



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Details (With Text)

File #: ORD 15-2309 **Version:** 3 **Name:** 15-04 Cannibas Code Amendment
Type: Ordinance **Status:** Passed
File created: 3/19/2015 **In control:** City Council
On agenda: 3/19/2015 **Final action:** 3/19/2015
Title: SECOND READING

GRANTING A CODE AMENDMENT TO THE B-2 (COMMUNITY COMMERCIAL), B-3 (REGIONAL COMMERCIAL) AND PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICTS TO ALLOW MEDICAL CANNABIS DISTRIBUTION FACILITIES AS A CONDITIONAL USE. (CASE FILE NO. 15-0004/BKS)

Sponsors: Bryan Schafer

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/19/2015	3	City Council	Adopted	Pass
3/5/2015	2	City Council	Introduced, Read, and Placed on File for Second Reading	
1/13/2015	1	Planning Commission	Recommended for Approval	Pass

DEVELOPMENT BUSINESS - *Bryan K. Schafer, Planning and Community Development Director*

SECOND READING

GRANTING A CODE AMENDMENT TO THE B-2 (COMMUNITY COMMERCIAL), B-3 (REGIONAL COMMERCIAL) AND PBD (PLANNED BUSINESS DISTRICT) ZONING DISTRICTS TO ALLOW MEDICAL CANNABIS DISTRIBUTION FACILITIES AS A CONDITIONAL USE. (CASE FILE NO. 15-0004/BKS)

Planning Commission (Public Hearing)	01/13/15
City Council (1 st Reading)	03/05/15
City Council (2nd Reading)	03/19/15

Planning Commission

The Planning Commission unanimously recommended approval of the code amendment. There were no comments at the public hearing.

The State of Minnesota in 2014, adopted new laws and rules for the manufacturing and distribution of medical cannabis. Those rules will allow the sale of medical cannabis starting in

July of this year. While it appears that Blaine was not designated as a manufacturing or distribution site with the recent round of announcements from the state, it is likely however that expansion of that program, particularly on the distribution (retail) side, could include Blaine in the future.

The current commercial (retail) zones of B-2 (Community Commercial), B-3 (Regional Commercial) and PBD (Planned Business District) do not contain specific language for this use since it has not been legal in the state prior to this coming July. The current zoning code (B-2 and B-3) language would allow the sale of “medical cannabis” as a permitted use under general retail or pharmacy (drug store).

The proposed code amendment would add “Medical Cannabis Distribution” as an allowed use under the Conditional Use Permit category in each of these commercial zones. The CUP process would allow notice to adjacent property and would offer some additional control in terms of location, hours, vehicle access, parking, business signage or property improvements.

The City’s Department of Public Safety, in conjunction with the licensing through the City Clerk’s office will also be asking the City Council to add a licensing provision for this use. It is also possible that with the licensing provision the number of retail facilities could be limited as determined by the City Council. The Public Safety concern is that with future program rule changes or expansion of the program (both in terms of numbers as well as the form of cannabis sold) there could be requests for multiple cannabis retail locations.

By motion, adopt the Resolution.

THE CITY OF BLAINE DOES ORDAIN: (Added portions are underscored and deleted portions are shown in brackets with overstrike.)

Section 30.14 Conditional Uses for B-2 (Community Commercial)

(bb) Medical cannabis distribution facility.

Section 30.24 Conditional Uses for B-3 (Regional Commercial)

(ii). Medical cannabis distribution facility.

Section 31.33 PBD (Planned Business District)

Uses Allowed by Conditional Use Permit (CUP)

21. Medical cannabis distribution facility.

INTRODUCED and read in full the 5th day of March 2015.

PASSED by the City Council of the City of Blaine the 19th day of March, 2015.