



PLANNING COMMISSION AGENDA

February 6, 2017
7:00 pm

1. CALL TO ORDER -
2. PLEDGE OF ALLEGIANCE –
3. ROLL CALL -
 - Barbara Ronningen (Chair)
 - Sally Doherty
 - Kris Kopitzke
 - Mark Nelson
 - Judy Seeberger
 - Lucia Wroblewski
 - Scott Patten
 - Jim Langan
 - Roger Bowman
4. APPROVAL OF AGENDA –
5. APPROVAL OF MINUTES -
 - A. January 9, 2017 Meeting Minutes -
6. ELECTION OF OFFICERS
 - A. Chair
 - B. Vice-Chair
 - C. Secretary
7. REPORTS AND PRESENTATIONS – None
8. PUBLIC HEARINGS – None
9. NEW BUSINESS –
 - A. Terms Expiring-Reappointments
 - B. Scheduling of Joint Work Session with the City Council
10. OLD BUSINESS -
 - A. Ordinance Amendment Eliminating “Storage Enclosed and Screened Principal Use” from the List of Allowed Uses in the I1A and I1B Zoning Districts
 - B. Comprehensive Plan Update Process
 1. Identification of Issues for Review in Each Section of the Plan
 - C. Update on City Council Actions -
11. ADJOURN –

-- This agenda is not exclusive. Other business may be discussed as deemed necessary. --

A quorum of the City Council or Other Commissions may be present to receive information.

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5 **1. CALL TO ORDER** – Chair Barbara Ronningen called the meeting to order at 7:00 p.m.

6
7 **2. PLEDGE OF ALLEGIANCE** – was recited.

8
9 **3. ROLL CALL** – Present: Kopitzke, Seeberger, Bowman, Patten, Nelson, Chair Ronningen, Doherty arrived
10 at 7:03 p.m. and Wroblewski arrived at 7:06 p.m. **Quorum present.** Excused Absence: Langan.

11
12 **ALSO IN ATTENDANCE** –City Administrator Ron Moore.

13
14 **4. APPROVAL OF AGENDA** –

15 Ronningen suggested that item 9.A.1 be moved up to be item 6.A.

16 **Motion/Second: Patten/Kopitzke. To approve the January 9, 2017 Planning Commission agenda as**
17 **amended. Motion carried 6-0-0.**

18
19 **5. APPROVAL OF MINUTES** –

20 A. December 5, 2016 Planning Commission Meeting Minutes –

21 **Motion/Second: Nelson/Patten. To approve the December 5, 2016 Planning Commission Meeting**
22 **minutes as presented. Motion carried 6-0-0.**

23
24 **6. REPORTS AND PRESENTATIONS** –

25 A. Chris Eng, Washington County Economic Development Director presentation regarding desired
26 uses in the Industrial Zones – Chris Eng provided information regarding the feasibility and
27 benefits of attracting data center and high-tech and medical uses to the Industrial Zones. These
28 uses do not generate large traffic volumes, create quality jobs and are clean and attractive uses.
29 He gave examples of data center uses in other cities and a data center use that is looking to locate
30 in the metro area.

31
32 The Planning Commission members asked Mr. Eng if the lack of municipal water and sewer
33 service would limit the types of uses that would work in Afton’s Industrial Zones.

34
35 Mr. Eng indicated it would not limit the ability of a data center to locate in Afton.

36
37 Ronningen expressed a concern about the lack of broadband service and its impact on a potential
38 data center use.

39
40 Mr. Eng indicated that, if a data center was planning to locate in Afton, the broadband providers
41 would be very interested in extending broadband service to the data center.

42
43 **7. PUBLIC HEARINGS** –

44 A. **Marcus and McLaurin Variance Application at 4270 River Road** –

45
46 Ronningen opened the public hearing at 7:24 p.m.

47
48 Moore provided an outline of the application, indicating the property currently has a two-story house that is
49 substandard in terms of its setback from River Road and its setback from the Ordinary High Water Line of the St.
50 Croix River. The house backs up to a long steep slope. The house meets the setback from the St. Croix River
51 bluffline. The applicants are proposing to remodel and construct an addition to the existing house. The addition
52 is proposed to be constructed on the south side of the existing house, in the location of an existing deck above the
53 existing garage. The proposal does not require grading and does not change the setbacks of the house. The
54 house is connected to the “201” community septic system, so that a septic drainfield is not required. The addition
55 and remodel require a variance to front yard setback and a variance to ordinary High Water Line (OHW) setback.
56 Moore also indicated that, while the applicant’s surveyor used the 692.5 elevation as the OHW, the DNR’s

57 official OHW for structures is 675. It appears that the existing house may meet the OHW setback using the 675
58 elevation. Moose suggested the confirmation of the OHW setback be made an additional condition of approval.
59 The other recommended conditions of approval were as follows:

- 60 1. House color shall be earth tone
- 61 2. City review and approve retaining wall design if replacement is needed
- 62 3. The house shall be constructed according to the plans dated December 8, 2016, subject to revisions as
63 required or approved by the City.
- 64 4. Existing vegetative screening shall be maintained, with the exception of the removal of one arborvitae
65 immediately adjacent to the garage.
- 66 5. The two separate parcels that make up the property at 4270 River Road shall be combined.

67
68 Jan Woodfill, of 4242 River Road indicated she had no objections to the proposal.

69
70 John Barbour, the applicant's architect, indicated he and the applicant had worked hard to fit the house into the
71 neighborhood.

72
73 Tom Gasser, owner of 4220 River Road, indicated he had no concerns regarding the proposal.

74
75 Motion/Second: Patten/Doherty. To close the public hearing at 7:30 p.m. Motion carried 8-0-0.

76
77 Bowman questioned why the one tree was being removed.

78
79 Barbour responded that the tree overhangs the proposed addition.

80
81 **Motion/Second: Wroblewski/Doherty to recommend approval of the variance application with the staff's**
82 **recommended conditions.**

83
84 Moose indicated the Commission needs to include the findings on which the recommendation is based.

85
86 The following findings were added to the motion:

- 87 1. The proposal would not make the property or house more substandard than it currently is.
- 88 2. There is no change to the existing setbacks
- 89 3. The special conditions that are causing the need for the variance were not caused by the property owner
- 90 4. The proposal does not disrupt the natural vegetation
- 91 5. The DNR is supportive of the proposal
- 92 6. The site is a unique and difficult one, with a step bluff directly to the rear of the house.

93
94 **The motion carried 8-0-0.**

95
96 **B. Ordinance Amendment Eliminating "Storage Enclosed or Screened Principal Use" from the list of**
97 **allowed uses in the I1A and I1B Zoning Districts –**

98
99 Ronningen opened the public hearing at 7:37 p.m.

100 Moose provided background information regarding the ordinance amendment. The Council, at its November 15,
101 2016 meeting, referred to the Planning Commission the review of the allowed uses in the Industrial zones,
102 including the elimination of Storage Enclosed or Screened Principal Use as an allowed use in the Industrial zones.
103 The proposed ordinance amendment reflects the elimination of this use.

104 There were no public comments.

105 **Motion/Second: Nelson/Wroblewski. To close the public hearing at 7:39 p.m. Motion carried 8-0-0.**

106 Bowman questioned the language of the ordinance amendment, as it would eliminate both storage enclosed and
107 storage screened. It was his understanding that only storage screened was to be eliminated.

108
109 Moorse indicated he would review the ordinance language and the zoning code and revise the language to reflect
110 the Council's direction.

111
112 **Motion/Second: Ronningen/Bowman. To continue the ordinance amendment to the February 6, 2017**
113 **Planning Commission meeting to enable the ordinance language to be clarified to eliminate only storage**
114 **screened and not storage enclosed. Motion carried 8-0-0.**

115
116 C. Ordinance Amendment Regarding Sec. 12-132. B.3. Contiguous Parcels under Common
117 ownership-

118
119 Ronningen opened the public hearing at 7:43 p.m.

120
121 Moorse provided background regarding the ordinance amendment. He indicated the Zoning Code includes
122 regulations requiring that when two or more contiguous parcels are under common ownership and any individual
123 parcel does not meet the full lot width and area requirements the parcel needs to be combined with the adjacent
124 parcels to create a lot that meets the lot width and area requirements. The purpose of the language in Subsection
125 (B) (3) is to prevent parcels that do not meet the minimal requirements for lot width and area from being individually
126 buildable or saleable when they are under common ownership with contiguous lot(s).

127
128 At its November 15, 2016 regular meeting, the Council agreed that the area and frontage requirements for
129 contiguous lots under common ownership should be the same as for all other lots, which are set out in Subsection
130 (B) (2). In addition, the Council agreed that contiguous lots under common ownership that do not meet these
131 requirements should be required to be combined.

132 At its December 5, 2016 meeting, the Planning Commission expressed concern regarding how the ordinance
133 language is applied to a parcel with an existing house. In response, the Council added language to the ordinance
134 amendment as shown below in bold to clarify this.

135 3. If in a group of two or more contiguous lots or parcels of land owned or controlled by the
136 same person, any individual lot or parcel does not meet the full width or area requirements of
137 ~~this Article~~ Subsection (B) (2) of this Section, such individual lot or parcel cannot be considered
138 as a separate parcel of land for purposes of sale or development, but must be combined with
139 adjacent lots or parcels under the same ownership so that the combination of lots or parcels will
140 equal one or more parcels of land each meeting the full lot width and area requirements of ~~this~~
141 ~~Article~~ Subsection (B) (2) of this Section, **with the exception of a pre-existing legally non-**
142 **conforming lot containing an existing residence, as long as the residence continues to**
143 **qualify as an existing legally non-conforming structure.**

144
145 Ronningen asked for comments from the public. There were none.

146
147
148 **Motion/Second: Patten/Kopitzke. To close the public hearing at 7:48 p.m. Motion carried 8-0-0.**

149

150 Nelson suggested that the language in subparagraph 2 that refers to a lot that contains at least “2 1/2 acres” should
151 be clarified by revising it to “2-1/2 acres”.

152
153 Bowman asked what the ordinance amendment is supposed to accomplish. He indicated the City should not be
154 taking away property rights.

155
156 Moorse responded that the current ordinance language already restricts property rights. The purpose of the proposed
157 ordinance amendment is to provide less restrictive language than the current ordinance language.

158
159 Kopitzke expressed concern that, in a neighborhood of nonconforming lots, a property owner who happened to own
160 two of the lots would be treated differently than all of the other property owners in the neighborhood.

161
162 Doherty indicated that since the proposed ordinance makes the existing ordinance less restrictive, the Commission
163 should move forward with the proposed language now and address the broader ordinance at a future time.

164
165 **Motion/Second: Doherty/Nelson. To recommend approval of the ordinance amendment as written.**
166 **(Nelson seconded the motion for discussion.)**

167
168 Nelson questioned whether the proposed ordinance does exactly what the Council wants it to do – does the exception
169 for a nonconforming lot with an existing house accomplish what the Council is intending? He questioned whether
170 the Council actually wanted to provide an exception for a nonconforming lot with a residence adjacent to a vacant
171 nonconforming lot under the same ownership.

172
173 Moorse indicated that a parcel containing a house is a legally buildable lot.

174
175 The Commission discussed that the City does have the authority to require a nonconforming lot with a house to be
176 combined with an adjacent vacant parcel under the same ownership. This would make the nonconforming lot with
177 the house a conforming lot or at least more conforming.

178
179 Doherty indicated she believed the Council’s intent was to make an exception where two adjacent nonconforming
180 lots, each with an existing house, are under the same ownership, because requiring two lots, each with a house, to
181 be combined would cause other zoning problems.

182
183 Ronningen called for a vote on the motion.

184
185 **The motion was defeated 8-0-0.**

186
187 Doherty suggested tweaking the exception language so that no two lots, each with a house, would be required to be
188 combined.

189
190 **Motion/Second: Doherty/Nelson. To recommend approval of the ordinance amendment with the following**
191 **revised exception language: “In the case of two contiguous existing nonconforming lots under common**
192 **ownership, each containing an existing residence, these lots will be excepted from this subparagraph, as**
193 **long as the residences continue to qualify as existing legally nonconforming structures.” Motion carried 7-**
194 **1-0. (Ronningen)**

195
196 **8. NEW BUSINESS –**

197 **A. Ordinance Integrating Minimal Impact Design Standards into the Zoning Code.** – Administrator Moorse
198 provided background regarding the integration of Minimal Impact Design Standards into the Zoning Code, and
199 outlined responses to questions and concerns that had been raised by the Planning Commission.

200

201 Mike Isensee, Middle St. Croix Water Management Organization (MSCWMO) Administrator, who was involved
202 in the review of the City's Zoning Code and the integration of the MIDS into the Zoning code, outlined the
203 background of MIDS and its value.

204

205 Ronningen asked how many development projects in Afton the MSCWMO has reviewed in the last five years,
206 why the MSCWMO is promoting this and why it is needed when the Valley Branch Watershed District already
207 uses the MIDS requirements.

208

209 Isensee responded that the MSCWMO does not have the authority to have its own standards so it is important that
210 its cities have strong stormwater management standards. The updated ordinance would provide clear standards at
211 the point where a developer is beginning to develop a proposed plan. Because the ordinance would be consistent
212 with the Valley Branch Watershed District (VBWD) standards, the developer would be able to take the
213 stormwater requirements into account at the earliest point of the development planning process. Isensee also
214 indicated that the MSCWMO has not reviewed any development projects in Afton in the past five years.

215

216 Ronningen indicated developers have planners who would be familiar with the City's standards as well as the
217 VBWD standards. She also indicated that the Minnesota Pollution Control Agency (MPCA) information
218 indicates the adoption of MIDS is voluntary, but the City is getting pressure to adopt MIDS.

219

220 Isensee indicated Afton was offered the opportunity to participate in the grant program to assist cities in
221 integrating MIDS into its zoning code, and the Afton City Council adopted a resolution to participate in the
222 program.

223

224 Bowman indicated his fear is that if the City adopts MIDS it will be a foot in the door to change Afton's rural
225 character. He indicated it is incredulous that the City would want its stormwater regulations to be the same as in
226 Woodbury, which has a totally different type of development.

227

228 Isensee indicated that MIDS is only related to stormwater management and does not change other areas of zoning
229 regulations such as impervious coverage, density, etc.

230

231 Patten asked Mr. Isensee how many of the 13 cities who had the opportunity to adopt MIDS through the
232 MSCWMO grant program have adopted MIDS.

233

234 Isensee indicated that 8 of the 13 cities have adopted MIDS. He also explained the reasons why the other cities
235 have not adopted MIDS. The City of Stillwater is split between the Brown's Creek Watershed District and the
236 Middle St. Croix Water Management Organization, and Brown's Creek has not adopted MIDS. Brown's Creek is
237 doing a rule revision in 2017 and is looking at using Cold Stream Fisheries stormwater standards for those areas
238 that drain directly to a trout stream and MIDS for all other areas. In the City of Forest Lake, the Watershed
239 District's standards did not mesh well with MIDS, but they are looking at rule revisions to enable the MIDS
240 standards to work. Washington County was going to adopt MIDS for the Townships in which the County had
241 land use authority, but the County is transitioning the land use authority to the Townships and recommending that
242 the Townships adopt MIDS.

243

244 Patten indicated he has a concern that, while the City currently relies on its engineering consultant to keep up to
245 date on stormwater management requirements and standards, if the City adopted the specific performance
246 standards in MIDS, the City would need to keep these standards up to date with changing requirements.

247

248 Ronningen indicated she had concerns about a number of definitions in the MIDS ordinance language. For
249 example, while the definition of stabilization indicates that grass is not a stabilization method, prairie grass does
250 provide soil stabilization. Also, the definition of Permittee indicates an application needs to be submitted to the
251 "town". Afton is a city and not a town or township. Ronningen indicated that these errors suggest to her that the

252 MIDS ordinance is sloppy. She indicated she is also afraid that there may be a lot of inconsistencies and conflicts
253 between the MIDS ordinance and the zoning code, which could cause problems, and that it would require a
254 substantial effort to review the zoning code in relation the MIDS to identify conflicts and inconsistencies.
255

256 **Motion/Second: Ronningen/Patten. To recommend the Council disregard adding the additional MIDS**
257 **requirements to the existing Zoning Code, due to the Valley Branch Watershed District already using these**
258 **standards and the City Engineer already providing adequate stormwater management standards based on**
259 **their expertise in this area, and because the planning Commission saw no downside to not adopting the**
260 **MIDS ordinance amendment. Motion carried 7-1-0. (Wroblewski)**
261

262
263 **9. OLD BUSINESS -**

264 **A. Comprehensive Plan Update Process – Chair Ronningen indicated the Commission members should**
265 **continue to review the Comprehensive Plan and provide their comments to Moore, so that he can include them in**
266 **the February 6, 2017 Planning Commission meeting agenda packet.**
267

268 **B. Update on City Council Actions. – Ronningen indicated the Council actions from its December 20, 2016**
269 **regular meeting were provided in the packet, and none were directly related to land use.**
270

271 **10. ADJOURN –**

272
273 **Motion/Second: Patten/Wroblewski. To adjourn the meeting at 8:53 p.m. Motion carried 8-0-0.**
274

275 Respectfully submitted by:
276

277
278 _____
279 Ronald J. Moore, City Administrator
280

281 **To be approved on February 6, 2017 as (check one): Presented: _____ or Amended: _____**

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: Feb. 6, 2017

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorese, City Administrator
Date: January 30, 2017
Re: Election of Officers

Background

The ordinance setting out the purpose and operation of the Planning Commission calls for an annual election of officers. The offices and current incumbents are as follows:

Chair: Barbara Ronningen
Vice-Chair: Scott Patten
Secretary: Kris Kopitzke

The election process includes the nomination of members, and a vote regarding those nominated, for each position.

PLANNING COMMISSION ACTION REQUESTED:

Election of the following Officers:

Chair
Vice-Chair
Secretary

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: Feb. 6, 2017

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorse, City Administrator
Date: January 30, 2017
Re: Expiration of Member Terms and Reappointment

Planning Commission members serve three-year terms. The terms of the following three members are expiring on February 15, 2017.

Sally Doherty
Kris Kopitzke
Scott Patten

Any of these members who want to be reappointed for an additional three-year term, need to provide written notification of their interest in serving an additional term by Tuesday, February 14, so that they can be reappointed at the February 21 Council meeting.

PLANNING COMMISSION ACTION REQUESTED:

No Action Required

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: Feb. 6, 2017

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorese, City Administrator
Date: January 31, 2017
Re: Scheduling of Joint Work Session with the City Council

The Council generally meets with the Planning Commission each year in a joint work session to review goals and discuss issues of mutual interest. This year, one of the topics of discussion will be the process of updating the Comprehensive Plan, including items the Planning Commission has identified as needing to be addressed as part of the update process.

In past years, the joint work session has been scheduled on the date of a regular Planning Commission meeting, either at the regular meeting time or at an earlier meeting time. If the public hearing for the sketch plan for the PLCD subdivision at 60th Street west of Trading Post Trail is scheduled for the March Planning Commission meeting, the joint work session would be planned for the April Planning Commission meeting. If not, the joint work session could be held at the March Planning Commission meeting. Depending on the agenda for the Planning Commission meeting on the date of the joint work session, it may be beneficial to begin the joint work session at 6:00 or 6:30, if the earlier meeting time would work for the Commission members.

PLANNING COMMISSION DIRECTION REQUESTED:

Provide direction regarding the date and start time of a joint work session with the City Council.

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: February 6, 2017

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: January 30, 2017

Re: Ordinance Amendment Eliminating “Storage Enclosed or Screened Principal Use” from the List of Allowed uses in the I1A and I1B Zoning Districts

The Council, at its November 15, 2016 meeting, referred to the Planning Commission the review of the allowed uses in the Industrial zones, including the elimination of Storage Enclosed or Screened Principal Use as an allowed use in the Industrial zones. An ordinance amendment reflecting the elimination of this use was provided to the Planning Commission, and a notice was published for a public hearing at the Commission’s January 9, 2017 meeting.

The Planning Commission questioned whether the ordinance amendment should eliminate both “storage enclosed” and “storage screened” because a number of uses in the Industrial zones include enclosed storage. The ordinance amendment was continued to the February 6, 2017 meeting to enable staff to review the current ordinance requirements and determine the appropriate language for the ordinance amendment.

The Planning Commission’s concerns were provided to the City Council and discussed at the January 17, 2017 Council meeting. The Council determined that both storage enclosed and storage screened should be eliminated as a principal use. A Council’s purpose is to eliminate uses such as mini storage, which are not attractive and do not generate quality jobs or significant tax base. This would not eliminate currently allowed principal uses that involve enclosed storage, such as warehousing and transportation/motor freight terminal.

Broader Review of Code Language Regarding Storage

There are a number of uses listed in the zoning code that are related to storage. The list of allowed uses includes a number of conflicts related to whether uses are allowed or prohibited. The following are three examples:

- While the current code prohibits “Storage, not accessory to permitted principal use”, it allows Storage Enclosed or Screened Principal Use. These two provisions are in direct conflict.
- While the current code prohibits “Exterior sales and storage” it allows Exterior sales and storage (wholesale only). Because the code also allows “Wholesale business” and “Nursery and garden supplies (wholesale)”, it appears that allowing Exterior sales and storage (wholesale only) is at least partially related to the Nursery and garden supplies (wholesale) use. While exterior storage may be necessary for a wholesale nursery, and a nursery fits the rural character of Afton, exterior storage related to other wholesale businesses may not be necessary and may not fit Afton’s rural character.

Staff Recommendations

It appears that, beyond the attached ordinance amendment, additional work regarding current regulations related to storage is needed to resolve existing code conflicts and to ensure the existing code language is consistent with the types and character of uses desired in the industrial zones. Staff is recommending the Planning Commission consider the following changes to the list of uses and related definitions of uses, including the attached ordinance amendment.

1. Eliminate "Storage enclosed or screened principal use". This eliminates all storage as a principal use except as allowed as part of a specifically allowed use i.e. motor freight terminal or warehousing.
2. Clarify the definition of Warehousing to exclude mini-storage.
3. Eliminate "Exterior Sales and Storage (wholesale only)", because the types of wholesale uses that would be desired do not require exterior sales or storage. The only exception to this may be "Nursery and garden supplies (wholesale).
4. While the code does not allow "Nursery, wholesale growing of plants" in the industrial zones, it does allow "Nursery and garden supplies (wholesale). There is currently no definition of this use. It is not clear whether this use includes any wholesaling of plants, which could require exterior storage. The Planning Commission may want to determine whether this use should be retained or not, and whether a definition needs to be added.

Staff is requesting direction from the Planning Commission to guide the review of the regulations related to storage.

Planning Commission Direction Requested:

1. **Motion regarding the ordinance amendment eliminating "Storage Enclosed or Screened Principal Use" from the list of allowed uses in the I1A and I1B Zoning Districts.**
2. **Motion to provide direction regarding the review of the current regulations regarding storage in the Industrial Zoning Districts.**

LAND USE

as if set forth herein at length. Whenever any street or other public way is vacated, any zoning district line following the centerline of said vacated street or way shall not be affected by such vacation.

- B. When any permit as provided for in this article is issued which affects any zoning district in a substantial way, such permit shall be coded and noted on the zoning district map by the City Administrator so as to clearly indicate the use so permitted which may not otherwise be clearly evident from the map or text of this article.
- C. When uses in a zoning district are listed as both permitted and conditionally permitted uses, or when any other conflict appears in this article with respect to permitted uses within a zoning district, the more restrictive portion shall be applied.
- D. Determination of similar uses. Any landowner may request a determination that a use not included in any district of this article is substantially similar to a use classified as permitted, conditionally permitted or other specially permitted in the zoning district in which the property is located. An application for such a determination shall be filed with the City Administrator who shall refer it to the Planning Commission. The Planning Commission shall review the application in accordance with this article and the comprehensive plan and forward a recommendation of approval or denial to the City Council along with an explanation for taking such action. If the City Council determines the use is substantially similar to a use included in these regulations, such use shall thereafter be an allowable use whenever the similar listed use is authorized.

Sec. 12-134. Uses.⁹⁰

Uses in the various districts shall be as follows:

- P = Permitted use
- A = Permitted accessory use
- A/C = Permitted accessory, conditional use permit required⁹¹
- C = Conditionally Permitted Use
- I = Interim Use Permit⁹²
- ADMIN = Administrative Permit Required
- N = Not allowed
- * = Except as otherwise noted

	Agricultural	Rural Residential	VHS-Residential	VHS-Commercial	Light Industrial	Light Industrial	Light Industrial	Marine Service
	(A)	(R)	(VHS-R)	(VHS-C)	(I1-A)	(I1-B)	(I1-C)	(MS)
Agricultural, rural	P	P	N	N	P	P	P	N
Agricultural, suburban	P	P	N	N	P	P	P	N
Airports, airstrips, heliports	N	N	N	N	N	N	N	N
Animal impounding facility	N	N	N	N	P	P	C ⁹³	N
Animals, commercial training	C	N	N	N	C	C	C ⁹⁴	N
Antennae or towers over 35 feet in height	C	C	N	N	C	C	N	N
Archery range, commercial	N	N	N	N	N	N	N	N
Armories, convention halls and similar uses	N	N	N	N	N	N	N	N
Auto/car wash	N	N	N	N	N	N	N	N

⁹⁰ Ord 1997-15, 1/19/99, MS added; Code 1982, § 301.604; Res. No. 1997-16, § 15, 6-17-97

⁹¹ Ordinance 06-2009, 6/16/2009

⁹² Ordinance 06-2009, 6/16/2009

⁹³ Ordinance 06-2009, 6/16/2009

⁹⁴ Ordinance 06-2009, 6/16/2009

AFTON CODE

	Agricultural	Rural Residential	VHS-Residential (VHS-R)	VHS-Commercial (VHS-C)	Light Industrial (I1-A)	Light Industrial (I1-B)	Light Industrial (I1-C)	Marine Service (MS)
	(A)	(R)	(VHS-R)	(VHS-C)	(I1-A)	(I1-B)	(I1-C)	(MS)
Auto reduction yard, junkyard	N	N	N	N	N	N	N	N
Auto repair	N	N	N	N	N	N	N	N
Automobile service station	N	N	N	N	N	N	N	N
Barbershop, beauty shops	N	N	N	C	N	N	N	N
Bed and breakfast (see Sec. 12-222)	C	C	C	C	N	N	N	N
Blacktop or crushing equipment for highway construction (temporary use only)	C	N	N	N	C	C	I ⁹⁵	N
Boarders (no more than two)	Deleted							
Boat dock (non-commercial)	A	A	A	N	N	N	N	N
Boat, boat trailer, marine sales	N	N	N	C	N	N	N	A
Boat, boat trailer and marine storage and repair, enclosed or screened	N	N	N	N	N	N	N	C
Broadcasting studio	N	N	N	C	N	N	C	N
Cafes and restaurants	N	N	N	C	N	N	N	N
Campgrounds	N	N	N	N	N	N	N	N
Cemeteries	C	N	N	N	N	N	N	N
Churches	C	C	C	C	N	N	N	N
Clear cutting	See Section 12-218							
*Clubs or lodges	N	N	N	N	N	N	N	N
*Commercial recreation	N	N	N	N	N	N	N	N
Commercial schools	N	N	N	C	N	N	N	N
Disposal, solid & liquid waste	N	N	N	C	N	N	N	N
Domestic pets	A	A	A	A	N	N	A/C ⁹⁶	N
Drive-in business	N	N	N	N	N	N	N	N
Duplex	N	C	N	N	N	N	N	N
Essential services, government uses	N	C	C	C	C	C	C	N
Essential services, public utility	C	C	C	C	C	C	C	N
Explosives, manufacture, storage or use	N	N	N	N	N	N	N	N
Exterior sales and storage	N	N	N	N	N	N	N	N
Exterior sales and storage (wholesale only)	N	N	N	N	C	C	N	N
Farm, see agriculture								
Farm equipment sales	N	N	N	N	N	N	N	N
Farmers market	N	N	P	P	N	N	N	N

⁹⁵ Ordinance 06-2009, 6/16/2009

⁹⁶ Ordinance 06-2009, 6/16/2009

LAND USE

	Agricultural	Rural Residential	VHS-Residential	VHS-Commercial	Light Industrial	Light Industrial	Light Industrial	Marine Service
	(A)	(R)	(VHS-R)	(VHS-C)	(I1-A)	(I1-B)	(I1-C)	(MS)
Feedlots, commercial (see sec. 12-188)	C	N	N	N	N	N	N	N
Fences	See Section 12-190							
Flammable gases and liquids, business distribution	N	N	N	N	N	N	N	N
Forests	P	P	P	P	P	P	C ⁹⁷	N
Fuel sales (wholesale and storage)	N	N	N	N	N	N	N	N
Funeral Homes	N	N	N	N	N	N	N	N
Garage, private	A	A	A	A	A	A	A/C ⁹⁸	N
Garage, repair (commercial)	N	N	N	N	N	N	N	N
Garage, storage (commercial)	N	N	N	N	N	N	N	N
Golf courses	C	N	N	N	N	N	N	N
Grading	See Sections 12-215, 12-216							
Greenhouses (commercial production only)	C	N	N	N	N	N	N	N
Guest house ⁹⁹	Deleted							
Gun clubs	N	N	N	N	N	N	N	N
Gun ranges	N	N	N	N	N	N	N	N
Home occupation	P	P	P	P	N	N	P	N
Hotel (see Section 12-223)	N	N	N	C	<u>N</u>	<u>N</u>	<u>N</u>	N
Institutional housing	N	C	N	N	<u>N</u>	<u>N</u>	<u>N</u>	N
Junkyard	N	N	N	N	<u>N</u>	<u>N</u>	<u>N</u>	N
Kennels, private (see Section 12-55)	C	C	N	N	<u>N</u>	<u>N</u>	<u>N</u>	N
Kennels, commercial (see Section 12-55)	N	N	N	N	<u>N</u>	<u>N</u>	<u>N</u>	N
Land reclamation	See Section 12-215							
Live entertainment or dancing ¹⁰⁰	Deleted							
Lodging room (not more than two)	A	C	C	N	N	N	N	N
Manufacturing, heavy	N	N	N	N	N	N	N	N
Manufacturing, light industrial (maximum height of 25 feet in I-1C) ¹⁰¹	N	N	N	N	C	C	C	N
Marina (including boat rental) ¹⁰²	N	N	N	C	N	N	N	N
Medical uses	N	N	N	C	N	N	N	N

⁹⁷ Ord 06-2009, 6/16/2009

⁹⁸ Ord 06-2009, 6/16/2009

⁹⁹ Ord 1997-21, 12/15/98

¹⁰⁰ Ord 1997-21, 12/15/98

¹⁰¹ Ord 1997-10, 5/19/98

¹⁰² Ord 1997-21, 12/15/98

AFTON CODE

	Agricultural	Rural Residential	VHS-Residential	VHS-Commercial	Light Industrial	Light Industrial	Light Industrial	Marine Service
	(A)	(R)	(VHS-R)	(VHS-C)	(I1-A)	(I1-B)	(I1-C)	(MS)
Mining, sand and gravel	N	N	N	N	N	N	N	N
Mobile home court/park	N	N	N	N	N	N	N	N
Motel	N	N	N	N	N	N	N	N
Multiple family dwellings (three or more units)	N	N	N	N	N	N	N	N
Nature center (public and private)	C	C	N	N	N	N	C	N
Nursery, retail sale of plants ¹⁰³	S	N	N	N	C	C	N	N
Nursery, wholesale growing of plants	P	C	N	N	N	N	N	N
Nursery and garden supplies (wholesale)	C	N	N	N	C	C	C ¹⁰⁴	N
Offices (Maximum Height of 35 feet in I-1C) ¹⁰⁵	N	N	C	C	C ¹⁰⁶	C ¹⁰⁷	C	N
Offices, accessory	N	N	N	C	C	C	C	A
Off-street loading	N	N	N	A	A	A	A/C ¹⁰⁸	A
Off-street parking	A	A	A	A	A	A	A/C ¹⁰⁹	N
Photo/art studio	N	N	N	C	N	N	N	N
Race tracks	N	N	N	N	N	N	N	N
*Recreation areas (commercial)	N	N	N	N	N	N	N	N
Recreation equipment storage (private)	A	A	A	A	N	N	A	N
Reduction or processing of refuse, trash and garbage	N	N	N	N	N	N	N	N
Rental of cars, trailers, campers, trucks and similar equipment	N	N	N	N	N	N	N	N
Repair garage (commercial)	N	N	N	N	N	N	N	N
Repair shop (small appliances)	N	N	N	C	N	N	N	N
Research (see Section 12-55)	C	C	N	N	C	C	C	N
Research, agricultural	C	C	N	N	C	C	C	N
NO CUP FOR HOMES								
Residential, multiple family	N	N	N	N	N	N	N	N
Residential, single-family detached ¹¹⁰	P	P	P	P	N	N	P	C
Residential waterfront uses	A	A	A	A	N	N	A	N

¹⁰³ Ord 1997-21, 12/15/98

¹⁰⁴ Ord 06-2009, 6/16/2009

¹⁰⁵ Ord 1997-10, 5/19/98; Ord 1997-21, 12/15/98; Ord 06-2009, 6/16/2009

¹⁰⁶ Ord 09-2008, 9/16/2008

¹⁰⁷ Ord 09-2008, 9/16/2008

¹⁰⁸ Ord 06-2009, 6/16/2009

¹⁰⁹ Ord 06-2009, 6/16/2009

¹¹⁰ Ord 1997-21, 12/15/1998

LAND USE

	Agricultural	Rural Residential	VHS-Residential	VHS-Commercial	Light Industrial	Light Industrial	Light Industrial	Marine Service
	(A)	(R)	(VHS-R)	(VHS-C)	(I1-A)	(I1-B)	(I1-C)	(MS)
Resorts	N	N	N	N	N	N	N	N
Rest or nursing home	N	N	N	N	N	N	N	N
Retail business	N	N	N	C	N	N	N	N
Retail business, accessory to office ¹¹¹	N	N	N	C	C	C	C	N
Retail sales of agricultural supplies	C	N	N	N	N	N	N	N
Riding stable, private (minimum of 20 acres)	C	C	N	N	N	N	C	N
Riding stable, commercial (minimum of 20 acres) ¹¹²	C	N	N	N	N	N	N	N
Sales, open lot and outdoor	N	N	N	N	N	N	N	N
Sales, seasonal agricultural ¹¹³	N	N	N	C	N	N	N	N
Schools, private	N	N	N	N	N	N	N	N
Schools, public	N	C	N	N	N	N	C	N
Service station	N	N	N	N	N	N	N	N
Shopping center ¹¹⁴	Deleted							
Signs	See Section 12-210							
Solar, accessory to principal use ¹¹⁵	A	A	A	A	A	A	A	A
Stand, private roadside (notify neighbor for CUP) ¹¹⁶	ADMIN	C	N	C	N	N	C	N
Storage, highway during construction	ADMIN	ADMIN	ADMIN	ADMIN	ADMIN	ADMIN	I ¹¹⁷	N
Storage, enclosed or screened principal use	N	N	N	N	C	C	N	A
Storage, open principal use	N	N	N	N	N	N	N	N
Storage, enclosed, accessory to a principal use	A	A	A	A	A	A	C ¹¹⁸	N
Storage, not accessory to permitted principal use	N	N	N	N	N	N	N	N
Storage, underground, flammable materials accessory to agricultural or residential use	C	C	C	C	N	N	N ¹¹⁹	N
Studio, arts or crafts	C	C	C	C	N	N	C	N
	Agricultural	Rural Residential	VHS-Residential	VHS-Commercial	Light Industrial	Light Industrial	Light Industrial	Marine Service

¹¹¹ Ord 06-2009, 6/16/2009

¹¹² Ord 02-2014, 5/20/2014

¹¹³ Ord 1997-12, 8/18/1998

¹¹⁴ Ord 1997-21, 12/15/1998

¹¹⁵ Ord 03-2015, 8/18/2015

¹¹⁶ Ord 1997-21, 12/15/1998

¹¹⁷ Ord 06-2009, 6/16/2009

¹¹⁸ Ord 06-2009, 6/16/2009

¹¹⁹ Ord 06-2009, 6/16/2009

AFTON CODE

	(A)	(R)	(VHS-R)	(VHS-C)	(II-A)	(II-B)	(II-C)	(MS)
Supper Club ¹²⁰	N	N	N	C	N	N	N	N
Swimming pool (commercial)	N	N	N	N	N	N	N	N
Swimming pool (private)	ADMIN	ADMIN	ADMIN	ADMIN	N	N	ADMIN	N
Taverns and bars ¹²¹	N	N	N	C	N	N	N	N
Tennis courts, private	ADMIN	ADMIN	ADMIN	ADMIN	N	N	C ¹²²	N
Terminal, transportation/motor freight	N	N	N	N	C	C	N	N
Theater	N	N	N	C	N	N	N	N
Theater, drive-in	N	N	N	N	N	N	N	N
Townhouses	N	N	N	N	N	N	N	N
Trailer Parks	N	N	N	N	N	N	N	N
Truck and auto service station	N	N	N	N	N	N	N	N
Temporary farm dwelling (mobile home)	ADMIN	ADMIN	N	N	N	N	N ¹²³	N
Transportation School ¹²⁴	N	N	N	N	N	C	N	N
Used auto parts	N	N	N	N	N	N	N	N
Utility substation	C	C	C	C	C	C	C	C
Vegetative cutting	See Section 12-218							
Vehicle sales	N	N	N	N	N	N	N	N
Veterinary clinic	C	N	N	N	N	N	N	N
Warehousing	N	N	N	N	C ¹²⁵	C ¹²⁶	C ¹²⁷	N
Waterfront uses (commercial)	N	N	N	C	N	N	N	N
Waterfront uses (residential)	A	A	A	A	N	N	A	N
Wholesale business	N	N	N	N	C ¹²⁸	C ¹²⁹	C ¹³⁰	N

Sec. 12-135. Floodplain overlay district.¹³¹

- A. Permitted uses. As permitted and regulated under the City's floodplain ordinance, article V of this chapter.
- B. Accessory uses. As permitted and regulated under the City's floodplain ordinance, article V of this chapter.

Sec. 12-136. Shoreland management overlay district.¹³²

¹²⁰ Ord 1997-12, 8/18/1998

¹²¹ Ord 12-21, 12/15/1998

¹²² Ord 06-2009, 6/16/2009

¹²³ Ord 06-2009, 6/16/2009

¹²⁴ Ord 07-2008, 4/18/2008

¹²⁵ Ord 09-2008, 9/16/2008

¹²⁶ Ord 09-2008, 9/16/2008

¹²⁷ Ord 06-2009, 6/16/2009

¹²⁸ Ord 09-2008, 9/16/2008

¹²⁹ Ord 09-2008, 9/16/2008

¹³⁰ Ord 06-2009, 6/16/2009

¹³¹ Code 1982, § 301.605

¹³² Code 1982, § 301.606

Special Council Meeting Highlights of January 12, 2017

- The oaths of office were administered to Mayor Bend, and Council members Randy Nelson and Bill Palmquist for their new terms beginning in 2017.
- The Council approved the annual appointments for 2017.
- The Council Reconsidered its action regarding moving forward with the process to issue Street Reconstruction Bonds to fund street improvements in 2017, in favor of issuing Abatement Bonds for the same purpose, and cancelled the Street Reconstruction Bonds hearing that was scheduled for January 17, 2017.
- The Council approved moving forward with the refinancing of the Downtown Village Improvement Project Temporary Bonds Series 2015A through the issuance of new temporary improvement bonds in the amount of \$2 million.
- The Council authorized staff to obtain information regarding the replacement of the existing projector in the Council chambers with a large screen TV.
- The Council discussed a proposal for engineering services related to developing bid specifications for the 2017 street improvement projects, and continued action on the proposal to the January 17, 2017 Council meeting.
- The Council reviewed updated financial information regarding the Downtown Village Improvements Project.

Regular Council Meeting of January 17, 2017

- The Council Designated US Bank as the City's official depository, and designated the St. Paul Pioneer Press as the City's Official Newspaper where public notices are published.
- The Council adopted the 2017 regular meeting schedule for the Council and the Planning Commission.
- The Council approved the Marcus and McLaurin Variance application for an addition and remodel to the house at 4270 River Road.
- The Council adopted Ordinance 01-2017 amending Sec. 12-132.B.3 regarding minimum requirements for contiguous parcels under common ownership, with a revision recommended by the Planning Commission.
- The Council directed that an ordinance amendment eliminating "Storage Enclosed or Screened Principal Use" from the list of allowed uses in the I1A and I1B Zoning Districts be referred back to the Planning Commission as written.
- The Council authorized staff to move forward with the process of finalizing an ordinance to integrate Minimal Impact Design Standards into the Zoning Code.
- The Council accepted a proposal from WSB for engineering services related to the 2017 Street Reclamation Projects in the amount not to exceed \$150,995.
- The Council directed staff to survey other cities regarding the percentage increase in consulting engineer rate schedules for 2017.
- The Council approved the Brown Trout LLC application for Variance and Minor Subdivision for a lot line rearrangement and shared driveway at 15311 Putnam Boulevard and 2573 Stagecoach Trail.
- The Council adopted a resolution authorizing the sale of \$2 million of General Obligation Temporary Improvement Bonds, Series 2017A.
- The Council designated the firm of Holstad and Knaak as the City Attorney and Prosecuting Attorney for 2017, and designated WSB as the City Engineer for 2017.
- The Council approved the outline for the formation of a Grants Committee.
- The Council approved the payout of 50% of accrued sick leave for former City Clerk Kim Swanson Linner.
- The Council approved temporary staffing for 20 hours per week during the hiring process for the City Clerk position.
- The Council directed that Requests for Proposals for Auditor and IT consultant be conducted during 2017.
- The Council directed that a public hearing be scheduled regarding the sale of Abatement Bonds to fund the 2017 Street Improvement projects.
- The Council approved the Public Works Committee to investigate the paving of 60th Street from Trading Post Trail to Neal Avenue, including discussions with Denmark Township and identification of funding sources, and authorized the Public Works Committee to consult with the City Attorney.