

## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Pam Whitmore/Steven Anderson
<b>Meeting Date:</b>	Tuesday, September 9, 2025
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Introduce Amendment to Chapter 86 Related to Cannabis Businesses
<b>Background Information:</b>	<p>Under Minnesota Statute §342.13 (c) <i>a local unit of government may 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 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or <u>an attraction within a public park that is regularly used by minors, including a playground or athletic field.</u></i></p> <p>The City of Marshall under Ordinance 24-012 required that a cannabis business cannot be placed within 500 feet from a school when measured from the center of the primary building.</p> <p>Based on the city zoning map many public parks, the exception being Memorial Park, that had attractions regularly used by minors would not be anywhere near the allowed zoning districts for cannabis businesses. As such, the Legislative and Ordinance Committee felt that it was unnecessary to place additional restrictions. With the new aquatic center construction well underway there is now a concern that the businesses near the new pool site would heighten the risk of exposure of cannabis products and marketing to minors.</p> <p>During the August 6<sup>th</sup> L&amp;O meeting the committee directed staff to look at other cities and their zoning buffer restrictions that were placed. A table of cities that vary in size and location throughout the state is included.</p> <p>In addition, during the last legislative session, a new lower potency hemp edible wholesaler license type was created and under our current ordinance would not be allowed anywhere. The lower potency hemp edible wholesaler license was added to the same allowable areas as the cannabis wholesaler license (B3 General Business District, I1 Limited Industrial District, I2 General Industrial District).</p>
<b>Fiscal Impact:</b>	
<b>Alternative/Variations:</b>	To introduce an ordinance amending Ch.86 placing a 500 ft cannabis retail business buffer from the municipal aquatic center and add lower potency hemp edible wholesaler as a permitted use in the B-3, I-1 and I-2 zoning districts.
<b>Recommendations:</b>	To introduce an ordinance amending Ch.86 placing a 200 ft cannabis retail business buffer from the municipal aquatic center and add lower potency hemp edible wholesaler as a permitted use in the B-3, I-1 and I-2 zoning districts.