

SECTION 1: AMENDMENT “Section 22-220 Definitions” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-220 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult-use Cannabis Concentrate means cannabis concentrate that is approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by the Office. Adult-use cannabis concentrate does not include any artificially derived cannabinoid.

Adult-use Cannabis Flower means cannabis flower that is approved for sale by the Office or is substantially similar to a product approved by the Office. Adult-use cannabis concentrate does not include any artificially derived cannabinoid.

Adult-use Cannabis Product means a cannabis product that is approved for sale by the Office or is substantially similar to a product approved by the Office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lowerpotency hemp edibles. Adult use products include Adult-use Cannabis Concentrate, Adult-use Cannabis Flower, Adult-use Cannabis Product, Artificially Derived Cannabinoid, Cannabis Concentrate, Cannabis Flower.

Artificially Derived Cannabinoid means a cannabinoid extracted from a cannabis plant, cannabis flower, hemp plant, or hemp plant parts with a chemical makeup that is changed after extraction to create a different cannabinoid or other chemical compound by applying a catalyst other than heat or light. Artificially derived cannabinoid includes but is not limited to any tetrahydrocannabinol created from cannabidiol but does not include cannabis concentrate, cannabis products, hemp concentrate, lower-potency hemp edibles, or hemp-derived consumer products.

Cannabinoid means any of the chemical constituents of hemp plants or cannabis plants that are naturally occurring, biologically active, and act on the cannabinoid receptors of the brain. Cannabinoid includes but is not limited to tetrahydrocannabinol and cannabidiol.

Cannabis Business means any of the following licensed under Minnesota Statutes Chapter §342:

- (a) cannabis microbusiness;
- (b) cannabis mezzobusiness;
- (c) cannabis cultivator;
- (d) cannabis manufacturer;

- (e) cannabis retailer;
- (f) cannabis wholesaler;
- (g) cannabis transporter;
- (h) cannabis testing facility;
- (i) cannabis event organizer;
- (j) cannabis delivery service; and
- (k) ~~medical~~ cannabis ~~combination~~ macrobusiness.

Cannabis Retail Business means any of the following licensed under Minnesota Statutes, §342:

- (a) cannabis mezzobusiness;
- (b) cannabis microbusiness;
- (c) cannabis retailer; and
- (d) ~~medical~~ cannabis ~~combination~~ macrobusiness.

Cannabis Concentrate means:

- (a) The extracts and resins of a cannabis plant or cannabis flower;
- (b) The extracts or resins of a cannabis plant or cannabis flower that are refined to increase the presence of targeted cannabinoids; or
- (c) A product that is produced by refining extracts or resins of a cannabis plant or cannabis flower and is intended to be consumed by combustion or vaporization of the product and inhalation of smoke, aerosol, or vapor from the product.
- (d) Cannabis concentrate does not include hemp concentrate, artificially derived cannabinoid, or hemp-derived consumer products.

Cannabis Flower means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

Cannabis Lounge means a portion of the premises of a Cannabis Microbusiness licensed or endorsed by the State of Minnesota Office of Cannabis Management for on-site consumption of edible cannabis products and lower-potency hemp edibles.

Cannabis Mezzobusiness means a business licensed to perform any or all of the following within the limits established by Minnesota Statutes, §342.29:

- (a) Grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant for use as adult-use cannabis flower or for use in adult-use cannabis products;
- (b) Grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant for use as medical cannabis flower or for use in medical cannabinoid products;
- (c) Make cannabis concentrate;
- (d) Make hemp concentrate, including hemp concentrate with a delta-9

- tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- (e) Manufacture artificially derived cannabinoids;
 - (f) Manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp derived consumer products for public consumption;
 - (g) Process medical cannabinoid products;
 - (h) Purchase immature cannabis plants and seedlings and cannabis flower from a cannabis microbusiness, another cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler;
 - (i) Purchase cannabis concentrate, hemp concentrate, and synthetically derived cannabinoids from a cannabis microbusiness, another cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler for use in manufacturing adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;
 - (j) Purchase hemp plant parts and propagules from a licensed hemp grower licensed under Minnesota Statutes, Chapter 18K;
 - (k) Purchase hemp concentrate from an industrial hemp processor licensed under Minnesota Statutes, Chapter 18K;
 - (l) Package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
 - (m) Sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers; and
 - (n) Perform other actions approved by the Office.

Cannabis Microbusiness means a business licensed to perform any or all of the following within the limits established by Minnesota Statutes, §342.28:

- (a) Grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant;
- (b) Make cannabis concentrate;
- (c) Make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- (d) Manufacture artificially derived cannabinoids;
- (e) Manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
- (f) Purchase immature cannabis plants and seedlings and cannabis flower from another cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler;
- (g) Purchase hemp plant parts and propagules from an industrial hemp grower licensed under Minnesota Statutes, Chapter 18K;
- (h) Purchase hemp concentrate from an industrial hemp processor licensed under Minnesota Statutes, Chapter 18K;
- (i) Purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from another cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler for use in manufacturing adult-use

- cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;
- (j) Package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
 - (k) Sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers;
 - (l) Operate an establishment that permits on-site consumption of edible cannabis products and lower-potency hemp edibles; and
 - (m) Perform other actions approved by the Office.

CBD means a compound of the cannabis plant known as cannabidiol.

Intoxicating Hemp Product means any product that is intended to be eaten or consumed by humans, contains a cannabinoid other than CBD in combination with food ingredients, and is not a drug, and meet the requirements to be sold under Minnesota Statutes, §151.72 or after March 1, 2025, the requirements under Minnesota Statutes, Chapter §342. This does not include any product intended to be consumed by combustion or vaporization of the product, by inhalation of smoke, aerosol, or vapor from the product or through injection or application to a mucus membrane or nonintact skin. A product intended to only contain CBD but which may contain less than trace amounts of tetrahydrocannabinol (THC) as an unintended result of the manufacturing process is not considered an Intoxicating Hemp Product.

Intoxicating Hemp Product Retailer means a business that sells Intoxicating Hemp Products at retail. In state law, as amended from time to time, these businesses are licensed as Lower Potency Hemp Edible Retailers.

Premises means the area from which a Cannabis Retail Business sells Adult Use Cannabis Products or an Intoxicating Hemp Product Retailer sells Intoxicating Hemp Products and for an On-Site Intoxicating Hemp Product Retailer and Liquor Store, the area for which the licensed premises is identified pursuant to its license issued under Minnesota Statutes, Chapter 340A.

Liquor Store means a business licensed pursuant to Minnesota Statutes, Chapter 340A to sell alcoholic beverages in original packages for consumption off the licensed premises only.

Moveable place of business means any form of business operated out of a truck, van, automobile, or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions. Movable Place of Business does not include On-Site Intoxicating Hemp Product Retailers selling Intoxicating Hemp Products at a location pursuant to a caterer's permit.

~~***Medical Cannabis Combination MacroB***~~business means a business licensed to perform any or all of the following within the limits established by Minnesota Statutes, §342.15:

- (a) Grow cannabis plants from seed or immature plant to mature plant, ~~and~~ harvest adult-use cannabis flower and medical cannabis flower from a mature plant, package and

label cannabis flower for sale to other cannabis businesses, and sell immature cannabis plants and seedlings and cannabis flower to other cannabis businesses;

- (b) Make cannabis concentrate;
- (c) Make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- (d) Manufacture artificially derived cannabinoids;
- ~~(e) Manufacture medical cannabinoid products;~~
- (f) Manufacture, package, and label adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
- (g) Purchase immature cannabis plants and seedlings, ~~and~~ cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, ~~a medical cannabis cultivator, or another medical cannabis~~ macrobusiness combination business, a lower-potency hemp edible manufacturer, or a lower-potency hemp edible wholesaler;
- (h) Purchase hemp plant parts and propagules from an industrial hemp grower licensed under Minnesota Statutes, Chapter 18K;
- (i) Purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler, ~~a medical cannabis processor, or another medical cannabis~~ macrobusiness combination business;
- (j) Purchase hemp concentrate from an industrial hemp processor licensed under Minnesota Statutes, Chapter 18K;
- ~~(k) Package and label medical cannabis and medical cannabinoid products for sale to medical cannabis processors, medical cannabis retailers, other medical cannabis combination businesses, and patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient;~~
- ~~(l) Package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;~~
- ~~(m) Sell medical cannabis flower and medical cannabinoid products to patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient;~~
- (n) Sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers;
~~and~~
- (o) Sell lower-potency hemp edibles to lower-potency hemp edible retailers and lower-potency hemp edible wholesalers; and
- (p) Perform other actions approved by the Office.

Office means the Office of Cannabis Management.

Off-Sale Intoxicating Hemp Product Retailer means a business that sells Intoxicating Hemp Products for off-site consumption.

On-Site Intoxicating Hemp Product Retailer means a business with an on-sale liquor license pursuant to Minnesota Statutes, Chapter 340A and which sells Intoxicating Hemp Products that are intended to be consumed as a beverage, for on-site consumption.

Sale means any transfer of goods for money, trade, barter or other consideration.

THC means the chemical compound of the cannabis plant tetrahydrocannabinol.

SECTION 2: AMENDMENT “Section 22-222 Registration Required” of the Marshall Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 22-222 Registration Required

- (a) **Intoxicating Hemp Products.** Businesses may only sell Intoxicating Hemp Products to customers, for on-site or off-site consumption, if one of the following two conditions apply:
- (1) For on-site consumption, an On-Site Intoxicating Hemp Product Retailer must be registered with the city before making sales to customers and must have an active on-sale liquor license pursuant to Minnesota Statutes Chapter 340A or an On-Site Intoxicating Hemp Product Retailer without an active on-sale liquor license must be registered with the city and provide proof of liability insurance as required by section 340A.409, and once the Office begins licensing, On-Site Intoxicating Hemp Product Retailers must be licensed by the Office pursuant to Minnesota Statutes Section 342.10 as a lower-potency hemp edible retailer, as that term is defined by Minnesota Statutes Section 342.01, and as those sections are amended from time to time. ~~Once the Office begins licensing, On-site consumption of intoxicating hemp product edibles and Adult-Use edibles are allowed by licensed Cannabis Microbusinesses.~~
 - (2) For off-site consumption an Intoxicating Hemp Products Business must be registered with the city before making sales to customers and ~~once the Office begins licensing,~~ must be licensed by the Office pursuant to Minnesota Statutes Section 342.10 as a lower-potency hemp edible retailer, as that term is defined by Minnesota Statutes Section 342.01, and as those sections are amended from time to time, to sell product retail.
- (b) **Adult Use Products.** Only Cannabis Retail Businesses may sell Adult Use Cannabis Products. A Cannabis Retail Business must have an active license issued by the Office pursuant to Chapter 342 of Minnesota Statute Statutes which allows it to sell Adult Use Cannabis Product at retail, and also must be registered with the city before making sales to customers.
- (c) **Hours of Operation.** Cannabis Retail Businesses and Intoxicating Hemp Product Retailers are limited to retail sale between the hours of 10:00 a.m. and 9 p.m., seven

days a week. On-site Intoxicating~~on~~ Hemp Product Retailers are limited to the same hours for retail sale as the hours associated with their on-sale liquor license.

- (d) No city-issued registration is required for a business selling medical cannabis as part of the Minnesota's Medical Cannabis Program described in Minnesota Statutes, § 152.22 to 152.37 or for a Liquor Store.

SECTION 3: **AMENDMENT** “Section 22-225 Limit On Registrations” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-225 Limit On Registrations

- (a) **Intoxicating Hemp Product Retailer.** The City has not established a limit on the number of Intoxicating Hemp Product Retailer registrations.
- (b) **On-Site Intoxication Hemp Product Businesses.** The City has not established a limit on the number of On-Site Intoxicating Hemp Product Retailer registrations other than requiring these businesses to have up-to-date on-sale liquor license or proof of liability insurance as required by section 340A.409 and approved by the office.
- (c) **Cannabis Retailer Businesses.** The City has established a limit of two (2) Cannabis Retail Business registrations available at one time. In the event that an applicant provides verification of preliminary approval by the Office or the city receives notice for certification from the Office and the granting of the additional application would create more than two registered Cannabis Retail Business in the City, the City shall respond to the Office within 30 days that the applicant does not comply with city code and recommend denial by the Office. A Cannabis Retail Business operating under a tribal compact or a tribally issued license or registration (“tribal cannabis retailer”) need not register with the City. The tribal cannabis retailer registration will count toward the number of available city registrations. Tribal cannabis retailers must comply with any and all regulations on tribal cannabis retail locations set forth in state law or under a tribal compact or a tribally issued license or registration. A Medical Cannabis Combination Business selling product at retail must register but the registration will not count towards the City’s limit on number of registrations.
- (d) **First Come, First Served.** Applications for registration will be processed on a first-come, first-served basis based on the City receiving a complete application and payment of all fees. Applications will be considered complete when all materials in Subd. 22-223 are received by the City and include all required information.

SECTION 4: **AMENDMENT** “Section 86-106 I-1 Limited Industrial District” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 86-106 I-1 Limited Industrial District

- (a) *Intent; scope.* This section applies to the I-1 limited industrial district. This I-1 district provides a location for nonnuisance type manufacturing and/or less intensive commercial uses such as wholesale activities, with only incidental outside storage.
- (b) *Permitted uses.* The following uses shall be permitted in the I-1 industrial district:
 - (1) Ambulance and taxi service, bus, and rail stations or terminals.
 - (2) Animal hospitals.
 - (3) Auto parts and accessories sales.
 - (4) Automobile garages and repair shops, with no long-term outside storage of vehicles or equipment.
 - (5) Automobile parking lots and garages.
 - (6) Building materials sales and storage and lumberyards.
 - (7) Business or professional offices.
 - (8) Camera and photographic supplies manufacture.
 - (9) Cannabis related businesses as follows: lower potency hemp edible retailers, lower potency hemp edible manufacturers, cannabis retailers, cannabis delivery services, lower potency hemp edible wholesaler, cannabis wholesalers, cannabis transporters, and cannabis testing facilities, as defined by state law and licensed by the Minnesota Office of Cannabis Management; cannabis lounges and businesses allowing off-sale retail sales must be located at least:
 - a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
 - (10) Carpenter and cabinet shops, plumbing and heating shops, and janitorial services.
 - (11) Cartage and express facilities.
 - (12) Cartography, bookbinding, engraving, publishing, job printing, lithographing and copying.
 - (13) Commercial greenhouses, nurseries or tree farms.
 - (14) Contractor's offices shops and yards for plumbing, heating, glazing, painting, paper hanging, roofing, ventilating, air conditioning, masonry and electrical and refrigeration supplies and other
 - (15) Construction related trades when completely enclosed within a building.
 - (16) Electrical and electronic products manufacture.
 - (17) Electrical service shops.
 - (18) Fallout shelter.
 - (19) Farm equipment sales and service.
 - (20) Farm, feed and seed supply stores.

- (21) Garage and storage of motor vehicles.
 - (22) Governmental service buildings.
 - (23) Household goods repair and service shops.
 - (24) Ice plant.
 - (25) Industrial truck and equipment sales and service shops.
 - (26) Jewelry manufacturer.
 - (27) Kennels.
 - (28) Leather goods.
 - (29) Medical, dental and optical equipment manufacture.
 - (30) Mobile home and camping trailer sales.
 - (31) Musical instruments manufacture.
 - (32) Railroad rights-of-way.
 - (33) Rentals of industrial type equipment.
 - (34) Research, experimental or testing stations.
 - (35) Self-storage warehouse.
 - (36) Soft drink and bottling establishments (enclosed).
 - (37) Storage or warehousing, when completely enclosed within a building.
 - (38) Telephone exchange.
 - (39) Trade schools.
 - (40) Transformer and booster stations, transmitters and other utility stations.
 - (41) Trophy and award manufacturing or assembling.
 - (42) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.
 - (43) Wholesale business and office establishments.
- (c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the I-1 industry district:
- (1) All uses customarily secondary to the uses permitted in subsections (a) and (b) of this section.
 - (2) Off-street parking and loading as regulated by article VI of this chapter.
 - (3) Solar energy collectors and systems serving the individual property.
- (d) *Conditional uses.* All conditional use permits for the I-1 district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the I-1 industrial district by conditional use permit:
- (1) Automobile and truck sales or used car lots.
 - (2) Billboards or advertising signs complying with the following conditions:
 - a. The size may not exceed 750 square feet and the height shall not exceed 45 feet anywhere along a divided highway and 30 feet elsewhere anywhere along a divided highway and 400 square feet in size and 30 feet in height elsewhere.
 - b. There shall be no more than two sign panels per side, and the sign length shall not exceed 55 feet.
 - c. Such signs shall not be located closer than 800 feet to each other (300 feet if located on the opposite side of the street), closer than 300 feet

- to any residential district, public park or K-12 school building, and closer than 30 feet to any building.
- d. Sign support locations shall meet standard zoning district setback requirements.
- e. The digital sign owner shall make the sign available to the city, for free, for public safety messages in addition to emergency messages.
- (3) Brewpubs and microbreweries.
- (4) Cannabis related businesses as follows: cannabis cultivators (indoor only), cannabis event organizers, cannabis manufactures, cannabis lounges, cannabis microbusinesses, cannabis mezzobusinesses, and ~~medical~~ cannabis ~~combination~~ ~~macro~~ businesses, as defined by state law and licensed by the Minnesota Office of Cannabis Management.
 - a. Cannabis lounges and businesses allowing off-sale retail sales must be located at least 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
 - b. Cultivating and manufacturing areas in the above listed cannabis related businesses shall not exceed 5,000 SF.
 - c. Assembly areas in the above listed cannabis related businesses shall not exceed 1,000 SF.
- (5) Day care facility serving any number of individuals.
- (6) Heliport.
- (7) Meat and butcher shops and cold storage lockers, with limited slaughtering.
- (8) Municipal or other governmental administration buildings, police and fire stations, community centers, public libraries, museums, art galleries and post office stations.
- (9) Other industrial uses of the same general character as listed in subsection (b).
- (10) Overnight campgrounds.
- (11) Parks and recreational areas owned or operated by governmental agencies.
- (12) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.
- (13) Recyclable materials processing when completely enclosed within a building.
- (14) Utility stations and structures.
- (e) *Height, yard, area, lot width and lot coverage regulations.* Height, yard, area, lot width and lot coverage regulations for the I-1 district are as follows:
 - (1) *Height regulations.* No building shall hereafter be erected to exceed 75 feet in height.
 - (2) *Front yard regulations.*
 - a. There shall be a front yard having a depth of not less than 25 feet except as otherwise provided in this section.
 - b. There shall be a front yard having a depth of 35 feet on a lot or plot

that abuts a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.

(3) *Side yard regulations.*

- a. There shall be two side yards, one on each side of a building, each having a width of not less than ten feet.
- b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.

(4) *Rear yard regulations.*

- a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.

(5) *Lot coverage regulations.* Not more than 50 percent of the total area of a lot shall be covered by buildings. No lot coverage restrictions apply in the downtown district.

- (f) *General regulations.* Additional regulations in the I-1 limited industrial business district are set forth in article VI of this chapter.

(Code 1976, § 11.16; Ord. No. 401 2nd series, § 1, 10-19-1998; Ord. No. 410 2nd series, § 3, 2-16-1999; Ord. No. 443, § 3, 11-6-2000; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 606 2nd series, § 1, 3-10-2009; Ord. No. 650 2nd series, § 1, 3-27-2012; Ord. No. 655 2nd series, § 1, 5-22-2012; Ord. No. 694 2nd series, § 1, 5-12-2015; Ord. No. 719 2nd series, § 2, 5-9-2017; Ord. No. 753 2nd series, § 1, 7-28-2020)

Cross reference(s)—Businesses, ch. 22.

SECTION 5: **AMENDMENT** “Section 86-107 I-2 General Industrial District” of the Marshall Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 86-107 I-2 General Industrial District

- (a) *Intent; scope.* This section applies to the I-2 general industrial district. This I-2 district provides a location for heavier industrial and manufacturing activities, without encroachment by incompatible use areas.
- (b) *Permitted uses.* The following uses shall be permitted in the I-2 industrial district:
 - (1) Animal hospitals.
 - (2) Auto parts and accessories sales.
 - (3) Automobile and truck parking lots and garages.
 - (4) Bottling establishments.
 - (5) Building materials sales and storage and lumberyard.
 - (6) Camera and photographic supplies manufacture.
 - (7) Cannabis related businesses as follows: lower potency hemp edible

wholesaler, cannabis wholesalers, lower potency hemp edible manufacturers, cannabis transporters, cannabis testing facilities, cannabis manufacturers, and cannabis cultivators (indoor only), as defined by state law and licensed by the Minnesota Office of Cannabis Management.

- (8) Carpenter and cabinet shops, plumbing and heating shops, and janitorial services.
- (9) Cartage and express facilities.
- (10) Cartography, bookbinding, engraving, publishing, job printing, lithographing and copying.
- (11) Cleaning and dyeing.
- (12) Contractor's offices, shops and yards for plumbing, heating, glazing, painting, paper hanging, roofing, ventilating, air conditioning, masonry, electrical and refrigeration supplies.
- (13) Egg grading, sorting and wholesale business.
- (14) Electric light or power generating station.
- (15) Electrical and electronic products manufacture.
- (16) Electrical service shops.
- (17) Fallout shelters.
- (18) Farm equipment sales and service.
- (19) Farm, feed and seed supply stores.
- (20) Feed and seed processing.
- (21) Freight terminal.
- (22) Fuel and ice sales and storage.
- (23) Garages and storage, repair and servicing of motor vehicles.
- (24) Governmental service buildings.
- (25) Highway maintenance shops and yards.
- (26) Ice plant.
- (27) Industrial training schools.
- (28) Industrial truck and equipment sales and service shops.
- (29) Jewelry manufacturer.
- (30) Kennels.
- (31) Landscaping including outside material storage.
- (32) Leather goods.
- (33) Manufacturing, processing, and associated storage, servicing and testing.
- (34) Medical, dental and optical equipment manufacture.
- (35) Mobile home and camping trailer sales.
- (36) Musical instruments manufacture.
- (37) Printing.
- (38) Public utility structure (industrial).
- (39) Railroad rights-of-way.
- (40) Rentals of industrial type equipment.
- (41) Research, experimental or testing stations.
- (42) Soft drink and bottling establishments (enclosed).
- (43) Storage or warehousing, when completely enclosed within a building.
- (44) Telephone exchange.

- (45) Trophy and award manufacturing or assembling.
- (46) Warehouses.
- (47) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.
- (48) Wholesale business and office establishments.
- (c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the I-2 industry district:
 - (1) All uses customarily secondary to the uses permitted in subsections (a) and (b) of this section.
 - (2) Off-street parking and loading as regulated by article VI of this chapter.
 - (3) Solar energy collectors and systems.
- (d) *Conditional uses.* All conditional use permits for the I-2 district may only be issued if the proposed use meets the requirements of this section and also serving the individual property meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the I-2 industrial district by conditional use permit:
 - (1) Adult uses complying with the following regulations:
 - a. The use must be contained within a building.
 - b. No sign or exterior graphics permitted except for those written in letters of the English language.
 - c. The use is not permitted within 2,000 feet of another adult use, establishment selling beer or alcoholic beverages, school, church, any residential use, library, park, daycare facility, or residential facility, as measured from property line to property line.
 - d. This use must not be greater than 2,000 square feet in total building floor area and contained in one building on a lot, plot, or property.
 - (2) Automobile and truck sales or used car lots.
 - (3) Billboards or advertising signs complying with the following conditions:
 - a. The size may not exceed 750 square feet and the height shall not exceed 45 feet anywhere along a divided highway and 30 feet elsewhere anywhere along a divided highway and 400 square feet in size and 30 feet in height elsewhere.
 - b. There shall be no more than two sign panels per side, and the sign length shall not exceed 55 feet.
 - c. Such signs shall not be located closer than 800 feet to each other (300 feet if located on the opposite side of the street), closer than 300 feet to any residential district, public park, or K-12 school building, and closer than 30 feet to any building.
 - d. Sign support locations shall meet standard zoning district setback requirements.
 - e. The digital sign owner shall make the sign available to the city, for free, for public safety messages in addition to emergency messages.
 - (4) Brewpubs, microbreweries, and breweries.
 - (5) Cannabis related businesses as follows: ~~medical~~ cannabis ~~combination~~ macro businesses, cannabis microbusinesses, and cannabis

mezzobusinesses, as defined by state law and licensed by the Minnesota Office of Cannabis Management.

- a. Cannabis lounges and businesses allowing off-sale retail sales must be located at least 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd.4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
 - b. Cannabis lounges and retail area parts of the above listed cannabis related businesses shall not exceed 10 percent of the total cannabis related building use area.
- (6) Cultivation, maintenance, and harvest of plants for the sale or other commercial use. Day care facility serving any number of individuals.
 - (7) Processing, or storage and stockpiling of sand, gravel, stone or other raw material.
 - (8) Greenhouses (commercial).
 - (9) Gas stations.
 - (10) Hazardous chemicals (processing/storage).
 - (11) Heliport.
 - (12) Junkyards, wrecking yards or auto salvage yards.
 - (13) Meat and butcher shops and cold storage lockers.
 - (14) Meat processing plants.
 - (15) Municipal or other governmental administration or service buildings, police and fire stations, not including cannabis cultivators, and post office stations.
 - (16) Other industrial uses of the same general character as listed in subsection (b).
 - (17) Outdoor nurseries and tree farms.
 - (18) Public service structures including power substations, gas regulator stations, sewage disposal plant, elevated tanks and water works.
 - (19) Recyclable materials processing.
 - (20) Restaurants.
 - (21) Truck stops.
- (e) *Height, yard, area, lot width and lot coverage regulations.* Height, yard, area, lot width and lot coverage regulations in the I-2 district are as follows:
- (1) *Height regulations.* No building shall hereafter be erected to exceed 75 feet in height.
 - (2) *Front yard regulations.*
 - a. There shall be a front yard having a depth of not less than 25 feet except as otherwise provided in this section.
 - b. There shall be a front yard having a depth of 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
 - (3) *Side yard regulations.*
 - a. There shall be two side yards, one on each side of a building, each

having a width of not less than ten feet.

- b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.

(4) *Rear yard regulations.*

- a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.

(5) *Lot coverage regulations.* There are no lot coverage regulations.

- (f) *General regulations.* Additional regulations in the I-2 general industrial business district are set forth in article VI of this chapter.

(Code 1976, § 11.17; Ord. No. 443, § 3, 11-6-2000; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 606 2nd series, § 2, 3-10-2009; Ord. No. 622 2nd series, § 1, 7-27-2010; Ord. No. 655 2nd series, § 1, 5-22-2012; Ord. No. 685, § 1, 1-28-2014; Ord. No. 694 2nd series, § 1, 5-12-2015; Ord. No. 719 2nd series, § 2, 5-9-2017; Ord. No. 753 2nd series, §§ 1, 2, 7-28-2020)

Cross reference(s)—Businesses, ch. 22.