

**Barnesville Planning Commission Meeting
Tuesday, January 3, 2023
City Hall Council Chambers**

Meeting was called to order at 6:30 p.m. by Brent Berg

Present: Brent Berg, Michael Harbin, Ben Schumann, Joshua Schroeder and Dan Swenson. Present via phone were Interim City Administrator John Chattin and Dawn Stuvland.

Absent: Dustin Korynta.

Others Present: Mayor Jason Rick, Planning staff member Karen Lauer, Police Chief Joel Voxland, Michael Stein from the Record-Review and incoming City Administrator Jeremy Cossette.

Approval of Agenda:

01-03-2023-01 Motion by Schumann, second by Harbin to accept the agenda as presented. Motion approved.

01-03-2023-02 Approval of Minutes: Motion by Harbin, second by Schroeder to accept minutes as written from the December 5, 2022 meeting. Motion approved.

Planning Commission Chair Brent Berg administered the Oath of Office for Michael Harbin.

Public Hearing:

A Public Hearing was published to consider amendments to the Zoning ordinance which would designate in which zoning districts the sale and/or manufacturing of tetrahydrocannabinol products would be allowed as either a permitted or conditional use.

01-03-2023-03 Open Public Hearing - Motion by Schroeder, second by Swenson to open the Public Hearing at 6:32 pm. Motion approved.

Lauer reviewed the discussion at the December Planning Commission Meeting and provided an overview of the ordinance adopted by the City of Moorhead. The purpose of the public hearing is to identify those areas where the sale of cannabinol products will be either permitted or require a Conditional Use Permit; as well as determining those areas where the manufacturing of these products would be permitted or require a Conditional Use Permit. Lauer noted that in Moorhead different zones were designated for Edible Cannabinoid Product Manufacturing as opposed to Cannabinoid Distillate Product Manufacturing – likely because of the odor associated with the latter. In addition, the City of Moorhead made an amendment to the Home Occupations section of the ordinance stating that the home occupation could not involve cannabinoid sales, cannabinoid production or cannabinoid manufacturing.

Berg noted that both MN State Law and the proposed licensing ordinance create restrictions with regard to the types of businesses that may sell these products. As discussed at the December meeting permitting sales in normal retail areas seems to make sense. If a business was interested in both manufacturing and sales, that might be the right scenario for a CUP in the commercial park area.

Police Chief Voxland noted that he was present to answer questions that might come up during the course of the discussion.

01-03-2023-04 Close Public Hearing - Motion by Harbin, second by Schroeder to close the Public Hearing at 6:38 pm. Motion approved.

NEW BUSINESS

a. Discussion on zoning districts for cannabinoid sales and manufacturing

Berg noted that at the December meeting the consensus was felt sales would be permitted in C-1 and C-2; with a CUP being required in the C-3 and I-1 districts. The rationale being that the C-1 and C-2 districts are much more in the public eye.

Stuvland felt that requiring a CUP in the Commercial Park area was unnecessary and that sales should be a Permitted use in the C-3 and I-1 zones as well since retail sales are a Permitted use. It was noted that we shouldn't create additional obstacles for a business to open their doors. Chattin agreed that he didn't think a difference was needed.

Rick noted that with the residential districts that abut the Commercial Park it would be beneficial to allow the Planning Commission the opportunity to provide restrictions.

Voxland noted that he views the Commercial Park as being an area off on its own, at the edge of the community, with less traffic near the Interstate. As such he has security concerns with a business that would be out of the norm for that area. The downtown areas provide natural surveillance through the amount of traffic. Voxland also recommended that restrictions might also be considered for other types of licensed businesses such as massage parlors in the Commercial Park. Berg indicated that could be a discussion for another meeting.

Commission members clarified that all of these restrictions are for THC related products not CBD.

After a lengthy discussion of the pros and cons of specifying which areas were appropriate for sales and or manufacturing of these products the group was starting to reach some consensus.

01-03-2023-05 Motion by Schroeder, second by Swenson to recommend to the City Council that the zoning ordinance reflect the following:

Sales of Cannabinoid Products

Permitted in C-1 and C-2 areas; Conditional Use Permit (CUP) would be required in C-3 and I-1

Manufacturing of Cannabinoid Products

A Conditional Use Permit would be required for edibles (light manufacturing) in C-3. In I-1, edibles would be Permitted and distillates (manufacturing) would require a Conditional Use Permit.

Home Occupations – language would be added to state that home occupations shall not involve cannabinoid sales, cannabinoid production, or cannabinoid manufacturing.

Voting in favor: Berg, Harbin, Schumann, Schroeder and Swenson. Voting against: Stuvland. Motion carried.

Lauer indicated that the City Attorney would be drafting the zoning ordinance changes to be presented to the City Council for a first reading at their meeting next Monday, January 9. At the February Planning Commission Meeting, members will be able to reflect the language to verify that it reflects the their recommendation.

Discussion on the items b, c and d, related to storage on undeveloped residential lots, setbacks for fences and geothermal heating systems were tabled until the February meeting.

e. Building Permits – permits were reviewed. No discussion

f. Other zoning concerns – incoming City Administrator Jeremy Cossette was introduced to the group.

Next meeting is scheduled for Monday, February 6, 2023.

01-03-2023-06 Motion by Harbin, second by Schroder to adjourn the meeting at 8:05 pm.

Minutes prepared by Karen Lauer, 01-04-23