

**CITY OF ST. AUGUSTA
STEARNS COUNTY, MINNESOTA**

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ST. AUGUSTA ZONING CODE TO PROVIDE FOR CANNABIS BUSINESSES

It is hereby ordained by the St. Augusta City Council as follows:

Section 1. Amendment of Section 2.02 of the St. Augusta Zoning Code. Section 2.02 of the St. Augusta Zoning Code is hereby amended to add the following definitions:

Cannabis Business: Any of the cannabis businesses defined by Minnesota Statute 342.01, subd. 14, as may be amended.

Cannabis Cultivator: A cannabis business that conducts an operation pursuant to Minnesota Statutes Section 342.30, as may be amended.

Cannabis Delivery Service: A cannabis business that conducts an operation pursuant to Minnesota Statute Section 341.41 and 342.42, as may be amended.

Cannabis Event Organizer: A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.39 and 342.40, as may be amended.

Cannabis Event, Temporary: A special, temporary event, as permitted by Minnesota Statute 342.39 and 342.40 and as regulated herein.

Cannabis Manufacturer: A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.31, as may be amended.

Cannabis, Mezzobusiness: A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.29, as it may be amended.

Cannabis, Microbusiness: A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.28, as it may be amended.

Cannabis Sales, Retail: The sale of cannabis plants and seedlings, adult-use cannabis flower, and adult use cannabis products directly to consumers.

Cannabis Retailer: A cannabis business that conducts an operation pursuant to Minnesota Statutes Section 342.32, as may be amended.

Cannabis Sales, Wholesale: The sale of cannabis plants and seedlings, adult-use cannabis flower, and adult use cannabis products to another cannabis business.

Cannabis State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

Cannabis Testing Facility: A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.37 and 342.38, as may be amended.

Cannabis Transporter: A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.35 and 342.36, as may be amended.

Cannabis Wholesaler- A cannabis business that conducts an operation pursuant to Minnesota Statutes Section 342.33 and 342.34, as may be amended.

Daycare: A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.

Light Manufacturing, Lower-Potency Hemp: A hemp business that conducts an operation pursuant to Minnesota Statute Section 342.45, as it may be amended.

Lower-Potency Hemp Edible sales: The sale of lower-potency hemp edibles, that have been obtained from a licensed Minnesota cannabis microbusiness, cannabis mezzobusiness, cannabis manufacturer, cannabis wholesaler, or lower-potency hemp edible manufacturer, directly to consumers.

Lower-Potency Hemp Manufacturer: A low potency hemp business that conducts an operation pursuant to Minnesota Statutes Section 342.45, as may be amended.

Lower-Potency Hemp Edible Retailer: A low potency hemp business that conducts an operation pursuant to Minnesota Statutes Section 342.46, as may be amended.

Public Place: A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.

Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.

Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.

Place of Public Accommodation: A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.

Retail Registration: An approved registration issued by the City of St. Augusta to a state- licensed cannabis retail business.

School: A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.

Unlicensed Cannabis Business: A business that operates in the cannabis industry without being formally registered or authorized under one of the cannabis business types outlined in Minnesota Statute 342.01, Subdivision 14. Such unlicensed cannabis businesses are not permitted in any zoning district within the City's jurisdiction.

Section 2. Amendment of Section 44.04 of the St. Augusta Zoning Code. Section 44.04 of the St. Augusta Zoning Code is hereby amended to add the following uses to the Table of Uses:

Key P = Permitted IUP = Interim Use Permit AP = Administrative Permit C = Conditional Use Permit “-“ = Not Permitted	R-R	R-1	R-2	B-1	B-2	AG-1	I-1	Public/ Institutional
Cannabis Cultivator	-	-	-	-	-	-	IUP	-
Cannabis Delivery Service	-	-	-	IUP	IUP	-	IUP	-
Cannabis Event	-	-	-	IUP	IUP	-	IUP	-
Cannabis Manufacturer	-	-	-	-	-	-	IUP	-
Cannabis Mezzobusiness	-	-	-	-	-	-	IUP	-
Cannabis Microbusiness	-	-	-	-	-	-	IUP	-
Cannabis Retailer	-	-	-	IUP	IUP	-	IUP	-
Cannabis Testing Facility	-	-	-	-	-	-	IUP	-
Cannabis Transporter	-	-	-	-	-	-	IUP	-
Cannabis Wholesaler	-	-	-	-	-	-	IUP	-
Light Manufacturing, Lower-Potency Hemp Edible	-	-	-	-	-	-	IUP	-
Lower-Potency Hemp Manufacturer	-	-	-	-	-	-	IUP	-
Lower-Potency Hemp Edible Retailer	-	-	-	IUP	IUP	-	IUP	-

Section 3. Addition of Section 68 of the St. Augusta Zoning Code. Section 68 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 68—Cannabis Cultivator

Subdivision

68.01 Purpose and Intent

68.02 Application

68.03 General Standards

68.04 Setbacks

68.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Cannabis Cultivator business as defined by Minn. Stat. 342.30. Such businesses may be undertaken either outdoors or indoors, subject to the regulations of Section 68 of this Ordinance.

68.02 APPLICATION

Cannabis Cultivator businesses may be allowed as an Interim Use Permit in the I-1 zoning district.

68.03 GENERAL STANDARDS

The following standards shall apply to all Cannabis Cultivator businesses.

- A. Requires an interim use permit based upon procedures set forth in and regulated in Section 3 of this ordinance, subject to the following conditions:
 1. Must be licensed by the State of Minnesota as a Cannabis Cultivator and in compliance with the standards set by the Office of Cannabis Management.
 2. Buffer Required:
 - a. The City of St. Augusta shall prohibit the operation of a cannabis business within 1,000 feet of a school.
 - b. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a daycare.
 - c. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
 - d. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
 3. Any area used to cultivate or grow cannabis must meet the setbacks as prescribed in the I-1 zoning district.
 4. Any area where cannabis is grown, handled, or packaged shall be completely fenced as required by the Office of Cannabis Management and equipped with an emergency key box.
 5. No onsite consumption is permitted.
 6. The use must meet all other I-1 District standards listed in Section 51 of this ordinance.

7. Indoor cannabis cultivation and growing facilities within the I-1 District must meet the following standards:
 - a. The facility shall not produce noxious or nuisance causing odors, subject to the following conditions:
 1. The facility shall be ventilated so that all odors cannot be detected by a person with a normal sense of smell at the exterior of the facility or at any adjoining use or property.
 2. Growing cannabis must comply with all applicable laws and shall not produce noxious or dangerous gases or odors or otherwise create a danger to any person or entity in or near the facilities.
 3. The applicant shall provide plans that show appropriate odor control systems so as not to produce any noxious or dangerous gases or odors or create any dangers to any person or entity in or near the facility.
 4. An odor maintenance plan must be submitted to the City and approved by the City.
 - b. All mechanical and odor suppression equipment and trash enclosures must be screened in a manner that protects adjacent properties from visual impacts and noise levels.
 - c. Outdoor storage of containers, pallets, waste/recycle containers, etc. is prohibited.
 1. Lighting within a greenhouse is permitted between the hours of 4:30 a.m. and 10:00 p.m.
 - d. Noise shall be muffled or otherwise controlled so as not to create a nuisance.
 - e. Water and Wastewater
 1. Management of wastewater shall be in accordance with the Office of Cannabis Management, Minnesota Pollution Control Agency, or local ordinances. Where multiple standards exist, the more restrictive of the standards shall apply.
 2. Water use within the site shall be designed to maximize the amount of water reuse possible.
 - f. No onsite consumption is permitted.
 - g. Off street parking requirements shall be met per Section 20 of this Ordinance.
 - h. Off street loading requirements shall be met per Section 21 of this Ordinance.

68.04 SETBACKS

All Cannabis Cultivator businesses shall, in addition to the buffers set forth in Section 68.03, comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 4. Addition of Section 69 of the St. Augusta Zoning Code. Section 69 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 69—Cannabis Delivery Service

Subdivision

69.01 Purpose and Intent

69.02 Application

69.03 General Standards

69.04 Setbacks

69.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Cannabis Delivery Service business as defined by Minn. Stat. 342.41 and 342.42. Cannabis delivery services are allowed as an accessory use to a cannabis retail sales establishment or a lower potency hemp retail establishment with an interim use permit, subject to the standards set forth in this Section 69.

69.02 APPLICATION

Cannabis Delivery Service businesses may be allowed as an accessory use to a Cannabis Retail, Cannabis Microbusiness or Cannabis Mezzobusiness establishment in the B-1, B-2 and I-1 zoning districts with an interim use permit, subject to the following standards:

69.03 GENERAL STANDARDS

The following standards shall apply to all Cannabis Delivery Service businesses.

- B. Requires an interim use permit in the B-1, B-2 and I-1 zoning districts based upon procedures set forth in and regulated in Section 3 of this ordinance, subject to the following conditions:
 - 1. Must be licensed by the State of Minnesota as a Cannabis Delivery Service and in compliance with the standards set by the Office of Cannabis Management.
 - 2. Buffer Required:
 - a. The City of St. Augusta shall prohibit the operation of a cannabis business within 1,000 feet of a school.
 - b. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a daycare.
 - c. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
 - d. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.

3. The use must meet all other applicable B-1, B-2 or I-1 District performance standards, listed this ordinance.
4. Only fleet vehicle parking will be permitted outside of the principal structure.
5. Fleet vehicle parking must be screened in accordance with Section 20 of this Ordinance.
6. Fleet vehicle parking may not occupy any required parking spaces.
7. All delivery and loading areas must be screened from view of the public street or adjacent properties.
8. Signage. All signage must meet the size and location requirements of Section 31 of this Ordinance.
9. Off street parking requirements shall be met per Section 20 of this Ordinance.
10. Off street loading requirements shall be met per Chapter 1300 of this Ordinance.
11. No onsite consumption is permitted.
12. The use must meet all other applicable B-1, B-2 and I-1 District standards listed in this ordinance.
13. No onsite consumption is permitted.
14. Off street parking requirements shall be met per Section 20 of this Ordinance.
15. Off street loading requirements shall be met per Section 21 of this Ordinance.

69.04 SETBACKS

All Cannabis Delivery Service businesses shall, in addition to the buffers set forth in Section 69.03, comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 5. Addition of Section 70 of the St. Augusta Zoning Code. Section 70 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 70—Cannabis Event, Temporary

Subdivision

- 70.01 Purpose and Intent
- 70.02 Application
- 70.03 General Standards
- 70.04 Setbacks

70.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Cannabis Event as defined by Minn. Stat. 342.39 and 342.40. A Cannabis Event may be held only at approved Cannabis Retail or Low Potency Hemp Retail locations, subject to the standards set forth in this Section 70 and upon the issuance of an Interim Use Permit.

70.02 APPLICATION

A Cannabis Event may be allowed as an Interim Use Permit in the B-1, B-2 and I-1 zoning districts, but only at approved Cannabis Retail and Low Potency Hemp Retail Locations.

70.03 GENERAL STANDARDS

The following standards shall apply to all Temporary Cannabis Events:

- A. Requires an interim use permit based upon procedures set forth in and regulated in Section 3 of this ordinance, subject to the following conditions:
 1. The Cannabis Event Organizer must be licensed by the State of Minnesota as a Cannabis Event Organizer and must be in compliance with the standards set by the Office of Cannabis Management.
 2. Buffer Required:
 - a. The City of St. Augusta shall prohibit the operation of a cannabis business within 1,000 feet of a school.
 - b. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a daycare.
 - c. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
 - d. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
 3. The use must meet all other zoning district performance standards for the zoning district in which the Cannabis Event is held.
 4. Temporary Cannabis Events may only be held at approved and registered Cannabis Retail and Low Potency Hemp Retail Locations.
 5. Temporary Cannabis Events must last no more than four consecutive calendar days.
 6. No more than four Temporary Cannabis Events may be conducted at a single location in a calendar year.
 7. Hours of operation for a Temporary Cannabis Event are limited to 10:00 AM to 5:00 PM.
 8. No onsite consumption is permitted
 9. Intoxicating liquor is not allowed for consumption or sale in conjunction with a temporary cannabis event.

10. The Cannabis Event Organizer shall provide security for crowd control.
11. The Cannabis Event Organizer shall provide available toilet facilities on site.
12. Insurance is required for all applicants seeking an outdoor special event permit.
13. Fleet vehicle parking must be screened in accordance with Section 20 of the Zoning Ordinance.
14. Fleet vehicle parking may not occupy any required parking spaces.
15. All delivery and loading areas must be screened from view of the public street or adjacent properties.
16. Signage. All signage must meet the size and location requirements of Section 31 of this Ordinance.
17. Off street parking requirements shall be met per Section 20 of this Ordinance.
18. Off street loading requirements shall be met per Section 21 of this Ordinance.
19. No onsite consumption is permitted.
20. The use must meet all other applicable B-1, B-2 and I-1 zoning District standards required by this ordinance.
21. No onsite consumption is permitted.
22. Off street parking requirements for the anticipated number of attendees shall be met by the Cannabis Event Organizer.

70.04 SETBACKS

All Cannabis Events shall, in addition to the buffers set forth in Section 70.03, comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 5. Addition of Section 71 of the St. Augusta Zoning Code. Section 71 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 71—Cannabis, Low Potency Hemp Manufacturer; Light Manufacturing, Lower Potency Hemp Edible

Subdivision

- 71.01 Purpose and Intent
- 71.02 Application
- 71.03 General Standards
- 71.04 Setbacks

71.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Cannabis and/or Low Potency Hemp Manufacturer as defined by Minn. Stat. 342.31 as well as a Lower Potency Hemp Edible Light Manufacturer as defined by Minn. Stat. 342.45.

71.02 APPLICATION

Cannabis and Low Potency Hemp Manufacturers as well as a Lower Potency Hemp Edible Light Manufacturers are allowed as an interim use permit in the I-1 District, subject to the standards set forth in this Section 71, and must be licensed by the State of Minnesota as a Cannabis, Lower-Potency Hemp Manufacturer or Lower Potency Hemp Edible Light Manufacturer and be in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.

71.03 GENERAL STANDARDS

The following standards shall apply to all Cannabis and/or Low Potency Hemp Manufacturers as well as a Lower Potency Hemp Edible Light Manufacturer:

- A. Requires an interim use permit based upon procedures set forth in and regulated in Section 3 of this ordinance, subject to the following conditions:
 1. Must be licensed by the State of Minnesota as a Cannabis or Low Potency Hemp Manufacturer or a Lower Potency Hemp Edible Light Manufacturer and be in compliance with the standards set by the Office of Cannabis Management.
 2. Buffer Required:
 - a. The City of St. Augusta shall prohibit the operation of a cannabis business within 1,000 feet of a school.
 - b. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a daycare.
 - c. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
 - d. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
 3. No onsite consumption is permitted.
 4. The use must meet all other applicable I-1 District standards listed in this ordinance.
 5. Outdoor storage of containers, pallets, waste/recycle containers, etc. is prohibited.
 6. Noise shall be muffled or otherwise controlled so as not to become a nuisance.
 7. Off street parking requirements shall be met per Section 20 of this Ordinance.
 8. Off street loading requirements shall be met per Section 21 of this Ordinance.

71.04 SETBACKS

All Cannabis and/or Low Potency Hemp Manufacturers as well as Lower Potency Hemp Edible Light Manufacturers shall, in addition to the buffers set forth in Section 71.03, comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 6. Addition of Section 72 of the St. Augusta Zoning Code. Section 72 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 72—Cannabis Mezzobusiness

Subdivision

- 72.01 Purpose and Intent
- 72.02 Application
- 72.03 General Standards
- 72.04 Setbacks

72.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Cannabis Mezzobusiness as defined by Minn. Stat. 342.29.

72.02 APPLICATION

Cannabis Mezzobusinesses are allowed as an interim use permit in the I-1 District, subject to the standards set forth in this Section 72, and must be licensed by the State of Minnesota as a Cannabis Mezzobusiness, possess Cannabis Mezzobusiness registration from the City, and be in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.

72.03 GENERAL STANDARDS

The following standards shall apply to all Cannabis Mezzobusinesses:

- A. Requires an interim use permit based upon procedures set forth in and regulated in Section 3 of this ordinance, subject to the following conditions:
 - 1. Must be licensed by the State of Minnesota as a Cannabis Mezzobusiness and be in compliance with the standards set by the Office of Cannabis Management.
 - 2. Cannabis Mezzobusiness with a state license retail endorsement must be registered with the City.
 - 3. Buffer Required:
 - a. The City of St. Augusta shall prohibit the operation of a cannabis business within 1,000 feet of a school.
 - b. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a daycare.
 - c. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.

- d. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
- 4. No onsite consumption is permitted.
 - 5. The use must meet all other applicable I-1 District standards listed in this ordinance.
 - 6. Outdoor storage of containers, pallets, waste/recycle containers, etc. is prohibited.
 - 7. Noise shall be muffled or otherwise controlled so as not to become a nuisance.
 - 8. Cannabis Mezzobusinesses with a state license retail endorsement must be registered with the city.
 - 9. Hours of operation are limited to 10:00 AM to 9:00 PM.
 - 10. Signage. All signage must meet the size and location requirements of Section 31 of this Ordinance.
 - 11. No outdoor storage or display of equipment or merchandise is permitted.
 - 12. Temporary Cannabis events may be permitted with an additional Interim Use Permit pursuant to Section 3 of this Ordinance for retail locations not in violation of City Code.
 - 13. Off street parking requirements shall be met per Section 20 of this Ordinance.
 - 14. Off street loading requirements shall be met per Section 21 of this Ordinance.

72.04 SETBACKS

All Cannabis Mezzobusinesses shall, in addition to the buffers set forth in Section 72.03, comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 7. Addition of Section 73 of the St. Augusta Zoning Code. Section 73 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 73—Cannabis Microbusiness

Subdivision

- 73.01 Purpose and Intent
- 73.02 Application
- 73.03 General Standards
- 73.04 Setbacks

73.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Cannabis Microbusiness as defined by Minn. Stat. 342.29.

73.02 APPLICATION

Cannabis Microbusinesses are allowed as an interim use permit in the I-1 District, subject to the standards set forth in this Section 73, and must be licensed by the State of Minnesota as a Cannabis Microbusiness, possess Cannabis Microbusiness registration from the City, and be in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.

73.03 GENERAL STANDARDS

The following standards shall apply to all Cannabis Microbusinesses:

- A. Requires an interim use permit based upon procedures set forth in and regulated in Section 3 of this ordinance, subject to the following conditions:
 1. Must be licensed by the State of Minnesota as a Cannabis Microbusiness and be in compliance with the standards set by the Office of Cannabis Management.
 2. Cannabis Microbusiness with a state license retail endorsement must be registered with the City.
 3. Buffer Required:
 - a. The City of St. Augusta shall prohibit the operation of a cannabis business within 1,000 feet of a school.
 - b. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a daycare.
 - c. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
 - d. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
 4. No onsite consumption is permitted.
 5. The use must meet all other applicable I-1 District standards listed in this ordinance.
 6. Outdoor storage of containers, pallets, waste/recycle containers, etc. is prohibited.
 7. Noise shall be muffled or otherwise controlled so as not to become a nuisance.
 8. Cannabis Microbusinesses with a state license retail endorsement must be registered with the city.
 9. Hours of operation are limited to 10:00 AM to 9:00 PM.
 10. Signage. All signage must meet the size and location requirements of Section 31 of this Ordinance.
 11. No outdoor storage or display of equipment or merchandise is permitted.

12. Temporary Cannabis events may be permitted with an additional Interim Use Permit pursuant to City Ordinance Section 3 for retail locations not in violation of City Code.
13. Off street parking requirements shall be met per Section 20 of this Ordinance.
14. Off street loading requirements shall be met per Section 21 of this Ordinance.

73.04 SETBACKS

All Cannabis Microbusinesses shall, in addition to the buffers set forth in Section 73.03, comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 8. Addition of Section 74 of the St. Augusta Zoning Code. Section 74 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 74—Cannabis Retailer, ~~Low Potency Hemp Retailer~~

Subdivision

- 74.01 Purpose and Intent
- 74.02 Application
- 74.03 General Standards
- 74.04 Setbacks

74.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Cannabis Retailer as defined by Minn. Stat. 342.32, ~~or a Low Potency Hemp Retailer as defined by Minn. Stat. 342.46.~~

74.02 APPLICATION

Cannabis Retailers ~~and Low Potency Hemp Retailers~~ are allowed as an interim use permit in the B-1, B-2 and I-1 Districts, subject to the standards set forth in this Section 74. Cannabis Retailers must be licensed by the State of Minnesota as a Cannabis Retailers, possess a Cannabis Retail registration from the City, and be in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management. ~~Low Potency Hemp Retailers must be licensed by the State of Minnesota as a Low Potency Hemp Retailer, possess a Low Potency Hemp Retail registration from the City, and be in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.~~

74.03 GENERAL STANDARDS

The following standards shall apply to all Cannabis Retailers ~~and Low Potency Hemp Retailers~~:

- A. Requires an interim use permit based upon procedures set forth in and regulated in Section 3 of this ordinance, subject to the following conditions:

1. Must be licensed by the State of Minnesota as a Cannabis Retailer ~~or Low Potency Hemp Retailer~~ and in be compliance with the standards set by the Office of Cannabis Management.
2. Cannabis Retailers ~~and Low Potency Hemp Retailers~~ with a state license retail endorsement must be registered with the City.
3. Buffer Required:
 - a. The City of St. Augusta shall prohibit the operation of a cannabis business within 1,000 feet of a school.
 - b. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a daycare.
 - c. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
 - d. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
4. No onsite consumption is permitted.
5. The use must meet all other applicable B-1, B-2 and I-1 District standards listed in this ordinance.
6. Outdoor storage of containers, pallets, waste/recycle containers, etc. is prohibited.
7. Noise shall be muffled or otherwise controlled so as not to become a nuisance.
8. Cannabis Retailers ~~and Low Potency Hemp Retailers~~ with a state license retail endorsement must be registered with the city.
9. Hours of operation are limited to 10:00 AM to 9:00 PM.
10. Signage. All signage must meet the size and location requirements of Section 31 of this Ordinance.
11. No outdoor storage or display of equipment or merchandise is permitted.
12. Temporary Cannabis events may be permitted at Cannabis Retailers with an additional Interim Use Permit pursuant to Section 3 of this Ordinance for retail locations not in violation of City Code.
13. Off street parking requirements shall be met per Section 20 of this Ordinance.
14. Off street loading requirements shall be met per Section 21 of this Ordinance.

74.04 SETBACKS

All Cannabis Retailers ~~and Low Potency Hemp Retailers~~ shall, in addition to the buffers set forth in Section 74.03, comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 9. Addition of Section 75 of the St. Augusta Zoning Code. Section 75 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 75—Cannabis Testing Facility

Subdivision

75.01 Purpose and Intent

75.02 Application

75.03 General Standards

75.04 Setbacks

75.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Cannabis Testing Facility as defined by Minn. Stat. 342.37 and 342.38.

75.02 APPLICATION

Cannabis Facilities are allowed as an interim use permit in the I-1 District, subject to the standards set forth in this Section 75, and must be licensed by the State of Minnesota as a Cannabis Testing Facility, and be in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.

75.03 GENERAL STANDARDS

The following standards shall apply to all Cannabis Testing Facilities:

- A. Requires an interim use permit based upon procedures set forth in and regulated in Section 3 of this ordinance, subject to the following conditions:
 1. Must be licensed by the State of Minnesota as a Cannabis Testing Facility and be in compliance with the standards set by the Office of Cannabis Management.
 2. Buffer Required:
 - a. The City of St. Augusta shall prohibit the operation of a cannabis business within 1,000 feet of a school.
 - b. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a daycare.
 - c. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
 - d. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from

continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.

3. No onsite consumption is permitted.
4. The use must meet all other applicable I-1 District standards listed in this ordinance.

75.04 SETBACKS

All Cannabis Testing Facilities shall, in addition to the buffers set forth in Section 75.03, comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 10. Addition of Section 76 of the St. Augusta Zoning Code. Section 76 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 76—Cannabis Transporter

Subdivision

- 76.01 Purpose and Intent
- 76.02 Application
- 76.03 General Standards
- 76.04 Setbacks

76.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Cannabis Transporter business as defined by Minn. Stat. 342.35 and 342.36. Cannabis Transporters are allowed as an interim use permit, subject to the standards set forth in this Section 76.

76.02 APPLICATION

Cannabis Transporter businesses may be allowed in the I-1 zoning district as an interim use subject to the standards set forth in this Section 76, and must be licensed by the State of Minnesota as a Cannabis Transporter and be in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.

76.03 GENERAL STANDARDS

The following standards shall apply to all Cannabis Transporter businesses.

- A. Requires an interim use permit in the I-1 zoning district based upon procedures set forth in and regulated in Section 3 of this ordinance, subject to the following conditions:
 1. Must be licensed by the State of Minnesota as a Cannabis Delivery Service and be in compliance with the standards set by the Office of Cannabis Management.
 2. Buffer Required:
 - a. The City of St. Augusta shall prohibit the operation of a cannabis business within 1,000 feet of a school.

- b. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a daycare.
 - c. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
 - d. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
- 3. The use must meet all other applicable I-1 District performance standards, listed in this ordinance.
 - 4. Only fleet vehicle parking will be permitted outside of the principal structure.
 - 5. Fleet vehicle parking must be screened in accordance with Section 20 of this Ordinance.
 - 6. Fleet vehicle parking may not occupy any required parking spaces.
 - 7. All delivery and loading areas must be screened from view of the public street or adjacent properties.
 - 8. Signage. All signage must meet the size and location requirements of Section 31 of this Ordinance.
 - 9. Off street parking requirements shall be met per Section 20 of the Code of Ordinances of this Ordinance.
 - 10. Off street loading requirements shall be met per Section 21 of this Ordinance.
 - 11. No onsite consumption is permitted.

76.04 SETBACKS

All Cannabis Delivery Service businesses shall, in addition to the buffers set forth in Section 76.03, comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 11. Addition of Section 77 of the St. Augusta Zoning Code. Section 77 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 77—Cannabis Wholesaler

Subdivision

- 77.01 Purpose and Intent
- 77.02 Application
- 77.03 General Standards
- 77.04 Setbacks

77.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Cannabis Wholesaler business as defined by Minn. Stat. 342.33 and 342.34. Cannabis Wholesalers are allowed as an interim use permit, subject to the standards set forth in this Section 77.

77.02 APPLICATION

Cannabis Wholesaler businesses may be allowed in the I-1 zoning district as an interim use subject to the standards set forth in this Section 76, and must be licensed by the State of Minnesota as a Cannabis Wholesaler and be in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.

77.03 GENERAL STANDARDS

The following standards shall apply to all Cannabis Wholesaler businesses:

- A. Requires an interim use permit in the I-1 zoning district based upon procedures set forth in and regulated in Section 3 of this ordinance, subject to the following conditions:
 1. Must be licensed by the State of Minnesota as a Cannabis Wholesaler and be in compliance with the standards set by the Office of Cannabis Management.
 2. Buffer Required:
 - a. The City of St. Augusta shall prohibit the operation of a cannabis business within 1,000 feet of a school.
 - b. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a daycare.
 - c. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
 - d. The City of St. Augusta shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
 3. The use must meet all other applicable I-1 District performance standards of this ordinance.
 4. Only fleet vehicle parking will be permitted outside of the principal structure.
 5. Fleet vehicle parking must be screened in accordance with Section 20 of the Zoning Ordinance.
 6. Fleet vehicle parking may not occupy any required parking spaces.
 7. All delivery and loading areas must be screened from view of the public street or adjacent properties.

8. Signage. All signage must meet the size and location requirements of Section 31 of this Ordinance.
9. Off street parking requirements shall be met per Section 20 of this Ordinance.
10. Off street loading requirements shall be met per Section 21 of this Ordinance.
11. No onsite consumption is permitted.

77.04 SETBACKS

All Cannabis Delivery Service businesses shall, in addition to the buffers set forth in Section 77.03, comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 12. Addition of Section 78 of the St. Augusta Zoning Code. Section 78 of the St. Augusta Zoning Code is hereby amended to add the following:

Section 78—Low Potency Hemp Retailer

Subdivision

78.01 Purpose and Intent

78.02 Application

78.03 General Standards

78.04 Setbacks

78.01 PURPOSE AND INTENT

The purpose of this section is to establish regulations for the operation of a state licensed Low Potency Hemp Retailer as defined by Minn. Stat. 342.46.

78.02 APPLICATION

Low Potency Hemp Retailers are allowed as a permitted use in the B-1, B-2 and I-1 Districts, subject to the standards set forth in this Section 78. Low Potency Hemp Retailers must be licensed by the State of Minnesota as a Low Potency Hemp Retailer, possess a Low Potency Hemp Retail registration from the City pursuant to Minn. Stat. 342.22, and be in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.

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78.03 GENERAL STANDARDS

The following standards shall apply to all Low Potency Hemp Retailers:

- A. Must be licensed by the State of Minnesota as a Low Potency Hemp Retailer and in be compliance with the standards set by the Office of Cannabis Management.
- B. Low Potency Hemp Retailers with a state license retail endorsement must be registered with the City.
- C. No onsite consumption is permitted.

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- D. The use must meet all other applicable B-1, B-2 and I-1 District standards listed in this ordinance.
- E. Outdoor storage of containers, pallets, waste/recycle containers, etc. is prohibited.
- F. Noise shall be muffled or otherwise controlled so as not to become a nuisance.
- G. Hours of operation are limited to 10:00 AM to 9:00 PM.
- H. Signage. All signage must meet the size and location requirements of Section 31 of this Ordinance.
- I. No outdoor storage or display of equipment or merchandise is permitted.
- J. Off street parking requirements shall be met per Section 20 of this Ordinance.
- K. Off street loading requirements shall be met per Section 21 of this Ordinance.

78.04 SETBACKS

Low Potency Hemp Retailers shall comply with each of the setbacks of the underlying zoning district in which such business is located.

Section 13. Repeal. City of St. Augusta Ordinance No. 2025-02 entitled "An Ordinance Amending The St. Augusta Zoning Code To Provide For Cannabis Businesses" is hereby repealed.

Section 14. Effective Date. This Ordinance shall be effective upon its passage and publication according to law.

Approved by the St. Augusta City Council this _____ day of _____, 2026.

Jeff Schmitz, Mayor

Kim Claussen, City Administrator/Clerk

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