
The meeting was held in-person, with participation via Zoom also available.

1. **CALL TO ORDER** – Chair Kopitzke called the meeting to order at 7:00 pm.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL** – Present: Kris Kopitzke, Justin Sykora, Christian Dawson, Sally Doherty, Doug Parker. A quorum was present. Absent was Jacob Edwards, Kuchen Hale, James Langon (all excused)
ALSO IN ATTENDANCE – City Administrator Ron Moorse, City Planner Claire Stickler, City Council member Randy Nelson.
4. **APPROVAL OF AGENDA** –
Motion/Second Parker/Dawson to approve the agenda for the December 2, 2024 Planning Commission meeting. Passed 5-0.
5. **APPROVAL OF MINUTES** –
Motion/Second Parker/Kopitzke to approve the minutes of the November 4, 2024 Planning Commission meeting. Passed 5-0.
6. **REPORTS AND PRESENTATIONS** none
7. **PUBLIC HEARINGS**
 - A. Mary Beth and Frank O’Gorman Variance Application to Add a Garage Next to the House at 2451 Stagecoach Trail South.
Motion/Second Kopitzke/Doherty to open public hearing. Passed 5-0.
Hearing opened at 7:07 PM.
Claire Stickler, City Planner, provided a summary of the application which is for a variance to build a 576 square foot detached garage at 2451 Stagecoach Trail S, Afton MN 55001 with a front yard setback of 66 feet, which is 4 feet greater than the setback of the existing house. The proposal requires an 84-foot variance from the 150-foot front yard setback from county roads (Section 153.051 of the Afton City Code). An accessory structure of this kind is permitted in the Rural Residential district, but district regulations would not allow for any compliant site placement due to the shape of this parcel and the existing location of the house and septic system.
No comments
Motion/Second Parker/Kopitzke to close public hearing. Passed 5-0.
Hearing closed at 7:10 PM
Sykora stated this project makes sense, maybe add stipulation that old structure be removed within one year of new construction.
Motion/Second Sykora/Dawson to recommend approval of the O’Gorman variance application to add a garage at 2451 Stagecoach Trail South with added condition that the existing garage structure be removed within a year after completion of the new garage. Passed 5-0.
 - B. Ordinance to Establish Regulations for Cannabis and Hemp Businesses
Motion/Second Kopitzke/Parker to open hearing. Passed 5-0
Hearing opened at 7:17 PM.
Administrator Moorse provided a summary of the draft ordinance which is to establish regulations regarding businesses involving cannabis and hemp products. The ordinance reflects multiple Council discussions and feedback from the Planning Commission.
No comments
Motion/Second Parker/Sykora to close hearing. Passed 5-0.
Hearing closed at 7:20 PM.

56 Sykora stated it should be treated like alcohol sales; this ordinance is too restrictive. This is for retail
57 space. Questioned if the 500' buffer would exclude a property if it touches a corner of the lot.

58 Clarification on measurement is important.

59 Chair Kopitzke stated that he process feels rushed, the ordinance needs more work.

60 Doherty noted that 500' from a park eliminates many options. Also questioned cultivation.

61 Dawson asked about liquor licenses and hemp beverages.

62 Further discussion was held, the following is a summary:

- 63 - There was general agreement that the regulations are too restrictive and that the sales of
- 64 cannabis and hemp products should be regulated similar to liquor sales.
- 65 - Concerns were expressed that the 500 foot buffer zone from parks is too restrictive and
- 66 eliminates locations where liquor sales currently occur or could occur.
- 67 - The buffer zones shown on the map provided in the meeting packet use the property
- 68 boundary of the parks rather than the actual location of the attraction used by minors within
- 69 the park.
- 70 - A question was raised regarding whether a buffer zone is measured to the property line of
- 71 the location of the cannabis/hemp business, or to the building in which the business is
- 72 located.
- 73 - It was suggested that, if the sale of hemp drinkables for on-site consumption requires a
- 74 liquor license, additional liquor licenses may need to be allowed.

75

76 **Motion/Second Sykora/Parker to recommend denial of the ordinance based on this being a retail**
77 **business like any other and areas that are already retail should not be excluded, along with the**
78 **following feedback:**

- 79 • **Regulations are too restrictive, particularly in relation to liquor sales regulations**
- 80 • **There is a lack of clarity regarding where the buffer zones need to be measured from**
- 81 **and measured to.**
- 82 • **The establishments where liquor is already being sold should not be excluded from**
- 83 **sales of cannabis or hemp due to the buffer zone size.**
- 84 • **The noise regulation specific to cannabis and hemp businesses should be eliminated,**
- 85 **because the City already has general noise regulations in place.**

86 **Passed 5-0.**

87

88 C. Amendment to Short Term Home Rental Ordinance 153.115

89 **Motion/Second Kopitzke/Sykora to open the public hearing. Passed 5-0.**

90 **Hearing opened at 8:02 PM**

91 Administrator Moorse provided a summary of the draft ordinance which will prohibit short term rentals
92 everywhere except the VHS-C zone and allows as an accessory use in a commercial building that has
93 dwelling units.

94 Tina, resident, stated she has spoken before in opposition to a short term rental in their neighborhood,
95 concerns have not changed. Believes short term rentals go against the peace in Afton and is supportive of
96 this ordinance.

97 Gary Mullerleile, Coulee Ridge Rd, stated he agrees with what Tina said and feels short term rentals
98 should be kept out of the residential areas. Is supportive of this ordinance.

99 **Motion/Second Parker/Kopitzke to close public hearing. Passed 5-0.**

100 **Hearing closed at 8:07 PM**

101 Sykora asked about renting for 10 days repeatedly and if there is a legal loophole in the 30 day language.

102 Parker asked about existing properties that have licenses.

103 Administrator Moorse stated they have a CUP to operate and will be considered legally non-conforming,
104 can continue but cannot expand.

105 Doherty stated she disagrees with limiting it to the VHS-C.

