

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on November 25, 2024 at the ABLE PARK BUILDING, 8200 ABLE STREET NE, at 7:00 PM.

1. CALL TO ORDER

Chair Hansen called the meeting to order at 7:00 PM.

2. ROLL CALL

MEMBERS PRESENT

Commissioner Rick Cobbs
Commissioner Brad Delfs
Commissioner Eric Julien
Commissioner Sharon Weighous
Chair Hans Hansen

MEMBERS ABSENT

Commissioner Kelsey Hollihan

STAFF PRESENT

Building Official Jeff Baker, Administrator Buchholtz

VISITORS

Jeff Taylor, Beezwax, 23530 University Ave, Bethel
Mutez Amro, 995 Lynde Dr NE #26, Fridley

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes - October 28, 2024 Meeting

Motion by Commissioner Cobbs, seconded by Commissioner Julien to approve the minutes of the October 28, 2024 Planning Commission meeting.

Voting Aye: Commissioner Weighous, Commissioner Cobbs, Commissioner Julien, Commissioner Delfs, Chair Hansen. Motion carried.

5. PUBLIC HEARING

A. Ordinance Amending SLPC Chapter 11, Business Regulations, and SLPC Chapter 16, Zoning, Relating to Adult Use Cannabis Businesses

Administrator Buchholtz stated that the proposed ordinance regulating adult-use cannabis businesses had been developed over an extended period during the moratorium, which is set to expire at the end of the year. He explained that the ordinance was in response to state legislation passed in May 2023 and signed into law by Governor Walz, legalizing adult-use cannabis effective August 1, 2023. He noted that the City enacted a temporary moratorium on June 20, 2023, under Minnesota Statute 462.355, to allow time for studying zoning, public health, and safety considerations.

Administrator Buchholtz stated that the Council reviewed and authorized the ordinance at its November 4, 2024, work session, and the draft was now before the Planning Commission for public hearing. He explained that the ordinance amends SLPC Chapter 11 (business regulations) and Chapter 16 (zoning), establishing a framework for cannabis business registration and compliance checks. He outlined that the ordinance prohibits cannabis businesses within 1,000 feet of schools and 500 feet of daycares, residential treatment facilities, and parks, while permitting retail cannabis sales in C1 and C2 zoning districts and allowing non-retail cannabis businesses and hemp manufacturing in the I1 district.

Administrator Buchholtz stated that the ordinance sets operational hours for cannabis businesses between 10:00 AM and 9:00 PM, which he noted is more restrictive than state law. He also explained that temporary cannabis events are allowed under the ordinance but require separate permits from the City, and onsite consumption is prohibited. He added that penalties for violations include fines and potential suspension of registrations, which would place an additional burden on the Police Department.

Administrator Buchholtz said the ordinance does not designate cannabis businesses as conditional uses but instead includes detailed performance standards within the zoning code. He explained that this approach avoids the temptation to improperly deny conditional use permits, which could lead to conflicts with state law. He noted that the ordinance would permit the City to operate a municipal cannabis store, there are no plans to pursue this option.

He concluded by reiterating that the ordinance reflects extensive study and preparation and invited questions from the Planning Commission, stating that cannabis regulation has been a complex issue since its adoption by the state.

Chair Hansen asked about the license duration. Administrator Buchholtz stated that cannabis registrations are issued annually. Commissioner Delfs inquired if about the registration. Buchholtz responded that the registration would link with the license issued by the Office of Cannabis Management and would remain with that license until its

conclusion. Delfs asked about compliance checks. Administrator Buchholtz said the Police Department would perform the compliance checks in accordance with state law. Delfs inquired if the registration is transferrable. Buchholtz stated that registrations are not transferrable. Delfs asked about background checks for cannabis licensees. Buchholtz stated that since the State issues the license, the City will rely on the State's background process in issuing the registrations. He noted that the registration is essentially a verification to the state that the business is permitted under the City's zoning code.

Hansen opened the public hearing at 7:21pm.

Jeff Taylor introduced himself as a Blaine resident and representative of Beeswax, which he stated is one of the largest THC manufacturers in Minnesota. He shared his extensive experience in the cannabis industry, including contributing to legislation, working with cities, and educating policymakers. He stated that he owns a 36,000-square-foot manufacturing facility and emphasized the professional and regulated nature of his operations.

Mr. Taylor stated his willingness to answer any questions about the cannabis industry. Taylor emphasized that opening licensed cannabis stores would help diminish the black market by providing safe, regulated products. He noted that Minnesota's tax framework for cannabis is designed to be competitive and prevent the over-taxation issues seen in other states, such as Illinois, where high taxes drive consumers back to illegal sources. He stated that while the black market will not be completely eliminated, legal cannabis businesses will significantly reduce its size.

Mr. Taylor also highlighted the challenges faced by the Office of Cannabis Management (OCM), noting delays in implementation and the difficulty of establishing a new regulatory system. He stated that while enforcement is challenging, the OCM and police are actively inspecting businesses and imposing fines for noncompliance. He reiterated that regulated businesses must comply with strict rules, including the use of Certificates of Analysis (COA) to ensure product safety.

Mr. Taylor concluded by stating that society would prefer buying safe, tested products from licensed stores rather than from illegal sources. He noted that regulated cannabis would likely lead to fewer public safety concerns than alcohol and reduce access for minors over time. Taylor invited city officials to tour his manufacturing facility to better understand the industry and reiterated his willingness to answer any questions.

Hearing no further comment, Chair Hansen closed the public hearing at 7:49pm.

Commissioner Cobbs expressed his opinion that the buffers between schools, daycares and parks should match the City's liquor regulations. He also stated that the hours of operation for cannabis businesses should also match off-sale liquor store hours.

Motion by Commissioner Cobbs, seconded by Commissioner Julien, to amend the proposed ordinance to reduce the buffer from schools from 1,000 feet to 500 feet and to increase the house of operation from 10:00am to 9:00pm to 8:00am to 10:00pm.

Voting Aye: Commissioner Weighous, Commissioner Cobbs, Commissioner Julien, Commissioner Delfs, Chair Hansen. Motion carried.

Motion by Commissioner Cobbs, seconded by Commissioner Delfs, to recommend approval the proposed cannabis business ordinance, as amended.

Voting Aye: Commissioner Weighous, Commissioner Cobbs, Commissioner Julien, Commissioner Delfs, Chair Hansen. Motion carried.

B. Ordinance Amending Chapter 16 of the Spring Lake Park City Code Relating to Sight Distance Triangles

Building Official Baker provided an overview of the proposed amendment to the zoning code relating to sight distance triangles. He stated that there were conflicting provisions within the code and the proposed amendment would eliminate the conflicting language. He said staff proposes a 50-foot measurement from the curb to define the triangle, as it is easy for residents to identify without a survey.

Chair Hansen opened the public hearing at 8:01pm.

Hearing no public comment, Chair Hansen closed the public hearing at 8:02pm.

Commissioner Julien raised concerns about the impact on existing fences and vegetation and suggested reducing the sight triangle distance. Building Official Baker stated that the ordinance grandfathers in existing fences and that this ordinance change would have no impact on existing fences. Commissioner Cobbs agreed that the proposed sight distance triangle was too big and suggested reducing it to either 30 feet or 40 feet. Cobbs also suggested clarifying allowances for chain-link and other see-through fencing.

Motion by Commissioner Delfs, seconded by Commissioner Cobbs, to table the ordinance.

Voting Aye: Commissioner Weighous, Commissioner Cobbs, Commissioner Julien, Commissioner Delfs, Chair Hansen. Motion carried.

6. **OTHER** -- None

7. ADJOURN

Motion by Commissioner Julien, seconded by Commissioner Weighous, to adjourn.

Voting Aye: Commissioner Weighous, Commissioner Cobbs, Commissioner Julien, Commissioner Delfs, Chair Hansen. Motion carried.

Meeting adjourned at 8:05pm.