



# 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

## Virtual Meeting Notice

The Goodhue County Planning Advisory Commission will be conducting a meeting on February 14, 2022 at 6:00 p.m. Due to concerns surrounding the spread of COVID-19, the meeting and all public hearings will be conducted by telephone or other electronic means.

The public may monitor the meeting from a remote site by logging into <https://global.gotomeeting.com/join/215349021> or calling 1 877 309 2073 beginning at 5:50 PM or any time during the meeting. Access Code: 215-349-021

Public Comments: Interested persons must submit comments by phone, in writing, or via email before noon on Monday, February 14, 2022. To submit your comments please email them to [samantha.pierret@co.goodhue.mn.us](mailto:samantha.pierret@co.goodhue.mn.us) or mail them to the Land Use Management Department at 509 West 5th Street, Red Wing, MN 55066. Comments received by this deadline will be read into the record during the public hearing for that item, including name and address.

## 6:00 PM Call Meeting To Order

### Approval Of Current Agenda

### Approval Of Previous Month's Meeting Minutes

1. January 10, 2022 Meeting Minutes

Documents:

[MINUTES\\_DRAFT\\_JANUARYPACMEETING\\_2022.PDF](#)

### Conflict/Disclosure Of Interests

### Public Hearings:

1. PUBLIC HEARING: Request For Map Amendment (Rezone)  
Request for map amendment, submitted by Pine Island Township, to rezone all parcels within Section 34 from A-1 (Agricultural Protection) to A-2 (General Agriculture).

Documents:

[PACPACKET\\_SECTION34.PDF](#)

2. PUBLIC HEARING: Request For Map Amendment (Rezone)

Request for map amendment, submitted by Larry Kehren (Buyer) and William Holst (Owner), to rezone 24,440 square feet from A-3 (Urban Fringe District) to R-1 (Suburban Residence District). Parcel 32.200.0220. 33587 Lakeview Drive Lake City, MN 55041. Part of the NE ¼ of the NW ¼ of Section 31 TWP 112 Range 12 in Florence Township.

Documents:

[PACPACKET\\_KEHREN.PDF](#)

3. PUBLIC HEARING: CUP Request To Establish An Animal Unit Feedlot Greater Than 500 Animal Units Outside Of A Farmyard And A Liquid Manure Storage Basin Exceeding 500,000 Gallons

Request for CUP, submitted by Bryan and Kent Billman (Applicants) on behalf of Billman Farms LLC (Owners), to establish a hog finishing Feedlot for up to 2,400 head (720 Animal Units) outside of a Farmyard and construction of an animal waste storage pit exceeding 500,000 gallons. Parcel 40.015.0400. TBD 150th AVE Pine Island, MN 55963. Part of the NW ¼ of the NW ¼ of Section 15 TWP 109 Range 16 in Roscoe Township. A-1 Zoned District.

Documents:

[PACPACKET\\_BILLMAN.PDF](#)

4. PUBLIC HEARINGS: Cannon Falls Veteran's Memorial Park (Jim Boo, Applicant And James Edlund, Owner)

TBD CTY 14 BLVD, Cannon Falls, MN 55009. Parcel 28.031.1801. Part of Government Lots 4 and 5 Section 31 TWP 112 Range 17 in Cannon Falls Township. A-2 Zoned District.

1. Map Amendment (Rezone)

Request for map amendment to rezone parcel 28.031.1801 from A-2 (General Agriculture District) to CR (Commercial Recreational District).

2. CUP for a Veteran's Memorial Park and Banquet Facility

Request for a Conditional Use Permit (CUP) to establish a Veteran's Memorial Park with banquet facility/event space and nature trails.

Documents:

[PACPACKET\\_BOO.PDF](#)

5. PUBLIC HEARING: CUP Amendment – Nate's Garage LLC

Request for Conditional Use Permit (CUP) amendment submitted by Nate Icaza (owner/operator) to amend CUP Z16-009 to allow an existing agricultural equipment

repair business to construct a building addition. Parcel 41.017.1101. 1471 310th ST  
Way Cannon Falls, MN 55009. Part of the SE ¼ of the SW ¼ of Section 17 TWP 112  
Range 18 in Stanton Township. A-2 Zoned District.

Documents:

[PACPACKET\\_ICAZA.PDF](#)

Other-Discussion

Adjourn

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

## **Goodhue County Land Use Management**

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

**PLANNING COMMISSION  
GOODHUE COUNTY, MN  
January 10, 2022 MEETING MINUTES  
DRAFT**

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

**Roll Call**

Commissioners Present virtually via GoToMeeting: Carli Stark, Chris Buck, Richard Miller, Darwin Fox, Tom Gale, Richard Nystuen, and Howard Stenerson (arrived 6:10 p.m.).

Commissioners Absent: Todd Greseth

Staff Present: Land Use Director Lisa Hanni (Virtual), Zoning Administrator Samantha Pierret, Zoning Assistant Alexandra Koberoski, and Zoning Administrative Assistant Kathy Bauer

**1. Approval of Agenda**

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

**Motion carried 6:0**

**2. Approval of Minutes**

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

**Motion carried 6:0**

**3. Appointment of Chair, Vice-Chair and BOA Representative**

<sup>3</sup>Motion by Commissioner Nystuen; seconded by Commissioner Miller to nominate Carli Stark as Planning Advisory Commission Chair for 2022.

There were no other nominations.

**Motion carried 6:0**

<sup>4</sup>Motion by Commissioner Miller; seconded by Commissioner Nystuen to nominate Chris Buck as Planning Advisory Commission Vice-Chair for 2022.

There were no other nominations.

**Motion carried 6:0**

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5Motion by Commissioner Miller; seconded by Commissioner Huneke to nominate Commissioner Fox as BOA Representative.

There were no other nominations.

**Motion carried 6:0**

#### **4. Conflict/Disclosure of Interest**

There were no reported conflicts/disclosures of interest.

#### **5. Public Hearings**

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

Request for map amendment, submitted by Welch Township, to rezone all A-3 (Urban Fringe) parcels within Sections 13, 24, 25, and 36 Township 114 Range 16 and Sections 01, 12, 13, 24, and the Welch Township portions of Section 25 Township 113 Range 16 to A-2 (General Agriculture).

*Pierret presented the staff report and attachments.*

##### **Chair Stark Opened the Public Hearing**

*Pierret received public comments and questions from property owners in the surrounding area of the rezone request. Les Anderson (5010 Mount Carmel Road, Welch, MN) is the owner of parcel 46.024.0700, approximately 234 acres, and is included in the proposed rezone. Staff spoke with Mr. Anderson about uses of his property and he indicated no opposition to the proposed rezone.*

*Adam Bauer (23213 County 19 Blvd., Welch, MN) spoke with staff and is in support of the rezone proposal. It was noted that Mr. Bauer's property would be eligible to be split if the rezone were approved. He is owner of several parcels under the 35-acre minimum lot size within these sections and the owner only feedlot in the proposed rezone area.*

*Pete and Sue Vaillant (13493 Marigold Street NW, Andover, MN 55304) questioned what the ramifications are if land in Section 24 is split into several 2-acre parcels sold as building sites. They questioned what would happen to their property which is currently an eligible dwelling site if 7 new dwellings are constructed in Section 24.*

*Pierret answered 2 acres is the minimum parcel size, and there is a limit of one dwelling per ¼ ¼ section. The county ordinance does not allow more than one house per ¼ ¼ section. Section 24 has one property owner who owns 234 acres with 5 or 6 eligible building sites if the section is rezoned. Pierret indicated she had spoken with that property owner who did not*

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*indicate a desire to establish several dwellings on his property. She also noted that if Section 24 reached 12 dwellings before the Vaillants applied for a building permit the section would be considered full and there would be no additional building sites.*

*Hanni added if someone would want to do a development with 3-4 houses together, they would have two options; to change their zone to R-1 or change their zone to a conservation subdivision. Once the zoning is changed, then those dwellings are taken out of the count for the A-2 section density. She added it is not typical to reserve any right to build, more of a first come first serve situation, unless in the case of an abandoned home site.*

*Sheryl Williams (17069 County 31 Blvd., Welch, MN) stated she owns approximately 30 acres in Section 12, and about 21-22 years ago, they received a variance to have a homestead put on the less than 35-acre property. She asked if she could split the parcel in two so each of her two adult children could have a dwelling site.*

*Pierret answered that Section 12 is full for dwelling development. If it were rezoned by the County Board, there are currently 13 dwellings in Section 12 where 12 would be allowed. Currently, Ms. Williams' property is under the 35-acre minimum therefore a split of the property would not be allowed today. An accessory dwelling unit (ADU) could be added but would need to be within 100-feet of the existing house unless the R-1 suburban residence district was pursued.*

*Hanni added if the zone was changed to A-2, the property could be split, but it would not have a building site.*

*Brett Nelson (17020 Circle Drive, Welch MN) questioned why these sections got chosen for rezoning and what are the intentions for these areas.*

*Pierret answered the parcels proposed for rezoning are the only A-3 Sections in Welch Township. These sections were chosen due to their distance from the urbanized areas of Red Wing. Welch Township already has these sections zoned A-2 and rezoning the sections at the County level would bring the Township and County regulations into closer uniformity.*

**After Chair Stark called three times for comments it was moved by Commissioner Huneke and seconded by Commissioner Fox to close the Public Hearing.**

**Motion carried 7:0**

*Commissioner Fox said the request came after years of discussion with staff and Welch Township, for moving the proposed rezoning along. Stated with the approval of this rezone, it would make things easier for residents to know what is allowed on their property, and would*

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*eliminate confusion between the townships, Planning Commission, County Board and zoning staff when a request comes through. Commissioner Fox is in support of this rezone request.*

**It was moved by Commissioner Nystuen and seconded by Commissioner Huneke for the Planning Advisory Commission to:**

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

Recommend that the County Board of Commissioners **APPROVE** the request from Welch Township, to rezone all A-3 (Urban Fringe) parcels within Sections 13, 24, 25, and 36 Township 114 Range 16 and Sections 01, 12, 13, 24, and the Welch Township portions of Section 25 Township 113 Range 16 to A-2 (General Agriculture) excepting parcel 46.001.1000 which is currently zoned R-1 Suburban Residence District.

**Motion carried 7:0**

**Other Discussion**

*Commissioner Miller asked why the A-2 Districts do not allow 16 building sites since there are 16 ¼ ¼ s per section.*

*Hanni answered staff discussed this with the Townships some years ago asking whether the Townships wanted a County-wide change for the number of dwellings in each of the different districts. It was answered with an overwhelming “no” by the Townships, largely because of concern for compatibility between dwellings and agricultural uses. Hanni stated this can be sent out to all townships and addressed again if the Planning Advisory Commission chooses to.*

*Commissioner Miller said the A-3 District allows 18 dwellings per section and if the removal of the A-3 districts is wanted expansion of permitted development in the A-2 districts may be a good compromise.*

*Hanni answered this is why the conservation subdivision was created; as a tool if some of the townships wanted to do something different.*

*Commissioner Miller stated a request is in for section 34 of Pine Island Township to rezone it from A-1 to A-2. He questioned if it would be a good idea to request all of the A-3 districts in Pine Island Township to be rezoned to A-2.*

*Hanni said staff went through all of the Welch A-3 parcels to see if there were conditional use permits, feedlots, etc., that would conflict if the zoning changed. There is a lot of research required in such a change and will take some time.*

*Hanni stated the construction of the Goodhue County courtroom is still under construction and is set to be completed March–April 2022, and would provide more space to hopefully do the meetings in-person again.*

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*Commissioner Stenerson commented in appreciation of Darwin Fox and Welch Township for opening this up for discussion and getting the county and townships to work together with this rezone request.*

**8ADJOURN: Motion by Commissioner Huneke and seconded by Commissioner Nystuen to adjourn the Planning Commission Meeting at 6:47 p.m.**

**Motion carried 7:0**

Respectfully Submitted,

Kathy Bauer, Zoning Administrative Assistant

**MOTIONS**

<sup>1</sup>APPROVE the PAC meeting agenda.

Motion carried 6:0

<sup>2</sup>APPROVE the previous month's meeting minutes.

Motion carried 6:0

<sup>3</sup>APPROVE nomination of Carli Stark as PAC Chair for 2022

Motion carried 6:0

<sup>4</sup>APPROVE nomination of Chris Buck as PAC Vice-Chair for 2022

Motion carried 6:0

<sup>5</sup>APPROVE nomination of Commissioner Darwin Fox as BOA Representative for 2022

Motion carried 6:0

<sup>6</sup>Motion to close the Public Hearing

Motion carried 7:0

<sup>7</sup>APPROVE the Request for Map Amendment (Rezone)

Motion carried 7:0

<sup>8</sup>ADJOURN. Motion to adjourn the meeting

Motion carried 7:0

UNOFFICIAL UNTIL APPROVED BY THE PAC



# 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  
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**To:** Planning Advisory Commission  
**From:** Land Use Management  
**Meeting Date:** February 14, 2022  
**Report date:** February 4, 2022

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

Request for map amendment, submitted by Pine Island Township, to rezone all parcels within Section 34 from A-1 (Agriculture Protection District) to A-2 (General Agriculture).

### **Attachments and links:**

Pine Island Request and Maps  
Change of Zone Project Review  
Table of Uses – A-2 General District Regulations  
Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Summary:**

The Pine Island Township Board of supervisors considered and discussed several uses and permit requests in Section 34 throughout 2021 including a retreat center, mining operation, and a large solar energy facility. Currently, Section 34 is zoned A-1 (Agriculture Protection District) by Goodhue County. Pine Island Township does not have a zoning ordinance and therefore defers to the County.

In the summer of 2021, Goodhue County Zoning staff presented at a Pine Island Township meeting regarding the possibility of the Township requesting that Goodhue County rezone all parcels in Section 34 to A-2. At the time, property owners within and surrounding Section 34 were not in favor of the request and the Township Board did not pursue the rezoning.

Since the summer of 2021, the Pine Island Township Board has reconsidered requesting the County rezone Section 34 to an A-2 District. The Board determined that given existing and proposed uses, the proximity of the section to the City of Pine Island, and the intentions of the A-1 Zoning District stated in the County's Zoning Ordinance, rezoning Section 34 to A-2 would be appropriate.

### **Project Summary:**

#### **Section Information:**

- Section 34 is currently zoned A-1 Agriculture Protection District. Sections 27 and 35 of Pine Island Township are zoned A-1 (to the north and east respectively), portions of Section 33 (to the west) are zoned A-3 (Urban Fringe District), additional portions of Section 33 are in the City of Pine Island, and land to the south is also in the City of Pine Island in Olmsted County. One parcel (68.730.0010) within Section 34 is in Pine Island city limits and would not be rezoned under this request.

#### **Existing/Permitted Uses:**

- Existing land uses include low-density residential among predominantly agricultural uses. This section is a rural area with a few medium acreage dwelling sites surrounded by tilled cropland. A CUP was issued by the Goodhue County Board in November 2021 to establish a non-metallic mineral extraction operation on parcels 39.034.0500 and 39.034.0800. Land within the floodplain and shoreland of the Middle Fork of the Zumbro River is located in the SW ¼ of the SW ¼ of Section 34.

- There are 6 dwellings in Section 34. The A-1 District allows a maximum of 4 dwellings per section. The A-2 District permits 12 single-family dwellings per section with the stipulation that no more than one dwelling is allowed per original ¼ ¼ section.
- Section 34 currently has one registered Feedlot, owned by Richard O'Brien (parcel 39.034.0500). The A-1 District allows Feedlots of up to 500 animal units before a Conditional Use Permit is required. The A-2 District allows new Feedlots up to 300 animal units before a Conditional Use Permit is required, however, no new Feedlots are permitted within 1 mile of Pine Island's City limits (all of Section 34 is within 1 mile of the City of Pine Island).

Existing Feedlot expansions must meet a 99% odor annoyance-free rating distance, as determined by the OFFSET odor evaluation model at the closest incorporated municipality boundary line.

- Up to 6 new dwellings could be constructed within Section 34 if rezoned to A-2, one per original ¼ ¼ section and meeting all setbacks to Feedlots and mining operations. There are currently 10 unoccupied ¼ ¼ sections in Section 34.

**City of Pine Island:**

- The City of Pine Island City Engineer Craig Britton provided comments regarding the proposal on February 2, 2022. Comments included:

*The City of Pine Island has a Future Land Use Map and Comprehensive Plan with an established growth boundary that includes properties within Section 34. The proposed land uses identified on the Future Land Use Map within Section 34 include Low Density Residential, Medium & High Density Residential, Commercial and Industrial. Many of the properties within Section 34 can be served by City sewer and water utilities.*

*Several parcels within Section 34 are adjacent to properties located within the City of Pine Island corporate limits. The City requests the opportunity to review future development applications submitted to the County.*

**Planning Information:**

- The A-2 Zoning District is intended to provide a district to maintain and conserve agricultural investments and prime agricultural farmland, but provide for a slightly higher density of dwellings than the A-1 (Agricultural Protection) District. It is also intended that the district apply to areas where large farms and feedlots are more scattered and a greater number of non-farm uses or small parcels are present.
- The Prime Farmland Rating for Agriculture is as follows:

<b>Soil Name</b>	<b>Slope</b>	<b>Amount (acres)</b>	<b>% of Total</b>	<b>Prime Farmland Rating</b>
Anthroportic Udorthents	2-9%	2.4	0.4%	Not Prime Farmland (Fill)
Klinger Silt Loam	1-4%	9.1	1.4%	Prime Farmland
Kasson Silt Loam	2-6%	99.1	15.2%	Prime Farmland
Bassett-Kasson Complex	6-12%	51.4	7.9%	Farmland of Statewide Importance
Joy-Ossian Complex, Occassionally Flooded	1-5%	5.4	0.8%	Prime Farmland (if not flooded)
Downs-Hersey Complex	2-6%	48.3	7.4%	Prime Farmland
Downs-Hersey Complex	6-12%	53.3	8.1%	Farmland of Statewide Importance
Downs-Hersey Complex	12-18%	8.6	1.3%	Not Prime Farmland

Barremills Silt Loam, Drainageway	1-5%	50.7	7.8%	Prime Farmland
Dakota Silt Loam	0-3%	164.9	25.2%	Prime Farmland
Waucoma-Winneshiek Complex	6-12%	15.7	2.4%	Farmland of Statewide Importance
Winneshiek-Waucoma Complex	12-18%	27.2	4.2%	Not Prime Farmland
Winneshiek-Waucoma Complex	18-35%	9.8	1.5%	Not Prime Farmland
Joy Silt Loam	1-3%	55.4	8.5%	Prime Farmland
Waucoma Loam	2-6%	23.6	3.6%	Prime Farmland
Ankeny-Zumbro Complex	0-3%	22.8	3.5%	Farmland of Statewide Importance
Frontenac-Lacrescent Complex	20-45%	2.6	0.4%	Not Prime Farmland

**Goodhue County Comprehensive Plan:**

The Goodhue County Comprehensive Plan offers the following statements regarding agricultural preservation:

*“Lands outside the cities’ growth zones will be considered rural and shall be managed to preserve the rural character and be compatible with the continued operation of agricultural uses...”*

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

*“If residential development occurs, it should be compact and designed to preserve the prime farmland for agricultural uses...”*

The Comprehensive Plan offers the following statements regarding rural housing:

*“New or replacement dwelling sites should be directed to areas that minimize loss or conversion of prime agriculture soils.”*

*“Provide more housing choices for rural residents”*

*“Work with Townships to evaluate and designate suitable residential sites that minimize conflicts with agricultural and rural uses.”*

**Staff Comments:**

LUM staff have reviewed the proposed rezoning and considered it within the context of the rural landscape as well as the direction provided by the County Zoning Ordinance and Comprehensive Plan. Rezoning Section 34 of Pine Island Township from A-1 to A-2 would have few detrimental effects on surrounding land uses and sections. Existing uses would continue to be permitted either by-right or conditionally and any animal agriculture expansion or establishment would be subject to review by the City of Pine Island given the proximity of Section 34 to Pine Island city limits.

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend that the County Board of Commissioners **APPROVE** the map amendment request from Pine Island Township to rezone Section 34 from A-1 (Agriculture Protection) to A-2 (General Agriculture District).

# 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  
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Project Review per Article 3, Section 2, Subd. 5-10:

- Subd. 5
- A. The names and addresses of the petitioner or petitioners and their signatures to the petition. **Pine Island Township – Goodhue County LUM**
  - B. Survey information: **See Maps**
  - C. The current and proposed district: **A-1 to A-2**
  - D. The current use and the proposed use of the land. **Land is currently used for row crop agriculture and low-density residential. There is one registered Feedlot and a mineral extraction operation was permitted by CUP in November 2021. There is also an active proposal to locate a large solar energy facility partially within Section 34. A small part of the SW ¼ of the SW ¼ is within the floodplain of the Middle Fork of the Zumbro River.**
  - E. The reason for the requested change of zoning district. **Pine Island Township has made this request after consideration of existing uses and proposed uses within the section. Changing the Zoning District to A-2 would allow up to 6 new dwellings in the section (total of 12 dwellings allowed per section), one per ¼ ¼ on parcels 2-acres or larger. There are currently 10 open ¼ ¼ s. Also, uses such as retreat centers and bed and breakfasts may be conditionally permitted within the A-2 District where they are not permitted within the A-1 District.**
  - F. A copy of the soil map showing the soils types within the proposed boundary and the surrounding area. **See Map**
  - G. Prime Farmland Rating of the soil types in F.

<b>Soil Name</b>	<b>Slope</b>	<b>Amount (acres)</b>	<b>% of Total</b>	<b>Prime Farmland Rating</b>
Anthroportic Udorthents	2-9%	2.4	0.4%	Not Prime Farmland (Fill)
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Bassett-Kasson Complex	6-12%	51.4	7.9%	Farmland of Statewide Importance
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Frontenac-Lacrescent Complex	20-45%	2.6	0.4%	Not Prime Farmland

H. A statement of how the requested change is compatible with the Goodhue County Comprehensive Plan including but not limited to the following:

1. The environmental impacts of the proposed use of land on the:

- a. groundwater
- b. natural plant and animal communities
- c. existing trees and vegetation
- d. bluffland stability
- e. shoreland stability

**The section is in the Zumbro River watershed with some Shoreland and Floodplain present. New structures and uses would need to meet all environmental health restrictions for new wells or septic systems for groundwater protection.**

2. The compatibility with surrounding land uses.

**Surrounding land uses include low-density residential and row crop agriculture with some commercial/industrial uses to the south in Olmsted County. Section 33 (west of section 34) contains the Pine Island Sportsman's Club and the Catching Fireflies retreat center and scrapbook store. Several parcels to the south and west are within the City of Pine Island.**

3. The physical and visual impacts on any scenic or historic amenities within or surrounding the proposed parcel.

**No impacts to existing historic amenities are anticipated as a result of the proposed rezone.**

Subd. 6 The housing density of the affected Section

**This section is zoned A-1 Urban Fringe District. There are 6 dwellings in the Section where 4 are permitted.**

Subd. 7 The impact on any surrounding agricultural uses

**The proposed rezone appears compatible with agricultural uses in the immediate area. Rezoning the section from A-1 to A-2 would not effect the types of agriculture uses that are permitted in the section. Feedlots with 300 or more animal units in the A2 District are required to obtain CUP approval prior to establishment. Expansion or establishment of new Feedlots would require a variance, reviewed by the City of Pine Island, because the section is within 1 mile of the City limits.**

Subd. 8 The impact on the existing transportation infrastructure

**A majority of the parcels are accessible via a public road. Parcels that are landlocked are used for row crop agriculture. Highway 52 traverses the SW ¼ of the section. White Pines Road, 210<sup>th</sup> Ave, 220<sup>th</sup> Ave, and 510<sup>th</sup> ST provide access to parcels within this section along the southern, eastern, western, and northern section lines respectively.**

Subd. 9 The impact on surrounding zoning districts

**No substantial negative impacts to adjacent properties are anticipated as a**

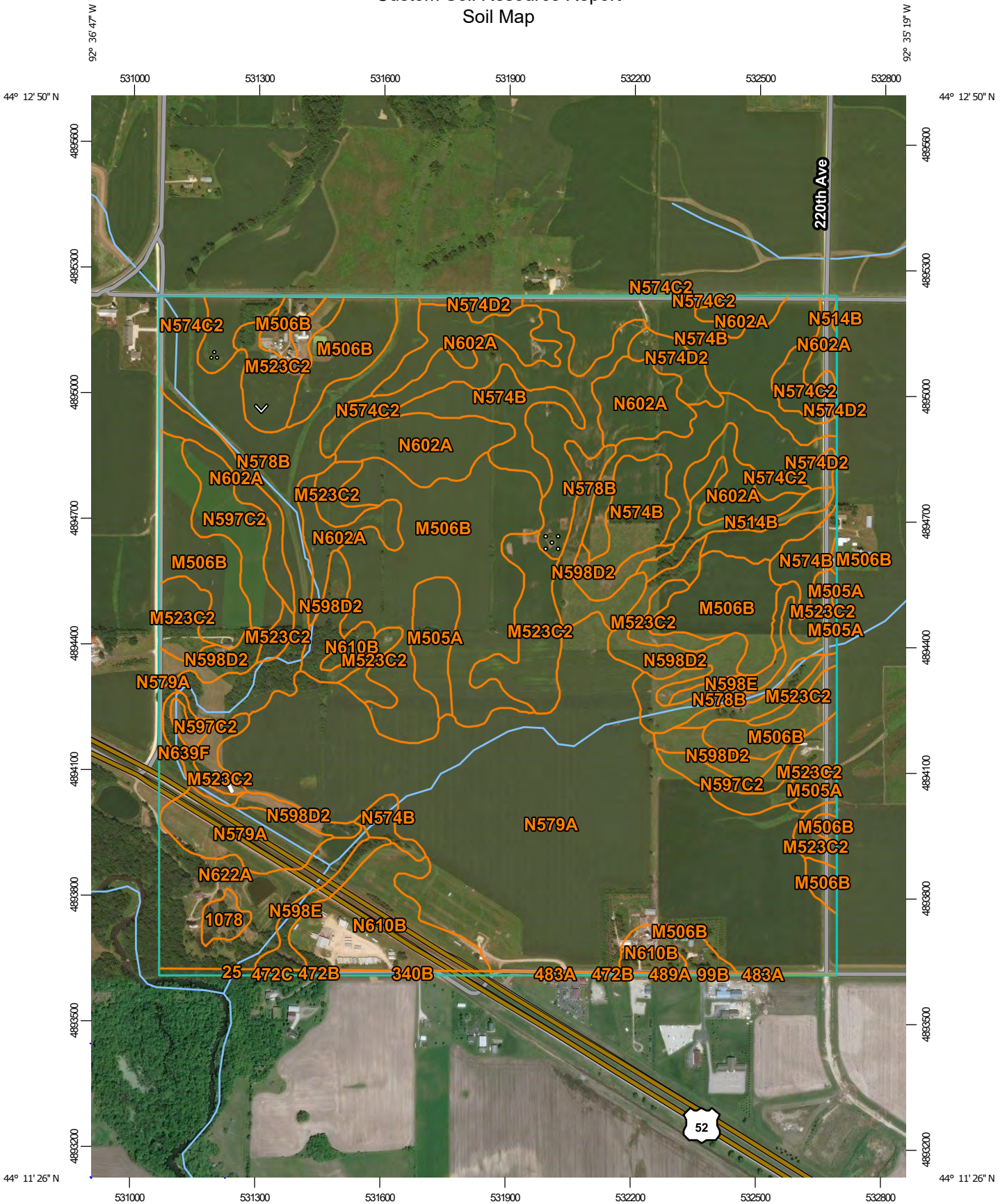
**result of the proposed rezone. All adjacent sections in the County are zoned agricultural.**

Subd. 10 A statement concerning the cumulative effect and compatibility of the requested zoning change on the affected Township and any cities located within 2 miles of the proposed parcel.

**Section 34 borders parcels within the City of Pine Island. Land in the City limits is zoned Commercial, Agriculture, and Residential and is used for various commercial/industrial businesses, single family residential, and row crop agriculture. Any Feedlot establishment or expansion in Section 34 would require variance approval and review by the City.**

Subd. 11. Additional information as may be requested by the Planning Commission or zoning staff.

# Custom Soil Resource Report Soil Map



Map Scale: 1:12,600 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 15N WGS84

October 26, 2021

7p.m.

David Arndt, Glen Betcher, Kenneth Markson, Richard Miller and Leslie Schliep present.

The regular monthly meeting of the Pine Island Township Board was called to order by chairman Betcher.

The minutes of the resumed annual meeting and the September regular meeting were read and approved by a motion from Miller seconded by Schliep. Motion carried.

The treasurer's report of \$3,002.23 in checking with no outstanding checks. The money market at \$91,803.93 for a total of \$94,806.16 for funds available to the township. Motion by Schliep seconded by Miller to accept the treasurer's report. Motion carried.

Trisha Studer joined the meeting expressing thanks for the grant she received. She is still trying to get their bed and breakfast business going and had talked to the city of Pine Island about annexation. They will need to expand the septic system. They are now living in the Fox home they bought. The city told them it would cost \$100,000 to connect to city sewer and water.

Most of section 34 in the next few years will be a solar farm and a mine. The board decided that section 34 no longer needed to be zoned A1. A motion by Miller seconded by Betcher to rezone section 34 from A1 to A2. Motion carried.

Motion by Schliep seconded by Miller to certify the township mileage at 41.5 miles. Motion carried.

Motion by Schliep seconded by Miller to pay all bills numbered 5047 through 5051. Motion carried.

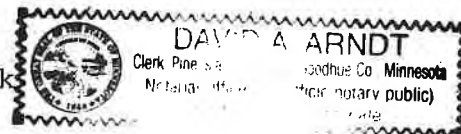
The Zumbrota Fire Association is planning an increasing dues by 13 %.

Motion by Miller seconded by Schliep to adjourn at 8:08p.m.

Motion carried.

*Glen Betcher* Chairman

David Arndt, Clerk





# MAP 01: PROPERTY OVERVIEW

## Planning Advisory Commission

Public Hearing  
February 14, 2022

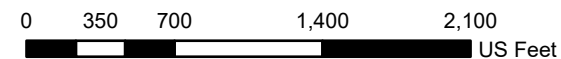
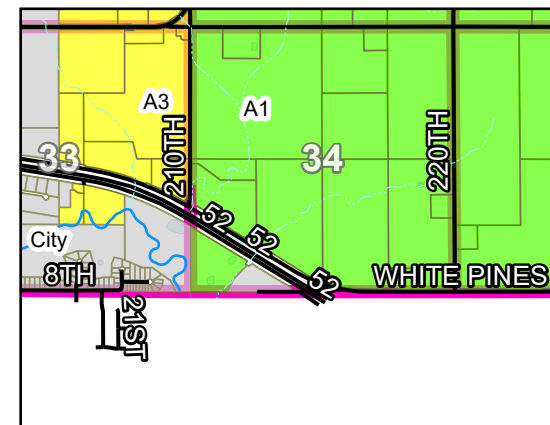
Pine Island Township Section 34

Request to rezone Section 34 from A1 to  
A2 District



### 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 01: PROPERTY OVERVIEW

## Planning Advisory Commission

Public Hearing  
February 14, 2022

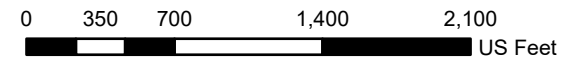
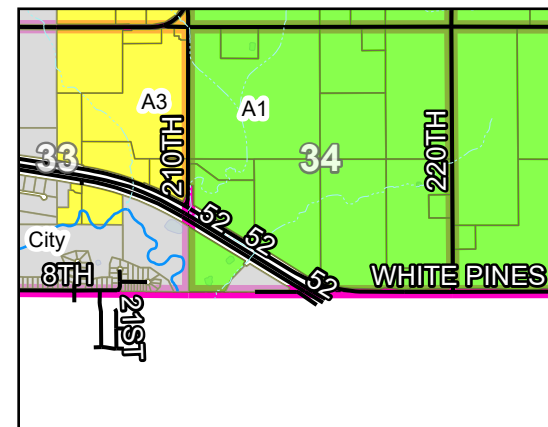
Pine Island Township Section 34

Request to rezone Section 34 from A1 to  
A2 District



### Legend

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



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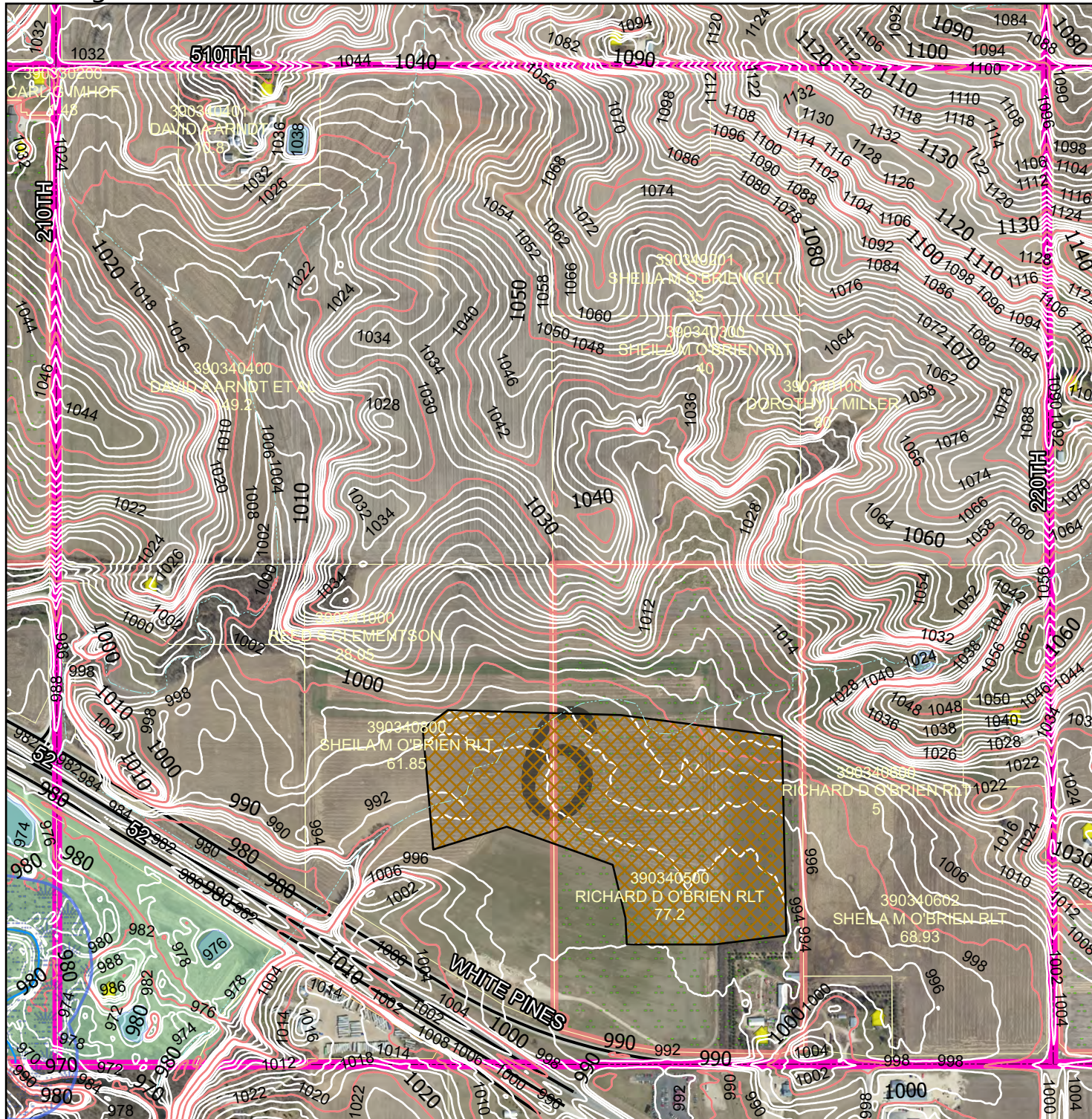
# MAP 03: ELEVATIONS

## BOARD OF ADJUSTMENT

Public Hearing  
February 14, 2022

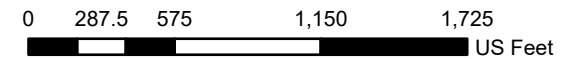
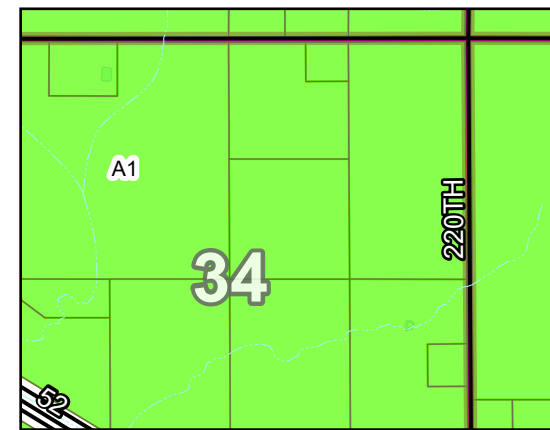
Pine Island Township Section 34

Request to rezone Section 34 from A1 to  
A2 District



### Legend

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



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# GOODHUE COUNTY ZONING ORDINANCE

## Table of Uses

Use	A-1	A-2	A-3	R-1	CS
<b>Residential</b>					
Single-Family Dwelling	P	P	P	P	P
Two, Three, Or Four Family Dwellings	NP	NP	NP	P	NP
Accessory Dwelling Unit (ADU) (Art. 11 § 31)	P	P	P	P	P
Residential Accessory Buildings ≥ 7,200ft <sup>2</sup> (Art. 11 § 6)	C/I	C/I	C/I	NP	C/I
Mobile Home Park (Art. 16)	NP	NP	NP	C/I	NP
<b>Agricultural</b>					
<b>Feedlots (Art.13)</b>					
New Feedlot (Art.13)	P	P	NP	NP	NP
New Feedlot outside of Farmyard (Art.13)	C/I	C/I	NP	NP	NP
Feedlot expansion up to ≤ 100 Animal Units (Art.13)	P	P	P	NP	NP
Feedlot expansion to ≥ 300 Animal Units (Art.13)	P	C/I	NP	NP	NP
Feedlot expansion to ≥ 500 Animal Units (Art.13)	C/I	C/I	NP	NP	NP
Animal waste storage structure ≥ 500,000 gallons (lagoon system, earthen basin, or associated structure [pit]) (Art.13)	C/I	C/I	C/I	NP	NP
Agricultural Operations (including tree farms) (Art.11 § 24)	P	P	P	NP	P
Farm Market/On-farm market/Roadside Stand < 2400ft <sup>2</sup> (Art. 11 § 29)	P	P	P	NP	NP
Farm Market/On-farm market/Roadside Stand > 2400ft <sup>2</sup> (Art. 11 § 29)	C/I	C/I	C/I	NP	NP
Plant Nurseries & Sales	P	P	P	NP	NP
Farm Wineries < 10,000ft <sup>2</sup> (Art. 11 § 27)	P	P	P	NP	NP
Farm Wineries > 10,000ft <sup>2</sup> (Art. 11 § 27)	C/I	C/I	C/I	NP	NP
Temporary/Seasonal Off-Site Roadside Produce Stands	C/I	C/I	NP	NP	C/I
Education Farm Retreat (Art. 11 § 14)	C/I	C/I	C/I	NP	NP
Non-Agricultural Uses Associated W/Agritourism (Art. 11 § 30)	C/I	C/I	C/I	NP	NP
1 Animal Unit per acre on a minimum 1-acre parcel				I	
Agricultural Tourism Accessory Uses (Art. 11 § 28) (including, but not limited to, barn dances, corn mazes, gift shops, petting farms, sleigh/hay rides, vineyard harvest festivals)	P	P	P	NP	NP
<b>Commercial</b>					
Home Businesses - Tier 1 (Art.11 § 12)	P	P	P	P	P
Home Businesses - Tier 2 (Art.11 § 12)	P	P	P	I	I
Home Businesses - Tier 3 (Art.11 § 12)	I	I	I	NP	NP
Commercial Kennel/Raising of fur-bearing animals (Art.11 § 26)	C/I	C/I	C/I <sup>bc</sup>	NP	NP
Commercial/Industrial Uses primarily intended to serve Ag. Community	C/I	C/I	C/I <sup>bc</sup>	NP	NP
Boarding or Rooming Houses as an accessory use	C/I	C/I	C/I <sup>bc</sup>	C/I	NP
Bed and Breakfast Inn (Art.11 § 13)	C/I	C/I	C/I <sup>bc</sup>	C/I	NP
Contractors Yard (Art.11 § 33)	C/I	C/I	C/I	NP	NP
Veterinary Clinic	C/I	C/I	NP	NP	NP
<b>Industrial</b>					
Mining, Quarrying, Excavating/Filling (Art.14)	P	P	NP	NP	NP
Junk/Salvage Reclamation Yard (Art.11 § 10)	C/I	C/I	NP	NP	NP

a. Accessory buildings > 500ft<sup>2</sup> shall be ≥ 100ft from any lot line and ≥ 200ft from the nearest dwelling (Art.23 § 3 subd. 1)

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

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

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

# GOODHUE COUNTY ZONING ORDINANCE

## Table of Uses

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

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

# 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:** February 14, 2022  
**Report date:** February 4, 2022

## **PUBLIC HEARING: Request for Map Amendment (Rezone) - Kehren**

Request for map amendment, submitted by Larry Kehren (Buyer) and William Holst (Owner), to rezone 24,440 square feet from A-3 (Urban Fringe District) to R-1 (Suburban Residence District).

### **Application Information:**

Applicant: Larry Kehren (Buyer) and William Holst (Owner)  
Address of zoning request: 33587 Lakeview Drive Lake City, MN 55041  
Parcel(s): 32.200.0220  
Abbreviated Legal Description: Part of the NE ¼ of the NW ¼ of Section 31 TWP 112 Range 12 in Florence Township  
Township Information: Florence Township is aware of the request and will be holding a public hearing to rezone the property at its February 7<sup>th</sup>, 2022 Planning Commission meeting.  
Zoning District: A3 (Urban Fringe District)

### **Attachments and links:**

Application and submitted project summary  
Site Map(s)  
Survey  
Rezone Project Review  
Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Summary:**

The Applicant (Larry Kehren) has proposed to purchase 24,440 square feet of parcel 32.200.0220 owned by William Holst in Florence Township. Parcel 32.200.0220 is currently zoned A-3 (Urban Fringe District), the Applicant is required to combine the 24,440 square feet (Parcel B on the attached survey) with his existing parcel 32.200.0260 due to A-3 District minimum lot size restrictions. This proposed parcel combination requires the 24,440 square feet to be rezoned from A3 to R1 (Suburban Residence District) to avoid creating a split-zoned parcel.

### **Project Summary:**

#### **Property Information:**

- The Holst property consists of a single parcel comprising approximately 26.62 acres. This property is currently used for the Lake City Golf Club. There are several parcels used for the golf club in section 31.
- The Kehren property consists of a single parcel comprising approximately 1.61 acres. Driveway access is located off of Territorial Road across a commonly owned parcel on the west side of the property.
- The Holst parcel is currently zoned A-3. Adjacent zoning districts are A-3 to the east, south, and west; R1 to the west and north, and A-2 (General Agriculture District) to the north.
- The Kehren parcel is currently zoned R-1. Adjacent zoning districts are A-3 to the east and north and R-1 to the west and south.

- Surrounding land uses include medium-density residential. Residential housing located within the Golfview Ridge First Subdivision is located off of Golfview Ridge south of the Kehren property. Residential housing within the Anderson Oak Ridge Replat is located off of 361<sup>st</sup> Avenue to the north in Section 30. Land utilized for the Lake City Golf Club is located to the north and south.
- The property is not located within a Historic Preservation District. It is not anticipated that any scenic or historic amenities will be negatively impacted as a result of the proposed rezone.
- The parcel is not designated Shoreland or Floodplain. There are some steeper slopes (approximately 27%) within the area to be rezoned. There are no Blufflands on the property, but care should be taken during any future development of the site to prevent erosion and contain runoff during any construction.

**Existing/Proposed Uses:**

- The Holst property currently is utilized for the Lake City Golf Club. There are no structures on this parcel. The proposed split would not have any negative effects on the current use of the property.
- The Kehren property currently has a single-family dwelling with attached garage and two accessory structures. The dwelling is served by a private well and septic system. The Applicant intends to combine the proposed 24,440 square foot parcel with his existing parcel.
- It should be noted that an additional 38,313 square feet (shown as Parcel A on the attached survey) are proposed to be split from the Holst parcel. This land will be combined with parcel 32.200.0270 owned by Lance Meincke. This split and combination will be approved administratively because the Meincke parcel is currently zoned A-3 and a split-zoned parcel would not be created.

**Planning Information:**

- The R-1 District is intended to provide a district that defines and protects areas suitable for low to medium density residential development as the principal use of the land and to allow related facilities desirable for a residential environment. The proposed lot combination and rezoning would not result in any additional building sites.
- The property is not currently used for agricultural purposes. The Prime Farmland Rating for Agriculture is as follows:

<b>Soil Name</b>	<b>Slope</b>	<b>Amount (acres)</b>	<b>% of Total</b>	<b>Prime Farmland Rating</b>
Hawick sandy loam	18-45%	0.4	88.1%	Not Prime Farmland
Burkhardt sandy loam	0-6%	0.1	11.9%	Farmland of Statewide Importance

- The proposed rezone 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”*

**Staff Recommendation:**

LUM staff recommends the Planning Advisory Commission:

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

recommend that the County Board of Commissioners **APPROVE** the map amendment request from Larry Kehren (buyer) and William Holst (owner) to rezone 24,440 square feet of parcel 32.200.0220 (shown as Parcel B on the official survey) from A-3 (Urban Fringe District) to R-1 (Suburban Residence District).

\$500 RECEIPT#

17514

DATE

1-14-22

RECEIVED

JAN 14 2022

APPLICATION FOR

# Map Amendment

Applicant Information

APPLICANT OR AUTHORIZED AGENT'S NAME <b>LARRY AND KYIE KEHREN</b>		<b>Land Use Management</b>
APPLICANT'S ADDRESS: <b>32964 TERRITORIAL ROAD TRL. LAKE CITY, MN. 55041</b>		TELEPHONE:

CONTACT FOR PROJECT INFORMATION: <b>LARRY KEHREN</b>		Same as Above <input checked="" type="checkbox"/>
ADDRESS:		TELEPHONE: ( )
		EMAIL:

- Map Amendment - Parcel: 32.200.0220 ; Current District: A3 Requested District: R-1
- Parcel: Bas. Shawn ; Current District: \_\_\_\_\_ Requested District: \_\_\_\_\_
- Parcel: \_\_\_\_\_ ; Current District: \_\_\_\_\_ Requested District: \_\_\_\_\_
- Parcel: \_\_\_\_\_ ; Current District: \_\_\_\_\_ Requested District: \_\_\_\_\_
- Parcel: \_\_\_\_\_ ; Current District: \_\_\_\_\_ Requested District: \_\_\_\_\_

1. Stated reason for map amendment(s) requested:

**TO ATTACH PARCEL B TO OUR PARCEL R 32.200.0260**

2. Proposed future use(s) of the property to be rezoned:

**ATTACH TO OUR YARD**

3. Compatibility of the proposed zoning district with existing land uses in the area:

**YES IT IS COMPATABLE**

4. Provide any additional information that will assist the Planning Advisory Commission and the County Board in reviewing your request:

### Applicant's Affidavit

Under penalty of perjury the following declarations are made:

1. The information presented is true and correct to the best of my knowledge.
2. If I am unable to be present at the meeting where my request is decided, I agree to accept the Notice of Decision by certified USPS.
3. Other information or applications may be required.

Signature:

Kyle E. Kehren

Date:

1-14-22

Print name:

KYLE E. KEHREN LARRY W. KEHREN

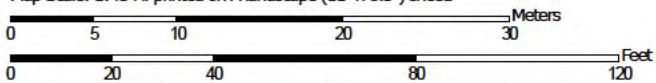
owner or authorized agent



# Custom Soil Resource Report Soil Map



Map Scale: 1:454 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

# MAP 01: PROPERTY OVERVIEW



## BOARD OF ADJUSTMENT

Public Hearing  
February 14, 2022

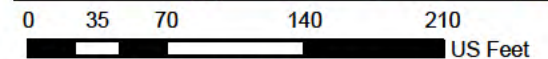
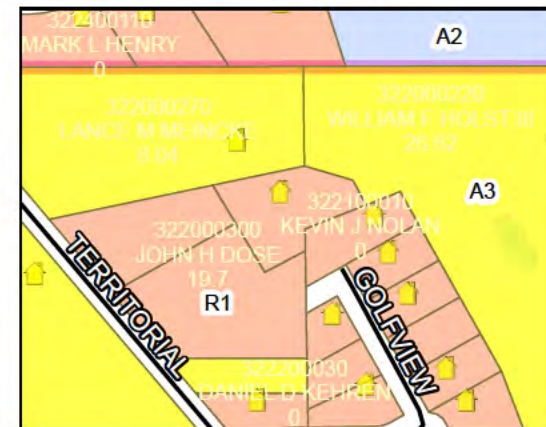
Larry Kehren (Buyer) and William Holst (Owner)  
A3 Zoned District

Part of the NE 1/4 of the NW 1/4  
of Section 31 TWP 112 Range 12  
in Florence Township

Request to rezone 24,440 square feet  
from A-3 to R-1

### Legend

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



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# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
February 14, 2022

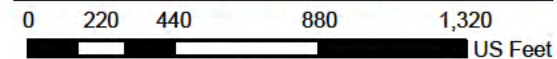
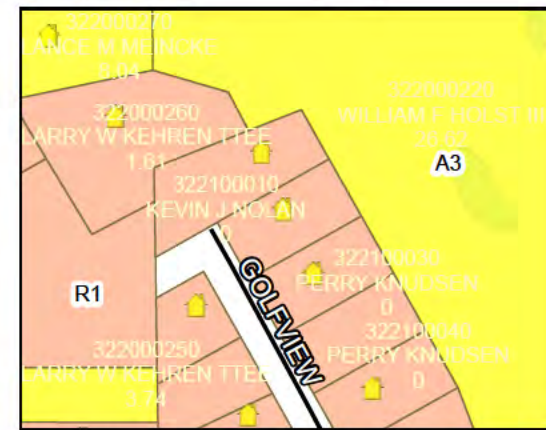
Larry Kehren (Buyer) and William Holst (Owner)  
A3 Zoned District

Part of the NE 1/4 of the NW 1/4  
of Section 31 TWP 112 Range 12  
in Florence Township

Request to rezone 24,440 square feet  
from A-3 to R-1

### 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



## BOARD OF ADJUSTMENT

Public Hearing  
February 14, 2022

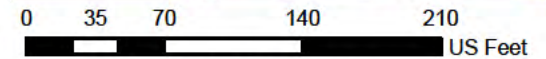
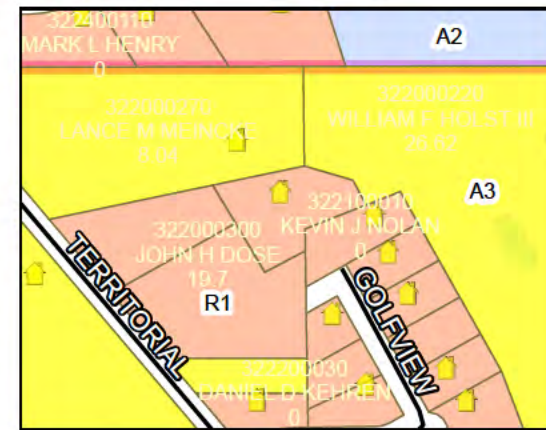
Larry Kehren (Buyer) and William Holst (Owner)  
A3 Zoned District

Part of the NE 1/4 of the NW 1/4  
of Section 31 TWP 112 Range 12  
in Florence Township

Request to rezone 24,440 square feet  
from A-3 to R-1

### 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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2020Aerial Imagery  
Map Created January, 2022 by LUM

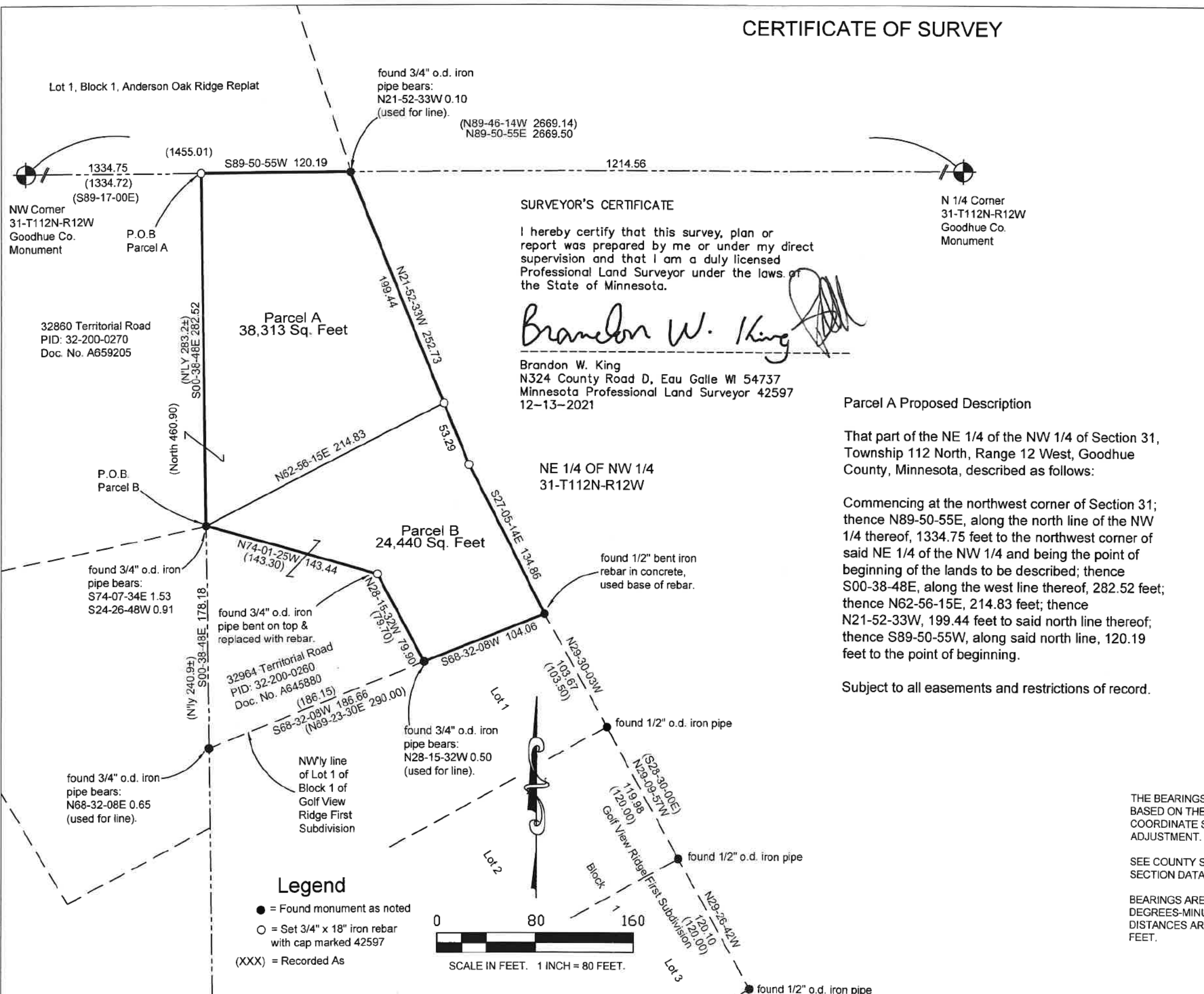


# CERTIFICATE OF SURVEY

PREPARED FOR:  
Larry Kehren  
32864 Territorial Road  
Lake City MN 55041

MAP DATE: 12-13-2021  
FIELD WORK DATE: 12-11-2021

Brandon King Land Surveying, LLC  
PHONE: 715-639-5243  
EMAIL:  
bklsllc@gmail.com



### SURVEYOR'S CERTIFICATE

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 Professional Land Surveyor under the laws of the State of Minnesota.

*Brandon W. King*

Brandon W. King  
N324 County Road D, Eau Galle WI 54737  
Minnesota Professional Land Surveyor 42597  
12-13-2021

### Parcel A Proposed Description

That part of the NE 1/4 of the NW 1/4 of Section 31, Township 112 North, Range 12 West, Goodhue County, Minnesota, described as follows:

Commencing at the northwest corner of Section 31; thence N89-50-55E, along the north line of the NW 1/4 thereof, 1334.75 feet to the northwest corner of said NE 1/4 of the NW 1/4 and being the point of beginning of the lands to be described; thence S00-38-48E, along the west line thereof, 282.52 feet; thence N62-56-15E, 214.83 feet; thence S21-52-33E, 53.29 feet; thence S27-05-14E, 134.86 feet to the northwesterly line of Lot 1 of Block 1 of the plat of Golf View Ridge First Subdivision; thence S68-32-08W, along said northwesterly line, 104.06 feet to a parcel line of Document Number A645880; thence N21-52-33W, 199.44 feet to said north line thereof; thence S89-50-55W, along said north line, 120.19 feet to the point of beginning.

Subject to all easements and restrictions of record.

### Parcel B Proposed Description

That part of the NE 1/4 of the NW 1/4 of Section 31, Township 112 North, Range 12 West, Goodhue County, Minnesota, described as follows:

Commencing at the northwest corner of Section 31; thence N89-50-55E, along the north line of the NW 1/4 thereof, 1334.75 feet to the northwest corner of said NE 1/4 of the NW 1/4; thence S00-38-48E, along the west line thereof, 282.52 feet to the point of beginning of the lands to be described; thence N62-56-15E, 214.83 feet; thence S21-52-33E, 53.29 feet; thence S27-05-14E, 134.86 feet to the northwesterly line of Lot 1 of Block 1 of the plat of Golf View Ridge First Subdivision; thence S68-32-08W, along said northwesterly line, 104.06 feet to a parcel line of Document Number A645880; thence N28-15-32W, along said parcel line, 79.90 feet; thence N74-01-25W, along said parcel line, 143.44 feet to the point of beginning.

Subject to all easements and restrictions of record.

### Legend

- = Found monument as noted
- = Set 3/4" x 18" iron rebar with cap marked 42597
- (XXX) = Recorded As



THE BEARINGS SHOWN HEREON ARE BASED ON THE GOODHUE COUNTY COORDINATE SYSTEM, NAD 1983 (1996) ADJUSTMENT.

SEE COUNTY SURVEYOR'S OFFICE FOR SECTION DATA.

BEARINGS ARE EXPRESSED IN DEGREES-MINUTES-SECONDS. DISTANCES ARE EXPRESSED IN DECIMAL FEET.

# 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

## **Project Review per Article 3, Section 2, Subd. 5-10:**

- Subd. 5
- A. The names and addresses of the petitioner or petitioners and their signatures to the petition. **See application**
  - B. Survey information: **See application**
  - C. The current and proposed district: **A3 to R1**
  - D. The current use and the proposed use of the land. **The property to be split is currently part of the Lake City Golf Club and is vacant wooded land. The Applicant has proposed to split 24,440 square feet of property from the Golf Club land and is required to combine it with his residential property due to minimum lot size standards in the A3 District.**
  - E. The reason for the requested change of zoning district. **County Zoning minimum parcel size regulations require a parcel of this size (24,440 square feet in the A3 District) to be combined with the Applicant's existing property. The Applicant's property is currently zoned R1 while the land proposed to be combined is zoned A3. A rezoning is required to avoid creating a split-zoned parcel.**
  - F. A copy of the soil map showing the soils types within the proposed boundary and the surrounding area. **A soils map for the site has been prepared.**
  - G. Prime Farmland Rating of the soil types in F.
    - The Prime Farmland Rating for Agriculture is as follows:

Soil Name	Slope	Amount (acres)	% of Total	Prime Farmland Rating
Hawick sandy loam	18-45%	0.4	88.1%	Not Prime Farmland
Burkhardt sandy loam	0-6%	0.1	11.9%	Farmland of Statewide Importance

H. A statement of how the requested change is compatible with the Goodhue County Comprehensive Plan including but not limited to the following:

1. The environmental impacts of the proposed use of land on the:
  - a. Groundwater
  - b. Natural plant and animal communities
  - c. Existing trees and vegetation
  - d. Bluffland stability
  - e. Shoreland stability

**The parcels are not designated shoreland or floodplain. There are some steeper slopes (approximately 27%) on the acreage to be purchased and combined. There are no Blufflands on the property.**

2. The compatibility with surrounding land uses

**Surrounding land uses include medium-density residential. Residential housing located within the Golfview Ridge First Subdivision is located off of Golfview Ridge. Residential housing within the Anderson Oak Ridge Replat is located off of 361st Avenue to the north in Section 30. Land utilized for the Lake City Golf Club is located to the north and south.**

3. The physical and visual impacts on any scenic or historic amenities within or surrounding the proposed parcel.

**It is not anticipated that any scenic or historic amenities will be**

**negatively impacted as a result of the proposed rezone.**

- Subd. 6 The housing density of the affected Section  
**Section 31 is a mix of R1, A3, and the city of Lake City. A3 Districts allow a maximum of one dwelling per 35 acres. There are currently 19 dwellings within the A3 zoned portions of the section. There are currently 14 dwellings in the R1 zoned portion of the section. The Applicant intends to purchase 24,440 square feet of A3 zoned property and combine it with their R1 zoned property. Rezoning the acreage to R1 would not affect the existing development eligibility of surrounding A3 and R1 parcels as it will not be creating a new parcel.**
- Subd. 7 The impact on any surrounding agricultural uses  
**This property is not currently being farmed and the existing slopes and tree coverage would not be conducive to agriculture.**
- Subd. 8 The impact on the existing transportation infrastructure  
**The Applicant's property is accessed off of Territorial Road (blacktop surface). The change of zone is not anticipated to negatively impact traffic or existing transportation infrastructure.**
- Subd. 9 The impact on surrounding zoning districts  
**The property to be split and purchased is currently zoned A3. The Applicant's property is currently zoned R1. Adjacent zoning districts are A3 to the north and east and R1 to the west and south. The property is not currently contiguous to Lake City city limits.**
- Subd. 10 A statement concerning the cumulative effect and compatibility of the requested zoning change on the affected Township and any cities located within 2 miles of the proposed parcel.  
**Rezoning the subject parcel to R1 does not appear to have negative cumulative effects on the immediate surrounding area or the City of Lake City. The area is used primarily for medium density residential and the Lake City Golf Club.**
- Subd. 11. Additional information as may be requested by the Planning Commission or zoning staff.

# 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:** February 14, 2022  
**Report date:** February 4, 2022

## **PUBLIC HEARING: CUP Request to Establish a Greater than 500 Animal Unit Feedlot Outside of a Farmyard and a Liquid Manure Storage Basin Exceeding 500,000 Gallons**

Request for a CUP, submitted by Bryan and Kent Billman (Applicants) on behalf of Billman Farms LLC, to establish a hog finishing Feedlot for up to 2,400 head (720 Animal Units) outside of a Farmyard and construction of an animal waste storage pit exceeding 500,000 gallons.

### **Application Information:**

Applicant: Bryan and Kent Billman (Applicants)  
Address of zoning request: TBD 150th Ave, Zumbrota, MN 55992  
Parcel(s): 40.015.0400  
Abbreviated Legal: NW ¼ of the NW ¼ of Sect 15 TWP 109 R16 in Roscoe Township  
Township Information: Roscoe Township acknowledged the Applicants' request at their January 10<sup>th</sup>, 2022 meeting. The Township noted that final approval is up to the County.  
Zoning District: A1 (Agriculture Protection District)

### **Attachments and links:**

Application and submitted project summary (excerpt of submitted materials; full submittal available from LUM Department upon request)

Site Map(s)

Feedlot Officer Odor OFFSET calculations (Kelsey Petit)

Goodhue County Zoning Ordinance (GCZO):

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

### **Background:**

The Applicants are requesting Conditional Use Permit (CUP) approval to establish a 2,400 head swine finishing barn in section 15 of Roscoe Township. The proposal includes construction of a new finishing barn with a 1.1 million gallon below-grade manure storage pit.

The Goodhue County Zoning Ordinance (GCZO) requires CUP approval for all Feedlots exceeding 500 Animal Units in the A1 District and any animal waste storage pits exceeding 500,000 gallons. The proposed barn would be located on an existing unoccupied 29.56-acre property that is currently used for row-crop agriculture. Because the property is not currently a registered Feedlot and the operators dwelling is not located on the parcel, the proposal would create a new "Feedlot Outside of a Farmyard" which also requires CUP approval in Goodhue County.

### **Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses**

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



**Project Summary:**

**Property Information:**

- The vacant 29.56-acre property is currently used as tilled cropland. The southern portion of the property is located within the shoreland of Pine Island Creek. The Feedlot is not proposed to be constructed within the shoreland area of the property.
- The property and all adjacent properties are zoned A1. Surrounding land uses are primarily agricultural (feedlots and row-crop agriculture). There is very-low residential density in the immediate vicinity with only 4 homes within a half-mile of the site.
- The barn would be accessed by a new U-shaped aggregate driveway to be located off of 150<sup>th</sup> AVE (aggregate road) on the west side of the parcel. The Applicants will need to obtain any required driveway access approvals from Roscoe Township. Emergency vehicle access appears adequate to service the property.
- A large gravel parking/loading pad is planned to the west of the new barn to provide off-street parking and off-loading space for trucks.

**Feedlot Facilities:**

- The Applicants are proposing to construct a 200-foot x 102-foot swine “finishing” barn constructed above a 9-foot deep concrete manure containment pit.
- The barn and manure storage areas have been designed by ProAg Engineering, a Minnesota licensed engineering firm.
- Additional facilities include a small office space in the southwest corner of the barn and 4 feed bins to be installed along the northwest corner of the barn.

**Animal Units/Setbacks:**

- The Applicants are proposing to register 2400 head of swine producing a total of 720 Animal Units as shown below (new Animal Units shown in red).

Animal Type	A.U. Factor	# of Animals	Animal Units
<u>One Head of Swine</u>			
<i>over 300 lbs.</i>	0.4	0	0
<i>between 55 lbs. and 300 lbs.</i>	0.3	2400	720
<i>under 55 lbs.</i>	0.1	0	0
<b>Total Animal Units</b>			<b>720</b>

- New Feedlots are required to be setback 1000 feet or 94% Odor Annoyance-Free Rating distance (as determined by the Odor OFFSET Evaluation Model), whichever is greater, from existing dwellings. A 1,469-foot setback is required for the facility to meet a 94% Odor Annoyance-Free Rating.
- The nearest dwelling (owned by Keith Swenson Jr TTEE) is located 1,469-feet west of the proposed Feedlot. All dwellings in the vicinity meet minimum setback requirements.  
The Feedlot is not within 2-miles of any municipality.
- There are currently 2 dwellings located in section 15. As an A1 zoned section, a maximum of 4 dwellings are allowed in the section. Section 15 has density available for two additional dwellings. Any new dwellings will be required to meet a 94% Odor Annoyance-Free Rating distance (as determined by the Odor OFFSET Evaluation Model) from the proposed feedlot. The sections north and west of the site are also zoned A1 and have either met or exceeded their available dwelling density.
- The proposed Feedlot is sited to comply with all other setback standards of the GCZO including property lines, wells, septic systems, Shoreland, Floodplains, sinkholes, and Blufflands. The site is not located within an abandoned quarry.

**Drainage/Landscaping:**

- The site has minimal topographic relief with slopes ranging from 2-4% in the project area. The

facility would be sited near the highest elevation on the property. There is an existing drainage ditch east of the proposed facility which runs into Pine Island Creek.

- A perimeter tile is proposed around the new barn that would be interconnected with a planned field tile drainage system that would likely outlet towards the southeast.
- An NPDES Stormwater Pollution Prevention Plan (SWPPP) is not required for this project as it will will create less than one acre of impervious area.

Goodhue County Soil and Water Conservation District Technician/Water Planner Chad Hildebrand reviewed the Applicant's submittal and offered the following comments:

*“According to the National Wetland Inventory (NWI) – wetlands are located on the parcel. There are soil types that are “Partially Hydric” and from aerial review appear to show conditions of being wetland areas located on the parcel. Review of the “Site Plans” indicate a silt fence to be installed along contour elevation 1173 feet and north of the proposed loadout/driveway access area in between the wetland area. Would recommend all silt fences and Best Management Practices (BMPs) be installed prior to any earthwork being initiated.”*

The feedlot is not proposed to be established on any wetland areas or areas with hydric soils.

**Nutrient/Waste Management:**

- Animal waste will be collected via a manure containment pit beneath the new barn until it can later be field-applied as fertilizer. The pit is subject to MPCA inspection throughout the construction process to ensure structural integrity and conformance with approved engineered plans. The proposed pit would hold up to 1,100,000 gallons and provide 430 days worth of on-site storage capacity for the operation.

Manure Storage Area	Status	Type	Length	Width	Depth	Capacity (Gallons)
<i>Finishing Barn</i>	Proposed	Concrete Pit	198' 8"	99' 10"	9.0	1,100,000

- A preliminary Nutrient Management Plan has been submitted for review to the Goodhue County Feedlot Officer. The Applicants plan to field apply manure via “knife injection” during the early fall. A final review and approval of the Applicants’ Nutrient Management Plan will be required before completion of the Feedlot Registration process.
- An Animal Mortality Plan has also been submitted for initial review. The Applicants plan to utilize composting as the primary method of disposal of deceased animals. The location and dimensions of the compost site have yet to be determined.
- The barn will be “total confinement” to reduce off-site odor impacts.
- The Applicants have not proposed to install a septic system on-site. It should be noted that any wastewater from showers, hand wash sink, bathrooms, or any other source of human sewage cannot be comingled and must be treated by a septic system permitted by Goodhue County Environmental Health.

A new well will be installed to supply water for the operation. Wells are subject to permit approval and inspection from the Goodhue County Environmental Health Department.

**County Feedlot Officer Comments:**

- Goodhue County Feedlot Office Kelsey Petit offered the following comments:

*“With the manure management planner Billman displayed, if practiced correctly Billman will take all protective measures to meet state and county requirements to provide sufficient protection of all water resources. The manure management planner if used appropriately meets all of the nutrient necessities to ensure the nutrients are utilized properly and meet the requirements for Goodhue County. With the manure storage Billman can maximize the value of the swine manure and incorporate the manure in a timely manner. In addition, there are land maps and land application agreements with land owners in the area of the proposed swine facility.”*

**Draft Findings of Fact:**

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

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

1. The proposed Feedlot and manure storage pit 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 is located in an A1 (Agriculture Protection) zone which was intended to allow for large-scale agricultural operations. Large separation distances and very low residential density in the vicinity buffer the Feedlot from existing non-compatible uses in the surrounding area. The use appears harmonious with the established uses in the vicinity which include primarily cropland and animal agriculture operations.
2. The Feedlot and liquid manure storage pit are not anticipated to impede the normal and orderly development or improvement of surrounding vacant property for uses predominant to the area. All dwellings meet the minimum setback standards required by ordinance. The proposal meets or exceeds all the other development standards of the Goodhue County Zoning Ordinance and appears compatible with 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 submitted plans detail adequate measures to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. Furthermore, the Applicants' plans appear capable of controlling lights in such a manner that no disturbance to neighboring properties will result. The new barn and manure pit are "total confinement" and manure is field applied via "knife injection" to minimize odor and fume impacts to surrounding landowners.

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

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend the County Board of Commissioners **APPROVE** the CUP requests, submitted by Bryan and Kent Billman (Applicants) on behalf of Billman Farms LLC (Owners), to establish a hog finishing Feedlot Outside of a Farmyard for up to 720 Animal Units and construction of an animal waste storage pit of up to 1,100,000 gallons.

Subject to the following conditions:

1. The Feedlot shall be constructed according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. Applicants shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to establishing the use;
3. A stormwater management and erosion control plan shall be submitted for administrative review as part of the Building Permit Application for the project;
4. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 21 (Agriculture Protection District) and Article 13 (Confined Feedlot Regulations);
5. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.

# GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

Parcel # 400150400

Permit# 222-0005

### PROPERTY OWNER INFORMATION

Last Name	<u>Billman</u>	First	<u>Bryan</u>	Email:	
Street Address	<u>13358 460<sup>th</sup> St</u>			Phone	
City	<u>Wanamingo</u>	State	<u>MN</u>	Zip	<u>55933</u>
Authorized Agent	<u>Kent Billman</u>		Phone		
Mailing Address of Landowner:	<u>13358 460<sup>th</sup> St Wanamingo, MN 55933</u>				
Mailing Address of Agent:	<u>47174 170<sup>th</sup> Ave Zumbrota, MN 55992</u>				

### PROJECT INFORMATION

Site Address (if different than above): Parcel # 400150400

Lot Size \_\_\_\_\_ Structure Dimensions (if applicable) 102' x 200'

What is the conditional/interim use permit request for? Construction of Hog Barn, Manure storage exceeding 500,000 gal

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

### DISCLAIMER AND PROPERTY OWNER SIGNATURE

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

Signature of Landowner: [Signature] Date \_\_\_\_\_

Signature of Agent Authorized by Agent: \_\_\_\_\_

### TOWNSHIP INFORMATION

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

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

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Comments:

### COUNTY SECTION

COUNTY FEE \$350 RECEIPT # 17516 DATE PAID 1-21-22

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: \_\_\_\_\_

2

## 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).

Custom raise 2,400 head of Finishing Hogs

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

no existing buildings

3. Proposed number of non-resident employees.

Zero

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

Chores in the morning (roughly 1 hr/day). loadouts every 4 months usually early morning or late afternoon.

5. Planned maximum capacity/occupancy.

2400 head (720 Animal Units)

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

Traffic: feed truck weekly, un/loading area faces West side of barn. Site access uses current field drive.

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

Large gravel parking lot/area for semi's to maneuver around

8. Proposed solid waste disposal provisions.

9' concrete pit under building

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

no septic system. New well and electric buried to barn.

10. Existing and proposed exterior lighting.

None existing. One light on barn for driveway

11. Existing and proposed exterior signage.

biosecurity sign by driveway

12. Existing and proposed exterior storage.

4 feed bins North side of barn

13. Proposed safety and security measures.

all doors will have locks. There will also be security cameras

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

They may drive right into the site

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

Noise will be minimal for majority of the time.

Barn will have manure pumped out in fall and possibly spring

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

See plans. Water will shed to North and South

No vegetation to be removed.

17. Existing and proposed surface-water drainage provisions.

Waterways East of barn. Will be installing tile

around perimeter of barn.

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

None

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

2400 head tunnel barn- The manure will go well with the current farming operation. This barn will help diversify my operation and help ensure my sons have a future in farming-

JAN 21 2022

TOWNSHIP ZONING APPLICATION Land Use Management TOWNSHIP NAME Roscoe  
Goodhue County Parcel # 400150400

APPLICANT INFORMATION					
Last Name	Billman	First	Kent	M.I.	W
Street Address	47174 170 <sup>th</sup> St			Phone	
City	Zumbrota	State	MN	ZIP	55992
Email Address					
Township	109	Range	16W	Section	15

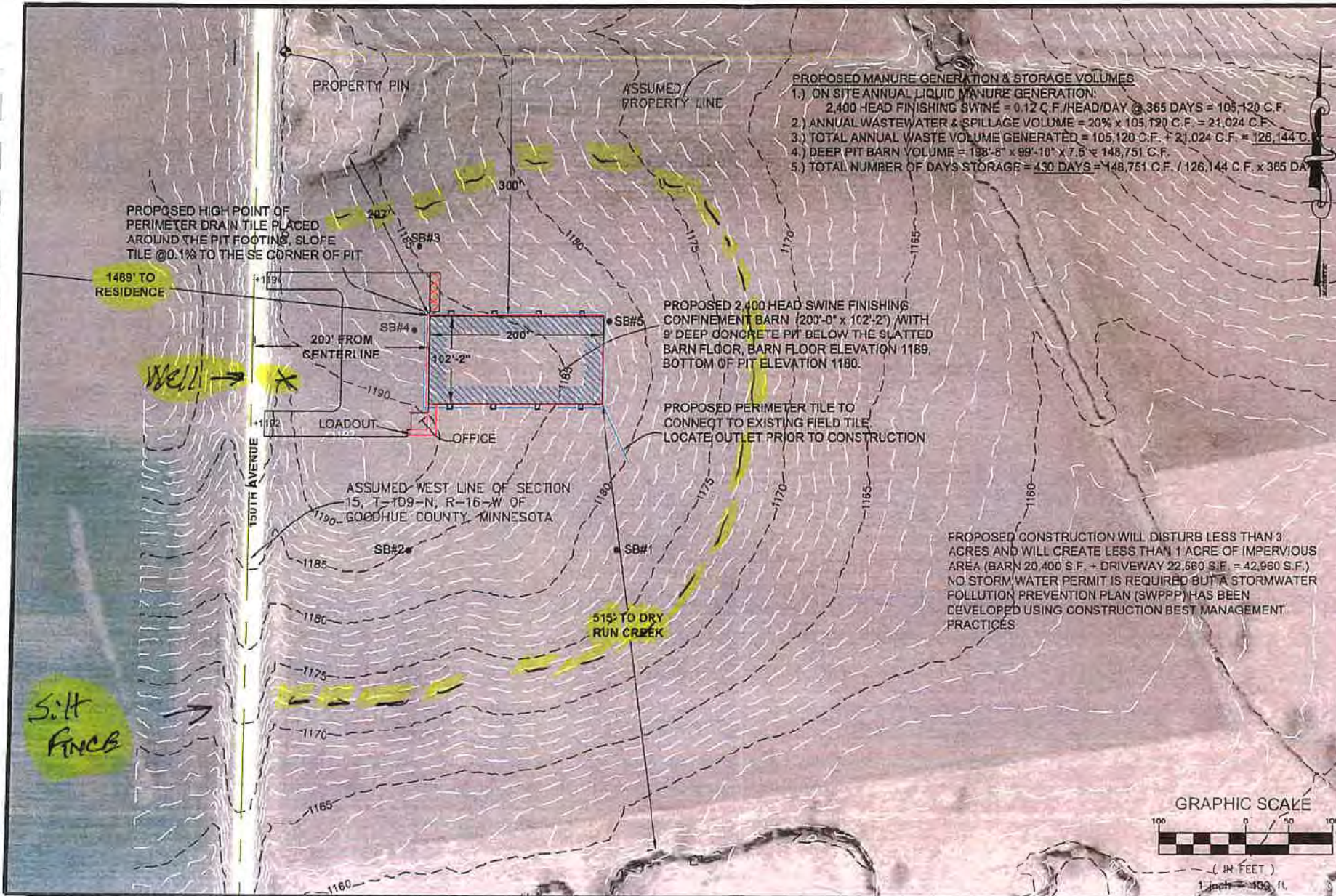
PROJECT INFORMATION			
Site Address	parcel 400150400		
Zoning District	Lot Size	Structure Dimensions	102' x 200'
Type of Project	Building	Proposed Use	Hog Barn
Structure Type	Replacement?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Variance #			Conditional Use Permit # 222-0005
Name of Property Owner:	Billman Farms		

DISCLAIMER AND SIGNATURE	
<i>I hereby apply for a zoning permit and I acknowledge that the information above is complete and accurate, that the work will be in conformance with the ordinances and codes of Goodhue County. The applicant also understands by signing this application he / she could be held responsible as representative of this project for any violation of compliance with all applicable laws and ordinances of Goodhue County. This permit may be suspended or revoked if the permit has been issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation of Goodhue County. All provisions of law and ordinances governing this type of work will be complied with whether specified herein or not.</i>	
Signature	
Date	1/10/2022

TOWNSHIP APPROVALS					
<i>I hereby certify by signing that I am authorized to act on the behalf of the Township Board, and the structure and use will meet all Township Codes and Ordinances if constructed as indicated.</i>					
Signature		Title	Clerk	Date	1/10/2022
Signature		Title		Date	

Application fee 25.00 Receipt Number cash Check # 2052 \$350.00  
# 17516

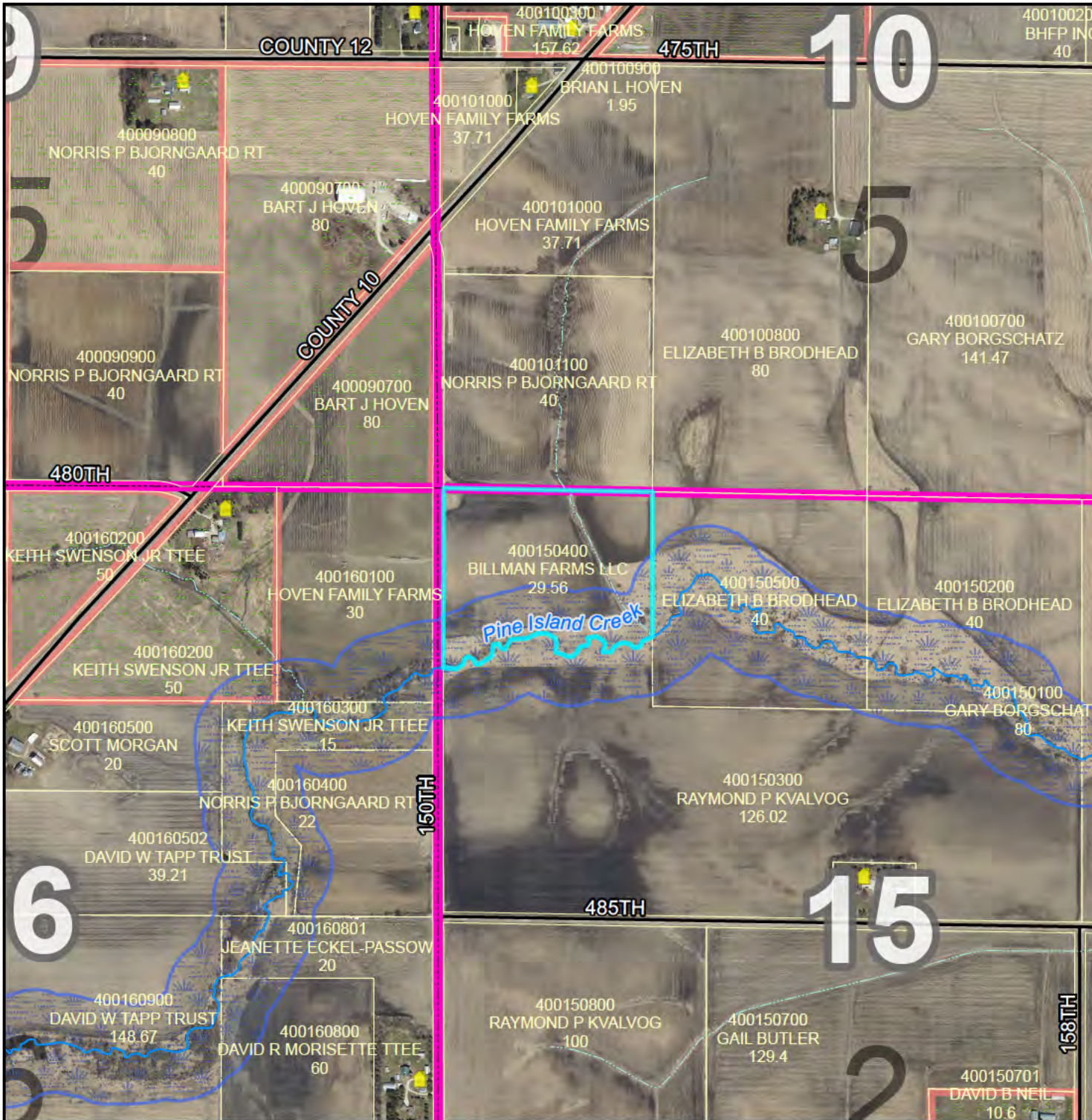
Supervisors reviewed the request. Approval is up to Goodhue County.



Project No.	21-113
Checked By	N.J.R.
Date	10/14/21
Drawn	D.D.A.
BILLMAN/STRAND PROPOSED SWINE CONFINEMENT BARN NW 1/4, SECTION 15, T109N, R16W GOODHUE COUNTY, MINNESOTA	
<b>Pro A &amp; E Engineering, Inc.</b> 77402 U.S. Highway 71, P.O. Box 161 Jackson, MN 56143 (507) 549-7200	



# MAP 02: VICINITY MAP



## PLANNING COMMISSION

Public Hearing  
February 14, 2022

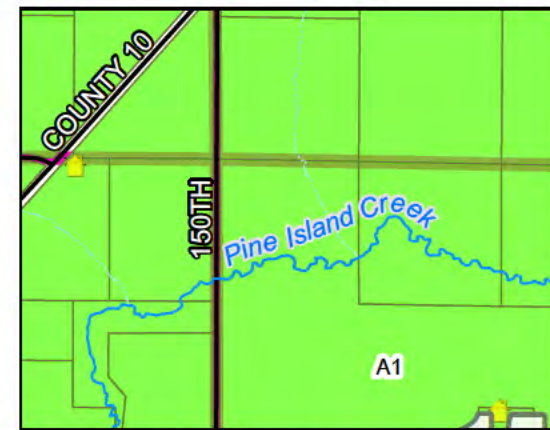
Bryan & Kent Billman  
A1 Zoned District

NW 1/4 of the NW 1/4 Sect 15 TWP 109  
Range 16 in Roscoe Township

CUP request to establish a hog finishing  
Feedlot for up to 2,400 head (720 Animal  
Units) outside of a Farmyard and  
construction of an animal waste storage pit  
exceeding 500,000 gallons.

### Legend

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



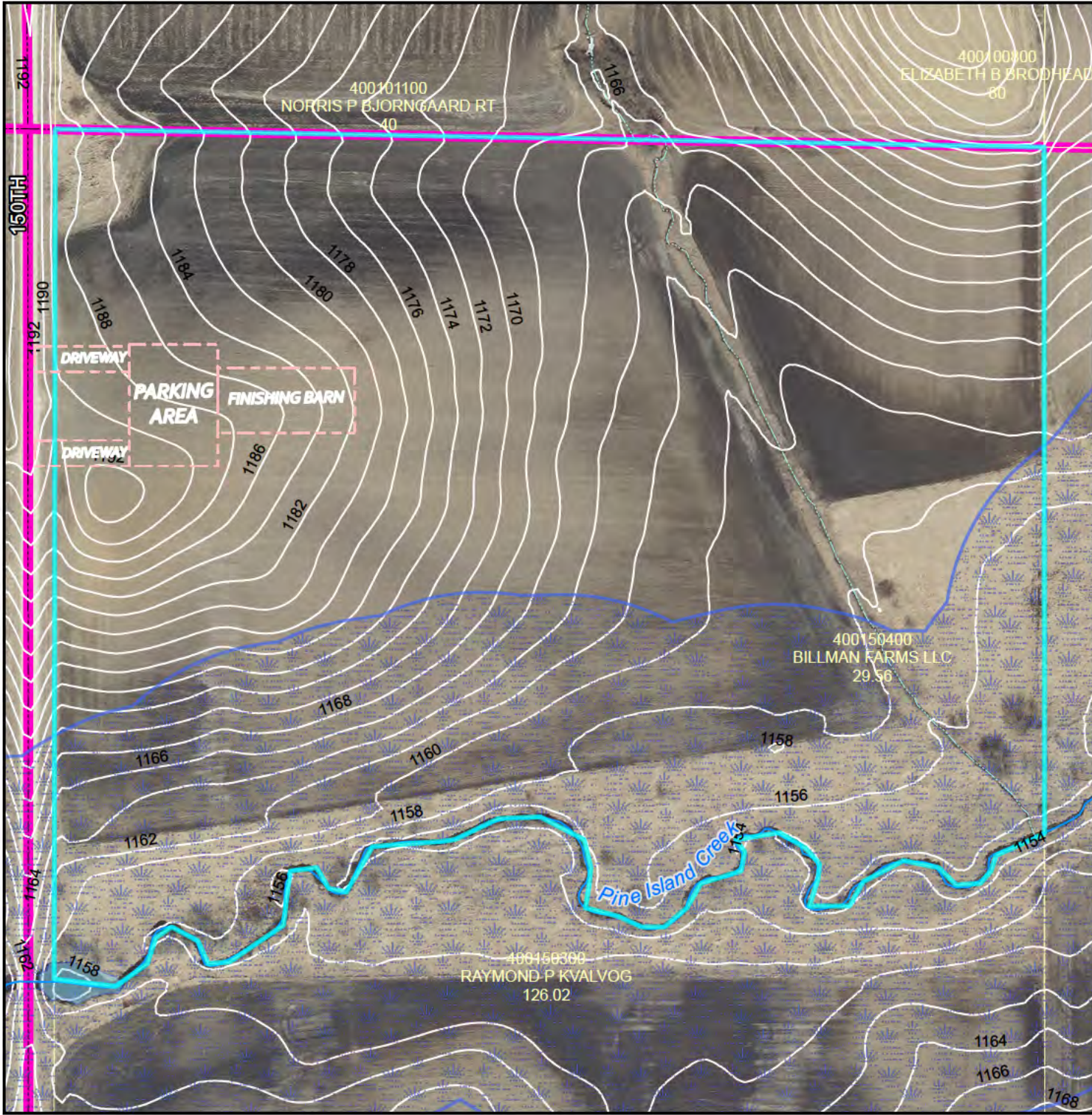
0 335 670 1,340 2,010  
US Feet

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or consequential damages that may result from its use  
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Map Created January, 2022 by LUM



# MAP 03: ELEVATIONS



## PLANNING COMMISSION

Public Hearing  
February 14, 2022

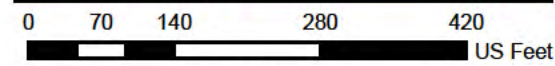
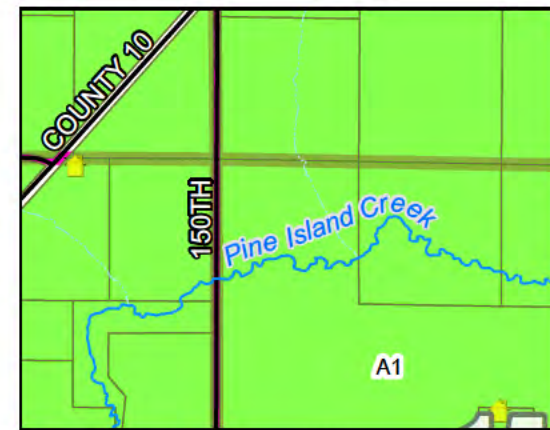
Bryan & Kent Billman  
A1 Zoned District

NW 1/4 of the NW 1/4 Sect 15 TWP 109  
Range 16 in Roscoe Township

CUP request to establish a hog finishing Feedlot for up to 2,400 head (720 Animal Units) outside of a Farmyard and construction of an animal waste storage pit exceeding 500,000 gallons.

### 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 January, 2022 by LUM



## VII. Animal numbers and animal unit (AU) calculation

Complete the table below to identify the **maximum** number of animals housed at that facility. All animal numbers and animal sizes used to complete this table should reflect the animal holding **capacity** of the facility even if the facility does not currently house or propose to house that number of animals. At no time is the number of animals at the facility allowed to exceed the capacity provided below without first obtaining a permit or permit modification.

**Current Capacity** - List the current head count **capacity** for each animal type in column 3 below. For sites with a permit, this should match the currently permitted number of animals. Next, multiply the AU Factor in column 2 by the number of animals listed in column 3 to get the *Current AU Capacity* for each animal type (column 4). Finally, add together all AU's in column 4 to get a total at the bottom of the chart. *If this application is for a brand-new feedlot site leave columns 3 and 4 blank. (ie. bare piece of ground)*

**Final Capacity** - List the final head count **capacity** for each animal type in column 5 below. This number should include current animals plus or minus any expansion or reduction in each animal type. This should reflect the maximum AU capacity requested with this permit application. Next, multiply the AU Factor in column 2 by the number of animals listed in column 5 to get the *Final AU Capacity* for each animal type (column 6). Finally, add together all AU's in column 6 to get a total at the bottom of the chart.

1. Animal type	2. Animal unit factor	Current facility capacity		Final facility capacity (Current +/- Changes)	
		3. Head count	4. Animal units = column 2 x column 3	5. Head count	6. Animal units = column 2 x column 5
<b>A. Dairy cattle</b>					
Mature cow (milked or dry) over 1,000 lbs.	1.4				
Mature cow (milked or dry) under 1,000 lbs.	1.0				
Heifer	0.7				
Calf	0.2				
<b>B. Veal</b>					
Veal	0.2				
<b>C. Beef cattle</b>					
Slaughter steer/heifer, stock cow, or bull	1.0				
Feeder cattle (stocker or backgrounding), heifer	0.7				
Cow and calf pair	1.2				
Calf (weaned)	0.2				
<b>D. Swine</b>					
Over 300 lbs.	0.4				
Between 55 and 300 lbs.	0.3	0	0	2400	720
Under 55 lbs.	0.05				
<b>E. Horses</b>					
Horse	1.0				
<b>F. Sheep</b>					
Sheep or Lamb	0.1				
<b>G. Chickens with a liquid manure system</b>					
Layer Hens or Broilers	0.033				
<b>H. Chickens with a dry manure system</b>					
Broilers over 5 lbs.	0.005				
Broilers under 5 lbs.	0.003				
Layer Hens over 5 lbs.	0.005				
Layer Hens under 5 lbs.	0.003				
<b>I. Turkeys</b>					
Over 5 lbs.	0.018				
Under 5 lbs.	0.005				
<b>J. Ducks</b>					
Duck (with a liquid manure handling system)	0.01				
Duck (with a dry manure handling system)	0.01				
<b>K. Animals not listed in A to J (AU factor in column 2 = average weight of the animal type divided by 1,000 lbs.)</b>					
Animal type:					
<b>Total animal unit capacity</b>			<b>Current AU capacity</b>	<b>Final AU capacity</b>	
Add all numbers in column 4 for Current AU total			0	720	
Add all numbers in column 6 for Final AU total					

RECEIVED

FEB 19 2022

# Animal Mortality Plan

**Purpose:** This Animal Mortality Plan is for the handling of dead animals in accordance with State requirements, including Minn. Stat. § 35.82 and Minn. R. chs. 1719.0100 to 1719.4600 and 7011.1215.

Facility name: Strand Hog Barn Feedlot registration no. \_\_\_\_\_  
Owner/Operator name: Kent Billman Feedlot permit no. \_\_\_\_\_

**Planned method of animal disposal:** Complete the table below by identifying the animal type, the primary method and the secondary method of disposal of dead animals at your feedlot. The legal methods of disposal are listed below and the minimum requirements for each management option are described on the following page. Please make sure the locations of burial sites, incinerators, temporary mortality storage, and/or compost areas are indicated on the site sketch of your facility included with the permit application.

**Catastrophic loss:** A catastrophic event such as a fire, collapse, tornado, floods or loss of power that results in a mass amount of animal mortalities shall be reported within 24 hours after the event started. Notifications should include the Minnesota Department of Public Safety Duty Officer at 800-422-0798 and the MPCA.

Animal type	Primary method	Secondary method	Catastrophic loss
Butcher Hog	Compost	Render	Minnesota Duty Officer: 1-800-422-0798

Check here:  By checking here, I indicated that I have read and understand the minimum requirements listed on the second page of this form for the dead animal disposal options identified above for my operation. I agree to adhere to and follow the minimum requirements for the proper disposal of dead animals.

### Legal Methods of Disposal

Species	Method				Exempt by Law
	Bury	Incinerate	Render	Compost	
Poultry	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Swine	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cattle	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Horses	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheep/Goats	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Household pets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wild animals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Game farm/Exotic animals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*If composting cattle, horses, or game/exotic animals, contact the Minnesota Board of Animal Health at 651-296-2942 or 800-627-3529.

Animal carcasses should be disposed of as soon as possible, within 48-72 hours. Any vehicles transporting carcasses must be leak proof, covered, inspected, and permitted by the Minnesota Board of Animal Health (if owner is transporting his own dead animals a permit is not required).

# Manure Storage, Handling, and Testing Information

Facility Name: Strand Hog Barn  
 Owner/Operator Name: Kent Billman

NPDES or SDS Permit? No Permit Number: \_\_\_\_\_  
 Date Last Revised: \_\_\_\_\_ Registration Number: \_\_\_\_\_

Version 9.0 Last Updated: 12/2/21

wq-f6-12

Manure Sources	Manure Source #1	Manure Source #2	Manure Source #3	Manure Source #4
<b>Description of Manure Source</b> <small>Group sources with similar nutrient content if they have identical animal type, water usage, feed rations, and manure storage</small>				
Finish Hogs				
<b>Livestock Information</b>				
<b>Predominate Animal Type</b> <small>(Contributing to Manure Source)</small>				
Swine- Grow/Finish (wet/dry feed)				
<b>Average Animal Weight</b>				
135 lbs				
<b>Animal Number</b>				
2,400				
<b>Length of Time Livestock Spend In Facility</b>				
340 days/yr				
<b>Additional Animal Type</b> <small>(Contributing to Manure Source)</small>				
<b>Average Animal Weight</b>				
lbs				
<b>Animal Number</b>				
<b>Length of Time Livestock Spend In Facility</b>				
days/yr				
<b>Storage Information</b>				
<b>Storage Type</b>				
Underfloor Concrete Pit				
<b>Capacity</b>				
1,100,000 gals				
<b>Storage Length</b>				
12 months				
<b>Application Methods</b>				
<b>Commercial Applicator (Yes/No or Name)</b>				
No				
<b>Spreader Type</b>				
Towed Hose				
<b>How Volume/Tonnage Determined per Load</b>				
Other				
<b>How Application Rate is Calibrated</b>				
Flowmeter				
<b>Manure Analysis - Existing facilities should use actual manure test results</b>				
<b>Sampling Frequency</b>				
Every Year				
<b>Sampling Methods</b>				
Well Agitated Single Sample				
<b>Date Last Analyzed</b>				
10/28/21				
<b>Basis for N,P, &amp; K Values Below</b>				
This Year's Sample				
<b>Total N - (do not enter lab estimated availability)</b>				
45 lbs/1000 gal				
<b>Total P<sub>2</sub>O<sub>5</sub> - (do not enter lab estimated availability)</b>				
29 lbs/1000 gal				
<b>Total K<sub>2</sub>O - (do not enter lab estimated availability)</b>				
28 lbs/1000 gal				
<b>Annual Generation - Existing facilities should use actual production values</b>				
<b>Total Manure Produced per Year (Estimated)</b>				
655,684 gals				
<b>Total Manure Produced per Year (Actual)</b>				
700,494 gals				
<b>Annual N Produced</b>				
31,522 lbs				
<b>Annual P<sub>2</sub>O<sub>5</sub> Produced</b>				
20,314 lbs				
<b>Annual K<sub>2</sub>O Produced</b>				
19,614 lbs				

Average Book Values	
N	75
P <sub>2</sub> O <sub>5</sub>	54
K <sub>2</sub> O	40

Average Book Values	
N	
P <sub>2</sub> O <sub>5</sub>	
K <sub>2</sub> O	

Average Book Values	
N	
P <sub>2</sub> O <sub>5</sub>	
K <sub>2</sub> O	

Average Book Values	
N	
P <sub>2</sub> O <sub>5</sub>	
K <sub>2</sub> O	

**General Field Information** (Fields 1-35)

Unique Field ID  Attach Aerial Photo or Map With Location Description (tpw-rng-sec)	Field Acreage	Sensitive Features (Identify on Aerial Photo or Sketch) ***Insert a check mark by double-clicking the appropriate cells***											Soils Information (Test required once every 4 yrs)				Irrigation?	Anticipated Manure Application Timing  NOTE: NPDES & SDS permitted sites cannot apply liquid manure in the winter (unless emergency)	Winter Application Field Info (If Applicable)			
		Tile Intakes	Drainage Ditch	Lake, River, Stream	Intermittent Stream (If farmed call MPCA)	Wetland (non-farmed)	Coarse-Textured Soil (soil type ends in "sand")	Floodplain	Public Well Management Area	Shallow Bedrock	Sinkhole	Well, Mine, or Quarry	Other Conduit to Water	Year of Soil Test (red if outdated)	Soil Test Phosphorus (P) Field Average (ppm)				Organic Matter	Distance from Field to Waters	Field Slope (%)	
															30	Olsen						Med/High
Example	80	✓											2005	30	Olsen	Med/High	No	Late Fall	800	ft	3%	
Strand	22		✓														No	Early Fall				
Kvalong (strand)	210			✓													No	Early Fall				
Haugen (strand)	60			✓													No	Early Fall				
Vang Farm	58			✓													No	Early Fall				
Lystrom	53			✓													No	Early Fall				
South Farm	45			✓													No	Early Fall				
Bryans	55			✓													No	Early Fall				

# Sensitive Features Management Worksheet

This worksheet identifies all allowable techniques that can be used to provide protection to sensitive features **as required** in Minnesota Rules and/or permit conditions. One of the following measures must be employed for the applicable sensitive feature. Any of the identified practices are acceptable.

**Tile Intakes**  
**Option A** - Inject or incorporate within 24 hours and prior to rainfall within 300 ft, observe a 25 ft non-manured setback, and avoid long term soil P build-up  
**Option B** - Inject or incorporate within 24 hours and prior to rainfall within 300 ft.  
**Option C** - 35 ft grassed buffer  
**Option D** - 100 ft setback with at least 16.5 ft as grassed buffer

**Drainage Ditches**  
**Option A** - Inject or incorporate within 24 hours and prior to rainfall within 300 ft, observe a 25 ft non-manured setback, and avoid long term soil P build-up  
**Option B** - 50 ft wide grassed buffer  
**Option C** - 100 ft setback with at least 16.5 ft as grassed buffer  
**Option D** - Protective Berm (prohibits runoff from entering the ditch)

**Lakes, Rivers, and Streams**  
**Option A** - Inject or incorporate within 24 hours and prior to rainfall within 300 ft, observe a 25 ft non-manured setback, and avoid long term soil P build-up  
**Option B** - 100 ft wide grassed buffer  
**Option C** - 100 ft setback with at least 16.5 ft as grassed buffer

**Intermittent Streams and/or Public Waters Wetlands (over 10 acres)**  
**Option A** - Inject or incorporate within 24 hours and prior to rainfall within 300 ft, observe a 25 ft non-manured setback, and avoid long term soil P build-up  
**Option B** - 50 ft wide grassed buffer  
**Option C** - 100 ft setback with at least 16.5 ft as grassed buffer

**Wells, Mines, or Quarry**  
**Option A** - 50 ft setback - minimum (100 ft if NPDES permitted)

**Sinkholes**  
**Option A** - Inject or incorporate within 24 hours and prior to rainfall upslope and within 300 ft and observe a 50 ft non-manured setback (100 ft non-manured setback for NPDES)  
**Option B** - Berm that prevents runoff from entering the sinkhole

**Application of Manure During the Summer Months (June, July, and August)** - This also includes September for NPDES permitted sites  
**Option A** - A cover crop will be planted on all fields that receive manure applications during June, July, and August

**Other Conduits to Water**  
**Option A** - Inject or incorporate within 24 hours and prior to rainfall within 300 ft, observe a 25 ft non-manured setback, and avoid long term soil P build-up  
**Option B** - 50 ft wide grassed buffer  
**Option C** - 100 ft setback with at least 16.5 ft as grassed buffer  
**Option D** - Protective Berm (prohibits runoff from entering the waters)

**Early Fall Land Application** - Unless otherwise required, this only applies to early fall manure application at NPDES or SDS permitted facilities  
**Option A** - Fall Application onto fields that are dominated by coarse-textured soils shall be delayed until soil temperatures in the upper six (6) inches, are less than 50 degrees Fahrenheit, unless otherwise first approved by the MPCA.







# Odors From Feedlots Setback Estimation Tool

**OFFSET Ver 2.0**  
 University of Minnesota  
 1/21/2017

Farm Name	Billman 99% odor offset Zta
Address or County	Goodhue County
Evaluator	K. Petit
Date	1/11/2022

Clear All

**OFFSET**  
 Annoyance-free  
 more than 99%

Source Edge to Nearest Neighbor (ft)	14541.96
Source Edge to Property Line (ft)	200

## Building Sources

Building Type	Width (ft)	Length (ft)	# of Similar Sources	Total Area (sqft)	Control Technology	% air treated
Swine Finishing - deep pit	102	200	1	20400	None	
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	Biofilter	

## AREA SOURCES

Source Description	Shape	Width (ft) (or Dia)	Length (ft)	Area (sqft)	Control Technology
Steel or concrete tank	Rectangle	102	200	20400	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None

Building Sources	
<b>Add Source Type</b>	
Name of Source	
Odor Flux (ou/s/m2)	
H2S Flux (ug/s/m2)	
NH3 Flux (ug/s/m2)	
Documentation	
<b>Add a Control Technology</b>	
Name of technology	
Odor reduction (%)	
H2S reduction (%)	
NH3 Reduction (%)	
Documentation	

Area Sources	
<b>Add a Source Type</b>	
Name of Source	
Odor Flux (ou/s/m2)	
H2S Flux (ug/s/m2)	
NH3 Flux (ug/s/m2)	
Documentation	
<b>Add Control Technology</b>	
Name of technology	
Odor reduction (%)	
H2S reduction (%)	
NH3 Reduction (%)	
Documentation	

# OFFSET Summary and Results



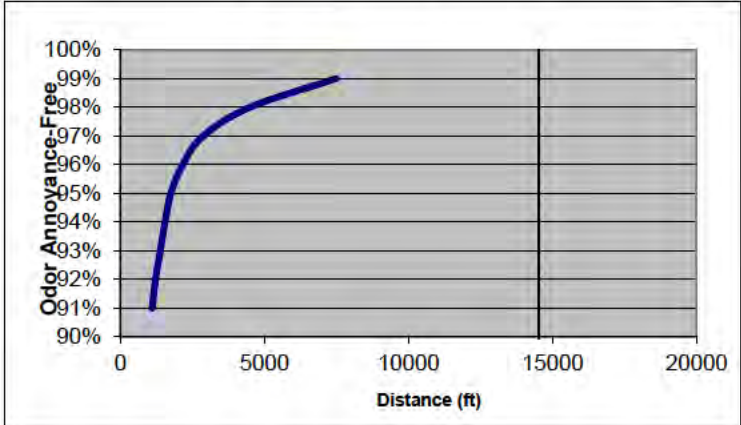
Farm Name	Billman 99% odor offset Zta
County	Goodhue County
Evaluator	K. Petit
Date	1/11/2022

Source Characteristics Summary					Flux Rates (with control technology)				Source Emission Rates*		
	Similar Sources	Emit Area sq ft	Control Technology	Percent	Odor ou/s/m2	OFFSET OER	H2S ug/s/m2	Ammonia ug/s/m2	Odor ou/s	H2S ug/s	Ammonia ug/s
			Type	Treated							
<b>Buildings</b>											
Swine Finishing - deep pit	1	20400	None	0%	10.5	34.2	6.0	99.0	19910	11377	187723
<b>Area Sources</b>											
Steel or concrete tank		20400	None		30.0	28	38.0	194.0	56886	72055	367861

\*includes control technologies

Site Emissions	
Total Site Area (ft2)	40,800
Total Odor Emission Factor (TOEF)	127
Total Site H2S Emissions (mg/s)	83
Total Site H2S Emission AVERAGE (lbs/day)	16
Total Site H2S Emission MAX (lbs/day)	32
Total Site H2S Emissions (tons/yr)	3
Total Site Ammonia Emissions (mg/s)	556
Total Site Ammonia Emission AVERAGE (lbs/day)	106
Total Site Ammonia Emissions MAX (lbs/day)	211
Total Site Ammonia Emissions (tons/yr)	19

Source Edge to Nearest Neighbor (ft)	14542
OFFSET Annoyance-free frequency	0%



# Odors From Feedlots Setback Estimation Tool

OFFSET Ver 2.0  
University of Minnesota  
1/21/2017

Farm Name: Billman Farms LLC  
 Address or County: Goodhue County Roscoe-15  
 Evaluator: K. Petit  
 Date: 12/7/2021

Clear All

OFFSET  
Annoyance-free  
94%

Source Edge to Nearest Neighbor (ft): 1469  
 Source Edge to Property Line (ft): 200

## Building Sources

Building Type	Width (ft)	Length (ft)	# of Similar Sources	Total Area (sqft)	Control Technology	% air treated
Swine Finishing - deep pit	102	200	1	20400	None	
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	None	
None				0	Biofilter	

## AREA SOURCES

Source Description	Shape	Width (ft) (or Dia)	Length (ft)	Area (sqft)	Control Technology
Steel or concrete tank	Rectangle	102	200	20400	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None
None	Rectangle			0	None

Building Sources	
<b>Add Source Type</b>	
Name of Source	
Odor Flux (ou/s/m2)	
H2S Flux (ug/s/m2)	
NH3 Flux (ug/s/m2)	
Documentation	
<b>Add a Control Technology</b>	
Name of technology	
Odor reduction (%)	
H2S reduction (%)	
NH3 Reduction (%)	
Documentation	

Area Sources	
<b>Add a Source Type</b>	
Name of Source	
Odor Flux (ou/s/m2)	
H2S Flux (ug/s/m2)	
NH3 Flux (ug/s/m2)	
Documentation	
<b>Add Control Technology</b>	
Name of technology	
Odor reduction (%)	
H2S reduction (%)	
NH3 Reduction (%)	
Documentation	

# OFFSET Summary and Results



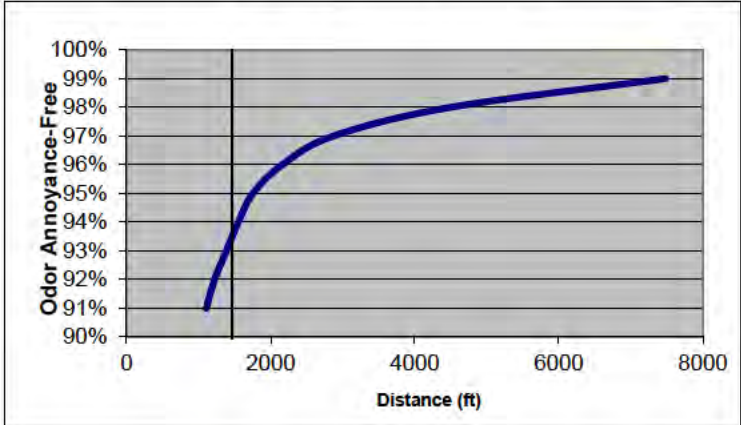
Farm Name	Billman Farms LLC
County	Goodhue County Roscoe-15
Evaluator	K. Petit
Date	12/7/2021

Source Characteristics Summary					Flux Rates (with control technology)				Source Emission Rates*		
	Similar Sources	Emit Area sq ft	Control Technology	Percent	Odor ou/s/m2	OFFSET OER	H2S ug/s/m2	Ammonia ug/s/m2	Odor ou/s	H2S ug/s	Ammonia ug/s
			Type	Treated							
<b>Buildings</b>											
Swine Finishing - deep pit	1	20400	None	0%	10.5	34.2	6.0	99.0	19910	11377	187723
<b>Area Sources</b>											
Steel or concrete tank		20400	None		30.0	28	38.0	194.0	56886	72055	367861

\*includes control technologies

Site Emissions	
Total Site Area (ft2)	40,800
Total Odor Emission Factor (TOEF)	127
Total Site H2S Emissions (mg/s)	83
Total Site H2S Emission AVERAGE (lbs/day)	16
Total Site H2S Emission MAX (lbs/day)	32
Total Site H2S Emissions (tons/yr)	3
Total Site Ammonia Emissions (mg/s)	556
Total Site Ammonia Emission AVERAGE (lbs/day)	106
Total Site Ammonia Emissions MAX (lbs/day)	211
Total Site Ammonia Emissions (tons/yr)	19

Source Edge to Nearest Neighbor (ft)	1469
OFFSET Annoyance-free frequency	94%



### Land Application Agreement For Receiving Manure on Cropland

Participant: Kent Billmer  
 Address of Feedlot Facility: parcel # 400150400  
 City, State, Zip: Zumbrota, MN 55992  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The undersigned manure recipient agrees to manage or allow manure to be managed accordingly for the duration of this agreement on 45 acres of his/her land located in the NW one quarter of 29 section in 109 Township of Goodhue ~~Prosser~~ County.

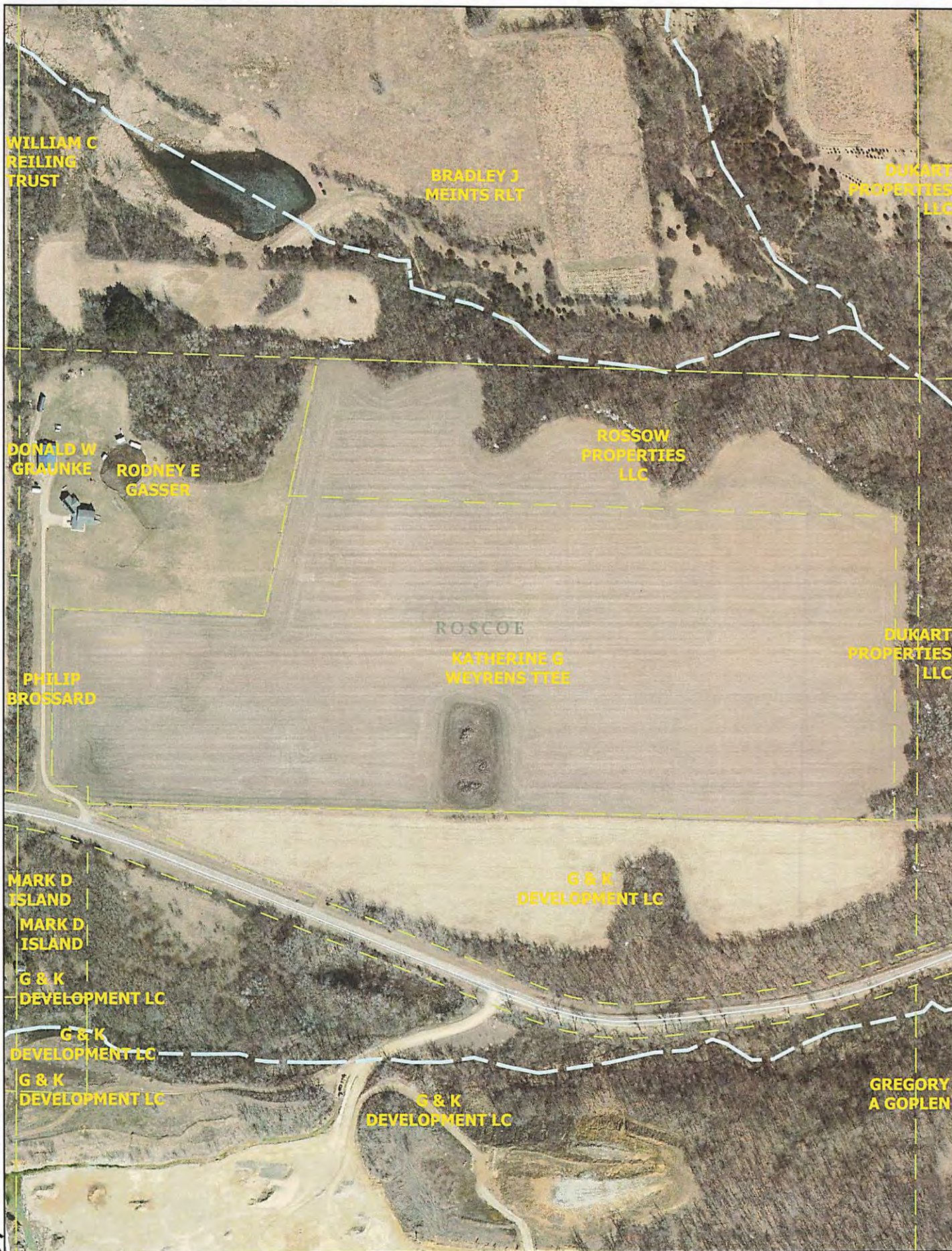
Please attach a map with fields identified.

The manure spreading agreement is good until: no expiration

Is the recipient also receiving manure from another producer? \_\_\_\_\_

If receiving manure from another producer, please list the number and types of livestock. \_\_\_\_\_

Name of manure recipient: FARM PRO 2 AG SVC LLC  
 Address: 121050 490<sup>th</sup> ST  
 City, State, Zip: Pine Island MN 55963  
 Signature: [Signature] Date: 12-21-21



WILLIAM C  
REILING  
TRUST

BRADLEY J  
MEINTS RLTY

DUKART  
PROPERTIES  
LLC

DONALD W  
GRAUNKE

RODNEY E  
GASSER

ROSSOW  
PROPERTIES  
LLC

ROSCOE

KATHERINE G  
WEYRENS TTEE

DUKART  
PROPERTIES  
LLC

PHILIP  
BROSSARD

G & K  
DEVELOPMENT LC

MARK D  
ISLAND

MARK D  
ISLAND

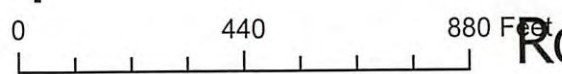
G & K  
DEVELOPMENT LC

G & K  
DEVELOPMENT LC

G & K  
DEVELOPMENT LC

G & K  
DEVELOPMENT LC

GREGORY  
A GOPLEN



# Roscoe Sec 28 South Farm



### Land Application Agreement For Receiving Manure on Cropland

Participant: Kent Billman  
Address of Feedlot Facility: parcel # 400150400  
City, State, Zip: Zumbrota, MN 55992  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The undersigned manure recipient agrees to manage or allow manure to be managed accordingly for the duration of this agreement on 60+100+210 acres of his/her land located in the SE one quarter of ~~18~~ 15 section in 105 Township of Goodhue County.

Please attach a map with fields identified.

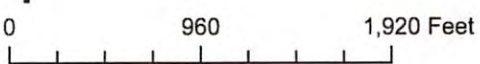
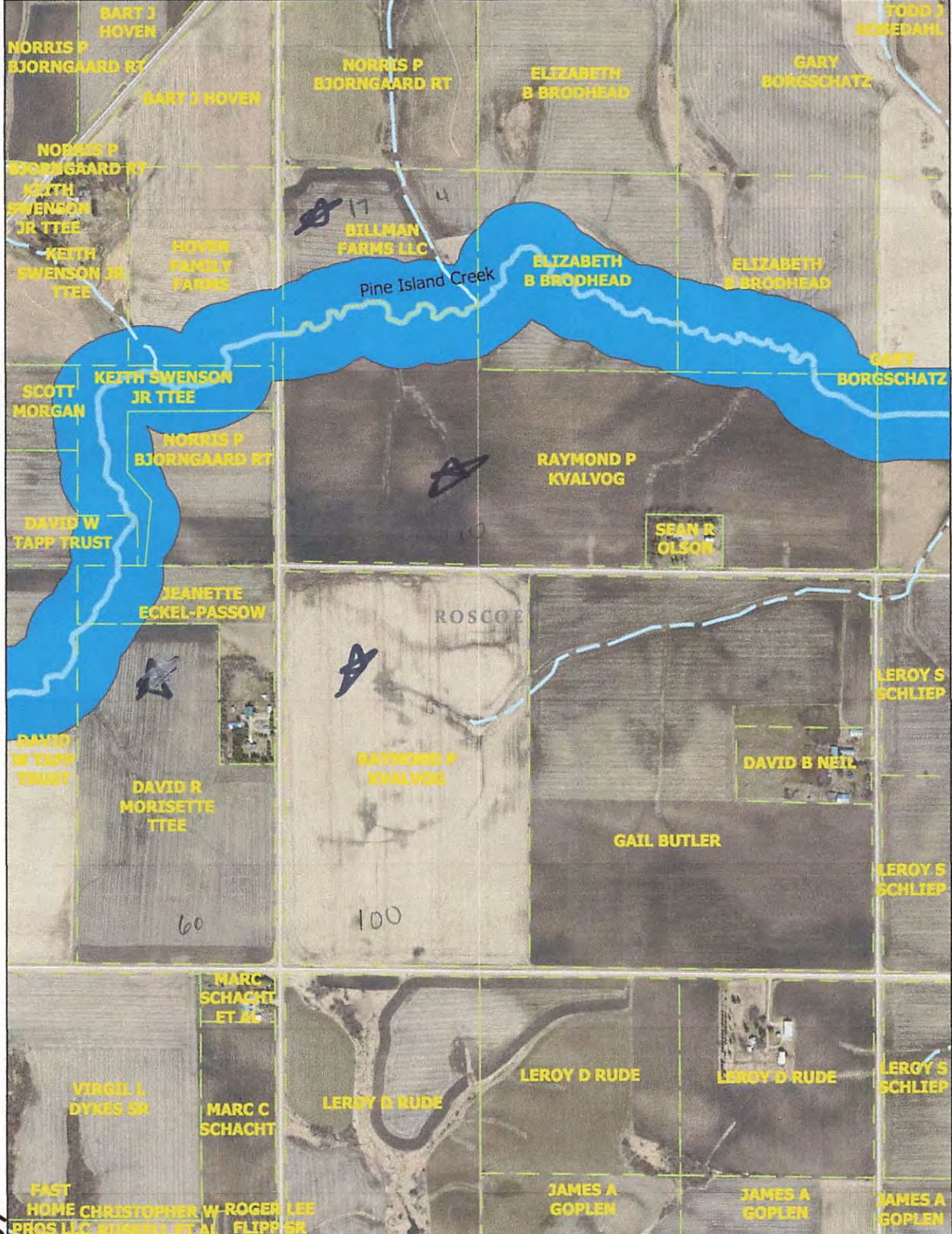
The manure spreading agreement is good until: no expiration

Is the recipient also receiving manure from another producer? \_\_\_\_\_

If receiving manure from another producer, please list the number and types of livestock. \_\_\_\_\_

Name of manure recipient: Farmpro2 Ag Services LLC  
Address: 14050 490th St.  
City, State, Zip: Pope Island, MN. 55963  
Signature: [Signature] mgr. Date: 12-21-21





Roscoe Sec 15 & 16



# 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:** February 14, 2022  
**Report date:** February 4, 2022

**PUBLIC HEARINGS: Cannon Falls Veterans Memorial Park (Jim Boo, Applicant and James Edlund, Owner)**

TBD CTY 14 BLVD, Cannon Falls, MN 55009. Parcel 28.031.1801. Part of Government Lots 4 and 5 Section 31 TWP 112 Range 17 in Cannon Falls Township. A-2 Zoned District.

**1. Map Amendment (Rezone)**

Request for map amendment to rezone parcel 28.031.1801 from A-2 (General Agriculture District) to CR (Commercial Recreational District).

**2. CUP for a Veterans Memorial Park and Banquet Facility**

Request for a Conditional Use Permit (CUP) to establish a Veterans Memorial Park with banquet facility/event space and nature trails.

**Application Information:**

Applicant(s): Jim Boo, Applicant, and James Edlund, Owner  
Address of zoning request: TBD County 14 BLVD Cannon Falls, MN 55009  
PID(s): 28.031.1801  
Abbreviated Legal: Part of Government Lots 4 and 5 Section 31 TWP 112 Range 17 in Cannon Falls Township  
Zoning District: A2 (General Agriculture District)

**Attachments and links:**

Application and submitted project summary  
Site Map(s)  
Project Review (Rezone)  
Article 30 *Commercial Recreational District*  
Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>  
Goodhue County Assembly Controls Ordinance:  
<https://www.co.goodhue.mn.us/DocumentCenter/View/7639/Assembly-Control-Ordinances-1977?bidId=>

**Summary:**

The Applicant (Jim Boo) and property owner (James Edlund) are requesting to rezone parcel 28.031.1801 to the Commercial Recreational District and are subsequently requesting a Conditional Use Permit to establish a Veterans Memorial Park with banquet facility/event space and nature trails open to the public.

The memorial would consist of one monument at the property entrance and a memorial area in the center of the development. A banquet facility capable of seating up to 700 people would be established to host various events throughout the year. A restaurant would also be constructed inside the banquet facility which would be open to the public. There would also be several acres of natural area on the property to be utilized as nature/walking trails.

# 1. Map Amendment (Rezone)

Request for map amendment to rezone Parcel 28.031.1801 from A2 (General Agriculture District) to CR (Commercial Recreational District).

## Project Summary:

### **Property Information:**

- The subject property consists of one parcel comprising approximately 89-acres situated less than one mile south of the City of Cannon Falls immediately west of Highway 52.
- The property is currently zoned A-2 General Agriculture District. Adjacent zoning districts are R-1 Suburban Residence District to the west, A-2 to the east (across Highway 52), south, and north, and B-2 Highway Business District to the north.
- Surrounding land uses include undeveloped forestlands, row crop agriculture, and medium to low-density residential.
- The property will be accessed via the new CSAH 14 which is proposed to be paved summer of 2022. This road will connect County 24 to the north with 57<sup>th</sup> Avenue/current CSAH 14 to the south along the existing 63<sup>rd</sup> Avenue. Goodhue County Public Works is currently working with the Applicant regarding proposed access and turn lanes for the project.
- The 89-acre parcel will be split by the new road establishment. Approximately 64.16 acres will be west of the new CSAH 14 and will be where the park and facilities will be constructed. Approximately 25.02 acres will be east of CSAH 14 and is not proposed to be used for the development.

### **Existing/Proposed Uses:**

- The parcel is currently vacant. The Applicant is proposing to establish a Veterans Memorial on the property along with a banquet facility/restaurant and nature/walking trails.

### **Planning Information:**

- The intent of the CR District is to provide suitable locations for, and to encourage the development of, commercial recreation facilities in those areas of the county which benefit the recreational needs of both residents and tourists and restrict incompatible commercial and industrial uses. The Commercial Recreational District shall not be an overlay district, but shall be an exclusive district when used.
- The property is not currently farmed and has not been used for agricultural purposes since around the 1980s. The Prime Farmland Rating for Agriculture is as follows:

<b><i>Soil Name</i></b>	<b><i>Slope</i></b>	<b><i>Amount (acres)</i></b>	<b><i>% of Total</i></b>	<b><i>Prime Farmland Rating</i></b>
Wangs-Wagen Prairie Complex	6-12%	24.6	26.6%	Not Prime Farmland
Wangs-Wagen Prairie Complex	12-18%	10.8	11.7%	Not Prime Farmland
Wangs-Wagen Prairie Complex	18-35%	8.3	9.0%	Not Prime Farmland
Rasset Sandy Loam	0-6%	6.0	6.5%	Prime Farmland
Rasset Sandy Loam	6-12%	6.5	7.0%	Farmland of Statewide Importance
Winneshiek Silt Loam	6-12%	2.8	3.1%	Farmland of Statewide Importance
Wagen Prairie Silt Loam	2-6%	4.9	5.3%	Prime Farmland
Frontenac-Bellechester Complex	18-45%	0.9	0.9%	Not Prime Farmland

Ridgeton Sandy Substratum Eden Prairie Complex	6-12%	0.1	0.1%	Farmland of Statewide Importance
Sparta Loamy Sand	6-12%	1.7	1.8%	Not Prime Farmland
Chelsea Loamy Sand	6-12%	1.2	1.3%	Not Prime Farmland
Waucoma-Winneshiek Complex	6-12%	3.0	3.2%	Farmland of Statewide Importance
Winneshiek-Waucoma Complex	12-18%	6.5	7.0%	Not Prime Farmland
Waucoma Loam	2-6%	7.2	7.8%	Prime Farmland
Volney Channery Silt Loam	2-12%	7.9	8.5%	Not Prime Farmland

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

*“Encourage new opportunities for outdoor tourism and recreation throughout the county”*

*“Provide for recreational opportunities to meet the needs and interests of county residents while ensuring that recreational uses are compatible with the natural limitations of each specific site and surrounding uses”*

*“Support a broad-based, diversified, stable, year-round economy that provides a range of goods, services, and employment opportunities.”*

- Dwelling development density in the A2 District is a maximum of 12 dwellings per section, and one dwelling per original ¼ ¼ section. There are currently 19 dwellings in Section 31 therefore there is no additional dwelling density available in the section. Dwellings are not a permitted use within the Commercial Recreational District.

**Cannon Falls Township:**

Cannon Falls Township has been made aware of the applicant’s requests and provided written acknowledgement of the proposal. The Township indicated that it is in favor of the proposed property rezoning and proposed uses. The Township will consider rezoning the parcel at the Township level at their Planning Commission meeting on February 3, 2022 and Town Board meeting on February 9, 2022.

**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 map amendment request from Jim Boo, Applicant and James Edlund, Owner to rezone parcel 28.031.1801 from A-2 (General Agriculture District) to CR (Commercial Recreational District).

**Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses**

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

**2. CUP for a Veterans Memorial Park and Banquet Facility**

Request for a Conditional Use Permit (CUP) to establish a Veterans Memorial Park with banquet facility/event space and nature trails.

**PROJECT SUMMARY:**

**Property Information:**

The Applicant (Jim Boo) and property owner (James Edlund) are requesting a Conditional Use Permit to establish a Veterans Memorial Park with banquet facility/event space and nature trails open to the public on parcel 28.031.1801. The park would be founded by former US Naval Officer Lieutenant Fong T Lor who served 11 years flying F14 Tomcats off of the USS America.

Adjacent zoning districts are R-1 Suburban Residence District to the west, A-2 to the east (across Highway 52), south, and north, and B-2 Highway Business District to the north. Surrounding land uses include medium to low-density residential, agriculture (row crop) land, and vacant land not used for agriculture with wooded areas.

**Veterans Memorial:**

- The Applicant has proposed to establish a park with a Veterans Memorial monument in the center and a smaller monument at the entrance of the facility. These memorials would honor American soldiers' sacrifice and would be a gathering place year round to honor their legacy.

**Banquet Facility:**

- The Applicant has proposed to construct a 200,000 square foot banquet facility/event space on the property to host events of varying sizes throughout the year. The building would also house a restaurant that would be open to the public. Seating for up to 700 people would be available within the banquet facility.

**Nature Trails:**

- The Applicant has proposed to create nature trails on the property for public use. These trails would be established to the north, west, and south of the proposed banquet facility.

**Employees:**

- The Applicant has indicated that 2 to 6 employees may be needed on the property for general daytime use throughout the year. During events or when the restaurant is open closer to 20 employees will be needed on-site.

**Hours of Operation:**

- The applicant is proposing hours of operation for the property to be year-round, 7-days a week from approximately 9 a.m. to 9 p.m. Hours would vary during special events however all events would conclude by midnight.

**Lighting:**

- Lighting would be established to illuminate the Veterans Memorials and parking lots.

### **Traffic and Parking:**

- The property will be accessible from CSAH 14. The Applicant must work with Goodhue County Public Works to establish a driveway entrance onto the new roadway and to determine whether turn lanes will be required.
- The Zoning Ordinance specifies the number of parking spaces required for “...assembly halls and exhibition halls without fixed seats. Community centers...” as being 1 space per 4 people allowed within the maximum occupancy load as established by the Fire Marshall. Parking required for restaurants equals *one space per each 100 square feet of floor area plus one for each two employees*. Staff will calculate the appropriate number of spaces required upon receipt of construction drawings, specific employee numbers, and maximum occupancy calculations from the Fire Marshall. Ample space exists on the property to accommodate these parking area requirements.
- The Applicant has indicated that the main parking areas will be paved and there will be gravel overflow parking areas for special events.
- No parking would be permitted within the road right-of-way.
- Traffic entrance and exit routes would be large enough to accommodate emergency vehicle access.
- The banquet facility would have dedicated loading bays and a staff parking area to the rear (west) of the structure.

### **Utilities:**

- There are currently no utility services installed on the property. A new well and septic system will be required for the banquet facility. The Applicant will need to work with the Goodhue County Environmental Health Department and Minnesota Pollution Control Agency regarding septic sizing and installation.
- Solid waste disposal services will be provided locally. Any hazardous materials or fluids generated shall be properly disposed of.

### **Signage:**

- The applicant is proposing to install an entrance monument. The monument would be required to meet all required County signage standards and setback standards from the right-of-way.

### **Safety and Security Measures:**

- Video surveillance and lighting will be used as security measures on-site. The Applicant has indicated that they are willing to install a gate at the entrance of the facility if required by Goodhue County. The Planning Commission should consider whether a gate at the entrance should be required.

### **Landscaping/Drainage:**

- Grading will need to occur on the property to prepare building and monument sites, parking areas/access roads, and nature trails. The Applicant has proposed to install a stormwater pond on the property in an appropriate location to be determined by a professional engineer. The Applicant would be required to work with Goodhue County Zoning Administrator and the Soil and Water Conservation District regarding all appropriate grading and establishment of erosion control measures during construction.

### **Dust/Noise/Odor/Fumes:**

- No nuisance dust, odor, or fumes are anticipated to be generated with the proposal. Noise generated during events is planned to be confined generally within the banquet hall and surrounding area to minimize impacts to neighboring properties. The property is surrounded by wooded areas to the north and west and Highway 52 to the east. The nearest adjacent residence (Bruce Showel) is located approximately 0.25 miles west of the proposed structure.

### **Food & Liquor Provisions:**

- All required federal, state, and local health licensing, and other regulatory requirements must be followed for any restaurant and food service areas.

### **Assembly Controls Ordinance Review:**

- With the proposed size and capacity of the banquet facility and surrounding acreage for events, staff reviewed the County's Assembly Controls Ordinance for the proposed development. Section 8 Subd. 3 states *"This ordinance shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, County Parks or trails, or other similar permanently established place of assembly."* The proposed banquet facility and park would be considered permanent places of assembly and therefore separate permits under the Assembly Controls Ordinance would not be required from the County Board for each event exceeding 500 people.
- Staff would recommend the Planning Commission include conditions based on language found in the Assembly Controls Ordinance. Staff also recommends a condition that the Applicant or future operator communicate with and provide information to Zoning staff and the Sheriff's office prior to hosting publicly advertised events exceeding 500 people.

### **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 Veterans Memorial Park and banquet facility do not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The property is along the Highway 52 corridor and will have improved accessibility upon completion of the CSAH 14 construction project. The proposed use would be established in an area with nearby properties zoned B-2 Highway Business District.
2. The Veterans Memorial Park and banquet facility are not anticipated to impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area. The use is proposed to meet all development standards of the Goodhue County Zoning Ordinance. The majority of activity on the property will be contained within the banquet facility and on surrounding acreage. The use does not appear incompatible with surrounding uses.
3. A review of the applicants submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities will be installed to accommodate the proposed use.
4. The submitted plans identify means and space is available 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 Veterans Memorial Park and banquet facility are not anticipated to produce offensive odor, fumes, dust, or vibration. The distance of the site from existing nearby residences and established vegetative buffers appear sufficient to control noise so that it will not constitute a nuisance.

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

### **Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend that the County Board of Commissioners **APPROVE** the request from Jim Boo, Applicant and James Edlund, Owner for a Conditional Use Permit (CUP) to establish a Veterans Memorial Park with banquet facility/event space and nature trails. The proposal includes provisions for memorials, banquet facility and restaurant space, and various public park spaces.

**Subject to the following conditions:**

- 1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;**
- 2. Hours of operation for the memorial and park area shall be year-round, 7-days per week from 9 a.m. to 9 p.m.;**
- 3. Hours of operation for the restaurant and banquet facility shall be year-round, 7-days per week from 7:00 AM to 10:00 PM;**
- 4. Special events shall end no later than 12:00 AM (midnight);**
- 5. On-street parking and loading/off-loading shall be prohibited;**
- 6. The Goodhue County Zoning Administrator and Sheriff's Office shall be notified no less than 30-days prior to any publicized events with over 500 people;**
- 7. Notification of events with over 500 people shall include the dates and times of the event, the purpose of the event, provisions for noise control, traffic control measures, provisions for additional septic/wastewater facilities, and a list of food concessioners for the events;**
- 8. Events with over 500 people shall have on-site security and medical services. Evidence of these services shall be provided to the Zoning Administrator no less than 30-days prior to the event;**
- 9. Applicant shall obtain Building Permit approvals for proposed structures from the Goodhue County Building Permits Department prior to beginning construction;**
- 10. Applicant shall obtain all appropriate well and septic system permits from the Goodhue County Environmental Health Department and Minnesota Pollution Control Agency prior to establishing the use;**
- 11. Compliance with Goodhue County Zoning Ordinance including Article 30 CR, Commercial Recreational District;**
- 12. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations; and**
- 13. Applicant shall work with the Goodhue Soil and Water Conservation District regarding proposed grading and erosion control measures prior to beginning work.**



# 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

## Project Review per Article 3, Section 2, Subd. 5-10:

- Subd. 5
- A. The names and addresses of the petitioner or petitioners and their signatures to the petition. **See application**
  - B. Survey information: **See application**
  - C. The current and proposed district: **A2 to CR**
  - D. The current use and the proposed use of the land. **The property is currently vacant. The Applicant is proposing to establish a Veterans Memorial on the property along with a banquet facility/restaurant and nature/walking trails.**
  - E. The reason for the requested change of zoning district. **The applicant is requesting the zone change to enable a Veterans Memorial, banquet center, and nature trails to be established on the property. This type of facility is not permissible in the A2 District.**
  - F. A copy of the soil map showing the soils types within the proposed boundary and the surrounding area. **A soils map for the site has been prepared.**
  - G. Prime Farmland Rating of the soil types in F.
    - The Prime Farmland Rating for Agriculture is as follows:

<b>Soil Name</b>	<b>Slope</b>	<b>Amount (acres)</b>	<b>% of Total</b>	<b>Prime Farmland Rating</b>
Wangs-Wagen Prairie Complex	6-12%	24.6	26.6%	Not Prime Farmland
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Waucoma Loam	2-6%	7.2	7.8%	Prime Farmland
Volney Channery Silt Loam	2-12%	7.9	8.5%	Not Prime Farmland

H. A statement of how the requested change is compatible with the Goodhue County Comprehensive Plan including but not limited to the following:

1. The environmental impacts of the proposed use of land on the:
  - a. Groundwater
  - b. natural plant and animal communities
  - c. existing trees and vegetation
  - d. Bluffland stability
  - e. shoreland stability

**The property is not designated shoreland or floodplain. There are some areas that may qualify as wetlands. Any future disturbance to these areas would be required to conform to the requirements in place designed to protect these sensitive areas from the potential negative impacts of development. There are no areas designated as bluffs on the parcel. The proposed use would retain several acres of natural areas for the proposed nature trails.**

2. The compatibility with surrounding land uses

**Adjacent land uses include undeveloped forestlands, row crop agriculture, and medium to low-density residential. Given the property's proximity to Highway 52, the extension of CSAH 14, and the zoning designation of parcels to the north as Highway Business District the use does not appear incompatible with surrounding uses. The proposed banquet hall would be located away from the existing residential development to the west.**

3. The physical and visual impacts on any scenic or historic amenities within or surrounding the proposed parcel.

**It is not anticipated that any scenic or historic amenities will be negatively impacted as a result of the proposed rezone.**

Subd. 6 The housing density of the affected Section

**Section 31 is currently zoned A2 with two parcels zoned B2 Highway Business District. A2 Districts permit a maximum of 12 dwellings per section, one per original ¼ ¼ section. Section 31 currently has 19 dwellings therefore no additional dwellings would be permitted within this section. Single-family dwellings are not a permitted or conditionally permitted use in the CR zone so the dwelling density would be unaffected by the change of zone.**

Subd. 7 The impact on any surrounding agricultural uses

**This property is not being farmed; there are crop farming activities to the south and west but the change of zone is not expected to impact those operations.**

Subd. 8 The impact on the existing transportation infrastructure

**The property will be accessed using the new CSAH 14 connection to County 24. The Applicant will need to work with Goodhue County Public Works to determine whether turn lanes will need to be added to CSAH 14 and to obtain proper permits for a new access point onto a County road.**

Subd. 9 The impact on surrounding zoning districts

**The property is currently zoned A2. Adjacent zoning districts are A2 and B2 to the north, A2 to the east and south, and R1 to the west. Rezoning the parcels to CR would not appear to have any substantial negative impacts to the existing and potential future uses of the surrounding zoning districts.**

Subd. 10 A statement concerning the cumulative effect and compatibility of the requested zoning change on the affected Township and any cities located within 2 miles of the proposed parcel.

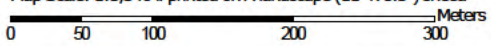
**Rezoning the subject parcels to CR does not appear to have negative cumulative effects on the immediate surrounding area or Cannon Falls. Cannon Falls Township has considered the request and given their support for the proposal.**

Subd. 11. Additional information as may be requested by the Planning Commission or zoning staff.

# Custom Soil Resource Report Soil Map



Map Scale: 1:5,340 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

RECEIVED 2022 RECEIPT# 17517 DATE 1/24/22

APPLICATION FOR

# Map Amendment

JAN 24 2022

Applicant Information

Land Use Management

APPLICANT OR AUTHORIZED AGENT'S NAME: <b>Jim Boo</b>	
APPLICANT'S ADDRESS: <b>3476 Lake Elmo Ave N, Lake Elmo, MN 55042</b>	TELEPHONE: ( )
	EMAIL:

CONTACT FOR PROJECT INFORMATION: <b>Jim Boo</b> <span style="float: right;">Same as Above <input type="checkbox"/></span>	
ADDRESS: <b>3476 Lake Elmo Ave N, Lake Elmo, MN 55042</b>	TELEPHONE:
	EMAIL:

- Map Amendment - Parcel: 28.031.1801 ; Current District: \_\_\_\_\_ Requested District: \_\_\_\_\_
- Parcel: \_\_\_\_\_ ; Current District: \_\_\_\_\_ Requested District: \_\_\_\_\_
- Parcel: \_\_\_\_\_ ; Current District: \_\_\_\_\_ Requested District: \_\_\_\_\_
- Parcel: \_\_\_\_\_ ; Current District: \_\_\_\_\_ Requested District: \_\_\_\_\_
- Parcel: \_\_\_\_\_ ; Current District: \_\_\_\_\_ Requested District: \_\_\_\_\_

**1. Stated reason for map amendment(s) requested:**

Looking to rezone, and change the use of the land.

**2. Proposed future use(s) of the property to be rezoned:**

Construct a veterans memorial park, with banquet hall, monuments and other amenities.

**3. Compatibility of the proposed zoning district with existing land uses in the area:**

CR, Commercial Recreational

**4. Provide any additional information that will assist the Planning Advisory Commission and the County Board in reviewing your request:**

This use fits well into the CR district, onsite restaurant, Nature trails, monuments, and commercial attractions.

**Applicant's Affidavit**

Under penalty of perjury the following declarations are made:

- 1. The information presented is true and correct to the best of my knowledge.
- 2. If I am unable to be present at the meeting where my request is decided, I agree to accept the Notice of Decision by certified USPS.
- 3. Other information or applications may be required.

Signature: Team Boo / Jim Boo

Date: 01/18/2022

Print name: Jim Boo owner or authorized agent

RECEIVED

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

JAN 24 2022

Parcel # 28.031.1801

Permit# 22-0006

Land Use Management

PROPERTY OWNER INFORMATION

Last Name Edlund First James Email:
Street Address 111 West Trail Court Phone
City Cannon Falls State MN Zip 55009 Attach Legal Description as Exhibit "A"
Authorized Agent Phone
Mailing Address of Landowner: 111 W TRAIL CT CANNON FALLS MN 55009-1400
Mailing Address of Agent:

PROJECT INFORMATION

Site Address (if different than above): Parcel #28.031.1801
Lot Size 95.20 Acre Structure Dimensions (if applicable)
What is the conditional/interim use permit request for? Banquet hall and Veterans Memorial Park.
Written justification for request including discussion of how any potential conflicts with existing nearby land uses will be minimized
The use of the Veterans memorial park should not create any conflicts with neighbors. the use does not create much noise, dust, or other factors.

DISCLAIMER AND PROPERTY OWNER SIGNATURE

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

Signature of Landowner: James Edlund Date 1/18/2022 | 8:26 AM CST
Signature of Agent Authorized by Agent: Team Boo / Jim Boo 01/19/22

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 RECEIPT # 17517 DATE PAID 1/24/22

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:



10. Existing and proposed exterior lighting.

Parking lot lighting, and lighting for the Veterans Memorial park monuments.

11. Existing and proposed exterior signage.

Entrance monument at the road.

12. Existing and proposed exterior storage.

little to no exterior storage.

13. Proposed safety and security measures.

Building will be to all required state and local codes for fire safety.

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

Roads all sized as required per fire code, and will allow access for delivery trucks.

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

Little to non.

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

Extensive grading and landscaping to be done. Would like to finish site with parks, trails etc.

17. Existing and proposed surface-water drainage provisions.

Onsite ponding as required, site to be engineered.

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

Restaurant on site.

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

Depending on the event, outside vendors may be brought in. Food trucks, concession stands, etc.



# 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).

Construct a Veterans Memorial Park with monuments, banquet hall and other accommodations/ amenities.

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

No existing buildings on site. New buildings to consist of restaurant, banquet hall, and monument.

3. Proposed number of non-resident employees.

Unsure. During events there will be more staff. When it is just open to public there will be minimal.

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

Open almost 365 days a year to public, there will be events that can be held which will effect hours of operation.

5. Planned maximum capacity/occupancy.

100 - 10,000 depending on the event being hosted at the time.

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

Banquet hall will have dedicated loading bays for supplies. Staff parking area, and paved visitor parking.

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

Paved main parking areas. To include gravel overflow parking areas that will only get used for special events.

8. Proposed solid waste disposal provisions.

Dumpsters on site from local provider.

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

Discussing running utilities from Cannon falls. Otherwise Well and oversized septic.



### **Cannon Falls Veterans Memorial Park**

The Cannon Falls Veterans Memorial Park will be a special place to honor American Soldiers and remember those lost during war. The founder of the Veterans Memorial Park is former US Naval Officer Lieutenant Fong T Lor. Lieutenant Lor served 11 years flying F14 Tomcats off the USS America. Lieutenant Lor is passionate about building a Veterans Memorial Park in Cannon Falls, MN to give back and honor the sacrifice for American soldiers. The Memorial Park will be a gathering place where everyone can visit year round and honor the legacy and remember the American soldiers and their allies that have fought and served our country.

- *A proposed site plan for the property showing the building(s), parking areas/sizes of parking areas, location of memorial(s), location of the trails, etc.*

Attached

- *They would like to see a detailed narrative for the project, why you are pursuing this, what your business plans/goals are etc.*

Attached

- *I will need a professional survey of the property for the rezoning request*

Attached

- *Specific information on the needed grading, engineered plans or concepts, topographical surveys or other documents showing consideration is being given to best practices for grading*

We are at the beginning stages of planning. We do have topographical surveys attached, and are aware of how to best manage erosion, water drainage etc. We would like to get a little further along the approval process, or make sure this would be allowable before spending a large amount of money doing engineering.

- *I would have you specify the hours of operation for events by at least noting that events would conclude by midnight (or another specific time).*

Hours of operation will generally be 9am to 9pm unless there are special events. Hours may vary on weekends, for the restaurant or things of that nature, special events will be done by midnight.

- *Specific information on how noise will be kept at bay, this may mean concluding outdoor events at dark or only allowing outdoor events away from the dwellings to the west of the property.*

Noise shouldn't affect neighbors, closest neighbors would be over a quarter mile away. There may be Fourth of July fireworks or things of that nature, other than that noise should be minimal. Any outdoor music will be monitored, and would not be a "concert" setting so it will not be very loud.

- *I would want a specific number of employees, this is required for parking calculations, an estimate is fine at this point.*

Depending on hours of operation we can see 2-6 employees for general daytime use, and closer to 20 employees for events or during restaurant hours. Parking for employees will be behind the banquet hall area along with loading docs.

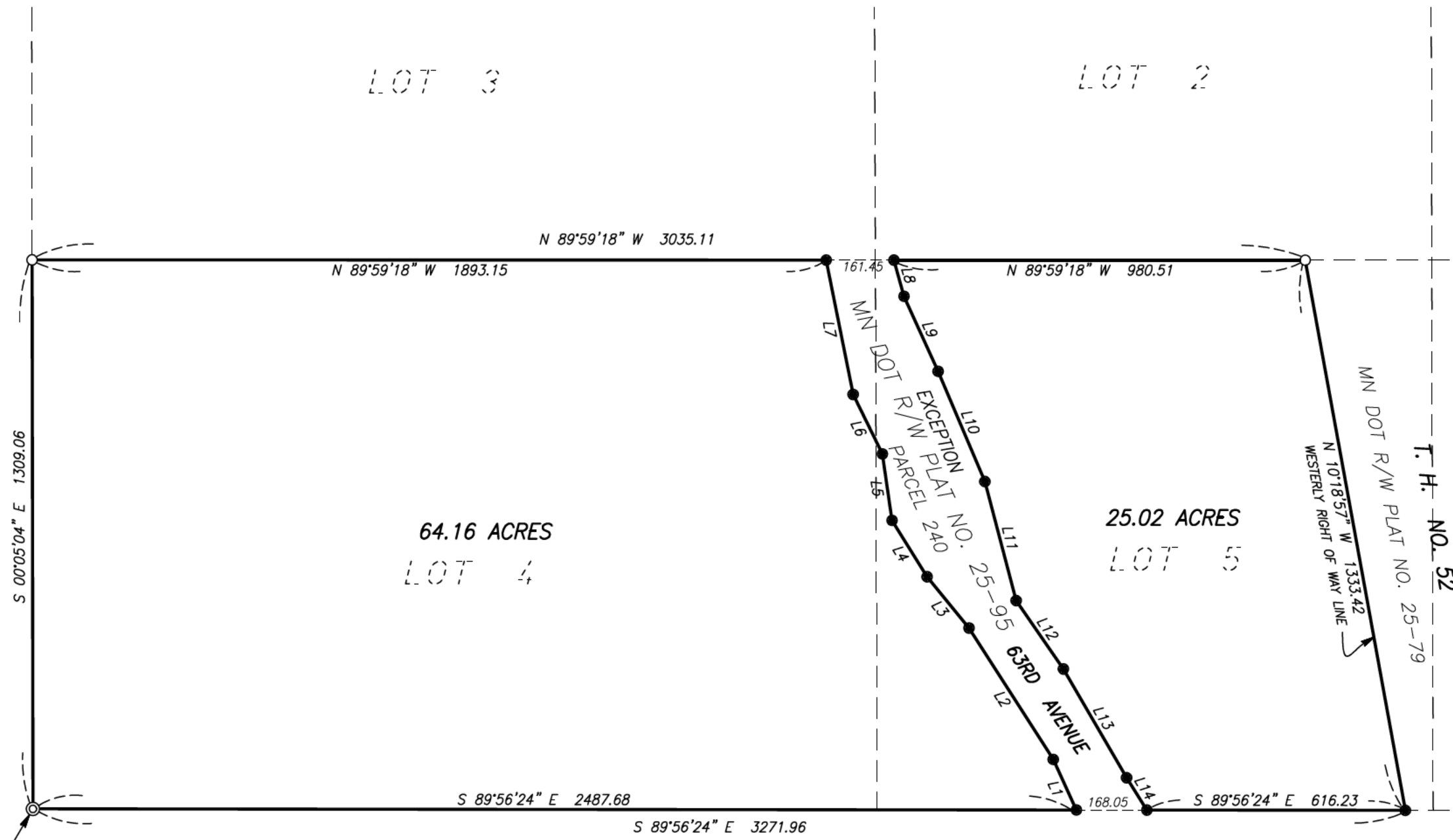
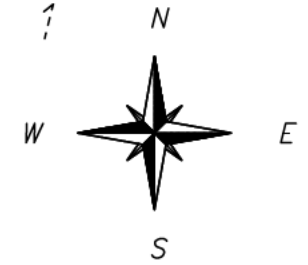
- *For security they will want to know whether the property will be always open, will there be a gated entrance to prevent people from coming at night? Will there be security cameras on-site?*

Video surveillance and lighting will be in place. A gate at the entrance would also be an option as well if required but has not been extensively planned at this point. We would like to keep the park as open and welcoming as possible, so a gate would not be ideal.

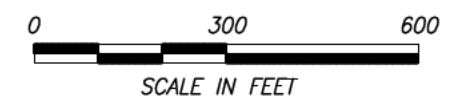
LOT 3

LOT 2

LOT 1



LINE	BEARING	DISTANCE
L1	N 24°34'51" W	132.60
L2	N 32°39'25" W	372.11
L3	N 39°16'58" W	158.08
L4	N 31°51'44" W	158.11
L5	N 08°14'17" W	160.22
L6	N 26°11'53" W	158.01
L7	N 11°20'13" W	326.81
L8	S 15°34'11" E	89.54
L9	S 24°27'05" E	196.63
L10	S 22°59'01" E	285.44
L11	S 14°42'17" E	293.53
L12	S 34°38'00" E	198.08
L13	S 30°10'03" E	300.17
L14	S 32°04'36" E	90.86



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

SW CORNER GOV'T LOT 4  
SEC. 31-T112N-R17W  
GOODHUE COUNTY MONUMENT

**CERTIFICATE FOR:**  
**JAMES EDLUND**  
**111 W TRAIL CT**  
**CANNON FALLS, MN 55009**

**LEGAL DESCRIPTION:**  
That part of Government Lots 4 and 5, Section 31, Township 112 North, Range 17 West, Goodhue County, Minnesota, lying westerly of the westerly right of way line of Minnesota Department of Transportation Right of Way Plat Number 25-79, according to the recorded plat thereof. EXCEPT Parcel 240, Minnesota Department of Transportation Right of Way Plat Number 25-95, according to the recorded plat thereof.  
Containing 89.18 acres, more or less.  
Subject to all easements and restrictions of record, if any.

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

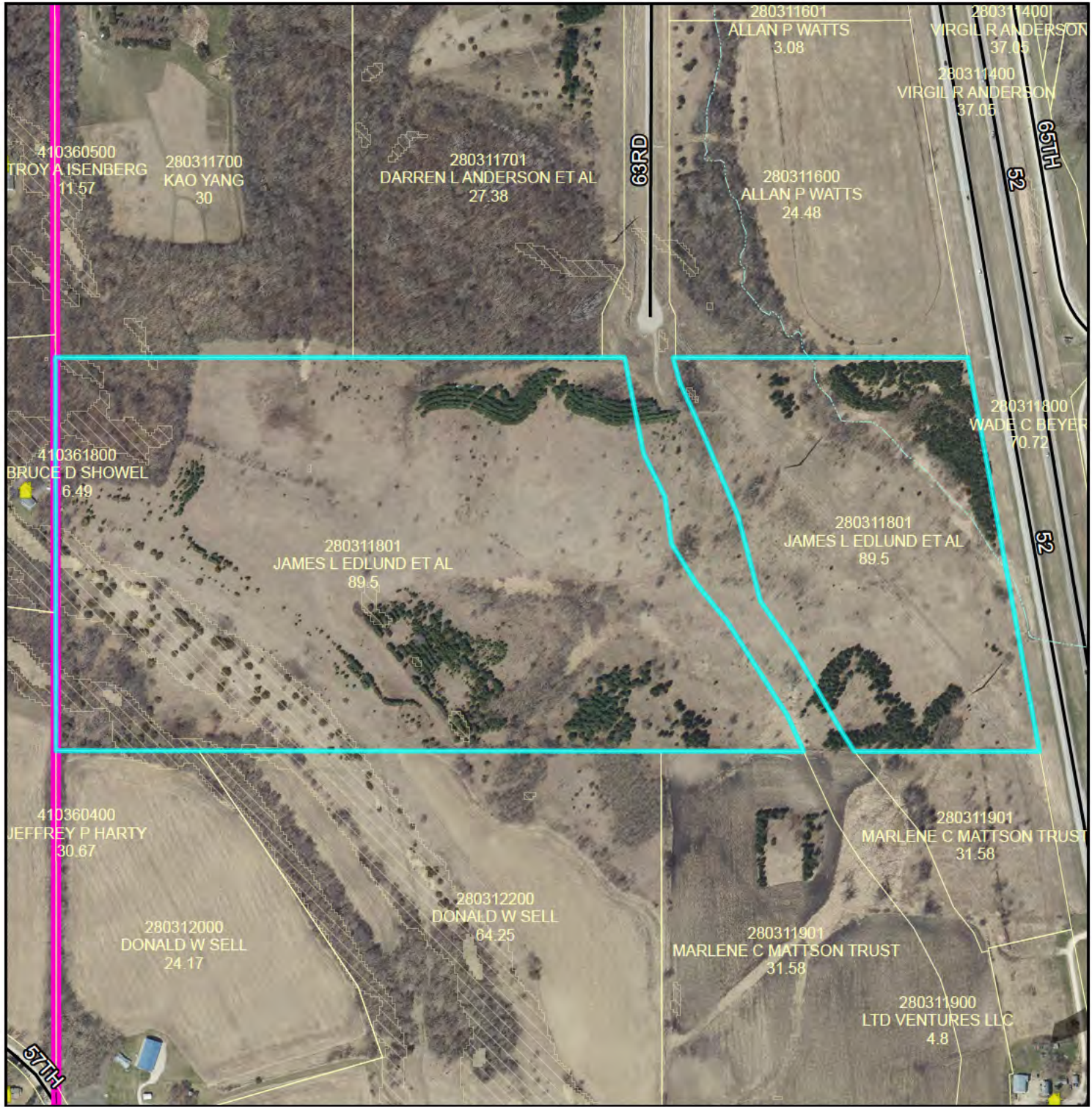
JANUARY 11, 2022     David G. Rapp  
Dated:                     David G. Rapp  
   Minnesota Registration No. 22044

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

DRAWN BY: DGR	DATE: 1-11-22	PROJECT NO. D21391
SCALE: 1"=300'	SHEET 1 of 1 sheet	BOOK/PAGE 51/16



# MAP 01: PROPERTY OVERVIEW



## Planning Advisory Commission

Public Hearing  
February 14, 2022

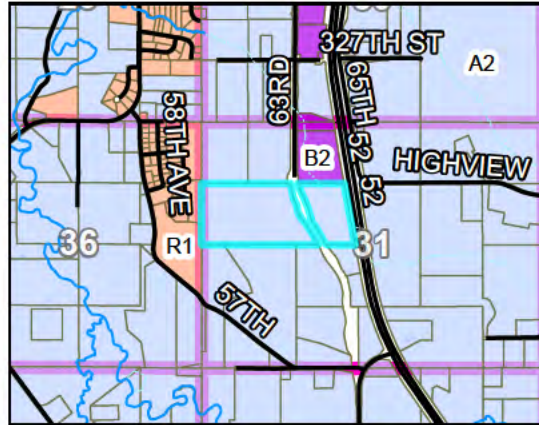
Cannon Falls Veteran's Memorial Park  
Jim Boo, Applicant and James Edlund,  
Owner

Request to rezone parcel 28.031.1801  
from A-2 to CR

Part of Govt Lots 4 & 5 Section 31 TWP  
112 Range 17 in Cannon Falls Township

### Legend

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

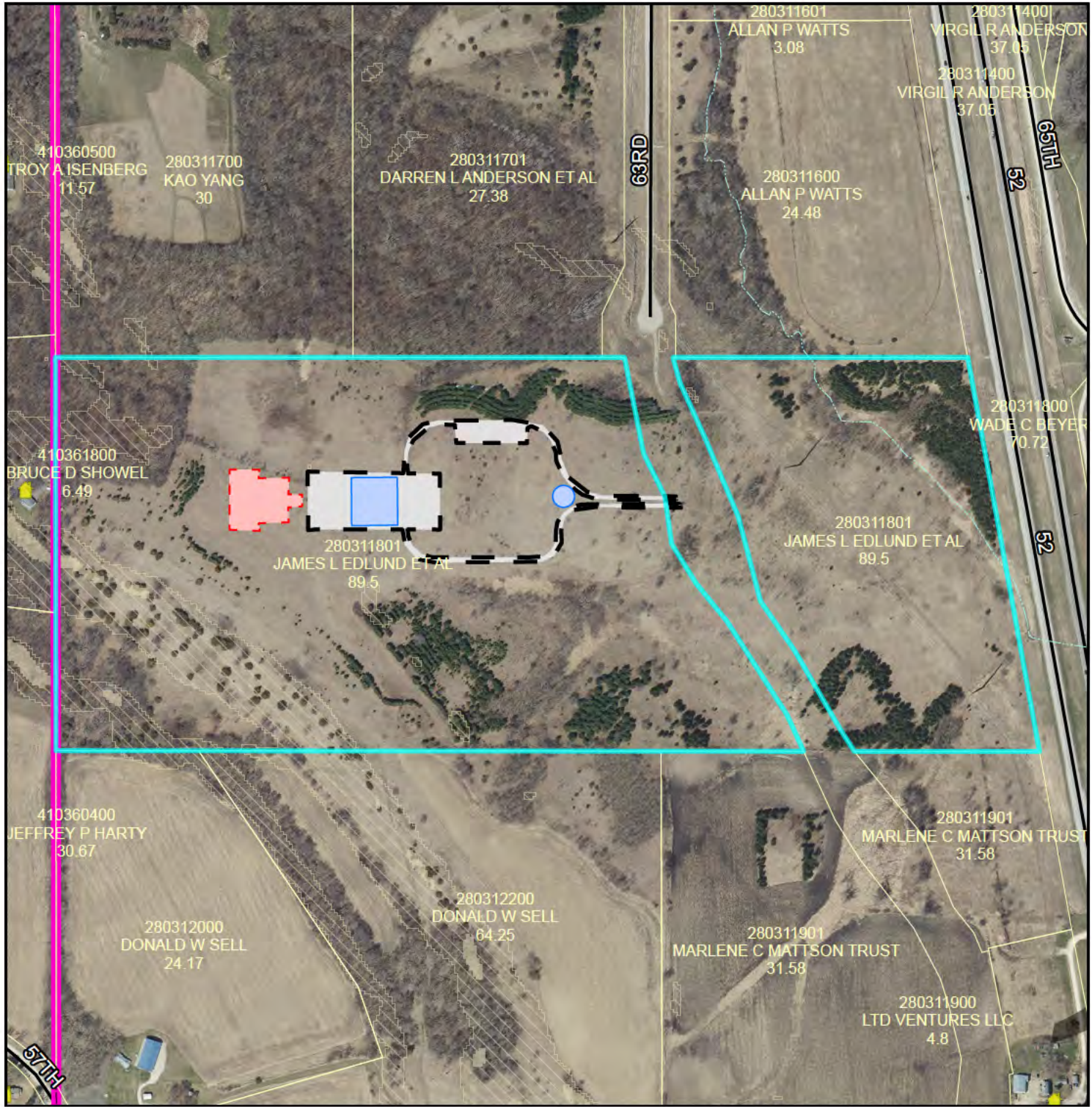


0 180 360 720 1,080 US Feet

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Map Created January, 2022 by LUM

# MAP 01: PROPERTY OVERVIEW



## Planning Advisory Commission

Public Hearing  
February 14, 2022

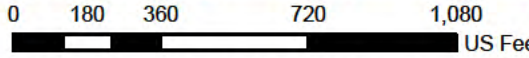
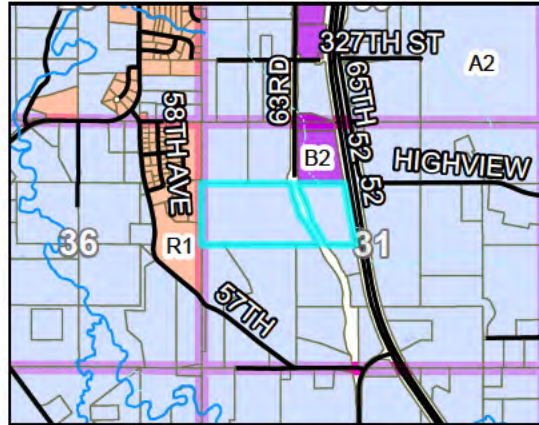
Cannon Falls Veteran's Memorial Park  
Jim Boo, Applicant and James Edlund,  
Owner

Request to rezone parcel 28.031.1801  
from A-2 to CR

Part of Govt Lots 4 & 5 Section 31 TWP  
112 Range 17 in Cannon Falls Township

### 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             |  |                              |

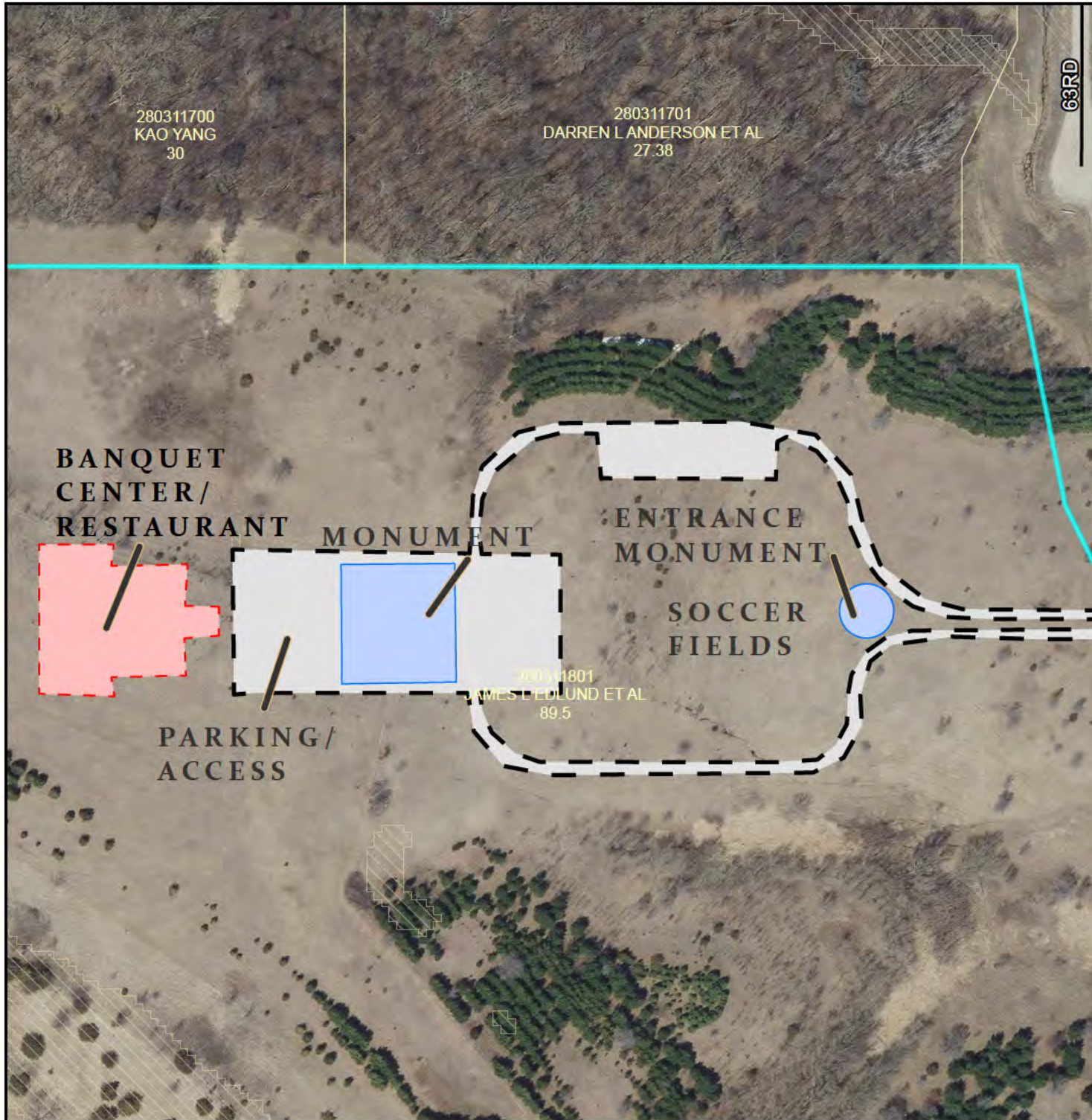


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Map Created January, 2022 by LUM



# MAP 01: PROPERTY OVERVIEW



## Planning Advisory Commission

Public Hearing  
February 14, 2022

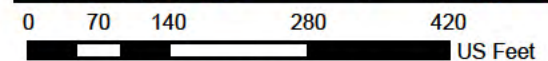
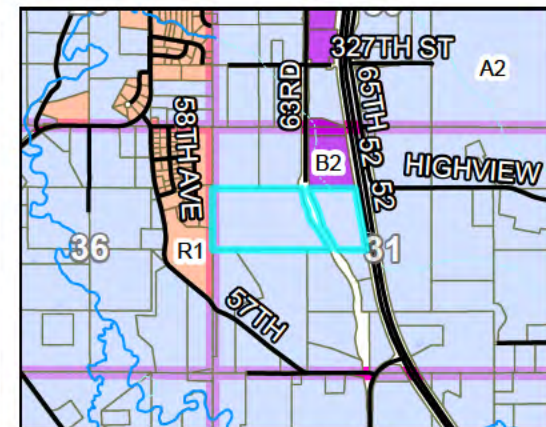
Cannon Falls Veteran's Memorial Park  
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Owner

Request to rezone parcel 28.031.1801  
from A-2 to CR

Part of Govt Lots 4 & 5 Section 31 TWP  
112 Range 17 in Cannon Falls Township

### 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

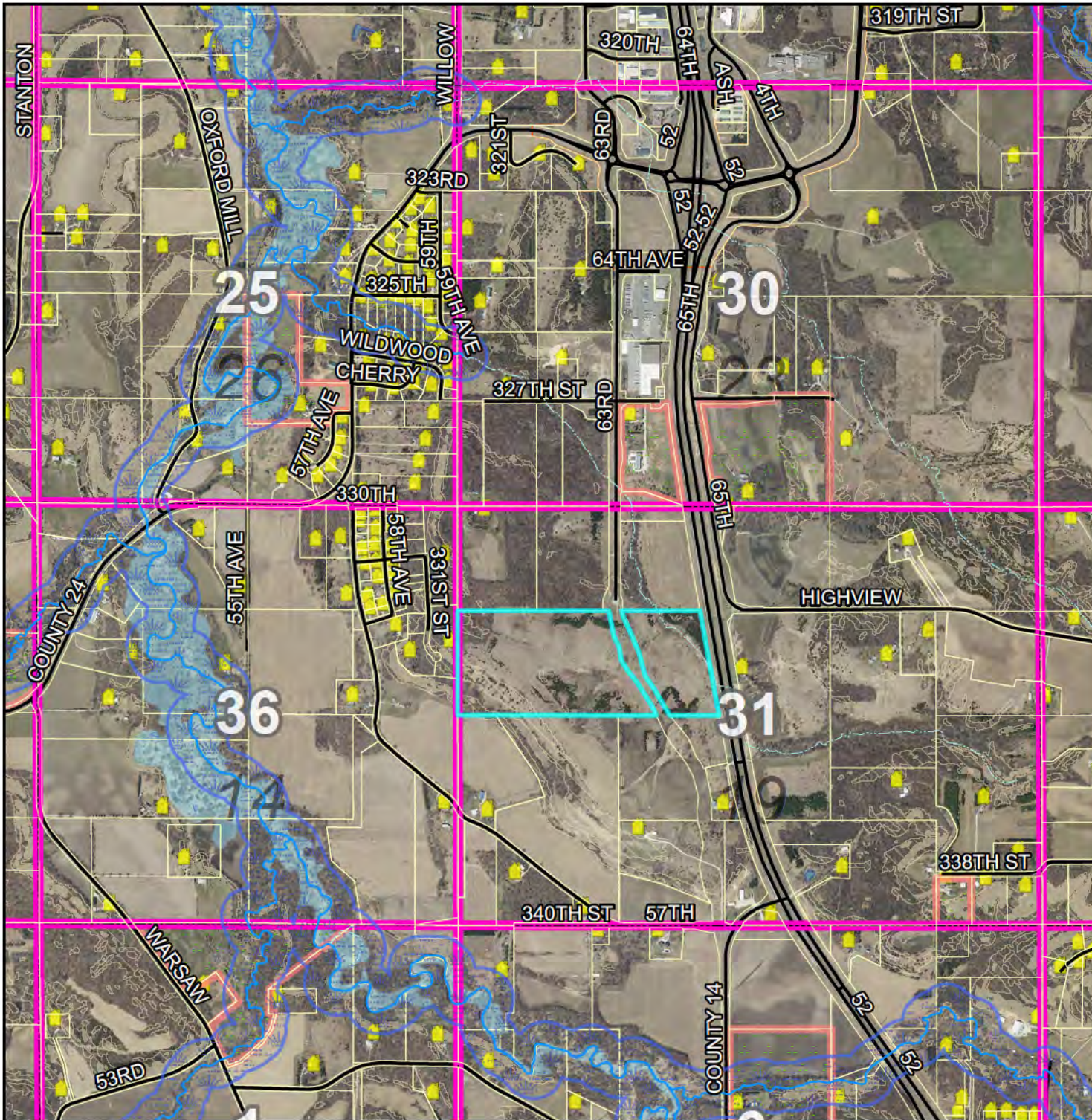


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Map Created January, 2022 by LUM



# MAP 02: VICINITY MAP



## BOARD OF ADJUSTMENT

Public Hearing  
February 14, 2022

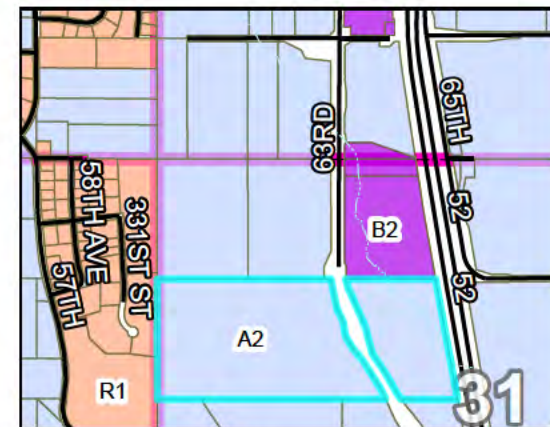
Cannon Falls Veteran's Memorial Park  
Jim Boo, Applicant and James Edlund,  
Owner

Request to rezone parcel 28.031.1801  
from A-2 to CR

Part of Govt Lots 4 & 5 Section 31 TWP  
112 Range 17 in Cannon Falls Township

### 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



0 500 1,000 2,000 3,000  
US Feet

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# MAP 03: ELEVATIONS



## BOARD OF ADJUSTMENT

Public Hearing  
February 14, 2022

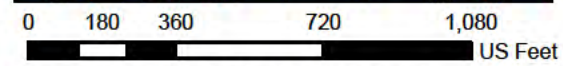
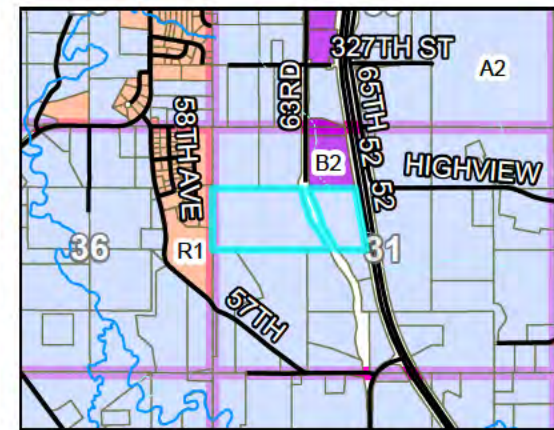
Cannon Falls Veteran's Memorial Park  
Jim Boo, Applicant and James Edlund,  
Owner

Request to rezone parcel 28.031.1801  
from A-2 to CR

Part of Govt Lots 4 & 5 Section 31 TWP  
112 Range 17 in Cannon Falls Township

### Legend

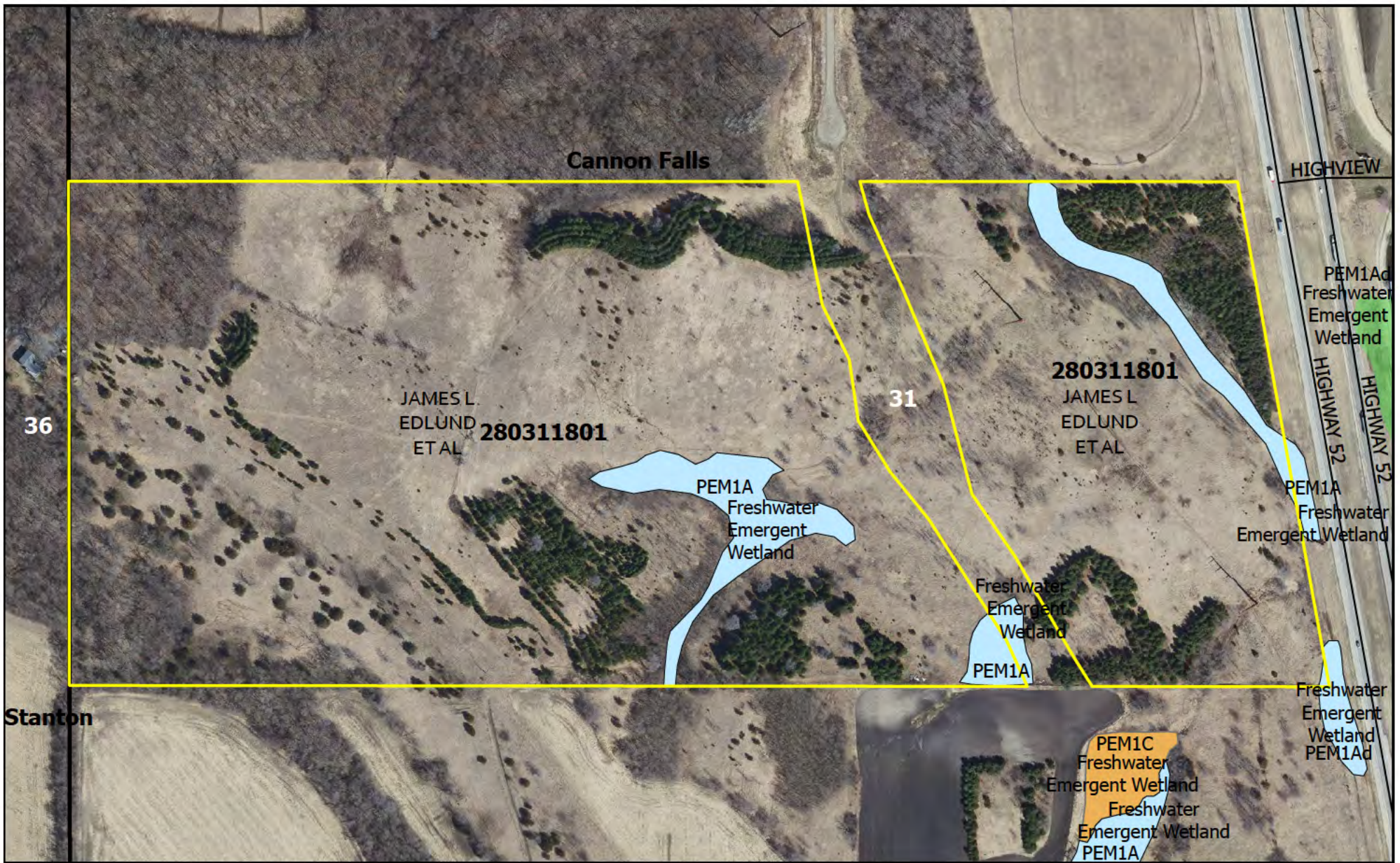
- |                            |                              |
|----------------------------|------------------------------|
| Intermittent Streams       | Bluff Impact Zones (% slope) |
| Protected Streams          | 20                           |
| Lakes & Other Water Bodies | 30                 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



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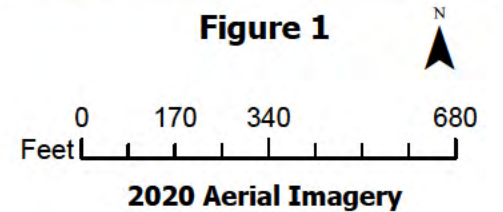


**James Edlund ETAL  
Cannon Falls Township, Section 31**

Hydic Soil Rating

- Partially Hydic
- All Hydic
- Parcel

**Figure 1**



This is for informational use only and not used for precise or construction measurements. Only informational.

# **ARTICLE 30 CR, COMMERCIAL RECREATIONAL DISTRICT**

---

## SECTION 1. PURPOSE

The intent of the CR Commercial Recreational District is to provide suitable locations for, and to encourage the development of, commercial recreation facilities in those areas of the county which benefit the recreational needs of both residents and tourists and restrict incompatible commercial and industrial uses. The Commercial Recreational District shall not be an overlay district, but shall be an exclusive district when used.

## SECTION 2. PERMITTED USES

Subd. 1. None.

## SECTION 3. CONDITIONAL USES AND INTERIM USES

All condition and interim uses are subject to zoning and building permits.

- Subd. 1. Resort facilities to include lodges, guesthouses, cabins and retreat facilities.
- Subd. 2. On-site taverns where the main function is servicing a resort or recreational development.
- Subd. 3. On-site restaurants where the main function is servicing a resort or recreational development.
- Subd. 4. Golf courses and clubhouses.
- Subd. 5. Dinner theaters.
- Subd. 6. Ski areas, ski jumps, related lifts, lodges, and maintenance facilities.
- Subd. 7. Yacht slips, service and storage marinas, harbor and docking facilities subject also to all approved regulations and ordinances of governmental agencies for the same.
- Subd. 8. Campgrounds and Recreational Vehicle sites.
- Subd. 9. Nature trails, snowmobile trails, ski trails, and similar facilities.
- Subd. 10. Museums and commercialized historical attractions.
- Subd. 11. Accessory uses to be determined through the CUP process.
- Subd. 12. Outdoor recreational uses including, but not limited to: zip lines, rope or disc golf courses and mountain bike trails.
- Subd. 13. Outdoor concert facilities.

## SECTION 4. GENERAL DISTRICT REGULATIONS

- Subd. 1. Maximum height limitations for structures and related facilities shall be determined through the CUP process.
- Subd. 2. Each lot or parcel shall have an area of not less than two (2) acres.
- Subd. 3. Structures shall meet the following setbacks:
- A. Front yard
    - 1. A front yard of not less than forty five (45) feet shall be provided as measured from the right-of-way line of any public road or highway.
    - 2. In the event any building is located on a lot at the intersection of two (2) or more roads or highways, such a lot shall have a front yard abutting each such road or highway.
  - B. Side and Rear Yard
    - 1. Side and Rear yards shall be a minimum of thirty (30) feet. However, livestock buildings shall be subject to a side and rear yard setback of one hundred (100) feet.
- Subd. 4. Lot Width. Each lot shall have a minimum width of one hundred (100) feet.

- Subd. 1 A separate license shall be required for each Assembly and each location in which 500 or more people assemble or can reasonably be anticipated to assemble.
- Subd. 2 A license shall permit the Assembly of only the maximum number of people stated in the license. The license shall not sell tickets to, nor permit to assemble at the licensed location more than the maximum permissible number of people.
- Subd. 3 This ordinance shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, County Parks or trails, or other similar permanently established place of assembly.
- Subd. 4 This ordinance shall not apply to fairs or other Assemblies held at the Goodhue County fairgrounds or “Breakfast at the Farm” events.
- Subd. 5 This ordinance may be required as part of other licenses, permits, ordinances, or regulation of Goodhue County.
- Subd. 6 If liquor is sold or distributed as part of the Assembly, the applicant must also obtain, or provide proof of, the appropriate liquor licenses or permits (including Caterer’s Permits) from the State of Minnesota and from Goodhue County.
- Subd. 7 This ordinance shall not apply to a family celebratory gatherings taking place entirely upon the premises of a family member.
- Subd. 8 Each license granted to an applicant under this Ordinance shall not be non-transferable.

## **SECTION 8. PROCEDURE**

- Subd. 1 Upon receipt of a completed application for a license to hold an actual or anticipated assembly of 500 or more persons, the County Board shall schedule a public hearing at a time and in a location to be prescribed. The public hearing may be continued from time to time and additional hearings may be held.
- Subd. 2 The County Board shall base its decision, including any conditions, on consideration of the elements contained in the information provided with the application, information gathered from the public hearing, and any additional information provided by the public or staff.

## **SECTION 9. APPLICATION**

- Subd. 1 As part of the application, the applicant shall provide information to address:
- A. The nature or purpose of the Assembly;
  - B. The dates and times in which the Assembly will occur;
  - C. The maximum number of tickets to be issued;
  - D. The maximum number of persons, including staff, which will be on the site during the Assembly dates and times.
- Subd. 2 As part of a completed application, the applicant shall submit a site map and provide plans for:
- A. enclosing the location of the assembly with a barrier of sufficient height and strength to prevent people in excess of the maximum permissible from gaining access to the grounds;
  - B. sound control of the Assembly not to exceed limits outlined in the Performance Standards of this ordinance;

- C. potable water supplies and locations of access;
- D. the number and location of sanitary facilities on the site; facilities shall meet all state and local specifications sufficient for the maximum number of people to be assembled at the rate of at least one toilet for every 150 persons;
- E. the management and disposal of solid waste generated on site;
- F. medical services on site for the duration of the Assembly;
- G. appropriate illumination of the location of the Assembly and the parking locations if the Assembly is to continue during hours of darkness;
- H. parking area size and location of lots, points of highway access, and interior roads including routes between highway access and parking lots;
- I. traffic control measures and surrounding routes adjacent to the site to be used to enter and exit the Assembly. Traffic control measures shall be based upon the Manual on Uniform Traffic Control Devices;
- J. onsite security services;
- K. fire protection services;
- L. food concessioners, including their license and permit numbers, who will be allowed to operate on the grounds for the Assembly;

## **SECTION 10. PERFORMANCE STANDARDS**

The performance standards established by this ordinance are designed to ensure that assemblies are conducted in a safe, sanitary manner.

- Subd. 1 The Assembly activity, excluding preparation or dismantling of the event, shall be limited to 10am through midnight on the dates of the event.
- Subd. 2 Signs for the Assembly shall be subject to the restrictions in the Goodhue County Zoning Ordinance regulating Temporary signs.
- Subd. 3 No on-street parking, or parking in a road right of way, is allowed.
- Subd. 4 Minimum parking shall be one (1) parking space for each four (4) people.
- Subd. 5 Overnight camping shall require a Conditional Use Permit according to the Goodhue County Zoning Ordinance.
- Subd. 6 Sound control of the Assembly shall not exceed the Noise Standards, Noise Area Classification 1, as defined in Minnesota Rules 7030.0040 and Minnesota Rules 7030.0050, at the property boundary of the location of the Assembly.
- Subd. 7 The activities must comply with all pertinent State and Federal registrations, permits, licensing, and regulations.
- Subd. 8 Prior to the Assembly event, the applicant shall provide a cash or irrevocable Letter of Credit in an amount to be determined by the County Board. The applicant shall indemnify and hold harmless Goodhue County or its agents, officers, servants, and employees from any liability or causes of action which

might arise by reason of granting this license, and from any cost incurred in cleaning up, removal, and disposal of any solid waste or other material produced or left by the Assembly.

- Subd. 9 The applicant shall file with the County Auditor, a Certificate of Insurance demonstrating/identifying that the applicant has obtained a policy of insurance in amount not less than one million dollars (\$1,000,000) for bodily injury or death of one person, and not less than one million dollars (\$1,000,000) for bodily injury or death of two or more persons in any one incident, and not less than one million dollars (\$1,000,000) for damage to property, insuring the applicant against liability for injury, death or property damage arising out of the Assembly.
- Subd. 10 For local authority or law enforcement contact purposes, a designated onsite Administrative Control Center shall be staffed by the applicant or its employees during the entire Assembly event. Contact information for Administrative Control staff, including names and telephone numbers, must be provided to the County one week prior to the Assembly.

#### **SECTION 11. ISSUANCE**

If a license is approved by the County Board, the license shall only be valid for the specified dates and any conditions as set forth in the license.

#### **SECTION 12. REVOCATION**

The license may be revoked by the County Board if any of the conditions required for the issuing of, or contained in the license are not in compliance, or if any condition previously met ceases to be in compliance.

Costs related to the enforcement or revocation of an issued license shall be assessed to the property on which the Assembly took place.

#### **SECTION 13. VIOLATIONS AND PENALTIES**

- Subd. 1 The provisions of this Ordinance may be enforced by injunction in any court of competent jurisdiction.
- Subd. 2 The holding of an Assembly in violation of any provision or condition contained in this Ordinance shall be deemed a public nuisance and may be abated as such.
- Subd. 3 In the event an applicant is found to have violated any term or condition upon which the applicant was granted a permit, the County may call the Letter of Credit. No portion of the Letter of Credit shall be released to the applicant until all provisions of the permit have been resolved to the satisfaction of the County.
- Subd. 4 Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, punished by a fine and, or by imprisonment in the County jail as prescribed by law.

#### **SECTION 14. EFFECTIVE DATE**

The effective date of this Ordinance shall be upon County Board approval and publication.

# 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:** February 14, 2022  
**Report date:** February 4, 2022

## **PUBLIC HEARING: CUP Amendment – Nate’s Garage LLC**

Request submitted by Nate Icaza (owner/operator) to amend CUP Z16-0009 to allow an agricultural equipment repair business to construct a building addition.

### **Application Information:**

Applicant: Nate Icaza (owner/operator)

Address of zoning request: 1471 310<sup>th</sup> ST Way Cannon Falls, MN 55009

Parcel(s): 41.017.1101

Abbreviated Legal: Part of the SE ¼ of the SW ¼ of Section 17 TWP 112 Range 18 in Stanton Township

Township Information: Stanton Township signed acknowledgment of the proposal on January 18, 2022.

Zoning District: A-2 (General Agriculture District)

### **Attachments and links:**

Application and submitted project summary

Z16-009 (existing CUP)

Site Map(s)

Goodhue County Zoning Ordinance (GCZO):

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

### **Background:**

The applicant (Nate Icaza) has operated Nate’s Garage LLC on the subject parcel since 2016. The business repairs various agricultural equipment and vehicles including light-duty trucks, tractors, trailers, lawnmowers etc. A repair business has been operating on this parcel since 1991 when then-owner Virgil Harvey received CUP approval from the County Board for a “commercial use primarily intended to serve the agricultural community” to repair farm equipment and diesel trucks.

Upon purchasing the property in 2016 Mr. Icaza applied to amend the original 1991 CUP to allow the repair of various types of equipment not permitted in the 1991 CUP. He is requesting to amend his existing CUP (Z16-009) to allow him to construct a 30-foot x 65-foot building addition to accommodate taller vehicles.

### **Goodhue County Zoning Ordinance: Article 4 Conditional/Interim Uses**

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



## **Project Summary:**

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

- The subject property consists of a single parcel comprising approximately 2.05-acres.
- The parcels to the north, west, and east are zoned A-2 (General Agriculture District). Land to the south in section 20 of Stanton Township is zoned A-1 (Agriculture Protection District). Adjacent land uses include forested areas and row crop agriculture among medium-density residential. The nearest residence north of the subject property on parcel 41.017.1100 is owned by the Applicant.
- The applicant intends to construct a 30-foot by 65-foot structure addition on the north side of his existing building to accommodate up to 3 tractor/trailer combos and other taller vehicles for repairs. The existing structure is the only building on the parcel with additional land used for a parking area.

The proposed addition would need to meet the minimum structure setback of 30-feet from the west property line as required by the ordinance. If the addition will be closer than 30-feet from the west property line a variance would also need to be approved by the County Board of Adjustment.

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

- No plumbing will be installed in the addition. The property currently does not have a well or septic system on-site.
- Solid waste disposal services are provided by a local professional business. Any hazardous wastes are disposed of properly.
- The property has existing exterior lighting, no additional lighting is proposed to be installed with this proposal.
- Vehicles are stored outdoors on an existing paved parking area. The Applicant has indicated the asphalt parking area may be expanded in conjunction with this project. An addition to the paved area of the site should be reviewed by the Goodhue Soil and Water Conservation District to ensure appropriate best management practices are used for runoff.
- There is some noise generated by the repair activities on-site. The noise is limited to the business hours and the sounds generated are not uncharacteristic of similar industrial-agricultural activities in the immediate vicinity.

### **Business Information:**

- The main activity on site is the repair of various vehicles and agricultural equipment. Business operations would be relatively unchanged with the proposed expansion.
- Primary hours of operation are year-round, Monday through Friday from 8:00 AM to 5:00 PM.
- The Applicant operates the business with the assistance of one employee. No additional employees are proposed.
- Parcel access is located off of 310<sup>th</sup> Street Way (aggregate surface) on the south end of the property. No additional traffic is proposed to be generated with the proposal. Adequate emergency vehicle access is available to service the facility.
- Ample space exists on the property to accommodate parking requirements.
- A review of the property record found no complaints regarding the business since the Applicant began operations in 2016.

### **Drainage/Landscaping:**

- The site has minor topographic relief with slopes ranging from 0-3% in the project area. Land east and west of the structure are steeper with slopes over 20%, these areas will not be impacted by the proposed project.
- The Applicant has proposed to increase the paved area of the property in conjunction with the project. Any additional paving should be reviewed by the County SWCD to ensure proper best

management practices are used to avoid erosion and ensure proper drainage.

**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 structure addition does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted, nor would it substantially diminish and impair property values in the immediate vicinity. The surrounding area is primarily forest and row crop agriculture land and the existing vegetation effectively screens the use from the nearest residential properties and public roads.
2. The proposed structure expansion is not anticipated to impede the normal and orderly development or improvement of surrounding vacant property for uses predominant to the area. The proposal does not appear incompatible with adjacent agricultural land uses.
3. A review of the Applicant's submitted project summary indicates adequate utilities, access roads, drainage, and other necessary facilities are available to accommodate the proposed use.
4. The facility has ample room to provide sufficient off-street parking and loading space to serve the use and meet the Goodhue County Zoning standards.
5. The submitted plans detail adequate measures to prevent or control offensive odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. There is little dust generation on the site given the limited traffic and presence of paved areas and the noises generated from the business are not uncharacteristic from other agricultural operations in the vicinity.

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

**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend the County Board of Commissioners **APPROVE** the request submitted by Nate Icaza (owner/operator) to amend CUP Z16-009 to allow an existing agricultural equipment repair business to construct a 30-foot x 65-foot building addition. This amendment shall revoke and replace CUP Z16-009.

Subject to the following conditions:

1. The expansion shall be constructed according to submitted plans, specifications, and narrative unless modified by a condition of this CUP;
2. The applicant shall obtain Building Permit approvals from the Goodhue County Land Use Management Department prior to constructing the addition;
3. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 22 (General Agriculture District);
4. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations.
5. All exterior parking of vehicles shall be conducted in an orderly fashion on the property. No on-street parking or loading is permitted.

RECEIVED

GOODHUE COUNTY CONDITIONAL/INTERIM USE PERMIT APPLICATION

JAN 24 2022

Parcel # 41-017, 1101

Permit Z22-0008

PROPERTY OWNER INFORMATION

Land Use Management

Last Name FCAZIA First NATE Email:

Street Address 30903 Hwy 56 Blvd

City Cannon Falls State MN Zip 55009 Attach Legal Description as Exhibit "A"

Authorized Agent Phone

Mailing Address of Landowner:

Mailing Address of Agent:

PROJECT INFORMATION

Site Address (if different than above): 1471 310A St Way Cannon Falls MN 55009

Lot Size 2.05 ACRES Structure Dimensions (if applicable) 30x65

What is the conditional/interim use permit request for? Tractor/Trailer Repair

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

no conflicts

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 1-18-22

Signature of Agent Authorized by Agent:

TOWNSHIP INFORMATION

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

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

Signature [Signature]

Title Stanton Township Chairperson

Date 1-18-22

Comments:

COUNTY SECTION

COUNTY FEE \$350

RECEIPT # 17518

DATE PAID 1-24-22

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).

*would need to add on for tractor/trailer repairs - need 16 ft. ceilings*

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

*continue with same operations*

3. Proposed number of non-resident employees.

*1*

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

*8-5 M-F*

5. Planned maximum capacity/occupancy.

*3 tractor/trailer combos*

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

*no different*

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

*none*

8. Proposed solid waste disposal provisions.

*same as previous*

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

*same as previous*

10. Existing and proposed exterior lighting.

*Same as previous*

11. Existing and proposed exterior signage.

*Same as previous*

12. Existing and proposed exterior storage.

*Same as previous*

13. Proposed safety and security measures.

*Same as previous*

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

*Same as previous*

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

*idling tractors*

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

*possible extension of asphalt in parking lot*

17. Existing and proposed surface-water drainage provisions.

*Same as previous*

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

*None*

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

WHEREAS, Nate Icaza –Patrick O’leary have submitted an application for an amendment to a Conditional Use Permit for an Ag. Equipment Repair Shop, a commercial use primarily intended to serve the agricultural community on parcel in A-2 Zoned District.

Address of zoning request: 30903 Hwy 56 Blvd Cannon Falls, MN 55009

Parcel No: 41.017.1101 (split from 41.017.1100 in 2016)

Brief Legal Description: Twp-112 Range-18 PT OF SE1/4 of the SW 1/4 of Sect-17), Stanton Township, Document #432681)

The project plans have been reviewed with reference to the Goodhue County Zoning Ordinance. The Interim Use Permit application was considered by the Goodhue County Planning Advisory Committee at a public hearing on Monday, February 08, 2016 and the request was considered at a public meeting by the Goodhue County Board of Commissioners on Tuesday, March 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 to properties within a quarter mile of the site.

**NOW, THEREFORE, BE IT RESOLVED:**

The County Board accepts into the record the PAC report, PAC record, and based on the findings of fact, application, testimony, exhibits, and other evidence presented, the County Board grants the Conditional Use Permit for commercial use primarily intended to serve the agricultural community on parcel 41.017.1100 in A-2 Zoned District (Twp-112 Range-18 PT OF SE1/4 of the SW 1/4 of Sect-17), in Stanton Township with an amendment to the existing CUP for Agricultural Equipment repair to include, but not limited to:

1. Light duty trucks
2. Farmer’s vehicles
3. 4 wheelers
4. Lawn mowers
5. Tractors
6. Trailers
7. And any equipment utilized for a standard farm operation

Subject to the following conditions:

1. Conformance with the application submitted to Goodhue County Land Use Management Office January 2016.
2. Compliance with all necessary state and federal permits and licensing.
3. Compliance with Goodhue County Zoning Ordinance Article 11
  - a. SECTION 8. DUMPING AND DISPOSAL OF RUBBISH
  - b. SECTION 9. EXTERIOR STORAGE OF AUTOMOBILES
4. Any business related exterior parking of vehicles (subject to Article 11, Section 9 as noted above) must be managed in an orderly fashion and conducted within the boundaries of the property with no on street parking permitted.
5. No traffic shall be generated by the business beyond that which is reasonable and normal for the area in which it is located.
6. Only one non-illuminated sign not to exceed sixteen (16) square feet in area shall be allowed in conjunction with the business.
7. The owners will cooperate with inspections of the facility in coordination with Land Use staff

Date signed: 3-16-2016

  
\_\_\_\_\_  
Dan Rechtzigel, 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 )

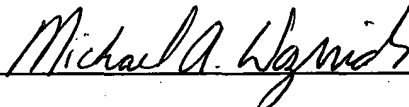
) ss.

LAND USE MANAGEMENT DEPARTMENT

COUNTY OF GOODHUE )

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 7<sup>th</sup> day of April, 2016.

  
\_\_\_\_\_

Planner/Zoning Administrator, Goodhue County

(SEAL)

Drafted by:

Goodhue County Land Use Management Department

509 West Fifth Street

Red Wing, MN 55066

# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

Public Hearing  
February 14, 2022

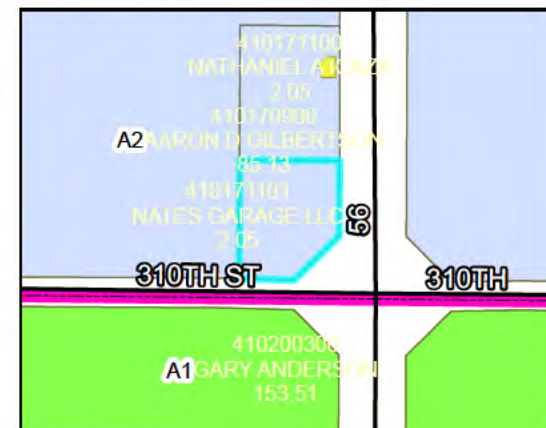
Nate Icaza (Owner/Operator)  
A2 Zoned District

Part of the SE 1/4 of the SW 1/4  
of Section 17 TWP 112 R18 in  
Stanton Township

Request for CUP Amendment to allow  
construction of a building addition to  
allow for repair of tractor/trailers.

### Legend

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



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# MAP 02: VICINITY MAP



## PLANNING COMMISSION

Public Hearing  
February 14, 2022

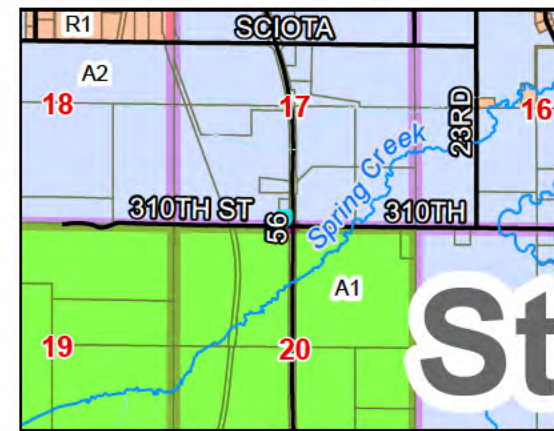
Nate Icaza (Owner/Operator)  
A2 Zoned District

Part of the SE 1/4 of the SW 1/4  
of Section 17 TWP 112 R18 in  
Stanton Township

Request for CUP Amendment to allow  
construction of a building addition to  
allow for repair of tractor/trailers.

### Legend

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



0 135 270 540 810 US Feet

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# MAP 03: ELEVATIONS



## PLANNING COMMISSION

Public Hearing  
February 14, 2022

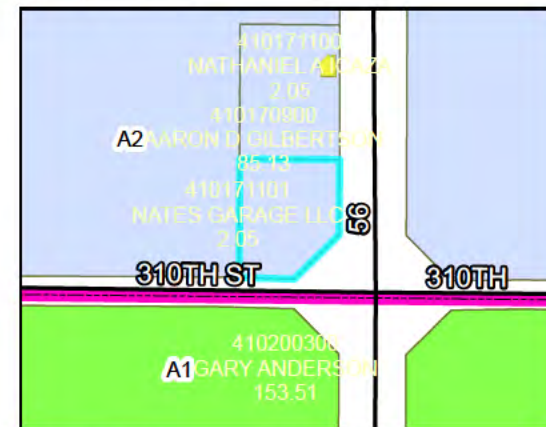
Nate Icaza (Owner/Operator)  
A2 Zoned District

Part of the SE 1/4 of the SW 1/4  
of Section 17 TWP 112 R18 in  
Stanton Township

Request for CUP Amendment to allow  
construction of a building addition to  
allow for repair of tractor/trailers.

### Legend

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



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