

CITY OF MARSHALL
LEGISLATIVE AND ORDINANCE COMMITTEE
M I N U T E S
Thursday, July 16, 2026

MEMBERS PRESENT: James Lozinski, Robert Byrnes and See Moua-Leske
MEMBERS ABSENT: None.
STAFF PRESENT: Jason Anderson, Director of Public Works/City Engineer; Ilya Gutman, Plans Examiner; and
Steven Anderson, City Clerk.
OTHERS PRESENT: None.

At 9:10 AM Chair Lozinski called the meeting to order.

Approval of the Minutes

Motion made by Moua-Leske, seconded by Lozinski to approve the minutes. Moua-Leske and Lozinski voted in favor. Byrnes abstained. **The motion passed 2-0-1.**

Ordinance Amendment to Section 86-1 Definitions

A small change was required to align definitions and remove a contradiction. Gazebo was being referred to as a building; however, a building was defined as an enclosed structure. Because gazebos are not enclosed the wording was incorrect and needed to be changed to structure.

Motion made by Moua-Leske, seconded by Byrnes to recommend the amendments to Section 86-1 Definitions go forward to City Council for approval.

Ordinance Amendment to Sections 86-164 Accessory Equipment

A variance adjustment permit was brought to the planning commission and city council for an accessory building. The VAP was denied but the council requested that the ordinance be further reviewed. An accessory building size has a size limit in place but a "roofed structure" that was not fully enclosed does not have a size limit. Staff recommended limiting the roofed structure size in the same manner as a garage. This change would hopefully prevent a homeowner from constructing a large, roofed structure and in a year or two down the line encloses the structure and create an accessory building.

Motion made by Moua-Leske, seconded by Byrnes to recommend the amendments to Section 86-164 Accessory Equipment go forward to City Council for approval. **All voted in favor.**

Ordinance amendment to Sections 86-248 Exterior storage

Residents are allowed to store up to a combination of three RV's, trailers, boats and other similar type of units on their properties in residential districts. However, it was found that there was nothing limiting the amount of units that could be stored on an empty residential lot. To be consistent and in-line with the inherent meaning of the ordinance staff recommended to amend Section 86-248 to be amended to only allow three units in total for empty lots adjacent to a primary use building. Empty residential lots would not be allowed to store any units. Lozinski asked for clarification if this section applied to all residential zones including R3 and R4 and whether it would become an issue for apartment complexes. Gutman confirmed that the section applied to all residential zones and large apartments have parking lots and typically don't have empty lots for storage.

Motion made by Moua-Leske, seconded by Byrnes to recommend the amendments to Section 86-248 Exterior Storage go forward to City Council for approval. **All voted in favor.**

Maximum Garage Size in Residential Districts – Discussion Only

Like the accessory equipment item, staff were requested to investigate potential action to increase the minimum size of accessory buildings permitted in residential districts. Staff reviewed the current ordinance and relevant provisions in other cities. The reason the size of an accessory building (in most cases, it is a detached garage that people want to maximize) was twofold: to allow for open space in the back yard and keep residential districts feeling residential, meaning that houses are the dominant structures built in the area. Considering that most cities of similar size to Marshall limit garage sizes, it was a common and reasonable ordinance. The City of Marshall limited garage sizes in three ways: an absolute number of 1,000 SF maximum; as a maximum fraction (80%) of the house size provided a house is over 1,200 SF (which would never be a governing factor in a single family residential district since the percentage would be over 1,000 SF for larger houses, and a 1,000 SF limit threshold would be met); and as a maximum fraction (25%) of the rear yard size (which would rarely be a determining factor, most rear yards are over 4,000 SF). For almost all cases, a 1,000 SF limit would usually be a deciding factor for a maximum garage size determination.

In reviewing other cities' ordinances, staff discovered that the 1,000 SF absolute limit was by far the most common maximum size. For a single building, it varies from 864 SF to 1,080 SF; several cities set a larger limit (1,200 SF and 1,400 SF), but they were for the total square footage of all accessory buildings. Some cities established a limit based on the site size, 10% of the lot area as an example. Marshall already had a 50% increase built in for lots over 0.7 acres, meaning that a 1,500 SF garage could be built on the property. Applying a 10% limit would only become meaningful for lots over 10,000 SF, which would be applicable only to newer (built in early 80's and later) houses. Those houses typically already have at least a two-car attached garage, possibly even three cars. For older and smaller houses without attached garages staff have considered adding a provision to add a certain percentage to the maximum size for those houses. However, this would create areas where extra-large garages would look out of place and ruin the character of the neighborhood. Which would be counter-intuitive to the ordinance provision limiting garage sizes that was intended to prevent from happening.

Motion made by Moua-Leske, seconded by Byrnes to not recommend any amendments go forward to City Council for approval. **All voted in favor.**

Cannabis Macrobusiness

A majority of the changes were brought about because of the 2026 Minnesota Omnibus Cannabis Act that created a new license type, Cannabis Macrobusiness, to replace Medical Cannabis Combination Business. The new Macrobusiness license allowed a single operator to cultivate, extract, manufacture, package, transport and retail both recreational and medical products. Previously a Medical Cannabis Combination license holder could have 90,000 square feet of indoor canopy, but under the new Macrobusiness license only 38,000 square feet would be allowed. The new license type could also operate eight retail dispensaries. The Medical Cannabis Combination Business will be sunset on Jan 1, 2027, and be replaced by the Macrobusiness license. As of now, OCM plans to only issue eight Macrobusiness licenses until January 1, 2030. Clerk Anderson added that some language was stricken that referred to "...once the Office begins licensing..." as the ordinance was originally implemented before OCM was fully operational.

Motion made by Moua-Leske, seconded by Byrnes to recommend the amendments to Chapter 22 and Chapter 86 related to cannabis be recommended to go forward to City Council for approval. **All voted in favor.**

Adjourn

At 9:38 am Motion made by Moua-Leske, seconded by Byrnes to adjourn the meeting. **All voted in favor.**

Respectfully submitted,
Steven Anderson, City Clerk