towards the fields.
- No additional grading or excavating is proposed. The Applicant has not proposed to increase the parking area. Existing trees and vegetation screen the property from 228th Avenue during leaf-on conditions. The property and storage area is visible from the south on 228th Avenue. Due to past complaints regarding the storage of vehicles and materials on the property, the PAC may

consider adding a condition that screening such as a fence or vegetation be installed along the south property line. It should be noted that complaints regarding storage were received during winter months or “leaf-off” conditions and were not received from neighboring property owners.

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 Contractors Yard operation 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 surrounding area is primarily row crop agriculture land and the business has been operating without complaints from neighboring property owners.
2. The proposed Contractors Yard is not anticipated to impede the normal and orderly development or improvement of surrounding vacant property for uses predominant to the area. The proposal does not appear incompatible with adjacent agricultural 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 facility has ample room to provide sufficient off-street parking and loading space to serve the use and meet the Goodhue County Zoning standards.
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. Dust generated on the roadway will be addressed by chloriding the road and the noises generated from the business are not uncharacteristic from other agricultural operations in the vicinity and are limited in duration.

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 submitted by Luke Luhman (owner/operator) for a Contractors Yard.

Subject to the following conditions:

1. The Contractors Yard 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 (Agricultural Protection District) and Article 11 Section 33 (Contractors Yards);
3. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations; and
4. No on-street parking, loading, or off-loading is permitted.

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # R 47.014.0201

Permit# Z 230013

PROPERTY OWNER INFORMATION

Last Name Luhman First Luke Email: _____

Street Address 42107 228th Ave Phone _____

City Mazeppa State MIN Zip 55456 Attach Legal Description as Exhibit "A"

Authorized Agent _____ Phone _____

Mailing Address of Landowner: same as above

Mailing Address of Agent: _____

PROJECT INFORMATION

Site Address (if different than above): _____

Lot Size 11.85 Acres Structure Dimensions (if applicable) NA

What is the conditional/interim use permit request for?
L & H trucking of Mazeppa Inc. equipment parking when not in service
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 4-25-2023

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 CLERK Date 4-25-2023

Comments: Township is fine with this
LJH

COUNTY SECTION _____ COUNTY FEE \$350 RECEIPT # 18085 DATE PAID 4/26/2023

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: _____

RECEIVED
APR 26 2023

Land Use Management

SUMMARY OF PLANNING ADVISORY COMMISSION PROCEDURES

Step 1. Request application and discuss circumstances with staff.

Step 2. File application by the above-noted deadline this must include all of the following:

- a. A completed application form with the required filing fee;
- b. A full, recordable property description (Attached as exhibit "A")
- c. A complete site sketch listing all applicable distances, setbacks or other necessary measurements;
- d. When the septic system of the parcel on which the request was made is located within the shoreland overlay district, a septic system certification must be completed. (Note: Noncompliant septic systems are required to be upgraded regardless of the outcome of proceedings).
- e. Township Signature
- f. Other supporting documentation as required by staff.

Step 2A. Required submittals for Zoning District Changes:

- a. Certificate of Survey drawn to scale (if parcel(s) cannot be described as a Quarter, Quarter of a Section). Such survey shall include:
 1. Be prepared and signed by a MN Licensed Land Surveyor
 2. Affected parcel identification numbers
 - i. Indicate if the proposed area is a split and/or combination
 3. Any improvements such as buildings, fences, roads, driveways, etc. within 200 feet of the proposed boundary of the area to be rezoned
 4. Vicinity map
- b. Soil map showing
 1. Soil types within the proposed boundary
 2. Soil types within the surrounding area
 3. Prime farmland ratings of the above soils

Step 3. Process (completed by Land Use Management Staff):

- a. Public hearing notice sent to the Republican Eagle for publication
- b. Notification of property owners within 500 feet of affected property (or nearest 10);
- c. Staff review application and generate staff report
- d. Mail information packets to the members of the Board; and
- e. Mail agenda and staff report to the applicant.

Step 4. The Planning Advisory Commission (PAC) meetings are held the third Monday of each month unless otherwise stated.

- a. The PAC will make a recommendation for the Board of Commissioners.
- b. It is recommended that the applicant(s) or a representative attend the meeting to answer any questions the Board may have.

Step 5. Staff will forward the information onto the Board of Commissioners.

- a. The information will usually be placed on the first meeting of the month after the PAC made a recommendation (see attached calendar)
- b. It is recommended that the applicant(s) or a representative attend the meeting to answer any questions the Board may have.

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

PROJECT SUMMARY

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

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

Parking Vehicles and equipment Owned by L+L Trucking of Maizeppa
when not in operation.

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

Use of existing 60 x 100 Shed
No new structures

3. Proposed number of non-resident employees.

Currently 1 non-resident employee
May consider hiring more in future - no more than 5

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

Mon. - Fri 6am to 10pm Year round

5. Planned maximum capacity/occupancy.

NA

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

Currently 2 drivers leave in am and come home in pm
no loading/unloading here. Not open to public.

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

NA

8. Proposed solid waste disposal provisions.

Take City Recycling Currently

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

Using existing systems -

10. Existing and proposed exterior lighting.

Existing lighting to be used. light on front of shed

11. Existing and proposed exterior signage.

Small sign in yard - existing

12. Existing and proposed exterior storage.

L+L Trucks and trailers - parked outside and equipment owned by L+L Trucking parked outside, use of shed

13. Proposed safety and security measures.

Will use existing safety + security measure. Follow DOT rules and regulations.

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

Mazappa fire department
Zumbach Ambulance

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

we chloride gravel road past our property lines and will continue to do so.

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

None

17. Existing and proposed surface-water drainage provisions.

No changes to existing

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

NA

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

family owned and operated - myself, wife and son. we haul AG Lime, aggregate and scrap metal. No on-site sale of material. NO on-site office

- C. The ADU will be required to obtain all necessary permits, including Zoning, Building, Well, and SSTS

Section 32. ABANDONED HOMESTEADS

Subd. 1. To qualify as an Abandoned Homestead, a site shall satisfy the following criteria:

- A. Clear, physical evidence of a dwelling, and
- B. A distinct yard containing features such as fencing, windbreaks, or other readily apparent features characteristic of a previously established homestead.

Subd. 2. Abandoned Homestead dwelling reestablishments shall comply with the following standards:

- A. The parcel shall meet the minimum size regulations, yard requirements, road access standards, Bluffland ,Shoreland , and Floodplain requirements, and
- B. The reestablished dwelling shall be sited as near to the location of the abandoned dwelling foundation as practical, and
- C. An approval for reestablishment of a dwelling as an Abandoned Homestead site shall expire and be considered null and void one (1) year after the approval date if the use has not been established.

Section 33. CONTRACTORS YARD

Subd. 1. Contractors Yards shall comply with the following standards:

- A. The minimum parcel size shall be 3 acres and shall meet road access standards.
- B. The site shall not be located within Shoreland, Floodplain, or Blufflands.
- C. Materials, structures, and operations associated with the Contractors Yard shall be located a minimum of 100 feet from adjacent neighboring dwellings existing at the time of permit application.
- D. Non-Resident Employees, except designated office or shop personnel, may occupy the site only for the purpose of gathering equipment and supplies, necessary fabrication, or general maintenance.
- E. There shall be no on-site retail sales. The sale of incidental stock-in-trade shall not be considered retail sales.
- F. Exterior storage of materials, vehicles, and equipment may require screening from public view.
- G. The routes and conditions of local transportation networks will be part of the review process to determine if they are capable of supporting the proposed use without appreciably diminishing traffic safety along primary access routes. When appropriate, the applicant shall bear the costs of required dust mitigation measures.

Subd. 2. **PERMITTED USES:** Contractors Yards shall be allowed as shown in the table below.

	A-1	A-2	A-3	R-1	B	I	CR	MXH
Contractors Yard	C/I	C/I	C/I	NP	C/I	P	NP	NP

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

Section 34. Self-Service Storage Facilities

Subd. 1. Self-Service Storage Facilities shall comply with the following standards:

- A. 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, human habitation, or storing any living animal or organism.
- B. Storage of hazardous, flammable, or explosive materials as defined in MN Statute 182.651 is prohibited.
- C. Water service to storage units is prohibited except for a fire suppression system.
- D. The site shall not be located within any wetland, floodplain, or bluffslands.
- E. All lighting shall be downward projecting or shielded to prevent light from being directed off the premises.
- F. The facility shall be secured by fencing.
- G. Exterior storage of materials, vehicles, and equipment may require screening from public view.
- H. Areas for exterior storage and access lanes for storage structures shall be surfaced with aggregate, asphalt, or similar material.
- I. Driving lanes between structures must be a minimum of 18 feet between the nearest points of buildings.
- J. A landscaping and drainage plan detailing adequate provisions for stormwater control and erosion prevention shall be provided.

PLANNING COMMISSION

PAC Meeting
May 15, 2023

Luke Luhman (Owner/Operator)

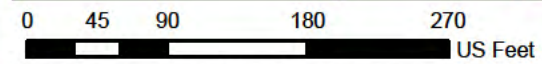
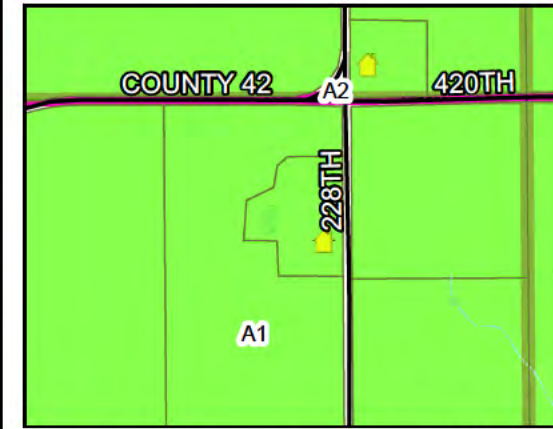
A1 Zoned District

Part of the NW 1/4 of the NE 1/4 of
Section 14 TWP 110 Range 15
in Zumbrota Township

Request for CUP to allow a Contractors
Yard for parking and storage of trucks
part of L&L Trucking of Mazeppa Inc.

Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery
Map Created April, 2023 by LUM





PLANNING COMMISSION

PAC Meeting
May 15, 2023

Luke Luhman (Owner/Operator)

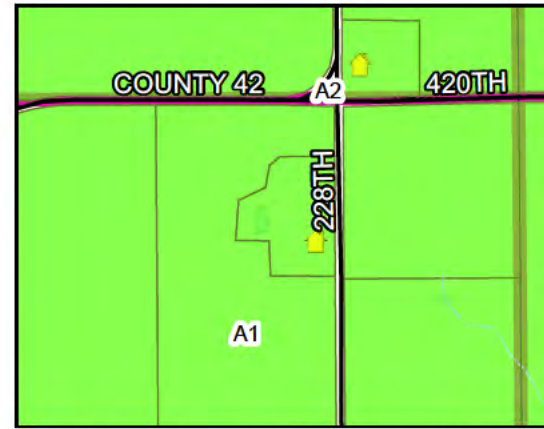
A1 Zoned District

Part of the NW 1/4 of the NE 1/4 of
Section 14 TWP 110 Range 15
in Zumbrota Township

Request for CUP to allow a Contractors
Yard for parking and storage of trucks
part of L&L Trucking of Mazeppa Inc.

Legend

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



DATA DISCLAIMER: Goodhue County assumes
NO liability for the accuracy or completeness of this map
OR responsibility for any associated direct, indirect,
or consequential damages that may result from its use
or misuse. Goodhue County Copyright 2023.



PLANNING COMMISSION

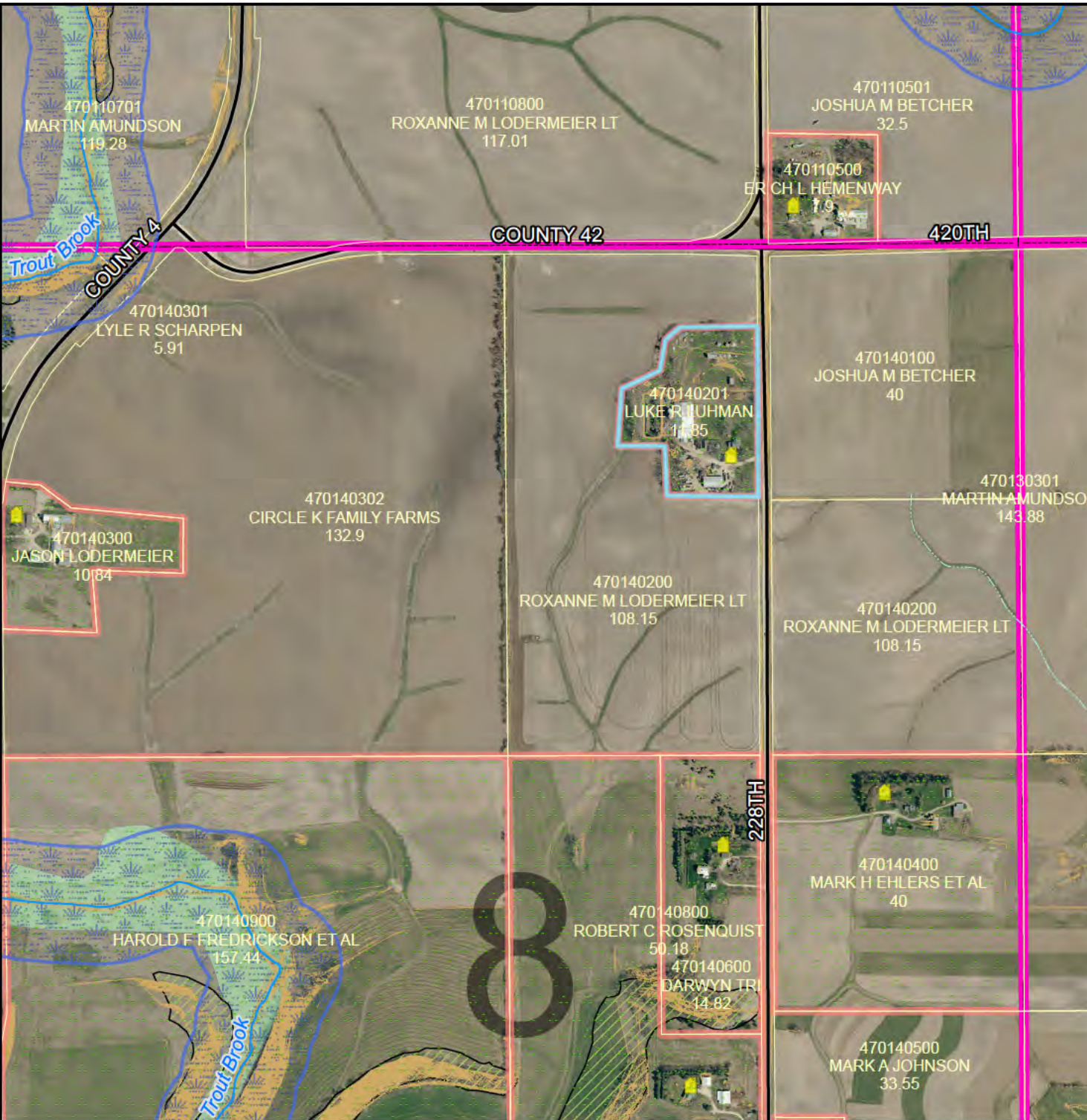
PAC Meeting
May 15, 2023

Luke Luhman (Owner/Operator)

A1 Zoned District

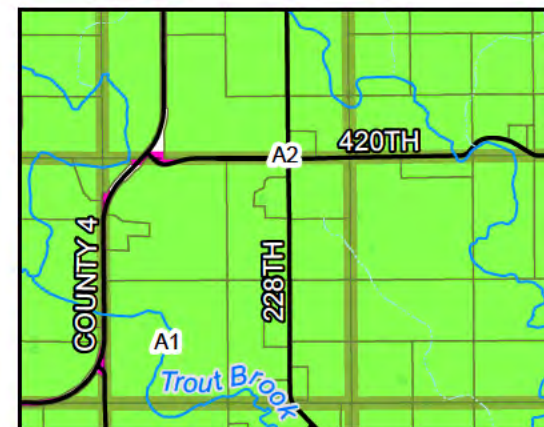
Part of the NW 1/4 of the NE 1/4 of
Section 14 TWP 110 Range 15
in Zumbrota Township

Request for CUP to allow a Contractors
Yard for parking and storage of trucks
part of L&L Trucking of Mazeppa Inc.



Legend

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery
Map Created April, 2023 by LUM

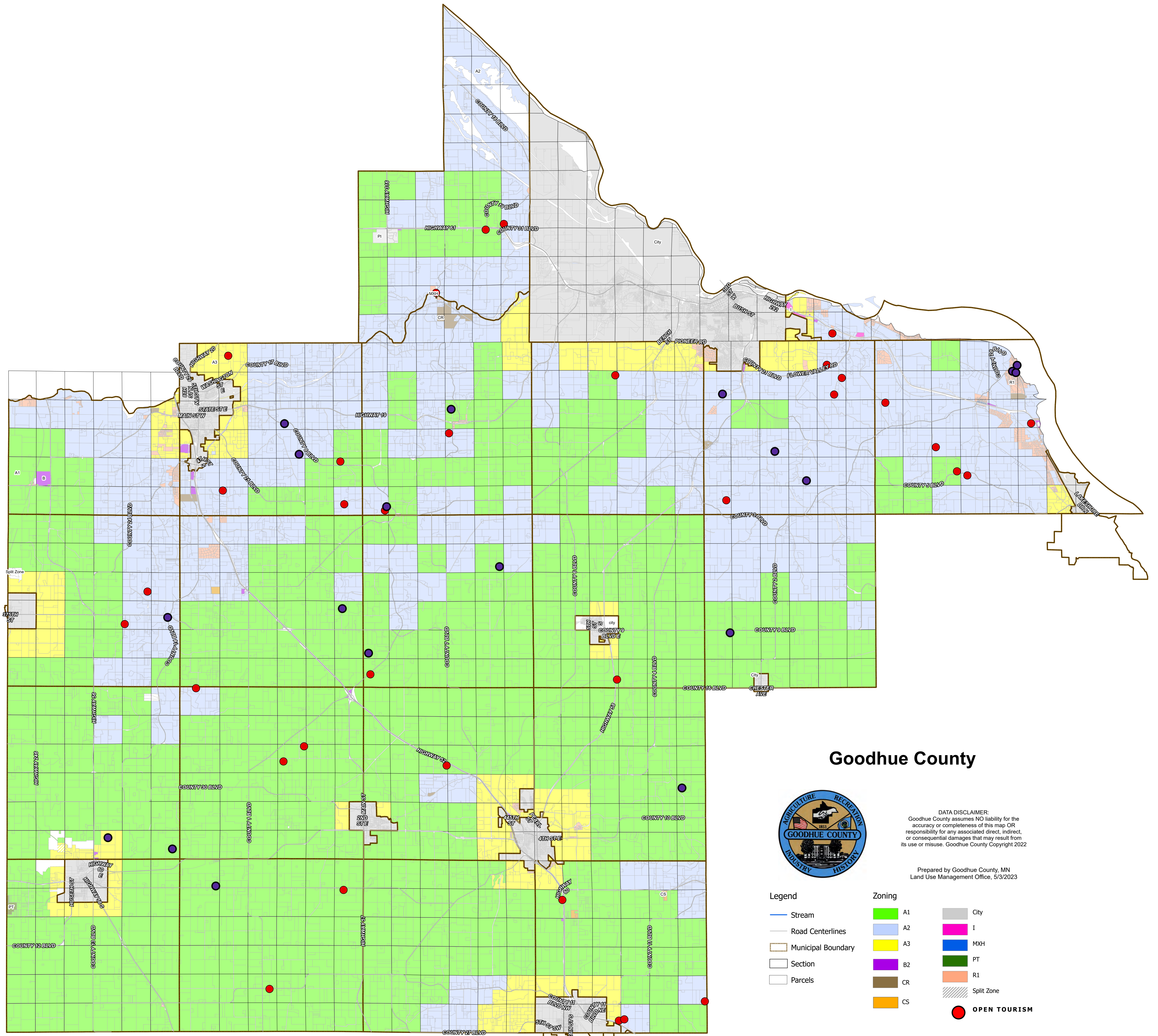


Tourism Businesses in Goodhue County Permitted via CUP/IUP

Use	Property Address	Township	Zone	Year Permitted (if known)
Bed and Breakfast	28971 Wood Ave Frontenac	Florence	R1	1982
Motorcycle Races	43560 232nd Ave Mazeppa	Zumbrota	A1	1991
Bed and Breakfast	3640 450th St Kenyon	Holden	A3	1992
Bed and Breakfast	37533 County 14 Dennison	Warsaw	R1	1992
Bed and Breakfast	37295 112th Ave Way Cannon Falls	Leon	A1	1992
Bed and Breakfast	30800 Hardwood Lane Red Wing	Hay Creek	A2	1993
Bed and Breakfast	45719 60th Ave Kenyon	Holden	A1	1993
Bed and Breakfast	356788 165th Ave Goodhue	Belle Creek	A1	1993
Bed and Breakfast	29055 County 2 Blvd Frontenac	Florence	R1	1995
Bed and Breakfast	31381 County 8 Blvd Cannon Falls	Cannon Falls	A2	1996
Bed and Breakfast/Resort Facility	Lake Avenue Way Frontenac	Florence	R1	1997
Bed and Breakfast	28650 Wildwood Ln Red Wing	Wacouta	A2	1998
Bed and Breakfast	12181 390th St Goodhue	Belle Creek	A1	1999
Educational Farm Retreat	6863 County 12 Blvd Kenyon	Cherry Grove	A1	1999
Paintball Facility	32010 Hill Valley Rd Red Wing	Hay Creek	A1	2001
Motocross Track	43560 232nd Ave Mazeppa	Zumbrota	A1	2002
Community/Event Space	8778 County 11 Blvd Kenyon	Cherry Grove	A1	2005
Retreat Center	30730 County 8 Blvd Cannon Falls	Cannon Falls	A2	2006
Retreat Center	11266 335th St Cannon Falls	Cannon Falls	A2	2006
Archery Range	24878 County 9 Blvd Goodhue	Belvidere	A1	2006
Outdoor Education Facility for Hunter	33305 Kolshorn Ln Red Wing	Hay Creek	A2	2007
Winery with Events	36862 County 57 Blvd Dennison	Warsaw	A2	2008
Airpark/Airstrip with Events	11320 County 12 Blvd Wanamingo	Cherry Grove	A1	2009
Trap Shooting Range	24878 County 9 Blvd Goodhue	Belvidere	A1	2010
Educational Farm Retreat	13010 Stone Bridge Trl Cannon Falls	Vasa	A2	2012
Wedding/Event Center	27708 Cart Ln Red Wing	Hay Creek	A2	2012
Educational Farm Retreat	17069 County 31 Blvd Welch	Welch	A2	2013
Wedding/Event Center	16434 Hwy 61 Welch	Welch	A1	2014
Retreat Center	51525 210th Ave Pine Island	Pine Island	A2	2016
Wedding/Event Center	28650 Wildwood Ln Red Wing	Wacouta	A2	2016
Wedding/Event Center	23897 510th St Pine Island	Pine Island	A2	2016
Retreat Center	12990 Stone Bridge Trl Cannon Falls	Vasa	A2	2017

Use	Property Address	Township	Zone	Year Permitted (if known)
Wedding/Event Center	15251 Old Children's Home Rd Welch	Vasa	A1	2017
Wedding/Event Center	39744 Hwy 58 Blvd Goodhue	Goodhue	A1	2018
Bed and Breakfast	39744 Hwy 58 Blvd Goodhue	Goodhue	A1	2018
Wedding/Event Center	29065 Flower Valley Rd Red Wing	Hay Creek	A2	2018
Wedding/Event Center	31542 West Florence Trl Red Wing	Florence	A2	2019
ATV/Trail Riding Events	31542 West Florence Trl Red Wing	Florence	A2	2019
Wedding/Event Center	29212 Orchard Rd Red Wing	Hay Creek	A2	2020
Bed and Breakfast	29212 Orchard Rd Red Wing	Hay Creek	A2	2020
Bed and Breakfast	26370 County 7 Blvd Welch	Welch	MXH	2020
Retreat Center	51506 210th Ave Pine Island	Pine Island	A2	2022
Wedding/Event Center	42593 Hwy 52 Blvd Zumbrota	Minneola	A1	2022

Tourism Businesses Permitted Administratively/Permitted Uses			
Use	Address	Township	Zone
Farm Winery	39500 County 8 Blvd Goodhue	Belle Creek	A1
Farm Winery	9204 425th St Kenyon	Wanamingo	A1
Farm Winery	35680 Hwy 61 Blvd Lake City	Florence	A2
Farm Winery	31139 County 7 Blvd Welch	Vasa	A2
Farm Winery/Agricultural Tourism	33292 County 5 Blvd Lake City	Florence	A2
Farm Winery	36172 Shady Lane Trail Cannon Falls	Leon	A2
Christmas Tree Farm	29273 210th Ave Red Wing	Featherstone	A1
Apple Orchard	37750 41st Ave Way Dennison	Warsaw	A2
Apple Orchard	30202 Frontenac Hills Way Red Wing	Florence	A2
Apple Orchard	11215 County 8 Blvd Cannon Falls	Cannon Falls	A1
Orchard	32937 County 5 Blvd Lake City	Florence	A1
Orchard	6460 400th St Dennison	Wanamingo	A2
Hemp Maze, Haunted House	47385 Hwy 52 Blvd Zumbrota	Pine Island	A1
Christmas Tree Farm	9888 420th St Kenyon	Wanamingo	A1
Nursery/Christmas Tree Farm	7237 Highview Rd Cannon Falls	Cannon Falls	A2



Goodhue County



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

Prepared by Goodhue County, MN
 Land Use Management Office, 5/3/2023

- Legend**
- Stream
 - Road Centerlines
 - Municipal Boundary
 - Section
 - Parcels

- Zoning**
- A1
 - A2
 - A3
 - B2
 - CR
 - CS
 - City
 - I
 - MXH
 - PT
 - R1
 - Split Zone

- OPEN TOURISM**
- TOURISM OPERATIONS**

ARTICLE 10 WORD USAGE AND DEFINITIONS

SECTION 1. WORD USAGE

For purposes of this Ordinance, certain terms or words used herein shall be interpreted as follows:

- Subd 1. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as individual.
- Subd 2. The word "shall" is mandatory, and not discretionary, the word "may" is permissive.
- Subd 3. Words used in the present tense shall include the future; words used in the singular shall include the plural, and the plural the singular.
- Subd 4. The words "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for".
- Subd 5. All stated and measured distances shall be taken to the nearest integral foot. If a fraction is one-half (1/2) foot or less, the integral foot next below shall be taken.

SECTION 2. DEFINITIONS

When used in this ordinance, the following terms shall have the meanings herein assigned to them. Words used in this ordinance, but not defined therein, shall carry the meanings as defined in Webster's Unabridged Third International Dictionary or its successor volumes.

ABANDONED HOMESTEAD. A formerly established homestead that has since been abandoned.

ACCESSORY BUILDING. A subordinate building or structure on the same lot, or part of the main building, occupied by or devoted exclusively to an accessory use.

ACCESSORY DWELLING UNIT (ADU). Dwelling units that are accessory to a primary dwelling unit and are on the same tax parcel of land as the primary dwelling unit.

AGGREGATED PROJECT. See Article 18 (WECS)

~~**AGRICULTURAL LAND.** Land that was planted with annually seeded crops, was in a crop rotation seeding of pasture grasses or legumes, or was set aside to receive price support or other payments under United States Code, Title 7, Sections 1421 to 1469, six of the last ten years prior to January 1, 1991.~~

~~**AGRICULTURAL OPERATION.** A facility consisting of real or personal property primarily used for the production of crops including fruit and vegetable production, tree farming, livestock, poultry, dairy products, or poultry products, and associated processing of agricultural products produced by the operation. but not a facility primarily engaged in processing agricultural products. Agricultural processing for commercial use or sale shall not be the primary use of property at an Agricultural Operation.~~ Agricultural operation shall also include certain farm activities and uses as follows: chemical and fertilizer spraying, farm machinery noise, extended hours of operation, manure collection, disposal, spreading or storing, open storage of machinery, feedlots, odors produced from farm animals, crops or products used in farming.

AGRICULTURAL PRODUCT. Includes, but is not limited to, crops (corn, wheat, hay, potatoes, soybeans); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes, etc.); floriculture; herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry,

ostriches, emus, farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, [honey](#) etc.

AGRICULTURAL PRODUCT, VALUE-ADDED. This means the enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product to a higher value. The enhancement or improvement includes, but is not limited to marketing, agricultural processing, transforming, or packaging, education presentation, activities, and tours.

~~**AGRICULTURAL RELATED PRODUCTS.** Means items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and beverages, jams, honey, gift items, foodstuffs, clothing and other items promoting the farms and agriculture in Goodhue County and value added agricultural products and production on site.~~

NON-AGRICULTURAL RELATED PRODUCTS. Means those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts, and knick-knacks imported from other states or countries, etc.

AGRICULTURAL PROCESSING. The practice of enhancing or improving the overall value of an agricultural product. The enhancement or improvement includes, but is not limited to marketing, transforming, or packaging.

AGRICULTURAL TOURISM. “Ag-tourism” and/or “Agri-tourism” means the practice of visiting ~~an agribusiness, horticultural, farm~~ or agricultural operation, including, but not limited to, ~~a farm, an~~ orchard, vineyard, winery, greenhouse, hunting preserve, a companion animal or livestock show, for the purpose of recreation, education, ~~or~~ active involvement in the operation, or participation in an agricultural related use other than as a contractor or employee of the operation.

AGRICULTURAL USE. The use of land for agricultural purposes, including farming, dairying, pasturage agricultural, forestry horticulture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating and storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

AGRICULTURAL RELATED USE. Means activities that are accessory to the principal use of the property for permissible agriculture use that predominantly use agricultural products, buildings or equipment including activities, events or uses that represent “agricultural tourism” in Goodhue County as defined in this section, including but not limited to:

- A. Bakeries selling baked goods containing produce grown primarily on site
- B. Barn dances
- C. Corn mazes or straw bale mazes
- D. Educational events including but not limited to: activities associated with the promotion of wine usage, viticulture or viniculture classes, historical agricultural exhibits, and farming and food preserving classes.
- E. Gift shops for the sale of agricultural products and agriculturally related products.
- F. Petting farms, animal display, and pony rides

dwelling shall be allowed to become permanent, nor shall it give rise to a right to create a separate building site.

DWELLING, REPLACEMENT SITE. A site currently occupied by a legally established existing dwelling, whether habitable or uninhabitable, that may be continued as a dwelling site, regardless of the maximum density standard of the applicable zoning district.

EDUCATIONAL FARM RETREAT. An educational farm retreat shall be construed to mean any dwelling occupied in such a manner that certain rooms in excess of those used by members of the family, as herein provided, and occupied as a home or family unit, are rented with cooking facilities, to the public for compensation and catering primarily to the traveling public. The purpose of the Educational Farm Retreat is to provide a lodging experience that provides an opportunity for guests to learn about the operations of a working farm.

EDUCATIONAL FARM RETREAT UNIT. Educational farm retreat room in a grouping to include not more than two bedrooms, kitchen or kitchenette, and bathroom.

EQUAL DEGREE OF ENCROACHMENT. A method of determining the location of floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.

EMPLOYEE, NON-RESIDENT. Persons employed by a home business not residing within the principal dwelling.

ESSENTIAL SERVICES. These uses include poles, towers, telephone booths, wires, cables, conduits, vaults, pipes, mains, pipelines, laterals, stations, substations or other associated or similar transmitting distributing or regulating facilities of a public utility.

EXCAVATION. See Article 14 (Mineral Extraction)

EXTRACTIVE USE. The use of land for surface or sub-surface removal of sand, gravel, rock, industrial minerals, other non-metallic minerals, and peat not regulated under Minnesota Statutes, Sections 93.44 to 93.51.

FAA. See Article 17 (WCF)

FALL ZONE. See Article 18 (WECS)

FCC. See Article 17 (WCF)

FAMILY. A family is any number of persons living together in a room or rooms comprising of single housekeeping unit and related by blood, marriage, adoption, or any unrelated person who resides therein as though a member of the family including the domestic employees thereof. Any group of persons not so related but inhabiting a single house, shall for the purpose of this Ordinance, be considered to constitute one family for each five (5) persons, exclusive of domestic employees, contained in each such group.

FARM. A tract of land principally used for agriculture activities including, but not limited to, the production of cash crops, livestock, or poultry farming. Farms may include dwellings and accessory buildings necessary to the operation of a farm. Real estate consisting of at least forty (40) acres with a minimum of at least twenty (20) acres cropland. Smaller acreage shall qualify as a farm if at least fifty (50) percent of the total net family income of the owner is derived from agricultural production in the preceding two tax years.

~~A. A tree farm would qualify if registered with the State of Minnesota and has forty (40) acres of tree coverage.~~

FARM MARKET/ON-FARM MARKET/ROADSIDE STAND. Means the sale of agricultural products or value-added agricultural products directly to the consumer from a site on a working farm or any agricultural, horticultural or agribusiness operation or agricultural land.

FARMYARD. The area of a farm immediately around the farm residence where accessory buildings are located and are being used exclusively for agricultural operations.

FARM WINERY. See Article 11 (Farm Wineries)

FEEDER LINE. See Article 18 (WECS)

FEEDLOT. Lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this Ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under these rules. Other definitions relating to feedlots are found in Minnesota Pollution Control Agency's Rules 7020 For The Control of Pollution From Animal Feedlots. These rules are adopted by reference in this Ordinance.

FLOOD. See Article 32 (Floodplain District)

FLOOD FREQUENCY. See Article 32 (Floodplain District)

FLOOD FRINGE. See Article 32 (Floodplain District)

FLOODPLAIN. See Article 32 (Floodplain District)

FLOOD-PROOFING. See Article 32 (Floodplain District)

FLOODWAY. See Article 32 (Floodplain District)

FLOOR AREA, GROUND. See Article 32 (Floodplain District)

FOREST LAND CONVERSION. The removal of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.

FORESTRY. The use and management, including logging, of a forest, woodland or plantation and related research and educational activities.

GARAGE, PRIVATE. An accessory building designed or used for the storage of not more than three (3) motor driven vehicles owned and used by the occupants of the building to which it is accessory.

GASOLINE SERVICE STATION. A building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, and including the customary space and facilities for the installation of such commodities on or in such vehicles, but not including special facilities for the painting, repair, or similar servicing thereof.

GENERATOR NAMEPLATE CAPACITY. See Article 18 (WECS)

HIGH POWER TRANSMISSION LINE. See Article 17 (WCF)

HOME BUSINESS. A business, profession, occupation or trade for gain or support conducted by an owner-occupant on the same parcel as the principal dwelling, which is incidental and secondary to the principal use of the premises.

LOT WIDTH. The horizontal distance between the side lot lines, measured at the two points where the building line, or setback, intersects the side lot lines.

LOT LINES. The lines bounding a lot as defined in this Ordinance.

LOWEST FLOOR. See Article 32 (Floodplain District)

MANUFACTURED HOME. See Article 32 (Floodplain District)

MANUFACTURED HOUSING. A manufactured building or portion of a building designed for long-term residential use.

MAXIMUM DENSITY. A density standard establishing the maximum number of dwellings allowed in a Section, ¼ ¼ Section, District, or Subdivision. In order to maintain a balance of compatible uses, when the maximum density has been reached, the only opportunity to increase the density is through a change of zone process that would allow additional housing. Reestablished abandoned homestead sites are not included in the density count until they have been approved and permitted.

MIGRATORY LABOR CAMP. Temporary facilities provided by the employer on his own land for the housing of workers who for seasonal purposes are employed in the planting, harvesting, or processing of crops.

MINERAL EXTRACTION, ACCESSORY USE. See Article 14 (Mineral Extraction)

MINERAL EXTRACTION, PRINCIPAL USE. See Article 14 (Mineral Extraction)

MINERAL EXTRACTION. See Article 14 (Mineral Extraction)

MINERAL EXTRACTION FACILITY. See Article 14 (Mineral Extraction)

MINERAL EXTRACTION PERMIT. See Article 14 (Mineral Extraction)

MINERAL RESOURCE. See Article 14 (Mineral Extraction)

MINING TECHNICAL EVALUATION PANEL. See Article 14 (Mineral Extraction)

MINING/EXCAVATION OPERATION. The removal of stone, sand, and gravel, coal, salt, iron, copper, nickel, petroleum or other material from the land for commercial, industrial, or governmental purposes.

MOBILE HOME. Manufactured housing built on a chassis.

MOBILE/MANUFACTURED HOME PARK. This term applies to any lot or tract of land upon which two (2) or more occupied trailer coaches or mobile homes are harbored either with or without charge and including any building or enclosure intended for use as a part of the equipment of such park.

NACELLE. See Article 18 (WECS)

~~**NON-AGRICULTURAL USES/ACTIVITIES ASSOCIATED WITH AN AGRITOURISM USE.** This means activities that are part of an agri-tourism operation's total offerings but not tied to farming or the farm's buildings, equipment, fields, etc. Such non-agriculturally related uses include but are not limited to:~~

- ~~A. — Temporary Amusement rides associated with an event~~
- ~~B. — Art or cultural related festivals~~
- ~~C. — Gift shops for the sale of non-agricultural products~~
- ~~D. — Benefit events~~

- ~~E. — Kitchen facilities, processing/cooking items for sale (subject to State of Minnesota, Department of Public Health standards) including eating establishments such as restaurants or cafés.~~
- ~~F. — Temporary camping (subject to State of Minnesota Department of Public Health Standards for Recreation Camping)~~
- ~~G. — Wedding ceremonies or receptions~~
- ~~H. — Wine and catered food events~~
- ~~I. — Reunions~~
- ~~J. — Concerts~~
- ~~K. — Social gatherings or similar types of events.~~

NON-CONFORMING LOT OF RECORD. Any legal lot of record that at the time it was recorded fully complied with all applicable laws and ordinances but which does not fully comply with the lot requirements of this Zoning Ordinance concerning minimum area or minimum lot width.

NON-CONFORMING STRUCTURE. A structure the size, dimensions or location of which was lawful prior to the adoption of this Zoning Ordinance, but which fails by reason of such adoption, or subsequent revisions or amendment, to conform to the present requirements of the zoning district.

NON-PREVAILING WIND. See Article 18 (WECS)

NORMAL WATER LEVEL. The level evidenced by the long-term presence of surface water as indicated directly by hydrophytic plants or hydric soils or indirectly determined via hydrological models or analysis.

OBSTRUCTION. Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, modification, culvert, building, wire, fence, stockpile, refuse, fill, structure, matter in, along, across, or projecting into any channel, watercourse, or regulatory floodplain which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

ODOR. The odor of growing vegetation, domestic fertilizers, animal manures, insecticides, and other agricultural odors shall not be considered objectionable.

OPEN SPACE. Land that is permanently protected from future dwelling development. Land that is designated as Open Space may be used for such purposes as agricultural, forest, recreational uses, or demonstrate the use is protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of the real property.

OPERATOR. See Article 14 (Mineral Extraction)

ORDINARY HIGH WATER LEVEL. The boundary of public waters and wetlands and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.

OWNER. Any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity having a proprietary interest in the land.

any increase in flood heights contributable to encroachment on the floodplain. It is the elevation to which uses regulated by this Ordinance are required to be elevated or flood-proofed.

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)

RURAL TOURISM. Business which attracts visitors to rural areas of Goodhue County using the rural outdoor environment for attractions that include, but are not limited to, retreats, weddings, receptions, bed and breakfasts, educational events, and holiday celebrations.

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.

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.

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.

SECTION 14. EDUCATIONAL FARM RETREAT

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

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

SECTION 15. OFF-STREET LOADING AND UNLOADING REQUIREMENTS

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

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

SECTION 16. OFF-STREET PARKING REQUIREMENTS

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

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

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

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

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

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

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

SECTION 13. BED & BREAKFAST INNS

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

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

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

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

SECTION 25. RETREAT CENTERS

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

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

SECTION 26. KENNELS

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

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

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

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

Subd. 2 Performance Standards.

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

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

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

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

Section 31. ACCESSORY DWELLING UNITS (ADUS)

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

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