



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

Planning Advisory Commission

7:00 PM Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. September 17, 2018 Draft Planning Advisory Commission Meeting Minutes

Documents:

[MINUTES_SEPT2018_PAC_WATTACHMENTS.PDF](#)

Conflict/Disclosure Of Interests

Public Hearings:

1. PUBLIC HEARING: CUP Request For A Kennel
Request for a CUP submitted by Alexander Ryan (owner) to establish a dog Kennel and associated training facility for up to 24 dogs. Parcel 34.221.0020. TBD Flower Valley RD Red Wing, MN 55066. Part of the NW ¼ of the NW ¼ of Sect 01 and the E ½ of the NE ¼ of Sect 02 Twp 112 Range 14 in Hay Creek Township. A2 Zoned District.

Documents:

[PACPACKET_RYAN_OCT2018.PDF](#)

2. PUBLIC HEARING: CUP Request For A Non-Agricultural Use Associated With Agri-Tourism (Wedding Event Center)
Request for a CUP submitted by Kevin Riester (owner) to establish a Wedding Barn Event Center with a proposed maximum occupancy of 300 guests. Parcel 34.002.0900. 29065 Flower Valley RD Red Wing, MN 55066. Part of the E ½ of the SW ¼ of Sect 02 Twp 112 Range 14 in Hay Creek Township. A2 Zoned District.

Documents:

[PACPACKET_RIESTER_OCT2018_REDACTED.PDF](#)

3. PUBLIC HEARING: To Consider Goodhue County Ordinance Updates
"Housekeeping" updates throughout ordinance to remove typographical errors, correct inaccurate references, remove redundant language, and improve language consistency.
Amend Articles 21 -24 (District Regulations) to consolidate permitted and conditionally permitted uses into a single "table of uses" to improve ease of use, remove redundant language, and facilitate future ordinance revisions.

Documents:

[PACPACKET_ORDINANCEREVISIONS_OCT2018.PDF](#)

Other-Discussion

Staff Updates

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 ♦

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

Roll Call

Commissioners Present: Len Feuling, Tom Drazkowski, Darwin Fox, Richard (Dick) Nystuen, Sarah Pettit, Barney Nesseth, Tom Gale, Howard Stenerson, and Marc Huneke

Staff Present: Land Use Management Director Lisa Hanni, Zoning Administrator Mike Wozniak
Zoning Assistants Ryan Bechel and Abby Breyfogle

1. Approval of Agenda

¹Motion by Commissioner Feuling; seconded by Commissioner Pettit to approve the meeting agenda. Motion carried 8:0

2. Approval of Minutes

²Motion by Commissioner Feuling; seconded by Commissioner Nystuen to approve the previous month's meeting minutes. Motion carried 8:0

3. Conflict/Disclosure of Interest

Commissioner Nesseth reported he had a conversation with the solar company that is documented in the emails. And also spoke with the MPCA about their current guidelines.

New member on the board tonight.

Lisa Hanni re-introduces Howard Stenerson.

4. Public Hearings

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

Request for a CUP submitted by USS Greenhouse Solar LLC (applicant) and Joel and Nancy Flemke (owners) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 10 acres. Parcel 39.019.0500. TBD 180th Ave, Pine Island, MN 55963. Part of the W¹/₂ of the NW ¹/₄ of Sect 19 Twp 109 Range 15 in Pine Island Township. A1 Zoned District.

The Applicant (USS Greenhouse Solar LLC) was present to represent the application.

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

Commissioner Marc Huneke arrived at 7:10 pm.

Wozniak suggested relocating the access point a bit further south on 180th to not affect

Commissioner Fox asked if there were any questions.

Commissioner Stenerson asked about federal erosion control permit and inquired when it kicks in. He asked if Beau Kennedy oversees that or does LUM office oversee it?

Wozniak responded that we want evidence that the application has been made.

Bechel asked if Commissioner Stenerson was speaking about the storm water pollution prevention plan.

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Wozniak stated that the applicant does have to comply with state and federal requirements so it is not always necessary to directly call that out since it is implied.

Commissioner Nesseth asked about recommendation number 3 – discussing the decommissioning of the project. He stated that the recommendation doesn't use specific name of the applicant. Commissioner Nesseth recommended changing the name to USS Greenhouse Solar LLS.

Wozniak stated we can word it that way if the commissioner are more comfortable with that. Since the project is being requested specifically by USS Greenhouse Solar LLS, we should change that to specially identify that.

Commissioner Nystruen asked what if they aren't the owner in 20 years.

Wozniak responded we don't preclude these solar CUP's from ownership changes, if the new owner complies with the conditions they are subject to complying with the conditions of the CUP. He stated that ability to sell or transfer may be addressed with the lease agreement with the property owner and the developer.

Hanni interjected that is why we leave it open as how it's stated so that it isn't specific incase it gets sold off.

Commissioner Nystruen agreed that he sees these getting sold often.

Wozniak also agreed.

Commissioner Fox asked if there were any other questions and then asked the applicants to come forward to speak.

Wozniak noted he was out, so apologizes if he did not get everything exactly right in his report.

Applicant Erica Forsman with US solar stated her colleague prepared comments to read. She stated they wanted to make sure everyone had a good understanding of the project.

Cullen Kobayashi project developer with US Solar read a report that was that was similar to that of the staff report. He included speaking on financial surety, decommissioning and _____,

Forsman interrupted to hand out a photo (attachment #1) of wooden fencing and barbed wire fencing. She explained that the fence they would use would be wooden.

Kobayashi concluded his report.

Forsman spoke again regarding conversations with the neighbor Winkler they had over the weekend and wanted to update the planning committee on those conversations and the suggested modification. She stated the two concerns from the Winkler's were proximity and visibility of the array. Forsman handed an image (attachment #2) the closest residence is approx. 530 feet from the nearest solar panel. She continued the residence is 500 feet from the array area which is several times ordinance requirements for setbacks. Forsman stated that the vegetation on parcel as well as neighboring parcel blocks the views of the array from the Winkler's. She stated that USS Greenhouse Solar is a Minnesota based company and they try to have a good neighbor approach to their development. She noted that in this instance the Winkler's wanted the array to move further south but she concluded it is not possible at this point in time due to costs already incurred on this project. Forsman offered to relocate the road to the South as well as the interconnection point which will move the poles 400 feet to the south to right along the other fence line. She felt that they are well within the ordinance requirement

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for this project with this updated version.

Kobayashi continued on to say the project meets the ordinance requirements and will integrate into the community, increase the tax base, support land owners rights, enhance nearby crop yields and strengthen local wildlife. He concluded with stating the township recommended approval of the project as well.

Commissioner Fox asked if anybody from the board had any questions

Commissioner Drazkowski asked for clarification regarding the amendment and wondered if USS Greenhouse was suggesting to move transmission poles, transformers and the maintenance road to the southern side of the property.

Forsman answered correct.

Commissioner Nystuen questioned if they were talking about southern line of the property – is that where the road would go?

Forsman answered yes.

Commissioner Stenerson stated that the road design is a little unique and questioned if that was for a temp construction site or is that all going to stay and asked if it is it a loading and unloading area

Forsman responded that if the road design moved further to the south it would avoid the curvature. She stated there is a turnaround point within the array area for the trucks to be able to turn around and these sites work so that there's enough space within the design for all the construction and maintenance.

Commissioner Stenerson inquired about the decommissioning agreement.

Forsman stated that they do have that agreement already in their lease and that they typically don't record the full lease since it is a financial agreement. She stated that they can include the portion that is being requested by the county in the record if need be.

Commissioner Stenerson noted that his thought was that this property may be resold and he wants to be sure that the agreement understood by the next buyer and make sure it is not a side deal between USS Greenhouse Solar and then it doesn't get passed on. He concluded that if it is attached to the lease then the person who is buying it would take it over.

Forsman added that the commissioners are correct that it shouldn't just say the Solar Company, it should actually say "USS GREENHOUSE SOLAR" because all other agreements are put in that LLC's name so that if for some reason they are never not the owner, all of those documents transfer under that LLC.

Commissioner Stenerson clarified that they are forming an LLC just for this project so that it's not multiple projects under this LLC.

Forsman responded correct and stated that is a requirement of the financiers for protection for everyone that the LLC would then easily transfer.

Commissioner Petit asked who did the site visit.

Wozniak responded only him and he did not coordinate with any of the commissioners because of the timing and a staffing crunch. He stated the images are straight forward and he has additional photos if any of the commissioners would to see them. He noted there is some slope to the property north of where the project area is and a drainage area with the vegetation in it

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with trees are tall substantial trees. He noted tilled fields with corn on the east side of the property even though he didn't get over there to walk that section.

Commissioner Pettit asked if anyone knew who the CER on that property is.

Wozniak stated that we do not use CER anymore.

Commissioner Pettit asked if they would consider that high erodible.

Hanni interjected that we don't use CER anymore, we haven't for about 10 years. She considered this property as prime farm land.

Wozniak also answered that it is in tilled crop land that is supporting crops and he did not see much evidence of much erosion on the property. He noted the small amount of erosion he saw was south of where this project was going due to some recent rains.

Commissioner Pettit directed a question at the applicants asking about their statement that the solar array will enhance nearby crop fields and wondered what that is based on.

Forsman stated the study is based on pollinators regarding the grasses that they plant. She noted that crop fields located near a site do better than others according to a U of M posted study on this issue recently.

Commissioner Stenerson questioned the plan for the tall trees that Mike (Wozniak) brought up. He wondered if the site was far enough away so the trees won't need to be removed.

Forsman responded that there are no plans to remove any of the trees, the array is sited far enough south that the trees aren't shading the array.

Commissioner Nesseth asked about the \$20,000 surety. He asked if that would be deposited in county funds somewhere.

Forsman responded that if that is the decision of the planning commission it can be done. She stated that typically it is at the county's discretion for a 3rd party escrow to be set up and it's something where the county would have to agree to the method on how to hold those funds.

Commissioner Stenerson asked what the township asked for in terms of decommissioning.

Forsman answered that the township did request that there be some money set aside.

Commissioner Stenerson asked if they township was overseeing that or how that was being set up.

Richard Miller with Pine Island Township asked if he could respond. He stated they aren't overseeing it. This is the townships 4th solar array and they are starting to become - was asked to come up to the mic to be recorded.

Miller stated that he lives relatively close to this site and that this site isn't the largest in the area. He stated that solar arrays are starting to with him because he is unsure what to do in the way of making certain that they will be decommissioned properly. He stated the township is not involved with escrow fund and their wishes are it would stay with the county. He concluded that their one request was for escrow fund when the permit came to them.

Commissioner Stenerson summarized that the township is more concerned with having an escrow fund or something for the decommissioning process but not that they oversee it and asked if a 3rd party such as a bank or a trust would be acceptable.

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Miller answered yes, as long as it's there and dedicated for decommissioning if/when needed.

Commissioner Stenerson asked if that was something the township is requesting prior to construction or if they are allowing payments being made periodically.

Miller responded that the township held their last meeting in the dark because they didn't have electricity due to a storm so they didn't go into detail as they were trying to wrap up the meeting quickly. He stated that as far as moving the drive way he can't imagine that would be a problem for the township but cannot speak for the other supervisors. He stated they do not provide driveways but the township would like to be notified as to how it will be constructed and where it's being constructed.

Wozniak stated that driveway access point needs to be approved by township before construction can take place.

Miller responded that the township is more worried about the site and the ability to be able to see in both directions. He also noted that there is a driveway located to the south already to the field.

Wozniak interjected regarding the financial assurance issue. He stated that the county has the authority to require something in terms of financial assurance, but they haven't implemented that authority and if the County does exercise that authority, the recommendation would be between the property owner and USS Solar Greenhouse LLC, not with the county involved, unless the Commissioners and the County Board would recommend something different.

Chair Fox asked that we go into public comment at this time. He asked if anyone else had a comment or question for the applicant or staff.

Commissioner Stenerson responded that he had one for staff he was attempting to ask.

Chair Fox stated that can be asked after public hearing.

Chair Fox opened the Public Hearing.

Don Schliep, 48383 Hwy 52 BLVD, Zumbrota, stated that his property butts up to this property on the east side. He questioned how close to the line is this going to be, and is it going to be right on the line and if there are trees growing? He stated he is concerned on who is going to take care of all of that line? He stated there are always problems with trees going up in that area. He noted that in the 4 mile stretch area there are already 85 acres of this solar panels. Schliep asked much more are we going to allow. He voiced concern that someone wants to put a house there, you can't get a permit in A1 to do so, but all this land is available for solar panels. He feels it is two-faced. He stated the County has the goal of renewable energy, but maybe put it on non-ag land.

Matthew Winkler 48045 80th Ave (neighbor) stated he is concerned about this project. He stated that he and his wife first learned about this project a week ago through the public notice. Winkler researched solar panel arrays impact on property values in other areas and was not able to find peer reviewed studies true scientific studies done independently. He concluded the effect of solar farms on adjacent property values is unknown. He stated the second concern was the absence of a screening or buffering plan in the applicant's application. He did not feel the applicant's took the screening of the project from his view into consideration when developing the project. Winkler stated his property is the closest property to the site with it being 500 feet away. He stated that they are able to see the solar array from all rooms of their home, and although there is some screening by nature, the trees are not very large and do not screen the entire array due to the slope of the land and health of the trees. Winkler noted that his realtor

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stated there is a risk to their property value by having this array located so close to their property and that moving the site 500 feet south would help that issue. Winkler added they are not against this solar site but it should be moved further from their property. He stated that when they asked the solar company to move the array, the solar company responded that it is late in the game and significant costs have already been incurred in the development, so they would not be able to move the array further from the Winkler property. He noted that the solar company did agree to move items due to wetland concerns, but were unwilling to move them due to his concerns. Winkler submitted that the PAC would require the solar farm be moved 500 feet south where it would be furthest from all adjoining residences.

Commissioner Drazkowski asked what the visual impact is exactly. He questioned if 100's of feet would have an impact on the property value and if the realtor gave them a value? He asked by moving it south wouldn't the array be moving further up the slope and therefore be more visible to the Winkler's?

Winkler responded that it may be that they see more of the panels but it is his position that having the array be located further from his property would lessen the financial impact the array may have on his property value. He again stated he was frustrated that this option wasn't considered early on and they wished the solar company would have contacted them previously.

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

Chair Fox asked if the applicant would like to respond to any of the issues that came up during the public hearing.

Forsman responded to the first neighbor that spoke and stated the array is over 400 feet from the property line. She responded to Mr. Winkler and apologized that he doesn't feel his concerns were considered. She stated that the solar company attempted to tuck the array in near the tree line to minimize the visual impact to his property. She also stated that Chisago County did a study on property values for properties located near solar arrays and that study stated no adverse impacts in resale values. She reiterated that they try to use fencing and panels that are more visually appealing as well as panels that are lower than the 20 foot height limitation. She stated their goal is to be a good neighbor.

Commissioner Stenerson asked for clarification regarding a decommissioning plan with the land owner that involves separate funds set aside.

Forsman clarified that the lease is an agreement that defines who takes care of the decommissioning and when it must occur. She stated there is not a separate fund set aside. She continued that it is an agreement to remove, it is not an agreement to escrow funds.

Commissioner Stenerson asked when the time begins on the 25 year plan that is funded. He asked if it started when it was approved, or when the construction was done.

Forsman responded that for them it is from the day it is turned on. Therefore she would request leeway so that it begins when the system turns on.

Commissioner Nesseth asked if the 10 acres being leased touches Mr. Schliep's property line or not.

Forsman responded as it stands, the current plan is only for 6 acres of land. She stated the solar company is requesting to move up to a 1 megawatt which would require 10 acres of land.

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Commissioner Nesseth asked again if the land being leased would be touching Mr. Shliep's property.

Forsman responded that she would have to do a layout to give the correct math, but they will still be following all setbacks and requirements if they were to get approval for the full 1 megawatt system.

Commissioner Nesseth responded that he was unsure if that answered his question. He asked if the solar company would be leasing the acres on the east side near Mr. Shliep's property.

Forsman responded that it will depend on the final layout of the system. She continued that if there is significant land there, they would attempt to leave that farmable, however, if there is a small strip of land, they would acquire that into their lease and maintain that land.

Chair Fox asked if that was clear.

Commissioner Nesseth responded that it still seems up in the air.

Chair Fox asked that staff help answer this question.

Hanni commented that she thinks they are asking if the solar panels are going up near the property line

Commissioner Hunke stated there is an easement off of the gas line that would prevent the solar panels going over to Mr. Shliep's property and that it is 408 feet away currently.

Discussion regarding how close the project area can get to Schliep's property line.

Commissioner Gale asked that if they moved the solar array further up the hill wouldn't you actually see more of the array than less. And stated that where it is set currently would be the least offensive to the adjoining house.

Forsman responded correct.

Commissioner Stenerson asked Mike or Lisa why this is set up as a CUP and not an IUP since it has a term of years attached to it.

Hanni responded that we used to do the solar arrays as IUPs but then ran into problems with financing so they changed them to CUPs going forward.

Wozniak noted that the language regarding the 25 year start date can be adjusted as long as the Planning Commission and the County Board are okay with that as well.

4Motion by Commissioner Stenerson 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 that the County Board of Commissioners **APPROVE** the request for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 10 acres. Parcel 39.019.0500. TBD 180th Ave, Pine Island, MN 55963. Part of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sect 19 Twp 109 Range 15 in Pine Island Township. A1 Zoned District.

Subject to the following conditions:

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1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. The project shall be decommissioned according to Article 19 Section 6 of the Goodhue County Zoning Ordinance and submitted plans (*PAC should consider whether there is any need for the County to require financial surety as proposed by the Applicant*);
3. A decommissioning agreement between the landowner and USS Greenhouse Solar company shall be maintained to ensure reclamation of the area;
4. LUM staff shall be notified by the landowner or solar company 30 days prior to ownership transfer or operator changes;
5. The Applicant shall communicate with Beau Kennedy, Wetlands Coordinator with the Goodhue SWCD to ensure compliance with applicable Wetlands Rules prior to completion of any site grading/construction and/or submittal of the Building Permit Application;
6. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
7. The Applicant shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix to establish on disturbed areas of the site;
8. Applicants' shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 19 Solar Energy Systems (SES) and Article 22 (Agricultural District). The applicant shall request a final inspection of the project for compliance with applicable zoning requirements upon completion of the project;
10. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
11. This CUP shall expire 30 years from the date of approval unless terminated prior to that date.

Commissioner Stenerson suggested to move the process forward but he would like to see condition 11 changed to 30 years for construction and buffer time and condition 3, the decommissioning agreement, include a financial plan between land owner and solar company. He would agree to move this forward with the staff recommendations and these changes.

Seconded by Commissioner Nystuen.

Commissioner Drazkowski clarified in condition 3 the solar company name should be the exact name of USS Greenhouse Solar, LLC.

Chair Fox asked if there was any further discussion needed.

Commissioner Nesseth asked if there was more clarity on the financial surety. He asked if we should state that a 3rd party hold those funds.

Commissioner Stenerson stated that it his intention was that it is a main concern of the township to have that surety, so as long as there is something more than just a promise that would be sufficient.

Hanni stated that we have a hard time putting a number on something that is going to happen 30 years out.

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Commissioner Drazkowski stated that there have been approximately 30 solar arrays constructed recently and have not had any that were made do a bond or financial agreement. He stated that the salvage value seems to exceed the recommission costs.

Commissioner Stenerson responded that the township was concerned and at least we've addressed it.

Commissioner Pettit commented there's a lot of ground that's highly erodible that should be taken out of production but in her opinion this land is not that land. She stated she has a problem taking this prime agricultural ground out of production.

Commissioner Nesseth commented that he is in favor of a surety bond because some recycling plants charge to take the panels once they are out of commission. He cautioned that we want to protect the land owners as much as we can, and he believed the bond is a good idea.

Discussion regarding adding the surety bond to the language of the conditions.

Commissioner Pettit Opposed.

Motion Carried 8:1 (Commissioner Pettit opposed)

PUBLIC HEARINGS: Villa Maria Ventures LLC (John Rupp, Chief Manager)

29847 CTY 2 BLVD, Frontenac, MN 55066. Parcels 32.160.0040 and 32.012.0400. Blocks C, D, and E of Garrards South Extension plat and part of the SE ¼ of the SW ¼ of Sect 12, all located in Twp 112 Range 13 in Florence Township. A2 Zoned Districts.

1. Map Amendment (Rezone)

Request for map amendment to rezone Parcels 32.160.0040 and 32.012.0400 from A2 (General Agriculture District) to CR (Commercial Recreational District).

2. CUP for a Resort Facility and Accessory Event Center

Request for a Conditional Use Permit (CUP) to establish a Resort Facility with restaurant and event spaces. The proposal includes remodeling existing buildings and constructing additions to provide operational spaces for lodging, guest-houses, cabins, on-site restaurants, outdoor entertainment, and events.

The Applicant (John Rupp) was present to represent the application.

Lisa Hanni (Hanni) presented the staff report and attachments. She stated we are running these two together to make the best use of your time.

Email from Molly and Chris that Lisa Hanni read in its entirety. The email stated that they are the adjoining neighbors and are in full support of Rupp's plans for the Villa Maria.

Commissioner Pettit asked staff if the employee count listed on the report is after phase 1 or phase 2 of the project.

Bechel responded that the number of 80 employees is what they will need 2 years after phase 1 of the project and phase 2 would require additional employees.

Hanni noted staff did make a site visit and walked the property.

Rezoning issue discussion first.

Commissioner Stenerson asked Rupp if he had anything to help orientate where everything is located on the property. He requested something that showed where the dorms are, where the pool is, in reference to what the plans to change and add on are.

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Rupp responded that he would walk the commissioners through the main building if they would direct their attention to the map they were given. He stated that the “main” level is what they call floor 1 on the plans. He walked through each level and explained what would change and what would stay the same in each level of the main building. He noted that the addition behind the chapel would be an open to the public restaurant/dining room.

Chair Fox asked if there were any further questions for the applicant.

Chair Fox opened the Public Hearing for both items.

Dave Kendall 29178 Westervlet Ave. He stated that he has talked to some neighbors and there are some environmental impact concerns. He is concerned about the Mississippi River impact and the impact to the birds that come through there often in the spring and the fall. He noted he is also concerned about the nests being affected by the noise and traffic that would come with the facility. He also wondered if the sudden influx of people would have an impact on the water table and the water pressure at his own home. Mr. Kendall stated that they have no fire or police coverage and is concerned about enforcement there. He noted that noise pollution is also a real concern for him and his neighbors. He mentioned covenant rules that are very strict and have to abide by. He continued that he is concerned about the fishing impact and the use of the Florence township boat ramp that this facility would have. Mr. Kendall stated that there is a beach and a ramp but the parking lot is very small and he is concerned that there would not be enough space for the amount of people that would come to the facility. He noted that he is also concerned about the accident potential getting to and from the Villa Maria. He concluded that people live in this area because it's secluded and quiet and has historical value. Mr. Kendall opined that this venue would be disruptive. He also questioned whether all the land that is shown on the other side of Winona street.

Bechel responded that the land Mr. Kendall is speaking of is not part of this project.

Chair Fox asked if anyone else wished to speak.

Kate Eiyneck MSA professional services as a consulting planner for Florence Township to review zoning applications. She stated the township received Mr. Rupp's change of zone application Change of zone application at the township meeting last Monday. She stated that Florence Township is scheduling a public hearing October 8th and they will likely make their decision on the change of zone request on October 15th. She stated that tonight was a township meeting in Florence Township and residents had to choose between that and this meeting. Eiyneck thanked Mr. Rupp for the thorough application. She requested that the decision be tabled or delayed until after Florence Township makes their decision.

Beth Knutson with the Florence Township PAC reiterated what Kate Eiyneck said. She requested a delay in the decision.

Commissioner Draskowski asked what exactly it is that Florence Township was asking.

Eiyneck interjected Florence Township is considering the change of zone request which could be approved and then the township would defer to county on CUP application.

Wozniak stated that if the township decided not to rezone the property, the building permits would not be approved when applied for at the township level.

Eiyneck responded that if the property stayed A2, there would be some conditional uses available to Mr. Rupp for the property. She asked for clarification on the new assembly ordinance that is being amended and whether.

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Hanni responded as amended.

Commissioner Stenerson asked if the concern of the township is mainly with the rezoning or the CUP.

Eiyneck responded that her concern is with the public in Florence Township is having to make a choice between this hearing and the Florence Township hearing so they were not able to come tonight. Kate added that she would want the hearing to continue on tonight with discussion from the commissioners and the other members of the public present, but that the decision be tabled.

Jim Anderson (34873 Winona Street) stated he is the closest neighbor to this development. He stated that he knows John Rupp because his sons mowed lawn across the street at the Villa this summer. He was concerned about what was going to happen at the Villa Maria. He stated that he is amazed at what's been happening and how the property is being cleaned up. He stated he is concerned with is Winona street and how that will impact traffic and can the street handle it. He also questioned where the future hotel will go as he doesn't understand the area for the future hotel. (Map discussion on the presentation regarding location of hotel, street, location to his own home). He questioned the impacts of this type of venue? Mr. Anderson concluded that he says all of this cautiously because he wants to see something positive happen here and he plans to continue to nurture a positive relationship between neighbors.

Kristin Eide Tollefson (28477 Lake Ave, Frontenac) handed out a letter (attachment #3) from the Florence Township Land Use Committee regarding the process. She stated that the township is being precluded by the timeline and the challenges the timeline presents. She requested the support moving forward to provide a more efficient process. She stated that the letter addresses specific requests the Township has regarding the costs, delay, and conflicts in the future.

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

Commissioner Nesseth questioned how the 60-day rule works regarding the request for a delay in the decision.

Hanni stated we have 60 days to make a final decision. She stated that we have had this conversation many times given the County Board dual authority. Each entity has their own zoning ordinance and rules. She commented that they looked over the month of March as an example and concluded that there is no way the county can schedule the meetings to fit everything in as well as each month we don't know where the applications will be coming from. She stated that if the decision is delayed, it would still fall within 60 days, however, then a 2 month process became a 3 month process with the County and she is concerned about doing that. She also addressed the concern of the large events which Mr. Rupp said is something that will happen later on in the process, not right away. She stated that Mr. Rupp would like to begin working on the main building first and get that going before he would schedule events.

Hanni stated that regarding the Assembly Controls, any event more than 500 attendees must come to the County Board for a hearing process and outline everything listed in the ordinance and each event would be separately licensed. She stated there would be a public hearing where residents of the area can come in and see the entire plan before it is granted. She stated that Mr. Rupp would have to follow the more restrictive Assembly Control Ordinance for every event over 500 people he would like to hold.

Hanni addressed the environmental impact concerns and stated most of events and activities

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will take place within the buildings so that the only noise pollution would be major events.

Bechel added that the rezone automatically goes to the County Board for a second public hearing.

Commissioner Nesseth asked what date did Mr. Rupp file.

Bechel responded that the application was received August 23rd which puts the 60 day mark at October 21st.

Hanni stated if the decision is tabled there has to be a reason for doing so and if it is tabled then it's adding another whole month on the county's process.

Commissioner Drazkowski clarified that the rezone would be another public hearing at the County Board level, but not the CUP?

Staff responded yes.

Commissioner Drazkowski informed Rupp that he is familiar with his properties and has recognized what he's done and it's successful not bankrupt. He stated that the properties are skillfully done and he would imagine the same thing here, doing the project skillfully and thoughtfully. Commissioner Drazkowski stated he sees the hesitation with the township with the second phase of the cabins and potential hotel. He asked Rupp if that is something that has to be done (the second phase)? He stated that he sees Rupp has a lot of aggressive plans to utilize the property to its fullest, which he sees a reason why the township may be hesitating. He asked Mr. Rupp how he viewed the second phase specifically.

Rupp responded that there are only 40 rooms in first phase and it would be very difficult to sustain a boutique hotel with only 40 rooms. He stated that the second phase would be how he would make the venture sustainable. Rupp added that the first phase is his attempt at proving his concept and that he will need the second phase to continue the venture into the future. He admitted it would scare him to risk doing the first phase without the assurance of being able to continue on to the second phase. He stated that he has been successful in ventures like this in the past and plans to continue to do that with Villa Maria.

Rupp stated that they take being good neighbors very seriously because if they are not, then the venture fails. He also commented on the environmental aspect of the project and stated that he is obsessive about making sure that he does not disturb the environment because that is part of the product he is selling, that is why people are coming to this space. Rupp stated that he gave permission to Audubon to do one of its annual bird counts and he hopes that they continue to come back every year because there are more than 260 species of birds on the Mississippi fly way and he doesn't want to do anything to disturb that.

Rupp stated that he was upfront about all of his future plans so that there was no question where he wanted to go with the project and then 5 years down the road be unhappy with the further changes and improvements he was making as happens sometimes with other developers. He stated that he does not want to add too much density to the area because people will be coming to this hotel to walk the beautiful landscape and enjoy the quiet of outside. He also commented that he doesn't plan to do anything to Winona Street at all. He explained that there is plenty of parking on the property where you won't even be able to see most of the cars from the street. He indicated that he is in the process of closing off the other entrances so that there is no way to get into the property from Winona Street.

Commissioner Stenerson stated he has many questions, the first being one regarding the septic system size and who would oversee it. He voiced concern regarding whether or not the septic

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would be able to keep up with all of the guests Rupp is proposing will be on the property in the future.

Bechel answered that the entity that oversees it will depend on the final product and that Mr. Rupp has consultants working on it right now, but if flow goes over 10,000 gallons a day, it will be overseen by the state.

Commissioner Stenerson commented that there would be a large volume of sewage and questioned if there is any danger of nitrate pollution into a neighboring well.

Staff explained that the system will be monitored as part of an operating permit. Bechel stated that Rupp's systems will be monitored to make sure they are compliant.

Rupp stated that the system that is there currently was getting more use than he plans to have. He stated that the increase will be once a twice a week when they have a wedding, but the system will be constructed and permitted by engineers to make sure the system accommodates that.

Commissioner Stenerson voiced concern regarding how vague the hours are for the hotel dining room breakfast area and bar that are open to the public. He is wondering if the restaurant will be open from 6 am at breakfast and open until bar close at 1 am.

Rupp responded that the restaurant will be open to the public but he is not hoping or anticipating that many people from the public will be going there and it will be more so for the hotel or property guests. He stated that the appeal of the hotel and restaurant is to not have it be crowded and it will have limited seating capacity.

Commissioner Stenerson continued to question the issue of leaving the bar open late as well as the bar's liquor license and asked Rupp to address the plan for the bar as he does not want to see fish fry's happening on Friday nights or large bands/concerts until all hours of the night.

Rupp responded he hadn't spent time thinking about if the hotel doesn't work and someone comes along to purchase it to have rock n' roll bands playing all night. He stated that his thought was that he would get a liquor license and in his experience it's at the licensing point that all those controls are put in and if they are violated, then the license is revoked. He stated that is the control even if there is a bad actor that replaces him one day.

Hanni interjected that the County gives out the liquor licenses and that is where the controls are. She stated there are different kinds of licenses, some year round and some for the event.

Further discussion regarding how the County handles liquor licenses, the tiers there are, and the renewal process.

Commissioner Drazkowski stated that seeing some of the other properties Rupp has created, he is not worried about the liquor license and the bar hours.

Hanni stated that each demo permit, each building permit, etc. will come through the county and the township, so there will still be checks and balances throughout the process. She stated she told Mr. Rupp to propose the big picture so that he doesn't get one thing done and then have to come back through this whole process to have to update his CUP. She continued that goes for the septic review, stating every time Rupp adds on to his buildings the septic will be reviewed.

Commissioner Stenerson responded by saying there are check and balances on state standards, but not on hours of operation. He stated that his job on the commission is to set those standards by way of conditions and he wondered if there should be conditions added here as part of the CUP.

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Hanni responded that Rupp will have to follow code by not allowing more people in his buildings than building code allows.

Further discussion regarding number or people allowed in the establishment at certain times of the night, possibly drinking or not. As well as further discussion on the liquor license and those controls.

Chair Fox asked if there were any more questions.

¶Motion by Commissioner Drazkowski 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 that the County Board of Commissioners **APPROVE** the request for map amendment to rezone Parcels 32.160.0040 and 32.012.0400 from A2 (General Agriculture District) to CR (Commercial Recreational District).

Commissioner Stenerson stated he will vote against this because the bar is too big and he does not support a bar there. He also noted that he is offended that the bar is going to sit on top of the Alter and the old sanctuary is going to be the lounge of the bar.

Commissioner Nesseth asked if Florence Township has to approve this before it was all done.

Hanni responded that Florence Township will follow their own path.

Further conversation regarding Florence Township and their approval versus the zoning from the Commissioners.

Commissioner Drazkowski called for a vote.

Commissioner Stenerson opposed

Motion Carried 8:1

Hanni stated the second item is for the CUP and she stated staff can bring the concerns regarding the liquor license to the County Board and look through the process to see if there are enough controls on that licensing. She stated if there are not enough controls staff can come back with Mr. Rupp with extra conditions to control those issues.

Commissioner Gale commented that a hotel has to run 24 hours a day 7 days a week. He questioned how they could get around that when those are the hours of a hotel.

Hanni responded that she viewed Mr. Stenerson's question as how long will the bar be open and the liquor license should take care of setting those hours. She stated if it doesn't staff will work with Mr. Rupp to put controls on the issue of the bar hours.

Commissioner Drazkowski commented there are a number of rural event center and bars that have passed in the recent years and they all have had time limit imposed on them because of the liquor etc., etc. He stated that the commissioners would impede the business by putting restrictions on events such as weddings that would be held at this venue. He stated that the hours the business is open will fit the hours that make sense for that business.

Chair Fox commented on state liquor licensing, hours, criteria, sell, be open, the type of facility licensed. He stated if it's licensed in the building, you can't walk outside with a beer because

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there are controls on there - tight controls. He stated that it is not free reign.

Commissioner Nesseth interjected that he is a current liquor license holder and he can attest that there are very strict rules regarding the hours of serving.

Discussion regarding the difference between the atmosphere in Minneapolis and St. Paul and if the state controls the liquor license why is there such a different atmosphere. Discussion continued into the type of management in cities and bars can affect the atmosphere.

Bechel added that if a situation would occur staff can bring the owner/operator back and put additional controls and conditions on the CUP.

Commissioner Feuling stated that he believes Mr. Rupp will have different clientele than those who are frequenting downtown Minneapolis.

7Motion by Commissioner Drazkowski seconded by Commissioner Feuling, 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 that the County Board of Commissioners **APPROVE** the request for a Conditional Use Permit (CUP) to establish a Resort Facility with restaurant and event spaces. The proposal includes remodeling existing buildings and constructing additions to provide operational spaces for lodging, guest-houses, cabins, on-site restaurants, outdoor entertainment, and events.

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 for the Resort Facility shall be year-round, 7-days per week;
3. Hours of operation for Accessory Events shall be year-round, 7-days per week, ending no later than 12:00 AM (midnight);
4. On-street parking shall be prohibited;
5. On-street loading and off-loading shall be prohibited;
6. Security personnel shall be provided at events and venues in which alcohol is served;
7. Events exceeding 500 guests shall obtain required approvals in accordance with the Goodhue County Assembly Controls Ordinance;
8. Applicant shall obtain Building Permit approvals for proposed additions and improvements from the Goodhue County Building Permits Department prior to establishing the use;
9. Applicant shall work with Goodhue County Environmental Health to achieve compliance with the Goodhue County SSTS Ordinance prior to establishing the use;
10. Compliance with Goodhue County Zoning Ordinance including Article 30 CR, Commercial Recreational District;
11. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

Motion Carried 8:1 (Commissioner Stenerson opposed)

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5. Other discussion

Lisa Hanni pointed out that in the updated Conservation Subdivision there were a few changes on the second page in subdivision 6 which is highlighted and she read the change. She stated the second change is concerning open space and she followed the conservation easement statute more closely. She continued discussing changes that were made to ADU's in the new zone as well. She stated that regarding Solar Energy Systems that is an accessory use and suggested only allowing a residential SES's which don't have to be attached to your house, it is based on use, not location.

Commissioner Stenerson asked if this was a separate zone?

Hanni responded that it is indeed a separate zone that is only going in targeted areas.

Discussion regarding going off the grid in the conservation zones and whether or not solar farms should be allowed for that purpose.

Hanni stated the joint PAC and BOA meeting is coming up in November and suggested that maybe we invite the Townships to a meeting to discuss this zone as well as a number of items or issues the Townships may have.

Commissioner Gale noted that not all townships may be interested in this zone.

Hanni stated that this is intended to be a tool if it works for the township if they want it, they don't have to use it.

Commissioner Nystuen suggested to invite all township and whoever comes will know about it.

Hanni stated again this is an option for people who want to use it.

Chair Fox agreed that there should be one meeting whoever is interested come look at it.

Further discussion regarding using this new zone in the townships and which townships would want to use it or learn about it.

Richard Miller stated that how it is written now is confusing in reference to common area and what can be done with it. He stated the way he reads it right now that he can plant corn in the common areas and he's unsure if it is intended to be left that wide open.

Hanni stated they didn't want to make the zone very restrictive.

Further discussion regarding vagueness of the zone. Discussion regarding the specifics being worked out when the application is submitted and at public hearing.

Commissioner Nesseth requested clarification on subdivision 6.

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Hanni stated that if you want to bring the conservation subdivision in, staff would request a plat and plan showing how it would all be layed out as well as getting township approval. The township does have the right to reject the plat and the plan even if they don't have zoning.

Discussion regarding the difference between county zoning and township zoning.

Hanni stated the county has not approved a plat that the township has not approved.

Wozniak stated the concept behind this subdivision is for townships who want to utilize it. He stated that if a township isn't interested in that subdivision, then the county would not approve it.

Hanni requested that the November meeting start early and we invite the townships to come to it to discuss this and any other topics they want to discuss. She also informed Commissioner Feuling that he will be replaced that Commissioners Fox, Pettit, and Drazkowski need to be re-upped by January and Commissioner Nesseth has a replacement for Commissioner Feuling.

Commissioner Nystuen noted that there are solar gardens coming in the future so he suggested coming up with another way to deal with the decommissioning of these Solar arrays.

Hanni responded that solar is not as big of a land use issue as minig is and the information received tonight regarding the value at the end of the panel's life is all good to know. She stated she hesitates to have the county hold the money for 30 years and suggested that if a plan needs to be done, it should be on file with the county and name the county as one of the parties.

Commissioner Nystuen stated he doesn't mind how it's done, he would just like a plan.

Further discussin regarding decommissioning of solar panels.

⁸Adjourn: Moved by Commissioner Feuling, second by Commissioner Huneke, to adjourn the Planning Advisory Commission meeting at 9:58 PM.

Motion carried 9:0

Respectfully Submitted,

Abby Breyfogle; Recording Secretary

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 9:0

⁴ Recommend the County Board of Commissioners Approve the request for CUP for a Utility-Scale Solar Energy System.

Motion carried 8:1 (Commissioner Pettit opposed)

⁵ Motion to close the Public Hearing.

Motion carried 9:0

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⁶ Recommend the County Board of Commissioners Approve the request for map amendment to rezone Parcels 32.160.0040 and 32.012.0400 from A2 to CR.

Motion carried 8:1 (Commissioner Stenerson opposed)

⁷ Recommend the County Board of Commissioners Approve the request for CUP by John Rupp to establish a Resort Facility

Motion carried 8:1 (Commissioner Stenerson opposed)

⁸ ADJOURN the Planning Commission meeting.

Motion carried 9:0

UNOFFICIAL UNTIL APPROVED BY THE PAC



Attachment #2



Dear Goodhue County Planning Advisory Commissioners,

Florence Township appreciates the opportunity to address you about the challenges we continue to face in exercising our due diligence as a local governmental unit, in projects that require coordination with county procedures. We request your support in improving our working relationship, and providing a more efficient process for project applicants.

Due to the major projects being proposed in Florence Township, we have taken the initiative recently to contract with a planning consultant to support our review of project proposals, and to help us to align our procedures with the requirements and purposes of our ordinance --- as well as the authorities of the county, which are their foundation.

Historically, the most difficult challenge of these goals is two-fold:

1. The timing of the county and township reviews;
2. The lack of clarity and, in key cases, inconsistent communication with project proposers about the requirements of township ordinance.

Proposers generally start with the higher authority, which is the county. They are in contact with county staff many months ahead, as they work towards formal application. The township is often unaware of a project at this pre-application phase. We do not see the application until it is published for hearing.

Without sufficient guidance from the county , the proposer may have the impression that all they need to do is to 'check in with' or 'inform' the township. They may assume that county authority 'preempts' township authority. If they find later that the township has additional process requirements this can create confusion, resistance, delays, and more work for everyone. Of course the township must also be prepared to communicate clearly about our processes.

In Mr. Rupp's case,

- The planning commission had one visit from Mr. Rupp many months ago, when he bought the property, to inform us about his intentions.
- We did not hear from him again until this month when he sent a detailed outline of his project proposal to a township supervisor and brought our one page application form for rezoning to our September Planning Commission meeting.
- We were sent notice at the same time that landowners were sent notice – 10 days before the public hearing.
- We did not know that both rezoning and CUP hearings and decisions, were going to happen until our planning commission meeting last week.
- We did not see any more detail until we received notice and the packet was posted.

Once again, this gave the township exactly a week – to review, consider and try to strategize a response to Mr. Rupp, and represent ourselves at the county hearing.

Both county and township comprehensive plan and ordinance goals state values of intergovernmental coordination, efficiency and fairness. Lack of coordination of our processes causes confusion, increased costs, lost time, and the potential for conflict among all parties. We can do better than this.

In fact, the county has township approval forms posted on site, and guidance to proposers that they should include documentation of township approval with their application form. This provision is not supported or enforced. But it does indicate an intention that is important to the townships. If this provision were enforced, where appropriate, there would be more information available to the county for their decision. The 60 day rule would not start for the County until the township was involved. The timeline would be more orderly and predictable for all. At the very least, to function in an efficient and informed manner, we need the following from the county:

- Proposers are fully informed about how the two processes work on the front end of their pre-application consultation; they are given guidance that encourages them to engage with not just to inform the township;
- The township officers and planning commission chair receive sufficient notice of application, hearing and decision schedules, as far ahead as possible so that we can be prepared and informed in our interactions with the county and proposer.

If the township is involved, and gets all the information up front we believe we can make it easier and faster for the applicant. But we must invest, as we are doing, in a consultant like M S A with experience in the more complicated projects. Pre-application and consultation phases provide multiple additional opportunities for coordination.

We request your support, as the County Planning Advisory Commission, for improving this relationship. We stand ready to invest, with you, in this effort.

Respectfully yours,

Florence Township

MIKE BLAIR CHAIR (J.C.M.)
J.C. McArthur
Janet Dence

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: October 15, 2018
Report date: October 5, 2018

PUBLIC HEARING: CUP request for a Kennel

Request for a CUP submitted by Alexander Ryan (owner) to establish a dog Kennel and associated training facility for up to 24 dogs. Parcel 34.221.0020. TBD Flower Valley RD Red Wing, MN 55066. Part of the NW 1/4 of the NW 1/4 of Sect 01 and the E 1/2 of the NE 1/4 of Sect 02 Twp 112 Range 14 in Hay Creek Township. A2 Zoned District.

Application Information:

Applicant: Alexander Ryan (owner)
Address of zoning request: TBD Flower Valley RD Red Wing, MN 55066
Parcel(s): 34.221.0020
Abbreviated Legal Description: Part of the NW 1/4 of the NW 1/4 of Sect 01 and the E 1/2 of the NE 1/4 of Sect 02 Twp 112 Range 14 in Hay Creek Township
Township Information: Hay Creek Township endorsed acknowledgement of the Applicant's request.
Zoning District: A2 (General Agriculture District)

Attachments and links:

Application and submitted project summary including Exhibits 1A, 1B, 1C, 2A, 3A, 4A, 4B, and 5A
Site Map(s)
Article 11, Section 26 *Kennels*
Goodhue County Zoning Ordinance (GCZO):
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Summary:

The applicant (Alexander Ryan) is requesting a CUP to establish a 12-stall Kennel to provide shelter for up to 24 dogs on his property in Hay Creek Township. The applicant operates a business providing specialized training services for hunting dogs (mainly Retrievers). The Kennel is not proposed to be open to the general public but rather to house dogs while they are being trained on the property. The applicant intends to lease the property to dog trainers that would bring their animals to the site for training.

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 a single parcel comprising 28.84 acres. The parcel is zoned A2 (General Agriculture District).

There currently is not a dwelling on the property however the applicant intends to build a new dwelling and establish his primary residence on the site.

- The property is bordered by A2 zoning districts on all sides. Adjacent land uses include undeveloped woodlands, low-density residential and row-crop agriculture. Bullard Creek meanders north to south across the property. The majority of the property is classified as Shoreland. There are no FEMA mapped floodplains on the property.
- Access to the site is located off of Flower Valley Trail (gravel surface) on the west side of the property. An existing bridge crossing Bullard Creek provides access to the southern portions of the property. Flower Valley Trail is located within a quarter-mile of US HWY 61.
- There are currently outdoor (under lean-to's) kennels inside the dog air yard. The dog air yard provides a fully fenced in area that all the dogs can be safely let out to relieve themselves while still being contained in a fully fenced area. The Applicant is addressing building permit requirements for the existing lean-to structures.
- The Applicant is proposing to construct a structure (33ft x 34ft two-story structure) that will contain dog kennels as well as a dwelling unit. Dogs kept on site will be housed in space on the first floor during training stays. The building would contain 12 kennels that can hold up to 2 dogs each. The structure would also provide general storage space, a workshop, and restroom facilities. Living quarter will be constructed on the second story of the structure.
- The Applicant has indicated it is his intention to construct a house on the property in the future. The dwelling unit to be included in the shed (kennel) structure will establish a dwelling on the site. There are currently two dwelling sites available in Section 1, of Hay Creek Township. Mr. Ryan's dwelling unit will secure his right to have a dwelling within the NW ¼ of the NW ¼ of Section 1, within the A-2 Zone District.

Kennel Operations:

- The Kennel will be available for lease by dog trainers throughout the country. It will not be open to the general public. The Applicant is proposing kennel and training operations from May 1 through September 30th annually. The daily training times are proposed between 7:00 am and 7:00 pm.
- The applicant will not typically be on site while it is being leased.
- The retrievers will be trained within areas of the site identified on Exhibit 2A. Retrievers trained for field trials and hunt tests are trained individually. The individual dog is let out of its kennel enclosure and trained one on one with a trainer.
- Areas proposed to be fenced have been identified on Exhibit 3A. These include an open air dog enclosure and some fencing along a portion of the properties frontage along County Road 21/Flower Valley Road.
- The kennel area within shed structure will be climate controlled and will be designed to comply with applicable building code and Minnesota Board of Animal Health (BAH) Licensing requirements. The proposed facilities have been designed to provide for the health and safety of the dogs and to meet applicable regulatory requirements.
- Both indoor and outdoor facilities have been designed to manage noise from any barking of the dogs. Sufficient separation from nearby dwellings based on distance, topography and vegetative cover should limit any noise concern. Plus the individualized training of the dogs will also limit barking concerns.

- The shed structure will have two separate sanitary sewers exiting the building. The dwelling space will have its own septic system and the kennel area sewer will exit the building to a holding tank that will be pumped out in lieu of existing to a septic system. These systems will be permitted by the County's Land Use Management Environmental Health Staff. The holding tank for the dog waste is intended to meet the facilities manure management plan requirements.

Employees:

- No non-resident employees are needed to operate the Kennel. Trainers leasing the facility will be responsible for maintaining the site and managing their animals.

Lighting:

- Exterior "residential garage-style" safety lighting is proposed on the new Kennel building.

Traffic and Parking:

- Minimal additional traffic is anticipated with the proposed use. The applicant anticipates 3 additional vehicles at the site during the summer training months. There is room for on-site loading and off-loading and a circular driveway will be installed to aid in on-site traffic circulation. Adequate emergency vehicle access is available to service the facility.
- *Pursuant to GCZO Article 11, section 16, the Zoning Administrator has determined minimum off-street parking provisions shall be one parking space for each 500 square feet of floor area. A minimum of 3 off-street parking spaces is required for this facility.*
- Ample room exists on the property to fulfill parking requirements.

Utilities:

- A new compliant Subsurface Sewage Treatment System (SSTS) is proposed to service the future dwelling and bathroom facilities in the Kennel building. A separate holding tank will be installed to collect Kennel wastes. A permanent water source will be available in the Kennel. Kennel wastes will be disposed of by land spreading according to applicable rules. SSTS plans and designs will require review and approval by Goodhue County Environmental Health staff prior to commencing construction of the Kennel.
- Solid waste disposal services will be provided locally (P.I.G.). Any hazardous materials or fluids generated shall be properly disposed of.

Signage:

The applicant is proposing to install one sign near the property's entrance. *A maximum of 32 sq. ft. is allowed per GCZO Art. 11 Sect. 17.*

Landscaping/Drainage:

- Stormwater will be collected and directed via roof guttering. Some of the stormwater will infiltrate naturally into the ground and the remainder will be flow north toward an existing drainage basin or Bullard Creek. Minimal landscaping work will be needed after Kennel construction is completed. Any disturbed areas will be re-vegetated to prevent future erosion. The Applicant has already established man-made ponds on the property to be used for training the dogs. The ponds were constructed in conformance with a grading permit issued by the County as required because more the 50 cubic yards of earth were being excavated within a Shoreland Area. The Applicant had also consulted with MNDNR and the Goodhue SWCD regarding development of the ponds. Perennial grasses have been established in the areas where site grading related to construction of the ponds occurred.

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 Kennel 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. Noise related to barking will be limited due to the design and arrangement of kennel facilities, training methods and the existing separation from other dwellings.
2. The Kennel 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 as well as applicable standards established by the Minnesota Board of Animal Health (MN Statutes 347.34 and MN Administrative Rules 1721.0520). The use, as proposed, appears compatible with existing adjacent land uses.
3. A review of the applicants submitted project summary indicates adequate utilities, access roads, drainage and other necessary facilities are available or will be installed 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 Kennel will be operated within a proposed structure and on outdoor areas of the site. The proposed structure, open air lean-to fenced dog area and use of the ponds for training are being proposed in a manner that should sufficiently control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. Furthermore, the applicant's lighting plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result.

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

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and recommend that the County Board of Commissioners **APPROVE** the request from Alexander Ryan to establish a dog Kennel and associated training facility for up to 24 dogs.

Subject to the following conditions:

1. Kennel operations shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. Hours of operation shall be annually from May 1 through September 30, 7-days per week from 7:00 AM to 7:00 PM;
3. Kennel capacity shall not exceed 24 adult dogs;
4. The kennel is for the purpose of boarding dogs during training and shall not be open to the general public;
5. Appropriate precautions shall be taken to prevent dogs from leaving the property.
6. On-street parking shall be prohibited;
7. Applicant shall obtain Building Permit approvals for the proposed structure(s) from the

Goodhue County Land Use Management Department prior to establishing the use;

8. Applicant shall work with Goodhue County Environmental Health to achieve compliance with the Goodhue County SSTS Ordinance and obtain any required permits;
9. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, Section 26, Kennels and Article 22 A2, General Agriculture District;
10. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

Planning Advisory Commission

Public Hearing
October 15, 2018

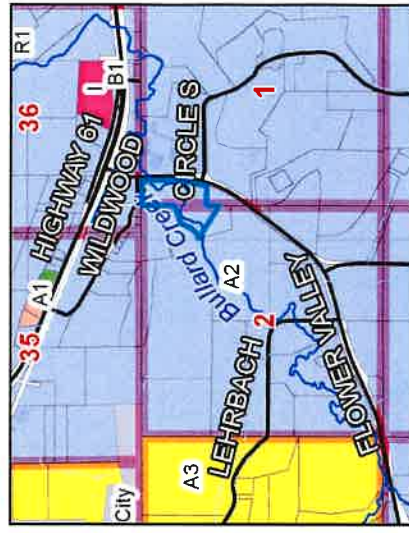
Alexander Ryan
A2 District

Parcel # 34.022.0020
NW¼ of S1 &
E½ NE¼ of S2 T112 R14 in
Hay Creek Township

CUP request to establish a Kennel
for up to 24 dogs

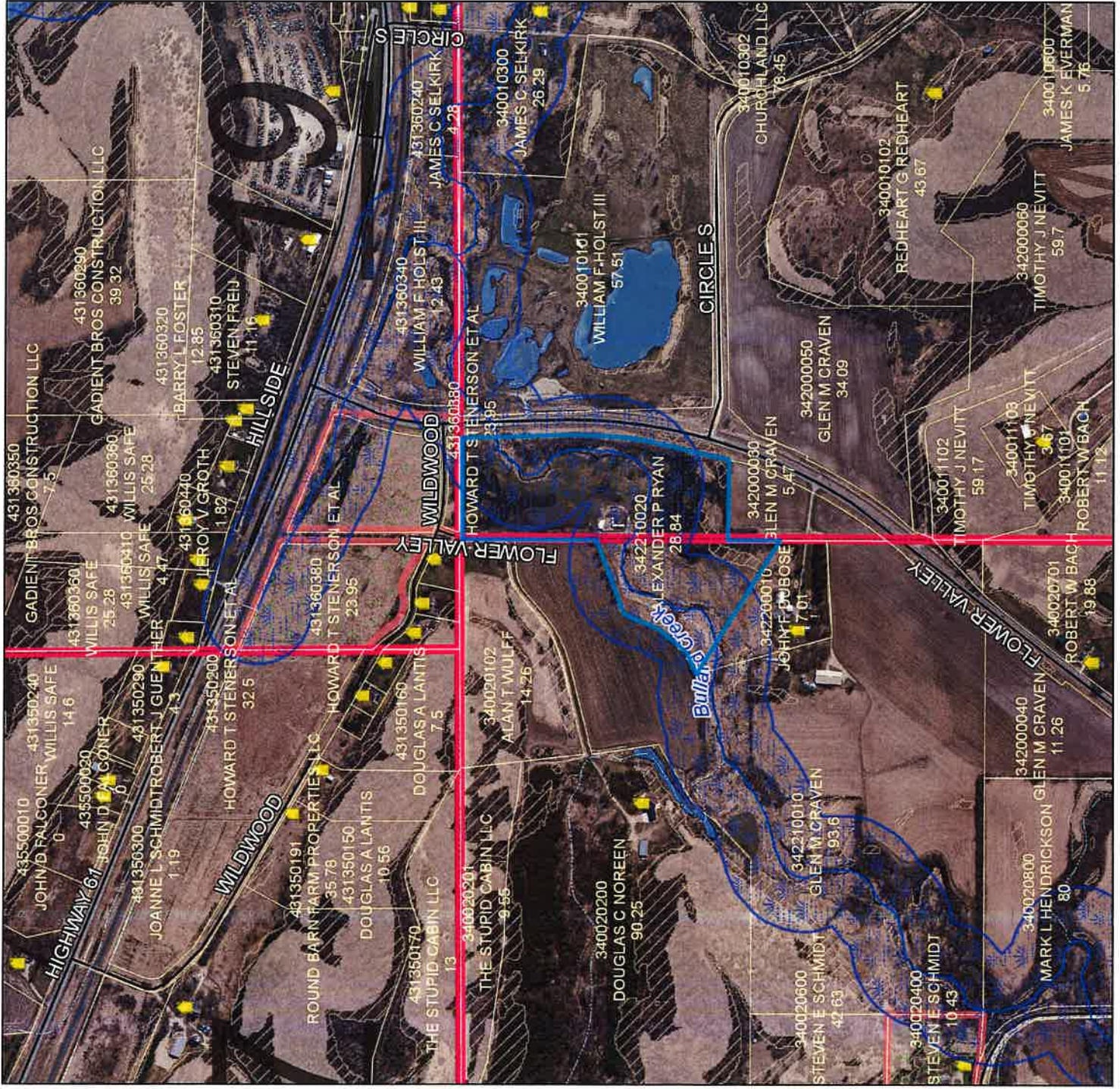
Legend

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



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2016 Aerial Imagery
Map Created September, 2018 by Ryan Bechel



GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 34 221 0020

Permit# Z18-0045

PROPERTY OWNER INFORMATION

Last Name Ryan First Alexander Email: [redacted]
Street Address XAX Flower Valley Rd. Phone [redacted]
City Red Wing State MN Zip 55066 Attach Legal Description as Exhibit "A"
Authorized Agent _____ Phone _____
Mailing Address of Landowner: 1430 Phelps St., Red Wing, MN 55066
Mailing Address of Agent: _____

PROJECT INFORMATION

Site Address (if different than above): _____
Lot Size 30 acres Structure Dimensions (if applicable) 33' x 34'
What is the conditional/interim use permit request for? Dog Kennel Training Facility
Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized
we are requesting a CUP for a dog kennel training facility. we will be training dogs on the property and the dogs will stay in kennels while not in training. we have the kennel located roughly 700' from the nearest house to eliminate noise issues should the dogs bark.

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: Alex Ryan Date 9-13-18
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 Susan Custing Title Chairperson Date 9/18/18
Comments: _____

COUNTY SECTION

COUNTY FEE \$350 RECEIPT # 16484 DATE PAID 9.19.18

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

SEP 19 2018

Land Use Management

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).

Dog training facility for retrievers. With the training we will need a place to house the dogs in kennels.

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

Shed is designed to house 12 kennels.

3. Proposed number of non-resident employees.

0. Dog trainers come up from South Carolina and rent out my facility for dog training during the summer months.

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

7 am - 7 pm. 7 days a week. May - Sept. Annually

5. Planned maximum capacity/occupancy.

24 dogs

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

3 extra trucks utilized by dog trainers during summer months.

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

5. Gravel parking on 30 acres.

8. Proposed solid waste disposal provisions.

Paul's industrial garage (P.I.G) already provides my land a 2 yard dumpster

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

Permits applied for. Dog kennel will have separate holding tank for sewage.

10. Existing and proposed exterior lighting.

Residential garage style lighting.

11. Existing and proposed exterior signage.

Potentially a sign on our existing gate entering property.

12. Existing and proposed exterior storage.

Existing lean to for exterior storage.

13. Proposed safety and security measures.

Fenced in "air yard" for dogs to run around as a group and "relieve" themselves.

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

Residential accessibility.

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

Potential for dog barking. Kennels to be located in-decks as well as 700' away from nearest dwelling.

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

Property excavation is completed. Ponds dug.

17. Existing and proposed surface-water drainage provisions.

Man made pond dug at lower elevation than building.

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

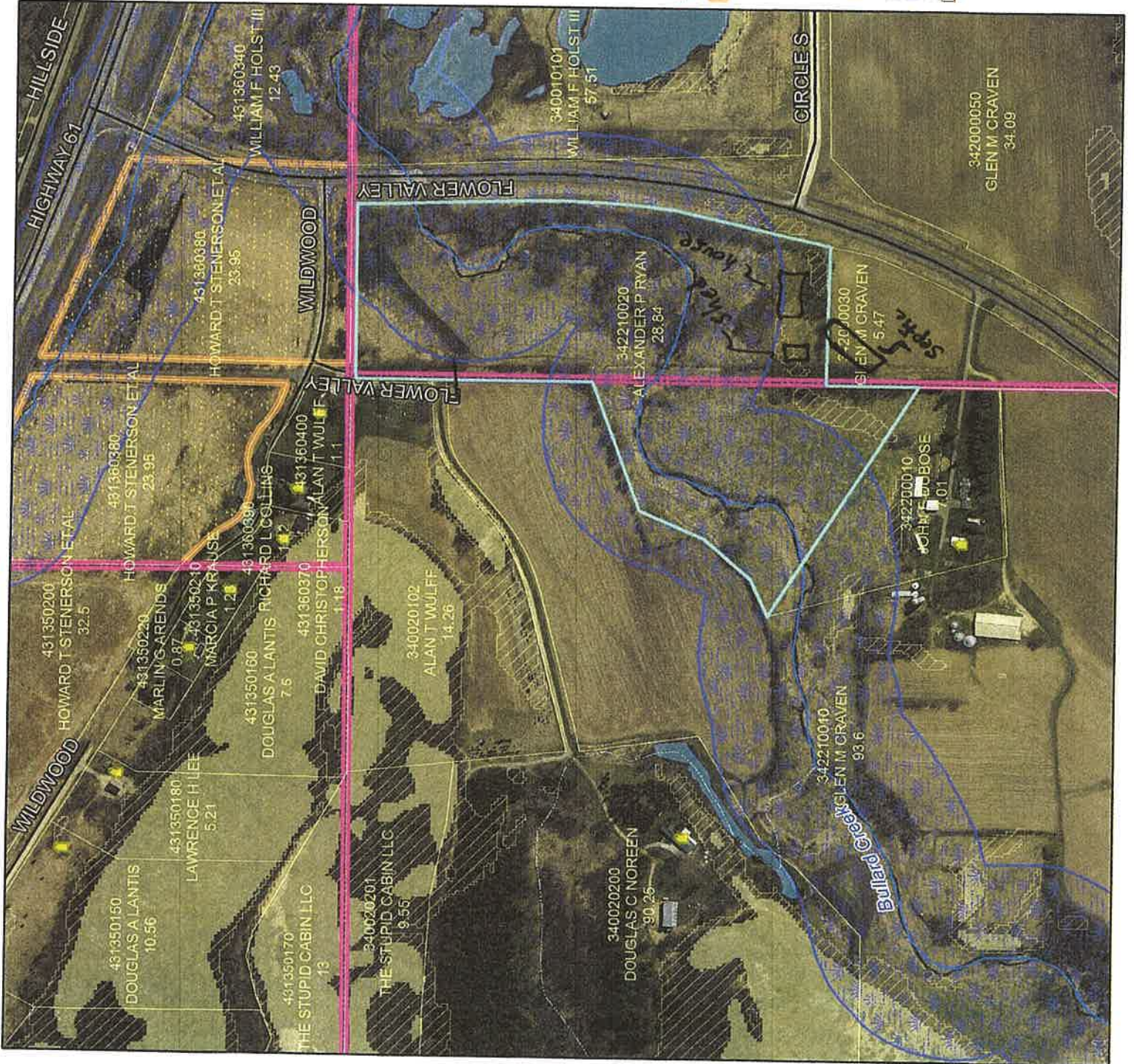
None.

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

I would like to lease my land out to a dog trainer. They will bring the dogs from their facility in South Carolina and utilize my property to kennel and train their retrievers.

Upon review, project may require more information
Contents of a site plan:

1. State the use of the property:
2. Show the size, shape and location of structures with distance to property lines
3. Show the location of ALL wells and septic systems and distances to any new structures



Streams

- Intermittent
- Protected
- Shoreland
- Historic Districts
- Tax Parcels
- Section Lines
- Roads
- Feedlot parcels (2014)
- Dwelling Point
- % Slope
- 20
- 30

Special Flood Hazard Areas

- Flood Zone
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- AO
- 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 2017.

2016 Aerial Imagery

Map Created: September, 2017 by Ryan Bechel

Alex and Leah Ryan CUP request for Dog Kennel

October 4, 2018

Ryan Bechel,

I would like to provide further information regarding my CUP request for a Dog Kennel and Training Grounds at our XXX Flower Valley Location.

- In **exhibit 1A**, please see the reference of the dog kennel shed to the overlay of the county depiction of the Bullard Creek Shoreland Line.
- The kennel and training request dates are from May 1 through September 30th. The daily training times are from 7am till 7pm.
- The retrievers will be trained in the locations boxed in on **exhibit 2A** on our property. Retrievers trained for field trials and hunt tests are trained individually. The individual dog will be let out of it's kennel enclosure and trained one-one with a trainer.
- There is currently outdoor (under lean-tos) kennels inside the dog air yard. The dog air yard provides a fully fenced in area that all the dogs can be safely let out to relieve themselves while still being contained in a 100% fence enclosure. Please see **exhibit 3A** for reference of the dog air yard location as well as the existing lean-tos.
- Existing air yard and lean-to construction will be requested under a delayed/delinquent permit request submitted with this CUP additional information.
- The shed that will contain the dog kennels, will have two separate sanitary sewers leaving the building. The building will be considered a dwelling with a bathroom and kitchen which will exit the building to the already requested septic system county permit application. The kennel area sewer will exit the building to a holding tank that will be pumped out in lieu of exiting to a septic system. The separate holding tank is the solution to our manure management plan.
- Kennel area construction will consist of sealed and polished concrete floors, smooth anti -microbial block wall construction between each kennel for washdown that doesn't affect adjacent kennels. Trench drain running across the back of each kennel to one 6" drain discharge to single holding tank. Back walls of kennels to be utilized with washable milk-board. Spray foam closed cell insulation throughout the kennel/shed/dwelling structure.
- Please see **exhibit 4A and 4B** for the newly purchased land to the south of the existing Alexander P. Ryan Tract. This will show the newly purchased land that will incorporate the dwelling structure septic field as well as provide setback requirements for the dwelling/kennel structure.
- Please see **exhibit 5A** for the well location for the dwelling/kennel structure to meet setback requirements.
- Dwelling/kennel structure to be designed with HVAC requirements per the Mandatory Building Certificate which describes the Thermal Envelope/Fenestration/HVAC ducts/Radon System/Mechanical Systems/Mechanical Ventilation System. The space will be heated with in-floor radiant heat on the main level as well as finned tube radiation on the second level. The AC will be provided with mini-split systems and the air will be exchanged with a centralized air-air exchanger.

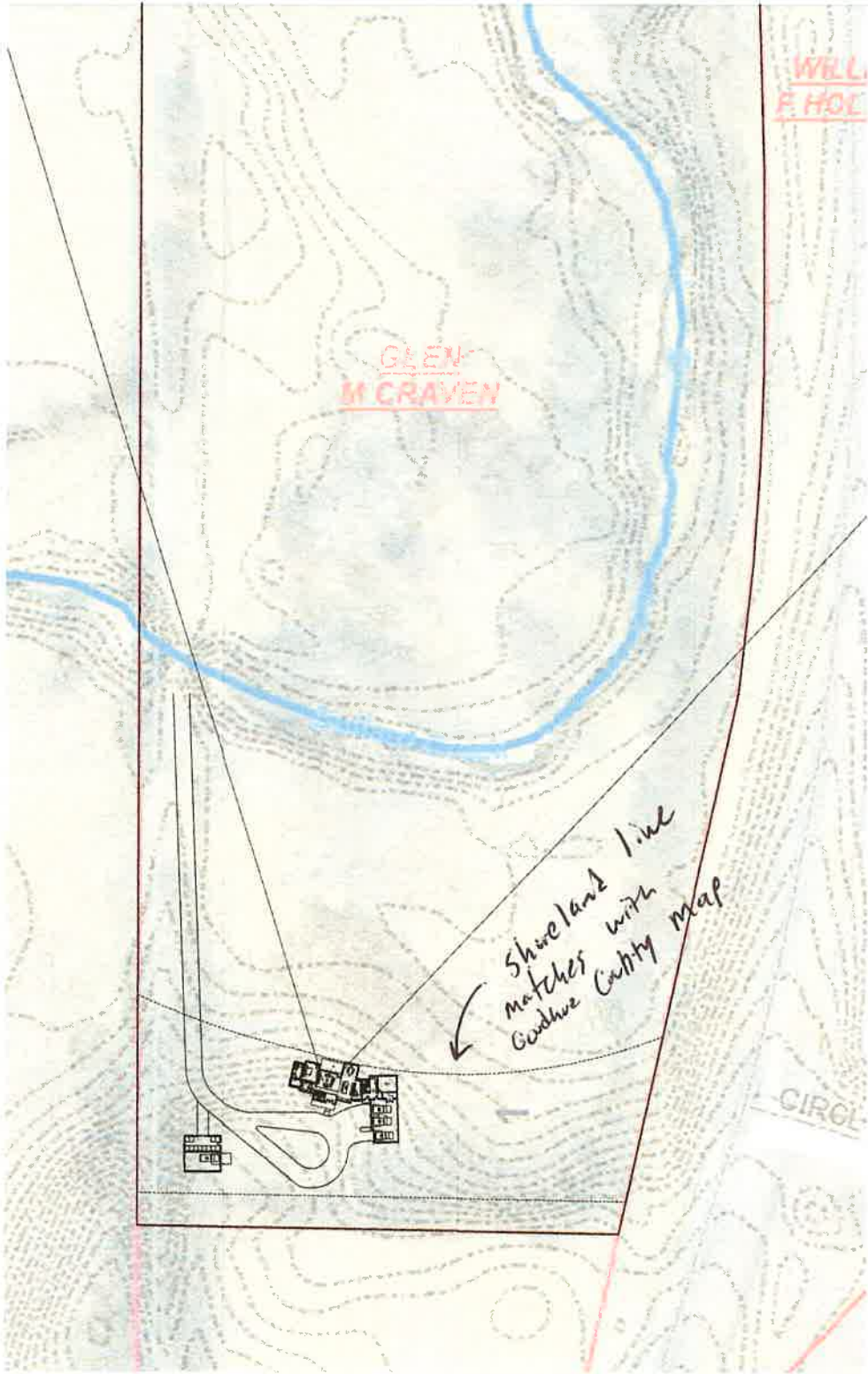
Thank you for considering my project. Please let me know if there is any further information I can provide for clarity.

Alex Ryan

Cell: 651-334-2759

Email: alex@ryanmech.com

1A



SITE PLAN

04.17.17





1c

ArcGIS WebMap

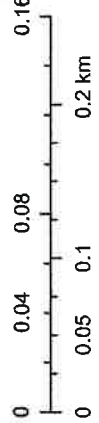
2A



October 2, 2018

- Full Address □ GoodhueCo_PLSS — Township or Other Roads — State Highway
- PIN — Township or Other Roads Major Roads 1,200 — County Roads 1,200
- Full Name — Township or Other Roads — US Highway — County Roads - Gravel

1:4,800



Goodhue County

3A

ArcGIS WebMap



October 2, 2018

Full Address GoodhueCo_PLSS Township or Other Roads State Highway
 PIN Township or Other Roads Major Roads 1,200 County Roads 1,200
 Full Name Township or Other Roads US Highway County Roads - Gravel

Goodhue County

1:4,800

0 0.04 0.08 0.16 mi

0 0.05 0.1 0.2 km

ArcGIS WebApp Builder

4A

(Top 3 inches reserved for recording data)

CONTRACT FOR DEED

by Individual(s)

DATE: July _____, 2018

THIS CONTRACT FOR DEED (the "Contract") is made on the above date by **Glen Craven and Linda Craven**, husband and wife ("Seller"), and **Alexander Ryan and Leah Ryan**, husband and wife ("Purchaser"). (Check box if joint tenancy.)

Seller and Purchaser agree to the following terms:

1. **Property Description.** Seller hereby sells and Purchaser hereby buys real property in **Goodhue County, Minnesota**, described as follows:

See Attached Exhibit A

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto (the "**Property**"). Unless otherwise specified, Seller hereby delivers possession of the Property to Purchaser on the date hereof.

Check applicable box:

- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: [...].)
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

2. **Title.** Seller warrants that title to the Property is, on the date of this Contract, subject only to the following exceptions:
- (a) Covenants, conditions, restrictions (without effective forfeiture provisions) and declarations of record, if any;
 - (b) Reservation of minerals or mineral rights by the State of Minnesota, if any;
 - (c) Utility and drainage easements which do not interfere with present improvements;
 - (d) Applicable laws, ordinances, and regulations;
 - (e) The lien of real estate taxes and installments of special assessments which are payable by Purchaser pursuant to paragraph 6 of this Contract; and
 - (f) The following liens or encumbrances: **NONE**.
3. **Delivery of Deed and Evidence of Title.** Upon Purchaser's full performance of this Contract, Seller shall:
- (a) Execute, acknowledge, and deliver to Purchaser a **General Warranty Deed**, in recordable form, conveying marketable title to the Property to Purchaser, subject only to the following exceptions:
 - (i) Those exceptions referred to in paragraph 2(a), (b), (c), (d), and (e) of this Contract;
 - (ii) Liens, encumbrances, adverse claims or other matters which Purchaser has created, suffered or permitted to accrue after the date of this Contract; and
 - (iii) The following liens or encumbrances: **NONE**
 - (b) Deliver to Purchaser the abstract of title to the Property, without further extension, to the extent required by the purchase agreement (if any) between Seller and Purchaser.

4. **Purchase Price.** Purchaser shall pay to Seller at closing on January 4, 2019, the sum of [REDACTED] as and for the purchase price (the "Purchase Price") for the Property, payable as follows:

Down payment of \$ [REDACTED], receipt of which is acknowledged by Seller. The remaining principal balance of \$ [REDACTED] and interest thereon at the rate of 4.00% per annum shall be payable on January 4, 2019, provided, however, unless sooner paid, the entire balance, both principal and interest, and all other amounts due and payable under the Contract for Deed, shall be due and payable in full on January 4, 2019. Interest shall begin to accrue on July 1, 2018. The final payment under this Contract for Deed is a balloon payment.

5. **Prepayment.** Unless otherwise provided in this Contract, Purchaser shall have the right to fully or partially prepay this Contract at any time without penalty. Any partial prepayment shall be applied first to payment of amounts then due under this Contract, including unpaid accrued interest, and the balance shall be applied to the principal installments to be paid in the inverse order of their maturity. Partial prepayment shall not postpone the due date of the installments to be paid pursuant to this Contract or change the amount of such installments.

6. **Real Estate Taxes and Assessments.** Real estate taxes and installments of special assessments which are due and payable in the year in which this Contract is dated shall be paid as follows: Prorated to July 1, 2018. All levied, pending, deferred, or other special assessments existing on the date of closing shall be paid by Seller.

Purchaser shall pay to Seller, not less than 15 days before penalty accrues, all real estate taxes and installments of special assessments assessed against the Property which are due and payable in all subsequent years. Seller shall provide Purchaser with the Goodhue County Tax Statement showing the amounts due not less than 30 days prior to the date when penalty accrues. Seller warrants that the real estate taxes and installments of special assessments which were due and payable in the years preceding the year in which this Contract is dated are paid in full. If the Property is subject to a recorded declaration providing for assessments to be levied against the Property by any owners' association, Purchaser shall promptly pay to Seller, not less than 15 days prior to the due date, all assessments imposed by the owners' association or other governing body as required by the provisions of the declaration or other related documents. Seller shall provide Purchaser with the statement of Assessment from the owners' association showing the amounts due not less than 30 days prior to the date when payments are due.

7. Property Insurance.

(a) Insured Risks and Amounts. Purchaser shall keep all buildings, improvements, and fixtures now or later located on or a part of the Property insured against loss by fire, lightning and such other perils as are included in a standard "all-risk" endorsement, and against loss or damage by all other risks and hazards covered by a standard extended coverage insurance policy, including, without limitation, vandalism, malicious mischief, burglary, theft and, if applicable, steam boiler explosion. Such insurance shall be in an amount no less than the full replacement cost of the buildings, improvements, and fixtures, without deduction for physical depreciation. If any of the buildings, improvements, or fixtures are located in a federally designated flood prone area, and if flood insurance is available for that area, Purchaser shall procure and maintain flood insurance in amounts reasonably satisfactory to Seller.

(b) Other Terms. The insurance policy shall contain a loss payable clause in favor of Seller which provides that Seller's right to recover under the insurance shall not be impaired by any acts or omissions of Purchaser or Seller, and that Seller shall otherwise be afforded all rights and privileges customarily provided a mortgagee under the so-called standard mortgage clause. Purchaser shall provide Seller with proof of such insurance, and shall comply with reasonable requests by Seller to verify the existence of such insurance on the terms contained herein at any time during the life of this Contract for Deed.

(c) Notice of Damage. In the event of damage to the Property by fire or other casualty, Purchaser shall promptly give notice of such damage to Seller and the insurance company.

8. Damage to the Property.

(a) Application of Insurance Proceeds. If the Property is damaged by fire or other casualty, the insurance proceeds paid on account of such damage shall be applied to payment of the amounts payable by Purchaser under this Contract, even if such amounts are not then due to be paid, unless Purchaser makes a permitted election described in the next paragraph. Such amounts shall be first applied to unpaid accrued interest and next to the installments to be paid as provided in this Contract in the inverse order of their maturity. Such payment shall not postpone the due date of the installments to be paid pursuant to this Contract or change the amount of such installments. The balance of insurance proceeds, if any, shall be the property of Purchaser.

(b) Purchaser's Election to Rebuild. If Purchaser is not in default under this Contract, or after curing any such default, and if the mortgagees in any prior mortgages and sellers in any prior contracts for deed do not require otherwise, Purchaser may elect to have that portion of such insurance proceeds necessary to repair, replace, or restore the damaged Property (the "Repairs") deposited in escrow with a bank or title insurance company qualified to do business in the State of Minnesota, or such other party as may be mutually agreeable to Seller and Purchaser. The election may only be made by written notice to Seller within sixty (60) days after the damage occurs. Also, the election will only be permitted if the plans and specifications and contracts for the Repairs are approved by Seller, which approval Seller shall not unreasonably withhold or delay. If such a permitted election is made by Purchaser, Seller and Purchaser shall jointly deposit, when paid, such insurance proceeds into such escrow. If such insurance proceeds are insufficient for the Repairs, Purchaser shall, before the commencement of the Repairs, deposit into such escrow sufficient additional money to insure the full payment for the Repairs. Even if the insurance proceeds are unavailable or are insufficient to pay the cost of the Repairs, Purchaser shall at all times be responsible to pay the full cost of the Repairs. All escrowed funds shall be disbursed by the escrowee in accordance with generally accepted sound construction disbursement procedures. The costs incurred or to be incurred on account of such escrow shall be deposited by Purchaser into such escrow before the commencement of the Repairs. Purchaser shall complete the Repairs as soon as reasonably possible and in a good and workmanlike manner, and in any event the Repairs shall be completed by Purchaser within one (1) year after the damage occurs. If, following the completion of and payment for the Repairs, there remains any undisbursed escrow funds, such funds shall be applied to payment of the amounts payable by Purchaser under this Contract in accordance with paragraph 8(a) above.

(c) Owners' Association. If the Property is subject to a recorded declaration, so long as the owners' association maintains a master or blanket policy of insurance against fire, extended coverage perils and such other hazards and in such amount as are required by this Contract, then: (i) Purchaser's obligation in the Contract to maintain hazard insurance coverage on the Property is satisfied; (ii) the provisions of paragraph 8(a) of this Contract regarding application of insurance proceeds shall be superseded by the provisions of the declaration or other related documents; and (iii) in the event of a distribution of insurance proceeds in lieu of restoration or repair following an insured casualty loss to the Property, any such proceeds payable to Purchaser are hereby assigned and shall be paid to Seller for application to the sum secured by this Contract, with the excess, if any, paid to Purchaser.

9. Injury or Damage Occurring on the Property.

(a) Liability. Seller shall be free from liability and claims for damages by reason of injuries occurring on or after the date of this Contract to any person or persons or property while on or about the Property. Purchaser shall defend and indemnify Seller from all liability, loss, cost, and obligations, including reasonable attorneys' fees, on account of or arising out of any such injuries. However, Purchaser shall have no liability or obligation to Seller for such injuries which are caused by the negligence or intentional wrongful acts or omissions of Seller.

(b) Liability Insurance. Purchaser shall, at Purchaser's own expense, procure and maintain liability insurance against claims for bodily injury, death and property damage occurring on or about the Property in amounts reasonably satisfactory to Seller and naming Seller as an additional insured.

10. Insurance Generally. The insurance which Purchaser is required to procure and maintain pursuant to paragraphs 7 and 9 of this Contract shall be issued by an insurance company or companies licensed to do business in the State of Minnesota and acceptable to Seller. The insurance shall be maintained by Purchaser at all times while any amount remains unpaid under this Contract. The insurance policies shall provide for not less than ten (10) days written notice to Seller before cancellation, non-renewal, termination or change in coverage, and Purchaser shall deliver to Seller a duplicate original or certificate of such insurance policy or policies confirming the existence and maintenance of such insurance.

11. Condemnation. If all or any part of the Property is taken in condemnation proceedings instituted under power of eminent domain or is conveyed in lieu thereof under threat of condemnation, the money paid pursuant to such condemnation or conveyance in lieu thereof shall be applied to payment of the amounts payable by Purchaser under this Contract, even if such amounts are not then due to be paid. Such amounts shall be applied in the same manner as a prepayment as provided in paragraph 5 of this Contract. Such payments shall not postpone the due date of the installments to be paid pursuant to this Contract or change the amount of such installments. The balance, if any, shall be the property of Purchaser.

12. Waste, Repair, and Liens. Purchaser shall not remove or demolish any buildings, improvements, or fixtures now or later located on or a part of the Property, nor shall Purchaser commit or allow waste of the Property. Purchaser shall maintain the Property in good condition and repair. Purchaser shall not create or permit to accrue liens or adverse claims against the Property which constitute a lien or claim against Seller's interest in the Property. Purchaser shall pay to Seller all amounts, costs and expenses, including reasonable attorneys' fees, incurred by Seller to remove any such liens or adverse claims. Purchaser shall not, during the term of this Contract, cause any material to be delivered or labor to be performed upon any part of the Property covered by this Contract which exceeds the cost of \$2,500.00, unless Purchaser first obtains the written consent of Seller.

13. Compliance with Laws. Except for matters which Seller has created, suffered, or permitted to exist prior to the date of this Contract, Purchaser shall comply or cause compliance with all laws and regulations of any governmental authority which affect the Property or the manner of using or operating the same, and with all restrictive covenants, if any, affecting title to the Property or the use thereof.

14. Recording of Contract; Deed Tax. Purchaser shall, at Purchaser's expense, record this Contract in the Office of the County Recorder or Registrar of Titles in the county in which the Property is located within four (4) months after the date hereof. Purchaser shall pay any penalty imposed under Minn. Stat. 507.235 for failure to timely record the Contract. Seller shall, upon Purchaser's full performance of this Contract, pay the deed tax due upon the recording of the deed to be delivered by Seller.

15. Notice of Assignment. If either Seller or Purchaser assigns its interest in the Property, the assigning party shall promptly furnish a copy of such assignment to the non-assigning party. Purchaser shall not assign its interest in the Property without the written consent of Seller, which shall not be unreasonably withheld.

16. Protection of Interests. If Purchaser fails to pay any sum of money required under the terms of this Contract or fails to perform any of the Purchaser's obligations as set forth in this Contract, Seller may, at Seller's option, pay the same or cause the same to be performed,

or both, and the amounts so paid by Seller and the cost of such performance shall be payable at once, with interest at the rate stated in paragraph 4 of this Contract, as an additional amount due Seller under this Contract. If there now exists, or if Seller hereafter creates, suffers or permits to accrue, any mortgage, contract for deed, lien or encumbrance against the Property which is not herein expressly assumed by Purchaser, and provided Purchaser is not in default under this Contract, Seller shall timely pay all amounts due thereon, and if Seller fails to do so, Purchaser may, at Purchaser's option, pay any such delinquent amounts or take any actions reasonably necessary to cure defaults thereunder and deduct the amounts so paid together with interest at the rate provided in this Contract from the payments next coming due under this Contract.

17. Defaults and Remedies. The time of performance by Purchaser of the terms of this Contract is an essential part of this Contract. If Purchaser fails to timely perform any term of this Contract, all of which are deemed material terms, Seller may, at Seller's option, elect to declare this Contract cancelled and terminated by notice to Purchaser in accordance with applicable law or elect any other remedy available at law or in equity. If Seller elects to terminate this Contract, all right, title, and interest acquired under this Contract by Purchaser shall then cease and terminate, and all improvements made upon the Property and all payments made by Purchaser pursuant to this Contract (including escrow payments, if any) shall belong to Seller as liquidated damages for breach of this Contract. Neither the extension of the time for payment of any sum of money to be paid hereunder nor any waiver by Seller of Seller's rights to declare this Contract forfeited by reason of any breach shall in any manner affect Seller's right to cancel this Contract because of defaults subsequently occurring, and no extension of time shall be valid unless agreed to in writing. After service of notice of default and failure to cure such default within the period allowed by law, Purchaser shall, upon demand, surrender possession of the Property to Seller, but Purchaser shall be entitled to possession of the Property until the expiration of such period. Failure by Seller to exercise one or more remedies available under this paragraph 17 shall not constitute a waiver of the right to exercise such remedy or remedies thereafter.

18. Binding Effect. The terms of this Contract shall run with the land and bind the parties hereto and the successors in interest.

19. Headings. Headings of the paragraphs of this Contract are for convenience only and do not define, limit, or construe the contents of such paragraphs.

20. Additional Terms:

- A. Buyer shall have the right to harvest the current corn crop on the tillable portion of the land being conveyed.
- B. Buyer to pay all Surveying and Closing costs.

Seller

Purchaser

Glen Craven

Alexander Ryan

Linda Craven

Leah Ryan

State of Minnesota, County of **Goodhue**

This instrument was acknowledged before me on July _____, 2018, by **Glen Craven and Linda Craven**, husband and wife.

(Stamp)

(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____

(month/day/year)

State of Minnesota, County of **Goodhue**

This instrument was acknowledged before me on July _____, 2018, by **Alexander Ryan and Leah Ryan**.

(Stamp)

(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____

(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:

Paul M. Zeig, PLC
325 Main Street
Suite 200
Red Wing, MN 55066
(651) 267-4166

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

Alexander Ryan
Leah Ryan

Red Wing, MN 55066

Note: Failure to record this contract for deed may give other parties priority over Purchaser's interest in the property.

REGISTERED LAND SURVEY NO. 13

4B

Marion S. Johnson, hereby certifies that he, in accordance with the provisions of Minnesota Statutes, Section 506.17, has surveyed the following described property situated in the County of Goodhue, State of Minnesota:

- Township Property - Certificate of Title No. 6172 - Goodhue County, Minnesota
- Tract C, Registered Land Survey No. 8, on the east end of record in the office of the Goodhue County Register of Titles, Goodhue County, Minnesota.
- Township Property - Certificate of Title No. 6881 - Goodhue County, Minnesota.
- Tract A, Registered Land Survey No.12, on the east end of record in the office of the Goodhue County Register of Titles, Goodhue County, Minnesota.
- Township Property - Certificate of Title No. 6842 - Goodhue County, Minnesota
- Tract B, Registered Land Survey No.12, on the east end of record in the office of the Goodhue County Register of Titles, Goodhue County, Minnesota.

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. Dated this _____ day of _____, 20____.

Minnesota License Number: 14780
 Surveyor

STATE OF MINNESOTA
 COUNTY OF GOODHUE

This foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Maroon S. Johnson, Land Surveyor.

Notary Public, Goodhue County, Minnesota
 My commission expires January 31, 20____.

Approved by My Clerk Township, this _____ day of _____, 20____.

Witness my hand and the seal of my office, this _____ day of _____, 20____, on the land herein described here been paid, there are no outstanding taxes and transfer has been entered this _____ day of _____, 20____.

Goodhue County Auditor/Treasurer

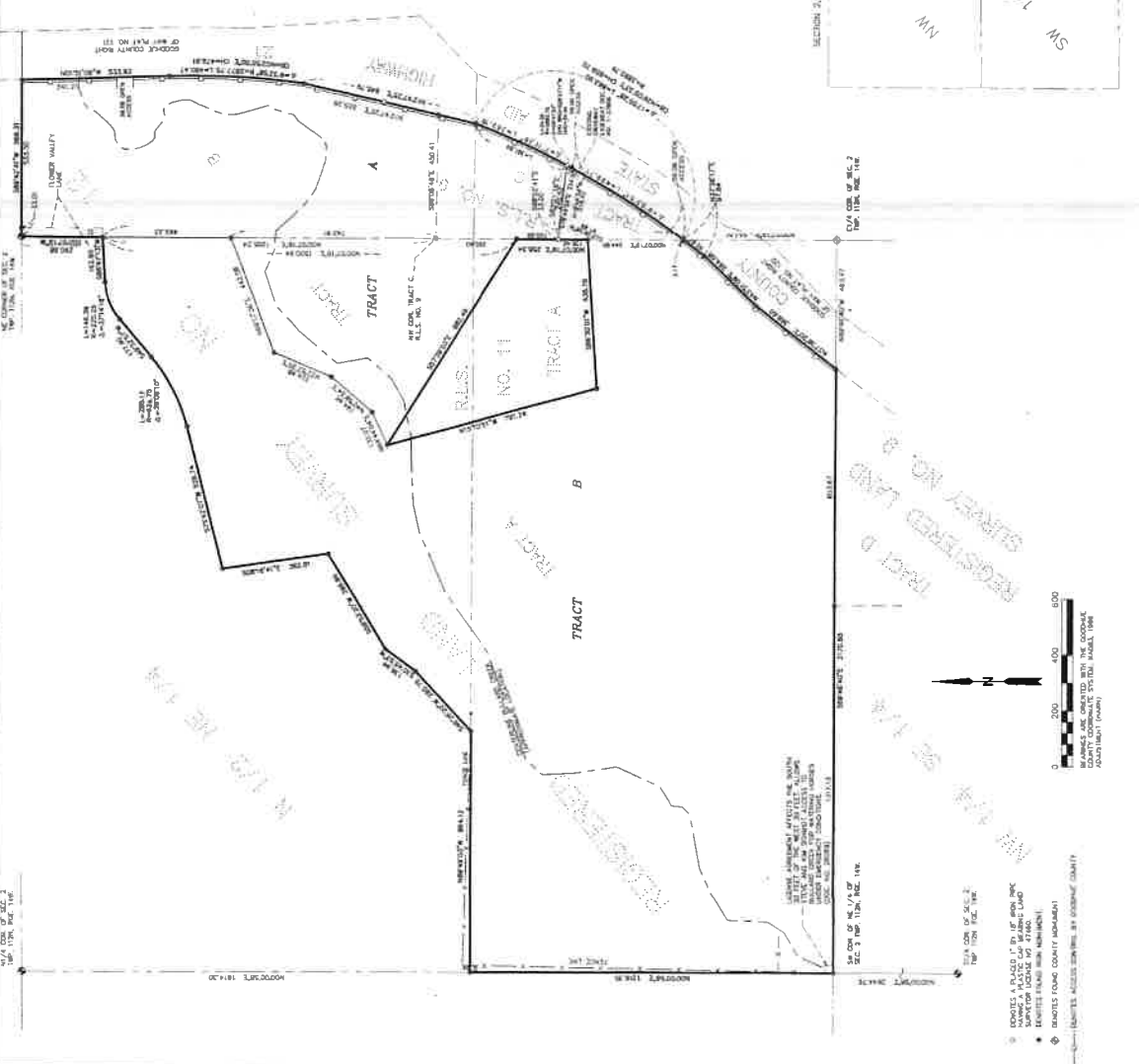
By _____ Deputy

Pursuant to Chapter 506.17, laws of Minnesota, and Goodhue County Ordinance No. 2-78, this Registered Land Survey has been approved this _____ day of _____, 20____.

Goodhue County Surveyor

I hereby certify that this instrument was filed in the office for record this _____ day of _____, 20____, at _____ m and was duly recorded as document number _____.

Goodhue County Register of Titles

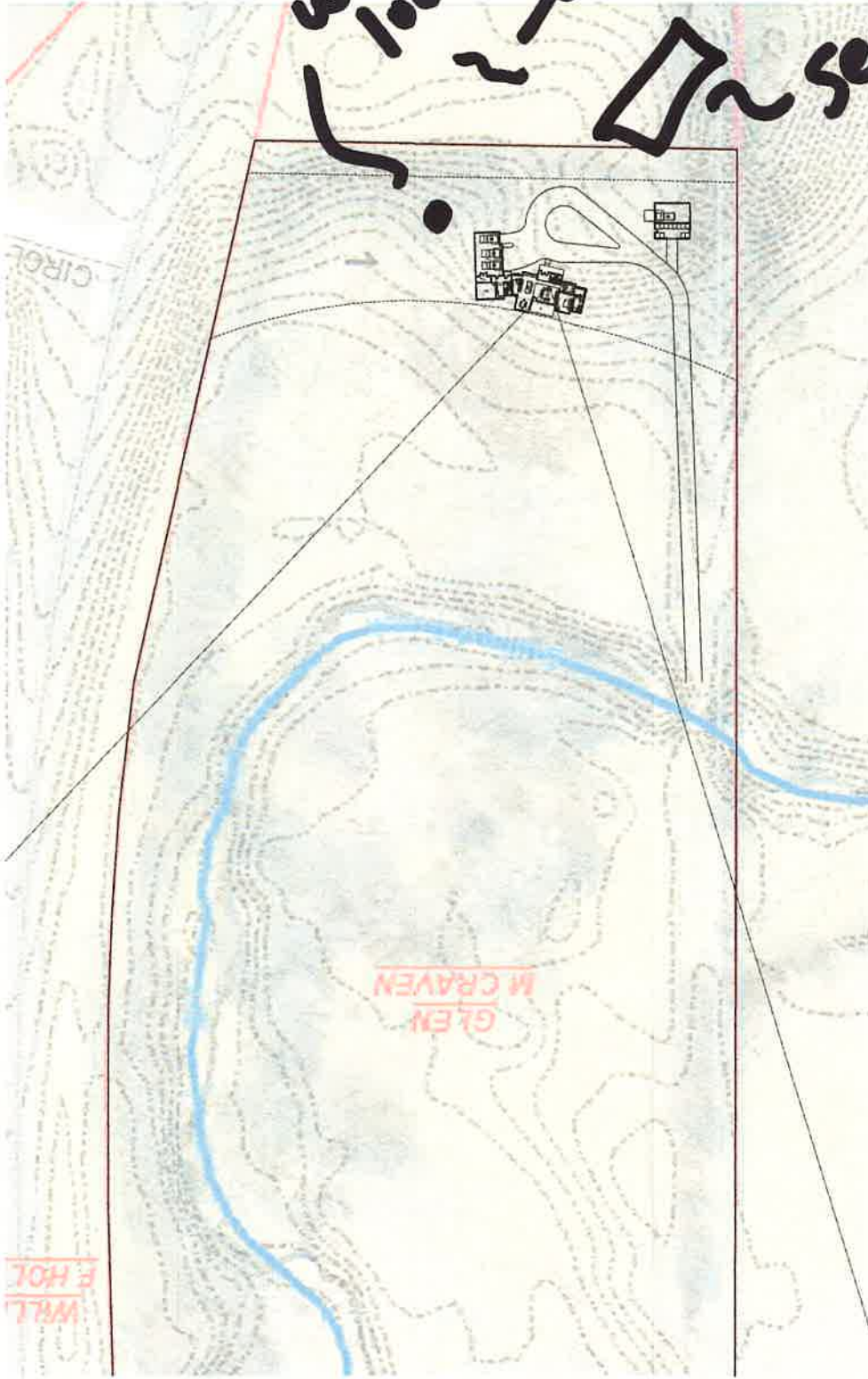


JOHNSON & SCOFIELD INC.
 SURVEYING AND ENGINEERING
 1208 MAIN ST. - ANDOVER, MINNESOTA 55006 (651) 388-1558
 WABASHIA - MN 55981 (651) 265-3444

well location
newly

Septic

5A



WILL
F. HOT

- I. Any existing buildings in which the public may have access shall obtain all applicable Building Code approvals prior to being utilized as part of a Retreat Center.
- J. Proof of liability insurance for the structures, property, occupants, visitors, and events shall be maintained.
- K. Adequate off-street parking shall be provided.
- L. Maximum capacity shall not exceed 50 guests.
- M. Proof of a compliant septic system shall be required as part of the application.

SECTION 26. KENNELS

Subd. 1. Application and standards. In addition to the other requirements, the application for conditional use permit shall be accompanied by 25 copies of the plans, which indicate or address the following:

- A. The stated purpose for the kennel;
- B. The species and maximum number of animals that will be at the site (include all animals over the age of four months 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.
- Subd. 2. The Planning Advisory Commission shall take into consideration the following information and performance standards in which to base their recommendation to the County Board for kennel conditional use permit applications:
- A. The measures taken to minimize noise from the proposed kennel;
 - B. The impact on local traffic;
 - C. Permanent water lines and septic systems may be required in the kennel building for drinking water, cleaning the kennels, and disposing of the waste water in an approved manner; and
 - D. Allow periodic inspections of the facility in coordination with the Land Use Management department.

SECTION 27. FARM WINERIES

Subd. 1. **Statement of Purpose.** Wineries are welcomed by Goodhue County as appropriate farm activities. It is the intent of this section to promote local agriculture production by allowing construction of a farm winery with tasting room and retail sale of winery products in the A-1, A-2 and A-3 Zone Districts. It is also the intent of this section to encourage the growing of wine fruit and production of wine as an integral component of the rural and agricultural ambiance of Goodhue County and to maintain the viability of fruit farming through value added processing and direct sales of wine and wine related beverages made from locally grown fruit.

Subd. 2. **Definitions**

- A. **Farm winery.** "Farm winery" is a winery operated by the owner of a Minnesota farm which produces table, sparkling, or fortified wines from grapes, grape juice, other fruit bases, or honey with a majority of the ingredients grown or produced in Minnesota.
- B. **Wine.** "Wine" is the product made from the normal alcoholic fermentation of grapes, including still wine, sparkling and carbonated wine, wine made from condensed grape must, wine made from other agricultural products than sound, ripe grapes, imitation wine, compounds sold as wine, vermouth, cider, sherry and sake, in each instance containing not less than one-half of one percent nor more than 24 percent alcohol by volume for non-industrial use. Wine does not include distilled spirits as defined in Minnesota Statutes.
- C. **Fortified wine.** "Fortified wine" is wine to which brandy, or neutral grape spirits, has been added during or after fermentation resulting in a beverage containing not less than one-half of one percent nor more than 24 percent alcohol by volume for nonindustrial use.

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: October 15, 2018
Report date: October 5, 2018

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

Request for a CUP submitted by Kevin Riester (owner) to establish a Wedding Barn Event Center with a proposed maximum occupancy of 300 guests. Parcel 34.002.0900. 29065 Flower Valley RD Red Wing, MN 55066. Part of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sect 02 Twp 112 Range 14 in Hay Creek Township. A2 Zoned District.

Application Information:

Applicant: Kevin Riester (owner)

Address of zoning request: 29065 Flower Valley RD Red Wing, MN 55066

Parcel(s): 34.002.0900 and 34.002.0905

Abbreviated Legal Description: Part of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sect 02 Twp 112 Range 14 in Hay Creek Township.

Township Information: Hay Creek Township endorsed acknowledgment of the Applicant's request.

Zoning District: A2 (General Agriculture District)

Attachments and links:

Application and submitted project summary

Site Map(s)

Site Photos

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 (Kevin Riester) initially cleaned up and renovated a barn and shed on his property to host his wedding. He has since utilized the facilities to host country-style weddings and events for friends, and family on a limited basis for the past 7 years. The Goodhue County ordinance allows citizens to host up to two events/activities per calendar year without requiring issuance of a CUP (Conditional Use Permit).

Given the success of previous events, the applicant is requesting a CUP to allow him the opportunity to host 1 event per weekend from May through October. The request includes utilizing a repurposed barn and shed to provide operational space for weddings and events for up to 300 people.

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 two contiguous parcels comprising 47.2 acres. The property is zoned A2 (General Agriculture District). The property is the applicant's primary residence.
- The property is bordered by A2 zoning districts on all sides. Adjacent land uses include undeveloped woodlands, low-density residential and row-crop agriculture.
- Access to the site is located off of Flower Valley Road (asphalt surface) on the south side of the property. Flower Valley Road accesses US HWY 61 approximately 1.5 miles northeast of the site and US HWY 58 3.0 miles west of the site.
- A portion of the property is within the shoreland district of Bullard Creek. Any development activities or grading/filling proposed in these areas will be subject to Goodhue County shoreland protection regulations.

Weddings/Events:

- No new structures are proposed with the request. An existing 100ft x 40ft shed with an estimated capacity of 250 guests will be used for large weddings and gatherings. The existing 40ft x 60ft barn has an estimated capacity of up to 100 guests and would be used for smaller-scale events. A 60ft x 20ft lean-to located north of the shed is also available for use during events.

The Riester's dwelling and existing residential accessory structures are not proposed to be used in conjunction with weddings or events.

- The applicant plans to hire engineers/architects to evaluate the existing barn for Minnesota building code compliance and structural integrity. Any necessary renovations will be reviewed as required by Goodhue County Building Department staff to ensure compliance with Minnesota building code regulations and issuance of required building permits.
- Hours of operation are proposed to be Saturdays from 1:00 PM to 11:30 PM, May through October. Goodhue County Zoning Ordinance (GCZO) Article 11, section 30 stipulates inside activities must be concluded by 10:00 PM for Non-Agricultural Uses Associated with Agri-tourism. The applicants have submitted a request for a variance to the Goodhue County Board of Adjustment to allow inside activities to conclude at 11:30 PM
- All food and/or liquor offered during events will be prepared and catered by appropriately licensed professionals.
- Staff will be present on site at all times to ensure guest safety and security.
- No overnight stays or camping activities are proposed or allowed with this request.

Employees:

- The applicant anticipates the need for 1 or 2 part-time Non-resident Employees to assist with events.

Noise:

- Noise generated during events is planned to be confined within the shed and barn to minimize impacts to neighboring properties. The nearest residence is located approximately 550 ft east of the site (Audrey Stumpf)
- The applicant has hosted similar weddings and events for the past 7 years. Goodhue County has not received any official complaints regarding the applicant's previously hosted events.

Lighting:

- Existing Dusk-to-dawn yard lighting and exterior security lighting provide sufficient lighting for guest safety. No additional exterior lighting is proposed with this request.

Traffic and Parking:

- Some additional traffic will be generated with the request. Event traffic is generally "one-way" as

guests typically will arrive around the same time at the start of the event and then gradually filter out as the day progresses. The driveway approach has safe lines-of-sight in both directions for traffic entering and exiting onto Flower Valley Road. The local transportation network appears capable of supporting the request without negatively impacting traffic flow or safety along the access route.

- On-site traffic negotiates a curve around an existing garage near the properties entrance and is then directed along a field-line west of the shed and barn area for guest safety. Adequate emergency vehicle access is available to service the facility.
- There are 100 grassed parking stalls identified west of the barn and shed. The applicant anticipates surfacing the parking area with gravel in the future to prevent erosion and parking issues in inclement weather. There is space available on the properties to accommodate additional parking in the future if needed.

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 is required for this facility at a maximum occupancy of 300 guests.

- GCZO Article 11 section 30 stipulates parking areas shall be setback 40 feet from property lines. The applicant's proposed parking area straddles a common property line amongst his two parcels. If the applicant sells his property in the future he will need to reconfigure the parking area to ensure it is set back a minimum of 40 feet from the property lines of adjacent landowners.

Utilities:

- The existing dwelling is served by an individual Subsurface Sewage Treatment System (SSTS). The applicant is proposing to use satellite bathrooms and sinks to provide sanitary facilities for event guests as he has done for past events. Sanitation plans will require review and approval by Goodhue County Environmental Health staff prior to commencing operation of the Wedding Event Center.
- Solid waste disposal services will be provided locally. Any hazardous materials or fluids generated shall be properly disposed of.

Signage:

The applicant is proposing to install a temporary sign near the property's entrance during events. *Signage must follow the requirements of GCZO Art. 11 Sect. 17.*

Landscaping/Drainage:

- Minimal landscaping work will be needed as the applicant will be using existing structures. Some grading may be required in the future to improve the parking area. Grading and filling activities will be reviewed for conformance with Goodhue County Zoning requirements.
- The majority of the property drains north toward Bullard Creek. The property is in compliance with shoreland buffer requirements.

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 Barn and Event Center does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The use has been established and operating since 2011 without any record of conflicts with existing residential uses in the area.
2. The Wedding Barn and Event Center is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and the majority of the operations will be confined within the existing structures. The use, as proposed, appears compatible with existing adjacent land uses.
3. A review of the applicants submitted project summary indicates adequate utilities, access roads,

drainage, and other necessary facilities are available or will be installed 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 Barn and Event Center will be conducted primarily within the existing and structures to prevent and control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. Furthermore, the applicant's lighting plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result.

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

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and recommend that the County Board of Commissioners **APPROVE** the request from Kevin Riester to establish a Wedding Barn Event Center with a maximum occupancy of 300 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 Saturdays, May through October from 1:00 PM 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 11:30 PM;
3. Maximum occupancy shall be limited to 300 guests per event;
4. All parking areas shall be setback a minimum of 40 feet from the property lines of adjacent landowners;
5. On-street event parking shall be prohibited;
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 present at all events in which alcohol is served;
8. All exterior signage located on the property must follow Goodhue County Zoning Ordinance Article 11 section (Sign Regulations). The applicant shall consult the appropriate road authority prior to placing signs located within road right-of-way;
9. Applicant shall obtain Building Permit approvals for use of existing structures from the Goodhue County Building Permits Department prior to establishing the use;
10. Applicants shall work with Goodhue County Environmental Health to develop and implement a plan to provide adequate sanitary facilities for guest use;
11. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
12. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, section 30 Non-Agricultural Uses Associated with Agricultural Tourism; Goodhue County SSTS Ordinance; and Article 22 A2, General Agriculture District.

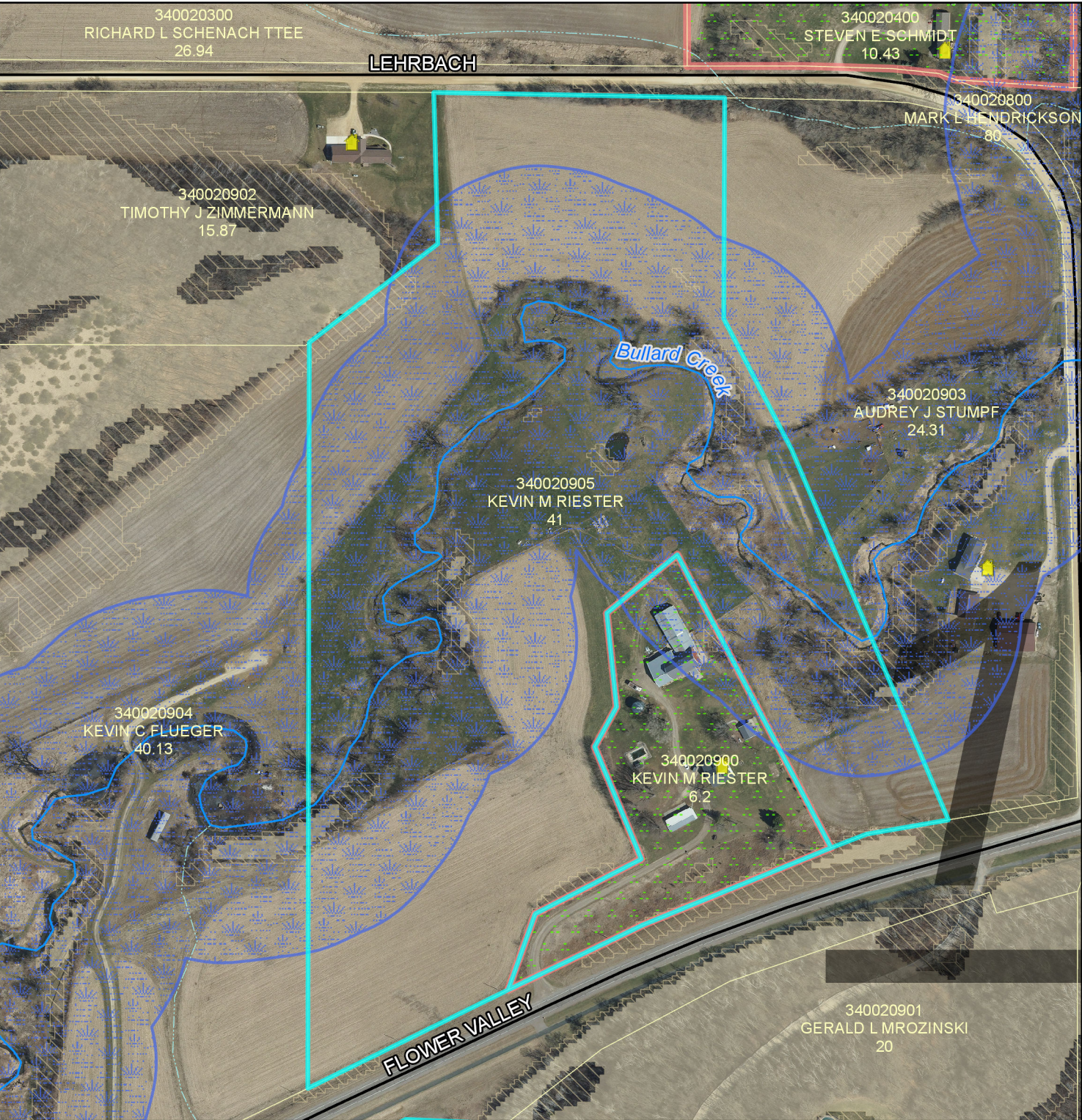
Planning Advisory Commission

Public Hearing
October 15, 2018

Kevin Riester
A2 Zoned District

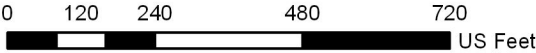
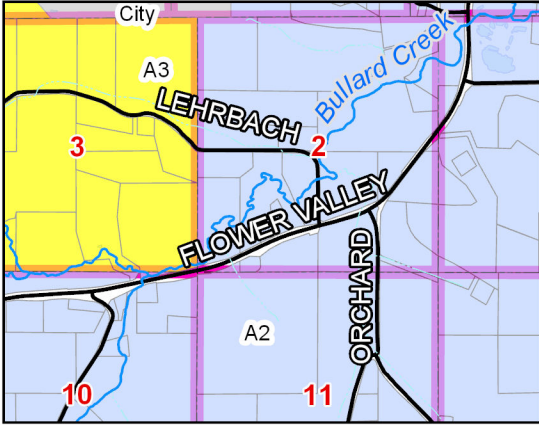
Parcel # 34.002.0900
E½ SW¼ of S 2 T112 R14 in
Hay Creek Township

CUP request to establish
Wedding Barn Event Center



Legend

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



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Map Created October, 2018 by Ryan Bechel



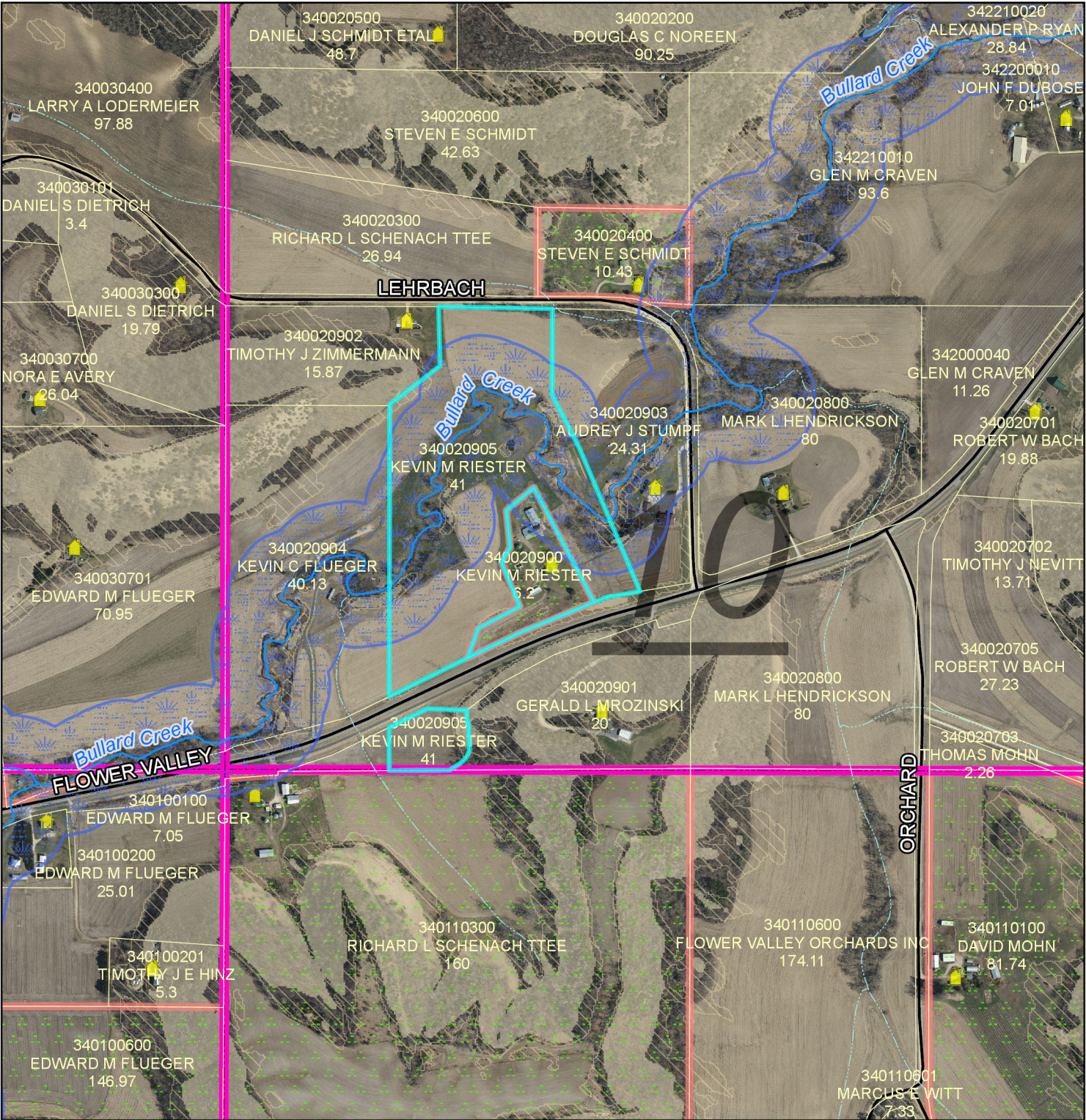
Planning Advisory Commission

Public Hearing
October 15, 2018

Kevin Riester
A2 Zoned District

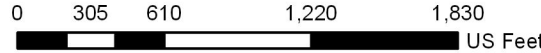
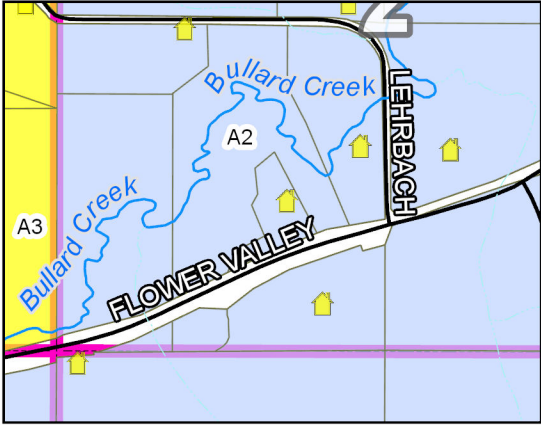
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CUP request to establish
Wedding Barn Event Center



Legend

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2016 Aerial Imagery
Map Created October, 2018 by Ryan Bechel







RECEIVED

Land Use Management
SEP 19 2018

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 340020900

Permit# Z18-0046

PROPERTY OWNER INFORMATION

Last Name RIESTER First KEVIN

Street Address 29065 FLOWER VALLEY TRAIL

City RED WING State MN Zip 55066 Attach Legal Description as Exhibit "A"

Authorized Agent _____ Phone _____

Mailing Address of Landowner: 29065 FLOWER VALLEY TRAIL, RED WING, MN 55066

Mailing Address of Agent: _____

PROJECT INFORMATION

Site Address (if different than above): _____

Lot Size 6 ACRES Structure Dimensions (if applicable) 100' X 40' SHED, 40' X 60' BARN, 20' X 60' LEAN TO

What is the conditional/interim use permit request for?

PERMIT TO HAVE EVENTS ON-SITE
Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized
THERE WILL BE NO CHANGES TO THE PROPERTY FROM WHAT IT CURRENTLY IS.

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] KEVIN RIESTER Date 9/10/18

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 9-12-18

Comments: _____

COUNTY SECTION _____ COUNTY FEE \$350 _____ RECEIPT # 16486 DATE PAID 9.19.18

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: _____

KEVIN + CARRIE RIESTEK
24065 FLOWER VALLEY TRAIL
RED WING, MN 55066

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).
USE EXISTING BUILDINGS FOR EVENTS, MOSTLY WEDDINGS.

2. Planned use of existing buildings and proposed new structures associated with the proposal.
100' x 40' SHED FOR LARGER GROUPS AND THE 40' x 60' BARN FOR SMALLER GROUPS. 60' x 20' LEAN-TO IS ALSO USED FOR EITHER THE BARN OR SHED.

3. Proposed number of non-resident employees.
1 OR 2 TO HELP WITH CLEAN-UP

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

1 EVENT PER WEEK, MAY - OCTOBER. EVENT WOULD BE SATURDAYS 1 pm - 11:30 pm
↳ R.B. 10/4/18

5. Planned maximum capacity/occupancy.

100' x 40' SHED - 250 MAX Planned maximum occupancy of 300
60' x 40' BARN - 100 MAX guests. R.B. 9/25/18

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

ALL PARKING WILL BE ONSITE. OTHER THAN INCREASE TRAFFIC BEFORE THE EVENT, THERE WILL BE VERY LITTLE CHANGE TO NORMAL TRAFFIC ON
7. Off-street parking provisions (number of spaces, location, and surface materials). FLOWER VALLEY RD
APPROXIMATELY 100 SPACES, GRASS NOW. IT WILL MOST LIKELY CHANGE TO GRAVEL IN FUTURE.

8. Proposed solid waste disposal provisions.

DUMPSTERS ARE ALREADY ONSITE.

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

PORTABLE BATHROOMS AND SINKS WILL BE USED.

10. Existing and proposed exterior lighting.

EXISTING LIGHTING PROVIDES GOOD COVERAGE.
MORE CAN BE ADDED IF NEEDED.

11. Existing and proposed exterior signage.

1 REMOVABLE SIGN WILL USED AT TOP
OF DRIVEWAY.

12. Existing and proposed exterior storage.

NONE

13. Proposed safety and security measures.

FIRE EXTINGUISHERS, GOOD LIGHTING, STAFF
PRESENT AT ALL TIMES.

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

VERY ACCESSIBLE

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

MUSIC WILL BE CONTAINED INSIDE BARN
OR SHED.

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

NONE

17. Existing and proposed surface-water drainage provisions.

IN PLACE

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

ALL FOOD IS SERVED BY LICENSED CATERERS
LICENSED BARTENDER IS ALSO REQUIRED

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

WE HAVE HAD 2 EVENTS EVERY YEAR FOR THE PAST
7 YEARS. WE HAVE NOT HAD ANY ISSUES OR COMPLAINTS
FROM NEIGHBORS.

SITE PLAN

NORTH

SPACE TO BE USED



KEVIN + CARRIE RIESTER

ADDRESS: 29015 FLOWER VALLEY TR.
RED WING, MD 55060

ARTICLE 11 PERFORMANCE STANDARDS

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, sales related activities must be completed during daylight hours. Inside activities must be completed by 10:00 p.m.
- 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.

Goodhue County Land Use Management

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To: Planning Advisory Commission
From: Land Use Management
Meeting Date: October 15, 2018
Report date: October 05, 2018

PUBLIC HEARING: to consider Goodhue County Ordinance updates

“Housekeeping” updates throughout ordinance to remove typographical errors, correct inaccurate references, remove redundant language, and improve language consistency.

Amend Articles 21 -24 (District Regulations) to consolidate permitted and conditionally permitted uses into a single “table of uses” to improve ease of use, remove redundant language, and facilitate future ordinance revisions.

Attachments:

“Table of Uses”

List of proposed “Housekeeping” changes

Summary:

Staff are proposing a number of small-scale “housekeeping” updates to the Goodhue County Zoning Ordinance. Over time, new ordinance additions and piecemeal amendments have resulted in some typographical errors, inaccurate references, redundant language, and inconsistencies that require updating to improve clarity, accuracy, and ease of use of the ordinance.

Staff are also proposing to consolidate permitted and conditionally permitted uses into a single “table of uses” for the A1, A2, A3, and R1 districts. Reorganizing uses into a single table would simplify future amendments to the district uses and create a “menu” of permissible uses for each district that would be much more user-friendly than the current configuration.

Staff Recommendation:

Land Use Management staff recommends the Planning Advisory Commission adopt the staff report into the record, and **APPROVE** the proposed amendments to the Goodhue County Zoning Ordinance.

GOODHUE COUNTY ZONING ORDINANCE

Table of Uses

Use	A-1	A-2	A-3	R-1
Residential				
Single-Family Dwelling	P	P	P	P
Two, Three, Or Four Family Dwellings	NP	NP	NP	P
Accessory Dwelling Unit (ADU) (Art. 11 § 31)	P	P	P	P
Residential Accessory Buildings $\geq 7,200\text{ft}^2$ (Art. 11 § 6)	C/I	C/I	C/I	NP
Mobile Home Park (Art. 16)	NP	NP	NP	C/I
Agricultural				
Feedlots (Art.13)				
New Feedlot (Art.13)	P	P	NP	NP
New Feedlot outside of Farmyard (Art.13)	C/I	C/I	NP	NP
Feedlot expansion up to ≤ 100 Animal Units (Art.13)	P	P	P	NP
Feedlot expansion to ≥ 300 Animal Units (Art.13)	P	C/I	NP	NP
Feedlot expansion to ≥ 500 Animal Units (Art.13)	C/I	C/I	NP	NP
Animal waste storage structure $\geq 500,000$ gallons (lagoon system, earthen basin, or associated structure [pit]) (Art.13)	C/I	C/I	C/I	NP
Agricultural Operations (including tree farms) (Art.11 § 24)	P	P	P	NP
Farm Market/On-farm market/Roadside Stand $< 2400\text{ft}^2$ (Art. 11 § 29)	P	P	P	NP
Farm Market/On-farm market/Roadside Stand $> 2400\text{ft}^2$ (Art. 11 § 29)	C/I	C/I	C/I	NP
Plant Nurseries & Sales	P	P	P	NP
Farm Wineries $< 10,000\text{ft}^2$ (Art. 11 § 27)	P	P	P	NP
Farm Wineries $> 10,000\text{ft}^2$ (Art. 11 § 27)	C/I	C/I	C/I	NP
Temporary/Seasonal Off-Site Roadside Produce Stands	C/I	C/I	NP	NP
Education Farm Retreat (Art. 11 § 14)	C/I	C/I	C/I	NP
Non-Agricultural Uses Associated W/Agritourism (Art. 11 § 30)	C/I	C/I	C/I	NP
3 horses on a minimum 5 acre lot				C/I
Commercial				
Home Businesses - Tier 1 (Art.11 § 12)	P	P	P	P
Home Businesses - Tier 2 (Art.11 § 12)	P	P	P	I
Home Businesses - Tier 3 (Art.11 § 12)	I	I	I	NP
Commercial Kennel/Raising of fur-bearing animals (Art.11 § 26)	C/I	C/I	C/I ^{bc}	NP
Commercial/Industrial Uses primarily intended to serve Ag. Community	C/I	C/I	C/I ^{bc}	NP
Boarding or Rooming Houses as an accessory use	C/I	C/I	C/I ^{bc}	C/I
Bed and Breakfast Inn (Art.11 § 13)	C/I	C/I	C/I ^{bc}	C/I
Contractors Yard (Art.11 § 33)	C/I	C/I	C/I	NP
Veterinary Clinic	C/I	C/I	NP	NP
Industrial				
Mining, Quarrying, Excavating/Filling (Art.14)	P	P	NP	NP
Junk/Salvage Reclamation Yard (Art.11 § 10)	C/I	C/I	NP	NP

a. Accessory buildings $> 500\text{ft}^2$ shall be $\geq 100\text{ft}$ from any lot line and $\geq 200\text{ft}$ from the nearest dwelling (Art.23 § 3 subd. 1)

b. Any mining, excavating, or filling of land for these uses shall be by conditional use (Art.23 § 3 subd. 10)

c. Accessory structures and uses customarily incidental to this use shall be by conditional use (Art.23 § 3 subd. 11)

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

GOODHUE COUNTY ZONING ORDINANCE

Table of Uses

Use	A-1	A-2	A-3	R-1
Recreational				
Public Stable	C/I	C/I	C/I	NP
Park/Recreational Area (operated by a governmental agency)	C/I	C/I	C/I ^{bc}	NP
Park/Recreational Area	NP	NP	NP	C/I
Hunting Club/Shooting Preserve	C/I	C/I	NP	NP
Campground &/or RV Site (Art.16 § 7)	C/I	C/I	C/I	NP
Park Manager's Residence (1 per campground/RV park w/ ≥ 30 campsites)	NP	C/I	C/I	NP
Commercial Outdoor Recreation Facilities (including, but not limited to, Golf Courses/Driving Ranges, Tennis Courts, Skiing, Swimming Pools, Park Facilities)	C/I	C/I	C/I ^{abc}	NP
Commercial Outdoor Recreation Health Facilities	NP	C/I	NP	NP
Commercial Outdoor Recreation Storage Structure (size & location to be approved by the Planning Advisory Commission)	NP	NP	C/I ^{bc}	NP
Retreat Centers (Art.11 § 25)	NP	C/I	C/I	NP
Institutional				
Community Building	C/I	C/I	C/I ^{bc}	C/I
Church	C/I	C/I	C/I ^{bc}	C/I
Cemetery	C/I	C/I	C/I ^{bc}	NP
Memorial Garden	C/I	C/I	NP	NP
Public School	C/I	C/I	C/I ^{bc}	C/I
Private School	C/I	C/I	C/I ^{bc}	NP
Nursery School	C/I	C/I	C/I ^{bc}	NP
Funeral Home	NP	NP	C/I ^{bc}	NP
Hospital, Sanitarium, Philanthropic/Eleemosynary Institutions (except correctional institutions, animal hospitals)	NP	NP	C/I ^{bc}	NP
Miscellaneous				
WECS (Non-Commercial Micro) (Art. 18)	P	P	P	P
WECS (Non-Commercial) (Art. 18)	P	P	C/I	NP
WECS (Commercial) (Art. 18)	C/I	C/I	NP	NP
WECS (Meteorological Tower) (Art. 18)	P	P	C/I	NP
SES (Utility Scale) (Art. 19)	C/I	C/I	C/I	NP
SES (Commercial Scale) (Art. 19)	P	P	P	P
SES (Residential Scale) (Art. 19)	P	P	P	P
Aircraft Landing Fields & Facilities	C/I	C/I	NP	NP
Sanitary Landfills/Sewage Disposal Works	C/I	NP	NP	NP
Non-agricultural Lagoons (In accordance w/ MPCA regulations)	C/I	NP	NP	NP
Migratory Labor Camp	C/I	C/I	NP	NP
Commercial Radio Towers/TV Towers/Transmitters	C/I	C/I	C/I	NP

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

LIST OF PROPOSED "HOUSEKEEPING" CHANGES

Article	Section	Subd	Page	Change
Article 1	Section 7	Subd 3	2	Change "MN" to "Minnesota"
Article 2	Section 2	Subd 2	3	Remove "structures and"
Article 2	Section 3		3	Add "Building" to section header
Article 2	Section 3	Subd 4	4	#2 remove "/approval"
Article 2	Section 4	Subd 1	4	Remove "chairman" and "and ratified by the Board" in the last sentence.
Article 2	Section 4	Subd 8	5	Fix this sentence "If a member has four (4) consecutive unexcused absences in any one year, the secretary shall certify this fact to the Commission and the Commission shall notify the Couty Board shall appoint a replacement for the unexpired term, as if the member has resigned" Add ", and the County Board" after "Commission shall notify the County Board"
Article 2	Section 4	Subd 11	5	Remove "In January" and replace "each" with "the"
Article 2	Section 4	Subd 12	5	Capitalize "B" on Board in second sentence
Article 2	Section 5	Subd 9	6	Remove "in January"
Article 3	Section 2	Subd 3	9	change "received" to "receives"
Article 3	Section 4	Subd 3	11	Move subd 3 above subd 2. Switch numbers
Article 3	Section 9		12	Entire section should be a subd not a section; change to Subd 1 and fix the formatting
Article 4				fix margins on entire article
Article 4	Section 2	Subd 2	16	Remove "By the County Planning Commission" and replace with "for approval to the County Board"
Article 4	Section 3	Subd 3	16	replace "in passing on" to "recommending approval for a"
Article 4	Section 5		19	replace "decision" with "recommendation" (first sentence)

Article 4	Section 5		19	add "and testimony" after "application" (first sentence)
Article 4	Section 5		19	Change "forward its recommendations" to "forward it to" (first sentence)
Article 4	Section 5		19	change "designate" to "recommend" (second sentence)
Article 4	Section 5		19	remove "require" (second sentence)
Article 4	Section 9	Subd 1	20	sentence 1, replace "begun" with "been resonably established"
Article 5	Section 2	Subd 2	21	D - remove "section 2, Subd. 95"
Article 5	Section 4	Subd 1	23	F - remove "section 2, Subd. 95"
Article 6	Section 1	Subd 6	25	Change "the County Zoning Administartion" (last sentence) to "Building Official"
Article 6	Section 1	Subd 7	25	Change "Section 1 through 8" to "Section 1 through 5"
Article 7	Section 1	Subd 1	27	Add "and County Board approved penalties"
Article 7	Section 2		27	add "or designess" after "the Zoning Administrator"
Article 8			29	combine this article with article 1, leave this article blank
Article 9			31	combine this article with article 1, leave this article blank
Article 11	Section 8	Subd 1	55	Add "or interim use permit" after "conditional use permit" in second sentence
Article 11	Section 10	Subd 1	56	replace licensed to permitted

Article 11	Section 10	Subd 1	56	A - replace "for approval" with "as a part of a conditional use permit or a interim use permit application."
Article 11	Section 11	Subd 6	57	Replace "article 5" with "Article 7"
Article 11	Section 12	Subd 4	59	Header - replace "&" with "and"
Article 11	Section 18		66	Fix formatting
Article 11	Section 22		67	Fix formatting
Article 11	Section 22	Subd 4	68	Add "or interim use permit" after "conditional use permit"
Article 11	Section 22	Subd 7	68	Replace "approve" with "recommend approval"
Article 11	Section 24	Subd 1	70	change to "Agricultural operation as defined in Article 10"
Article 11	Section 28	Subd 1	75	in the second sentence add "as defined in Article 10" after "Evidence in the form of a site plan"
Article 11	Section 29	Subd 1	75	in the first sentence add "that" after "structures" and change "exceeding" to "exceed"
Article 11	Section 29	Subd 1	75	in the first sentence remove "as permitted uses"
Article 11	Section 29	Subd 1	75	in the first sentence replace "subject to approval of" to "required to obtain"
Article 11	Section 29	Subd 1	75	remove "(conditional and interim uses)"
Article 11	Section 29	Subd 2	76	Remove "section 5" leave just as Article 4 in first sentence
Article 11	Section 30	Subd 1	77	remove "(Definitions)"

Article 11	Section 30	Subd 1	77	remove "subject to approval" (it is in there twice in the same sentence)
Article 11	Section 30	Subd 1	77	remove "(Conditional and Interim Uses)"
Article 11	Section 30	Subd 2	77	Remove "section 5" leave just as Article 4
Article 11	Section 30	Subd 2	78	I - replace "added during Planning Advisory Commission and/or" with "approved by the"
Article 11	Section 30	Subd 2	78	I - remove "review"
Article 11	Section 30	Subd 2	78	I - replace "any approved" with "the"
Article 12	Section 4	Subd 1	82	remove "Subd. 6 of this section" as it's listed twice; also check section
Article 13				Check spacing and font/correct
Article 15	Section 6		110	replace section with "see article 2"
Article 16			111	Header add "/Campgrounds"
Article 16	Section 2	Subd 6	111	remove "shall be submitted for approval by the Zoning Administration"
Article 18	Section 2	Subd 22	128	correct formatting
Article 20	Section 1		147	Add "MXH, Mixed Use Hamlet"
Article 20	Section 4		147	remove "Commissioners or any administrative officer's"
Article 20	Section 6		148	Add "County" in front of "Board"

Article 21	Section 2		149	add "subject to zoning and building permits" after "permitted uses"
Article 21	Section 2	Subd 5	149	replace "not to exceed" with "less than"
Article 21	Section 2	Subd 9	149	remove "in accordance with Article 19 of this ordinance"
Article 21	Section 2	Subd 10	149	remove "subject to approval of a zoning permit by the zoning administration (see article 11, section 28)."
Article 21	Section 3		149	Add "Subject to zoning and building permits" after interim uses
Article 21	Section 3		149	remove "In the A-1, Agricultural Protection Distric, the following uses may be allowed subject to obtaining a conditional use permit in accordance with the provisions of Article 4 of this Ordinance"
Article 21	Section 3	Subd 19	150	remove "in accordance with Article 18 of this ordinance"
Article 21	Section 4		150	Capitalize O on Ordinance
Article 22	Section 2		153	Add "Subject to zoning and building permits" after permitted uses
Article 22	Section 2	Subd 5	153	replace "not to exceed" with "less than"
Article 22	Section 2	Subd 8	153	remove "as regulated in Article 11 of this Ordinance"
Article 22	Section 2	Subd 9	153	remove "in accordance with Article 18 of this Ordinance"
Article 22	Section 2	Subd 10	153	remove "subject to approval of a zoning permit by the Zoning Administration (see Article 11, Section 28)"
Article 22	Section 3		153	Remove "in the a-2, agriclutlure district, the following uses may be allowed subject to obtaining a conditional use permit in accordance with the provisions of article 4 of this ordinance"
Article 22	Section 3		153	Add "Subject to zoning and building permits" after interim uses

Article 22	Section 3	Subd 20	154	remove "as per article 18 of this ordinance"
Article 22	Section 3	Subd 21	154	remove "(as defined in article 10)."
Article 22	Section 3	Subd 22	154	remove "(see article 11, section 29)"
Article 22	Section 3	Subd 23	154	remove "subject to approavl of a zoning permit by the zoning administrator (see article 11, section 28)."
Article 23	Section 2		157	add "subject to zoning and building permits" after uses
Article 23	Section 2	Subd 4	157	replace "not to exceed" with "less than"
Article 23	Section 2	Subd 6	157	remove "as regulated in article 11 of this ordinance"
Article 23	Section 2	Subd 8	157	remove "in accordance with article 18 of this ordinance"
Article 23	Section 2	Subd 9	157	remove "subject to approval of a zoning permit by the zoning administration (see article 11, section 28)."
Article 23	Section 2		157	add "subject to zoning and building permits" after interim uses
Article 23	Section 3	Subd 2	158	remove "the location and size of which shall be determined by the Planning Advisory Commission."
Article 23	Section 3	Subd 7	158	remove "as regulated in article 11 of this ordinance"
Article 23	Section 3	subd 20	158	remove "in accordance with article 18 of this oridnance"
Article 23	Section 3	Subd 21	158	remove "((as defined in article 10)."
Article 23	Section 3	Subd 22	158	remove "(see article 11, section 29)."

Article 23	Section 3	Subd 23	158	remove "(see article 11, section 28)."
Article 23	Section 4		159	remove "accessory uses in the A-1 District shall include Agricultural Related Uses as defined in Article 10 of this ordinance subject to performance standards set forth in Article 11 of this Ordinance"
Article 24	Section 2		161	add "subject to zoning and building permits" after uses
Article 24	Section 2		161	remove "no building, structure or part thereof shall be erected, altered, used or moved upon any premises nor shall any land be used in whole or part for other than one or more of the following uses"
Article 24	Section 3		161	add "subject to zoning and building permits" after interim uses
Article 24	Section 3	Subd 6	161	remove "subject to Goodhue County Department of Health Regulations & Article 16"
Article 25	Section 2		165	add "subject to zoning and building permits" after uses
Article 25	Section 2	Subd 5	165	remove "in accordance with Article 18 of this ordinance"
Article 25	Section 3		166	remove "in the b-1, general business district, the following uses may be allowed subject to obtaining a conditional use permit in accordance with the provisions of article 4 of this ordinance"
Article 25	Section 3			Add "Subject to zoning and building permits" after interim uses
Article 25	Section 6	Subd 1	166	add "and Goodhue County SSTS ordinance" after County Health Regulations
Article 26	Section 4	Subd 10	170	remove "in accordance with article 18 of this ordinance"
Article 27	Section 2		175	remove "in the b-2 highway business district, no building, structure or part thereof shall be erected, altered, used or moved upon any premises nor shall any land be used in whole or part for other than one or more of the following issues"
Article 27	Section 2	Subd 6	175	remove "in accordance with article 18 of this ordinance"
Article 27	Section 2		175	Add "subject to zoning and building permits" after uses

Article 27	Section 3		176	Add "Subject to zoning and building permits" after interim uses
Article 27	Section 3		176	remove "In the B-2, Highway Business distric, the following uses may be allowed subject to obtaining a conditional use permit in accordance with the provisions of Article 4 of this Ordinance"
Article 27	Section 3	Subd 4	176	remove "in accordance with Article 18 of this ordiance."
Article 28	Section 2		179	add "subject to zoning and building permits" after uses
Article 28	Section 2			remove "in the I, Industry District, no building, structure or part thereof shall be erected, altered, used or moved upon any premises shall any land be used in whole or part for other than one or more of the following uses"
Article 28	Section 2	Subd 9	179	remove "in accordance with Article 18 of this ordinance"
Article 28	Section 3		179	Add "Subject to zoning and building permits" after interim uses
Article 28	Section 3		179	remove "in the I, Industry District, the following uses may be allowed subject to obtaining a conditional use permit in accordance with the provisions of Article 4 of this Ordinance."
Article 28	Section 3	Subd 13	180	remove "in accordance with Article 18 of this Ordinance."
Article 28	Section 4	Subd 1	180	Change "Subdivision 1, 2, and 3" to "Subdivision 1, 2, 3, 4 and 9"
Article 30	Section 3		189	Add "Subject to zoning and building permits" after interim uses
Article 31	Section 11	Subd 5	200	c-e - fix spacing issues
Article 31	Section 17	Subd 1	210	remove the extra 5