



CANNABIS REVIEW: STEARNS COUNTY LAND USE & ZONING ORDINANCE

Background: This memorandum outlines options for managing the following activities: cannabis *cultivation, manufacture* of cannabis-derived products, *sale* of cannabis-derived products and organizing cannabis-related *events*. Tools to manage these activities include performance standards, development standards and allowed uses by zoning districts.

Applicability: These standards only apply within the non-municipal portions of Stearns County. Municipalities will adopt their own standards. Townships may elect to be more restrictive than Stearns County’s Land Use & Zoning Ordinances.

State Role: The Office of Cannabis Management (OCM) will propagate Minnesota Rules. They will establish a license system and be responsible for licensing cannabis businesses.

County Zoning: Minnesota Statute, chapter 342.13 allows local governments to 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. 1,000 feet of a school
2. 500 feet of a day care
3. 500 feet of a residential treatment facility
4. 500 feet from an attraction within a public park that is regularly used by minors, including a playground or athletic field.

Policy Discussion: The Planning Commission will consider the permit types (permitted, conditional, interim, prohibited) and the allowed zoning districts (agricultural, residential, industrial) for the business types consistent with other business categories listed on the following page.

1. Cultivation
2. Manufacturing
3. Retail Sale
4. Events

Next steps

- ✓ Develop proposed zoning ordinance standards and present to Planning Commission (July)
- ✓ Inform Townships of options to adopt county regulations or amend MOU (ongoing)
- ✓ Hold public hearing at County Board (September)
- ✓ Publish ordinance (no later than December 31, 2024)

Business-related activities in the Agricultural Zoning District

Agricultural Operation: Real or personal property used for the production of crops including, but not limited to, fruit and vegetable production, tree farming, livestock, poultry, dairy products or poultry products, but not a facility primarily engaged in processing agricultural products. An agricultural operation shall also include certain farm activities and uses as follows: A. Chemical and fertilizer spraying B. Farm machinery noise C. Extended hours of operation D. Storage and spreading of manure and biosolids under state permit E. Open storage of machinery F. Odors produced from normal farm activities G. On farm marketing of farm products H. Yard waste and leaf composting site I. Contaminated soils disposal.

Agriculturally Oriented Businesses: A business including, but not limited to, commercial storage and blending of liquid and dry fertilizers; grain and feed sales; general repair and installation services for agricultural equipment; custom meat, dairy or other agricultural product processing; agricultural supply and product sales or warehousing; livestock sales barns and accessory facilities; agriculture-related compost facilities; greenhouse and nursery sales; petting zoos; riding stables; agricultural trucking operations; farm winery; and orchards.

Biofuel Plant: The processing, distillation or refining of biomass material (plants, animals and their byproducts) or bio-wastes (municipal solid waste (MSW), agricultural residues, farm waste and other biodegradable waste streams) into solid, liquid or gaseous fuels for any use.

Concrete Ready Mix and Asphalt Plants: Equipment that prepares ready mixed concrete or asphalt that is batched for delivery from a central location instead of being mixed on the job site.

Contractors Yard: A site used for the storage of vehicles, equipment, and materials by a person whose business is contracting work in any of the building trades, road building, sewer installation, or a similar trade.

Greenhouse and Nursery Sales: The retail handling and sale of any article, substance or commodity related to the planting, maintenance or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals or other nursery goods and related products in small quantities to the consumer.

Hunting Clubs and Shooting Preserves: Areas reserved for public or private hunting of wildlife, and accessory structures in support of those activities, including shooting preserves as identified in Minnesota Statutes section 87A.01; or successor statutes.

Kennels, Commercial: A commercial breeding kennel is a commercial activity where (4) or more dogs and/or domestic pets over six (6) months of age are kept for breeding purposes, engage in breeding activities and birthing, and where resulting young are raised for sale and sold.

Limited Rural Manufacturing: A business engaged in light manufacturing, with the manufacturing wholly contained within a building(s), employing up to a maximum of 10 persons who work at the premises.

Mining: The removal of stone, sand and gravel, coal, salt, iron, copper, nickel, petroleum or other materials from the land for commercial, industrial or governmental purposes.

Rural Tourism: A commercial business providing recreation, relaxation or enjoyment that emphasizes the rural or historical heritage. Uses may include but not limited to, retreat centers, crafting destinations, event centers, reception venues, holiday attractions, retail sales or similar rural uses.

Truck Terminal, small: A facility for the receipt, transfer, short-term storage and dispatching of goods transported by truck, for no more than five (5) trucks per day.