



# 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

7:00 PM Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. June 17, 2019 Planning Commission Minutes

Documents:

[MINUTES\\_JUNE2019\\_PAC\\_DRAFT.PDF](#)

Conflict/Disclosure Of Interests

Public Hearings:

1. PUBLIC HEARING: IUP Request For Home Business  
Request for an Interim Use Permit (IUP) submitted by Nick Tennesen (Highview Woodworking) to establish a home-based cabinetry business. Parcel 41.171.0020. 32348 59th Avenue Way Cannon Falls, MN 55009. Lot 2 Block 1 of Oxford Oaks Replat in Stanton Township. R1 Zoned District.

Documents:

[PACPACKET\\_TENNESSEN.PDF](#)

2. PUBLIC HEARING: SES Conditional Use Permit Amendment Request  
Request to amend CUP z17-0043 submitted by Park Avenue Solar Solutions LLC (applicant) and Hader Farms Partnership (owners) to modify approved site plan and vegetative screening requirements for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 5.0 acres. Parcel 38.028.1800. 14373 ST HWY 60 BLVD, Zumbrota, MN 55992. Part of the SE ¼ and E ½ of SW ¼ Sec 28 Twp 110 Range 16 in Minneola Township. A1 Zoned District.

Documents:

[PACPACKET\\_SESAMENDMENT.PDF](#)

3. PUBLIC HEARING: "Gesme Addition" Preliminary And Final Plat Review  
Request, submitted by David Rapp (surveyor/agent) on behalf of Keith Gesme (owner), for Preliminary and Final Plat review of the proposed Gesme Addition Plat comprising approximately 62.48 acres. Parcels 28.006.0101, 28.006.0100, and 28.005.0900. 28170 HWY 20 Cannon Falls, MN 55009. Part of the East ½ of the NE ¼ and Part of the N ½ of the SE ¼ of section 6 and part of the W ½ of section 5 in TWP 112 Range 17 in Cannon Falls Township. A3 Zoned District.

Documents:

[PACPACKET\\_GESME.PDF](#)

4. PUBLIC HEARING: "Hayes Addition" Preliminary And Final Plat Review  
Request, submitted by Josie Hayes (owner), for Preliminary and Final review of the proposed Hayes Addition Plat comprising approximately 157.91 acres. Parcel 28.007.0100. 300 Carlson Road Cannon

Falls, MN 55009. Part of the NE ¼ of Section 7 in TWP 112 Range 17 in Cannon Falls Township. A3 Zoned District.

Documents:

[PACPACKET\\_HAYES.PDF](#)

5. PUBLIC HEARING: Consider Goodhue County Ordinance Updates

Proposed amendments to Article 10 (Definitions) and Article 11; section 26 (Kennel Performance Standards) to modify language defining the age of adult pets from 4 months to 7 months for kennel operations.

Proposed amendments to Article 24 (R-1, Suburban Residential District) to modify language relating dimensional requirements, permitted uses, platting requirements, and access standards.

Documents:

[PACPACKET\\_R1.PDF](#)

[PAC\\_PACKET\\_ZONING\\_TEXT\\_AMENDMENT\\_KENNEL\\_REGULATIONS.PDF](#)

Other-Discussion

Adjourn

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

## Goodhue County Land Use Management

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

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
June 17<sup>th</sup>, 2019 MEETING MINUTES  
DRAFT**

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The meeting of the Goodhue County Planning Advisory Commission was called to order at 7:02 PM by Chair Sarah Pettit at the Goodhue County Government Center 3<sup>rd</sup> Floor Court Room in Red Wing, Minnesota.

**Roll Call**

Commissioners Present: Darwin Fox, Richard (Dick) Nystuen, Tom Gale (arrived at 7:09 PM), Barney Nesseth (arrived at 7:04 PM), Richard Miller, Tom Drazkowski, and Sarah Pettit

Commissioners Absent: Howard Stenerson and Marc Huneke

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

**1. Approval of Agenda**

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

**Motion carried 5:0.**

**2. Approval of Minutes**

<sup>2</sup>Motion by Commissioner Nystuen; seconded by Commissioner Miller to approve the previous month's meeting minutes.

**Motion carried 5:0.**

**3. Conflict/Disclosure of Interest**

There were no conflicts or disclosures of interest reported.

**4. Public Hearings**

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

Request for map amendment, submitted by Kevin Mark (Owner), to rezone 35.0 acres from A3 (Urban Fringe District) to R1 (Suburban Residence District). Parcels 34.010.0701 & 34.003.0801. 29739 Flower Valley Rd, Red Wing, MN 55066. Part of the SE 1/4 of Sect 03 and Part of the NE 1/4 of Sect 10 all in Twp 109 R15 of Hay Creek Township.

*Bechel presented the staff report, attachments and neighbor comments (Attachment 1).*

*Mr. Mark explained the topography of the parcel in relation to the existing home and proposed building site. He noted that the proposed building site would be isolated and there are no plans for more than one dwelling on the new parcel as there would be limited area due to existing bluffs.*

**Chair Pettit opened the Public Hearing.**

*Lisa Marty (2173 Gernentz Lane) asked whether the future property owner of the new dwelling would be able to split the new parcel for more than one dwelling if they chose to do so in the future.*

*Bechel noted that any further property splits would need to go through the public hearing process and the existing bluffs on the parcel may restrict the possible area that more dwellings could be constructed.*

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*Ms. Marty questioned whether the proposed Conservation Subdivision would be a better fit for the development of this property.*

*Hanni stated that the rezone is the best tool available to the applicant at this time to split the property, particularly if the applicant does not want more than one additional dwelling.*

*Ms. Marty gave her concerns regarding a future property owner developing the property with more than one home.*

*Bechel clarified that currently, rezoning to R1 is the only option available to the applicant as the Conservation Subdivision has not yet been adopted.*

**After Chair Pettit asked three times for additional comments, it was moved by Commissioner Miller and seconded by Commissioner Fox to close the public hearing.**

**Motion carried 7:0.**

*Commissioner Drazkowski asked for clarification from staff that if the rezoned parcels were to be further developed with more than one dwelling site that the owner(s) would need to bring their request to a Public Hearing.*

*Bechel stated that if the newly created parcel were split into only one additional lot, the owner(s) would not have to return to the Planning Commission for approval. If a lot split were proposed within six months of approval of this rezone and split or if more than two lots would be created by splitting the property, the owner(s) would need to plat the new parcel(s).*

*Hanni added that the topography of the existing property does not have area that would be easily turned into a third dwelling site that could meet all zoning requirements.*

*Commissioner Drazkowski asked for confirmation that the existing amount of "prime farmland" rated soils are only present on 12 to 13 percent of the property.*

*Bechel confirmed and referenced a map provided to the Commission showing soil ratings and locations on the property.*

*Commissioner Nystuen questioned how many dwellings could be created if they could meet the requirements.*

*Hanni stated that one additional dwelling is probably the maximum that could be developed due to the topography of the site.*

**It was moved by Commissioner Drazkowski and seconded by Commissioner Fox for the Planning Advisory Commission to:**

- Adopt the staff report into the record;
- Accept the application, testimony, exhibits and other evidence presented into the record; and

recommend that the County Board of Commissioners **APPROVE** the map amendment request from Kevin Mark to rezone parcels 34.010.0701 & 34.003.0801 from A3 (Urban Fringe District) and A2 (General Agriculture District) to R1 (Suburban Residence District).

**Motion carried 7:0.**



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

Request for map amendment, submitted by Jon Brunner (Owner, to rezone 4.28 acres from A3 (Urban Fringe District) to R1 (Suburban Residence District). Parcel 39.006.0900. 46060 186<sup>th</sup> AVE CT, Zumbrota, MN 55992. Part of the NW ¼ of the NE ¼ of Sect 06 Twp 109 R15 in Pine Island Township.

*Bechel presented the staff report and attachments.*

*Hanni added that the City of Zumbrota has historically opposed splits and rezones on land surrounding the City. She noted that the letter from City staff stated that any additional development could impair the ability for city services to be extended into the area.*

*Bechel stated that in conversations with City staff, it was unclear on when this area could be annexed and what the timeframe for extending city services to the property would be.*

*Mr. Brunner added that he has spoken with the City of Zumbrota and he is opposed to being annexed.*

*Commissioner Nystuen asked Mr. Brunner why he is opposed to being annexed into the City of Zumbrota.*

*Mr. Brunner stated he prefers to live in the country and prefers the Township's rural setting.*

*Commissioner Miller questioned if the new structure would be a "shouse" (shed/house) and whether a traditional home would be built in the future.*

*Mr. Brunner confirmed that a shed/house would be constructed on the newly split parcel and that he is not planning to build a traditional home on the property as the structure type and configuration of a "shouse" is more appealing to them.*

*Commissioner Nystuen asked whether the school district is interested in the nearby land.*

*Mr. Brunner stated that his neighbors, the Hendersons, have donated some of their property to a church that wishes to construct a new church building with a school on the land. He was unaware of when that project would begin.*

*Commissioner Nystuen asked if the property the church is interested in borders the Brunner property.*

*Mr. Brunner stated the parcel for the proposed church does not border his property as it is across the street and there is additional land between the proposed church location and his property.*

*Hanni referenced a map provided to the Commission depicting the location of the Brunner property in relation to the Henderson property.*

*Commissioner Draskowski asked for clarification that the Henderson property is adjacent to the City of Zumbrota but the Brunner property is not.*

*Bechel commented that there is also a property owned by Kenneth Berg that abuts the Henderson property, stating that staff is unsure if the Berg property is being considered for annexation as well. He noted that if the Henderson property were annexed into the City, it would not be contiguous with other current City limits.*

*Discussion continued regarding the location of the Brunner property relative to other properties in the City of Zumbrota.*

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**Chair Pettit opened the Public Hearing.**

*Noone spoke for or against the request.*

**After Chair Pettit asked three times for additional comments it was moved by Commissioner Fox and seconded by Commissioner Miller to close the Public Hearing.**

**Motion carried 7:0.**

*Commissioner Miller commented that he had viewed the property and that the proposed use of the property appears appropriate for the area.*

**It was moved by Commissioner Nystuen and seconded by Commissioner Gale to:**

- Adopt the staff report into the record;
- Accept the application, testimony, exhibits and other evidence presented into the record; and

recommend the County Board of Commissioners **APPROVE** the map amendment request from Jon Brunner to rezone parcel 39.006.0900 from A3 (Urban Fringe District) to R1 (Suburban Residence District).

*Commissioner Fox commented that the proposed rezone appears appropriate due to the existence of several R1 zoned parcels along 186<sup>th</sup> Avenue CT.*

**Motion carried 7:0**

**PUBLIC HEARING: Consider Adoption of Conservation Subdivision District**

Hearing to consider the creation of a Conservation Subdivision District in the Goodhue County Zoning Ordinance. The proposed district is intended to provide a residential development option that supports the rural character and residential development goals of Goodhue County, while permanently preserving open space, agriculture, and natural resource areas.

*Hanni reviewed the staff report and attachments.*

*Commissioner Drazkowski asked for clarification on the proposed lot sizes and questioned if there is an incentive to do a shared septic system.*

*Hanni stated the incentive would be the allowance of additional dwellings.*

*Commissioner Gale questioned if a shared system were installed, would MPCA be involved.*

*Bechel reviewed MPCA requirements for septic systems which is based upon the daily flow rate and added that it may be difficult for these lots to reach the 10,000 gallons per day threshold that would trigger MPCA state permit review thresholds.*

*Commissioner Gale questioned the restriction of three horses per five acres and whether a lot with ten acres could have six horses.*

*Staff stated that additional horse allowances had not been considered and that they would look into amending that requirement for more clarity.*

*Commissioner Nesseth asked for clarification on the Townships' role in the Conservation Subdivision. He wanted to ensure that the Townships would have the right to reject or approve a proposal.*

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Hanni stated that staff instructs applicants to go to their Township first before beginning the application process with the County. If the Township said that the proposal was okay, the applicant would go through the County process and the Township would have to sign the plat for it to be valid. Staff would work with the Townships throughout the process to ensure the Township will be satisfied with the plat upon County approval.

Bechel noted that if a Township has its own zoning regulations, the Township would need to amend their zoning to include the Conservation Subdivision. He also noted that the County's Subdivision Ordinance would also need to be updated.

Commissioner Nesseth wanted assurance that the Townships would have a say in whether these were developed.

Hanni stated the conservation easement portion of the Subdivision is a large undertaking and is not something an applicant could casually do without a significant amount of consideration and preparation.

Commissioner Gale commented that if the Township does not want to sign the plat then the project could not be constructed.

Hanni stated that the County's Subdivision Ordinance could be updated to include Township input as a requirement for a Conservation Subdivision. She also reviewed proposed requirements for the conservation areas in the subdivisions, which are less restrictive than other ordinances staff researched.

Commissioner Nystuen questioned if a landowner has 80 acres, can they have more dwellings.

Hanni stated that there could not be more than the maximum amount of dwellings in a Conservation Subdivision, no matter the acreage owned.

Staff noted that an applicant could split 80 acres into two 40 acre Conservation Subdivisions. Staff added they would look into requirements for multiple Conservation Subdivision applications that abutted one another.

Commissioner Miller questioned whether accessory buildings can be constructed as part of the commonly owned area and commented that the maximum of three horses per five acres may be too few animals allowed.

Bechel noted that if one property, either privately owned or the common property, had ten or more horses, it would be required to register as a Feedlot and Feedlots are not allowed in a Conservation Subdivision. However, it could be possible to cap the Conservation Subdivision as a whole at nine horses in order to avoid Feedlot registration requirements.

Commissioner Miller questioned whether each property owner could have a personal horse barn.

Hanni stated that each property can have an accessory structure up to 7,200 square feet and a structure could be constructed on the common property.

Commissioner Nesseth questioned how taxation would be applied to structures on the common property.

Wozniak commented that the common property could be under common ownership and be like a homeowner's association where each owner pays a portion of the taxes for that common property.



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Hanni stated that staff has been discussing whether the common ownership lot should be a separate parcel with a separate parcel identification number, a parcel covered by an easement for access to the residents of the subdivision or something else and what would the ramifications be if the commonly owned parcel were to go tax forfeit. Decisions about how the common ownership would be owned within the Conservation Subdivision were intentionally left open to allow the developer/landowner the ability to determine what would work best for their situation.

**Chair Pettit opened the Public Hearing.**

Paul Novak (Leon Township) stated that he owns 48 acres and there is currently no way for him to construct a dwelling on his property due to density restrictions. He questioned when in the application process does an applicant state how many dwellings they want to construct, because he would like to construct only one dwelling. He was concerned about what the Township may say if an application for a Conservation Subdivision came in and the Township did not want to approve the application because there is the possibility for six dwelling units in any Conservation Subdivision.

Hanni stated that if Mr. Novak were to plat his property in a Conservation Subdivision for one dwelling, he could not come back to apply for another dwelling in the future.

Mr. Novak stated there is only area for one dwelling on his property. He noted there are no zoning tools for him to use to construct a dwelling on his property.

Bechel stated that at the time of application, the developer would have to provide a sketch plan and preliminary plat showing the proposed design of the subdivision.

Commissioner Miller questioned whether it would be a possibility to plat and build just one dwelling.

Commissioner Gale questioned whether allowing a single dwelling in a Conservation Subdivision would be circumventing current policies that do not allow another dwelling due to density restrictions.

Lisa Marty (Featherstone Township) gave her support for the Conservation Subdivision due to the lengthy process an applicant would need to undergo for approval. She questioned how these restrictions would be adopted in Townships that have zoning regulations and Planning Commissions. She questioned if staff had researched other Conservation Subdivisions in other areas to formulate this Ordinance.

Hanni stated that staff did research other Conservation Subdivision type ordinances, however this one has been simplified to give more latitude in the development design.

Bradd Strelow (215 East Main, Cannon Falls) gave his support for the Conservation Subdivision. As a real estate agent he regularly hears from property owners that cannot split their property or build another dwelling due to existing regulations. He questioned whether there would be restrictions to property owners doing three or four Conservation Subdivisions if they own several acres. He also questioned how some Townships' zoning restrictions may affect the design of a Conservation Subdivision due to setbacks etc.

Hanni stated the County is working on the framework and the Townships will have to create their own restrictions.

Bechel noted the County regulations would not supersede Township regulations.

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**7**After Chair Pettit asked three times for additional comments, it was moved by Commissioner Fox and seconded by Commissioner Miller to close the public hearing.

**Motion carried 7:0**

*Bechel clarified the difference between a variance request for dwelling density and a rezone request saying that in a variance request the Board of Adjustment looks primarily for the presence of a "practical difficulty" whereas a rezone has the opportunity for consideration of several variables by the Planning Commission and County Board.*

*Commissioner Gale commented on the potential for the Conservation Subdivision locations to conflict with existing agriculture and existing Feedlots.*

*Hanni clarified that all new dwellings would have to meet minimum setbacks from a dwelling to a Feedlot.*

*Wozniak noted that each application would need to be reviewed on its individual challenges and the Conservation Subdivision may not be appropriate for every parcel in the County.*

*Commissioner Fox agreed that the Conservation Subdivision is not going to be perfect for every area in the County. He noted that some Township Boards may not approve Conservation Subdivision applications because they do not want to impact existing farmland while others may utilize the Conservation Subdivision to increase density where it is currently restricted.*

*Commissioner Gale commented that he did not want to see property owners attempting to squeeze one more house onto their land.*

*Bechel added that a scenario using 40 acres of prime farmland for a Conservation Subdivision would probably be denied.*

*Hanni stated that developers would need to consider who would purchase the lots in their subdivision and the market for the number of people interested in a specific conservation theme.*

*Commissioner Draskowski stated that the subcommittee had looked at the existing density in the County at the beginning stages of planning for the Conservation Subdivision. He noted that there are some sections where no additional development is allowed and this would give Townships a tool to permit additional density.*

*Commissioner Miller stated that Pine Island Township has been wanting additional density tools for a long time because they have a considerable amount of land that is not being farmed and should not be farmed where a Conservation Subdivision could be a good solution.*

*Commissioner Nystuen questioned if the rules of the Conservation Subdivision are easily amended once it is adopted.*

*Hanni stated that if issues arise after the adoption of the Ordinance, revisions could be made by going back through the public hearing process. She also noted that the Townships will need to do their part to adopt regulations before applications can be received.*

**8**Motion by Commissioner Nystuen and seconded by Commissioner Miller for the Planning Advisory Commission to:

Adopt the staff report into the record and recommend that the County Board of Commissioners



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**APPROVE** the adoption of the Conservation Subdivision District.

*Commissioner Nesseth requested staff clarify that Townships will have an opportunity to approve or deny the Conservation Subdivision applications in their Townships.*

*Hanni agreed, stating the Townships will have the beginning say in the Conservation Subdivision application process.*

**Motion carried 7:0**

**5. Other discussion**

*Hanni asked the Commission if there were any recommendations from the Commission regarding the process moving forward with the Conservation Subdivision.*

*Commissioner Nesseth stated he would like staff discuss minimum requirements for the Subdivision, such as allowing only one dwelling in a Conservation Subdivision.*

*Bechel stated that an applicant could apply for and plat three or four lots and build on only one lot.*

*Hanni questioned whether Commissioners would like staff to reach out to the Townships before moving on to the County Board.*

*Discussion continued on Township input and past practices reaching out to the Townships.*

**9 Adjourn: Motion by Commissioner Fox and seconded by Commissioner Miller to adjourn the Planning Advisory Commission meeting at 8:29 PM.**

**Motion carried 7:0**

Respectfully Submitted,

Samantha Pierret; Zoning Assistant

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<sup>1</sup> APPROVE the PAC meeting agenda.  
*Motion carried 5:0.*

<sup>2</sup> APPROVE the previous month's meeting minutes.  
*Motion carried 5:0.*

<sup>3</sup> Motion to close the Public Hearing.  
*Motion carried 7:0*

<sup>4</sup> Recommend the County Board of Commissioners **APPROVE** the request for a map amendment submitted by Kevin Mark (owner), to rezone 35 acres from A3 (Urban Fringe District) to R1 (Suburban Residential District).  
*Motion carried 7:0*

<sup>5</sup> Motion to close the Public Hearing.  
*Motion carried 7:0*

<sup>6</sup> Recommend the County Board of Commissioners Recommend **APPROVE** the request for a map amendment submitted by Jon Brunner (owner) to rezone 4.28 acres from A3 (Urban Fringe District) to R1 (Suburban Residential District).  
*Motion carried 7:0*

<sup>7</sup> Motion to close the Public Hearing.  
*Motion carried 7:0*

<sup>8</sup> Recommend the County Board of Commissioners **APPROVE** the creation of a Conservation Subdivision District in

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*the Goodhue County Zoning Ordinance.*

*Motion carried 7:0*

*9 ADJOURN the Planning Commission Meeting*

*Motion carried 7:0*

UNOFFICIAL UNTIL APPROVED BY THE PAC

# Attachment 1

## Bechel, Ryan

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**From:** Pierret, Samantha  
**Sent:** Monday, June 17, 2019 12:30 PM  
**To:** Bechel, Ryan; Wozniak, Michael; Hanni, Lisa  
**Subject:** Mark Rezone Neighbor Comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

— Nora Avery, one of the neighbors who shares a driveway access with the Mark, property called today to give her comments regarding the re-zone proposal. She and her husband are not in favor of the re-zoning because of the impact it could have on their tax rates and property values. They noted that they had to abide by the 35 acre lot size requirement when they built their home and would not support re-zoning the property to R1.

## Samantha Pierret

Goodhue County  
Zoning Assistant  
651-385-3103

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# Goodhue County Land Use Management

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

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

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*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:** August 19, 2019  
**Report date:** August 9, 2019

## **PUBLIC HEARING: IUP Request for Home Business**

Request for an Interim Use Permit (IUP) submitted by Nick Tennesen (Highview Woodworking) to establish a home-based cabinetry business.

### **Application Information:**

Applicant: Nick Tennesen

Address of zoning request: 32348 59<sup>th</sup> Avenue Cannon Falls, MN 55009

Parcel(s): 41.171.0020

Abbreviated Legal Description: Lot 2 Block 1 of Oxford Oaks Replat in Stanton Township.

Township Information: Stanton Township endorsed acknowledgement of the Applicant's request.

The Stanton Township Planning Commission is holding a public hearing on August 13, 2019 for a 300 square foot structure size variance for the proposed building.

Zoning District: R1 (Suburban Residence District)

### **Attachments and links:**

Application and submitted project summary

Site Map(s)

Goodhue County Zoning Ordinance (GCZO):

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

### **Summary:**

The applicant (Nick Tennesen) has operated Highview Woodworking at his residence for two years. The business designs and builds custom cabinetry for customers. The applicant is requesting an IUP for a Tier-2 Home Business to establish his commercial cabinetry business in an accessory structure that is proposed to be constructed on the property.

Tier-2 Home Businesses are required to receive IUP's in R1 Zoned Districts where business activities are conducted in an accessory structure.

### **Project Summary:**

#### **Property / Building Information:**

- The subject property is the applicant's primary residence and consists of a single parcel comprising approximately 1.09 acres. *Per GCZO Article 11, Section 12 the minimum lot size for a Tier-2 Home Businesses is 20,000 square feet.*
- The property is bordered by R1 zoning districts to the north, south and west; A2 to the east in Cannon Falls Township. Adjacent land uses include medium-density single-family residential to the north, south and west (Oxford Oaks Subdivision) and low density residential to the east (Michael Pederson property).
- The applicant intends to construct an 1,800 square foot "stick-built" detached accessory building for the business. The structure is proposed to be rectangular in shape with two overhead garage doors (one on the west wall and one on the north wall) with a possible loft to be constructed inside the structure.

The proposed structure would accommodate all equipment required for the business.

A building permit will need to be approved by the Goodhue County Building Permits Department prior to construction of the facility.

*Per GCZO Article 11, Section 12 a Tier-2 Home Business may occupy no more than 2,100 square feet of gross floor area on parcels up to 2 acres.*

- No plumbing will be installed in the new structure at this time. The single family dwelling located on the property will be utilized for restroom facilities.
- Solid waste disposal services are provided by a local professional business.
- The business currently does not have any exterior signage. A wall sign may be located above the front door of the new accessory structure which must comply with all Township and County sign ordinance restrictions.
- Exterior lighting is proposed for the accessory structure. The lights will be directed toward the applicant's existing dwelling and the accessory structure.
- No exterior storage of business related materials is proposed.
- Noise, dust, odors, or fumes generated as a result of the cabinet making process will be confined within the proposed structure.

**Business Information:**

- The main activity on-site is cabinet fabrication, which also includes the loading and off-loading of materials and finished products onto trucks and trailers.
- Deliveries will be loaded and off-loaded on site near the applicant's proposed building. An average of 1-2 deliveries are anticipated per week. Deliveries are conducted with a small truck. Weekly shipment quantities may fluctuate with demand.
- Primary hours of operation are proposed to be year-round, Monday through Friday from 7:00 AM to 5:00 PM.
- The applicant does not employ any additional employees.
- Typical equipment utilized for the business includes woodworking equipment (table saws, chop saw, power tools, hand tools, etc.).
- No traffic beyond that which is reasonable for the local transportation network is anticipated.
- The applicant occasionally has customers come to the shop to view samples of products. There is parking space available in the existing driveway for customer vehicles and delivery vehicles.
- Parcel access is located off of 59<sup>th</sup> Avenue Way on the west side of the property. 59<sup>th</sup> Avenue Way is an asphalt-surfaced roadway. Adequate emergency vehicle access is available to service the facility.
- The applicant has a gravel and concrete paved driveway. Additional gravel would be added to access the proposed accessory structure. *Pursuant to GCZO Article 11, Section 16 minimum off-street parking provisions shall be one parking space for every 500 square feet of floor area. A minimum of 4 off-street parking spaces is required for this facility.*

Ample room exists on the property to fulfill parking requirements.

- Goodhue County has not received any complaints regarding the applicant's business operations since it began operating for two years.
- The Stanton Township Planning Commission will conduct a Public Hearing on August 13, 2019 regarding a proposed 300 square foot structure size variance for the proposed building. The maximum size for an accessory building in Stanton Township is 1,500 square feet. The Stanton Township Board will make a final decision regarding the proposal on August 20, 2019.



**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 Home Business 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 for two years without any record of conflicts with existing residential uses in the area.
2. The establishment of the proposed Home Business 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 business operations will be confined within the proposed structure. The use as proposed appears compatible with existing adjacent land uses.
3. A review of the applicant's submitted project summary indicates adequate utilities, access roads, drainage and other necessary facilities are available to accommodate the proposed use.
4. The property has existing 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 Home Business will be conducted primarily within the accessory structure to prevent and control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance.

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

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

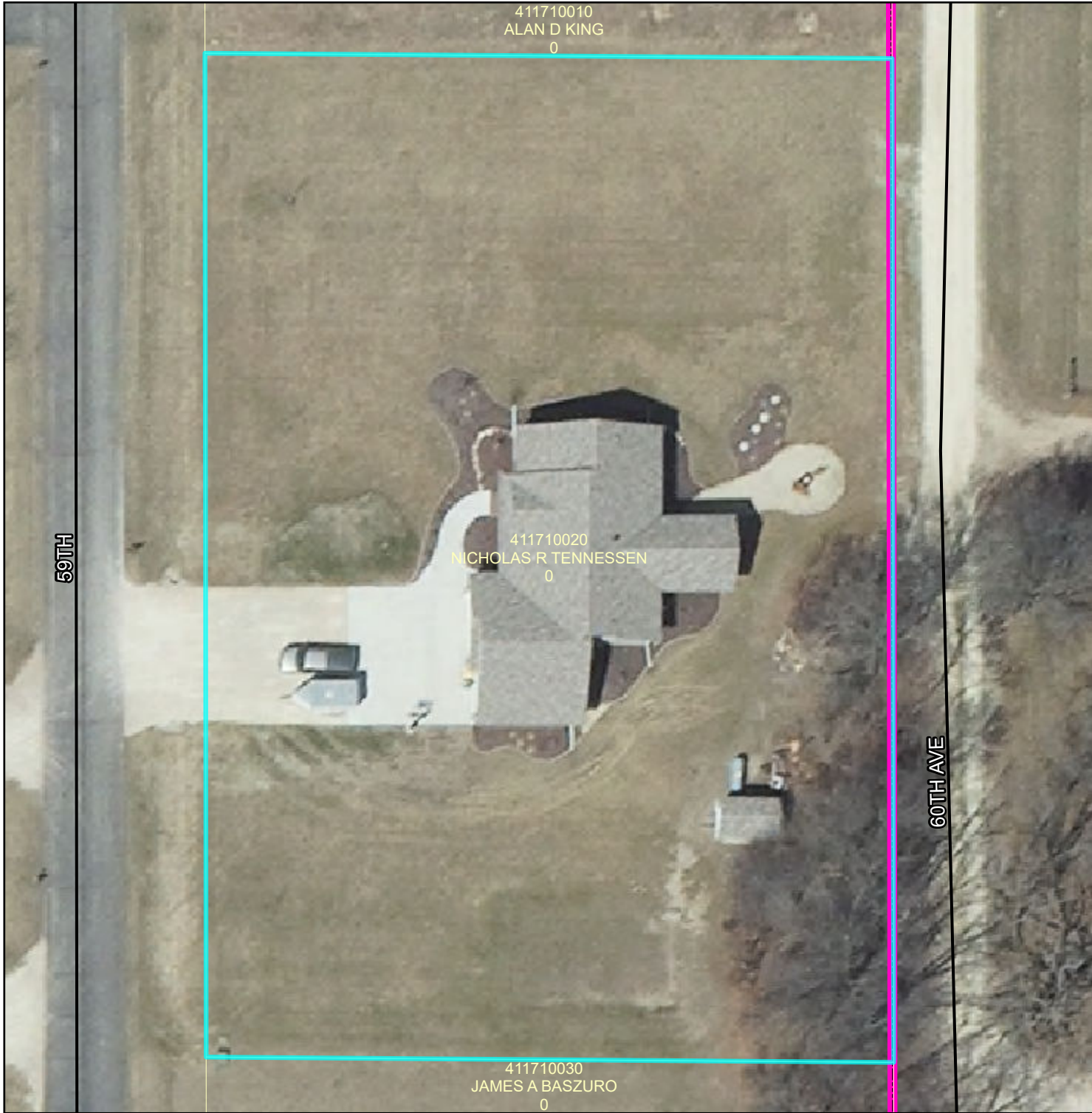
- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

Recommend that the County Board of Commissioners **APPROVE** the request from Nick Tennesen for an IUP to reestablish a Tier-2 Home Business.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. Primary hours of operation shall be Monday through Friday, 7:00 AM to 5:00 PM;
3. On-street parking shall be prohibited;
4. On-street loading or off-loading shall be prohibited;
5. Applicant shall obtain Building Permit approvals for the proposed structure from the Goodhue County Building Permits Department prior to constructing the building;
6. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
7. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, Section 12, Home Businesses and Article 24 R-1, Suburban Residence District.

# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

Public Hearing  
August 19, 2019

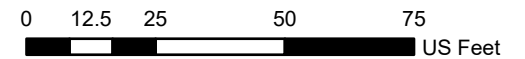
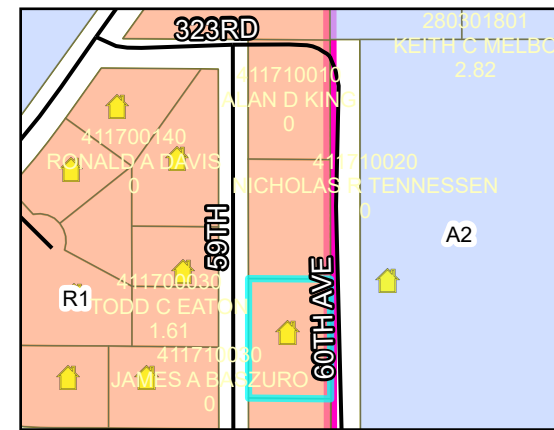
Nick Tennesen  
R1 Zoned District

Parcel 41.171.0020  
Lot 2 Block 1 of Oxford Oaks Replat  
in Stanton Township

Request for an IUP to establish a home-based cabinetry business.

### Legend

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



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Map Created August, 2019 by LUM



# GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 41-171-0020

Permit# Z19.0036

PROPERTY OWNER INFORMATION			
Last Name <u>Tennessee</u>	First <u>NICK</u>	Email:	
Street Address <u>32348 59<sup>th</sup> Ave Way</u>			Phone:
City <u>Cannon Falls</u>	State <u>MN</u>	Zip <u>55009</u>	Attach Legal Description as Exhibit "A" <input type="checkbox"/>
Authorized Agent		Phone	
Mailing Address of Landowner:			
Mailing Address of Agent:			
PROJECT INFORMATION			
Site Address (if different than above):			
Lot Size <u>1.09 acres</u>	Structure Dimensions (if applicable)		
What is the conditional/interim use permit request for? <u>Running a Cabinet business out of a shop</u>			
Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized <u>-I am a one person Cabinet shop looking to get more space for my business.</u> <u>-I Don't see any potential conflicts with the land use.</u>			
DISCLAIMER AND PROPERTY OWNER SIGNATURE			
<i>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.</i>			
Signature of Landowner:		Date <u>7-23-19</u>	
Signature of Agent Authorized by Agent:			
TOWNSHIP INFORMATION			
Township Zoning Permit Attached? <input type="checkbox"/> 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 <u>Robert Benson</u>	Title <u>Vice Chair</u>	Date <u>7-23-19</u>	
Comments:			
COUNTY SECTION			
COUNTY FEE \$ <u>350</u> RECEIPT # _____      DATE PAID _____			
Applicant requests a CUP/IUP pursuant to Article _____ Section _____ Subdivision _____ of the Goodhue County Zoning Ordinance			
What is the formal wording of the request?			
Shoreland _____ Lake/Stream Name _____ Zoning District _____			
Date Received _____ Date of Public Hearing _____ DNR Notice _____ City Notice _____			
Action Taken: _____ Approve    _____ Deny    Conditions:			



## GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

**PROJECT SUMMARY**

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

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

- Run a Cabinet business out of my Shop
- I have customers stop by sometime.

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

- Currently using my Garage as work space.
- Plans to build a shop on my Property in the near future.

3. Proposed number of non-resident employees.

0

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

Mon - Fri      7am - 5pm      All year

5. Planned maximum capacity/occupancy.

NA

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

- deliveries of materials one to two times a week
- I have a large driveway to accept small delivery trucks, Driveway

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

- Not needed for my business
- I have a large driveway that can fit 9 cars

8. Proposed solid waste disposal provisions.

- We have Garbage Service

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

- No Waste water / water service for new structure
- existing septic serves house already

10. Existing and proposed exterior lighting.

- lights on the front of the building

11. Existing and proposed exterior signage.

- none existing

- Proposed small sign on service door of future shop  
(to meet township standards)

12. Existing and proposed exterior storage.

none

13. Proposed safety and security measures.

- motion lights

- Possible security cameras on the future shop

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

- easily accessible

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

- minimal noise (table saw, chapsaw)

- I have dust collectors/filters for my machines

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

- none currently

- With future shop it will match existing home.

17. Existing and proposed surface-water drainage provisions.

- We have proper drainage that feeds around the house to the ditch

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

none

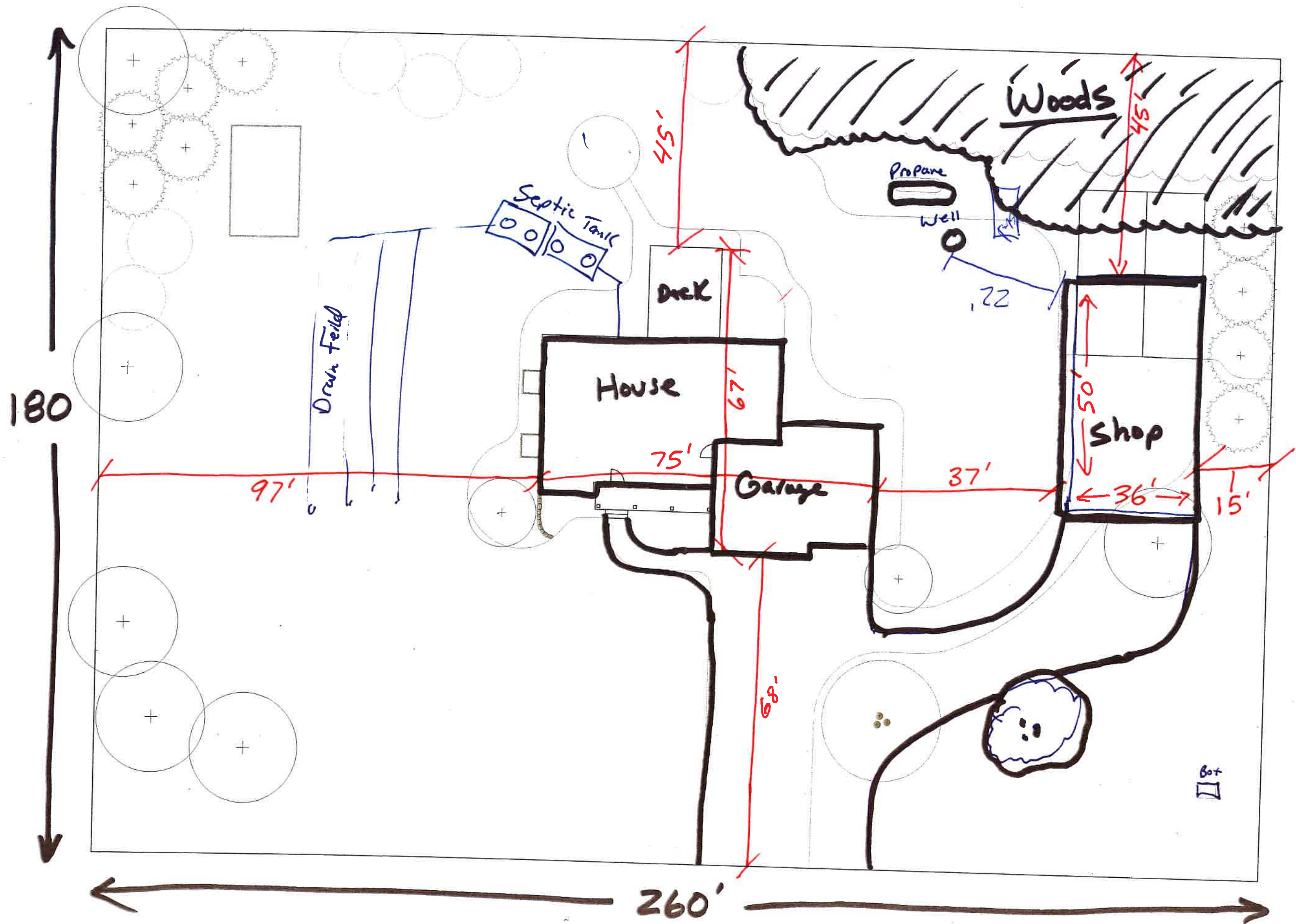
19. Provide any other such information you feel is essential to the review of your proposal.

none









Dimensions, notes, details and conformation to all local codes are to be verified by owner and contractor prior to the start of construction. Phillips Planning, Inc. will assume no responsibility for same after commencement of construction.

REVISIONS


**TENNESSEN SHOP**

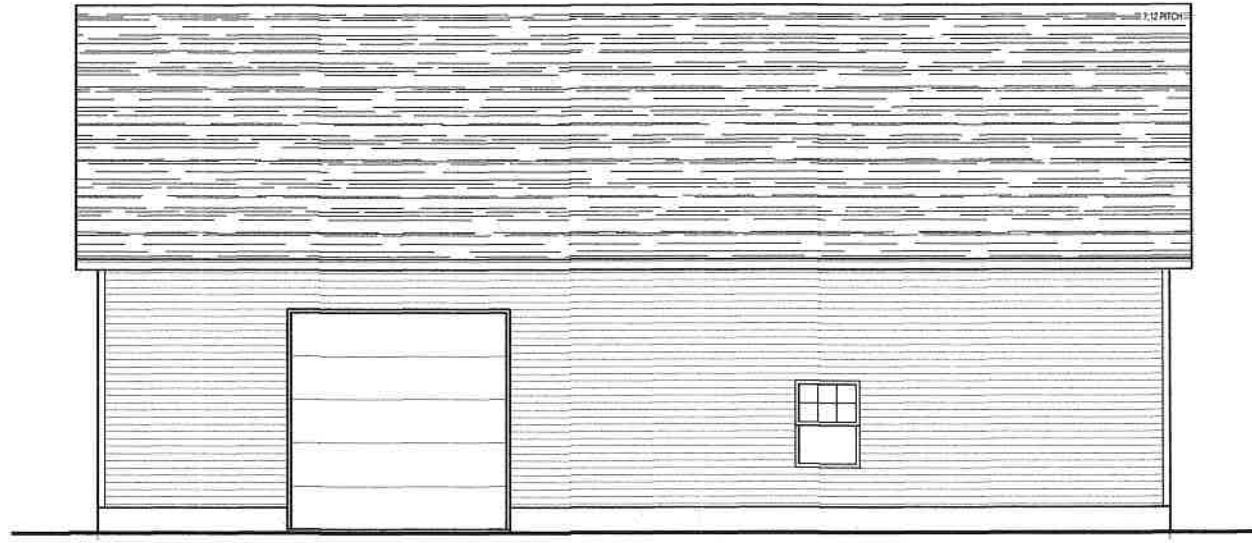


phillipsplanning, inc.  
13754 FRONTIER COURT  
SUITE 100  
BURNSVILLE, MN 55337  
(952) 432-2044  
www.phillipsplan.com

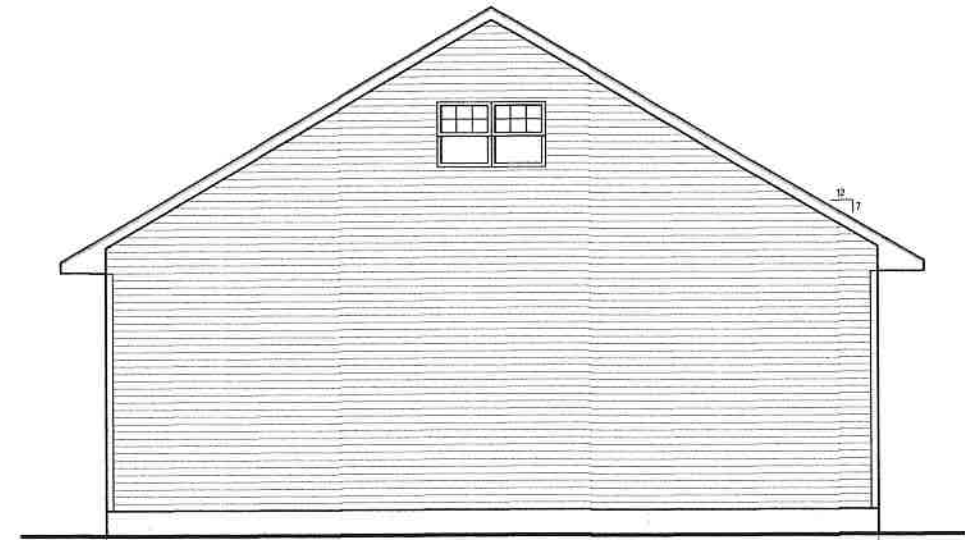


1 / 2

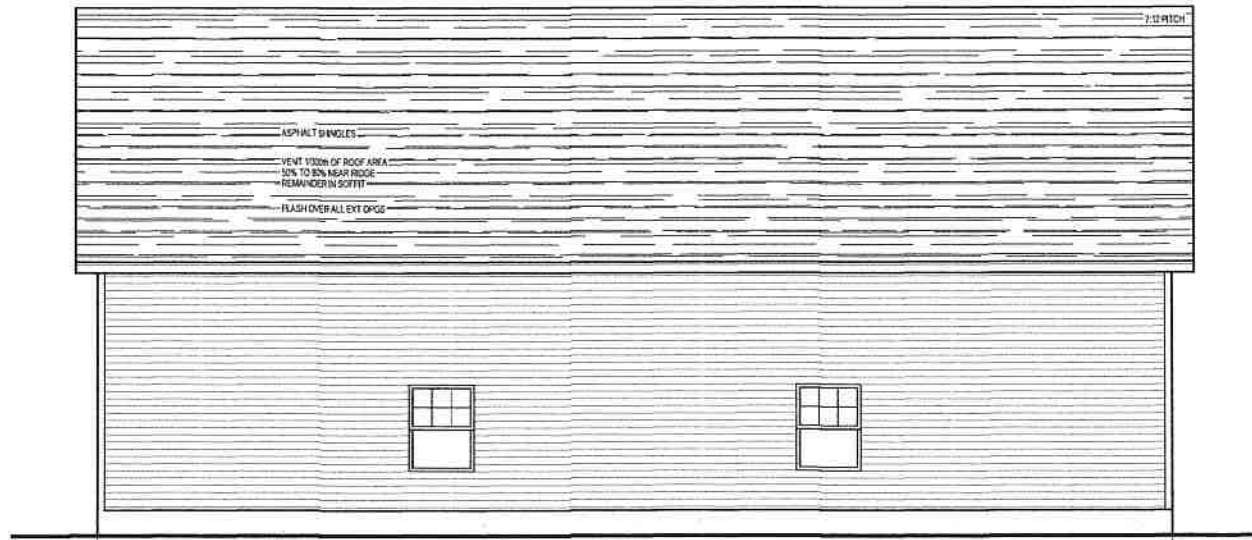
© COPYRIGHT 2019  
PHILLIPS PLANNING, INC.



**NORTH ELEVATION**  
1/4"=1'-0"

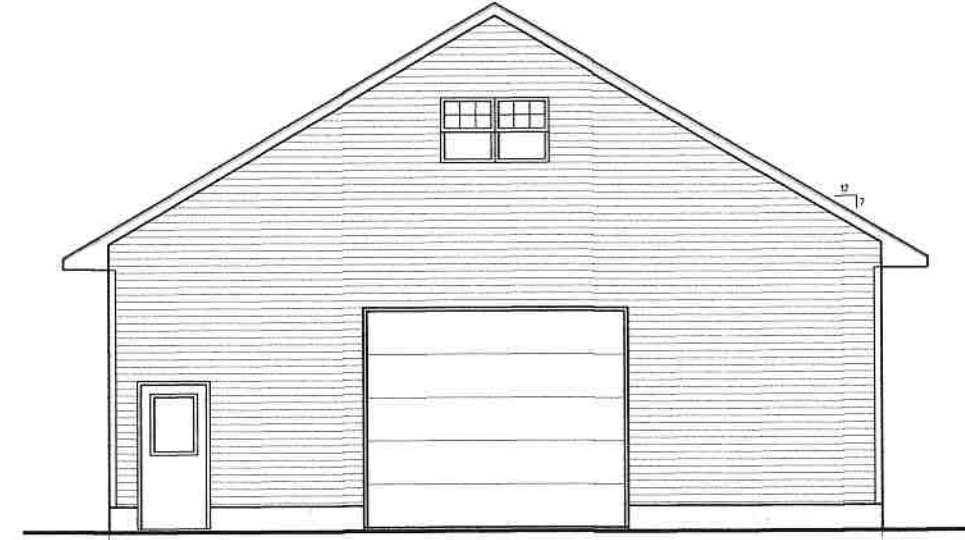


**EAST ELEVATION**  
1/4"=1'-0"



**SOUTH ELEVATION**  
1/4"=1'-0"

MAINTAIN 6" MIN. SEPARATION WOOD TO EARTH  
ALL EXTERIOR FTGS TO BE  
42" MIN BELOW FINISH 2 GRADE



**WEST ELEVATION**  
1/4"=1'-0"

PLAN# **16-0303A3-B**





# Goodhue County Land Use Management

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

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

*County Surveyor / Recorder*

Building | Planning | Zoning  
Telephone: 651.385.3104  
Fax: 651.267.4875



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

**To:** Planning Advisory Commission

**From:** Land Use Management

**Meeting Date:** August 19, 2019

**Report Date:** August 9, 2019

**PUBLIC HEARING: SES Conditional Use Permit Amendment Request**

Request to amend CUP z17-0043 submitted by Park Avenue Solar Solutions LLC (applicant) and Hader Farms Partnership (owners) to modify approved site plan and vegetative screening requirements for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 5.0 acres

**Application Information:**

Applicant(s): Park Avenue Solar Solutions LLC

Address of zoning request: 14373 ST HWY 60 BLVD, Zumbrota, MN 55992

Parcel 38.028.1800

Zoning District: A1 zoned district

Short Legal Description: Part of the SE ¼ and E ½ of SW ¼ Sec 28 Twp 110 Range 16 in Minneola

Township Information: The Applicant presented the Site Layout/Landscape Plan to the Minneola Township Board of Supervisors at their meeting in March 2019. The Township was satisfied and approved the plans presented at that meeting. The current proposal includes the same Landscape Plan but places the Solar Panels further from the nearest residential neighbor (Travis Devlaeminck).

**Attachments:**

- CUP Application Form requesting an amendment to the Site Layout for the FastSun 11 – Utility-Scale Solar Project.
- Letter from Paula Kalinosky, PE (EOR), dated July 31, 2019
- Attachment A: FastSun 11 Site Layout approved by CUP by County Board on October 3, 2017.
- Attachment B: FastSun 11 Grading and Drainage Plan for revised layout
- Site Map(s)
- Attachment C: FastSun 11 Site Layout, Grading and Draining Plan submitted with Building Permit Application (approved on April 15, 2019)
- Attachment D: FastSun 11 Landscape Plan
- Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

**Background:**

Park Avenue Solar Solutions, LLC, has proposed an amendment to the Conditional Use Permit (CUP) for the FastSun 11 Utility-Scale Solar Energy System (SES) approved by the County Board on October 3, 2017. The scope of the proposed CUP Amendment is limited to the site layout including the grading and drainage plan.



The Site Layout (Attachment C) for the project that was approved by the County Board in October of 2017, was a revision from the plan included with the initial CUP Application submitted for consideration to the Planning Commission in June of 2017. The revision was submitted to the County after consideration of the CUP Application was tabled at the July 2017 Planning Commission Meeting.

The specific action taken by the Planning Commission on July 17, 2017, was to “Table the request for a CUP for a Utility-Scale Solar Energy System, the Photovoltaic Ground 1 MW Solar Energy System, for further discussion of impacts to farmland, visual buffering of adjacent properties, and visual impacts to Highway 60.”

Following the tabling, the Applicant then submitted a revised site plan for consideration at the September 18, 2017 Planning Commission meeting. At this meeting, *Mark Zweig (Applicant representative), commented that “per the recommendation by Minneola Township they had met with the adjacent landowner and confirmed moving the project as far west as possible and establishing vegetative buffers and establishing native ground cover.”* The approved plan would result in solar panels being sited approximately 268 feet west of the west boundary of the Devlaeminck Property located to the east of the project site.

Normally a CUP must be implemented within one year from the date of approval by the County Board. The original applicant for the project, Sunrise Solar, submitted a written request for a one-year extension to implement the CUP which was approved by the Zoning Administrator. The project was subsequently sold and a building permit was submitted to the County by REC Commercial Solar Corporation on January 23, 2019 and was issued on April 15, 2019. The project was then acquired by Altus Power America who has formed a limited liability corporation (Park Avenue Solar Solutions LLC) which would be the entity intending to own and operate the project.

It is important to note that the Applicant (Weber Planning on behalf of Sunrise Solar) for the CUP proposed the revised site plan to move the project as far west on the property as possible to mitigate impacts on the abutting property, namely the Devlaeminck property. Vegetative screening was proposed in addition to the increased setback distance to further mitigate visual impact concerns.

Upon review of the building permit application for the project, County staff inadvertently compared the submitted site layout with the plan submitted with the initial (June 2017) CUP application instead of the final site plan approved by the County Board (October 2017). The site layout would result in the solar panels being located within approximately 90 feet of the Devlaeminck’s west property line. This would result in the nearest edge of the solar panels being located approximately 178 feet closer to the Devlaeminck property than the site plan approved by the County Board through the CUP process.

The discrepancy was found following concerns by the abutting property owner as the fence was being constructed to surround the project area. The Building Permit Applicant was contacted and a Stop Work Order was issued by the County Building Official on May 15, 2019.

Since the issuance of the Stop Work Order, Land Use Management Staff have been working with the representative of Altus Power America, Tony Savino (Managing Partner/Head of Construction) and a consultant for the project with Emmons and Oliver Resources, Inc. (EOR – Paula Kalinosky, PE) to reconcile the discrepancy. Land Use Management Staff informed Mr. Savino and Ms. Kalinosky that in order for the project to proceed with a revised site layout that Park Avenue Solar Solutions LLC would need to request an amendment to the original CUP issued by the County Board.

In a letter from Paula Kalinosky of EOR (dated July 31, 2019), the reasons for the requested amendment to the CUP for the FastSun 11 Project are set forth. It is noted in the letter that site design changes were necessitated by NPDES Construction Stormwater Permit requirements and general site constraints. Ms. Kalinosky further notes that the revised layout included with the proposed amendment also addresses the discrepancy between the setback from the Devlaeminck Property identified in the CUP (October 3, 2017) and the plan included with the Building Permit approved on April 15, 2019.

Stormwater Management: The plans submitted by Weber Planning on behalf of Sunrise Solar with the original CUP Application in June of 2017 has a detailed grading and drainage plan. Some changes to the site layout for the solar array were inevitable in order to meet Stormwater Permit requirements. The Applicant has noted that the primary reason for design changes following the CUP approval in 2017 has been to comply with Minnesota stormwater regulations.

Vegetative Screening: The Applicant has noted that “the civil site plans submitted to Goodhue County for the Building Permit and Minneola Township for the Township Zoning Application in March 2019 included revisions set forth in (Attachment B). The Township expressed concerns regarding the proximity of the array to the Devlaeminck’s residence in the revised plan. To address these concerns, a second line of Black Hills Spruce was added to the vegetative screening plan along the eastern project boundary.” The Applicant has also noted that “the final vegetation screening plan, which also includes a line of Cardinal Dogwoods along the eastern boundary (3 lines of vegetation in total), is quite robust and exceeds typical vegetative screening required at zoning boundaries. Minneola Township released the Township Zoning Application on April 13, 2019, satisfied with the proposed screening and site layout. A copy of the FastSun 11 Landscape Plan is included with this report as Attachment D.

The proposed screening reflects a significant effort to create some visual separation and beautification to mitigate potential negative visual impacts to adjacent landowners, especially for the Devlaeminck property.

Summary:

The Applicant has noted that “because the site layout must include stormwater management facilities in accordance with the Stormwater Permit and CUP itself, it was not possible to revert to the layout proposed during the CUP application process. EOR then worked with the electrical engineer to revise the footprint of the solar array, while accommodating the civil site design shown on plans submitted for the Building Permit application. The electrical engineer was able to provide a layout for the solar array that required some changes to the access road alignment, but increased the setback distance from the Devlaeminck property to approximately 237 feet without compromising site access design or required stormwater management.”

The Site Layout included with the approved CUP (October 3, 2017) called for the nearest Solar Panels to be located approximately 268 feet from the Devlaeminck property boundary and 337 feet from the Devlaeminck Dwelling (see Attachment A).

The Site Layout included with the Building Permit (approved April 15, 2019) would have resulted in the nearest panels being located approximately 90 feet from the Devlaeminck property boundary or 159 feet from the Devlaeminck Dwelling (see Attachment C) but with an added row of vegetative buffer to help offset the setback reduction.

**The revised Site Layout that has been proposed as part of this CUP Amendment Application would result in a setback for the solar panels of approximately 160 feet from the Devlaeminck Property boundary and 237 feet from the Devlaeminck Dwelling (see Attachment B).**

Numerous factors contributed to the confusion and lack of clarity resulting in the discrepancy between the site layout approved by CUP and the layout submitted as part of the Building Permit Application. The reasons for the changes with the exception of the vegetative buffering were not clearly explained to County staff. The delay in moving forward with the project, the sale of the project to a different company, and the fact that the revised plan resembled the original site layout all contributed to all parties overlooking the discrepancy between the site layout approved by the CUP and the layout submitted with the Building Permit Application.

The revised site layout included with the CUP Amendment Application as Attachment C represents a good faith effort by the applicant Park Avenue Solar Solutions LLC, to devise a design solution consistent with the intent of the site layout approved by the County Board on October 3, 2017.

*(The Findings of Fact from the approved CUP are recopied below and should remain applicable for the CUP if amended as proposed by Park Avenue Solar Solutions LLC.*

**Findings of Fact:**

1. The Utility-Scale Solar Energy System being proposed is not anticipated to be injurious to the use and enjoyment of other property in the immediate vicinity nor is it expected to substantially diminish and impair property values within the immediate vicinity. A vegetative buffer plan has been included with the project submittals.
2. The Utility-Scale Solar Energy System is expected to be compatible with immediately surrounding land uses and is visually buffered by the topography and land cover from nearby residential properties.
3. The proposed Utility-Scale Solar Energy System will not impede normal and orderly development and improvement of surrounding property.
4. Access to the site of the community solar garden will be from Highway 60. The internal service drive will be grass-covered to facilitate the site being returned to farming after decommissioning. The applicant is providing access driveways that will provide sufficient parking for maintenance vehicles or visitors to the site. The majority of vehicular access generated by the Utility-Scale Solar Energy System will be during construction and decommissioning.
5. The proposed Utility-Scale Solar Energy System will not create offensive odor, fumes, dust, noise or vibration. During project construction, noise will be emitted by the construction vehicles and equipment, including vibratory pile drivers for installation of piers. Noise will be mitigated during construction by maintaining engine mufflers following manufactures specifications. Construction will be limited to daylight hours. During operation, no adverse noise impacts are anticipated.
6. The proposed Utility-Scale SES conforms to performance standards set forth in Article 19, (Solar Energy Systems).

**Staff Recommendation for Conditional Use Permit for Park Avenue Solar Solutions LLC – Utility-Scale Solar Energy System:**

*Based upon the Applicant's request and staff review, it is advised that the Planning Advisory Commission act to revise the conditions that were associated with the Conditional Use Permit for the FastSun 11 Utility-Scale Solar Energy System Project approved by the County Board on October 3, 2017. Text being removed is noted with the strikethrough symbol (sssss) and text being added is shown in bold font in italics (bbbb).*

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;
- amend existing conditions #1 and #5 as regarding site layout and vegetative screening as noted below; and

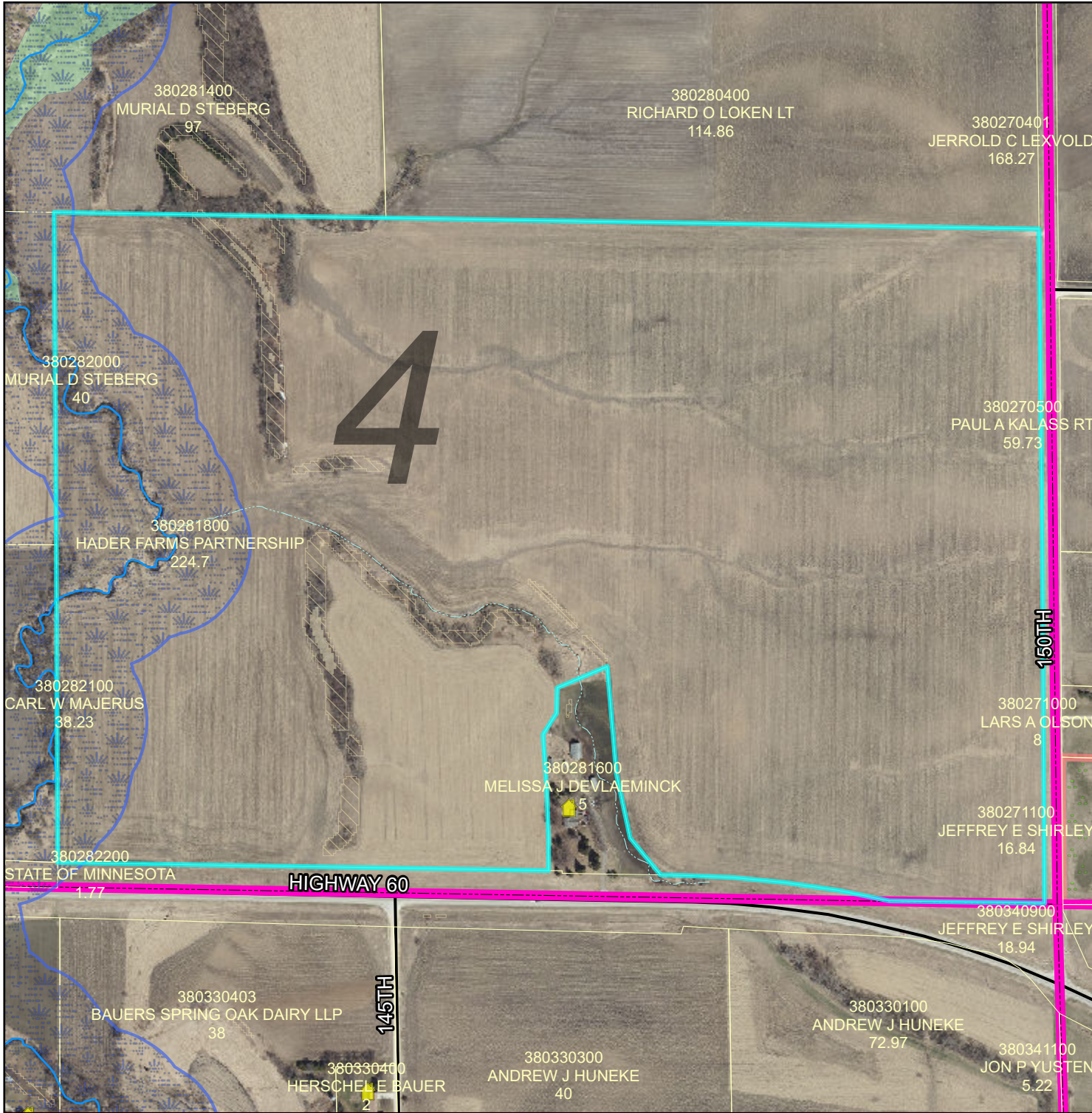
Recommends that the County Board of Commissioners **APPROVE** the request to amend CUP z17-0043 submitted by Park Avenue Solar Solutions LLC (applicant) and Hader Farms Partnership (owners) to modify approved site plan and vegetative screening requirements for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 5.0 acres

Subject to the following conditions:

1. The Applicant shall ~~work with the Goodhue County Soil and Water Conservation District to establish and maintain a vegetative buffer to include coniferous plantings near the eastern edge of the leased area near the Devlaeminck house and the southern edge near Hwy 60, as submitted~~ ***as referenced in CUP Application #Z19-0037, Letter from EOR dated July 31, 2019 and illustrated in Attachment D.***
2. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
3. Compliance with Goodhue County Zoning Ordinance; including but not limited to Article 19 Solar Energy System (SES) Regulations;
4. The owners will cooperate with inspections of the facility in coordination with Land Use staff;
5. The project is limited in location, size, and scope according to the submitted ***plan (revised site layout submitted with CUP Application #Z19-0037 as Attachment B)*** proposed in the application submittals; minor adjustments may be made to the site plan with approval from the Zoning Administrator;
6. The project must be decommissioned according to Article 19 Section 6 of the Goodhue County Zoning Ordinance;
7. A decommissioning agreement between the landowner and the solar energy system company must be maintained to assure that the area is reclaimed;
8. The Conditional Use Permit must be reviewed administratively every 5 years;
9. LUM staff will be notified within 30 days by the landowner or solar company if there are any ownership or operator changes;
10. The Applicant shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix of native vegetation to establish on disturbed areas of the site after the project equipment is installed.
11. This CUP will expire 30 years from the date of approval of the project by the Goodhue County Board.



# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

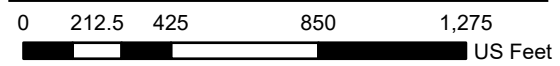
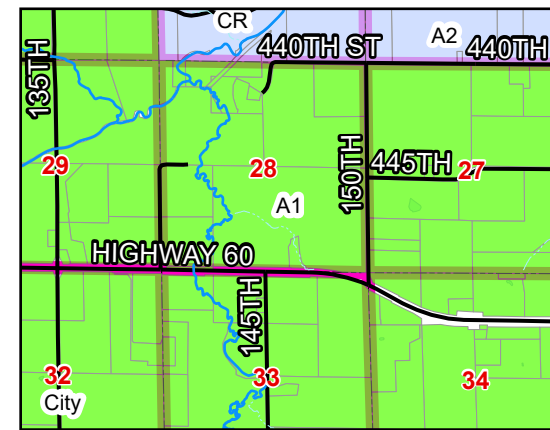
Public Hearing  
 August 19, 2019  
 Park Avenue Solar Solutions LLC  
 A1 Zoned District

Parcel 38.028.1800  
 Part of the SE 1/4 and E 1/2 of SW 1/4  
 Sec 28 Twp 110 R16  
 in Minneola Township

CUP Amendment to modify approved site plan and vegetative screening requirements for a Utility-Scale Photovoltaic Ground 1MW Solar Energy System.

### Legend

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



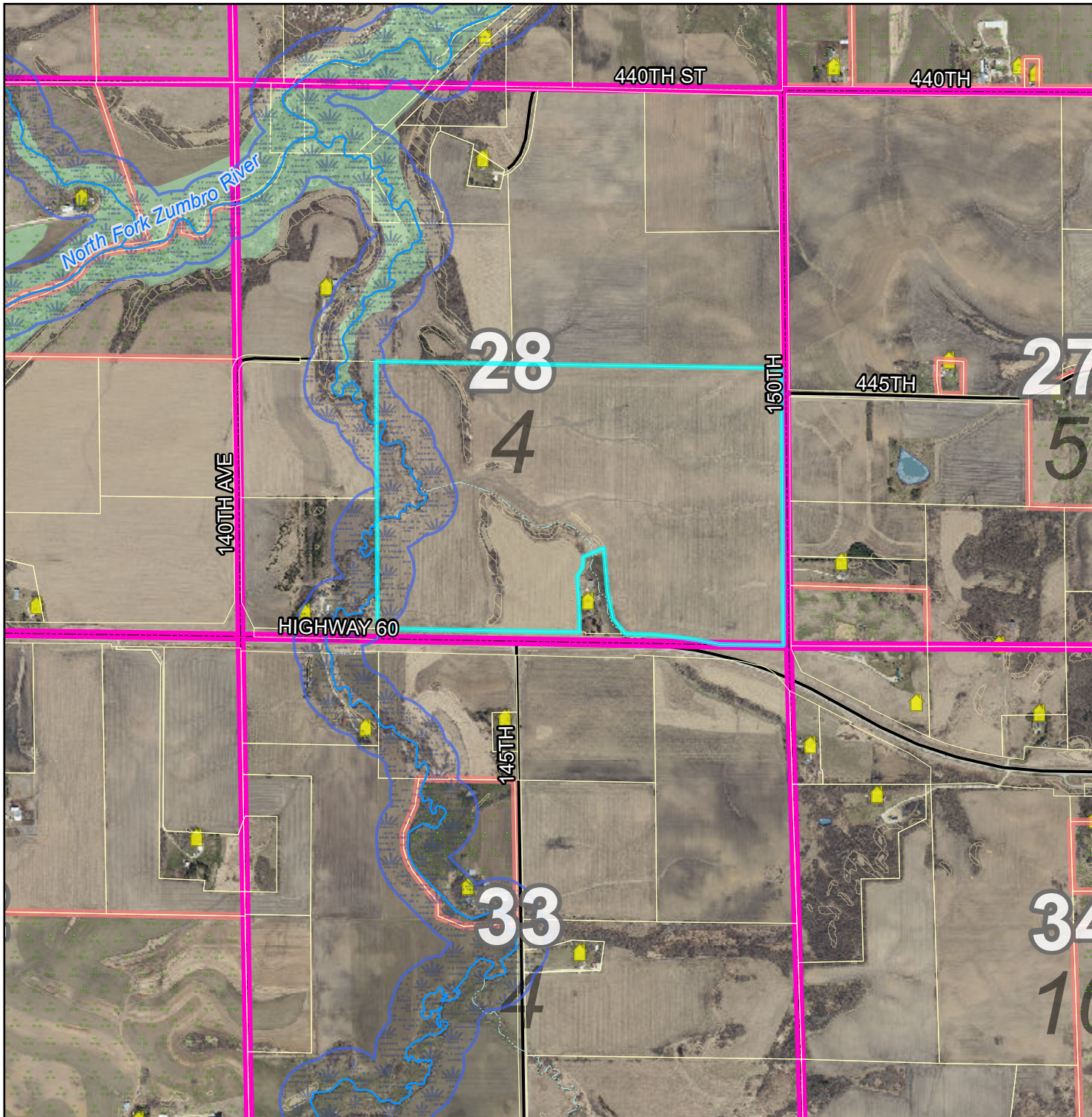
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 Map Created August, 2019 by LUM





# MAP 02: VICINITY MAP



## PLANNING COMMISSION

Public Hearing  
July 29, 2019

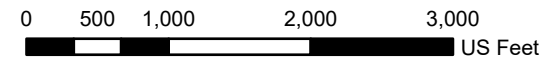
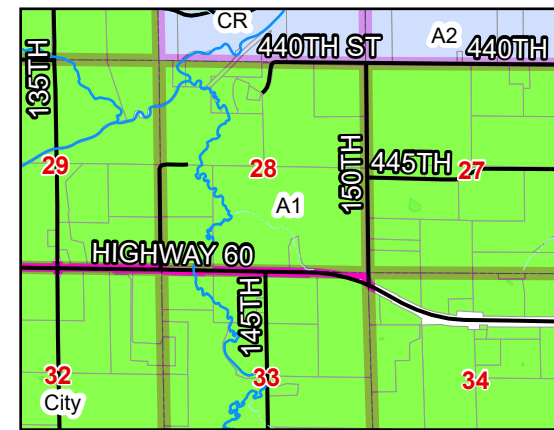
David Lorentz  
A2 Zoned District

Parcel 31.018.0901  
Part of the SE ¼ of NW ¼,  
N1/2 of SE ¼, and N ½ of  
SW ¼ of Sect 18 Twp 112 R15  
in Featherstone Township

After-the-fact variance request to grade,  
excavate, or fill within a bluff impact zone

### Legend

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



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2018 Aerial Imagery  
Map Created August, 2019 by LUM





July 31, 2019

Michael Wozniak, AICP  
Planner and Zoning Administrator  
Goodhue County Government Center  
509 W. 5<sup>th</sup> Street  
Red Wing, MN 55066

**RE: Request for Amendment to Goodhue County CUP, File #Z17-0042, FastSun 11 Solar Garden**

Dear Mr. Wozniak,

On behalf of our client, Park Avenue Solar Solutions, LLC, we are requesting an amendment to Condition Use Permit #Z17-0042 (CUP) for the FastSun 11 solar garden site to allow site design changes that were necessitated by NPDES Construction Stormwater Permit requirements and general site constraints. Goodhue County Building Permit #19-0013 was issued for this project in April 2019, but a Stop Work Order was issued at the site on May 15th, 2019, citing fence line and setbacks allegedly not in compliance with plans approved by the County as part of the CUP (Attachment A). The proposed amendment to the CUP consists of a revised site layout in which the setback distance from the adjacent property to the east has been maximized to the extent practical given site constraints and various other permit requirements. The proposed site plan is included as Attachment B. The rationale for proposed design changes is described below.

The primary reason for design changes following the CUP approval in 2017 has been the need to comply with Minnesota stormwater regulations. The project is subject to regulation by the State under Permit MNR100001, Minnesota's NPDES Construction Stormwater Permit (Stormwater Permit). Condition 2 of the CUP requires compliance by the permittee with all federal and state regulations and permits. To comply with the Stormwater Permit, the owner must provide permanent stormwater management facilities on the site. To meet the performance standards laid out in the Stormwater Permit, a stormwater basin was located within the down-gradient (west) portion of the lease area at the site to capture and treat water from the access road and solar panels. The location of the solar array was necessarily shifted eastward to make room for the stormwater basin. The configuration of the solar array on the revised plans reflects preferred stringing configurations and equipment setbacks as determined by the solar array design team.

The civil site plans submitted to Goodhue County for the Building Permit and Minneola Township for the Township Zoning Application in March 2019 included the revisions described above (Attachment B). The Township expressed concerns regarding the closer proximity of the array to the Devlaeminck residence in the revised plan. To address these concerns, a second line of Black Hills spruce was added to the vegetative screening plan along the eastern project boundary. The final vegetative screening plan, which also includes a line of Cardinal Dogwoods along the eastern boundary (3 lines of vegetation in total), is quite robust and exceeds typical vegetative screening required at zoning boundaries. With these changes, the Township released the Township Zoning Application on April 13<sup>th</sup>, 2019, and the County raised no further objections and the Building Permit was issued.

Despite these approvals, on May 15th, Goodhue County issued a stop work order with respect to the building permit, stating that fencing and project setbacks were not in compliance with the final Site Plan submitted to the Planning Commission and approved by the Goodhue County Board in conjunction with the CUP. EOR sent a response letter to the Planning and Zoning Administrator on June 11<sup>th</sup> explaining the necessity of site design changes and seeking a path forward. The County provided a response to the

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EOR letter dated June 28<sup>th</sup>, 2018 stating that design changes shown on plans approved as part of the Building Permit application would need to be reviewed by the Planning Advisory Commission and County Board as a proposed amendment to the CUP. Alternatively, the County offered that the site layout could be modified to provide consistency with the layout approved as part of the CUP.

Because the site layout must include stormwater management facilities in accordance with the Stormwater Permit and the CUP itself, it was not possible to revert to the layout proposed during the CUP application process. EOR then worked with the electrical engineer to revise the footprint of the solar array, while accommodating the civil site design shown on plans submitted for the Building Permit application. The electrical engineer was able to provide a layout for the solar array that required some changes to the access road alignment, but increased the setback distance from the Devlaeminck property to approximately 237 feet without compromising site access design or required stormwater management.

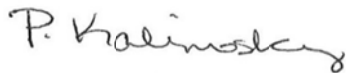
To accommodate the proposed array layout, other elements of the site layout were revised including:

- Removal, relocation, and reconstruction of the equipment pad for inverter equipment.
- Relocation of the screening line along the south project boundary approximately 20 feet further south.
- Removal and relocation of gravel and geogrid underlayment where the existing turn out intersects revised screening along the south side of the project area
- Revisions to the chain link fence alignment
- Revisions to seeding areas

The overall configuration of the site layout and footprint of the array in the revised civil site plan remain consistent with the September 2017 layout. Given the need to accommodate permanent stormwater facilities on the site, it is not possible to provide a setback equal to that shown on the site layout originally developed by Sunrise Energy Ventures. By working with the solar array designer, we have been able to provide a side-yard setback of approximately 160 feet (setback from residence 237 feet). The increased setback along with the much more robust screening vegetation will further mitigate potential visual impacts to the adjacent residential property.

Thank you for your consideration of this matter. Park Avenue Solar and EOR have worked in good faith to satisfy the requirements of all applicable permits and ask that the Planning Advisory Commission recommend approval of this proposed amendment to the CUP.

Sincerely,

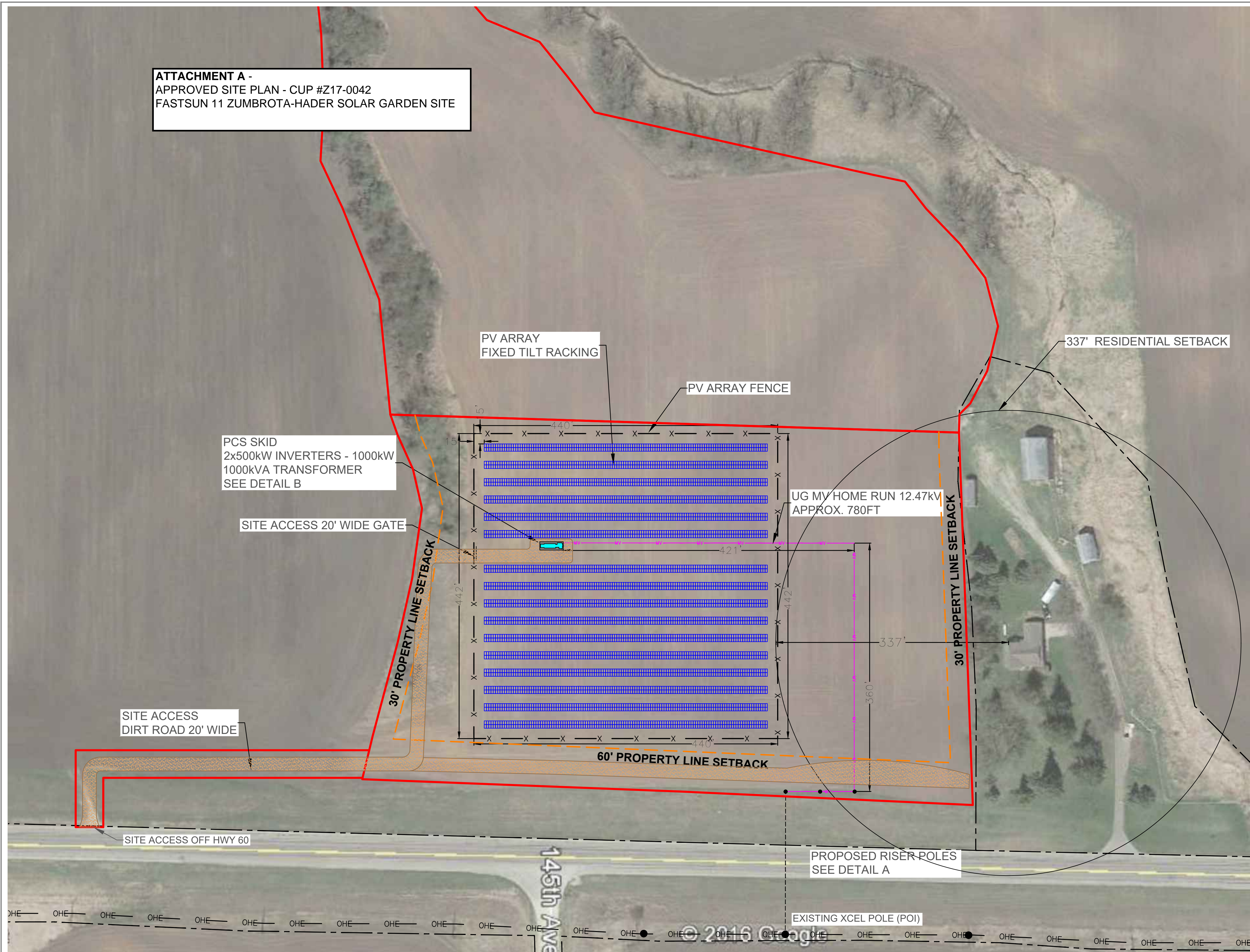


Paula Kalinosky, PE  
Emmons and Olivier Resources, Inc.

cc: Tony Savino  
Bill Edwards  
Ryan Fleming  
Maria Law  
Jeff Paulson



**ATTACHMENT A -  
APPROVED SITE PLAN - CUP #Z17-0042  
FASTSUN 11 ZUMBROTA-HADER SOLAR GARDEN SITE**



**FASTSUN 11**  
1.35MWdc / 1.0MWac

SYSTEM VOLTAGE: 1000V

MODULES: TRINA TALLMAX PLUS 335W  
QTY: 4,032

TOTAL STRINGS: 224 (18 MODULE STRINGS)

INVERTERS:  
SOLECTRIA 500XTM - 500kW - QTY: 2

INVERTER SKID:  
2x500kW INVERTERS  
1000kVA TRANSFORMER

FIXED TILT GROUND MOUNT  
2X18 TYPICAL RACKS: 112  
DRIVEN PIER FOUNDATION

- LEGEND:**
- PARCEL BOUNDARY LINE
  - PROPOSED LEASE AREA - 20 AC
  - PROPERTY LINE SETBACK AS NOTED
  - FENCE LINE - 4.5 ACRES
  - UNDERGROUND MV HOME RUN
  - PROPOSED NEW ACCESS ROAD
  - OHE--- EXISTING OVERHEAD LINE
- PV SYSTEM CONFIGURATION:**
- AZIMUTH: TRUE SOUTH (180°)
  - TILT ANGLE: 35°
  - EDGE TO EDGE ROW DISTANCE: 25ft
  - DISTANCE BETWEEN ROWS: 14.5ft
  - MODULE WIDTH: 6.42ft
  - GROUND COVERAGE RATIO: 0.42
  - GROUND CLEARANCE: MIN 24"

**FASTSUN 11**

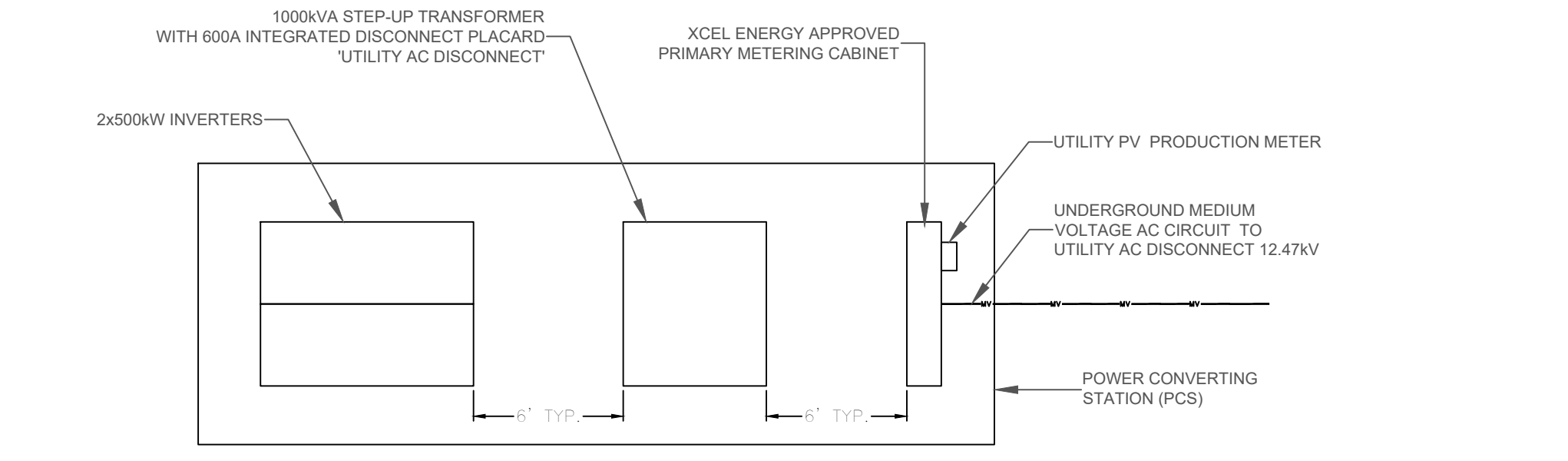
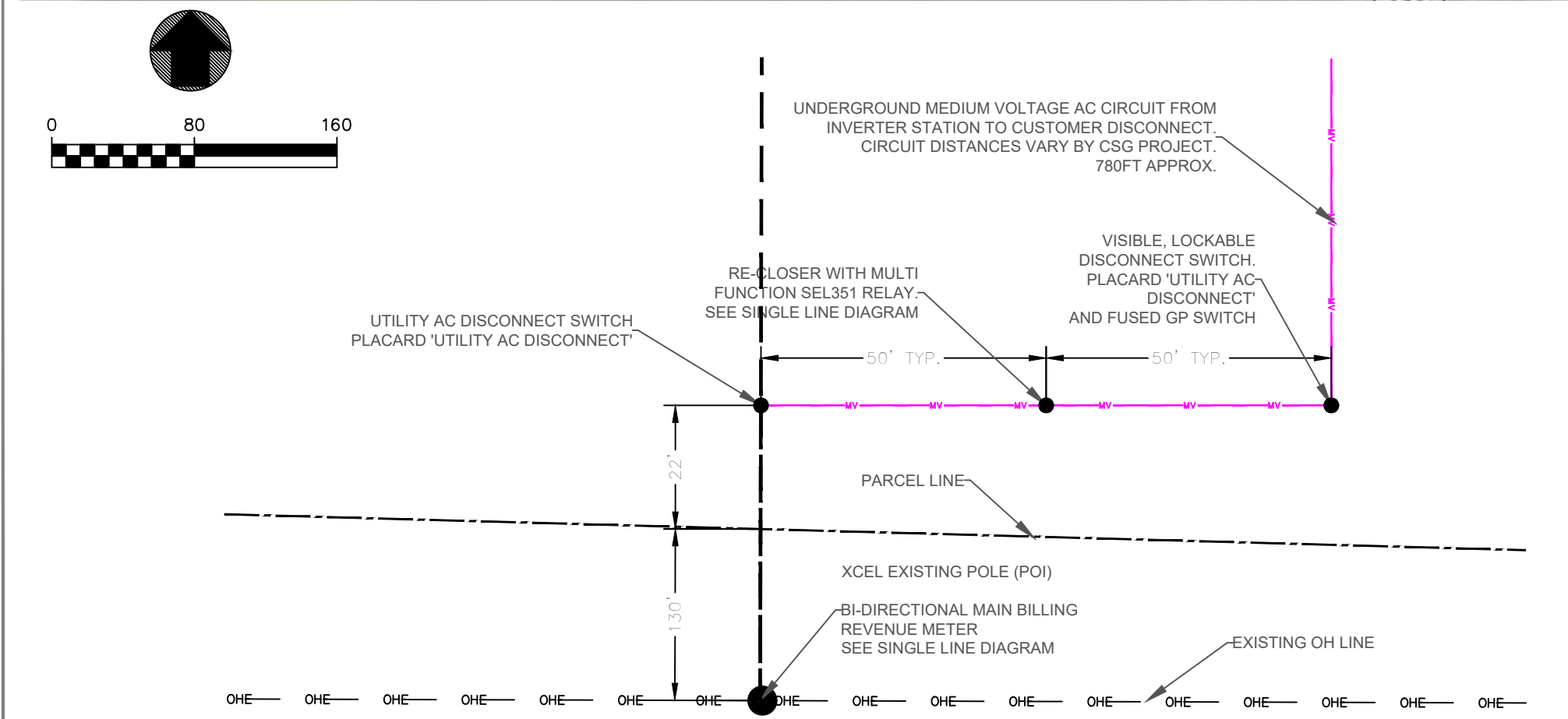
BLOCK NUMBER	INVERTER		NUMBER OF STRINGS	MODULES PER STRING	NUMBER OF MODULES	MODULE WATTAGE	kWac	kWdc
	NUMBER	kW						
BLOCK 1	A	500	112	18	2,016	335	500	675.360
	B	500	112	18	2,016	335	500	675.360
<b>Total</b>		<b>1000</b>	<b>224</b>		<b>4,032</b>		<b>1,000</b>	<b>1,350.720</b>

**GENERAL SITE DETAILS**

Tax Parcel ID Number	380281800
Interconnection Address from XCEL's SRC	N44°17'37.51" W92°41'48.07"
Capacity Screen Form	
Township	Minneola
County	Goodhue County, MN

- NOTES:**
- MAIN SERVICE METER AND XCEL DISCONNECT. POINT OF COMMON COUPLING WITH XCEL ENERGY. PER XCEL ENERGY DRAWING PM-10 COMPANY OWNED PRIMARY METER INSTALLATION. MOUNT ON METER POLE. PROVIDE PLACARD STATING "GENERATION SYSTEM CONNECTED".
  - TRANSFORMERS. PROVIDE 1000KVA STEP-UP TRANSFORMER, 12.47KV:380V. PROVIDE NEUTRAL GROUNDING REACTOR.
  - PV PRODUCTION METER. PROVIDE POTENTIAL TRANSFORMERS AND CURRENT TRANSFORMERS AS REQUIRED TO MEET XCEL ENERGY METERING, VOLTAGE AND CURRENT STANDARDS.
  - PV PRODUCTION METER DISCONNECT. PROVIDE ACCESSIBLE, VISIBLE, AND LOCKABLE DISCONNECT.
  - INSTALLATION TO COMPLY WITH NEC 2014 ARTICLE 690 AND ALL APPLICABLE LOCAL, STATE, AND NATIONAL CODES OR REGULATIONS.
  - EQUIPMENT SHALL BE LABELED PER NEC 690 AND XCEL ENERGY REGULATIONS.
  - ACCESS ROADS SHALL BE DESIGNED TO ACCOMMODATE ALL CONSTRUCTION, OPERATIONS, AND MAINTENANCE TRAFFIC THROUGHOUT THE SITE.

**SITE PLAN**



**DETAIL A**

**DETAIL B**

REV	DATE	REVISION DESCRIPTION	DESIGNED BY	CHECKED BY
1	03.10.2016	EXPANDED LEASE AREA	AP	AP
2	03.10.2016	CHANGED TO TRINA TALLMAX PLUS 335W	AP	AP
3	03.10.2016	CHANGED TO TRINA TALLMAX PLUS 335W	AP	AP
4	03.10.2016	CHANGED TO TRINA TALLMAX PLUS 335W	AP	AP
5	03.10.2016	CHANGED TO TRINA TALLMAX PLUS 335W	AP	AP
6	03.10.2016	CHANGED TO TRINA TALLMAX PLUS 335W	AP	AP
7	03.10.2016	CHANGED TO TRINA TALLMAX PLUS 335W	AP	AP
8	03.10.2016	CHANGED TO TRINA TALLMAX PLUS 335W	AP	AP
9	03.10.2016	CHANGED TO TRINA TALLMAX PLUS 335W	AP	AP

- NOTES:**
- Fence overall height - 7' ft. chain link type with 2 inch mesh and three strands of barb wire, accommodating restricted access
  - Fence shall meet the required setbacks. See drawing for details.
  - Site access for construction and for the permanent facility will be located off of HWY60.
  - Signage and emergency contact numbers posted at entrance.
  - The proposed solar PV system is 1000VDC.
  - The inverter proposed here is UL1741 listed.
  - The utility interconnection medium voltage is not known at the stage of interconnection application.
  - Inverter re-combiner configuration is TBD.
  - The proposed system is designed as per applicable codes of NEC 2014.

**FASTSUN LLC**  
601 Carlson Parkway, Suite 1050  
Minnetonka, MN 55305  
Tel: (764) 975-6529

**FastSun LLC, FASTSUN 11**  
44°17'53.37"N 92°44'25.86"W  
14657 Hwy 60 Blvd  
Zumbrota, MN 55992

PROJECT NO: **TBD**

DRAWING TITLE: **SITE LAYOUT**

DRAWING SCALE:

DESIGNED BY	CHECKED BY	DATE
AP	AP	03.10.2016

DRAWING NO: **P.01**



BOTTOM OF BASIN MUST INTERSECT SM/SP SANDS. OVEREXCAVATE AS NEEDED IF EXCAVATION IS GREATER THAN THREE FEET, INSTALL ALTERNATE BIOFILTRATION BASIN WITH DRAINTILE CONNECTED TO THE OUTLET STRUCTURE. ADJUST INVERTS AS NEEDED.

**ATTACHEMENT B.**  
**PROPOSED SITE LAYOUT - CUP AMENDMENT APPLICATION 7/26/19**  
**FASTSUN 11 ZUMBROTA-HADER SOLAR GARDEN SITE**

BOTTOM OF BASIN MUST INTERSECT SM/SP SANDS, OVER-EXCAVATE AS NECESSARY. IF OVER-EXCAVATION IS GREATER THAN THREE FEET, INSTALL ALTERNATE BIOFILTRATION BASIN WITH DRAIN TILE CONNECTED TO OUTLET STRUCTURE. ADJUST INVERTS TO ACHIEVE POSITIVE DRAINAGE.

INFILTRATION BASIN 1  
 BOTT ELEV: 1030.0  
 OUTLET ELVE: 1031.0  
 EOF: 1032.5

15" FES AND RIP RAP  
 INV: 1031.0

FENCE (TYP.)

36" OUTLET STRUCTURE  
 RIM: 1031.0  
 15" HDPP W: 1027.5

EOF 8" WIDE CONCRETE FLUME AT ELEV: 1032.5 ACROSS ROAD WITH REINFORCED TURF DISCHARGED SWALE

15" FES AND RIP RAP  
 INV: 1026.0

± 60 LF 15" HDPP @ 2.5%

± 60 LF 15" HDPP @ 10%

15" FES AND RIP RAP  
 INV: 1037.0

12" FES  
 INV: 1019.5

± 44 LF 12" HDPP @ 0.7%

12" FES  
 INV: 1019.8

60' EASEMENT FOR ACCESS ROAD

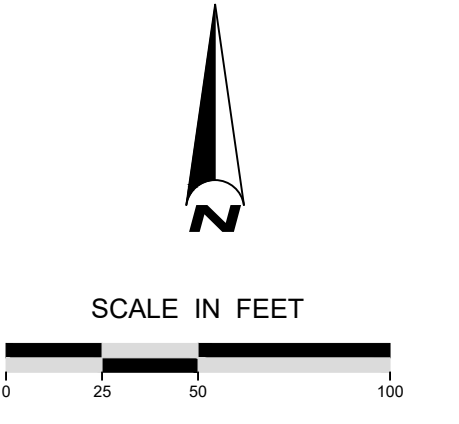
RELOCATE GRAVEL AS NEEDED TO ACCOMMODATE SCREENING LINE (SHEET 07)

RECONSTRUCT EQUIPMENT PAD

20' WIDE GATE

237.42

164.39



Plot Date: 07/26/2019  
 Drawing File: \\s11\zumbrota\_hader\09\_gis\project\mshd\CD-Drawings\1404-0011.dwg  
 User: L. Egan  
 P. Base: 1404-0011

NO	DATE	BY	REVISION
7	07/25/2019	BR	100% REV 3 - FENCE AND ROAD LAYOUT CHANGED
6	05/14/2019	PK	100% REV 2 - LEASE AND FENCE LINE REVISIONS, STRUCTURAL OVERLAY
5	04/18/2019	BR	100% REVISION 1 GRADING CHANGE
4	04/04/2019	SZ	100% PLANS - LANDSCAPE REVISIONS
3	04/01/2019	BR	100% PLANS - LANDSCAPE REVISIONS
2	03/12/2019	BR	100% PLANS FOR CONSTRUCTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Steven L. Pellinen*  
 STEVE PELLINEN  
 DATE: 04/01/2019 LICENSE # 15345

SUBMISSION DATE:  
04/04/2019

DESIGN BY SP DRAWN BY BR

EOR PROJECT NO.  
1404-0011

**EOR** Emmons & Olivier Resources, Inc.  
 7030 6th Street North  
 Oakdale, MN 55128  
 Tele: 651.770.8448  
 www.eorinc.com

PARK AVENUE SOLAR SOLUTION, LLC  
 102 GREENWICH AVENUE, THIRD FLOOR, GREENWICH, CT 06830

FS - 11 ZUMBROTA HADER SOLAR GARDEN  
 GOODHUE COUNTY, MINNESOTA

STATE PROJECT NO. --- CITY PROJECT NO. ---

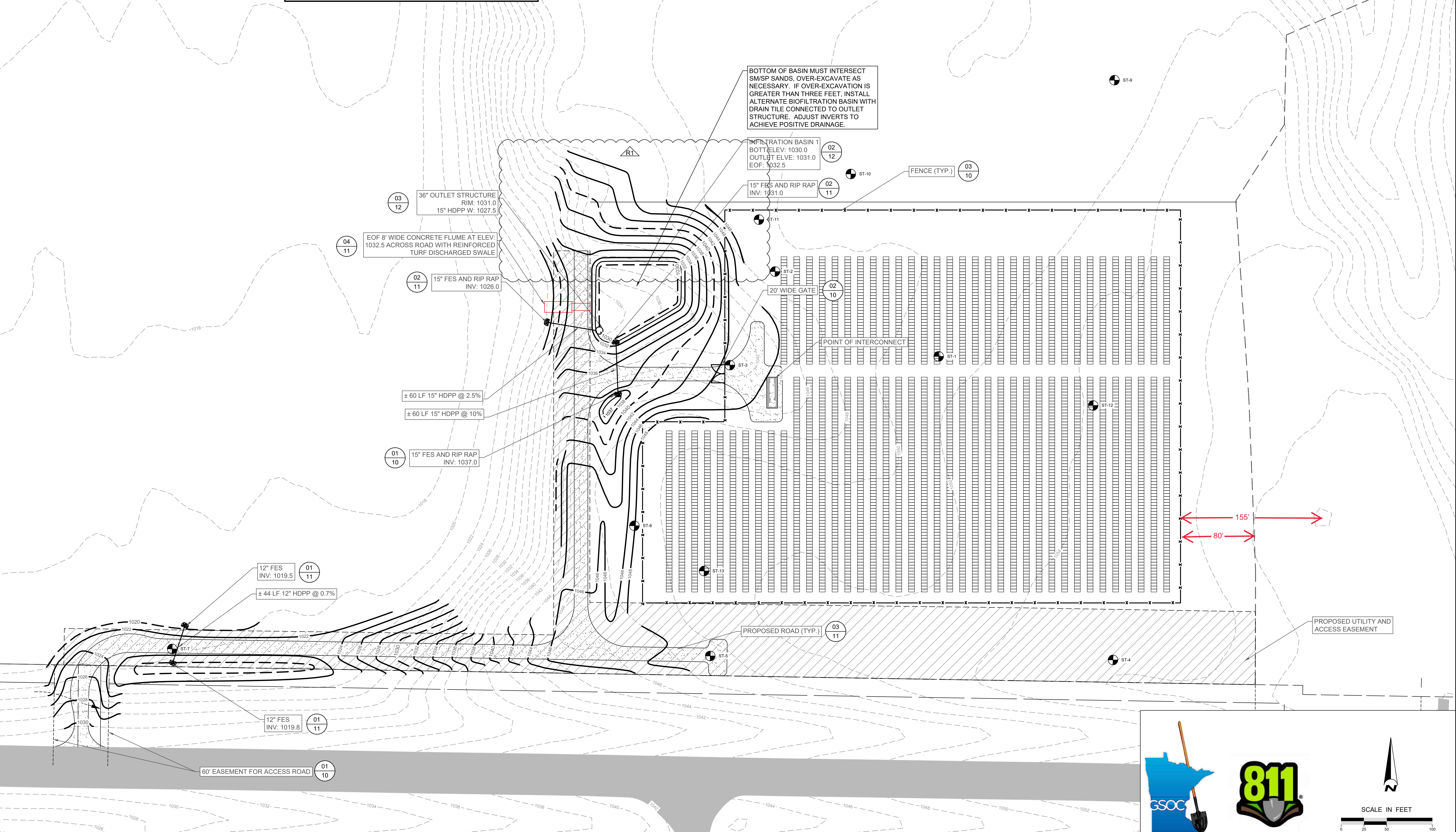
GRADING AND DRAINAGE PLAN

SHEET 04 OF 12 SHEETS



BOTTOM OF BASIN MUST INTERSECT SM/SP SANDS. OVEREXCAVATE AS NEEDED IF EXCAVATION IS GREATER THAN THREE FEET, INSTALL ALTERNATE BIOFILTRATION BASIN WITH DRAINTILE CONNECTED TO THE OUTLET STRUCTURE. ADJUST INVERTS AS NEEDED.

**ATTACHEMENT C**  
**SITE LAYOUT - BUILDING PERMIT SUBMITTAL**  
**FASTSUN 11 ZUMBROTA-HADER SOLAR GARDEN SITE**



Plot Date: 04/18/2019  
 File: s:\projects\1404-0011\1404-0011.dwg  
 User: E:\Users\1404-0011\1404-0011  
 Title: FASTSUN 11 ZUMBROTA-HADER SOLAR GARDEN SITE

NO	DATE	BY	REVISION
6			
5	04/18/2019	BR	100% REVISION 1 GRADING CHANGE
4	04/04/2019	SZ	100% PLANS - LANDSCAPE REVISIONS
3	04/01/2019	BR	100% PLANS - LANDSCAPE REVISIONS
2	03/12/2019	BR	100% FINAL SUBMITAL
1	11/14/2018	BR	90% NOT FOR CONSTRUCTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Steve Pellinen*  
 STEVE PELLINEN  
 DATE: 04/01/2019 LICENSE # 15345

SUBMISSION DATE:  
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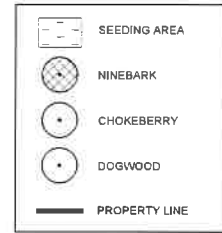
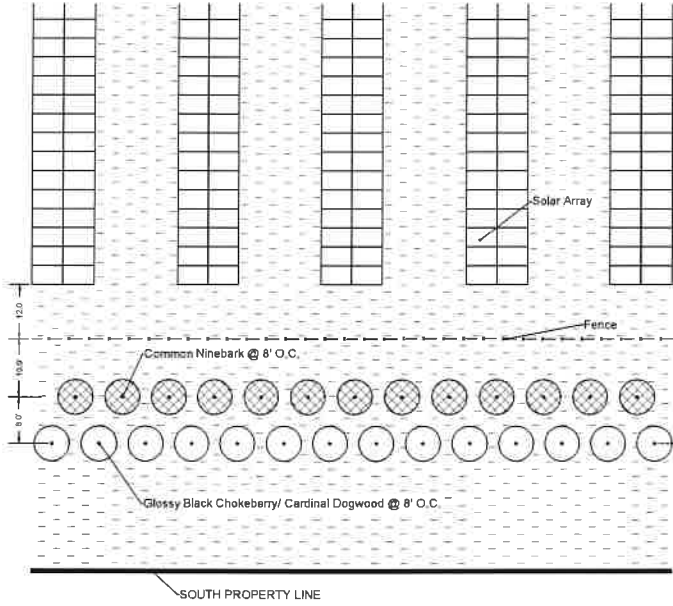
**GRADING AND DRAINAGE PLAN**

**SHEET 04 OF 12 SHEETS**



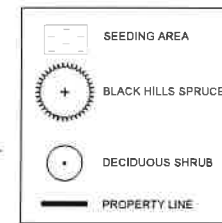
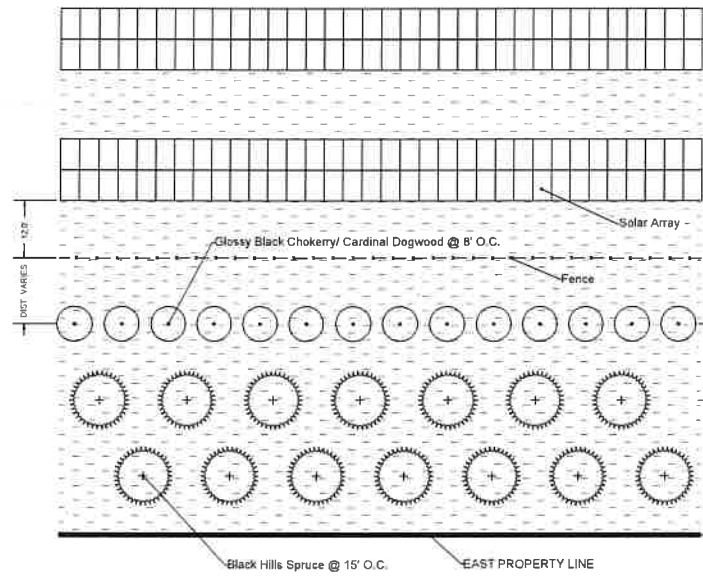






NOTE: SEQUENCE OF FRONT ROW SHRUB PLANTINGS SHALL BE 2 GLOSSY BLACK CHOKEBERRY, FOLLOWED BY 4 CARDINAL DOGWOOD, REPEATING.

01 TYP. PLANTING PLAN - SOUTH BOUNDARY  
08

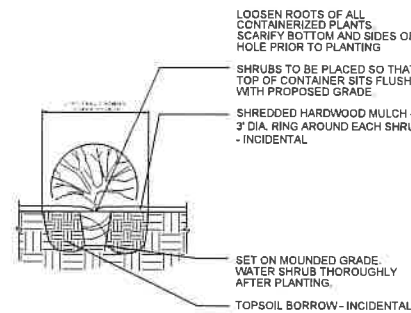


NOTE: SEQUENCE OF DECIDUOUS SHRUB PLANTINGS SHALL BE 2 GLOSSY BLACK CHOKEBERRY, FOLLOWED BY 4 CARDINAL DOGWOOD, REPEATING.

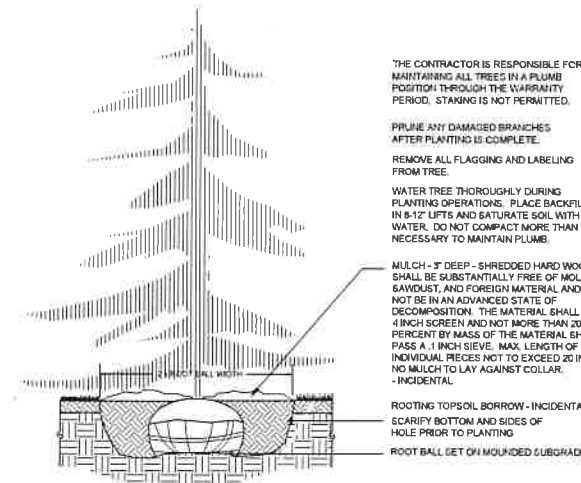
02 TYP. PLANTING PLAN - EAST BOUNDARY  
08

Type	Scientific Name	Common Name	Seeds/ sq ft	Rate (lb/ac)	% Mix (by sqft)	% Mix (by wt)
Cover	<i>Avena sativa</i>	Oats	6	20.42		
		Total Guilt:	6	20.42	12.85%	77.90%
Forb	<i>Achillea millefolium</i>	Common Yarrow	0.41	0.01		
	<i>Allium stellatum</i>	Prairie Wild Onion	0.51	0.13		
	<i>Anemone canadensis</i>	Canada Anemone	0.18	0.06		
	<i>Anemone cylindrica</i>	Long-headed Thimbleweed	0.6	0.06		
	<i>Asclepias syriaca</i>	Common Milkweed	0.46	0.31		
	<i>Asclepias verticillata</i>	Whorled Milkweed	0.32	0.08		
	<i>Astragalus crassicaepus</i>	Ground Plum	0.36	0.19		
	<i>Echinacea angustifolia</i>	Narrow-leaved Purple Conefl	0.64	0.25		
	<i>Euthamia graminifolia</i>	Grass-leaved Goldenrod	0.8	0.01		
	<i>Galium boreale</i>	Northern Bedstraw	0.4	0.02		
	<i>Liatris aspera</i>	Rough Blazing Star	0.28	0.05		
	<i>Labelia spicata</i>	Rough-spiked Lobelia	1.03	0.00		
	<i>Monarda fistulosa</i>	Wild Bergamot	0.8	0.03		
	<i>Penstemon grandiflorus</i>	Large-flowered Beard Tongue	0.48	0.09		
	<i>Phlox pilosa</i>	Prairie Phlox	0.11	0.02		
	<i>Potentilla arguta</i>	Prairie Cinquefoil	0.53	0.01		
	<i>Pycnanthemum virginianum</i>	Virginia Mountain Mint	0.76	0.01		
	<i>Ratibida columnifera</i>	Prairie Coneflower	0.96	0.06		
<i>Rudbeckia hirta</i>	Black-eyed Susan	1.58	0.05			
<i>Sisyrinchium compestre</i>	Field Blue-eyed Grass	0.52	0.03			
<i>Solidago rigida</i>	Stiff Goldenrod	0.47	0.03			
<i>Solidago speciosa</i>	Showy Goldenrod	0.55	0.02			
<i>Symphoricarum ericoides</i>	Heath Aster	0.46	0.01			
<i>Symphoricarum laeve</i>	Smooth Aster	0.63	0.03			
<i>Zizia aptera</i>	Heart-leaved Alexanders	0.55	0.12			
		Total Guilt:	14.39	1.66	30.83%	6.30%
Graminoid	<i>Bouteloua curtipendula</i>	Side-oats Grama	3.31	1.50		
	<i>Bouteloua gracilis</i>	Blue Grama	4.59	0.31		
	<i>Koeleria macrantha</i>	Junegrass	4.59	0.06		
	<i>Schizachyrium scoparium</i>	Little Bluestem	4.13	0.75		
	<i>Sporobolus heterolepis</i>	Prairie Dropseed	2.94	0.50		
		Total Guilt:	19.56	3.13	41.90%	11.90%
Legume	<i>Astragalus canadensis</i>	Canada Milk Vetch	0.78	0.12		
	<i>Dalea candida</i>	White Prairie Clover	1.74	0.25		
	<i>Dalea purpurea</i>	Purple Prairie Clover	2.07	0.38		
		Total Guilt:	4.59	0.75	9.83%	2.90%
Sedge	<i>Carex bicknellii</i>	Bicknell's Sedge	0.95	0.15		
	<i>Carex brevior</i>	Short Sedge	2.10	0.2		
	<i>Carex pennsylvanica</i>	Pennsylvania Sedge	0.69	0.06		
		Total Guilt:	2.14	0.25	4.58%	1.00%
		<b>TOTAL SEED MIX:</b>	<b>46.68</b>	<b>26.21</b>		

Type	Scientific Name	Common Name	% Mix (by PL5 weight)	Rate LB/ACRE
Grass	<i>Andropogon gerardi</i>	Big bluestem	33%	8.00
	<i>Sorghastrum nutans</i>	Indian grass	22%	
	<i>Schizachyrium scoparium</i>	Little bluestem	20%	
	<i>Bouteloua curtipendula</i>	Side oats grama	12%	
	<i>Elymus canadensis</i>	Canada wild rye	5%	
	<i>Koeleria macrantha</i>	June grass	3%	
	<i>Panicum virgatum</i>	Switch grass	2%	
	<i>Bouteloua gracilis</i>	Blue grama	1%	
	<i>Danthonia spicata</i>	Poverty oat grass	1%	
	<i>Sporobolus cryptandrus</i>	Sand dropseed	1%	
		<b>TOTAL SEED MIX</b>		



03 DECIDUOUS SHRUB DETAIL  
08



04 CONIFEROUS TREE PLANTING DETAIL  
08

GENERAL NOTES

- LANDSCAPE CONTRACTOR SHALL INSPECT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS RELATING TO THE NATURE AND SCOPE OF WORK.
- LANDSCAPE CONTRACTOR SHALL VERIFY PLAN LAYOUT AND BRING TO THE ATTENTION OF THE LANDSCAPE ARCHITECT DISCREPANCIES WHICH MAY COMPROMISE THE DESIGN OR INTENT OF THE LAYOUT.
- LANDSCAPE CONTRACTOR SHALL ASSURE COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS GOVERNING THE WORK AND MATERIALS SUPPLIED.
- LANDSCAPE CONTRACTOR SHALL VERIFY ALIGNMENT AND LOCATION OF UNDERGROUND AND ABOVE GRADE UTILITIES AND PROVIDE THE NECESSARY PROTECTION FOR SAME BEFORE CONSTRUCTION BEGINS.
- LANDSCAPE CONTRACTOR SHALL REVIEW THE SITE FOR DEFICIENCIES IN SITE CONDITIONS WHICH MIGHT NEGATIVELY AFFECT PLANT ESTABLISHMENT, SURVIVAL OR WARRANTY. UNDESIRABLE SITE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING OF WORK.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ONGOING MAINTENANCE OF NEWLY INSTALLED MATERIALS UNTIL TIME OF FINAL ACCEPTANCE BY LANDSCAPE ARCHITECT. REPAIR OF ACTS OF VANDALISM OR DAMAGE WHICH MAY OCCUR PRIOR TO FINAL ACCEPTANCE SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.

SEEDING NOTES

- SEEDING SHALL FOLLOW MNDOT SEEDING MANUAL 2014 EDITION.
- SEED SHALL BE LOCAL ORIGIN AND WILD ECOTYPE. SEED ORIGIN SHALL BE CERTIFIED BY THE MN CROP IMPROVEMENT ASSOCIATION. LOCAL ORIGIN SHALL MEAN WITHIN 175 MILES OF PROJECT SITE. PROVIDE MCIA DOCUMENTATION TO LANDSCAPE ARCHITECT PRIOR TO SEEDING.
- SOW SEED MIXES ON ALL DISTURBED AREAS AFTER ALL GRADING ACTIVITIES HAVE BEEN COMPLETED. SEEDING MAY TAKE PLACE PRIOR TO PILE DRIVING AND SOLAR ARRAY INSTALLATION, HOWEVER ANY DISTURBED AREAS WILL HAVE TO BE RE-SEEDING.
- ACCEPTABLE SEEDING DATES ARE APRIL 15 - JULY 20 IN THE SPRING, OR SEPTEMBER 20 - OCTOBER 20 IN THE FALL. WRITTEN PERMISSION MUST BE GRANTED BY THE LANDSCAPE ARCHITECT TO PERFORM SEEDING OPERATIONS ON ANY OTHER DATES OF THE YEAR.
- SEEDING METHODS 1-3 ARE ANTICIPATED ACROSS THE SITE IN RESPONSE TO SITE CONDITIONS. CONTRACTOR WILL PREPARE SEEDING PLAN IN CONJUNCTION WITH PROJECT LANDSCAPE ARCHITECT, APPROVAL IS NECESSARY TO EXECUTE.
- SOW NATIVE SEEDS WITH A MULTI-BOX BROADCAST SEEDER SUCH AS THE TRILLION BY TRIAX, WHERE POSSIBLE.
- PREPARE SEED BED PRIOR TO SEEDING PER MNDOT SPEC. 2574.3.A.4.
- STABILIZE SEED MIX MN-DOT 25-141 (MESIC ROADSIDE GENERAL) WITH BONDED FIBER MATRIX @ 3.500 LB PER ACRE PER MNDOT SPEC 2575.3.B4.
- SOLAR ARRAYS MUST BE PROTECTED FROM HYDRO-MULCH OVERSPRAY OR CLEANED AFTER APPLICATION PER MNDOT SPEC. 2575.3.E.
- COVER NATIVE SEED MIXES WITH CLEAN STRAW MULCH (TYPE 3), AND DISC ANCHOR, EXCEPT WHERE EROSION CONTROL BLANKET IS INDICATED ON PLANS.
- USE TEMPORARY EROSION CONTROL DEVICES (SEDIMENT LOGS, SILT FENCE) AS NEEDED TO PREVENT EROSION PRIOR TO AND DURING SEED ESTABLISHMENT.
- INCLUDE A COVER CROP OF OATS WITHIN NATIVE GRASS SEED MIX (@ RATE OF 32 LB/ACRE) IF SEEDING BETWEEN OCTOBER 15TH AND AUGUST 1ST. IF SEEDING BETWEEN AUGUST 1ST AND OCTOBER 15TH, SUBSTITUTE WINTER WHEAT FOR OATS AT THE SAME RATE.

SEED ESTABLISHMENT NOTES

- ESTABLISHMENT PERIOD COMMENCES UPON ACCEPTANCE OF SEEDING (ADEQUATE COVER CROP GERMINATION AND COVERAGE) AND RUNS FOR THREE YEARS FROM THIS DATE.
- MONITOR THE SITE MONTHLY DURING THIS PERIOD TO DETECT AREAS OF WEED COLONIZATION, CUT OR TREAT ALL NOXIOUS WEEDS (AS CURRENTLY DEFINED BY MN DEPARTMENT OF AGRICULTURE) WITH GLYPHOSATE HERBICIDE AS SOON AS DETECTED.
- DURING THE FIRST GROWING SEASON MOW OR CUT THE ENTIRE SEEDING AREA EVERY 30 DAYS UNTIL SEPTEMBER 30TH AT A HEIGHT OF 5-8".
- DURING THE SECOND GROWING SEASON MOW OR CUT THE ENTIRE SEEDING AREA ONCE IN MID-JUNE AND ONCE IN MID-AUGUST AT A HEIGHT OF 5-8".
- IF AREAS OF BARE GROUND PERSIST AFTER FIRST GROWING SEASON RESEED PER PLAN.
- AFTER THE FIRST TWO GROWING SEASONS MOW OR CUT NATIVE SEED AREAS IN LATE FALL OR EARLY SPRING, RAKE OUT AND REMOVE DOWNED VEGETATION.

PLANTING NOTES

- NO PLANTS WILL BE INSTALLED UNTIL FINAL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- PROPOSED PLANT MATERIAL SHALL COMPLY WITH THE CURRENT EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z66.1, UNLESS NOTED OTHERWISE. DECIDUOUS SHRUBS SHALL HAVE AT LEAST 5 CANES AT THE SPECIFIED HEIGHT. ORNAMENTAL TREES SHALL HAVE NO 'V' CROTCHES AND SHALL BEGIN BRANCHING NO LOWER THAN 3' FEET ABOVE THE ROOT BALL. STREET AND BOULEVARD TREES SHALL BEGIN BRANCHING NO LOWER THAN 6' ABOVE PAVED SURFACE.
- PLANT SYMBOLS ON PLAN DRAWING TAKES PRECEDENCE OVER PLANT SCHEDULE IF DISCREPANCIES IN QUANTITIES EXIST. SPECIFICATIONS AND DETAILS TAKE PRECEDENCE OVER NOTES.
- TREES SHALL BE LOCATED AND STAKED AS SHOWN ON PLAN. LANDSCAPE ARCHITECT MUST APPROVE STAKING OF PLANT MATERIAL PRIOR TO DIGGING.
- NO PLANT MATERIAL SUBSTITUTIONS WILL BE ACCEPTED UNLESS APPROVAL IS GRANTED BY THE LANDSCAPE ARCHITECT TO THE LANDSCAPE CONTRACTOR.
- ADJUSTMENTS IN LOCATION OF PROPOSED PLANT MATERIALS MAY BE NEEDED IN FIELD. LANDSCAPE ARCHITECT MUST BE NOTIFIED PRIOR TO ADJUSTMENT OF PLANTS.
- PLANT MATERIALS TO BE INSTALLED PER PLANTING DETAILS.
- WATER ALL PLANT MATERIAL WITHIN 2 HOURS OF PLANTING. APPLY ENOUGH WATER TO THOROUGHLY SATURATE ALL PLANTING SOIL.
- LANDSCAPE CONTRACTOR SHALL WARRANTY NEW PLANT MATERIAL THROUGH THREE CALENDAR YEARS FROM THE DATE OF FINAL ACCEPTANCE BY LANDSCAPE ARCHITECT. NO PARTIAL ACCEPTANCE WILL BE CONSIDERED.

File Date: 07/26/2019  
 File Path: C:\Users\johndoe\OneDrive\Documents\Projects\0114\_141\_Landscape\_Plan\0114\_141\_Landscape\_Plan.dwg  
 User: johndoe  
 Title: 0114\_141\_Landscape\_Plan.dwg  
 Plot Date: 07/26/2019 10:00:00 AM  
 Plot Path: C:\Users\johndoe\OneDrive\Documents\Projects\0114\_141\_Landscape\_Plan\0114\_141\_Landscape\_Plan.dwg  
 Plot Scale: 1:1  
 Plot Size: 11.00 x 17.00  
 Plot Orientation: Landscape  
 Plot Color: Black  
 Plot Lineweight: 0.20  
 Plot Linetype: Solid  
 Plot Font: Arial, 10  
 Plot Units: Feet  
 Plot Precision: 2  
 Plot Background: None  
 Plot Border: Yes  
 Plot Border Color: Black  
 Plot Border Lineweight: 2.00  
 Plot Border Linetype: Solid  
 Plot Border Font: Arial, 10  
 Plot Border Units: Feet  
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 Plot Border Border Lineweight: 2.00  
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 Plot Border Border Units: Feet  
 Plot Border Border Precision: 2  
 Plot Border Border Background: None

NO	DATE	BY	REVISION
7	07/25/2019	BR	100% REV 3 - FENCE AND ROAD LAYOUT CHANGED
6	05/14/2019	PK	100% REV 2 - LEASE AND FENCE LINE REVISIONS, STRUCTURAL OVERLAY
5	04/18/2019	BR	100% REVISION 1 GRADING CHANGE
4	04/04/2019	SZ	100% PLANS - LANDSCAPE REVISIONS
3	04/01/2019	BR	100% PLANS - LANDSCAPE REVISIONS
2	03/12/2019	BR	100% PLANS FOR CONSTRUCTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Britta Hansen*

BRITTA HANSEN  
DATE: 04/01/2019 LICENSE # 53307

SUBMISSION DATE: 04/04/2019

DESIGN BY SP DRAWN BY BR

EOR PROJECT NO. 1404-0011

**EOR** Emmons & Olivier Resources, Inc.  
7030 6th Street North  
Oakdale, MN 55128  
Tele: 651.770.8448  
www.eorinc.com

PARK AVENUE SOLAR SOLUTION, LLC  
102 GREENWICH AVENUE, THIRD FLOOR, GREENWICH, CT 06830

FS - 11 ZUMBROTA HADER SOLAR GARDEN  
GOODHUE COUNTY, MINNESOTA

LANDSCAPE DETAILS

SHEET 08 OF 12 SHEETS

DOC#: A- 645010

Certified, Filed, and or Recorded on:

January 30, 2018 11:44 AM

Signed  Deputy

LISA M. HANNI

GOODHUE COUNTY RECORDER

Fee Amount: \$46.00

**STATE OF MINNESOTA  
COUNTY OF GOODHUE**

**FILE NUMBER Z17-0043  
BOARD OF COMMISSIONERS  
CONDITIONAL/INTERIM USE PERMIT  
PROCEEDINGS**

**WHEREAS, William Weber, Weber Planning LLC and property owner Hader Farms, David Fredrickson for Goodhue Community Solar Three have requested a Utility Scale Solar Energy System conditional use permit (CUP) for a Photovoltaic Ground 1 MW Solar Energy System occupying an estimated 5 acres.**

**Application Information:**

**Applicant(s): William Weber, Weber Planning LLC and property owner Hader Farms, David Fredrickson**

**Address of zoning request: TBD Hwy 60 Blvd Zumbrota MN 55992.**

**Parcel 38.028.1800**

**Short Legal Description: Part of the SE ¼ and E ¼ of SW ¼ Sec 28 Twp 110 Range 16**

**Township Information: Minneola**

**Zoning District: A1 zoned district**

The project plans have been reviewed with reference to the Goodhue County Zoning Ordinance. The Conditional Use Permit application was considered by the Goodhue County Planning Advisory Committee at a public hearing on Monday, July 17<sup>th</sup>, 2017 and the request was considered at a public meeting by the Goodhue County Board of Commissioners on Tuesday, August 10<sup>th</sup>, 2017. Pursuant to Goodhue County Zoning Ordinance the project has been properly noticed by posting to the official newspaper of Goodhue County and a mailing to neighboring properties of the site.

*DISCONTINUANCE: A conditional/interim use permit shall expire and be considered null and void one (1) year after the County Board's final decision to grant the permit if the use has not begun. One (1) administrative extension of up to one (1) year may be granted by the Zoning Administrator upon written request of the property owner, provided there is reasonable cause for the request and further provided that the written request is made no less than thirty (30) days prior to expiration of the permit. If no extension has been requested the Zoning Administrator shall record an expiration notice with the County Recorder. A conditional/interim use permit shall be considered null and void if discontinued for a period of one (1) year.*

**NOW, THEREFORE, BE IT RESOLVED: THE GOODHUE COUNTY BOARD OF COMISSIONERS**

- 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

**APPROVES** the CUP for a Utility Scale Solar Energy System, the Photovoltaic Ground 1 MW Solar Energy System, Goodhue Community Solar Three, Subject to the following conditions:

1. The Applicant shall work with the Goodhue County Soil and Water Conservation District to establish and maintain a vegetative buffer to include coniferous plantings near the eastern edge of the leased area near the Devlaeminck house and the southern edge near Hwy 60, as submitted ;
2. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
3. Compliance with Goodhue County Zoning Ordinance; including but not limited to Article 19 Solar Energy System (SES) Regulations;
4. The owners will cooperate with inspections of the facility in coordination with Land Use staff;
5. The project is limited in location, size, and scope according to the submitted plan proposed in the application submittals; minor adjustments may be made to the site plan with approval from the Zoning Administrator;
6. The project must be decommissioned according to Article 19 Section 6 of the Goodhue County Zoning Ordinance;
7. A decommissioning agreement between the landowner and the solar energy system company must be maintained to assure that the area is reclaimed;
8. The Conditional Use Permit must be reviewed administratively every 5 years;
9. LUM staff will be notified within 30 days by the landowner or solar company if there are any ownership or operator changes;
10. The Applicant shall work with the Goodhue County Soil and Water Conservation District to determine an appropriate seed mix of native vegetation to establish on disturbed areas of the site after the project equipment is installed.
11. This CUP will expire 30 years from the date of approval of the project by the Goodhue County Board.

At TBD Hwy 60 Blvd Zumbrota MN 55992, Parcel 38.028.1800, Short Legal Description: Part of the SE ¼ and E ½ of SW ¼ Sec 28 Twp 110 Range 16, Minneola Township.

Date signed: 12/11/2017

  
\_\_\_\_\_  
>>>, Chairperson  
Goodhue County Board of Commissioners

STATE OF MINNESOTA )

) ss.

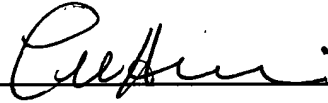
LAND USE MANAGEMENT DEPARTMENT

COUNTY OF GOODHUE )

*Lisa M. Hanni*

I, ~~Michael Wozniak, AICP, Planner/Zoning Administrator~~ for Goodhue County, do hereby certify that I have compared the foregoing copy and Order this conditional use permit with the original record thereof preserved in my office, and have found the same to be correct and true transcript.

Dated this *26<sup>th</sup>* day of *December*, 20*17*



Planner/Zoning Administrator, Goodhue County

*Lisa M. Hanni*

(SEAL)

Drafted by:  
Goodhue County Land Use Management Department  
509 West Fifth Street  
Red Wing MN 55066

*DISCONTINUANCE: A conditional/interim use permit shall expire and be considered null and void one (1) year after the County Board's final decision to grant the permit if the use has not begun. One (1) administrative extension of up to one (1) year may be granted by the Zoning Administrator upon written request of the property owner, provided there is reasonable cause for the request and further provided that the written request is made no less than thirty (30) days prior to expiration of the permit. If no extension has been requested the Zoning Administrator shall record an expiration notice with the County Recorder. A conditional/interim use permit shall be considered null and void if discontinued for a period of one (1) year.*



**LANDSCAPE SCREENING NOTES**

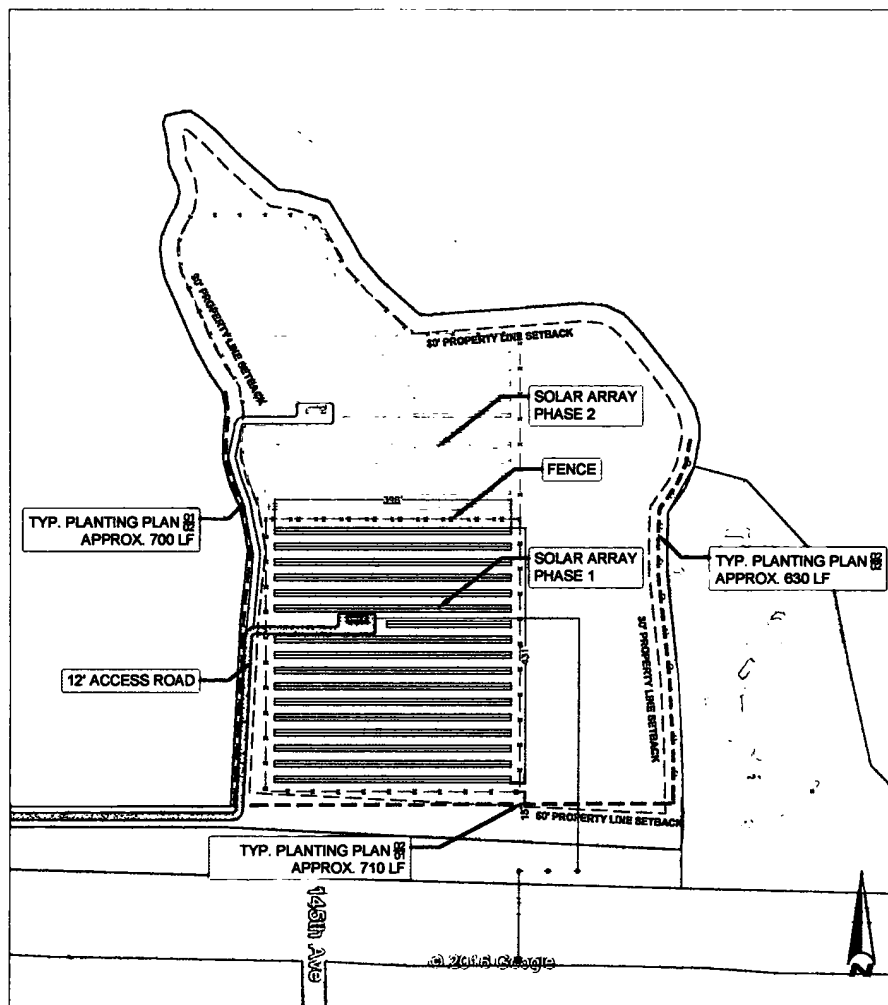
1. LANDSCAPE SCREENING TO BE PLANTED ALONG EAST, WEST, AND SOUTH PROPERTY BOUNDARY PER PLANS 01 AND 02
2. SPECIAL ATTENTION TO BE PAID TO SCREEN PLANTING ALONG RESIDENTIAL PROPERTY EAST OF SOLAR SITE.

**Coniferous Tree Planting Schedule**

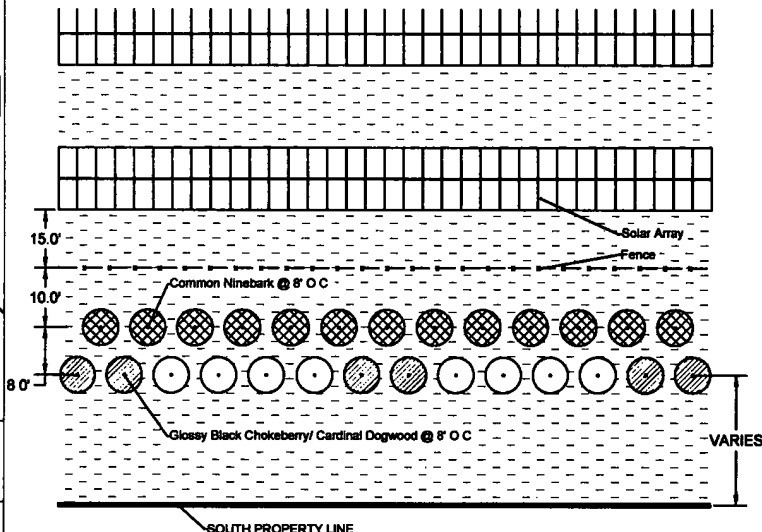
Symbol	Quantity	Scientific Name	Common Name	Size	Cont.	Type
PG	42	<i>Picea glauca 'denata'</i>	Black Hills Spruce	6-8'	B&B	Single Stem
	42	<b>Total</b>				

**Deciduous Shrub Planting Schedule**

Symbol	Quantity	Scientific Name	Common Name	Size	Type	Spacing
AM	68	<i>Aronia melanocarpa elata</i>	Black Chokeberry	24" Height	#5 Cont.	8' O.C.
CS	116	<i>Cornus sericea 'Cardinal'</i>	Red Twig Dogwood	24" Height	#5 Cont.	8' O.C.
PO	174	<i>Physocarpus opulifolius</i>	Common Ninebark	24" Height	#5 Cont.	8' O.C.
	358	<b>Shrub Total</b>				



**01 SOLAR SITE PLAN**  
1" = 200'



**02 TYP. PLANTING PLAN - SOUTH PROPERTY LINE**  
NOT TO SCALE

NO.	DATE	BY	REVISION	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.  <i>Britta N. Transen</i> BRITTA N. TRANSEN DATE: 08-07-2017 LICENSE # 63307	SUBMISSION DATE: 08-07-2017  DESIGN BY: DRAWN BY: BH BH  EOR PROJECT NO.: 1282-008	<b>Emmons &amp; Olliver</b> Resources, Inc. 651 Hale Avenue North Oakdale, MN 55128 Tel: 651.770.8448 www.eorinc.com	<b>SUNRISE ENERGY VENTURES</b> 601 CARLSON PKWY, STE 1050 MINNETONKA, MN 55305	<b>GREENMARK COMMUNITY SOLAR 8</b> 44°17'53.37"N 92°44'25.88"W 15500 HWY 60 BLVD ZUMBROTA, MN 55992	<b>LANDSCAPE SITE PLAN</b>  SHEET 01 OF 03 SHEETS
1									
2									
3									
4									

### Legal Description

The Southeast Quarter and the East Half of the Southwest Quarter of Section 28, Township 110, Range 16, Goodhue County, Minnesota, lying northerly of the northerly right of way of Minnesota State Trunk Highway Number 60. EXCEPT that part of the Southeast Quarter of Section 28, Township 110, Range 16, Goodhue County, Minnesota, described as follows: Commencing at the southeast corner of said Southeast Quarter; thence North 89 degrees 07 minutes 08 seconds West (assumed bearing) along the south line of said Southeast Quarter 1982.63 feet; thence North 00 degrees 07 minutes 37 seconds East 98.22 feet to the northerly right of way line of Minnesota State Trunk Highway Number 60 and the point of beginning of the land to be described; thence continuing North 00 degrees 07 minutes 37 seconds East 126.40 feet; thence North 02 degrees 14 minutes 17 seconds West 187.55 feet; thence North 03 degrees 46 minutes 27 seconds West 217.52 feet; thence North 32 degrees 28 minutes 11 seconds East 99.19 feet; thence North 01 degree 20 minutes 31 seconds East 98.47 feet; thence North 66 degrees 53 minutes 59 seconds East 212.17 feet; thence South 04 degrees 54 minutes 33 seconds East 420.28 feet; thence South 11 degrees 45 minutes 39 seconds East 257.16 feet; thence South 39 degrees 40 minutes 05 seconds East 185.72 feet to said northerly right of way line; thence North 89 degrees 03 minutes 00 seconds West, along said northerly right of way line, 384.32 feet; thence North 00 degrees 57 minutes 00 seconds East, along said northerly right of way line, 10.00 feet; thence North 89 degrees 03 minutes 00 seconds West, along said northerly right of way line, 52.20 feet to the point of beginning. Containing 254.70 acres, more or less.

38-028-1600 (pr)  
-1800

# 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:** August 19, 2019  
**Report date:** August 9, 2019

## **PUBLIC HEARING: “Gesme Addition” Preliminary and Final Plat Review**

Request, submitted by David Rapp (surveyor/agent) on behalf of Keith Gesme (owner), for Preliminary and Final Plat review of the proposed Gesme Addition Plat comprising approximately 62.48 acres.

### **Application Information:**

Applicant: David Rapp (surveyor/agent) on behalf of Keith Gesme (owner)

Address of zoning request: 28170 HWY 20 Cannon Falls, MN 55009

Parcel(s): 28.006.0101, 28.006.0100 and 28.005.0900

Abbreviated Legal Description: Part of the East ½ of the NE ¼ and Part of the N ½ of the SE ¼ of section 6 and part of the W ½ of section 5 in TWP 112 Range 17 in Cannon Falls Township.

Zoning District: A3 (Urban Fringe District)

### **Attachments and links:**

Application

Site Map(s)

Survey

Goodhue County Zoning Ordinance (GCZO):

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

### **Summary:**

David Rapp (surveyor/agent) has prepared a Preliminary and Final Plat of the “Gesme Addition” on behalf of Keith Gesme (owner) for consideration.

According to the Goodhue County Subdivision Ordinance, any land subdivision which crosses section lines must be platted and any subdivision which dedicates any interests to the public such as easements or roads must be formally platted. The proposed “Gesme Addition” dedicates 99.64 feet of frontage to State Highway 20. The property is being platted to re-configure property lines for family property holdings. No additional dwelling sites will be created due to the subdivision.

The plat meets all requirements for access, parcel size and setbacks. The parcel is not proposed to be rezoned at this time.

### **Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend that the County Board of Commissioners **APPROVE** the request submitted by David Rapp (surveyor/agent) on behalf of Keith Gesme (owner) for Preliminary and Final Plat approval of the proposed “Gesme Addition” Plat comprising approximately 62.48 acres.

RECEIVED

JUL 22 2019

Land Use Management

# 505 Plat Application

FILE #	Z19.0034
PARCEL #	280090300

28-006.0101

A. A Minnesota Statute Chapter 505 plat\* is required under the following circumstances:

1) The creation of three or more tax parcels from one tax parcel, except when the tax parcels created can be described by an aliquot part of the Public Land Survey. The minimum division shall be a Quarter Quarter of the Section (i.e. SE 1/4 of the NW 1/4 ). Non-contiguous land must be separate tax parcels. The parcels shown on the plat provide for road access for each new division or reconfiguration of land;

2) If a subdivision of a platted lot or outlot can result in one or more potential dwelling sites, the subdivision must be platted.

\*Requires approval and public hearings from the Planning Commission and County Board

### Landowner Information

Landowner Name	KEITH GESME	Email	
Mailing Address	28170 HWY 20 BLVD CANNON FALLS MN 55009		
Daytime Phone			

### Applicant Information (if different than above)

Applicant Name	(ABOVE) DAVID RAPP	Email	
Mailing Address	45967 HWY 56 BLVD KENYON MN 55946		
Daytime Phone			

### Township Information

Township position	Clerk	Date	7-24-19
Signature	Sue Safe		

### County Use

Application Fee	\$350	Receipt Number	16854	Received Date	7.22.19
-----------------	-------	----------------	-------	---------------	---------

Initial Reviewed by

Plat Name

Request complies with Goodhue County Zoning and Subdivision requirements as attested by me \_\_\_\_\_ the Goodhue County Planner/Zoning Administrator on this day \_\_\_\_\_



# MAP 01: PROPERTY OVERVIEW

## PLANNING COMMISSION

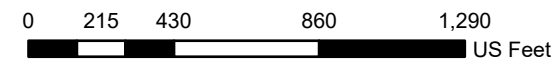
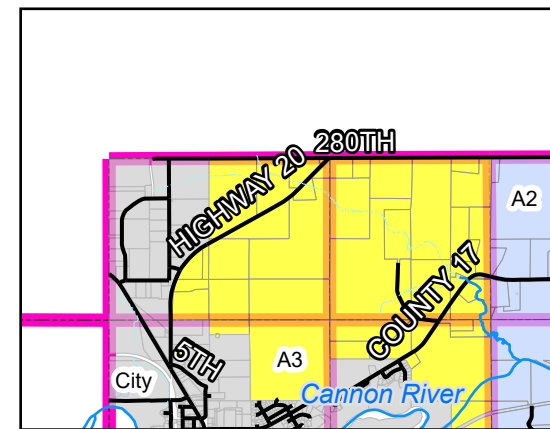
Public Hearing  
August 19, 2019

David Rapp (authorized agent) on  
behalf of Keith Gesme (owner)  
A3 Zoned District  
Parcels 28.006.0101, 28.006.0100 &  
28.005.0900

Part of the East 1/2 of the NE 1/4 and Part of  
the N 1/2 of the SE 1/4 of Sect 6 and part  
of the W 1/2 of Sect 5 in TWP112 R17  
in Cannon Falls Township  
Preliminary and Final Plat Review of  
proposed "Gesme Addition" Plat

### Legend

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

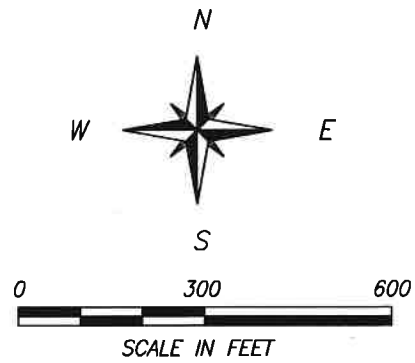


DATA DISCLAIMER: Goodhue County assumes  
NO liability for the accuracy or completeness of this map  
OR responsibility for any associated direct, indirect,  
or consequential damages that may result from its use  
or misuse. Goodhue County Copyright 2019.

2018 Aerial Imagery  
Map Created August, 2019 by LUM

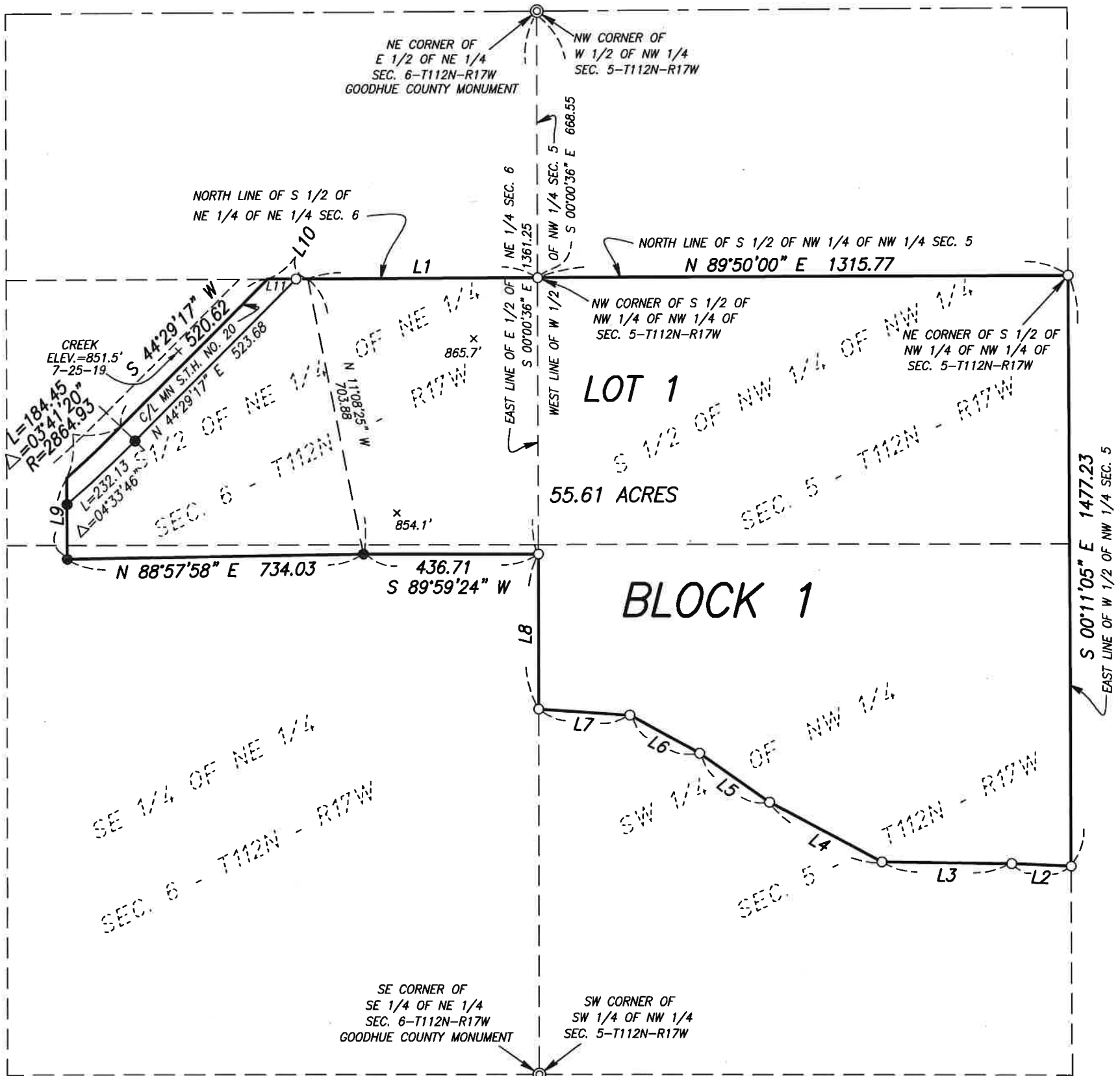


LINE	BEARING	DISTANCE
L1	N 89°47'00" E	572.59
L2	N 87°35'37" W	147.47
L3	N 89°11'49" W	320.57
L4	N 61°46'58" W	315.44
L5	N 54°54'24" W	211.97
L6	N 61°10'31" W	198.32
L7	N 86°04'17" W	227.85
L8	N 00°00'36" W	387.77
L9	S 00°00'36" W	204.73
L10	N 89°47'00" E	99.64
L11	S 89°47'00" W	70.35



**BENCH MARK:**  
MNDOT CONTROL  
DISK 2504 F  
SW QUAD. TH NO. 20  
AND 280TH STREET  
ELEV.=871.52'

- DENOTES FOUND IRON MONUMENT
- DENOTES SET IRON MONUMENT  
W/PLASTIC CAP "RLS 22044"



**PRELIMINARY PLAT FOR:**  
**KEITH GESME**  
28170 HWY 20 BLVD  
CANNON FALLS, MN 55009

**RAPP LAND SURVEYING, INC.**  
45967 HIGHWAY 56 BLVD  
KENYON, MN 55946  
612-532-1263

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

MAY 27, 2019

*David G. Rapp*

Dated:

David G. Rapp

Revised 7/03/19

Minnesota Registration No. 22044

Revised 7/29/19

DRAWN BY:

DGR

DATE:

5-27-19

PROJECT NO.

D19117PP

SCALE:

1"=300'

SHEET

2 of 2 sheets

BOOK/PAGE

43/63





Prepared by  
Goodhue County  
GIS Office  
Red Wing, MN  
July 2019



- 2 ft Contour
- PLSS
- Parcel
- Municipal Boundary

### GESME ADDITION CANNON FALLS TOWNSHIP



Scale: 1:3,600

2018 Imagery

**DATA DISCLAIMER:**  
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# 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:** August 19, 2019  
**Report date:** August 09, 2019

## **PUBLIC HEARING: “Hayes Addition” Preliminary and Final Plat Review**

Request, submitted by Josie Hayes (owner), for Preliminary and Final review of the proposed Hayes Addition Plat comprising approximately 157.91 acres.

### **Application Information:**

Applicant: Josie Hayes (owner)

Address of zoning request: 300 Carlson Road Cannon Falls, MN 55009

Parcel(s): 28.007.0100

Abbreviated Legal Description: Part of the NE ¼ of Section 7 in TWP 112 Range 17 in Cannon Falls Township

Zoning District: A3 (Urban Fringe District)

### **Attachments and links:**

Application and submitted project summary (excerpt of materials, full submittal available upon request)

Site Map(s)

Survey

Goodhue County Zoning Ordinance (GCZO):

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

### **Summary:**

The Applicant (Josie Hayes) owns a single parcel comprising 157.91 acres in section 7 of Cannon Falls Township. The “Hayes Addition” Plat is proposed to allow the property to be subdivided into four lots, which the applicant intends to sell as potential dwelling sites in the future.

In the A3 District (Urban Fringe) dwelling density is based on a minimum parcel size of 1 dwelling per 35-acres. The proposed plat would create three 35.10 acre lots (lots 1, 3, & 4) and one 52.61 acre lot (lot 2) which would conform to the minimum dimensional requirements for the existing district. No rezone is requested at this time.

The Applicant is required to follow the formal Platting process for the proposed subdivision as the split will create more than 3 new tax parcels from a single tax parcel and the split will be dedicating Right-of-Way to the public where the property abuts County 17 Boulevard in the southeast corner.

### **Project Summary:**

#### **Property Information:**

- The 157.91-acre property consists of an existing homestead, row-crop agricultural land, and undeveloped woodlands/prairie. The existing dwelling is the applicant’s primary residence. They intend to continue occupying until they can build a new dwelling on Lot 2.
- The property is zoned A3 and no rezone is proposed. Adjacent zoning districts are A3 to the north and east. The city of Cannon Falls borders the property to the south and east.
- There are some steep slopes crossing the property from east to west that qualify as Blufflands and are subject to Goodhue County Bluffland Protection regulations. The property is not a Registered



Feedlot and the nearest Registered Feedlot is a half-mile northeast of the site.

- The proposed Plat would create 4 lots. Each lot will exceed the 35-acre minimum parcel size for the A3 District and would be eligible dwelling development sites (subject to other County and Township zoning and sanitation requirements).

**Access/Traffic:**

- The existing dwelling is accessed off Carlson RD within the city of Cannon Falls.

The Applicants have received approvals from Cannon Falls City Council to use Carlson RD and Viking AVE to access the lots 1, 2, and 3. Lot 4 would be accessed via CTY 17 BLVD in the southeast corner of the property.

The tillable farmland is currently rented by a farmer and accessed from adjacent fields to the north of the Hayes' property. In the future, the farmland could be accessed via the frontage to Carlson RD on Lot 2 through existing field access road traversing the Blufflands to the north.

**Water/Wastewater:**

- The property currently has a single-family dwelling and several accessory structures that is served by a private well and septic system. The Applicant intends for the new lots to be served by individual wells and septic systems upon development.
- Goodhue County Sanitarian, Ben Hoyt, offered the following comments regarding the proposed Plat:

*“Environmental Health has no specific issues with the plat. However, some land uses will have additional regulations. Part of the land from parcel 28.007.0100 is within the Drinking Water Supply Management Area (DWSMA) of Cannon Falls. The land use for areas within the DWSMA should be monitored because of the areas high sensitivity to groundwater contamination. New sources of potential contamination within the DWSMA such as new wells or septic systems should be discouraged. The solution with the least potential impact to the DWSMA would be to have dwellings in this area connected to municipal water and sewer.”*

**Cannon Falls Township/City of Cannon Falls:**

- LUM Staff discussed the proposal with Cannon Falls Township Clerk (Sue Safe) on 8/8/19. She commented they have met with the Applicant on several occasions and they are not opposed to the request. She noted that the Town Board has discussed the Township's 1,000-foot dwelling setback requirement for neighboring dwellings with the Applicant and they are aware of the Township's zoning standards.
- LUM Staff also discussed the proposed Plat with the city of Cannon Falls and they stated they have no objections.

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend that the County Board of Commissioners **APPROVE** the request submitted by Josie Hayes (owner) for Preliminary and Final Plat approval of the proposed “Hayes Addition” comprising 157.91 acres (PID: 28.007.0100).



# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

Public Hearing  
August 19, 2019

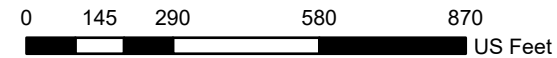
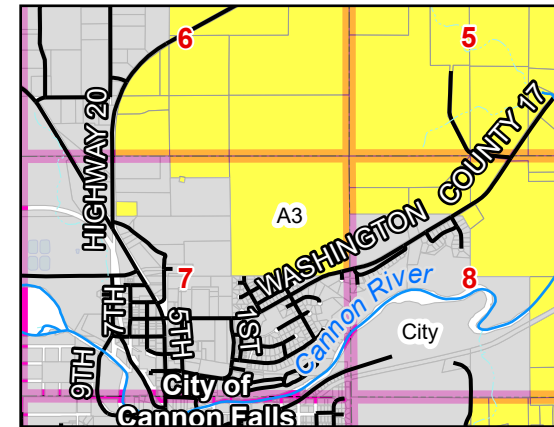
Josie Hayes  
A3 Zoned District

Parcel 28.007.0100  
Part of the NE 1/4 of Section 7  
in TWP112 Range 17  
in Cannon Falls Township

Preliminary and Final Plat review of  
proposed "Hayes Addition" Plat

### Legend

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



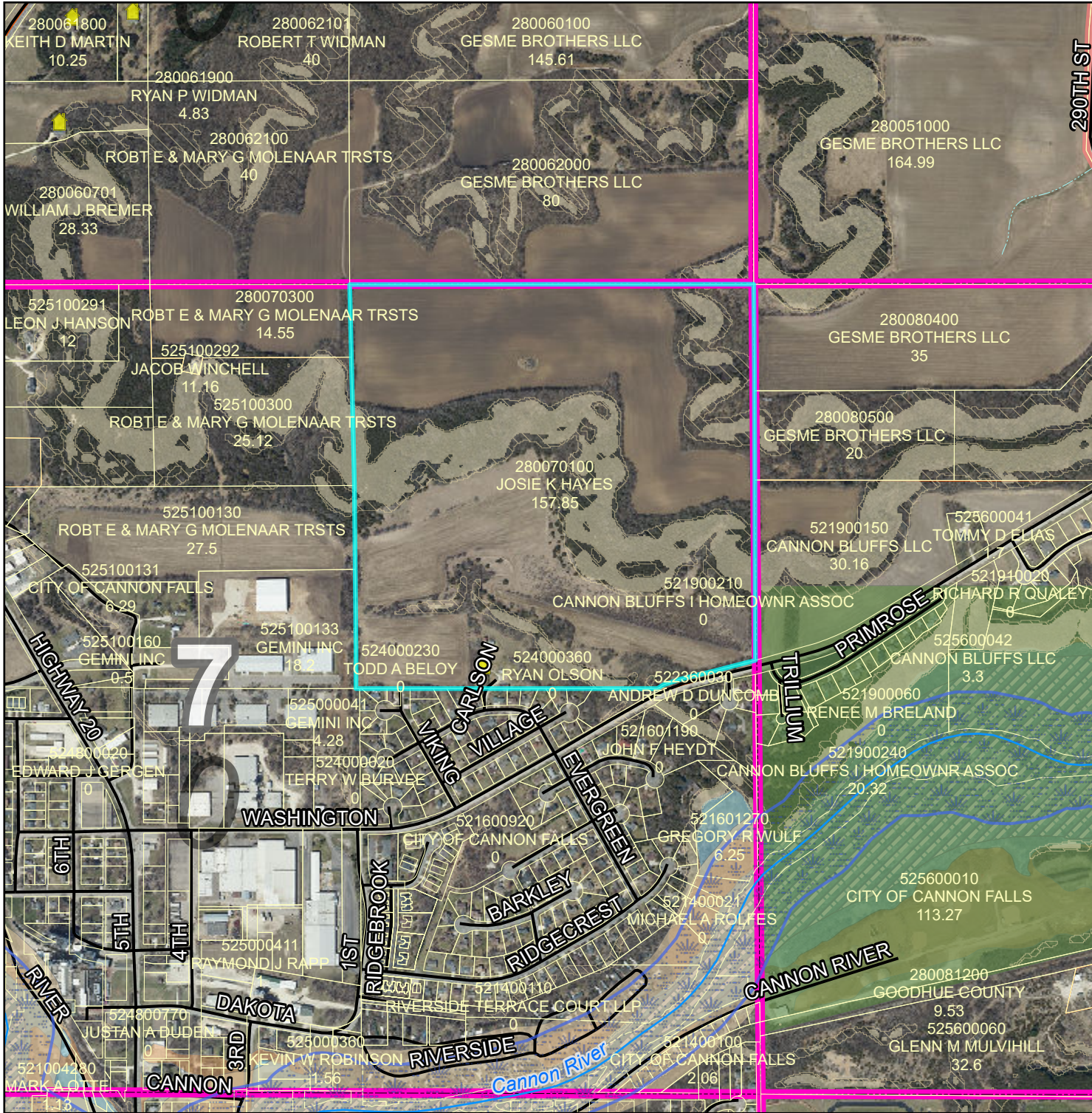
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2018 Aerial Imagery  
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# MAP 02: VICINITY MAP



## PLANNING COMMISSION

Public Hearing  
August 19, 2019

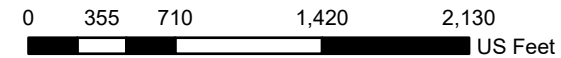
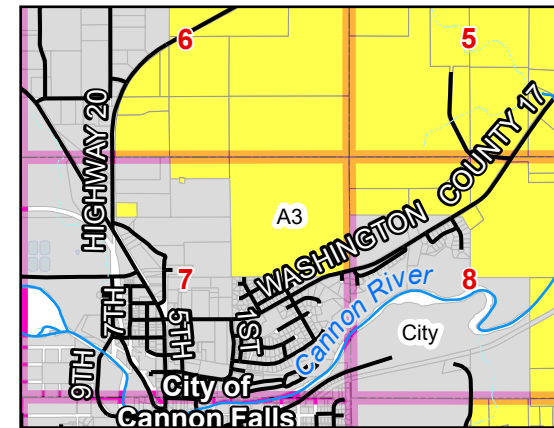
Josie Hayes  
A3 Zoned District

Parcel 28.007.0100  
Part of the NE 1/4 of Section 7  
in TWP112 Range 17  
in Cannon Falls Township

Preliminary and Final Plat review of  
proposed "Hayes Addition" Plat

### Legend

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



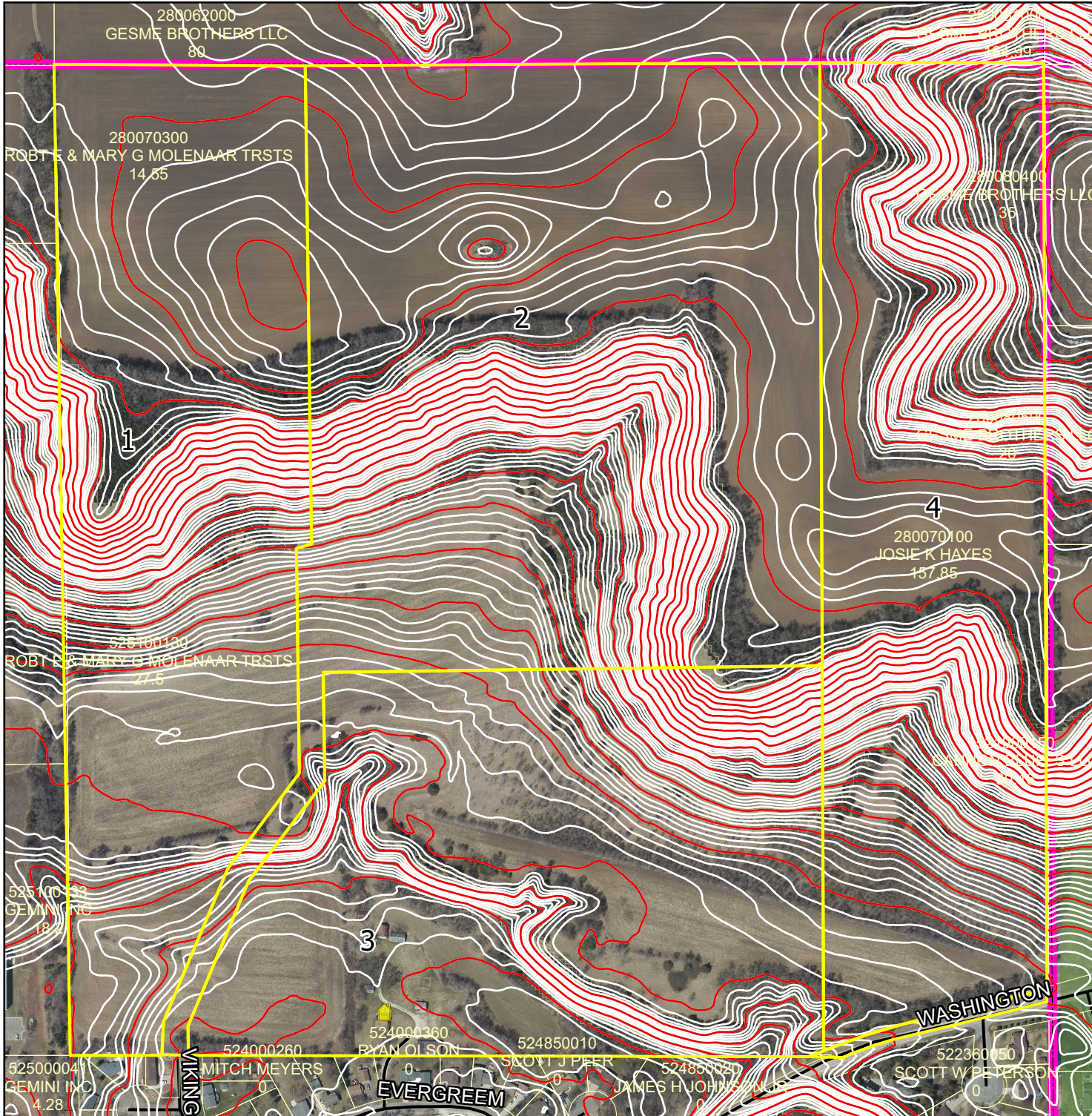
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# MAP 03: ELEVATIONS



## PLANNING COMMISSION

Public Hearing  
August 19, 2019

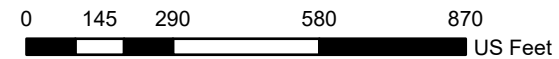
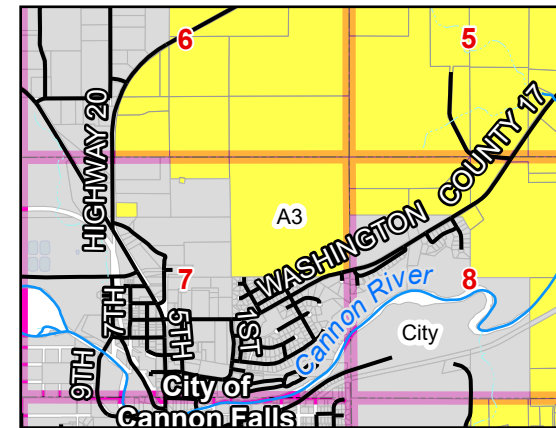
Josie Hayes  
A3 Zoned District

Parcel 28.007.0100  
Part of the NE 1/4 of Section 7  
in TWP112 Range 17  
in Cannon Falls Township

Preliminary and Final Plat review of  
proposed "Hayes Addition" Plat

### Legend

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



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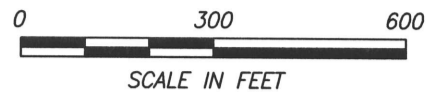
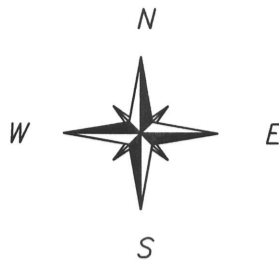
2018 Aerial Imagery  
Map Created August, 2019 by LUM





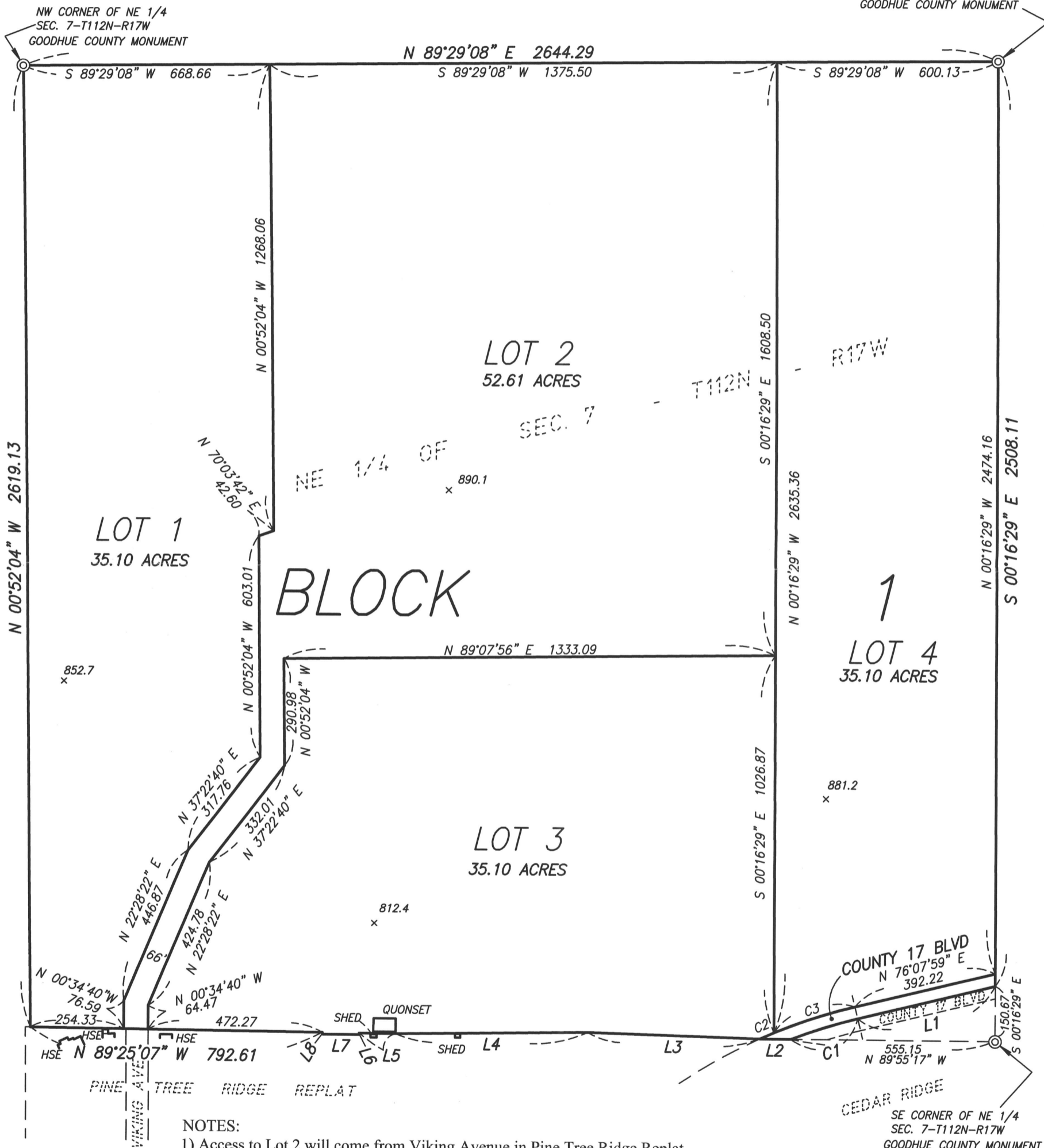
PLEASE SEE EXHIBIT A FOR LEGAL DESCRIPTION

LINE	BEARING	DISTANCE
L1	S 76°07'59" W	384.24
L2	N 89°55'17" W	84.10
L3	N 88°22'45" W	465.90
L4	S 89°07'38" W	521.14
L5	N 89°25'07" W	98.54
L6	S 01°07'00" E	4.75
L7	N 89°55'17" W	99.05
L8	N 11°39'47" W	5.75



CURVE	ARC	DELTA	RADIUS
C1	190.51	07°37'14"	1432.39
C2	42.63	01°40'00"	1465.39
C3	230.52	09°00'47"	1465.39

NE CORNER OF NE 1/4  
SEC. 7-T112N-R17W  
GOODHUE COUNTY MONUMENT



NOTES:

- 1) Access to Lot 2 will come from Viking Avenue in Pine Tree Ridge Replat.
- 2) Access to Lot 1 will be via an easement through Lot 2.
- 3) Access to Lot 3 will come from easement through Lot 9, Block 2, Pine Tree Ridge Replat.
- 4) Access to Lot 4 will come from County 17 Boulevard.
- 5) Each lot will contain a minimum of 35 acres.
- 6) Each lot will be responsible for individual well and septic system.

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

JULY 12, 2019  
Dated:  
Revised 7-26-19

*David G. Rapp*  
David G. Rapp  
Minnesota Registration No. 22044

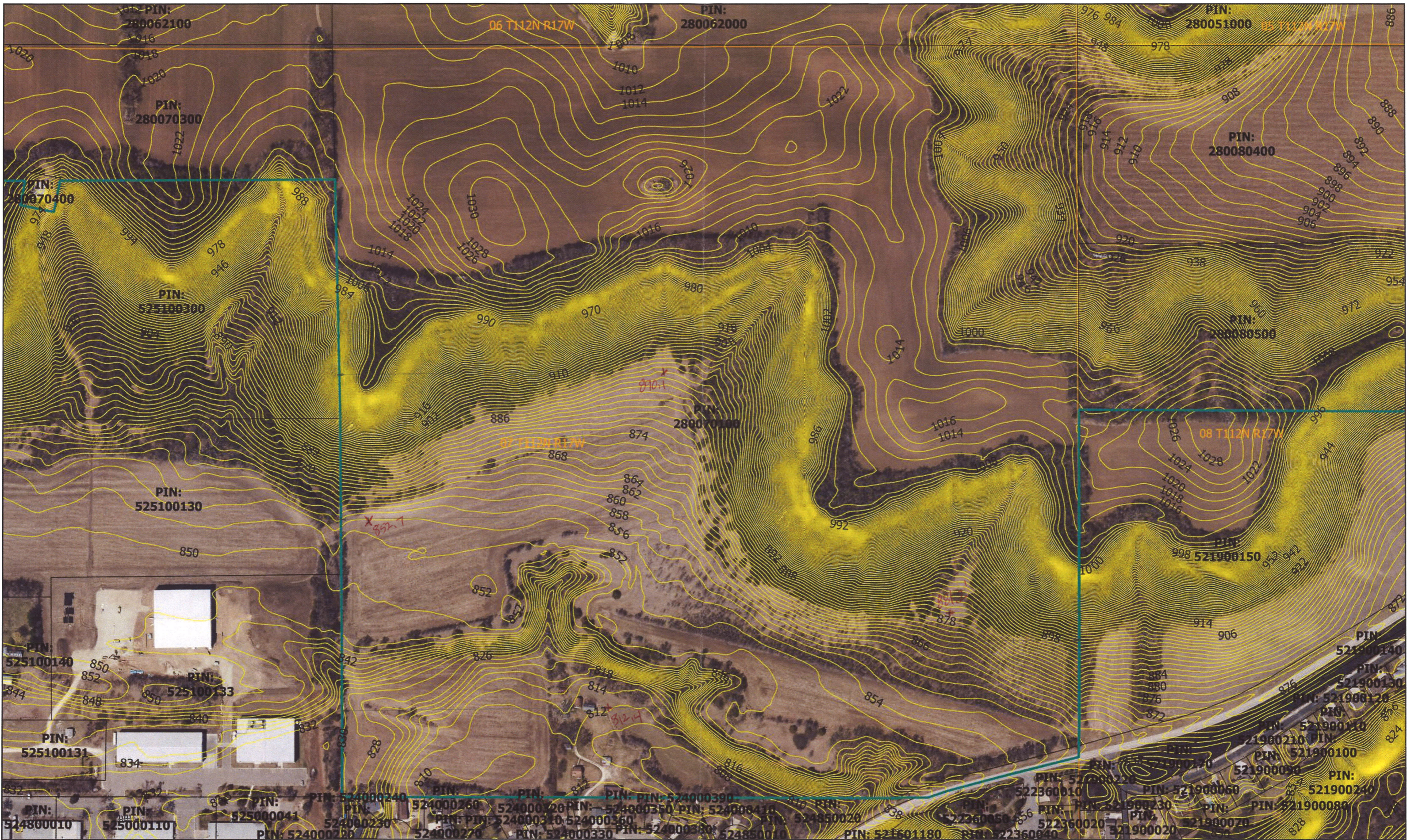
PRELIMINARY PLAT FOR:  
JOSIE AND ZACHARY HAYES  
32888 LOUIS TRAIL  
CANNON FALLS, MN 55009

RAPP LAND SURVEYING, INC.

45967 HIGHWAY 56 BLVD  
KENYON, MN 55946  
612-532-1263

DRAWN BY: DGR	DATE: 7-12-19	PROJECT NO. D1949PP
SCALE: 1"=300'	SHEET 1 of 1 sheet	BOOK/PAGE 44/19



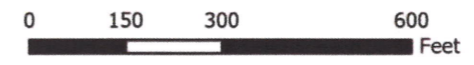


Prepared by  
Goodhue County  
GIS Office  
Red Wing, MN  
July 2019



- 2 ft Contour
- PLSS
- Parcel
- Municipal Boundary

**PIN 280070100**  
**CANNON FALLS TOWNSHIP**



Scale: 1:3,600

2018 Imagery

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FILE #	Z19.0035
PARCEL #	28.007.0100

# 505 Plat Application

A. A Minnesota Statute Chapter 505 plat\* is required under the following circumstances:

1) The creation of three or more tax parcels from one tax parcel, except when the tax parcels created can be described by an aliquot part of the Public Land Survey. The minimum division shall be a Quarter Quarter of the Section (i.e. SE 1/4 of the NW 1/4 ). Non-contiguous land must be separate tax parcels. The parcels shown on the plat provide for road access for each new division or reconfiguration of land;

2) If a subdivision of a platted lot or outlot can result in one or more potential dwelling sites, the subdivision must be platted.

\*Requires approval and public hearings from the Planning Commission and County Board

Landowner Information	
Landowner Name	Zachary and Josie Hayes <sup>Email</sup> jhayes432@gmail.com
Mailing Address	300 Carlson Road, Cannon Falls, MN 55009
Daytime Phone	651-255-7659
Applicant Information (if different than above)	
Applicant Name	Email
Mailing Address	
Daytime Phone	
Township Information	
Township position	Date 7-21-19
Signature	Sue Gye, Clerk
County Use	
Application Fee \$350	Receipt Number 16856
Initial Reviewed by	Received Date 7/23/19
Plat Name	
Request complies with Goodhue County Zoning and Subdivision requirements as attested by me	
_____ the Goodhue County Planner/Zoning Administrator on	
this day _____	

# 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:** August 19, 2019  
**Report date:** August 09, 2019

## **PUBLIC HEARING: Consider Goodhue County Ordinance Updates (R1)**

Proposed amendments to Article 24 (R-1, Suburban Residential District) to modify language relating to dimensional requirements, permitted uses, platting requirements, and access standards.

### **Attachments:**

Proposed Amendments  
Article 20 "Table of Uses"  
County Wide Zoning Map  
R1 Information  
[Goodhue County Zoning Ordinance](#)

### **Summary:**

LUM staff are proposing the following amendments to Article 24 (R-1):

#### **Section 1:**

- Redundant language deleted to clarify R1 District's intent

#### **Section 4:**

- Language relating to accessory structures and uses modified to clarify applicable standards. Ambiguous language regarding accessory uses deleted.
- Accessory structure maximum sizing increased to be consistent for all R1 lot sizes.

#### **Section 5:**

- Heading amended.
- Minimum parcel size amended to 1-acre of "Buildable Area" for all lots created after adoption of the proposed amendments. Lots existing prior to the adoption of the amendments would be allowed as building sites under existing minimum sizing language.
- "Buildable Area" is removed from language regulating existing R1 parcel sizing to prevent existing R1 lots from becoming non-conforming upon adoption. Language relating to accessory structures removed from the section.
- "Exceptions" to dimensional requirements removed from the section as they are already detailed in Article 11; section 21 (Performance Standards).
- Inconsistent Feedlot setback language deleted. Setbacks to Feedlots are detailed in Article 13 and are the most current adopted standards.

#### **Section 6:**

- Redundant language referencing parking provisions removed.
- Platting requirements for all future R1 subdivisions added.
- Public Road Frontage/Easement access standard added to mirror A1, A2, and A3 District requirements.



**Article 20; Section 7 “TABLE OF USES”:**

- Language regarding “horses” within R1 districts amended to “livestock” and minimum lot size reduced to match proposed 1-acre lot size.

**Article 10 “DEFINITIONS”:**

- Livestock definition amended to include lamb, sheep, goats, and poultry

**Staff Recommendation:**

Land Use Management staff recommends the Planning Advisory Commission adopt the staff report into the record, and recommend the County Board of Commissioners **APPROVE** the amendments to Article 24 (R-1, Suburban Residential District), Article 20; section 7 (Table of Uses), and Article 10 (Definitions).

# **PROPOSED AMENDMENTS**

---

## **ARTICLE 24 R1, SUBURBAN RESIDENCE DISTRICT**

---

### **SECTION 1. PURPOSE**

The R1, Suburban Residence District is intended to provide a district which will define and protect areas suitable for low to medium density residential development as the principal land use of the land and to allow related facilities desirable for a residential environment. ~~It is also intended that this district allow varying densities of development in accordance with the ability to provide water and sewer facilities.~~

### **SECTION 2. PERMITTED USES**

All permitted uses are subject to zoning and building permits. Permitted uses allowed in the R1 Zoning District shall be as shown in Article 20, Section 7, "Table of Uses".

### **SECTION 3. CONDITIONAL USES AND INTERIM USES**

All conditional uses and interim uses are subject to zoning and building permits. Conditional and interim uses allowed in the R1 Zoning District shall be as shown in Article 20, Section 7, "Table of Uses."

### **SECTION 4. ACCESSORY STRUCTURES AND USES**

Accessory structures and uses in the R1 district may be permitted when located on the same parcel as the Principal structure or use and shall comply with the following standards: Any following accessory use, building or structure customarily incidental to any permitted or conditionally permitted use shall be permitted, provided that such accessory use, building or structure shall be located on the same property.

Subd. 1. ~~Any home occupation.~~ No accessory buildings or uses shall be permitted on a parcel prior to establishment of the principal building.

Subd. 2. Detached accessory buildings shall be limited in size to 1,500 square feet in area for parcels 12,000 square feet to 1 acre and 2,100 square feet in area for parcels greater than 1 acre.

Subd. ~~23.~~ Any private garages, either separated or in connected groups, having common unpierced dividing walls between contiguous private garages.

Subd. ~~34.~~ Any temporary buildings for uses incidental to construction work, which ~~buildings~~ shall be removed upon completion or abandonment of such construction work.

~~Subd. 4. — Any other accessory building, structure or use customarily incidental to the permitted or conditionally permitted uses of this Article.~~



## **SECTION 5. DIMENSIONAL REQUIREMENTS LOT SIZE, SETBACK, YARD AND HEIGHT REQUIREMENTS**

~~Parcels in the Any lot in an R1, Suburban Residence District on which any permitted or conditionally permitted use is erected~~ shall meet the following minimum standards:

Subd. 1. Parcel Lot Size, Width and Depth.

- A. Parcels shall contain a minimum 1 acre of Buildable Area.
- B. Parcels rezoned or subdivided prior to August XX, 2019 shall contain a minimum 20,000 square feet of buildable area per dwelling unit when served by an individual SSTS or 6,000 square feet of buildable area per dwelling unit when served by a Community SSTS.
- C. All parcels shall have a minimum width of 100 feet at the building setback line and a minimum depth of 125 feet.
- ~~A. Any lot on which a permitted residential use is erected shall contain twenty thousand (20,000) square feet of area per dwelling unit and shall have a minimum width of one hundred (100) feet at the building setback line and a minimum depth of one hundred twenty five (125) feet when such use is served by private sewer and water systems.~~
- ~~B. Any lot on which a permitted residential use is erected shall contain six thousand (6,000) square feet of buildable area per dwelling unit and shall have a minimum width of one hundred (100) feet at the building setback line and a minimum depth of one hundred twenty five (125) feet when such use is served by a municipal sewage treatment system.~~

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

- A. Front Yard.
  - 1. There shall be a minimum setback of ~~forty (40)~~ feet from the right-of-way line of any public road or highway; except that, this setback may be reduced to ~~twenty five (25)~~ feet when such public road is a minor street serving only a residential subdivision.
  - 2. In the event any building is located on a lot at the intersection of ~~two (2)~~ or more roads or highways, such lot shall have a front yard abutting each such road or highway.
- B. Side Yard. Every building shall have ~~two (2)~~ side yards. Each side yard shall have a minimum width of ~~eight (8)~~ feet.
- C. Rear Yard. Every building shall have a rear yard. The rear yard shall have a minimum depth of ~~eight (8)~~ feet.

Subd. 3. Bluff Impact Zone. For any use or structure in the R1 District, the setback from the bluff impact zone shall be no less than ~~thirty (30)~~ feet.

Subd. 4. Height Requirements. Every ~~permitted, conditionally permitted, or accessory~~ building shall meet the following height requirements:

- A. ~~All permitted or conditionally permitted principal~~ Buildings shall not exceed ~~thirty five (35)~~ feet in height.

- B. Freestanding accessory structures, including but not limited to, communication towers or antennas shall be limited to a height of 10 feet less than the distance to the nearest property line or shall be designed and engineered to collapse progressively within the distance between the tower and the property line. Accessory buildings shall comply with regulations set forth in Article 11, Section 5 of this Ordinance.

~~Subd. 5. No accessory building shall be constructed or developed on a lot prior to the construction of the principal building.~~

Subd. 6. Parcel Lot Coverage. No principal building together with its accessory buildings shall occupy more than ~~twenty (20)~~ percent of the total ~~parcel lot~~ area.

Subd. 7. Substandard Lots of Record. When contiguous and under identical ownership, must be combined to meet minimum standards of this Ordinance in order that any permitted or conditionally permitted use is allowed on such lot or lots.

~~Subd. 8. Exceptions. Certain uses are exempted from meeting the lot's size, yard and height requirements. These exceptions are listed in Article 11. Note: Art. 11 Section 21~~

~~Subd. 9. Distance from Confined Feedlots. No residential use including residential subdivisions shall be sited within one quarter (1/4) mile of an existing confined feeding operation of less than three hundred (300) animal units or within one half (1/2) mile of an existing confined feeding operation of more than three hundred (300) animal units.~~

## **SECTION 6. GENERAL REGULATIONS**

~~Subd. 1. Additional requirements for parking regulations in the R-1, Suburban Residence District are set forth in Article 11 of this Ordinance.~~

Subd. 1. Plat Required. Any subdivision of an R1 zoned parcel that could result in the creation of one or more additional dwelling sites shall be platted according to procedures set forth in the Goodhue County Subdivision Controls Ordinance.

Subd. 2. Public Road Frontage or Road Access Easements Standards:

- A. Each Parcel shall include a minimum 33 feet of frontage on a public road right-of-way line extending to the building line. As an alternative, a single parcel that does not front on a public road may be permitted upon the recording (with the Goodhue County Recorder) of a driveway access easement that is a minimum of 33 feet in width and has been determined to be acceptable by the Goodhue County Land Use Management Department.
- B. Two parcels that do not front on a public road may be permitted upon the recording (with the Goodhue County Recorder) of a shared driveway access easement that is a minimum of 66 feet in width and has been determined to be acceptable by the Goodhue County Land Use Management.
- C. Access for 3 or more parcels shall meet the standards for public roads in the Goodhue County Subdivision Ordinance.



# ARTICLE 10 WORD USAGE AND DEFINITIONS

---

## SECTION 2. DEFINITIONS

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

**BUILDABLE AREA.** The contiguous area of a parcel that is sufficient in area to accommodate the construction of water supply systems, sewage treatment systems, buildings, and driveways while maintaining adequate setbacks. Floodway, areas below Ordinary High Water Level, and Public or Private Rights-of-Way shall not be included in calculating the Buildable Area of a parcel.

**LIVESTOCK.** Any beef or dairy cattle, swine, sheep, horses and ponies.  
“Livestock” includes all cattle, swine, equine, camelids, poultry, and domestic fowl raised for domestic, agricultural, or commercial uses (including, but not limited to, beef and dairy cattle, horses, donkeys, goats, sheep, pigs, llamas, alpacas, chickens, turkey, ostriches, and waterfowl).

# GOODHUE COUNTY ZONING ORDINANCE

## Table of Uses

Use	A-1	A-2	A-3	R-1
<b>Residential</b>				
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
<b>Agricultural</b>				
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 $\leq 100$ Animal Units (Art.13)	P	P	P	NP
Feedlot expansion to $\geq 300$ Animal Units (Art.13)	P	C/I	NP	NP
Feedlot expansion to $\geq 500$ 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
<b>Up to 3 Animal Units on a minimum 1-acre parcel. 3 horses on a minimum 5 acre lot</b>				C/I
<b>Commercial</b>				
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 <sup>bc</sup>	NP
Commercial/Industrial Uses primarily intended to serve Ag. Community	C/I	C/I	C/I <sup>bc</sup>	NP
Boarding or Rooming Houses as an accessory use	C/I	C/I	C/I <sup>bc</sup>	C/I
Bed and Breakfast Inn (Art.11 § 13)	C/I	C/I	C/I <sup>bc</sup>	C/I
Contractors Yard (Art.11 § 33)	C/I	C/I	C/I	NP
Veterinary Clinic	C/I	C/I	NP	NP
<b>Industrial</b>				
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
<b>Recreational</b>				
Public Stable	C/I	C/I	C/I	NP
Park/Recreational Area (operated by a governmental agency)	C/I	C/I	C/I <sup>bc</sup>	NP
Park/Recreational Area	NP	NP	NP	C/I
Hunting Club/Shooting Preserve	C/I	C/I	NP	NP
Campground &/or RV Site ( <i>Art.16 § 7</i> )	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 <sup>abc</sup>	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 <sup>bc</sup>	NP
Retreat Centers ( <i>Art.11 § 25</i> )	NP	C/I	C/I	NP
<b>Institutional</b>				
Community Building	C/I	C/I	C/I <sup>bc</sup>	C/I
Church	C/I	C/I	C/I <sup>bc</sup>	C/I
Cemetery	C/I	C/I	C/I <sup>bc</sup>	NP
Memorial Garden	C/I	C/I	NP	NP
Public School	C/I	C/I	C/I <sup>bc</sup>	C/I
Private School	C/I	C/I	C/I <sup>bc</sup>	NP
Nursery School	C/I	C/I	C/I <sup>bc</sup>	NP
Funeral Home	NP	NP	C/I <sup>bc</sup>	NP
Hospital, Sanitarium, Philanthropic/Eleemosynary Institutions (except correctional institutions, animal hospitals)	NP	NP	C/I <sup>bc</sup>	NP
<b>Miscellaneous</b>				
WECS (Non-Commercial Micro) ( <i>Art. 18</i> )	P	P	P	P
WECS (Non-Commercial) ( <i>Art. 18</i> )	P	P	C/I	NP
WECS (Commercial) ( <i>Art. 18</i> )	C/I	C/I	NP	NP
WECS (Meteorological Tower) ( <i>Art. 18</i> )	P	P	C/I	NP
SES (Utility Scale) ( <i>Art. 19</i> )	C/I	C/I	C/I	NP
SES (Commercial Scale) ( <i>Art. 19</i> )	P	P	P	P
SES (Residential Scale) ( <i>Art. 19</i> )	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

<b>R1 Statistics</b>			
<b>Parcel Size</b>	<b># of Lots</b>	<b>Acres</b>	<b>% of Total R1 Lots</b>
≤ 1 Acre	908	462	55%
≥ 1 Acre	750	2,397	45%
≥ 2 Acres	345	1,853	20%
≥ 3 Acres	238	1,595	14%
≥ 4 Acres	141	1,650	8%
≥ 5 Acres	97	1,018	6%
<b>TOTALS</b>	<b>1658</b>	<b>2,859</b>	<b>100%</b>

\*\*Please note the numbers above are “cumulative” (E.G. lots ≥ 4 acres includes all lot sizes from 4 acres up to 100+ acres)

<b>Typical Square Footages for Single Family Lots in R1</b>	
Single Family Dwelling	≈ 4,000 square feet
Garage	≈ 500 square feet
Drainfield 1 (initial-mound system)	≈ 4,000 square feet
Drainfield 2 (replacement-mound system)	≈ 4,000 square feet
<b>TOTAL: ≈ 10,000 square feet OR 1/4 Acre</b>	



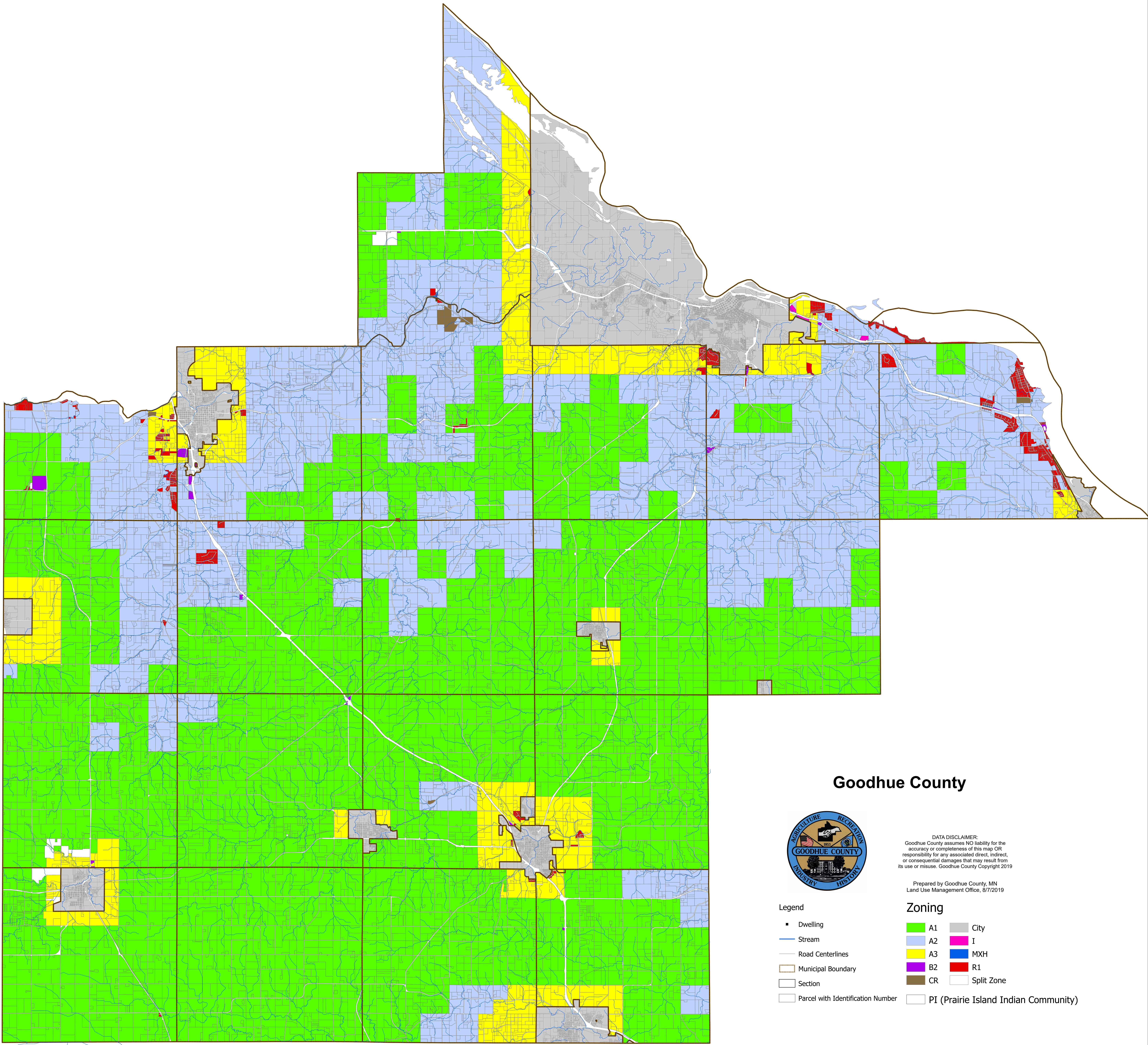
<b>TOWNSHIPS WITH R1 ZONES</b>
Cannon Falls Township
Featherstone Township
Florence Township
Hay Creek Township
Leon Township
Minneola Township
Pine Island Township
Stanton Township
Vasa Township
Wacouta Township
Warsaw Township
Welch Township
Zumbrota Township

**=13 Townships**

<b>TOWNSHIPS WITHOUT R1 ZONES</b>
Belle Creek Township
Belvidere Township
Cherry Grove Township
Goodhue Township
Holden Township
Kenyon Township
Roscoe Township
Wanamingo Township

**=8 Townships**





# Goodhue County



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Prepared by Goodhue County, MN  
 Land Use Management Office, 8/7/2019

### Legend

- Dwelling
- Stream
- Road Centerlines
- ▭ Municipal Boundary
- ▭ Section
- ▭ Parcel with Identification Number

### Zoning

- A1
- A2
- A3
- B2
- CR
- City
- I
- MXH
- R1
- ▭ Split Zone
- ▭ PI (Prairie Island Indian Community)



# Goodhue County Land Use Management

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

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

*County Surveyor / Recorder*

Building | Planning | Zoning  
Telephone: 651.385.3104  
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Environmental Health | Land Surveying | GIS  
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**To:** County Board

**From:** Land Use Management

**Meeting Date:** August 19, 2019

**Report Date:** August 9, 2019

**PUBLIC HEARING AGENDA ITEM:**

Proposed amendments to Article 10 (Definitions) and Article 11; section 26 (Kennel Performance Standards) to modify language defining the age of adult pets from 4 months to 28 weeks for kennel operations.

**Attachments:**

Minnesota Statutes 347.57 (Definitions)

Goodhue County Zoning Ordinance (GCZO):

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

**Background:**

Land Use Management Staff have been discussing with a Kennel Operator in the County a potential Zoning Ordinance Text Amendment to adjust the age dogs are considered to be “adult” for regulatory purposes. This particular Kennel Operator breeds dogs to train as therapy dogs. She made LUM Staff aware that the Board of Animal Health uses 28 weeks to distinguish between an adult dog and a puppy (see Minnesota Statutes 347.57). Currently the County’s standard for this threshold is 4 months as noted in the definition for Kennel found in Article 10, Section 2; and in Article 11, Section 26, Subd. 1, paragraph B, as noted below.

In researching this issue staff contacted the Minnesota Board of Animal Control to discuss the State Standard. A staff person with the Board of Animal Control explained that the 28 week standard to distinguish between a “puppy” and an adult dog was established when the current statutory language was drafted. A specific rationale was not offered for why the “28 week” standard was chosen.

Normally, the County prefers to be consistent with State Standards in areas where County and State Regulations may overlap. The Board of Animal Control licenses dog breeding facilities and enforces the 28 week standard. The County regulates kennels as a conditional or interim land use with performance standards included in Article 11, Section 26 of the Zoning Ordinance.

Since, a change in standard for recognizing mature/adult animals would impact other kennels, LUM Staff has proceeded to initiate a zoning text amendment of the applicable provisions of the Zoning Ordinance to provide the Planning Advisory Commission the opportunity to consider the merits of amending the age standard to distinguish between “adult” and “juvenile” animals.

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

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

Included below are Article 10, Section 2 (Kennel Definition) and the complete Article 11, Section 26 (Kennels). Language to be removed is noted with the strike through symbol (~~sssss~~) and language to be added is noted with the use of bold italic text (***bbbb***).

#### ARTICLE 10. WORD USAGE AND DEFINITIONS

##### SECTION 2. DEFINITIONS

KENNEL. Animal - Any place where four (4) or more of any type of domestic or exotic pets over ~~four (4) months~~ ***28 weeks*** of age are owned, boarded, bred, or offered for sale.

#### ARTICLE 11. PERFORMANCE STANDARDS

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



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 wastewater in an approved manner; and
- D. Allow periodic inspections of the facility in coordination with the Land Use Management department.

**Land Use Management Staff Recommendation:**

Land Use Management staff recommends the Planning Advisory Commission adopt the staff report into the record, and recommend the County Board of Commissioners **APPROVE** the amendments:

- ARTICLE 10. WORD USAGE AND DEFINITIONS  
SECTION 2. DEFINITIONS  
KENNEL. Animal - Any place where four (4) or more of any type of domestic or exotic pets over ~~four (4) months~~ **28 weeks** of age are owned, boarded, bred, or offered for sale.
- ARTICLE 11. PERFORMANCE STANDARDS  
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:

- B. The species and maximum number of animals that will be at the site (include all animals over the age of ~~four months~~ **28 weeks** on the property).





**347.57 DEFINITIONS.**

Subdivision 1. **Terms.** The definitions in this section apply to sections 347.57 to 347.64.

Subd. 2. **Animal.** "Animal" means a dog or a cat.

Subd. 3. **Board.** "Board" means the Board of Animal Health.

Subd. 4. **Cat.** "Cat" means a mammal that is wholly or in part of the species *Felis domesticus*. An adult cat is a cat 28 weeks of age or older. A kitten is a cat under 28 weeks of age.

Subd. 5. **Commercial breeder.** "Commercial breeder" means a person who possesses or has an ownership interest in animals and is engaged in the business of breeding animals for sale or for exchange in return for consideration, and who possesses ten or more adult intact animals and whose animals produce more than five total litters of puppies or kittens per year.

Subd. 6. **Confinement area.** "Confinement area" means a structure used or designed for use to restrict an animal to a limited amount of space, such as a room, pen, cage, kennel, compartment, crate, or hutch.

Subd. 7. **Dog.** "Dog" means a mammal that is wholly or in part of the species *Canis familiaris*. An adult dog is a dog 28 weeks of age or older. A puppy is a dog under 28 weeks of age.

Subd. 8. **Facility.** "Facility" means the place used by a commercial breeder for breeding animals, and includes all buildings, property, confinement areas, and vehicles.

Subd. 9. **Local animal control authority.** "Local animal control authority" means an agency of the state, county, municipality, or other political subdivision of the state that is responsible for animal control operations in its jurisdiction.

Subd. 10. **Person.** "Person" means a natural person, firm, partnership, corporation, or association, however organized.

Subd. 11. **Possess.** "Possess" means to have custody of or have control over.

Subd. 12. **Veterinarian.** "Veterinarian" means a veterinarian in good standing and licensed in the state of Minnesota.

**History:** 2014 c 312 art 13 s 32