



**CITY OF MARSHALL
AGENDA ITEM REPORT
COUNCIL 12/10/24**

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, December 10, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Adoption of an Ordinance Amending Chapter 86, Sections 71, 96, 102-108, and Adding Section 166 Certification of Cannabis Business License Application
Background Information:	<p>The State of Minnesota has passed the law making most of cannabis related product legal. For all practical purposes, the only thing local governments are permitted to do is regulate the locations of cannabis related businesses through their zoning ordinances. All sections presented today are being changed to find an appropriate place for each type of a State licensed cannabis related business.</p> <p>The proposed changes are done in a consistent and simple manner. All cannabis related businesses are combined into one use line that lists permitted license types appropriate for a particular district, either as a permitted or conditional use. Section 86-166 Certification Of Cannabis Business License Application is added to comply with the State Statutes.</p> <p>Additionally, Section 86-105 B-4 Shopping Center Business District is being repealed because this district is obsolete: no part of town is zoned B-4 anymore, so it is deleted from Section 86-71 Classes And Enumeration Of Districts. A few other minor changes were made in several sections to simplify the ordinances; many of them relate to recently passed other ordinance changes, such as Rental Ordinance.</p> <p>The changes were presented to the Legislative and Ordinance Committee on 9/24/24, and recommendations were made by the committee members and the City attorney to make some revisions. All discussed revisions are included in this version. At its October 22, 2024, meeting, Legislation and Ordinance committee reviewed these amendments and recommended approval.</p> <p>The Planning Commission conducted a public hearing on November 13, 2024, and unanimously recommended approval.</p> <p>The Ordinance amending Sections 71, 96, 102-107 and Adding Section 166 Certification of Cannabis Business License Application was introduced at the November 26, 2024, Council meeting.</p>
Fiscal Impact:	None.
Alternative/ Variations:	None recommended.
Recommendations:	Planning Commission and staff recommend that the Council adopt the Ordinance 24-025, which is the ordinance amending Sections 86-71 Classes and Enumeration of Districts, 86-96 A Agricultural District, 86-102 B-1 Limited Business District, 86-103 B-2 Central Business District, 86-104 B-3 General Business District, 86-105 B-4 Shopping Center Business District, 86-106 I-1 Limited Industrial District, and 86-107 I-2 General Industrial District, and adding new Section 86-166 Certification Of Cannabis Business License Application, all to comply with the new cannabis State regulations.