

## **Planning commission meeting**

The St. Louis Park planning commission is meeting in person at St. Louis Park City Hall, 5005 Minnetonka Blvd. Members of the public can attend the planning commission meeting in person or watch the regular meeting by webstream at [www.parktv.org](http://www.parktv.org) and on local cable (Comcast SD channel 14 and HD channel 798). Visit [bit.ly/slppccagendas](http://bit.ly/slppccagendas) to view the agenda and reports.

You can provide comment on agenda items in person at the meeting or by emailing your comments to [info@stlouispark.org](mailto:info@stlouispark.org) by noon the day of the meeting. Comments must be related to an item on the meeting agenda.

### **Agenda**

#### PLANNING COMMISSION

1. Call to order – roll call
2. Approval of minutes – September 18, 2024 and October 16, 2024
3. Hearing
  - 3.a. Public hearing: Cannabis zoning ordinance  
Case No: 24-21-ZA
4. Other Business
5. Communications
  - Recognition of service – Katie Merten
6. Adjournment

#### **Future scheduled meeting/event dates:**

November 20, 2024 – planning commission regular meeting **CANCELED**  
December 4, 2024 – BOZA and planning commission meetings  
December 18, 2024 – planning commission regular meeting  
January 8, 2025 – planning commission regular meeting

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## **Planning commission**

Members present: Jim Beneke, Mia Divecha, Matt Eckholm, Sylvie Hyman, Katie Merten, Tom Weber, Jan Youngquist

Members absent: none

Staff present: Sean Walther

Guests: Emily Barker, resident; Paolo Lovagnini, Cuningham Group Architecture, Inc.

- 1. Call to order – roll call.**
- 2. Approval of minutes – Sept. 4, 2024.**

Commissioner Youngquist noted on page 2 that her name was misspelled and should read as, “Youngquist”.

*It was moved by Commissioner Youngquist, seconded by Commissioner Webber, to approve the Sept. 4, 2024 minutes as amended. The motion passed unanimously.*

- 3. Hearings.**
  - 3a. Title: Conditional use permit amendment for Aquila Elementary School, 8500 31<sup>st</sup> St. W.**  
**Applicant: St. Louis Park Public Schools**  
**Case No: 24-18-CUP**

Mr. Walther presented the staff report.

Commissioner Weber noted the addition will be built on an existing playground area. He asked if the exterior playground area will be replaced and open at the same time as the addition is built. Mr. Walther stated he is not sure of the timing, but anticipates this would be occurring at the same time as occupancy and start of school. He noted the applicant’s design team representatives can also answer this during the public hearing.

Mr. Lovagnini noted the play equipment area will not be disturbed during construction, only the paved basketball courts, which will be replaced.

Commissioner Beneke asked for clarification if the CUP is needed because this is a school with more than 20 students, and there is no need for a variance. Mr. Walther stated that is correct and the use has already been approved, and this addition requires an amendment of the site plan which is an official exhibit accompanying the CUP.

Commissioner Youngquist asked about one of the conditions of the approval. She asked about 5b and the access from Wooddale and Highway 7, and if that condition should be included or deleted. Mr. Walther stated that is an error and staff can correct that note the accurate street names for this site.

Commissioner Hyman asked if construction will begin late this fall, while school is in session. Mr. Walther stated yes and noted the applicant's design team can also answer schedule questions.

Commissioner Hyman asked if the updated neighborhood zoning alleviates the need for this kind of approval in the future. Mr. Walther stated no the proposed zoning code updates will not change the CUP requirement.

Chair Divecha opened the public hearing.

Ms. Barker, 3037 Aquila Ave., stated she is excited the school is getting this expanded space. She stated she received the letter for the neighborhood meeting was received only two days before the meeting, and asked if going forward notices can be sent out earlier. She added she is happy to see the addition of trees and green space, and asked if that part will be mandatory, noting the large amount of asphalt at Aquila currently. She stated the asphalt does a disservice to the students and she sees a value in this added space. She stated she hopes this will be mandatory and not dropped if costs get too high.

Ms. Barker asked if the Three Rivers Park trail project will be done in collaboration with the Aquila project. She stated as a resident she prefers less disruption during the projects and stated when she asked both the school and Three Rivers about this, neither of them had any information about each other's projects. She asked that staff make sure these conversations happen so the projects can align as much as possible.

Mr. Walther stated this site plan and is the expectation moving forward.

The architect, Mr. Lovagnini, answered the questions posed. He stated the asphalt will be removed where the addition will be and green space and trees will be added, including the play area as well. He noted that was a request from the district and will not change. He added he did not have information about the Three Rivers trail project but will pass this information on to the construction manager, so they can coordinate and minimize any disruption.

Mr. Lovagnini stated they will work to complete the addition by the beginning of the next school year in 2025, and that is why the project is being pushed forward currently to be sure it is completed.

Mr. Lovagnini noted the construction access will be from the current main entrance of the school, with occasional access on the east side as well for delivery of materials. He noted an underground tank will need to be removed, and stated there is no need to create special access for the project.

Commissioner Youngquist stated she recommends it because there is a regional trail on the west side of this property, there could be conflicts with bicyclists and large truck hauling materials and staff can vet this. She stated trucks maybe should come down Xylon Avenue instead of Aquila Avenue. Mr. Lovagnini agreed and stated the city and construction manager can discuss that.

Commissioner Merten added this information will also be important to get out to the neighborhood.

Commissioner Weber stated this project is part of the referendum approved by residents, and noted it is odd the school district does not have a representative at tonight's meeting. He stated this is a voter-approved initiative, adding he is enthusiastic about this project as it will help meet current enrollment needs. He added he would like it to be communicated throughout the city, noting again he is disappointed the school district is not at this meeting to promote and speak about the project.

Commissioner Merten stated it is an ambitious timeline and she would not want to be in charge of this project.

Chair Divecha closed the public hearing.

Mr. Walther stated the error in conditions noted in the staff report should be amended to access to the project from 31<sup>st</sup> Street to Xylon Avenue to Minnetonka Boulevard. He stated the city's intent is for the haul route to get to major roadways as quickly as possible and limit travel through residential streets. He added his apologies for residents not receiving the neighborhood meeting notice as early as they should have. He stated this information is sent out by the applicant and not the city but added the city's goal is to give 10-14 days' notice and at a minimum 7 days' notice. He stated staff will communicate this to the school district. He clarified the public hearing notice for tonight's meeting was mailed by the city and met the required minimum of 10-days' notice.

Mr. Walther added staff will contact Three Rivers also about the project.

Commissioner Weber noted there is overnight parking allowed on Xylon Avenue and asked if there are any concerns related to that. Mr. Walther stated following city approvals there would be a pre-construction meeting that will address these types of issues including any temporary disruptions to parking.

*It was moved by Commissioner Weber, seconded by Commissioner Youngquist, to approve the conditional use permit amendment with the correction to the hauling route information noted by staff, and the conditions listed in the staff report. The motion passed unanimously.*

**4. Other Business – none.**

**5. Communications.**

Mr. Walther noted the following communications:

- Oct. 9 planning commission meeting is cancelled.
- Oct. 16 a planning commission study session is planned.
- Oct. 28 the planning commission chair and liaison are asked to attend a study session discussion with the city council regarding statutory boards and commissions.
- Board and commission appointment decisions have been delayed to Nov. 18.
- The council discussed at their Sept. 9 study session discussion the zoning code update, and they indicated support for the policy questions while directing staff to move ahead with the formal process when staff is prepared to do so.
- MnDOT will be hosting an open house to address questions regarding the proposed modifications to the highway, ramps and Wayzata Boulevard on Wednesday, Sept. 25, 2024, from 4:30-6:30 p.m. in the City Hall Community Room.

**6. Adjournment – 6:38 p.m.**

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Sean Walther, liaison

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Mia Divecha, chair member

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## **Planning commission**

### **Study Session**

Members present: Jim Beneke, Mia Divecha, Matt Eckholm, Sylvie Hyman, Katie Merten

Members absent: Tom Weber, Jan Youngquist

Staff present: Sean Walther, Gary Morrison

1. Statutory boards and commissions meeting preparation

Mr. Walther presented the report and discussion items.

Mr. Walther stated the Oct. 28th city council meeting is where the planning commission and BOZA will be discussed. He explained the planning commission will share accomplishments from 2024 and future goals, as well as discuss what the planning commission is looking for from city council.

The commissioners agreed the zoning code was the most important item worked on in 2024 that should be focused on at the meeting with city council. Mr. Walther stated phase one is housing, phase two is updating all commercial and other districts and the third phase is related to performance standards such as parking, signs, architectural design, towers, and nonconforming uses.

Chair Divecha stated the commission should present more details to the council during the meeting related to the zoning code updates related to housing as part of 2023-24 accomplishments. Mr. Walther stated the document will be revised and will go to the city council as part of the agenda packet for review in advance and during the commission's presentation.

Commissioner Divecha added the Arrive and Thrive and floodplain ordinance work was of a lesser time commitment by the commission in 2024 and should be separated from audit and zoning work in the summary.

Mr. Walther stated council has asked how they can support the planning commission and will want to discuss this at the council meeting.

Commissioner Merten noted the council usually supports the planning commission's recommendations, which is helpful already.

Unofficial minutes  
Planning commission  
Oct. 16, 2024

Commissioner Eckholm added there is a short turnaround between when the commission makes recommendations and when council acts on the items which provides a form of feedback from council to the planning commission.

Commissioner Eckholm stated he understands why other commissions might not feel as heard by the council but added he has never felt that the work done by planning commission ever goes into a vacuum. He added by nature of this commission there is no reason to feel that way.

Commissioner Divecha stated the commission could also say they appreciate the good alignment between council and planning commission, which is partly due to referencing the city's comprehensive plan and it is this vision that helps to have strategic alignment.

Chair Divecha added the comprehensive plan is critical. She shared that working only on the phases of the zoning has limited discussions to residential zoning. She added this has kept the commission from working on commercial zoning or parking restrictions which can impact residential zoning. Commissioner Hyman agreed this is very limiting.

Commissioner Eckholm agreed also and wished the commission could talk about all of zoning at the same time as focusing on each phase of zoning.

Mr. Walther stated those are fair and constructive criticisms, and noted the discussions were structured around the comprehensive plan implementation strategies and priorities. He stated it may be helpful to take the time to have that discussion before we enter into phases 2 and 3 of the zoning code updates, and he thanked the commission for this valid feedback.

Chair Divecha stated she possibly did not have context in the beginning, but thought there could have been more direction from council on the zoning discussions.

Commissioner Eckholm stated this direction used to come from council prior to covid. He added bringing back face-to-face contact with council and the other boards and commissions would be helpful.

Commissioner Hymen asked if there is any crossover of membership on boards and commissions and noted that it may be helpful. Mr. Walther stated the council does not generally appoint people to serve on multiple boards and commissions because it does not encourage the city's goals to broadening community participation and involve more people in the decision-making process. On some rare occasions boards/commissions have done joint training or met on a common topic.

Chair Divecha also thanked staff for their direction and support of the commission, noting it is what has helped make the planning commission successful, and she wants council to be aware of that.

The commission discussed the stipend for childcare and agreed it would be nice to have a stipend regardless of childcare needs and should be utilized for members' time.

Commissioners Merten and Hyman said stipends would help support other expenses and opportunity costs such as foregone work and should not be limited to childcare expenses. Commissioners noted they would also comment on this to the council as well.

Commissioner Eckholm added he understands the open meeting rules but stated that finding a way to do virtual planning commission meetings, so as to allow a resident to attend a meeting virtually, would be preferable. Mr. Walther stated this has been discussed by council, but the city does not have a dependable technology system available right now to support this in the city and when it was used in the past it did entail additional staff support for meetings. He added commissioners could highlight their interest in this with council again.

Commissioner Eckholm also noted another solution may be to allow residents to leave a voice mail that could be played during hearings and added to the record of comments, provided the person gives their name and address.

Chair Divecha said she would write up comments from this meeting to share with the commissioners and send those comments to Mr. Walther before the city council to review.

## 2. Discussion of Zoning Code update

Mr. Morrison presented the plan for the schedule and strategy items.

Mr. Morrison noted council broadly supported the zoning code and map changes. He also noted a few council concerns related to the zoning ordinance draft and asked the commission to discuss them.

The commission discussed differences between commercial and family daycare within the N1 district. Mr. Morrison presented examples of both types of daycares and when conditional use permits are used and conditions applied.

Mr. Morrison noted other areas for discussion including group homes, corporate ownership of properties, property values, and more examples of how the proposed zoning changes will fit into typical city blocks.

Commissioner Beneke asked if there is any tax advantage to having a 4-plex if someone lives there. Mr. Walther stated with a duplex there is with homesteading, but he was not sure about 4-plexes. He added tax codes are set by the state and not the city.

Mr. Morrison noted the schedule of announcements, information and the public hearing dates related to the ordinance, from Dec. 2024 through Feb. 2025, when action would take place on the zoning ordinance.

## 3. Adjournment – 7:37 p.m.

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### 3a. Cannabis zoning ordinance

#### Executive summary

**Title:** Cannabis zoning ordinance

**Recommended action:** Motion to recommend approval of the cannabis zoning ordinance.

**Summary:** St. Louis Park City Council supported legalizing medical and recreational marijuana at the state-level. The city's regulatory approach to this industry seeks to provide safe, convenient and equitable access for adult use. The regulations intend to protect children and youth and mitigate potential negative impacts for neighbors of these businesses. Council indicated that regulatory approaches to retail sales similar to current on- and off-sale liquor and lower-potency hemp products are appropriate models with some additional controls given this is a new industry for the city.

In 2023, the State of Minnesota passed legislation to legalize the possession, use, manufacturing and sale of certain cannabis products. The law establishes the Office of Cannabis Management (OCM) to oversee the regulation of commercial production and sale of cannabis and related products. Municipalities have the authority to enact regulations related to zoning, local registration, and enforcement of state regulations regarding cannabis sales. OCM will not finalize some regulations until 2025.

Staff recommend the city align on-sale regulations for cannabis edibles with existing on-sale regulations for lower-potency hemp edibles. This would permit on-site consumption of cannabis edibles at food and beverage establishments that are more than 300 feet from a school.

Staff recommend the city permit cannabis retailers, with conditions, in the C-2, MX-1 and MX-2 zoning districts, along with the existing planned unit developments that allow liquor stores. Staff recommends requiring these businesses be at least 1,000 feet from a school, another cannabis retailer and other specified commercial uses. Staff also recommend the city permit with conditions cannabis operations in the I-G zoning district provided they are at least 1,000 feet from a school and other cannabis operations.

**Supporting documents:** Draft cannabis zoning ordinance, [October 7, 2024 city council study session minutes](#), State license types and descriptions, map of 1,000-foot buffer for cannabis retailers

**Prepared by:** Katelyn Champoux, associate planner

**Reviewed by:** Sean Walther, planning manager/deputy community development director

## Discussion

### Background:

In 2023, the State of Minnesota passed legislation to legalize the possession, use, manufacturing, and sale of certain cannabis products. The law establishes the Office of Cannabis Management (OCM) to oversee the regulation of commercial production and sale of cannabis and related products. The OCM is working through the formal rulemaking process to implement the regulatory framework for the adult-use cannabis industry established by the legislation. The agency plans to publish a notice of intent to adopt rules later this year or early next year, which will prompt a 30-day formal comment period.

The legislation allows for 13 different types of business licenses listed in the table below. The OCM will also issue endorsements to license holders to engage in specific activities such as producing, manufacturing, and sale of medical cannabis for patients. The following table shows the business activities allowed under each license type.

License type	Business activity				
	Retail	Manu- facturing	Cultivation	Wholesale	Other
Cannabis microbusiness	X	X	X	X	X
Cannabis mezzobusiness*	X	X	X	X	
Cannabis cultivator*			X	X	
Cannabis manufacturer*		X		X	
Cannabis retailer*	X				
Cannabis wholesaler				X	
Cannabis transporter					X
Cannabis testing facility					X
Cannabis event organizer					X
Cannabis delivery service					X
Lower-potency hemp edible retailer	X				
Lower-potency hemp edible manufacturer		X			
Medical cannabis combination business	X	X	X	X	

\*License types with a statewide cap on the number of licenses available in the general licensing process. The statewide caps are 100 licenses for mezzobusinesses, 50 licenses for cultivators, 24 licenses for manufacturers and 150 licenses for retailers.

### ***Local government roles and responsibilities – zoning***

Municipalities have the authority to enact regulations related to the zoning, local registration, and enforcement of state regulations regarding cannabis sales. Cities may impose reasonable restrictions on the time, place and manner of land use activities. The restrictions typically include:

1. The location (e.g. zoning districts) where the use is allowed.
2. The review and approval process such as administrative (e.g. permitted by right, permitted with conditions) or quasi-judicial (e.g. conditional use permit).
3. Specific standards and conditions that would mitigate potential nuisances and health and safety concerns that may accompany the use.
4. The manner in which such uses may operate, such as limited hours of operation and/or distance separation requirements from other uses.

The legislation allows local governments to enact buffers for cannabis retailers up to 1,000 feet from schools and/or up to 500 feet from residential treatment facilities, athletic facilities, attractions within a public park and childcare facilities.

As part of the state licensing process, the OCM will notify a local government when an applicant intends to operate within their jurisdiction and request certification of zoning compliance. Local governments must complete this certification within 30 days of receiving a copy of an application from OCM. If the OCM does not receive a response within 30 days, the legislation allows the OCM to move forward with issuing the license. It's important to note that the city zoning approval/certification can only be achieved in that timeframe through an administrative process.

### ***Local government roles and responsibilities – retail registration***

Cannabis businesses with the appropriate licenses for retail sales must register with the municipality in which the retail establishment is located, unless the local government has delegated registration authority to the county. Local governments are given authority to suspend a retail registration for up to 30 days, but they may not revoke licenses as this is the responsibility of the OCM.

Local governments that register cannabis retailers may also limit the number of cannabis retailers allowed within their jurisdiction, but they must allow for at least one retail location per 12,500 residents. According to the State Demographer population estimates from 2022 and guidance from the OCM, this would equate to a minimum of four retail locations for St. Louis Park.

### ***Previous decisions and discussions***

In 2023, the city enacted a moratorium on cannabis-related businesses to protect the planning process as it researches and considers zoning controls for cannabis products and related activities. The moratorium expires at the end of 2024. Following enactment of the moratorium, staff began researching potential cannabis zoning ordinances to identify the appropriate regulations for St. Louis Park. City council and planning commission discussed and provided direction on several policy questions related to on-site consumption, retail sales and other

cannabis business activities. The draft cannabis zoning ordinance described in the following section and attached to this report reflect council direction on these policy questions.

### **Present considerations:**

#### ***Land use descriptions for cannabis businesses***

Staff propose adding the following land use descriptions to the zoning code to support implementation of zoning regulations for these businesses.

- *Lower potency hemp retailer* means a retailer that sells packaged lower potency hemp products to the general public. This land use description would apply to cannabis businesses with a lower-potency hemp retailer license.
- *Cannabis retailer* means a retailer that sells packaged cannabis products to the general public and medical patients. This land use description would apply to cannabis businesses with the following licenses: cannabis retailer, cannabis microbusiness with a retail endorsement, cannabis mezzobusiness with a retail endorsement and medical cannabis combination business. This term excludes cannabis operation.
- *Cannabis operation* means a facility where cannabis is grown, processed, or manufactured into various products such as edibles, concentrates, wax, oils and tinctures. This land use description would apply to cannabis businesses with the following licenses: cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis event organizer, and cannabis delivery service. This term excludes cannabis retailer.

#### ***On-site consumption of lower potency hemp and cannabis edibles and beverages***

City council directed staff to regulate the sale of cannabis edibles and beverages for on-site consumption in the same manner as the city currently regulates the sale of lower potency hemp edibles and beverages for on-site consumption. This would allow the sale of cannabis edibles and beverages for on-site consumption at food and beverage establishments located more than 300 feet from a school.

#### ***Cannabis retailers***

City council supports the staff recommendation to align regulations for cannabis retailers closely with those the city has for liquor stores by allowing cannabis retailers as a use permitted with conditions in the C-2 general commercial, MX-1 vertical mixed use, and MX-2 neighborhood mixed use districts. Staff also suggest allowing cannabis retailers as a use permitted with conditions in existing planned unit developments (PUD) that permit liquor stores. Additional conditions for cannabis retailers include prohibiting in-vehicle sales or service (e.g., drive throughs, curbside pickup), prohibiting on-site consumption of lower potency hemp and cannabis edibles and beverages, and requiring all uses to be completely contained within an enclosed building.

Type of business	Permitted with conditions	Separation requirements
Cannabis retailer		1,000 feet from schools
	C-2, MX-1, MX-2, PUD 2, PUD 10, PUD 22, PUD 24	1,000 feet from a pawn shop, currency exchange, payday loan agency, firearm sale or sexually oriented business
		1,000 feet from other cannabis retailers

In October, staff reviewed these recommendations at a city council study session during which one council member indicated a desire for smaller buffers between schools and cannabis retailers. Two other council members supported the 1,000-foot buffer from schools, but also indicated an interest in exploring the buffers further. A majority of the city council members supported requiring a 1,000-foot buffer between cannabis retailers and schools and staff drafted the proposed ordinance with that requirement.

Additionally, while developing these recommendations, staff analyzed the potential impact of the proposed separation requirements from schools and other businesses on the available land on which cannabis retailers would be permitted to locate. The analysis evaluated the percentage of land zoned for C-2, MX-1, MX-2 and applicable PUDs where cannabis retailers would be permitted or prohibited under the proposed ordinance. According to the analysis, the recommended regulations would permit



cannabis retailers to locate in approximately 88% of land zoned for C-2 general commercial, 85% of land zoned for MX-1 vertical mixed use, 84% of land within the existing PUDs that permit liquor stores (2, 10, 22, and 24) and 37% of land zoned for MX-2 neighborhood mixed use. (Note: The percentage of land zoned MX-2 in which cannabis retailers are permitted to locate, after applying the proposed buffers, is lower compared to the other zoning districts given the proximity of these properties to St. Louis Park High School). Staff find this is sufficient land to allow at least the minimum number of cannabis retailers required by statute to locate within the city.

**Cannabis operations**

City council supports the staff recommendation to allow cannabis operation as a use permitted with conditions in the I-G general industrial district under the condition that the use locate a minimum of 1,000 feet from schools and 1,000 feet from another cannabis operation. Staff also

recommend permitting cannabis retailers as an accessory use to a cannabis operation within the I-G general industrial district provided they meet the same conditions required for cannabis retailers as a principal use and occupy a maximum of 25% of the gross floor area of a cannabis operation.

Type of business	Permitted with conditions	Separation requirements
<b>Cannabis operation</b>	I-G	1,000 feet from schools 1,000 feet from another cannabis operation

Staff acknowledge that a cannabis operation may generate odors and noise. Staff find the existing nuisance ordinances, general provisions and performance standards for industrial districts, district- and use-specific provisions, and architectural design standards in the city code will help mitigate impacts and provide regulatory tools to address nuisances caused by any of these activities. Existing provisions limit noise, odor, vibration, glare, heat and waste material; limit hours of operation when abutting residential property; require noise-producing portions of a development to locate away from adjacent residential areas; and prohibit interior and exterior bars, grills, mesh or similar obstructions on doors and windows. As mentioned above, the OCM will also complete the formal rulemaking process which will include environmental controls on odor limits, water use, energy use, and solid waste disposal.

***Racial equity: the racial context of cannabis legalization***

Understanding the racial context of cannabis legalization is important to establishing regulations that remedy past injustices and achieve equitable outcomes. For decades, the criminalization of marijuana has disproportionately impacted communities of color and inflicted harm that lasts generations. Marijuana convictions negatively impact a person by making it more difficult to secure and maintain employment, housing and government assistance. According to the American Civil Liberties Union, despite legalization of cannabis in 24 states and similar cannabis usage rates between White people and people of color, racial disparities in arrests persist to the extent that a Black person is nearly four times more likely than a White person to be arrested for marijuana possession nationwide.

Prospective cannabis business owners already face significant challenges, and the history of racial injustice amplifies these challenges for communities of color. As an example, given that cannabis is still illegal at the federal level, federally insured banks are often reluctant to provide banking services to cannabis businesses. As a result, it is more difficult for cannabis businesses to find funding as they must rely on private investment over loans from banks or credit unions. Additionally, once these businesses are operational, they are often more vulnerable crime targets as predominantly cash-only businesses.

The State of Minnesota has built equity considerations into the adult-use cannabis law that support equitable outcomes at the local level. The legislation establishes a social equity application process to provide early opportunities for communities that experienced a

disproportionate, negative impact from cannabis prohibition and cannabis use. Local governments can support this element of the legislation by evaluating whether their proposed regulations will complement or inhibit the state's efforts.

***Racial equity: an impact analysis of proposed regulations***

In September, staff completed a racial equity impact analysis for local cannabis regulations during which staff identified desired outcomes, evaluated potential unintended consequences of proposed regulations and brainstormed strategies to mitigate these consequences and achieve the desired outcomes. From a zoning perspective, the desired outcomes of cannabis regulations are to 1) limit youth access and exposure to cannabis products and cannabis use, 2) support small and/or locally owned cannabis businesses so that they may locate and thrive in our city, and 3) distribute cannabis businesses throughout the city to mitigate disproportionate negative impacts on communities of color resulting from concentrations of these businesses and promote equitable access to these products by adults age 21+.

Following this discussion, staff reviewed available demographic and crime data to further assess the equity implications of the proposed zoning ordinance. For example, staff used the city's Climate Equity Map to identify areas of the city with larger percentages of residents who identify as people of color and areas of the city with comparatively lower median household incomes. Staff compared this data to the zoning districts proposed to permit cannabis businesses to evaluate whether people of color and/or lower-income residents may bear a larger burden compared to white residents and residents with higher incomes. The spatial analysis did not indicate the proposed zoning ordinance would result in a disproportionate impact on these communities. Additionally, staff find the proposed buffer between cannabis retailers and schools would help reduce youth access and exposure to cannabis products without prohibiting these businesses from locating in each quadrant of the city. The proposed buffer between cannabis retailers will also mitigate concentrating these businesses in one area of the city.

Notwithstanding the preliminary findings, it is important to note that this is an ongoing conversation that will likely need to continue after council adoption of the cannabis zoning ordinance. Moving forward, staff will continue to evaluate the racial equity implications of the proposed zoning regulations, develop strategies to achieve desired outcomes and identify metrics to monitor the impact of policy implementation so that the city may adjust as needed.

**Regulations for cannabis businesses outside the zoning code:**

Previous discussions with city council also touched on several topics including hours of operation for cannabis businesses and limits on the number of cannabis retailers permitted to locate in the city. Staff find it more appropriate to place these regulations in the registration section of city code rather than zoning but want to summarize previous discussions with city council for future reference.

Several city council members indicated a desire for further discussion of hours of operation. State Statute prohibits cannabis businesses with a retail endorsement to sell cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products between 2:00 a.m. and 8:00 a.m. Monday through Saturday and between 2:00 a.m. and 10:00 a.m. on Sunday. A city or county may adopt an ordinance to prohibit sales between 9:00 p.m. and 2:00

a.m. or between 8:00 a.m. and 10:00 a.m. Monday through Saturday. City council will have the opportunity to discuss hours of operation for cannabis businesses located within St. Louis Park at a later date when they review an ordinance related to registration of these business. Limiting hours of operation specific to cannabis businesses is not included in the zoning code.

In October, staff recommended limiting the number of cannabis retailers allowed to locate within the city to one retailer per 12,500 residents so that they city may track business interest, monitor administration of the new regulations, and adjust as needed. The majority of council members supported a limit of one retailer per 12,500 residents. One council member did not support limiting the number. Two other council members supported setting a limit on the number of cannabis retailers with one indicating a preference for a higher cap and the other indicating a desire to start with one retailer per 12,000 residents and reevaluate every year. Staff will suggest limits for cannabis retailers based on the city council majority's policy direction. This will be part of the registration ordinance and is not included in the zoning ordinance.

**Next steps:**

The council must take final action on the proposed zoning ordinance by December 2, 2024, for the regulations to go into effect by the expiration of the city's moratorium on cannabis-related businesses on January 1, 2025. The council will subsequently need to repeal related licensing regulations and adopt registration requirements. The following table outlines the future actions for the proposed cannabis zoning ordinance.

Future actions	Governing body	Date
First reading of cannabis zoning ordinance	City council	November 18, 2024
Second reading of cannabis zoning ordinance	City council	December 2, 2024
Cannabis zoning ordinance goes into effect	n/a	January 1, 2025

## License types and descriptions

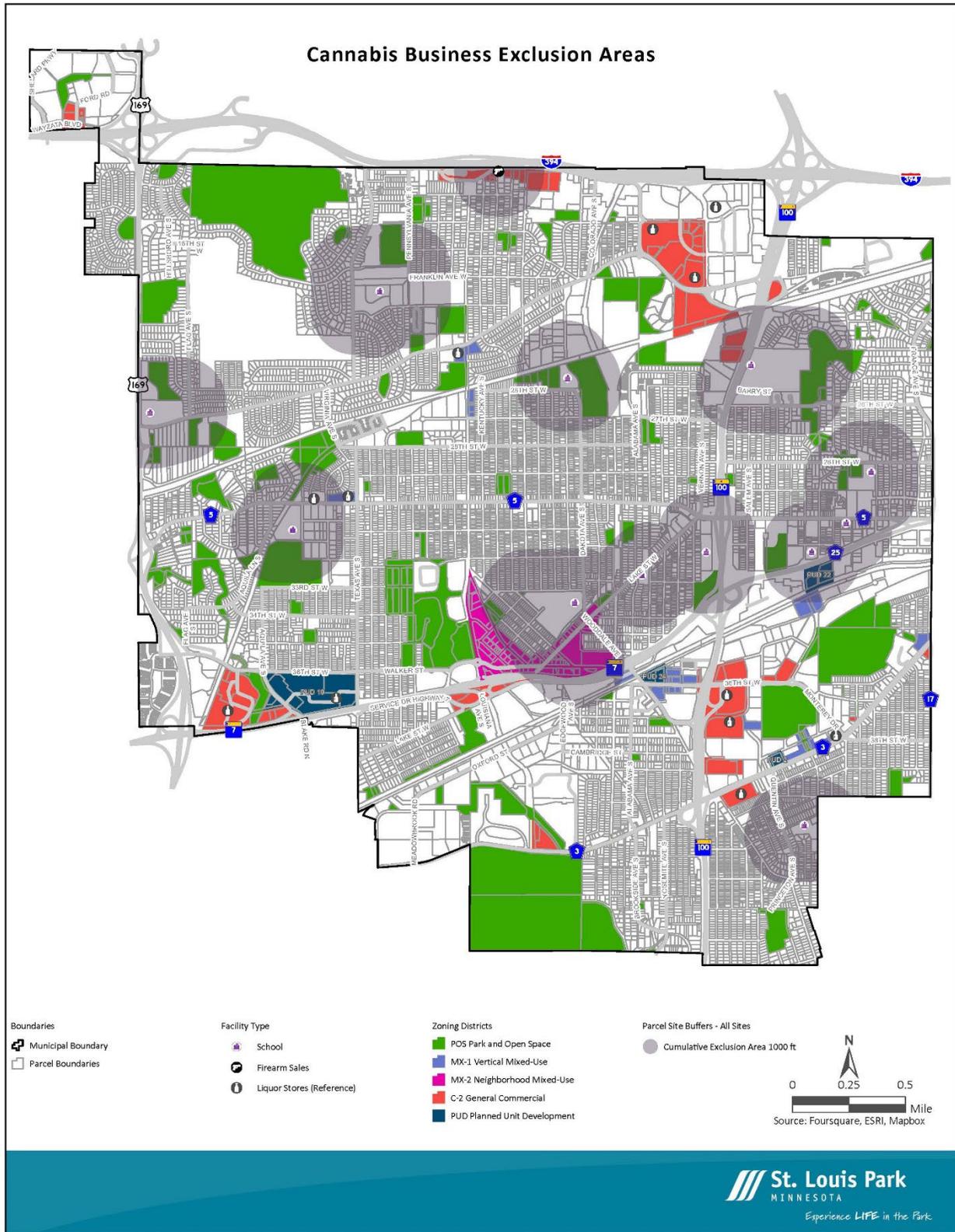
The following table provides definitions of cannabis business licenses provided by the OCM.

License type	Description
<b>Cannabis microbusiness</b>	A microbusiness may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Microbusinesses may also operate a single retail location and/or operate an establishment that permits on-site consumption of edible cannabis products and lower-potency hemp edibles.
<b>Cannabis mezzobusiness</b>	A mezzobusiness may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Mezzobusinesses may also operate up to three retail locations.
<b>Cannabis cultivator</b>	A cultivator may cultivate cannabis and package such cannabis for sale to another licensed cannabis business.
<b>Cannabis manufacturer</b>	A manufacturer may manufacture cannabis products and hemp products, and package such products for sale to a licensed cannabis retailer.
<b>Cannabis retailer</b>	A retailer may sell immature cannabis plants and seedlings, cannabis, cannabis products, hemp products, and other products authorized by law to customers and patients.
<b>Cannabis wholesaler</b>	A wholesaler may purchase and/or sell immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from another licensed cannabis business. Wholesalers may also import hemp-derived consumer products and lower-potency hemp edibles.
<b>Cannabis transporter</b>	A transporter may transport immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products to licensed cannabis businesses.
<b>Cannabis testing facility</b>	A testing facility may obtain and test immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from licensed cannabis businesses.
<b>Cannabis event organizer</b>	An event organizer may organize a temporary cannabis event lasting no more than four days.
<b>Cannabis delivery service</b>	A deliver service may purchase cannabis, cannabis products, and hemp products from retailers or cannabis business with retail endorsements for transport and delivery to customers.
<b>Lower-potency hemp edible retailer</b>	A lower-potency hemp edible retailer may sell lower-potency hemp edibles to customers.

<b>Lower-potency hemp edible manufacturer</b>	A lower-potency hemp edible manufacturer may manufacture and package lower-potency hemp edibles for consumer sale, and sell hemp concentrate and lower-potency hemp edibles to other cannabis and hemp businesses.
<b>Medical cannabis combination business</b>	A medical cannabis combination business may cultivate cannabis and manufacture cannabis and hemp products, and package such products for sale to customers, patients, or another licensed cannabis business. Medical cannabis combination businesses may operate up to one retail location in each congressional district.

### Map of 1,000-foot buffer for cannabis retailers

This map was generated in July 2024 and is subject to change based on the location of schools and cannabis businesses.



**Ordinance No. XXX-XX**

**Ordinance amending Chapter 36 of the St. Louis Park City Code related to cannabis legalization**

**The city council of the City of St. Louis Park does ordain:**

**Whereas**, the State of Minnesota passed legislation to legalize the possession, use, manufacturing and sale of certain cannabis products, and

**Whereas**, municipalities have the ability to enact regulations related to zoning, local registration and enforcement of state regulations regarding cannabis sales, and

**Whereas**, municipalities may impose reasonable restrictions on the time, place and manner of land use activities, and

**Whereas**, the planning commission conducted a public hearing on November 6, 2024 on the ordinance, and

**Whereas**, the city council has considered the advice and recommendation of the planning commission (case no. 24-21-ZA), and

**Now, therefore be it resolved** that the following amendments shall be made to Chapter 36 of the city code pertaining to zoning:

**Section 1.** Definitions. Section 36-4 of the St. Louis Park City Code is hereby amended to add the following underlined text.

*Cannabis edible* means any product that is intended to be eaten or consumed as a beverage by humans; contains a cannabinoid in combination with food ingredients; is not a drug; and is a type of product approved for sale by the state of Minnesota, or is substantially similar to a product approved by the state of Minnesota including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods. This does not include lower-potency hemp edibles.

*Cannabis product* means cannabis concentrate, a product infused with cannabinoids including but not limited to tetrahydrocannabinol extracted or derived from cannabis plants or cannabis flower, or any other product that contains cannabis concentrate. It includes all adult-use cannabis products, including but not limited to cannabis edibles and medical cannabinoid products. It does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.

*Hemp-derived consumer product* means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and either contains or consists of hemp plant parts, or contains hemp concentrate or artificially

derived cannabinoids in combination with other ingredients. It does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

Lower-potency hemp edible means any product that is intended to be eaten or consumed as a beverage by humans; contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients; is not a drug; is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods; and meets other criteria outlined in Minnesota Statute.

**Section 2.** Authorized home occupations. Section 36-83(b) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(12) The home occupation does not include any of the following uses: auto body/painting, motor vehicle sales, motor vehicle service and repair, small engine repair, massage, medical/dental office, animal handling, restaurant, firearm sales, currency exchange, payday loan agency, sexually oriented business, ~~or~~ high-impact sexually oriented business, cannabis retailers, lower-potency hemp edible retailers, or cannabis operations.

**Section 3.** Residential uses. Section 36-142(a) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(7) Live-work unit means a dwelling unit that includes space for the gainful employment of a resident of the dwelling unit and up to two workers who may not be residents of the dwelling unit. The floor area devoted to the business use may not exceed the floor area devoted to the residential use within the unit. Any space that will be used by walk-in customers of the business must be accessible from an exterior entrance that is not used to access other residential units. With the exception of the exterior entrance, the business cannot substantially alter the exterior of the property or substantially affect the character of the neighborhood or the health, safety and welfare of the residents. The business space must be designed to permit conversion to residential space with minimum work and no structural changes. Uses which are not allowed include but are not limited to the following: uses classified as industrial; appliance, small engine and bicycle repair; motor vehicle sales; motor vehicle service and repair; pawnshops; animal handling; bars; food service; restaurants; private entertainment; ~~and~~ sexually oriented businesses; and cannabis businesses.

**Section 4.** Commercial uses. Section 36-142(d) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(10) Cannabis operation means a facility where cannabis is grown, processed or manufactured into various products such as edibles, concentrates, wax, oils, and

tinctures. This land use description would apply to cannabis businesses with the following licenses: cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis event organizer, and cannabis delivery service. This term excludes cannabis retailer.

~~(21)~~ (11) *Marijuana dispensary Cannabis retailer* means a dispensary location where patients or consumers can access cannabis in a legal and safe manner. Users get assistance from experts (bud tenders) who find an optimal dosage and recommend the delivery method to achieve optimal results when using medical cannabis retailer that can purchase immature cannabis plants and seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products and other products allowed by the state of Minnesota from other cannabis businesses and sell or otherwise convey them to customers. This land use description would apply to cannabis businesses with the following licenses: cannabis retailer, cannabis microbusiness with a retail endorsement, cannabis mezzobusiness with a retail endorsement and medical cannabis combination business. This term excludes cannabis operation.

(22) *Lower-potency hemp edible retailer* means a retailer that sells lower-potency hemp edibles to consumers. This land use description would apply to cannabis businesses with a lower-potency hemp edible retailer license.

~~(36)~~ (39) *Restaurant* means an establishment whose principal business is the sale of food and beverages which are prepared and served in individual portions in a ready-to-consume state for consumption on site. This use is often found in conjunction with bars, hotels, and food service. It is preferably located on major thoroughfares with no access to residential streets. Characteristics include late hours of operation, refuse, high car and truck traffic generation, and cooking odors. Outdoor seating for restaurants is considered part of the principal use and does not require additional parking. A food service or deli is not considered to be a restaurant if seating is provided for ten or fewer persons. Restaurant uses are divided into the following subcategories:

a. *Restaurant, sit-down*: Sit-down eating establishments that may allow or require reservations. Patrons commonly wait to be seated, are served by wait staff, order from a menu, and pay after the meal. Lounge or bar facilities may be accessory uses. Sale of lower potency hemp edibles and cannabis edibles for consumption on-site, with the appropriate licenses or registrations, may be an accessory use.

b. *Restaurant, fast-food with or without drive-through window*: This restaurant type features large carry-out clientele, long hours of service, and high turnover rate for eat-in dine-in customers (around 30 minutes). There is no or limited table service, and customers typically order from a menu board and pay before

receiving the meal. Sale of lower potency hemp edibles and cannabis edibles for consumption on-site, with the appropriate licenses or registrations, may be an accessory use.

~~(37)~~ (40) *Retail* means a facility where merchandise or equipment is displayed and rented or sold and where delivery of merchandise or equipment to the ultimate consumer is made. This use includes limited production, repair or processing as an accessory use. Hours of operation generally begin after the a.m. peak traffic period and extend to time ranges from 5:00 p.m. to 10:00 p.m.; although some convenience stores and grocery stores are open 24 hours per day. Characteristics generally include high parking demand and high off-peak traffic generation; generally prefers high visibility and access to major thoroughfares. This use includes but is not limited to camera shops, clothing stores, department stores, grocery stores, discount stores, jewelry stores, delicatessens, retail bakeries, toy stores; but excludes restaurants, bars, pawn shops, motor vehicle sales, motor fuel stations, and large item retail, cannabis retailers and lower-potency hemp edible retailers.

**Section 5.** Industrial uses. Section 36-142(e) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(6) *Hemp processor* means a facility that converts raw hemp into a product for commercial purposes. Hemp plants or hemp plant parts are refined from their natural or original state after harvest by refinement such as, but not limited to, decortication, devitalization, extraction, crushing, or packaging.

~~(7)~~ (8) *Low impact manufacturing and processing* means a facility that engages in the production of a physical commodity or changing the form of a raw ingredient within a fully enclosed structure. Such uses do not result in noxious or offensive odors, sounds, vibrations, emissions, smoke or external nuisances upon adjacent properties. It may include administrative offices, warehousing and distribution. This use does not include outdoor storage or overnight outdoor storage of commercial vehicles. This use includes lower-potency hemp edible manufacturers. (Ord. No. 2414-12)

**Section 6.** Uses permitted with conditions. Section 36-193(c) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(28) Lower-potency hemp edible retailers. The conditions for lower-potency hemp edible retailers are that the use shall be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

**Section 7.** Uses permitted with conditions. Section 36-194(c) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(22) High impact sexually-oriented business. The conditions are as follows:

b. No person shall operate a high impact sexually-oriented business on property, any part of which is within the area circumscribed by a circle which has a radius of 1,000 feet from of another high impact sexually-oriented business, pawnshop, currency exchange, payday loan agency, firearms sales, ~~or~~ liquor store, or cannabis retailer.

(25) Cannabis retailer. The conditions are as follows:

a. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

b. The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

c. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

d. In vehicle sales or service is prohibited.

e. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

f. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

(26) Lower-potency hemp edible retailers. The conditions are as follows:

a. The lot must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

**Section 8.** Uses permitted by conditional use permit. Section 36-194(d) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(16) Pawnshops. The conditions are as follows:

a. The lot must be at least 1,000 feet from the property line of a site containing another pawnshop, currency exchange, payday loan agency, firearms sales, liquor store, ~~or sexually-oriented business,~~ or cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the pawnshop.

(17) Payday loan agency and currency exchange:

a. The lot must be at least 1,000 feet from the property line of a site containing a pawnshop, currency exchange, payday loan agency, firearms sales, liquor store, ~~or sexually-oriented business,~~ or cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the payday loan agency or currency exchange.

(18) Firearm sales:

a. The lot must be at least 1,000 feet from the property line of a site containing a pawnshop, currency exchange, payday loan agency, liquor store, ~~or sexually-oriented business,~~ or cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the ~~payday loan agency or currency exchange~~ firearm sales.

**Section 9.** Uses permitted with conditions. Section 36-223(c) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(23) Lower-potency hemp edible retailers. The conditions are as follows:

a. The lot must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

**Section 10.** Uses permitted with conditions. Section 36-233(c) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(14) Lower-potency hemp edible retailers. The conditions are as follows:

a. The lot must be located a minimum of 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the

distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

**Section 11.** Uses permitted with conditions. Section 36-244(c) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(18) Cannabis operation / hemp processor. The conditions are as follows:

a. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis producer.

b. The lot must be at least 1,000 feet from the property line of a site containing a cannabis operation. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis producer.

c. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

**Section 12.** Accessory uses. Section 36-244(e) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(13) Cannabis retailer. The conditions are as follows:

a. The use shall locate within a cannabis operation.

b. The use shall occupy a maximum of 25% of the gross floor area of a cannabis operation.

c. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

d. The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

e. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

f. In vehicle sales or service is prohibited.

g. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

h. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

**Section 13.** Mixed use district uses. Table 36-263(b) of the St. Louis Park City Code is hereby amended to add the following underlined text.

	Primary Street Frontage	Secondary Street Frontage
<b>COMMERCIAL USES</b>		
...	...	...
Business/trade school/college	PL	P
<u>Cannabis retailer</u>	<u>PC</u>	<u>PC</u>
Dental office, Medical office	P	P
...	...	...
Liquor store	CUP	CUP
<u>Lower potency hemp edible retailer</u>	<u>PC</u>	<u>PC</u>
Offices	P	P
...	...	...

**Section 14.** Uses permitted with conditions (PC). Section 36-264(d) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(14) Cannabis retailer. The conditions are as follows:

a. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

b. The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

c. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

d. In vehicle sales or service is prohibited.

e. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

f. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

(15) Lower-potency hemp edible retailers. The conditions are as follows:

a. The lot must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

**Section 15.** Neighborhood mixed use district uses. Table 36-264(b) of the St. Louis Park City Code is hereby amended to add the following underlined text.

Principal Use	Primary and Secondary Street Frontage
<b>COMMERCIAL USES</b>	
...	...
Brewery	PC
<u>Cannabis retailer</u>	<u>PC</u>
Food service	PC
...	...
Liquor store	PC
<u>Lower potency hemp edible retailer</u>	<u>PC</u>
Medical/dental office	P
...	...

**Section 16.** Uses permitted with conditions (PC). Section 36-265(d) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(25) Cannabis retailer. The conditions are as follows:

a. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

b. The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

c. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

d. In vehicle sales or service is prohibited.

e. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

f. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

(26) Lower-potency hemp edible retailers. The conditions are as follows:

a. The lot must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

**Section 17.** Section 36-268-PUD 2(c) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(1) Commercial uses. Commercial uses limited to the following: bank, food service, grocery store, large item retail, liquor store, medical or dental office, office, private entertainment (indoor), retail, service, showroom, limited animal handling, ~~and studio,~~ cannabis retailer and lower potency hemp edible retailer. The commercial uses shall meet the following conditions:

a. Commercial uses are limited to the first floor.

b. Hours of operation, including loading/unloading of deliveries, for commercial uses shall be limited to 6 a.m. to 12 a.m.

c. In vehicle sales or service is prohibited.

d. Restaurants are prohibited.

e. Outdoor storage is prohibited.

f. A lot with a cannabis retailer must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

g. A lot with a cannabis retailer must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

h. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

i. Cannabis retailers shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

j. On-site consumption of lower potency hemp or cannabis edibles and beverages is prohibited.

k. A lot with a lower potency hemp edible retailer must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

**Section 18.** Section 36-268-PUD 10 of the St. Louis Park City Code is hereby amended to add the following underlined text.

(c) Uses permitted with conditions.

(1) Cannabis retailer. The conditions are as follows:

a. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

b. The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

c. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

d. In vehicle sales or service is prohibited.

e. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

f. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

(2) Lower-potency hemp edible retailer. The conditions are as follows:

a. The lot must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

**Section 19.** Section 36-268-PUD 22(b)(2) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(a) Commercial uses. Commercial uses limited to the following: bank, coffee shop, food service, grocery store, large item retail, liquor store, medical or dental office, office, private entertainment (indoor), restaurants, service, showroom, ~~and~~ studio, cannabis retailer and lower potency hemp edible retailer. These commercial uses shall meet the following conditions.

i. Commercial uses are limited to the first floor.

ii. Hours of operation, including loading/unloading of deliveries, for commercial uses shall be limited to 6 a.m. to 12 a.m.

iii. In vehicle sales or service is prohibited.

iv. Outdoor storage is prohibited.

v. A lot with a cannabis retailer must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use

building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

vi. A lot with a cannabis dispensary must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

vii. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

viii. Cannabis retailers shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

ix. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

x. A lot with a lower potency hemp edible retailer must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

**Section 20.** Section 36-268-PUD 24(b)(2) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(a) Commercial uses. Commercial uses limited to the following: bank, coffee shop, food service, grocery store, large item retail, liquor store, medical or dental office, office, private entertainment (indoor), restaurants, retail, service, showroom, ~~and~~ studio, cannabis retailer and lower potency hemp edible retailer. These commercial uses shall meet the following conditions.

i. Commercial uses are limited to the first floor.

ii. Hours of operation, including loading/unloading of deliveries, for commercial uses shall be limited to 6 a.m. to 12 a.m.

iii. In vehicle sales or service is prohibited.

iv. Outdoor storage is prohibited.

v. A lot with a cannabis retailer must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use

building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

vi. A lot with a cannabis retailer must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

vii. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

viii. Cannabis retailers shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

ix. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

x. A lot with a lower potency hemp edible retailer must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

**Section 21.** Required quantity. Table 36-361(a) of the St. Louis Park City Code is hereby amended to add the following underlined text.

<b>Use</b>	<b>Number of Parking Spaces</b>
<b>Commercial Uses</b>	
...	...
Bed and breakfast	Two spaces, plus one space per each room for rent.
<u>Cannabis retailer/ lower potency hemp edible retailer</u>	<u>Minimum: One space per each 250 square feet floor area. Maximum: One space per each 150 square feet floor area.</u>
Catering	One space per each 500 square feet floor area
...	...
<b>Industrial Uses</b>	
<u>Cannabis operation / hemp processor</u>	<u>Five spaces plus one per each 500 square feet of floor area.</u>
Manufacturing, fabrication, or processing	Five spaces plus one per each 500 square feet of floor area.
...	...

**Section 22.** Off-street parking areas, paved areas, and loading spaces. Required quantity. Table 36-361(b) of the St. Louis Park City Code is hereby amended to add the following underlined text.

Current Land Use Category	Require Off-Street Minimum	Required Off-Street Maximum
<b>Commercial Uses</b>		
Bank	1 space/250 square feet floor area	1 space/200 square feet floor area
<u>Cannabis retailer/ lower potency hemp edible retailer</u>	<u>1 space/400 square feet floor area</u>	<u>1 space/400 square feet floor area</u>
Catering	1 space/500 square feet floor area	1 space/500 square feet floor area
...	...	

**Section 23.** This ordinance shall take effect no sooner than fifteen days after its passage and publication.

First Reading	November 18, 2024
Second Reading	December 2, 2024
Publication	December 12, 2024
<b>Effective date</b>	<b>January 1, 2025</b>

Reviewed for administration:

Adopted by the city council \_\_\_\_\_, 2024

By: \_\_\_\_\_  
Kim Keller, city manager

By: \_\_\_\_\_  
Nadia Mohamed, mayor

Attest:

Approved as to form and execution:

\_\_\_\_\_  
Melissa Kennedy, city clerk

\_\_\_\_\_  
Soren M. Mattick, city attorney