

**CITY OF CIRCLE PINES, MINNESOTA
PLANNING COMMISSION MEETING**

**December 16, 2024
7:00 P.M.**

AGENDA

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes** – May 20, 2024
4. **Public Comments**
5. **Council Report**

6. **COMMISSION BUSINESS**

- a. Public Hearing – Text Amendment Changes to Zoning Code – Cannabis Businesses

Commission Action _____

- b. _____

Commission Action _____

7. **ADJOURNMENT**

**CITY OF CIRCLE PINES, MINNESOTA
PLANNING COMMISSION MEETING**

**May 20, 2024
7:00 p.m.**

1. CALL TO ORDER

Acting Chair Asleson called the meeting to order at 7:00 p.m.

2. ROLL CALL

Also present were Commissioners Carrol and Sandmann, and City Administrator Antonen was present representing staff. Chair Petska and Commissioner Wold were absent.

3. APPROVAL OF MINUTES – September 25, 2023

Motion: Sandmann moved, seconded by Carrol, to approve the September 25, 2023, minutes as presented. **Motion carried 3-0.**

4. Public Comments

There were no public comments.

5. Council Report

City Administrator Antonen reported that the Council met on September 26, 2023, to approve the Site Plan for NTIC, which was approved by the commission on September 25, 2023. He met with NTIC last week. They are continuing to work on the site plan items, everything is going smoothly, and they are hopeful to have everything on the property complete by the end of the summer.

6. COMMISSION BUSINESS

a. Public Hearing – Variance Request for 14 Ridge Road

Asleson opened the public hearing at 7:02 p.m. for the Variance Request for 14 Ridge Road.

Antonen explained that before the commission tonight is the variance request for 14 Ridge Road to add two feet onto their house, which would encroach on the ten-foot side yard setback but would not negatively affect the ground, as the foundation is above ground. The homeowner of 14 Ridge Road, Barbara Caliendo, was present to represent her variance request. He stated that notice had been sent out to all the neighboring residents within 350 feet of the property, the public hearing was published in the Quad Community Press, and they have not received any comments via any form of communication regarding the variance. He described Section 1310.03, Subd. 4 of our City Code, which lists the conditions that the Planning Commission will need to consider regarding the variance.

He explained that staff is recommending the Planning Commission recommend to the Council the approval of the variance at 14 Ridge Road to allow for an 8-foot side yard setback instead of the 10-foot side yard setback, and the variance is in harmony with the purposes and intent of the City Code.

Commissioner Sandmann commented that he stopped by the property at 14 Ridge Road and the requested extension is in the direction of a garage and roof; there are no visual lines of sight in the direction of any neighboring windows, and he finds no reason why the request should not be approved.

Commissioner Asleson inquired about the area in the residence that would be getting the addition.

Barbara Caliendo explained that, as you can see from the plans that were provided, the kitchen will be extended by two feet to create additional space in her kitchen and dining area to allow her family to gather and dine more comfortably in that space. She stated that this was the least disruptive and best option that would be the most economical.

Asleson asked for a motion to close the public hearing at 7:08 p.m. for the variance request at 14 Ridge Road.

Motion: Carrol moved, seconded by Sandmann, to close the Public Hearing at 7:08 p.m.
Motion carried 3-0.

Motion: Sandmann moved, seconded by Carrol, to recommend the City Council approve the variance request for 14 Ridge Road. **Motion carried 3-0.**

7. ADJOURNMENT

Motion: Carrol moved, seconded by Sandmann, to adjourn the meeting at 7:09 p.m. **Motion carried 3-0.**

Chair

City Administrator



200 Civic Heights Circle
Circle Pines, MN 55014
(763) 784-5898

CIRCLE PINES

www.ci.circle-pines.mn.us

Memo

To: Planning Commission
From: Patrick Antonen
Date: December 10, 2024
Re: Public Hearing - Zoning Code Amendment

In response to the legalization of cannabis in the state of Minnesota the city is required to amend the zoning code to reflect the changes that have been set by the state.

Attached to the memo is a draft ordinance indicating those changes to Chapter 13-City of Circle Pines Zoning Code. The amendments to Chapter 13 are underlined in the attached ordinance. The amendments include the following.

1. Definitions related to Cannabis Businesses
2. The Permitted Use in C-1 & C-2 for retail, delivery service, wholesaler, transporter.
3. Conditional Use in C-3 for manufacturing, cultivation and lower potency hemp edible manufacturing.
4. The standards to operate cannabis business
 - a. No cannabis business may be located or operated within 1,000 feet of public and private schools and within 500 feet of a day care, residential treatment facility, public park, or athletic field.
 - b. Cannabis Retail is not permitted within the City without first registering in accordance with Section 395 of the City Code. Any Cannabis Business that sells to a customer or patient without registering with the City shall incur a civil penalty of \$2,000 for each violation.
 - c. Cannabis retail sales are prohibited between 9:00 p.m. and 10 a.m. the next day.
 - d. Sales of lower potency cannabinoid products are prohibited between 10:00 p.m. and 8:00 a.m. the next day Monday through Friday, between 10:00 p.m. Saturday and 11:00 a.m. Sunday, and between 6:00 p.m. Sunday and 8:00 a.m. Monday unless sold in a cannabis retailer in which case sales are prohibited between 9 p.m. and 10 a.m.

Recommendation:

Staff is recommending to the Planning Commission to recommend to the Council approval of the Ordinance Amending Circle Pines City Code Regarding Zoning Related to Cannabis Businesses.

Enclosures (2) Ordinance Amending Zoning Code Related to Cannabis Businesses; Zoning Map

**CITY OF CIRCLE PINES
DRAFT ORDINANCE FOR PUBLIC HEARING**

**AN ORDINANCE AMENDING CIRCLE PINES CITY CODE REGARDING ZONING
RELATED TO CANNABIS BUSINESSES**

THE CITY COUNCIL OF THE CITY OF CIRCLE PINES DOES ORDAIN:

SECTION 1. AMENDMENT. Circle Pines City Code Chapter 13 is hereby amended as set forth below to add the underlined language as follows:

1305.01 Definitions. For the purpose of this Chapter, certain terms and words are defined as follows:

Building Permit. A license or instrument issued by the City to allow construction, alteration, or movement of a structure or building or part thereof.

Cannabis Business. A business involved with cannabis and licensed by the Office of Cannabis Management. **Cannabis Businesses** include, but are not limited to, cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis retailer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis event organizer, cannabis delivery service, medical cannabis combination business, and other “Cannabis businesses” as defined by M.S. § 342.01, Subdivision 14, as it may be amended from time to time.

Cannabis Cultivation. A cannabis business involved in the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts. Includes license types: cannabis cultivator, cannabis mezzobusiness, cannabis microbusiness, and medical cannabis combination businesses.

Cannabis Delivery Service. A cannabis business licensed to purchase cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products from licensed cannabis businesses with a retail endorsement, transport and deliver cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumable products to consumers, and perform other actions approved by the Office of Cannabis Management.

Cannabis Manufacturing. A cannabis business licensed to turn raw, dried cannabis and cannabis parts into other types of cannabis products, e.g. edibles or topicals. Includes license types: cannabis manufacturer, cannabis mezzobusiness, cannabis microbusiness, and medical cannabis combination business.

Cannabis Retail. A cannabis business with a retail endorsement licensed to sell cannabis and cannabis products directly to customers, and not for the purpose of resale in any

form. Includes license types: cannabis retailer, cannabis mezzobusiness, cannabis microbusiness, and medical cannabis combination.

Cannabis Transporter. A cannabis business licensed to transport immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles, and hemp-derived consumer products from one cannabis business to another cannabis business.

Cannabis Wholesaler. A cannabis business licensed to purchase from a business growing or manufacturing cannabis or cannabis products and sell to a cannabis business engaged in retail operations.

Clear-Cutting. The removal of an entire stand of trees or natural vegetation.

Lot, Through. An interior lot having frontage on two (2) parallel streets.

Lower Potency Hemp Edible Manufacturer. A business licensed to purchase hemp plant parts, hemp concentrate, and artificially derived cannabinoids from cannabis microbusinesses, cannabis mezzobusinesses, cannabis manufacturers, cannabis wholesalers, and lower-potency hemp edible manufacturers. May also purchase hemp parts and hemp concentrate, make hemp concentrate, manufacture artificially derived cannabinoids, manufacture lower-potency hemp edibles for public consumption, package and label lower potency hemp edibles, and sell hemp concentrate, artifically derived cannabinoids, and lower-potency hemp edibles to other cannabis businesses and hemp businesses.

Lower Potency Hemp Edible Retailer. A business licensed to sell lower-potency hemp edibles that are obtained from a licensed Minnesota cannabis microbusiness, cannabis mezzobusiness, cannabis manufacturer, cannabis wholesaler, or lower-potency hemp edible manufacturer, and meet all packaging and labeling requirements established by the Office of Cannabis Management.

Motel. A commercial establishment providing transient accommodations to the general public containing rooms having direct access to the outside without the necessity of passing through the main lobby of the building.

1320.02 Permitted Uses, C-1 District.

e) The following types of retail sales of goods and Services:

- barber and beauty shops
- bicycle sales

book/stationary stores

camera and photographic supply stores

cannabis retail

cannabis delivery service

cannabis wholesaler

cannabis transporter

catering services

clothing and apparel stores

candy and ice cream stores

coin stores

custom dressmaking

drug stores

flower shops

garden supply stores

grocery stores

hobby shops

locksmith

lower potency hemp edible retailer

1320.05 Standards, C-1 District

- (a) Front yard setback - 25 feet
- (b) Side and rear yard - 0 feet
- (c) Side yard (adjoining any R district) - 25 feet.
- (d) Rear yard (adjoining any R district) - 25 feet.
- (e) Side or rear yard (adjoining a street) - 25 feet.

Cannabis Businesses.

- (a) No cannabis business may be located or operated within 1,000 feet of public and private schools and within 500 feet of a day care, residential treatment facility, public park, or athletic field.
- (b) Cannabis Retail is not permitted within the City without first registering in accordance with Section 395 of the City Code. Any Cannabis Business that sells to a customer or patient without registering with the City shall incur a civil penalty of \$2,000 for each violation.

- (c) Cannabis retail sales are prohibited between 9:00 p.m. and 10 a.m. the next day.
- (d) Sales of lower potency cannabinoid products are prohibited between 10:00 p.m. and 8:00 a.m. the next day Monday through Friday, between 10:00 p.m. Saturday and 11:00 a.m. Sunday, and between 6:00 p.m. Sunday and 8:00 a.m. Monday unless sold in a cannabis retailer in which case sales are prohibited between 9 p.m. and 10 a.m.

1320.07 Permitted Uses, C-2 District.

h) The following types of retail sales of goods and Services:

antique shops
automotive accessory stores

barber and beauty shops
bicycle sales
book/stationary stores

camera and photographic supply stores
cannabis retail
cannabis delivery service
cannabis wholesaler
cannabis transporter
candy and ice cream store
car wash
catering services
clothing and apparel stores
computer and computer accessory stores
coin stores
custom dressmaking

daycare center
department stores
drug stores
dry cleaning and laundry

electrical and houseware appliance stores

flower shops
furniture and home furnishing stores

garden supply stores
grocery stores

hardware stores
hobby shops

jewelry stores

leather goods and luggage stores

locksmith

lower potency hemp edible retailer

liquor store

1320.10 Standards, C-2 District

- (a) Front yard setback - 25 feet
- (b) Side and rear yard - 0 feet
- (c) Side yard (adjoining any R district) - 25 feet.
- (d) Rear yard (adjoining any R district) - 25 feet.
- (e) Side or rear yard (adjoining a street) - 25 feet.

Cannabis Businesses.

- (a) No cannabis business may be located or operated within 1,000 feet of public and private schools and within 500 feet of a day care, residential treatment facility, public park, or athletic field.
- (b) Cannabis Retail is not permitted within the City without first registering in accordance with Section 395 of the City Code. Any Cannabis Business that sells to a customer or patient without registering with the City shall incur a civil penalty of \$2,000 for each violation.
- (c) Cannabis retail sales are prohibited between 9:00 p.m. and 10 a.m. the next day.
- (d) Sales of lower potency cannabinoid products are prohibited between 10:00 p.m. and 8:00 a.m. the next day Monday through Friday, between 10:00 p.m. Saturday and 11:00 a.m. Sunday, and between 6:00 p.m. Sunday and 8:00 a.m. Monday unless sold in a cannabis retailer in which case sales are prohibited between 9 p.m. and 10 a.m.

1320.14 Conditional Uses, C-3 District.

- k) Cannabis Manufacturing
- l) Cannabis Cultivation
- m) Lower Potency Hemp Edible Manufacturing

1320.15 Lot Standards, C-3 District.

Commercial

- (a) Front yard - 25 feet.
- (b) Side yard (adjoining R district) - 25 feet.
- (c) Rear yard (adjoining R district) - 25 feet.
- (d) Rear and side (adjoining R district) - 0 feet.

Industrial

- (a) Front yard - 50 feet.
- (b) Side yard (adjoining R district) - 25 feet.
- (c) Rear yard (adjoining R district) - 25 feet.\
- (d) Rear and side (adjoining C districts) - 0 feet

Cannabis Businesses.

- (a) No cannabis business may be located or operated within 1,000 feet of public and private schools and within 500 feet of a day care, residential treatment facility, public park, or athletic field.
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1330.05 Prohibited Signs. It is unlawful to erect, reconstruct, alter, maintain, or place the following types of signs

- (m) Signs displaying or depicting a cannabis flower, cannabis product, hemp edibles, or hemp derived consumer products.

Section 3. This Ordinance shall become effective upon its passage and publication.

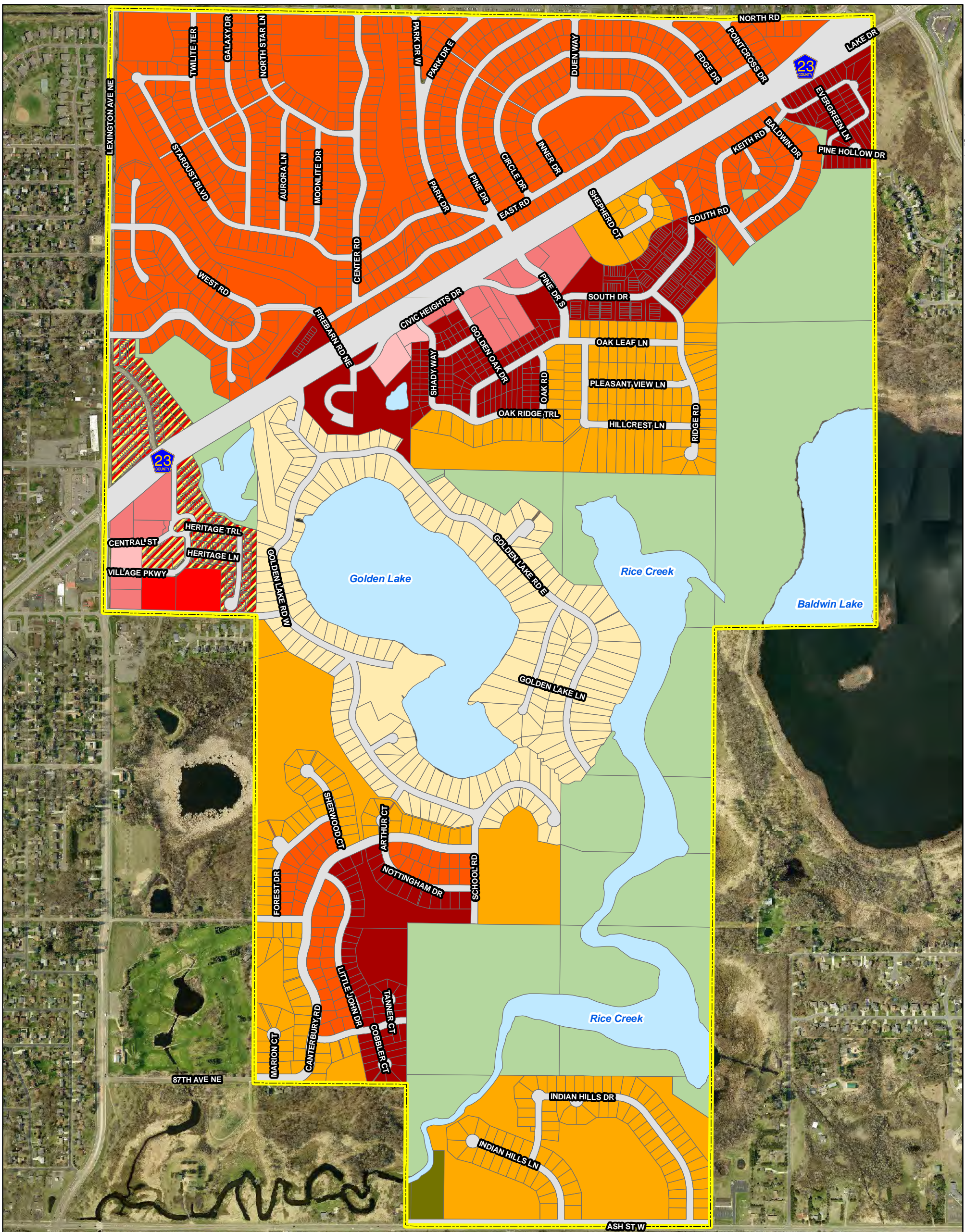
PASSED AND ADOPTED by the City Council of the City of Circle Pines, Minnesota, this ____ day of ____, 2024.

Dave Bartholomay, Mayor

ATTEST:

Patrick Antonen, City Administrator

Published in the _____ on _____, 2024



	Municipal Boundary		R-4 Single Family Residential (79 acres)		C-2 Shopping Center (18 acres)
	R-1 Single Family Residential (115 acres)		R-A Agriculture Residential (3 acres)		C-3 Commercial/Industrial (5 acres)
	R-2 Single Family Residential (181 acres)		MU Mixed Use (21 acres)		P/OS Public/Open Space (321 acres)
	R-3 Single Family Residential (266 acres)		C-1 Neighborhood Commercial (4 acres)		ROW (177 acres)
			Water (52 acres)		



Zoning Map Circle Pines, MN

Revision Date: November 2015

