



AGENDA

City of Fergus Falls Planning Commission Meeting
Fergus Falls, MN
May 28, 2024 at 5:15 PM

1. Call to order
2. Approval of Agenda
3. Approval of Minutes from April 22, 2024
4. Discussion Items
 - a. Sign ordinance updates
 - b. Parking in B-6 Zones
5. Staff Updates
 - a. Cannabis Zoning
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

April 22, 2024

The Fergus Falls Planning Commission held a regular meeting on April 22, 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, Ryan Fullerton, and Paul Vukonich. Staff present were Klara Beck, Kile Bergren, and Jill Hanson.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Commissioner Schuett made a motion to approve the minutes from March 25, 2024. It was seconded by Commissioner Fullerton. Passed unanimously.

DISCUSSION ITEMS

4a. CANNABIS

Klara Beck explained that Minnesota has enacted legislation allowing for the sale of cannabis products. The act provides local units of government certain authority related to cannabis businesses, including the authority to require local registration of cannabis businesses operating retail establishments and adopt reasonable restrictions on the time, place, and manner of the business. The city may prohibit the operation of a cannabis business up to 1,000 feet of a school or 500 feet of a day care, residential treatment facility, or an attraction within a public park regularly used by minors. The office of Cannabis Management is in the process of drafting the rules that will regulate cannabis licensing in MN. A draft document should be released this summer.

Klara stated that Mayor Schierer appointed a Council Cannabis Committee in January 2024 to explore potential reasonable restrictions. The committee invited three members of the PC to join their discussion in April 2024 for recommendations on buffer zones and appropriate zones for retail sales and manufacturing.

Chief Bergren spoke, noting the PC has been asked to 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. He mentioned that we will see changes in how legalized cannabis is handled in the future, but for now we just need to set some preliminary guidelines. There was discussion about the kinds of cannabis businesses recognized by the state: retailers, microbusinesses, mezzobusinesses, cultivators, manufacturers, and wholesalers.

Chief Bergren mentioned the city would likely only issue one to three licenses for businesses. It was noted that we already have hemp retail businesses downtown that were in place prior to the Fall of 2023. It was mentioned that the Council seemed to think that the B-6 zones and above are better zones for cannabis sites. There was some discussion about the Lincoln School and making special reference to it relating to any cannabis activity in that zone. Chair Kilde mentioned the Mayor Schierer is open to conditional use permits for cannabis manufacturers.

The members of the PC discussed which zones should allow cannabis businesses, the different types of cannabis businesses, and the buffers zones for schools, day cares, residential treatment facility, and public parks. The PC's preference was to allow cannabis retail sales in B-3 zones with a conditional use permit and allow everything else in zones above. Chief Bergren explained that we need some clear rules to start with, so it is clear to businesses coming into the area what is allowed in different zones at this time. The rules could change as time goes by and we are given more guidance from the State.

Commissioner Duffy motioned to recommend to the City Council to allow Cannabis retail sales in B-3 zones with a conditional use permit. Cannabis sales and manufacturing would be allowed in B-6 zones and above. PC also

recommended buffer zones of 250 feet between cannabis businesses and schools, day cares, and treatment centers. No buffer zone would surround parks. The PC agreed to recommend conditional use permits for businesses in B-6 zones should Council request more oversight. It was seconded by Commissioner Kunde. Passed unanimously.

STAFF UPDATES

None

The meeting adjourned at **6:43 PM**.

Community Development Manager



Planning Commission Memo

Page 1 of 1

Meeting Date:

May 28, 2024- Planning Commission

Subject:

Overnight parking in B-5 and B-6 zones

Recommendation:

Amend the B-5 and B-6 zoning code to prohibit overnight parking.

Background/Key Points:

Overnight parking has reportedly led to challenges for businesses with large parking areas in the B-5 and B-6 zones. A business with a sizable parking lot has reported ongoing issues with overnight parking, including a significant increase in litter, making it difficult for the business to maintain a clean and welcoming environment for their customers. The additional burden of cleaning up after overnight parkers stretches the capabilities of existing staff and results in Public Works staff from the City of Fergus Falls being deployed to perform cleanup. The presence of overnight parkers may also pose a safety risk to the business's customers and employees or other overnight parkers. To address these issues, it is recommended that the Planning Commission consider amending the B-5 and B-6 zoning code to prohibit overnight parking.

Originating Department:

Community Development

Respectfully Submitted:

Klara Beck



Planning Commission Memo

Page 1 of 1

Meeting Date:

May 28, 2024- Planning Commission

Subject:

Cannabis Zoning

Recommendation:

N/A

Background/Key Points:

At its April meeting, the Planning Commission motioned to send the following recommendation to the City Council regarding cannabis zoning:

- Allow Cannabis retail sales in B-3 zones with a conditional use permit.
- Cannabis sales and manufacturing would be allowed in B-6 zones and above.
- Recommend buffer zones of 250 ft between cannabis businesses and around schools, day cares, and treatment facilities.
- No buffer zones were recommended surrounding parks.
- If council sought more oversight over sales, PC suggested offering conditional use permits for larger cannabis businesses in B-6 zones (retail allowed, but micro/ mezzo/ above would require CUP).

Council heard PC's suggestions but chose not to approve cannabis sales in B-3 zones. The city attorney's office is working on final language for an ordinance amendment. It will be brought back before the council at a future meeting for approval or any further discussion.

Originating Department:

Community Development

Respectfully Submitted:

Klara Beck