City of Afton

PLANNING COMMISSION AGENDA

July 6, 2020
7:00 pm

Note: Due to the Covid-19 Virus and the related Governor's Executive Order, the July 6, 2020 Planning Commission meeting will be held remotely using the Zoom video conference application. Instructions for participating in the meeting remotely are provided below and will also be provided in a cover page with the Planning Commission meeting agenda packet.

Instructions for Participating in the Meeting Remotely Via Zoom

Options for Joining the Zoom Meeting:

- RECOMMENDED: Use your computer, tablet or smart phone to join the meeting by logging on to https://us02web.zoom.us/j/83270958846 (Meeting ID: 832 7095 8846)
- Dial-in Number (to call in to the meeting)
  +1 312 626 6799. When prompted, enter Meeting ID: 832 7095 8846
- Use One Tap Mobile
  +13126266799,,83270958846#

1. **CALL TO ORDER -**

2. **ROLL CALL -**
   a) Scott Patten
   b) Sally Doherty
   c) Kris Kopitzke (Chair)
   d) Jim Langan
   e) Roger Bowman
   f) Justin Sykora
   g) Christian Dawson
   h) Doug Parker
   i) Kuchen Hale

3. **APPROVAL OF AGENDA –**

4. **APPROVAL OF MINUTES –**
   A. March 2, 2020 Meeting Minutes

5. **REPORTS AND PRESENTATIONS –** None

6. **PUBLIC HEARINGS –**
   A. John and Beth Sevenich Minor Subdivision Application at 10 Coulee Ridge Road
   B. Ordinance Amendment Regarding the Discharge of Firearms and Public Nuisance Noises
   C. Ordinance Amendment Regarding Barbed Wire Fencing

7. **NEW BUSINESS –** None

8. **OLD BUSINESS -**

A. Development of a schedule of non-compliance fees and other enforcement tools to assist the City in gaining adherence to ordinances, regulations, rules and conditions placed on zoning applications.
B. Update on City Council Actions – Council Highlights from the June 16, 2020 Council meeting - attached.

9. ADJOURN –

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

CITY OF AFTON
DRAFT PLANNING COMMISSION MINUTES
March 2, 2020

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1. **CALL TO ORDER** – Chair Kopitzke called the meeting to order at 7:00 PM

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

3. **ROLL CALL** – Present: Chair Kris Kopitzke, Kuchen Hale, Doug Parker, Sally Doherty, Roger Bowman, Absent were James Langan, Scott Patten, Christian Dawson & Justin Sykora (all excused).
   ALSO IN ATTENDANCE – Council member Wroblewski, City Administrator Ron Moorse

4. **APPROVAL OF AGENDA** –
   Motion/Second Hale/Doherty To approve the Agenda of the March 2, 2020 Planning Commission meeting. Passed 5-0.

5. **APPROVAL OF MINUTES** –
   A. February 3, 2020
   Motion/Second Bowman/Parker To approve minutes of the February 3, 2020 Planning Commission meeting. Passed 5-0.

6. **REPORTS AND PRESENTATIONS** - None

7. **PUBLIC HEARINGS** –
   A. Short Term Rentals Ordinance
   Chair Kopitzke opened the public hearing at 7:05 PM.
   Administrator Moorse provided a summary: The purpose of the short term rental ordinance is to protect the health and safety of those who choose to use short term rentals, and to mitigate the impacts of short term rentals on neighboring properties. The ordinance would accomplish this through the establishment of performance standards and licensing requirements.

   Valerie Stoehr, 15800 36th St S. Has a neighbor who is doing rentals and has had no problems in the neighborhood. Also has a cousin who lives in WI that has had big problems with neighbor who does rentals. She talked with her cousin about what they wish would have been in place for them: limit permits to individual home owners not businesses; in the permit process be sure number of bedrooms matches description used for tax assessment; check advertising for conflict with number of rooms and be able to revoke license based on discrepancy; think about penalty amount; require them to be owner occupied.

   Jake Lee, 5229 Odell. Asked if there were regulations for long term rentals (no).
   Hale explained that this ordinance was developed to lessen the negative impact of short term rentals. Jake stated that this ordinance will cost money and time for everyone rather than just the problem few.

   Charlie Wamstad, 12200 22nd St S. Owns rental property in St. Paul. The guidelines there are to be sure the properties are safe. Would hope our ordinance does that. Also is concerned about the homestead requirement as some properties are second homes that people may want to rent out. The homeowner has responsibilities whether they are absentee or not.

   No other public comments
   Motion/Second Parker/Bowman close public hearing at 7:19pm. Passed 5-0.

   Discussion
   Parker asked if a long term renter does short term rentals does that get them around this requirement? (no)
   Hale stated that we have the ability to allow non-homesteaded.
   Bowman it is allowed (non-homesteaded). Other points such as no events and limit on guests.
   Hale asked about family reunions.
   Kopitzke says it states no more than 3 unregistered guests.

Discussion was held on the number of guests allowed, how it will be monitored, impacts on septic, excluding children under age 12 in the number of allowed guests.

Motion/Second <u>Kopitzke/ Bowman</u> to recommend approval of the short term rental ordinance with following changes:

- **Revise the language regarding the number of guests and exclude children under the age of 12 from the calculation of the number of guests.**
- **Require the number of bedrooms in the application to match the number of bedrooms reflected in the County's property tax records.**
- **Add an additional reason for license revocation as follows: If a licensee advertises the property in a way that conflicts with any limitation of the ordinance**

Passed 5-0.

8. NEW BUSINESS – None

9. OLD BUSINESS –

A. Brooks Variance Application at 14186 Valley Creek Trail

Administrator Moorse stated that the applicants have revised their plan to address the concerns of the Planning commission and make it more compliant. The house has been rotated so that it is angled away from both the side lot line and Valley Creek Trail. This has allowed the attached garage portion of the house to be located substantially father away from both the side lot line and Valley Creek Trail.

Parker asked about flipping the driveway to the other side of the home. The homeowners stated that was looked at, but the runoff concerns were greater.

Bowman suggested an additional condition that no additional structure be constructed on the property.

Hale stated if it can be built within our ordinances she is not comfortable restricting future construction.

Administrator Moorse stated there is no conforming location on the lot that would allow an additional structure that can be accessed by vehicle.

Parker asked about adding conditions to protect the creek during construction. (condition #2 addresses) add caveat "during construction".

Motion/Second <u>Hale/Doherty</u> to recommend approval of the variance with the attached garage with the findings and conditions, with addition to condition #2 "during construction grading".

Findings

1. **The subject property is located in the Rural Residential zone, as are all surrounding properties.**
2. **The property contains several existing structures, including a house and detached double garage, all of which have nonconforming setbacks.**
3. **The required setbacks to Valley Creek and to Valley Creek Trail overlap, leaving no area for a house that can meet the required setbacks.**
4. **The proposal would eliminate a detached double garage with a setback from Valley Creek of 58.9 feet, in favor of an** *attached* **double garage with a setback from Valley Creek of 61.1feet.**
5. **The proposal would retain an existing gazebo and patio with setbacks of 27.1 feet and 17.8 feet respectively from Valley Creek.**
6. **The proposal would retain an existing detached single stall garage with a side yard setback of 12.5 feet.**
7. **The Brooks parcel is irregularly shaped, partially due to the adjacent property to the east extending north to a point near the existing house and garages, and well within the setback of Valley Creek, which substantially limits the buildable area of the parcel.**

Conditions

1. **The house, with attached garage, shall be constructed according to the revised plans submitted at the March 2, 2020 Planning Commission meeting, except as the plans may be revised by the Council or as revisions of plans may be approved by the Council.**

2. **All grading, drainage and erosion control issues shall be subject to review and approval, both before and during construction, by the City Engineer, and by the Valley Branch Watershed District if the project meets permit thresholds.**
3. **The existing detached double garage shall be removed from the property prior to issuance of the building permit for the house.**

Doherty noted that the property is not buildable without a variance. This is making the property better. Bowman stated that none of these conditions were unknown when the property was purchased. The precedent is concerning.
Hale stated this is cleaning up the property.
Motion Vote: Passed 4-1 (Parker nay)

B. Development of a schedule of non-compliance fees and other enforcement tools
Commissioner Bowman surveyed a number of area cities regarding noncompliance fees and other enforcement tools. He obtained an administrative offenses ordinance from the City of Stillwater that could be beneficial in Afton. The administrative offense procedures provide an informal, cost effective and expeditious alternative to traditional criminal charges for violations of certain provisions.

Kopitzke stated the main areas for focus are variances, CUPs, licenses, POLCD developer agreements, PLCD homeowner association agreements, and subdivisions.

The Planning commission will continue its work regarding noncompliance fees and enforcement tools. For next month they would like a copy of fee schedule for pc next month and opinion from the city attorney.

C. Update on City Council actions
Council member Wroblewski provided a summary of the February City Council meeting.

10. ADJOURN
Motion/Second <u>Hale/Doherty</u> To adjourn. Passed 5-0.
Meeting adjourned at 8:45pm.

Respectfully submitted by:

_____
Julie Yoho, City Clerk

To be approved on July 6, 2020 as (check one): Presented: _____ or Amended: _____

DRAFT

6A

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

Planning Commission Memo

Meeting: July 6, 2020

To: Chair Kopitzke and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: June 25, 2020

Re: John and Beth Sevenich Minor Subdivision Application at 10 Coulee Ridge Road – **Public Hearing**

John and Beth Sevenich have applied for a minor subdivision to combine four contiguous parcels under their ownership at 10 Coulee Ridge Road to create one parcel of 6.551 acres, and to divide off a 0.77-acre parcel and combine it with the neighboring Koosman parcel at 8 Coulee Ridge Road. The subdivision eliminates 4 parcels that are each smaller than the minimum required lot size of five acres, and creates one conforming parcel of 6.551 acres. The subdivision also increases the size of the neighboring parcel from 1.89 acres to 2.66 acres, making its size significantly less nonconforming. Attached are a site plan showing the existing parcels and the parcel to be combined with the Koosman property, and a survey showing the new parcels.

Findings

The following is a set of findings for the Planning Commission's consideration. The Planning Commission may revise or add findings.

1. All parcels involved in the subdivision are zoned Rural Residential, as is all surrounding land.
2. The proposed subdivision does not create any additional lots.
3. The proposed subdivision combines several parcels that are under the same ownership.
4. The proposed subdivision reduces the number of parcels from five to two
5. The proposed subdivision combines 4 nonconforming lots into one conforming lot and adds land to an adjacent lot that is currently nonconforming to make it significantly less nonconforming.

Conditions

If the Planning Commission approves the subdivision, conditions may be placed on the approval. Staff is not proposing any conditions to be placed on the approval.

Planning Commission Recommendation Requested:

Motion regarding a recommendation concerning the John and Beth Sevenich Minor Subdivision Application at 10 Coulee Ridge Road.

CITY OF AFTON

MINOR SUBDIVISION PERMIT APPLICATION
(Reference Sections: 12-1256, 12-1260)

Owner	Address	City	State	Zip	Phone
John & Beth Sevenich	10 Coulee Ridge Rd.	Afton	MN	55001	612-802-5781
Applicant (if different than owner)	Address	City	State	Zip	Phone

Project Address
10 Coulee Ridge Rd. **AFTON MN 55001**

Zoning Classification	Existing Use of Property	PID# or Legal Description
	None	22.028.20.42.0012

Description of Request

0.78 acres to be sold to neighbor (Koosmann's 8 Coulee Ridge Rd) and their lot 22.028.20.42.0010 (lot 8) will join the parcel to become a larger lot. The balance or our lots will be joined into one lot of 6.54 acres. See survey and jpg. of property lines prior to dividing/joining.

By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.

[signature] Beth M Sev 6-4-2020

Signature of Owner/Applicant Date

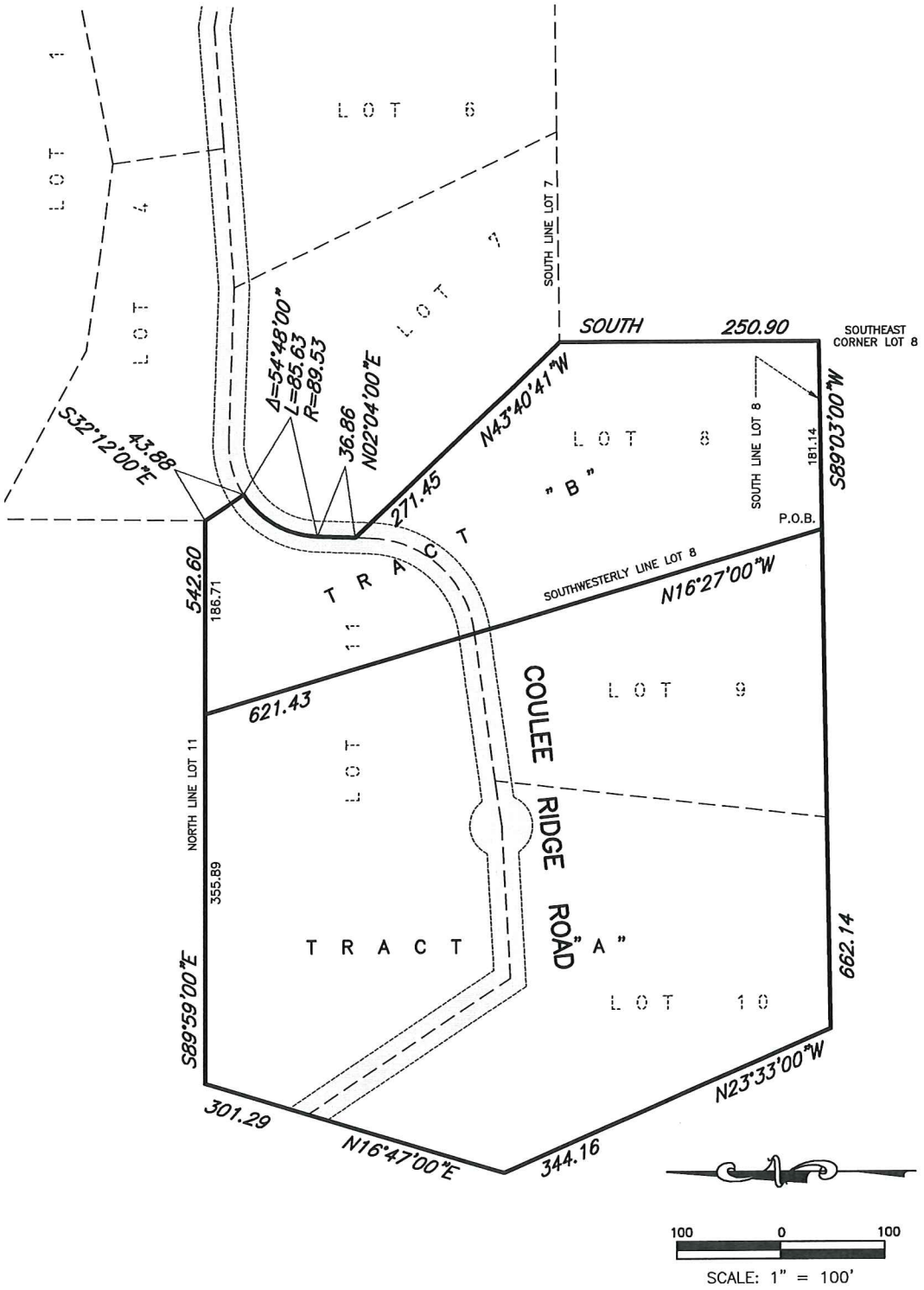
Make checks payable to **City of Afton:**

FEES:		**Escrow:**			
Minor Subdivision	$250.00	Minor Subdivision	$1,500.00	TOTAL:	$1,750.00
				DATE PAID:	
				CHECK #:	
				RECVD. BY:	

ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION

LEGAL DESCRIPTION EXHIBIT FOR:
JOHN SEVENICH

10 COULEE RIDGE ROAD, CITY OF AFTON, WASHINGTON COUNTY, MINNESOTA



SHEET 2 OF 2 SHEETS

JOB NO: 2020 SEVENICH 001

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1592 PACIFIC AVENUE, EAGAN, MN 55122 (651) 492-6725

Washington County

Washington County Department of
Property Records and Taxpayer Services
14949 62nd Street North
Stillwater, MN 55082

Washington County Parcel Information

Parcel Number	Status	Last Update
22.028.20.31.0004	Active	6/4/2020 4:53:29 PM

Current Owner:
SEVENICH JOHN & BETH
10 COULEE RIDGE RD
AFTON , MN 55001

Property Address:
0

Taxing District
1005 AFTON-834-VBWS

Tax Description

SubdivisionName SCHMITT'S AFTON COULEE RIDGE Lot 11
SubdivisionCd 19720

Tax Installment

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	1509943	5/15/2020	2020	$0.00	$0.00	$0.00	$0.00
			Total Due:	**$0.00**	**$0.00**	**$0.00**	**$0.00**

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2020	1509943	WC20.9079	$10.00	5/15/2020

Tax Detail

	Gross Tax	Credit	Net Tax
CITY OF AFTON	$3.39	$0.00	$3.39
ISD 834 STILLWATER	$3.62	$0.00	$3.62
METRO COUNCIL	$0.06	$0.00	$0.06
METRO MOSQUITO	$0.04	$0.00	$0.04
WASHINGTON COUNTY	$2.34	$0.00	$2.34
WASHINGTON COUNTY CDA	$0.15	$0.00	$0.15
WASHINGTON COUNTY RRA	$0.02	$0.00	$0.02
WS VALLEY BRANCH	$0.38	$0.00	$0.38
Total Tax	**$10.00**	**$0.00**	**$10.00**

Information & Links

PROPERTY TAX REFUND INFORMATION WITH STATE DEPARTMENT OF REVENUE

GIS MAP AND VALUE INFORMATION

IS YOUR PROPERTY ABSTRACT OR TORRENS?

TAX PAYMENT OPTIONS

2018 TAX STATEMENT

PROPOSED 2018 TAX NOTICE (2019 Notice available in November

2017 TAX STATEMENT

2016 TAX STATEMENT

2015 TAX STATEMENT

BACK OF TAX STATEMENT WITH LATE PAYMENT PENALTY SCHEDULE

2018 VALUATION NOTICE

BACK OF VALUATION NOTICE WITH APPEAL INFORMATION

Online Payment Fees

Convenience Fees are charged for online property tax payments.

eCheck fee is $0.75 per transaction. Be sure to use the 9 digit bank routing number from your checking account, not the internal bank number from a savings or deposit slip. Pay multiple parcels in one transaction with the payment cart.

Credit Card fee is 2.35% of amount paid. Discover, MasterCard, American Express and Visa are accepted.

Fees are paid directly to a payment services provider to cover the costs of the online payment services and charges from the credit card companies.

A $30 fee will be charged for non-sufficient fund payments.

Payment information collected by our online services provider, or its' affiliates, is private and governed by the service providers privacy statement.

The information provided on this website is updated when a tax parcel is selected. Washington County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. If you have any questions, please contact us at (651)430-6175 or Taxes@co.washington.mn.us.

This site is best viewed using Google Chrome, Internet Explorer 11, Mozilla Firefox or Safari.

Washington County

Washington County Department c
Property Records and Taxpayer Service
14949 62nd Street Nort
Stillwater, MN 5508.

Washington County Parcel Information

Parcel Number	Status	Last Update
22.028.20.31.0003	Active	6/4/2020 4:21:17 PM

Current Owner:
SEVENICH JOHN & BETH
10 COULEE RIDGE RD
AFTON , MN 55001

Property Address:
10 COULEE RIDGE RD S
AFTON MN 55001

Taxing District
1005 AFTON-834-VBWS

Tax Description

SubdivisionName SCHMITT'S AFTON COULEE RIDGE Lot 10 SubdivisionCd 19720

Tax Installment

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	1510641	5/15/2020	2020	$0.00	$0.00	$0.00	$0.00
INST 2	1510641	10/15/2020	2020	$3,160.00	$0.00	$0.00	$3,160.00
			Total Due:	**$3,160.00**	**$0.00**	**$0.00**	**$3,160.00**

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2020	1510641	WC20.9077	$3,160.00	5/15/2020

Tax Detail

	Gross Tax	Credit	Net Tax
CITY OF AFTON	$1,982.88	$0.00	$1,982.88
ISD 834 STILLWATER	$2,068.77	$0.00	$2,068.77
METRO COUNCIL	$37.57	$0.00	$37.57
METRO MOSQUITO	$25.14	$0.00	$25.14
SP WASHINGTON COUNTY	$3.00	$0.00	$3.00
WASHINGTON COUNTY	$1,884.18	$0.00	$1,884.18
WASHINGTON COUNTY CDA	$87.31	$0.00	$87.31
WASHINGTON COUNTY RRA	$10.62	$0.00	$10.62
WS VALLEY BRANCH	$220.53	$0.00	$220.53
Total Tax	**$6,320.00**	**$0.00**	**$6,320.00**

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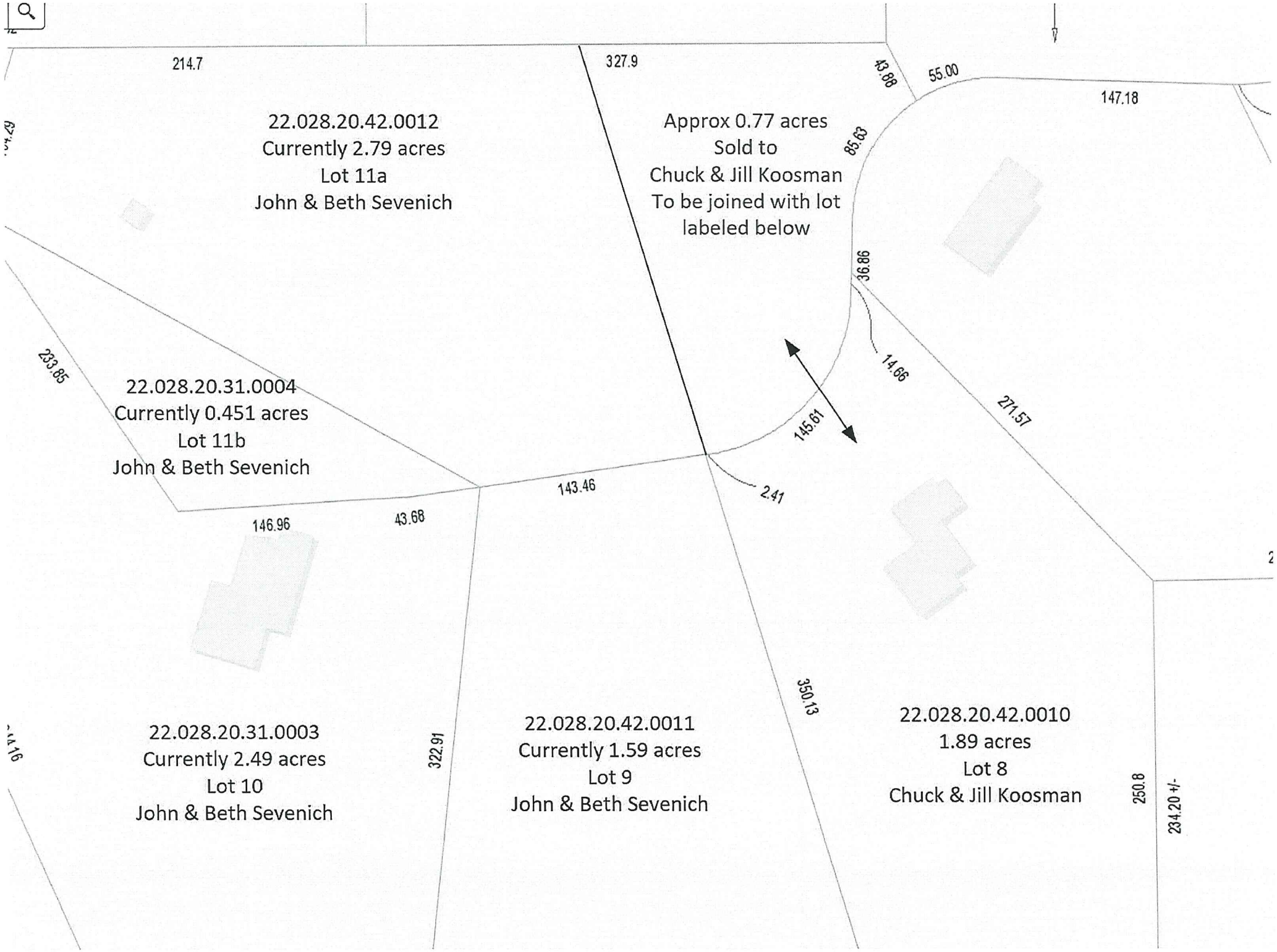
214.7
327.9
43.88
55.00
147.18
22.028.20.42.0012
Currently 2.79 acres
Lot 11a
John & Beth Sevenich
Approx 0.77 acres
Sold to
Chuck & Jill Koosman
To be joined with lot
labeled below
85.63
36.86
14.66
233.85
22.028.20.31.0004
Currently 0.451 acres
Lot 11b
John & Beth Sevenich
145.61
271.57
143.46
2.41
146.96
43.68
350.13
22.028.20.31.0003
Currently 2.49 acres
Lot 10
John & Beth Sevenich
322.91
22.028.20.42.0011
Currently 1.59 acres
Lot 9
John & Beth Sevenich
22.028.20.42.0010
1.89 acres
Lot 8
Chuck & Jill Koosman
250.8
234.20 +/-

LEGAL DESCRIPTION EXHIBIT FOR: JOHN SEVENICH

10 COULEE RIDGE ROAD, CITY OF AFTON, WASHINGTON COUNTY, MINNESOTA

TRACT "A"
PROPOSED LEGAL DESCRIPTION:

LOTS 9, 10 AND 11, SCHMITT'S AFTON COULEE RIDGE ACCORDING TO THE PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA, EXCEPT THAT PART OF LOT 11 LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE THE SOUTHEAST CORNER OF LOT 8 OF SAID SCHMITT'S AFTON COULEE RIDGE; THENCE SOUTH 89 DEGREES 03 MINUTES 00 SECONDS WEST ASSUMED BEARING ALONG THE SOUTH LINE OF SAID LOT 8 OF SCHMITT'S AFTON COULEE RIDGE A DISTANCE OF 181.14 FEET TO THE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED: THENCE NORTH 16 DEGREES 27 MINUTES 00 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 8 OF SCHMITT'S AFTON COULEE RIDGE AND ITS NORTHWESTERLY EXTENSION A DISTANCE OF 621.43 FEET PLUS OR MINUS TO THE NORTH LINE OF SAID LOT 11 OF SCHMITT'S AFTON COULEE RIDGE AND THERE TERMINATING.

CONTAINING 285,072 SQUARE FEET PLUS OR MINUS

TRACT "B"
PROPOSED LEGAL DESCRIPTION:

LOT 8, SCHMITT'S AFTON COULEE RIDGE ACCORDING TO THE PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA AND THAT PART OF LOT 11 OF SAID SCHMITT'S AFTON COULEE RIDGE LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE THE SOUTHEAST CORNER OF LOT 8 OF SAID SCHMITT'S AFTON COULEE RIDGE; THENCE SOUTH 89 DEGREES 03 MINUTES 00 SECONDS WEST ASSUMED BEARING ALONG THE SOUTH LINE OF SAID LOT 8 OF SCHMITT'S AFTON COULEE RIDGE A DISTANCE OF 181.14 FEET TO THE POINT OF BEGINNING OF THE LINE TO BE DESCRIBED: THENCE NORTH 16 DEGREES 27 MINUTES 00 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 8 OF SCHMITT'S AFTON COULEE RIDGE AND ITS NORTHWESTERLY EXTENSION A DISTANCE OF 621.43 FEET PLUS OR MINUS TO THE NORTH LINE OF SAID LOT 11 OF SCHMITT'S AFTON COULEE RIDGE AND THERE TERMINATING.

CONTAINING 116,508 SQUARE FEET PLUS OR MINUS

CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNED THE 4TH OF JUNE, 2020.

Dennis M. Honsa

DENNIS M. HONSA
MINNESOTA LICENSE No. 22440
FOR: HONSA SURVEYING

SHEET 1 OF 2 SHEETS

JOB NO: 2020 SEVENICH 001

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Washington County

Washington County Department of
Property Records and Taxpayer Services
14949 62nd Street North
Stillwater, MN 55082

Washington County Parcel Information

Parcel Number	Status	Last Update
22.028.20.42.0011	Active	6/4/2020 4:52:29 PM

Current Owner:
SEVENICH JOHN & BETH
10 COULEE RIDGE RD
AFTON , MN 55001

Property Address:
0

Taxing District
1005 AFTON-834-VBWS

Tax Description

SubdivisionName SCHMITT'S AFTON COULEE RIDGE Lot 9 SubdivisionCd 19720

Tax Installment

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	1510279	5/15/2020	2020	$0.00	$0.00	$0.00	$0.00
INST 2	1510279	10/15/2020	2020	$88.00	$0.00	$0.00	$88.00
			Total Due:	**$88.00**	**$0.00**	**$0.00**	**$88.00**

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2020	1510279	WC20.9080	$88.00	5/15/2020

Tax Detail

	Gross Tax	Credit	Net Tax
CITY OF AFTON	$54.50	$0.00	$54.50
ISD 834 STILLWATER	$58.26	$0.00	$58.26
METRO COUNCIL	$1.03	$0.00	$1.03
METRO MOSQUITO	$0.69	$0.00	$0.69
WASHINGTON COUNTY	$52.76	$0.00	$52.76
WASHINGTON COUNTY CDA	$2.40	$0.00	$2.40
WASHINGTON COUNTY RRA	$0.29	$0.00	$0.29
WS VALLEY BRANCH	$6.07	$0.00	$6.07
Total Tax	**$176.00**	**$0.00**	**$176.00**

Information & Links

PROPERTY TAX REFUND INFORMATION WITH STATE DEPARTMENT OF REVENUE

GIS MAP AND VALUE INFORMATION

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Washington County

Washington County Department of
Property Records and Taxpayer Services
14949 62nd Street North
Stillwater, MN 55082

Washington County Parcel Information

Parcel Number	Status	Last Update
22.028.20.42.0012	Active	6/4/2020 4:54:11 PM

Current Owner:
SEVENICH JOHN & BETH
10 COULEE RIDGE RD
AFTON , MN 55001

Property Address:
0

Taxing District
1005 AFTON-834-VBWS

Tax Description

SubdivisionName SCHMITT'S AFTON COULEE RIDGE Lot 11 SubdivisionCd 19720

Tax Installment

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	1510590	5/15/2020	2020	$0.00	$0.00	$0.00	$0.00
INST 2	1510590	10/15/2020	2020	$207.00	$0.00	$0.00	$207.00
			Total Due:	**$207.00**	**$0.00**	**$0.00**	**$207.00**

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2020	1510590	WC20.9076	$207.00	5/15/2020

Tax Detail

	Gross Tax	Credit	Net Tax
CITY OF AFTON	$129.04	$0.00	$129.04
ISD 834 STILLWATER	$137.91	$0.00	$137.91
METRO COUNCIL	$2.44	$0.00	$2.44
METRO MOSQUITO	$1.64	$0.00	$1.64
WASHINGTON COUNTY	$122.25	$0.00	$122.25
WASHINGTON COUNTY CDA	$5.68	$0.00	$5.68
WASHINGTON COUNTY RRA	$0.69	$0.00	$0.69
WS VALLEY BRANCH	$14.35	$0.00	$14.35
Total Tax	**$414.00**	**$0.00**	**$414.00**

Information & Links

PROPERTY TAX REFUND INFORMATION WITH STATE DEPARTMENT OF REVENUE

GIS MAP AND VALUE INFORMATION

IS YOUR PROPERTY ABSTRACT OR TORRENS?

TAX PAYMENT OPTIONS

2018 TAX STATEMENT

PROPOSED 2018 TAX NOTICE (2019 Notice available in November

2017 TAX STATEMENT

2016 TAX STATEMENT

2015 TAX STATEMENT

BACK OF TAX STATEMENT WITH LATE PAYMENT PENALTY SCHEDULE

2018 VALUATION NOTICE

BACK OF VALUATION NOTICE WITH APPEAL INFORMATION

Online Payment Fees

Convenience Fees are charged for online property tax payments.

eCheck fee is $0.75 per transaction. Be sure to use the 9 digit bank routing number from your checking account, not the internal bank number from a savings or deposit slip. Pay multiple parcels in one transaction with the payment cart.

Credit Card fee is 2.35% of amount paid. Discover, MasterCard, American Express and Visa are accepted.

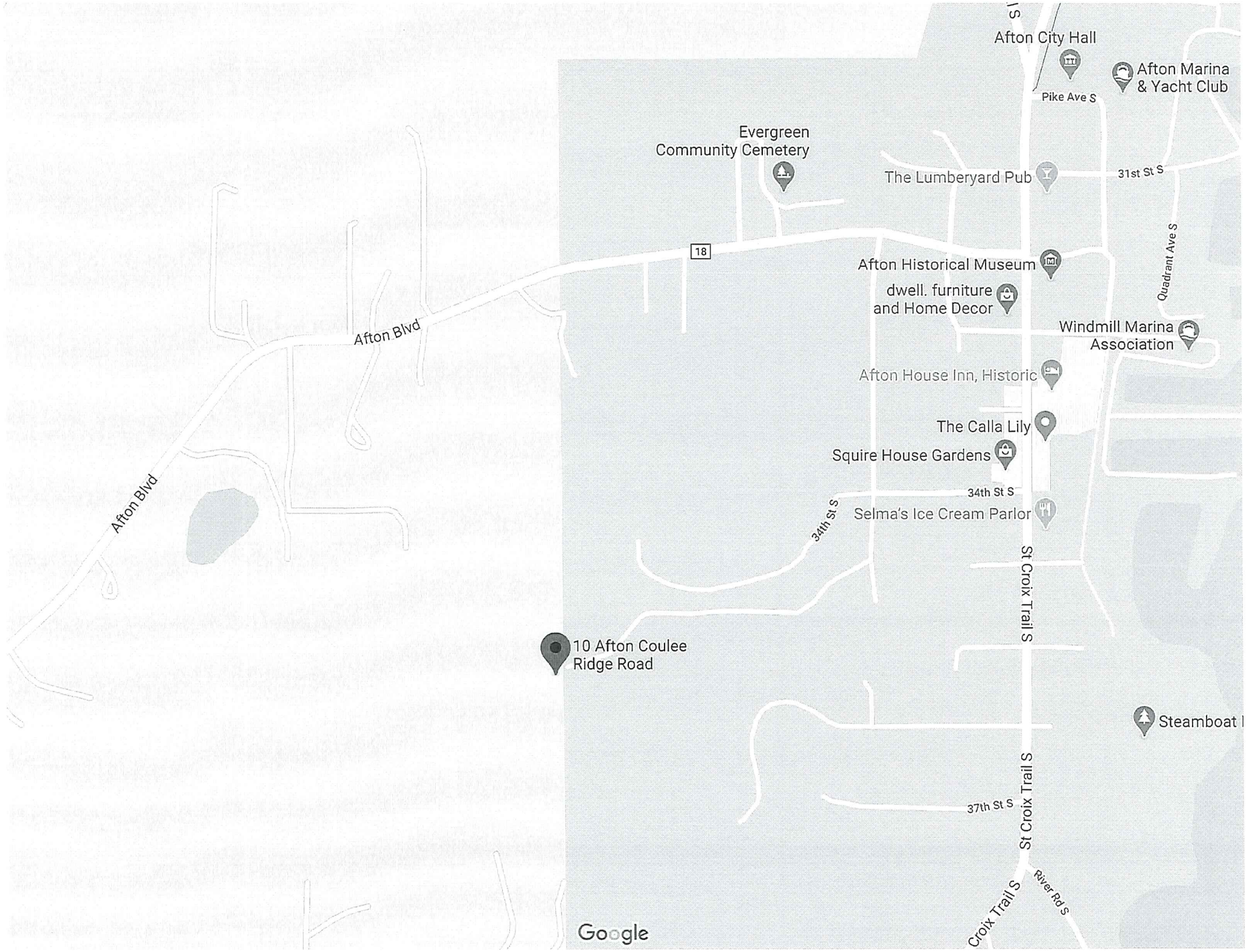
Fees are paid directly to a payment services provider to cover the costs of the online payment services and charges from the credit card companies.

A $30 fee will be charged for non-sufficient fund payments.

Payment information collected by our online services provider, or its' affiliates, is private and governed by the service providers privacy statement.

The information provided on this website is updated when a tax parcel is selected. Washington County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. If you have any questions, please contact us at (651)430-6175 or Taxes@co.washington.mn.us.

This site is best viewed using Google Chrome, Internet Explorer 11, Mozilla Firefox or Safari.


Afton City Hall
Afton Marina & Yacht Club
Pike Ave S
Evergreen Community Cemetery
The Lumberyard Pub
31st St S
18
Afton Historical Museum
dwell. furniture and Home Decor
Quadrant Ave S
Windmill Marina Association
Afton Blvd
Afton House Inn, Historic
The Calla Lily
Squire House Gardens
34th St S
Selma's Ice Cream Parlor
34th St S
St Croix Trail S
10 Afton Coulee Ridge Road
Steamboat
37th St S
St Croix Trail S
River Rd S
Croix Trail S
Google

Chuck & Jill Koosmann

22 June 2020

Ron Moorse
Afton City Administrator

Re: Partial Lot Sale

Dear Mr. Moorse,

My wife, Jill, and I are neighbors to John and Beth Sevenich. We have reached an agreement to purchase a portion of their property and are supportive of the subdivision application.

If you have any questions, please feel free to contact us.

Sincerely,

Chuck Koosmann

cc: John Sevenich
Jill Koosmann

8 coulee ridge road | afton minnesota □□□□□ | □□□ □□□ □□44

6B

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

Planning Commission Memo

Meeting: July 6, 2020

To: Chair Kopitzke and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: June 30, 2020

Re: Ordinance Amendment Regarding the Discharge of Firearms and Nuisance Noises. – **Public Hearing**

Overview and Purpose of Proposed Ordinance Amendment

The attached ordinance amendment adds and clarifies a number of regulations related to the discharge of firearms. The purpose of the ordinance amendment is to address noise and safety concerns related to the current ability to discharge firearms with no or limited restrictions on the number of rounds, the duration and frequency of shooting and the noise generated by the firearms discharge.

Main Elements of the Proposed Ordinance Amendment

The Council met in work sessions in June to discuss options for addressing concerns regarding the discharge of firearms, and particularly when residents are using their property in a manner similar to a gun range, whereby they discharge a high number of rounds per day several days per week. The Council discussed these concerns from both a safety and a nuisance noise perspective, and directed staff to draft an ordinance amendment that included the following elements:

- Add new language to the firearms discharge ordinance that limits firearms discharge as follows;
  Other than for allowed hunting, it is unlawful for a person to discharge more than 20 rounds from any firearm within a 24 hour period and on more than one day per calendar month in Afton; with the exception that clay pigeon shooting with shotguns is allowed once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel.
  - The proposed exception for clay pigeon shooting is to acknowledge that this activity has been occurring over the years on large rural parcels without complaints from neighbors. The required distance of 1,320 feet is to continue to avoid both noise and safety impacts.

- Add a definition of "gun range" to the Zoning Code as follows:
  Gun Range means a commercial or private parcel, or multiple parcels under the same ownership, or facility where skeet and trap shooting or other similar shooting sports and the shooting of rifles, shotguns and pistols takes place whereby firearms discharge occurs more than one day per calendar month, and whereby more than 20 rounds are discharged over any 24 hour period; with the exception that clay pigeon shooting with shotguns once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel, is not considered a gun range.

- Add language in the nuisance/noise ordinance that adds a definition of public nuisance noises and prohibits such noises as follows:
  Public Nuisance Noises.
  It is unlawful for any person to cause or allow to be emitted a Public Nuisance Noise. A Public Nuisance Noise is any noise which unreasonably annoys, injures, interferes with, or endangers the

comfort, repose, health or safety of persons residing within separate residences in the same community or neighborhood.

a. Examples of public nuisance noises include, but are not limited to, the following:

1). The discharge of more than 20 rounds from a firearm in a 24 hour period and on more than one day per calendar month in Afton, other than for allowed hunting; with the exception that clay pigeon shooting with shotguns is allowed once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel

2). Those noises listed as prohibited in paragraph D of Sec. 12-208. (See the attached ordinance.)

3). Those noises generated by the operations with hourly restrictions listed in paragraph E of Sec. 12-208 when generated beyond the allowed hours. (See the attached ordinance.)

b. Exemptions to Public Nuisance Noise Prohibition.

1). Between the hours of 7 a.m. and 8 p.m., the following shall be exempt from this Chapter; except if other state and local restrictions apply:

a). Sounds originating from residential property as a result of temporary projects for the construction, maintenance, or repair of homes, grounds, and appurtenances;

b). Sounds created by the discharge of firearms in the course of legally hunting during any state defined hunting season, and otherwise meeting all other firearm discharge guidelines found in city ordinances.

c). Sounds created by the installation or repair of essential utility services;

d). Sounds originating from temporary, residential construction sites as a result of construction activity

e). Sounds originating from forestry activities

f). Sounds originating from farming activities

Public Hearing

The purpose of the public hearing is to obtain public comment regarding the proposed ordinance amendment.

Additional Public Comment

Attached are a number of email messages from Afton residents regarding the regulation of the discharge of firearms.

Video of Shotgun Discharge Sound

The Planning Commission has received, via email, a video of the sound of a shotgun discharge at a distance of nearly 1,300 feet. This video is also posted on the website along with the Planning Commission meeting packet.

Planning Commission Recommendation Requested:

Motion regarding a recommendation concerning the ordinance amendment regarding the discharge of firearms and nuisance noises.

ORDINANCE 05-2020

CITY OF AFTON

WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING SECTION 14-1 OF CHAPTER 14, AND SECTIONS 12-77, 12-207 AND 12-208 OF CHAPTER 12 OF THE CITY CODE REGARDING THE DISCHARGE OF FIREARMS, GUN RANGES, NUISANCES and NOISE

THE CITY COUNCIL OF THE CITY OF AFTON, MINNESOTA HEREBY ORDAINS:

The following sections of the Afton Code of Ordinances shall be amended by adding the <u>bold and underlined</u> language and deleting the ~~strikethrough~~ language.

Sec. 14-1. Use, discharge of firearms.

(a) NOTHING IN THIS SECTION SHALL REGULATE, CONTROL OR PREEMPT THE USE OF FIREARMS FOR SELF DEFENSE WHICH SHALL BE SOLELY REGULATED AND CONTROLLED BY APPLICABLE MN STATE STATUTES (609.06 and 609.65)

(b) Firearm definition – A firearm is defined as any gun from which any projectile is discharged or propelled by means of an explosion, excluding devices used exclusively for the firing of stud cartridges, explosive rivets, or similar industrial apparatus, instruments, or equipment used by construction personnel, licensed physicians or veterinarians in the course or scope of their professions.

(c) Within the city, it shall be unlawful for any person to discharge out of doors upon the land of another, including all land owned by the City, any firearm, without having, in possession, written permission from the owner or tenant of such land to discharge such firearm thereon, which must include the full name, address, phone number, and signature of the landowner or lessee as well as the full name of the person given permission to hunt or shoot.

(d) It is unlawful for any person to discharge any firearm in any place or manner so as to endanger any person or property.

(e) It is unlawful for any person to discharge a firearm in a city park, on any school property, or in any property located in an area zoned commercial or industrial with the exception of police officers acting in the scope of their lawful authority.

(f) It is unlawful to discharge a firearm across or within the right of way of any public road or highway.

(g) Firearms may not be discharged:

1. Except by the landowner and his/her immediate family in residence on the property or in the presence of the landowner or lessee of the land, or with the written permission of the landowner or lessee of the land. The person authorized to hunt/shoot must have in their possession the written permission which must include the full name, address, phone number, and signature of the landowner or lessee as well as the full name of the person given permission to hunt or shoot.
2. Within 500 feet of any residence or accessory building on a parcel under separate ownership from the parcel on which the firearm is discharged, unless the person has written permission from the land owner as required in paragraph (g) 1 above.

3. Before 0900 hours or after one-half hour before sunset, except when hunting game or non-game animals in compliance with the requirements of Minnesota Hunting Restrictions and Requirements (MN State Statute 97B)

(h) No firearm shall be discharged in a manner reasonably expected to cause a projectile to cross the boundary of a parcel not under common ownership with the parcel from which the projectile is fired, unless the person has written permission from the land owner as required in paragraph (g) 1 above.

(i) It is unlawful to discharge a firearm while under the influence of a controlled substance or under the influence of alcohol.

(j) Individuals discharging firearms must be adults or must be under the supervision of a responsible adult, with the exception of juveniles 16 and over during the hunting season who meet the legal requirements to hunt according to Minnesota's hunting regulations. Nothing in this paragraph shall prohibit juveniles from hunting in compliance with the requirements of Minnesota Hunting Restrictions and Requirements (MN State Statute 97B)

(k) Other than for allowed hunting, it is unlawful for a person to discharge more than 20 rounds from any firearm within a 24 hour period and on more than one day per calendar month in Afton; with the exception that clay pigeon shooting with shotguns is allowed once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel.

Sec. 12-77 Definitions

Gun Range means a commercial or private parcel, or multiple parcels under the same ownership, or facility where skeet and trap shooting or other similar shooting sports and the shooting of rifles, shotguns and pistols takes place whereby firearms discharge occurs more than one day per calendar month, and whereby more than 20 rounds are discharged over any 24 hour period; with the exception that clay pigeon shooting with shotguns once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel, is not considered a gun range.

Sec. 12-207. Miscellaneous nuisances.

A. It shall be a nuisance for any person to store or keep any vehicle of a type requiring a license to operate on the public highway, but without a current license attached thereto, whether such vehicle is dismantled or not, outside of an enclosed building in any zoning district.
B. Creating or maintaining a junkyard or vehicle dismantling yard shall be a nuisance and shall be prohibited.
C. The following are declared to be nuisances endangering public health:
1. Causing or suffering the effluent from any cesspool, septic tank, drainfield or human sewage disposal system to discharge upon the surface of the ground, or dumping the contents thereof at any place except as authorized by the state pollution control agency.
2. Causing or suffering the pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste or other substances.
3. Causing or suffering carcasses of animals to not be buried or destroyed or otherwise disposed of within 24 hours after death.
D. The following are declared to be nuisances affecting the public peace and safety,~~:~~**, including interfering unreasonably with the enjoyment of life or property.**

1. The placing or throwing on any street, alley, road, highway, sidewalk or other public property of any glass, tacks, nails, bottles or other nuisances that may injure any person or animal or may cause damage to any pneumatic tire when passing over the same.

2. The ownership, possession or control of any unused refrigerator or other container, with doors that fasten automatically when closed, of sufficient size to retain any person and that is exposed and accessible to the public without having the doors, lids, hinges or latches removed or having locks to prevent access by the public.

3. Public Nuisance Noises.

It is unlawful for any person to cause or allow to be emitted a Public Nuisance Noise. A Public Nuisance Noise is any noise which unreasonably annoys, injures, interferes with, or endangers the comfort, repose, health or safety of persons residing within separate residences in the same community or neighborhood.

a. Examples of public nuisance noises include, but are not limited to, the following:

1). The discharge of more than 20 rounds from a firearm in a 24 hour period and on more than one day per calendar month in Afton, other than for allowed hunting; with the exception that clay pigeon shooting with shotguns is allowed once per month up to a maximum of 100 rounds and over a maximum time period of two hours, if there is a minimum distance of 1,320 feet from the shooting area to the nearest property line on any adjacent parcel.

2). Those noises listed as prohibited in paragraph D of Sec. 12-208

3). Those noises generated by the operations with hourly restrictions listed in paragraph E of Sec. 12-208 when generated beyond the allowed hours.

b. Exemptions to Public Nuisance Noise Prohibition.

1). Between the hours of 7 a.m. and 8 p.m., the following shall be exempt from this Chapter; except if other state and local restrictions apply:

a). Sounds originating from residential property as a result of temporary projects for the construction, maintenance, or repair of homes, grounds, and appurtenances;

b). Sounds created by the discharge of firearms in the course of legally hunting during any state defined hunting season, and otherwise meeting all other firearm discharge guidelines found in city ordinances.

c). Sounds created by the installation or repair of essential utility services;

d). Sounds originating from temporary, residential construction sites as a result of construction activity

e). Sounds originating from forestry activities

f). Sounds originating from farming activities

Sec. 12-208. Noise.

A. Definitions. Except as provided in this section, words or phrases used in this section and defined in the rules of the state pollution control agency noise section, Mn Rules, § 7030, shall have the meanings given in those rules.

1. A-weighted means a specific weighting of the sound pressure level for the purpose of determining the human response to sound. The specific weighting characteristics and tolerances are those given in American National Standards Institute S1.4-1983, section 5.1.

2. Cut-out or bypass means a mechanism which varies the exhaust system gas flow so as to

discharge the exhaust gas and acoustic energy to the atmosphere without passing through the entire length of the system including all exhaust system sound attenuation components.
3. dB(A) means a unit of sound level expressed in decibels (dB) and A-weighted.
4. Exhaust system means a combination of components which provides an enclosed flow of exhaust gas from engine parts to the atmosphere.
5. Holiday means any day fixed by the United States or by state law for suspension of business in whole or in part.
6. L10 means the sound level, expressed in dB(A) which is exceeded ten percent of the time for a one-hour period, as measured by test procedures approved by the director of the MPCA.
7. L50 means the sound level, expressed in dB(A) which is exceeded 50 percent of the time for a one-hour period, as measured by test procedures approved by the director of the MPCA.
8. MPCA means the state pollution control agency.
9. Noise means any sound not occurring in the natural environment, including but not limited to, sounds emanating from airways, roadways, waterways, industrial, commercial, and residential sources.
10. Noise control officer means the City Zoning Administrator or other person appointed by the City Council.
11. Noise pollution means the presence of any noise or combination of noises in such quantity, at such levels, of such nature and duration, or under such conditions as could potentially be injurious to human health, safety, or welfare; or to animal life; or could interfere unreasonably with the enjoyment of life or property. **Noise pollution includes public nuisance noises, as defined in Sec. 12-207.**
12. Person means any individual, firm, partnership, corporation, trustee, association, the state and its agencies and subdivision, or any body of persons whether incorporated or not. With respect to acts prohibited or required herein, person shall include employees and licensees.

(Paragraphs B and C are not proposed to be amended, so were purposely excluded)

D. Noises prohibited.

1. Horns, audible signaling devices, etc. No person shall sound any signaling device on any vehicle except as a warning of danger.
2. Engine exhausts. No person shall discharge the exhaust or permit the discharge of the exhaust of any steam engine, stationary internal combustion engine, motor boat, motor vehicle, motorcycle, all terrain vehicle, snowmobile or any recreational device except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable state laws, regulations, and this article. No exhaust system on any engine shall be modified, altered, or repaired in any manner, including the use of a muffler cut-out or bypass, that shall amplify or otherwise increase noise above that emitted by the device as originally equipped.
3. Radios, phonographs, paging systems, etc. No person shall use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for production or reproduction of sound in a distinctly and loudly audible manner so as to disturb the peace, quiet, and comfort of any person nearby. Operation of any such set, instrument, phonograph, machine or other device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at the property line of the structure or building in which it is located, or at a distance of 50 feet if the source is located outside a structure or building, shall be prima facie evidence of violation of this section.
4. Social gatherings. No person shall participate in any party or other gathering of people giving rise to noise which disturbs the peace, quiet or repose of the occupants of adjoining or other property. When a police officer determines that a gathering is creating such noise disturbance, the officer shall order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person shall refuse to leave after being ordered by a police officer to do so. Every owner or tenant of such premises who has knowledge of the disturbance shall cooperate with police officers and shall make every reasonable effort to see that the disturbance is abated.
5. Loudspeakers, amplifiers for advertising, etc. No person shall operate or permit the use or

operation of any loudspeaker, sound amplifier, or other device for the production or reproduction of sound on a street or other public place for the purpose of commercial advertising or attracting the attention of the public for any purpose whatsoever.

6. Schools, churches, etc. No person shall create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning, church or other place of worship.

E. Hourly restriction on certain operations.

1. Domestic power equipment. No person shall operate a garden or lawn tractor, power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, power device for bug eradication, drill, or other similar domestic power maintenance equipment except between the hours of 7:00 a.m. and 10:00 p.m. Snow removal equipment is exempt from this provision.

2. Refuse hauling. No person shall collect or remove garbage or refuse in any residential district except between the hours of 6:00 a.m. and 6:00 p.m., Monday through Saturday.

3. Construction activities. No person shall engage in or permit construction activities involving the use of any electric, diesel, or gas-powered machine or other power equipment except between the hours of 7:00 a.m. and 10:00 p.m.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 21ST DAY OFJULY, 2020.

SIGNED:

_____

Bill Palmquist, Mayor

ATTEST:

_____

Ronald J. Moorse, City Administrator

Motion by:
Second by:
Perkins:
Wroblewski:
Ross:
Nelson:
Palmquist:

Dear Afton City Council,

We would like to offer our apologies for contributing to a situation that finds you contemplating a large change in the firearms ordinance for our city. We are now aware of the fact that our shooting over the past few weeks has been overly loud and unpleasant to some of our neighbors. We are sincerely sorry if it has disturbed or frightened anyone. That was certainly not our intent.

Unfortunately, we were unable to reach out to any of these neighbors before things escalated to this point. The city administrator and the sheriff's deputies could not reveal the identity of those complaining. The former mayor recently attempted to organize a meeting but evidently there was no interest in meeting with us prior to this point.

We believe that this issue can and should be worked out between reasonable people and even if our neighbors are unwilling to speak with us, we plan to greatly reduce any disturbance we cause.

We respectfully ask for the opportunity to do so before significantly changing a policy that could negatively affect a large number of Afton's citizens and bring us one step closer to becoming Woodbury.

Sincerely,

Curtis and Lisa Dunn

Julie Yoho

From: Ron Moorse
Sent: Monday, June 29, 2020 8:33 AM
To: Julie Yoho
Subject: FW: Arms discharge issues in Afton

Julie,
Here is an email regarding firearms discharge.
Ron

From: Jodie Belknap [mailto:thevicar45@hotmail.com]
Sent: Tuesday, June 9, 2020 9:02 PM
Cc: mayor <mayor@ci.afton.mn.us>; ward1 <ward1@ci.afton.mn.us>; ward2 <ward2@ci.afton.mn.us>; ward4 <ward4@ci.afton.mn.us>
Subject: Arms discharge issues in Afton

Mayor, City administrator, and all City Council Members,

This letter comes to you to address my concerns regarding arms discharge ordinances in the city of Afton. Please share this at the next city council meeting.

I start out by expressing how appalled I am at the recent loss of a decent family in Afton due to the fact that Afton did not have an adequate ordinance to allow them to feel safe in their own home, to adequately protect their children, or stop abusive and reckless actions by a disrespectful neighbor.

As a resident of 13201 40th Street South of Afton I am asking for stronger discharge of arms ordinances. We have experienced excessive gunfire on several occasions since moving to our home 5 years ago.

We moved here to commune with nature and to experience a solitude not found in the city. However, there are days where we listen to gunfire sometimes up to eight hours a day.
I find this unacceptable.

I would like to point out the safety issue that comes with the discharge of weapons also. How does one know if they have proper range systems to ensure a family member or a guest on our property would not be the one to 'take a bullet'? It is a logical fear since bullets can travel up to 1.89 miles, and our neighbor is roughly a quarter mile away. There are days that I do not feel safe in my own yard gardening, or sitting in a chair reading a book. Not acceptable.

I am not advocating for bans on guns or to discontinue the sport of hunting and one's own land during permitted seasons. However, I am asking the council to take a stand for ordinances that regulate the rounds allowed, the times allowed, and safety distances to protect our lives and that of our guests. Gun ranges are readily available in the Twin Cities area and they were built, specifically for these purposes.

I look forward to seeing a vote from the City Council that reflects the crucial need to keep Afton's residents safe, and enhance our expected experiences of solitude and peace of mind.

Succinctly,

Jodie R. Belknap

Get Outlook for Android

Julie Yoho

From: Ron Moorse
Sent: Monday, June 29, 2020 8:35 AM
To: Julie Yoho
Subject: FW: Guns

Julie,
I am forwarding an email regarding regulations for the discharge of firearms.
Ron

-----Original Message-----
From: Jean Huelster <pieladyjean@gmail.com>
Sent: Tuesday, June 9, 2020 12:48 PM
To: Ron Moorse <rmoorse@ci.afton.mn.us>
Subject: Guns

Ron,
I have just heard there might be suggested regulations for shooting guns in Afton. Thank you. We have a close neighbor at 14822 Valley Creek Trail that has friends an relatives over to shoot guns. One day it was so bad about a month ago that I went over to his house in tears and asked him to please stop. Our 48 year old son passed away of corona virus and Hugh and I were having someone come over. The resident had other people at his house and they had guns. At times the shooting would go on for over an hour. Another neighbor has rapid shooting and Mothers Day 2019 I finally called the parents and asked them to tell their kids to stop. Our guests and grandchildren were scared. Thank you. Jean Huelster

Sent from my iPad

Julie Yoho

From: Ron Moorse
Sent: Monday, June 29, 2020 8:41 AM
To: Julie Yoho
Subject: FW: Firearms Discharge Ordinance

Julie,
Here is another firearms email.
Ron

From: Bill Rahn [mailto:waywardrahn@gmail.com]
Sent: Sunday, June 7, 2020 12:44 PM
To: ward2 <ward2@ci.afton.mn.us>
Subject: Re: Firearms Discharge Ordinance

Thank You Lucia!
We hear gunshots frequently coming from a mile or more away from us to the North. Occasionally I suspect that someone is using a "bumpstock" type device.
It used to be happening with our next door neighbor (I think I mentioned it to you when you visited back in March), but it was not a frequent occurrence, and that property is now empty. The noise from the north is on a (nearly) daily basis.

Thanks for all you do!
Stay Safe!

Julie Yoho

From: Ron Moorse
Sent: Monday, June 29, 2020 8:44 AM
To: Julie Yoho
Subject: FW: Firearms Discharge Ordinance

Julie,
Another firearms email.
Ron

From: Ray Lehman [mailto:raylehman@hotmail.com]
Sent: Sunday, June 7, 2020 10:33 AM
To: ward2 <ward2@ci.afton.mn.us>
Subject: RE: Firearms Discharge Ordinance

Thank you for your work and insight on this issue. I have often heard a lot of shots fired with what sound like large and rapid fire weapons. Mostly coming from the west of me on 50th and Trading Post. As an Army veteran and ex hunter I know the sound.
I support your efforts on this issue. I again thank you for your efforts and well written informational email.
Regards
Ray

Julie Yoho

From: Ron Moorse
Sent: Monday, June 29, 2020 8:48 AM
To: Julie Yoho
Subject: firearms

Julie,
Another firearms email.
Ron

From: raisedbychickens@gmail.com <raisedbychickens@gmail.com>
Sent: Monday, June 15, 2020 3:09 PM
To: ward1 <ward1@ci.afton.mn.us>
Subject: Produced amendments for the ordinance for discharge of firearms, gun ranges, etc.

Hello Annie,
I just left you voice mail.

I'm a resident of Ward 1 (on 36th St. S.) and want to provide some feedback regarding the "meeting date June 16, 2020 council action memo" dated June 9th.

Overall, I want to thank you for your work on this issue.

I have one piece of input. I would suggest that in the updates to #3 (public nuisance noises), a.1, that you consider the minimum distance from which firearms can be discharged be measured relative to the *nearest property line* of any adjacent parcel, not the *nearest house* on any adjacent parcel.

The current ordinance allows a property owner to discharge firearms next to their property line as long as the person discharging the firearms maintains a minimum distance of 500 feet from any residence or accessory building on a parcel under separate ownership (see Section 14-1, item (g), number 2). That seems odd – I don't see a minimum distance from the property line? Perhaps in at least the updates for the clay pigeons you could think about making sure that people don't discharge the rounds next to their property line, which could interfere with the enjoyment of neighbors who are outside and behind their house, even if the house is at least 1320 feet away.

Thanks,

Val
651-261-0947

Julie Yoho

From: Ron Moorse
Sent: Monday, June 29, 2020 8:52 AM
To: Julie Yoho
Subject: FW: Firearms

Julie,
Another firearms email.
Ron

From: ELK <elkwapiti@gmail.com>
Sent: Thursday, June 11, 2020 1:24 PM
To: ward 3 <ward3@ci.afton.mn.us>
Cc: Ron Moorse <rmoorse@ci.afton.mn.us>; Bill mayor <mayor@ci.afton.mn.us>
Subject: Re: Firearms and Barbed Wire Ordinances

Thank you, gentlemen

i appreciate the speedy and informative response.

I do not like the idea of enacting ordinances to address neighborhood disputes, but appreciate we appear to have gained a new neighbor who has a fondness for making a lot of noise by extended periods of shooting.

I ask the any ordinance be as narrowly crafted to address the specific issue. Once a month appears overly restrictive given our long winters. I suggest once a week with a reasonable time limit and/or maximum limit of rounds. I do not want to overly restrict the conscientious target shooter or someone plinking at cans with their kids. I assume we do not receive many complaints for such recreational shooting. Restricting a session to 75 rounds would greatly limit what I have heard as excessive shooting, while giving the recreational shooter plenty of rounds. I know this sounds like a lot, but our new shooter is going through many times this during a single session.

I was unaware barbed wire is of concern. There is a lot of old barbed wire everywhere.

Thank you again

Ehrich

Julie Yoho

From: Ron Moorse
Sent: Monday, June 29, 2020 8:53 AM
To: Julie Yoho
Subject: FW: Firearms Discharge Ordinance

Julie,
Another firearms email.
Ron

From: Clay Diggins [mailto:Clay.Diggins@slumberland.com]
Sent: Sunday, June 7, 2020 12:49 PM
To: ward2 <ward2@ci.afton.mn.us>
Subject: Re: Firearms Discharge Ordinance

Well written Lucia. I agree with you 100%. I also am a gun owner and avid hunter who goes to established and legal gun ranges to target practice.

Thank you for your leadership on this issue on behalf of Afton.

Clay

Sent from my iPhone

On Jun 7, 2020, at 9:53 AM, ward2 <ward2@ci.afton.mn.us> wrote:

> Hi everyone –
>
> As most of you if not all of you are aware, early last year there was an ongoing and excessive discharge of rifle fire in Ward 2 in a 2.5 acre neighborhood. It eventually caused a young family to move out of our city for fear for their young children who were no longer able to play in their own backyard – fear for their own safety - and also because of the complete disregard for the peace and comfort of his neighbors by the violator. Our firearms discharge ordinance was woefully inadequate as it was basically useless. I worked hard to help draft the discharge of firearms ordinance we currently have. It was a compromise of suggestions made for consideration by the full council and the vote was closer than I had expected or liked but it passed 3-2.
>
> The CC at that time did not have an appetite to address the issue that was left dangling – that is the excessive discharge of firearms that occurs more and more often in our city beyond the 500 foot requirement from a neighboring building. As a cop and a resident of this city for 25 years I understood that this problem would crop up again and again unless the issue of people shooting excessively and running their own gun ranges was addressed. Well at the last CC meeting we received public input from two separate parcel owners highlighting the excess rifle and other firearms discharges occurring next to them. Mr Ross – Ward 3 CC member – advised the discharges were beyond anything he ever expected would occur in Afton, that it was well beyond reasonable, and that we needed to do something to prohibit such. It is significant that Mr Ross voted against the current ordinance – which both of the citizens noted was inadequate to address these issues. I also noted again – as I have every meeting dealing with this issue – that Gun Ranges are not an allowed use in any zone in Afton per our ordinances.

So we had a CC work session last Wednesday discussing the matter. We have another work session this Wednesday at 5 pm. Like our CC meetings it is available to be viewed by the public per the instructions for Zoom noted in the packet. At this meeting I expect a more detailed draft of revisions to code and ordinance will be provided and discussed for possible action at the next CC meeting.

Immediately after our last CC meeting, I submitted the original draft considerations proposed last year to our City Administrator to be reconsidered. I have also emailed him with my suggestions for consideration for this next go round as I discussed at the last work session.

These incidents of excess gunfire and operating private gun ranges are increasing. The two I am personally aware of involve relatively new residents to our city. I will reiterate that no one is advocating for taking away anyone's right to own firearms or possess legal firearms. I am not aware of any CC member advocating for prohibiting legal hunting in our city. Anyone saying this is what the City is proposing is not telling the truth. I am a retired cop and a former Use of Force and Firearms instructor as well as a former SWAT operator. I enjoy target shooting but I have never in my 28 years of owning property in Afton, discharged my firearm or done any target shooting on my property for safety concerns and out of respect for my neighbor's rights to peace and quiet. There are plenty of target/gun ranges around that are regulated, controlled, safe and environmentally conscious.

I would encourage any of you with concerns regarding this issue to email the City Administrator, Mayor, and entire CC about your views and ask that your concerns be read at the next meeting as I believe the city may be voting to take action this month. The last time this occurred there was plenty of blow back by some "guns rights" advocates some of whom repeated untruths about the City prohibiting ownership of firearms or halting hunting. I think it's important for this city's residents to make their voices heard so that a vocal minority (some of whom may not even reside in Afton) does not dictate for Afton what is in the residents' best interests.

I have recordings of only a sliver of what led to this renewed action on this issue. It is way beyond anything that any reasonable person living in our city should have to tolerate. It is against our own code prohibiting gun ranges. I urge everyone to put themselves in the position of having a neighbor right next door to you discharging firearms as target shooting in disregard of everyone else – and remember they wear good ear protection when they do so and the discharge and safety considerations impact not only kids, grandkids, adults, but also horses, dogs, birds, and our beloved wildlife. Those are our Afton values as I have always viewed them.

Best regards to you and wishing you good health during this Covid crisis –

Lucia Wroblewski
Ward 2 CC member

Julie Yoho

From: Ron Moorse
Sent: Monday, June 29, 2020 9:01 AM
To: Julie Yoho
Subject: firearms email

Julie,
Another firearms email.
Ron

----- Forwarded Message -----
From: James Rickard <jgrickard@yahoo.com>
To: Ron Moorse <rmoorse@ci.afton.mn.us>
Cc: Ward2 <ward2@ci.afton.mn.us>; Lucia and Jen <ljlabsdance@gmail.com>
Sent: Tuesday, June 16, 2020, 10:49:04 AM CDT
Subject: Comments for Public Hearing

Mr. Moorse,

Could you please read the following comments into the public record during the hearing on the proposed changes to Afton's firearms discharge ordinances.

Thank you.

Mr. Mayor and members of the Afton City Council,

As a resident of Afton, I am in support of the proposed changes to Afton's firearms discharge ordinance. The right to bear arms does not provide the right to use them in ways that infringe on other's rights of tranquility. I believe the proposed changes do not place undue burden on those who wish to enjoy use of firearms on their property. I wish to point out however that the language of the ordinance will NOT fully preserve the intended tranquility as they only place limits on the "owner" of the property. This language will not prevent shooting parties where friends, family and others are involved. I urge the City to clarity this language to ensure the intended outcomes of the ordinance changes are achieved.

Thank you for your consideration and your service to the Community.

James Rickard
5650 Odell Avenue South

6C

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

Planning Commission Memo

Meeting: July 6, 2020

To: Chair Kopitzke and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: June 25, 2020

Re: Ordinance Amendment Regarding Barbed Wire Fencing– **Public Hearing**

In response to concerns regarding the use of barbed wire fencing in residential settings, staff has drafted the attached ordinance amendment that amends the existing fencing ordinance to restrict the use of barbed wire fencing as follows:

- Barbed wire fencing shall be prohibited in the VHS-C and VHS-R zoning districts
- Barbed wire fencing shall be prohibited in the Rural Residential and Agricultural zoning districts; except by an administrative permit on property used for rural agriculture that includes livestock, when it is demonstrated that the fencing is required to confine the livestock.

Rural Agriculture Definition

The City Code defines rural agriculture as follows:

Agriculture, rural is a commercial food producing use on ten or more contiguous acres and is defined under a portion of Minnesota Agricultural Property Tax Law (Green Acres Law) M.S.A. § 273.111, subd. 6, Agricultural Property Tax: Real property shall be considered to be in agricultural use provided that annually it is devoted to the production for sale of livestock, dairy animals, dairy products, poultry and poultry products, fur bearing animals, horticultural and nursery stock, fruit of all kinds, vegetables, forage, grains, bees, apiary products and activities incidental thereto.

Public Hearing

The purpose of the public hearing is to obtain public comment regarding the proposed ordinance amendment.

Planning Commission Recommendation Requested:

Motion regarding a recommendation concerning the ordinance amendment regarding barbed wire fencing.

ORDINANCE 06-2020

CITY OF AFTON

WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING SECTION 12-190 OF CHAPTER 12, LAND USE, OF THE CITY CODE REGARDING FENCING

THE CITY COUNCIL OF THE CITY OF AFTON, MINNESOTA HEREBY ORDAINS:

The following section of the Afton Code of Ordinances shall be amended by adding the bold and underlined language.

Sec. 12-190. Fences.

A. Fences may be permitted in all yards subject to the following:
1. Solid walls in excess of four feet above adjacent ground grades shall be prohibited;
2. That side of the fence considered to be the face (finished side as opposed to structural supports) shall face abutting property;
3. Fences over six feet in height from the finished grade shall require a building permit in addition to any other required permits;
4. No fences shall be permitted on public rights-of-way; and
5. All fences shall be maintained and kept in good repair.

B. Fences may be permitted along property lines subject to the following:
1. Fences may be placed along property lines provided no physical damage of any kind results to abutting property;
2. Fences on commercial and industrial property may be erected on the lot line to a height of six feet; to a height of eight feet with a security arm for barbed wire;
3. Fences along any lot lines or within any building setback lines as defined in Section 12-55 may be a maximum of six feet in height, except as provided in Subsection (B)(5) of this section. All fences parallel to any road shall be set back a minimum of 20 feet from the road right-of-way for line-of-sight safety reasons. All fences which exceed four feet in height and which are parallel to any road shall be screened in accordance with Subsection (8) of this section.
4. Should the rear lot line of a lot be common with the side lot line of an abutting lot, that portion of the rear lot line equal to the required front yard of the abutting lot shall not be fenced to a height of more than four feet;
5. All fences on lake lots shall be set back a minimum of 20 feet from the ordinary high water mark. Fences along interior lot lines between the 20-foot setback from the ordinary high water mark and the required building setback from the ordinary high water mark shall not exceed four feet in height;
6. Fences located within the buildable area of a lot or eight feet or more from the rear lot line may be up to eight feet in height;
7. Where the property line is not clearly defined, a certificate of survey may be required by the Zoning Administrator to establish the property line;
8. The screening required in this section shall consist of forms of landscaping (plant materials) so as to block direct visual access to the fence from the street.

C. Restrictions on Barbed Wire Fencing
1. Barbed wire fencing shall be prohibited in the VHS-C and VHS-R zoning districts
2. Barbed wire fencing shall be prohibited in the Rural Residential and Agricultural zoning districts; except by an administrative permit on property used for rural agriculture that includes livestock,

when it is demonstrated that the fencing is required to confine the livestock.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 21ST DAY OF JULY, 2020.

SIGNED:

_____

Bill Palmquist, Mayor

ATTEST:

_____

Ronald J. Moorse, City Administrator

Motion by:
Second by:
Perkins:
Wroblewski:
Ross:
Nelson:
Palmquist:

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

8A

Planning Commission Memo

Meeting: July 6, 2020

To: Chair Kopitzke and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: June 23, 2020

Re: Development of a schedule of non-compliance fees and other enforcement tools to assist the City in gaining adherence to ordinances, regulations, rules and conditions placed on zoning applications

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Staff does not have new information regarding non-compliance fees and other enforcement tools, but will provide information for the Planning Commission's review and discussion at the September Planning Commission meeting.

Planning Commission Direction Requested:
No action required.

June Meeting Highlights

June 16, 2020 City Council Meeting

The Council:

- Extended the declaration of local emergency.
- Approved payment to Geislinger and Sons and to Capra Utilities for the River Road Sanitary Sewer project.
- Received an update on Afton Creek Preserve construction.
- Approved culvert replacement on 30th Street.
- Approved extra patrols for speed enforcement.
- Approved the joint powers agreement for use of the State Criminal Justice Data Communications Network system.