



GOODHUE COUNTY MINNESOTA

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

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

Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. February 12, 2018 Meeting Minutes

Documents:

MINUTES_FEBRUARY2018_PAC_DRAFT.PDF

Conflict/Disclosure Of Interests

Public Hearing

1. Request For CUP For A Bed And Breakfast And Wedding Event Facility

Request by Roger Kittelson (applicant) for CUP for a Bed and Breakfast and a CUP for a Non-Agricultural Use associated with Agricultural Tourism (Wedding Event Facility), at 39744 Highway 58 Blvd, Goodhue, MN 55027, Parcel 33.033.0600, Part of the NE ¼ of SE ¼, Sect 33 Twp 111 Range 15, in Goodhue Township. A1 Zoned District.

Documents:

PACPACKET_KITTLESON.PDF

2. Public Hearing To Consider Goodhue County Ordinance Updates

- Article 30 (Commercial Recreational District) regarding setbacks, height limitations, and permitted uses.

- Article 10 (Definitions), Article 11 (Performance Standards) regarding proposed Contractor Yard definition and related performance standards. Article 21 A-1, Agricultural Protection District, Article 22 A-2, Agricultural District, and Article 23 A-3, Urban Fringe District in regards to Contractor Yards.

Documents:

PACPACKET_ORDINANCEREVISIONS_MARCH2018.PDF

Other-Discussion

Adjourn

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

Goodhue County Land Use Management

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

**PLANNING COMMISSION
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The meeting of the Goodhue County Planning Advisory Commission was called to order at 7:00 PM by Vice Chair Darwin Fox at the Goodhue County Government Center 3rd Floor Board Room in Red Wing, Minnesota.

Roll Call

Commissioners Present: Ron Allen, Len Feuling, Tom Gale, Darwin Fox, Marc Huneke, Sarah Pettit

Commissioners Absent: Tom Drazkowski, Richard (Dick) Nystuen

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

1. Approval of Agenda

¹Motion by Commissioner Feuling; seconded by Commissioner Gale to approve the meeting agenda. Motion carried 6:0

2. Approval of Minutes

²Motion by Commissioner Allen; seconded by Commissioner Feuling to approve the previous month's meeting minutes. Motion carried 6:0

3. Appointment of Chair and Vice Chair and BOA representative

³Motion by Commissioner Feuling; seconded by Commissioner Allen to appoint Darwin Fox Chair. Motion carried 6:0

⁴Motion by Commissioner Feuling; seconded by Commissioner Fox to appoint Sarah Pettit Vice Chair. Motion carried 6:0

⁵Motion by Commissioner Huneke; seconded by Commissioner Feuling to appoint Darwin Fox BOA representative. Motion carried 6:0

4. Conflict/Disclosure of Interest

There were no reported conflicts of interest.

5. PUBLIC HEARINGS: Jason Augustine (applicant/owner)

17510 County 41 Blvd Red Wing MN 55066, Parcel 42.001.1001, Part of the NE ¼ of SW ¼ and Part of the NW ¼ of SE ¼, Sect 1 Twp 112 Range 16, in Vasa township. A3 Zoned District.

A. Review of Augie's Trucking existing CUP.

Conditional Use Permit (CUP) to operate a trucking and repair business in an A3, Urban Fringe district. Approved by County Board – 11/1/2016 (Doc # 636570).

B. Expansion and Amendment of an existing CUP

Proposed amendments to the Jason Augustine (applicant/owner) and Augie's Trucking CUP to allow additional trucks, more parking, and expansion of shop building.

Tasha Miller (Applicant representative) was present to represent the application.

Mike Wozniak (Woznaik) presented the staff report and attachments.

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Commissioner Allen; asked if the applicant had anything to add.

The Applicant provided clarification on the hours of operation. Some trucks leave as early as 3:00 am and the repair business hours are Monday – Friday 8:00 am to 6:00 pm (sometimes until 9:00 pm) and Weekends varying daytime/early evening hours.

Wozniak asked how much additional traffic is estimated to be generated by the requested expansion.

Ms. Miller responded that the repair side is slower until April when they will have a contract and expect to see an increase of one truck trip a day.

Commissioner Pettit ask if County Engineer, Greg Isakson, had conducted any investigation into the direction of traffic to the west rather than to the east.

Woznaik said that he recalled that the Township had concerns about travel in that direction and he was not aware of Mr. Isakson's opinion of travel in that direction.

Chair Fox opened the Public Hearing.

Darlene Melsby, PID 42.001.1005, 17676 County 41, She lives an estimated 1,900 feet east of the business. She has concerns about traffic safety with the increased traffic on this road with a hill and curves. She was also concerned about decreased property values. She had spoken to a realtor who thought that the property would be more difficult to market with a trucking business so near.

Laura Kraskey, PID 42.001.1001, 17674 County 41, The next door neighbor, home is located an estimated 750 feet from the business. She had concerns about noise from the trucks, traffic safety, and property values.

Chis Kraskey-, PID 42.001.1001, 17674 County 41, The next door neighbor, home is located an estimated 750 feet from the business. He stated that this is not a safe road under good conditions.

Jody Cronk, PID 42.001.1200, She lives an estimated 2400 feet from the business. She stated-truck traffic is so fast, it is a constantly safety issue for anyone walking or driving on the road. She is concerned about noise, dust, and safety. This is a commercial trucking firm and it does not belong in the residential or agricultural area.

Sharleen Dudley, PID 42.001.0500, lives an estimated 1300 feet north east of the business. She has concerns about dust and often hears trucks starting at 3:00am. She cannot walk on the road any more due to the washouts and truck traffic.

Commissioner Allen asked if she had lived there for 30 years and when did the trucks become a problem?

Dudley said that she had lived at this location for the past 30 years and it was 2 years ago when the trucking became an issue.

Jamie Clemens, PID 42.001.1003, home is an estimated 1300 feet west of the business. He stated that he had been run off the road by Augie's trucking. He also has concerns about the noise.

Karen Pearson, PID 31.006.1500, home is an estimated 3,300 feet east of the business. She has concerns about traffic and farming equipment sharing the road with semi-trucks. The hours are not 8:00- 5:00. There are trucks on the road all hours.

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Eric Pearson, PID 31.006.1500, home is an estimated 3,300 feet east of the business. While hauling manure on his farm he witnessed a near collision of a school bus and dump truck, the dump truck was coming the other way and the truck could not stop and swerved off the road, the only good thing was the kids were still on the bus and not on the road. This is a dangerous road and no place for a trucking business to be located.

Karen Pearson, asked if there is another way? There is no good option. A trucking business should not be located here.

Sharleen Dudley asked why there has not been any dust control.

Laura Kraskey, safety and the noise are serious concerns. The trucks are starting at 3:00am.

After Chair Fox asked three times for comments. It was moved by Commissioner Feuling and seconded by Commissioner Allen to close the public hearing. Motion carried 6:0

Commissioner Allen asked the applicant what is the primary purpose of the business.

Wozniak stated that the 2016 CUP was approved as a business primarily intended to serve the agricultural community.

Ms. Miller stated that the hauls are mostly to and from the metro for yard clippings and garbage.

Commissioner Allen stated that he applauded the business growing but this does not seem like a business primarily intended to serve the agricultural community.

Mr. Miller asked the neighbors when the last time they heard a truck at 3:00am and stated that dust control was not required in the 2016 CUP.

Several members of the public in attendance stated that they heard trucks starting at 4:00am and 5:00 within the last couple of weeks, but the problem was more audible in the summer.

Commissioner Pettit stated that agricultural uses are often similar to industrial. It is a fact of life in the country, but she took issue with a commercial business out growing an appropriate area.

Commissioner Allen said that the focus is not agricultural anymore. It should grow in an industrial area not out in the County.

Len Fueling asked if the Township had any comments.

Mike Carlson from Vasa Township Board said that in 2016 the Township was concerned about both traffic patterns. There is no good route, but traveling east to highway 19 is just shorter. The request has not been heard at the Township. Their meeting would be on Tuesday February 13, 2018.

Commissioner Allen asked about dual zoning authority.

Director Hanni stated that the County makes their own decision based of the Goodhue County Ordinance.

The PAC and staff discussed new conditions, dust control, and hours of operation.

There was discussion about the 2016 approved use as business primarily intended to serve the agricultural community use and the hours of operation.

Staff directed the PAC to review the 2016 CUP conditions:

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1. The business must comply with all applicable Federal, State and Local Rules and Regulations, including but not limited to building permits and SSTS permits.
2. The applicant shall schedule an inspection by the Goodhue County Building Official to evaluate the accessory structure housing the business for compliance with applicable building code requirements.
3. The applicant must provide evidence (copy of completed MPCA Notification/Change in Status for Aboveground Storage Tanks Form) of compliance with MPCA Rules regarding storage and handling of diesel fuel and waste oil.
4. The business shall be limited to parking/storage of no more than five (5) owner operated trucks (with trailers not limited).
5. Business use shall be limited to truck storage, maintenance, and repair, with an accessory building limited to approximately 40' x 90'.
6. A maximum of six (6) non-family employees may be employed on the premises at any time.
7. Staff will coordinate a PAC review of the CUP November 2017

Commissioner Gale he was concerned about safety and the number of people being run off the road.

Director Hanni stated that a condition could be added addressing dust control and road safety. The applicant could be directed to work with Public Works to establish best practices for this road.

Ms. Miller added that she understood that they were only limited to 5 trucks owned by Jason Augustine, but they could have more trucks under separate ownership.

Commissioner Pettit would like to see dust control and clear hours of operation 8:00-6:00 added to the CUP conditions.

There was discussion about the limit for number of trucks allowed for the trucking business of 5 trucks, but there was not a truck number limit set for the repair business.

7Motion by Commissioner Allen seconded by Commissioner Huneke, for the Planning Advisory Commission to recommend the County Board 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;

AMEND the Jason Augustine and Augie's Trucking CUP: Conditional Use Permit (CUP) to operate a trucking and repair business in an A3, Urban Fringe district, subject to the following conditions adding conditions 7-10:

1. The business must comply with all applicable Federal, State and Local Rules and Regulations, including but not limited to building permits and SSTS permits.
2. The applicant shall schedule an inspection by the Goodhue County Building Official to evaluate the accessory structure housing the business for compliance with applicable building code requirements.
3. The applicant must provide evidence (copy of completed MPCA Notification/Change

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in Status for Aboveground Storage Tanks Form) of compliance with MPCA Rules regarding storage and handling of diesel fuel and waste oil.

4. The business shall be limited to parking/storage of no more than five (5) owner operated trucks (with trailers not limited).

5. Business use shall be limited to truck storage, maintenance, and repair, with an accessory building limited to approximately 40' x 90'.

6. A maximum of six (6) non-family employees may be employed on the premises at any time.

7. The trucking business will bear the costs and work with public works department to establish appropriate dust control and improve road maintenance conditions along the entire trucking route on County 41 to Hwy 19.

8. The trucking business shall work with public works department to establish best practices to improve road safety.

9. The hours of operation shall be limited to 8:00 AM -6:00PM for the Repair Shop and 5:00 AM-8:00 PM for the Trucking Business.

10. Staff will coordinate a PAC review of the CUP February 2019

At 17510 County 41 Blvd Red Wing MN 55066, Part of the NE ¼ of SW ¼ and Part of the NW ¼ of SE ¼, Sect 1 Twp 112 Range 16, in Vasa township, PID 42.001.1001

Motion carried 6:0

Ms. Miller stated that they are not willing to pay for dust control.

Findings of fact:

- A. The proposed expansion of Augie's Trucking will make the size and scope of the business incompatible with surrounding land uses and current road infrastructure.
- B. The added impacts of doubling truck traffic on County Road 41, between the Augie's Trucking Site and State Highway 19 will bring added traffic safety and nuisance issues including dust, noise, fumes to the seven dwelling sites that front on that stretch of County Road 41.
- C. The proposed business expansion would result in a business more appropriately located within a business or industrial zone district or in a location that will result in less impacts on nearby residential properties.

***Motion by Commissioner Feuling seconded by Commissioner Gale, 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 DENIAL of the CUP expansion request by Jason Augustine and Augie's Trucking.

Motion carried 6:0

6. PUBLIC HEARING: IUP for a Home Business

Jason Banks (applicant/owner), JB Heating & Air, 35314 Martin ST, Lake City, MN 55041

R1 Zoned District, Parcel 32.136.0240, Lot 3 Block 2, Eagle Vista Estates 2 in Florence Township. Request for an Interim Use Permit (IUP) to continue an existing Home Business in a detached accessory structure.

Jason Banks (Applicant) was present to represent the application.

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Ryan Bechel (Bechel) presented the staff report and attachments.

Commissioner Pettit asked about the difference between the different types of home business permits.

Bechel clarified that the Goodhue County Ordinance states:

“The purpose of this section is to provide citizens residing in the unincorporated areas of Goodhue County opportunities for the use or adaptive re-use of residential, accessory, and farm structures to engage in economic activities that are not detrimental or injurious to the public health and safety or character of the surrounding area. The following provisions are only intended to serve as an “incubator” for rural entrepreneurship. Home Business ventures seeking to expand beyond the scale of “subordinate and incidental” to a principal residential use shall rezone the property to an appropriate zoning district or relocate to an appropriate zoning district.”

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

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

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

Bechel also clarified Conditional Use Permit (CUP) runs with the land and as Interim Use Permit (IUP) is for a temporary period of time, in this case, until the business grows or when the property ownership changes.

Commissioner Allen asked the applicant what type and how many vehicles are a part of the business.

Application stated that he works by himself and uses one pickup truck; he loads up and heads out on repairs and installations.

Bechel provided a summary of comments received by the LUM office before the meeting (Abby Lou , Darin Lundel, and three phone calls- attachment) supporting the applicant and the business and concerns about traffic and a homeowners covenants.

Chair Fox opened the Public Hearing.

Peter Darula, PID 32.136.0170, 35305 Farm View Street, This is a residential area and he is opposed to a business in the area. He stated that they had shut down another business in the area and this one needs to be shut down too.

Commissioner Allen asked about the other business, it was tire business that had customers, customer's vehicles, and exterior storage. The Bank's requested home business has none of those things. It might be inappropriate to have customers on site for services and sales in a residential area. This is different.

Kevin Dather, PID 32.136.0080, 35443 Eagle Ridge, Banks is just trying to get started. If you get bigger, you have to go to another location. He is retired and home every day. He supports the

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business and has yet to see any increase in traffic from this home business.

Don Bauch, PID 32.136.0220, 35278 Martin Street, opposed due to traffic and safety.

Melissa Dykes, PID 32.136.0130, 35367 Farm View Street, She is home during the day with 6 8 11 year old girls. There is no traffic. This is ridiculous. This is not going to hurt anything in the neighborhood. Not a problem.

Carlo Halpaus, PID 32.136.0280, 35318 Farm View Street, They live behind the property. She is home all day. There are a lot of trucks and she has concerns about the road conditions.

Virgill Dykes, PID 32.136.0130, 35367 Farm View Street, Has known the applicant for his whole life and supports the proposal. The Banks property is well maintained and the garage matches the house. He has yet to see any delivery trucks other than FedEx and USPS delivery to and from all other homes in the area. No issues.

Jed Clark, PID 32.136.0090, 35425 Eagle Ridge, He owns a very small construction company. The largest truck that goes through the neighborhood is the garbage truck. No problem with what Jason is doing. Rental or office space in Lake City is not financially feasible for a small and just starting out business like this.

Al Settle, PID 32.136.0330, 35325 Martin Street, He lives across the street and is retired and home most of the time; nothing Mr. Banks has done has bothered him. This is not causing any problems.

Connie Settle, PID 32.136.0330, 35325 Martin Street, well kept up property with matching accessory structure and landscaping is appealing and the FedEx truck stops more often at our house than Mr. Banks. He is not bothering anyone. She is fully in support.

Mason Grobe, PID 32.136.0020, 25522 Pepin Visa Ave, He is in support of the applicant.

Cory Wurst, PID 32.136.02600, three houses away and approves everything Jason is doing.

Jeff Applequist PID 32.136.0310, 35291 Martin Street, He has 5 children. Some residents are more affected than others. He is concerned about traffic. He said that he recently signed a home owner covenant listing "no businesses allowed". This is a residential area.

Commissioner Allen asked about home owner covenants.

There is no home owner association to enforce any covenants.

Corry Mikelson, PID 32.136.0200, 35259 Maury Ave, He works nights and has saw a delivery truck come once and a while midmorning. Has no concerns.

Shelly Lavan, PID 32.136.0150, 35335 Farm View, This is a quiet neighborhood. She works from home and it still a quiet neighborhood. She supports approval of the request.

⁹After Chair Fox asked three times for comments. It was moved by Commissioner Feuling and seconded by Commissioner Allen to close the public hearing. Motion carried 6:0

There was discussion about adding additional conditions based on the CUP review.

¹⁰Motion by Commissioner Pettit seconded by Commissioner Huneke, for the Planning Advisory Commission to:

- adopt the staff report into the record;
- adopt the amended findings of fact;

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

Recommend to the County Board of Commissioners to **APPROVE** the request from Jason Banks for an IUP to continue operating a Tier-2 Home Business.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. Hours of operation shall be Monday through Friday, 8:00 AM to 4:00 PM;
3. On-street event parking shall be prohibited;
4. On-street loading or off-loading shall be prohibited;
5. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
6. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, Section 12, Home Businesses and Article 24 R-1, Suburban Residence District.
7. The business site operation is limited the owner and operator, non-resident employees shall be prohibited at this location.
8. Exterior storage of business materials shall be prohibited.

Located at 35314 Martin ST, Lake City, MN 55041, Parcel(s): 32.136.0240,

Abbreviated Legal Description: Lot 3 Block 2, Eagle Vista Estates 2 in Florence Township.

Motion carried 6:0

9. Tabled :Applicant has requested this item to beTabled

PUBLIC HEARINGS: Teri Meads/Beccah Risdall(applicants)/ Gary Arnston (owner)

37533 CTY 14 BLVD, Dennison, MN 55018, Parcels 45.024.1901 & 45.024.1100, Part of the NW ¼ of the SE ¼ Section 24 Twp 111 Range 18 in Warsaw Township. R1 Zoned District

A. Map Amendment (Rezone)

Request for a map amendment to rezone 2 parcels from R1 to A2, Parcels 45.024.1901 & 45.024.1100,

B. CUP for a Non-Agricultural Use Associated with Agri-tourism (Wedding and Event Center)

Request for a conditional use permit (CUP) to establish a Wedding and Event Center with a proposed maximum occupancy of 300 guests.

C. CUP for a Bed and Breakfast Inn

Request for a conditional use permit (CUP) to establish a Bed and Breakfast Inn with a proposed maximum occupancy of 15 guests.

D. CUP for a Retreat Center

Request for a conditional use permit (CUP) to establish a Retreat Center with a proposed maximum occupancy of 50 guests.

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9. Other discussion

- Ag related businesses
- PAC: Application of Bylaws and Offices and Duties
- Conservation Subdivision Discussion

¹¹Adjourn: Moved by Commissioner Feuling, second by Commissioner Huneke, to adjourn the Planning Commission meeting at 9:20 p.m.

Motion carried 6:0.

Respectfully Submitted,

Kate Eiyck; Recording Secretary

¹ APPROVE the PAC meeting agenda.

Motion carried 6:0.

² APPROVE the previous month's meeting minutes.

Motion carried 6:0.

³ MOTION TO APPOINT DARWIN FOX CHAIR.

Motion carried 6:0.

⁴ TO APPOINT SARAH PETTIT VICE CHAIR.

Motion carried 6:0.

⁵ Motion to appoint Darwin Fox BOA representative.

Motion carried 6:0.

⁶ Motion to close the Public Hearing.

Motion carried 6:0

⁷ AMEND the Jason Augustine and Augie's Trucking CUP:

Motion Carried 6:0

⁸ to APPROVE the request for an Condition Use Permit for an Electrical Business primarily intended to serve the Agricultural Community.

Motion Carried 6:0

⁹ Recommend DENIAL of the CUP expansion request by Jason Augustine and Augie's Trucking.

Motion carried 6:0

¹⁰ Recommend to the County Board of Commissioners to APPROVE the request from Jason Banks for an IUP to continue operating a Tier-2 Home Business.

Motion Carried 6:0

¹¹ ADJOURN the Planning Commission meeting.

Motion carried 6:0

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 Commission
From: Land Use Management
Meeting Date: March 19, 2018
Report date: March 8, 2018

PUBLIC HEARINGS: Roger Kittelson (applicant/owner)

39744 Highway 58 Blvd, Goodhue, MN 55027, Parcel 33.033.0600, Part of the NE ¼ of the SE ¼ Section 33 Twp 111 Range 15 in Goodhue Township. A1 Zoned District

1. CUP for a Bed and Breakfast Inn

Request for a conditional use permit (CUP) to establish a Bed and Breakfast Inn with a proposed maximum occupancy of 15 guests.

2. CUP for a Non-Agricultural Use Associated with Agri-tourism (Wedding and Event Center)

Request for a conditional use permit (CUP) to establish a Wedding Facility with a proposed maximum occupancy of 150 guests.

Application Information:

Applicant(s): Roger Kittelson (applicant/owner)

Address of zoning request: 39744 Highway 58 Blvd, Goodhue, MN 55027

Parcel(s): 33.033.0600

Abbreviated Legal Description: Part of the NE ¼ of the SE ¼ Section 33 Twp 111 Range 15 in Goodhue Township.

Zone: A1 (Agriculture Protection District)

Township Information: Application was signed by Goodhue Township Supervisor Dale Dicke; no comments were offered.

Attachments and links:

Application and submitted Project Summary

Site Map(s)

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

Project Summary:

The applicant (Roger Kittelson) owns a six-acre parcel of property in Section 33 of Goodhue Township within the County's A-1 (Agricultural Protection) Zone. The property fronts on State Highway 58 and includes a dwelling and several accessory buildings including a garage, a barn and a former chicken coop building. Mr. Kittelson has applied for Conditional Use Permits for two proposed uses of the property.

The uses of property being proposed include a Bed and Breakfast Inn oriented to small groups (8 – 15 individuals) with a focus on retreat activities such as quilters or like activities. A second proposed use is use of the property as a Wedding Facility to hold 2 – 8 Weddings between June and September each year.

The Applicant proposed to operate a "Retreat Center" from the property. Land Use Management Staff have determined that the "Retreat Center" proposal put forward by Mr. Kittelson would better

conform to the County's regulations for Bed and Breakfast Inns (Article 11, Section 13). Mr. Kittelson has indicated that he resides in the house that is proposed to be used as the Bed and Breakfast Inn.

The County's limit of 15 guests allowed at a Bed and Breakfast Inn would be consistent with what the size of the house (6 bedrooms, 2 ½ bathrooms) could accommodate. The proposed "retreat" oriented activities such as quilting, scrap booking, knitting and other similar activities could be conducted within the house and three-car garage subject to meeting applicable building code and wastewater treatment regulations.

The proposed secondary use of the subject property for "summer weddings for families that wish to have a rural wedding venue" would fit under the land use category of a "Non-Agricultural Use associated with Agri-Tourism." Mr. Kittelson has indicated that he intends to establish an agreement with an individual who would manage the Wedding Events. Plans included the use of a temporary event tent for the 2 – 8 Weddings to be held during from June to September.

It should be noted that if multiple CUP's are granted for a property, the maximum occupancy determinations are not cumulative. Maximum occupancy determinations for a given use are calculated by including all guests on site at a given time regardless of what "use" the guest is a part of.

1. CUP for a Non-Agricultural Use Associated with Agri-tourism (Wedding and Event Center)

Request for a conditional use permit (CUP) to establish a Wedding and Event Center with a proposed maximum occupancy of 150 guests.

Draft Findings of Fact:

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

- The subject property currently consists of a 6-acre parcel. The applicant also owns an abutting 13.92-acre parcel that could be available to provide additional site area for parking if needed.
- Adjacent land uses are agriculture, low density residential, and conservation lands.

The nearest residence/farm (Timothy J Hinrichs Property) is located more than 600 feet west of the nearest proposed on-site parking and approximately 900 feet from portion of the site whether the event tent would be located.

The subject property is located approximately 1 ¼ miles south of the City of Goodhue.

- Surrounding properties are situated within the County's A-1 Zone District.
- The applicant will be required to provide evidence to the County that MNDOT District 6 has approved the use of the driveway access to Hwy 58 for the proposed uses of the property. Mr. Kittelson has contacted MNDOT District 6 and has been provided with a Driveway Access Permit Application.
- The subject property is relatively flat, but is bisected (north/south) by an unnamed tributary (stream) recognized as a State of Minnesota Public Water. The proposed uses of the property would not be restricted within the Shoreland Overlay Zone. A portion of the site located along the stream is also within the Flood Plain. In times of high water a limited amount of site area designated as available for parking vehicles could be impacted. Plenty of site area located outside of the Flood Plain is available to satisfy parking needs for the Wedding and Event Center Use.
- Hours of operation are proposed to be seasonal June - September, Thursday through Sunday. Goodhue County Zoning Ordinance (GCZO) Article 11, section 30 stipulates inside activities must be concluded by 10:00 PM and outdoor activities must be conducted during daylight hours for Non-Agricultural Uses Associated with Agri-tourism.
- Pursuant to GCZO Article 11, section 16, the Zoning Administrator has determined minimum off-street parking provisions shall be one parking space for every four guests. A minimum of 38 off-street parking spaces is required for this facility at a maximum occupancy of 150 guests.

The applicant has identified sufficient site area (see enclosed Site Map for Event Tent and

Parking Areas) that would exceed the minimum ordinance requirement. The applicant has indicated that he could provide additional parking on the abutting 13.92 acre parcel located immediately north of the subject property if necessary.

Mr. Kittelson has indicated that he may shuttle guests to and from the subject property for some events.

- The site includes existing mature deciduous and evergreen trees that will serve to screen and buffer the proposed Wedding Tent location (northwest of house) and proposed parking areas.
- The existing barn/shed and the house would also serve to screen parking and wedding event activities from Hwy 58.
- Site lighting includes a yard light between the house and barn and outdoor lights on the house and indoor lights in the barn and garage.
- The Applicant has stated that he has “contacted two Goodhue County septic system inspectors who are able to perform the septic system inspection, when the ground is no longer frozen. If it needs to be upgraded, Thomforde Enterprises reported they would upgrade or replace the septic system based on the requirements for the Bed and Breakfast Inn and summer wedding venue.
- County Sanitarian, Ben Hoyt has noted: *“The submitted septic/sewage plan seems reasonable for what the applicant has proposed. A septic system design and application should be approved prior to any construction on site or use of the property as proposed. The proposed use will be subject to an annual operating permit under the Subsurface Sewage Treatment Ordinance.”*
- Solid waste disposal bins and removal services will be provided by a local licensed waste hauler.
- The Applicant has not proposed any signage, but would be limited to 32 square feet for each of two allowed sign faces.

The applicants shall consult the appropriate road authority prior to placing any signage located within road right-of-ways.

- Noise generated during events is planned to be confined to the event tent to minimize impacts.
- All food and/or liquor offered during events will be prepared and catered by appropriately licensed professionals.
- No offensive odors are anticipated to be generated as a result of the proposed use.
- The applicant has not addressed plans for on-site security during events.
- The Goodhue Township Supervisor, Dale Dicke has signed Mr. Kittelson’s CUP Application. No comments were offered by Goodhue Township.

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 from Roger Kittelson for a CUP to establish a Wedding Event Center with a proposed maximum occupancy of 150 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 June 1 – September 30 Thursday through Sunday, 8:00 AM to 10:00 PM unless a variance is granted by the Goodhue County Board of Adjustment to allow

hours to extend to no later than 12:00 PM on Friday and Saturday evenings.

3. Maximum occupancy shall be limited to 150 guests per event and a maximum of 8 Events per June – September Season with a limit of 1 event per day (Thursday – Sunday);
4. On-street event parking shall be prohibited;
5. The Applicant shall provide the County evidence of driveway access approval from MNDOT District 6 prior to start of operations;
6. Use of the property by event guests for over-night stays shall require issuance of a separate CUP/IUP;
7. Security personnel shall be provided at events in which alcohol is served;
8. Applicants shall work with Goodhue County Environmental Health to achieve compliance with the GOODHUE COUNTY SUBSURFACE SEWAGE TREATMENT SYSTEM ORDINANCE. A septic system design and application must be approved prior to any construction on site or use of the property as proposed. The proposed use will be subject to an annual operating permit under the Subsurface Sewage Treatment Ordinance;
9. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

At 39744 Highway 58 Blvd, Goodhue, MN 55027, Parcel 33.033.0600, Part of the NE ¼ of the SE ¼ Section 33 Twp 111 Range 15 in Goodhue Township as legally described in Document #638002.

2. CUP for a Bed and Breakfast Inn

Request for a conditional use permit (CUP) to establish a Bed and Breakfast Inn with a proposed maximum occupancy of 15 guests.

Draft Findings of Fact:

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

- The subject property currently consists of a 6-acre parcel.
- Adjacent land uses are agriculture, low density residential and conservation lands.
The nearest residence is located approximately 830 feet southwest of the existing dwelling proposed to be used as the Bed and Breakfast Inn.
The subject property is located approximately 1 ¼ miles south of the City of Goodhue.
- Surrounding properties are situated within the County's A-1 Zone District.
- The Applicant has been in contact with the Minnesota Department of Health (MDH) regarding licensing requirements pertaining to the proposed use and is aware that all applicable MDH requirements must be met prior to start of operations.
- The property will be the applicants' primary residence, although Mr. Kittelson may not be on site when guests are staying. He has indicated he will be available as necessary to serve the needs of guests.
- The Bed and Breakfast Inn will be operated by the applicant. A maximum occupancy of 15 guests will be allowed at the property in conjunction with the Bed & Breakfast Inn.
- Hours of operation are proposed to be year-round, Thursday - Sunday.
- The applicant will be required to provide evidence to the County that MNDOT District 6 has approved the use of the driveway access to Hwy 58 for the proposed uses of the property. Mr. Kittelson has contacted MNDOT District 6 and has been provided with a Driveway Access Permit

Application.

- Pursuant to GCZO Article 11, section 16, the Zoning Administrator has determined minimum off-street parking provisions shall be one parking space per guest room plus two additional parking spaces for management/service personnel. A minimum of 8 off-street parking spaces are required for this facility.

Ample room exists on site to fulfill off-street parking requirements.

- The Applicant has stated that he has “contacted two Goodhue County septic system inspectors who are able to perform the septic system inspection, when the ground is no longer frozen. If I need it upgraded, Thomforde Enterprises reported they would upgrade or replace the septic system based on the requirements for the Bed and Breakfast and summer wedding venue.
- County Sanitarian, Ben Hoyt has noted: *“The submitted septic/sewage plan seems reasonable for what the applicant has proposed. A septic system design and application should be approved prior to any construction on site or use of the property as proposed. The proposed use will be subject to an annual operating permit under the Subsurface Sewage Treatment Ordinance.”*
- The proposed use of the existing house (dwelling) as a Bed and Breakfast may require improvements or modifications to comply with applicable building code requirements. The County will require that the applicant demonstrate to the County Building Official that all applicable building code requirements have been met prior to start of operations. This may require submittal of a Building Code Analysis for the proposed Bed and Breakfast Inn use prepared by a Minnesota Licensed Architect.
- The applicants anticipate the need for exterior signage at the property’s main entrance and near parking areas. All exterior signage located within property boundaries must follow GCZO Article 11 section 17.

The applicants shall consult the appropriate road authority prior to placing any signage located within road right-of-ways.

- The Applicant has noted that site lighting includes a yard light between the house and barn and outdoor lights on the house and indoor lights in the barn and garage.
- No nuisance related noise is expected to be associated with the Bed and Breakfast Inn use as proposed.
- No offensive odors are anticipated to be generated as a result of the proposed use.
- All food and/or liquor offered to guests will be prepared and catered by appropriately licensed professionals.
- The Goodhue Township Supervisor, Dale Dicke has signed Mr. Kittelson’s CUP Application. No comments were offered by Goodhue Township.

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 to the County Board of Commissioners to **APPROVE** the request from Roger Kittelson for a CUP to establish a Bed and Breakfast Inn with a proposed maximum occupancy of 15 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 Thursday - Sunday;

3. Maximum occupancy shall be limited to 15 guests per night;
4. No more than 6 rooms shall be designated for guest use;
5. On-street parking shall be prohibited;
6. Applicants shall work with Goodhue County Environmental Health to achieve compliance with the GOODHUE COUNTY SUBSURFACE SEWAGE TREATMENT SYSTEM ORDINANCE;
7. The applicant shall provide evidence to the County that MNDOT District 6 has approved the use of the driveway access to Hwy 58 for the proposed use(s) of the property;
8. All applicable building code requirements must be met prior to start of operations;
9. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

At 39744 Highway 58 Blvd, Goodhue, MN 55027, Parcel 33.033.0600, Part of the NE ¼ of the SE ¼ Section 33 Twp 111 Range 15 in Goodhue Township as legally described in Document #638002.

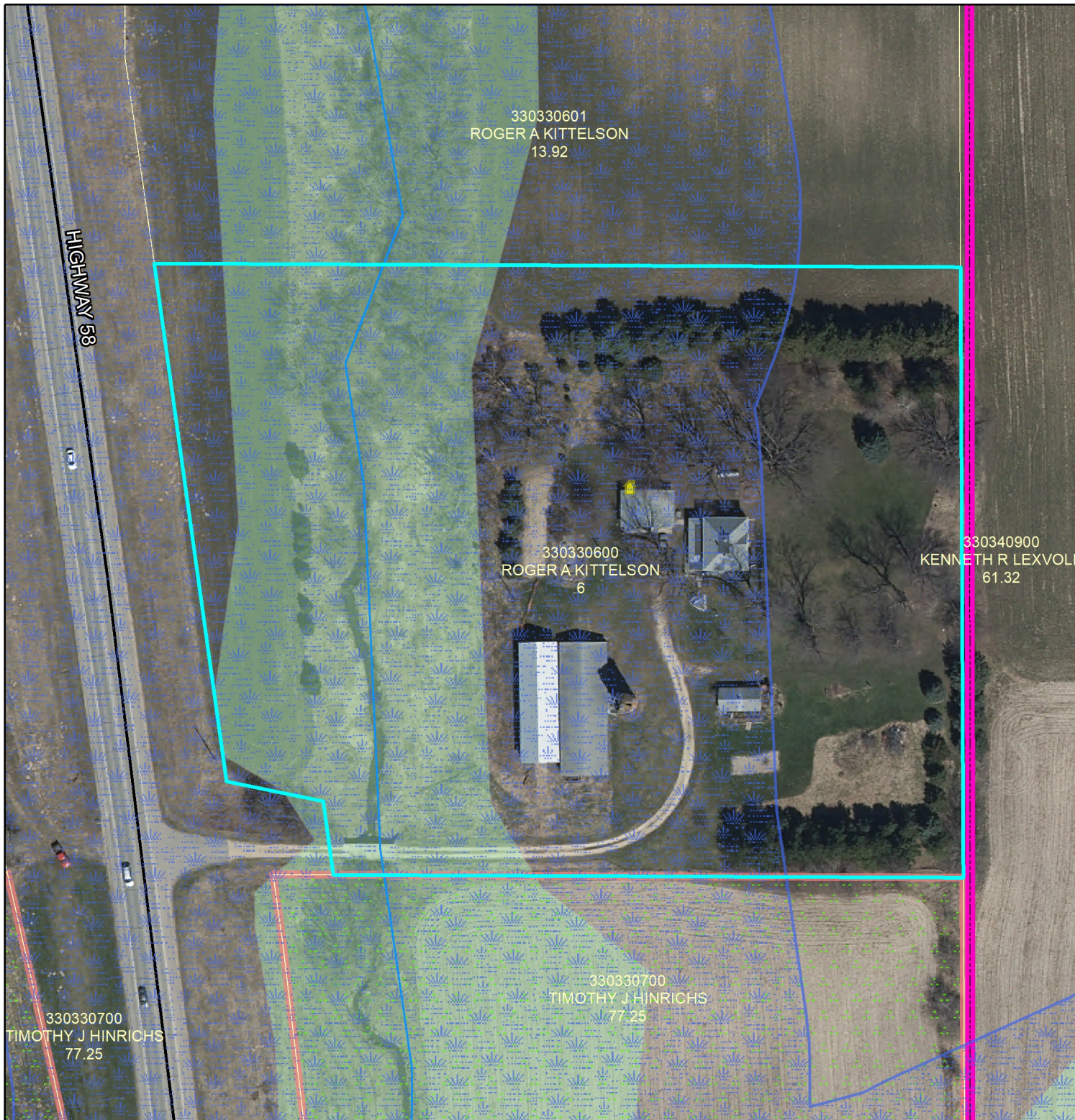
Planning Advisory Commission

Public Hearing
March 19, 2018

Roger Kittelson
39744 HWY 58 BLVD
Goodhue, MN 55027
A1 Zoned District

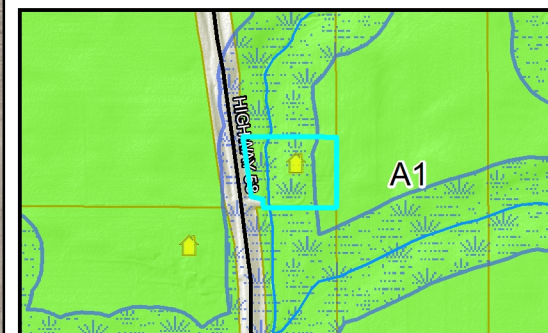
Parcel # 33.033.0600
NE ¼ SE ¼, Sect 33
Twp 111 Range 15
Goodhue Township

CUP request for a B&B Inn
and Wedding Event Facility



Legend

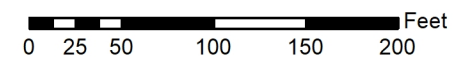
- | | |
|----------------------------|---------------------------------|
| Intermittent Streams | Bluff Impact Zones (% slope) 20 |
| Protected Streams | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | FEMA Flood Zones |
| Shoreland | 2% Annual Chance |
| Historic Districts | A |
| Parcels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



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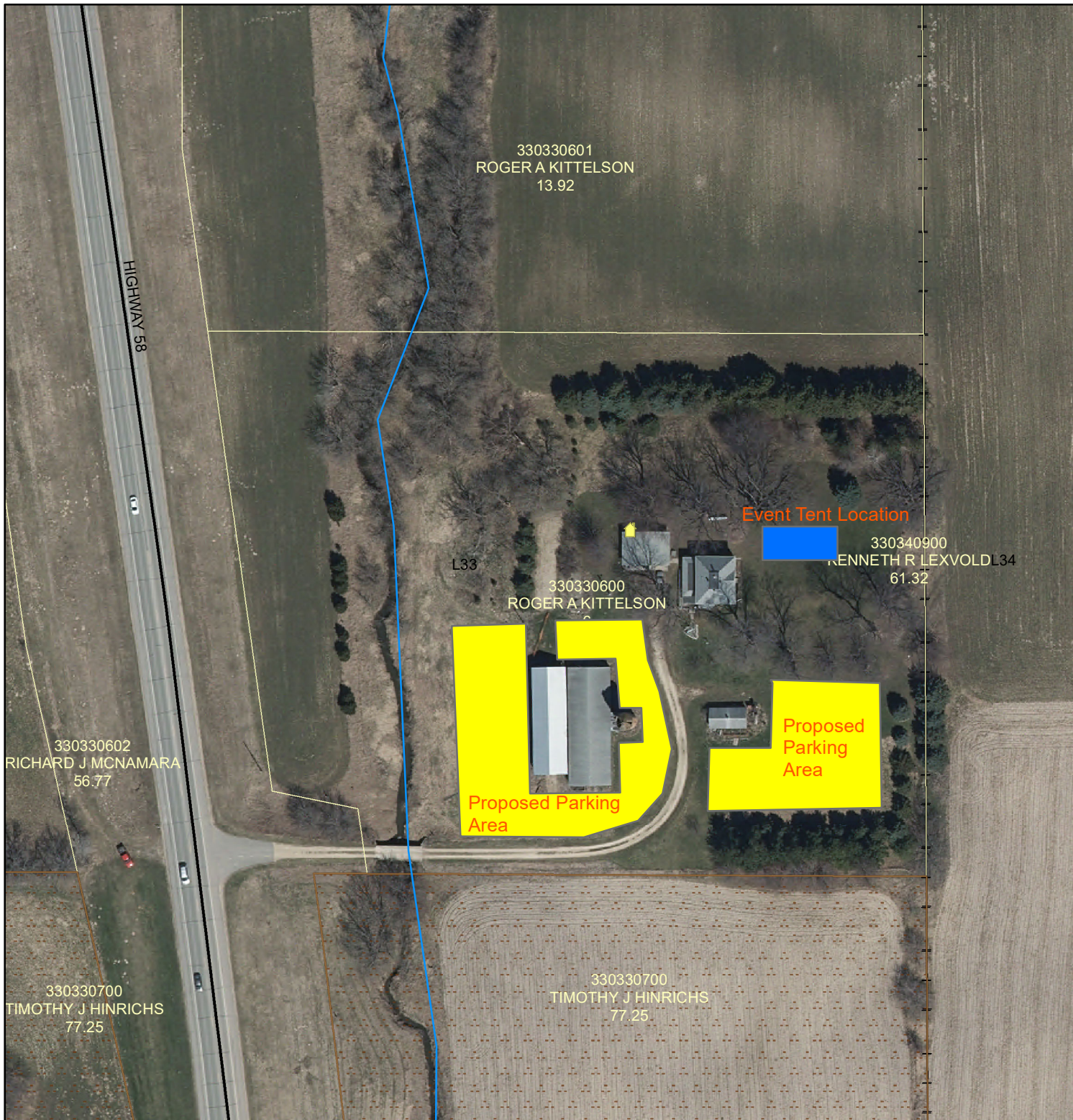
2016 Aerial Imagery

Map Created March, 2018, Ryan Bechel

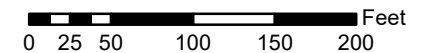


PID #330330600
Zoning District: A1

Kittleson Property Site Map Proposed Location Event Tent and Wedding/Event Parking Areas



- Legend**
- Stream Center Line
 - STATUS
 - Intermittent
 - Protected
 - Road
 - 2014 Feedlot parcel
 - Tax Parcel
 - Section Line
 - Municipal Boundaries
 - Dwelling Point
- Goodhue_Co_2016.sid**
- RGB**
- Red: Band_1
 - Green: Band_2
 - Blue: Band_3



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 2015.

2014 Aerial Imagery

Map Created 2016 Land Use Management

RECEIVED

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 33-033-0600

Land Use Management Permit

218-0002

PROPERTY OWNER INFORMATION

Last Name	Kittelson	First	Roger	Email:	
Street Address	39744 Highway 58 Blvd			Phone	
City	Goodhue	State	MN	Zip	55027
Authorized Agent				Phone	
Mailing Address of Landowner:	39744 Highway 58 Blvd. Goodhue, MN 55027				
Mailing Address of Agent:					

PROJECT INFORMATION

Site Address (if different than above): Homestead - Same address.

Lot Size 6 Acres Structure Dimensions (if applicable) Farm house = 6 bedroom / 2 1/2 baths

What is the conditional/interim use permit for? Retreat For Quilters, Weddings, etc.

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

Odor concerns; Keep the communication with livestock farmers open to avoid complaints; with
(Main concern & discussion is manure handling/spreading)

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 Roger A. Kittelson Date 12/20/2017

Signature of Agent Authorized by Agent _____

TOWNSHIP INFORMATION

Township Zoning Permit Attached? If no please have township complete below:

By signing this form, the Township acknowledges being made aware of the request stated above. In no way does signing this application indicate the Township's official approval or denial of the variance request.

Signature Roger A. Kittelson Title _____ Date 1/15/2018

Comments: Contacted Dave Burfeind - Clerk Goodhue Township and invited to attend the Jan. Township meeting - 3rd Monday - 7AM. Daled Dike SUPERVISOR OLD BANK Bldg

COUNTY SECTION _____ COUNTY FEE \$350 RECEIPT # 116100 DATE PAID 1/16/18

Applicant requests a variance from Article _____ Section _____ Subdivision _____ of the Goodhue County Zoning Ordinance

What is the formal wording of the request? _____

Shoreland _____ Lake/Stream Name _____ Zoning District _____

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

Action Taken: Approve Deny Conditions: _____

**APPLICANT FINDINGS OF FACT
AND SUPPORTING INFORMATION REGARDING CONDITIONAL/INTERIM USE PERMIT**

1. In the foreseeable future could the use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or will the use substantially diminish and impair property values within the immediate vicinity. Please explain why or why not.

No, I believe this homestead improvement will
increase nearby properties, values.

2. Could the conditional/interim use permit impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area? Why or why not.

No - this is a farm homestead, since 1920,
and before that time, it's established.

3. Will adequate utilities, access roads, drainage and other necessary facilities be provided, or are they currently being provided. Please explain.

Yes, this home has 6 bedrooms, 2 1/2 baths,
with a large living room/kitchen, foyer, dining room.

4. Will adequate measures be, or are they currently being, taken to provide sufficient off-street parking and loading space to serve the proposed use. Please describe.

Yes, we have a 3 car garage next to the
house for any unloading needs, with 6 acres.

5. Will adequate measures be, or are they currently being, taken 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. Please describe.

Communication with my long term neighbors
is essential to prevent problems between
the farms. i.e. Manure handling, traffic,
parking, noise concerns, etc.

- The retreat can handle about 4 to 16 individuals
for day and overnights, with optimum between
8 to 12. The maximum stay is 4 days/night.



Roger Kittelson <rkittelson7719@gmail.com>

Section 25, Retreat Centers -

1 message

Roger Kittelson <rkittelson7719@gmail.com>

Thu, Dec 21, 2017 at 9:03 AM

To: Roger Kittelson <rkittelson7719@gmail.com>

A. The purpose of the retreat center is to provide to women or men a venue for quilting, scrap booking, knitting, and other activities. A secondary purpose is for summer weddings for families that wish to have a rural wedding venue.

B. I have attached the 6 acre aerial sight map showing the buildings and locations to the nearest property lines and the size of the buildings.

C. The maximum stay for any party is 4 days and nights. This is an organic farm and it will still be producing crops.

D. The aerial map indicates the current surface drainage is going to trout brook. This is a certified organic farm and farmstead. It has 20 acres with this 6 acre parcel.

E. We have a yard light between the house and barn and outdoor lights on the house and indoor lights in the barn and garage.

F. Highway 58 is on the west side of the parcel with the entry to the homestead off the highway.

G. At this time we have no events planned, until we get the approval from the County and Township to start advertising and scheduling events.

H. We have insurance ready to go, but not until we get approval from the County and Township. The Banks Agency Inc Insurance via the Bank of Zumbrota.

I. It depends on the event for weekend retreats. I will be available, but I will not be on site during the events unless they need something taken care of during their events. If we have weddings I will be on site during the entire event.

J. The home and garage are available for the retreat center. The garage is a 3 car garage which is attached to the house and it is available for a work room. The home has on the main floor 2 and 1/2 bathrooms, enclosed porch, large foyer for a work room, a large dining room with attached kitchen, a large living room for a work room, and two large bedrooms. The upper floor has four large bedrooms and one large full bath.

K. The plumbing, heating, electrical are all brought up to home codes and more to ensure a safe and useful retreat center. This retreat center does not provide any meals, but the participants can use the kitchen to make their own foods or they can contact the local caterers if they want food brought to the events, or they can go out to eat.

Thanks, please call me if you need more information.

Roger Kittelson39744
Highway 58 Blvd.
Goodhue, Minnesota 55027

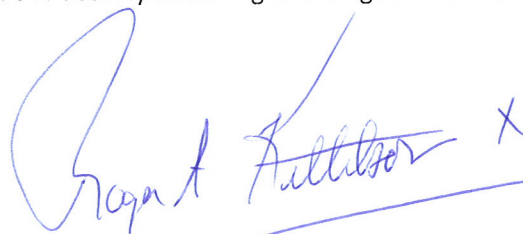
Cell# 920-979-7919.


Goodhue County Zoning Ordinance –Article 11 – Amended December 07, 2017.

Section 30. Non-Agricultural Uses/Activities Associated With Agricultural Tourism.

**The following information is being provided with a conditional use permit or interim use permit application.

- A. An aerial map is attached for effective interpretation. Parcel 33-033-0600
- B. Refer to Parcel 33-033-066 and aerial map.
- C. The adjacent properties are farm land and they are being farm by next door neighbors whom I have discussed my plans to turn the homestead into a return center for woman that want to rent it for weekend quilting, scraping photos, knitting, and weddings. There are no dwellings within 500 feet of the property boundaries.
- D. The aerial map shows a large house and garage along with a barn, shed, and chicken coop. The house has 2 ½ baths, 6 bedrooms, large dining room, large foyer, large living room, and full size basement under the entire house. The house has three exits on the main floor and two stairways for exit from the second story. At the bottom of each stairs is an exit. I will seek the state licenses and inspection from the Minnesota Department of Health via Heather Flueger, Public Health Sanitarian 3/Food Pools and Lodging Services Section if and when Goodhue County and Goodhue Township approves the permits for a woman's retreat center. She has indicated that her inspection will determine the capacity of the home for lodging and perhaps other activities.
- E. I will seek direction on this item from the State Public Health Inspector.
- F. We have a well with a windmill over the top of the well – it is visible on the map- and the septic system is behind the house to the North.
- G. The activities, I expect, will include a maximum number of participants for the retreat center per the direction of the State Public Health Inspector, perhaps a range of 4 to 14. Furthermore, summer weddings would include a maximum number of guests and vehicles. My expectations are that no more than 150 wedding guests and no more than 50 cars for parking safety.
- H. I wish to host from October to May about 2 weekend retreats per month (with 2 to 4 days) and in the summer 2 to 8 wedding from June to September, utilizing possibly Friday to Sunday afternoon, if they rent the house with the property.
- I. The estimated retreat hours would be Thursday or Friday to Sunday afternoon. The wedding would be the same with Thursday to Sunday afternoon, depending on the preferred venue of the families.
- J. Weddings I expect 150 persons and retreat events 14, if approved by the State Health Inspector and approved by the County and Township.
- K. Currently we have house porch lights, garage lights, a yard lights, and for parking additional temporary lighting. The current landscape is well drained after each rain and there are no plans to alter the landscape.
- L. Car trips per day vary with the activity so during weddings 50 to 100 and during retreat events 4 to 14.

 X

1/16/2018


HIGHWAY 58

North

West

33

South

Goodhue

North

Parcel # ↑
33-033-0600

--- Property lines

34

East



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: March 19, 2018
Report date: March 9, 2018

PUBLIC HEARING: to consider Goodhue County Ordinance updates

- a) Article 30 (Commercial Recreational District) regarding setbacks, height limitations, and permitted uses.
- b) Article 10 (Definitions), Article 11 (Performance Standards) regarding proposed Contractors Yard definition and related performance standards. Article 21 A-1, Agricultural Protection District, Article 22 A-2, Agricultural District, and Article 23 A-3, Urban Fringe District in regards to Contractor Yards.

Commercial Recreational District:

Through review of various Commercial Recreational District rezone proposals, staff has recognized the need to modify existing district height restrictions to accommodate the wide array of uses that may be proposed within the district. Currently, there is a height limitation of 35 feet for all structures except Skiing Facilities. The proposed amendments seek to remove the restriction and allow the appropriate height limitations to be determined through the CUP process based on the merits of each individual proposal and the potential land use impacts in the project area. The following list is a summary of the primary components of the proposed amendments.

- List of Conditional/Interim Uses amended to improve clarity for existing uses and correct typographical errors.
- Amended district regulations to allow height restrictions to be determined through the CUP process.
- Updated structure setback language to improve clarity and match rear yard setbacks to side yard setbacks (30 feet).

Attachments:

Appendix 1: Draft Text Amendments

Contractors Yard:

The proposed addition of Contractors Yards seeks to identify and appropriately permit those light-industrial or light-commercial uses in which the work, by virtue of the profession, is principally conducted at an off-site location.

Common examples of these businesses include building contractors, excavators, landscapers, sewer installation crews, transporters and haulers. The common theme of these uses is that the physical site of the business serves primarily as a place for storage of materials and equipment, workday staging, and incidental maintenance and fabrication work.

Many of these non-agriculturally dependent businesses have been previously conditionally permitted as "Commercial and Industrial Uses Primarily Intended to Serve the Agricultural Community." The goal of the proposed Contractors Yard definition and associated performance standards is to clearly define this type of use which may not be inherently incompatible with the Agricultural Districts, but is not appropriately categorized as a "Commercial and Industrial Uses Primarily Intended to Serve the Agricultural Community."

The following list is a summary of the primary components of the proposed amendments.

- Establishes Contractors Yard definition.
- Provides associated Performance Standards.
- Identifies zoning districts in which the use may be permitted.

Attachments:

Appendix 2.1: Draft Text Amendments

Appendix 2.2: Draft Text Amendments reference data sources

ARTICLE 30 CR ZONE: PROPOSED ORDINANCE TEXT AMENDMENTS

ARTICLE 30 CR, COMMERCIAL RECREATIONAL DISTRICT

SECTION 1. PURPOSE

The intent of the CR Commercial Recreational District is to provide suitable locations for, and to encourage the development of, commercial recreation facilities in those areas of the county which benefit the recreational needs of both residents and tourists and restrict incompatible commercial and industrial uses. The Commercial Recreational District shall not be an overlay district, but shall be an exclusive district when used. ~~It shall be the only district where new commercial uses are allowed in the shoreland areas. Such uses shall be limited to those listed below. Performance standards shall be those listed in Article 11 and as otherwise applicable in this Ordinance.~~

SECTION 2. PERMITTED USES

Subd. 1. None.

SECTION 3. CONDITIONAL USES AND INTERIM USES

Subd. 1. Resort facilities to include lodges, guesthouses, cabins and retreat facilities.

Subd. 2. On-site taverns where the main function is servicing a resort or recreational development.

Subd. 3. On-site restaurants where the main function is servicing a resort or recreational development.

Subd. 4. Golf courses and clubhouses.

Subd. 5. Dinner theaters.

Subd. 6. Ski areas, ski jumps, related lifts, ~~and~~ lodges, and maintenance facilities.

Subd. 7. Yacht slips, service ~~and storage~~ and storage marinas, harbor and docking facilities subject also to all approved regulations and ordinances of governmental agencies for the same.

Subd. 8. ~~Campgrounds and Recreational Vehicle sites. Recreational trailer parks and commercial camping facilities for short duration uses.~~

Subd. 9. Nature trails, snowmobile trails, ski trails, and similar facilities.

Subd. 10. Museums and commercialized historical attractions.

Subd. 11. Accessory ~~uses structures, size and location~~ to be determined through the Conditional Use Permit process. ~~by the Planning Advisory Commission and the Board of Commissioners.~~

Subd. 12. Outdoor recreational uses including, but not limited to, zip lines, rope or disc golf courses and mountain bike trails.

Subd. 13. Outdoor concert facilities.

SECTION 4. GENERAL DISTRICT REGULATIONS

Subd. 1. Maximum height limitations for structures and related facilities shall be determined through the CUP process.

Height Regulations:

~~A.—No building or structure shall exceed thirty five (35) feet in height.~~

~~Exceptions may include structures allowed under the following provisions: Article 30; Section 3; Subd. 6, Subd. 12, and Subd. 13. Height for structures that may be permitted within bluff impact zones under these provisions shall be set forth within Conditional or Interim Use Permits.~~

Subd. 2. Each lot or parcel shall have an area of not less than two (2) acres.

Subd. 3. ~~Every permitted, conditionally permitted building, or accessory building.~~ Structures shall meet the following setbacks:

A. Front yard

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

B. Side ~~and Rear~~ Yard

1. Side and Rear yards shall be a minimum of thirty (30) feet. However, livestock buildings shall be subject to a side and rear yard setback of one hundred (100) feet.

~~Every building shall have two (2) side yards. Each side yard shall have a minimum depth of thirty (30) feet.~~

~~C.—Rear Yard~~

- ~~1.—Every building shall have a rear yard. The rear yard for parcels that do not abut a “Minnesota Protected Water” shall be a minimum depth of fifty (50) feet.~~

Subd. 4. Lot Width. Each lot shall have a minimum width of one hundred (100) feet.

CONTRACTORS YARD: PROPOSED ORDINANCE TEXT AMENDMENTS

ARTICLE 10 WORD USAGE & DEFINITIONS

CONTRACTORS YARD. 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.

ARTICLE 11 PERFORMANCE STANDARDS

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

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

CONTRACTORS YARD: PROPOSED ORDINANCE TEXT AMENDMENTS

Reference Sources:

Rice County, MN

Contractor's Yard - Outdoor storage of materials and vehicles associated with a contractor's office that shares the site.

G. Contractor's yard with outdoor storage. In the VMU District, outdoor storage areas shall not exceed 5,000 square feet in size and shall be screened from adjacent residences and public roads by a solid fence six feet (6') in height.

Scott County, MN

Contractor Yard – A site used for storage of equipment and supplies used by a contractor in operation of the business.

Wright County, MN

Contractors Yard - Non-Commercial - Buildings and structures, including limited outdoor storage, located on the homestead of a contractor in the building trades or other similar business, for the purpose of storing machinery and equipment related to the business which is primarily conducted off-site. All storage and screening requirements in Sections 702 through 705 of this ordinance must be met, all building size requirements must be met and the use must be clearly incidental to the primary use of the property as a homestead. One identification sign, not to exceed 12 square feet, is permitted. (Pre-existing yards will not be required to obtain a Conditional Use Permit provided all ordinance requirements are met.)

Carver County, MN

Contractors Yard - A site used for the storage and maintenance of vehicles, equipment or supplies used by a contractor in the operation of his or her business.

(10) Contractor's yards.

(a) This subsection is intended to provide for contractor's yards established after January 1, 1989. A contractor's yard is a site used for storage of equipment and supplies by a contractor in the operation of his or her business.

(b) The business shall be located at least 500 feet from neighboring residences not on the same parcel of property existing at the time of application for the permit.

(c) Site shall not be located within the Shoreland Overlay District or the Floodplain Overlay District.

(d) Employees, except office personnel, report to the site only for the purpose of picking up equipment and supplies, necessary fabrication and general maintenance.

Isanti County, MN

Contractors' yard/Construction yard – A site used for the storage of vehicles, equipment, and materials by a person whose business is contracting work in any of the building trades, landscaping, road building, sewer installation, transport/hauling or a similar trade

Chisago County, MN

Contractor, Home Based A self-employed person who uses their home as the base of operations for their business but whose work takes place off the premises.

Olmsted County, MN

Contractor: An individual or company which supplies materials and equipment and/or performs services in construction activities such as the erection, maintenance or repair of structures, the development of improvements such as sewer, water and streets, or specialized activities such as landscaping, painting, plumbing and the like.

Contractor's Equipment: Materials, machinery, supplies and vehicles used by a contractor in conjunction with construction related activity.

Contractor's Yard: An area on a lot, either open or enclosed, where contractor's equipment is left on a regular basis when not stored on a job site. This definition is not meant to apply to a vehicle, which does not have a commercial (Y-type) license and is rated less than 12,000 pounds gross vehicle weight, parked overnight on a driveway area, when it is neither loaded nor unloaded at that location and when it is used primarily for transportation to and from the job site.