City of Afton

PLANNING COMMISSION AGENDA

December 5, 2016
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. November 7, 2016 Meeting Minutes -

6. **REPORTS AND PRESENTATIONS – None**

7. **PUBLIC HEARINGS –**
   None

8. **NEW BUSINESS –**
   A. Ordinance Amendment Regarding Sec. 12-132. B.3. Contiguous Parcels Under Common Ownership
   B. Review and Update of Allowed Uses in the Industrial Zones

9. **OLD BUSINESS -**
   A. Comprehensive Plan Update Process
      1. Identification of Issues for Review in Each Section of the Plan
   B. Update on City Council Actions -

10. **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.

DRAFT

CITY OF AFTON
DRAFT PLANNING COMMISSION MINUTES
November 7, 2016

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

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

3. **ROLL CALL** – Present: Langan, Wroblewski, Kopitzke, Seeberger, Bowman, Nelson, Doherty and Chair Ronningen. **Quorum present.** Absent: Patten.

ALSO IN ATTENDANCE –City Administrator Ron Moorse. [City Clerk Kim Swanson Linner prepared minutes from the video.]

4. **APPROVAL OF AGENDA** – Added Item C under Old Business for Training of PC members who haven't had training.

Motion/Second: Doherty/ Nelson. To approve the November 7, 2016 Planning Commission agenda as amended. Motion carried 8-0-0.

5. **APPROVAL OF MINUTES –**

A. October 3, 2016 Planning Commission Meeting Minutes – One minor typo on Line 84: "by" should be "bye."

Motion/Second: Bowman/Wroblewski. To approve the October 3, 2016 Planning Commission Meeting minutes as amended. Motion carried 5-0-3 (Abstain: Nelson, Langan, Kopitzke due to absence from the September meeting).

6. **REPORTS AND PRESENTATIONS** – none.

7. **PUBLIC HEARINGS –**

A. JoAnn Fox Conditional Use Permit application for a Private Kennel at 2855 Nybeck Avenue S – Chair Ronningen indicated the Public Hearing was continued from last month, however, the application has been withdrawn.

Motion/Second: Nelson/Doherty. To close the Public Hearing for the JoAnn Fox application for a Conditional Use Permit (CUP) for a Private Kennel at 2855 Nybeck Avenue S due to the application being withdrawn, as the kennel was found to not be needed. Motion carried 8-0-0.

B. Localized LLC Application for Conditional Use Permit for a Nature Center at 2167 Oakgreen Avenue and Two Adjacent Parcels with PID#s 16.028.20.23.0001 and 16.028.20.23.0002 – Chair Ronningen opened the Public Hearing at 7:04 p.m.

Administrator Moorse summarized the application by Localized LLC, a non-profit organization, which has purchased 60 acres of property at 2167 Oakgreen Avenue and two adjacent parcels with PID #'s 16.028.20.23.0001 and 16.028.20.23.0002 for a proposed Nature Center. The 2167 Oakgreen parcel is zoned Agricultural and the other two parcels are zoned Rural Residential. The property is generally wooded and has steep topography. The southerly portion of the property is adjacent to Valley Creek. The applicant is proposing to preserve the property as open space for use as a nature center, with activities including a community garden, and hiking and biking trails. The applicant is involved in discussions with Washington County and the Minnesota Land Trust regarding placing a conservation easement on the property. The survey of the property showed proposed locations of a community garden, a parking lot, a storage shed and the hiking and biking trails. Because of areas of steep topography, it would be important that the bike trails are designed and maintained in a way that protects the steep slopes and prevents erosion.

Moorse indicated the Supplemental Packet detailed:

Community Garden. The applicant is considering hiring a volunteer to organize and manage the garden plots in exchange for the use of a garden plot. Some farmers who currently grow produce for the restaurant owned by the applicant may use garden plots to grow produce.

Conservation easement. The applicant is planning to place a conservation easement on the property. The applicant is working with the Minnesota Land Trust.

Mountain biking events. The first priority of the applicant is to protect the land. The use of the property for mountain biking would be implemented in phases, dependent upon the ability to protect the land. The first phase would be a recreation-level bike trail that would not be suitable for races. The next step could be a trail at a level that could be used as a mountain biking practice venue.

Access Control. The applicant is not planning to fence the entire property, but rather is planning to create a distinct perimeter at the western boundary of the property with a gate at the driveway. The applicant is considering a gate with a lock with an access code. Trail users would need to register on-line to obtain the access code, and there would be a limit on the number per day who could obtain the access code.

Lighting. The only lighting would be solar-powered, motion-sensitive lighting at the storage shed.

Security. Sheriff's Deputies cannot go on to private property to enforce city ordinances. The applicant will give deputies permission to go on the private property. The city could request that deputies regularly patrol this area.

Moorse detailed the following general findings for consideration by the Planning Commission:

1. The applicant has submitted the necessary documents for a Conditional Use Permit.
2. The applicant is proposing to preserve the property as open space for use as a nature center with a community garden, hiking and biking trails, a parking lot and a storage shed.
3 The applicant has provided a site plan showing the conceptual location of the community garden, the parking lot, the storage shed and the trails. The applicant has not developed final plans for the parking lot, the shed or the bike trails.
4. The applicant has provided an outline of the activities planned for the property. The applicant has not developed a detailed plan for how those activities are to be managed.
5. Access into the site is proposed at one location off Oakgreen Avenue via a driveway which accesses the parking lot.
6. The proposed parking area meets setback requirements.
7. The proposal meets impervious coverage requirements.

Moorse listed the conditions recommended to be placed on the nature center use as follows:

1. The property must be used and maintained in a way that protects and preserves the land and particularly the natural features and sensitive areas such as steep slopes, woods and streams.
2. The property must be used and maintained in a way that maintains a natural and attractive appearance.
3. Sufficient off-street parking must be provided for all uses.
4. Off-street parking must be set back a minimum of 100 feet from adjacent properties, and must be screened from adjacent properties by vegetative screening.
5. No overnight accommodations are allowed.
6. Hours of operation shall be the same as those for City Parks.
7. The number and size of events are subject to review and approval by the City.
8. The applicant shall provide sanitation facilities and solid waste management sufficient to meet the needs generated by the proposed uses.
9. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the duration of the permit.
10. Any Valley Branch Watershed District permit requirements shall be met for the duration of the permit.
11. City Engineer specifications and recommendations for all work including the driveway and the parking lot shall be met for the duration of the permit.
12. Any necessary grading and drainage plans, including ponding areas, shall be constructed according to plans approved by the VBWD and the City Engineer.
13. A storage shed is allowed to serve the nature center use, and must conform to all related regulations.
14. The design and location of the parking area shall conform to the approved site plan and shall meet the approval requirements of the City Engineer and the VBWD.

15. If any lighting is provided, it shall require an administrative permit. Any lighting shall be designed so that light is not directed toward the perimeter of the property. Lights shall not be allowed to adversely affect other properties in the area.
16. Design, location, and specifications of all signs shall conform to the Afton Sign Ordinance. All signs shall require a permit to be issued by the Zoning Administrator.
17. Non-compliance with the conditions of this permit shall be considered a violation and may result in revocation of this permit.
18. Compliance with conditions of this permit shall be monitored on a periodic basis. The conditions of this permit shall apply to the property described and shall not in any way, except as herein noted, be affected by any subsequent sale, lease, or other change in ownership.
19. Construction shall begin within one year of the date of issuance of this permit or the permit shall become null and void.

Applicant Localized LLC owners, Julia Emmer and Olivier Vrambout, bought the land for conservation of the land and providing recreation and community uses. They have hired a trail engineer, but he needed leaves to be down in order to assess the heavily treed areas and has much experience planning trails with conservation easement. The applicant indicated there would be no trail access to Valley Creek from the property.

Public comments

1. Scott Blasko, 14020 Valley Creek Trail,whose property is at the end of the Oakgreen cul-de-sac of the applicants' property. Recommended that each commission member walk the land. He reported that the entire property is sandy and would be prone to erosion. He would like a fence put up around the property if it is approved.
2. Deborah Doyle, (Joe Meissner property) 14186 Valley Creek Trail, spent 3 years planning for horses on her property, putting fences around the trees, so that animals and wildlife co-habitate. The ravines form the natural watershed; she made sure they were not impacted. She believes if trails are put in on the steep slopes that the natural watershed will be impacted causing erosion to run into Valley Creek. If the public is there, they will come down the hills and will want to see the horses. She would like a fence to be put in, so the public will know of and abide by the property boundaries.
3. Scott Blasko spoke again, noting that the applicant proposes to "restore" the natural site. He urged all members to go see all the dump sites on the property, which had to be cleaned up prior to sale. He asked if the property was to be tax-exempt and taken off the tax rolls.

Chair Ronningen indicated there was no information in the packet the applicant's status as a non-profit, tax-exempt organization.

4. Mary Ruglowski, 14775 Valley Creek Trail, spoke that if the public has access to Valley Creek, they will be able to go anywhere along the creek. The homeowners now protect the creek by not allowing public access from their private property. During fishing season people come in off the bridges and then can go along the creek to fish for trout. She feels that there should be a fence so that the public cannot gain access to Valley Creek from the proposed nature center property.
5. Debra Hall, spoke in agreement and briefly described an incident where two people in the creek became extremely abusive to the property owner. She called the Sheriff and were told there is nothing they could do as long as the people are in the water. The creek runs through the middle of her property. She is concerned about what would happen if someone hurts themselves in the section of creek that runs through her property.
6. Scott Blasko, has had similar incidents of people in the creek. There is no easement, so people have to enter directly from a bridge. He was in favor of "no approval."
7. John Doyle, 14378 Valley Creek Trail, indicated that Valley Branch Watershed District had just completed a ravine restoration project very close to this property.
8. Mike Snyder, 14668 Valley Creek Trail, regarding the Valley Branch Watershed District ravine restoration, asked if the VBWD would need to review this proposal.

Chair Ronningen indicated that perhaps the Valley Branch Watershed District should review and comment on the proposal if they have not and that is something the Commission can request be done.

Motion/Second: Wroblewski/Langan. To close the Public Hearing at 7:26 p.m. Motion carried 8-0-0.

Commission Discussion

Mark Nelson indicated that according to the topography map, if the bike trail crosses nine contour lines then the slope is an 18% slope, which in Afton is not allowed to be disturbed. He noted it appears that the trail crosses nine contour lines in several places, which based on the scaling, would exceed an 18% slope.. --*The applicant spoke that the drawing was just to show something on paper and not a calculated proposal for the bike trails. The trails were placed on the topographic map to get a sense of the "size" of the trail and have not been located or calculated by their consultant.*

Ronningen noted that it is expected that in this type of application, the city requires an accurate map of the proposed locations of trails and uses and the trails would have to have accurate slopes indicated on the topography map. She indicated that if this map is not accurate, this is not a complete application and there is a problem with that.

Bowman asked if the applicant had a background in trail maintenance. He noted his experience in a 24-hour mountain bike race at Afton Alps, where he had to repair a section of trail multiple times all night long, and the trail had similar soil to what is on this property. He asked how important is the bike trail portion of the overall proposal. *The applicant indicated that each portion of the proposal is a part of the whole, which is conservation and recreational use, to be offered to the community.*

Bowman asked how many parking places they have in mind. --*The applicant said they do not have the information to say how many they need. They do not know how many would access the site a day.*

Wroblewski asked if there is a home on the site. *The applicant indicated the home had been previously demolished.* It was asked if MN Land Trust is interested. *The applicant indicated said that the Land Trust is waiting for a decision by the city.*

Kopitzke commented that the ordinances don't have any standards for trails or nature centers. So in terms of those non-conditions, the application meets standards. If the property is under conservation easement and under watershed district jurisdiction, the slopes will need to be protected as part of the conservation agreements. The comments from the public indicated two main issues: a desire to protect the creek and possible fencing to eliminate access to the creek, contain the public on the site, and protect the neighbors. However, fencing runs contrary to preserving it as a wild space, by hindering wildlife movement.

Doherty noted that nature centers are permitted, hiking and biking trails are not "not permitted" and they would be following the natural contours of the land the city could address their impact. When the shed, parking lots and trails come to the city as permits, the city can review those. As to the question of whether they can have a nature center, the ordinance allows that use.

Ronningen stated she had a lot of problems with the application. She felt there were not defined plans included in the application. For the record, she indicated that Belwin does not allow bicycles on their trails. The trails on Belwin are old access roads, not newly created hiking trails. She was very concerned about the nature of the soil. The maps don't show the soil makeup; most of the land is thick with trees and part of it is buckthorn, so if the buckthorn is taken out, what does that do to erosion? She indicated that the application did not have any information supporting Localized LLC's status as a not-for-profit. If the community garden is raising food for a restaurant, that would be a for-profit activity. She felt that the application needed more a detailed and though- out plan for the property for the city to be able to make an informed decision.

Moorse indicated that he proposed parking to be 100 feet from property lines instead of the normal 50 foot setback from property boundaries.

Ronningen asked if it was anticipated this property would be having a septic system or porta-potties. *Moorse indicated porta-potties.* Ronningen indicated that if porta-potties, they need to be screened, as that is what was required at Woodbury Lutheran at Manning and Bailey Road and this should be defined in the conditions.

Bowman wondered if, because of the issues raised, the commission should table the application to give the applicants time to consider answers to the questions, allowing the commission to have more comfort in the decisions.

Doherty cautioned commission to not put extra constraints on the application, such as access to the Valley Creek.

Kopitzke said it would be good to know what the erosion control plan would be on the bike trails. *The applicant indicated that their trail consultant has 46 years' experience in planning bike trails, so they are confident the trails will be maintained in concert with the integrity with the landscape. There are a lot of stakeholders involved in the mixed use for this land.*

Ronningen stated that it is very difficult to respond to the application unless they have in front of them concrete, detailed plans of what the applicants envision. Without that, the commission has no information on which to base their decision to protect the city, for the protection of topography, water and animals. If the application does not define it, they cannot judge it.

Kopitzke stated that the Planning Commission has only one shot at approving a Conditional Use Permit for a nature center. If the city does not have the details of what is planned prior to the approval, then conditions cannot be put on the use for protections, and then in theory, the owners could bulldoze, etc. because the city was not given details of the use on which to place conditions. The city can't really do that later; it has to be done now.

Doherty spoke again about approving the Conditional Use Permit for the nature center now and then in the future, when the applicants get ready to construct a parking lot, or building, etc. then the city can put on the conditions. So that all items on the property could be administrative by the ordinances, as they would not change the land.

Ronningen disagreed, noting that trails would change the land. She indicated that most of the property has steep slopes.

Nelson noted that the slopes are shown and they are showing steep slopes on the trails.

Ronningen noted that the parking lot is shown conceptually; the application does not indicate whether parking would be for 5 spaces or 100 spaces. The parking lot would be in the findings, #'s 5, 6 and 7.

Kopitzke stated when dealing with a Conditional Use Permit, they are dealing with conditions that may be needed to protect the neighborhood and meet the ordinances.

Wroblewski felt that the big concern is protecting the creek and having fencing, but to protect the private property rights of neighbors who have Valley Creek running through their land.

Nelson felt the city should organize a time where all can go out to the property.

The applicant stated they did submit a soil map.

Ronningen indicated that the soils show loamy sand and flaggy loam. She wondered what Valley Branch Watershed District (VBWD) had to say about those very erodible soils. She didn't think the VBWD had been given the application to review.

The applicant asked about items that Moorse had indicated that the proposal "doesn't do this" and wondered if all the items needing to be addressed have been addressed.

Wroblewski commented that Afton values open space and this application seems like something that would be welcomed here. However, she felt she needed more detailed information on how the concerns were going to be addressed.

Motion/Second: <u>Doherty/Kopitzke.</u> To recommend that City Council APPROVE the application for a nature center with the 19 conditions listed on pages 2 and 3 of the memo with the addition requiring porta-potty screening on condition #8.

Nelson noted that condition #1 states that the steep slopes will be protected and the trails are shown crossing slopes of 18%; he noted he could not vote for the motion.

Bowman asked who would enforce and inspect the uses proposed.

Ronningen indicated that the city engineer would be involved in inspecting the construction of trails; indicated in conditions #11 and 12.

Doherty asked Nelson if he could vote on the motion if the application required trails not to be constructed on slopes of 18% or greater.

Nelson felt he could not, as the soils indicate sand.

Motion failed 3-5-0 (Aye: Doherty, Kopitzke, Wroblewski).

Motion/Second: Langan/Nelson. To recommend that City Council DENY the application by Localized LLC for a Conditional Use Permit for a nature center use at 2167 Oakgreen Avenue and two adjacent parcels with PID #s 16.028.20.23.0001 and 16.028.20.23.0002, based on the findings: the biking and hiking trails are shown to be on steep slopes and would violate the city ordinances for protection of steep slopes from erosion, and the application does not have a definitive plan for public access. Motion carried 5-3-0 (Nay: Doherty, Kopitzke, Wroblewski).

8. NEW BUSINESS –

A. 2017 Planning Commission Meeting Schedule – Chair Ronningen suggested that the January meeting be moved to the 9th and the September meeting be moved to the 11th, to keep the meetings on Monday, rather than to move them to a different day of the week.

Motion/Second: Ronningen/Doherty. To move the January meeting to Monday the 9th and the September meeting be moved to the 11th. Motion carried 8-0-0.

9. OLD BUSINESS -

A. Comprehensive Plan Update Process – Chair Ronningen called on Commissioner Seeberger for an update on the housing section of the Comprehensive Plan.
Seeberger indicated she was immersed in it several months ago, but it has been fading from her mind.

Environmental

Langan commented that he thought the language was loose.

Ronningen stated that is how the Comprehensive Plan is written. It goes from overview, then to policies, and then to goals and strategies. She pointed out the Appendix has soil types.

Langan felt some language could be added; such as external encroachment of wells, and other items seemed not to have any information, such as what will be done to protect well-water from going dry.

Kopitzke commented that perhaps a listing of the soils that need protecting is appropriate to add.

Ronningen suggested adding strategies to protect the supply of ground water and area aquifers, and maintain aquifers at levels of existing wells.

Langan commented that those issues are connected to density and that use cannot exceed supply. He felt it could be written in more of an engineering manner and not so much as a planner.

Kopitzke wanted a discussion of invasive species and clear cutting.

Seeberger commented that the septic sewer section was amended in 2015. Page 25, first full paragraph, has the language "Old Village residents and businesses…the Old Village has a small margin for error…" New language: "To mitigate these concerns the City is constructing a large septic treatment and sanitary collection system to serve the Old Village area…" Do we want to tweak this now or later?

Ronningen asked about the timetable.

Moorse indicated that the project expects to start in Spring 2017. Moorse stated that at the initial meeting it appeared that native tribe representatives were amenable to the project, but later raised concerns that the city is in the process of addressing.

Bowman asked if the city conducted testing of the mound for artifacts or burial evidence

Moorse indicated that testing was conducted but nothing was found.

Housing

Seeberger read a part that indicates "the Village has blighted structures…" and asked if that was true?

Ronningen stated that the language was meant to indicate the state of structures without offending.

Seeberger asked what, if anything, has been done to the levee at this point. Does the language need to be updated now? Can it wait until just before the Comprehensive Plan is due, or will it need to go in the next Comprehensive Plan?

Moorse stated the levee will be upgraded during the Downtown Improvements Project which will begin in Spring 2017. The language will need to be revised when the project is done.

Seeberger asked of the Strategies on Page 28, #1-9, how many are done? Does the city have new ones? And can those items being completed be crossed off during the project in the Old Village.

Moorse said it appears most of the strategies have or will be completed with the downtown improvements project.

Seeberger asked if the City has planned conservation areas in the overlay district?

Commissioners thought the remarks were heavily oriented towards the Old Village. Seeberger stated that she could read through the section again with a concentration to the rural portions of Afton.

Transportation

Kopitzke commented that it seemed the policies were old in terms of what the city might need to do. For instance, the plan includes a goal of in providing access through Afton to other areas. He didn't feel that is consistent with current practices. He feels that cul-de-sacs are now used and preferred in subdivisions; Afton is not trying to create a flow of traffic through the city.

Ronningen asked if the Bus Rapid Transit needs to be added.

Nelson indicated the Comp Plan now states Light Rail Transit.

Moorse stated the BRT is now only going to come to the first exit in Woodbury, Radio Drive, and will have a big transit station on Bielenberg Road.

Kopitzke wondered if Afton needs to state whether it is in favor of rapid transit. He also asked if the city has an update to the minor collector streets. Some roads' status may have changed, therefore changing how they are defined and categorized.

Ronningen mentioned that Traffic Analysis Zones may not have been included in the 2010 Census; she will check on the data. The other sections will be reviewed at the next meeting.

B. Draft City Council Minutes – Administrator Moorse reported that the solar farm application was withdrawn; the Brockman application was approved with changes to the screening and landscape plan. The City Council approved the triggers for the septic inspections in accordance with their original proposal; they did not like the Commision's changes to Item B. They approved the steep slope ordinance amendment and approved the installation of cluster mailboxes for security of mail.

C. Training for new PC members – It was requested that new Planning Commission members be registered for training. [New members Langan, Wroblewski and Patten were registered and given access to the online Land Use Planning Basics training in 2015. 2016 new member Roger Bowman has been registered for the same online training. He will receive an email directing him to the training by the League of Minnesota Cities.]

10. ADJOURN –

Motion/Second: Doherty/Wroblewski. To adjourn the meeting at 8:40 p.m. Motion carried 8-0-0.

Respectfully submitted by:

_____

Kim Swanson Linner, City Clerk

To be approved on December 5, 2016 as (check one): Presented: _____ or Amended: _____

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

Planning Commission Memo

Meeting: December 5, 2016

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: November 23, 2016

Re: Ordinance Amendment Regarding Contiguous Parcels Under Common Ownership

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The Zoning Code includes regulations requiring that when two or more contiguous parcels are under common ownership and any individual parcel does not meet the full lot width and area requirements the parcel needs to be combined with the adjacent parcels to create a lot that meets the lot width and area requirements. The specific ordinance section is provided below, with the subject language shown in **bold.**

At its February 2, 2015 meeting, the Planning Commission reviewed this ordinance section and recommended the language in Subsection (B) (3) be deleted, due to buildability requirements being in place in other sections of the zoning code, and to enable parcels under common ownership to be treated similarly to parcels not under common ownership. The Council discussed this language and the Planning Commission's recommendation on several occasions, but did not arrive at a decision regarding the language. In a recent work session, the Council discussed the language and agreed on a revision to the language.

The purpose of the language in Subsection (B) (3) is to prevent parcels that do not meet the minimal requirements for lot width and area from being individually buildable or saleable when they are under common ownership with contiguous lot(s). While the language in subsection (B) (3) is somewhat similar to the language in subsection (B) (2), it could be interpreted that, while lots not under common ownership are buildable if they have 2.5 acres of buildable area and have at least 60% of the required frontage on an improved public street, contiguous lots under common ownership need to have 5 acres of buildable area and 300 feet of frontage in order to be buildable. The Council agreed that the area and frontage requirements for contiguous lots under common ownership should be the same as for all other lots, which are set out in Subsection (B) (2). In addition, the Council agreed that contiguous lots under common ownership that do not meet these requirements should be required to be combined.

To accomplish the Council's direction, the language of Subsection (B) (3) is to be amended as follows:

3. If in a group of two or more contiguous lots or parcels of land owned or controlled by the same person, any individual lot or parcel does not meet the ~~full~~ width or area requirements of ~~this Article~~ Subsection (B) (2) above, such individual lot or parcel cannot be considered as a separate parcel of land for purposes of sale or development, but must be combined with adjacent lots or parcels under the same ownership so that the combination of lots or parcels will equal one or more parcels of land each meeting the ~~full~~ lot width and area requirements of ~~this Article~~ Subsection (B) (2) above.

Staff will prepare an ordinance amendment reflecting the language changes shown above for a public hearing to be held at the January 9, 2017 Planning Commission meeting.

Existing Ordinance Language

Sec. 12-132 Minimum requirements
B. Exceptions to minimum area, height, and other requirements:
1. For the purpose of this article, the term "existing lot" means a lot or parcel of land which was of record as a separate lot or parcel in the office of the county recorder, on or before the adoption date of the ordinance from which this article was derived, except as provided for in Subsection (B)(2).

2. Except in the VHS-R and VHS-C zoning districts, any such lot or parcel created in accordance with the City subdivision ordinance, article VI of this chapter, which contains at least 21/2 acres of buildable or net developable area as defined by this article and has at least 60 percent of the required frontage on an improved public street for the zoning district in which it is located shall be considered buildable provided the lot or parcel can comply with all other requirements of this article, including Subsection (B)(3) of this section.

3. If in a group of two or more contiguous lots or parcels of land owned or controlled by the same person, any individual lot or parcel does not meet the full width or area requirements of this article, such individual lot or parcel cannot be considered as a separate parcel of land for purposes of sale or development, but must be combined with adjacent lots or parcels under the same ownership so that the combination of lots or parcels will equal one or more parcels of land each meeting the full lot width and area requirements of this Article

Planning Commission Direction Requested:

Motion regarding scheduling a public hearing for an ordinance amendment regarding Sec. 12-132. Subsection (B) (3).

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

Planning Commission Memo

Meeting: December 5, 2016

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: November 23, 2016

Re: Review and Update of Allowed Uses in the Industrial Zones

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Industrial zoned land provides the opportunity to create quality jobs, generate tax base and provide attractive facilities along I-94. While the list of allowed uses in the Industrial zones includes uses such as research and offices, it also includes outside storage as a principal use. There are few, if any, cities that currently allow outside storage as a principal use in the industrial zone. The reason is that outside storage does not create quality jobs, does not add to the tax base, and is not attractive. In the past two years, two trailer parking lots have been added to the Industrial zone, bringing the total to three trailer parking lots.

The Council, at its November 15, 2016 meeting, referred to the Planning Commission the review of the allowed uses in the Industrial zones to eliminate outside storage as an allowed principal use in the Industrial zones, to identify additional uses for the Industrial zones that would provide the opportunity to create quality jobs, generate tax base and provide attractive facilities, and to review the standards regarding architecture and landscaping to determine if changes are needed to ensure attractive facilities that match the desired character of Afton.

The Planning Commission may want to first move forward with an ordinance amendment to eliminate outside storage as an allowed principal use, then focus on identifying additional uses and reviewing architectural and landscaping standards. Staff could prepare an ordinance regarding the outside storage use for a public hearing to be held at the January 9, 2017 meeting.

Planning Commission Direction Requested:

Motion regarding scheduling a public hearing regarding an ordinance amendment to eliminate outside storage as a principal use in the Industrial zones.

CC highlights 11-15-16

Canvassed election results from November 8, 2016. Bill Palmquist, Ward 1 and Randy Nelson, Ward 4 and Richard Bend, mayor, were re-elected.

Passed a resolution brought by residents supporting efforts to reduce global warming by encouraging reuse, repair and recycling and by fostering an appreciation of rural landscapes and natural ecosystems that sequester carbon.

Tabled a Conditional Use Permit application for Localized LLC for a Nature Center at 2167 Oakgreen Avenue and two adjacent parcels.

Authorized staff to work with the Middle St Croix Water Management Organization to identify conflicts with the Minimum Impact Design Standards and to come back to the Planning Commission and City Council with a plan to integrate them into the Afton City Code.

Approved a Development Agreement and Final Plat for the Nelson Estates subdivision at 1093 Indian Trail Path.

Approved vacating City Cartway #7 which has connected a property off of Paradox End and 42nd Street up a steep slope to Afton Boulevard South.

Approved the plans for the Town Square Park restroom building to go out for bids.

Approved a new contract for Solid Waste and Recycling Services to Highland Sanitation, the city's current contractor.

Authorized staff to continue exploring "pay-as-you-go" options for road maintenance, rather than bond.

Appointed Judy Seeberger as the city's representative to the Yellow Ribbon Alliance and Mary Davidson Bend to the Natural Resources and Groundwater Committee.

Authorized appraisal fees related to the condemnation hearing, not to exceed $6,000 for updated appraisals, $560 for hearing preparation and $1,400 per day for hearing testimony.

Adopted a consistent attendance policy for volunteers on city commissions and committees.

Sent "allowed uses in the Industrial Zones" to the Planning Commission for review and recommendation.

Directed staff to prepare an ordinance amendment to the zoning regulations from the discussion at the Council work session for "adjacent parcels under common ownership" for review and a public hearing at the Planning Commission.

Authorized the Personnel Committee and the City Administrator to act as the job evaluation committee to conduct the job match process for the changes and increased job duties to the two office staff positions using the State Job Match system.