



AGENDA

City of Fergus Falls Planning Commission Meeting
Fergus Falls, MN
April 22, 2024 at 5:15 PM

1. Call to order
2. Approval of Minutes from March 25, 2024
3. Approval of Agenda
4. New Business
 - a. Cannabis Zoning
5. Old Business
6. Adjourn

IF YOU HAVE SPECIAL NEEDS FOR ACCOMMODATIONS, PLEASE CALL 218-332-5427 OR TDD 1-800-627-3529 TTY, ASCII (MINNESOTA RELAY SERVICE).

PLANNING COMMISSION MINUTES
March 25, 2024

The Fergus Falls Planning Commission held a regular meeting on March 25, 2024 in the Council Chambers of City Hall. Chair Kilde called the meeting to order at 5:15 PM. Present were Laurel Kilde, Sarah Duffy, Wayne Schuett, Mike Walls, Nate Kunde, and Paul Vukonich. Absent was Ryan Fullerton. Staff present were Klara Beck and Jill Hanson.

APPROVAL OF AGENDA

Motion to approve the agenda by Commissioner Duffy and seconded by Commissioner Kunde. Passed unanimously.

APPROVAL OF MINUTES

Commissioner Duffy made a motion to approve the minutes from February 26, 2024. It was seconded by Commissioner Kunde. Passed unanimously.

DISCUSSION ITEMS

4a. SIGN ORDINANCE UPDATES

Community Development Manager Klara Beck presented handouts for the sign ordinance discussion, outlining the process used for the documents. Chair Kilde suggested that members review the highlighted sections of the handouts to ensure consensus on the proposed changes. Discussion ensued regarding sandwich board code and the exemption of window signs that cling to the window. Seasonal sign language was removed from the draft code and integrate into the temporary sign regulations. Klara mentioned that staff had consulted sign ordinances from other communities to assist in drafting our code changes.

Discussion followed regarding billboards, questioning the rationale behind the 800 feet spacing requirement between billboards. Klara agreed to investigate the guidelines for billboards. She also committed to updating the code language and preparing a comparison document for the PC's review.

4b. ACCESSORY STRUCTURES

Accessory Dwelling Units (ADUs)

Klara Beck highlighted the limited language in the current code concerning ADUs. She noted the increasing popularity of ADUs as a means of providing affordable housing options and maximizing land use efficiency. While other municipalities in Minnesota have embraced ADUs, our city code does not readily accommodate them in residential zones.

Accessory Structures on adjacent parcels

Klara Beck explained the current regulations prohibiting the construction of accessory structures on adjacent parcels without a primary structure. This restriction limits property owners' flexibility in utilizing land they own adjacent to their primary structures.

Shipping Containers as accessory structures

Klara Beck mentioned both code enforcement and zoning for the City of Fergus Falls have fielded questions regarding the use of shipping containers as accessory structures in residential zones over the last year, but our current code does not address shipping containers specifically. Some Minnesota municipalities permit their temporary use for specific storage purposes. Others strictly prohibit their use. Some allow them as accessory structures subject to regulations governing setbacks, aesthetics, and building code.

Discussion ensued regarding accessory structures, with the PC expressing support for amendments to the zoning code to allow for more options for property owners. Klara proposed forming a subcommittee to initiate discussions on ADUs and explore potential amendments to the zoning code. Chair Kilde, Commissioner Duffy, and Commissioner Kunde volunteered to serve on the subcommittee. Chair Kilde noted the subcommittee could also take on the work of reviewing nuisance ordinance.

4c. INDOOR/OUTDOOR STORAGE IN B-6 ZONES

Klara Beck explained that current regulations within the B-6, Sub-Regional Shopping Center Business District do not permit storage activities except through an Interim Use Permit. Following recent discussions with parties interested in purchasing properties in B-6 zones for uses including indoor or indoor and outdoor storage, the PC expressed support for the incorporation of language into the B-6 code that may enable indoor/outdoor storage in B-6 zones.

STAFF UPDATES

None

The meeting adjourned at **6:20 PM**.

Community Development Manager



Planning Commission Memo

Page 1 of 1

Meeting Date:

April 22, 2024- Planning Commission

Subject:

Cannabis zoning

Recommendation:

Discuss the impact of buffer zones around schools, childcare facilities, and playgrounds and recommend reasonable zoning regulation(s) for various cannabis businesses to the City Council.

Background/Key Points:

The Council Cannabis Committee convened with representatives from the Planning Commission on April 10, 2024, at the Police Department community room from noon to about 1:20 PM. Attendees included council members Laura Job, Scott Rachels, Scott Kvamme, Mayor Ben Schierer, Planning Commission members Laurel Kilde, Mike Walls, Wayne Schuett, and city staff members Andrew Bremseth, Lynne Olson, Kile Bergren, and Klara Beck.

Chief Bergren introduced discussion focusing on buffer zones. Per [Minnesota Statute 342.13](#) “(c) A local unit of government may adopt reasonable restrictions on 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. A local unit of government may prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.”

Various opinions were expressed regarding which zones should permit cannabis sales/manufacturing, with some council members suggesting restricting business to B-6 and industrial zones. Conditional Use Permits were discouraged due to concerns about complexities. Council prefers the regulations be straightforward and clear for easy regulation. Concerns were raised regarding signage near minors and questions asked regarding the density of retail facilities.

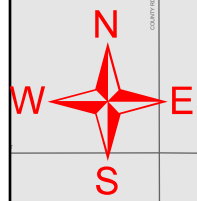
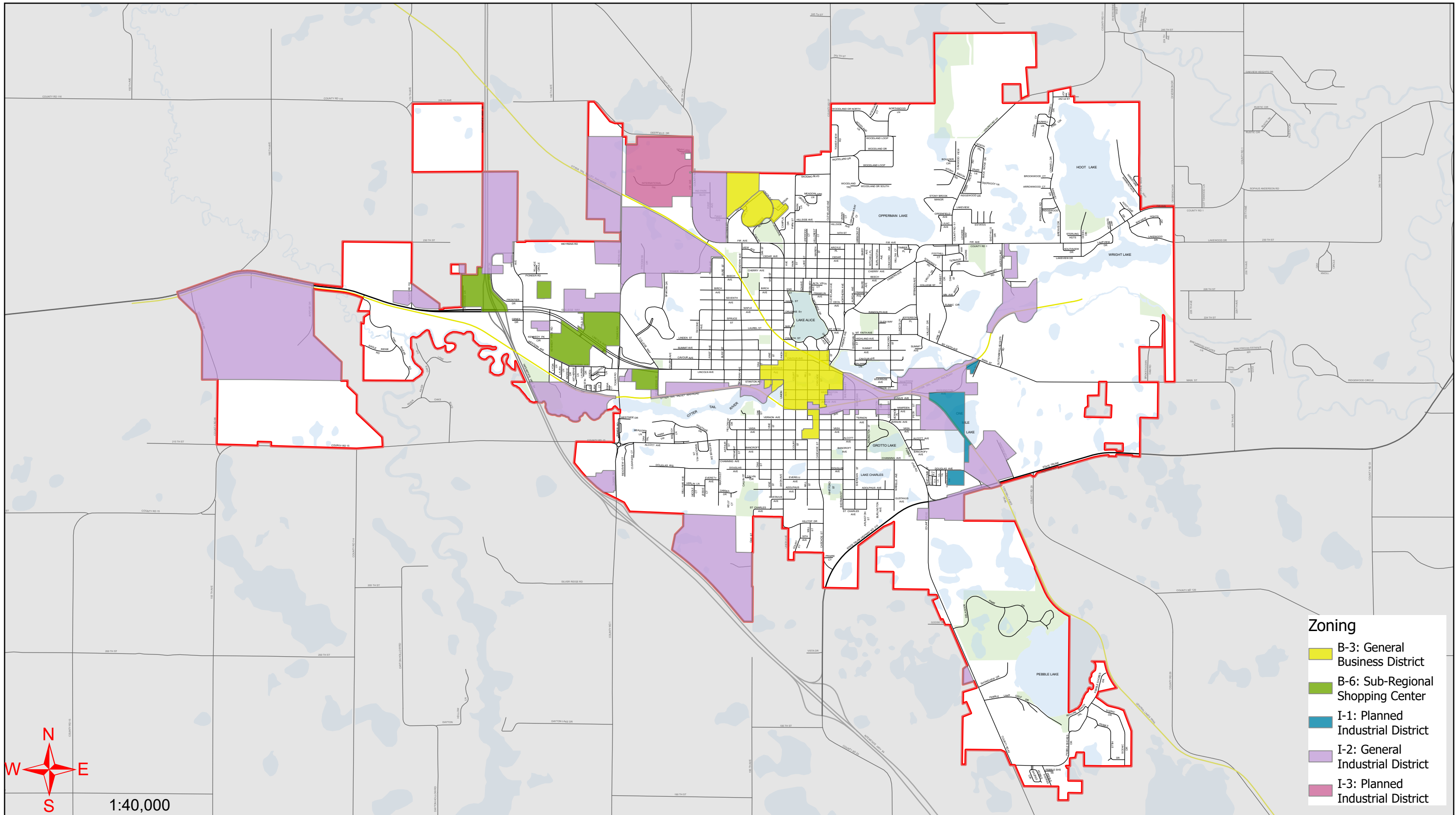
The request of Planning Commission is to discuss the question of buffer zones and zoning for retail and manufacturing in preparation for state licensing as early as the summer of 2024.

Originating Department:

Community Development

Respectfully Submitted:

Klara Beck

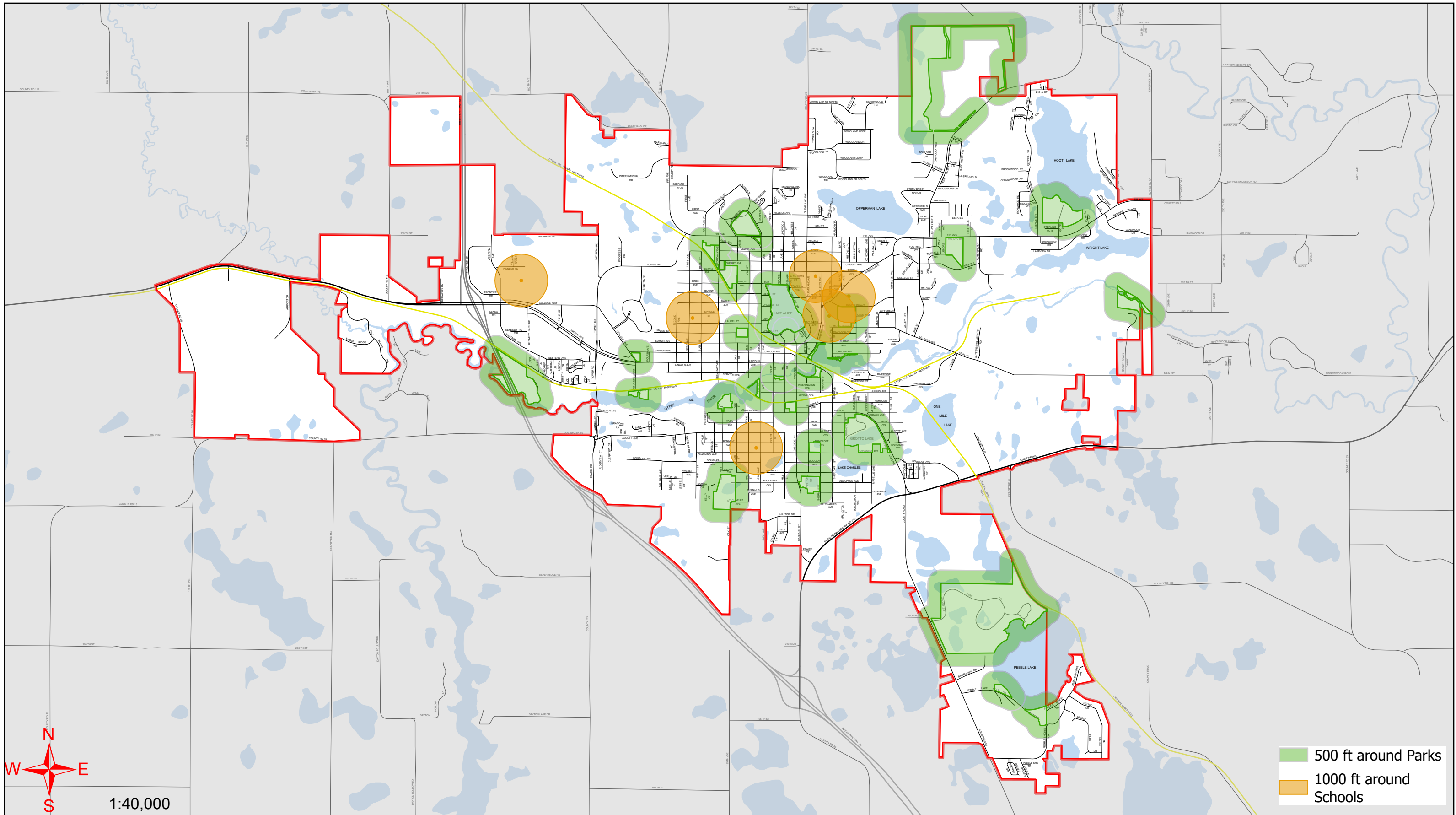


1:40,000



City of Fergus Falls Business and Industrial Zones

This map has been compiled from information on file at the City of Fergus Falls Engineering Department. The City of Fergus Falls makes no representation and assumes no liability for errors, omissions, or inaccuracies contained on this map. This map should not be used for boundary survey information.



500 ft around Parks
 1000 ft around Schools



City of Fergus Falls Areas Around Parks and Schools

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FERGUS FALLS POLICE DEPARTMENT

122 West Junius Avenue, Fergus Falls, MN 56537
PHONE (218) 332-5555 , FAX (218) 332-5554

To: Mayor and City Council
From: Kile Bergren, Chief of Public Safety
Ref: Cannabis Business Definitions
Date: March 28, 2024

At the March 27, 2024, Committee of the Whole meeting, a request was made for more definition or clarification of the different types of cannabis businesses and licenses. Below is a generalized guide to the various types of licenses and what types of activities are allowed at each establishment.

The full definition and statutes pertaining to licensing and operation can be found on the Minnesota Revisor site, www.revisor.mn.gov, along with the corresponding statute numbers provided.

Cannabis Retailer (342.32)

Allows the license holder to purchase immature plants and seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived cannabis products from cannabis microbusinesses, mezzobusinesses, cannabis cultivators, manufactures, and wholesalers;

Sell immature plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other authorized products.

A cannabis retailer may operate up to five retail locations.

Cannabis Mircobusiness (342.28)

Grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant, make cannabis concentrate, make hemp concentrate, manufacture artificially derived cannabinoids, manufacture adult-use cannabis and hemp products, purchase immature plants and seedlings from a micro, mezzo, manufacturer, and cannabis wholesaler, purchase hemp and hemp concentrate, package and label adult-use cannabis flower and products, sell immature plants and seedlings.

Can operate an onsite establishment that permits consumption of edible cannabis products.

Can offer other food and beverages and provide live or recorded entertainment.

An indoor grow facility of up to 5,000 square feet or up to ½ acre of outdoor grow.

May operate one retail location.

Cannot sell or allow the consumption of alcohol or tobacco on the premises.

Cannabis Mezzobusiness (342.29)

Can do everything a Microbusiness can plus:

Process medical cannabinoid products.

Indoor grow operation of up to 15,000 square feet or one acre of outdoor grow.

May operate up to three retail locations.

Does not allow for onsite consumption or entertainment.

Cannabis Cultivator (342.30)

Can grow and sell plants, harvest and package cannabis and transport.

Indoor grow of up to 30,000 square feet or two acres or outdoor grow.

Cannabis Manufacturer (342.31)

Can purchase cannabis flower, products, hemp.

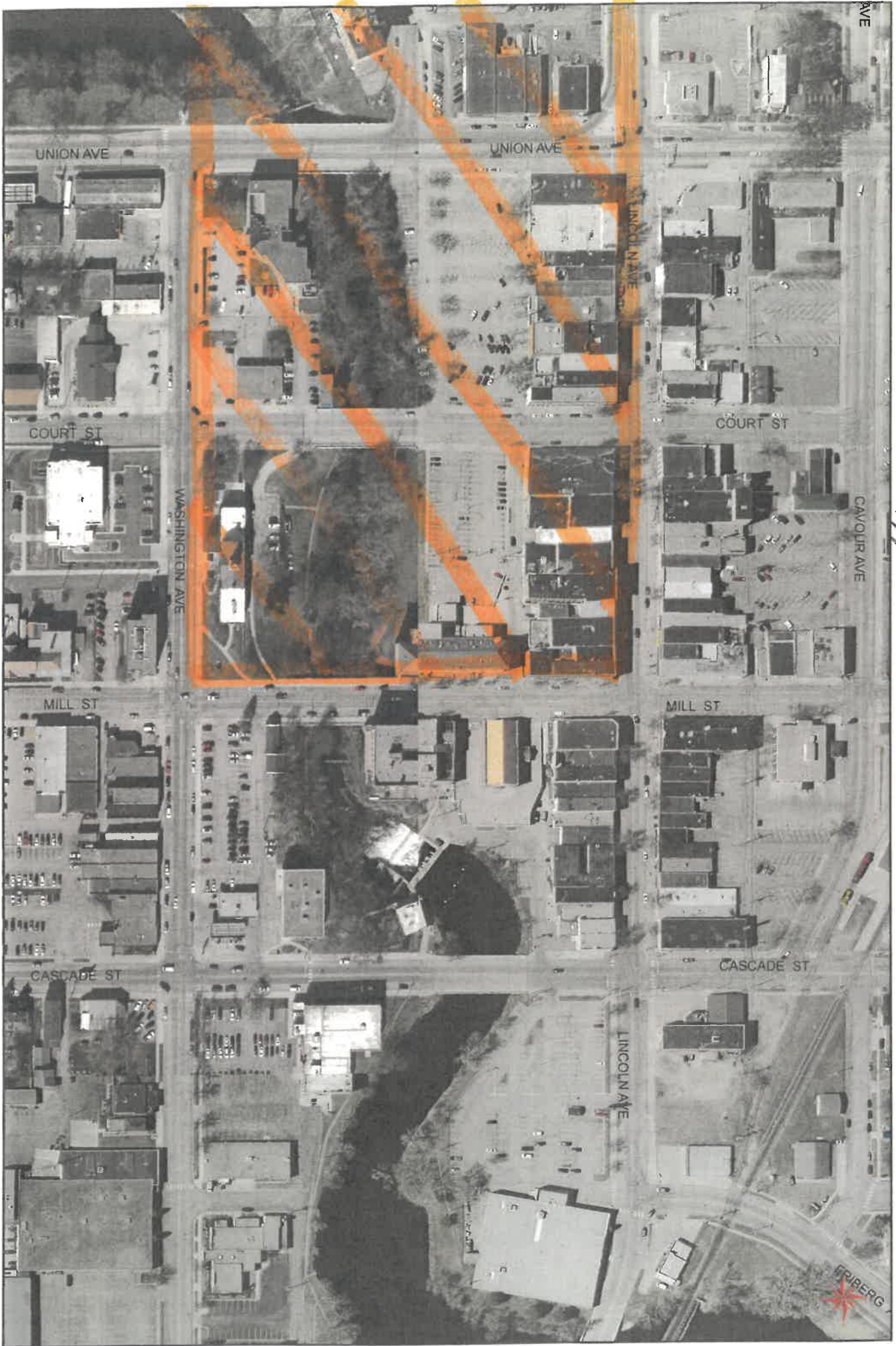
Can make and purchase concentrates.

Manufacture artificially derived cannabinoids.

Can manufacture and package adult-use cannabis products.

Cannabis Wholesaler (342.23)**Cannabis Event Organizer (342.29)**





Approx. 250'