

CITY OF BAXTER, MINNESOTA
ORDINANCE 2024-018

AN ORDINANCE AMENDING THE TEXT OF TITLE 10 OF THE BAXTER CITY CODE

THE CITY OF BAXTER ORDAINS:

SECTION 1. Amendments. The text of Chapter 2, Section 2 "Definitions" of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

10-2-2: GENERAL DEFINITIONS:

Unless otherwise noted in this section, words, terms, and phrases found in the definitions of Minnesota Statutes Section 342.01, or as amended, apply, unless otherwise noted or except where the context clearly indicates a different meaning. In addition, the following definitions apply:

CANNABIS RELATED:

A. CANNABIS: Any species of the genus cannabis plant, or any mixture or preparation of them including whole plant extracts and resins.

B. 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 State Office of Cannabis Management.

C. CANNABIS RETAIL BUFFER: No Cannabis Retailer license or endorsement shall be granted 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. The distance shall be measured from the freestanding parcel upon which the Cannabis Retailer is to be licensed to nearest point of the school property, to the nearest point of the residential treatment facility property and to the nearest point of the attraction within a public park that is regularly used by minors.

D. CANNABIS RETAIL LIMIT: One Cannabis Retailer for every 12,500 residents.

E. CANNABIS RETAILER: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to the general public, licensed or endorsed by the State of Minnesota, and not for the purpose of resale in any form. Cannabis retailer shall not cultivate, manufacture, process or wholesale onsite.

H. CANNABIS MANUFACTURER: The process of converting or packaging harvested cannabis plant material into medical or recreational cannabis.

I. CANNABIS MEDICAL DISPENSARY: A facility engaged in the sale of medical cannabis products as defined and regulated by Minnesota Statutes 152.22 152.37.

J. CANNABIS, MEDICAL COMBINATION BUSINESS: As defined by Minnesota Statute. Also referred to as: Medical Cannabis Combination Business.

K. CANNABIS TESTING FACILITY: An establishment engaged in obtaining and testing cannabis and hemp, or products derived therefrom, that is licensed by the State of Minnesota.

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M. 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.

N. LOWER-POTENCY HEMP EDIBLE: As defined under Minn. Stat. 342.01 subd. 50.

1. LOWER-POTENCY HEMP EDIBLE CULTIVATION: An establishment engaged in the cultivation of lower-potency hemp.

2. LOWER-POTENCY HEMP EDIBLE MANUFACTURING: An establishment engaged in the manufacturing of lower-potency hemp edible products.

3. LOWER-POTENCY HEMP EDIBLE RETAILER: A business that sells lower-potency hemp edible products to customers.

O. 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.

P. RESIDENTIAL TREATMENT FACILITY: As defined under Minnesota Statute 245.462 subd. 23

Q. SCHOOL: A public school as defined under Minnesota Statute 120A.05 or a nonpublic school that meets the reporting requirements under Minnesota Statute 120A.24.

R. STATE LICENSE, CANNABIS: An approved license issued by the State of Minnesota’s Office of Cannabis Management to a cannabis retail business.

NURSERY, LANDSCAPE: A business growing and selling trees, flowering and decorative plants, and shrubs, excluding cannabis.

~~MEDICAL CANNABIS DISPENSARY: A facility engaged in the sale of medical cannabis products as defined and regulated by Minnesota Statutes 152.22-152.37.~~

SECTION 2. Amendments. The text of Chapter 3 “Zoning Districts”, Article G, Section 1 “C2 Regional Commercial, Permitted Uses” of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

ARTICLE G. C2 REGIONAL COMMERCIAL DISTRICT

10-3G-1: PERMITTED USES:

The following retail sales and service businesses supplying commodities or performing a service primarily for residents of the surrounding trade area:

Auto accessory retail (not including service).

Bakeries; retail.

Banks, savings and loans, credit unions and the like (without drive-through).

Barbershops, beauty shops; other personal service uses.

Brewer and brewer taproom.

Bus/transit stations or terminals without vehicle storage.

Cannabis retailer, pursuant to the cannabis retail buffer and cannabis retail limit, as allowed in this Title pursuant to Minnesota Statute.
Cannabis delivery services.

Civic buildings such as city halls, fire stations and the like (without outside storage).

Clinics including multispecialty outpatient clinic.
Commercial recreation, indoor (e.g., bowling alleys, roller rinks and the like).
Convenience stores (without motor fuel stations).
Copy/printing services (excludes printing presses and publishing facilities).
Department stores.
Drugstores and pharmacies (without drive-through).
Dry cleaning and laundry pick ups, self-service laundromats, incidental pressing, tailoring, repair and the like (without dry cleaning processing).
Essential services.
Fitness centers and fitness related studios such as karate, yoga, dance and the like.
Florists, hobby, craft or variety stores and the like.
Furniture and household appliance stores.
Grocery stores.
Hardware stores.
Hotels and motels.
Liquor; off-sale.
Lower-potency hemp edible retailers.
~~Medical cannabis dispensary~~Medical cannabis combination business.
Motor vehicle detailing shops.
Offices; professional and medical.
Plumbing, television, radio, electrical sales and related accessory repair.
Public and private clubs and lodges.
Reception halls/event centers/conference centers.
Religious institutions (limited to worship and directly related social events).
Restaurant (without drive-through).
Sporting goods and similar retail sales.
Studios; art related.
Tobacco specialty store.
Retail goods and services of a similar nature, as determined by the Zoning Administrator. (Ord. 2013-20, 11-19-2013; amd. Ord. 2016-017, 5-17-2016; Ord. 2023-009, 7-18-2023; Ord. 2023-012, 8-15-2023)

SECTION 3. Amendments. The text of Chapter 3, “Zoning Districts”, Article I, Section 3 “I, Industry Office District, Conditional Uses” of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

ARTICLE I. I INDUSTRY OFFICE DISTRICT
10-3I-3: CONDITIONAL USES:

Cannabis microbusinesses not including retail, cannabis mezzobusinesses not including retail, cannabis cultivators, cannabis manufacturers, cannabis wholesalers, cannabis transporters, cannabis testing facilities, cannabis delivery services, lower-potency hemp edible manufacturers, medical cannabis combination businesses not including retail, subject to Minnesota Statute.

SECTION 4. Summary Publication. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The City Council adopted an ordinance amending the standards of Title 10 "Zoning Regulations" as follows:

- Section 10-2-2: Amending Definitions to for cannabis related definition changes.
- Section 10-3G-1 Amending C-2, Regional Commercial district Permitted Uses to allow Cannabis related retail uses.
- Section 10-3I-3 Amending I, Industry Office district Conditional Uses to allow Cannabis related industrial uses.

SECTION 3. Effective Date. This amendment shall take effect upon its passage.

Whereupon, said Ordinance is hereby declared adopted on this 3rd day of December 2024.

Darrel Olson, Mayor

ATTEST:

City Seal

Kelly Steele, City Clerk