



**CITY OF LONG LAKE
PLANNING COMMISSION MEETING MINUTES
December 10, 2024**

CALL TO ORDER

The meeting was called to order at 6:30 pm by Chair Adams.

Present: Commission Members Adams, Goodsell, See, Secord, and Axelson; City Administrator Weske; City Planner Rybak, Council Liaison Feldmann, City Engineer Johnson.

Absent: None.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVE AGENDA

Commissioner See moved to approve the agenda as presented. Commissioner Secord seconded. Ayes: all.

CONSENT AGENDA

The Consent Agenda consisted of the following:

- A. Approve Minutes of the November 19, 2024 Planning Commission Meeting

Commissioner Secord moved to approve the Consent Agenda as presented. Commissioner See seconded. Ayes: all.

OPEN CORRESPONDENCE

No one was in attendance to address the Planning Commission during Open Correspondence.

BUSINESS ITEMS

- A. **Public Hearing: Zoning Ordinance Amendments Related to Cannabis and Lower Potency Hemp Edible Businesses**

City Planner Rybak introduced the proposed zoning ordinance amendments related to cannabis and lower potency hemp edible businesses. She noted that the Office of Cannabis Management would be handling licensing for this type of business and making decisions on eligibility. She explained that the City, based on population, was required to allow at least one cannabis retail business. The new state law would also apply to the lower potency hemp edibles which were commonly sold at smoke shops and gas stations. Within the law, the state has given the City the opportunity to create buffer zones so that cannabis businesses would have restrictions on proximity to facilities like schools, daycares, and parks. She indicated that the draft ordinance included the maximum buffers allowed, but they could be reduced or eliminated. She advised that the state will allow something called 'Temporary Cannabis

Events', but noted that nobody really knows what that will actually look like, and they would be required to follow the City's regulations for buffer areas.

Commissioner Goodsell commented that her understanding from conversations with City Clerk Moeller was that there was a limit on a certain amount of cannabis businesses by County, so if a city like Minneapolis were to populate all of the licenses, then Long Lake would not have to actually issue one.

Chair Adams asked about compliance checks and who would be doing them.

Rybak confirmed that compliance checks were required.

City Administrator Weske believed it was likely that the Police Department would handle the compliance checks like they do for liquor or tobacco sales but mentioned that there may also be a third party company that they could hire to manage this as well.

Rybak reported that the City Council had a discussion about the cannabis issue and noted that their direction had been to establish the buffer areas at the maximum allowed. She presented a map exhibit outlining the impact of the proposed buffers.

Commissioner Axelson reflected that he felt the terminology used was subjective and pointed out that at Nelson Lakeside Park, the area on the northwest corner is the disc golf area.

Chair Adams responded that area was not a park because it was considered MnDNR land.

Commissioner Axelson stated that the disc golf area was part of the park, a feature of the park, and was utilized by minors. He asked if the buffer circle touched, for example, the parking lot, if it applied to the whole facility.

Rybak replied that it would not and was just for the building. She clarified that cannabis retail would be allowed in the City's B-2 General Business District and noted that right now the buffer area would not include the disc golf area because it was debatable on whether it catered more to adults or children.

Commissioner Axelson asked if increasing the buffer area to be inclusive of the disc golf area would create a problem.

Rybak believed that it could be a problem because she did not feel that doing so would hold up in court. She explained that the City cannot completely zone or buffer a cannabis business out because the City must have a reasonable amount of places where these businesses can go. She added that they have not gotten an exact amount of what would be considered 'reasonable', but she did not think having only four properties as eligible would stand up to that test.

Commissioner Axelson observed that if they included the disc golf area, he felt it would only reduce location eligibility from one space at the strip mall.

Chair Adams responded that he did not understand the point because the City was only going to allow one cannabis-related business.

Rybak concluded that the Commission could recommend the inclusion of the disc golf area.

Commissioner See asked what Commissioner Axelson's reasoning was behind buffering the disc golf area.

Commissioner Axelson explained that it would create a more contained environment for where these businesses could possibly go.

Commissioner Goodsell voiced that what she liked Commissioner Axelson's idea to include the disc golf area in order to eliminate some areas from consideration.

The Commission discussed zoning, buffers, and where the measurement for the buffer zone would be for the disc golf area.

Commissioner See inquired about the overall purpose of the discussion and shared that her brother had a brain tumor and utilized this type of dispensary as part of his treatment.

Chair Adams clarified that they were talking about retail cannabis businesses.

Commissioner See added that that her brother used a cannabis dispensary, which was a retail business.

Chair Adams commented that he had checked out some dispensaries in Canada and found that their security was pretty intense and had a lot of cameras. From what he had witnessed, the customers don't actually touch anything and would instead talk to an employee, order what they want, and the employee would bring it to them.

Commissioner Axelson indicated that he was not too worried about a minor entering the facility, but was more focused on the proximity of people who are buying the products.

Rybak reminded the Commission that individuals would be prohibited from using the product once they exited the facility.

Chair Adams reminded the Commission that the City did not have a lot of say in this situation because the state passed a law that says that they have to allow at least one cannabis business to operate in the City.

Commissioner Axelson understood that the City could not say 'no' to the business, but did feel that they could put in some restrictions.

Chair Adams stated that he felt restricting cannabis businesses to the B-2 district would be enough of a restriction.

Rybak asked the Commission to keep in mind that the use of marijuana was currently legal in Minnesota. She added that Long Lake's proximity to Minneapolis may be a good thing because Minneapolis was opening their arms to this type of business, so it is possible that the market may get saturated by a city that actually wanted these businesses.

Commissioner Axelson asked about the buffer that goes across Highway 12 and noted that he felt that may actually be more restrictive than it should be because Highway 12 is a buffer in and of itself.

Rybak indicated that the intent had been to display the buffers from those park features like the athletic fields and the playgrounds as a measure, and a stipulation could be added that buffers would not apply if separated by Highway 12.

Commissioner Goodsell stated that she was in support of buffers and noted that she would be more comfortable if the businesses were only allowed in B-2A.

Commissioner Axelson added that he was not as worried about the industrial production, but was worried about the retail aspect.

Rybak recommended against added buffers and limiting location to the B-2A district because she did not believe that would be enough properties available to meet the law's requirements and intent. She added that she and City Attorney Thames had looked at the issue from many different angles, and what was being presented tonight was what they felt was both the most defensible and the most conducive to what the use actually was.

Commissioner Secord stated that she wanted to make sure the City would stay out of court.

Council Liaison Feldmann asked how much the retail license would cost.

Rybak recalled that there was a \$500 registration fee but wasn't sure of additional licensing costs.

Commissioner Axelson questioned whether it may be worth the Commission discussing whether Highway 12 would be a sufficient buffer so they do not have to extend it over for the industrial uses.

Council Liaison Feldmann asked if the expectation was that these businesses would have the same kind of security measures that the businesses Chair Adams had visited in Canada were employing.

Rybak outlined the recommended language in the proposed ordinance related to security measures for all cannabis businesses.

Commissioner Axelson asked if the OCM would be the ones monitoring and ensuring that cannabis businesses had all the security measures in place.

Rybak responded that the City would be requiring the security features, so when they submit a registration application, they will have to provide plans and details showing them all and noted that the City would have the ability to inspect. She asked if there was support from the Commission to add language related to Highway 12.

Following discussion, Commission members were in agreement on providing direction to Planning Consultant Rybak to include language related to Highway 12 serving as a buffer in and of itself.

Commissioner Axelson emphasized that he would also prefer to include the disc golf area within the buffer zone.

Commissioner See pointed out that the liquor store was very close to the park and asked what would be different between that and a dispensary.

Commissioner Axelson shared his viewpoint that both alcohol and marijuana were bad but, but from an underage perspective, they couldn't go back and change things for the liquor store, but they could put measures in place for the cannabis businesses.

Commissioner Goodsell noted that when she enters a liquor store, the employees seem sober and professional, but she has had a different experience when she has walked into a smoke shop.

Following discussion, the Commission reached a consensus to recommend adding the disc golf area into the buffer zone map.

Rybak explained the recommendations from staff related to the lower potency hemp edibles and reminded the Commission that these products were already being sold. She outlined the proposed amendments for the non-retail cannabis businesses.

Chair Adams opened the public hearing at 7:23 pm. There being no public comment, he closed the public hearing.

Commissioner Axelson moved to recommend the City Council adopt the proposed Zoning Ordinance amendments related to cannabis and lower potency hemp edible businesses, with the amendments as discussed, including the addition of including the disc golf target areas within the buffer zones and acknowledging that Highway 12 serves as a natural buffer. Commissioner Adams seconded. Ayes: all.

OTHER BUSINESS

A. Council Liaison Report

Council member Feldmann provided a report of recent City Council discussions and actions to update the Commission.

B. Commission Member Business

No other Commission member business was discussed.

C. Staff Business

No other staff business was discussed.

ADJOURN

Hearing no objection, Chair Adams adjourned the meeting by general consent at 7:39 pm.

Respectfully submitted,

Scott Weske
City Administrator