

ORDINANCE NO. ____
CITY OF CHAMPLIN
COUNTY OF HENNEPIN
STATE OF MINNESOTA

ORDINANCE AMENDING SECTION 2 OF CHAPTER 126 – DEFINITIONS, SECTION 244 OF CHAPTER 126 - ALLOWABLE USES, SECTION 268 OF CHAPTER 126 - ALLOWABLE USES, AND SECTION 270 OF CHAPTER 126 - REGULATIONS OF CANNABIS BUSINESSES

**CHAPTER 126- ZONING
ARTICLE I. IN GENERAL**

Sec. 126-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

.....
Cannabis business means all of which must be licensed through the State and the Office of Cannabis Management under Minn. Stat. 342: cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis retailer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis event organizer, cannabis delivery service, lower-potency hemp edible manufacturer, lower-potency hemp edible retailer, and medical cannabis combination business.

Cannabis retail business means a cannabis business that sells immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, and other products authorized by law to customers pursuant to Minnesota Statute 342.32.

Cannabis microbusiness means a vertically integrated license offered by the Office of Cannabis Management that entitles a license holders to cultivate cannabis subject to a 5,000 square foot plant canopy limit, manufacture, and sell cannabis, and related products.

Cannabis mezzobusiness means a vertically integrated license offered by the Office of Cannabis Management that entitles a license holder to cultivate cannabis subject to a 15,000 square foot plant canopy limit, manufacture, and sell cannabis, and related products.

Lower-potency hemp edible manufacturer means an establishment engaged in the purchase, making, manufacturing, packaging, labeling, and selling of lower-potency hemp products, that has a valid, and approved licensed issued by OCM.

Lower-potency hemp edible retailer means a business that sells lower-potency hemp edibles to customers, and has a valid, and approved lower-potency hemp edible retailer license issued by OCM.

Medical cannabis combination business as defined in Minn. Stat. 342.515.

Office of Cannabis Management refers to the Minnesota Office of Cannabis Management, referred to as "OCM".

Residential Treatment Facility as defined under Minn. Stat. 245.462 subd. 23.

DIVISION 3. COMMERCIAL AND INDUSTRIAL DISTRICTS **Subdivision II. Commercial Districts**

Sec. 126-244. Allowable uses.

(a) No business shall be allowed to locate in a commercial building if the primary entrance to such business is through the rear of the building, if such commercial building has a rear yard which is adjacent to residentially zoned property and unseparated by a public street or highway right-of-way unless all of the following conditions are met:

- (1) The property is zoned C-2 (general business);
- (2) The proposed business is a permitted use in a C-2 district under this section, if the business has its primary entrance in the front of the building; and
- (3) A conditional use permit is granted by the city council. With such conditional use permit approval, the city may place conditions that protect the health, safety, morals and general welfare of the citizens of the city.

(b) The following uses shall be permitted in commercial districts:
Districts:

P = Permitted uses

C = Conditional uses

A = Accessory use

| Uses | Districts | | | | |
|--|-----------|-----|-----|----|----|
| | C-1 | C-2 | C-3 | CN | CH |
| | | | | | |
| <u>Cannabis retail business (subject to the buffer zones set forth in section 126-270)</u> | | P | | | P |
| <u>Lower-potency hemp edible retailer</u> | | P | | P | P |

.....

Subdivision III. Industrial Districts

Sec. 126-268. Allowable uses.

Within an I-1 industrial district, no building or land shall be used except for one or more of the following uses, providing they comply with the standards set forth in section 126-269:

(1) The following are permitted uses in the I-1 industrial district:

- a. Manufacturing, compounding, processing, packaging, storage, treatment, or assembly of products and materials within a structure, except for rendering/slaughtering/refining facilities;
- b. Business and professional offices;
- c. Machine shops;
- d. Printing and publishing;
- e. Services uses of blueprinting, duplicating, mailing and graphic arts;
- f. Research and design laboratories;
- g. Public buildings and facilities; and
- h. Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the zoning administrator; provided these uses are not explicitly mentioned elsewhere in this chapter;
- i. Cannabis microbusiness with or without retail endorsement (subject to the buffer zones set forth in section 126-270);
- j. Cannabis mezzobusiness with or without retail endorsement (subject to the buffer zones set forth in section 126-270);
- k. Cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis event organizer, cannabis delivery service, and medical cannabis combination business (subject to the buffer zones set forth in section 126-270); and

I. Lower-potency hemp edible manufacturer.

.....

Sec. 126-270. Regulations of Cannabis Businesses.

(a) Purpose and intent. It is the purpose of this section to regulate the location of cannabis businesses, to create a buffer zone around various other nearby property uses. It is the intention of the city to promote the health, safety, morals, and general welfare of the citizens of the city and establish reasonable and uniform regulations to:

- (1) Prevent additional criminal activity within the city;
- (2) Prevent deterioration of neighborhoods and its consequent adverse effect on the real estate values of properties within the neighborhood; and
- (3) To locate cannabis businesses away from minors.

(b) Minimum buffer zones for Cannabis Businesses

(1) The city shall prohibit the operation of a cannabis business within 1,000 feet of a school, as measured from the nearest property line of the school to the closest point of the property line of the building upon which the cannabis business is located.

(2) The city shall prohibit the operation of a cannabis business within 500 feet of a daycare, including facility and in-home, as measured from the nearest property line of the daycare to the closest point of the property line of the building upon which the cannabis business is located.

(3) The city shall prohibit the operation of a cannabis business within 500 feet of a residential treatment center, as measured from the nearest property line of the residential treatment center to the closest point of the property line of the building upon which the cannabis business is located.

(4) The city shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including, but not limited to a playground or athletic field, as measured from the closest point of the attraction to the closest point of the property line of the building upon which the cannabis business is located.

(5) Pursuant to Minn. Stat. 462.367 subd. 14, nothing in Section 126-270 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a (school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors) moves within the minimum buffer zone.

(c) Additional Regulations for Cannabis Businesses

(1) Odor: Cannabis businesses that involve cultivation, manufacturing, wholesaling, transporting, testing facility, or a combination business shall submit an odor mitigation plan that outlines all odor emitting aspects of the business and mitigations to be implemented to ensure odor is not readily detectable beyond the

boundaries of the immediate site upon the establishment of the business and for the full duration of the business.

(2) Outdoor cannabis cultivation is prohibited for cannabis cultivators, microbusiness, mezzobusiness, and medical cannabis combination businesses.

Secs. 126-2701—126-286. Reserved.

Additions: Add

Deletions: Delete

This ordinance shall become effective following its passage and publication as required by law.