



PLANNING COMMISSION MEETING

December 10, 2024 at 6:30 PM

City Hall Council Chambers – 450 Virginia Avenue, Long Lake, MN 55356

AGENDA

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Approve Agenda**

4. **Consent Agenda**

[A.](#) Approve Minutes of November 19, 2024 Planning Commission Meeting

5. **Open Correspondence**

NOTE: Open Correspondence is an item on the agenda during which the public may address the Planning Commission. **No formal action is taken by the Commission** and comments shall be limited to five minutes or less. *Open Correspondence comments may also be emailed to City staff by 12:00 noon on the date of the meeting.*

6. **Regular Business**

[A.](#) Public Hearing: Zoning Ordinance Amendments Related to Cannabis and Lower Potency Hemp Edible Businesses

7. **Other Business**

8. **Adjourn**



**CITY OF LONG LAKE
PLANNING COMMISSION MEETING MINUTES
November 19, 2024**

CALL TO ORDER

The meeting was called to order at 6:30 pm by Chair Adams.

Present: Chair: Roger Adams; Commissioners: Judd Axelson, Virginia See, Lori Goodsell, and Anita Secord; City Administrator: Scott Weske; and Council Member: Dierdre Kvale

Absent: None

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVE AGENDA

Commissioner See moved to approve the agenda as presented. Commissioner Secord seconded. Ayes: all.

CONSENT AGENDA

A. Approve Minutes of the September 10, 2024 Planning Commission Meeting

Commissioner Secord moved to approve the Consent Agenda as presented. Commissioner See seconded. Ayes: all.

OPEN CORRESPONDENCE

No one was in attendance to address the Planning Commission during Open Correspondence.

BUSINESS ITEMS

A. Minor Subdivision Application for a Lot Line Adjustment at 55 and 65 Harrington Drive

City Administrator Weske gave a brief overview of the applicants' request for a minor subdivision for a lot line adjustment at 55 and 65 Harrington Drive in order to correct some existing encroachments between the two properties. He noted that both property owners have jointly applied for this lot line adjustment.

Commissioner Axelson asked if the lot line adjustment would have any impact on any other neighbors in the area.

Commission members and staff discussed the location of the creek, the street, and neighboring properties.

Chair Adams noted that this application did not require a public hearing.

Commissioner Goodsell moved to recommend the City Council approve the Minor Subdivision application for a lot Line adjustment at 55 and 65 Harrington Drive as presented. Commissioner See seconded. Ayes: all.

OTHER BUSINESS

A. Council Liaison Report

Council member Kvale shared updates on topics of recent Council discussion, including the outcome of Orono's municipal election, Fire Department related information, the necessary draft cannabis ordinance and the timeline for it coming to the Commission.

B. Commission Member Business

No other Commission member business was discussed.

C. Staff Business

No other staff business was discussed.

ADJOURN

Hearing no objection, Chair Adams adjourned the meeting by general consent at 6:46 pm.

Respectfully submitted,

Scott Weske
City Administrator



CITY OF
LONG LAKE

Planning Commission Agenda Report

City of Long Lake

450 Virginia Avenue, PO Box 606

Long Lake, MN 55356

MEETING DATE / December 10, 2024

SUBJECT: Public Hearing: Zoning Ordinance Amendments Related to Cannabis and Lower Potency Hemp Edible Businesses

Prepared By: Hannah Rybak, City Planner

Report Date: 12/04/2024

Recommended Planning Commission Action

Upon conclusion of the public hearing and Commission review/discussion, staff recommends the following:

Motion to recommend that the City Council adopt the draft ordinance amending the Zoning Ordinance related to cannabis and lower potency hemp edible businesses.

Overview / Background

The State of Minnesota has passed a law allowing adult-use cannabis. This law also allows cannabis businesses to operate within Minnesota. This law also governs lower potency hemp edibles. The state established the Office of Cannabis Management (OCM) that is tasked with overseeing the rollout of cannabis in Minnesota, and also licensing businesses.

The state has given cities the ability to place reasonable restrictions on cannabis related to time, place and manner. Cities may choose to register cannabis businesses (not license; the state licenses cannabis businesses). Responsibility for compliance checks is another function of the registration authority. The state has also specified type and maximum size of buffers that cities enact, to separate cannabis businesses from uses such as schools, daycares, park attractions regularly used by minors, and residential treatment facilities.

Outside of registration authority, the City may adopt reasonable regulations for cannabis businesses within the Zoning Ordinance. If a license holder would like to open a cannabis businesses within a city, the OCM will send a request for zoning compliance to that city. The city has 30 days to respond to the request, informing the OCM whether the proposed business location is in an acceptable zoning district.

The City Council held a work session, where cannabis-related zoning was discussed. Staff has prepared the recommendations in this report based on the discussion with the City Council and research. Some items to note:

- Based on population, the City of Long Lake is required to allow at least one cannabis retail business.
- Given that the City has only 30 days to respond to a zoning compliance check, it is not recommended that the City allow cannabis businesses as a conditional use. Instead, it is recommended that any standards that the City would like to impose on cannabis businesses be stated as requirements in the Zoning Ordinance.
- The City Council reviewed a concept buffer map and determined that they would like to impose buffers on all cannabis businesses.
- The City Council supports allowing a cannabis retail business in the B-2 General Business District.
- The City Council supports allowing non-retail cannabis businesses in the I-1 and I-2 Industrial Districts.
- The City Council would like temporary cannabis events to be permitted only where cannabis retail is permitted.

Definitions

Staff has included recommended definitions to add to Section 2: Definitions, related to cannabis businesses.

Buffer Map

The State has specified features that cities may buffer cannabis businesses from, and the maximum width that each buffer may be. The attached buffer map illustrates the maximum allowable buffers from relevant uses in Long Lake. The City Council would like to adopt the maximum buffers. There are two early education/daycare facilities that are located just outside of Long Lake, in Orono. The City Council would like to include buffers from these facilities as well.

1000- foot school buffer:

- Minnesota Preparation Academy TRIP School - 2465 Wayzata Boulevard W

500-foot park feature buffer:

- Holbrook Park - 310 Harrington Drive - playground, ball field, skating rinks, basketball court
- Nelson Lakeside Park - 1860 Symes Street - playground
- Dexter Park - 585 Dexter Drive - playground, basketball court
- Hardin Park - 141 Glenmoor Lane - tennis courts, basketball court, playground

500-foot daycare buffer:

- Children’s Workshop Montessori - 2190 Wayzata Boulevard (Orono)
- Little Acorns Learning Center & Childcare – 2060 Wayzata Boulevard (Orono)

Lower Potency Hemp Edible Retail

The new state law will also apply to lower potency hemp edibles, which are currently legal under a previous state law. Lower potency hemp edibles are commonly sold at smoke shops and gas stations and are also sold at liquor stores and some restaurants, as beverages. Currently there are no zoning regulations specific to lower potency hemp edibles. Staff recommends allowing the sale of lower potency hemp edibles in a broader range of commercial zoning districts, so that establishments that are currently selling these products won’t be impacted if they are not in the Zoning District where cannabis retail is permitted.

§10-603 limits the total number of independent lower potency hemp edible retailers to five, within the City of Long Lake.

Tex amendments related to lower potency hemp edibles would include:

- Adding “Lower-Potency Hemp Edible Retailers, compliant with Long Lake Code §10-603, G” as a permitted principal use in the B-1, B-2A and VC-1 Districts
- Adding “Sales of lower-potency hemp edibles, compliant with Long Lake Code §10-603, G, accessory to a legal restaurant business” as an accessory use in the B-3 Lakeshore Business District.

Cannabis Retail

The City must designate at least one zoning district where cannabis retail businesses may locate. Staff recommends allowing cannabis retail as a permitted use in the B-2 General Business District. This location is desirable because there are two existing strip malls (Long Lake Town Center and Creek Ridge Shopping Center) located within the B-2 District. This district is the most appropriate location for a retail business.

Text amendments related to cannabis retail would include:

- Adding “Cannabis, retail compliant with Long Lake Code §10-603-604” as a permitted use to Section 14: Regulations for “B-2” General Business District.
- Adding relevant regulations related to cannabis retail to “Subd. 26 Cannabis Businesses” in Section 19: General Building and Performance Requirements.
- Adding “Temporary cannabis events, compliant with Long Lake Code §10-603-604” as a permitted use to Section 14: Regulations for “B-2” General Business District.

Non-Retail Cannabis Businesses

Non-retail cannabis businesses would include operations such as cultivation, manufacturing, processing, warehousing, wholesale, and transportation. These items are all industrial in nature. The City must designate at least one zoning district where these businesses can operate. Staff recommends both the I-1 and I-2 Industrial Districts. Long Lake’s two industrial districts are nearly identical in allowable uses. The area functions as one industrial district, thus the recommendation to allow non-retail cannabis businesses in both districts.

Text amendments related to non-retail cannabis businesses would include:

- Adding “Cannabis, state licensed businesses with no retail component” as a permitted use to Sections 16 & 16A: Regulations for I-1 & I-2 Industrial Zoning District, respectively.
- Adding standards for non-retail cannabis businesses in Sections 16 & 16A. Standards would place requirements on things such as waste container storage, odor/vapor control, security etc.

Overview of Draft Amendments

General Performance Standards for Cannabis and Hemp Business Activities

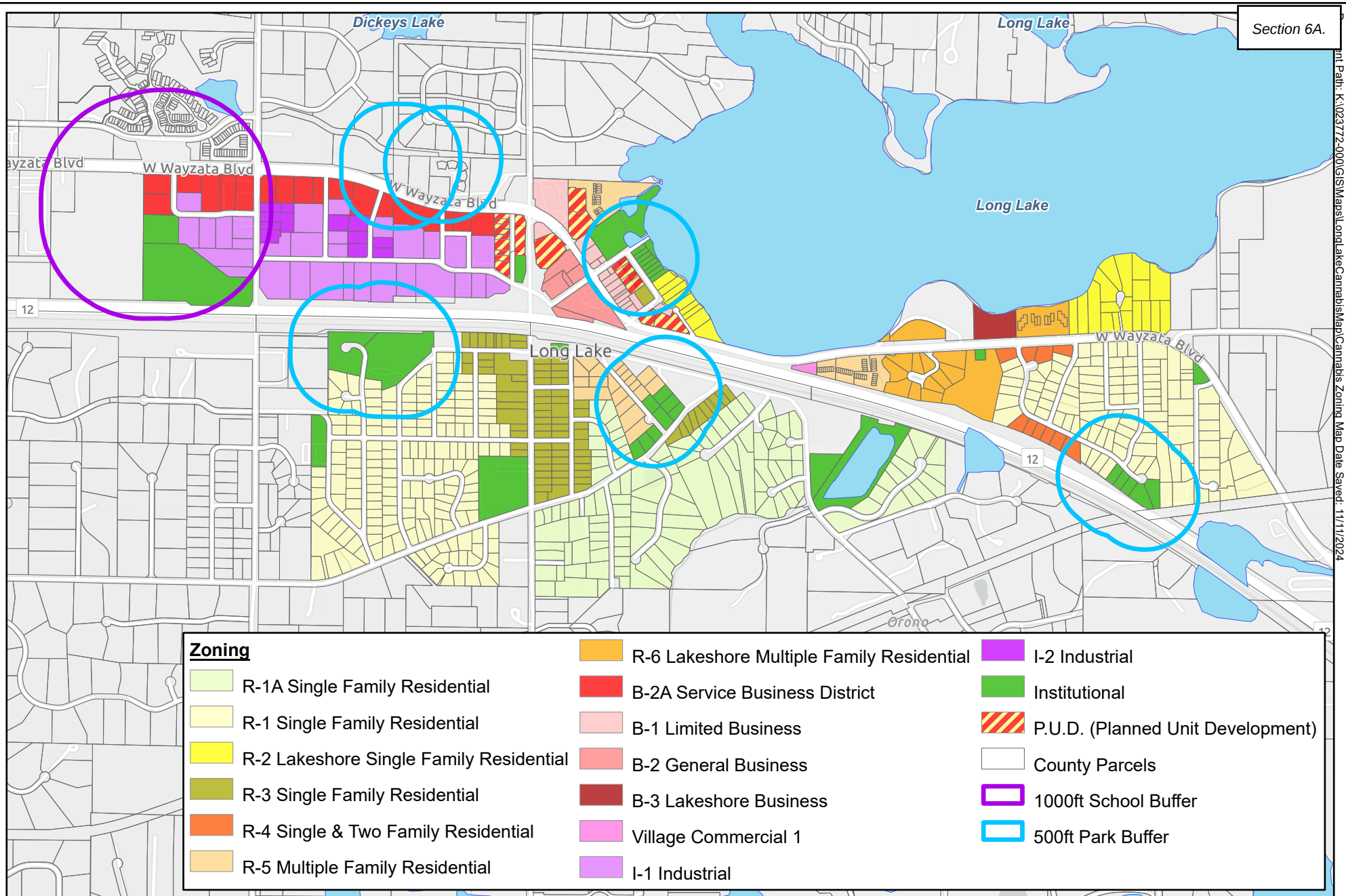
- Limit retail establishments from operating between the hours of 10:00 am and 9:00 pm.
- Require establishments to implement comprehensive security measures.
- Require adequate ventilation systems to ensure no odor is detectible outside or from adjacent property
- Prohibit the operation of a cannabis business within 1,000 feet of a school or within 500 feet of a day care, residential treatment facility or an attraction within a public park that is regularly used by minors, including a playground or athletic field.
- Require signage to be consistent with the sign ordinance, and may not depict cannabis leaves, slang terms for cannabis, or appeal to minors (State rule).
- Require a cannabis business to be conducted entirely within a principal structure and all outdoor storage is prohibited.

Standards for Cannabis Businesses in the I-1 & I-2 Industrial Districts:

- Require business to be conducted entirely within a principal structure.
- Require waste containers to be stored within a principal or accessory building.
- Require all on-site consumption of cannabis (in a microbusiness licensed facility only) to be entirely indoors.
- Require sufficient measures and means of preventing any gas, vapors, odors, smoke, debris, dust, fluids or other substances from exiting a cannabis business.
- Stipulate that cannabis cultivation shall not be perceptible from the exterior of the building in which cultivation occurs.
- Require site, ventilation and security plans to be compliant with applicable state regulations.
- Provide minimum security requirements.

Supporting Information

- Buffer Map
- Draft Ordinance – Amending the Zoning Ordinance
- Draft Ordinance – Amending Chapter 10 - Business and Product Regulation



Cannabis Zoning Map

City of Long Lake, MN



0 1,250
Feet
1 inch = 1,250 feet



**City of Long Lake
Hennepin County, Minnesota
Ordinance No. 2024-__**

**An Ordinance Amending the Long Lake Zoning Ordinance Related to Cannabis and
Lower Potency Hemp Edible Businesses**

The City Council of the City of Long Lake does hereby ordain as follows:

Section 1. The Long Lake Zoning Ordinance, Section 2: Definitions, is hereby amended as follows. Additions are underlined:

Cannabis Business. A cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis delivery services, or medical cannabis combination business licensed, or any use otherwise authorized, under Minnesota Statutes, Chapter 342.

Cannabis Cultivation. A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant, harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.

Cannabis Delivery Service. A person or entity licensed or otherwise authorized to purchase cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products from licensed cannabis microbusinesses with a retail endorsement, cannabis mezzobusinesses with a retail endorsement, dispensaries, medical cannabis dispensaries, and medical cannabis combination businesses; transport and deliver cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumable products to customers; and perform other actions pursuant to Minnesota Statutes, Chapter 342.

Cannabis or Lower-Potency Hemp Edible Manufacturing. An entity licensed or otherwise authorized for the creation of cannabis concentrate and manufacture of cannabis products and hemp-derived consumer products for public consumption pursuant to Minnesota Statutes, Chapter 342, an entity licensed or authorized to purchase hemp and artificially derived cannabinoids to make hemp concentrate; manufacture artificially derived cannabinoids and hemp edibles for public consumption; package and label lower-potency hemp edibles for sale to customers; sell hemp concentrate, artificially derived cannabinoids, and lower-potency hemp edibles to other cannabis businesses and hemp businesses; and perform other actions pursuant to Minnesota Statutes, Chapter 342, or an entity in possession of a medical cannabis processor license pursuant to Minnesota Statutes, Chapter 342.

Cannabis Retail Business. A state-licensed retail location and the retail location(s) of a mezzobusiness(es) with a retail operations endorsement, microbusiness(es) with a retail operations endorsement, medical combination business(es) operating a retail location, excluding lower-potency hemp edible retailers.

Cannabis Retailer. Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.

Cannabis Testing Facility. A facility licensed to obtain and test immature cannabis plants and seedlings, cannabis flower, cannabis products, hemp plant parts, hemp concentrate, artificially derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products from cannabis microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers, cannabis wholesalers, lower-potency hemp edible manufacturers, medical cannabis cultivators, medical cannabis processors, medical cannabis combination businesses, and industrial hemp growers pursuant to Minnesota Statutes, Chapter 342.

Cannabis Transporter. An entity licensed or otherwise authorized to transport immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles, and hemp-derived consumer products from a cannabis business to a cannabis business pursuant to Minnesota Statutes, Chapter 342.

Cannabis wholesaler. An entity licensed or authorized to obtain, store, and sell or otherwise transfer cannabis or hemp seeds, plants, flower, or other products for the purpose of resale or other transfer to a cannabis business, but not to consumers, pursuant to Minnesota Statutes, Chapter 342.

Lower-Potency Hemp Edible. As defined under M.S. § 342.01, subd. 50, as it may be amended from time to time.

Lower-Potency Hemp Edible Retailer. A business which sells Lower-Potency Hemp Edibles but which is not a Cannabis Retailer, as defined by this Chapter.

Section 2. The Long Lake Zoning Ordinance, Section 19: General Building and Performance Requirements, is hereby amended as follows. Additions are underlined:

Subd. 26 Cannabis and Lower Potency Hemp Edible Businesses

A. Cannabis and Hemp Business Activities

1. Cannabis retail establishments may only operate between the hours of 10:00 a.m. and 9:00 p.m.
2. Establishments must implement comprehensive security measures, including but not limited to:
 - a. Security cameras covering all areas of the premises, both interior and exterior.
 - b. Alarm system monitored 24 hours per day, 7 days per week by a licensed security company.
 - c. Secure storage areas for all cannabis products.
3. Adequate ventilation systems must be installed to ensure no odor is detectable from the exterior of the building or from adjacent properties.
4. Establishments must have a plan for the disposal of cannabis waste that complies with state regulations and prevents access by unauthorized individuals.
5. The operation of any cannabis business is prohibited within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field. The distance is to be measured from the closest side of the property on which the school structure, day care structure, residential treatment facility structure or public park

attraction regularly used by minors is located to the closest side of the structure on the premises within which property on which the cannabis business operates.

6. All signage must comply with Chapter 8, Article V of the Long Lake City Code and must not depict cannabis leaves, use slang terms for cannabis, or appeal to minors.
7. The cannabis business shall be conducted entirely within a principal structure and all outside storage is prohibited.

Section 3. The Long Lake Zoning Ordinance, Section 13: Regulations for B-1 Limited Business District, is hereby amended as follows. Additions are underlined:

Subd. 2 Permitted Principal Uses

- A. Commercial establishments, including the following:
 8. Lower-Potency Hemp Edible Retailers, compliant with Long Lake Code §10-603, G

Section 4. The Long Lake Zoning Ordinance, Section 14: Regulations for B-2 General Business District, is hereby amended as follows. Additions are underlined:

Subd. 2 Permitted Uses.

- B. Cannabis, retail compliant with Long Lake Code §10-603-604
- C. Temporary cannabis events, compliant with Long Lake Code §10-603-604

Section 5. The Long Lake Zoning Ordinance, Section 14A: Regulations for B-2A Service Business District, is hereby amended as follows. Additions are underlined:

Subd. 2 Permitted Uses

- H. Lower-Potency Hemp Edible Retailers, compliant with Long Lake Code §10-603, G

Section 6. The Long Lake Zoning Ordinance, Section 15: Regulations for B-3 Lakeshore Business District, is hereby amended as follows. Additions are underlined:

Subd. 4 Accessory Uses

- B. Sales of lower potency hemp edibles, compliant with Long Lake Code §10-603, G, accessory to a legal restaurant business

Section 7. The Long Lake Zoning Ordinance, Section 15A: Regulations for the VC-1 Village Commercial District, is hereby amended as follows. Additions are underlined:

Subd. 2 Permitted Uses

- H. Lower-Potency Hemp Edible Retailers, compliant with Long Lake Code §10-603, G

Section 8. The Long Lake Zoning Ordinance, Section 16: Regulations for I-1 Industrial Zoning District, is hereby amended as follows. Additions are underlined:

Subd. 2 Permitted Uses

F. Cannabis, state licensed businesses with no retail component, subject to the following:

1. The cannabis business shall be conducted entirely with a principal structure and all outside storage is prohibited.
2. All waste and recycling containers shall be kept within a principle or accessory building.
3. All on-site consumption of cannabis (in a microbusiness licensed facility only) shall be entirely indoors.
4. Sufficient measures and means of preventing any gas, vapors, odors, smoke, debris, dust, fluids or other substances from exiting a cannabis business shall be provided for at all times.
5. Cannabis cultivation shall not be perceptible from the exterior of the building in which cultivation occurs.
6. Site, ventilation and building security plans must be compliant with applicable state regulations.
7. Security:
 - a. Burglary alarm systems with audible and police notification components that are professionally monitored and maintained in good working condition shall be installed on all doors, windows, and access points.
 - b. Surveillance cameras are required and must operate twenty-four (24) hours a day, seven (7) days a week, with thirty (30) day video storage, to monitor all entrances and trash receptacles, along with the interior and exterior of the premises.
 - c. Exterior lighting shall be required sufficient for observers to see and for cameras to record, that is either constantly on or activated by motion detectors, subject to the requirements of section 11-16-17 of this title.
 - d. Deadbolt locks shall be installed and utilized on all exterior doors and locks shall be installed on all other windows or access points.

Section 9. The Long Lake Zoning Ordinance, Section 16A: Regulations for I-2 Industrial Zoning District, is hereby amended as follows. Additions are underlined:

Subd. 2 Permitted Uses

F. Cannabis, state licensed businesses with no retail component, subject to the following:

1. The cannabis business shall be conducted entirely with a principal structure and all outside storage is prohibited.
2. All waste and recycling containers shall be kept within a principle or accessory building.
3. All on-site consumption of cannabis (in a microbusiness licensed facility only) shall be entirely indoors.
4. Sufficient measures and means of preventing any gas, vapors, odors, smoke, debris, dust, fluids or other substances from exiting a cannabis business shall be provided for at all times.
5. Cannabis cultivation shall not be perceptible from the exterior of the building in which cultivation occurs.
6. Site, ventilation and building security plans must be compliant with applicable state regulations.
7. Security:

- a. Burglary alarm systems with audible and police notification components that are professionally monitored and maintained in good working condition shall be installed on all doors, windows, and access points.
- b. Surveillance cameras are required and must operate twenty-four (24) hours a day, seven (7) days a week, with thirty (30) day video storage, to monitor all entrances and trash receptacles, along with the interior and exterior of the premises.
- c. Exterior lighting shall be required sufficient for observers to see and for cameras to record, that is either constantly on or activated by motion detectors, subject to the requirements of section 11-16-17 of this title.
- d. Deadbolt locks shall be installed and utilized on all exterior doors and locks shall be installed on all other windows or access points.

Section 10. Effective Date. This Ordinance shall be effective upon adoption and publication according to law.

Adopted by the City Council of the City of Long Lake this ____th day of _____, 2024.

Date of Adoption: _____, 2024
 Date of Publication: _____, 2024
 Effective Date: _____, 2024

ATTEST:

BY:

Jeanette Moeller, City Clerk

Charlie Miner, Mayor



**City of Long Lake
Hennepin County, Minnesota
Ordinance No. 2024-____**

An Ordinance Amending the City Code of Ordinances, Chapter 10 – Businesses and Product Regulation, Article VIII. Cannabis, Edible Cannabinoids and Drug Paraphernalia

The City Council of the City of Long Lake does hereby ordain as follows:

Section 1. The City Code of Ordinances, Chapter 10 – Business and Product Regulation, Article VIII. Cannabis, Edible Cannabinoids and Drug Paraphernalia, is repealed in its entirety and replaced as follows:

Article VIII. CANNABIS AND CANNABIS BUSINESS REGULATIONS

Sec. 10-601. Purpose.

The purpose of this ordinance is to implement the provisions of Minn. Stat. Ch. 342, and certain related regulations to protect the public health, safety and welfare of the residents of the city of Long Lake by regulating cannabis use and cannabis businesses within the legal limits of the city.

Sec. 10-602. Definitions.

Unless otherwise noted or specifically defined in this section, words and phrases contained in Minn. Stat. 342.01, as it may be amended from time to time, and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.

Cannabis cultivation. A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant, harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.

Cannabis retail businesses. A state-licensed retail location and the retail location(s) of a mezzobusiness(es) with a retail operations endorsement, microbusiness(es) with a retail operations endorsement, medical combination business(es) operating a retail location, excluding lower-potency hemp edible retailers.

Cannabis retailer. Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.

Certified medical professional. An individual who holds a valid and active license to practice medicine or provide healthcare services within the State of Minnesota, as issued by the Minnesota

Board of Medical Practice, or other relevant state licensing authorities. This includes, but is not limited to, licensed physicians, advanced practice registered nurses (APRNs), physician assistants (PAs) or other healthcare professionals recognized by the State of Minnesota as being authorized to conduct medical evaluations, provide medical advice and respond to medical emergencies.

Daycare. A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.

Drug paraphernalia. All equipment, products, and materials of any kind, except those used in conjunction with permitted uses of controlled substances pursuant to state law, which are knowingly or intentionally used primarily in (1) manufacturing a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products, (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products, or (3) enhancing the effect of a controlled substance other than cannabis flower, cannabis products, lower potency hemp edibles, or hemp-derived consumer products. *Drug paraphernalia* does not include the possession, manufacture, delivery, or sale of: (1) hypodermic syringes or needles or any instrument or implement which can be adapted for subcutaneous injections; or (2) products that detect the presence of fentanyl or a fentanyl analog in a controlled substance.

Lower-potency hemp edible. As defined under Minn. Stat. 342.01, subd. 50, as it may be amended from time to time.

Lower-potency hemp edible retailer. A business which sells Lower-Potency Hemp Edibles but which is not a Cannabis Retailer, as defined by this Chapter.

Office of Cannabis Management. The Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.

Place of public accommodation. A business, accommodation, refreshment, entertainment, recreation or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.

Preliminary license approval. OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17, as it may be amended from time to time.

Public place. A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants, bars, any other food or liquor establishment, hospitals, nursing homes, auditoriums, arenas, gyms, meeting rooms, common areas of rental apartment buildings and other places of public accommodation.

Residential treatment facility. A facility as defined under Minn. Stat. 245.462, subd. 23, as it may be amended from time to time.

Retail registration. An approved registration issued by the city to a state-licensed cannabis retail business, registering a single specified retail location within the city limits.

School. A public school as defined under Minn. Stat. 120A.05, as it may be amended from time to time, or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24, as it may be amended from time to time.

State license. An approved license issued by the Office of Cannabis Management to a cannabis business.

Sec. 10-603. Registration of cannabis businesses.

(a) *Consent to registering of cannabis businesses.* No individual or entity may operate a state-licensed cannabis retail business or lower-potency hemp edible retail business within the corporate limits of the city without first registering with the city. With the exception of the limitations set forth in Sec. 10-603 (g)(1), all requirements of this Sec. 10-603 shall apply to lower-potency hemp edible retailers the same as they do to cannabis retail businesses.

(b) *Compliance checks prior to retail registration.*

- (1) The city may conduct a preliminary compliance check prior to issuance of a cannabis retail business registration to ensure compliance with local ordinances.
- (2) Pursuant to Minn. Stat. Ch. 342, within 30 days of receiving a copy of a state license application from OCM, the city shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

(c) *Registration and application procedure.*

(1) *Fees.*

- a. The city shall not charge an application fee.
- b. A registration fee, as established under the city's fee schedule, shall be charged to applicants depending on the type of retail business license applied for.
 1. An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, as it may be amended from time to time, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.
 2. Any renewal retail registration fee imposed by the city shall be charged at the time of the second renewal and each subsequent renewal thereafter. A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, as it may be amended from time to time, whichever is less.
 3. A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

(2) Application submittal.

- a. The city shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22 and this Article, as they may be amended from time.
- 1. An applicant for a retail registration shall fill out an application form, as provided by the city. Said form shall include, but is not limited to:
 - A. Full name of property owner and applicant;
 - B. Address, email address, and telephone number of the applicant;
 - C. The address and parcel ID for the property which the retail registration is sought;
 - D. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13, as it may be amended from time to time.
- 2. The applicant shall include with the form:
 - A. The application fee as required in paragraph (c)(1);
 - B. A copy of the state license application form and materials submitted to OCM.
 - C. A copy of a valid state license or written notice of OCM license preapproval.
- 3. Once an application is considered complete, the city shall inform the applicant as such, process the application fees, and forward the application to the City Council for approval or denial.
- 4. The application fee shall be non-refundable once processed.

(3) Application approval.

- a. A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under paragraph (g).
- b. A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.
- c. A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

(4) Annual compliance checks.

- a. The city shall complete at least one unannounced compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under Minn. Stat. 342.22, subd. 4(b) and Minn. Stat. 342.24, as they may be amended from time to time, and these ordinances.

- b. Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a person or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer.

(d) *Renewal of registration.* The city shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license. A state-licensed cannabis retail business shall apply to renew registration on a form established by the city and pay the renewal fee for the registration as established in the city's fee schedule.

(e) *Transfer of registration.* A cannabis retail registration issued under this ordinance shall not be transferred.

(f) *Suspension of registration.*

- (1) *When suspension is warranted.* The city may suspend a cannabis retail business's registration if it violates the ordinance of the city or poses an immediate threat to the health or safety of the public. The city shall immediately notify the cannabis retail business in writing the grounds for the suspension.
- (2) *Notification to OCM.* The city shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide the city and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.
- (3) *Length of suspension.* The suspension of a cannabis retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The city may require receipt of a determination from OCM before reinstating a registration. The business may not make sales to customers if their registration is suspended. The city may reinstate a registration if it determines that the violations have been resolved. The city shall reinstate a registration if OCM determines that the violation(s) have been resolved.

(g) *Limitation on number of registrations.*

- (1) The city shall limit the number of cannabis retail businesses to the lowest number of registrations permitted by Minn. Stat. 342.13, as it may be amended from time to time, and this Article. The city shall allow no greater than one registration of a single retail location per 12,500 residents within the city limits which is not an operation owned by the city. In the event an application for registration seeks to locate within the corporate boundaries of the city and the County in which the proposed operations site is located has reached the threshold of one active registration for every 12,500 residents, the city shall not issue a registration to an operation which is not owned by the city. This limitation shall not apply to lower-potency hemp edible retailers, as defined in this Article.
- (2) The city shall limit the number of lower-potency hemp edible retailers to no more than five registrations of single retail locations within the corporate boundaries of the city. However, the limit set forth in this Sec. 10-603 (g)(2) shall not apply to a cannabis retail business legally operating within the city which is also licensed to sell lower-potency hemp edibles.

(h) *Inspections.* City officials and law enforcement have the right to inspect the premises at any time to ensure compliance with all regulations.

Sec. 10-604. Restrictions on location.

(a) No state-licensed cannabis business shall be located within 1,000 feet of a school. The distance is to be measured from the closest side of the school to the closest side of the structure on the premises within which cannabis is to be sold.

(b) No state-licensed cannabis business shall be located within 500 feet of a day care, a residential treatment facility and/or an attraction within a public park that is regularly used by minors, including a playground or athletic field. The distance is to be measured from the closest side of the day care structure, residential treatment facility structure or public park attraction regularly used by minors is located to the closest side of the structure on the premises within which cannabis is to be sold.

(c) Pursuant to Minn. Stat. 462.357, subd. 1e, as it may be amended from time to time, nothing in this Sec. 10-604 shall prohibit an active cannabis business or a cannabis business under an open and active application seeking registration from continuing an established legal operation at the same site if a school, daycare, residential treatment facility and/or an attraction within a public park that is regularly used by minors moves within the minimum buffer zone.

(d) In the event an applicant seeks to locate a cannabis business within a zoning district which requires a conditional use permit to permit the business, the City shall deny the application as not compliant with local zoning if the applicant has not obtained a valid conditional use permit for the use, from the city.

Sec. 10-605. Hours of operation.

Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products between the hours of 10:00 am and 9:00 pm.

Sec. 10-606. Temporary cannabis events.

(a) *License required.* A license or permit is required to be issued and approved by the city prior to holding a Temporary Cannabis Event.

(b) *Registration and application procedure.* A registration fee, as established in the city fee schedule, shall be charged to applicants for Temporary Cannabis Events.

(c) *Application submittal and review.* The city shall require an application for Temporary Cannabis Events.

(1) An applicant for a retail registration shall fill out an application form, as provided by the city. The form shall include, but is not limited to:

a. Full name of the property owner and applicant;

- b. Address, email address and telephone number of applicant;
 - c. The address at which the event will be held; and
 - d. Other information required by the city administrator or their designee.
- (2) The applicant shall include with the form the application fee as required under paragraph (b) and a copy of the OCM cannabis event license application, submitted pursuant to Minn. Stat. 342.39, subd. 2, as it may be amended from time to time.
- (3) The application shall be submitted to the city administrator or their designee for review. If the city administrator determines that a submitted application is incomplete, he/she shall return the application to the applicant with the notice of deficiencies.
- (4) Once an application is considered complete, the city administrator shall inform the applicant of such, process the application fees and forward the application to the city council for approval or denial. The application fee shall be non-refundable once processed.
- (5) The application for a license for a Temporary Cannabis Event shall meet the following standards:
- a. Comply with buffer standards applicable to a state-licensed cannabis business as set forth in Sec. 10-604 (a) and (b).
 - b. *Security requirements.*
 - 1. A minimum of two licensed peace officers or licensed security guards per 100 attendees must be present at all times.
 - 2. The event area must be equipped with 24/7 video surveillance covering all entrances, exits, and key areas.
 - 3. Secure fencing and controlled entry points must be established to ensure only authorized individuals enter the event area.
 - c. *Operational standards.*
 - 1. Noise levels must not exceed the limits set forth in City Code.
 - 2. Effective odor control measures must be in place to ensure no detectable odor extends beyond the event premises.
 - d. *Health and safety standards.*
 - 1. At least one certified medical professional, as defined in this Chapter, must be present on-site at all times.
 - 2. Adequate sanitation facilities must be provided, including restrooms and handwashing stations, as determined by the city's Building Official.

3. A comprehensive waste management plan must be implemented to handle all event-related waste.
- e. *Inspections.* City officials and law enforcement have the right to inspect the event at any time to ensure compliance with all regulations.
- f. *Event hours.* A Temporary Cannabis Event shall only be held between the hours of 10:00 am and 9:00 pm.
- g. *On-site consumption prohibited.* On-site consumption shall not be permitted at a Temporary Cannabis Event within the city.
- h. *Location of Events.* A Temporary Cannabis Event may only be held at a location which is within a zoning district which permits cannabis retail operation and subject to the provisions of Section 10-604.

Sec. 10-607. Civil penalties

(a) Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of \$2,000 for each violation.

(b) Subject to Minn. Stat. 342.22, subd. 5(e), the city may impose a civil penalty of \$500 for the first violation of this chapter, \$1,000 for the second violation of this chapter within a 36 month period, and \$2,000 for the third and subsequent violations within a 36 month period.

Sec. 10-608. Public use of cannabis and lower-potency hemp edibles prohibited.

It is unlawful for any person to use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products as each is defined by state law, in a public place within the City of Long Lake. For the purposes of this Section, “public place” shall not include:

- (a) A private residence, including the curtilage or yard of the same;
- (b) Private property not generally accessible by the public, unless the person is explicitly prohibited from consuming cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or
- (c) The premises of an establishment licensed to permit on-site consumption, provided the use complies with the on-site consumption permitted and this Article. On-site consumption shall not be permitted at Temporary Cannabis Events within the city.

Any violation of this Section shall be a petty misdemeanor.

Sec. 10-609. Possession of drug paraphernalia prohibited.

It is unlawful for any person knowingly or intentionally to use or possess drug paraphernalia as defined in this Article.

Section 2. The City of Long Lake fee schedule is hereby amended to include the following:

CANNABIS REGISTRATION/LICENSE FEES

All cannabis businesses, retailers, wholesalers, cultivators, manufacturers, transporters, delivery services, and event organizers are required to maintain current state licensing or registration in compliance with Minn. Stat. Ch. 342.

Cannabis Retail Business(es)

Includes cannabis microbusiness(es), cannabis mezzobusiness(es), cannabis retailer(s), medical cannabis combination business(es)

Initial Registration Fee - \$500.00 or half the amount of the initial state license fee under Minn. Stat. 342.11, whichever is less

Renewal Registration Fee - \$1,000.00 or half the amount of the renewal state license fee under Minn. Stat. 342.11, whichever is less

Lower Potency Hemp Edible Retailer (Initial Registration and Annual Renewal Fees) -
\$125.00/year

Temporary Cannabis Event License - \$100.00

Section 3. This Ordinance shall be effective upon adoption and publication according to law.

Adopted by the City Council of the City of Long Lake this _____th day of _____.

Date of Adoption:	_____
Date of Publication:	_____
Effective Date:	_____

ATTEST:

BY:

Jeanette Moeller, City Clerk

Charlie Miner, Mayor