

EAST BETHEL PLANNING COMMISSION MEETING

December 17, 2024

MEMBERS PRESENT: Vice Chair Gabriel Hanschen, Tanner Balfany, Kory Jorgensen, and Diana Saenger.

MEMBERS ABSENT: Chair Sharon Johnson, Glenn Terry, and Brian Downie

ALSO PRESENT: Matt Look, City Administrator
Eric Larson, City Attorney
Aaron Berg, Community Development Director
Carrie Frost, Administrative Coordinator
Jim Smith, City Council Liaison

1.0 Call to Order

Vice Chair Hanschen called the Planning Commission regular meeting to order at 7:00 pm.

2.0 Adopt Agenda

Commissioner Balfany moved and Commissioner Saenger seconded to adopt the agenda as presented. Hanschen asked any discussion? To the motion, all in favor say aye. **All in favor.** Hanschen asked any opposed? That motion passes. **Motion passes unanimously.**

3.0 Updates

Council Liaison Smith updated the Commission on recent Council actions.

The next Planning and Zoning Commission meeting is scheduled for ???, 2024.

4.0 Approve November 26, 2024 meeting minutes

Commissioner Hanschen moved and Commissioner Jorgensen seconded to adopt the November 26, 2024 regular meeting minutes as written. Hanschen asked any discussion? To the motion, all in favor say aye. **All in favor.** Hanschen asked any opposed? That motion passes. **Motion passes unanimously.**

5.0 Public Hearing – Amending Appendix A Zoning to Regulate Cannabis and Hemp Businesses and Amending Chapter 18 Providing for the Registration of Cannabis and Hemp Businesses in the City of East

Look reviewed staff's report stating this is an ordinance of the City of East Bethel, Anoka County, Minnesota amending appendix A Zoning to regulate cannabis and hemp businesses and amending chapter 18 providing the registration of cannabis and hemp businesses in the City.

Look noted that the City of East Bethel has the authority to adopt this ordinance pursuant to: Minn. Stat. 342.13c, regarding the authority of a local unit of government to 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. He added that this is done to protect the public health, safety, and welfare of the City of East Bethel residents by regulating cannabis businesses within the legal boundaries of the City of East Bethel.

Christina Benson provided a presentation regarding cannabis and Benson gave a description of the terminology used when discussing cannabis. She discussed the difference between hemp and cannabis. She listed the limits to the number of licenses available. Benson described the different businesses that can sell cannabis, noting that a cannabis retailer sells immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products. A microbusiness grows cannabis plants from seed or immature plant to mature plant, harvests the cannabis flower from a mature plant, makes cannabis and/or hemp

concentrate, manufactures artificially derived cannabinoids, adult-use cannabis products, lower-potency hemp edibles, and/or hemp-derived consumer products, and sells immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products. She mentioned that a microbusiness is similar to a brewery. A mezzobusiness grows cannabis plants from seed or immature plant to mature plant, harvests the cannabis flower from a mature plant, makes cannabis and/or hemp concentrate, manufactures artificially derived cannabinoids, adult-use cannabis products, lower-potency hemp edibles, and/or hemp-derived consumer products, and sells immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower potency hemp edibles, hemp-derived consumer products, and other products. A mezzobusiness cannot allow on-site consumption. A cannabis event can last no more than four days operating, you must obtain local approval, any attendee must be at least 21 years of age, there must be a designated retail area, and the city can decide if on-site consumption is allowed. She reviewed some requirements for all cannabis businesses.

Benson explained that lower-potency hemp edible retailers are hemp businesses that sell lower-potency hemp edibles to customers, including on-site consumption. They are not able to sell cannabis items. She noted the limited things the City has control over.

Benson reviewed the five questions that need to be discussed tonight. The registration ordinance will be for both hemp and cannabis businesses. The registration ordinance is for retail sales. The City does not get to pick the fee. If they adopt the ordinance, the local government must conduct compliance checks at least once a year. She added that the next question is whether they would like to limit the number of retailers. They will also need to discuss the distance requirements. She displayed a presentation of the schools, daycares, and parks in the City. She also discussed the performance standards and the signage restrictions as well as the zoning districts of where each business is drafted. She presented a map of where these businesses would be allowed in each district of the City.

Hanschen opened the public hearing at 7:34 pm

Hanschen closed the public hearing at 7:35 pm

Hanschen asked what type of performance standards are in place for odor control. Benson explained that at a State level, it is the same as any other business. In regard to the City ordinance, they have drafted that the business must be ventilated so that all odors cannot be detected by a person at the exterior of the property. She added that within the ordinance activities are prohibited from taking place outdoors since you cannot control the odor.

Hanschen asked what performance standards for signage are drafted into the ordinance. Benson noted that in the City Code, there are regulations for the number of wall signs allowed based on the district. She added that they will only be permitting the wall signs, and the signs can only contain words.

Jorgensen noted that his biggest concern is the odor. Saenger discussed requiring air reports for the businesses. Benson noted that it is heavy on staff to have to check in on the reports.

Benson asked about their thoughts on having a registration ordinance and having the highest fees allowed. Balfany noted that he is in favor of those two. Hanschen also added he is in favor.

Saenger asked if adding all these ordinances today will be jumping ahead since Council has not made a decision. Benson explained that this will all be adopted in one night and the decisions go hand in hand.

Benson asked if they would like to limit the number of places where cannabis will be sold. Balfany noted that he is in support of being open to more businesses and not being too restrictive. Saenger noted that they could limit it in the first year as a test and then come back and decide if they would like to add

more in the future. She noted that she is specifically talking about cannabis retailers. Jorgensen added that he thinks this is a good plan.

Balfany also added that they could limit per zoning area rather than the whole City.

Saenger discussed that she had some concerned parents call her regarding the decision. She also noted that Council should discuss a limit with staff.

Benson noted that she hears consensus to limit two to three of each type of business.

Benson asked if they would like to require the cannabis businesses to be 1,000 feet from schools, 500 feet from daycares, 500 feet from residential treatment facilities, and 500 feet from attractions in parks.

Hanschen noted that if he could vote for them to be longer he would. He noted some concerns about how close they are.

Benson added that she has it drafted in the ordinance that cannabis businesses cannot be closer than 1,000 feet from each other. Benson noted that they can prohibit cannabis businesses in all residential districts other than industrial. She discussed the businesses that are allowed in each zoning district.

Balfany stated he likes how it is drafted, and he is not in support of adding more restrictions. Saenger noted that she has not seen any concerns in what is written.

Commissioner Balfany moved and Commissioner Saenger seconded to recommend approval to City Council of the ordinance as amended. Hanschen asked any discussion? To the motion, all in favor say aye. **All in favor.** Hanschen asked any opposed? That motion passes. **Motion passes unanimously.**

This item goes before City Council on December 23, 2024.

6.0 Adjournment

Commissioner Balfany moved and Commissioner Jorgensen seconded to adjourn at 8:36 pm.

Hanschen asked any discussion? To the motion, all in favor say aye. **All in favor.** Hanschen asked any opposed? That motion passes. **Motion passes unanimously.**

Submitted by:

Sylvia Rokosz

TimeSaver Off Site Secretarial, Inc.