



City of Blaine

City Council Workshop

October 14, 2024 | 5:30 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

AGENDA

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

1. Call to Order

2. Roll Call

3. New Business

- 3.1.** 2024-458 SBM Fire Department - Quarterly Update
Sponsors: Dan Retka, Fire Chief
- 3.2.** 2024-435 Land Uses for Properties (Kempf and McKinley) Southwest of 125th Avenue and Lexington Avenue
Sponsors: Sheila Sellman, City Planner
- 3.3.** 2024-319 Temporary Signs Discussion
Sponsors: Erik Thorvig, Community Development Director
- 3.4.** 2024-470 Adult-Use Cannabis Zoning Discussion
Sponsors: Erik Thorvig, Community Development Director

4. Other Business

5. Adjournment



City of Blaine Staff Report

File Number: 2024-458

Agenda Date

October 14, 2024

Status

In Control

City Council

File Type

Workshop Item

New Business - Dan Retka, Fire Chief

Agenda Item # 3.1

SBM Fire Department - Quarterly Update

Background

Chief Retka will provide City Council with a quarterly update.

Staff Recommendation

Questions for Council

Attachment List

None



City of Blaine Staff Report

File Number: 2024-435

Agenda Date	Status
October 14, 2024	
In Control	File Type
City Council	Workshop Item

New Business - Sheila Sellman, City Planner

Agenda Item # 3.2

Land Uses for Properties (Kempf and McKinley) Southwest of 125th Avenue and Lexington Avenue

Background

The properties located southwest of Lexington Avenue and 125th Avenue (shown on map) are owned by the Kempf and McKinley families and are zoned Farm Residential (FR), and a land use designation of Low Density Residential (LDR). Each parcel is developed with a single-family home, except for the three far west parcels which are vacant. The six properties have an area of approximately 132 acres.

The properties have some trees and scattered wetlands throughout the site that may create some site obstacles with the development of the parcels.

The FR district is intended for areas where urban services are not presently available. A minimum lot size of ten (10) acres will retain these lands in their natural uses and agricultural uses pending proper timing of economical provision for parks, streets, utilities, and other public facilities, so that orderly development will occur.

The LDR land use designation is for single family detached residential homes at a density of 2.5-6 units an acre. For these sites to develop, further rezoning will be necessary.

A 16-inch water main currently runs within the platted right-of-way that connects Lakes Parkway and 122nd Ave NE. This existing right-of-way is located on parcel 11-31-23-24-0003 and along the southern portion of 11-31-23-24-0002 (3700 125th Avenue NE), these are the two western parcels. A water main would need to be extended to serve any of the other remaining parcels.

The sanitary sewer main is currently constructed within the 122nd Avenue NE alignment with service to the City of Blaine Water Treatment Plant. Extension of the sanitary sewer from the existing eastern location will be required to service the noted properties.

All properties within the subject area front onto 125th Avenue NE/Main Street/CSAH 14. This road is

maintained by Anoka County and therefore any access to this road would need to be approved by Anoka County. In addition, it is anticipated that all properties within the subject area will receive access to the future Lakes Parkway NE extension. The construction of this extension will be required with development of the noted parcels.

The chart below provides lot and home size information for a few developments that have been developed in the northeast area.

<u>Development</u>	<u>Lot Size</u>	<u>Lot Width</u>	<u>Minimum House Square Footage</u>
Wagamon Ranch (Harpers Street and 132nd Avenue)	9,583 sf to 21,344 sf	75-85 feet	1,800 sf above grade
Woodridge (Lever Street and 129th Avenue)	7,840 sf to 13,068 sf	65 feet	1,884 sf above grade
Lexington Cove (Lexington Avenue and 128th Avenue)	7,405 sf to 41,382 sf	60-65 feet	1,325 sf above grade

Staff has received questions related to the development of these parcels and is requesting feedback on the Council's land use thoughts for these parcels.

Staff Recommendation

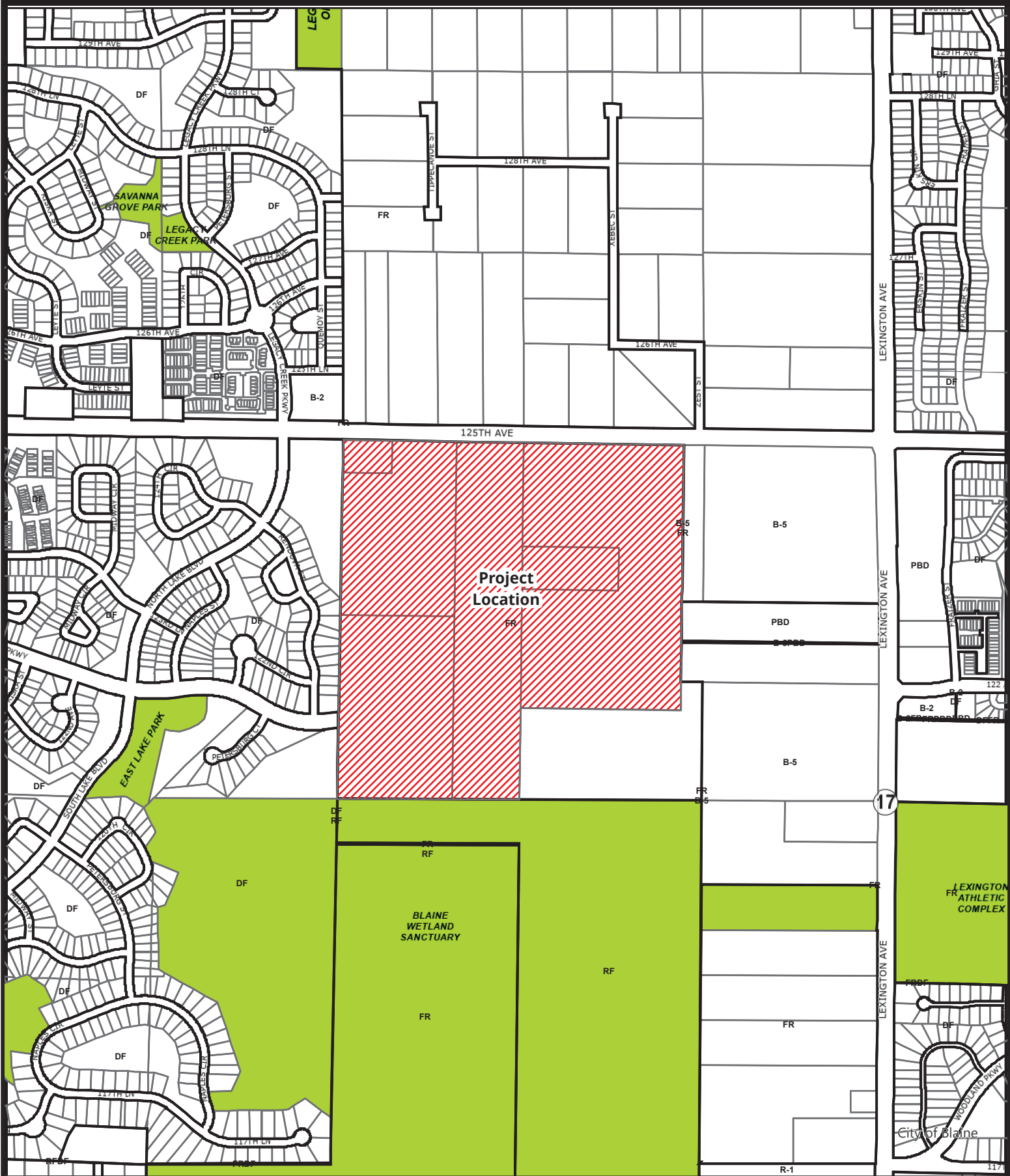
Provide feedback on land use, potential of townhomes, lot size, and housing type.

Questions for Council

1. What type of land use does the Council want to see on these parcels?
2. What type/style of housing would the Council like to see?
3. Does the Council support a land use change to Medium Density Residential (MDR) for any portion of these parcels?
4. Does the Council have any feedback on the potential of townhomes or detached villas on the parcels?

Attachment List

1. Attachments



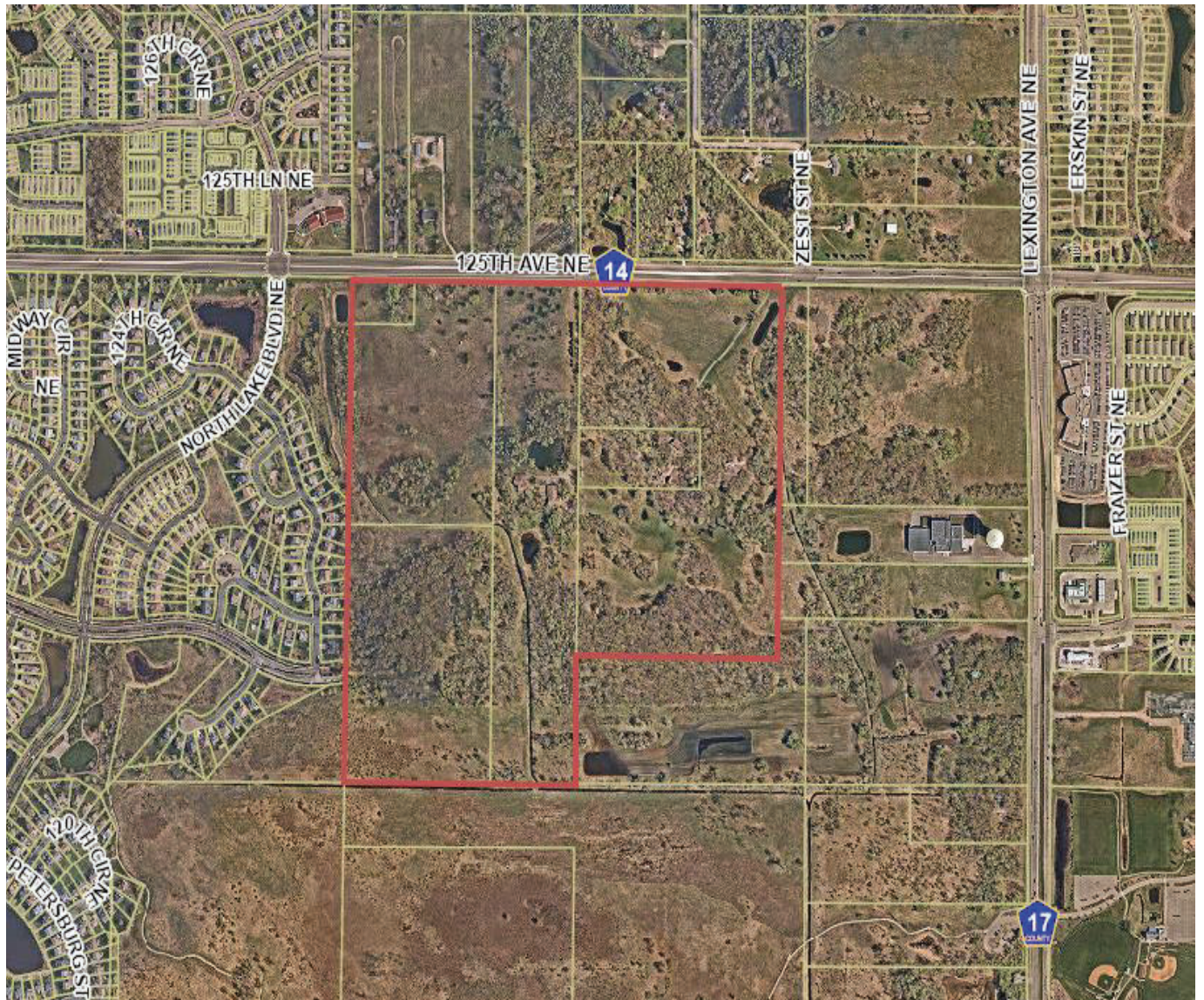
BlaineMN.gov

Kempf/McKinley Properties

Blaine Planning Department / 10801 Town Square Dr NE / Blaine, MN 55449 / (763) 785-6180



Kempf/McKinley Properties





City of Blaine

Staff Report

File Number: 2024-319

Agenda Date	Status
October 14, 2024	
In Control	File Type
City Council	Workshop Item

New Business - Erik Thorvig, Community Development Director

Agenda Item # 3.3

Temporary Signs Discussion

Background

Temporary sign code violations are increasing and staff is seeking feedback on current requirements. Historically, staff would periodically discuss this topic with council to understand the level of enforcement and general philosophy. This hasn't occurred in several years and staff is seeking feedback from the current council.

Common violations include but are not limited to:

- Feather/banner signs without a permit: One feather sign with a maximum width of 3.5 feet and maximum height of 18 feet OR one banner with a maximum area of 32 square feet. The signs should be setback at least 10 feet from the property line and are not permitted within the right-of-way. Several properties have more than one feather sign, and often a banner as well, without a permit and placed in the right-of-way.
- Temporary sign permits allow an unlimited number of signage (feathers and banners) for a total of 8-weeks per calendar year (new businesses get 10 weeks).
- Window signage is limited to a maximum of 25% coverage. Solid colored window coverings are not considered signage.

Sign is defined as: Any letters, words, symbols, poster, picture, device reading matter, or representation in the nature of a message, announcement, visual communication, or advertisement, whether printed, painted, posted, affixed, constructed, or displayed for the purpose of information or communication. This definition includes sign structural supports, uprights, bracing and framework. The term sign shall specifically include architectural or graphic features which are intrinsically associated with a particular product, good, service, business, firm, corporation, or profession.

Images, poster, mascots are considered signage because they are associated with the nature of the

business (i.e. the paw print at Pet Suites or the cow at Chick-Fil-A).

The attached PowerPoint will be reviewed at workshop and used as part of the discussion. The PowerPoint gives some real examples of violations within the city. Also attached is a synopsis of what other cities do, which tend to be more restrictive than Blaine.

Staff Recommendation

Provide feedback and direction on council questions.

Questions for Council

1. Do you want to continue to allow unlimited signage with a temporary sign permit?
2. Do you want to reduce the amount of time allowed with a temporary sign permit?
3. Do you want sign violations to be proactively enforced by staff, or keep this complaint based?
4. Do you want more restrictions on temporary signs?

Attachment List

1. PowerPoint Presentation
2. Temporary Sign Research



Temporary Signs

City Council Workshop 2024

Questions to think about during this presentation:



- ◆ Are you familiar with the City's current signage requirements for temporary signs?
- ◆ How do you want the City to look?
- ◆ Do you believe the current signage seen throughout the City is aligned with the City's goals of promoting the health, safety, and welfare of the community?

Definition of Sign

- ◆ *Sign: Any letters, words, symbols, poster, picture, device reading matter, or representation in the nature of a message, announcement, visual communication, or advertisement whether printed, painted, posted, affixed, constructed, or displayed for the purpose of information or communication. This definition includes sign structural supports, uprights, bracing and framework. The term sign shall specifically include architectural or graphic features which are intrinsically associated with a particular product, good, service, business, firm, corporation, or profession.*
- ◆ Images such as a paw print on a pet store or Cow statue would be considered signage because it is associated with the nature of the business.



Background



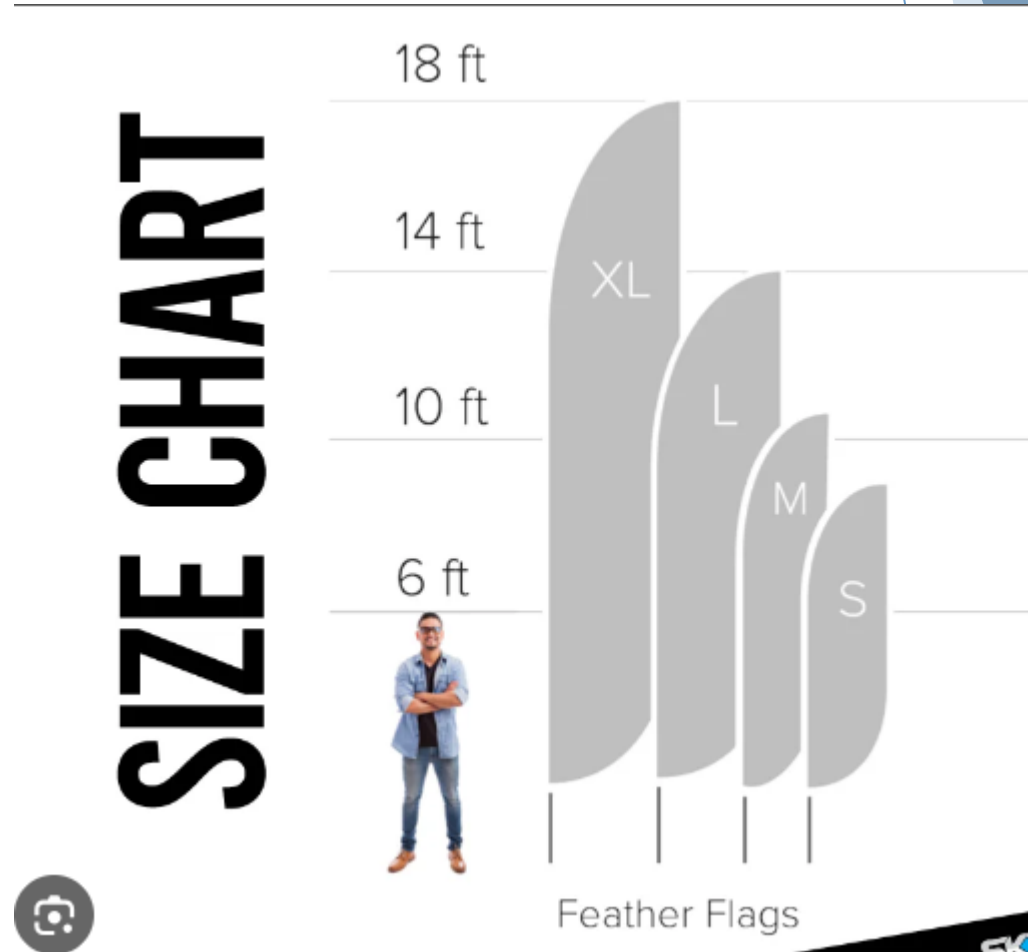
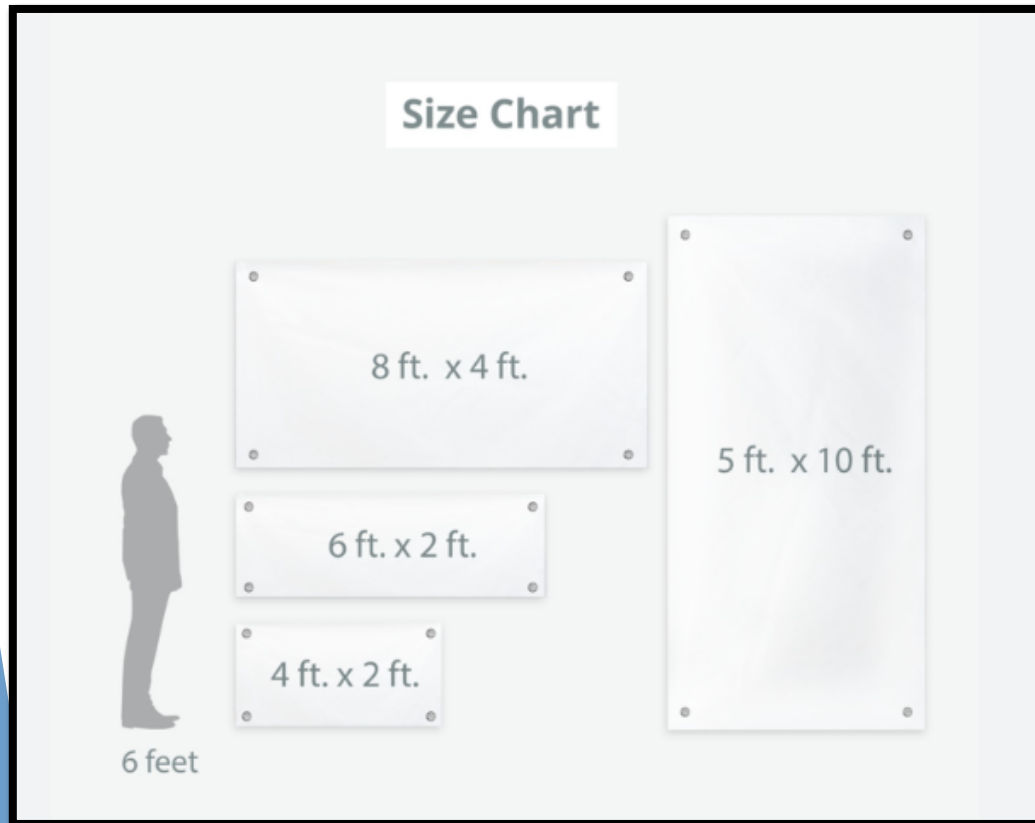
- ◆ **Current standards include:**
- ◆ One (1) feather sign with a maximum width of 3.5 feet and a maximum height of 18 feet **or** a banner with a maximum area of thirty two (32) square feet is permitted without a permit.
- ◆ All signs shall meet a 10-foot setback from property lines.
- ◆ No signs are permitted within the R-O-W
- ◆ Temporary sign permits are allowed for any extra signage, provided it does not exceed a total period of 8-weeks per calendar year. New businesses get an additional two weeks (10 weeks total).
 - ◆ **There is no limit on how much temporary signage you can have, only the time restriction.**
- ◆ Window signage is limited to a maximum 25% coverage. Solid colored window coverings are not considered signage.

Size examples – NO permit required

One (1) 32 square-foot banner

OR

One (1) feather sign that is no greater than 3.5 feet wide and 18 feet tall



What types of signage is allowed with a temporary sign permit?

- ◆ Banners
- ◆ Balloons and stringers
- ◆ Portable signs
- ◆ Search lights
- ◆ Feather signs
- ◆ Freestanding signs, including:
 - ◆ Sandwich boards
 - ◆ H-signs
 - ◆ A-frame signs

*All signage must meet the 10-foot setback from property lines and CANNOT be located in the Right-of-Way.



Example of a portable sign



Sandwich board sign



H-frame sign

Prohibited Signs

You cannot get a temporary sign permit to have this signage – it is simply not allowed.

- ◆ Signs attached to trailers, trucks, trees, fences, or other objects
- ◆ Signs with rotating or moving parts (for example, dancing inflatable tubes)
- ◆ Roof signs
- ◆ Window signage that is above the allowed 25%
- ◆ Signs in the Right-of-Way
- ◆ Signs closer than 10-feet to property lines
- ◆ Off-site signage





Examples of Sign Violations in the City of Blaine

Things to think about:

How do you feel about the following examples?

Is this how you want the City of Blaine to look?

Do you want staff to be more proactive about removal or requiring temporary sign permits when it comes to the following signs?

Signage Example

Location:
12751 Central Ave



All of this signage would be approved with a temporary sign permit, subject to the 8-week limitation.

Violation(s):

3 flag signs (only one is permitted)

Freestanding sign

Multiple banners

Signs affixed to stacked tires

Questions:

How do you feel about this amount of signage?

Signage Example



Violation(s)

- Sandwich boards are not permitted without a temporary sign permit.
- More than 25% of the windows are covered with signage (which is prohibited).

Do you want this?

Feather signs in the R-O-W Example

Location:

10519 University Ave

Violation:

Flag signs are not permitted within the Right-of-Way and must meet a 10-foot setback from all property lines.

This signage could not be approved with a temporary sign permit – no signs are allowed within the right-of-way under any circumstance.

Does Council want staff to be more proactive about removing signage within the R-O-W?



How do you feel about this signage?



Portable Sign Example



Central Tobacco (1430 93rd LN)

Violations:

All signs are located in the R-O-W
along Hwy 65

All signs would be approved through a
temporary sign permit if they met the
10-foot setback from property lines.

*All signs were removed in June 2024
after a complaint was made



**Do you want
staff to enforce
this?**

Portable Sign Example



Do you want
staff to enforce
this?



Corner of 109th Ave and
Hwy 65

Violation:

Signs are located in the R-O-W

- ◆ Signs would be allowed with a temporary sign permit, subject to the 10-foot setback requirement.

Window Signage Examples



Location:
9702 Ulysses St



10135 Central Ave

Do you want this
enforced?

Violation:

Window signage exceeds the 25% limitation. This amount is prohibited, and a temporary sign permit cannot be issued for more window signage.



805 County Hwy 10



3890 Pheasant Ridge Dr

Temporary Sign Example

Silverstar Car Wash (9280 Baltimore)

Temporary Sign Permit request:

6 Flags

28 H-Stands

2 A-frames

3 (24 x 36) freestanding upright

Signage was requested for 9 weeks



**Do you want this
amount of temporary
signage?**

4252 122nd Ave -
Tommy's Car Wash



Violations:

Multiple feather signs, H-signs

Signs in the R-O-W along 122nd and along
Lexington Ave

Inflatable tube man (prohibited)

All signage (except inflatable) would be
permitted with a temporary sign permit as
long as it meets the 10-foot setback and is
not located in the R-O-W

**How do you
feel about
this?**

Crime Prevention through Environmental Design guidelines:



Unobstructed doors and windows maximize visibility of people and parking areas for natural surveillance



Do not cover the entrance windows with posters, announcements or other signage that obstructs visibility



Allow window signs to cover no more than 15% of window



Window coverings that are semi-transparent are preferred over solid coverings

Questions for Council



- ◆ Do you want to continue allowing unlimited signage with a temporary sign permit?
- ◆ Do you want to reduce the amount of time allowed with a temporary sign permit?
- ◆ Do you want signage violations to be proactively enforced by staff?
- ◆ How do you want Hwy 65 to look?
- ◆ You can see in your handout that other cities are more restrictive. Do you want to add more restrictions to temporary sign permits?

Temporary sign standards

(Note these lists are not exhaustive, and only contain information pertinent to temporary signage for nonresidential properties).

Blaine

Prohibited Signs:

- Portable signs, unless approved in conjunction with an administrative permit. . .
- Roof signs, except for individual channel letters, up to three (3) feet in height, on single story flat roofed buildings without visible supports
- Projecting signs
- Signs with rotating or moving parts
- Signs placed on or affixed to vehicles and/or trailers. . .
- Banners, balloons, and stringers, unless approved in conjunction with an administrative permit. .

Permitted signs (No permit required)

- One (1) feather sign with a maximum width of 3.5 feet and a maximum height of 18 feet or a banner with a maximum area of thirty two (32) square feet is permitted without an administrative permit.

Temporary Signs:

- One permit per calendar year
- 8 weeks of signage total (may be split into two-week increments)
- New businesses get 10 weeks of temporary signage.

Window Signs (no permit required):

- No more than 25% of windows can be covered.

Maple Grove

Prohibited Signs:

- Roof signs
- Any sign which contains or consists of banners, pennants, ribbons, streamers, strings of lightbulbs, spinners or other similar devices, except as allowed through a temporary sign permit.

Temporary Signs:

- One permit per 12-month period
- Valid for 10 consecutive days and permit must be displayed during the entire period
- Portable signs and like devices are expressly prohibited

- Temporary sign permits can only be used for banners, pennants, searchlights, and similar devices.
- Devices such as banners and pennants shall not exceed 40 square feet

Window Signs (no permit required):

- No more than 25 percent of the total area of the window in which displayed. Lettering used in permanent window signage exceeding 3.5 inches in height shall be debited against the total number of items of signage permitted on that side of the building.

Woodbury

Prohibited Signs:

- Inflatable signs
- Motion signs
- Flying signs, such as blimps or kites, designed to be kept aloft by mechanical, wind, chemical, or hot air means (except allowed with a temporary sign permit).
- Portable signs
- Roof signs
- Pennants (except with a temporary sign permit).

Temporary Signage

Temporary Event Signs:

- One permit per calendar year
- No more than 20 days per year, with the exception that new businesses get an additional 5 days within 12 months of opening
- No more than any combination of four (4) of the following are allowed for each event:
 1. Banners not more than 80 square feet each
 2. Pennants not more than 200 lineal feet per string. Each string shall count as one sign.
 3. Flying signs (blimps) not more than 100 feet off the ground
 4. Air inflated devices on the ground and not attached to or on the building not exceeding 40 feet in height
 5. Search lights
 6. Other signs approved by the City

Banners:

- A permit shall be obtained prior to erecting a banner
- One banner per building or per tenant space in multitenant buildings with individual exterior entrances
- Total area of a banner shall not exceed 32 square feet, or five percent of the area of the wall to which it is attached with a maximum allowable area of 80 square feet.
- Banners may be erected up to six months per calendar year

Window Signs (no permit required):

- Limited to 30 percent of the total window area with a maximum area of 80 square feet per street frontage

Lakeville

Prohibited Signs:

- Dynamic display signs (except where expressly permitted by ordinance)
- Portable signs
- Roof signs
- Rotating signs
- Shimmering signs
- Signs painted, attached or in any other manner affixed to trees or similar natural surfaces, or attached to utility poles, utility boxes, bridges, towers, or similar public structures, or public fences.

Permitted signs (No permit required)

- In commercial and industrial districts, two (2) signs not to exceed twelve (12) square feet in area, erected up to a height of six (6) feet, and setback a minimum of five (5) feet from property lines shall be allowed for each access to a lot from a public street.
- Sandwich board signs are allowed in commercial zoning districts, provided that:
 1. Not more than one sign is allowed per principal building, except that one sign is allowed per tenant within a principal building having two (2) or more tenants each with an exclusive exterior entrance.
 2. The sign shall only be displayed when the business is open to the public
 3. The sign shall only be placed on the business property and shall not encroach into any principal building setback
 4. Sign must maintain a minimum 5-foot setback from the pedestrian walkway and be placed to not obstruct vehicular traffic.
 5. Sign must meet a 2-foot setback from the back of the curb of a public street or private drive aisle
 6. Sign shall conform to the following dimensions:
 - Height: 4-feet
 - Width: 3-feet

Temporary Signs:

- One permit per business
- No more than 60 days allotted per calendar year
- Maximum area of a temporary sign shall be fifty (50) square feet per sign face, except within the freeway corridor district where the maximum area of a temporary sign shall be one hundred (100) square feet per sign face.
- No more than one temporary sign shall be displayed upon a property at any one time.
- No temporary sign allowed for a lot upon which there is already a dynamic display sign.

Window Signs (no permit required): 25% coverage maximum.

Bloomington

Prohibited Signs:

- Roof signs
- Rotating signs
- Shimmering signs
- Vehicle signs
- Balloon signs
- Flashing signs
- Signs painted on , attached to, or maintained upon trees, shrubs, rocks, or other natural features.

Temporary Signs:

- Businesses are permitted to have freestanding signage of no more than 8-feet in height, and 64 square feet in area. The duration and number of signs are subject to the number of tenants per building:
- 1 tenant = 1 sign per street frontage. **60 days per calendar year.**
- 2-15 tenants = 2 freestanding signs per street frontage per site and 1 building sign per tenant. **90 days per calendar year, with no individual tenant exceeding 60 days per calendar year.**
- 16-29 tenants = 2 freestanding signs per street frontage per site and 1 building sign per tenant. **180 days per calendar year, with no individual tenant exceeding 60 days per calendar year.**
- 30 or more = 2 freestanding signs per street frontage per site and 1 building sign per tenant. **240 days per calendar year, with no individual tenant exceeding 60 days per calendar year.**
- Each freestanding sign shall meet a minimum of 15-foot setback from property lines along public streets, and 5-feet from the side or rear yard property lines.
- Off-site signage is not permitted

Permitted signs (no permit required):

- Balloons 24 inches or less in diameter

Window Signs (no permit required):

- Window signs are limited to a maximum coverage of 25%

Rosemount

Prohibited Signs:

- Rotating signs
- Portable signs except as allowed by this chapter
- Flashing signs
- Signs which advertise a business, activity, product or service not located exclusively on the premises are prohibited . . .
- Inflatable signs
- Roof signs
- Shimmering signs
-

Permitted signs (no permit required):

- Sidewalk signs in the DT (Downtown District) are allowed without a permit, subject to the following requirements:
 1. Signs shall be limited to two (2) feet in width and three and one-half (3.5) feet in height, including support members
 2. No sign shall have more than two (2) faces
 3. Signs shall not limit the normal pedestrian use of the sidewalk, and a minimum passable contiguous space of three (3) feet shall be maintained at all times.
 4. One sign is permitted for each building adjacent to the public right of way, unless multiple businesses within one building allow separate business signs to be spaced no closer than thirty (30) feet from another sidewalk sign
 5. A business or building with two (2) right of way frontages may display a sidewalk sign on either frontage
 6. All signs must be removed from the sidewalk at the end of each business day
 7. No sidewalk sign shall be lighted by attached external or individual internal lights

Temporary Signs:

- Each property may have only one (1) temporary sign permit at any given time. Permits for temporary signs may be issued a maximum of six (6) times per year for a maximum of fourteen (14) days per permit. Businesses only open to customers on an intermittent basis may assign the fourteen (14) day permit to the days they are actually open to customers. Permits for searchlight signs may be issued a maximum of three (3) times per year for a maximum of three (3) days per permit.
- Temporary signs are allowed in any Commercial, Business Park, Industrial, or Public and Institutional District except that portable changeable copy signs are prohibited in the DT (Downtown District).
- Temporary signs shall not exceed thirty-two (32) square feet in area of the maximum height of a permanent freestanding ground sign in the given district. Temporary signs shall be set back a minimum of ten (10) feet from any property line and shall not encroach upon any right of way, easement, or sight triangle. No temporary sign may be placed in such a way as to cover any door, window or fire escape and shall not interfere with circulation in any required parking, loading, maneuvering or pedestrian area.

Window Signs (permit required):

- Shall not exceed thirty percent (30%) of the window on which it is placed and is counted toward the overall fifteen percent (15%) maximum wall signage.



City of Blaine

Staff Report

File Number: 2024-470

Agenda Date	Status
October 14, 2024	
In Control	File Type
City Council	Workshop Item

New Business - Erik Thorvig, Community Development Director

Agenda Item # 3.4

Adult-Use Cannabis Zoning Discussion

Background

The council discussed this item at the October 7, 2024, workshop meeting. There is follow-up discussion necessary. The staff report below is the same from the October 7 workshop meeting. Staff will provide more information at the meeting regarding questions that were discussed at the October 7 workshop.

Adult-use cannabis was legalized in August 2023. The legislation created the framework for licensing and establishing the Office of Cannabis Management (OCM) for regulation, and requires cities to issue a retail registration to a cannabis microbusiness/mezzobusiness with a retail operations endorsement, a cannabis retailer, medical cannabis retailer, or lower-potency hemp edible retail that:

- Has a valid license issued by the OCM.
- Has paid the registration fee.
- Is found to be in compliance with the requirements of the applicable state laws through a preliminary compliance check performed by the city.
- Is current on all property taxes and assessments at the location where the retail establishment is located.

The city council discussed preliminary zoning regulations at the July 8, 2024, workshop. The following guidance was provided.

Location of Registrations

Statute allows cities to adopt restrictions for cannabis businesses if they choose by prohibiting registrations within:

- 1,000 feet of a school
- 500 feet of a daycare

- 500 feet of a residential treatment facility
- 500 feet from an attraction in a public park regularly used by minors, such as a playground or athletic field.

One question that came up was whether these requirements would be measured from property line to property line or building to building. Staff have learned that cities will be able to dictate what the measuring requirement will be.

Guidance: Adopt these distance requirements into a future ordinance.

Hours of Operation

Cannabis sales are not allowed between 2AM and 8AM Monday through Saturday, or between 2AM and 10AM on Sunday. Cities may adopt an ordinance to further prohibit sales between 9PM and 2AM or between 8AM and 10AM Monday through Saturday if they choose.

Guidance: Hours of operation to be 10AM-9PM all days of the week.

Number of Registrations

Statute states that cities may limit the number of cannabis retailers, but this limit can be no fewer than one registration for every 12,500 residents. Based on the Metropolitan Council's most recent population estimate of 73,546, Blaine must allow for 6 cannabis licenses (assuming the number of licenses is rounded up and not down). The city can allow more than 6 registrations if they choose, but at this time staff suggests the council consider allowing the minimum number of registrations required to allow time to gauge the impact of compliance checks, enforcement, and other factors. It should be noted that any municipal license would not count against the required minimum and that the number of hemp retailers (currently allowed edibles) cannot be limited by local governments.

Since the July 8 workshop, a letter was received from Green Goods, who currently operates a medical cannabis location in the Northtown area. The plan is to expand their operation to include retail cannabis and also keep the medical component. If, for some reason, they aren't granted one of the six registrations that will be available, they have asked whether the city would consider allowing an additional registration for a retailer that also has a medical cannabis component. The city of Moorhead specifically identifies this use as a "medical cannabis combination business".

Guidance: Limit the registrations to the minimum number required by the state.

QUESTION: Should language be included in the future ordinance to allow additional licenses for medical/retail businesses?

Zoning

Further discussion is required to determine retail locations based on zoning. Attached is a map depicting the areas in the city where retail licenses could be prohibited based on distance requirements. For the remaining areas, staff is suggesting registrations could be allowed in the following zoning districts: Community Commercial (B-2), Regional Commercial (B-3), Town Commercial (B-5), Planned Business District (PBD) and County Road 10 Mixed Use (MU). Currently, the code prohibits tobacco/vape use in the Highway 65 Overlay District (HOD), 105th Redevelopment District (RD), MU and B-5.

QUESTION: Which zoning districts should retail locations be permitted?

In addition to retail locations, other cannabis-related industrial operations are expected. These include

cultivating, manufacturing, testing, transporting or wholesaling. If enclosed within an existing building (nothing outside), these types of operations are similar to other types of manufacturing/warehousing/distribution facilities that exist elsewhere in Blaine's industrial zoning areas. A broker who represents the cannabis industry asked staff whether, if these industrial uses are allowed, would a small retail component also be permitted in the same building, provided it falls within the six registrations allowed in Blaine. Current language in the zoning ordinance in industrial districts allows *"retail sales, incidental to manufacturing, or products manufactured, assembled or warehoused on the premises, provided no more than ten percent (10%) of the building is used for retail space"*.

QUESTION: Should cultivating, manufacturing, testing, transporting or wholesaling be permitted in industrial zoning districts?

QUESTION: Should a small retail component be permitted as an accessory use to these operations?

Based on feedback from the workshop, staff will prepare an ordinance for review by the council at a future workshop this fall.

Staff Recommendation

Discuss and provide guidance.

Questions for Council

1. Which zoning districts should retail locations be permitted?
2. Should cultivating, manufacturing, testing, transporting or wholesaling be permitted in industrial zoning districts?
3. Should a small retail component be permitted as an accessory use to these operations?

Attachment List

1. Model Zoning Ordinance
2. Prohibited Locations
3. Zoning Map

The (insert local here) may reinstate a registration if it determines that the violations have been resolved.

The (insert local here) shall reinstate a registration if OCM determines that the violation(s) have been resolved.

2.5.4 Civil Penalties.

Subject to Minn. Stat. 342.22, subd. 5(e) the (insert local here) may impose a civil penalty, as specified in the (insert local here)'s Fee Schedule, for registration violations, not to exceed \$2,000.

2.6 Limiting of Registrations

A jurisdiction may choose to set a limit on the number of retail registrations within its boundaries. The jurisdiction may not however, limit the number of registrations to fewer than one per 12,500 residents.

(Optional) The (insert local here) shall limit the number of cannabis retail businesses to no fewer than one registration for every 12,500 residents within (insert local legal boundaries here).

(Optional) If (insert county here) has one active cannabis retail businesses registration for every 12,500 residents, the (insert local here) shall not be required to register additional state-licensed cannabis retail businesses.

(Optional) The (insert local here) shall limit the number of cannabis retail businesses to (insert number <= minimum required).

Section 3. Requirements for Cannabis Businesses

State Statutes note that jurisdictions may “adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business.” A jurisdiction considering other siting requirements (such as a buffer between cannabis businesses, or a buffer from churches) should consider whether there is a basis to adopt such restrictions.

3.1 Minimum Buffer Requirements

A jurisdiction can adopt buffer requirements that prohibit the operation of a cannabis business within a certain distance of schools, daycares, residential treatment facilities, or from an attraction within a public park that is regularly used by minors, including a playground or athletic field. Buffer requirements are optional. A jurisdiction cannot adopt larger buffer requirements than the requirements here in Section 3.1. A jurisdiction should use a measuring system consistent with the rest of its ordinances, e.g. from lot line or center point of lot.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-1,000] feet of a school.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of a day care.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of a residential treatment facility.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

(Optional) The (insert local here) shall prohibit the operation of a cannabis retail business within [X] feet of another cannabis retail business.

Pursuant to Minn. Stat. 462.367 subd. 14, nothing in Section 3.1 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/attraction within a public park that is regularly used by minors) moves within the minimum buffer zone.

3.2 Zoning and Land Use

For jurisdictions with zoning, said jurisdiction can limit what zone(s) Cannabis businesses can operate in. As with other uses in a Zoning Ordinance, a jurisdiction can also determine if such use requires a Conditional or Interim Use permit. A jurisdiction cannot outright prohibit a cannabis business. A jurisdiction should amend their Zoning Ordinance and list what zone(s) Cannabis businesses are permitted in, and whether they are permitted, conditional, or interim uses. While each locality conducts its zoning differently, a few themes have emerged across the country. For example, cannabis manufacturing facilities are often placed in industrial zones, while cannabis retailers are typically found in commercial/retail zones. Cannabis retail facilities align with general retail establishments and are prohibited from allowing consumption or use onsite and are also required to have plans to prevent the visibility of cannabis and hemp-derived products to individuals outside the retail location. Cannabis businesses should be zoned under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business.

3.2.1. Cultivation.

Cannabis businesses licensed or endorsed for cultivation are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Manufacturer.

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Hemp Manufacturer.

Businesses licensed or endorsed for low-potency hemp edible manufacturers permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Wholesale.

Cannabis businesses licensed or endorsed for wholesale are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Retail.

Cannabis businesses licensed or endorsed for cannabis retail are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Transportation.

Cannabis businesses licensed or endorsed for transportation are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Delivery.

Cannabis businesses licensed or endorsed for delivery are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.3 Hours of Operation

A jurisdiction may adopt an ordinance limiting hours of operation between 10 a.m. and 9 p.m., seven days a week, and that State statute prohibits the sale of cannabis between 2 a.m. and 8 a.m., Monday through Saturday, and between 2 a.m. and 10 a.m. on Sundays.

(Optional) 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 (insert time here) and (insert time here).

3.4 (Optional) Advertising

Cannabis businesses are permitted to erect up to two fixed signs on the exterior of the building or property of the business, unless otherwise limited by (insert local here)'s sign ordinances.



Proposed Cannabis Sale Prohibition Zones

 Schools - 1,000 ft

Park Amenities - 500 ft

 Fields & Courts

 Ice Rink

 Playground

 Skateboard Area

 Splashpad

Active DHS Licenses - 500 ft

 Certified Child Care Center (7)

 Child Care Center (17)

 Children's Residential Facilities (2)

 Substance Use Disorder Treatment (2)

 Cannabis Sale Prohibition Zone (derived)

Date: May 30, 2024

Author: GIS & Data Services

Map Credits: City of Blaine, Minnesota Department of Education, Minnesota Department of Human Services

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