



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

Appointment Of Chair, Vice-Chair And BOA Representative

Conflict/Disclosure Of Interests

Public Hearings:

1. PUBLIC HEARING: CUP Amendment – Augie's Trucking LLC
Request for Conditional Use Permit (CUP) amendment, submitted by Jason Augustine (Augie's Trucking LLC), to construct a building addition larger than the maximum size allowed by the existing CUP. Parcel 42.001.1001. 17510 CTY 41 BLVD, Red Wing, MN 55066. Part of the NE ¼ of the SW ¼ and Part of the NW ¼ of the SE ¼ Sect 1 TWP 112 R16 in Vasa Township. A3 Zoned District.

Documents:

[PACPACKET_AUGIES.PDF](#)

2. PUBLIC HEARINGS: Beccah Risdall (Applicant)/ David Mohn (Owner)
Parcel 34.011.0100. 29212 Orchard Road, Red Wing, MN 55066. Part of the E ½ of the NE ¼ and Part of the E ½ of the SE ¼ Sect 11 TWP 112 R14 in Hay Creek Township. A2 Zoned District.

1. CUP for a Non-Agricultural Use Associated with Agri-tourism (Wedding and Event Center)
CUP request to establish a Wedding and Event Center with a proposed maximum occupancy of 300 guests.

2. CUP for a Bed and Breakfast Inn
CUP request to establish a Bed and Breakfast Inn with a proposed maximum occupancy of 7 guests.

Documents:

[PACPACKET_RISDALL_JAN2020_REDACTED.PDF](#)

3. PUBLIC HEARING: "Comstock's Court" Preliminary/Final Plat Review
Request submitted by Douglas Hill (owner) for Preliminary and Final Plat review of the proposed Comstock's Court comprising approximately 15.23 acres. Parcel 31.001.4300. 1790 Bluebird Lane, Red Wing, MN 55066. Part of the NW ¼ of the NE ¼ of Sect 01 Twp 112 R15 in Featherstone Township. R1 Zoned District.

Documents:

[PACPACKET_HILL_REDACTED.PDF](#)

4. PUBLIC HEARING: Consider Goodhue County Subdivision Controls Ordinance Amendments
Proposed amendments to the Goodhue County Subdivision Ordinance to modify language relating to road classifications, subdivision and platting processes, and correct typographical errors.

Documents:

[PACREPORT_SUBDORD.PDF](#)

[SUBDIVISIONORDINANCE_DECEMBER312019.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 ◆

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: January 13, 2020

Report Date: January 3, 2020

PUBLIC HEARING: CUP Amendment – Augie’s Trucking LLC

Request to amend an existing CUP (Doc #646824) submitted by Jason Augustine (Augie’s Trucking LLC) to construct a building addition larger than the maximum size allowed by the existing CUP.

Application Information:

Applicant(s): Jason Augustine (Augie’s Trucking LLC)

Address of zoning request: 17510 County 41 BLVD, Red Wing, MN 55066

Parcel: 42.001.1001

Zoning District: A3 zoned district

Short Legal Description: Part of the NE ¼ of the SW ¼ and Part of the NW ¼ of the SE ¼ Sect 1 TWP 112 R16 in Vasa Township.

Township Information: The Vasa Township Clerk signed off on the CUP Amendment application on November 12, 2019. No additional comments were received from Vasa Township.

Attachments and links:

- CUP Application Form requesting an amendment to the existing CUP
- Proposed Site Plan
- Site Map(s)
- Site Visit Photos
- Attachment A: Doc #646824 (Amended CUP 2018)
- Attachment B: Planning Commission Meeting Minutes from March 18th, 2019
- Attachment C: Doc #636570 (Original CUP 2016)
- Goodhue County Zoning Ordinance (GCZO):
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

Background:

Jason Augustine (Augies Trucking LLC) has proposed an amendment to their Conditional Use Permit for a trucking and repair business approved by the County Board on March 6th, 2018. The scope of the proposed CUP Amendment is limited to the proposed size of the accessory building for truck storage, maintenance and repair (Condition 4).

The County Board originally approved a Conditional Use Permit to operate a trucking and repair business at this property (Parcel 42.001.1001) November 1st, 2016 with eight conditions (see Attachment C). A mandatory review of the Conditional Use Permit was conducted by the Planning Advisory Commission on February 12, 2018 meeting as required by Condition 8 of the initial approval. At this meeting, a public hearing was also held for a proposed CUP Amendment requested by Augie’s Trucking LLC. Proposed amendments included a proposed accessory building size increase, an

increase to the maximum number of non-family employees, an increase in the number of trucks that could be parked on-site, a proposed expansion of the parking area and a change to the hours of operation. Several neighbors voiced their concerns regarding an increased number of trucks and trips per day and safety concerns regarding traffic on County 41 BLVD. The County Board, on recommendation from the Planning Advisory Commission, denied the amendment request at their meeting on March 6th, 2018.

The County Board, however, did vote to approve amendments to the existing Conditional Use Permit to address dust control, safety and road maintenance concerns as recommended by the PAC. These amendments are noted in Doc #646824 (see Attachment A). Condition 2 (requiring an inspection of the structure by the County Building Official) was also removed as it had been satisfied and a condition was added for a review of the CUP at the Planning Commission meeting in February 2019.

The CUP was reviewed at the March 18th, 2019 Planning Commission meeting where public comments were heard and discussion was held among the Commissioners regarding the CUP conditions. No formal action was taken at this meeting.

Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses

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

Project Summary:

The accessory building size that was approved by the County Board in 2016 was limited to 40' x 90' (3,600 square feet). A structure addition was anticipated at the time of approval as the existing structure is 40' x 50' (2,000 square feet). The applicant is requesting an amendment to the existing Conditional Use Permit to allow the accessory building to be 60' x 90' with an 8' x 16' non-enclosed overhang on the west side of the structure (5,528 square feet total). The proposed addition is a 1,928 square feet increase over the permitted structure size.

The Applicant notes that with the proposed building expansion an existing LP tank will need to be relocated and the septic may need to be relocated. The septic relocation will be administered by the Goodhue County Environmental Health Department.

The proposed project would include additional lighting on the proposed addition and a larger sign for the driveway entrance for trucks and deliveries. Signage requirements for commercial or industrial businesses that primarily serve the agricultural community are limited to 64 square feet and are found in Article 11 Section 17 of the Zoning Ordinance.

Property Information:

- The 4.3-acre parcel property includes a dwelling, 40' x 50' accessory building used for truck and trailer maintenance and repairs and a 36' x 20' granary used for storage.

- The parcel is zoned A3 Urban Fringe District. All adjacent properties are also zoned A3. Surrounding land uses are predominantly agricultural in the immediate vicinity with single-family dwellings on nearby parcels off of County 41 BLVD.
- The property is accessed via two driveway entrances off of County 41 BLVD (all aggregate surfaced), one on the east side of the property for all trucks and deliveries and one in the middle of the property for private use.
- The business is located approximately ¾ of a mile from State Highway 19. There are seven dwelling sites along County Road 41 between State Highway 19 and Augie's Trucking. County Road 41 is a gravel road and the truck traffic from Augie's Trucking must negotiate a hill and curves when traveling to or from the Augie's Trucking site to Highway 19.

Township Information: Vasa Township signed the Conditional Use Permit application and did not add any additional comments to the application. Vasa Township has been involved in previous Conditional Use Permit proceedings. It should be noted that the proposed CUP Amendments from 2018 which were denied by the County Board (increased structure size, number of employees, trips per day etc.) were denied by the Township at that time.

Review of Existing CUP: CUP to operate a trucking and repair business in an A3 Urban Fringe District amended by the County Board on March 6th, 2018 (Doc #646824). Staff conducted a site visit on January 2, 2020, and concluded that the facilities and operation of Augie's Trucking appear to be in conformance with requirements of the Conditional Use Permit and other applicable regulations as follows:

1. The business must comply with all applicable Federal, State, and Local rules and regulations, including but not limited to building permits and SSTS permits.

Staff's understanding is that Augie's Trucking is operating in conformance with applicable Federal, State, and Local rules and regulations. If the proposed addition is approved, the Applicant will be required to obtain approval from the Goodhue County Building Permits Department and Environmental Health Department prior to beginning construction.

2. The Applicant must provide evidence (copy of completed MPCA Notification/Change in Status for Aboveground Storage Tanks form) of compliance with MPCA rules regarding storage and handling of diesel fuel and waste oil.

The Applicant has indicated that they do not store fuel on the property and do not exceed 50 gallons of storage of waste oil. Based on the limited volume of waste oil storage, they are not subject to having to submit the "MPCA Notification/Change in Status for Aboveground Storage Tank" form.

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

During staff's site visit two operable trucks were observed on-site. Additional trucks on the property are used for parts and are not operable. The inoperable vehicles are stored behind the buildings and existing fence and are not visible from County 41 BLVD.

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

This item is proposed to be increased to an accessory building of approximately 60' x 90' with an overhang 8' x 16' totaling 5,528 square feet. The proposed increase to the shop size is to accommodate a full-size truck and trailer combo into the building at one time while allowing the mechanic to close

the doors to reduce noise to neighboring properties and to allow work to be done indoors during winter months.

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

During staff's site visit one employee was observed on site. The Applicant has indicated there are currently four employees.

6. Augie's Trucking will hire a contractor to apply CaCl dust control up to 6 times per year in front of each residence between his property and TH 19 after Public Works regrades the road, at a width of 24 feet, for a length of 400 ft. per residence at a rate of 0.27 to 0.30 gal/sq. yd. with the applicator determining the precise rate based on his experience.

The Applicant noted that CaCl did not need to be applied in 2019 due to wet weather conditions.

7. Augie's trucks are to drive a maximum of 30 mph on Co. Rd 41.

The Applicant indicated that all drivers are instructed to drive 30 mph on County Road 41 between Augie's and Highway 19.

8. The hours of operation shall be limited to 8AM – 6PM for the Repair Shop and 5AM – 8PM for the Trucking Business. The Trucking Business will be allowed a maximum of two trips per day outside the stated hours of 5AM – 8PM.

The Applicant stated that the operation has been following these business hours.

Staff received one complaint regarding hours of operation in the fall of 2019. Staff investigated the complaint and the issue was resolved to staff's satisfaction.

Findings of Fact:

1. The building addition 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.
2. The proposed building addition will not impede normal and orderly development and improvement of surrounding vacant property for uses predominant to the area.
3. Adequate utilities, access roads, drainage and other necessary facilities have been provided. No additional facilities are anticipated for this project.
4. Adequate measures have been taken to provide sufficient off-street parking and loading space. There is an area for trailer and truck parking in the southwest corner of the property.
5. The proposed building addition will not create offensive odor, fumes, dust, noise or vibration.

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;
- amend existing condition #4 to allow an accessory building at 60' x 90' with an unenclosed overhang at 8' x 16' for a total square footage of 5,528 square feet; and

Recommend that the County Board of Commissioners **APPROVE** the request to amend CUP z18-0006 submitted by Jason Augustine to construct a building addition larger than the maximum size allowed by the existing CUP.

Subject to the following conditions:

1. The business must comply with all applicable Federal, State and Local rules and regulations, including but not limited to building permits and SSTS permits.
2. The applicant must provide evidence (copy of completed MPCA Notification/Change in Status for Aboveground Storage Tanks Form) of compliance with MPCA rules regarding storage and handling of diesel fuel and waste oil.
3. The business shall be limited to parking/storage of no more than 5 owner operated trucks (with trailers not limited).
4. Business use shall be limited to truck storage, maintenance and repair, with an accessory building limited to approximately **60' x 90' with an unenclosed overhang 8' x 16' outside the office door on the west side of the accessory building for a maximum square footage of 5,528 square feet.**
5. A maximum of six non-family employees may be employed on the premises at any time.
6. Augie's Trucking will hire a contractor to apply CaCl dust control up to 6 times per year in front of each residence between his property and TH 19 after Public Works regrades the road, at a width of 24 feet, for a length of 400 feet per residence at a rate of 0.27 to 0.30 gal/sq. yd. with the applicator determining the precise rate based on his experience.
7. Augie's trucks are to drive a maximum of 30 mph on Co. Rd 41.
8. The hours of operation shall be limited to 8AM – 6PM for the Repair Shop and 5AM – 8PM for the Trucking Business. The Trucking Business will be allowed a maximum of two trips per day outside the stated hours of 5AM – 8PM.

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

RECEIVED
DEC 16 2019
Land Use Management

Parcel # 42.001.1001

Permit# 219.0057

PROPERTY OWNER INFORMATION

Last Name Augustine

First Jason

Email: [Redacted]

Street Address 17510 County 41 Blvd

Phone [Redacted]

City Red Wing

State MN Zip 55060

Attach Legal Description as Exhibit "A"

Authorized Agent Tasha Miller

Phone [Redacted]

Mailing Address of Landowner: 17510 County 41 Blvd Red Wing MN 55060

Mailing Address of Agent: 17510 County 41 Blvd. Red Wing MN 55060

PROJECT INFORMATION

Site Address (if different than above):

Lot Size 4.3 acres

Structure Dimensions (if applicable) See attachment "B"

What is the conditional/interim use permit request for? Shop addition

Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized
We would like to add on to the shop so we can fit a full truck & trailer Combo in at the same time.

DISCLAIMER AND PROPERTY OWNER SIGNATURE

I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.

Signature of Landowner: [Signature]

Date 11-12-19

Signature of Agent Authorized by Agent: [Signature]

TOWNSHIP INFORMATION

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

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

Signature: [Signature]

Title Clerk

Date 11/12/19

Comments:

COUNTY SECTION

COUNTY FEE \$350

RECEIPT # 17103

DATE PAID 12-16-19

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).

Aggie's Trucking is a small, locally owned business. In addition to the trucking side, we have a repair shop for semis, trailers & farm equipment.

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

Existing grainery is used for storage. The expansion of our 40'x50' shop to a 60'x90' shop would allow our mechanic to have a truck & trailer in the shop at the same time.

3. Proposed number of non-resident employees.

Remains the same

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

Remains the same

5. Planned maximum capacity/occupancy.

Remains the same

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

Remains the same

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

Remains the same

8. Proposed solid waste disposal provisions.

Remains the same.

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

LP tank will need to be moved to new location.

May need to move septic with building addition.



10. Existing and proposed exterior lighting.

Use existing exterior lighting & add exterior lighting to new addition.

11. Existing and proposed exterior signage.

Use current signage for 'Private' driveway. Possibly make signage on truck & delivery driveway larger. Current CUP states limits.

12. Existing and proposed exterior storage.

Remain the same.

13. Proposed safety and security measures.

Additional exterior lighting & signage.

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

Remain the same.

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

The shop addition will reduce the noise to neighbors as we will be able to fit more equipment into the shop, reducing the need to work outside.

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

All fill, gravel & excavating will be done by 1 locally owned company.

17. Existing and proposed surface-water drainage provisions.

Remain the same.

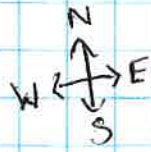
18. Description of food and liquor preparation, serving, and handling provisions.

NA

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

We are just asking to expand the shop so we can better maintain our equipment. By allowing us to make this addition, it will reduce the noise to neighbors as we will not need to work outside as much.

Jason Augustine
PID: 42.001.1001
CUP: 718-0000

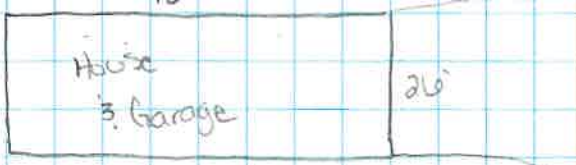


Attachment "B"



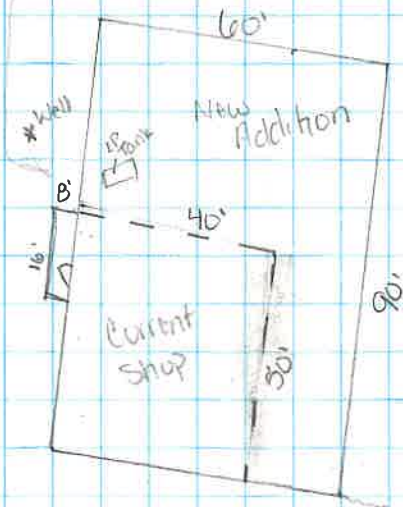
Proposed Measurements

- Shop Dimensions: 60' x 90'
- Shop to N Line: 110'
- Shop to W Line: 300'
- Shop to S Line: 110'
- Shop to E Line: 100'
- Shop to Septic: 30'
- Shop to Drainage: 180'
- Shop to Well: 11'

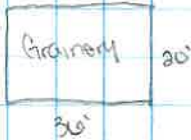
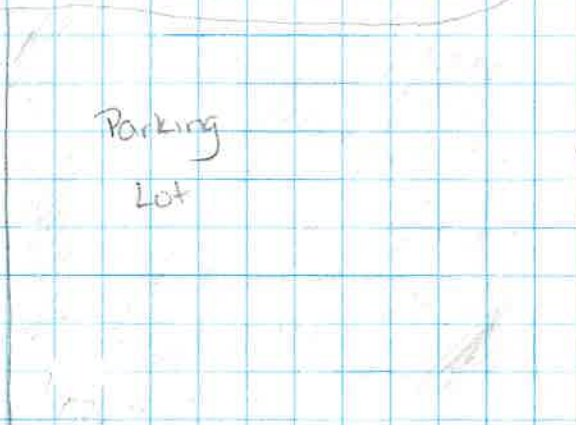


Private Driveway

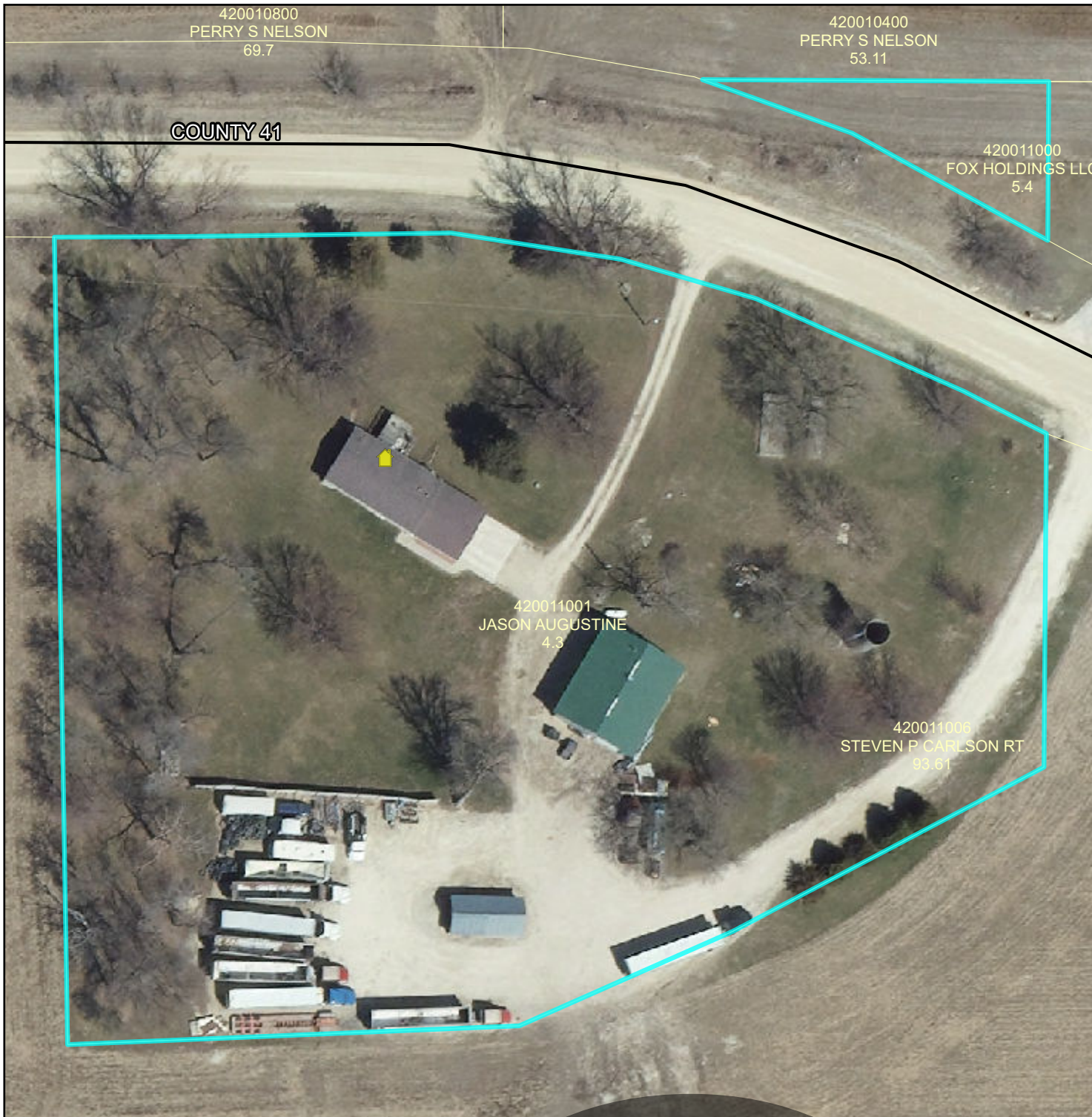
X Shop Septic



Truck & Deliveries Driveway



MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

Public Hearing
January 13th, 2020

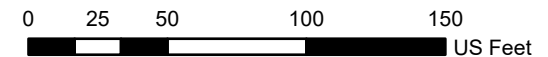
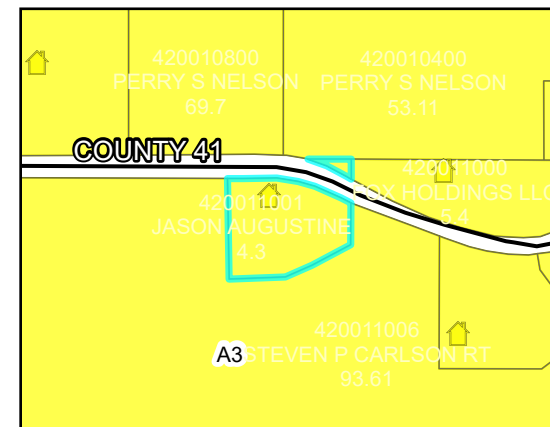
Jason Augustine (Augie's Trucking LLC)
A3 Zoned District

Part of the NE 1/4 of the SW 1/4 and Part
of the NW 1/4 of the SE 1/4 Sect 1
TWP 112 R16 in Vasa Township.

CUP Amendment request to construct a
building addition larger than the maximum
size allowed by the existing CUP.

Legend

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

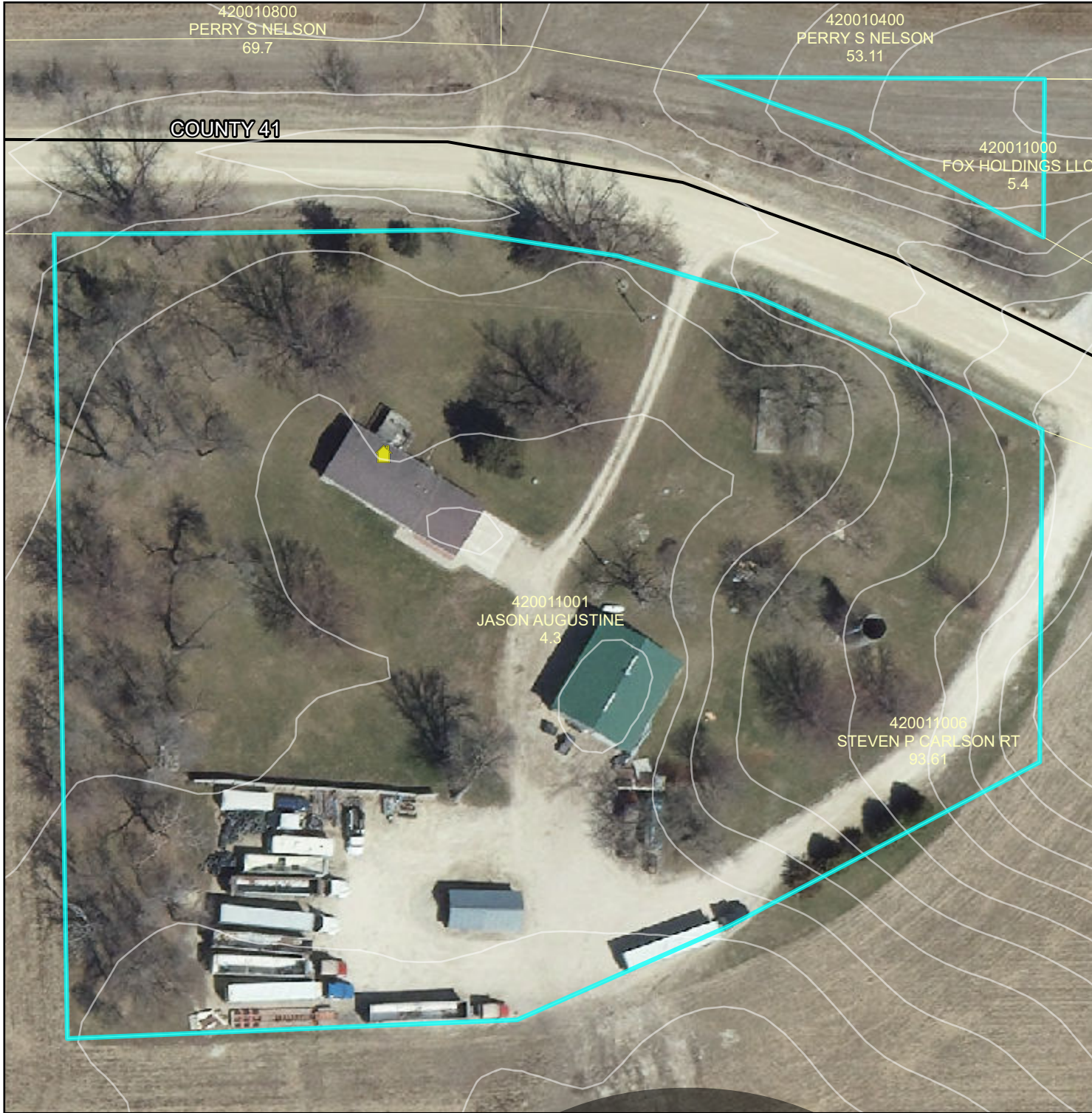


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2018 Aerial Imagery
Map Created December, 2019 by LUM



MAP 03: ELEVATIONS



PLANNING COMMISSION

Public Hearing
January 13th, 2020

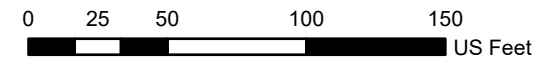
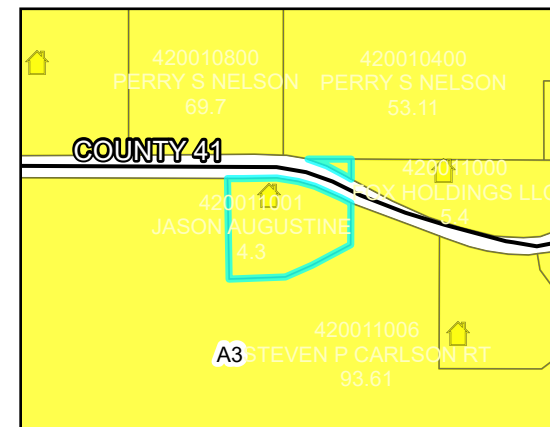
Jason Augustine (Augie's Trucking LLC)
A3 Zoned District

Part of the NE 1/4 of the SW 1/4 and Part
of the NW 1/4 of the SE 1/4 Sect 1
TWP 112 R16 in Vasa Township.

CUP Amendment request to construct a
building addition larger than the maximum
size allowed by the existing CUP.

Legend

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



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2018 Aerial Imagery
Map Created December, 2019 by LUM













Certified, Filed, and or Recorded on:

April 26, 2018 11:17 AM

Signed:  Deputy

LISA M HANNI

GOODHUE COUNTY RECORDER

Fee Amount: \$46.00

**STATE OF MINNESOTA
COUNTY OF GOODHUE**

**FILE NUMBER Z18-0006
BOARD OF COMMISSIONERS
CONDITIONAL/INTERIM USE PERMIT
PROCEEDINGS**

IN THE MATTER OF, the required one-year review of Jason Augustine's Conditional Use Permit (CUP) to operate a trucking and repair business in an A3, Urban Fringe district Approved by County Board – 11/1/2016 (Doc # 636570).

Applicant(s): Jason Augustine

Address of zoning request: 17510 CTY 41 BLVD, Red Wing, MN 55066

Parcel: 42.001.1001

Abbreviated Legal Description: Part of the NE ¼ of SW ¼ and Part of the NW ¼ of SE ¼, Sect 1 Twp 112 Range 16, in Vasa Township.

Zoning District: A3 (Urban Fringe District)

The project plans have been reviewed with reference to the Goodhue County Zoning Ordinance. The Permit application was considered by the Goodhue County Planning Advisory Committee at a public hearing on February 12th, 2018 and the request was considered at a public meeting by the Goodhue County Board of Commissioners on March 6th, 2018. 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.

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

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

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

Subject to the following conditions:

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

DISCONTINUANCE: A CUP/IUP 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. An established CUP/IUP shall be considered null and void if discontinued for a period of one (1) year. The Zoning Administrator may record a notice of expiration or termination of a CUP/IUP with the County Recorder.

6. Augie's Trucking will hire a contractor to apply CaCl dust control up to 6 times per year in front of each residence between his property and TH 19 after Public Works regrades the road, at a width of 24 feet, for a length of 400 ft. per residence at a rate of 0.27 to 0.30 gal/sq. yd. with the applicator determining the precise rate based on his experience.
7. Augie's trucks are to drive a maximum of 30 mph on Co. Rd 41.
8. The hours of operation shall be limited to 8AM -6PM for the Repair Shop and 5AM-8PM for the Trucking Business. The Trucking Business will be allowed a maximum of two trips per day outside the stated hours of 5AM -8PM.
9. Staff will coordinate a PAC review of the CUP in one year, February 2019.

Located at 17510 CTY 41 BLVD Red Wing, MN 55066. Part of the NE ¼ of SW ¼ and Part of the NW ¼ of SE ¼, Sect 1 Twp 112 Range 16 in Vasa Township. PID 42.001.1001

Date signed: 4/17/18


 Chairperson of the
 Goodhue County Board of Commissioners

STATE OF MINNESOTA)
) ss.
 COUNTY OF GOODHUE)

LAND USE MANAGEMENT DEPARTMENT

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 9th day of March, 2018.


 Planner/Zoning Administrator, Goodhue County

(SEAL)

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

DISCONTINUANCE: A CUP/IUP 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. An established CUP/IUP shall be considered null and void if discontinued for a period of one (1) year. The Zoning Administrator may record a notice of expiration or termination of a CUP/IUP with the County Recorder.

EXHIBIT "A"

That part of the Northeast Quarter of the Southwest Quarter and that part of the Northwest Quarter of the Southeast Quarter, all in Section 1, Township 112 North, Range 16 West, Goodhue County, Minnesota, described as follows:

Commencing at the west quarter corner of said Section 1; thence on an assumed bearing of East, along the east-west quarter line of said Section 1, a distance of 2459.64 feet to the point of beginning of the land to be described; thence South 00 degrees 56 minutes 38 seconds East, a distance 430.92 feet; thence North 87 degrees 38 minutes 19 seconds East, a distance of 219.40 feet; thence North 66 degrees 07 minutes 27 seconds East, a distance of 113.33 feet; thence North 62 degrees 10 minutes 32 seconds East, a distance of 170.76 feet; thence North 00 degrees 23 minutes 35 seconds East, a distance of 296.25 feet to said east-west quarter line of Section 1; thence on a bearing of West, along said east-west quarter line, a distance of 482.99 feet to the point of beginning.

Abstract Property - Goodhue County, Minnesota

42-001-1001

**PLANNING COMMISSION
GOODHUE COUNTY, MN
March 18th, 2019 MEETING MINUTES**

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

Roll Call

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

Commissioners Absent: none

Staff Present: Zoning Administrator Mike Wozniak, Zoning Assistant Ryan Bechel

1. Approval of Agenda

Michael Wozniak (Wozniak) stated the Solar Energy System CUP request by IPS Solar and Genevieve Siems had been requested to be removed from the current agenda and placed on a future agenda so the applicants could have time to address some site planning concerns.

¹Motion by Commissioner Nystuen; seconded by Commissioner Gale to approve the meeting agenda as amended. Motion carried 8:0 (Commissioner Huneke Absent)

2. Approval of Minutes

Commissioner Fox requested a correction for the February PAC Meeting minutes noting that Commissioner Pettit had called the meeting to order.

Commissioner Stenerson noted a correction to the voting on page 3 of the February PAC Meeting minutes.

²Motion by Commissioner Fox; seconded by Commissioner Gale to approve the previous month's meeting minutes. Motion carried 8:0 (Commissioner Huneke Absent)

3. Conflict/Disclosure of Interest

There were no conflicts or disclosures of interest reported.

4. Public Hearings

PUBLIC HEARING: 1-Year CUP Review of Auggie's Trucking LLC (Jason Augustine)

Planning Advisory Commission review of existing CUP to operate a trucking and repair business as conditionally required by the approved CUP. Parcels 42.001.1001. 17510 CTY 41 BLVD Red Wing, MN 55066. Part of the NE ¼, SW ¼ and NW ¼, SE ¼ of Sect 01 Twp 112 Range 16 in Vasa Township. A3 Zoned District.

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

Wozniak presented the staff report and attachments. Wozniak read comments received via email from Jody Cronk regarding safety concerns and potential negative effects to property values (Attachment 1).

Commissioner Pettit questioned what impacts the narrowing of CTY 45 BLVD may have had on the business and neighboring property owners.

Ryan Bechel (Bechel) responded that he had a conversation with Goodhue County Public Works Director Greg Isakson regarding the regrading of the roadway. Mr. Isakson stated that it is standard practice to regrade aggregate roads as they widen naturally over time causing

**PLANNING COMMISSION
GOODHUE COUNTY, MN
March 18th, 2019 MEETING MINUTES**

drainage issues. County 45 was narrowed from 28 feet wide to 22 feet wide to match standard road width. In terms of safety, the road will be narrower which leaves less room for error, but 22 feet is the standard road width and it is the responsibility of the roadway users to be vigilant and demonstrate safe driving practices.

Commissioner Gale questioned if there was ever a requirement put in place to require truck traffic to head west out of Mr. Augustine's business.

Fox responded that it was discussed previously, but the Vasa Township was not in favor of adding traffic to their local roads.

Commissioner Fox commented that there are a number of agricultural trucking operations that also use CTY 45 BLVD, especially during fall harvest.

Wozniak reminded that PAC that the current CUP does allow for some expansion of the existing buildings.

Commissioner Drazkowski stated that he had visited the site and there were a number of trucks that were using the roadway during the 15 minutes he was there observing that were not a part of Auggie's Trucking. He added that the property was organized and well maintained. He did not agree that the road was dangerous.

Commissioner Stenerson asked staff what the reasoning was for the hearing and what actions were needed.

Wozniak responded that this was a CUP required 1-year PAC review and that a public hearing is not required but the PAC may wish to open a public hearing to take in any comments from those in attendance. He added that staff is not recommending any action at this time.

Commissioner Pettit questioned Miller if they have training in place regarding the speed limit conditions.

Miller responded that their drivers receive training and are under strict scrutiny to follow the 30 MPH speed limit.

Commissioner Pettit questioned if the condition requiring dust control a maximum of 6 times per year was adequate.

Commissioner Nesseth responded that to his recollection the limit was placed to ensure dust control happened but not to place an undue financial burden on the Applicant.

Commissioner Stenerson inquired about how it is determined when dust control should be implemented.

Miller responded that they will coordinate with Goodhue County Public Works to determine when it is needed and to make sure that is done in coordination with grading efforts. She added that the need for dust control is highly dependent upon the weather.

Wozniak added that staff could work with the applicant to facilitate a discussion with Goodhue County Public Works regarding dust control implementation.

Chair Pettit opened the Public Hearing.

Charlene Dudley noted she is a neighbor. She commented that the Applicants appeared to be doing a good job of following their conditions though they have been in Florida working much of the winter. She expressed her concerns were with the narrowing of the road and the safety issues it created. She also questioned whether the grading was complete.

**PLANNING COMMISSION
GOODHUE COUNTY, MN
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Commissioner Pettit reminded Mrs. Dudley that she could contact the local road authority regarding grading concerns and roadway improvement progress.

Chris Kraskey stated he is the neighbor to the east. He added concerns regarding the narrowing of the road. He expressed concerns regarding the classification of the business as an "agricultural business." He stated he moved to the country to enjoy peace and quiet of rural living and not live next to a trucking operation. He asked for clarification of the operating hours.

Commissioner Pettit read the conditions relating to hours of operation.

Kraskey asked if there would be consequences if trucks were found to be operating outside of the specified hours.

Wozniak responded that if it were brought to the attention of staff it would be discussed with immediately with the Applicant. If a problem persisted further action would be pursued including a ticket for a misdemeanor offense for violation of the zoning ordinance or the CUP could be brought back in front of the PAC for a revocation hearing.

³After Chair Pettit asked three times for comments, it was moved by Commissioner Stenerson and seconded by Commissioner Huneke to close the public hearing.

Motion carried 9:0

Commissioner Stenerson stated that it appeared the conditions that are currently in place are doing a good job. He questioned if condition #9 regarding the PAC required review would have to be removed to prevent the CUP from needing an annual review.

Bechel responded that the condition had a specific review date so no additional reviews would be required if it were unchanged. He added that if the PAC wanted to remove the condition it would be an amendment to the CUP which would have to be approved by the County Board.

Commissioner Stenerson mentioned that it is a deception that people move into the country for peace and quiet when our agricultural areas have a large mix of commercial and agricultural uses that produce noise, dust, and odors.

The Planning Advisory Commission chose to not recommend any changes to CUP at this time.

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

Request for a CUP submitted by IPS Solar (applicant) and Brenda Luhman (owner) for a Utility-Scale Photovoltaic Ground 1 Megawatt Solar Energy System (SES) occupying approximately 7.30 acres. Parcel 38.034.1301. TBD HWY 60 BLVD, Zumbrota, MN 55992. Part of the NW ¼, SW ¼ and the SW ¼, NW ¼ of Sect 34 Twp 110 Range 16 in Minneola Township. A1 Zoned District.

The Applicant's Representatives (Evan Carlson, Brian King) were present to represent the application.

Bechel presented the staff report and attachments.

The Applicant added that the fence is proposed to be 7 feet tall with no barbed wire and that was an inconsistency on the application. He noted that the seed mix would be a pollinator-friendly mix in compliance with BWSR requirements. He mentioned that they had considered screening but given the topography of the area and existing vegetation the site will not be visible. He noted that although portions of the project are on prime farmland the majority of the project is not and the applicant's make efforts to install SES on the least productive portions of Agricultural Land. King added that according to the Goodhue County

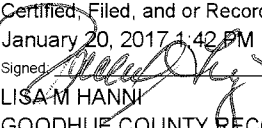
STATE OF MINNESOTA
COUNTY OF GOODHUE

BOARD OF COMMISSIONERS
CONDITIONAL/INTERIM USE PERMIT
PROCEEDINGS

FILE NO. Z16-0073

Jason Augustine and Augie's Trucking Request
for a Conditional Use Permit (CUP)

DOC#: A- 636570

Certified, Filed, and or Recorded on:
January 20, 2017 1:42 PM
Signed:  Deputy
LISA M HANNI
GOODHUE COUNTY RECORDER
Fee Amount: \$46.00

In the matter of: **Jason Augustine and Augie's Trucking** Request for a Conditional Use Permit (CUP) to operate a trucking and repair business in an A3, Urban Fringe district.

Applicant: Jason Augustine

PID#42.001.1001

Short Legal Description: Part of the NE ¼ of SW ¼ and Part of the NW ¼ of SE ¼, Sect 1 Twp 112 Range 16, in Vasa Township

Address of zoning request: 17510 County 41 Blvd Red Wing MN 55066

The project plans have been reviewed with reference to the Goodhue County Zoning Ordinance and the Goodhue County Comprehensive Plan. The Conditional Use Permit application was considered by the Goodhue County Planning Advisory Committee at a public hearing on Monday, October 17, 2016 and the request was considered at a public meeting by the Goodhue County Board of Commissioners on Tuesday, November 01, 2016 Pursuant to Goodhue County Zoning Ordinance the project has been properly noticed by posting to the official newspaper of Goodhue County and a mailing.

IT IS ORDERED:

- adopt the staff report into the record (dated October 26, 2016);
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and

The County Board of Commissioners APPROVE the Jason Augustine and Augie's Trucking CUP: Request for a Conditional Use Permit (CUP) to operate a trucking and repair business in an A3, Urban Fringe district, subject to the following conditions:

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

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

Rights granted expire one year from the date of approval if not exercised; 11/01/2017.

Date signed: 1-17-2017



Ron Allen, Chairperson

Goodhue County Board of Commissioners

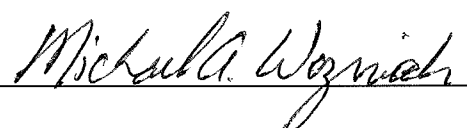
DISCONTINUANCE: A conditional/interim use permit shall expire and be considered null and void one (1) year after the County Board's final decision to grant the permit if the use has not begun. One (1) administrative extension of up to one (1) year may be granted by the Zoning Administrator upon written 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

STATE OF MINNESOTA)
) ss.
COUNTY OF GOODHUE)

LAND USE MANAGEMENT DEPARTMENT

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 9th day of January, 2017.



Planner/Zoning Administrator, Goodhue County

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

(SEAL)

Goodhue County Land Use Management

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

Lisa M. Hanni, L.S. Director

Building | Planning | Zoning
Telephone: 651.385.3104
Fax: 651.385.3106



County Surveyor / Recorder

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

To: Planning Commission
From: Land Use Management
Meeting Date: January 13, 2020
Report date: January 3, 2020

PUBLIC HEARINGS: Beccah Risdall (Applicant)/ David Mohn (Owner)

Parcel 34.011.0100. 29212 Orchard Road, Red Wing, MN 55066. Part of the E 1/2 of the NE 1/4 and Part of the E 1/2 of the SE 1/4 Sect 11 TWP 112 R14 in Hay Creek Township. A2 Zoned District.

Application Information:

Applicant(s): Beccah Risdall (Applicant)/ David Mohn (Owner)

Address of zoning request: 29212 Orchard Road, Red Wing, MN 55066

Parcel(s): 34.011.0100

Abbreviated Legal Description: Part of the E 1/2 of the NE 1/4 and Part of the E 1/2 of the SE 1/4 Sect 11 TWP 112 R14 in Hay Creek Township

Township Information: Hay Creek Township endorsed acknowledgment of the requests noting the Applicant met with the Township and there were “no concerns with the plans as presented.”

Zoning District: A2 (General Agriculture District)

Attachments and links:

Application and submitted Project Summary

Site Map(s)

Article 11 Section 30: Non-Ag Uses Associated with Agritourism

Article 11 Section 13: Bed and Breakfast Inns

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

Background:

The Applicant (Beccah Risdall) has an agreement to purchase the subject property from the current owners (David & Mary Mohn). Historically a farmstead, the 81.74-acre property currently supports a mix of commercial and agricultural uses including a registered feedlot, cropland, short-term rental (“Air B&B”), and a Farm Winery.

The Applicant intends to continue the existing agricultural uses, including the Farm Winery upon purchase of the property. She would also like to expand the commercial uses on the site by constructing a wedding and event center and establishing the existing home as a Bed and Breakfast Inn. The proposal includes both the adaptive re-use of existing structures as well as the construction of new facilities to support wedding events and ceremonies for up to 300 guests.

Goodhue County zoning standards require a Conditional Use Permit (CUP) be obtained prior to the establishment of a Bed & Breakfast Inn or Non-Ag Uses Associated with Agri-tourism (Wedding/Event Centers) in the A2 District (General Agriculture).

A separate CUP approval is required for each of the proposed uses.

Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses

No CUP/IUP shall be recommended by the County Planning Commission unless said Commission specifies facts in their findings for each case which establish the proposed CUP/IUP will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, will not substantially diminish and impair property values within the immediate vicinity, will not impede the normal and orderly development and improvement of

surrounding vacant property for uses predominant to the area, that adequate measures have been, or will be, taken to provide utilities, access roads, drainage, and other necessary facilities, to provide sufficient off-street parking and loading space, to control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

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

CUP request to establish a Wedding and Event Center with a proposed maximum occupancy of 300 guests.

Project Summary:

Property Information:

- The subject parcel comprises 81.74 acres. In addition to a registered feedlot and pastureland, the property has a vineyard and permitted Farm Winery that the Applicant intends to continue operating. There is also an existing dwelling on the property currently used as a short-term rental property. *Goodhue County does not regulate short-term rental of residential properties.*
- The property is zoned A2 (General Agriculture District) and is bordered by A2 zoned districts on all sides. Adjacent land uses include undeveloped woodlands, low-density residential and row-crop agriculture.
- Access to the site is located off of Orchard Road (gravel surface) on the west side of the property. Orchard Road connects to Flower Valley Road/CTY 21 BLVD (paved surface) approximately a half-mile north of the site. Flower Valley Road accesses US HWY 61 approximately 1.5 miles northeast and State HWY 58 approximately 3.0 miles west of the site.
- There are approximately 41-acres of tillable land that is used for corn/soybean production which the Applicant plans to continue leasing as cropland.
- A portion of the property is covered by steep terrain most of which is classified as Bluffland. Any development proposed in these areas will be subject to Goodhue County Bluffland protection regulations. The property is also transected by an intermittent stream (field dry-run). Though not classified as shoreland or floodplain, development near this water feature should be carefully reviewed to prevent future water quality or erosion issues.

Wedding/Event Operations:

- In addition to hosting indoor and outdoor weddings and ceremonies, the Applicant is proposing to utilize the facilities to host a variety of events including educational classes (winemaking, organic gardening, farm-to-table dinners), craft fairs, community pizza nights, conferences, and corporate dinners.
- The Applicant is proposing a maximum capacity of up to 300 guests for events and wedding ceremonies but anticipates the average event size will be closer to 125 guests.
- The Applicant is planning “phase” growth over time beginning with the construction of a new event barn in early 2020 and hosting the first events beginning in the summer of 2020.

The Applicant’s 4-year growth projections are as follows:

Weddings: 50 events in 2020, 80 events in 2021, 100 events in 2022 and eventually attaining an anticipated operational capacity of 138 events per year.

Corporate parties/gatherings: 4 events in 2020, 8 events in 2021, 10 events in 2022 and 12 events in 2023. These events would likely occur in wintertime during the wedding “off-season.”

Farm-to-table dinners: 1 event in 2020, 2 events in 2021, 3 events in 2022 and 4 events in 2023. These events would likely be held Monday through Wednesday during the fall and winter.

Educational classes/retreats: 1 event in 2020, 3 events in 2021, 4 events in 2022 and 5 events in 2023. These events would likely be held from November through May.

Community pizza night: Starting in 2021 the Applicant would like to host a once per month pizza night on Tuesday or Wednesday evenings from 5:00 PM to 8:00 PM. An outdoor pizza oven would be made available for guest use, but participants would be required to bring their own

pizza supplies.

- Facility hours of operation are proposed to be year-round Sunday through Thursday from 8:00 AM to 10:00 PM; Fridays and Saturdays from 8:00 AM to 12:00 AM (midnight). *GCZO Article 11, section 30 was amended in November 2018 to allow inside activities to conclude no later than 12:00 AM if approved through the CUP process (previously 10:00 PM).*
- The majority of events would occur on weekends during the wedding season from April through October. Event bookings would be offered year-round as the “new barn” will provide climate-controlled space.
- The Applicant anticipates the need for approximately 4 employees to assist with landscaping, preparation, and guest assistance. Additional employees may be needed depending on the scale of the event.

Facilities:

- The Applicant is proposing to construct a 50ft x 100ft (5,000 sq ft) single-story year-round indoor reception barn with a planned capacity of up to 300 guests. This “new barn” would be climate-controlled and would provide restroom facilities, catering prep space, a bar area, and reception space and would function as the primary event facility for the property.

The “new barn” is planned to be constructed northwest of the existing “old barn.” An existing pole shed currently sited in this location is planned to be moved elsewhere on the property to provide equipment storage space.

- The existing 70ft x 35ft two-story “old barn” would be restored and mainly serve to host craft fairs and educational classes. The main level of the barn would also host indoor wedding ceremonies and the lower level would provide an indoor bar area as needed during times of inclement weather.
- The existing two-story farmhouse is proposed to be converted to a Bed and Breakfast Inn to provide a space for overnight stays for up to 7 guests. The main level of the house would also serve as a space for the bride and bridesmaids to get ready during wedding events. *No overnight stays are allowed in conjunction with a “Non-Agricultural Uses Associated with Agritourism” therefore a separate CUP will need to be issued that would allow use of the house for overnight stays by event guests.*
- An existing climate-controlled “Quonset hut” with a bar, ADA compliant bathroom, caterers sinks, and wine tasting room would continue to serve as the wine tasting room for the existing Farm Winery operation but would also be used to provide a space for the groomsmen to get ready during wedding events.
- Outdoor wedding ceremonies will either be held next to the vineyard (south of the house) or on a “valley outlook” area northeast of the buildings.
- Other supporting facilities include an outdoor pavilion and fire pit area that would be used for events as well as a chicken coop, horse barn, and lean-to that would continue to be used to raise horses, chickens, ducks, donkeys, cows, and goats.
- The Applicant plans to hire engineers/architects to evaluate the existing barn for Minnesota building code compliance and structural integrity. Any necessary renovations will be reviewed as required by Goodhue County Building Department staff to ensure compliance with Minnesota building code regulations and issuance of required building permits. All new buildings will require a Building Permit from Goodhue County.

Traffic/Parking:

- Traffic will be generated with the request. Event-related traffic is generally “one-way” as guests typically will arrive around the same time at the start of the event and then gradually filter out as the day progresses. The driveway approach has safe lines-of-sight in both directions for traffic entering and exiting onto Orchard Road.

There is potential for dust to be generated on Orchard Road during events. There are 3 nearby dwellings that could be impacted. The Applicant is proposing to treat the gravel road as necessary to prevent dust from becoming a nuisance to event guests and neighboring property owners. The

PAC should consider if a mandatory dust mitigation condition is warranted at this time.

- The local transportation network appears capable of supporting the request without negatively impacting traffic flow or safety along the access routes. Adequate emergency service vehicle access appears available to support the site.
- On-site traffic will be directed to a proposed parking area south of the main driveway access. There are multiple turnaround areas for larger vehicles, shuttles, and buses to safely circulate through the property. The Applicant is proposing to install a new driveway off of Orchard Road to access the proposed parking area. She will need to work with Hay Creek Township (road authority) to obtain any required permits. A roadway could be constructed to the parking area using the existing driveway access if a new access point is denied by the Township.
- The proposed gravel-surfaced parking area would provide 102 parking stalls including handicap and van accessible spaces. There is ample room on the property to accommodate additional parking in the future if needed.
- Parking attendants will be employed to direct traffic and fill the parking lot in an orderly manner. A golf cart will be available to shuttle guests in need of assistance from the parking lot to the buildings.

Pursuant to GCZO Article 11, section 16, the Zoning Administrator has determined minimum off-street parking provisions shall be one parking space for every 4 guests. A minimum of 75 off-street parking spaces is required for this facility at a maximum occupancy of 300 guests.

- GCZO Article 11 section 30 stipulates parking areas shall be setback 40 feet from property lines. The applicant's proposed parking areas satisfy all setback and screening requirements.

Utilities:

- The existing dwelling is served by an individual Subsurface Sewage Treatment Systems (SSTS). The Quonset building is served by a separated septic system. Both existing septic systems have received current certificates of compliance, however, they will need to be evaluated by a septic professional prior to establishing the proposed uses to determine if upgrades are needed to address the change of use of the associated buildings.
- The applicant is proposing to construct a new ADA compliant bathroom within the "new barn" which will be served by a new SSTS that is anticipated to be installed to the north in the vacant pasture area.

Sanitation plans will require review and approval by Goodhue County Environmental Health staff prior to commencing the operation of the Wedding and Event Center or issuance of necessary Building Permits. Goodhue County Sanitarian, Ben Hoyt, offered the following comment regarding the proposal"

"The wedding facility will require a new septic system and operating permit to ensure septic compliance. The full design should be completed and the septic permit should be applied for prior to construction or change of use of the property."

- Solid waste disposal services will be provided locally. Any hazardous materials or fluids generated shall be properly disposed of.

Safety:

- All food and/or liquor offered during events will be prepared and catered by appropriately licensed professionals.
- Event staff will be present on-site during events to ensure guest safety and security.
- The Applicant will employ a security guard during events to maintain a safe environment for guests and neighbors.
- Existing dusk-to-dawn yard lighting and exterior security lighting provide lighting for guest safety. The "new barn" will have downward projecting lights to minimize off-site light exposure. Walking paths and parking areas will also be lit with downward projecting lights for guest safety and security.

- No overnight stays or camping activities are proposed or allowed with this CUP request.

Noise:

- Noise generated during events will occur mainly in the courtyard setting between the buildings and within the “new barn.” Event music will be contained within the new barn which will be a year-round insulated building to minimize off-site impacts. Only acoustic music will be allowed outside of the barn during wedding ceremonies.
- Distance, existing vegetation, and topography will further reduce off-site noise impacts during events.
- There are 6 homes within a half-mile radius of the site. The nearest homes are approximately 1,000 feet south of the site (Marcus Witt, Michael Chorney).

Signage:

- The Applicant is proposing to install an exterior monument sign at the property entrance. Temporary signage will be used as needed to direct traffic and help guests navigate the property. *The Applicant must consult with the appropriate road authority prior to placing any signage in public Rights-of-Way. All signage must follow the requirements of GCZO Art. 11 Sect. 17.*

Landscaping/Drainage:

- Slopes range from 2-10% in the event areas. The majority of the property drains north via dry runs towards Bullard Creek.
- Minimal landscaping work will be needed with the exception of some grading/filling to establish the proposed gravel parking area. Parking area runoff should not be directed toward the existing septic systems and drainage best management practices should be implemented as necessary to prevent erosion. Grading and filling activities will be reviewed for conformance with Goodhue County Zoning requirements. A gravel parking lot will be added past the driveway at the end of a field. Trees will be planted to screen the parking area from the road, if necessary. A landscaper will be hired to add some flower gardens for decorative purposes.

DRAFT Findings of Fact:

1. The proposed Wedding Barn and Event Center does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The site is substantially isolated from neighboring dwellings by distance and topography to minimize off-site impacts and the majority of event activities will take place indoors to prevent off-site impacts.
2. The Wedding Barn and Event Center is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and the majority of the operations will be confined within the existing and proposed structures. The use, as proposed, appears compatible with existing adjacent land uses.
3. A review of the applicants submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available or will be installed to accommodate the proposed use.
4. The submitted plans identify means to provide sufficient off-street parking and loading space to serve the proposed use and meet the Goodhue County Zoning Ordinance’s parking requirements.
5. The Wedding Barn and Event Center will be conducted primarily within the existing and proposed structures to prevent and control offensive odor, fumes, noise, and vibration so that none of these will constitute a nuisance. The applicant’s lighting plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result. There is potential for dust to be generated by event traffic along Orchard Road. A limited number of dwellings exist in the immediate vicinity of the primary access routes. The Applicant is proposing to treat the gravel road as necessary to prevent dust from becoming a nuisance to event guests and neighboring property owners. It may be necessary to mandate dust mitigation measures in the future if issues arise.

Staff Recommendation:

LUM staff recommends the Planning Advisory Commission

- adopt the staff report into the record;
- adopt the findings of fact;
- accept the application, testimony, exhibits, and other evidence presented into the record; and recommend the County Board of Commissioners **APPROVE** the request from Beccah Risdall (Applicant) and David Mohn (Owner) to establish a Wedding and Event Center with a proposed maximum occupancy of 300 guests.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP.
2. Hours of operation shall be year-round Sunday through Thursday from 8:00 AM to 10:00 PM; Fridays and Saturdays from 8:00 AM to 12:00 AM (midnight);
3. Events shall not exceed 300 guests;
4. On-street event parking shall be prohibited;
5. Use of the property by event guests for overnight stays shall require issuance of a separate CUP/IUP;
6. Security personnel shall be present at all events that alcohol is served;
7. All exterior signage located on the property must follow Goodhue County Zoning Ordinance Article 11 section 17 (Sign Regulations). The applicant shall consult the appropriate road authority prior to placing signs located within road Right-of-Way;
8. Applicant shall obtain Building Permit approvals for use of existing structures from the Goodhue County Building Permits Department prior to establishing the use;
9. Applicants shall work with Goodhue County Environmental Health to develop and implement a plan to provide adequate sanitary facilities for guest use;
10. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
11. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, section 30 Non-Agricultural Uses Associated with Agricultural Tourism; Goodhue County SSTS Ordinance; and Article 22 A2, General Agriculture District.

2. **CUP for a Bed and Breakfast Inn**

CUP request to establish a Bed and Breakfast Inn with a proposed maximum occupancy of 7 guests.

Project Summary:

Property Information:

- The subject parcel comprises 81.74 acres. In addition to a registered feedlot and pastureland, the property has a vineyard and permitted Farm Winery that the Applicant intends to continue operating.
- There is an existing dwelling on the property currently used as a “short-term rental” home. *Goodhue County does not regulate short-term rental of residential properties.*

The dwelling will not be the Applicant’s primary residence and will be exclusively used as a Bed and Breakfast Inn.

- The property is zoned A2 (General Agriculture District) and is bordered by A2 zoned districts on all sides. Adjacent land uses include undeveloped woodlands, low-density residential and row-crop agriculture.
- Access to the site is located off of Orchard Road (gravel surface) on the west side of the property. Orchard Road connects to Flower Valley Road/CTY 21 BLVD (paved surface) approximately a half-mile north of the site. Flower Valley Road accesses US HWY 61 approximately 1.5 miles northeast and State HWY 58 approximately 3.0 miles west of the site.

Bed and Breakfast Inn Operations:

- The existing home has three bedrooms that will provide space for up to 7 overnight guests. The existing kitchen would be made available for guests to prepare their own breakfast or they may have food catered in.
- The business would be operated by the Applicant with the assistance of 1 employee.
- The existing dwelling will need to be reviewed by the Goodhue County Building Department to ensure compliance with Minnesota building code regulations prior to establishing the use.
- Hours of operation are proposed to be year-round, 7 days per week. Guests will typically check-in at 3:00 PM on the evening of their stay and check out around 11:00 AM on the day of their departure.

It is anticipated that most guests will book their stay on weekends and in conjunction with other planned events on the property.

- Pursuant to GCZO Article 11, section 16, the Zoning Administrator has determined minimum off-street parking provisions shall be one parking space per guest room plus 2 additional parking spaces for management/service personnel. A minimum of 5 off-street parking spaces is required for this facility.

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

- An existing compliant septic system serves the dwelling. Goodhue County Sanitarian, Ben Hoyt, noted that though it is compliant, the existing septic system will need to be evaluated by a septic professional prior to establishing the use to verify it can accommodate the proposed change in use.
- Solid waste disposal bins and removal services will be provided by a local professional business.
- The Applicant is proposing to install an exterior monument sign at the property entrance. *The Applicant must consult with the appropriate road authority prior to placing any signage in public Rights-of-Way. All signage must follow the requirements of GCZO Art. 11 Sect. 17.*
- The home has existing porch and yard “dusk to dawn” exterior lighting. No additional lighting is proposed.
- All food and/or liquor offered to guests will be prepared and catered by appropriately licensed professionals.

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 Bed and Breakfast Inn 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 similarly established and operating as a short-term rental home since 2014 without any record of conflicts with existing residential uses in the area.
2. The Bed and Breakfast Inn is not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance and the majority of the operations will be confined within the existing structure. The use, as proposed, appears compatible with existing adjacent land uses.
3. A review of the Applicant’s submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available or will be installed to accommodate the proposed use.
4. The submitted plans identify means to provide sufficient off-street parking and loading space to serve the proposed use and meet the Goodhue County Zoning Ordinance’s parking requirements.
5. The Bed and Breakfast Inn will be conducted primarily within the existing and proposed structures to prevent and control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. Furthermore, the Applicant’s lighting plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result.

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

Staff Recommendation:

LUM Staff recommends the Planning Advisory Commission

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

Recommend to the County Board of Commissioners to **APPROVE** the request from Beccah Risdall for a CUP to establish a Bed and Breakfast Inn with a proposed maximum occupancy of 7 guests.

Subject to the following conditions:

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. Hours of operation shall be year-round, 7-days per week;
3. Maximum occupancy shall be limited to 7 guests per night;
4. On-street parking shall be prohibited;
5. Applicant shall obtain Building Permit approval from the Goodhue County Building Permits Department prior to establishing the use;
6. All exterior signage located on the property must follow Goodhue County Zoning Ordinance Article 11 section 17 (Sign Regulations). The applicants shall consult the appropriate road authority prior to placing signs located within road Right-of-Ways;
7. Applicants shall work with Goodhue County Environmental Health to evaluate and upgrade existing sanitary facilities as needed prior to establishing the use;
8. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 11, section 13 (Bed and Breakfast Inns); and Article 22 (A2, Agriculture District);
9. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

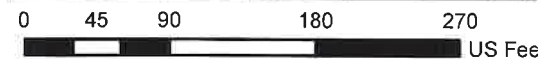
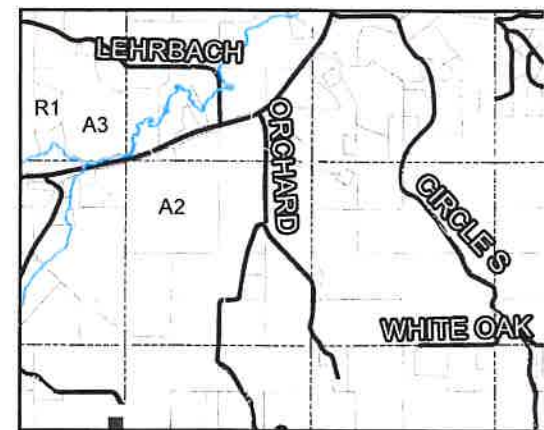
SITE PLAN

State the use of the property. Show the size, shape and location of structures with distance to property lines and location of ALL wells and septic systems.



Legend

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

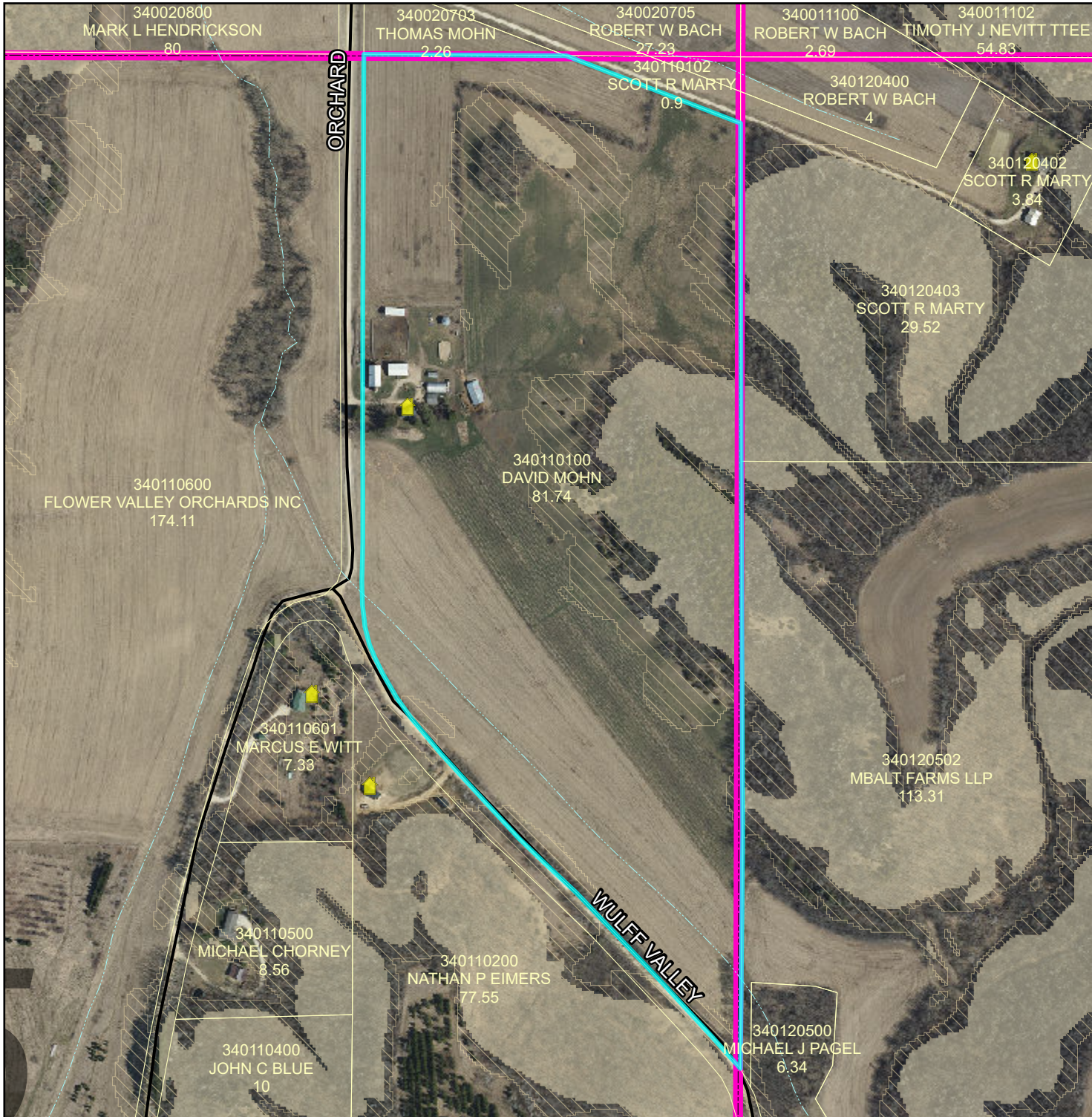


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MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

Public Hearing
January 13, 2020

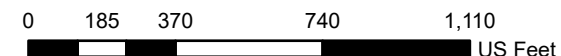
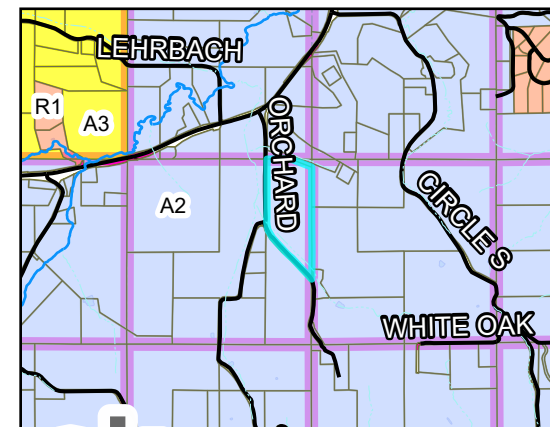
Beccah Risdall / David Mohn
A2 Zoned District

Part of the E 1/2 of the NE 1/4 and
Part of the E 1/2 of the SE 1/4 Sect 11
TWP 112 R14 in Hay Creek Township

CUP request to establish a Wedding & Event
Center and a CUP request to establish a
Bed and Breakfast Inn

Legend

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



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MAP 02: VICINITY MAP

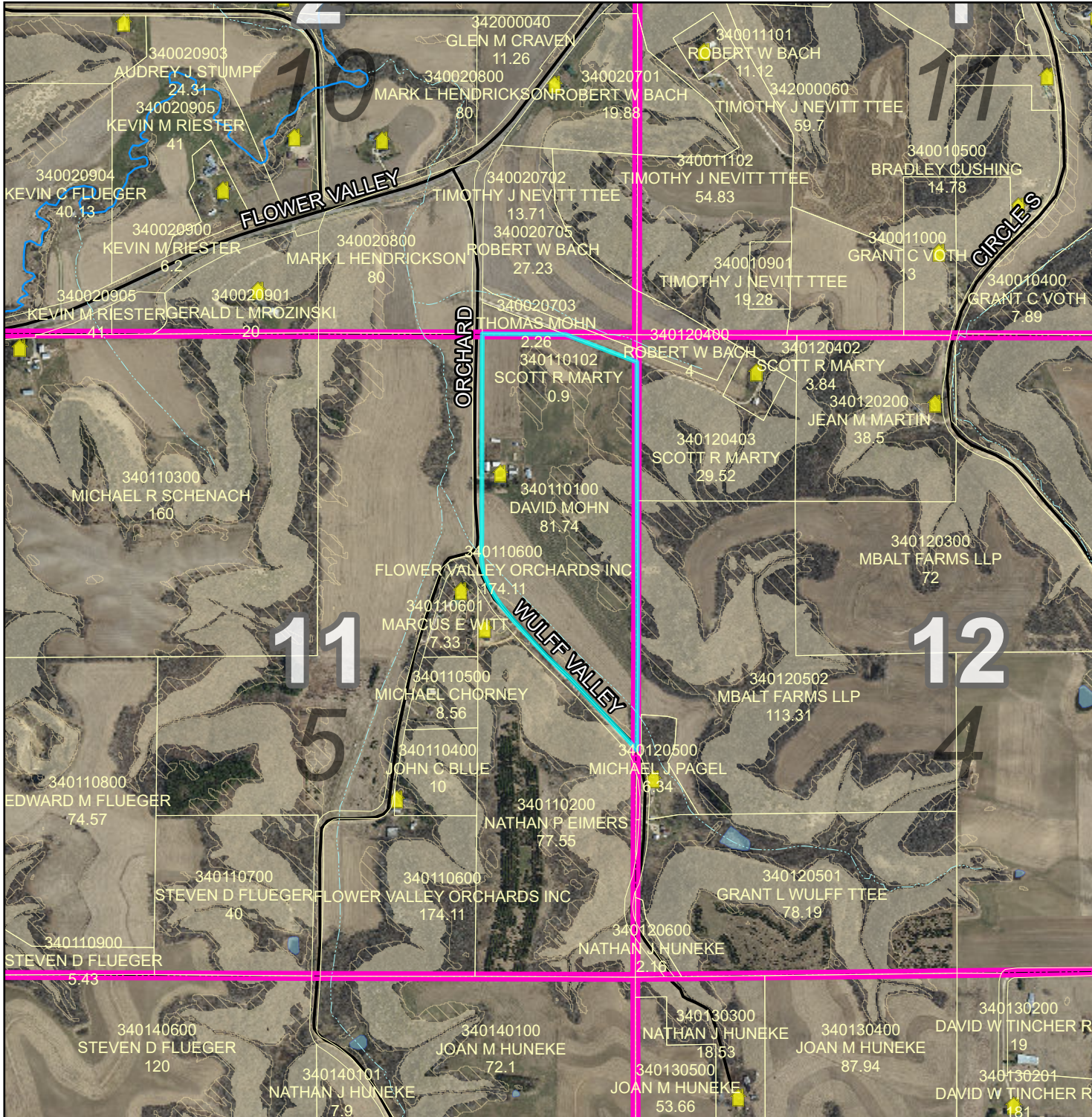
PLANNING COMMISSION

Public Hearing
January 13, 2020

Beccah Risdall / David Mohn
A2 Zoned District

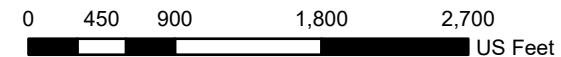
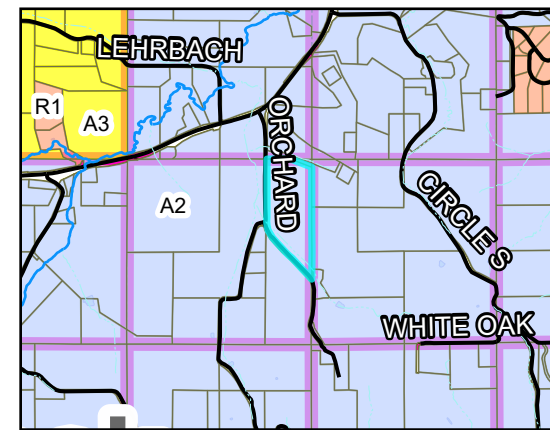
Part of the E 1/2 of the NE 1/4 and
Part of the E 1/2 of the SE 1/4 Sect 11
TWP 112 R14 in Hay Creek Township

CUP request to establish a Wedding & Event
Center and a CUP request to establish a
Bed and Breakfast Inn



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 |

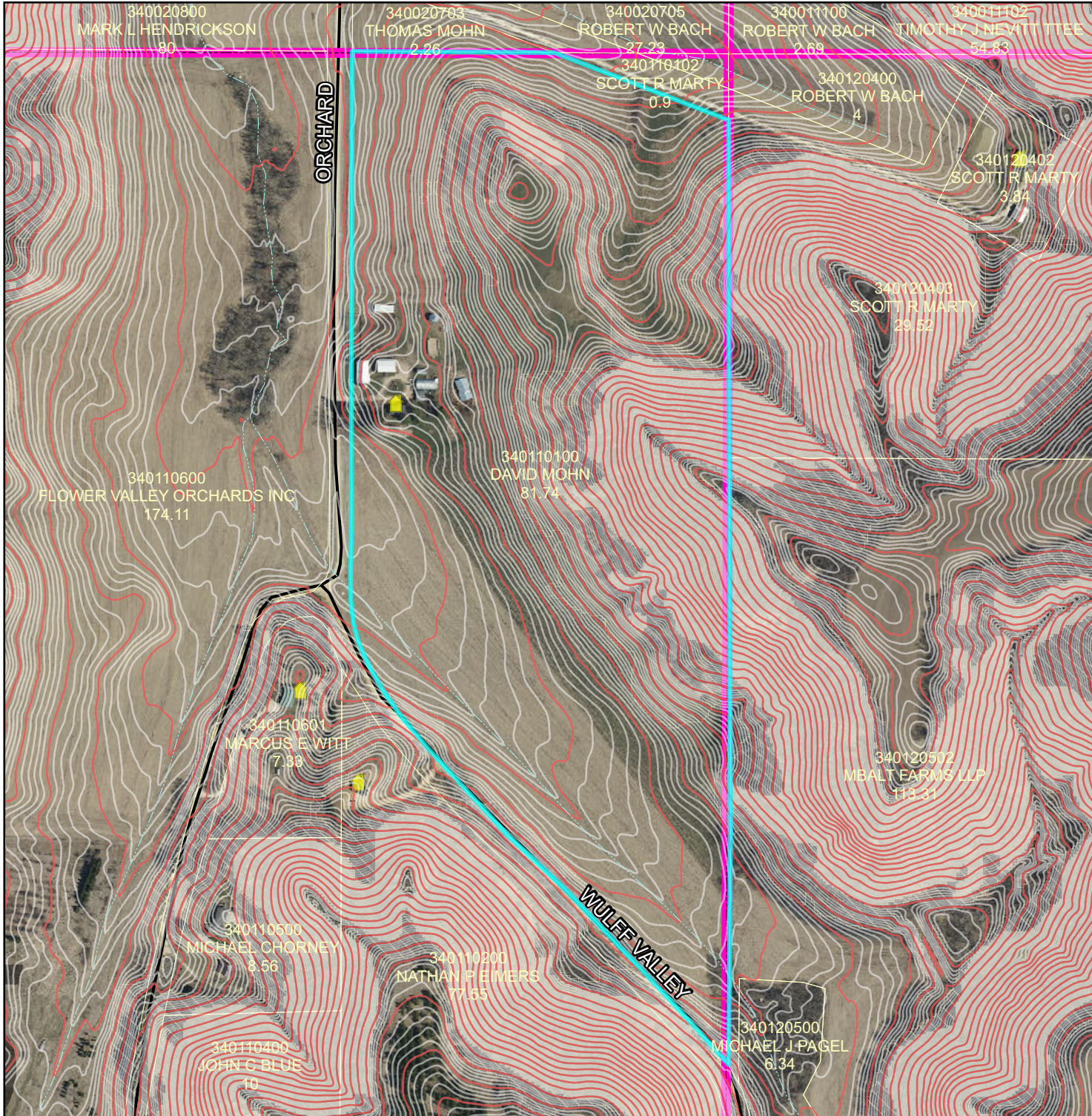


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MAP 03: ELEVATIONS



PLANNING COMMISSION

Public Hearing
January 13, 2020

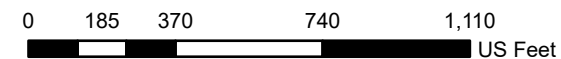
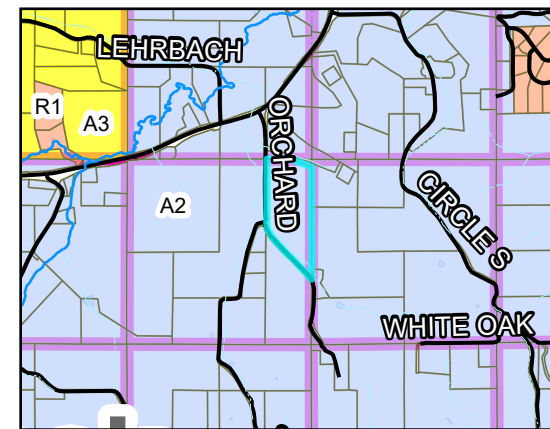
Beccah Risdall / David Mohn
A2 Zoned District

Part of the E 1/2 of the NE 1/4 and
Part of the E 1/2 of the SE 1/4 Sect 11
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	Protected Streams		20
	Lakes & Other Water Bodies		30
	Shoreland		FEMA Flood Zones
	Historic Districts		2% Annual Chance
	Parcels		A
	Registered Feedlots		AE
	Dwellings		AO
	Municipalities		X



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ARTICLE 11 PERFORMANCE STANDARDS

SECTION 30. NON-AGRICULTURAL USES ASSOCIATED WITH AGRICULTURAL TOURISM

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

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

Subd. 2 Performance Standards.

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

- A. The size of the function and the number of expected guests on the property at one time shall be determined at the sole discretion of the County based on parcel size, proximity to adjacent neighbors and the ability of the applicant to demonstrate that there will be no unreasonable adverse impact on the neighbors from the noise, traffic, trespass, light or other impacts deemed relevant by the County.

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

ARTICLE 11 PERFORMANCE STANDARDS

SECTION 13. BED & BREAKFAST INNS

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

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

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 34-011-0100

Permit# Z19.0060

PROPERTY OWNER INFORMATION

Last Name <u>Mohn</u>	First <u>David</u>	Email: [REDACTED]
Street Address <u>29212 Orchard Road</u>		Phone: [REDACTED]
City <u>Red Wing</u>	State <u>MN</u> Zip <u>55066</u>	Attach Legal Description as Exhibit "A" <input type="checkbox"/>
Authorized Agent <u>Beccah Risdall</u>		Phone: [REDACTED]
Mailing Address of Landowner: <u>2044 Wallingford Ln Woodbury, MN 55125</u>		
Mailing Address of Agent: <u>1359 Waterford Drive Golden Valley, MN 55422</u>		

PROJECT INFORMATION

Site Address (if different than above): _____

Lot Size 84 acres Structure Dimensions (if applicable) See attached

What is the conditional/interim use permit request for?
Winery and Event Center

Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized
I will invite feedback from our neighbors and will work with them and make adjustments as needed. It is my intention to be a responsible community member and I will take measures to mitigate any disturbances to surrounding landowners.

DISCLAIMER AND PROPERTY OWNER SIGNATURE

I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.

Signature of Landowner: David Mohn Date 12/9/19

Signature of Agent Authorized by Agent: Beccah Risdall

TOWNSHIP INFORMATION

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

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

Signature Maiah Schulz Title Clerk Date 12-9-19

Comments: met with township board at meeting. No concerns with plan as presented.

COUNTY SECTION

COUNTY FEE ~~\$350~~ \$211⁰⁰ RECEIPT # 1715 DATE PAID 12/30/19 see split

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: _____

29212 ORCHARD ROAD CUP

Beccah Risdall has entered into a Purchase Agreement for 29212 Orchard Road, Red Wing, MN 55066 and is applying for a Conditional Use Permit that would allow me to operate an Educational, Retreat, Conference, Events, and Wedding Venue. In addition, I would also rent out the house for guests of these events.

History:

This property consists of 84 beautiful acres of rolling hills, vineyard, pasture and cropland, as well as a hobby farm. It has been operating as the “Flower Valley Vineyard and Winery” since 2014. The owners, David and Mary Mohn are retiring from winemaking. David Mohn’s father purchased the farm in 1968. It has been in the family for over 50 years. I wish to honor the vision that David and Mary had for the farm.

1. Summary:

The property consists of 84 acres:

8.84 acres roads and wasteland

41.41 acres cropland

19.75 acres pasture

14 acres wooded

I will continue maintaining the vineyard of 4500 vines, running the winery, tasting room, hobby farm and lease the cropland to the farmer currently growing corn and soybeans. My plan is to restore the old barn (so to preserve a piece of American heritage). The barn will continue to be used for craft fairs, educational purposes on wine making and organic farming but with the addition of having wedding ceremonies during inclement weather. A new barn will also be constructed for classes and events. This 5000 sq ft structure will be climate controlled and ADA compliant. It will include a caterers prep kitchen, bathrooms, numerous windows and doors, a fireplace, bar, decorative trusses and large crystal chandelier. Due to having heat and air-conditioning, the new event space would be enclosed which allows year round use and contains the noise and minimizes disturbances to neighboring properties. Downward projected lighting will be installed along walkways to provide for guest safety. Existing

structures will be restored increasing the value of this property and thereby increasing the value of surrounding properties. See the "Building Usage Document" for details on the use of each structure. I will be meeting with architects, builders, inspectors, septic designers, etc. to come up with a site and building plan that is code compliant and enhances the natural beauty of the property.

Construction will start in February 2020 in order to be ready to hold conferences, receptions and classes mid-June 2020. The new barn will be located where the current pole barn is located to create a courtyard feel, allowing easy access from one building to the other.

Currently the wine tasting room is open 70 days a season on Saturdays and Sundays the end of April - beginning of November. I would like to continue being open for tastings those days.

Events would begin mid-June. I am anticipating the number of events will build over time. In 2020 I would expect to have 50 weddings Thursdays - Sundays, 2021: 80, 2022: 100, and 2023: 138 which is what Legacy Hill, another venue in Goodhue County, is allowed and are a seasonal venue.

Because the barn has heat and air-conditioning, I also would like to have corporate holiday parties mid-November - January. I expect in 2020: 4, 2021: 8, 2022: 10, and 2023: 12.

Farm to table dinners are popular. The food will be catered off-site. I would like to collaborate with local chefs and farmers for these dinners. They would be held weekdays Monday - Wednesday in the fall-winter. I would like to host 1 dinners in 2020, 2021: 2, 2023: 3 and 2024: 4.

In 2021, I would like to have a monthly pizza night. They would be on a Tuesday or Wednesday evening from 5:00 - 8:00 p.m. once a month for the local community.

Retreats would be in for quilters, crafters, classes, etc. The leaders could stay in the house and the attendees stay in Red Wing. The retreats would be held November - May, during off season. I expect 2020: 1, 2021: 3, 2022: 4, 2023: 5.

USES

I will continue with the winery operation (see if I have a green thumb). Educational classes on wine making, organic gardening, farm to table dinners, retreats, craft fairs, and community pizza nights would be incidental to other events such as conferences, corporate dinners and weddings. We will be selling wine, jellies, and honey from the property.

HOBBY FARM

Currently there is a couple leasing space for their hobby farm of 2 cows, 4 horses, donkeys, goats, chickens, and ducks. This will continue and so will need the Feed Lot Registration transferred.

CROPS

There are 4500 grape vines. These will be maintained and the vineyard will continue to produce wine.

The tillable land is currently leased for corn and soybeans. This will continue.

HOUSE

The house is currently rented out as an Air B&B. There are three bedrooms on the second floor. Occupancy is listed at 7. The house will be rented to wedding couples or educational instructors. A separate Conditional Use Permit for a Bed and Breakfast is being applied for.

FIRE PIT

Fires will only occur in the designated fire pit (which is currently onsite), will not be allowed during burning bans, and will be continuously monitored. In addition, there will be water equipment available to curb fires if they get out of control. There is currently a fire pit on the property

LIQUOR

A security guard will be present during events where alcohol is served. All food/hard liquor will be handled by professional licensed

caterers. A winery liquor license will be applied for (as the current owner has) with the state to continue operating as a winery. A permit with the county will also be applied for once the state has approved.

IMPACT

The property is currently operating as a winery, tasting room, and has craft fairs, reunions, as well as other events. This will continue. The property has also been operating as an Air B&B. I am applying as a Bed and Breakfast with the county.

The use will not create an excessive burden on existing parks, schools, streets and other public facilities that serve or are proposed to serve the area. Guests that attend the events have Willow Brooke as the destination. Larger events may require shuttling. The road will be treated so to keep dust under control. The business will bring many people to this area and will have a positive economic benefit for local businesses such as lodging, transportation and restaurants. Visitors to this property will learn about Goodhue County and its contributions to Minnesota History.

The beauty of Willow Brooke Farm lies in its rural, open vistas, yet it is conveniently located near hotels and other amenities. Willow Brooke Farm will be in close contact with local churches, florists, caterers, photographers, etc to make events seamless for customers and bring business to the local economy. Relationships have already been developed in some of these areas.

2. BUILDING USAGE - see attachment

3. EMPLOYEES

Whenever possible local workers will be employed to assist in running the business including construction, landscape and service employees. I predict one landscape employee and three service employees will be needed. Duties of these workers would include setting up the space, parking assistance, guest assistance, and cleaning up the space after each event.

Other local needs will be florists, caterers, lodging, and beauty shops. Guests may also bring business to golf courses, restaurants, bars, breweries, ski hills and use of bike trails.

4. HOURS

Willow Brooke Farm hours:

Events scheduled on Sunday - Thursday would operate from 8:00 a.m. until 10:00 p.m. Events scheduled on Friday - Saturday would operate from 10:00 a.m. to 12:00 midnight. We will have a contract for each event which specifies rental rules and policies. The majority of events will occur during April - October weekends (Thursday - Sunday). It will be a year round facility as the new barn will be enclosed with heat and air-conditioning. There will be a contract for each event which specifies rental rules and policies.

5. OCCUPANCY

The average wedding in Minnesota is 125 (see attached). Willow Brooke would be able to accommodate a maximum of 300 guests.

6. TRAFFIC

The guests arriving to the property will come via Highway 61 or Wisconsin 35 to Highway 61 south to County 21 Blvd/Flower Valley Trail. All are paved roads. The property is 4 tenths of a mile off of County 21 on Orchard Road, which is gravel. I will have Orchard Road treated to reduce dust generated when vehicles drive on it. The property is currently being used as a winery business so I don't see much more of an impact.

7. PARKING

Guests will have ample parking on the property in a location that does not detract from the event. Evergreens will be used to screen from the road. Parking will occur on the property in an area just beyond the driveway with a 40 foot set back. Designated ADA parking will also be in this location. See Parking and Traffic Attachment. Parking will be provided for up to 102 parking spaces which includes 3 handicap and one van accessible space. A golf cart will be available to transport those needing assistance to the ceremony site. There is a circular driveway allowing for loading and unloading of passengers that are shuttled. This also allows easy access for emergency vehicles. Access to parking is off of Orchard Road. **PARKING ATTENDANTS will be hired to fill the lot in an orderly manner. No parking will occur on Orchard Road. The driveway is sufficient to accommodate emergency**

vehicles. I anticipate hotel shuttles being used to transport guest which would reduce the number of cars driving to the event. Events of more than 200 people will be encouraged to shuttle. Each event will have a transportation plan in place.

8. GARBAGE

All garbage will be contained in appropriate receptacles and professionally disposed of in a timely manner.

9. SANITARY SEWAGE

The new barn will have bathrooms for guest use. There will be three stalls and one ADA for both men and women. A new septic system will be needed for this use. See attached document on proposed site. The house has its own septic. The quonset also has its own septic as well.

10. LIGHTING

There is currently an outside spotlight to light the area between all the buildings. The new barn will have lights on the outside as one would light the outside of a home. Light sources will be directed downward to minimize light “pollution” exposure. Lighting of walking paths will be downward facing but needed for the safety of the guests. An additional light will be needed by the parking area to ensure guest safety.

11. SIGNAGE

I anticipate installing an exterior monument style sign at the entrance of the property. Signage will conform to county specifications. There is currently a sign on Flower Valley Road for the Flower Valley Winery. This will be changed to Willow Brooke Farm.

12. STORAGE

Storage is currently in the pole barn on the property. This will be moved to another location to house the equipment. No additional storage will be required. See attached site plan.

13. SAFETY AND SECURITY

Adequate lighting, parking attendants, and a security guard are measures to ensure a safe and secure environment for guests. A contract which specifies rental rules and policies will be in place for each event.

14. EMERGENCY SERVICES

Emergency vehicles will be able to access the property from Orchard Road. Using the driveway, vehicles can access all buildings and use the circular driveway to exit.

15. NOISE

Activities will occur in the courtyard setting and buildings. Noise issues will be contained by having music inside the new barn which is a year round building with heat and air-conditioning. Music and vibration will be contained indoors thereby minimizing any disturbances. Only acoustical music will be allowed outside of the barn. I will invite feedback from our neighbors as our guests enjoy our property and will make adjustments as needed. It is my intention to be a responsible community member and I will take measures to mitigate any disturbances to surrounding landowners.

16. LANDSCAPING, GRADING, EXCAVATING

I will maintain the lay of the land. The buildings will be restored and a new barn, congruent with the other buildings will be added. A gravel parking lot will be added past the driveway at the end of a field. Trees will be planted to screen the parking area from the road, if necessary. A landscaper will be hired to add some flower gardens for decorative purposes.

17. SURFACE-WATER DRAINAGE

No change.

18. FOOD AND LIQUOR

All food/liquor will be handled by professional licensed caterers except for wine tastings. The current owner has a license to operate as a winery and serve wine. This license does not transfer upon sale. I will apply for a license to operate as a winery as it currently operating. This license will allow me to serve wine on the premise. A security officer will be present at all events serving liquor.

19. FURTHER INFORMATION

The application for a Conditional Use Permit is consistent with a number of statements found in the Goodhue County 2016 Comprehensive Plan.

- 1. Non-Agricultural development will not occur on existing farmland.**
The new barn will be placed where a current structure is built. The parking lot will take some of the tillable land yet it can easily be converted back to tillable land.
- 2. Allow agricultural tourism opportunities to encourage diversification of the agricultural economy.** This business will bring many people to this area and will have a positive economic benefit for local businesses such as lodging, transportation, and restaurants. Whenever possible, we will employ local workers in running the business including construction, landscape, and service employees. Visitors to this property will learn about Red Wing and the Cannon Valley Bike Trail which is located 4 tenths of a mile from the property. My hope is to promote our community and increase visits to the many wonderful natural and business resources here.
- 3. Support businesses and uses when sited in compatible areas that would not create extraneous nuisances to adjacent landowners.**
The property is currently operating as a business. It is located on 84 acres and is very secluded since it is in a valley and surrounded by hills and wooded land. I am looking forward to being part of the neighborhood. My property will invite and support community gatherings. With strong relationships and service to my community, if issues arise I am confident we will arrive at mutually satisfying solutions.

It is my intention to be a responsible community member and I will take measures to mitigate any disturbances to surrounding landowners.

BUILDING USAGE

Current Buildings and Usage

- A. **House** - The house is a two story farm house with a front screened porch. The total square footage is 2090. The house is currently being rented as an Air B&B to guests visiting the area and winery. There is a kitchen, dining room, living room, half bath, family room and screen porch on the main level. The upper level has three bedrooms and a bathroom. The house would continue being a B&B for brides and grooms wishing to stay as well as educational instructors. The main level would be used for the bride and bridesmaids getting ready area.
- B. **Quonset Hut** - The quonset hut has a bar, ADA compliant bathroom, caterers sinks, and garage door entrance off the back. It is currently being used as the wineries tasting room. This will serve as the wine tasting room as well as the grooms getting ready area with pool table and ping pong tables. It has heat and air-conditioning.
- C. **Old Barn** - The barn has two levels and measures 35 x 70. The barn be restored and will be used for craft fairs, educational classes and indoor weddings in the case of inclement weather. The downstairs would be an indoor bar area, also in case of inclement weather.
- D. **Pavilion** - The pavilion will be used for wine tastings and cocktail receptions in nice weather.
- E. **Horse Barn** - The horse barn will be used for the horses.
- F. **Chicken Coop** - The chicken coop will house the chickens and ducks.
- G. **Pole Barn** - The pole barn will be relocated to house the tractor,

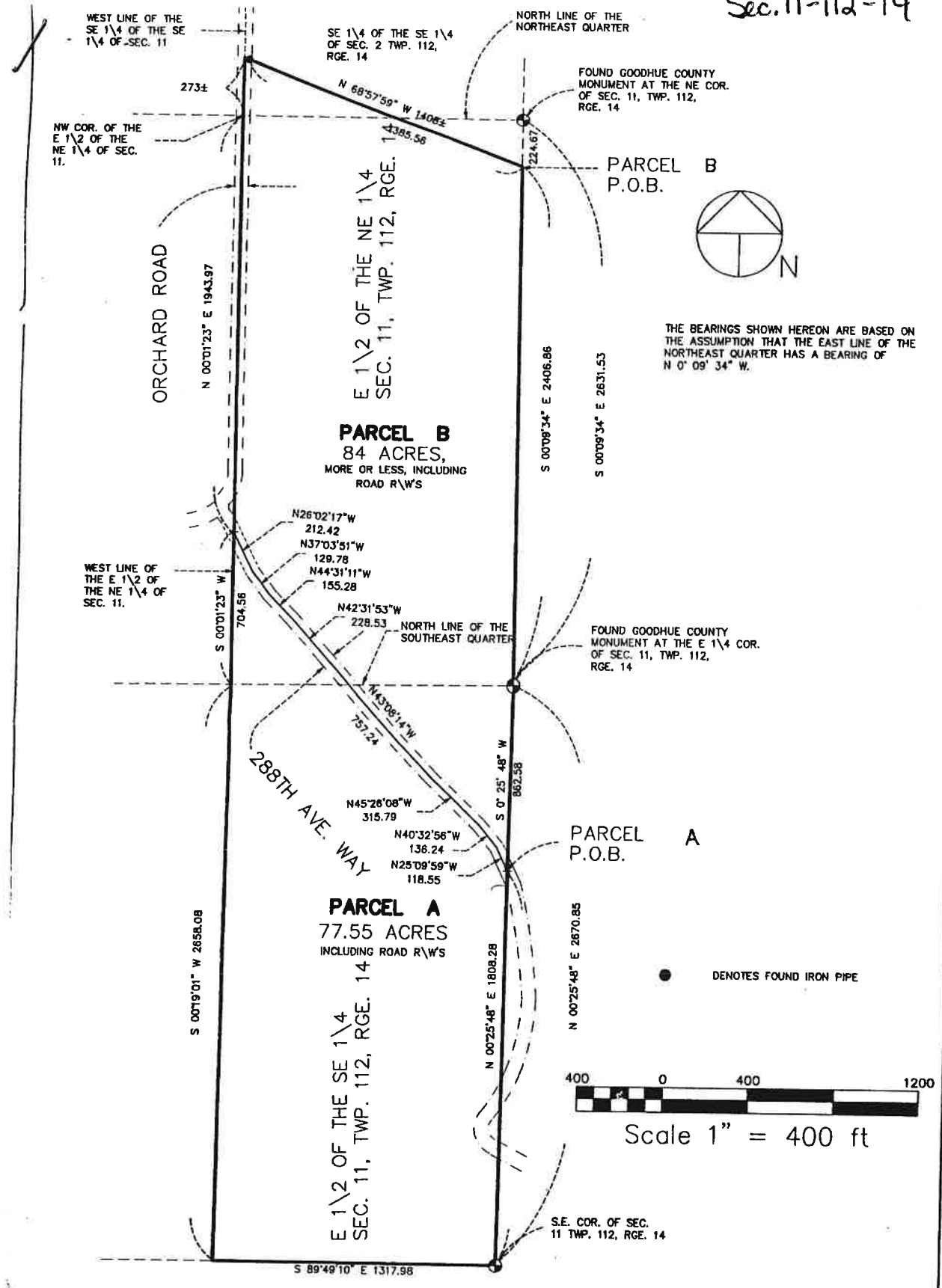
lawn mower, and four wheeler.

H. Lean To - The lean to will be relocated for the donkeys, cows, and goats.

FUTURE BUILDINGS AND USES

- I. New Barn - The proposed building will be an approximately 50 x 100 or 5000 sq ft. year round indoor reception space for up to 300 guests. This building would be climate controlled with heat and air-conditioning. Inside there would be restroom facilities, catering prep space, a bar area, and the reception space. Wedding dances would occur here.**
- J. Pizza Oven - This pizza oven would be located by the pavilion. It would be used to make pizzas for wine tastings as well as community pizza nights.**
- K. Outdoor Wedding Area - I anticipate two possible locations for outdoor ceremonies - next to the vineyard or up on the hill overlooking the valley.**
- L. Parking - A parking lot will be located in the field just past the driveway. With spaces for 100 cars, this will allow a space for every three guests. Of those, 3 need to be handicap spaces and one needs to be van accessible. The width of each space is 9 feet, the length is 18 feet, and the two way road is 24 feet wide. The total parking space needed is 102 x 324 sq ft. This Under no circumstances will guests be allowed to park on Orchard Road. Parking Attendants will ensure parking is smooth and orderly. For weddings over 200, shuttles will be required to be used to reduce the number of vehicles.**

Sec. 11-112-14



SURVEY FOR:

JOHN AND JOYCE MOHN

JOHNSON, SCOFIELD & REHDER INC.
LAND SURVEYORS
203 MAIN ST.-RED WING-MN 55066 612 388-1558
WABASHA COUNTY SURVEYOR-WABASHA COUNTY COURTHOUSE
WABASHA-MN 55981 612 565-7277

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

Horbert J. Rehder

Horbert J. Rehder
Minnesota License No. 19090
Date: 12/30/1996

BK. 121 Pg. 1
EP FILE: JMOHN DRAWING NUMBER: R-
SHEET 1 OF 1 SURVEY: C.

5349

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 34011.0100

Permit# Z19.0061

PROPERTY OWNER INFORMATION

Last Name Mohn First David Email: [REDACTED]

Street Address 29212 Orchard Road Phone [REDACTED]

City Red Wing State MN Zip 55066 Attach Legal Description as Exhibit "A"

Authorized Agent Beccah Risdall Phone [REDACTED]

Mailing Address of Landowner: 2044 Wallingford Ln Woodbury, MN 55125

Mailing Address of Agent: 1359 Waterford Dr Golden Valley, MN 55422

PROJECT INFORMATION

Site Address (if different than above):

Lot Size 84 acres Structure Dimensions (if applicable) See attached

What is the conditional/interim use permit request for?
Bed and Breakfast

Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized
The property is currently operating as an Air B&B. I will invite feedback from my neighbors and will work with them and make adjustments as needed. It is my intention to be a responsible community member and I will take measures to mitigate any disturbances to surrounding landowners.

DISCLAIMER AND PROPERTY OWNER SIGNATURE

I hereby swear and affirm that the information supplied to Goodhue County Land Use Management Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant in applying for this variance is inaccurate or untrue. I hereby give authorization for the above mentioned agent to represent me and my property in the above mentioned matter.

Signature of Landowner: _____ Date _____

Signature of Agent Authorized by Agent: Beccah Risdall

TOWNSHIP INFORMATION

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

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

Signature _____ Title _____ Date _____

Comments:

COUNTY SECTION _____ COUNTY FEE \$350 *211 RECEIPT # 17115 DATE PAID 12/30/19 See split

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: _____

Bed and Breakfast Criteria for CUP

- 1. The house is currently being operated as an Air B&B. Guests that stay the night at the bed and breakfast, for the most part, will be hosting an event on the property and choosing to rent the house for the night. The house has three bedrooms and can house up to seven people. There is a kitchen available for their use. They can have food catered in or prepare their own breakfast.**
- 2. See attached Building Uses.**
- 3. For the Bed and Breakfast, I will hire a cleaning person. This individual will not be an employee of Willow Brooke Farm.**
- 4. The house for the most part will be rented weekend nights. Check-in will be 3:00 p.m. unless agreed upon an earlier time. Check-out will be 11:00 a.m.**
- 5. Maximum capacity is seven individuals.**
- 6. Drop off is located by the front door. There is ample parking on site for our guests. The bed and breakfast guests will already be located on the property for the events so there will be no additional traffic. Since renting isn't required, we will not be ADA accessible for the bed and breakfast of the house.**
- 7. There will be ample parking on site for our guests as they can use the parking lot on site that is for events.**
- 8. A cleaning attendant will remove all waste from the bed and breakfast.**
- 9. The house has a septic that is adequate for the three bedroom home.**
- 10. The home is currently being used as an Air B&B and the lighting in place has been adequate for its purposes. No additional lighting will be needed.**
- 11. The Willow Brooke Farm sign will also serve as the sign for the B&B. No additional sign will be needed.**
- 12. The basement of the home has plenty of storage for the Bed and Breakfast.**
- 13. Willow Brooke will take measures to ensure guest safety.. Meals will be brought in by the caterers and prepared off site. A book listing all the local emergency numbers and addresses will be displayed in the entrance.**

- 14. Emergency vehicles will be able to access the property from 50th Street. Using the driveway, emergency vehicles can access all buildings and use the circular driveway to exit.**
- 15. The house isn't located on 84 acres and not close to other properties. The house is solid, has heat and air-conditioning and so contains the noise within.**
- 16. I will plant some pots and a few flowers in the garden. There will be no excavation or filling done.**
- 17. None needed.**
- 18. Food will either be catered in or the guests can prepare a light breakfast for themselves. I will not be preparing any food.**
- 19. The house has been an Air B&B for many years with no problems. I was informed that the closest neighbor comes and visits with some of the guests periodically.**
- 20.**

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: January 13, 2020
Report date: January 3, 2020

PUBLIC HEARING: “Comstock’s Court” Preliminary/Final Plat Review

Request submitted by Douglas Hill (owner) for Preliminary and Final Plat review of the proposed Comstock’s Court comprising 15.23 acres.

Application Information:

Applicant: Douglas Hill (owner)

Address of zoning request: 1790 Bluebird Lane

Parcel: 31.001.43000

Legal Description: Part of the NW 1/4 of the NE 1/4 of Sect 1 Twp 112 R15 in Featherstone Township.

Zoning District: R1 (Suburban Residence District)

Attachments and links:

Application and submitted project summary

Site Map(s)

Project Review (Rezone)

9/10/19 Featherstone Township Board meeting minutes

City of Red Wing review letter

Goodhue County Zoning Ordinance (GCZO):

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

Overview:

The Applicant (Doug Hill) is requesting Preliminary and Final Plat approval for the proposed “Comstock’s Court” subdivision in Featherstone Township. The proposal is to split an existing 15.23-acre parcel into two lots, one of which would include an existing dwelling and the other would become an eligible dwelling site. The Applicant has stated he intends to sell both parcels if approved.

The County Board approved Mr. Hill’s request to rezone the property from A3 (Urban Fringe District) to R1 (Suburban Residence District) in October 2019. All subdivisions of property in the R1 district must be reviewed through the formal platting process.

Project Summary:

Property Information:

- The subject property consists of a single 15.23-acre parcel. The applicant also owns an abutting 1-acre parcel (PID #31.110.0020) located within the Comstock 2nd Addition subdivision.
- The applicant rezoned the parcel to R1 in 2019. Adjacent properties to the north, south, and west are zoned A3; the “Comstock” subdivisions to the east are zoned R1. The city limits of Red Wing are within 1,000 feet of the parcel, but the subject parcel does not directly border city limits.

Proposed Uses:

- The plat proposes to split the property into two lots. Lot 1 would comprise 6.93 acres and contains an existing dwelling and accessory buildings that are currently renter-occupied. Lot 2 would comprise 8.30 acres and is vacant land.

Following amendments to R1 District regulations in September 2019, new R1 subdivisions must be formally patted and must contain a minimum of 2 acres of “Buildable Area.” The proposed

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

www.co.goodhue.mn.us

lots contain sufficient area to satisfy the new standard.

- Density for one additional primary dwelling site would be created by the plat on the Lot 2. Lot 1 is an eligible dwelling site but is already occupied by the existing homestead.
- It should be noted the proposed plat matches the final concept plan presented to the Planning Commission and County Board during the rezone and approval process in 2019.

Access/Traffic:

- No new public Right-of-Way or public roadway is proposed. The existing dwelling is accessed through Lot 2 of the Comstock 2nd Addition which fronts Blue Bird Lane to the east. The plat proposes to establish a 66-foot wide access easement through Lot 2 of the Comstock 2nd Addition to provide permanent access for the two new lots.

The Applicant intends to relocate the portion of the driveway crossing Lot 2 of the Comstock 2nd Addition to the south within the proposed 66-foot wide easement.

- The roads within the Comstock subdivisions are paved. The Applicant anticipates the driveway surfaces will be maintained as crushed aggregate.
- Blue Bird Lane and Cardinal Drive connect to form a loop which outlets to Hay Creek Trail via Robin Lane. Traffic entering/leaving the plat would likely travel the shortest path to Hay Creek Trail by heading south along Cardinal Drive.
- Robin Lane is the sole inlet/outlet for the Comstock Subdivisions. Traffic along Blue Bird Lane, Cardinal Drive, and Robin Lane is primarily residential with very little “through” traffic.

The proposed plat would not generate traffic uncharacteristic to the area. Given the plat would create only one additional development site, the potential additional traffic volume is not anticipated to exceed the capacity of the existing road infrastructure or substantially impact existing traffic circulation or safety.

- The Applicants have received approvals from Featherstone Township Planning Commission to utilize the existing access across Lot 2 of the Comstock 2nd Addition to provide access to Blue Bird Lane for the proposed plat.

Utilities:

- The existing single-family dwelling on Lot 1 is served by a private well and septic system. The Applicant is currently working on upgrading the existing septic system.

The Applicant also intends for Lot 2 to be served by an individual well and septic systems upon development. Lot 2 needs to be evaluated by a licensed septic professional to confirm the parcel could support two (initial and replacement) septic systems in the future. The Applicant is currently working on getting the septic evaluation completed.

- There is a 10-inch natural gas pipeline operated by Northern Natural Gas Co. running east to west across the subject parcel with a 66-foot wide recorded access easement (DOC #319441). There is also a buried electric utility line crossing the property adjacent to the gas line that has a 10-foot wide recorded access easement operated by Northern States Power Co.

As is always the case, future developers of the site will need to be cautious when working near these existing public utilities including notifying the appropriate public utility locate personnel prior to digging as required by state law.

Drainage/Landscaping:

- The majority of the property has limited topographic relief. There are some steep slopes on the northern half of Lot 01 that exceed 30% grade and qualify as Blufflands. Any developments near these sensitive slopes will need to follow County Bluffland regulations including adhering to Bluff Impact Zone setback requirements (30 feet minimum). Lot 02 is relatively flat with slopes generally ranging from 2-6%.
- Stormwater drainage naturally flows north towards the low-lying drainage ditch running roughly parallel to Pioneer Road. The ditch collects stormwater runoff from multiple residential subdivisions both within the Red Wing city limits and Featherstone Township (including the Comstock Additions) before flowing west and emptying into Hay Creek.

The Applicant is not proposing to change the existing site grades. Some grading of the property is anticipated as a result of the proposed future development of a homestead on Lot 02, however, the limited scale of development and sandy soils present are not likely to produce on-going erosion and sediment control issues off-site.

Featherstone Township/City of Red Wing:

- The Applicant presented the proposed split at two Featherstone Township Planning Commission meetings (5/14/19 and 9/3/19) as well as a Featherstone Town Board meeting (9/10/19) (see attached Featherstone Township Board meeting minutes) and the Township is not opposed to plat as presented. LUM Staff discussed the proposal with Featherstone Township Clerk (Chuck Schwartau) on 12/31/19 and confirmed the Township is not opposed to the plat.
- The city of Red Wing has also already reviewed the proposal and provided a letter stating they are not opposed to the split when limited to two lots.

Planning Information:

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

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

“Soils with Prime Farmland Rating shall be protected from residential development whenever possible”

The Applicant has stated they have been unsuccessful in growing crops on the “tillable” portions of the property due to highly sand soils on the site.

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 the County Board of Commissioners **APPROVE** the request submitted by Douglas Hill (owner) for Preliminary and Final Plat review of the proposed “Comstock’s Court” plat.

MAP 01: PROPERTY OVERVIEW



PLANNING COMMISSION

Public Hearing
January 13, 2020

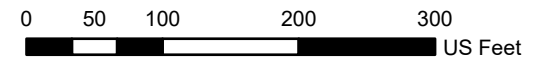
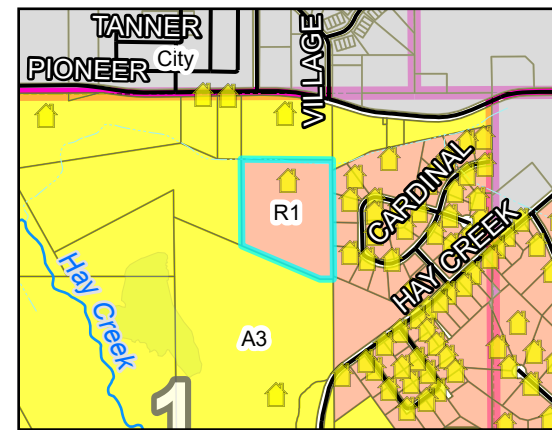
Douglas Hill
R1 Zoned District

Part of the NW 1/4 of the NE 1/4 of
Sect 01 Twp 112 R15 in Featherstone
Township

Preliminary and Final Plat review of the
proposed Comstock's Court comprising
approximately 15.23 acres

Legend

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



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Map Created December, 2019 by LUM



COMSTOCK'S COURT

KNOW ALL PERSONS BY THESE PRESENTS: That Douglas G. Hill and Colleen A. Hill, husband and wife, owners, and Associated Bank, N.A., an United States corporation, mortgagee, of the following described property:

That part of the NW¼ of the NE¼ of Section 1, in Township 112 North, of Range 15 West, described as follows, to wit: Commencing at the NE corner of the NW¼ of NE¼ of said Section 1, thence south on the east line of the NW¼ of the NE¼ of Section 1, in Township 112 North, of Range 15 West 560 feet for the point of beginning of the land herein to be conveyed. Thence south to the southeast corner of the NW¼ of the NE¼ of Section 1, in Township 112 North, of Range 15 West, thence west 112.2 feet, thence north 67 degrees west 680 feet more or less to a point on said course which is due south of a point described as being a point on the north line of Section 1, distance 126 feet west of the southeast corner of the SW¼ of the SE¼ of Section 36, in Township 113 North of Range 15 West. Thence north to a point due west of the point of beginning and 560 feet south of that point described as a point on the north line of Section 1, distant 126 feet west of the SE corner of the SW¼ of the SE¼ of Section 36, Township 113 North, Range 15 West. Said point due west of the point of beginning also being described as the SE corner of the land now owned by Sharon and James Meath. Thence due east to the point of beginning.

Have caused the same to be surveyed and platted as COMSTOCK'S COURT.

In witness whereof said Douglas G. Hill and Colleen A. Hill, husband and wife, have hereunto set their hands this _____ day of _____, 20__.

Douglas G. Hill

Colleen A. Hill

STATE OF MINNESOTA
COUNTY OF GOODHUE

This instrument was acknowledged before me on this _____ day of _____, 20__ by Douglas G. Hill and Colleen A. Hill.

Notary Public Goodhue County, Minnesota
My Commission Expires _____

In witness whereof said Associated Bank, N.A., an United States corporation, has caused these presents to be signed by its proper officer this _____ day of _____, 20__.

Signed Associated Bank

President

STATE OF MINNESOTA
COUNTY OF GOODHUE

This instrument was acknowledged before me on this _____ day of _____, 20__ by _____, President of Associated Bank, N.A., an United States corporation.

Notary Public Goodhue County, Minnesota
My Commission Expires _____

I, Marcus S. Johnson do hereby certify: That I have surveyed or directly supervised the survey of the property described on this plat; that I prepared or directly supervised the preparation of this plat as COMSTOCK'S COURT; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been correctly set; that as of the date of this certificate, all water boundaries and wetlands, as defined in Minnesota Statutes 505.01, Subd. 3, are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Dated this _____ day of _____, 20__.

Marcus S. Johnson, Land Surveyor
Minnesota License Number 47460

STATE OF MINNESOTA
COUNTY OF GOODHUE

This instrument was acknowledged before me on this _____ day of _____, 20__ by Marcus S. Johnson, Land Surveyor.

Notary Public Goodhue County, Minnesota
My Commission Expires _____

Approved by the County Board of Commissioners of Goodhue County Minnesota, at their _____, 20__ County Board Meeting

Signed: _____ Chairperson
Attest: _____ County Administrator

Approved by the Featherstone Township Board, this _____ day of _____, 20__.

Signed: _____ Chairperson

Taxes payable in the year 20__ on the land herein described have been paid, there are no delinquent taxes and transfer has been entered this _____ day of _____, 20__.

By _____
Goodhue County Auditor/Treasurer

By _____ Deputy

Pursuant to Chapter 389.09, laws of Minnesota, and Goodhue County Ordinance No. 2-78, this plat has been approved this _____ day of _____, 20__.

By _____
Lisa M. Hanni, Goodhue County Surveyor

I hereby certify that proper evidence of title has been presented to and examined by me and I hereby approve this plat as to form and execution.

Attorney for Goodhue County _____ Date _____

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

By _____
Goodhue County Recorder

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

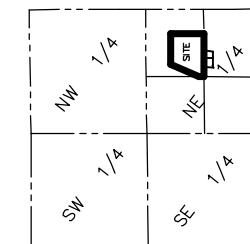
Marcus S. Johnson
Minnesota License No. 47460
Date: January 2, 2020

BEARINGS SHOWN HEREON ARE ORIENTED TO THE GOODHUE COUNTY COORDINATE SYSTEM, NAD 83, 1996 ADJUSTMENT (HARRN)



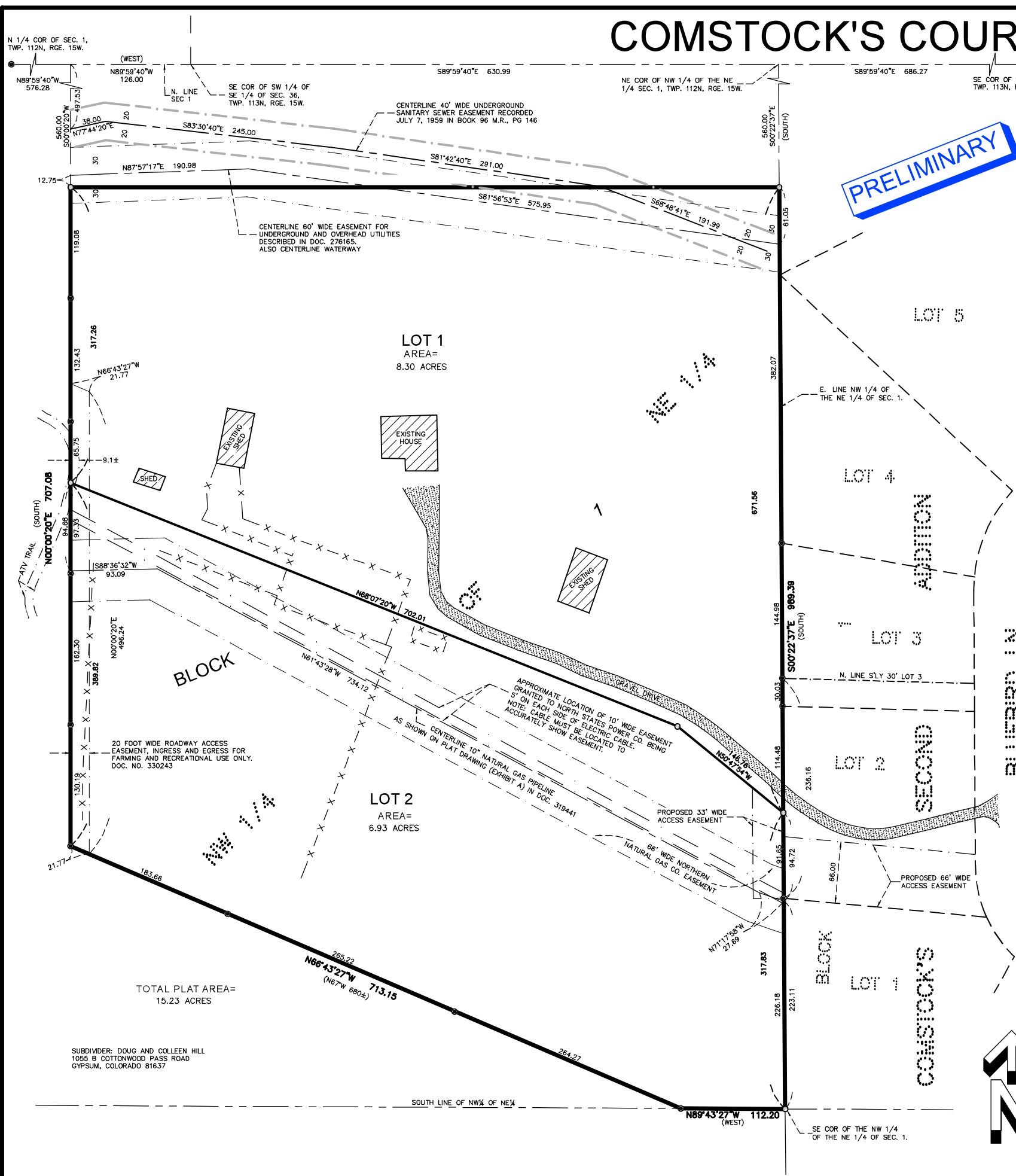
VICINITY MAP
(NO SCALE)

SEC. 1, TWP. 112N, RGE. 15W

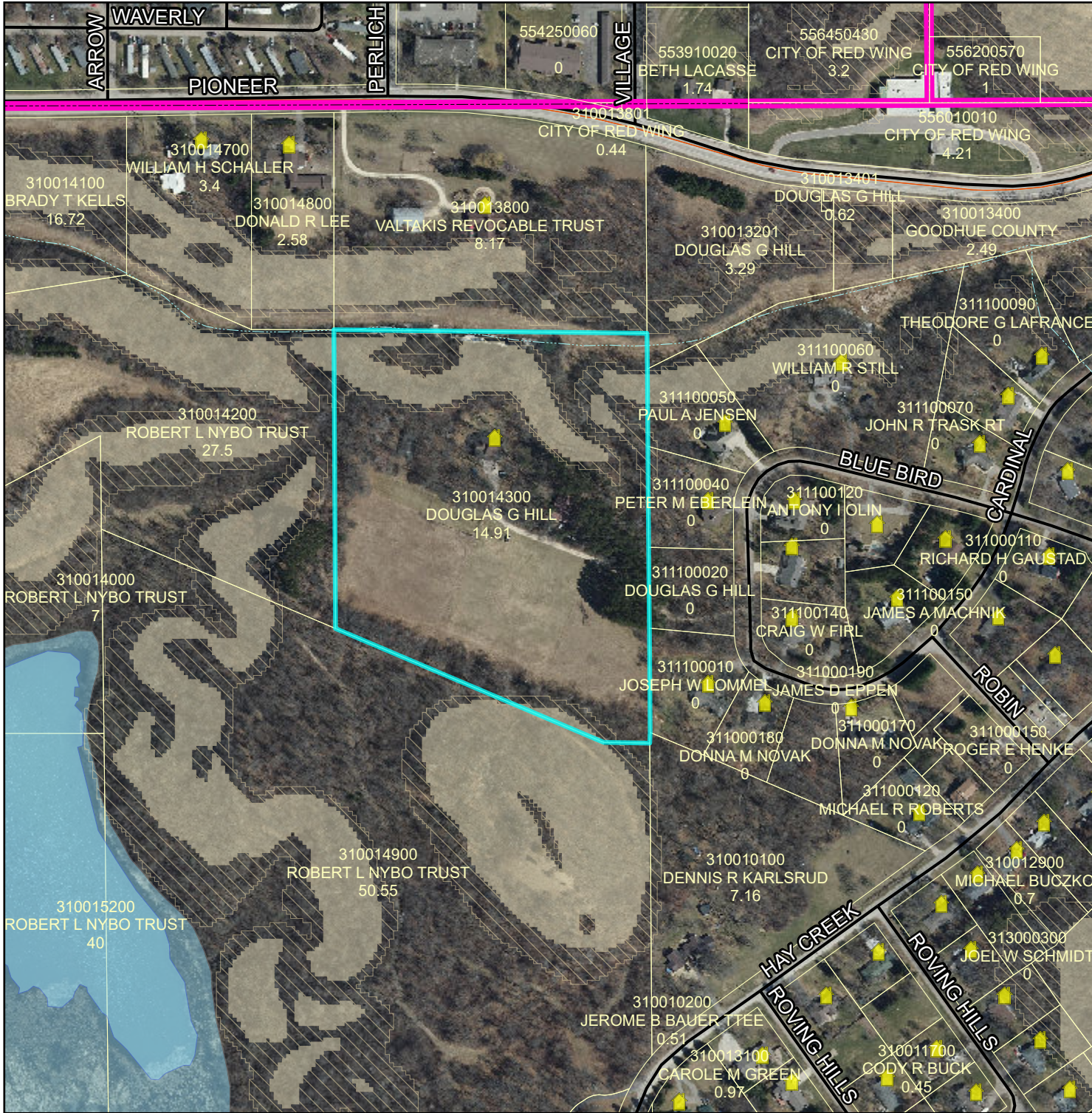


- LEGEND**
- DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 47460.
 - DENOTES FOUND IRON MONUMENT.
 - ⊕ DENOTES GOODHUE COUNTY SECTION CORNER.
 - X — DENOTES EXISTING FENCE LINE.
 - (N67°W 680±) DENOTES BEARING AND OR DISTANCE OF RECORD.

JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING
1203 MAIN STREET, RED WING, MN 55069
(651)3881558



MAP 02: VICINITY MAP



PLANNING COMMISSION

Public Hearing
January 13, 2020

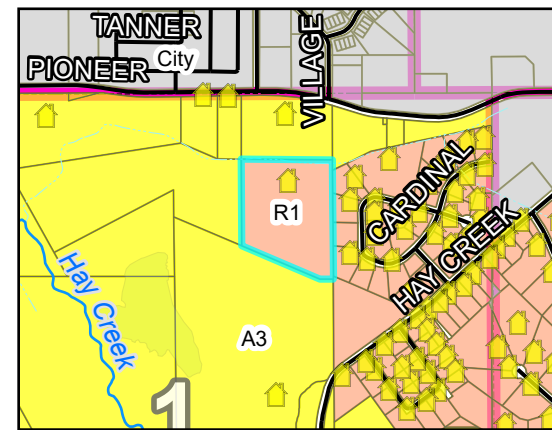
Douglas Hill
R1 Zoned District

Part of the NW 1/4 of the NE 1/4 of
Sect 01 Twp 112 R15 in Featherstone
Township

Preliminary and Final Plat review of the
proposed Comstock's Court comprising
approximately 15.23 acres

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 |



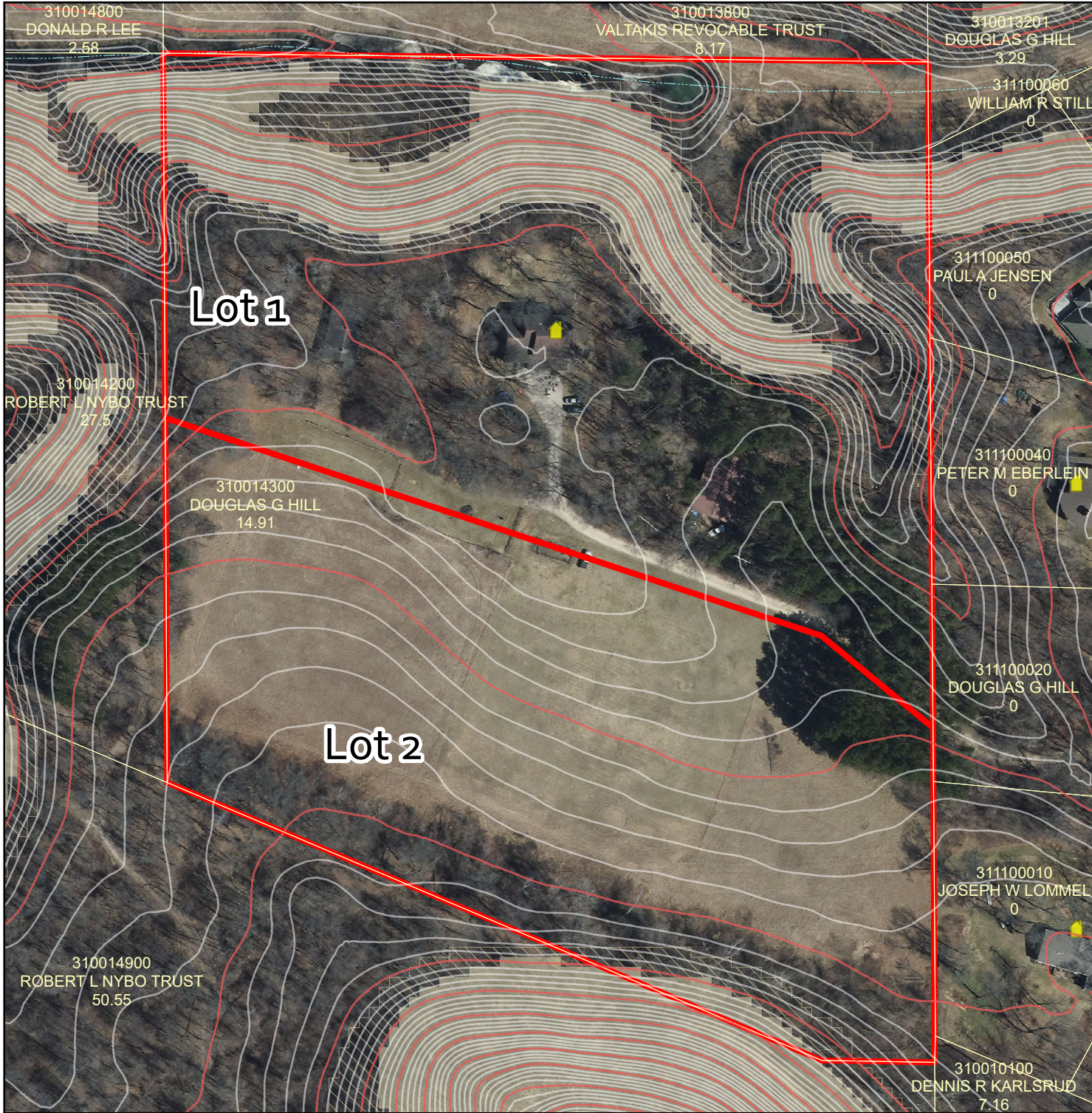
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MAP 03: ELEVATIONS



PLANNING COMMISSION

Public Hearing
January 13, 2020

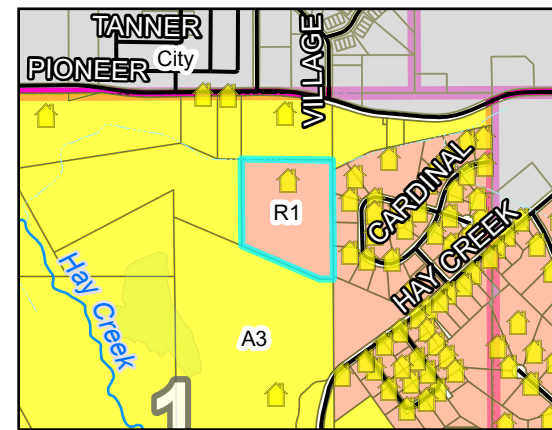
Douglas Hill
R1 Zoned District

Part of the NW 1/4 of the NE 1/4 of
Sect 01 Twp 112 R15 in Featherstone
Township

Preliminary and Final Plat review of the
proposed Comstock's Court comprising
approximately 15.23 acres

Legend

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



0 50 100 200 300 US Feet

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2018 Aerial Imagery
Map Created December, 2019 by LUM



FILE #	
PARCEL #	

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	Douglas G. & Colleen A. Hill	Email	[REDACTED]
Mailing Address	1055B Cottonwood Pass RD, Gypsum, CO 81637		
Daytime Phone	[REDACTED]		
Applicant Information (if different than above)			
Applicant Name	same	Email	
Mailing Address			
Daytime Phone			
Township Information			
Township position		Date	
Signature			
County Use			
Application Fee	\$350	Receipt Number	Received Date
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 _____			

Featherstone Township Board of Supervisors Minutes

September 10, 2019.

Present:, Board Members - Carl Bang, David Schwartau, Allan Larson, Lee Kloeckner, Chuck Kinney, Maintenance - Dave Pearson Planning Commission - Lyle Dicke, Residents - Todd Dicke, Doug Hill, (Amy Anderson Attorney for Doug Hill) John and Steve Lang, Sheriffs' office Josh Hanson.

Acceptance of agenda: ALLAN LARSON moved and DAVID SCHWARTAU second ed to accept the agenda. carried

Minutes of previous meeting: DAVID SCHWARTAU moved and ALLAN LARSON second to accept minutes of August meeting , carried

Treasurer's report Checking \$86,789.54 MMA \$302,507.82 ALLAN LARSON Moved to accept the report. DAVID SCHWARTAU Second .Carried

Bills presented. DAVID SCHWARTAU Moved ALLAN LARSON second carried

Verizon	Internet Service	\$ 50.08
Dave Pearson		
PERA		
Luhman's Construction Co	Inv # 12793 11.15 Yd Cl 5 Inv #12780 29.17 yd Cl 5 Inv # 12758 23.65 yd Cl 5 Inv # 12763 35.81 yd Cl 5	\$ 91.38 \$239.05 \$193.81 \$293.46 Total \$817.70
Nuss Truck & Equipment	Inv #166719 Elec malfunction, air leak at parking brake	\$430.38
Mike Bonnie	August mowing	\$275.00

Sheriff's report: Josh Hanson stated County has experienced an uptick in burglaries, the office believes they are drug related. Discussed Off Road vehicle use, office has observed an increase, vehicle registration required, and expressed the need for youth to wear helmets.

Planning Commission report: Lyle Dicke

-Todd Dicke requested a variance from the "200' frontage to road requirement". Variance was presented to the planning commission at its August meeting and approved. DAVID SCHWARTAU made motion to accept split in Sec 31 building site and accept variance of 100' in Sec 32. ALLAN LARSON second. Carried

-Steve Lang presented a request to build a storage shed, Lang has purchased to property off 289th Street. Planning commission approved. DAVID SCHWARTAU made motion to approve ALLAN LARSON second. Carried

-Doug Hill presented a proposal to split parcel 31.001.4300 and establish a 66' wide easement in parcel 311100020 that will provide access to the split parcels and parcel 311100020. Planning commission approved.

David Schwartau moved and Allan Larson seconded to approve the proposed plan, pending final approval of the plat and easement by this town board to split parcel 31.001.4300 as shown on diagrams while maintaining the current built site and allowing a building site on the vacant portion and establish a 66 foot wide easement along the southern portion of parcel 31.110.0020 to provide access. The platted lot shall continue to be buildable. All three properties shall use the easement area for access. Motion carried.

Road Maintenance Report: Dave Pearson informed the Board that the remainder of the rock was supplied by Brunning Rock. All identified rock placements have now been completed for this summer.

Old Business: Joint Resolution as drawn up by the City of Red Wing was reviewed approved and signed. ALLAN LARSON moved to accept resolution as written DAVID SCHWARTAU second, carried.

New Business: Dave Pearson notified the board of his intent to retire from his position August of 2020.

Next meeting 10/8 Meeting adjourned at 9:22 p.m.

Chuck Kinney

Temporary Deputy Clerk



TO: Doug and Colleen Hill

FROM: Dan Rogness, Community Development Director

A handwritten signature in black ink, appearing to be "DR", written over the name Dan Rogness.

DATE: September 9, 2019

RE: Proposed Property Subdivision

I am in receipt of your most recent email dated September 5, 2019 regarding a proposed property subdivision that you are processing with Featherstone Township and Goodhue County. I am also in receipt of Ryan Bechel's email dated September 9, 2019 that refers to a potential (county) rezoning to R1.

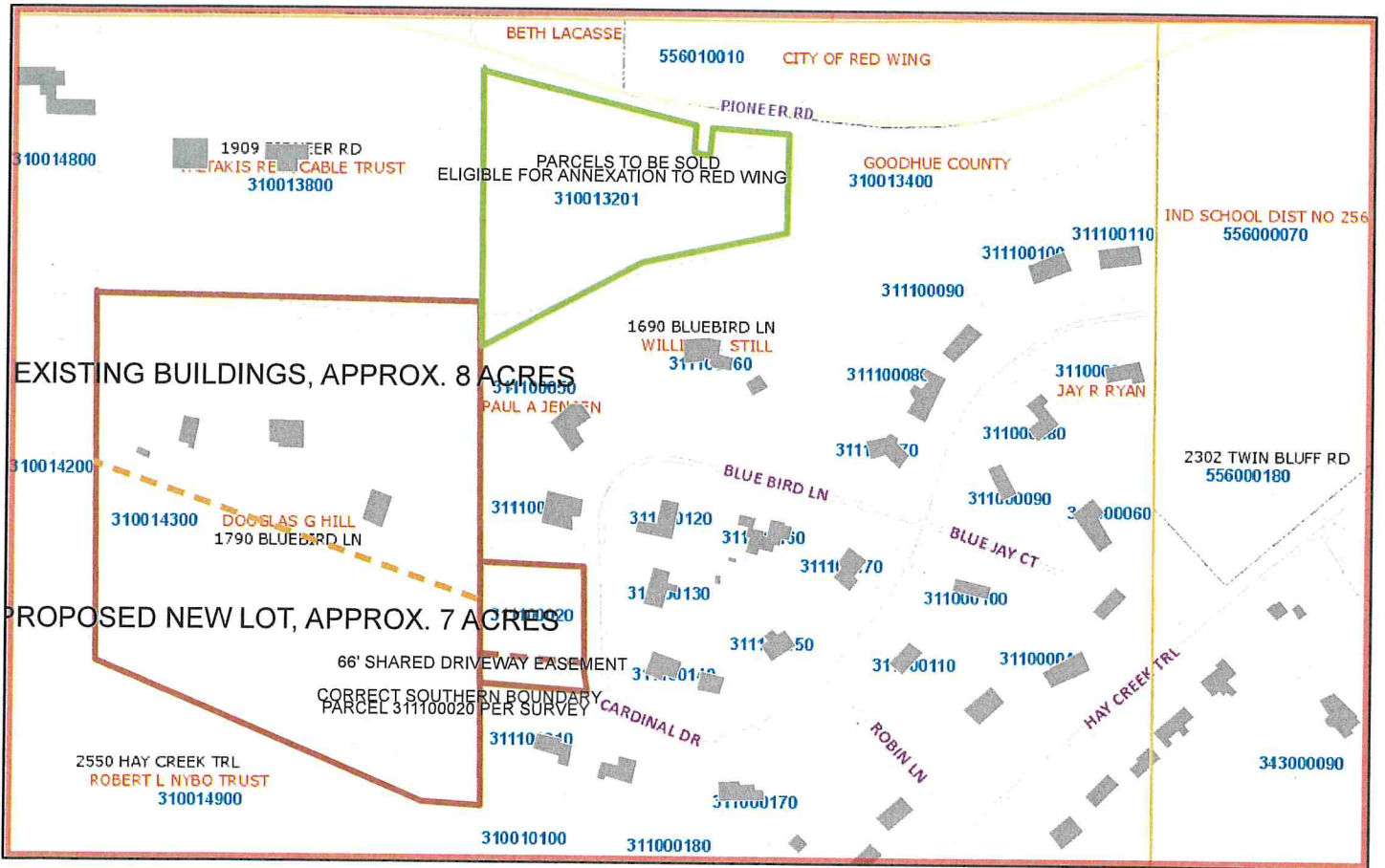
The city is in general support of this proposed action, which would meet our standards as it relates to low density residential property. The city's Agricultural Residential (AG) zoning district allows residential lots at a minimum of five acres. If any portion of this property were to be annexed into the city, it would likely be zoned to Single Family Residential (R-1), which has a minimum lot size of 7,200 square feet. The proposed 66' wide easement should adequately provide access across PID 31.110.0020 to the proposed future lots to the west. Other parcels adjacent to Pioneer Road would need access from that street.

Please contact me or Steve Kohn if you have further questions at 651-385-3697, or at dan.rogness@ci.red-wing.mn.us.

Attachment:

1. Diagrams attached to the 9/05/19 email from Hill.

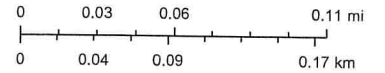
ArcGIS WebMap



August 14, 2019

- | | | | |
|-------------------------|-------------------|-----------------------|-------------------------|
| LandBaseTPV_7227 | Major Roads 4,800 | County Roads 4,800 | Township or Other Roads |
| StructuresAGOL_4205 | US Highway | County Roads - Gravel | Township or Other Roads |
| Township or Other Roads | State Highway | County Roads - Paved | ESRI Major Roads |

1:3,240

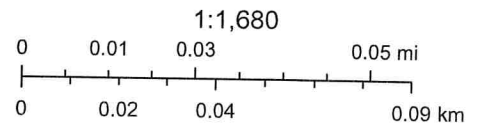


ArcGIS WebMap



August 14, 2019

- | | |
|-------------------------|-------------------------|
| LandBaseTPV_7227 | County Roads 2,400 |
| StructuresAGOL_4205 | County Roads - Gravel |
| Township or Other Roads | County Roads - Paved |
| Major Roads 2,400 | Township or Other Roads |
| US Highway | Township or Other Roads |
| State Highway | ESRI Major Roads |



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: January 13, 2020
Report date: January 3, 2020

PUBLIC HEARING: Consider Goodhue County Subdivision Ordinance Updates

Proposed amendments to the Goodhue County Subdivision Ordinance to modify language relating to road classifications, subdivision and platting processes and correct typographical errors.

Attachments:

Proposed Ordinance

Summary:

LUM staff are proposing the following amendments to the Subdivision Ordinance:

Section 2:

- Enforcement language updated to match standards in Article 2 of the Zoning Ordinance.

Section 4:

- Definition added for Outlot
- Lot, Right-of-Way and Private Road definitions updated.

Section 5:

- Plat requirements updated to match State Statute.
- Language clarified for Torrens properties.

Section 6:

- Updated wording for pre-application meetings.
- Clarified notification requirements for public hearings.
- Modified wording on County Board findings.
- Extended the timeline for final plat submission to 180 days from 120 days.
- Updated submission requirements for plats.

Section 7:

- Updated language for flood elevations to match FEMA standards.
- Reduced distance required for adjoining parcel information from 300 feet to 100 feet.

Section 8:

- Modified Road Design Standards table
- Added road agreement requirement for private roads.
- Structure of Roads requirements consolidated.
- Ditch requirements amended to consolidate standards found elsewhere in the Ordinance.

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 the Goodhue County Subdivision Ordinance.

GOODHUE COUNTY SUBDIVISION CONTROLS ORDINANCE

Adopted: October 14, 1966

Amended:

February 19, 1968

December 7, 1971

June 6, 1972

July 1974

March 18, 1976

May 18, 1978

September 2, 1980

September 8, 1981

May 16, 1995

February 21, 2006

February 3, 2015

XX XX, 2020

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This Ordinance shall be known, cited and referred to as the "Goodhue County Subdivision Controls Ordinance", when referred to herein it shall be known as "this Ordinance".

SECTION 1. INTENT AND PURPOSE

The purpose of this Ordinance is to regulate the subdividing of land in Goodhue County, referred hereinafter as the County, lying outside the incorporated limits of any City, so that new subdivisions will be integrated with the development objectives of Goodhue County, as outlined in the Comprehensive Plan, and contribute to an attractive, stable and wholesome environment, adequate public services and an integrated and safe transportation system.

SECTION 2. SCOPE AND LEGAL AUTHORITY

Subd. 1 Applicability

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of public health, safety, ~~comfort,~~ ~~convenience~~ and general welfare. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of each statute, other ordinance, or regulation shall be controlling.

Subd. 2 Amendments

The County Board may amend the procedures, standards, requirements and other provisions of this Ordinance upon recommendation of the Planning Advisory Commission. The Planning Advisory Commission shall hold a public hearing on the proposed amendment prior to recommending action to the County Board as specified in MS 394.26 and 394.30.

Subd. 3 Enforcement and Penalties

- A. ~~This Ordinance shall be administered and enforced by the Land Use Management Department who is hereby designated the enforcing officer.~~ The provisions of this Ordinance shall be administered by the office of the Zoning Administrator.
- B. ~~Any person who violates any of the terms or provisions of this Ordinance shall be charged with a misdemeanor, punishable by a fine or by imprisonment as defined by Minnesota State Statute. All fines for violation shall be paid to the County Auditor.~~ When any work has been stopped by the Zoning Administrator for any reason whatsoever, it shall not again be resumed until the reason for the work stoppage has been completely removed.
- C. ~~In the event of a violation or threatened violation of this Ordinance, the County Board may in addition to other remedies, institute appropriate actions or proceedings to prevent, restrain, correct, or abate such violations or threatened violations, and it shall be the duty of the County Attorney to institute such action.~~ It shall be the duty of the County Attorney and the County Sheriff, when called upon by the County Board to perform such duties as may be necessary to enforce the provisions of this Ordinance.
- D. ~~Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any fine or sentence shall not exempt the offender from compliance with the requirements of this Ordinance.~~

Subd. 4. Severability

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION 3. RULES

- A. Words used in the present tense include the past and future tense; the singular number includes the plural and the plural includes the singular; the word "shall" is mandatory, and the words "should" and "may" are permissive.
- B. In the event of conflicting provisions in the text of these regulations, the more restrictive shall apply.

SECTION 4. DEFINITIONS

For the purpose of these regulations, certain terms and words are hereby defined as follows:

BLOCK: A tract of land consisting of one or more lots, as identified by a number, and bounded by plat boundaries, dedicated public ways, Outlots, parks, or bodies of water.

CLUSTER DEVELOPMENT: A subdivision development planned and constructed so as to group housing units into relatively tight patterns while providing a unified network of open space and wooded areas, and meeting the overall density requirements of these regulations and the Zoning Ordinance.

CONTOUR: A line connecting all points of which are at the same elevation above a specified datum surface.

CONTOUR INTERVAL: The difference in elevation between adjacent contours on a map.

CONTOUR MAP: A map depicting contour lines.

COPY: A print or reproduction made from an original.

COVENANTS: Contracts entered into between private parties and constituting a restriction on the use of all private property within a subdivision for the benefit of the property owners, and to provide mutual protection against undesirable aspects of development which would tend to impair stability of values.

CUL-DE-SAC: A road having but one end open to traffic; not a through road.

~~DEVELOPMENT GOALS: Those goals determined from time to time in plan or policy form as part of the County's Comprehensive Plan which indicate how the County wishes to develop itself in line with an orderly and logical direction.~~

DOUBLE FRONTAGE LOTS: Lots which have a front line abutting on one road and a back or rear line abutting on another road.

DRAINAGE COURSE : A water course or indenture for the drainage of surface water.

EASEMENT: A grant by an owner of land for the specific use of said land by the public, or to a person or persons.

FINAL PLAT: The final drawing, which is in compliance with MS 505 or 515B and County Ordinances and rules, of the Subdivider's plan as presented to the County Board for approval and which, if approved, will be submitted to the County Recorder to be recorded. ~~A Final Plat is also considered the Recorded plat.~~

LOT: ~~A parcel of land intended for building development or as a unit for transfer of ownership. All, or part of a Block, as identified by a number on a plat.~~ A tract of land which is all or part of a block and is identified on the plat.

METES AND BOUNDS DESCRIPTION: A description of a parcel of land by references to course and distances around the tract or by reference to natural or record monuments; most common method is to recite direction and length of each line as one would walk around the perimeter.

NATURAL WATERWAY: A natural passageway on the surface of the earth so situated and having such a topographical nature that surface water flows through it from other areas before reaching a final ponding area.

OUTLOT: A lot remnant or parcel of land left over after platting, which is intended as open space or other use, for which no development is intended and for which no building permit shall be issued.

OWNER: Any individual, firm, association, syndicate, co-partnership, corporation, estate, trust, or any other legal entity having legal title in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this ordinance.

PARCEL: Land which is described by a recorded legal description and referenced by an individual and unique parcel identification number assigned by the County.

PLAT MONUMENT: A durable magnetic marker placed at all angle and curve points on the outside boundary lines of the plat and also at all block and lot corners and at all intermediate points on the block and lot lines indicating changes of direction in the lines and any witness corners (MS 505.021 subd. 10). All plat monuments placed shall have the license number of the Minnesota licensed Land Surveyor responsible for the preparation of the Final Plat inscribed thereon.

PRELIMINARY PLAT: A map or drawing indicating the proposed layout of the subdivision to be submitted to the Planning Commission and County Board for their consideration.

RIGHT-OF-WAY: ~~The land covered by a public road or other land dedicated for public use or for certain private use.~~ Land that is prescriptively used by the public or dedicated to the public for roadway or thoroughfare purposes.

ROAD, HALF: A road with half the required right-of-way width on the bounding edge of a subdivision.

ROAD, LOCAL: A public road designed for access to abutting property and not intended to facilitate through traffic.

ROAD, MARGINAL ACCESS: A minor road which is parallel and adjacent to an arterial street or highway and which provides access to abutting properties and protection from through traffic.

ROAD, PRIVATE: A road not maintained by any public road authority intended for use by two or more parcels that do not have physical access to a public road. An access easement must be approved by the County prior to recording.

SKETCH PLAN: A concept drawing indicating a proposed subdivision which at a minimum includes the following: Significant topographical and physical features of the site; tract boundaries; north arrow; general location and number of buildings; general location of roads and accesses; and the relationship of the proposed subdivision to existing community facilities that would serve it and to neighboring subdivisions and developments.

SUBDIVIDER: Any person commencing proceedings under the Ordinance to effect a subdivision of land hereunder for themselves or as an agent of the land owner.

SUBDIVISION: The division of any parcel or land into two (2) or more lots, blocks and/or sites and includes the re-subdivision of land.

TAX PARCEL: Land which is described by a recorded legal description and referenced by an individual and unique parcel identification number assigned by the County

SECTION 5. ~~LAND~~-SUBDIVISIONS AND COMBINATIONS

Subd. 1 Plats

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

- A. For 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 ¼ of the NW ¼). Non-contiguous land must be separate tax parcels.
- B. If a subdivision of a platted lot or Outlot can result in one or more potential dwelling sites, the subdivision must be platted.
- C. Administrative plats. An Administrative plat is a ~~MS 505~~ Minnesota Statute Chapter 505 plat which is reviewed and approved by County staff and does not require approval or public hearings from the Planning Commission or County Board if all of the following conditions are met:
 1. The plat depicts parcels whose purpose is to simplify legal descriptions;
 2. The plat does not dedicate any interests to the public such as easements or roads;
 3. The parcels shown on the plat provide for road access for each new division or reconfiguration of land;
 4. There is no change of zone requested;
 5. No additional building sites are created other than what would be allowed under the existing zoning designation;

D. All plats, except Administrative Plats, ~~as outlined in Section 5 Subdivision 5B,~~ shall be reviewed by the Planning Advisory Commission and approved by the County Board. shall be subject to the requirements of Section 6 (General Procedures).

Subd. 2 Metes and Bounds Subdivision

A. The creation of two tax parcels from one or more tax parcel(s) requires a survey as outlined below 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 $\frac{1}{4}$ of the NW $\frac{1}{4}$). Non-contiguous land must be separate tax parcels.

B. If the parcel is not within a recorded plat ~~and a Certificate of Location for each of the pertinent Public Land Survey corners has been filed with the County Surveyor~~ a Certificate of Survey depicting information listed in Section 7, subdivision 1 (B) items 1 through 6, items 8, 11, and 12, 13, and 14 shall accompany the subdivision and conveyance of land. The survey must be of the parcel being split and conveyed. If the split parcel is composed of more than one tax parcel, the acreages of those portions of each tax parcel contributing to the split parcel must be indicated on the survey.

C. If the parcel is within a recorded plat, a Certificate of Survey depicting information listed in Section 7, subdivision 1 (B) items 1 through 6, items 8 and 11 shall accompany the subdivision and conveyance of land. The survey shall show distance and direction reference ties to each of the pertinent Lot or Block corner monuments. If the pertinent Lot or Block corner monuments do not exist, sufficient mathematical information shall be shown to enable reference of the parcel description to the plat or to the pertinent Public Land Survey corner monuments. The survey must be of the parcel being split and conveyed. If the split parcel is composed of more than one tax parcel, the acreages of those portions of each tax parcel contributing to the split parcel must be indicated on the survey.

D. No further subdivisions will be approved for tax parcels subdivided within six months of their creation.

E. Property divisions ~~outlined in Section 5, Subd. 2~~ within the unincorporated areas of Goodhue County must be submitted ~~together with evidence that all zoning fees have been paid to the Zoning Administrator or their designee~~ for approval. Written approval shall appear on the face of the conveyance instrument indicating that the conveyance complies with Goodhue County Zoning and Subdivision Ordinances. If a conveyance instrument is recorded without the written approval of the Zoning Administrator or their designee, the parties of the conveyance may be subject to enforcement as contained in this Ordinance.

Subd. 3 Torrens Properties

In the instance in which a plat or metes and bounds description subdivides Torrens property: ~~the Land Surveyor preparing the proposed plat or parcel description will provide to the Registrar of Titles the new descriptions for the Torrens parcels and any residual parcel(s). These descriptions must accompany the filing of the Certificate of Survey, Certificate of Description, plat, or Registered Land Survey.~~

A. Common Interest Communities in which ownership is characterized as real property cannot contain both Torrens and Abstract title.

B. All subdivisions or combinations of metes and bounds Torrens property descriptions must create a Registered Land Survey or MS 505 plat unless prior approval is obtained by the County Recorder.

C. The Land Surveyor preparing the proposed plat or parcel description will provide to the Registrar of Titles the new descriptions for the Torrens parcels and any residual parcel(s). These descriptions must accompany the filing of the Registered Land Survey, plat or certificate of survey.

SECTION 6. GENERAL PROCEDURES FOR PLATTING PLATTING PROCEDURES

Subd. 1 Procedures

The following procedures shall be followed in the administration of this Ordinance and no real property within the jurisdiction of this Ordinance shall be subdivided or a plat recorded unless approved according to this ordinance.

- A. All Preliminary and Final Plats of any subdivision, as required by this Ordinance, shall be subject to review and approval by the appropriate Board and staff.
- B. No lots, tracts, or parcels within any proposed subdivision may be sold prior to recording the plat with the County Recorder.
- C. The County shall not issue any building permits for building development on any lot, parcel, or tract within a subdivision that has not received final approval pursuant to this Ordinance.

Subd. 2 Pre-Application Meeting

Prior to the preparation of any preliminary plat for the Subdivider shall meet with the County Land Use Management department and other officials in order to be made fully aware of all applicable ordinances, regulations, and plans in the area to be subdivided. The applicant is urged to avail themselves of the advice and assistance of the County staff at this point in order to save time and effort and to facilitate the approval of the preliminary plat.

- A. ~~At this time, or at subsequent informal meetings,~~ pre-application meeting the Subdivider shall submit a ~~general~~ Sketch Plan of the proposed subdivision and preliminary proposals for the provision of water supply, waste treatment and storm water management. ~~The sketch plan may be presented in simple form but should show that consideration has been given to the relationship of the proposed subdivision to existing community facilities that would serve it, to neighboring subdivisions and development, and to the topography of the site, to the appropriate Comprehensive Plan for the area, and to any other requirements as stipulated in this Ordinance.~~
- B. The Sketch Plan will be considered as the basis for discussion between the Subdivider and staff. A Sketch Plan does not constitute a formal filing of a Preliminary Plat.

Subd. 3 Preliminary Plat

- A. After the pre-application meeting, the Subdivider shall apply for a ~~planning permit~~ preliminary plat permit with the Zoning Administrator. At the time of submission of the Preliminary Plat, the required fees shall be paid by the Subdivider. The Preliminary and Final Plat may be submitted for review at the same meeting. The applicant shall be responsible to submit copies of the Preliminary Plat to the following entities:

1. 3 full sized (24" x 36") copies to the Zoning Administrator;
2. One digital file (legible at the 11" x 17" print size) provided to, and in a format dictated by, the Zoning Administrator;
3. 1 full sized (24" x 36") copy to any city within two miles of the proposed plat;
4. 1 full sized (24" x 36") copy to the Township Board in which the proposed plat is located;
5. 1 full sized (24" x 36") copy to the Soil and Water Conservation District; and
6. 1 full sized (24" x 36") copy to the Minnesota Dept. of Transportation (District 6) if the proposed plat abuts or is adjacent to a state or federal highway

B. The Subdivider shall send the above copies with a letter directing all comments concerning the preliminary plat to the Zoning Administrator, and submitting such comments to the Zoning Administrator ~~three weeks~~ prior to the Planning Commission hearing regarding the request. The Subdivider shall provide proof of submittal of the required ~~letters~~ **copies** to the Zoning Administrator.

C. The Preliminary Plat shall show the data requirements as listed in Section 7 of this ordinance.

D. A public hearing shall be conducted at a specified Planning Advisory Commission meeting. Notice of the time, place, subject matter and purpose of said public hearing shall be published in the official newspaper of the County at least 10 days before the hearing. Written notice of said public hearing shall also be sent at least 10 days before the hearing to all owners of record within a half mile of the affected property and also to the affected Township Board and municipal Council of any municipality within 2 miles of the affected property.

E. The Planning Advisory Commission shall express its recommended approval or conditional approval and state the conditions of such recommended approval, if any; or if disapproved, shall express its disapproval and its reasons therefore. Such ~~approval or disapproval~~ **recommendations** shall be transmitted to the County Board.

F. At the time of filing the Preliminary Plat, the owner of the to be platted shall also submit to the Zoning Administrator a petition for rezoning to the ~~precise~~ proposed future use of said land if the land is not already so zoned. The County Board may approve a zoning change contingent upon approval of the Final Plat.

G. ~~Based on the information provided, the Planning Commission and the County Board shall review all subdivisions which require their approval, for the following:~~ No preliminary or final plat shall be approved by the County Board unless said Board specifies findings in each case which establish:

1. That the physical characteristics of the site, including but not limited to topography, vegetation, susceptibility to flooding, water storage, drainage and retention, are such that the site is physically suitable for the proposed density of development;
2. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental degradation;
3. That the design of the subdivision or the type of improvements is not contrary to public health safety and welfare;
4. ~~Comments gathered as a part of the public hearing process~~

5. ~~Requirements and comments of pertinent governmental bodies~~
6. That the proposed subdivision adequately addresses road arrangement, location, width, and connections with the current and future plans as outlined in the Goodhue County Transportation plan and Official Maps;
7. That the proposed subdivision ~~adequately addresses all the elements as outlined in~~ **is consistent with** the Goodhue **County** Comprehensive Plan, and requirements outlined in the Goodhue County Zoning Ordinance.

H. The approval of a Preliminary Plat is an acceptance of the general layout as submitted, and indicates to the Subdivider that they may proceed toward preparation of a Final Plat in accordance with the terms of approval and provisions of this Ordinance.

I. If significant changes occur in the layout design, or other supporting information from an approved preliminary plat, the Subdivider must rescind their initial submittal and re-submit the proposal to the Planning Advisory Commission and pay any re-submittal fees. Any statutory timelines for review and approval shall terminate upon the rescission request and shall recommence upon re-submittal of the proposal.

Subd. 4 Final Plat

A. ~~If a change of zone request is proposed, the change of zone request, Preliminary Plat, and Final Plats shall be submitted by the Subdivider for County Board approval within 120~~ **180** days of the ~~submission of the initial request~~ **approval of the Preliminary Plat.**

B. ~~If a change of zone request is not proposed the Subdivider shall submit the Final Plat to the Zoning Administrator at least two (2) weeks before the regularly scheduled County Board meeting hearing the request, and within once hundred eighty (180) days of the date of approval of the Preliminary Plat.~~

C. The County Zoning Administrator, ~~Attorney~~, Engineer, and Surveyor shall check the Final Plat to ~~see~~ **verify** that it is in substantial agreement with the **approved** Preliminary Plat ~~as approved by the Planning Advisory Commission~~ and that it meets all ordinances and regulations of the county.

D. The Subdivider shall submit:

1. One full sized (24"x36") copy to the Zoning Administrator
2. ~~One digital file (legible at the 11" x 17" print size) in a format approved by the Zoning Administrator~~
3. One full sized (24"x36") copy to the County Engineer
4. Two full sized (24"x36") copy to the Surveyor
5. ~~One full sized (24" x 36") copy to the Attorney~~
6. A current title opinion or commitment to the ~~County Attorney and County Surveyor~~, covering the area to be subdivided.

E. Following Final Plat approval or disapproval by the County Board, the Zoning Administrator shall notify the Subdivider of the Board's action within 30 days thereafter. The Final Plat, if approved, shall be submitted by the Subdivider for ~~filing~~ **recording** with the County Recorder within 180 days after the date of County Board approval.

F. Final Plat approval shall be null and void if the Final Plat is not filed for recording within the timeframe herein specified. The County Board may grant an extension, for good cause,

if the extension request is in writing and presented for decision before the 180 days terminates.

SECTION 7. DATA REQUIRED

Subd. 1 Data for Preliminary Plat

This section pertains to proposed plats in which the County is the platting authority; or a plat that adjoins or is adjacent to any County Road, County State Aid Highway, or Municipal State Aid Highway.

The Subdivider shall engage a Minnesota Licensed Land Surveyor, Engineer, or Landscape Architect to prepare a Preliminary Plat of the area to be subdivided. The Preliminary Plat shall contain:

A. Identification and Description

1. Proof of ownership: A copy of a current Title Commitment, Title Opinion, or Certificate of Title (Torrens property) that covers the property of the proposed plat ~~shall be submitted with the proposed plat.~~
2. The ~~proposed~~ name of the proposed plat, which shall not duplicate or be similar in pronunciation or spelling to the name of any plat heretofore recorded in the County.

B. Existing conditions: A current Certificate of Survey, which shall be used as the basis for the proposed plat, shall be prepared and executed by a Minnesota Licensed Land Surveyor, depicting the following information:

1. Scale of drawing; 1 inch equals 100 feet or 1 inch equals 200 feet;
2. North arrow;
3. Date of Survey;
4. Legal description of the boundary of the subject parcel(s);
5. Sufficient boundary survey data and mathematical information (bearings to the nearest one second of a degree and dimensions to the nearest one hundredth of a foot) to locate and retrace the boundary;
6. Total area in square feet or acres of the proposed plat (or tax parcel);
7. Existing site improvements within the proposed plat and any existing improvements within 10 feet of the proposed plat boundary, or a notation indicating no site improvements exist;
8. All encroachments along the boundary of the proposed plat (or tax parcel), or a notation indicating no evidence of encroachment was found;
9. All easements of record, or a notation indicating the there are no easements of record;
10. Ponds, lakes, rivers, streams, creeks, wet lands, and other waterways within or adjacent to the proposed plat, or a notation indicating none of these features are within or adjacent to the proposed subdivision. The ordinary high water elevation and ~~100-year~~ **1% AEP (Annual Exceedance Probability)** flood elevations shall be shown where applicable. Elevations shall be referenced to an established bench mark with a mean sea level elevation and noted on the proposed plat;
11. Location, right of way widths, and names of public ~~and private~~ roads, other public ways, or railroads within or adjacent to the proposed plat boundary;
12. ~~Location of private roads within or adjacent to the proposed plat boundary~~
13. Distance and direction reference ties from the boundary of the proposed plat to a minimum of 2 Public Land Survey corner monuments.

~~14. The structures that are located closest to the proposed tax parcel boundaries along with distances to such boundary.~~

- C. The names and addresses of the fee owner, Contract for Deed purchasers, or any agent having control of the land; the Subdivider; the Minnesota Licensed professional preparing the plan.
- D. Two foot contours extending throughout the proposed plat location and within a ~~300~~ 100 foot buffer surrounding the proposed plat.
- E. Existing and proposed zoning classifications for the land within and adjacent to the proposed plat.
- F. A tabulation of the approximated square footage/acreage and dimensions of each lot, Outlot, or park.
- G. Adjoining parcel information to include (within ~~300~~ 100 feet of proposed boundary):
 - 1. General location of adjoining parcels; right of way widths; names of existing roads, platted roads, or other public and private ways; parks; other public lands; public utility easements; Public Land Survey lines; and corporate limits.
- H. Adjoining owners' names.
- I. Vicinity map depicting and labeling the Section, Township, and Range
- J. If applicable, soils analysis and depth to groundwater and bedrock from finished grade must be established. A plan for solving site ground water problems may be required if conditions warrant.
- K. Any other such information that is deemed necessary for review and as may be requested by the Planning Advisory Commission, County Board, or staff.
- L. If applicable, layout of proposed roads indicating the items listed under Section 8 of this ordinance.
- M. If applicable, preliminary road grades and drainage plan, including drainage structure size and location shall be shown on a copy of the contour map.
- N. If applicable, a drainage plan and flood control which includes structure size and location based upon hydraulics of a ~~100-year~~ 1% AEP flood event.
- O. If applicable, source of water. Connection to municipal water is required, if available. Wells with less than 15 service connections and serving fewer than 25 people must be installed according to the Goodhue County Water Quality Ordinance.
- P. ~~Provisions for sewage treatment.~~ Connection to municipal sewage treatment is required, if available.
 - 1. Community sewage treatment systems must be designed and installed according to Minnesota Pollution Control Agency Standards.

2. All lots served by an individual sewage treatment system must be evaluated and be able to support two standard systems.

Q. If applicable, a plan for soil erosion and sediment control both during construction and after development has been completed.

R. If the Minnesota Environmental Quality Board regulations require an EAW or EIS, such documentation shall be submitted as part of the Preliminary Plat information.

S. If applicable, a landscape plan shall accompany the application. The plan shall indicate the location of existing trees, proposed new trees and vegetative plantings, and existing trees proposed to be removed.

Subd. 2 Data for Final Plat (Planning Advisory Commission)

A. Special conditions and or restrictions pertaining to the approval of the Final Plat by the County Board shall be recorded as covenants. Recording of the special conditions or restrictions shall be the obligation of the developer.

Subd. 3 Data for Final Plat and Administrative Plat (Recording)

A. The proposed plat shall follow the requirements of Minnesota Statute 505.

B. All plat monuments shall be placed in the ground prior to recording of the plat with the County Recorder.

C. ~~Refer to Section 5, Subd. 3 Torrens Properties, for plats that include Torrens parcels.~~

Subd. 4 Planned Unit Developments

Small lot sizes (lot sizes smaller than outlined in the Goodhue County Zoning Ordinance), may be allowed for planned cluster developments provided:

A. Community sewage treatment systems must be designed and installed according to the Minnesota Pollution Control Agency Standards.

B. Open space is preserved.

C. A Development Agreement may be required.

Subd. 5 Planned Unit Developments within Shoreland areas:

A. Preliminary plans are first approved by the Commissioner of the Department of Natural Resources.

B. There is not more than one centralized boat launching facility for each cluster.

C. Any attached conditions are met, such as limits on overall density, minimum size of the cluster development, restriction to residential uses, or minimum length of water frontage.

SECTION 8. SUBDIVISION DESIGN STANDARDS

Subd. 1 General

Design standards assure that the layout of the subdivision harmonizes with existing plans affecting the development and its surroundings and shall be in conformity with the development objectives of the County.

Subd. 2 Roads

- A. The design of all roads shall ~~be considered in their relation~~ give consideration to:
1. Existing and planned roads
 2. Reasonable circulation of traffic within the plat
 3. Topographic conditions
 4. ~~Runoff of storm waters~~ Stormwater runoff ~~and to the~~
 5. Proposed uses of the area to be served
- B. Where new roads extend to existing adjoining roads, their projections shall be at the same or greater width, but in no case less than the minimum required width. Where adjoining areas are not subdivided, the arrangement of roads in new subdivisions shall make provisions for the proper projection of roads. When a new subdivision adjoins unsubdivided land susceptible to being subdivided, then the new roads shall be carried to the boundaries of such unsubdivided land. Until the adjoining property is developed, a temporary cul-de-sac shall be constructed.
- C. ~~Driveways. Driveway standards are listed in the Goodhue County Zoning Ordinance Article 11, Section 6.~~

D. Road Design Standards:

	Local Road	Private Road
Rights of way	66'	33'
Surface width	24'	18'
Minimum horizontal curve radii	50'	50'
Minimum grade	0.5%	0.5%
Maximum grade	10%	12%
Structural Design Strength (Ton)	10	7
Shoulder	3' each side	1' each side
Inslope (V to H)	1:3	1:3
Road Type	Aggregate	Aggregate
Cross Slope	2%	2%

1. A road agreement between the Township and the Subdivider shall be recorded with a Township official's signature indicating that a Private Road shall remain private and shall not become the Township's responsibility including maintenance, improvements and traffic control measures. At their discretion, a Township may choose to modify the road agreement and assume responsibility for maintenance, improvements and traffic control measures.

- E. Width:
1. All roads shall be subgraded to the minimum width to accommodate the above lane widths, shoulder width, inslopes, and the road's base and pavement thickness to meet the structural design strength as shown in the above table.

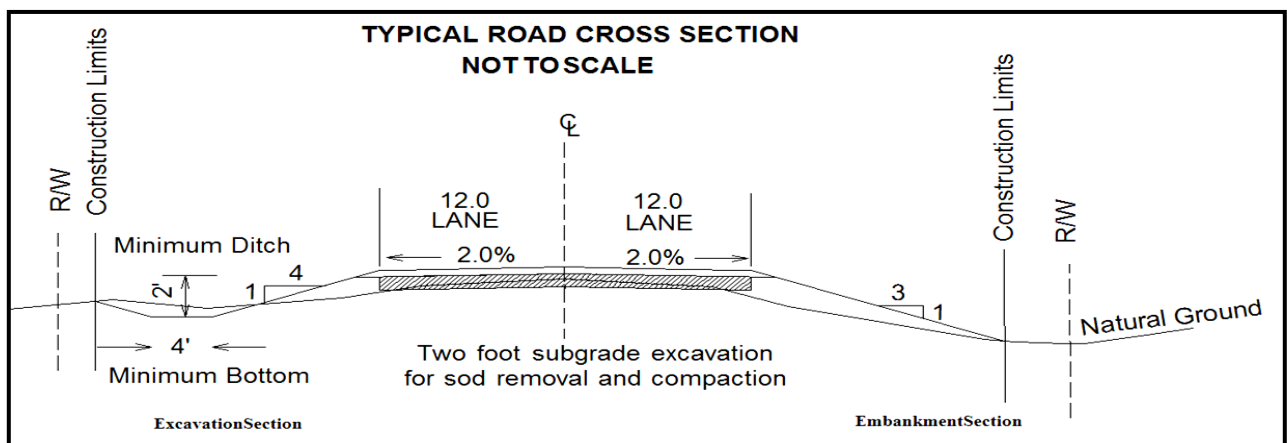
F. Structure of Roads:

1. ~~All subdivision roads and bike paths shall be paved. Alley, Private roads, and Pedestrian ways do not need to be paved.~~ All Local and Private Roads may have aggregate surface.
2. Private roads that are contemplated that differ from the listed structure and ditches in this ordinance need to be designed by a Professional Engineer and approved by the County Engineer.
3. The developer shall design the pavement sections for all roads per MNDOT standards. All bituminous pavements shall have a minimum bituminous section of 3 inches.
4. There shall be a minimum of 6 inches of gravel (class 4 or 5 based on the pavement design) constructed with the initial road grading project when no bituminous will be used.
5. ~~The full pavement design section shall be constructed with 65% of the individual lots in the subdivision are sold.~~ The road base shall be at standard design immediately prior to blacktopping and approved by a licensed Professional Engineer. Written proof must be submitted to the County Engineer within 5 working days of the blacktopping completion.
6. Curb and gutter shall meet MNDOT standards.
7. ~~All roads shall have a cross slope of 2%~~
8. All Bike Paths and Pedestrian Ways shall be subject to review and approval by the County Engineer.
9. All intersections shall be at an angle of 90 degrees (but may vary by 10 degrees as necessary). Road jogs shall not have less than 150 feet of center line offset.
10. Maximum length of permanent cul-de-sac roads shall be 500 feet measured along the center line from the intersection of origin to end of right-of-way. Each cul-de-sac shall be provided at the closed end with a turn-around having a minimum outside roadway diameter of 80 feet and a minimum road right-of-way diameter of 100 feet.
11. ~~Refer to Section 9, Subdivision 2, Financing, for bonding requirements.~~
12. Minimum tangent between curves shall be at least 50 feet.
13. Half roads shall be prohibited.
14. Where a proposed plat is adjacent to a major thoroughfare, the County may require the developer to provide a marginal access road along the right-of-way of such facilities or they may require that lots are aligned with the rear towards the thoroughfare, in which case vehicular and pedestrian access between the lots and thoroughfare shall be prohibited.
15. Road intersections shall be rounded at a radius of not less than 20 feet.
16. Sight triangles with tangent distances of 30 feet shall be provided at road intersections within the subdivision or the County may permit property lines at road intersections to be rounded with a radius deemed necessary. Sight triangles for roads tying into existing public roads shall meet the County's access control criteria.
17. Access control and road right of way dedication may be required.
18. New intersections tying into existing roads must meet the requirements of Goodhue County's Access Control Policy.

G. Ditches:

1. Ditch bottoms shall have a minimum width of 4 feet.

2. Ditch bottoms shall be at least 2 feet lower than the shoulder elevation.
3. Drainage ditches shall be sodded to prevent erosion.
4. All culverts installed shall be new.
5. Road culverts shall be a minimum of 24" in diameter.
6. Driveway culverts shall be a minimum of 18" in diameter.
7. Any culvert over 48", or at locations requested by the County Engineer, shall have a hydraulic analysis and risk assessment performed.
8. Centerline culverts shall be provided to accommodate all natural water flow and shall be sufficient length to permit full-width roadways and required side slopes.
9. ~~Topsoil removed due to the road construction shall be stockpiled for re-spreading over lots and shall not be sold or otherwise removed from the subdivision area unless the removal of excess topsoil is approved by the County.~~



The preceding sketch is to be used as a typical cross section through embankment and excavation sections for all normal road construction. Wherever side roads and branch roads lead off of the main road, such roads shall have the crown of the branch road meeting the shoulder elevation of the main road. Side slopes shall retain a 1:3 or a 1:4 slope depending on the functional classification of the road.

Subd. 3 Easements

- A. All public easements shall be dedicated by appropriate language on the plat as required by M.S. 505.021, Subdivision 7.
- B. Utilities easements ~~shall be provided for utilities where necessary~~ shall connect with existing easements in adjoining properties to the extent possible.
- C. Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way, as will be adequate for storm water runoff based on the ~~100-year~~ 1% AEP flood event. The easement shall include not only the stream channel, but also adjoining areas that have been subject to flooding in years of heavy runoff.

Subd. 4 Blocks

Road lengths shall not exceed 1,200 feet between intersections. ~~In blocks longer than 800 feet a pedestrian crossway with a minimum right of way of ten (10) feet may be required near the center of the block. The use of additional access ways to schools, parks and other destinations~~

~~may also be required. If additional access ways are required, they should be located at road intersections. The design of the plat should take advantage of the natural amenities on site, and account for optimal traffic flow and adequate vehicle access.~~

Subd. 5 Lots

- A. Corner lots for residential use shall have additional width to permit appropriate building setback from both roads as required by the Goodhue County Zoning Ordinance.
- B. Where possible, side lot lines shall be at right angles to straight lines or radial to curved road lines.
- C. Each lot shall ~~front~~ **have the minimum required frontage** on a ~~local~~ **public or private** road within the subdivision. Lots with frontage on two parallel roads shall be permitted only under unusual circumstances.
- D. The lot dimensions shall be such as to comply with the minimum lot areas specified in the Goodhue County Zoning Ordinance.
- E. Lots shall be graded so as to provide drainage away from building locations and septic drainage fields.
- F. All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots rather than allowed to remain as unusable parcels unless the owner can show plans for the future use of such remnants wherein they shall be platted as Outlots.
- G. Outlots shall be set aside solely for non-building purposes. No Goodhue County Land Use Permits shall be issued for structures on Outlots. Outlots may be eliminated through re-subdivision approved by the County.

Subd. 7 Natural Features

- A. In the subdividing of any land, Goodhue County Zoning Ordinance regulations ~~need to~~ **shall** be adhered to and due regard shall be shown for all natural features, such as tree growth, wetlands, steep slopes, water courses, historic sites, or similar conditions, and plans adjusted to preserve those which will add attractiveness, safety and stability to the proposed development.
- B. In general, it is preferable to have trees, other than diseased or damaged trees, only to be cut or removed to accommodate building sites, driveways or utilities. ~~The applicant shall demonstrate that all grading which takes place will be conducted in a manner that preserves the root zone aeration and stability of existing trees and provides an adequate watering area equal to at least each tree's crown cover. The size and species of trees used in reforestation shall be approved by the County. The applicant must contact the Minnesota DNR concerning the timing of trimming or removal of trees.~~

Subd. 8 Erosion and Sediment Control

- A. Wetlands and other water bodies shall not be utilized as a primary source of hydrologic and/or sediment traps.

- B. Any proposed alteration, filling, or creating of wetlands ~~need to~~ shall comply with the Minnesota Wetland Conservation Act Rule 8420, which is administered locally by the Goodhue County Soil and Water Conservation District.
- C. The proposed development shall not increase the runoff rate of storm water so as to cause an adverse effect upon adjacent lands. Hydraulics to verify post-development rates are at or less than pre-development rates shall be based on the ~~100-year~~ 1% AEP flood event.
- D. Erosion protection measures shall make maximum use of natural in-place vegetation rather than the placing of new vegetation on-site as erosion control facilities. The use of approved natural erosion control devices shall be preferred to the maximum extent over the construction of artificial drainage devices including culverts, holding ponds and ditches.
- E. Topsoil removed from lots during construction shall be stockpiled for re-spreading over lots and shall not be sold or otherwise removed from the subdivision area unless the removal of excess topsoil is approved by the County.
- F. Topsoil shall be re-spread so as to provide at least 6 inches of cover originally existing on the site or a minimum of 4 inches of cover if the original cover was less. The site shall also be stabilized by seeding and/or sodding.
- G. Developments are subject to NPDES and SWPPP permit requirements.

Subd. 9 Public Lands and Open Spaces

~~Because~~ Subdivision activity can create a need for a full range of public facilities. The County Board may require a portion of the subdivided land to be set aside for open space, park, recreational, or common areas and facilities (MS 394.25, Subd.7). The County Board may accept a contribution to the County Park Fund in lieu of land designation within the subdivision.

SECTION 9. IMPROVEMENTS REQUIRED

Subd. 1 Improvements Listed and Described

Before the County Board approves a Final Plat, the Subdivider shall have agreed in the manner set forth below to install in conformity with construction plans approved by the County Engineer and in conformity with all applicable standards and ordinances, the following improvements on the site:

- A. ~~Monuments.~~ All plat monuments shall be placed in the ground prior to recording of the plat with the County Recorder/Registrar of Deeds. Delayed staking of any plat monument will be prohibited.
- B. ~~Water supply.~~ Where a connection with a community water system is possible, the public water shall be used. In other instances, safe and potable water shall be provided by a central distribution system serving the subdivision or by individual wells. In all cases, water shall be supplied in accordance to the Goodhue County Water Quality Ordinance specifications.

- C. ~~Sanitary Sewer.~~ In all cases, the Subdivider ~~All proposed sanitary sewer systems~~ shall be required to connect to municipal ~~trunk line sewers~~ lines when available. In other instances individual ~~on-site SSTS~~ or a central system approved by Goodhue County Environmental Health will follow the standards as outlined in the Goodhue County Subsurface Sewage Treatment System Ordinance shall be used.
- D. ~~Drainage.~~ A system that will adequately take care of the surface water runoff within the subdivision shall be provided. Storm sewers and culverts shall be installed where necessary in conjunction with the grading of roads. ~~All culverts installed shall be new. Minimum culvert size through the roadway shall be 24", 18" minimum for driveways. Any culvert over 48" diameter, or at locations requested by the County Engineer, shall have a hydraulic analysis and risk assessment performed. Centerline culverts shall be provided to accommodate all natural water flow and shall be sufficient length to permit full width roadways and required side slopes. Drainage ditches shall be sodded to prevent erosion.~~
- E. Interim measures shall be required to ensure that drainage design functions adequately during phase developments.
- F. Each subdivision must function as independent projects, yet be flexible to integrate with surrounding needs.

Subd. 2 Financial Agreement

Before a Final Plat which consists of ten or more lots is approved by the County Board, the Subdivider shall be required to submit a performance bond, cash escrow agreement, or irrevocable letter of credit, as approved by the County Board to assure the following:

- A. The Subdivider shall pay for the cost of all improvements required in the subdivision and the subdivision's share of the costs of any trunk facilities to be extended to the subdivisions with the exception of individual wells and individual sewage disposal systems.
- B. Guarantee completion of the required improvements within a 2 year period.
- C. Payment by Subdivider for all costs incurred by the County for review and inspection. This would include preparation and review of plans and specifications by technical assistants and costs incurred by the County Attorney, County Surveyor, and County Engineer as well as other costs of a similar nature. This payment would be in addition to the subdivision fee paid with the submission of the Preliminary Plat.
- D. The County may elect to install any of the required improvements under the terms of the financial agreement.
- E. The financial agreement shall be equal to one and one-quarter (1.25) times the estimated cost of the required improvements.
- F. If the required improvements are not complete within the 2 year period, all amounts held under the financial agreement will be turned over and delivered to the County and applied to the cost of the required improvements. Any balance remaining after such improvements have been made, shall be returned to the Subdivider.

SECTION 10. VARIANCES AND EXCEPTIONS

The County Board may ~~have the power to~~ vary the requirements of this Ordinance so long as they are in harmony with the general purposes and intent of the official control in cases when there are practical difficulties as defined in Minnesota State Statutes Chapter 394. Any variance to Section 5 Subdivision 2 should be heard and acted upon by the Board of Adjustment, all other variances shall be heard and acted upon by the County Board.

SECTION 11. CERTIFICATION OF FINAL PLAT

A. For approval by signature of county officials with the recording of the plat.

1) Taxes payable in the year _____ on the land herein described have been paid, there are no delinquent taxes entered this _____ day of _____, 20__.

Goodhue County Auditor/Treasurer
By: _____ Deputy

2) I hereby certify that the within instrument was filed in this office for record this _____ day of _____, 20__ at _____ o'clock __m and was duly recorded as document number _____.

Goodhue County Recorder

3) Approved by the County Board of Commissioners of Goodhue County, Minnesota, at their _____ day of _____, 20__ County Board meeting.

Signed: _____ Attest: _____
Chair Administrator

4) Approved by the _____ Township Board this _____ day of _____, 20__.
Signed: _____
Chairman, Township Board

5) I hereby certify:
that I have surveyed or directly supervised the survey of the property described on this plat; that I prepared or directly supervised the preparation of this plat as *(name of plat in CAPITAL LETTERS-exactly as it appears in the title)*; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been correctly set; that as of the date of this certificate, all water boundaries and wetlands, as defined in Minnesota Statutes 505.01, Subd. 3, are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Land Surveyor
Minnesota License No. _____

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____ 20__, by _____ Land Surveyor.

Notary Public _____ County, Minnesota
My Commission Expires _____

Pursuant to Chapter 389.09, laws of Minnesota, and Goodhue County Ordinance No.2-78, this plat has been approved this _____ day of _____, 20__.

I hereby approve this plat as to form.

Goodhue County Surveyor

Attorney for Goodhue County