

**OSSEO PLANNING COMMISSION MINUTES
REGULAR MEETING
September 16, 2024**

1. CALL TO ORDER

The regular meeting of the Osseo Planning Commission was called to order at 6:00 pm, Monday, September 16, 2024.

2. ROLL CALL

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

Absent: None

Others present: Interim City Administrator Shane Mikkelson, Assistant City Attorney Joseph Sathe

3. ELECTION OF OFFICERS

Mikkelson stated officers for the Planning Commission include the Chair, who runs the meetings, and the Vice Chair, who runs meetings when the chair is not in attendance. Both officers also have an opportunity to help set agendas for upcoming meetings. In 2024, the officers were:

Chair:	Vacant
Vice-Chair:	Kirsten Schulz

Staff recommends the Planning Commission elect officers for 2024. This can be done through a joint motion and vote covering both positions, or by an individual motion and vote on the officer for each position. Anyone may make the motion.

A motion was made by Bonn, seconded by Carrigan, to elect Kerstin Schulz Chair of the Planning Commission for 2024. The motion carried 6-0.

A motion was made by Bonn, seconded by Carrigan, to elect James Hultgren Vice Chair of the Planning Commission for 2024. The motion carried 6-0.

4. APPROVAL OF AGENDA

A motion was made by Hultgren, seconded by Robinson, to approve the Agenda as presented. The motion carried 6-0.

5. APPROVAL OF MINUTES

A. Approve August 21, 2023, Minutes

A motion was made by Bonn, seconded by Carrigan, to approve the August 21, 2023, minutes. The motion carried 6-0.

6. PUBLIC COMMENTS

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

7. PUBLIC HEARINGS

- a. Discuss Cannabis Dispensary Zoning

A motion was made by Hultgren, seconded by Aho, to open the Public Hearing at 6:05 p.m. The motion carried 6-0.

Kenny Nelson, 509 Third Avenue NE, stated there was no recommendation from staff on this item, rather this was a discussion item. He questioned what the City was thinking on this matter. He explained he didn't hear any comments addressed towards micro-dispensaries. He hoped this type of business would be included in the City's zoning code.

Mikkelson stated in September 2023, the City of Osseo adopted an ordinance which included a moratorium on Cannabis Businesses operating in Osseo. This moratorium is in effect until January 1, 2025. During the last year, the Office of Cannabis Management has outlined its licensing and operations procedure for a Cannabis Business in Minnesota. It was noted in late August, our City Attorney Mary Tietjen updated the Council and staff with a memo outlining the decisions needed by the city in relation to cannabis sales. Staff commented further on the proposed cannabis dispensary zoning regulations, reviewing a zoning buffer map and requested feedback from the Planning Commission on how to address the use.

Schulz asked if the City could limit the number of businesses that could come into Osseo. Assistant County Attorney Joseph Sathe reported a business will apply to the State for a license through the Office of Cannabis Management. If approved by the State, retail businesses would then have to register with the City and the City is able to limit the number of retail businesses. He explained Osseo could have one publicly owned and one privately owned retail shop per current State standards.

Schulz questioned if a buffer was in place would the buffer apply to all cannabis license types. Mr. Sathe reported this would not have to be the case, rather the City could decide how to treat each of the business types. He stated the one caveat for the City to consider is that tools could not be put in place to limit businesses.

Hultgren stated he liked the idea of a buffer being put in place and suggested a 500 foot buffer be considered. He indicated a 500 foot buffer would ensure a business could be located along Central Avenue. He commented further on how secure dispensaries were.

Carrigan explained he has reviewed several other model ordinances for retail cannabis and noted a 50 foot residential buffer was included in one of the ordinances. He stated this would be one way to keep retail stores away from residential homes.

Aho indicated she owned buildings on Central Avenue as well as in the Central Business District. She stated she supported the City having uses to draw people into the community, but she did not want a dispensary in the Central Business District. She feared parking would become a concern and that this use may hurt local businesses more than it would help. She suggested a 1,000 foot buffer be pursued in order to keep dispensaries out of the Central Business District.

Bonn stated she agreed with this recommendation. She recommended a 1,000 foot buffer be considered because it push dispensaries closer to the highway, which would provide better access for visitors.

Carrigan asked if a municipal dispensary would have to follow the buffer guidelines. Mr. Sathe reported he would have to follow up with the Commission on this matter. Mikkelson stated it was his understanding the City would have to follow the buffer guidelines.

Mr. Nelson recommended the City avoid any zoning for microbusinesses because these are going to be the smaller players that might want to start a small business.

Further discussion ensued regarding cannabis sales occurring out of residential homes.

Bonn asked what products were currently being sold in Osseo. Mikkelson stated this included hemp, CBD and low potency THC products.

Bonn commented she wanted to see the full potency retail sales occurring along the highway versus along Central Avenue. She questioned how the police would address open containers of bags of marijuana in cars. Mikkelson noted State law prohibits smoking marijuana in cars. In addition, the State had regulations in place regarding how much marijuana an individuals can possess. He discussed how the State still had to come up with further regulations for enforcement purposes. He reiterated the City can control zoning and buffer zones so long as the use is not zoned out.

Bonn questioned if sellers in Osseo had to grow their own products. Mikkelson indicated cultivators had to grow their products within the State of Minnesota, but this did not have to occur within the City of Osseo. He explained the State would be handing out a specific number of cultivator and dispensary licenses. He stated the City had to determine where it wanted these businesses located.

A motion was made by Bonn, seconded by Robinson, to close the public hearing at 6:50 p.m. The motion carried 6-0.

Aho reiterated that she was concerned with the amount of traffic that would be generated by a retail use and how this may negatively impact the Central Business District.

Further discussion ensued on how certain properties along Central Avenue would not have adequate parking to serve as a cannabis retailer.

Mikkelson reviewed the various types of cannabis businesses and asked how the City should address these uses and if they should be broken up. He commented on the car counts through the community noting County Road 81 had nearly 20,000 cars per day while Central Avenue was nowhere near this. He explained cannabis retail shops may be more

successful along the County Road 81 corridor than along Central Avenue due to the amount of traffic and ease of access.

Schulz commented on how the 1,000 foot buffer would limit business in Osseo. She suggested the City consider a 250 or 500 foot buffer, or that retail only be allowed in the City's retail zone.

Aho anticipated cannabis retailers would be looking for high traffic areas. She stated she wanted the City to protect its existing retail businesses along Central Avenue. She supported the City having a 1,000 buffer in place for cannabis retail.

Bonn explained she understood Commissioner Aho's point, but added she was uncertain the City of Osseo needed all of the other cannabis uses in the community beyond cannabis retail. She suggested the City only allow cannabis retail. She indicated she heard a rumor that the police department was interested in running cannabis sales. She recommended the sales not occur out of City Hall but supported the red building being used for municipal sales. She indicated she did not want other cannabis retail in the community. Mr. Sathe explained the City could have a municipal cannabis retail operation, but noted the City would also have to allow for one more user per State requirements.

Robinson supported the City relying on underlying zoning districts with buffer zones to keep cannabis retail away from schools, daycares and parks.

A motion was made by Robinson, seconded by Hultgren, to recommend the City allow cannabis retail, including low potency and medical products, in the underlying retail zoning district with a 250 to 500 foot buffer zone. The motion carried 4-2 (Aho and Bonn opposed).

8. REPORTS OR COMMENTS: Staff, Chair & Commission Members

Hultgren commented on the events occurring at the VFW this fall and invited the public to attend. He stated the new pavement on County Road 81 looked great.

Carrigan reported the City's 150th Anniversary Celebration would occur in 2025 and the committee was looking for historic photos of the community.

Bonn stated the two final farmers market would be held on Tuesday, September 17 and Tuesday, September 24.

Mikkelson explained he would be getting the Planning Commission back on track. He reported the City hired a new City Clerk and another staff member would be hired to assist with planning items. He noted the Planning Commission currently had one open seat. He indicated there would be two openings on the Planning Commission at the end of 2024 and stated he would like to know if these individuals would be interested in continuing their service. If not, he stated the City would have to pursue volunteers for these open seats.

9. ANNOUNCEMENTS

None.

10. ADJOURNMENT

**A motion was made by Bonn, seconded by Carrigan, to adjourn the meeting at 7:23 pm.
The motion carried 6-0.**

Respectfully submitted,

Heidi Guenther
Minute Maker Secretarial