



# Goodhue County

## Minnesota

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

6:00 PM Call Meeting To Order

Approval Of Current Agenda

Approval Of Previous Month's Meeting Minutes

1. May 15, 2023 DRAFT PAC Meeting Minutes

Documents:

[MINUTES\\_DRAFT\\_MAY\\_2023.PDF](#)

Conflict/Disclosure Of Interests

Public Hearings:

1. PUBLIC HEARING: Request For Map Amendment (Rezone)  
Request, submitted by Connie Bodeker (Owner) to rezone 46.89 acres from A-2 (General Agriculture District) to R-1 (Suburban Residence District). Parcel 28.031.1201. TBD 338th Street Way Cannon Falls, MN 55009. Part of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 31 TWP 112 Range 17 in Cannon Falls Township.

Documents:

[PACPACKET\\_BODEKER\\_REDACTED.PDF](#)

2. PUBLIC HEARING: "McNamara Hay Creek Farm" Preliminary And Final Plat Review  
Request submitted by Richard McNamara (Owner) for Preliminary and Final Plat review of the proposed McNamara Hay Creek Farm Plat comprising approximately 96.24 acres. Parcels 34.019.0300 and 34.020.1600. Old Church Road Red Wing, MN 55066. The S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  and part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 19 TWP 112 Range 14 and part of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 20 TWP 112 Range 14 all in Hay Creek Township. A-2 Zoned District.

Documents:

[PACPACKET\\_MCNAMARA\\_REDACTED.PDF](#)

3. PUBLIC HEARING: "Kolshorn Ridge Second" Preliminary And Final Plat Review  
Request submitted by Ryan and Christyn Tipcke (Owners) for Preliminary and Final Plat review of the proposed Kolshorn Ridge Second Plat comprising approximately 21.36 acres. Parcels 34.125.0010, 34.125.0020, 34.019.2802, 34.125.0011 and 34.030.0300. TBD Kolshorn Road Red Wing, MN 55066. Lot 1 Block 1 and Outlot A of the Kolshorn Ridge Addition, Part of the S ½ of the SE ¼ Section 19 TWP 112 Range 14 and Part of the N ½ of the NE ¼ of Section 30 TWP 112 Range 14 all in Hay Creek Township. A-2 Zoned District.

Documents:

[PACPACKET\\_TIPCKE\\_REDACTED.PDF](#)

4. PUBLIC HEARING: Consider Goodhue County Zoning Ordinance Updates  
Proposed amendments to Article 10 (Definitions), Article 11 (Performance Standards), and Article 20 (Table of Uses) to amend definitions for Farm and Agricultural Operation, add a definition for Rural Tourism, remove Non-Agricultural Uses Associated with Agri-Tourism and replace with Rural Tourism, amend performance standards and the Table of Uses to correlate with the addition of Rural Tourism.

Documents:

[PACPACKET\\_ORDINANCEREVISIONS.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 ADVISORY COMMISSION  
GOODHUE COUNTY, MN  
May 15, 2023 MEETING MINUTES  
**DRAFT**

---

The meeting of the Goodhue County Planning Advisory Commission was called to order at 6:00 PM by Vice-Chair Richard Nystuen at the Goodhue County Government Center in Red Wing.

**Roll Call**

Commissioners Present: Tom Gale, Richard Miller, Darwin Fox, Marc Huneke (arrived at 6:03 PM), Howard Stenerson, Richard Nystuen, and Todd Greseth.

Commissioners Absent: Chris Buck

Staff Present: Land Use Director Lisa Hanni, Zoning Administrator Samantha Pierret, and Zoning Administrative Assistant Patty Field.

**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 Greseth; seconded by Commissioner Miller to approve the previous month's meeting minutes.

**Motion carried 6:0**

**3. Conflict/Disclosure of Interest**

There were no reported conflicts/disclosures of interest.

**4. Public Hearings**

**PUBLIC HEARING: Request for CUP for a Non-Agricultural Use Associated with Agri-Tourism (Wedding and Event Center)**

Request for CUP submitted by James Goplen (Owner) to establish a wedding and event center with a proposed maximum occupancy of 299 guests. Parcel 40.022.0600. 49540 158<sup>th</sup> AVE Pine Island, MN 55963. The NE ¼ of the SE ¼ of Section 22 TWP 109 Range 16 in Roscoe Township. A-1 Zoned District.

*Pierret presented the staff report and attachments.*

*Commissioner Gale asked if they need a permit from Roscoe Township for the proposed use.*

*Pierret stated the Township reviewed the request and signed the acknowledgment. However, they do not need a separate permit from them.*

PLANNING ADVISORY COMMISSION  
GOODHUE COUNTY, MN  
May 15, 2023 MEETING MINUTES  
**DRAFT**

---

### **Vice-Chair Nystuen Opened the Public Hearing**

*Pierret summarized a letter received from an attorney for a neighboring property owner in opposition to the request based on some of the zoning definitions. They do not feel this fits in an A-1 district. There are also concerns about the safety of the road, dust control, and things of that nature. A copy has been provided to the Applicant, was emailed to the commissioners and a hard copy was at each commissioner's chair tonight. This letter should be entered into the record.*

*John Giesen, an attorney representing David Bye (neighboring property owner), stated that the language of the Ordinance should apply. This is not a non-agricultural use associated with agricultural tourism, this is simply a non-agricultural use.*

*David Bye, 50130 158<sup>th</sup> Avenue, Pine Island. He is south of the property in question, towards County Road 11. He stated this will negatively affect his family. There will be high traffic and his feedlot is close to the road. Events with alcohol will be a big liability to his family. If someone hits the fence and livestock gets out and someone hits an animal, he would be liable, even though he did not even know the fence was broken. Crossing the road with more traffic would be dangerous. He is on that road constantly in the summertime. He doesn't want to see anyone get hurt.*

*Mr. Bye read a letter from his son, Eric Bye. He is concerned for safety due to the large equipment they use with the additional traffic on the road. Mr. Bye provided some pictures and the letter for the record.*

*Dennis Kohlgagen, 50117 158<sup>th</sup> Avenue, Pine Island, stated they just built their forever home. They did some research before purchasing the property and chose this location knowing there would not be any large commercial properties nearby that would increase the traffic flow in the area. His concern is the traffic. The road is not meant for a lot of traffic. They would never have built their house where they did if they had known that a business, including serving alcohol, would be just down the road.*

*Mr. Goplen (Owner/Applicant) stated that this road does go in both directions. Not everybody has to come past their places. He has some good friends who farm on the other side of Pine Island where the Pondview Event Center is located. That facility is on a dead-end road and everyone has to go past the farm and they have not had any problems.*

**3After Vice-Chair Nystuen called three times for comments it was moved by Commissioner Stenerson and seconded by Commissioner Huneke to close the Public Hearing.**

**Motion carried 7:0**

*Hanni stated that it sounds like one of the biggest concerns is the safety of the road. She questioned whether the applicant and the Board would consider that event traffic must be routed from 158<sup>th</sup> AVE north to 490<sup>th</sup> AVE then east to County 43 BLVD and then they could*

**PLANNING ADVISORY COMMISSION  
GOODHUE COUNTY, MN  
May 15, 2023 MEETING MINUTES  
DRAFT**

head south to County 11 BLVD. They could direct traffic that way to avoid all of the hills and farm equipment that was brought up.

Commissioner Stenerson said that traffic signs may or may not work. His concern is safety and A-1 protection. The CUP goes with the land, so when the land is sold, the CUP is still valid. He has a problem supporting this in an A-1 District.

Commissioner Miller indicated that he has a farm close to the Pondview Event Center and has not had any issues at all with the traffic pattern during harvest or planting. He does not see that as a major issue. He also mentioned that an Interim Use Permit could be issued rather than a CUP. The IUP does not go with the land so in the event the land was sold, the IUP would become invalid at that time.

Commissioner Greseth said if they were building a new building, he would be against the request. However, the Applicant has an existing building and he does not see that much of a change.

Commissioner Gale asked what if, in the future, they want to add another high-density hog barn.

Commissioner Greseth stated that having the event center is not going to change the 1000-foot setback required from Feedlots.

Commissioner Stenerson said the 1000-foot setback is the minimum setback. There is also the odor offset distances and farming operations keep expanding. The more animal units, the further that offset distance needs to be which is an issue. It isn't just 1000 feet from the venue, it is 1000 feet plus whatever the odor offset would be. We are potentially restricting a feedlot expansion in what has become one of the big profit centers of agriculture that we are trying to protect.

Commissioner Greseth stated that the farm site is already established so whatever they are doing there is not going to change anybody else's setbacks coming in. If they were proposing to add housing units, that does change that 1000-foot setback and that is going to restrict your animal units.

**4It was moved by Commissioner Miller and seconded by Commissioner Greseth for the Planning Advisory Commission to:**

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

Recommend the County Board of Commissioners **APPROVE** the request from James Gopen to establish a wedding/event facility with a maximum occupancy of 299 guests. Subject to the following conditions:

**PLANNING ADVISORY COMMISSION  
GOODHUE COUNTY, MN  
May 15, 2023 MEETING MINUTES  
DRAFT**

1. Activities shall be conducted according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. Hours of operation shall be year-round Fridays and Saturdays from 8:00 AM to midnight and Sundays from 8:00 AM to 10:00 PM;
3. Maximum occupancy shall be limited to 299 guests per event;
4. On-street loading, off-loading, and parking shall be prohibited;
5. All exterior signage located on the property must follow Goodhue County Zoning Ordinance Article 11 Section 17 (sign Regulations);
6. Applicant shall obtain Building Permit approval for change-of-use of an existing structure prior to establishing the use;
7. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
8. Compliance with Goodhue Counting Zoning Ordinance including, but not limited to, Article 11 Section 30 Non-Agricultural Uses Associated with Agricultural Tourism and Article 21 Agricultural Protection District;
9. This IUP shall expire upon the sale of the property; and
10. Event traffic shall be routed along 158<sup>th</sup> Avenue north of the site to 490<sup>th</sup> Street. Maps shall be provided to guests and the route shall be clearly posted with signs.

*Commissioner Fox thinks that re-routing traffic is important due to the hills and curves on 158<sup>th</sup> Avenue in the wintertime.*

*Commissioner Stenerson asked if the Township was liable if a Township road became a safety issue.*

*Hanni stated that it is the responsibility of the Townships to maintain its roads.*

**Motion carried 5:2 (Commissioner Stenerson and Commissioner Gale opposed)**

**PUBLIC HEARING: Request for CUP for a Contractors Yard (L&L Trucking of Mazeppa Inc.)**

Request for CUP submitted by Luke Luhman (Owner/Operator) to allow a Contractors Yard for parking and storage of trucks as part of L&L Trucking of Mazeppa Inc. Parcel 47.014.0201. 42107 228<sup>th</sup> AVE Mazeppa, MN 55956. Part of the NW 1/4 of the NE 1/4 of Section 14 TWP 110 Range 15 in Zumbrota Township. A-1 Zoned District.

*Pierret presented the staff report and attachments.*

*Commissioner Stenerson asked if there had been any complaints.*

*Pierret said not from any of their neighbors.*

**Vice-Chair Nystuen Opened the Public Hearing**

*No one spoke for or against the request.*

**5After Vice-Chair Nystuen called three times for comments it was moved by Commissioner Stenerson and seconded by Commissioner Huneke to close the Public Hearing.**

**Motion carried 7:0**

**PLANNING ADVISORY COMMISSION  
GOODHUE COUNTY, MN  
May 15, 2023 MEETING MINUTES  
DRAFT**

*Commissioner Stenerson indicated that this is not incompatible because farms all use machinery. We may want to consider this as an IUP so it follows the ownership of the property and expires with the sale of the land.*

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

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

Recommend the County Board of Commissioners **APPROVE** the request submitted by Luke Luhman (owner/operator) for a Contractors Yard.

Subject to the following conditions:

1. The Contractors Yard shall be constructed according to submitted plans, specifications, and narrative unless modified by a condition of this IUP;
2. Compliance with Goodhue County Zoning Ordinance including, but not limited to, Article 21 (Agricultural Protection District) and Article 11 Section 33 (Contractors Yards);
3. Compliance with all necessary State and Federal registrations, permits, licensing, and regulations;
4. No on-street parking, loading, or off-loading permitted; and
5. This IUP shall expire upon the sale of the property.

*There was discussion as to whether a 5<sup>th</sup> condition requiring that no hauled materials be stored on-site should be added. Commissioner Stenerson indicated that we do have junk ordinances to deal with those situations.*

**Motion carried 7:0**

**Other Discussion**

Discussion of Ordinance Amendments (Rural Tourism) continued.

*Pierret stated that a map of the county and the agricultural tourism, wedding venues, orchards, etc. were included in the packets. Anything that she could find with a quick Google search are shown and the zoning districts those are in. Also included were some proposed definitions and wording for Rural Tourism and Agricultural Operations with some language suggestions incorporated. A CUP ends after the operation ceases to exist for a year or more.*

**7ADJOURN: Motion by Commissioner Fox and seconded by Commissioner Miller to adjourn the Planning Commission Meeting at 7:04 p.m.**

**Motion carried 7:0**

Respectfully Submitted,

Patty Field, Zoning Administrative Assistant

PLANNING ADVISORY COMMISSION  
GOODHUE COUNTY, MN  
May 15, 2023 MEETING MINUTES  
**DRAFT**

---

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> Motion to close the Public Hearing

Motion carried 7:0

<sup>4</sup> APPROVE the request for an IUP to establish wedding/event facility

Motion carried 5:2 (Stenerson and Gale opposed)

<sup>5</sup> Motion to close the Public Hearing

Motion carried 7:0

<sup>6</sup> APPROVE the request for a IUP for a Contractor's Yard

Motion carried 7:0

<sup>7</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  
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:** June 15, 2023  
**Report date:** June 2, 2023

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

Request, submitted by Connie Bodeker (Owner) to rezone 46.89 acres from A-2 (General Agriculture District) to R-1 (Suburban Residence District).

### **Application Information:**

Applicant: Connie Bodeker (Owner)  
Address of zoning request: TBD 338<sup>th</sup> Street Way Cannon Falls, MN 55009  
Parcel: 28.031.1201  
Legal Description: Part of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 31 TWP 112 Range 17 in Cannon Falls Township.

### **Attachments and links:**

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

### **Overview:**

The Applicant (Connie Bodeker, Owner) has submitted a “change of zone” request involving a 46.89-acre parcel of property in Cannon Falls Township to rezone the property from A2 (General Agriculture District) to R1 (Suburban Residence District) to allow the potential to establish up to three dwelling sites.

The current A-2 zoning classification does not allow dwelling establishment on the property due to the A2 section density maximum of 12 dwellings, one per original  $\frac{1}{4}$   $\frac{1}{4}$  section. Section 31 of Cannon Falls Township currently has 19 dwellings. Section 31 is 0.4 miles wider than a typical Township section meaning section 31 is approximately 256 acres larger than a typical section. Almost all sections surrounding Section 31 in Cannon Falls and Leon Township are zoned A-2 and have more than 12 dwellings.

### **Project Summary:**

#### **Property Information:**

- The subject property consists of a single parcel comprising 46.89 acres. Most of the parcel consists of undeveloped/vacant woodland with some steeper slopes. There is an existing accessory building with fenced-in paddocks located on the east side of the parcel near 338<sup>th</sup> Street Way.
- The property is currently zoned A2. Adjacent properties on all sides are zoned A2. A contiguous parcel to the south (37.006.0701, owned by Krista Paige) is zoned R1. This parcel was rezoned in 2022 from A2 for up to three dwelling units.
- The subject property is surrounded by medium-density residential development and steeper sloped woodlands. Highway 52 comprises part of the property’s western border.

- The parcel is located less than 2 miles from the City of Cannon Falls.
- The property is not located within a Historic Preservation District. It is not anticipated that any historic amenities will be negatively impacted as a result of the proposed rezone. Some portions of the property are considered blufflands however there is space for three dwellings with associated utilities and access drives to be developed without negatively disturbing these sensitive features.
- No portions of the property are designated Shoreland or Floodplain.

**Proposed Uses:**

- The Applicant has proposed a maximum of three residential lots to be created from this parcel. The proposed parcels would be accessed via 338<sup>th</sup> Street Way. If the Change of Zone is approved, a Preliminary and Final Plat must be submitted for consideration and approval by the PAC and County Board to subdivide the property.
- It should be noted that the R-1 District limits the number of farm animals (horses, goats, chickens, etc.) to one animal unit per acre with an Interim Use Permit. If the parcel is rezoned, the existing structure could not be used for farm animals without an Interim Use Permit.

**Accessibility:**

- The Right-of-Way authority for 338<sup>th</sup> Street Way is Cannon Falls Township. Township Clerk Sue Safe indicated to staff via email that the road would need some attention to construct dwellings on this parcel. The Applicant will need to work with Cannon Falls Township to address these matters during a building permit or platting phase at the Township’s discretion. Staff conducted a site visit on May 31, 2023, and noted that 338<sup>th</sup> Street Way is quite narrow in some areas.

**Planning Information:**

- The R1 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. It is also intended that the district allows varying densities of development in accordance with the ability to provide water and sewer facilities.
- The property is mostly undeveloped woodlands with varying topography. There is one existing accessory building with fenced-in areas existing on the east side of the property. Section 31 does not contain any registered feedlots.
- The Prime Farmland Rating for Agriculture is as follows:

Soil Name	Slope	Amount (acres)	% of Total	Prime Farmland Rating
Winneshiek Silt Loam	6-12%	0.5	1.0%	Farmland of Statewide Importance
Ridgeton Sandy Substratum	6-12%	1.1	2.3%	Farmland of Statewide Importance
Ridgeton Sandy Substratum	12-20%	0.9	1.9%	Not Prime Farmland
Waucoma-Winneshiek Complex	6-12%	2.3	4.9%	Farmland of Statewide Importance
Winneshiek-Waucoma Complex	18-35%	6.2	13.1%	Not Prime Farmland
Waucoma Loam	2-6%	0.3	0.6%	Prime Farmland
Schapville-Shullsburg Complex	6-12%	10.8	22.8%	Not Prime Farmland
Schapville Silt Loam	12-18%	11.7	24.6%	Not Prime Farmland

Schapville Silt Loam	18-35%	2.9	6.0%	Not Prime Farmland
Brodale, Flaggy-Schapville Complex	18-80%	10.8	22.8%	Not Prime Farmland

**Goodhue County Comprehensive Plan:**

- 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”*

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

*“Direct the location of new or replacement dwelling sites in areas that minimize loss or conversion of prime agriculture soils”*

**Cannon Falls Township:**

Cannon Falls Township Clerk Sue Safe provided staff with comments via email on May 11, 2023. She stated that: *“CF Township held their regular monthly meeting last night [May 10<sup>th</sup>] and met with Connie Bodeker (owner of parcel) and Bob Stahlberger (realtor). They discussed the rezoning of Parcel #28.031.1201 from Ag to R-1. Their hope is to sell the parcel as R-1 with a possibility of 1-3 subdivisions. They do not want more dwellings than that on that parcel. If that would happen, the road would definitely need some attention. The board approved the rezone.”*

**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 Connie Bodeker (Property Owner) to rezone 46.89 acres from A2 (General Agriculture District) to R1 (Suburban Residence District).



Accessory building with fenced-in paddocks. 338<sup>th</sup> Street Way is behind the camera.



Looking east at 338<sup>th</sup> Street Way. The visible sheds nearest the camera are owned by the Applicant as part of their homestead located at 6842 338<sup>th</sup> Street Way.



**338<sup>th</sup> Street Way looking east.**



**338<sup>th</sup> Street Way curve going east towards Serendipity.**

# Goodhue County Land Use Management

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

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



*County Surveyor / Recorder*

Building | Planning | Zoning  
 Telephone: 651.385.3104  
 Fax: 651.385.3106

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 R1**
  - D. The current use and the proposed use of the land. **The property is currently woodlands with varying topography. There is an existing accessory building on the property with fenced-in paddocks.**
  - E. The reason for the requested change of zoning district. **Due to County dwelling density restrictions, the Applicant has proposed to rezone the property to a residential district and subsequently plat up to three building sites.**
  - 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
Winneshiek Silt Loam	6-12%	0.5	1.0%	Farmland of Statewide Importance
Ridgeton Sandy Substratum	6-12%	1.1	2.3%	Farmland of Statewide Importance
Ridgeton Sandy Substratum	12-20%	0.9	1.9%	Not Prime Farmland
Waucoma-Winneshiek Complex	6-12%	2.3	4.9%	Farmland of Statewide Importance
Winneshiek-Waucoma Complex	18-35%	6.2	13.1%	Not Prime Farmland
Waucoma Loam	2-6%	0.3	0.6%	Prime Farmland
Schapville-Shullsburg Complex	6-12%	10.8	22.8%	Not Prime Farmland
Schapville Silt Loam	12-18%	11.7	24.6%	Not Prime Farmland
Schapville Silt Loam	18-35%	2.9	6.0%	Not Prime Farmland
Brodale, Flaggy-Schapville Complex	18-80%	10.8	22.8%	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

**There are some areas of Bluffland on the property. These sensitive features can be avoided and maintained in their natural state while developing up to three dwellings due to the size of the parcel. It is anticipated existing trees would need to be removed to accommodate the development of structures, utilities, and access drives.**

2. The compatibility with surrounding land uses

**Surrounding land uses include medium-density residential. Residential housing located within the Serendipity Addition is located approximately ¼ mile southeast of the property. Medium-density residential uses are also located to the east along 338<sup>th</sup> ST Way and there is an existing R1 zoned parcel directly to the south in Leon Township. Existing dwellings are separated from the property by woodlands and areas of steep slopes. Four dwelling sites border the property, one on each side (north, south, east, and west). All dwellings are surrounded by wooded areas with varying topography.**

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

**It is not anticipated that any historic amenities will be negatively impacted as a result of the proposed rezone. Existing blufflands can be avoided during development. Zoning staff and the Goodhue SWCD will review all proposed site plans for structures, grading, and access drives.**

Subd. 6 The housing density of the affected Section

**Section 31 is an A2-zoned section. A2 Districts allow a maximum of 12 dwellings per section, one per original ¼ ¼ section. There are currently 19 dwellings within the section therefore no dwelling site eligibility exists. If rezoned to R1, any dwellings constructed on R1 zoned parcels would not count towards the Section's overall density.**

**Section 31 is 0.4 miles wider than typical Township sections. This additional width adds approximately 256 acres to Section 31.**

Subd. 7 The impact on any surrounding agricultural uses

**The property is not currently used for agricultural purposes. Almost none of the acreage is considered Prime Farmland. There are no existing feedlots in Section 31. If rezoned to R1, animal agriculture would not be a permitted use. An Interim Use Permit is required for any "farm" animals up to 1 animal unit per acre in the R1 District. No new Feedlots may be established in an R1 District.**

Subd. 8 The impact on the existing transportation infrastructure

**The Applicant's property is accessed off of 338<sup>th</sup> St Way (aggregate surface). Cannon Falls Township (Right-of-Way authority) has indicated improvements will be needed to develop additional dwellings off of 338<sup>th</sup> St Way. The Applicant will need to work with the Township to address these matters during the platting or building permit phase at the Township's discretion.**

Subd. 9 The impact on surrounding zoning districts

**The property and most surrounding properties are zoned A2. One parcel to the south (37.006.0701) is zoned R1. This parcel was rezoned to R1 from A2 in 2022.**

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.

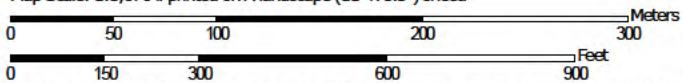
**Rezoning the subject parcel to R1 does not appear to have negative cumulative effects on the immediate surrounding area or the City of Cannon Falls. The surrounding area is used primarily for medium-density residential among woodlands and steep slopes.**

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

# Custom Soil Resource Report Soil Map



Map Scale: 1:3,670 if printed on A landscape (11" x 8.5") sheet.



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



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
M526C2	Winneshiek silt loam, 6 to 12 percent slopes, moderately eroded	0.5	1.0%
N586C2	Ridgeton, sandy substratum-Eden Prairie complex, 6 to 12 percent slopes, moderately eroded	1.1	2.3%
N586D2	Ridgeton, sandy substratum-Eden Prairie complex, 12 to 20 percent slopes, moderately eroded	0.9	1.9%
N592B	Crescent-Eden Prairie complex, 2 to 6 percent slopes	0.0	0.0%
N597C2	Waucoma-Winneshiek complex, 6 to 12 percent slopes, moderately eroded	2.3	4.9%
N598D2	Winneshiek-Waucoma complex, 12 to 18 percent slopes, moderately eroded	0.0	0.0%
N598E	Winneshiek-Waucoma complex, 18 to 35 percent slopes	6.2	13.1%
N610B	Waucoma loam, 2 to 6 percent slopes	0.3	0.6%
N630C2	Schapville-Shullsburg complex, 6 to 12 percent slopes, moderately eroded	10.8	22.8%
N631D2	Schapville silt loam, 12 to 18 percent slopes, moderately eroded	11.7	24.6%
N631E	Schapville silt loam, 18 to 35 percent slopes	2.9	6.0%
N632G	Brodale, flaggy-Schapville complex, 18 to 80 percent slopes, rocky	10.8	22.8%
<b>Totals for Area of Interest</b>		<b>47.6</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic

RECEIVED

MAP Amendment

MAY 17 2023

\$500 RECEIPT# 18101 DATE 5/17/23

723-0016

APPLICATION FOR

# Map Amendment Management

## Applicant Information

APPLICANT OR AUTHORIZED AGENT'S NAME: Connie Bodeker	
APPLICANT'S ADDRESS: 6842 338th St Way Cannon Falls MN 55009	TELEPHONE:
	EMAIL:

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

- Map Amendment - Parcel: 28.031.1201 ; Current District: Ag Requested District: Residential
- 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:  
Desired to rezone property to residential zoning

2. Proposed future use(s) of the property to be rezoned:  
1-3 dwelling residential zoning

3. Compatibility of the proposed zoning district with existing land uses in the area:  
Property directly south was just rezoned Residential 1-3 houses. Many small acreage lots already on 338th St Way

4. Provide any additional information that will assist the Planning Advisory Commission and the County Board in reviewing your request:  
The propose change will add tax income for highest and best use of this land while providing additional rural residential sites in the area which is in demand and in short supply

### Applicant's Affidavit

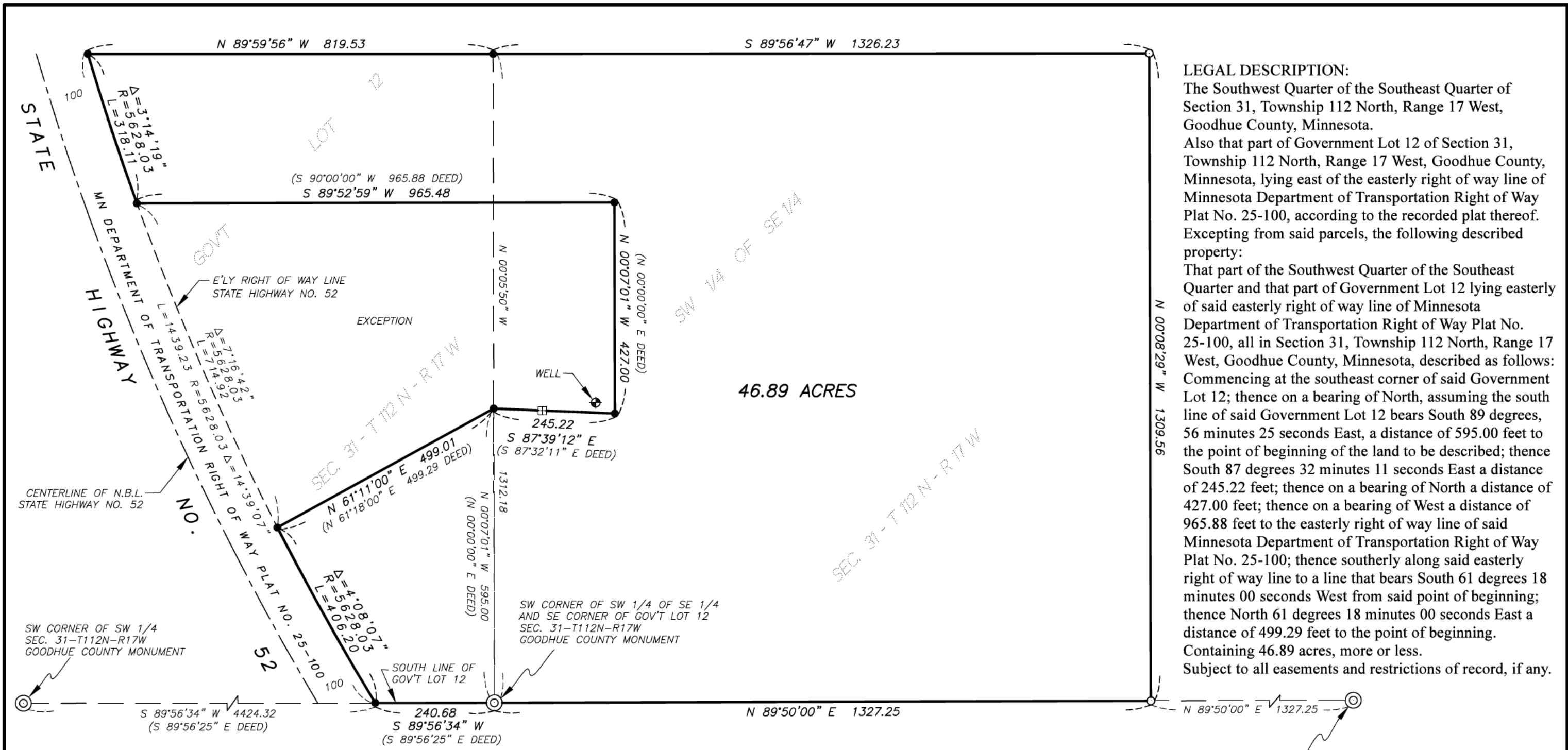
Under penalty of perjury the following declarations are made:

- The information presented is true and correct to the best of my knowledge.
- 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.
- Other information or stipulations may be required.

Signature: Connie Bodeker  
00A3074EEC7B4E3...

Date: 5/13/2023 | 9:39 AM CDT

Print name: Connie Bodeker owner or authorized agent

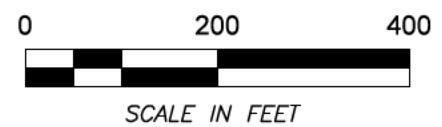


**LEGAL DESCRIPTION:**  
 The Southwest Quarter of the Southeast Quarter of Section 31, Township 112 North, Range 17 West, Goodhue County, Minnesota.  
 Also that part of Government Lot 12 of Section 31, Township 112 North, Range 17 West, Goodhue County, Minnesota, lying east of the easterly right of way line of Minnesota Department of Transportation Right of Way Plat No. 25-100, according to the recorded plat thereof. Excepting from said parcels, the following described property:  
 That part of the Southwest Quarter of the Southeast Quarter and that part of Government Lot 12 lying easterly of said easterly right of way line of Minnesota Department of Transportation Right of Way Plat No. 25-100, all in Section 31, Township 112 North, Range 17 West, Goodhue County, Minnesota, described as follows: Commencing at the southeast corner of said Government Lot 12; thence on a bearing of North, assuming the south line of said Government Lot 12 bears South 89 degrees, 56 minutes 25 seconds East, a distance of 595.00 feet to the point of beginning of the land to be described; thence South 87 degrees 32 minutes 11 seconds East a distance of 245.22 feet; thence on a bearing of North a distance of 427.00 feet; thence on a bearing of West a distance of 965.88 feet to the easterly right of way line of said Minnesota Department of Transportation Right of Way Plat No. 25-100; thence southerly along said easterly right of way line to a line that bears South 61 degrees 18 minutes 00 seconds West from said point of beginning; thence North 61 degrees 18 minutes 00 seconds East a distance of 499.29 feet to the point of beginning. Containing 46.89 acres, more or less. Subject to all easements and restrictions of record, if any.

**CERTIFICATE FOR:**  
**CONNIE BODEKER**  
 6842 338TH STREET WAY  
 CANNON FALLS, MN 55009

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.  
 MAY 19, 2023  
 Dated: David G. Rapp  
 David G. Rapp  
 Minnesota Registration No. 22044

- DENOTES FOUND IRON MONUMENT
- DENOTES SET IRON MONUMENT W/PLASTIC CAP "RLS 22044"
- ⊞ DENOTES SET WOODEN LATH ON PROPERTY LINE

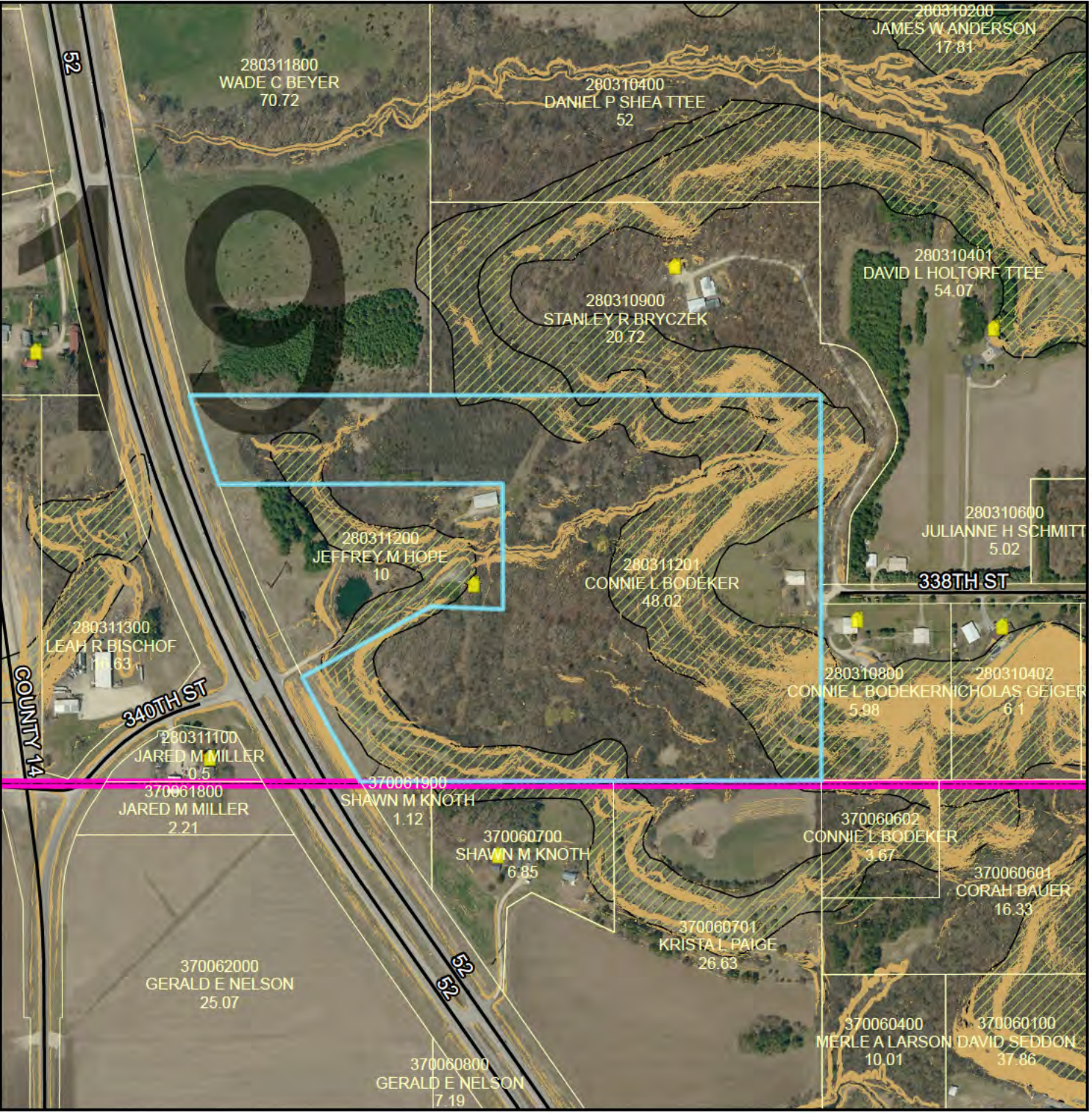


SE CORNER OF SE 1/4  
 SEC. 31-T112N-R17W  
 GOODHUE COUNTY MONUMENT

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

DRAWN BY: BDR	DATE: 5-19-23	PROJECT NO. D23123
SCALE: 1" = 200'	SHEET 1 of 1 sheet	BOOK/PAGE 55/57

**MAP 01: PROPERTY OVERVIEW**



**PLANNING COMMISSION**

PAC Meeting  
June 15, 2023

Connie Bodeker(Owner)

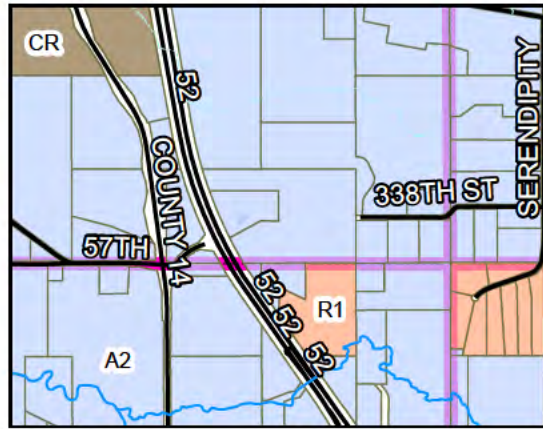
A2 Zoned District

Part of the SW 1/4 of the SE 1/4 of  
Section 31 TWP 112 Range 17 in  
Cannon Falls Township

Request to rezone 46.89 acres from A-2  
to R-1

**Legend**

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery  
Map Created May, 2023 by LUM



PAC Meeting  
June 15, 2023

Connie Bodeker(Owner)

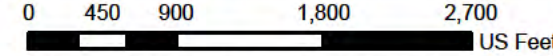
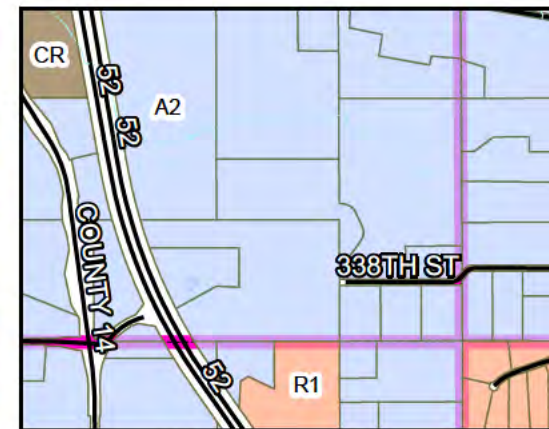
A2 Zoned District

Part of the SW 1/4 of the SE 1/4 of  
Section 31 TWP 112 Range 17 in  
Cannon Falls Township

Request to rezone 46.89 acres from A-2  
to R-1

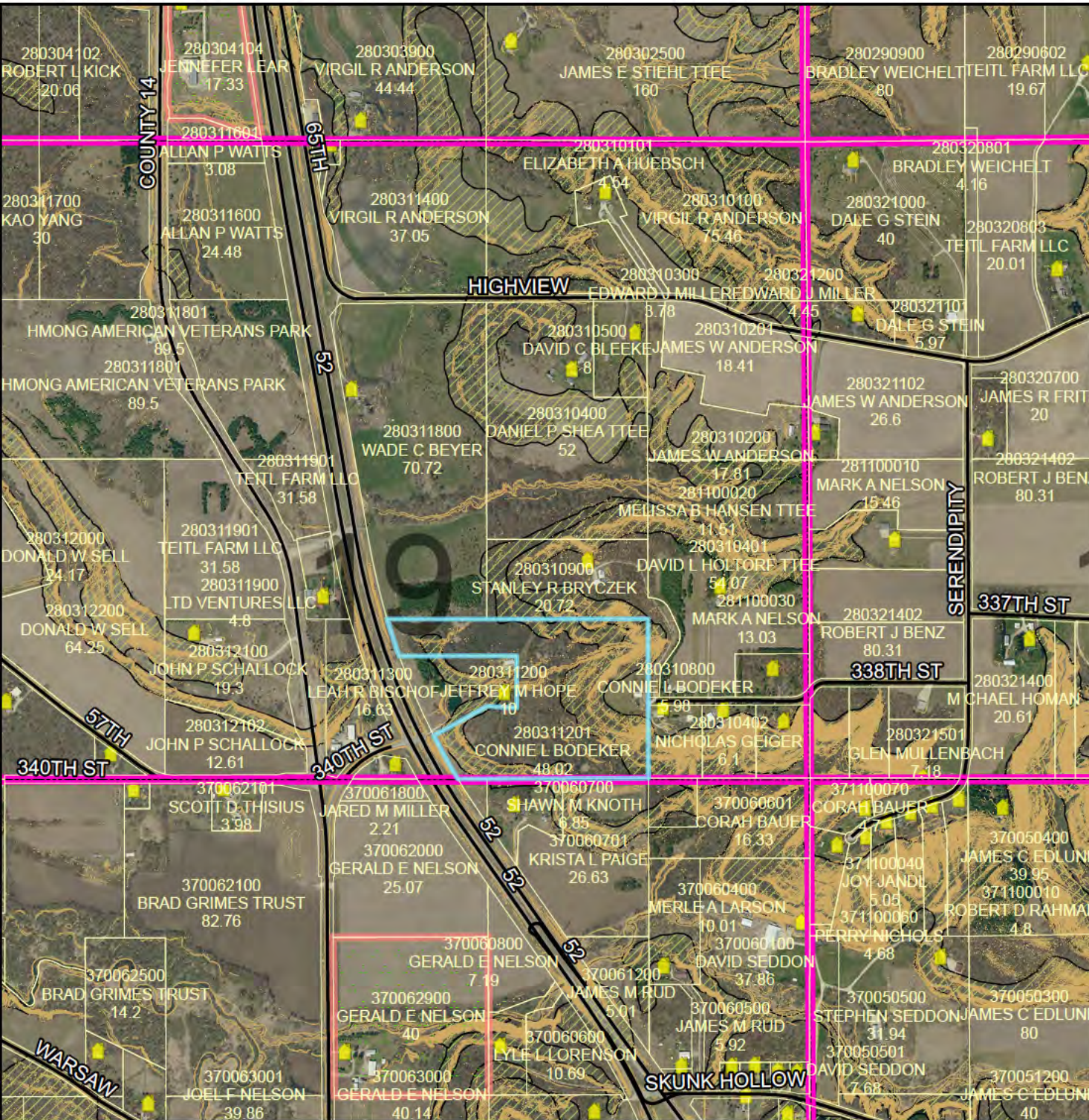
**Legend**

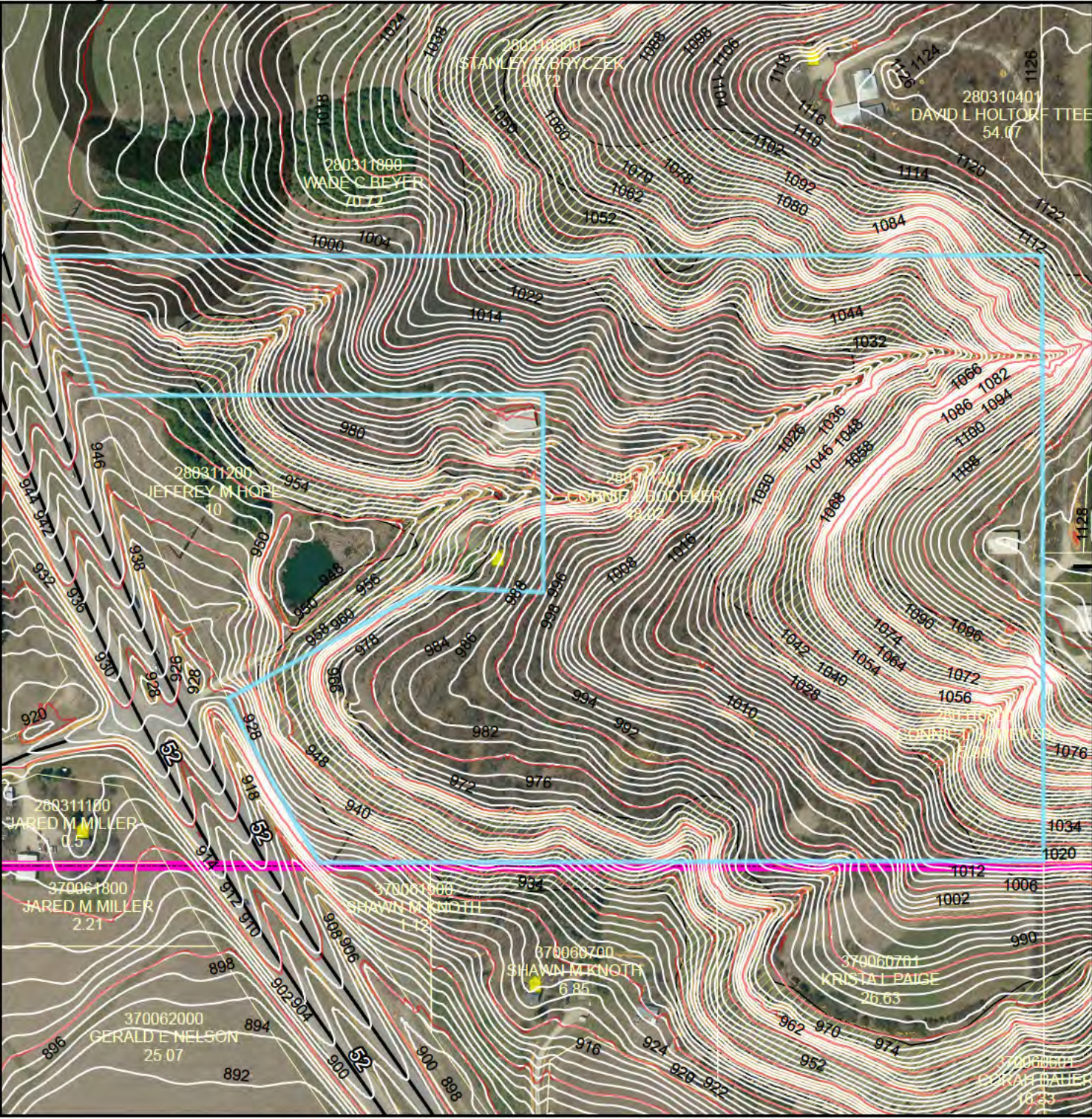
- |  |                            |  |                              |
|--|----------------------------|--|------------------------------|
|  | Intermittent Streams       |  | Bluff Impact Zones (% slope) |
|  | Protected Streams          |  | 30                           |
|  | Lakes & Other Water Bodies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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery  
Map Created May, 2023 by LUM





**PLANNING COMMISSION**

PAC Meeting  
June 15, 2023

Connie Bodeker(Owner)

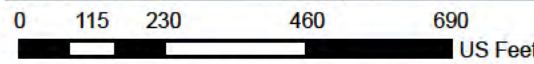
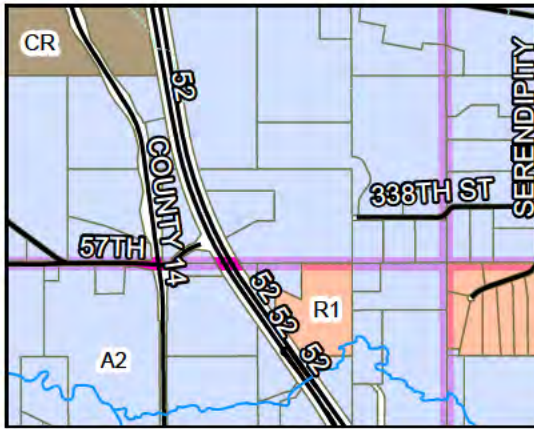
A2 Zoned District

Part of the SW 1/4 of the SE 1/4 of  
Section 31 TWP 112 Range 17 in  
Cannon Falls Township

Request to rezone 46.89 acres from A-2  
to R-1

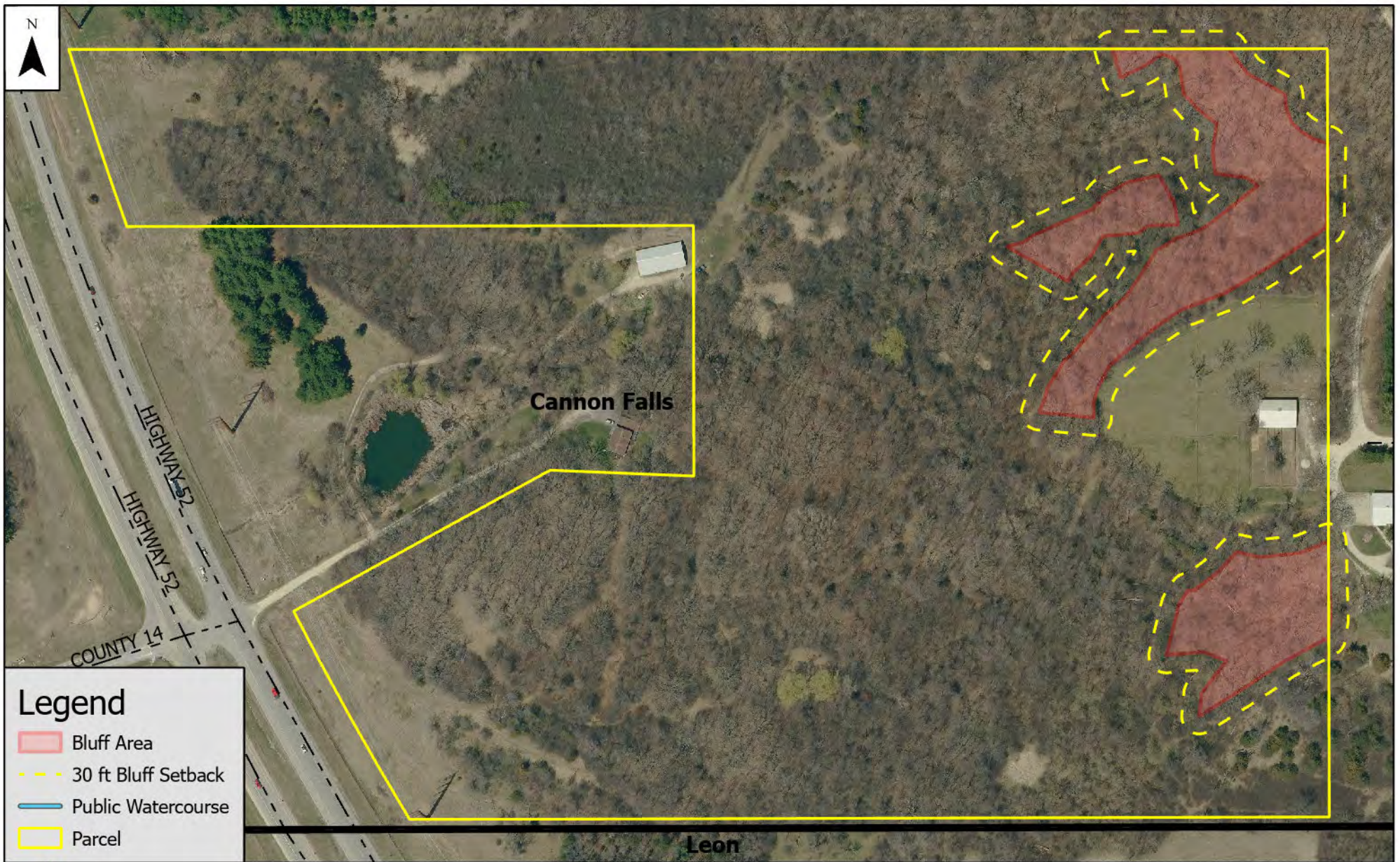
**Legend**

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



DATA DISCLA MER: Goodhue County assumes  
NO liability for the accuracy or completeness of this map  
OR responsibility for any associated direct, indirect,  
or consequential damages that may result from its use  
or misuse. Goodhue County Copyright 2023.





**Parcel ID 28.031.1201 (Cannon Falls Township, Section 31, Range 17)  
Bluff Review Determination**

**Figure A**

0 120 240  
Feet

**2022 Aerial Imagery**



**Desktop review was conducted using 2020 Lidar.**

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

# 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:** June 15, 2023  
**Report date:** June 2, 2023

## **PUBLIC HEARING: “McNamara Hay Creek Farm” Preliminary and Final Plat Review**

Request, submitted by Richard McNamara (Owner), for Preliminary and Final Plat review of the proposed McNamara Hay Creek Farm Plat comprising approximately 91.08 acres.

### **Application Information:**

Applicant: Richard McNamara (Owner)  
Address of zoning request: Old Church Road Red Wing, MN 55066  
Parcel(s): 34.019.0300 and 34.020.1600  
Abbreviated Legal Description: The S ½ of the NE ¼ and part of the SE ¼ of the NW ¼ of Section 19 TWP 112 Range 14 and part of the SW ¼ of the NW ¼ of Section 20 TWP 112 Range 14 all in Hay Creek Township  
Zoning District: A2 (General Agriculture District)  
Township: The Applicant will need to obtain appropriate signatures from Hay Creek Township upon final plat approval.

### **Attachments and links:**

Application  
Site Map(s)  
Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Summary:**

Richard McNamara (Owner/Applicant) has had Ridgeline Group Inc. prepare a Preliminary and Final Plat prepared for the proposed “McNamara Hay Creek Farm” plat.

According to the Goodhue County Subdivision Ordinance, any land subdivision which dedicates any interests to the public such as easements or roads must be formally platted. The proposed “McNamara Hay Creek Farm” plat dedicates frontage to Old Church Road and Old Camp Lane.

The creation of three or more parcels from one parcel also must be platted. To retain the tillable land while selling the wooded/bluff areas, the Applicant has proposed to create five parcels from two existing parcels. The two existing parcels are in different sections of Hay Creek Township. To combine land in two different sections the land must be platted.

The Applicant has proposed to plat all new parcels as Outlots. Outlots are not considered buildable per the Goodhue County Subdivision Ordinance. No structures including dwellings or accessory buildings may be constructed on any Outlot. Section 19 of Hay Creek Township is considered “full” for dwelling development, there are 26 dwellings where a maximum of 12 are allowed.

Outlot A will be less than two acres in area (1.22 acres). The Subdivision Ordinance specifies that remnant land may be platted as an Outlot. This land is not able to be combined with any other lot due to the dedication of Old Camp Lane and the requirement that all non-contiguous land be separate parcels. All other lots will meet minimum lot size and access/frontage requirements.



**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend that the County Board of Commissioners **APPROVE** the request submitted by Richard McNamara for the Preliminary and Final Plat of the proposed “McNamara Hay Creek Farm” Plat comprising approximately 91.08 acres.

RECEIVED

MAY 23 2023

FILE #	7 230017
PARCEL #	34.019.0300 34.020.1600

# Land Use Management 505 Plat Application

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

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

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

### Landowner Information

Landowner Name Richard McWannan Email \_\_\_\_\_  
 Mailing Address 20200 390th St  
 Daytime Phone \_\_\_\_\_

### Applicant Information (if different than above)

Applicant Name \_\_\_\_\_ Email \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 Daytime Phone \_\_\_\_\_

### Township Information

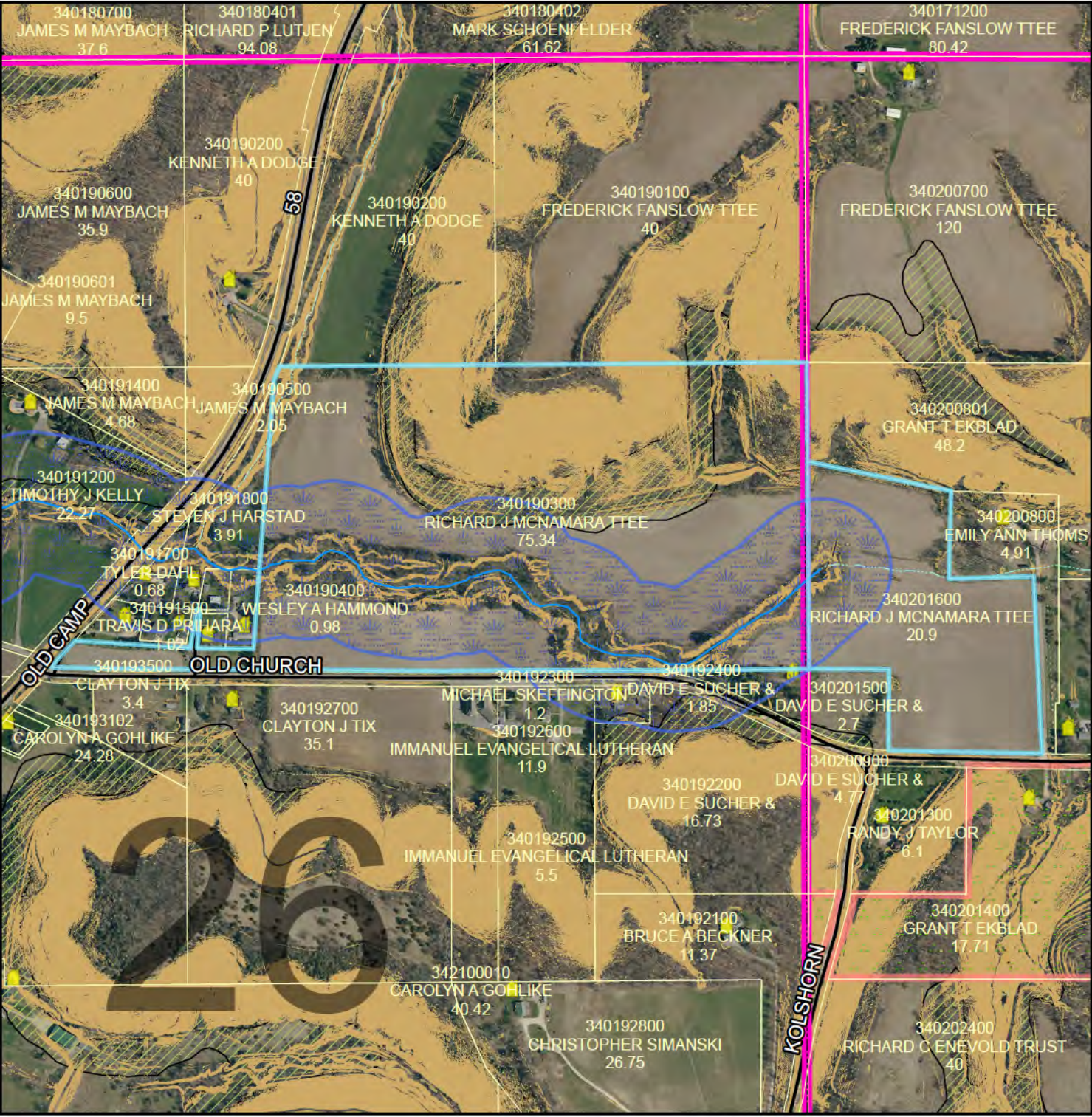
Township position \_\_\_\_\_ Date \_\_\_\_\_  
 Signature \_\_\_\_\_

### County Use

Application Fee **\$350** Receipt Number 18108 Received Date 5/23/2023  
 Initial Reviewed by \_\_\_\_\_  
 Plat Name \_\_\_\_\_

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

# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

PAC Meeting  
June 15, 2023

Richard McNamara (Owner)

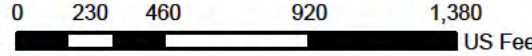
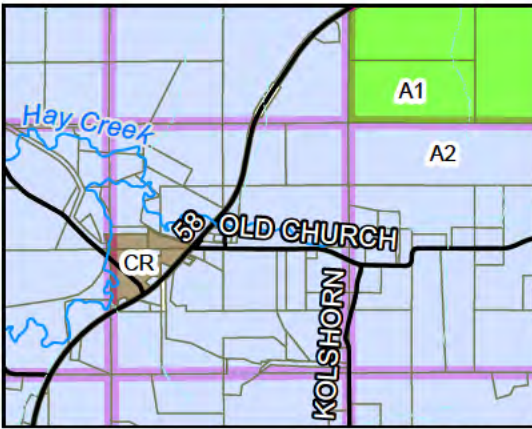
A2 Zoned District

The S 1/2 of the NE 1/4 and part of the SE 1/4 of the NW 1/4 of Section 19 TWP 112 Range 14 and part of the SW 1/4 of the NW 1/4 of Section 20 TWP 112 Range 14 in Hay Creek Township

Preliminary and Final Plat review  
McNamara Hay Creek Farm Plat

### 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             |  |                              |



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery  
Map Created May, 2023 by LUM



**PLANNING COMMISSION**

PAC Meeting  
June 15, 2023

Richard McNamara (Owner)

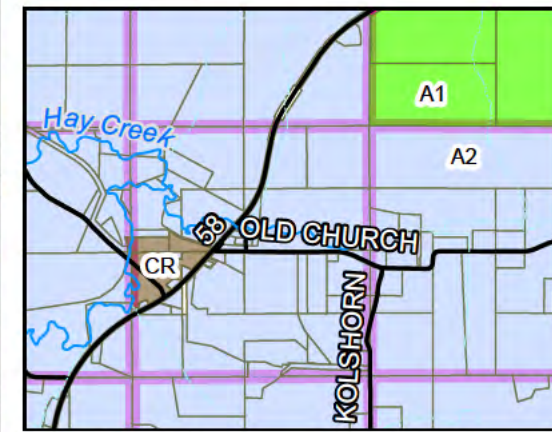
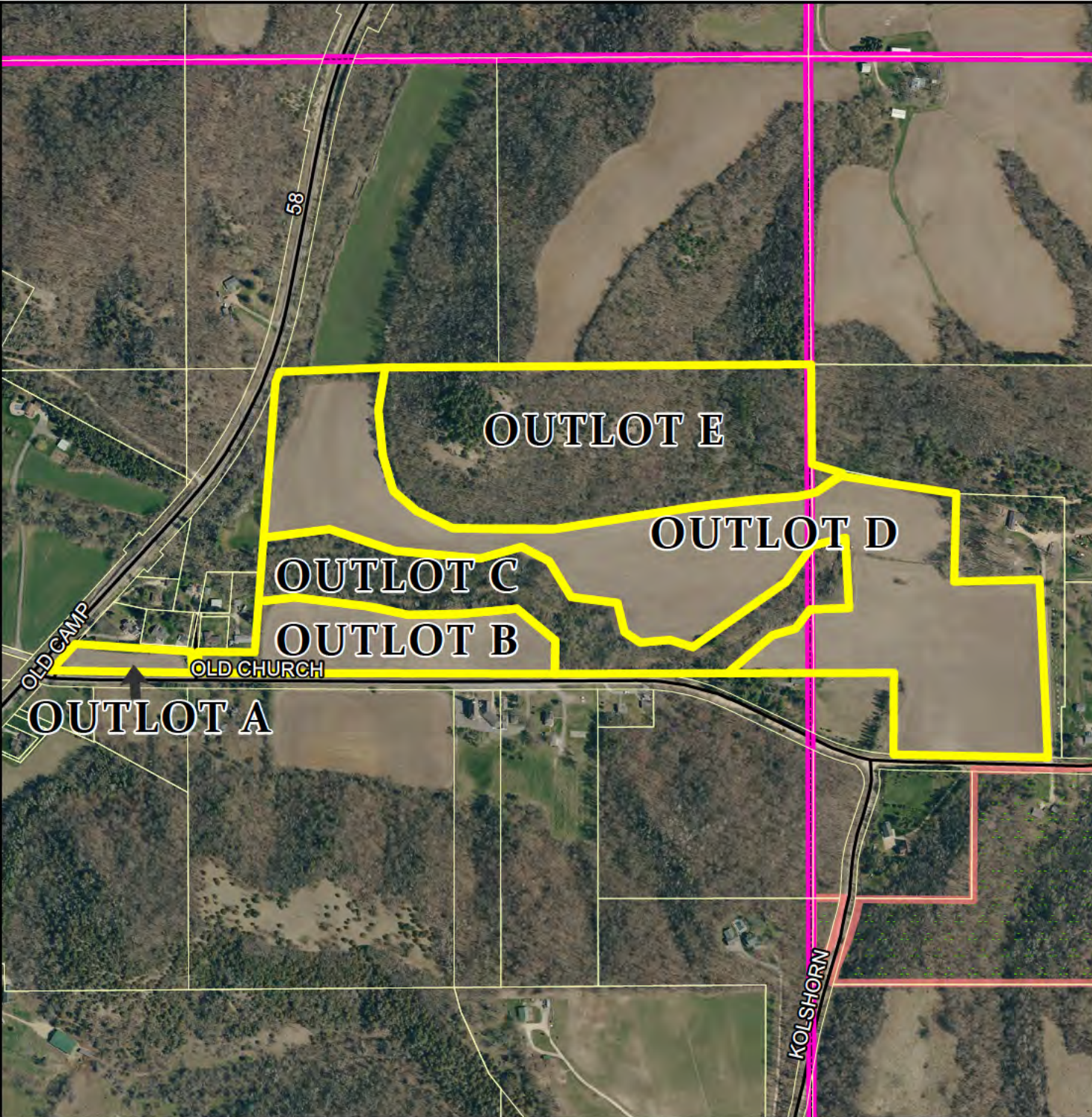
A2 Zoned District

The S 1/2 of the NE 1/4 and part of the SE 1/4 of the NW 1/4 of Section 19 TWP 112 Range 14 and part of the SW 1/4 of the NW 1/4 of Section 20 TWP 112 Range 14 in Hay Creek Township

Preliminary and Final Plat review  
McNamara Hay Creek Farm Plat

**Legend**

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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery  
Map Created May, 2023 by LUM



**PLANNING COMMISSION**

PAC Meeting  
June 15, 2023

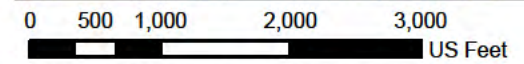
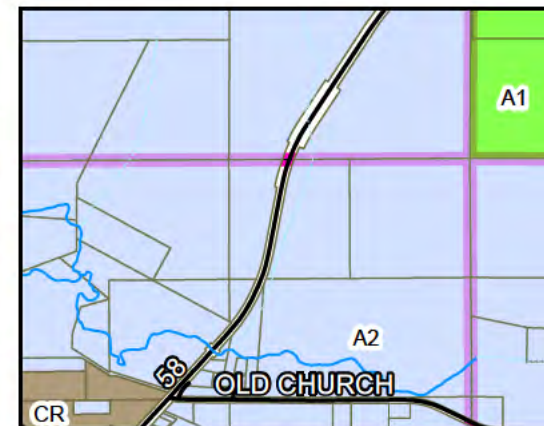
Richard McNamara (Owner)

A2 Zoned District

The S 1/2 of the NE 1/4 and part of the SE 1/4 of the NW 1/4 of Section 19 TWP 112 Range 14 and part of the SW 1/4 of the NW 1/4 of Section 20 TWP 112 Range 14 in Hay Creek Township

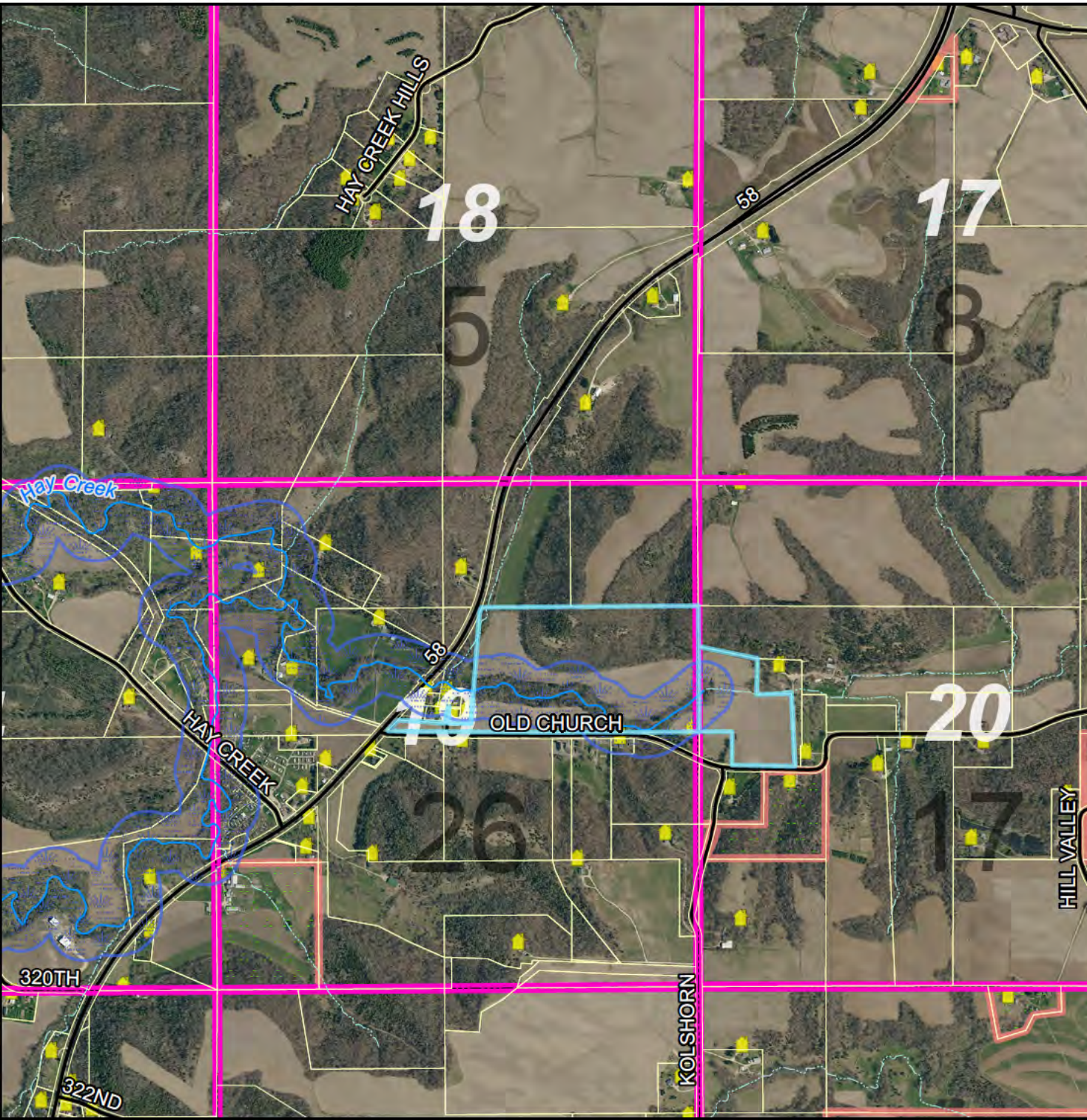
Preliminary and Final Plat review  
McNamara Hay Creek Farm Plat  
**Legend**

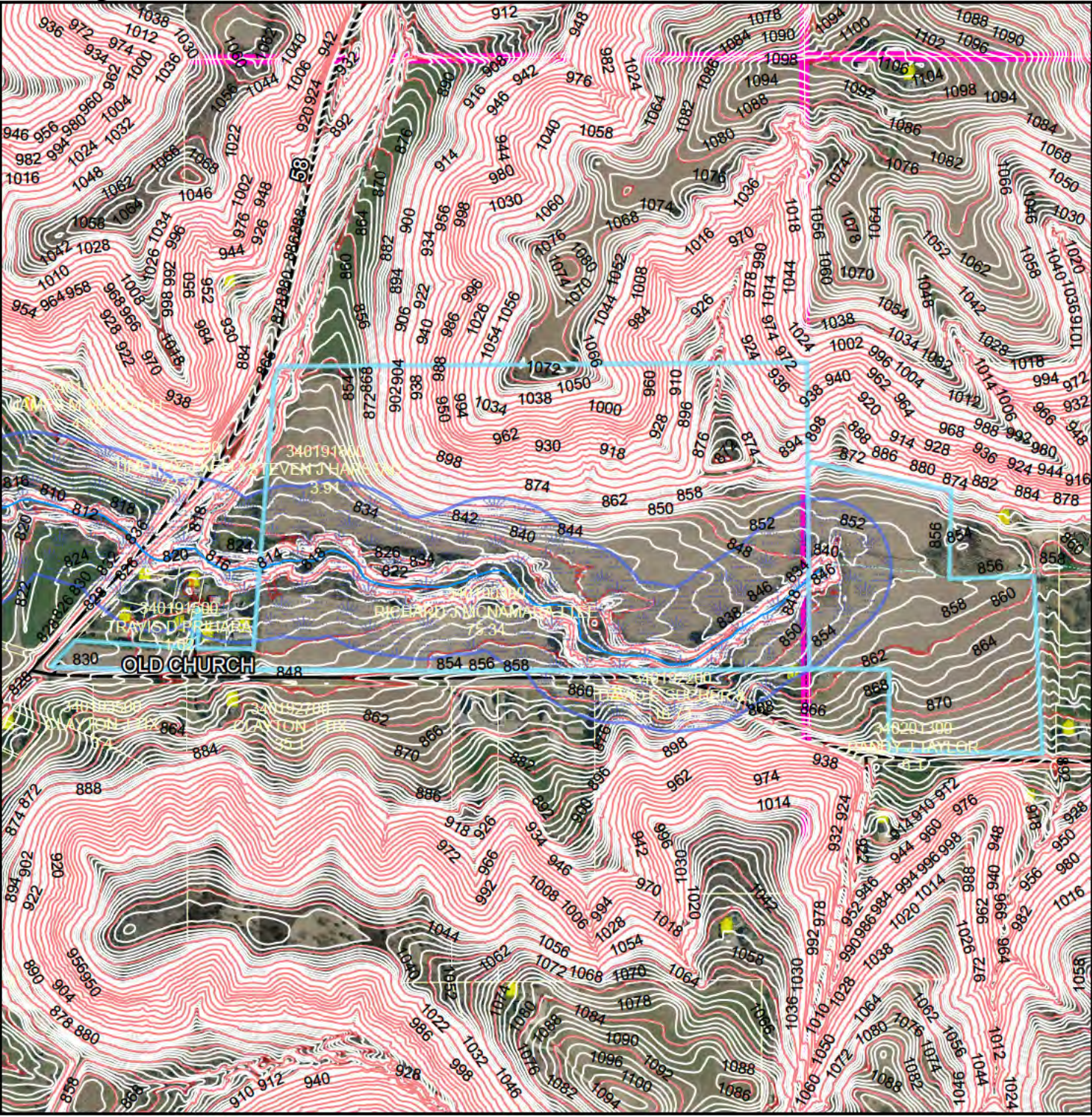
- |  |                            |  |                              |
|--|----------------------------|--|------------------------------|
|  | Intermittent Streams       |  | Bluff Impact Zones (% slope) |
|  | Protected Streams          |  | 30                           |
|  | Lakes & Other Water Bodies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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery  
Map Created May, 2023 by LUM





**PLANNING COMMISSION**

PAC Meeting  
June 15, 2023

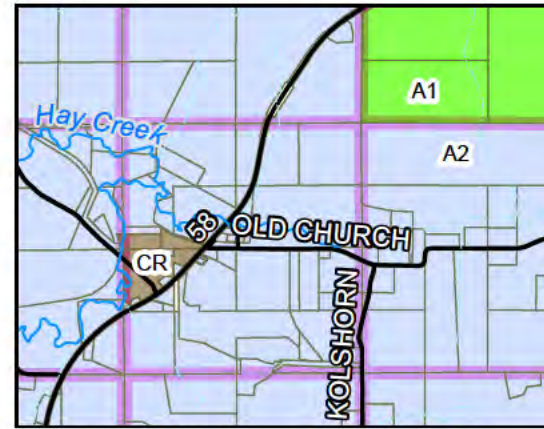
Richard McNamara (Owner)

A2 Zoned District

The S 1/2 of the NE 1/4 and part of the SE 1/4 of the NW 1/4 of Section 19 TWP 112 Range 14 and part of the SW 1/4 of the NW 1/4 of Section 20 TWP 112 Range 14 in Hay Creek Township

Preliminary and Final Plat review  
McNamara Hay Creek Farm Plat  
**Legend**

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

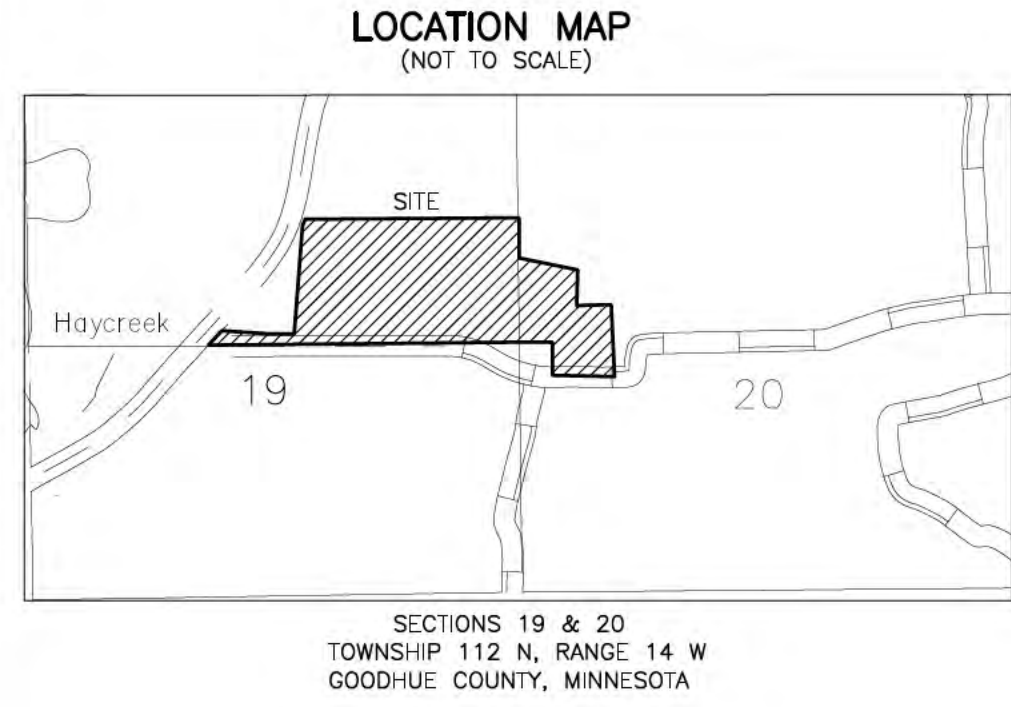


DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

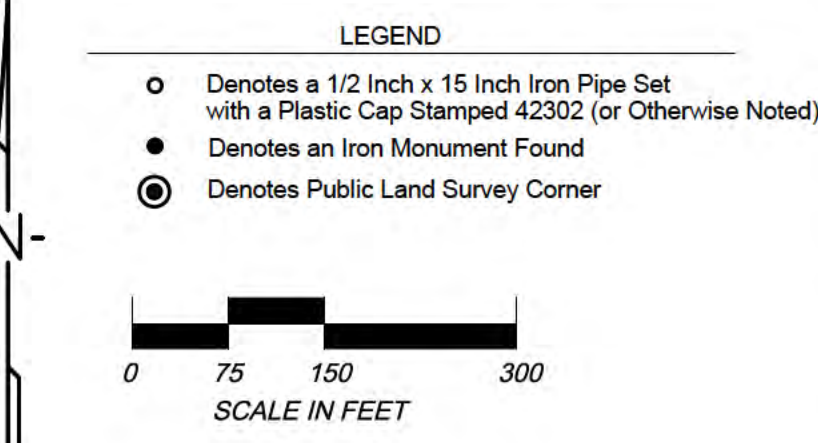
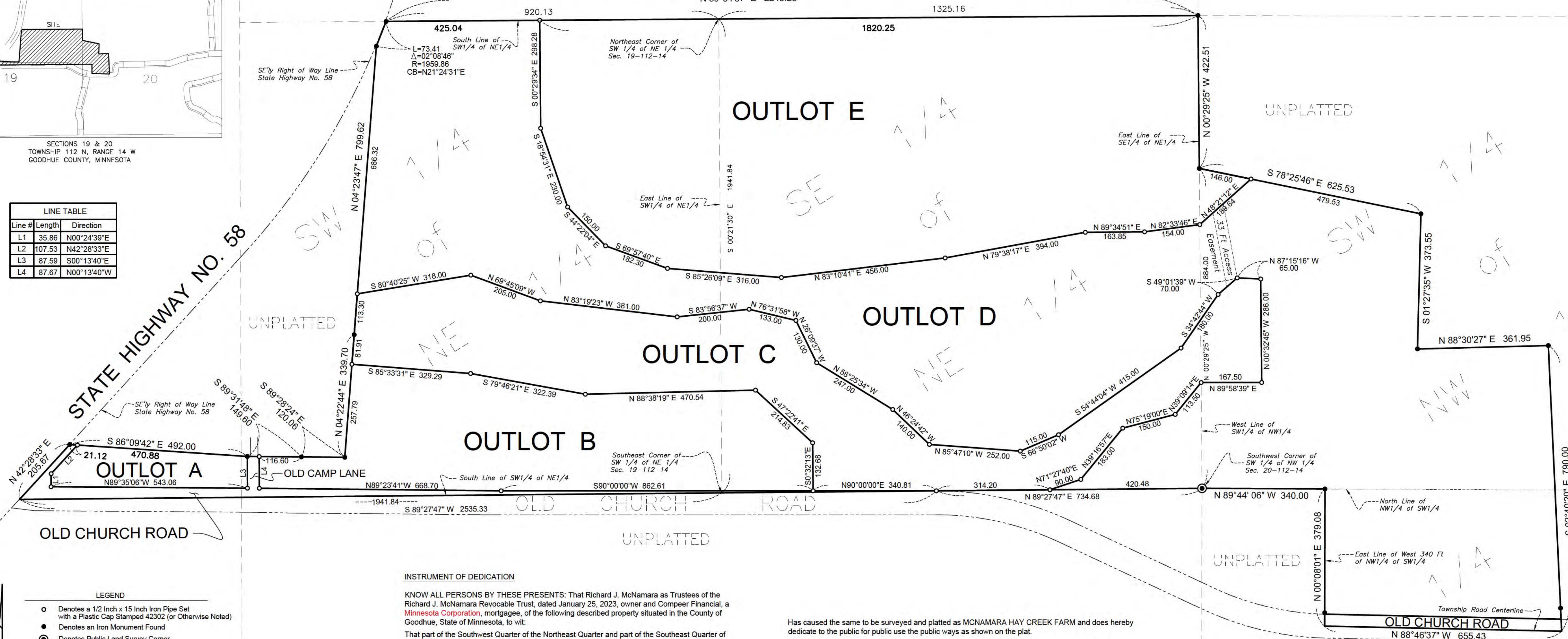


# MCNAMARA HAY CREEK FARM

UNPLATTED



Line #	Length	Direction
L1	35.86	N00°24'39"E
L2	107.53	N42°28'33"E
L3	87.59	S00°13'40"E
L4	87.67	N00°13'40"W



### INSTRUMENT OF DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That Richard J. McNamara as Trustees of the Richard J. McNamara Revocable Trust, dated January 25, 2023, owner and Compeer Financial, a Minnesota Corporation, mortgagee, of the following described property situated in the County of Goodhue, State of Minnesota, to wit:

That part of the Southwest Quarter of the Northeast Quarter and part of the Southeast Quarter of the Northwest Quarter, all in Section 19, Township 112, Range 14, Goodhue County, Minnesota, described as follows:

Beginning at the southeast corner of said Southwest Quarter of the Northeast Quarter; thence South 89 degrees 27 minutes 47 seconds West, assumed bearing, along the south line of said Southwest Quarter of the Northeast Quarter, a distance of 1941.84 feet to the southeasterly right of way line of State Highway Number 58; thence North 42 degrees 28 minutes 33 seconds East, along said southeasterly right of way line, a distance of 205.67 feet to a found iron pipe; thence South 88 degrees 09 minutes 42 seconds East, a distance of 492.00 feet to a found iron pipe; thence South 89 degrees 31 minutes 48 seconds East, a distance of 149.60 feet to a found iron pipe; thence South 89 degrees 28 minutes 24 seconds East a distance of 339.70 feet to a found iron pipe; thence North 4 degrees 23 minutes 47 seconds East, a distance of 799.62 feet to a found iron pipe on the southeasterly right of way line of State Highway Number 58; thence northerly 73.41 feet along said southeasterly right of way line, along a curve that is concave to the northwest, radius of 1959.86 feet, central angle of 2 degrees 08 minutes 46 seconds and a chord that bears North 21 degrees 24 minutes 31 seconds East, to a set iron pipe on the north line of said Southwest Quarter of the Northeast Quarter of Section 19; thence North 89 degrees 34 minutes 57 seconds East along said north line, a distance of 920.13 feet the northeast quarter of said Southwest Quarter of the Northeast Quarter; thence South 0 degrees 21 minutes 30 seconds East along the east line thereof, a distance of 1309.28 feet to the point of beginning.

AND  
The Southeast Quarter of the Northeast Quarter of Section 19, Township 112, Range 14, Goodhue County, Minnesota.

AND  
That part of the Southwest Quarter of the Northwest Quarter and part of the Northwest Quarter of the Southwest Quarter, all in Section 20, Township 112, Range 14, Goodhue County, Minnesota, described as follows:

Beginning at the southwest corner of said Southwest Quarter of the Northwest Quarter; thence North 0 degrees 29 minutes 25 seconds West, assumed bearing, along the west line thereof, a distance of 884.00 feet to a set iron pipe; thence South 78 degrees 25 minutes 46 seconds East, a distance of 625.53 feet to a found iron pipe; thence South 1 degree 27 minutes 35 seconds West, a distance of 373.55 feet to a found iron pipe; thence North 88 degrees 30 minutes 27 seconds East, a distance of 361.95 feet to a found iron pipe; thence South 2 degrees 40 minutes 20 seconds East, a distance of 790.00 feet to the centerline of the Township road; thence North 88 degrees 46 minutes 37 seconds West along said centerline, a distance of 655.43 feet to the east line of the West 340.00 feet of said Northwest Quarter of the Southwest Quarter; thence North 0 degrees 08 minutes 01 seconds East along said east line, a distance of 379.08 feet to a set iron pipe on the north line of said Northwest Quarter of the Southwest Quarter; thence North 89 degrees 44 minutes 06 seconds West, along said north line, a distance of 340.00 feet to the point of beginning

Has caused the same to be surveyed and platted as MCNAMARA HAY CREEK FARM and does hereby dedicate to the public for public use the public ways as shown on the plat.

In witness whereof Richard J. McNamara, Trustee of the Richard J. McNamara Revocable Trust, dated January 25, 2023, have hereunto set his hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

Richard J. McNamara  
Trustee of the Richard J. McNamara Revocable Trust dated January 25, 2023

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

This foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Richard J. McNamara, Trustee of the Richard J. McNamara Revocable Trust, dated January 25, 2023.

Notary Public, \_\_\_\_\_ County, Minnesota  
My commission expires \_\_\_\_\_

And in witness whereof Compeer Financial, a Minnesota Corporation, has caused these presents to be signed by its proper officers this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
its \_\_\_\_\_  
\_\_\_\_\_  
its \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

This foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_ its \_\_\_\_\_ and \_\_\_\_\_ its \_\_\_\_\_ of Compeer Financial, a Minnesota Corporation, on behalf of said corporation.

Notary Public, \_\_\_\_\_ County, Minnesota  
My commission expires \_\_\_\_\_

### SURVEYORS CERTIFICATION

I hereby certify that I have surveyed or directly supervised the survey of the property described on this plat; that I have prepared or directly supervised the preparation of this plat as PLAT NAME; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all outside boundary monuments of the plat have been correctly set and that all other required monuments will be correctly set within one year of the recording of this plat; that as of the date of this certificate, all water boundaries and wet lands, as defined in Minnesota Statute 505.01, Subd. 3, are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Mark A. Schoenfelder, Land Surveyor  
Minnesota License No. 42302

STATE OF MINNESOTA  
COUNTY OF GOODHUE

The foregoing surveyor's certificate was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by Mark A. Schoenfelder, Land Surveyor

Notary Public, \_\_\_\_\_ County, Minnesota  
My commission expires \_\_\_\_\_

### GOODHUE COUNTY SURVEYOR

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

Lisa M. Hanni, County Surveyor

### GOODHUE COUNTY AUDITOR/TREASURER

I hereby certify that the taxes for the year 20\_\_ on the land described on this plat as PLAT NAME have been paid and that no delinquent taxes are due and transfer entered this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Brian Anderson, County Auditor/Treasurer

### GOODHUE COUNTY TITLE EXAMINER

Pursuant to Minn. Statute Sec. 508.62, I certify that this plat is approved for filing for lands described herein owned by the dedicators and included in Certificate of Title No. \_\_\_\_\_ upon the prior filing of Certificate of Trust and Affidavit of Trustee marked \_\_\_\_\_ Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

XXXXXX, Examiner of Titles

### GOODHUE COUNTY REGISTRAR OF TITLES

Document Number \_\_\_\_\_

I hereby certify that this instrument was filed in the Office of the County Recorder for record on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M. and was duly recorded in Goodhue County records.

Lisa M. Hanni, Registrar of Titles

# 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:** June 15, 2023  
**Report date:** June 2, 2023

## **PUBLIC HEARING: “Kolshorn Ridge Second” Preliminary and Final Plat Review**

Request, submitted by Ryan and Christyn Tipcke (Owners), for Preliminary and Final Plat review of the proposed Kolshorn Ridge Second Plat comprising approximately 21.36 acres.

### **Application Information:**

Applicant: Ryan and Christyn Tipcke (Owners)  
Address of zoning request: TBD Kolshorn Road Red Wing, MN 55066  
Parcel(s): 34.125.0010, 34.125.0020, 34.019.2802, 34.125.0011 and 34.030.0300  
Abbreviated Legal Description: Lot 1 Block 1 and Outlot A of the Kolshorn Ridge Addition, Part of the S ½ of the SE ¼ Section 19 TWP 112 Range 14 and Part of the N ½ of the NE ¼ of Section 30 TWP 112 Range 14 all in Hay Creek Township  
Zoning District: A2 (General Agriculture District)  
Township: The Applicant will need to obtain appropriate signatures from Hay Creek Township upon final plat approval.

### **Attachments and links:**

Application  
Site Map(s)  
Goodhue County Zoning Ordinance (GCZO):  
<http://www.co.goodhue.mn.us/DocumentCenter/View/2428>

### **Summary:**

Ryan and Christyn Tipcke (Owners/Applicants) have had Johnson and Scofield Inc. prepare a Preliminary and Final Plat of the proposed “Kolshorn Ridge Second” plat.

According to the Goodhue County Subdivision Ordinance, any land subdivision which dedicates any interests to the public such as easements or roads must be formally platted. The proposed “Kolshorn Ridge Second” plat dedicates frontage to Kolshorn Road.

A formal plat must also be prepared to combine unplatted land with platted land. Parcels 34.125.0010, 34.125.0020, and 34.125.0011 are currently platted as “Kolshorn Ridge”. To facilitate the sale of a building site with enough room to meet bluff setbacks the Applicants have proposed to add land from parcel 34.030.0300 to parcel 34.125.0010. The buildable portion of the new Lot 1 Block 1 would only be in Section 30 of Hay Creek Township. Section 19 is considered “full” for dwelling development with 26 houses where a maximum of 12 are allowed. Section 30 is considered buildable as there are only 5 dwellings where a maximum of 12 are allowed (one per original ¼ ¼ section). Lot 1 Block 1 would be located within an open ¼ ¼ section.

The Applicant has proposed to plat a new Outlot combining parcels 34.125.0011 and 34.019.2802. It should be noted that Outlots are not considered buildable for dwellings or accessory buildings per the Goodhue County Subdivision Ordinance.

An existing driveway easement exists north of the platted area. Buyers of the buildable site will need to be added to this easement for access to Lot 1 Block 1. All parcels will meet minimum lot size and access standards.



**Staff Recommendation:**

LUM Staff recommends the Planning Advisory Commission

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

Recommend that the County Board of Commissioners **APPROVE** the request submitted by Ryan and Christyn Tipcke for the Preliminary and Final Plat of the proposed “Kolshorn Ridge Second” Plat comprising approximately 21.36 acres.

FILE #	7 230019
PARCEL #	31.025.2500

# 505 Plat Application

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

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

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

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

### Landowner Information

Landowner Name	Christyn Tipseke	Email	
Mailing Address	23170 325 <sup>th</sup> St Red Wing, MN 55066		
Daytime Phone			

### Applicant Information (if different than above)

Applicant Name		Email	
Mailing Address			
Daytime Phone			

### Township Information

Township position		Date	
Signature			

### County Use

Application Fee	\$350	Receipt Number	18115	Received Date	6-2-23
Initial Reviewed by					
Plat Name					

Request complies with Goodhue County Zoning and Subdivision requirements as attested by me

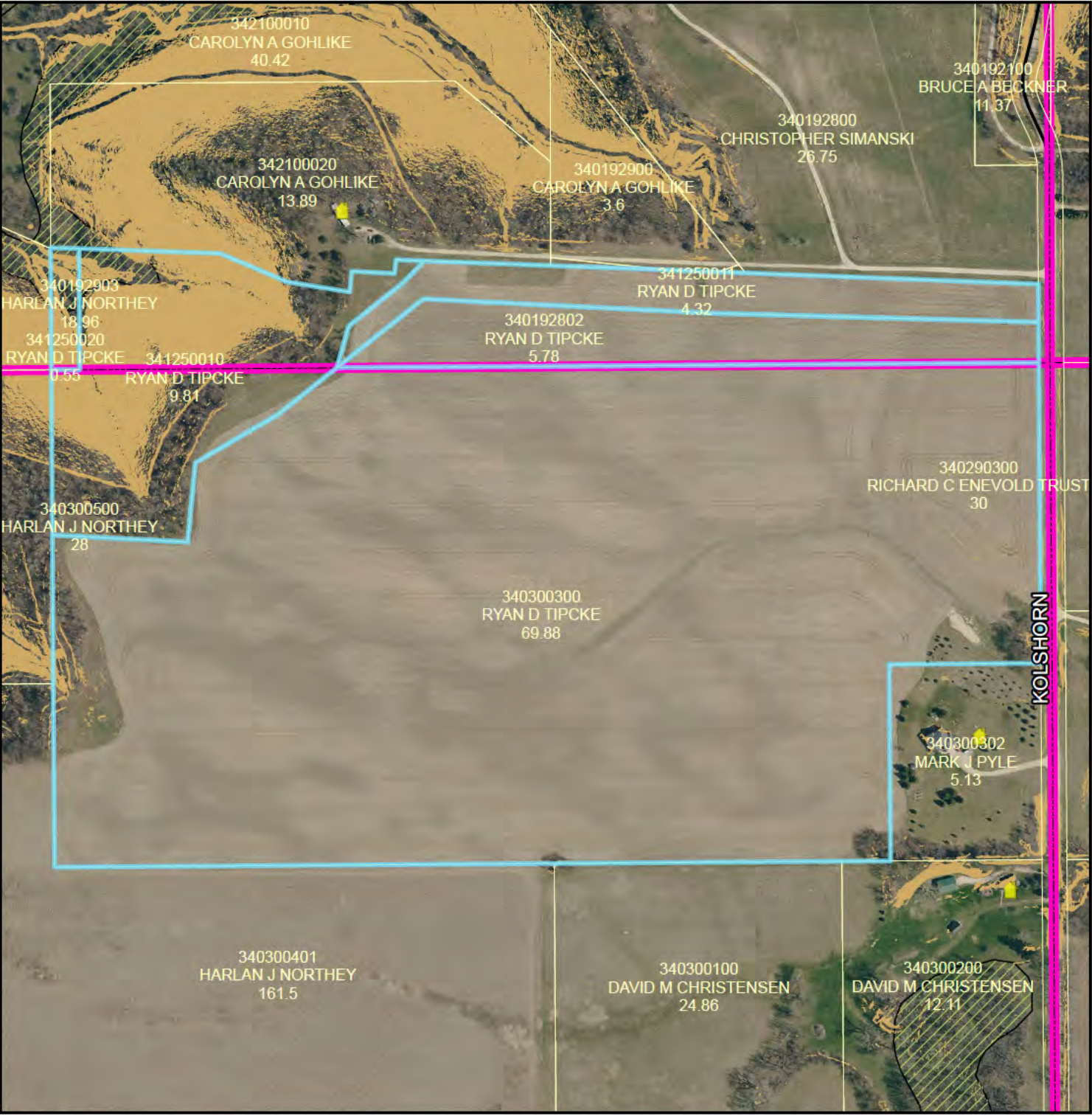
\_\_\_\_\_ the Goodhue County Planner/Zoning Administrator on

this day \_\_\_\_\_

**RECEIVED**

**JUN 02 2023**

# MAP 01: PROPERTY OVERVIEW



## PLANNING COMMISSION

PAC Meeting  
June 15, 2023

Ryan and Christyn Tipcke (Owners)

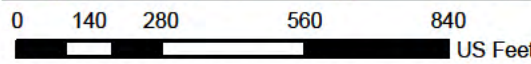
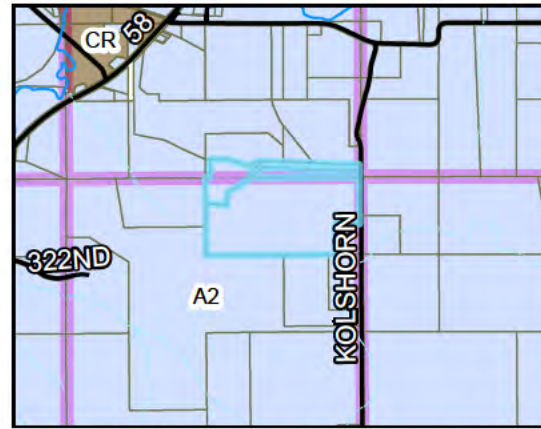
A2 Zoned District

Kolshorn Ridge Addition and Part of the S 1/2 of the SE 1/4 Section 19 TWP 112 Range 14 and Part of the N 1/2 of the NE 1/4 of Section 30 TWP 112 Range 14 all in Hay Creek Township

Preliminary and Final Plat review  
Kolshorn Ridge Second Plat

### Legend

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

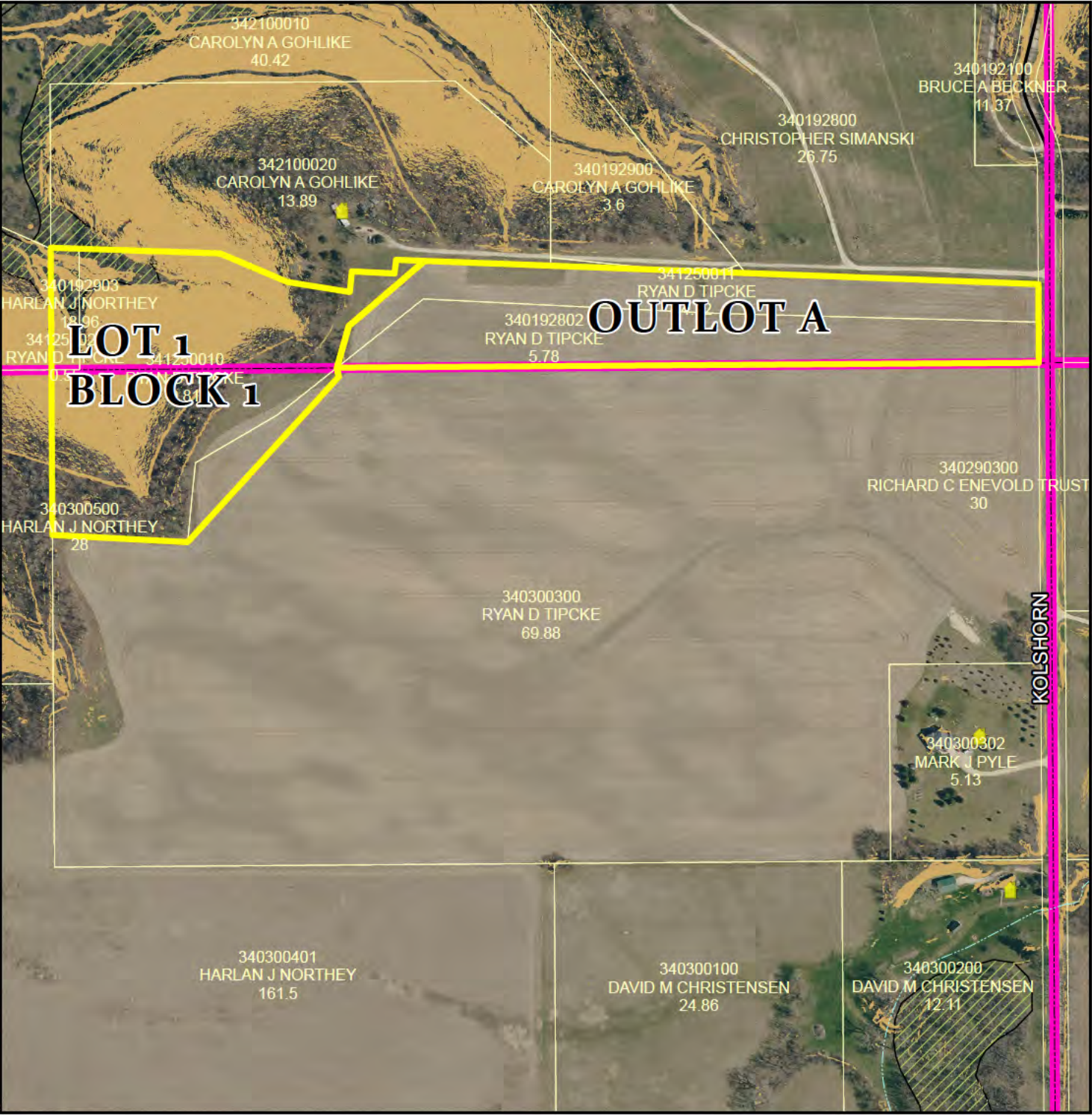


DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery  
Map Created June, 2023 by LUM



**MAP 01: PROPERTY OVERVIEW**



**PLANNING COMMISSION**

PAC Meeting  
June 15, 2023

Ryan and Christyn Tipcke (Owners)

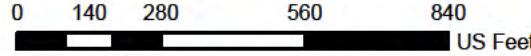
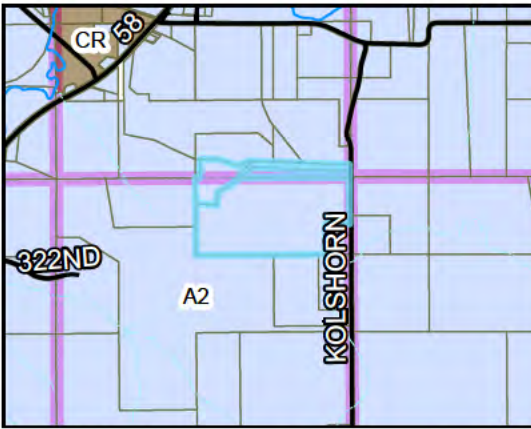
A2 Zoned District

Kolshorn Ridge Addition and Part of the S 1/2 of the SE 1/4 Section 19 TWP 112 Range 14 and Part of the N 1/2 of the NE 1/4 of Section 30 TWP 112 Range 14 all in Hay Creek Township

Preliminary and Final Plat review  
Kolshorn Ridge Second Plat

**Legend**

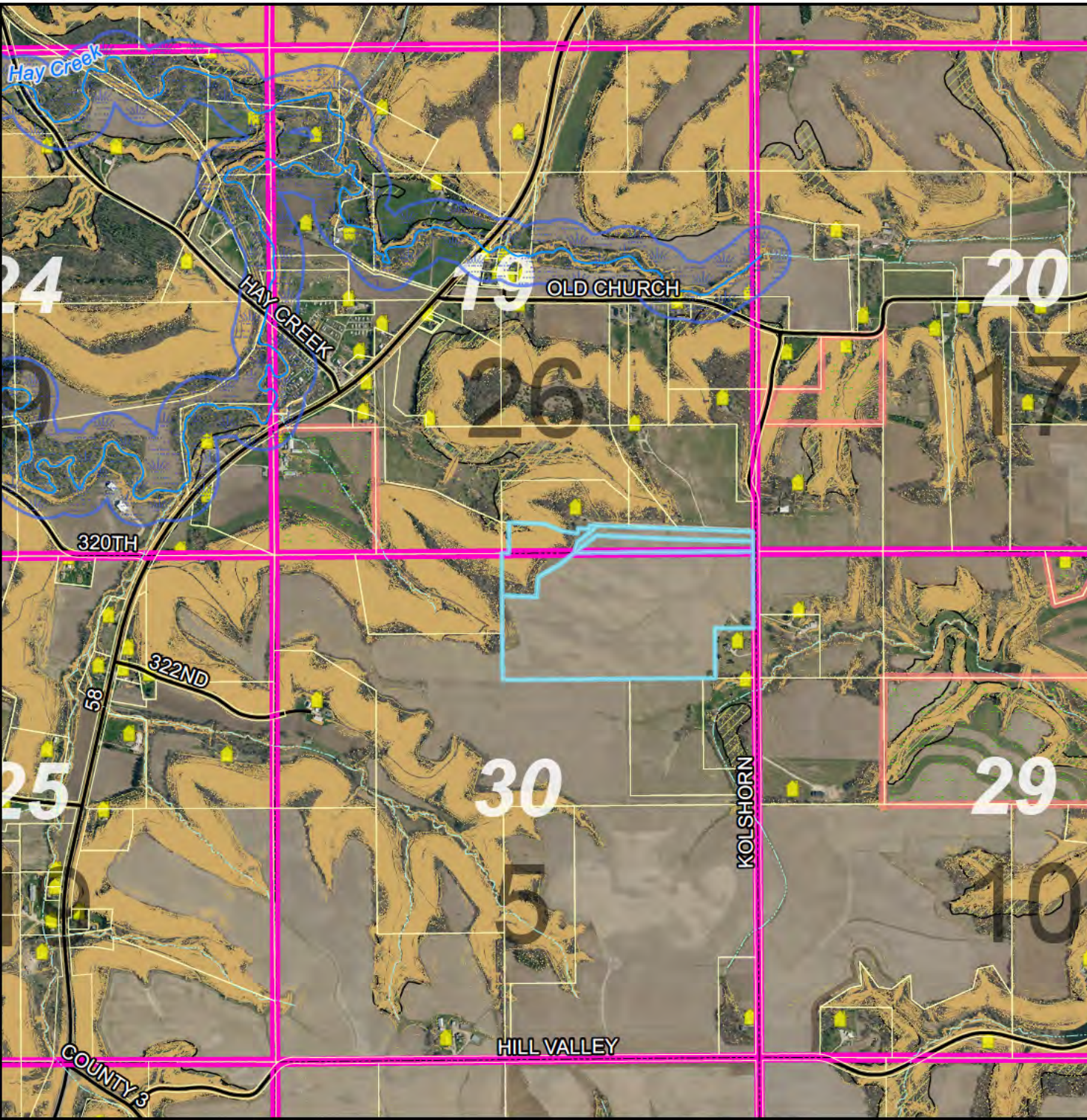
- |                            |                                 |
|----------------------------|---------------------------------|
| Intermittent Streams       | Bluff Impact Zones (% slope) 20 |
| Protected Streams          | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | <b>FEMA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



DATA DISCLAIMER: Goodhue County assumes NO liability for the accuracy or completeness of this map OR responsibility for any associated direct, indirect, or consequential damages that may result from its use or misuse. Goodhue County Copyright 2023.

2022 Aerial Imagery  
Map Created June, 2023 by LUM





**PLANNING COMMISSION**

PAC Meeting  
June 15, 2023

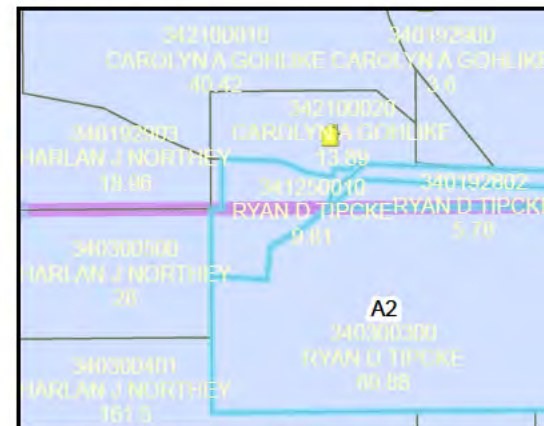
Ryan and Christyn Tipcke (Owners)

A2 Zoned District

Kolshorn Ridge Addition and  
Part of the S 1/2 of the SE 1/4  
Section 19 TWP 112 Range 14 and Part  
of the N 1/2 of the NE 1/4 of Section  
30 TWP 112 Range 14 all in  
Hay Creek Township

Preliminary and Final Plat review  
Kolshorn Ridge Second Plat  
**Legend**

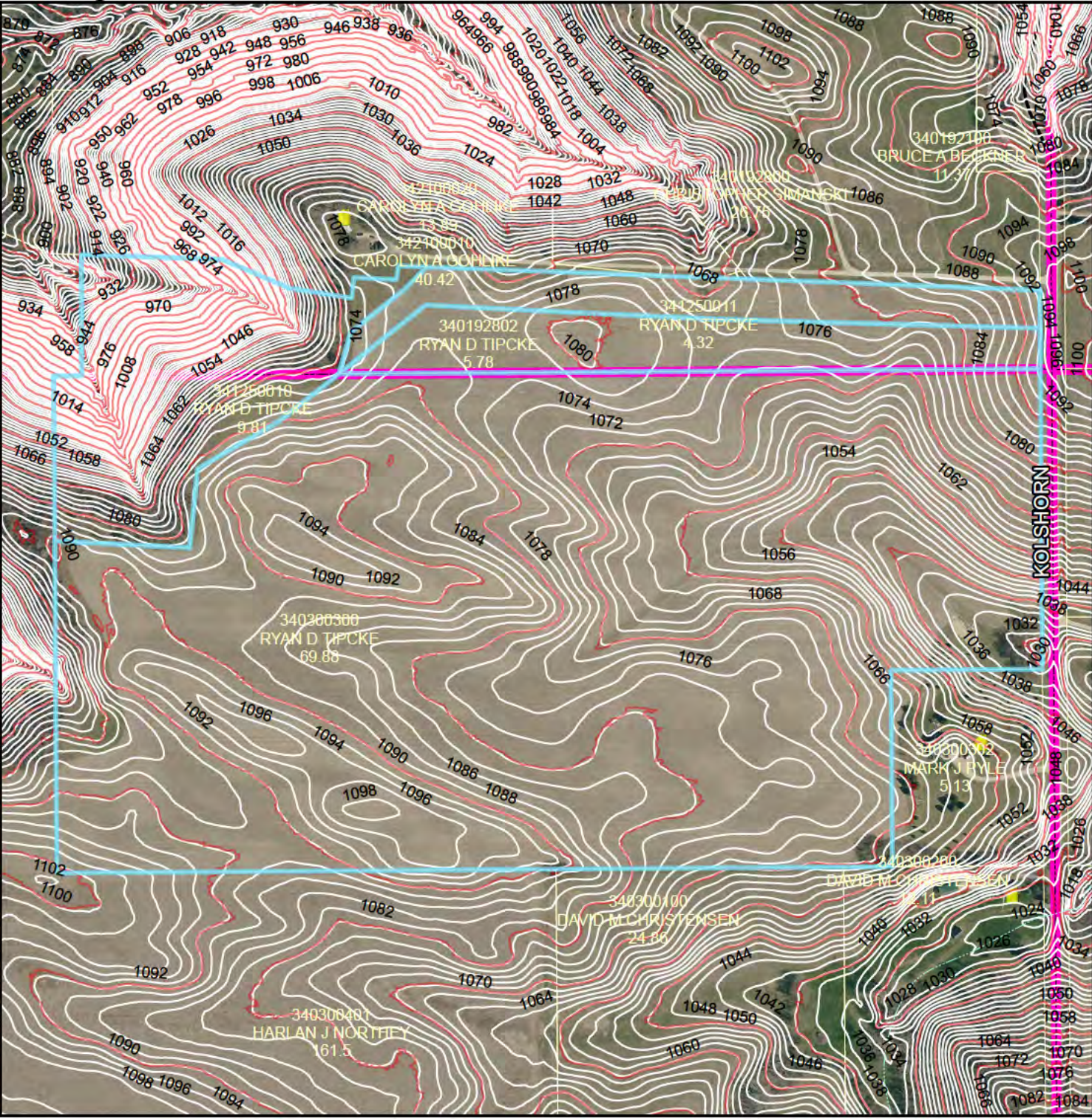
- |  |                            |  |                              |
|--|----------------------------|--|------------------------------|
|  | Intermittent Streams       |  | Bluff Impact Zones (% slope) |
|  | Protected Streams          |  | 20                           |
|  | Lakes & Other Water Bodies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



DATA DISCLAIMER: Goodhue County assumes  
NO liability for the accuracy or completeness of this map  
OR responsibility for any associated direct, indirect,  
or consequential damages that may result from its use  
or misuse. Goodhue County Copyright 2023.



**MAP 03: ELEVATIONS**



**PLANNING COMMISSION**

PAC Meeting  
June 15, 2023

Ryan and Christyn Tipcke (Owners)

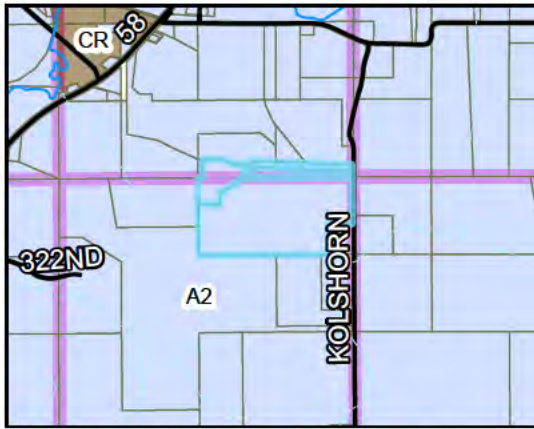
A2 Zoned District

Kolshorn Ridge Addition and  
Part of the S 1/2 of the SE 1/4  
Section 19 TWP 112 Range 14 and Part  
of the N 1/2 of the NE 1/4 of Section  
30 TWP 112 Range 14 all in  
Hay Creek Township

Preliminary and Final Plat review  
Kolshorn Ridge Second Plat

**Legend**

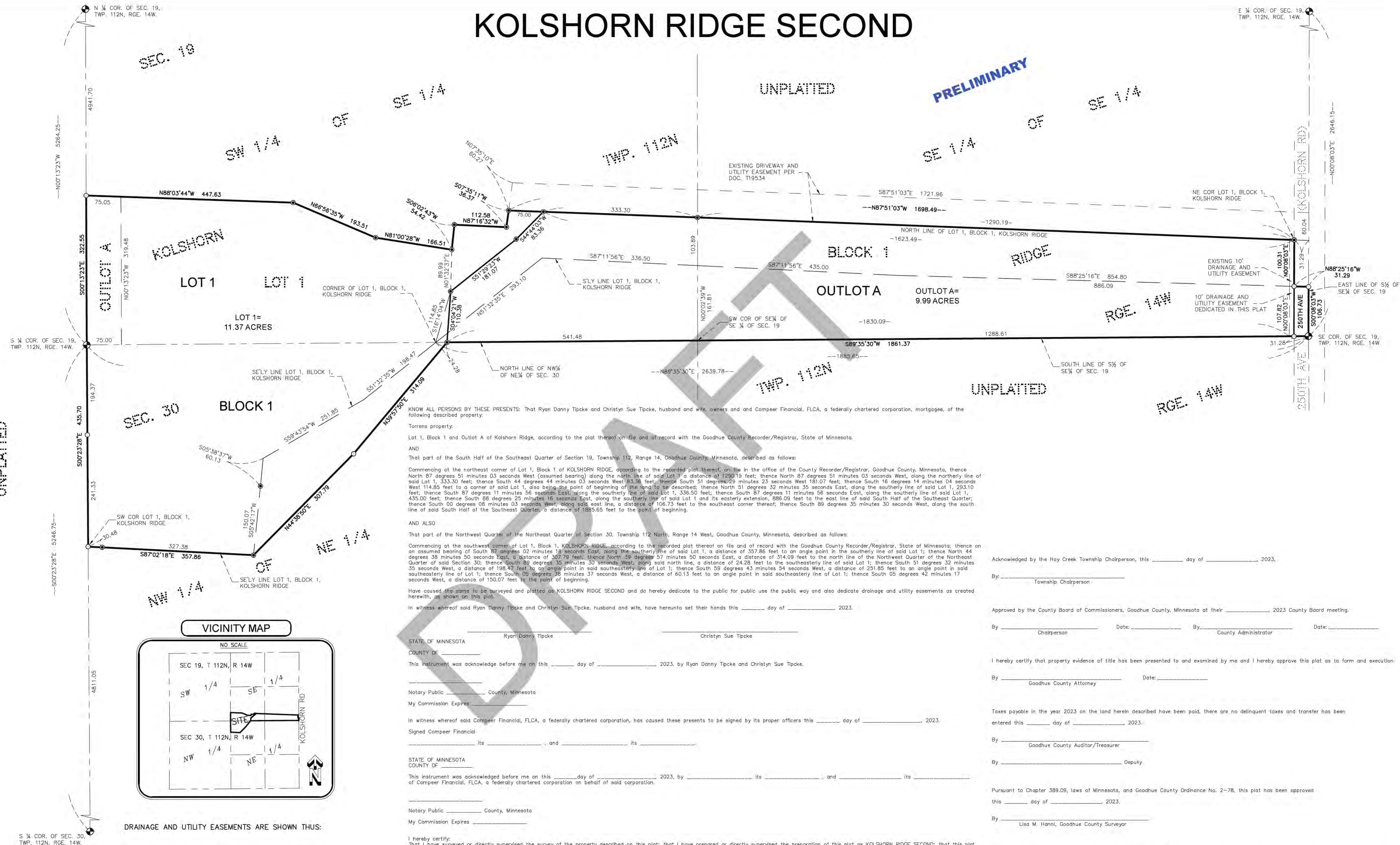
- |                            |                                 |
|----------------------------|---------------------------------|
| Intermittent Streams       | Bluff Impact Zones (% slope) 20 |
| Protected Streams          | Bluff Impact Zones (% slope) 30 |
| Lakes & Other Water Bodies | <b>FEMA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



DATA DISCLA MER: Goodhue County assumes  
NO liability for the accuracy or completeness of this map  
OR responsibility for any associated direct, indirect,  
or consequential damages that may result from its use  
or misuse. Goodhue County Copyright 2023.



# KOLSHORN RIDGE SECOND



UNPLATTED

PRELIMINARY

KNOW ALL PERSONS BY THESE PRESENTS: That Ryan Danny Tipcke and Christyn Sue Tipcke, husband and wife, owners and Compeer Financial, FLCA, a federally chartered corporation, mortgagee, of the following described property:

Torrens property:  
 Lot 1, Block 1 and Outlot A of Kolshorn Ridge, according to the plat thereof on file and of record with the Goodhue County Recorder/Registrar, State of Minnesota.

AND  
 That part of the South Half of the Southeast Quarter of Section 19, Township 112, Range 14, Goodhue County, Minnesota, described as follows:  
 Commencing at the northeast corner of Lot 1, Block 1 of KOLSHORN RIDGE, according to the recorded plat thereof, on file in the office of the County Recorder/Registrar, Goodhue County, Minnesota, thence North 87 degrees 51 minutes 03 seconds West (assumed bearing) along the north line of said Lot 1 a distance of 1290.19 feet; thence North 87 degrees 51 minutes 03 seconds West, along the northerly line of said Lot 1, 333.30 feet; thence South 44 degrees 44 minutes 03 seconds West 83.36 feet; thence South 51 degrees 23 seconds West 161.07 feet; thence South 16 degrees 14 minutes 04 seconds West 114.85 feet to a corner of said Lot 1, also being the point of beginning of the line to be described; thence North 51 degrees 32 minutes 35 seconds East, along the southerly line of said Lot 1, 293.10 feet; thence South 87 degrees 11 minutes 56 seconds East, along the southerly line of said Lot 1, 335.50 feet; thence South 87 degrees 11 minutes 56 seconds East, along the southerly line of said Lot 1, 435.00 feet; thence South 88 degrees 25 minutes 16 seconds East, along the southerly line of said Lot 1 and its easterly extension, 886.09 feet to the east line of said South Half of the Southeast Quarter; thence South 00 degrees 08 minutes 03 seconds West, along said east line, a distance of 106.73 feet to the southeast corner thereof; thence South 89 degrees 35 minutes 30 seconds West, along the south line of said South Half of the Southeast Quarter, a distance of 1885.65 feet to the point of beginning.

AND ALSO  
 That part of the Northwest Quarter of the Northeast Quarter of Section 30, Township 112 North, Range 14 West, Goodhue County, Minnesota, described as follows:  
 Commencing at the southwest corner of Lot 1, Block 1, KOLSHORN RIDGE, according to the recorded plat thereof on file and of record with the Goodhue County Recorder/Registrar, State of Minnesota; thence on an assumed bearing of South 37 degrees 02 minutes 18 seconds East, along the southerly line of said Lot 1, a distance of 357.86 feet to an angle point in the southerly line of said Lot 1; thence North 44 degrees 38 minutes 50 seconds East, a distance of 307.79 feet; thence North 39 degrees 57 minutes 50 seconds East, a distance of 314.09 feet to the north line of the Northwest Quarter of the Northeast Quarter of said Section 30; thence South 89 degrees 35 minutes 30 seconds West, along said north line, a distance of 24.28 feet to the southeasterly line of said Lot 1; thence South 51 degrees 32 minutes 35 seconds West, a distance of 198.47 feet to an angle point in said southeasterly line of Lot 1; thence South 55 degrees 43 minutes 54 seconds West, a distance of 251.85 feet to an angle point in said southeasterly line of Lot 1; thence South 05 degrees 38 minutes 37 seconds West, a distance of 60.13 feet to an angle point in said southeasterly line of Lot 1; thence South 05 degrees 42 minutes 17 seconds West, a distance of 150.07 feet to the point of beginning.

Have caused the same to be surveyed and platted as KOLSHORN RIDGE SECOND and do hereby dedicate to the public for public use the public way and also dedicate drainage and utility easements as created herewith, as shown on this plat.

In witness whereof said Ryan Danny Tipcke and Christyn Sue Tipcke, husband and wife, have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
 Ryan Danny Tipcke  
 \_\_\_\_\_  
 Christyn Sue Tipcke

STATE OF MINNESOTA  
 COUNTY OF \_\_\_\_\_  
 This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_ 2023, by Ryan Danny Tipcke and Christyn Sue Tipcke.

\_\_\_\_\_  
 Notary Public \_\_\_\_\_ County, Minnesota  
 My Commission Expires \_\_\_\_\_

In witness whereof said Compeer Financial, FLCA, a federally chartered corporation, has caused these presents to be signed by its proper officers this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

Signed Compeer Financial  
 \_\_\_\_\_ its \_\_\_\_\_, and \_\_\_\_\_ its \_\_\_\_\_

STATE OF MINNESOTA  
 COUNTY OF \_\_\_\_\_  
 This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_ 2023, by \_\_\_\_\_ its \_\_\_\_\_, and \_\_\_\_\_ its \_\_\_\_\_

\_\_\_\_\_  
 Notary Public \_\_\_\_\_ County, Minnesota  
 My Commission Expires \_\_\_\_\_

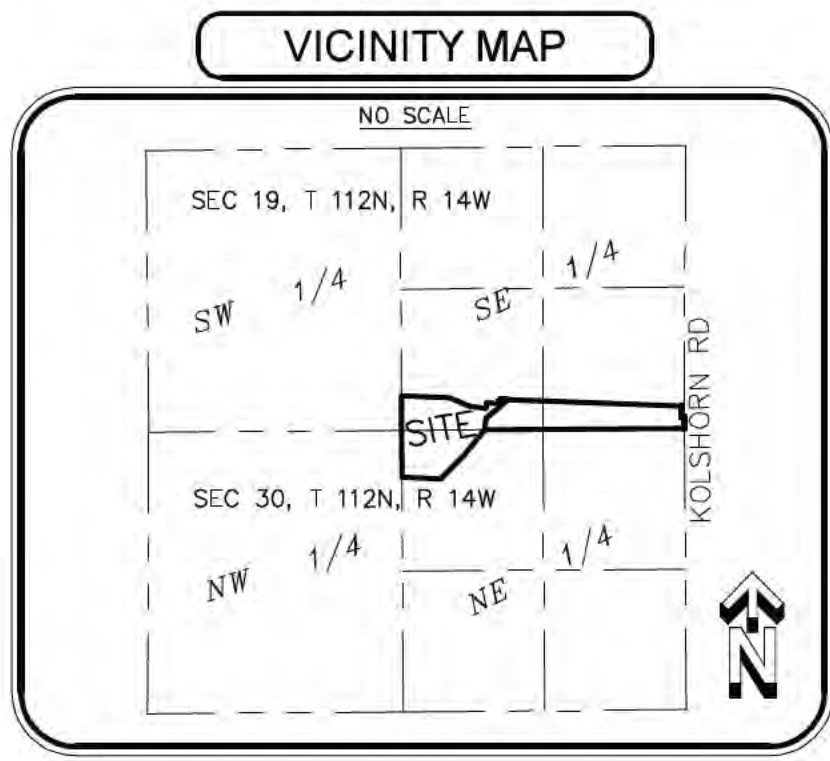
I hereby certify:  
 That I have surveyed or directly supervised the survey of the property described on this plat; that I have prepared or directly supervised the preparation of this plat as KOLSHORN RIDGE SECOND; that this plat is a correct representation of the boundary survey, that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been set; that as of the date of this certification all water boundaries and wet lands, as defined in Minnesota Statutes 505.01, Subd. 3, are shown and labeled on the plat; and that all public ways are shown and labeled on the plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

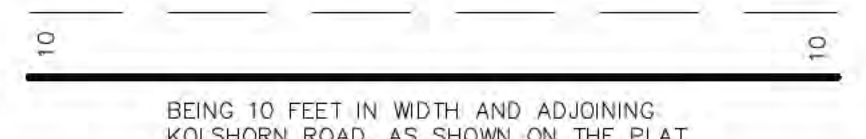
\_\_\_\_\_  
 David A. Johnson, Professional Land Surveyor  
 Minnesota License Number 12788

STATE OF MINNESOTA  
 COUNTY OF GOODHUE  
 This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_ 2023, by David A. Johnson, Professional Land Surveyor.

\_\_\_\_\_  
 Notary Public Goodhue County, Minnesota  
 My Commission Expires January 31st, 2026



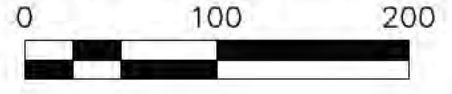
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



**LEGEND**

- DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 47460.
- DENOTES FOUND IRON MONUMENT.
- ⊕ DENOTES GOODHUE COUNTY P.L.S. CORNER POSITION. SEE RECORD CERTIFICATE OF LOCATION FOR MONUMENT DESCRIPTION.

THE BEARINGS SHOWN HEREON ARE BASED ON THE RECORDED PLAT OF KOLSHORN RIDGE.



Acknowledged by the Hay Creek Township Chairperson, this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

By \_\_\_\_\_  
 Township Chairperson

Approved by the County Board of Commissioners, Goodhue County, Minnesota at their \_\_\_\_\_ 2023 County Board meeting.

By \_\_\_\_\_ Date: \_\_\_\_\_ By \_\_\_\_\_ Date: \_\_\_\_\_  
 Chairperson County Administrator

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

By \_\_\_\_\_ Date: \_\_\_\_\_  
 Goodhue County Attorney

Taxes payable in the year 2023 on the land herein described have been paid, there are no delinquent taxes and transfer has been entered this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

By \_\_\_\_\_  
 Goodhue County Auditor/Treasurer

By \_\_\_\_\_  
 Deputy

Pursuant to Chapter 389.09, laws of Minnesota, and Goodhue County Ordinance No. 2-78, this plat has been approved this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

By \_\_\_\_\_  
 Lisa M. Hanni, Goodhue County Surveyor

I hereby certify that the within instrument was filed in this office for record this \_\_\_\_\_ day of \_\_\_\_\_ 2023, at \_\_\_\_\_ m. and was duly recorded as document number \_\_\_\_\_.

By \_\_\_\_\_  
 Goodhue County Recorder/Registrar



**JOHNSON & SCOFIELD INC.**  
 SURVEYING AND ENGINEERING  
 1203 MAIN STREET, RED WING, MN 55068  
 (951)3881558

# 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:** June 15, 2023  
**Report date:** June 2, 2023

## **PUBLIC HEARING: Consider Goodhue County Ordinance Updates**

Proposed amendments to Article 10 (Definitions), Article 11 (Performance Standards), and Article 20 (Table of Uses) to amend definitions for Farm and Agricultural Operation, add a definition for Rural Tourism, remove Non-Agricultural Uses Associated with Agri-Tourism and replace with Rural Tourism, amend performance standards and the Table of Uses to correlate with the addition of Rural Tourism.

### **Attachments:**

Proposed Amendments  
[Goodhue County Zoning Ordinance](#)

### **Summary:**

The Ordinance Subcommittee met twice in early 2023 to discuss amendments to the Zoning Ordinance for various definitions and replacing “Non-Agricultural Uses Associated with Agricultural Tourism” with “Rural Tourism”. Staff brought these proposals and various background information to the Planning Commission in April and May for discussion and review before hosting a public hearing.

### **Article 10:**

- Remove definition for Agricultural Land – outdated
- Amend definition of Agricultural Operation to add *property primarily used for...* and agricultural processing provision clarification. An Agricultural Operation would be a property where the agricultural product is being raised or produced, not a facility primarily engaged in processing agricultural products.
- Add Agricultural Processing definition – clarifies provision in Agricultural Operation definition.
- Remove Non-Agricultural Related Products
- Amend definition of Agricultural Tourism to reflect changes in the definition of Farm and Agricultural Operation
- Amend definition of Farm to modernize.
- Remove Non-Agricultural Uses/Activities Associated with Agri-Tourism. This will be replaced with Rural Tourism.
- Add definition for Rural Tourism.

### **Table of uses:**

- Remove Non-Agricultural Uses/Activities Associated with Agri-Tourism
- Remove Educational Farm Retreat
- Add Rural Tourism

### **Table of Uses – Business & Industrial Districts:**

- Add Bed and Breakfast Inn as a Conditional/Interim Use in Business Districts
- Add Rural Tourism as a Conditional/Interim Use in Business Districts.



### **Article 11:**

- Section 13. Bed and Breakfast Inns – remove language that is required for all Rural Tourism operations
- Remove Section 14. Educational Farm Retreat. The concept is like an AirBnB or VRBO which County Zoning does not regulate
- Section 24. Preservation of Farming Practices – update definition for Agricultural Operation.
- Section 25. Retreat Centers – remove language that is required for all Rural Tourism operations because Retreat Centers will be classified as Rural Tourism operations subject to all Rural Tourism performance standards and B&B performance standards.
- Section 30. Non-Agricultural Uses Associated with Agricultural Tourism will be replaced with Rural Tourism. Requirements for an application and most performance standards remain the same. B&Bs and Retreat Centers are called out specifically because they both have separate performance standards apart from the Rural Tourism standards they must also comply with. Amended some standards so they are only applicable to operations with 50+ guests because Retreat Centers may have a maximum of 50 guests and B&Bs are capped at 15 guests.

### **Staff Recommendation:**

Land Use Management staff recommends the Planning Advisory Commission adopt the staff report into the record, and recommend the County Board of Commissioners **APPROVE** the amendments to Articles 10 (Definitions), 11 (Performance Standards), and 20 (Table of Uses).

# ARTICLE 10 WORD USAGE AND DEFINITIONS

---

## SECTION 1. WORD USAGE

For purposes of this Ordinance, certain terms or words used herein shall be interpreted as follows:

- Subd 1. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as individual.
- Subd 2. The word "shall" is mandatory, and not discretionary, the word "may" is permissive.
- Subd 3. Words used in the present tense shall include the future; words used in the singular shall include the plural, and the plural the singular.
- Subd 4. The words "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for".
- Subd 5. All stated and measured distances shall be taken to the nearest integral foot. If a fraction is one-half (1/2) foot or less, the integral foot next below shall be taken.

## SECTION 2. DEFINITIONS

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

**ABANDONED HOMESTEAD.** A formerly established homestead that has since been abandoned.

**ACCESSORY BUILDING.** A subordinate building or structure on the same lot, or part of the main building, occupied by or devoted exclusively to an accessory use.

**ACCESSORY DWELLING UNIT (ADU).** Dwelling units that are accessory to a primary dwelling unit and are on the same tax parcel of land as the primary dwelling unit.

**AGGREGATED PROJECT.** See Article 18 (WECS)

~~**AGRICULTURAL LAND.** Land that was planted with annually seeded crops, was in a crop rotation seeding of pasture grasses or legumes, or was set aside to receive price support or other payments under United States Code, Title 7, Sections 1421 to 1469, six of the last ten years prior to January 1, 1991.~~

~~**AGRICULTURAL OPERATION.** A facility consisting of real or personal property primarily used for the production of crops including fruit and vegetable production, tree farming, livestock, poultry, dairy products, or poultry products, and associated processing of agricultural products produced by the operation. but not a facility primarily engaged in processing agricultural products. Agricultural processing for commercial use or sale shall not be the primary use of property at an Agricultural Operation.~~ Agricultural operation shall also include certain farm activities and uses as follows: chemical and fertilizer spraying, farm machinery noise, extended hours of operation, manure collection, disposal, spreading or storing, open storage of machinery, feedlots, odors produced from farm animals, crops or products used in farming.

~~**AGRICULTURAL PROCESSING.** The practice of enhancing or improving the overall value of an agricultural product. The enhancement or improvement includes, but is not limited to, marketing, transforming, or packaging.~~

**AGRICULTURAL PRODUCT.** Includes, but is not limited to, crops (corn, wheat, hay, potatoes, soybeans); fruit (apples, peaches, grapes, cherries, berries, etc.); cider; vegetables (sweet corn, pumpkins, tomatoes, etc.); floriculture; herbs; forestry; husbandry; livestock and livestock products (cattle, sheep, hogs, horses, poultry, ostriches, emus, farmed deer, farmed buffalo, milk, eggs, and fur, etc.); aquaculture products (fish, fish products, water plants and shellfish); horticultural specialties (nursery stock, ornamental shrubs, flowers and Christmas trees); maple sap, honey, etc.

**AGRICULTURAL PRODUCT, VALUE-ADDED.** This means the enhancement or improvement of the overall value of an agricultural commodity or of an animal or plant product to a higher value. The enhancement or improvement includes, but is not limited to marketing, agricultural processing, transforming, or packaging, education presentation, activities, and tours.

**AGRICULTURAL RELATED PRODUCTS.** Means items sold at a farm market to attract customers and promote the sale of agricultural products. Such items include, but are not limited to all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and beverages, jams, honey, gift items, foodstuffs, clothing and other items promoting the farms and agriculture in Goodhue County and value-added agricultural products and production on site.

~~**NON-AGRICULTURAL RELATED PRODUCTS.** Means those items not connected to farming or the farm operation, such as novelty t-shirts or other clothing, crafts, and knick-knacks imported from other states or countries, etc.~~

**AGRICULTURAL TOURISM.** “Ag-tourism” and/or “Agri-tourism” means the practice of visiting an ~~agribusiness, horticultural, farm~~ or agricultural operation, including, but not limited to, ~~ana farm~~, orchard, vineyard, winery, greenhouse, hunting preserve, a companion animal or livestock show, for the purpose of recreation, education, ~~or~~ active involvement in the operation, or participation in an agricultural related use other than as a contractor or employee of the operation.

**AGRICULTURAL USE.** The use of land for agricultural purposes, including farming, dairying, pasturage agricultural, forestry horticulture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating and storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

**AGRICULTURAL RELATED USE.** Means activities that are accessory to the principal use of the property for permissible agriculture use that predominantly use agricultural products, buildings or equipment including activities, events or uses that represent “agricultural tourism” in Goodhue County as defined in this section, including but not limited to:

- A. Bakeries selling baked goods containing produce grown primarily on site
- B. Barn dances
- C. Corn mazes or straw bale mazes
- D. Educational events including but not limited to: activities associated with the promotion of wine usage, viticulture or viniculture classes, historical agricultural exhibits, and farming and food preserving classes.
- E. Gift shops for the sale of agricultural products and agriculturally related products.
- F. Petting farms, animal display, and pony rides

dwelling shall be allowed to become permanent, nor shall it give rise to a right to create a separate building site.

**DWELLING, REPLACEMENT SITE.** A site currently occupied by a legally established existing dwelling, whether habitable or uninhabitable, that may be continued as a dwelling site, regardless of the maximum density standard of the applicable zoning district.

**EDUCATIONAL FARM RETREAT.** An educational farm retreat shall be construed to mean any dwelling occupied in such a manner that certain rooms in excess of those used by members of the family, as herein provided, and occupied as a home or family unit, are rented with cooking facilities, to the public for compensation and catering primarily to the traveling public. The purpose of the Educational Farm Retreat is to provide a lodging experience that provides an opportunity for guests to learn about the operations of a working farm.

**EDUCATIONAL FARM RETREAT UNIT.** Educational farm retreat room in a grouping to include not more than two bedrooms, kitchen or kitchenette, and bathroom.

**EQUAL DEGREE OF ENCROACHMENT.** A method of determining the location of floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.

**EMPLOYEE, NON-RESIDENT.** Persons employed by a home business not residing within the principal dwelling.

**ESSENTIAL SERVICES.** These uses include poles, towers, telephone booths, wires, cables, conduits, vaults, pipes, mains, pipelines, laterals, stations, substations or other associated or similar transmitting distributing or regulating facilities of a public utility.

**EXCAVATION.** See Article 14 (Mineral Extraction)

**EXTRACTIVE USE.** The use of land for surface or sub-surface removal of sand, gravel, rock, industrial minerals, other non-metallic minerals, and peat not regulated under Minnesota Statutes, Sections 93.44 to 93.51.

**FAA.** See Article 17 (WCF)

**FALL ZONE.** See Article 18 (WECS)

**FCC.** See Article 17 (WCF)

**FAMILY.** A family is any number of persons living together in a room or rooms comprising of single housekeeping unit and related by blood, marriage, adoption, or any unrelated person who resides therein as though a member of the family including the domestic employees thereof. Any group of persons not so related but inhabiting a single house, shall for the purpose of this Ordinance, be considered to constitute one family for each five (5) persons, exclusive of domestic employees, contained in each such group.

**FARM.** A tract of land principally used for agriculture activities including, but not limited to, the production of cash crops, livestock, or poultry farming. Farms may include dwellings and accessory buildings necessary to the operation of a farm. Real estate consisting of at least forty (40) acres with a minimum of at least twenty (20) acres cropland. Smaller acreage shall qualify as a farm if at least fifty (50) percent of the total net family income of the owner is derived from agricultural production in the preceding two tax years.

A. ~~A tree farm would qualify if registered with the State of Minnesota and has forty (40) acres of tree coverage.~~

**FARM MARKET/ON-FARM MARKET/ROADSIDE STAND.** Means the sale of agricultural products or value-added agricultural products directly to the consumer from a site on a working farm or any agricultural, horticultural or agribusiness operation or agricultural land.

**FARMYARD.** The area of a farm immediately around the farm residence where accessory buildings are located and are being used exclusively for agricultural operations.

**FARM WINERY.** See Article 11 (Farm Wineries)

**FEEDER LINE.** See Article 18 (WECS)

**FEEDLOT.** Lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this Ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under these rules. Other definitions relating to feedlots are found in Minnesota Pollution Control Agency's Rules 7020 For The Control of Pollution From Animal Feedlots. These rules are adopted by reference in this Ordinance.

**FLOOD.** See Article 32 (Floodplain District)

**FLOOD FREQUENCY.** See Article 32 (Floodplain District)

**FLOOD FRINGE.** See Article 32 (Floodplain District)

**FLOODPLAIN.** See Article 32 (Floodplain District)

**FLOOD-PROOFING.** See Article 32 (Floodplain District)

**FLOODWAY.** See Article 32 (Floodplain District)

**FLOOR AREA, GROUND.** See Article 32 (Floodplain District)

**FOREST LAND CONVERSION.** The removal of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.

**FORESTRY.** The use and management, including logging, of a forest, woodland or plantation and related research and educational activities.

**GARAGE, PRIVATE.** An accessory building designed or used for the storage of not more than three (3) motor driven vehicles owned and used by the occupants of the building to which it is accessory.

**GASOLINE SERVICE STATION.** A building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, and including the customary space and facilities for the installation of such commodities on or in such vehicles, but not including special facilities for the painting, repair, or similar servicing thereof.

**GENERATOR NAMEPLATE CAPACITY.** See Article 18 (WECS)

**HIGH POWER TRANSMISSION LINE.** See Article 17 (WCF)

**HOME BUSINESS.** A business, profession, occupation or trade for gain or support conducted by an owner-occupant on the same parcel as the principal dwelling, which is incidental and secondary to the principal use of the premises.

**LOT WIDTH.** The horizontal distance between the side lot lines, measured at the two points where the building line, or setback, intersects the side lot lines.

**LOT LINES.** The lines bounding a lot as defined in this Ordinance.

**LOWEST FLOOR.** See Article 32 (Floodplain District)

**MANUFACTURED HOME.** See Article 32 (Floodplain District)

**MANUFACTURED HOUSING.** A manufactured building or portion of a building designed for long-term residential use.

**MAXIMUM DENSITY.** A density standard establishing the maximum number of dwellings allowed in a Section, ¼ ¼ Section, District, or Subdivision. In order to maintain a balance of compatible uses, when the maximum density has been reached, the only opportunity to increase the density is through a change of zone process that would allow additional housing. Reestablished abandoned homestead sites are not included in the density count until they have been approved and permitted.

**MIGRATORY LABOR CAMP.** Temporary facilities provided by the employer on his own land for the housing of workers who for seasonal purposes are employed in the planting, harvesting, or processing of crops.

**MINERAL EXTRACTION, ACCESSORY USE.** See Article 14 (Mineral Extraction)

**MINERAL EXTRACTION, PRINCIPAL USE.** See Article 14 (Mineral Extraction)

**MINERAL EXTRACTION.** See Article 14 (Mineral Extraction)

**MINERAL EXTRACTION FACILITY.** See Article 14 (Mineral Extraction)

**MINERAL EXTRACTION PERMIT.** See Article 14 (Mineral Extraction)

**MINERAL RESOURCE.** See Article 14 (Mineral Extraction)

**MINING TECHNICAL EVALUATION PANEL.** See Article 14 (Mineral Extraction)

**MINING/EXCAVATION OPERATION.** The removal of stone, sand, and gravel, coal, salt, iron, copper, nickel, petroleum or other material from the land for commercial, industrial, or governmental purposes.

**MOBILE HOME.** Manufactured housing built on a chassis.

**MOBILE/MANUFACTURED HOME PARK.** This term applies to any lot or tract of land upon which two (2) or more occupied trailer coaches or mobile homes are harbored either with or without charge and including any building or enclosure intended for use as a part of the equipment of such park.

**NACELLE.** See Article 18 (WECS)

~~**NON-AGRICULTURAL USES/ACTIVITIES ASSOCIATED WITH AN AGRITOURISM USE.** This means activities that are part of an agri-tourism operation's total offerings but not tied to farming or the farm's buildings, equipment, fields, etc. Such non-agriculturally related uses include but are not limited to:~~

- ~~A. — Temporary Amusement rides associated with an event~~
- ~~B. — Art or cultural related festivals~~
- ~~C. — Gift shops for the sale of non-agricultural products~~
- ~~D. — Benefit events~~

- ~~E. — Kitchen facilities, processing/cooking items for sale (subject to State of Minnesota, Department of Public Health standards) including eating establishments such as restaurants or cafés.~~
- ~~F. — Temporary camping (subject to State of Minnesota Department of Public Health Standards for Recreation Camping)~~
- ~~G. — Wedding ceremonies or receptions~~
- ~~H. — Wine and catered food events~~
- ~~I. — Reunions~~
- ~~J. — Concerts~~
- ~~K. — Social gatherings or similar types of events.~~

**NON-CONFORMING LOT OF RECORD.** Any legal lot of record that at the time it was recorded fully complied with all applicable laws and ordinances but which does not fully comply with the lot requirements of this Zoning Ordinance concerning minimum area or minimum lot width.

**NON-CONFORMING STRUCTURE.** A structure the size, dimensions or location of which was lawful prior to the adoption of this Zoning Ordinance, but which fails by reason of such adoption, or subsequent revisions or amendment, to conform to the present requirements of the zoning district.

**NON-PREVAILING WIND.** See Article 18 (WECS)

**NORMAL WATER LEVEL.** The level evidenced by the long-term presence of surface water as indicated directly by hydrophytic plants or hydric soils or indirectly determined via hydrological models or analysis.

**OBSTRUCTION.** Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, modification, culvert, building, wire, fence, stockpile, refuse, fill, structure, matter in, along, across, or projecting into any channel, watercourse, or regulatory floodplain which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

**ODOR.** The odor of growing vegetation, domestic fertilizers, animal manures, insecticides, and other agricultural odors shall not be considered objectionable.

**OPEN SPACE.** Land that is permanently protected from future dwelling development. Land that is designated as Open Space may be used for such purposes as agricultural, forest, recreational uses, or demonstrate the use is protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological, or cultural aspects of the real property.

**OPERATOR.** See Article 14 (Mineral Extraction)

**ORDINARY HIGH WATER LEVEL.** The boundary of public waters and wetlands and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.

**OWNER.** Any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity having a proprietary interest in the land.

any increase in flood heights contributable to encroachment on the floodplain. It is the elevation to which uses regulated by this Ordinance are required to be elevated or flood-proofed.

**RETREAT CENTER.** A private facility or facilities oriented to using the natural features and outdoor character of the area to offer professional, educational, recreational or religious meetings, seminars, workshops, or gatherings which may provide meals, temporary lodging, and passive recreation for visitors and may include multiple related uses managed as one operation.

**RIGHT-OF-WAY.** A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, and other similar uses.

**RIGHT-OF-WAY LINES.** The lines that form the boundaries of a right-of-way.

**ROTOR.** See Article 18 (WECS)

**ROTOR BLADES.** See Article 18 (WECS)

**ROTOR DIAMETER.** See Article 18 (WECS)

**RURAL TOURISM.** Business which attracts visitors to rural areas of Goodhue County using the rural outdoor environment for attractions that include, but are not limited to, retreats, weddings, receptions, bed and breakfasts, educational events, and holiday celebrations.

**SCREENED.** When a structure is built or placed on a lot or vegetation is planted such that when the structure is built, it is visually inconspicuous as viewed from the river during the summer months. Visually inconspicuous means difficult to see or not readily noticeable in summer months as viewed from the river.

**SELF-SERVICE STORAGE FACILITY.** Real property designed and used for the purpose of renting or leasing secure outdoor storage space and/or self-contained indoor individual storage spaces to customers who have access for the purpose of storing and removing personal property.

**SENSITIVE AREAS.** Shoreland, Floodplains, wetlands, bluff impact zones, bluff protection areas, and the Cannon River Recreational and Scenic Districts.

**SETBACK.** The minimum horizontal distance between a structure or sewage treatment system and the ordinary high water level or between a structure or sewage treatment system, toe or top of a bluff, bluffline, road, highway or property line.

**SES (SOLAR ENERGY SYSTEM).** See Article 19 (SES)

**SES, GRID-INERTIE.** See Article 19 (SES)

**SES, GROUND MOUNTED.** See Article 19 (SES)

**SES, COMMERCIAL.** See Article 19 (SES)

**SES, OFF-GRID.** See Article 19 (SES)

**SES, RESIDENTIAL.** See Article 19 (SES)

**SES, UTILITY SCALE.** See Article 19 (SES)

**SES, UTILITY-SCALED.** See Article 19 (SES)

**SEWAGE TREATMENT SYSTEM.** A septic tank and soil absorption system or other individual or cluster type sewage treatment system as described and regulated in Section 5.8 of this Ordinance.



Commissioners have been met as determined by the Planner/Zoning Administrator. In the instance of renewal due to property ownership transfer; if the home business will continue under the same circumstances presented at the time of approval, an administrative approval may be permitted.

- G. If the permit is expired more than 30 days and the permit has not been renewed, the permit is null and void and a new interim use permit must be granted for the use to continue.
- H. Any subdivision of land separating the business buildings and/or operations from the principal dwelling shall result in revocation of the IUP.
- I. The home business shall be proximate to the associated principal dwelling.
- J. No more than two home businesses shall be permitted on a single parcel. The total space allowed for two home businesses combined shall not exceed the maximum allowed for a single home business.
- K. Such other conditions as specified by the Planning Advisory Commission pursuant to Article 4.

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

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

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

### **SECTION 13. BED & BREAKFAST INNS**

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

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

## **SECTION 14. EDUCATIONAL FARM RETREAT**

Conditionally permitted in A-1, A-2, and A-3. The following standards shall apply to all Educational Farm Retreat:

- Subd. 1. ~~They must be part of an owner-occupied single family dwelling.~~
- Subd. 2. ~~Maximum length of stay for guests shall be limited to two weeks.~~
- Subd. 3. ~~No more than two Educational Farm Retreat units shall be permitted per property.~~
- Subd. 4. ~~That Educational Farm Retreat units may not be converted into permanent dwelling units.~~
- Subd. 5. ~~Owner must show proof of liability insurance.~~
- Subd. 6. ~~An annual inspection by the Fire Marshall and Public Health Services must be performed.~~
- Subd. 7. ~~The property must have adequate parking.~~
- Subd. 8. ~~The farm owner/operator must provide an educational and interpretive program to educate guests on the farm operations.~~

## **SECTION 15. OFF-STREET LOADING AND UNLOADING REQUIREMENTS**

On the premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, shopping center, laundry or other uses similarly involving receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the site adequate space for the required number of ten (10) foot by twenty-five (25) foot berths.

- Subd. 1. For Educational and Religious Uses. One (1) berth for each building containing ten thousand (10,000) square feet of gross floor area to two hundred thousand (200,000) square feet of gross floor area, plus one/each additional two hundred thousand (200,000) square feet of gross floor area.
- Subd. 2. For Health and Medical Institutions. One (1) berth for each building containing ten thousand (10,000) square feet to one hundred thousand (100,000) square feet plus one/each additional one hundred thousand (100,000) square feet.
- Subd. 3. Commercial. One (1) berth for each building containing forty thousand (40,000) square feet.
- Subd. 4. Industrial. One (1) berth for each building containing forty thousand (40,000) square feet. Two (2) berths each building containing forty thousand (40,000) square feet to one hundred thousand (100,000) square feet.

## **SECTION 16. OFF-STREET PARKING REQUIREMENTS**

In all zoning districts, off-street parking facilities for the storage of self-propelled motor vehicles for the use of occupants, employees, and patrons of the buildings or structures hereafter erected, altered or extended after the effective date of this Ordinance shall be provided and maintained as herein prescribed.

- Subd. 1. In the case of a use not specifically mentioned, the requirements for off-street parking facilities for a use which is so mentioned and which said use is similar, shall apply.

- B. Is the action likely to have disruptive effects such as generating traffic and noise?
- C. Are there public questions or controversy concerning the environmental effects of the proposed actions?

Subd. 5. Enforcement and Penalty.

- A. No permit shall be issued for a project for which environmental documents are required until the entire environmental review procedures established by this Ordinance are completed.
- B. Any person who violates any provision of this Ordinance is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding seven hundred (700) dollars or imprisonment for ninety (90) days or both. Each day that the violation is permitted to exist constitutes a separate offense.
- C. No work shall commence and any work in progress on any project for which environmental documents are required shall cease until the environmental review procedures established by this Ordinance are fully complied with.

## **SECTION 24. PRESERVATION OF FARMING PRACTICES**

It is the declared policy of this County to enhance and encourage agricultural operations within the County.

Where non-agricultural land uses extend into agricultural areas or exist side by side, agricultural operations may be the subject of private nuisance complaints that would result in the cessation or curtailment of operations. Such actions discourage investments in farm improvements to the detriment of adjacent agricultural uses and the economic viability of the County's agricultural industry as a whole.

It is the purpose and intent of this section to reduce the loss to the County of its agricultural resources by limiting the circumstances under which agricultural operations may be considered a nuisance.

Agricultural production that complied with all Goodhue County Ordinances, shall not be considered by this County as constituting a nuisance.

This Ordinance is not to be construed as in any way modifying or abridging the State law, rather, it is only to be utilized in the interpretation and enforcement of the provisions of this code and County regulations.

Subd. 1. **AGRICULTURAL OPERATION.** ~~A facility consisting of real or personal~~ property primarily used for the production of crops including fruit and vegetable production, tree farming, livestock, poultry, dairy products, or poultry products, and associated processing of agricultural products primarily produced by the operation. ~~but not a facility primarily engaged in processing agricultural products.~~ Agricultural operation shall also include certain farm activities and uses as follows: chemical and fertilizer spraying, farm machinery noise, extended hours of operation, manure collection, disposal, spreading or storing, open storage of machinery, feedlots, odors produced from farm animals, crops or products used in farming.

- Subd. 2. **ESTABLISHED DATE OF OPERATION.** For the purposes of this section, the established date of operation shall be the date on which the agricultural operation commenced.
- Subd. 3. **AGRICULTURAL OPERATION NOT A NUISANCE.** An agricultural operation which continues without interruption or change shall not become a private nuisance if the operation was not a nuisance at its established date of operation. The provisions of this subdivision do not apply:
- A. To a condition or injury which results from the negligent or improper operation of an agricultural operation or from operations contrary to commonly accepted agricultural practices.
  - B. To applicable State or local laws, ordinances, rules or permits.
  - C. When an agricultural operation causes injury or direct threat or injury to the health or safety of any person.
  - D. To the pollution of, or change in the condition of, waters of the State or the water flow of waters on the lands of any person;
  - E. To an animal feedlot facility of one thousand (1,000) or more animal units.

## **SECTION 25. RETREAT CENTERS**

- Subd. 1. The following standards shall apply to all Retreat Centers:
- A. A proposed schedule of events and any proposed special events, which consist of any events not part of the normal operating schedule.
  - B. Contact information for caretaker(s) on duty and on site and the times they are present.
  - C. Provide a general floor plan indicating the units to be used for the retreat center (in which the public may have access).
  - D. Maps identifying property limits shall be provided to guests.
  - E. The PAC may require installation of property boundary indicator signs along property boundary lines in accordance with Goodhue County Ordinance Sign regulations.
  - F. Retreat units shall not be converted into permanent dwelling units, unless an application is approved showing that the units meet the requirements of the Zoning Ordinance, Building Code, and Environmental Health regulations.
  - G. The maximum stay of the occupants shall not exceed two weeks, unless otherwise established by the IUP/CUP.
  - H. Allow periodic inspections by the Land Use Management Department, Environmental Health Department, and Fire Marshall.
  - I. Any existing buildings in which the public may have access shall obtain all applicable Building Code approvals prior to being utilized as part of a Retreat Center.
  - J. Proof of liability insurance for the structures, property, occupants, visitors, and events shall be maintained.

~~K. Adequate off street parking shall be provided.~~

L.K. Maximum capacity shall not exceed 50 guests.

~~M. Proof of a compliant septic system shall be required as part of the application.~~

## **SECTION 26. KENNELS**

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

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

**SECTION 30. RURAL TOURISM NON-AGRICULTURAL USES ASSOCIATED WITH AGRICULTURAL TOURISM**

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

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

Subd. 2 Performance Standards.

In addition to all other applicable zoning ordinance requirements including but not limited to the review criteria (findings) included in Article 4, Section 5, the following items shall be considered by the Planning Advisory Commission and County Board when reviewing a Conditional Use Permit or Interim Use Permit Application for various Rural Tourism uses. Bed and Breakfasts and Retreat Centers shall also meet the standards found in Article 11 Section 13 and Article 11 Section 25 respectively. Non-Agricultural Uses associated with Agricultural Tourism.

- A. The size of the function and the number of expected guests on the property at one time shall be determined at the sole discretion of the County based on parcel size, proximity to adjacent neighbors and the ability of the applicant to demonstrate that there will be no unreasonable adverse impact on the neighbors from the noise, traffic, trespass, light or other impacts deemed relevant by the County.
- B. There is adequate provision for parking of vehicles so that there is no parking on public roads and adequate setbacks from adjacent properties are maintained. Temporary parking areas may be approved at the sole discretion of the County. Parking areas for facilities with greater than 50 guest capacity must be a minimum of ~~forty (40)~~ feet from all property lines, and appropriately screened from neighboring property. Light sources shall be directed downwards and shielded to prevent light being directed off the premises.
- C. The County may require a planted buffer between adjacent properties and parking or building if it is determined that such a buffer is necessary to avoid adverse impacts on adjacent properties.
- D. All State of Minnesota and Goodhue County requirements related to Water and Subsurface Wastewater Treatment Systems must be met.
- E. Outside activities shall be completed during daylight hours. Inside activities for facilities with greater than 50 guest capacity shall be completed by 10:00 PM unless approved through the CUP/IUP process to conclude no later than 12:00 AM (midnight).
- F. Any on-site preparation and handling of food or beverages must comply with all applicable Federal, State or Local Standards.
- G. The owner/operator will maintain a log of the activities occurring at the included activity/event dates, group identity, times and number of guests.
- H. The site plan with the above written descriptions along with any condition added during Planning Advisory Commission and/or County Board review will become a part of any approved conditional use permit or interim use permit.
- I. The main event area for facilities with greater than 50 guest capacity shall be at least 500 feet from neighboring dwellings.
- H.J. Rural Tourism uses for facilities with greater than 50 guest capacity shall be located on a parcel at least 3 acres in size.

### **Section 31. ACCESSORY DWELLING UNITS (ADUS)**

Subd. 1. Accessory Dwelling Units (ADUs) are dwelling units that are accessory to a primary dwelling unit and are on the same tax parcel of land as the primary dwelling unit.

- A. An ADU can be either:
  - 1. Attached to, or within the primary dwelling unit; or
  - 2. Located within 100 feet of the primary dwelling unit on the same tax parcel as the primary dwelling unit.
- B. ADU's must have separate kitchen and bathroom facilities

# 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>					
Feedlots (Art.13)					
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
<b>Education Farm Retreat (Art. 11 § 14)</b>	<b>C/I</b>	<b>C/I</b>	<b>C/I</b>	<b>NP</b>	<b>NP</b>
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
<b>Bed and Breakfast Inn (Art.11 § 13)</b>	<b>C/I</b>	<b>C/I</b>	<b>C/I<sup>bc</sup></b>	<b>C/I</b>	<b>NP</b>
<b>Rural Tourism Facilities (Art.11 § 30)</b>	<b>C/I</b>	<b>C/I</b>	<b>C/I<sup>bc</sup></b>	<b>NP</b>	<b>NP</b>
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
<i>Retreat Centers (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 ZONING ORDINANCE**  
*Business and Industrial Districts Table of Uses*

<b>Use</b>	<b>B</b>	<b>I</b>
<b>Retail</b>		
Retail stores under 40,000 square feet	P	NP
Automotive service station	P	NP
Retail stores over 40,000 square feet	C/I	NP
Automobile sales, car wash, trailer sales or service, auto repair garage, or automobile rental	P	NP
Motor fuel station	C/I	NP
Agricultural equipment sales or service	P	NP
Truck sales or service, truck wash or truck repair garage	P	NP
Building supply sales	P	NP
Boat sales or repair	P	NP
Landscape nursery or commercial greenhouse	P	NP
Shopping center	C/I	NP
<b>Services</b>		
Funeral Home	P	NP
Beauty shop or barber shop	P	NP
Bank or savings and loan institution	P	NP
Professional offices	P	NP
Drive-in establishment including banks and restaurant	P	NP
Eating or drinking establishment	P	NP
Motel	P	NP
<i>Bed &amp; Breakfast Inn</i>	<i>C/I</i>	<i>NP</i>
<b>Entertainment/Recreational Establishments</b>		
Theater, dance hall, bowling alley, pool or billiard hall	P	NP
Public swimming pool, roller or ice rink	P	NP
<i>Rural Tourism Facilities (Art. 11 § 30)</i>	<i>C/I</i>	<i>NP</i>
<b>Industrial</b>		
Assembly of previously prepared materials which have been manufactured elsewhere	P	P
Building materials storage yards	NP	P
Contractor's establishment, storage yard, or equipment rental	NP	P
Grain elevator including storage and processing	NP	P
KEY: P = PERMITTED   NP = NOT PERMITTED   C = CONDITIONAL USE PERMIT   I = INTERIM USE PERMIT		

**GOODHUE COUNTY ZONING ORDINANCE**  
***Business and Industrial Districts Table of Uses***

<b>Use</b>	<b>B</b>	<b>I</b>
Wholesale establishment: warehousing, storage buildings, commercial laundries or dry cleaning plants	NP	P
Manufacture, compounding or treatment of materials	NP	P
Manufacturing process or treatment of products using light machinery; such as tool and die shops or metal fabricating plants	NP	P
Manufacturing of cement, lime, gypsum or plaster	NP	C/I
Distillation of bone, coal, tar petroleum, refuse, grain or wood	NP	C/I
Essential services building or storage yards	P	P
Explosives manufacture or storage	NP	C/I
Fertilizer manufacture, compost or storage	NP	C/I
Refining or recovery of products from animal refuse or offal	NP	C/I
Junkyard	NP	C/I
Livestock feeding yards, slaughtering of animals or stock yards	NP	C/I
Petroleum or asphalt refining or manufacturing	NP	C/I
Smelting or refining of metals from ores	NP	C/I
Steam board hammers or forging presses	NP	C/I
Storing, curing, or tanning of raw, green or salted hides or skins	NP	C/I
<b>Institutional</b>		
Church	C/I	C/I
<b>Miscellaneous</b>		
WECS (Non-Commercial Micro) (Art. 18)	P	P
WECS (Non-Commercial) (Art. 18)	C/I	P
WECS (Commercial) (Art. 18)	NP	C/I
WECS (Meteorological Tower) (Art. 18)	NP	P
SES (Utility Scale) (Art. 19)	C/I	C/I
SES (Commercial Scale) (Art. 19)	P	P
SES (Residential Scale) (Art. 19)	P	P
Commercial Radio Towers/TV Towers/Transmitters	C/I	C/I
Residence when included as part of the principal building occupied by owner or their employee	P	P
Self service storage facility	C/I	C/I

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

