
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: Doug Parker, Sally Doherty, Christian Dawson, James Langan, Justin Sykora. Kris Kopitzke, Absent were Roger Bowman, Scott Patten, Kuchen Hale (excused). A quorum was present.
ALSO IN ATTENDANCE – City Administrator Ron Moore, City Council member Randy Nelson.
4. **APPROVAL OF AGENDA** –
Motion/Second Parker/Doherty To approve the agenda for the December 5, 2022 Planning Commission meeting. All aye, Passed 6-0.
5. **APPROVAL OF MINUTES** –
Motion/Second Parker/Sykora To approve the minutes of the November 7, 2022 Planning Commission meeting with change to punctuation. All aye, Passed 6-0.
6. **REPORTS AND PRESENTATIONS** – none
7. **PUBLIC HEARINGS**
 - A. Draft Comprehensive Plan Amendment to Allow Two Dwelling Units, Rather Than the Currently Allowed One Dwelling Unit, in a Commercial Building in the VHS-C Zone
Chair Kopitzke opened the public hearing at 7:05 pm
Administrator Moore provided background information The City has received a request to allow two dwelling units in a commercial building in the VHS-C zone in the downtown Old Village area, vs. the currently allowed one dwelling unit. This request requires an amendment to the Comprehensive Plan, which currently allows only one dwelling unit in a commercial building.
Barbara Ronningen, 11th St S, stated that the comp plan should not be changed for one application. If every business adds a residence, how many is that? It is not appropriate to amend the comp plan for one request. This business has already received tax financing help in the past and now they are asking for more benefits. Also she is concerned about having enough capacity in the sewer system.
Motion/Second Langan/Parker to close public hearing. Passed 6-0
Hearing closed at 7:10pm
Doherty suggested a minimal change to the comp plan with more specifics in ordinance.
Langan stated this is a specific benefit and not necessarily applied for everyone. The existing rules have been in place for long time. Not in favor of changing.
Kopitzke asked how many properties this would apply to.
Administrator Moore stated currently about 12. There are several others could become commercial in future.
Parker asked if there is enough sewer capacity if all properties add residences.
Administrator Moore stated the system is currently at less than ½ capacity.
Langan stated that a household would utilize the system for 24 hrs v.s a business for day use.
Kopitzke stated that this could help downtown businesses.
Doherty stated there was a split opinion when this issue first came up. Key factor is that attorney said this was an appropriate thing to do. Is two the right number and how to justify the number.
Administrator Moore stated that the 2 limit goes back to what was allowed prior to the riverway ordinance. Going beyond 2 units would trigger opposition from DNR.
Motion/Second Sykora/Dawson to recommend for approval the draft Comprehensive Plan Amendment to allow two dwelling units, rather than the currently allowed one dwelling unit, in a commercial building in the VHS-C Zone.

56 Langan stated it is not conclusive this is the right thing to endorse.
57 Parker stated he does have concern about the sewer system.
58 Dawson stated he is concerned about changing the comp plan and asked about the process.
59 Administrator Moorse stated the Planning Commission recommends the amendment to the council. If
60 council approves the amendment, it will go to the Met Council for approval which typically takes 2
61 months. The Planning Commission can work on the ordinance so that it is ready when the comp plan
62 comes back.
63 Doherty expressed concern over changing the comp plan out of the regular cycle for one business.
64 **Motion vote: 3 aye, 3 nay (Langan, Parker, Doherty), motion fails**
65

66 B. Ordinance Amending the Solar Energy System Ordinance Regarding the Maximum Size of a Ground
67 mounted Residential Solar Array – **Ordinance 04-2022**

68 Chair Kopitzke opened the public hearing at 7:37 pm
69 Administrator Moorse provided background information: a resident on a heavily treed 10-acre property
70 requested a 3,000 sq. ft. ground-mounted solar array in order to meet the on-going energy needs of their
71 single-family residential home. A majority of the Council indicated they would be open to considering an
72 ordinance amendment that would allow a larger residential ground-mount solar array, subject to
73 conditions such as full screening and limiting the array to a size that would not generate more than 120%
74 of the documented amount of energy required by the residential property.
75 Haiwei Du, 2997 Trading Post Trail, stated he has solar panels on roof currently. Would like the change in
76 physical capability to generate wattage. Would like to see Afton generate more solar and to provide a way
77 for residents to generate their own electricity.
78 Resident, Trading Post Trail, stated that technology has changed in past 10 years and Afton should allow
79 ground mount if screened.

80 No other comments
81 **Motion/Second Parker/Langan to close hearing. All aye, passed 6-0.**

82 Hearing closed at 7:49pm
83 Sykora asked what is the definition of “fully screened”
84 Administrator Moorse stated that it can’t see if standing in neighbors yard.
85 More discussion was held on screening and it’s interpretations.
86 Doherty recommended adding language “Screening plan approved by the city”
87 Council member Nelson asked how the commission members feel about screening.
88 Langan stated that screening is arbitrary unenforceable. Language sounds good but is ineffective.
89 Kopitzke doesn’t mind seeing solar as long as it is not too industrial.
90 Langan stated there is no point if we have no way to enforce.
91 Sykora stated that on 10 or 20 acre lots, screening doesn’t matter much.
92 Doherty stated she wants to have language in the ordinance in case an unusual request comes up.
93 **Motion/Second Kopitzke/Dawson to recommend approval of the draft ordinance amendment
94 regarding ground mounted residential solar arrays as written; with finding that “fully screened” is
95 not well defined and not able to be enforced.**

96 **Passed 5 aye, 1 nay (Sykora)**
97 Sykora would recommend tabling until the definition is figured out.
98
99

100 **8. NEW BUSINESS – none**
101

102 **9. OLD BUSINESS -**

103 A. Groundwater Protection
104 The focus of the last joint meeting with the NRGCC was the importance of having an educational
105 component and how to best reach the public.
106

107 B. Update on City Council Actions – Council Highlights from the November 15, 2022 Council meeting

Administrator Moore provided a summary of the November 15 council meeting.

10. ADJOURN

Motion/Second Sykora/Dawson To adjourn. All aye, Passed 6-0.

Meeting adjourned at 8:45pm.

Respectfully submitted by:

JY

Julie Yoho, City Clerk

To be approved on January 9, 2022 as (check one): Presented: _____ or Amended: _____