

**WASECA COUNTY PLANNING COMMISSION
TENTATIVE PUBLIC HEARING SCHEDULE FOR UDC REVIEW**

ARTICLE	SECTIONS	SUBSECTIONS TO BE REVISED	DATE OF PUBLIC HEARING
2 NONCONFORMITIES AND LOTS OF RECORD	2.07 Shoreland Nonconformities	(B)(2)	August 1
3 DEVELOPMENT REVIEW PROCESSES AND REQUIREMENTS	3.02 Zoning Permits	(B)(4); (C)(9)	
	3.03 Amendments/Rezoning	(B)(7); (F)(1)	
	3.04 Required Setback	Title revision; (B)(6)	
	3.05 Site Plans	(B)	
	3.06 Subdivision Regulations	(C)(7)(d); (C)(9)	
	3.07 Conditional Use Permits	(C)(7); (D)(6)	
	3.08 Variances and Appeals	(F)(7); (K)(2)	
	3.09 Special Events Permit	(D)(g); (E)(p)	
4 GENERAL REGULATIONS	4.01 General Provisions	(C)	
	4.02 General Regulations for Structures	(F)	
	4.12 Sign Regulations	(B)	
	4.13 Extraction of Material and Minerals, Open Pits and Impounding of Waters	(A)	
6 ZONING DISTRICT REGULATIONS	6.01 Districts and District Boundaries	(B)(1)	
	6.02 Allowed and Conditional Land Uses	(E); (F)(6)	
6 ZONING DISTRICT REGULATIONS	6.16 SPECIFIC STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES	A WHOLE NEW SUBSECTION	SEPTEMBER 5
5 GENERAL ENVIRONMENTAL REGULATIONS	5.02 Subsurface Sewage Treatment Systems		October 3
	5.03 Sanitary Provisions		
	5.04 Stormwater Management and Sediment and Erosion Control	(A); (B); (G)(1); (H); (I)(7)	
	5.05 Buffer Code	(B) Title revision and move definitions to 8.03	

§ 6.16 SPECIFIC STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES.

(C) Cannabis Business

(1) *Purpose.* The purpose of this ordinance is to implement the provisions of Minnesota Statutes, Chapter 342, which authorizes Waseca County to protect the public health, safety, welfare of the County residents by regulating cannabis businesses within the jurisdiction of the County. The County finds and concludes that the proposed provisions are appropriate and lawful land use regulations the County, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

(2) Registration of Cannabis Businesses

(a) *Consent to Registering Cannabis Business.* No individual or entity may operate a state-licensed cannabis retail business within the County without first registering with the County. Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty for each violation, as established by the County Board of Commissioners.

(b) *Compliance Check.* Prior to issuance of a cannabis retail business registration, the County shall conduct a preliminary compliance check to ensure compliance with local ordinances.

(c) *Fees.* The fees including but not limited to registration and renewal fees shall be as established by the County Board of Commissioners.

(d) *Application for a retail registration and subsequent renewal of retail registration shall be filed with the Zoning Administrator with required fees. The application shall include:*

1. Full name of the property owner and applicant;
2. Address, email address, and telephone number of the applicant;
3. The address and parcel ID for the property which the retail registration is sought;
4. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.
5. A copy of a valid state license or written notice of Office of Cannabis Management license Preapproval;
6. Any additional information or development review processes and requirements as determined by the Zoning Administrator.

(e) *Location Change.* A state-licensed cannabis retail business shall be required to submit a new application for registration under 2(d) above, if it seeks to move to a new location still within the jurisdictional boundaries of this ordinance.

(f) *Annual Compliance Checks.* The County shall complete at minimum one 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 and this

section. The County shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.

(g) Suspension of Registration. The County may suspend a cannabis retail business's registration if it violates this section or any provisions in the Unified Development Code or any County regulations or poses an immediate threat to the health or safety of the public. The County shall immediately notify the cannabis retail business in writing the grounds for the suspension and notify the Office of Cannabis Management of such. The length of suspension shall be as determined by the Office of Cannabis Management.

(h) Limits to the Number of Retail Registrations. The County shall limit the number of cannabis retail businesses and microbusiness/mezzobusinesses with retail licenses to no fewer than one (1) registration for every 12,500 residents in areas lying outside the incorporated limits of municipalities within the County. The population data provided by the US Census Bureau shall be used in this determination. If the number of allowable active cannabis retail business registration is reached, the County shall not be required to register additional state-licensed cannabis retail businesses.

(3) Requirements For Cannabis Businesses

(a) Minimum Buffer Requirements. The operation of a cannabis business is prohibited within:

1. 1,000 feet of a School;
2. 500 feet of a Daycare or Daycare Center;
3. 500 feet of a Residential Treatment Facility;
4. 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
5. Other buffer requirements pursuant to Minn. Stat. 462.367 subd. 14, as it may be amended from time to time are applicable.

(4) Zoning and Land Use

(a) Cannabis Cultivation. Cannabis businesses licensed or endorsed for cultivation are Conditional Uses in the A-1 Agricultural Protection, HC Highway Commercial and I-General Industrial zoning districts.

(b) Cannabis Manufacturer. Cannabis businesses licensed or endorsed for cannabis manufacturer are Conditional Uses in the A-1 Agricultural Protection, HC Highway Commercial and I-General Industrial zoning districts.

(c) Hemp Manufacturer. Businesses licensed or endorsed for low-potency hemp edible manufacturers conditional uses in the A-1 Agricultural Protection, HC Highway Commercial and I-General Industrial zoning districts.

(d) Cannabis Wholesale. Cannabis businesses licensed or endorsed for wholesale are conditional uses in the Highway Commercial and I-General Industrial zoning districts.

(e) Cannabis Retail. Cannabis businesses licensed or endorsed for cannabis retail are Permitted Uses in the VMX Village Mixed Use and HC Highway Commercial and Conditional Uses in the UE Urban Expansion.

(f) Cannabis Transportation. Cannabis businesses licensed or endorsed for transportation are Conditional Uses in the A-1 Agricultural Protection Zoning District, Highway Commercial and I-General Industrial zoning districts.

(g) Cannabis Delivery. Cannabis businesses licensed or endorsed for delivery are Conditional Uses in the A-1 Agricultural Protection (up to 5 vehicles) and I-General Industrial zoning district.

(5) 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 a.m. and 9 p.m., Monday through Sunday. The sale of cannabis is prohibited between 2 a.m. and 8 a.m., Monday through Saturday, and between 2 a.m. and 10 a.m. on Sundays.

(6) Sign Regulations. Cannabis businesses shall adhere to the regulations set forth in §4.12, Sign Regulations.

(7) Use in Public Place. Pursuant to Minn. Stat. 152.0263, Subd. 5, no person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use.

§ 8.03 DEFINITIONS AND ACRONYMS

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 retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and 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.

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.

LOWER-POTENCY HEMP EDIBLE: As defined under Minn. Stat. 342.01 subd. 50.

OFFICE OF CANNABIS MANAGEMENT. Minnesota Office of Cannabis Management.

PLACE OF PUBLIC ACCOMMODATION. In relation to adult-use cannabis, place of accommodation is defined at 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.

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. As defined under Minn. Stat. 245.462 subd. 23.

RETAIL REGISTRATION. An approved registration issued by the County to a state licensed cannabis retail business.

SCHOOL. In relation to adult use cannabis, a public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.

STATE LICENSE. An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.