



**AGENDA – REGULAR MEETING**  
**6:00 p.m., Dec. 16<sup>th</sup>, 2024**

## **Planning Commission**

- 1. CALL TO ORDER**
- 2. ROLL CALL** (Quorum is 4)
- 3. APPROVAL OF AGENDA** (Unanimous additions required)
- 4. APPROVAL OF MINUTES**
  - A. Planning Commission Minutes 11-18-2024
- 5. PUBLIC COMMENTS**
- 6. PUBLIC HEARINGS**
  - A. Approve Amendments to the Zoning Code relating to Cannabis and Hemp Business.
- 7. REPORTS OR COMMENTS: Staff, Chair, & Commission Members**
- 8. ANNOUNCEMENTS**
- 9. ADJOURNMENT**

**OSSEO PLANNING COMMISSION MINUTES  
REGULAR MEETING  
November 18, 2024**

1. CALL TO ORDER

The regular meeting of the Osseo Planning Commission was called to order by Vice Chair Hultgren at 6:00 pm, Monday, November 18, 2024.

2. ROLL CALL

Present: Commission members Connie Aho, Dee Bonn, Chris Carrigan, James Hultgren, and KC Robinson

Absent: Commission member Kerstin Schulz.

Others present: City Administrator Shane Mikkelson, Assistant City Administrator Alicia Vickerman and City Attorney Mary Tietjen.

3. APPROVAL OF AGENDA

**A motion was made by Bonn, seconded by Carrigan, to approve the Agenda as presented. The motion carried 5-0.**

4. APPROVAL OF MINUTES

A. Approve September 16, 2024, Minutes

**A motion was made by Aho, seconded by Robinson, to approve the September 16, 2024, minutes. The motion carried 5-0.**

5. PUBLIC COMMENTS

Vice Chair Hultgren advised this is the time for public comments for items that are not on the agenda for tonight's meeting. There were no comments from the public.

6. PUBLIC HEARINGS

a. Approve Amendments to the Zoning Code relating to Cannabis and Hemp Business

Mikkelson stated with the State of Minnesota legalizing cannabis and hemp sales, the City of Osseo had options to amend its zoning code in different ways. At the 09/16/24 Planning Commission meeting, questions were asked of the commission how to proceed with any zoning amendments. The Planning Commission gave staff their recommendations and the amendments have been written into the draft ordinance. It was noted staff would like to get comments from the Commission at this time and noted the public hearing for the cannabis ordinance would be held on December 16 where a recommendation will be made to City Council.

City Attorney Tietjen commented this was her first Planning Commission meeting in 10 years. She explained staff was in the process of amending the zoning ordinance in regard to cannabis. She indicated the cannabis ordinance would not be final until taking comment from both the Planning Commission and City Council. She recommended the City's parks be identified within the cannabis ordinance for clarity purposes. She reviewed the draft ordinance in further detail with the Commission and asked for comments or questions.

Bonn supported naming Sipe and Boerboom Parks within the cannabis ordinance.

Carrigan explained if Boerboom Park was named within the ordinance, cannabis sales would not be allowed along Central Avenue. City Attorney Tietjen explained Boerboom Park had no playground equipment or attractions for minors, which would be another reason to exclude this park.

Mikkelson commented on how Boerboom Park may be reconstructed in the future and noted the Planning Commission would have to consider what type of amenities to include within this park.

Carrigan asked where performance standards would be addressed within the ordinance. City Attorney Tietjen reported performance standards would be addressed under Section 153.050. She commented further on the licensing and registration ordinance that would be approved by the City Council. Mikkelson discussed how the City was still waiting to hear more from the OCM on when retail cannabis licenses will be issued by the State.

Further discussion ensued regarding the power and resources it would take to manufacture cannabis.

City Attorney Tietjen questioned how the Commission wanted to define schools. The Commission recommended the Osseo Learning Center be included in the schools listed within the community.

Hultgren asked if the City of Osseo had any treatment facilities. Mikkelson stated the City did not have any residential treatment facility, but noted Osseo did have group homes. He commented on the assisted living facilities that were located in the community.

Hultgren supported the ordinance having a buffer in place from treatment facilities in the event a facility were to open in Osseo.

City Attorney Tietjen thanked the Commission for their feedback. She noted this ordinance would be coming back to the Planning Commission on December 16 for a public hearing and recommendation to the City Council.

#### 7. REPORTS OR COMMENTS: Staff, Chair & Commission Members

Hultgren reported the American Legion would be hosting a Minnesota Vikings Player who played for the team in the 1980's on November 20<sup>th</sup>.

#### 8. ANNOUNCEMENTS

Vickerman reported the City was in need of volunteers to serve on the Planning Commission in 2025. She encouraged to interested in City government to contact City Hall for further information.

9. ADJOURNMENT

**A motion was made by Carrigan, seconded by Robinson, to adjourn the meeting at 6:45 pm. The motion carried 5-0.**

Respectfully submitted,

Heidi Guenther  
*Minute Maker Secretarial*

UNAPPROVED



## City of Osseo Planning Commission Meeting Item

**Agenda Item:** Approve Amendments to the Osseo Zoning Code Relating to Cannabis and Hemp Business

**Meeting Date:** December 16<sup>th</sup>, 2024

**Prepared by:** Shane Mikkelson, City Administrator/Police Chief

**Attachments:** Copy of Ordinance Changes

**Policy Consideration:**

Approve the changes to our Zoning Code relating to the Cannabis and Hemp Business.

**Background:**

With the State of Minnesota legalizing cannabis and hemp sales, the City of Osseo had options to amend its zoning code in different ways. At the 09/16/24 Planning Commission meeting, questions were asked of the commission how to proceed with any zoning amendments. At the 11-18-24 Planning Commission Meeting the updated ordinance was presented. Tonight, we are holding the public hearing and Staff would like to get approval from the Planning Commission to send this draft ordinance to the Osseo City Council for reading and adoption.

**Budget or Other Considerations:**

This has no impact on the City Budget.

**City Goals Met By This Action:**

Update the City Code.

**Options:**

The Planning Commission may choose to:

1. Approve the amendments to the Osseo Zoning Code in relation to Cannabis and Hemp Business;
2. Approve the amendments to the Osseo Zoning Code in relation to Cannabis and Hemp Business with noted changes/as amended;
3. Deny the amendments to the Osseo Zoning Code in relation to Cannabis and Hemp Business
4. Table action on this item for more information.

**Recommendation/Action Requested:**

Staff recommends the Planning Commission choose option 1. Approve the amendments to the Osseo Zoning Code in relation to Cannabis and Hemp Business

**Next Step:**

Have the first reading of the amendments at the Osseo City Council meeting on January 13<sup>th</sup> 2025.

**ORDINANCE NO. 2025- \_\_\_\_\_**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE OSSEO ZONING  
CODE RELATING TO CANNABIS AND HEMP BUSINESSES**

**THE CITY COUNCIL OF THE CITY OF OSSEO HEREBY ORDAINS AS FOLLOWS:**

**Section 1. Section 153.009 (Definitions) of the Osseo City Code is amended as follows with the following definitions to be added in alphabetical order:**

***CANNABIS BUSINESS.*** Has the same meaning as “cannabis business” in Minnesota Statutes, section 342.01.

***CANNABIS CULTIVATION BUSINESS.*** A business with a cannabis cultivator license, medical cannabis cultivator license, or cultivation endorsement from the State of Minnesota Office of Cannabis Management.

***CANNABIS DELIVERY BUSINESS.*** A business with a cannabis delivery service license or delivery service endorsement from the State of Minnesota Office of Cannabis Management.

***CANNABIS EVENT ORGANIZER.*** A business with a cannabis event organizer license or event organization endorsement from the State of Minnesota Office of Cannabis Management.

***CANNABIS MANUFACTURING BUSINESS.*** A business with a cannabis manufacturer license, or manufacturing endorsement from the State of Minnesota Office of Cannabis Management.

***CANNABIS RETAIL BUSINESS.*** A business with a cannabis retailer license, medical cannabis retailer license, lower-potency hemp edible retailer license, or retail endorsement from the State of Minnesota Office of Cannabis Management.

***CANNABIS TESTING BUSINESS.*** A business with a cannabis testing facility license or testing endorsement from the State of Minnesota Office of Cannabis Management.

***CANNABIS TRANSPORTATION BUSINESS.*** A business with a cannabis transporter license or transportation endorsement from the State of Minnesota Office of Cannabis Management.

***CANNABIS WHOLESALING BUSINESS.*** A business with a cannabis wholesaler license or wholesaling endorsement from the State of Minnesota Office of Cannabis Management.

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

**HEMP BUSINESS.** Has the same meaning as “hemp business” in Minnesota Statutes, section 342.01.

**LOWER-POTENCY HEMP EDIBLE RETAILER.** A business with a lower-potency hemp edible retailer license from the State of Minnesota Office of Cannabis Management.

**LOWER-POTENCY HEMP EDIBLE MANUFACTURER.** A business with a lower-potency hemp edible manufacturer license from the State of Minnesota Office of Cannabis Management.

**RESIDENTIAL TREATMENT FACILITY.** "Residential treatment" means any facility licensed or regulated by the Minnesota Department of Human Services that provides 24-hour-a-day care, lodging, or supervision outside a person's home and which also provides chemical dependency or mental health services.

**SCHOOL.** Any kindergarten, elementary, middle, or secondary school as defined in Minnesota Statutes, section 120A.05. “School” does not include a home school.

**Section 2. The following definition in Section 153.009 (Definitions) of the Osseo City Code is amended to read:**

**MANUFACTURING, ARTISAN.** The production of goods by the use of hand tools, light mechanical equipment, or similar means, occurring solely within an enclosed building. A building containing an artisan manufacturing use must have negligible negative impact on the urban fabric, surrounding properties, water resources, air quality, and/or public health. Such uses include, but are not limited to: production of alcohol including certain breweries and microdistilleries as allowed by city code and state law; woodworking and cabinet shops; ceramic studios; jewelry manufacturing; welding and metal fabricators; upholsterers; food processing; and arts and crafts. Artisan manufacturing does not include a cannabis manufacturing business or a lower-potency hemp edible manufacturer.

**Section 3. Section 153.037 of the Osseo City Code is amended as follows:**

**§ 153.037 CENTRAL BUSINESS DISTRICT, CBD.**

(A) *Intent.* The intent of this district is to accommodate central business type uses that include joint-use parking areas and business uses primarily oriented to the walking public.

(B) *Permitted uses.*

(1) Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:

(a) Retail establishments such as grocery, hardware, drug, clothing, appliances, furniture stores, and restaurants, cannabis retail business, cannabis delivery business, lower-potency hemp edible retailer;

- (b) Personal services such as laundry, barber, shoe repair, beauty salon, and photography studio;
  - (c) Professional services such as medical clinics, dental clinics, law offices, and accounting offices and cannabis event organizer;
  - (d) Finance, insurance, and real estate services;
  - (e) General commercial office space; and
  - (f) Repair services such as jewelry, radio, and television repair shops (not auto repair).
- (2) Public and semi-public facilities serving all or portions of the city, such as municipal offices, library, and post office;
- (3) Apartments, if located above the street level in non-residential structures;
  - (4) Essential service structures and uses; and
  - (5) Any other uses determined by the city to be the same or similar type uses.

(C) *Conditional uses.* Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:

- (1) Essential service structures and uses;
- (2) Entertainment and amusement services such as arcades, billiards, bowling alleys, lounges, clubs, and lodges;
- (3) Private institutions (e.g., convalescent housing, infirmaries, nurseries, and schools);
- (4) Dry cleaning;
- (5) Blueprint and photocopying establishments;
- (6) Pet shops;
- (7) Seasonal businesses;
- (8) Commercial businesses such as on- or off-sale liquor establishments (taverns, pubs) and restaurants intending to sell or serve liquor as part of regular business;
- (9) Artisan manufacturing businesses; and
- (10) Any other uses determined by the city to be the same or similar type uses.

(D) *Lot requirements and standards.* Refer to Appendix A of this chapter.

**Section 4. Section 153.038 of the Osseo City Code is amended as follows:**

**§ 153.038 HIGHWAY COMMERCIAL DISTRICT, C-2.**

(A) *Highway Commercial District, C-2 North.*

(1) *Intent.* The intent of this district is to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by the owner.

(2) *Permitted uses.* Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:

- (a) Uses permitted within the central business district;
- (b) Auto accessory stores; ~~and~~



- (c) Cannabis transportation business; cannabis wholesaling business; and
- ~~(e)~~(d) Any other uses determined by the city to be the same or similar type uses.

(3) *Conditional uses.* Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:

- (a) Conditional uses permitted in the CBD;
- (b) Major auto service stations that include facilities for chassis and gear lubricating, and car washing;
- (c) Garages for the storage and repair of vehicles including body repair and painting, but not including vehicle wrecking yards;
- (d) Live bait stores;
- (e) Outdoor motor vehicle sales, recreational vehicle sales, truck sales, and motorcycle sales, which meet all of the following requirements:
  1. Minimum lot size of one acre;
  2. Minimum building size must be at least 10% of lot size;
  3. Business must have own building and property;
  4. Area used for sales must be separate and in addition to off-street parking area; and
  5. All vehicle repair and maintenance must take place within a completely enclosed building. Repaired vehicles or vehicles waiting to be repaired shall be considered storage and must be within a screened or enclosed area.
- (f) Indoor motor vehicle, recreational vehicle, truck and motorcycle sales;
- (g) Mortuaries;
- (h) Drive in businesses, auto repair and service, which meet the following requirement:
  1. Minimum lot size of .5 acre;
- (i) Automobile detailing and/or washing; and
- (j) Any other uses determined by the city to be the same or similar type uses.

(4) *Lot requirements and standards.* Refer to Appendix A of this chapter.

(B) *Highway Commercial District, C-2 South.*

(1) *Intent.* The intent of this district is to accommodate service type business uses primarily oriented to the driving public with needed parking facilities provided on site by the owner.

(2) *Permitted uses.* Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:

- (a) Uses permitted within the central business district;
- (b) Auto accessory stores; ~~and~~
- (c) Cannabis transportation business; cannabis wholesaling business; and
- ~~(e)~~(d) Any other uses determined by the city to be the same or similar type uses.

(3) *Conditional uses.* Commercial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:

- (a) Conditional uses permitted in the CBD;
- (b) Major auto service stations that include facilities for chassis and gear lubricating, and car washing;
- (c) Garages for the storage and repair of vehicles including body repair and painting, but not including vehicle wrecking yards;
- (d) Live bait stores;
- (e) Outdoor motor vehicle sales, recreational vehicle sales, truck sales, and motorcycle sales, which meet all of the following requirements:
  - 1. Minimum lot size of one acre;
  - 2. Minimum building size must be at least 10% of lot size;
  - 3. Business must have own building and property;
  - 4. Area used for sales must be separate and in addition to off-street parking area; and
  - 5. All vehicle repair and maintenance must take place within a completely enclosed building. Repaired vehicles or vehicles waiting to be repaired shall be considered storage and must be within a screened or enclosed area.
- (f) Indoor motor vehicle, recreational vehicle, truck, and motorcycle sales;
- (g) Mortuaries;
- (h) Drive in businesses, auto repair and service, which meet the following requirement:
  - 1. Minimum lot size of .5 acre;
- (i) Automobile detailing and/or washing;
- (j) Warehousing and shipping of warehoused goods; and
- (k) Any other uses determined by the city to be the same or similar type uses.

(4) *Lot requirements and standards.* Refer to Appendix A of this chapter.

**Section 5. Section 153.039 of the Osseo City Code is amended as follows:**

**§ 153.039 MANUFACTURING AND INDUSTRIAL DISTRICT, M.**

(A) *Intent.* The intent of this district is to provide land in proximity to major thoroughfares for the development of certain manufacturing and industrial activities that will strengthen the local employment opportunity and tax base in the city.

(B) *Permitted uses.* Manufacturing and industrial establishments. In order to illustrate the types of establishments which this division is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only establishments intended to be covered:

- (1) Uses permitted within the C-2, highway commercial district;
- (2) Fabricating, manufacturing, production, processing, and storage of material goods and products, subject to the performance standards set forth in § 153.050 of this code and as set forth in the rules and regulations of the Minnesota Pollution Control Agency;

- (3) Motor freight terminals;
- (4) Research, electrical and metallurgical, but not chemical;
- (5) Public uses and public utility facilities; and
- (6) Any other uses determined by the city to be the same or similar type uses.

(C) *Conditional uses.*

(1) Conditional uses permitted within the C-2, highway commercial district, with the exception of § 153.038 (C)(5) motor vehicle, recreational vehicle, truck, and motorcycle sales;

(2) Manufacturing and sale of concrete products;

(3) Manufacturing of miscellaneous building materials (such as, prefabricated housing, wallboard, partitions, and panels);

(4) Metal fabrication;

(5) Storage of the following:

(a) Coal and gas; or

(b) Auto wrecking, junk, and salvage.

(6) Sexually oriented businesses;

(7) cannabis cultivation business, cannabis testing business, cannabis manufacturing business, and lower-potency hemp edible manufacturer, subject to the following: performance standards set forth in section 153.050 of this code; all applicable rules and regulations of the Minnesota Pollution Control Agency; all applicable State of Minnesota administrative rules pertaining to cannabis; chapter 93 of this code (health and safety/nuisances); and other reasonable conditions imposed by the City;

~~(7)~~ (8) Uses not specifically set forth herein which in the opinion of the City Council would be compatible with the area in which located and which would not constitute a public nuisance, and which would not materially affect sewer capacity.

(D) *Lot requirements and standards.* Refer to Appendix A of this chapter.

**Section 6. Section 153.050 (Special Regulations; Performance Standards) is amended as follows:**

Every use permitted and conditional use under ~~by~~ this chapter shall be so established and maintained as to comply with the provisions of the following performance standards.

**Section 7. Section 153.060 of the Osseo City Code is amended as follows to add an additional standard prohibiting cannabis and hemp businesses as home occupations:**

**§ 153.060 HOME OCCUPATIONS.**

All home occupations permitted by this chapter shall be so established and maintained as to comply with the provisions of the following standards:

(A) Conduct of the home occupation does not result in any alterations to the exterior of the residence;

[paragraphs intentionally omitted]

(M) Cannabis and hemp businesses shall not be permitted as home occupations.

**Section 8. The Osseo City Code is amended to add the following new Section 153.043 relating to Cannabis and Hemp uses:**

**§ 153.043 LOCATION OF CANNABIS AND HEMP BUSINESSES.**

(A) *Location restrictions.* Cannabis Retail Businesses must be located:

- (1) At least 500 feet from any School;
- (2) At least 250 feet from any Residential Treatment Facility; and
- (3) At least 250 feet from Sipe Park or future public park that contains an attraction that is regularly used by minors.
- (4) At least 250 feet from any Daycare.

(B) *Measuring buffers.* Buffer distances established in paragraph (A) will be measured in a straight line from the closest point of the property line of the parcel upon which the Cannabis Retail Business proposes to operate to:

- (1) the property line of the parcel upon which a School, Daycare or Residential Treatment Facility is located; or
- (2) to the property line of the Sipe Park parcel or parcel of any future public park as described in (A)(3) of this section.

**Section 9. Effective Date.** This ordinance shall be effective upon passage and publication.

ADOPTED by the City Council of the City of Osseo, Minnesota, this \_\_\_<sup>th</sup> day of \_\_\_\_\_ 2025.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

First reading: \_\_\_\_\_, 2025  
Second reading and adoption: \_\_\_\_\_, 2025  
Published: \_\_\_\_\_, 2025, *Osseo-Maple Grove Press*