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# CITY OF EMILY

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## PLANNING COMMISSION/BOARD OF ADJUSTMENT

### AGENDA

Tuesday, September 3, 2024, 6:00 pm

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1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Additions or Deletions to Agenda (*Commission Action-Motion*)
5. Open Forum- *This is a time to provide comments to the Planning Commissioners about items **not** on the agenda. No action will be taken on these items. If you're speaking, please come to the podium, state your name and address for the record.*
6. Public Hearings
7. Approval of Minutes
  - a. August 6, 2024, regular meeting (*Commission Action-Motion*)
8. Land Use Ordinance Subcommittee Meeting update
9. New Business
  - a. Consideration of calling for Public Hearing for proposed Cannabis Business Ordinance.  
(*Commission Action-Motion*)
10. Old Business
11. P&Z Administrator's Report
12. Adjourn (*Commission Action-Motion*)

This agenda is not exclusive. Other business may be discussed as deemed necessary.

**MINUTES**

**EMILY PLANNING COMMISSION/BOARD OF ADJUSTMENT**

**REGULAR MEETING**

**August 6, 2024**

**1. CALL TO ORDER**

The meeting was called to order by Commissioner Johnson at 6:00 pm.

**2. Pledge of Allegiance was recited.**

**3. ROLL CALL**

PRESENT: Dave Johnson, Chairman, Pat Rheume, Lynn Bartel, Denise Vukelich, Mark Mosman, and Faye Hughes.

Council: Greg Koch (Liaison)

Staff: Steve Jones, Zoning Administrator (Sourcewell), Sue Fahrendorff , Zoning Clerk

**4. ADDITIONS OR DELETIONS TO AGENDA**

None

**MOTION MADE BY COMMISSIONER RHEAUME TO ADOPT THE AGENDA AS PRESENTED. SECONDED BY COMMISSIONER MOSMAN. ALL VOTED IN FAVOR. MOTION CARRIED 5-0.**

**5. OPEN FORUM**

None

**6. PUBLIC HEARINGS**

None

**7. APPROVAL OF MINUTES**

a. July 2, 2024 Regular Meeting Minutes.

**MOTION BY COMMISSIONER VUKELICH TO APPROVE JULY 2, 2024 MINUTES AS PRESENTED. SECONDED BY COMMISSIONER BARTEL. ALL VOTED IN FAVOR. MOTION CARRIED 5-0.**

**8. NEW BUSINESS**

a. Consideration of proposed city land acquisition compatibility with Comp Plan.

Jones provided a brief background. The city was contacted by a property owner regarding possible interest from the city in purchasing two lots (PID 21340552 & 21340553). The majority of the surrounding lots are currently owned by the city. Jones stated the city has not acted on this request and any acquisitions made by the city will need to be reviewed by the Planning Commission for compatibility with the Comp Plan. Jones stated he believes this acquisition would be compatible with the Comp Plan.

50 **MOTION MADE BY COMMISSIONER RHEAUME THAT THE PLANNING**  
 51 **COMMISSION FINDS THE PROPOSED LOT ACQUISITION IS IN ALIGNMENT**  
 52 **WITH THE CITY COMPREHENSIVE PLAN AND RECOMMENDS THE**  
 53 **ACQUISITION MOVE FORWARD TO THE CITY COUNCIL FOR FURTHER**  
 54 **ACTION. SECONDED BY COMMISSIONER VUKELICH. ALL VOTED IN**  
 55 **FAVOR 5-0. MOTION CARRIED.**

56  
 57 b. City ROW-Fire Lane Access to Wood Lake.

58  
 59 Fahrendorff provided a brief background. The city was contacted by Matt Anderson  
 60 regarding the city owned ROW north of his property off of Wood Lake Blvd. Mr. Anderson  
 61 is interested in purchasing this property from the city. Currently the parcel of land is  
 62 owned by the city as a fire lane for access to Wood Lake. Per the Fire Chief, this land is a  
 63 valuable asset for the city and selling this property would prevent access to the lake in case  
 64 of fire. The fire department has plans to mow the property and install a dry hydrant for  
 65 water access. The Comp Plan does not address ROW/ fire lanes.

66  
 67 **MOTION MADE BY COMMISSIONER VUKELICH TO FORWARD LAND**  
 68 **PURCHASE REQUEST REGARDING ROAD RIGHT OF WAY-FIRE LANE**  
 69 **ACCESS ON WOOD LAKE TO CITY COUNCIL WITH RECOMMENDATION IT**  
 70 **DOES NOT IMPACT COMP PLAN. SECONDED BY COMMISSIONER BARTEL.**  
 71 **ALL VOTED IN FAVOR 5-0. MOTION CARRIED.**

72  
 73 **9. OLD BUSINESS**

74 None

75  
 76 **10. LAND USE ORDINANCE SUBCOMMITTEE MEETING UPDATE**

77  
 78 Commissioner Johnson stated the subcommittee's main focus at this time, is to work on a  
 79 cannabis ordinance with the intention of bringing an ordinance to the Planning Commission for  
 80 discussion at the September 2024 meeting.

81  
 82 **11. P & Z ADMINISTRATOR'S REPORT**

83  
 84 Jones stated that everything has been running smoothly since he started. He has made several  
 85 site visits to properties to review permit applications, site plans, and discuss possible building  
 86 locations, etc.

87  
 88 **12. ADJOURNMENT**

89  
 90 **MOTION BY COMMISSIONER BARTEL TO ADJOURN THE MEETING,**  
 91 **SECONDED BY COMMISSIONER VUKULICH. ALL VOTED IN FAVOR 5-0.**  
 92 **MOTION CARRIED**

93  
 94 The meeting adjourned at 6:24 pm.  
 95 Respectfully submitted,

96  
 97  
 98 Sue Fahrendorff,  
 99 Zoning Clerk

MINUTES

Emily Planning Commission  
 August 6, 2024

PUBLIC HEARING NOTICE-PLANNING COMMISSION, CITY OF EMILY, MINNESOTA

The City of Emily Planning Commission will hold a Public Hearing on Tuesday, October 1, 2024 to consider recommendation of an Ordinance Regulating Cannabis Businesses in Emily. The hearing will be held at approximately 6:00 PM in the Emily City Hall Council Chambers, 39811 State Hwy 6, Emily, MN. This Ordinance will add a section under the Zoning Code (Land Usage) to allow the City Council to regulate certain cannabis businesses that may obtain licenses from the State. A full copy of the proposed ordinance is available for review during regular business hours in the City Clerk's Office at the address above or may be viewed on the City Website. Members of the public may attend in person, monitor the meeting on-line, or provide written testimony. If you want more information, please contact the City Offices at 218-763-2480, or email the City Clerk at [clerk@emily.net](mailto:clerk@emily.net).

Draft  
Notice

**PC Land Use Subcommittee:** Sept. 3, 2024 (4:00 PM) Review Draft Ordinance

**Planning Commission:** Sept. 3, 2024 (6:00 PM) Review Ordinance/ Call for Public Hearing

**Planning Commission:** Oct 1, 2024 (6:00 PM) Hold Public Hearing and Consider Recommendation of Ordinance to the City Council

**City Council Date:** Oct. 8, 2024 (6:00 PM) Consideration of Ordinance

**Agenda Item** \_\_\_\_\_

**Topic:** Consideration of Ordinance Regulating Cannabis Businesses

**Proposed By:** Planning Commission Land Use Subcommittee and Planning Commission

**Description:** The State of Minnesota now allows certain kinds of Cannabis related businesses. All require a permit from the State. The State is allowing cities to regulate where within the city they can go, and they are also allowing some “limited” regulations dealing with distances from certain other uses and some limited local fees.

**Recommendation by Staff:** It seems to be in the best interest of the city to regulate locations of these businesses when licensed by the State. It is our expectation that the rules will change over the next few years, so we suggest a “Stand Alone” ordinance that will be easier to change and understand. If approved, the City Council will also need to establish fees and charges associated with the ordinance. This can be completed separately at another meeting by the City Council.

**Other Options:** Take no action, table action, change proposed ordinance.

**Legal Issues:** If the city does not take action on an ordinance by January 1, 2025, the city will have no control over where State licensed businesses can go in the City of Emily.

**Financial Impact:** Minimal, if the city has a retail establishment it will have to be inspected once per year. It is questionable if the State will license a retail facility in Emily, because the total number allowed in the County is limited, and they are more likely to be licensed in larger communities. The ordinance does allow for a fee to be charged for our services. The State has not yet issued guidelines for the required inspections. Those are expected later in 2025. If inspections are required because of licensing of a retail establishment, staff is assuming the City will have options (consultants, Law Enforcement, etc.) to complete.

**Attachments:**

- 1) Information from the State
- 2) Model Ordinance from the State
- 3) Draft of Proposed Ordinance
- 4) Public Hearing Notice

Draft  
Cover  
PAGE

Draft Ord.  
Emily

ORDINANCE NO 2024-\_\_  
CITY OF EMILY  
COUNTY OF CROW WING  
STATE OF MINNESOTA

Stand Alone  
Ord.  
Can please  
look at it

AN ORDINANCE ADDING **SECTION 154: CANNABIS BUSINESSES**

The City Council of the City of Emily, Crow Wing County, State of Minnesota does hereby ordain:

Section 1. Administration

1.1 Findings and Purpose

The City Council for the City of Emily makes the following legislative findings:  
The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes the City of Emily to protect the public health, safety, welfare of the City of Emily residents by regulating cannabis businesses within the legal boundaries of City of Emily.

The City Council for the City of Emily finds and concludes that the proposed provisions are appropriate and lawful land use regulations for City of Emily, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

1.2 Authority & Jurisdiction

The City Council for the City of Emily has the authority to adopt this ordinance pursuant to:

- a) Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of 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.
- b) Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
- c) Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
- d) Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.

Ordinance shall be applicable to the legal boundaries of City of Emily, Minnesota.

1.3 Severability

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

1.4 Enforcement

The City Clerk is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

1.5 Definitions

- 1. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.

2. Cannabis Cultivation: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
3. Cannabis Retail Businesses: A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, excluding lower-potency hemp edible retailers.
4. Cannabis Retailer: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.
5. 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.
6. Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50.
7. Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.
8. 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.
9. Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
10. 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.
11. Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
12. Retail Registration: An approved registration issued by the City of Emily to a state-licensed cannabis retail business.
13. 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.
14. State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

## Section 2. Registration of Cannabis Businesses

### 2.1 Consent to registering of Cannabis Businesses

No individual or entity may operate a state-licensed cannabis retail business within the City of Emily without first registering with the City Clerk.

Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of \$500 for each violation.

Notwithstanding the foregoing provisions, the state shall not issue a license to any cannabis business to operate in Indian country, as defined in United States Code, title 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal government.

## 2.2 Compliance Checks Prior to Retail Registration

Prior to issuance of a cannabis retail business registration, the City of Emily shall conduct a preliminary compliance check to ensure compliance with local ordinances.

Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, the City of Emily shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

## 2.3 Registration & Application Procedure

### 2.3.1 Fees.

The City of Emily shall not charge an application fee.

A registration fee, as established in the City of Emily's fee schedule, shall be charged to applicants depending on the type of retail business license applied for.

An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.

Any renewal retail registration fee imposed by City of Emily shall be charged at the time of the second renewal and each subsequent renewal thereafter.

A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

### 2.3.2 Application Submittal.

The City of Emily shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

- (A) An applicant for a retail registration shall fill out an application form, as provided by the City of Emily. Said form shall include, but is not limited to:
  - i. Full name of the property owner and applicant;
  - ii. Address, email address, and telephone number of the applicant;
  - iii. The address and parcel ID for the property which the retail registration is sought;
  - iv. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.
  - v. Verification of land use compliance by the Zoning Administrator.
- (B) The applicant shall include with the form:
  - i. the application fee as required in [Section 2.3.1];
  - ii. a copy of a valid state license or written notice of OCM license preapproval;
- (C) Once an application is considered complete, the City Clerk shall inform the applicant as such, process the application fees, and forward the application to the Zoning Administrator for approval or denial. If denied, the applicant may appeal to the BZA of the City of Emily for review of the Zoning Administrators decision.



(D) The application fee shall be non-refundable once processed.

### 2.3.3 Application Approval

(A) A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.

(B) A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

### 2.3.4 Annual Compliance Checks.

The City of Emily shall complete at minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under [Minn. Stat. 342.22 Subd. 4(b) and Minn. Stat. 342.24].

The City of Emily shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.

Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government.

Any failures under this section must be reported to the Office of Cannabis Management.

### 2.3.5 Location Change

A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 2.3.2 if it seeks to move to a new location still within the legal boundaries of City of Emily.

## 2.4 Renewal of Registration

The City of Emily shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.

A state-licensed cannabis retail business shall apply to renew registration on a form established by City of Emily.

A cannabis retail registration issued under this ordinance shall not be transferred.

### 2.4.1 Renewal Fees.

The City of Emily may charge a renewal fee for the registration starting at the second renewal, as established in City of Emily's fee schedule.

### 2.4.2 Renewal Application.

The application for renewal of a retail registration shall include, but is not limited to:

- Items required under Section 2.3.2 of this Ordinance.
- Other items required by the City Clerk and Zoning Administrator to ascertain the registration is in compliance with the City Code.

## 2.5 Suspension of Registration

### 2.5.1 When Suspension is Warranted.

The City of Emily may suspend a cannabis retail business's registration if it violates the ordinance of City of Emily or poses an immediate threat to the health or safety of the public. The City of Emily shall immediately notify the cannabis retail business in writing the grounds for the suspension.

### 2.5.2 Notification to OCM.

The City of Emily shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide City of Emily and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

### 2.5.3 Length of Suspension.

The suspension of a cannabis retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended.

The City of Emily shall reinstate a registration if OCM determines that the violation(s) have been resolved.

### 2.5.4 Civil Penalties.

Subject to Minn. Stat. 342.22, subd. 5(e) the City of Emily may impose a civil penalty, as specified in the City of Emily's Fee Schedule, for registration violations, not to exceed \$2,000.

## 2.6 Limiting of Registrations

The City of Emily shall limit the number of cannabis retail businesses to no fewer than one registration for every 12,500 residents within city limits of the City of Emily. For 2024 and 2025, one retail license may be approved (first come first served), beginning in 2026 and beyond up to two retail licenses may be approved and operational at the same time.

## Section 3. Requirements for Cannabis Businesses

### 3.1 Minimum Buffer Requirements

The City of Emily shall prohibit the operation of a cannabis business within 1,000 feet of a school.

The City of Emily shall prohibit the operation of a cannabis business within 500 feet of a day care.

The City of Emily shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.

The City of Emily 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.

The City of Emily shall prohibit the operation of a cannabis retail business within 500 feet of another cannabis retail business.

Pursuant to Minn. Stat. 462.367 subd. 14, nothing in Section 3.1 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/attraction within a public park that is regularly used by minors) moves within the minimum buffer zone.

## 3.2 Zoning and Land Use

### 3.2.1. Cultivation.

Cannabis businesses licensed or endorsed for cultivation are a Permitted Use or Conditional Use as a (type of use) in the following zoning districts:

- Commercial Transition Zone (Outdoor and Indoor) Permitted
- Highway Mixed Use (Indoor) Permitted
- Highway Mixed Use (Outdoor) as a Conditional Use Only

### 3.2.2. Cannabis Manufacturer.

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as a (type of use) in the following zoning districts:

- Commercial Transition Zone
- Highway Mixed Use

### 3.2.3. Hemp Manufacturer.

Businesses licensed or endorsed for low-potency hemp edible manufacturers permitted as a (type of use) in the following zoning districts:

- Commercial Transition Zone
- Highway Mixed Use

### 3.2.4. Wholesale.

Cannabis businesses licensed or endorsed for wholesale are permitted as a (type of use) in the following zoning districts:

- Commercial Transition Zone
- Highway Mixed Use

### 3.2.5. Cannabis Retail.

Cannabis businesses licensed or endorsed for cannabis retail are permitted as a (type of use) in the following zoning districts:

- Commercial Transition
- Downtown Mixed Use

### 3.2.6. Cannabis Transportation.

Cannabis businesses licensed or endorsed for transportation are permitted as a (type of use) in the following zoning districts:

- Commercial Transition Zone
- Highway Mixed Use

### 3.2.7. Cannabis Delivery.

Cannabis businesses licensed or endorsed for delivery are permitted as a (type of use) in the following zoning districts:

- Commercial Transition Zone
- Highway Mixed Use

### 3.2.8. All Other Cannabis Businesses Licensed by the State Not Listed Above:

All other Cannabis businesses licensed by the state are by Conditional Use (type of use) in the following Zoning Districts:

- Commercial Transition Zone
- Highway Mixed Use
- Downtown Mixed Use

Added  
not  
State  
Model

Hours, by state  
~~Alabama~~  
between 2 AM  
& 5 AM  
for retail

### 3.3 Hours of Operation

Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 6:00 AM and 11:00 PM.

### 3.4 Advertising

As allowed under city code for the underlying zoning district. Sign permits are required for all signs erected.

you have same penalty

## Section 4. Temporary Cannabis Events

Discuss

### 4.1 License or Permit Required for Temporary Cannabis Events

#### 4.1.1 License Required.

A license or permit is required to be issued and approved by City of Emily prior to holding a Temporary Cannabis Event.

#### 4.1.2 Registration & Application Procedure

A registration fee, as established in City of Emily's fee schedule, shall be charged to applicants for Temporary Cannabis Events.

#### 4.1.3 Application Submittal & Review.

The City of Emily shall require an application for Temporary Cannabis Events.

- (A) An applicant shall fill out an application form, as provided by the City of Emily. Said form shall include, but is not limited to:
  - i. Full name of the property owner and applicant;
  - ii. Address, email address, and telephone number of the applicant;
  - iii. Full site plan
  - iv. Times of operation.
  - v. Proof of Insurance at least equal to City of Emily tort liability limits and naming the City as additional insured.
  - vi. Security plan approved by the County Sheriffs Department.
- (B) The applicant shall include with the form:
  - i. the application fee as required in City Fee Schedule.
  - ii. a copy of the OCM cannabis event license application, submitted pursuant to 342.39 subd. 2.

The application shall be submitted to the City Clerk, or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

(C) Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the Emily City Council that will approve or deny the request for approval or denial.

(D) The application fee shall be non-refundable once processed.

(E) A request for a Temporary Cannabis Event that meets the requirements of this Section may be approved if the City Council makes the finding that the event is in the best interest of the citizens of the city, will not create undue hardships, stress infrastructure, safety, security, environment or convenience of the citizens.

(F) A request for a Temporary Cannabis Event that does not meet the requirements of this sections shall be denied. The City of Emily will notify the applicant of the standards not met and the basis for denial.

(G) All events must meet all other applicable city codes for events and event approvals.

### Section 5. Use in Public Places

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use.

### Effective Date.

This Interim Ordinance shall take effect upon adoption and publication as required by State law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2024 by a \_\_\_\_ ths vote.

\_\_\_\_\_  
Tracy Jones, Mayor

Attest:

\_\_\_\_\_  
Cari Johnson, City Clerk/Treasurer

# Model From

## Cannabis Model Ordinance

The following model ordinance is meant to be used as a resource for cities, counties, and townships within Minnesota. The italicized text in red is meant to provide commentary and notes to jurisdictions considering using this ordinance and should be removed from any ordinance formally adopted by said jurisdiction. Certain items are not required to be included in the adopted ordinance. "OR" and (optional) are placed throughout for areas where a jurisdiction may want to consider one or more choices on language.

- Section 1 Administration
- Section 2 Registration of Cannabis Business
- Section 3 Requirements for a Cannabis Business (Time, Place, Manner)
- Section 4 Temporary Cannabis Events
- Section 5 Lower Potency Hemp Edibles
- Section 6 Local Government as a Retailer
- Section 7 Use of Cannabis in Public

State

### AN ORDINANCE OF THE (CITY/COUNTY OF \_\_\_\_\_) TO REGULATE CANNABIS BUSINESSES

The (city council/town board/county board) of (city/town/county) hereby ordains:

#### Section 1. Administration

##### 1.1 Findings and Purpose

(insert local authority) makes the following legislative findings:

The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes (insert local authority) to protect the public health, safety, welfare of (insert local here) residents by regulating cannabis businesses within the legal boundaries of (insert local here).

(insert local authority) finds and concludes that the proposed provisions are appropriate and lawful land use regulations for (insert local here), that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

##### 1.2 Authority & Jurisdiction

*A county can adopt an ordinance that applies to unincorporated areas and cities that have delegated authority to impose local zoning controls.*

(insert local authority) has the authority to adopt this ordinance pursuant to:

- a) Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of 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.

- b) Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
- c) Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
- d) Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.

Ordinance shall be applicable to the legal boundaries of (insert local here).

(Optional) (insert city here) has delegated cannabis retail registration authority to (insert county here). However, (insert city here) may adopt ordinances under Sections (2.6, 3 and 4) if (insert county here) has not adopted conflicting provisions.

### 1.3 Severability

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

### 1.4 Enforcement

*The elected body of a jurisdiction can choose to designate an official to administer and enforce this ordinance.*

The (insert name of local government or designated official) is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

### 1.5 Definitions

1. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 347.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.
2. Cannabis Cultivation: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant, harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
3. Cannabis Retail Businesses: A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, (and/excluding) lower-potency hemp edible retailers.

4. Cannabis Retailer: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.
5. 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.
6. Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50.
7. Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.
8. 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.
9. Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
10. 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.
11. Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
12. Retail Registration: An approved registration issued by the (insert local here) to a state-licensed cannabis retail business.
13. 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.
14. State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

## Section 2. Registration of Cannabis Businesses

*A city or town can delegate authority for registration to the County. A city or town can still adopt specific requirement regarding zoning, buffers, and use in public places, provided said requirements are not in conflict with an ordinance adopted under the delegated authority granted to the County.*

### 2.1 Consent to registering of Cannabis Businesses

No individual or entity may operate a state-licensed cannabis retail business within (insert local here) without first registering with (insert local here).

Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of (up to \$2,000) for each violation.

Notwithstanding the foregoing provisions, the state shall not issue a license to any cannabis business to operate in Indian country, as defined in United States Code, title 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal government.



## 2.2 Compliance Checks Prior to Retail Registration

*A jurisdiction can choose to conduct a preliminary compliance check prior to issuance of retail registration.*

Prior to issuance of a cannabis retail business registration, (insert local here) (shall/shall not) conduct a preliminary compliance check to ensure compliance with local ordinances.

Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, (insert local here) shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

## 2.3 Registration & Application Procedure

### 2.3.1 Fees

(insert local here) shall not charge an application fee.

A registration fee, as established in (insert local here)'s fee schedule, shall be charged to applicants depending on the type of retail business license applied for.

An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.

Any renewal retail registration fee imposed by (insert local here) shall be charged at the time of the second renewal and each subsequent renewal thereafter.

A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

### 2.3.2 Application Submittal

The (insert local here) shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

(A) An applicant for a retail registration shall fill out an application form, as provided by the (insert local here). Said form shall include, but is not limited to:

- i. Full name of the property owner and applicant;
- ii. Address, email address, and telephone number of the applicant;
- iii. The address and parcel ID for the property which the retail registration is sought;
- iv. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.
- v. (Insert additional standards here)

(B) The applicant shall include with the form:

- i. the application fee as required in [Section 2.3.1];
  - ii. a copy of a valid state license or written notice of OCM license preapproval;
  - iii. (insert additional standards here)
- (C) Once an application is considered complete, the (insert local government designee) shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.
- (D) The application fee shall be non-refundable once processed.

### *2.3.3 Application Approval*

- (A) (Optional) A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 2.6.
- (B) A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.
- (C) A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

### *2.3.4 Annual Compliance Checks*

The (insert local here) shall complete at minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under [Minn. Stat. 342.22 Subd. 4(b) and Minn. Stat. 342.24] and this/these [chapter/section/ordinances].

The (insert local here) shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.

Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government.

Any failures under this section must be reported to the Office of Cannabis Management.

### *2.3.5 Location Change*

*A jurisdiction may decide to treat location changes as a new registration, or alternatively treat a location change as allowable subject to compliance with the rest of the registration process.*

A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 2.3.2 if it seeks to move to a new location still within the legal boundaries of (insert local here).

or

if a state-licensed cannabis retail business seeks to move to a new location still within the legal boundaries of (insert local here), it shall notify (insert local here) of the proposed location change, and submit necessary information to meet all the criteria in this paragraph.

## 2.4 Renewal of Registration

The (insert local here) shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.

A state-licensed cannabis retail business shall apply to renew registration on a form established by (insert local here).

A cannabis retail registration issued under this ordinance shall not be transferred.

### 2.4.1 Renewal Fees

The (insert local here) may charge a renewal fee for the registration starting at the second renewal, as established in (insert local here)'s fee schedule.

### 2.4.2 Renewal Application

The application for renewal of a retail registration shall include, but is not limited to:

- Items required under Section 2.3.2 of this Ordinance.
- Insert additional items here

## 2.5 Suspension of Registration

### 2.5.1 When Suspension is Warranted

The (insert local here) may suspend a cannabis retail business's registration if it violates the ordinance of (insert local here) or poses an immediate threat to the health or safety of the public. The (insert local here) shall immediately notify the cannabis retail business in writing the grounds for the suspension.

### 2.5.2 Notification to OCM

The (insert local here) shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide (insert local here) and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

### 2.5.3 Length of Suspension

***A jurisdiction can wait for a determination from the OCM before reinstating a registration.***

The suspension of a cannabis retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended.

The (insert local here) may reinstate a registration if it determines that the violations have been resolved.

The (insert local here) shall reinstate a registration if OCM determines that the violation(s) have been resolved.

#### 2.5.4 Civil Penalties

Subject to Minn. Stat. 342.22, subd. 5(e) the (insert local here) may impose a civil penalty, as specified in the (insert local here)'s Fee Schedule, for registration violations, not to exceed \$2,000.

### 2.6 Limiting of Registrations

*A jurisdiction may choose to set a limit on the number of retail registrations within its boundaries. The jurisdiction may not however, limit the number of registrations to fewer than one per 12,500 residents.*

*(Optional)* The (insert local here) shall limit the number of cannabis retail businesses to no fewer than one registration for every 12,500 residents within (insert local legal boundaries here).

*(Optional)* If (insert county here) has one active cannabis retail businesses registration for every 12,500 residents, the (insert local here) shall not be required to register additional state-licensed cannabis retail businesses.

*(Optional)* The (insert local here) shall limit the number of cannabis retail businesses to (insert number <= minimum required).

## Section 3. Requirements for Cannabis Businesses

*State Statutes note that jurisdictions may "adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business." A jurisdiction considering other siting requirements (such as a buffer between cannabis businesses, or a buffer from churches) should consider whether there is a basis to adopt such restrictions.*

### 3.1 Minimum Buffer Requirements

*A jurisdiction can adopt buffer requirements that prohibit the operation of a cannabis business within a certain distance of schools, daycares, residential treatment facilities, or from an attraction within a public park that is regularly used by minors, including a playground or athletic field. Buffer requirements are optional. A jurisdiction cannot adopt larger buffer requirements than the requirements here in Section 3.1. A jurisdiction should use a measuring system consistent with the rest of its ordinances, e.g. from lot line or center point of lot.*

*(Optional)* The (insert local here) shall prohibit the operation of a cannabis business within [0-1,000] feet of a school.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of a day care.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of a residential treatment facility.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

(Optional) The (insert local here) shall prohibit the operation of a cannabis retail business within [X] feet of another cannabis retail business.

Pursuant to Minn. Stat. 462.367 subd. 14, nothing in Section 3.1 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/attraction within a public park that is regularly used by minors) moves within the minimum buffer zone.

### 3.2 Zoning and Land Use

*For jurisdictions with zoning, said jurisdiction can limit what zone(s) Cannabis businesses can operate in. As with other uses in a Zoning Ordinance, a jurisdiction can also determine if such use requires a Conditional or Interim Use permit. A jurisdiction cannot outright prohibit a cannabis business. A jurisdiction should amend their Zoning Ordinance and list what zone(s) Cannabis businesses are permitted in, and whether they are permitted, conditional, or interim uses. While each locality conducts its zoning differently, a few themes have emerged across the country. For example, cannabis manufacturing facilities are often placed in industrial zones, while cannabis retailers are typically found in commercial/retail zones. Cannabis retail facilities align with general retail establishments and are prohibited from allowing consumption or use onsite and are also required to have plans to prevent the visibility of cannabis and hemp-derived products to individuals outside the retail location. Cannabis businesses should be zoned under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business.*

#### 3.2.1 Cultivation

Cannabis businesses licensed or endorsed for cultivation are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

#### 3.2.1 Cannabis Manufacturer

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

### 3 2 1 Hemp Manufacture

Businesses licensed or endorsed for low-potency hemp edible manufacturers permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

### 3 2 1 Wholesale

Cannabis businesses licensed or endorsed for wholesale are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

### 3 2 1 Cannabis Retail

Cannabis businesses licensed or endorsed for cannabis retail are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

### 3 2 1 Cannabis Transportation

Cannabis businesses licensed or endorsed for transportation are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

### 3 2 1 Cannabis Delivery

Cannabis businesses licensed or endorsed for delivery are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

## 3.3 Hours of Operation

*A jurisdiction may adopt an ordinance limiting hours of operation to the hours between 10 a.m. and 9 p.m., seven days a week. State statute prohibits the sale of cannabis between 2 a.m. and 8 a.m., Monday through Saturday, and between 2 a.m. and 10 a.m. on Sundays.*

(Optional) Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of (insert time here) and (insert time here).

## 3.4 (Optional) Advertising

Cannabis businesses are permitted to erect up to two fixed signs on the exterior of the building or property of the business, unless otherwise limited by (insert local here)'s sign ordinances.

## Section 4: Temporary Cannabis Events

Any individual or business seeking to obtain a cannabis event license must provide OCM information about the time, location, layout, number of business participants, and hours of operation. A cannabis event organizer must receive local approval, including obtaining any necessary permits or licenses issued by a local unit of government before holding a cannabis event.

### 4.1 License or Permit Required for Temporary Cannabis Events

#### 4.1.1 License Required

A cannabis event organizer license entitles the license holder to organize a temporary cannabis event lasting no more than four days. A jurisdiction should determine what type of approval is consistent with their existing ordinances for events.

A license or permit is required to be issued and approved by (insert local here) prior to holding a Temporary Cannabis Event.

#### 4.1.2 Registration & Application Procedure

A registration fee, as established in (insert local here)'s fee schedule, shall be charged to applicants for Temporary Cannabis Events.

#### 4.1.3 Application Submittal & Review

The (insert local here) shall require an application for Temporary Cannabis Events.

- (A) An applicant for a retail registration shall fill out an application form, as provided by the (insert local here). Said form shall include, but is not limited to:
  - i. Full name of the property owner and applicant;
  - ii. Address, email address, and telephone number of the applicant;
  - iii. (Insert additional standards here)
- (B) The applicant shall include with the form:
  - i. the application fee as required in (Section 4.1.2);
  - ii. a copy of the OCM cannabis event license application, submitted pursuant to 342.39 subd. 2.

The application shall be submitted to the (insert local authority), or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

- (C) Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.
- (D) The application fee shall be non-refundable once processed.
- (E) The application for a license for a Temporary Cannabis Event shall meet the following standards:

*A jurisdiction may establish standards for Temporary cannabis events which the event organizer must meet, including restricting or prohibiting any on-site consumption. If there are public health, safety, or welfare concerns associated with a proposed cannabis event, a jurisdiction would presumably be authorized to deny approval of that event.*

- Insert standards here

(G) A request for a Temporary Cannabis Event that meets the requirements of this Section shall be approved.

(H) A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The (insert city/town/county) shall notify the applicant of the standards not met and basis for denial.

(Optional) Temporary cannabis events shall only be held at (insert local place).

(Optional) Temporary cannabis events shall only be held between the hours of (insert start time) and (insert stop time).

## Section 5. (Optional) Lower-Potency Hemp Edibles

*A jurisdiction can establish different standards or requirements regarding Low-Potency Edibles. A jurisdiction can consider including the following section and subsections in their cannabis ordinance.*

### 5.1 Sale of Low-Potency Hemp Edibles

The sale of Low-Potency Edibles is permitted, subject to the conditions within this Section.

### 5.2 Zoning Districts

*If sales are permitted, a jurisdiction can limit what zone(s) the sales of Low-Potency Edibles can take place in. A jurisdiction can also determine if such activity requires a Conditional or Interim Use permit.*

Low-Potency Edibles businesses are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

### 5.3 (Optional) Additional Standards

#### 5.3.1 Sales within Municipal Liquor Store

*A jurisdiction that already operates a Municipal Liquor Store may sell Low-Potency Edibles within the same store.*

The sale of Low-Potency Edibles is permitted in a Municipal Liquor Store.

#### 5.3.2 Age Requirements

*A jurisdiction is able to restrict the sale of Low-Potency Edibles to locations such as bars.*



The sale of Low-Potency Edibles is permitted only in places that admit persons 21 years of age or older.

#### 3.3.32 Hemp

The sale of Low-Potency Hemp Beverages is permitted in places that meet requirements of this Section.

#### 5.5. Storage of Product

*A jurisdiction is able to set requirements on storage and sales of Low-Potency Edibles*

Low-Potency Edibles shall be sold behind a counter, and stored in a locked case.

#### Section 6. (Optional) Local Government as a Cannabis Retailer

(insert local here) may establish, own, and operate one municipal cannabis retail business subject to the restrictions in this chapter.

The municipal cannabis retail store shall not be included in any limitation of the number of registered cannabis retail businesses under Section 2.6.

(insert local here) shall be subject to all same rental license requirements and procedures applicable to all other applicants.

#### Section 7 Use in Public Places

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use.



39811 State Highway 6  
PO Box 68  
Emily, MN 56447  
218-763-2480  
zoning@emily.net

August 27, 2024

To: Planning Commission

From: Steve Jones, Senior Community Development Administrator, Sourcewell

**Re: August 2024 Report-City of Emily Planning and Zoning**

I have now been in Emily for two months. It is fair to say this is my favorite venue to work within, and staff has been great. Thank you for the opportunity and I hope to be here for a good long run.

Even though Emily is small, it is active and busy. Sue will include statistical information to this report. The Land Use Ordinance Subcommittee has been busy. In August they reviewed a model Cannabis Business Ordinance (we are basing it off of the State Model), and in September they will meet again, and will likely pass on a DRAFT Ordinance for the Planning Commission to review at the September 2024 Planning Commission meeting. If the Planning Commission is ready, they could call for a Public Hearing on the proposed Cannabis Ordinance at the September meeting, so a Public Hearing could be held at the October 2024 Planning Commission meeting and the City Council could then have the opportunity to pass the Ordinance at the October 2024 City Council meeting. We need to have this in place by the end of December.

Staff also had the opportunity to meet with Anna Battistini, whose family settled the area around the Manganese Deposit and still own land in the vicinity of the proposed mine. We found her view of the project interesting, and she provided staff with a number of maps and information about the site.

I have had the opportunity to meet a lot of nice people who are looking to improve their properties. In most cases, we have been able to guide them through the proper channels to get done what they want to do. In the cases they can't, we have attempted to educate them on the rules and regulations. Sue does a great job of making sure the Septic Rules are followed, one of the most important tasks we do.

At this time, we have not heard of any new projects or developments that will need to require a special action such as a special permit or variance.

Again, thank you for the opportunity to be here.

# 2024 Permits--Emily Planning and Zoning

<u>NUMBER</u>	<u>Recd</u>	<u>Appvrd</u>	<u>RE CODE</u>	<u>LAST</u>	<u>FIRST</u>	<u>ADDRESS</u>	<u>TYPE</u>	<u>DESCRIPTION</u>	<u>FEE</u>	<u>DISTRICT</u>	<u>Project Completed Y/N</u>
24-01	1/3/2024	2/13/2023	21090613	Red's Storage LLC		42823 State HWY 6	CUP	Six Total Storage Buildings Outdoor Market May-September 2024; Saturdays only- Various dates	\$500.00	HMU	CUP Completed
24-02	1/10/2024	3/6/2024	21270656	Emily Wesleyan Chrch	Jason Gressman	40141 State HWY 6	Outdoor Market	Annual Camper Permit	\$75.00	DMU	NA/Outdoor Market
24-03	1/22/2024	1/23/2024	21030519	Proctor	Todd	21438 Evening Star Lane	Camper Permit	Construct a 16'X25' (400 SqFt) addition to dwelling	\$25.00	RP	
24-04	2/5/2024	2/6/2024	21270771	Keillogg	James	21498 Ruth Lake Drive	Land Use Permit	Construct a 40'X30' (1,200 SqFt) New Dwelling	\$150.00	SR	
24-05	2/12/2024	2/12/2024	21170564	Kloss Homes	James Field	19478 Blue Ln E	Land Use Permit	Construct a 52'X62' (3,224 SqFt) New Dwelling with 60'X60' (3,600 SqFt) Attached garage	\$450.00	SR	
24-06	2/12/2024	3/6/2024	21150522	Bute	Jeffrey	42144 State HWY 6	Land Use Permit	Install a Pressure Bed/Trench Septic System: Type 1, 600 GPD, 2250 Gallon Tank	\$550.00	HMU	
24-07	2/20/2024	2/20/2024	21170564	Kloss Homes	James Field	19478 Blue Ln E	SSTS	Construct a 30'X60' (1,800 SqFt) Addition to existing accessory structure	\$260.00	SR	
24-08	2/20/2024	2/20/2024	21250500	Swinehart	Michael	23372 North Shore Drive	Land Use Permit	Construct a 48'X150' (7,200 SqFt) Commerical Storage Building	\$400.00	NR	
24-09	2/20/2024	2/20/2024	21090613	Red's Storage LLC		43823 State Hwy 6	Land Use Permit		\$600.00	HMU	Project Completed Y/N

24-10	3/4/2024	3/6/2024	21090551	St. Martin	Mike & Amy	20152 Clearwater Dr.	Land Use Permit	Construct a 36'X36' (1,296 SqFt) Dwelling with 36'X36'(1,296 SqFt)attached garage.	\$550.00	SR	
24-11	3/12/2024	3/19/2024	21340895	Bemis	Richard	39892 Lake St	Land Use Permit	Paver Patio with Firepit 452 SqFt	\$150.00	SR	
24-12	3/13/2024	3/19/2024	21170537	Rief	Mike & Bridget	19289 Blue Lane E	Land Use Permit	Construct a 40'X60' (2,400 SqFt) Accessory Structure	\$400.00	NR	
24-13	3/13/2024	3/19/2024	21170585	Slye	Brad & Sharon	42887 Blue Lane W	Land Use Permit	Construct a 60'X104' (6,240 SqFt) Accessory Structure	\$400.00	NR	
24-14	3/18/2024	3/19/2024	21250526	Adamsheck	Jeff	23252 South Shore Drive	Land Use Permit	Construct a 14'X24' (336 SqFt) Patio	\$150.00	SR	
24-15	3/15/2024	3/19/2024	21150522	Bute	Jeffrey	42144 State HWY 6	SSTS Permit	Install a Pressure Bed/Trench Septic System; Type 1, 600 GPD, 1500 Gallon Tank	\$260.00	HMU	Denied over the 50' limit.
24-16	4/4/2024	4/9/2024	21080563	Rief	Mike	19632 Blue Lake Road	Land Use Permit	Ice Ridge Repair	\$60.00	SR	
24-18	04/08/24	4/9/2024	21260526	DiGiovanni	Nathan	40340 E Emily Dr.	Land Use Permit	(288 SqFt) deck attached to existing home	\$150.00	NR	
24-19	4/9/2024	4/9/2024	21270692	Barrett	Dan	20962 County Rd 1	Land Use Permit	Install a wooden privacy fence	\$60.00	DMU	
24-20	4/9/2024	4/9/2024	21280505	Roden	Pam	40025 Evergreen Dr.	Land Use Permit	Construct a 10'X12' (120 SqFt) Accessory Structure	\$75.00	NR	Yes 7/30/2024
24-21	4/11/2024	4/15/2024	21250531	ABRA Landscaping- Corey Ledin	Carlson, Peter & Patricia	23122 S Shore Drive	Land Use Permit	Patio 12'X45' & Retaining Wall repair	\$60.00	SR	
24-22	4/11/2024	4/12/2024	21080567	Patnode	Loren	19590 Blue Lake Rd	Land Use Permit	Ice Ridge Repair	\$60.00	SR	
24-23	4/22/2024	4/22/2024	21260571	Ronayne	Brian	40107 E Emily Dr	Camper Land Use Permit	Annual Camper Permit	\$25.00	SR	NA
24-24	4/29/2024	4/30/2024	21340894	Anderson	Mike & Robyn	39870 Lake St	Land Use Permit	Installing stairs to the lake	\$60.00	SR	
24-25	5/6/2024	5/14/2024	21220538	Carlton Construction	Brosch Family Cabin	41987 Birchwood Dr	Land Use Permit	Construct a 30'X30' (900 SqFt) Accessory Structure	\$250.00	SR	
<b>NUMBER</b>	<b>Recd</b>	<b>Appvrd</b>	<b>RE CODE</b>	<b>LAST</b>	<b>FIRST</b>	<b>ADDRESS</b>	<b>TYPE</b>	<b>DESCRIPTION</b>	<b>FEE</b>	<b>DISTRICT</b>	<b>Project Completed Y/N</b>

24-26	5/6/2024	5/14/2024	21250524	Porter	Robert & Dionne	23280 S Shore Dr	Land Use Permit	Remove existing boardwalk and replace with a new 5'X85 boardwalk	\$60.00	SR	
24-27	5/8/2024	5/9/2024	21030564	Lerach	Steve	21527 S Smokey Hollow Rd	SSTS Permit	Install a Type I Pressure Bed/Trench Pump Design : 300 GPD, 1,500 Tank System	\$260.00	SR	YES-6/3/2023 Greg Kossan
24-28	5/6/2024	5/7/2024	21260585	Fahrendorff	Mark & Sue	40449 E Emily Dr	Land Use Permit	Construct a 9'X13' (117 SqFt) addition to existing deck.	\$75.00	SR	
24-29	5/16/2024	5/22/2024	21030530	Christian	Eric	44764 Twilight Ct, Outing, MN 56662	Land Use Permit	Construct a 30'X48' (1,440 SqFt) accessory structure	\$400.00	RP	
<b>NUMBER</b>	<b>Recd</b>	<b>Appvrd</b>	<b>RE CODE</b>	<b>LAST</b>	<b>FIRST</b>	<b>ADDRESS</b>	<b>TYPE</b>	<b>DESCRIPTION</b>	<b>FEE</b>	<b>DISTRICT</b>	<b>Project Completed Y/N</b>
24-30	5/20/2024	5/22/2024	21080566	Diana D. Thomas Trust	Mary T. Hanson	19604 Blue Lake Rd	Land Use Permit	Ice Ridge Repair	\$60.00	SR	
24-31	5/21/2024	5/22/2024	21170518	Krumwiede	Kevin & Valetta	42865 Minnie Lake Dr	Land Use Permit	Construct 3 decks- Covered Deck 8'X26' (208 SqFt); Entry Deck 8'X8' (64 SqFt); Patio Deck 10'X12' (120 SqFt)	\$150.00	NR	
24-32	5/23/2024	5/28/2024	21190537	Shermook	Arno	41153 Woodpecker Point Rd	Land Use Permit	Construct a 50'X40' (2,000 SqFt) Accessory Structure	\$400.00	SR	
24-33	5/29/2024	6/4/2024	21190521	Barfo	Derek and Sarah	41299 Woodpecker Point Rd	Land Use Permit	Construct a 32'X32' (1,024 SqFt) and 48'X30' (1,440 SqFt) Accessory Structures	\$400.00	SR	
24-34	5/30/2024	6/4/2024	21030519	Excelsior Homes West, LLC	Todd Proctor	21438 Evening Star Lane	Land Use Permit	Construct a New Dwelling 27.66'X60' (1,660 SqFt)	\$450.00	RP	
24-35	5/31/2024	6/4/2024	21220560	Backyard Reflections	Michael Smithson	21930 County Rd 1	Land Use Permit	Grade & Fill- Extend Rip Rap 16'	\$100.00	SR	
24-36	6/4/2024	6/25/2024	21090536	Mattsen	Paul	20038 Blue Lake Rd	Land Use Permit	Ice Ridge Repair	\$60.00	SR	
24-37	6/4/2024	7/16/2024	21260603	Little Pine Construction	Penny Allen	22760 South Shore Dr	Land Use Permit	Construct a 25'X10' (250 SqFt) 3 season porch	\$150.00	SR	
24-38	6/4/2024	6/18/2024	21260571	Ronayne	Brian	40107 E Emily Dr	Land Use Permit	Construct a 8'X8' (64 SqFt) Accessory Structure	\$75.00	SR	

24-39	6/17/2024	6/8/2024	21260521	Nelson	Devin	22357 S Shore Dr	Land Use Permit	Construct a 8'X14' (112 SqFt) Accessory Structure	\$75.00	NR	
24-40	6/18/2024	6/25/2024	21260550	Frodesen	Linda	21843 Whitetail Dr	SSTS	Install a Type I Trench/Pressure Bed Design system, 375 GPD, 1,500 Gallon Tank with 2 compartments	\$260.00	NR	
24-41	6/18/2024	6/18/2024	21330618	Hagemann	Mark	20203 County Rd 1	SSTS	Install a Type I Trench/Pressure Bed Design system, 450 GPD, 1,500 Gallon Tank with 2 compartments	\$260.00	RP	YES 7-22-2024 GK
24-42	6/21/2024	6/24/2024	21260548	Billmeyer	Brian	21549 Cty Rd 1	Camper Permit	Annual Camper Permit	\$25.00	NR	
24-43	6/24/2024	6/25/2024	21170588	Kovalik	David & Patricia	42779 Blue Lane West	Land Use Permit	Construct a 30'X40' (1,200 SqFt) Accessory Structure	\$400.00	NR	
24-44	6/24/2024	6/25/2024	2170687	Emily Wesleyan Chruh	Bruce Hite	40141 State Hwy 6	Land Use Permit	Construct a 15'X28' (420 SqFt) Accessory Structure	\$150.00	HIMU	
24-45	6/24/2024	6/25/2024	21190516	Becklund	Thomas & JoAnn	17786 Emerald Lane	Land Use Permit	Construct a 748 SqFt Deck. Tear down existing deck and replace	\$250.00	SR	
24-46	6/25/2024	6/25/2024	21170577	Bearman	James	42922 Blue Lane W	Land Use Permit	Construct a 28' X 42' (1,163 SqFt ) Attached garage	\$250.00	SR	
24-47	6/25/2024	6/27/2024	21270575	Barkman	Mantha	40489 Pinewood Drive	SSTS Permit	Install a Type I Trench Pressure Bed System, 450 GPD, 1,500 Gallons 2 compartment tank	\$260.00	SR	YES-7/11/2024 Greg Kossan
24-48	7/1/2024	7/9/2024	21330566	LPS Construction	Tawnya Bonsante	20566 Dahler Ave	Land Use Permit	Construct a new dwelling 36'X28' (1,088 SqFt) with 24'X26' (624 SqFt) attached garage	\$450.00	SR	

24-49	7/2/2024	7/3/2024	21250567	Haarman	Janet	23671 N Shore Dr	SSTS Permit	Install a Type I Trench/Pressure Bed System UPGRADE, 300 GPD, 1,000 Gallons tank ( existing tank 1,350 gallon) 2 compartment	\$260.00	SR	YES-7/17/2024 GK
24-50	7/2/2024	7/3/2024	21220543	Battistini	Anna	41456 Poplar Dr	Land Use Permit	Install a 144' fence, 6' high	\$60.00	SR	
24-51	7/11/2024	7/15/2024	21330566	LPS Construction	Tawnya Bonsante	20566 Dahler Ave	SSTS Permit	Install a Type 1 Mound Design Septic System; GPD 450; 1,500 Gallon tank	\$260.00	SR	
24-52	7/11/2024	7/16/2024	21260522	Jorgensen	Mike & Laurie	22357 S Shore Dr	Land Use Permit	Construct a 40'X80'(3,200 SqFt) Pole Shed Dwelling with 40'X60' (2,400 SqFt) Living Quarters	\$550.00	NR	
24-53	7/15/2024	7/16/2024	21270745	Butcher	Bryce	40519 HWY 6	SSTS	Install-Upgrade a Type 1 Trench/Pressure Bed Design, 750 GPD, 2,750 Tank. (Existing Tank 1,250 ; New Tank 1,500)	\$260.00	Commerical Transition-Light Industrial	
24-54	7/17/2024	7/30/2024	21090537	Langefels	David & Michelle	20026 Blue Lake Rd	Land Use Permit	Construct a 17'X16' (272 SqFt) Addition to existing deck for 3 season porch; construct a 8'X16' (128 SqFt) accessory structure	\$150.00	SR	
24-55	7/22/2024	7/22/2024	21330571	Rocky Road LLC	Ryan Erickson	20637 Dahler Ave	Camper Permit-Long Term	Long Term Placement of Camper	\$200.00	SR	
<b>NUMBER</b>	<b>Recd</b>	<b>Appvrd</b>	<b>RE CODE</b>	<b>LAST</b>	<b>FIRST</b>	<b>ADDRESS</b>	<b>TYPE</b>	<b>DESCRIPTION</b>	<b>FEE</b>	<b>DISTRICT</b>	<b>Project Completed Y/N</b>
24-56	7/11/2024	7/24/2024	21260522	Jorgensen	Mike & Laurie	22257 S Shore Dr	SSTS Permit	Install a Type 1 Mound Design Septic System; GPD 600; 1,500 Gallon tank ( 2 compartments)	\$260.00	NR	YES 7/24/2024 GK

24-57	7/30/2024	8/6/2024	21340888	Merrell	Kevin	39949 White Pine St	Land Use Permit	Construct a 24'X16' (384 SqFt) Accessory Structure	\$150.00	DTMU
24-58	8/5/2024	8/5/2024	21250539	Quilling	Jason	22910 S Shore Dr	SSTS Permit	Install a Type III Mound Septic System; GPD 300; 1,500 NEW gallon tank	\$260.00	SR
24-59	8/6/2024	8/12/2024	21030540	Pestello	William	XXXX Twilight Ct	SSTS Permit	Install a Type 1 Mound Septic System; GPD 450; 1000 Gallon tank	\$260.00	RP
24-60	8/6/2024	8/6/2024	21030540	Pestello	William	XXXX Twilight Ct	Land Use Permit	Construct a new dwelling 1,700 total SqFt (1.5 Story Home)	\$450.00	RP
24-61	8/7/2024	8/7/2024	21300511	McMahon	Natasha	40470 Sandhill Dr	Land Use Permit	Construct a 8'X8' (64 SqFt) Deck	\$75.00	SR
24-62	8/7/2024	8/7/2024	21330583	Messerli	Milan	XXXX Dahler Ave	Land Use Permit	Construct a 10'X15' (150 SqFt) Accessory Structure	\$75.00	SR
24-63	8/12/2024	8/27/2024	21270519	Bodin	Chet	40249 Eagle Ct	Land Use Permit	Construct a 24'X30' (720 SqFt) Accessory Structure with living quarters	\$250.00	SR
24-64	8/12/2024	8/12/2024	21260550	Frodesen	Fred	21843 Whitetail Dr	Camper Permit	Annual Camper Permit for 2 campers/RV on lot	\$50.00	NR
24-65	8/19/2024	8/20/2024	21100501	Moe	David	43818 State HWY 6	Land Use Permit	Construct a 4'X6' (24 SqFt) Porch	\$75.00	SR
24-66	8/19/2024	8/26/2024	21240509	Steward	David	23187 County Rd 1	Land Use Permit	construct a 36'X32'(1,152 SqFt)Accessory Structure with a 9'X32 (288 SqFt) Lean-to	\$400.00	RP
24-67	8/27/2024	8/27/2024	21230562	Nelson	Samantha	22342 County Rd 1	Land Use Permit	Construct a 5' Chain link fence	\$60.00	NR
24-68	8/27/2024		21250578	Linn	Jay & Teresa	23054 N Shrooe Drive	Land Use Permit	Construct a dwelling addition	\$400.00	NR