



Mayer Community Center – Council Chambers - 413 Bluejay Avenue, Mayer, MN 55360

---

**PLANNING COMMISSION  
REGULAR MEETING**

---

**Tuesday  
October 29, 2024  
6:30 PM**

- 1. Call the meeting to order.**
- 2. Approval of the agenda.**
- 3. Swearing in of new Planning Commission members.**
- 4. Approval of the minutes from the September 3, 2024 Planning Commission meeting.**
- 5. Discussion on text amendment to amend Title XV: Land Usage, Chapter 152 Zoning, Section 152.003 Definitions, Section 152.090 Outside Storage and Section 152.091 Screening of the municipal code for the City of Mayer.**
- 6. Discussion with Preston Fox of 4-Square Builders on proposed Old Creamery property use.**
- 7. Discussion on cannabis zoning regulations.**
- 8. Next Meeting - Tuesday, December 3, 2024.**
- 9. Commissioners Report.**
- 10. Adjournment.**



## OATH OF OFFICE

I, Daniel Levitz, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Minnesota, and to discharge faithfully the duties of Commissioner for the Planning Commission of the City of Mayer, Minnesota, to the best of my judgment and ability, so help me God.”

---

Daniel Levitz

---

Date



## OATH OF OFFICE

I, Ryan Kusske, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Minnesota, and to discharge faithfully the duties of Commissioner for the Planning Commission of the City of Mayer, Minnesota, to the best of my judgment and ability, so help me God.”

---

Ryan Kusske

---

Date

**City of Mayer**  
**Planning Commission**  
Meeting Minutes  
Tuesday, September 3, 2024

**Commission Members Present:** Chairperson Tom Stifter, Commissioner Les Hahn and City Council Liaison Nikki McNeilly.

**Commission Members Absent:** Commissioner Michael Sommerfeld and Commissioner Sarah Strand.

**Staff Present:** City Administrator Nicholas Johnson and Consulting Planner John Anderson of Municipal Development Group.

---

**CALL MEETING TO ORDER.**

Meeting called to order at 6:31 PM by Chairperson Tom Stifter.

**ADOPT AGENDA.**

A motion to approve the agenda was made by Commissioner Hahn and seconded by Council Liaison McNeilly. Motion carried 3/0.

**APPROVAL OF MINUTES.**

A motion to approve the August 6, 2024 Planning Commission meeting minutes was made by Commissioner Hahn with the recommendation to fix the typo under the storage container discussion and seconded by Chairperson Stifter. Motion carried 3/0.

**PUBLIC HEARING - TEXT AMENDMENT AMENDING TITLE XV: LAND USAGE, CHAPTER 152: ZONING, SECTION 152.003 DEFINITIONS, SECTION 152.090 OUTSIDE STORAGE AND SECTION 152.091 SCREENING.**

At 6:33 PM Chairperson Stifter opened the public hearing.

Planning Consultant Anderson presented the text amendment to the Planning Commission.

Commissioner Hahn said different zoning was discussed in regards to rezoning properties.

Planning Consultant Anderson stated that a rezoning of certain properties could move forward at future date but was not specifically tied to the text amendment. He also stated that storage containers would not be allowed in the C-1 General Commerce district.

Commissioner Hahn stated he was ok with the draft text as written.

Council Liaison McNeilly stated that she owns a business that uses storage containers in a different city and that they are stacked.

Planning Consultant Anderson stated that the text was not meant to overly restrict storage containers but to put a limit on them and that the new text is less restrictive than the current text due to a specific 100% screening requirement that is currently in place.

Chairperson Stifter closed the public hearing at 6:39 PM.

A motion to recommend approval of the text amendment was made by Commissioner Hahn and seconded by Council Liaison McNeilly. Motion carried 3/0.

**NEXT MEETING.**

Next scheduled meeting is Tuesday, October 1, 2024.

**COMMISSIONERS REPORT.**

None.

**ADJOURNMENT.**

A motion was made by Council Liaison McNeilly and seconded by Commissioner Hahn to adjourn the meeting at 6:47 PM. Motion carried 3/0.



## APPLICATION DATA

**Meeting Date:** October 29, 2024  
**Applicant:** This is a City of Mayer initiated text amendment.

## ACTION REQUESTED

To approve or deny a text amendment adding language regarding storage containers under Title XV: Land Usage, Chapter 152: Zoning, Section 152.003 Definitions, Section 152.090 Outside Storage and Section 152.091 Screening of the municipal code for the City of Mayer.

## BACKGROUND DATA

**Background:** At the July 2, 2024 Planning Commission meeting, the Planning Commission discussed storage containers and how they should be regulated within the City of Mayer. The consensus at that meeting was to amend the zoning ordinance in relation to storage containers and staff was directed to draft language for review at the August 6, 2024 Planning Commission meeting. At that meeting discussion took place regarding the draft language with a few recommendations to be included by the Planning Commission. The Planning Commission then held a public hearing at their September 3, 2024 meeting at which time they voted 3-0 recommending approval of the text amendment. The text amendment then went before the City Council for final approval on September 9, 2024 and at that meeting the City Council directed the text amendment back to the Planning Commission for more discussion and clarification of certain items.

One item the City Council was looking for clarification on was what to do about enforcement of existing properties utilizing storage containers and would be out of compliance. Would City staff be forced to take action to make sure these properties are in compliance with the new ordinance or would they be grandfathered in and be exempt from the new ordinance. What about properties that have storage containers now that are currently out of compliance with the current ordinance? The City Council is looking for feedback from the Planning Commission on how to handle enforcement on existing storage containers.

A second item that was discussed was the temporary use of storage containers for construction or for moving. One of the questions centered around what is the time period for the temporary use? Is a time period for construction purposes of six months sufficient, and if so, will the applicant have the ability to extend the six-month periods for an additional six months if more time is needed? What should the time period for moving be? In most cases six months is more than enough time for moving and maybe this use is a period of 60 days? Is it just assumed that as long as active moving or construction activities are taking place, storage containers can be used? Is the moving or construction activities cease to exist and the storage container is continued to be used, is that when enforcement takes place?

City Council also asked the question why this text amendment request is being brought up now if there has not been any issues with storage containers in the past. Is this a solution in search of a problem?

At this time the Planning Commission is asked to discuss the items above and make any new recommendations if needed and to provide feedback to the City Council to some their questions. The draft language below is what was recommended for approval by the Planning Commission at the September 3, 2024 Planning Commission meeting and what was reviewed the City Council at its September 9, 2024 meeting. The underlined text is the new text, the striked-through text is proposed to be deleted and the regular text will remain as is.

**Title XV: Land Usage, Chapter 152: Zoning, Section 152.003 Definitions.**

**STORAGE CONTAINER.** Is a container with strength suitable to withstand shipment, storage, and handling. ~~Storage containers consist of large reusable steel boxes used for intermodal shipments and is designed to be moved from one mode of transport to another without unloading and reloading.~~

**Title XV: Land Usage, Chapter 152: Zoning, Section 152.090 Outside Storage.**

152.090 OUTSIDE STORAGE.

In all districts, all material and equipment shall be stored within a building or be fully screened (see § 152.091) so as not to be visible from adjoining properties, except in the following instances:

- (A) Construction and landscaping materials, ~~and~~ equipment temporarily being used on the premises and storage containers, as long as they are kept in a manner so as not to create a blighting issue and meet the requirements of this section.
- (B) Agricultural equipment and materials if these are being used or intended for use on the premises.
- (C) Private recreational vehicles, boats and equipment, as long as they are in an operable state.
- (D) Public recreational equipment and facilities.
- (E) Off-street parking facilities except as otherwise herein regulated and except in residential districts where any off-street parking area containing over six spaces may be required to be screened. Auto repair shops shall at no time have in excess of six disabled vehicles on the premises that are not screened from view. A disabled vehicle shall be maintained on the premises for no longer than six months.
- (F) Storage Containers. Storage containers shall be considered outside storage and shall be allowed in the A Agricultural District and C/I Commercial/Industrial District. Storage containers shall not be allowed in any residential districts, the C-1 General Commerce District, the C-2 Central Business District or the P/I Public Institutional District unless being used on a temporary basis for construction purposes or moving, in which case the requirements of this section do not apply. Applications for storage containers shall be submitted to the City to be reviewed for zoning compliance under the following requirements.
  - (1) Accessory Use. No storage container shall be considered a principal use and instead shall be considered an accessory use and shall not be located on a lot prior to the construction of a principal structure.
  - (2) Number Allowed. There shall not be more than three (3) storage containers located on a lot.
  - (3) Use. Storage containers shall not be permitted to be rented or leased to third parties for storage purposes and shall only be for used by the owner or occupant of the lot.

- (4) Dimensions. Storage containers shall not exceed the dimensions of forty feet (40') in length, eight and a half feet (8.5') in width and ten feet (10') in height and shall not be stacked on top of each other.
- (5) Location. Storage containers shall meet all accessory building setback requirements and shall only be located in the rear yard of the lot or in the side yard of the lot, if the storage container is located in the rear fifty percent (50%) of the lot, but in no case shall the storage container be located further forward than the front of the building.
- (6) Lot Coverage. Storage containers, unless being used on a temporary basis for construction purposes or moving, shall count towards the lot coverage requirement of the zoning district the storage container is located in.
- (7) Signs. No signs or lettering shall be permitted on storage containers other than what comes on a storage container as manufactured.
- (8) Screening. Storage containers shall meet the screening requirements of Section 152.091 Screening of this Chapter unless the owner paints the storage container an earth tone color to compliment the principal structure on the lot. Screening shall be required when the storage container abuts a residential district or public right-of-way.
- (9) Exterior Appearance. Storage containers shall be maintained in a good condition free from structural damage, rust, deterioration and shall be painted an earth tone color to compliment the principal structure on the lot if the storage container is not screened per Section 152.091 Screening of this Chapter.

**Title XV: Land Usage, Chapter 152: Zoning, Section 152.091 Screening.**

152.091 SCREENING.

- (A) Outside Storage. The screening of outside storage areas and solar farms required herein shall consist of a solid fence or wall that is on hundred percent (100%) opaque and not less than six feet or more than eight feet in height. Such a screen wall or fence shall be designed and constructed as to be architecturally harmonious with the principal structure or solar farm and located so as to not extend within twenty-five feet (25') of any street. Landscaping (trees, shrubs, grass and other plantings) shall be on the right-of-way side of any screening or fencing. A screen planting may be substituted for a screen wall or fence or incorporated into a screen wall or fence at the discretion of the Council, provided that any such screen planting shall fulfill the foregoing height and opacity requirements throughout each season of the year within twenty-four (24) months after date of planting, and that no such screen planting shall be located across any existing easements.
- (B) Commercial and Industrial Screening. All commercial and industrial uses abutting and/or adjacent to a residential district shall be required to provide screening according to this section. All screening shall consist of either a fence or a green belt planting strip as provided for below:
  - (1) A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen. This planting strip shall be designed to provide complete visual screening to a minimum height of six feet. Earth mounding or berms may be used, but shall not be used to achieve more than three feet of the required screening. The planting plan and type of plantings shall require the approval of the city.
  - (2) A screening fence may be incorporated into the green belt planting strip and shall be constructed of masonry, brick, or wood. Such fence shall provide a solid screening effect six

feet in height. The design and materials used in constructing a required screening fence shall be subject to the approval of the City.

#### **PLANNING COMMISSION ACTION REQUIRED**

After review and discussion by the members of the Planning Commission, a motion is in order to make a recommendation back to the City Council. approve or deny the text amendment request.

#### Possible action items - Text Amendment

1. Recommend approval of the text amendment with the changes that were discussed.
2. Recommend approval of the text amendment as previously approved.
3. Table the text amendment to a date specific, and provide direction on the issues that have been discussed.
4. Recommend denial of the text amendment.

If you have any questions relating to the text amendment prior to the Planning Commission meeting, please feel free to contact me at: [jandersonmdg@gmail.com](mailto:jandersonmdg@gmail.com) or call my cell phone at 612-598-4987.

Sincerely,

MUNICIPAL DEVELOPMENT GROUP, LLC

*John Anderson*

John Anderson, Associate  
Consulting Planner, City of Mayer

#### **LIST OF ATTACHMENTS**

None

**City of Mayer  
Ordinance 24X**

**An Ordinance of the City of Mayer to Regulate Cannabis Businesses**

This ordinance creates Chapter 115 under Title XI: Business Regulations entitled  
Cannabis Businesses

The City Council of the City of Mayer hereby ordains:

**Section 1. Administration**

Findings and Purpose

The City of Mayer makes the following legislative findings:

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

The City of Mayer finds and concludes that the proposed provisions are appropriate and lawful land use regulations, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

Authority & Jurisdiction

The City of Mayer has the authority to adopt this ordinance pursuant to:

- A. Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.
- B. Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
- C. Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
- D. Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.

Severability

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

Enforcement

The City Administrator is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

### Definitions

1. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.
2. Cannabis Cultivation: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
3. Cannabis Retail Businesses: A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and lower-potency hemp edible retailers.
4. Cannabis Retailer: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.
5. Daycare: A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.
6. Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50.
7. Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.
8. Place of Public Accommodation: A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.
9. Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
10. Public Place: A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting

rooms; common areas of rental apartment buildings, and other places of public accommodation.

11. Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
12. Retail Registration: An approved registration issued by the City of Mayer or Carver County to a state-licensed cannabis retail business.
13. School: A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.
14. State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

## **Section 2. Registration of Cannabis Businesses**

### Delegation of Registration Authority to Carver County

The City of Mayer may choose to delegate or resume registration authority to and from Carver County at their discretion. Delegating or resuming registration authority must be completed by City Council adopting a resolution to said effect. The adopted resolution must then be transferred to Carver County after adoption.

The limit of cannabis retail businesses shall be no fewer than one registration for every 12,500 residents within Mayer city limits. This provision shall survive and be in effect whether registration authority resides with the City of Mayer or Carver County

Should the City of Mayer choose to delegate registration authority to Carver County, the remainder of Section 2 of this ordinance is no longer in effect until such time when registration authority is resumed.

### Consent to Registering of Cannabis Businesses

No individual or entity may operate a state-licensed cannabis retail business within the City of Mayer without first registering with the City.

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

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

### Compliance Checks Prior to Retail Registration

Prior to issuance of a cannabis retail business registration, the City of Mayer shall conduct a preliminary compliance check to ensure compliance with local ordinances.

Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, the City of Mayer shall certify on a form provided by OCM whether a proposed

cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

### Registration & Application Procedure

The City of Mayer shall not charge an application fee.

A registration fee, as established in the City of Mayer Fee Schedule, shall be charged to applicants depending on the type of retail business license applied for.

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

Any renewal retail registration fee imposed by the City of Mayer shall be charged at the time of the second renewal and each subsequent renewal thereafter.

A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

### Application Submittal

The City of Mayer shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

- A. An applicant for a retail registration shall fill out an application form, as provided by the City of Mayer. Said form shall include, but is not limited to:
  1. Full name of the property owner and applicant;
  2. Address, email address, and telephone number of the applicant;
  3. The address and parcel ID for the property which the retail registration is sought;
  4. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.
- B. The applicant shall include with the form:
  1. The registration fee;
  2. A copy of a valid state license or written notice of OCM license preapproval;
- C. Once an application is considered complete, the City Clerk shall inform the applicant as such, process the application fees, and forward the application to the City Council for approval or denial;

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

### Application Approval

- A. A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under this section.
- B. A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.
- C. A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

### Annual Compliance Checks

The Carver County Sheriff's Office shall complete at minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under Minn. Stat. 342.22 Subd. 4(b) and Minn. Stat. 342.24 and this ordinance.

The Carver County Sheriff's Office shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.

Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government.

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

### Location Change

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

### Renewal of Registration

The City of Mayer shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.

A state-licensed cannabis retail business shall apply to renew registration on a form established by the City of Mayer.

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

### Renewal Fees

The City of Mayer may charge a renewal fee for the registration starting at the second renewal, as established in City of Mayer's Fee Schedule.

#### Renewal Application

The application for renewal of a retail registration shall include, but is not limited to, the items required under Application Submittal of this ordinance.

#### Suspension of Registration

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

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

#### Length of Suspension

A jurisdiction can wait for a determination from the OCM before reinstating a registration.

The suspension of a cannabis retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended.

The City of Mayer may reinstate a registration if it determines that the violations have been resolved.

The City of Mayer shall reinstate a registration if OCM determines that the violation(s) have been resolved.

#### Civil Penalties

Subject to Minn. Stat. 342.22, subd. 5(e) the City of Mayer may impose a civil penalty, as specified in the City of Mayer's Fee Schedule, for registration violations, not to exceed \$2,000.

#### Limiting of Registrations

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

### **Section 3. Requirements for Cannabis Businesses**

#### Minimum Buffer Requirements

Buffer distances shall be measured from the property line of the proposed cannabis business to the property line of the protected use. The buffer distance for a property platted as a condominium shall be measured from the parent parcel property line to the property line of the

protected use. A cannabis business is prohibited from operating within the following buffer distances of the stated locations:

- Within 1,000 of a school.
- Within 500 of a day care.
- Within 500 of a residential treatment facility.
- Within 500 of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in Section 3 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, day care, residential treatment facility, attraction within a public park that is regularly used by minors moves within the minimum buffer zone.

### Zoning and Land Use

#### Cannabis Cultivation.

Cannabis businesses licensed or endorsed for cultivation are permitted as an interim use permit in the following zoning districts:

- (A) Agricultural District
- (C/I) Commercial/Industrial District

#### Cannabis Manufacturer.

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as an interim use permit in the following zoning districts:

- (C/I) Commercial/Industrial District

#### Hemp Manufacturer.

Businesses licensed or endorsed for low-potency hemp edible manufacturers permitted as an interim use permit in the following zoning districts:

- (C/I) Commercial/Industrial District

#### Wholesale.

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

- (C/I) Commercial/Industrial District

#### Cannabis Retail.

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

- (C-1) General Commerce District

- (C-2) Central Business District
- (C/I) Commercial/Industrial District

#### Cannabis Transportation.

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

- (C/I) Commercial/Industrial District

#### Cannabis Delivery.

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

- (C-1) Central Commerce District
- (C-2) Central Business District
- (C/I) Commercial/Industrial District

#### All Other Uses Related to Cannabis or Hemp.

All other uses related to cannabis or hemp are not permitted until such time as the Planning Commission and City Council have taken up the matter for consideration.

#### Hours of Operation

Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 9:00am and 9:00pm.

#### Advertising

Cannabis businesses shall follow the City's sign regulations contained in City Code Chapter 152.

### **Section 4. Temporary Cannabis Events**

#### License Required

A license or permit is required to be issued and approved by the City of Mayer prior to holding a Temporary Cannabis Event.

#### Registration & Application Procedure

A registration fee, as established in the City of Mayer's Fee Schedule, shall be charged to applicants for Temporary Cannabis Events.

#### Application Submittal & Review

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

- A. An applicant for a Temporary Cannabis Event shall fill out an application form, as provided by the City of Mayer. Said form shall include, but is not limited to:
  - 1. Full name of the property owner and applicant;
  - 2. Address, email address, and telephone number of the applicant;
  - 3. Address where the Temporary Cannabis Event will be located.
- B. The applicant shall include with the form:
  - 1. The application fee;
  - 2. A copy of the OCM cannabis event license application, submitted pursuant to Minnesota Statutes 342.39 subd. 2.
- C. The application for a license for a Temporary Cannabis Event shall meet the following standards:
  - 1. Except for low-potency cannabis edibles, onsite consumption is prohibited.
  - 2. Temporary Cannabis Events shall only be held between the hours of 10:00 a.m. and 9:00 p.m.
  - 3. Temporary Cannabis Events are prohibited in residential districts.
  - 4. Temporary Cannabis Events must comply with the buffer requirements described in Section 3.
  - 5. Temporary Cannabis Events must comply with all requirements detailed in Minnesota Statutes §342.40. The application shall include a detailed plan addressing the requirements of Minnesota Statutes §342.40, subds. 3, 4, 5, 6, 7, and 8.

The application shall be submitted to the City Clerk for review. If the application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

- D. Once an application is considered complete, the City shall inform the applicant as such, process the application fees, and forward the application to the City Council for approval or denial.
- E. The application fee shall be non-refundable once processed.
- F. A request for a Temporary Cannabis Event that meets the requirements of this Section shall be approved.
- G. A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The City of Mayer shall notify the applicant of the standards not met and basis for denial.

### **Section 5. (Optional) Lower-Potency Hemp Edibles**

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

### 5.1 Sale of Low-Potency Hemp Edibles

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

### 5.2 Zoning Districts

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

Low-Potency Edibles businesses are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

### 5.3 (Optional) Additional Standards

#### 5.3.1 Sales within Municipal Liquor Store.

A jurisdiction that already operates a Municipal Liquor Store may sell Low-Potency Edibles within the same store.

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

#### 5.3.2 Age Requirements.

A jurisdiction is able to restrict the sale of Low-Potency Edibles to locations such as bars.

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

#### 5.3.3 Beverages.

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

#### 5.3.4 Storage of Product.

A jurisdiction is able to set requirements on storage and sales of Low-Potency Edibles.

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

## Section 6. Local Government as a Cannabis Retailer

The City of Mayer may establish, own, and operate one municipal cannabis retail business subject to the restrictions in this chapter.

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

The City of Mayer shall be subject to all of the same rental license requirements and procedures applicable to all other applicants.

Adopted by the City Council of the City of Mayer this \_\_\_\_ day of \_\_\_\_\_, 2024.

Attest:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk