



CITY OF HOWARD LAKE

PARKS AND PLANNING COMMISSION

*The City of Howard Lake strives to build upon its good neighbor traditions –
A welcoming community for all, supported by vibrant and engaged businesses and community organizations, involved
citizens, and diverse amenities that provide a well-rounded quality of life.*

Howard Lake City Hall
TENTATIVE AGENDA
November 20 2024 – 6:00 pm

- A. **CALL TO ORDER**
- B. **APPROVAL OF AGENDA**
Any additions, deletions, modifications to the agenda will be done at this time.
- C. **CONSIDER APPROVAL OF MINUTES**
 - a. Approve Minutes from the Parks and Planning Meeting on May 8, 2024
- D. **PRESENTATIONS, PUBLIC HEARINGS & RELATED APPROVALS**
 - a. Public Hearing – Ordinance Regulating Cannabis Businesses
- E. **NEW BUSINESS**
 - a. Consider Recommendation to Approve Ordinance Regulating Cannabis.
 - b. Declare Vacancy on Commission, Direct Staff to Post for Replacement.
- F. **OLD BUSINESS**
- G. **ADJOURN**



CITY OF HOWARD LAKE

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HOWARD LAKE PARKS AND PLANNING COMMISSION

Howard Lake City Hall

May 8, 2024 – 6:00 pm

MEETING MINUTES

MEMBERS PRESENT

April Debner
Molly Hibbard
Jason Deiter
Gene Gilbert
Jean Schmidt
Barb Guenigsman

MEMEBERS ABSENT

Vern Kleve

OTHERS PRESENT

Nick Haggemiller, City Administrator
Meagan Theisen, Assistant City Administrator
Nate Sparks, City Planner

A. CALL TO ORDER

Chair Debner called the meeting to order at 6:00 pm.

B. APPROVAL OF AGENDA

The agenda was approved as presented. Commissioner Guenigsman moved to approve the agenda. The motion was seconded by Commissioner Schmidt and passed unanimously.

C. APPROVAL OF MEETING MINUTES

Commissioner Deiter moved to approve the Minutes from the Parks and Planning Meeting on February 14, 2024. The motion was seconded by Commissioner Guenigsman and passed unanimously.

D. PRESENTATIONS, PUBLIC HEARINGS & RELATED APPROVALS

a. Public Hearing – CUP Amendment at 800 5th Ave S.

Sparks presented the staff report, stating that the owners are looking to add a viewing dock into the lake. The dock would typically be approved at the administrative level, but since this site has a CUP an amendment to the CUP is required to be approve by the Parks and Planning Commission and Council.

Curits Gridl introduced himself to the Commission. He shared that the dock would be for viewing and photo opportunities and would not be used for fishing or other recreation.

Chair Debner opened the meeting for public comment.

Greg Baumann – 801 5th Ave – shared that the Gridls have been great neighbors.

Renee Andres – 413 9th St – stated that she does not find them to be good neighbors.

Haggenmiller stated that this public hearing is about the CUP amendment and not an open meeting to comment on the event center as a whole.

Commissioner Deiter asked when and how Andres can share her concerns at a later date.

Haggenmiller shared the process of amending or revoking items from the CUP. He also stated that it is a long difficult process to get to that point.

E. NEW BUSINESS

a. CUP/Site Plan Amendment at 800 5th Ave

Following the public hearing, Commissioner Hibbard moved to approve the CUP amendment to allow Reeds and Rushes to add a viewing dock to their property. The motion was seconded by Commissioner Guenigsman and passed unanimously.

b. Comprehensive Plan

Sparks reviewed the staff report related to the most recent updates to the Comprehensive Plan. The commission discussed the future use of the former golf course property & would like to establish a lower density residential neighborhood. A Natural Resource Residential zone would be 2.75-3 houses per acre.

F. OLD BUSINESS

G. ADJOURN

The Parks and Planning Commission meeting adjourned at 7:21 pm.

Chair, April Debner

Secretary, Meagan Theisen

NOTICE OF HEARING
CITY OF HOWARD LAKE, MINNESOTA

Notice is hereby given that the Howard Planning Commission will be holding a public hearing on Wednesday, November 20, 2024 starting at 6:00 p.m. in the Council Chambers at 625 8th Avenue, Howard Lake, MN.

ORDINANCE AMENDMENT. The purpose of the public hearing is to hear from parties on an ordinance amendment related to the location of cannabis businesses in the City of Howard Lake.

If you are unable to attend the public hearing, but would like to provide input, written comments are welcome.

Dated this 4th day of November 2024.

Nick Haggemiller
City Administrator



HOWARD LAKE PLANNING COMMISSION MEETING NOVEMBER 20, 2024

AGENDA ITEM: Consider Ordinance to Regulate Cannabis Businesses

SECTION: New Business

FROM: City Administrator

BACKGROUND:

The State of Minnesota has decriminalized the recreational sale and use of cannabis. The City of Howard Lake enacted a moratorium on sale/use until January 1, 2025. The topic is new, complex and evolving. The State of Minnesota and League of Minnesota Cities have provided general guidance around the topic as it relates to the licensing, manufacturing, sale and use and police enforcement surrounding cannabis.

The State of Minnesota licenses all dispensaries. Local autonomy lies in regulating where, when, how production, sales and use occur as well as general enforcement. In short, like most matters, municipal control will regulate zoning matters and general public safety, health and welfare matters.

BACKGROUND

Authority & Compliance

Wright County provides police coverage for most cities in the county except Buffalo, Annandale and Howard Lake who operate their own police departments. Wright County has established an ordinance/JPA for cities to opt into which regulates the matter under the county. Unless otherwise directed, it is assumed Howard Lake, which has its own means of enforcement, will regulate independently of the county. (page 2&4)

Exemptions

The Federal USDA Farm Bill passed several years ago made lower potency, hemp based products legal. While the ordinance may be applied to these retailers as well, the proposed language excludes these as they are already in operation and no noted issues have been identified. While the Wright County Ordinance proposes much more strict standards overall, they are omitting low potency products from regulation. (Page 2)

Registration [City Council Consideration]

The State of Minnesota LICENSES City will have authority to REGISTER retailers. Page 4 details registration requirements for consideration.

Limiting Registrations

It is illegal to completely prohibit establishments. Additionally, state law prohibits having more than one shop per 12,500 people. It is believed to be applied county wide and city by city. Regardless, it does not apply to Howard Lake and has been omitted. (page 7)

The following pages within the full line breaks are intended for discussion and consideration by the Planning Commission as they include general land use/zoning matters rather than overall policy level decisions that the City Council.

Section 3 Minimum Buffer **[PLANNING COMMISSION]**

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.

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.

Cities may adopt setbacks from sensitive locations such as schools, daycares, residential treatment centers, playgrounds and athletic facilities. These setbacks may be as little as NO setback and as much as 500 feet for most except schools which may have up to a 1,000 foot setback.

Howard Lake is a small community with somewhat diverse services and establishments. If the most restrictive standards would be applied, cannabis would essentially be prohibited in full – which is considered exclusionary zoning and therefore, illegal. The images below show setbacks from parks (green), childcare centers (blue), schools (yellow), and parks (green). The image on the left includes the ordinance proposed 250’ whereas the image on the right shows 500’.



Zoning Districts

Cities 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. Cannabis businesses should be zoned under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business.

Endorsed Activity	License Type Eligible to Do Endorsed Activity	Description of Activity	Comparable Districts	Municipal Considerations
Cannabis Retail	Retail Mezzobusiness Microbusiness Medical Cannabis Combination	This endorsed activity and license types allow a business to sell cannabis and cannabis products directly to consumers.	Retail, Neighborhood Shopping Districts, Light Industrial, Existing districts where off-sale liquor or tobacco sales are allowed.	Micros may offer onsite consumption, similar to breweries. Micros and Mezzos may include multiple activities: cultivation, manufacture, and/or retail.
Transportation	Cannabis Transporter	This license type allows a company to transport products from one license type to another.		Fleet based business that will own multiple vehicles, but not necessarily hold a substantial amount of cannabis or cannabis products.
Delivery	Cannabis Delivery	This license type allows for transportation to the end consumer.		Fleet based business that will own multiple vehicles, but not necessarily hold a substantial amount of cannabis or cannabis products.
Events	Event Organizer	This license entitles license holder to organizer a temporary event lasting no more than four days.	Anywhere that the city permits events to occur, subject to other restrictions related to cannabis use.	On site consumption. Retail sales by a licensed or endorsed retail business possible.

Proposed Use By Zoning District

ACTIVITY/USE	ZONING DISTRICT	PROVISIONS
Cultivation	Urban Reserve (outdoor only)	CUP
	I-2 General Industrial (indoor)	CUP
Manufacturing/Processing	I-1 Warehousing Industrial	CUP
	I-2 General Industrial	
Hemp Manufacturer	I-1 Warehousing Industrial	CUP
	I-2 General Industrial	
Wholesale	I-1 Warehousing Industrial	CUP
	I-2 General Industrial	
Cannabis Retail	B1 General Business	IUP/CUP
	B2 Downtown Business	IUP/CUP
Cannabis Transportation	I-1 Warehousing Industrial	CUP
	I-2 General Industrial	
Cannabis Delivery	I-1 Warehousing Industrial	CUP
	I-2 General Industrial	

Hours of Operation

Cities may adopt an ordinance regulating sales for any period between the hours of 8am – 10am and between 9pm-2am, seven days a week.

Proposed Hours for the ordinance attempt to match open hours of the municipal liquor store and attempt to align with regular service hours of the Howard Lake Police Department.

- Monday-Saturday 8am – 10pm
 - Sunday 10am – 10pm
-

Section 4 Temporary Cannabis Event

Any individual or business seeking to obtain a cannabis event license must provide OCM information about the time, location, layout, number of business participants, and hours of operation. A cannabis event organizer must receive local approval, including obtaining any necessary permits or licenses issued by a local unit of government before holding a cannabis event.

A cannabis event organizer license entitles the license holder to organize a temporary cannabis event lasting no more than four days. A jurisdiction should determine what type of approval is consistent with their existing ordinances for events.

A jurisdiction may establish standards for Temporary cannabis events which the event organizer must meet, including restricting or prohibiting any on-site consumption. If there are public health, safety, or welfare concerns associated with a proposed cannabis event, a jurisdiction would presumably be authorized to deny approval of that event.

The ordinance as written includes the need for temporary events to have approval from the state as well as local registration.

Section 5 Additional Provisions (page 11)

- Permits sales within municipal liquor stores.
- Removes the age requirement dictating low potency products can only be sold in establishments that admit persons 21 years of age or older. While seemingly logical, low potency products are already on the shelves of most c-stores. Regulating after-the-fact will be very difficult. HLPD Police Chief has done regular and random checks of stores for compliance and have never identified issues.

Section 6 Local Government as a Cannabis Retailer (page 12)

As written, the ordinance permits the City to establish, own and operate one municipal cannabis retail business. At this time, guidance from the State of Minnesota is not entirely clear if this will ultimately be permissible. Additionally, it is not believed that given existing staff and facilities as well as current service provided by the municipal that this will be pursued. Currently, the store sells low potency products and sales have not been overly strong. Additionally, with the off sale and two on sale (event centers) under the municipal umbrella, there is not capacity to do so. Still, it remains in the ordinance to not completely shut the door to the future consideration.

Section 7 Use in Public Places (page 12)

The ordinance as drafted prohibits use of cannabis that produces a vapor, steam, or smoke or otherwise creates a public health or nuisance. Its noted that some ordinances outright prohibit use of cannabis in full. Given the numerous consumption methods, enforcing such a prohibition is believed to be nearly impossible. Instead, we seek to regulate this similar to tobacco/cigarettes.

DECISION MAKING METRICS:

FINANCIAL:

COUNCIL ACTION REQUESTED: Approve personnel policy modifications as presented.

ATTACHMENTS:

1. Ordinance
2. Registration Form

**AN ORDINANCE OF THE CITY OF HOWARD LAKE
TO REGULATE CANNABIS BUSINESSES**

Section 1	Administration
Section 2	Registration of Cannabis Business
Section 3	Requirements for a Cannabis Business (Time, Place, Manner)
Section 4	Temporary Cannabis Events
Section 5	Lower Potency Hemp Edibles
Section 6	Local Government as a Retailer
Section 7	Use of Cannabis in Public

The City Council of Howard Lake hereby ordains:

Section 1. Administration

10.1 Findings and Purpose

City of Howard Lake makes the following legislative findings:

The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes City of Howard Lake to protect the public health, safety, welfare of Howard Lake residents by regulating cannabis businesses within the legal boundaries of Howard Lake.

City of Howard Lake finds and concludes that the proposed provisions are appropriate and lawful land use regulations for Howard Lake, 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.

10.2 Authority & Jurisdiction

City of Howard Lake has the authority to adopt this ordinance pursuant to:

- a) Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of

a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.

- b) Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
- c) Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
- d) Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.

Ordinance shall be applicable to the legal boundaries of Howard Lake.

~~(Optional) (insert city here) has delegated cannabis retail registration authority to (insert county here). However, (insert city here) may adopt ordinances under Sections (2.6, 3 and 4) if (insert county here) has not adopted conflicting provisions.~~

10.3 Severability

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

10.4 Enforcement

The [Howard Lake Police Department](#) is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

10.5 Definitions

1. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.
2. 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.
3. 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/excluding)~~ lower-potency hemp edible retailers.

4. 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.
5. 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.
6. Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50.
7. Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.
8. 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.
9. Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
10. 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.
11. Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
12. Retail Registration: An approved registration issued by the Howard Lake to a state- licensed cannabis retail business.
13. School: 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.
14. State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

Section 2. Registration of Cannabis Businesses

2.1 Consent to registering of Cannabis Businesses

No individual or entity may operate a state-licensed cannabis retail business within Howard Lake without first registering with Howard Lake.

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

Notwithstanding the foregoing provisions, the state shall not issue a license to any cannabis business to operate in Indian country, as defined in United States Code, title 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal government.

2.2 Compliance Checks Prior to Retail Registration

Prior to issuance of a cannabis retail business registration, Howard Lake (~~shall/shall not~~) conduct a preliminary compliance check to ensure compliance with local ordinances.

Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, Howard Lake 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.

2.3 Registration & Application Procedure

2.3.1 Fees.

Howard Lake shall not charge an application fee.

A registration fee, as established in Howard Lake's fee schedule, shall be charged to applicants depending on the type of retail business license applied for.

An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.

Any renewal retail registration fee imposed by Howard Lake 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, whichever is less.

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.

2.3.2 Application Submittal.

The Howard Lake shall issue a retail registration to a [state-licensed](#) cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

- (A) An applicant for a retail registration shall fill out an application form, as provided by the Howard Lake. Said form shall include, but is not limited to:
- i. Full name of the property owner and applicant;
 - ii. Address, email address, and telephone number of the applicant;
 - iii. The address and parcel ID for the property which the retail registration is sought;
 - iv. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.
 - v. Meet the standards and meet conditions set forth in the CUP/IUP for the individual users.
- (B) The applicant shall include with the form:

- i. the registration fee as required in [Section 2.3.1];
 - ii. a copy of a valid state license or written notice of OCM license preapproval;
 - iii. Obtain necessary conditional or individual user permits and comply with conditions imposed.
- (C) Once an application is considered complete, the city administrator or their designee shall inform the applicant as such, process the application fees, and forward the application to the city council for approval or denial.
- (D) The application fee shall be non-refundable once processed.

2.3.3 Application Approval

- (A) *(Optional)* 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 Section 2.6.
- (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.

2.3.4 Annual Compliance Checks.

The Howard Lake 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/these [chapter/section/ordinances].

The Howard Lake Police Department shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.

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 parent 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 or an employee of the local unit of government.

Any failures under this section must be reported to the Office of Cannabis Management.

2.3.5 Location Change

A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 2.3.2 if it seeks to move to a new location still within the legal boundaries of Howard Lake.

If a state-licensed cannabis retail business seeks to move to a new location still within the legal boundaries of Howard Lake, it shall notify Howard Lake of the proposed location change, and submit necessary information to meet all the criteria in this paragraph.

2.4 Renewal of Registration

The Howard Lake 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 Howard Lake.

A cannabis retail registration issued under this ordinance shall not be transferred.

2.4.1 Renewal Fees.

The Howard Lake may charge a renewal fee for the registration starting at the second renewal, as established in Howard Lake's fee schedule.

2.4.2 Renewal Application.

The application for renewal of a retail registration shall include, but is not limited to:

- Items required under Section 2.3.2 of this Ordinance.
- **Insert additional items here**

2.5 Suspension of Registration

2.5.1 When Suspension is Warranted.

The Howard Lake may suspend a cannabis retail business's registration if it violates the ordinance of Howard Lake or poses an immediate threat to the health or safety of the public. The Howard Lake shall immediately notify the cannabis retail business in writing the grounds for the suspension.

2.5.2 Notification to OCM.

The Howard Lake Police Department shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide Howard Lake and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

2.5.3 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 business may not make sales to customers if their registration is suspended.

The Howard Lake may reinstate a registration if it determines that the violations have been resolved.

The Howard Lake 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 Howard Lake may impose a civil penalty, as specified in the Howard Lake's Fee Schedule, for registration violations, not to exceed \$2,000.

2.6 Limiting of Registrations

The City of Howard Lake shall limit the number of cannabis retail businesses to no fewer than one registration for every 12,500 residents within the City of Howard Lake.

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

~~(Optional) The Howard Lake shall limit the number of cannabis retail businesses to (insert number <= minimum required).~~

Section 3. Requirements for Cannabis Businesses

3.1 Minimum Buffer Requirements

The Howard Lake shall prohibit the operation of a cannabis business within [250] feet of a school.

The Howard Lake shall prohibit the operation of a cannabis business within [250] feet of a day care.

The Howard Lake shall prohibit the operation of a cannabis business within [250] feet of a residential treatment facility.

The Howard Lake shall prohibit the operation of a cannabis business within [250] feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

~~The Howard Lake shall prohibit the operation of a cannabis retail business within [X] feet of another cannabis retail business.~~

Pursuant to Minn. Stat. 462.357 subd. 1e, 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

Uses as described below are permitted with a conditional use permit and individual user permit.

ACTIVITY/USE	ZONING DISTRICT	PROVISIONS
Cultivation	Urban Reserve (outdoor only)	CUP
	I-2 General Industrial (indoor)	CUP
Manufacturing/Processing	I-1 Warehousing Industrial	CUP
	I-2 General Industrial	
Hemp Manufacturer	I-1 Warehousing Industrial	CUP
	I-2 General Industrial	
Wholesale	I-1 Warehousing Industrial	CUP
	I-2 General Industrial	
Cannabis Retail	B1 General Business	IUP/CUP
	B2 Downtown Business	IUP/CUP
Cannabis Transportation	I-1 Warehousing Industrial	CUP
	I-2 General Industrial	
Cannabis Delivery	I-1 Warehousing Industrial	CUP
	I-2 General Industrial	

3.2.1. Cultivation.

Cannabis businesses licensed or endorsed for cultivation (outdoor only, no structures are permitted) are permitted as a **permitted use** in the following zoning districts:

- **Urban Reserve**

3.2.1. Cannabis Manufacturer.

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as a **Permitted Use** in the following zoning districts:

- **I-1 Warehousing Industrial District**
- **I-2 G Industrial District**

3.2.1. *Hemp Manufacturer.*

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

- I-1 Warehousing Industrial District
- I-2 General Industrial District

3.2.2. *Wholesale.*

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

- I-1 Warehousing Industrial District
- I-2 General Industrial District

3.2.2. *Cannabis Retail.*

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

- B1 General Business District
- B2 Downtown Area Business District

3.2.1. *Cannabis Transportation.*

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

- I-1 Warehousing Industrial District
- I-2 General Industrial District

3.2.2. *Cannabis Delivery.*

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

- I-1 Warehousing Industrial District
- I-2 General Industrial District

3.3 Hours of Operation

- *Monday-Saturday: 8 a.m.-10pm*
- *Sunday: 10 a.m.-10pm*

~~(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 Howard Lake's sign ordinances. Cannabis businesses must comply with sign ordinance.~~

Section 4. Temporary Cannabis Events

4.1 License or Permit Required for Temporary Cannabis Events

4.1.1 License Required.

A license or permit is required to be issued and approved by Howard Lake prior to holding a Temporary Cannabis Event.

4.1.2 Registration & Application Procedure

A registration fee, as established in Howard Lake's fee schedule, shall be charged to applicants for Temporary Cannabis Events.

4.1.3 Application Submittal & Review.

The City of Howard Lake shall require an application for Temporary Cannabis Events.

- (A) An applicant for a retail registration shall fill out an application form, as provided by the Howard Lake. Said form shall include, but is not limited to:
 - i. Full name of the property owner and applicant;
 - ii. Address, email address, and telephone number of the applicant;
 - iii. Site plan indicating serving and recreation areas, bathroom and accommodations.
- (B) The applicant shall include with the form:
 - i. the application fee as required in (Section 4.1.2);
 - ii. a copy of the OCM cannabis event license application, submitted pursuant to 342.39 subd. 2.

The application shall be submitted to the City of Howard Lake, or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

- (C) Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.

(D) The application fee shall be non-refundable once processed.

(E) The application for a license for a Temporary Cannabis Event shall meet the following standards:

- Anticipated number of participants.
- Hours of service, location and site plan
- Have or provide bathroom facilities
- Confirmation of security measures
- Lockable containers for cannabis and cash related to the event.

(G) A request for a Temporary Cannabis Event that meets the requirements of this Section shall be approved.

(H) A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The (insert city/town/county) shall notify the applicant of the standards not met and basis for denial.

~~(Optional) Temporary cannabis events shall only be held at (insert local place).~~

~~(Optional) Temporary cannabis events shall only be held during hours specified on application and as approved by the city council. between the hours of (insert start time) and (insert stop time).~~

Section 5. (Optional) Lower-Potency Hemp Edibles

~~A jurisdiction can establish different standards or requirements regarding Low-Potency Edibles. A jurisdiction can consider including the following section and subsections in their cannabis ordinance.~~

~~5.1 Sale of Low-Potency Hemp Edibles~~

~~The sale of Low-Potency Edibles is permitted, subject to the conditions within this Section.~~

~~5.2 Zoning Districts~~

~~If sales are permitted, a jurisdiction can limit what zone(s) the sales of Low-Potency Edibles can take place in. A jurisdiction can also determine if such activity requires a Conditional or Interim Use permit.~~

~~Low-Potency Edibles businesses 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)~~

5.3 (Optional) Additional Standards

5.3.1 Sales within Municipal Liquor Store.

The sale of Low-Potency Edibles is permitted in a Municipal Liquor Store.

5.3.2 Age Requirements.

~~The sale of Low-Potency Edibles is permitted only in places that admit persons 21 years of age or older.~~

5.3.3 Beverages.

The sale of Low-Potency Hemp Beverages is permitted in places that meet requirements of this Section.

5.3.4 Storage of Product.

Low-Potency Edibles shall be sold behind a counter, and stored in a locked case.

Section 6. (Optional) Local Government as a Cannabis Retailer

Howard Lake may establish, own, and operate one municipal cannabis retail business subject to the restrictions in this chapter.

The municipal cannabis retail store shall not be included in any limitation of the number of registered cannabis retail businesses under Section 2.6.

Howard Lake shall be subject to all same rental license requirements and procedures applicable to all other applicants.

Section 7. Use in Public Places

No person shall use cannabis or other products that produce a vapor, steam, smoke or otherwise create a public health issue or nuisance in city parks or inside publicly owned facilities.

~~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.~~

Adopted by the Howard Lake City Council on December 9, 2024.

Attest: _____
City Clerk

Mayor

