

CITY OF FALCON HEIGHTS
Workshop of the City Planning Commission
City Hall
2077 West Larpenteur Avenue
MINUTES
May 23rd, 2023 at 7:00 P.M.

A. **CALL TO ORDER:** 7:00 P.M.

B. **ROLL CALL:**

Scott Wilson <input checked="" type="checkbox"/>	Jim Mogen <input type="checkbox"/>
Laura Paynter <input checked="" type="checkbox"/>	Jacob Brooks <input checked="" type="checkbox"/>
Joel Gerich <input checked="" type="checkbox"/>	VACANT
Jake Anderson <input type="checkbox"/>	

Council Liaison Gustafson
Staff Liaison Lynch

C. **APPROVAL OF AGENDA:**

Paynter motion, approved 4-0

D. **APPROVAL OF MINUTES:**

1. Regular Meeting – March 28, 2023
2. Workshop – April 25, 2023

Gerich motion, approved 4-0

E. **PUBLIC HEARING**

N/A

F. **NEW BUSINESS**

1. Presentation on THC Legislation – Jack S. Brooksbank, Campbell Knutson, P.A.

Staff Liaison Lynch reminded the Commission that a draft ordinance had previously been sent to City Council and back to the Commission. However, with new legislation moving through State government and likely to be signed by the governor, an overview of that legislation was the purpose for Mr. Brooksbank to address the Commission.

Mr. Brooksbank proceeded to walk through the presentation outlining the general plan of the legislation, including legalization of the individual purchase, possession, use, and growing of cannabis, and the creation of the Office of Cannabis Management (OCM). Mr. Brooksbank emphasized that there will be no change to federal laws and that much of the detailed legislation has yet to be written, so the guidance is subject to change.

Key points relative to the Commission:

- Cannabis business are still subject to general business regulations such as zoning. Cannabis cultivators are still an agricultural business.
- Cultivation is still licensed by the State. OCM to establish rules.
- Will create separate business for retail sales. City may operate a municipal store, but not exclusive.
- Retail sales will be subject to State licensing and regulation. State will issue licenses based on demonstrated compliance. City may not license business, ban use, or ban possession.
- City may adopt ordinances with reasonable restrictions on the time, place, and manner of the operation of a cannabis business.
- City will be involved in state licensing process by certifying if proposed businesses comply with zoning, fire code, and building codes.
- Businesses making retail sales must register with the city. City must issue registration of applicant has valid state license, has paid registration fees, has passed compliance checks and is current on local taxes and assessments. City may limit number of full-strength registrations.
- City has preexisting power to enforce local ordinances. OCM will set up a complaint process. City may suspend registration for up to 30 days if it determines that a business is in violation of its state license.
- Municipal regulations are generally preempted. May not ban use, possession, or transportation.
- Cannabis businesses will be subject to City zoning regulations. City may choose to designate businesses as conditional uses to address specific concerns but cannot ban those business outright.
- Local governments may adopt a moratorium on cannabis businesses lasting until January 1, 2025. This would require a public hearing to go into effect.

The recommendations to the City were to start thinking about zoning (where cannabis businesses should be located), review general regulations around permissible use, and relevant business regulations.

Due to the State being responsible for issuing licenses, it was recommended that the earlier draft ordinance that was sent to Council be abandoned, and the City pursue the next steps as outlined in the presentation.

At the end of the discussion, it was emphasized that the details of much of the new regulations still have to be worked out, and that the City will need to keep up to date as more details become finalized.

G. INFORMATION AND ANNOUNCEMENTS

1. Staff Liaison Report

Staff Liaison Lynch reported that the Caribou Coffee application was denied by City Council. Also, the June meeting will have an unofficial review of the plan for the property that contains the former dry-cleaning business on Larpenteur and Albert St. Finally, Gibbs Farm is close to finalizing their expansion plans, which will likely take the form of a PUD.

2. Council Liaison Report

Mayor Gustafson thanked everyone for coming out to the Spring Together event, where about 278 ice creams were served. Also, the Council is working on the new policing contract.

H. ADJOURN 8:15 PM