COLUMBUS
Rural Nature. Urban Access.

City of Columbus
PUBLIC HEARING NOTICE
City Code Amendment to Chapter 7A Housekeeping
Interactive Technology Format
(Statutes Section 13D.02)

Notice is hereby given that a Public Hearing will be held by the City of Columbus Planning Commission on August 7, 2024 at 6:00 p.m. or as soon thereafter as parties may be heard, the hearing will be conducted in person and by Interactive Technology at the Columbus City Hall located at 16319 Kettle River Blvd., Minnesota to consider a City Code housekeeping amendment to Chapter 7A to improve formatting. A full copy of the proposed ordinance is available for review during regular business hours in the City Administrator's Office at the address listed above or viewed on the City Website. Members of the public interested in attending in person, monitoring the meetings or want more information, should contact the City Offices at 651-464-3120 or visit the City Website at ColumbusMN.us. The hearing shall continue until all evidence and testimony has been received.

Jack Davis
Jack Davis, Zoning Administrator

Submitted to the Forest Lake Times on 07-18-2024
Published in the Forest Lake Times on 07-25-2024
Posted on 07-25-2024

16319 Kettle River Boulevard, Columbus, MN 55025
651.464.3120 Twin Cities **651.464.5922** Fax
www.ColumbusMN.com

1st Draft 5.30.24

ORDINANCE NO. 24 -__
AN ORDINANCE AMENDING
CHAPTER 7A - ZONING REGULATIONS
OF THE COLUMBUS CITY CODE
[SECTIONS 7A-746 THROUGH 7A-752, SECTION 7A-824
AND FORMATTING AND HOUSEKEEPING AMENDMENTS]

The City Council of the City of Columbus ordains the following:

SECTION I. The following sections of Chapter 7A – Zoning Regulations of the Columbus City Code are amended as illustrated with omitted provisions shown as ~~deletions~~ and new provisions shown as underlined. Gaps in ordinance sections affected by revisions are noted in the margin [***].

SECTION 7A-~~746~~750. COMMERCIAL/INDUSTRIAL-LIGHT (C/I-LIGHT) DISTRICT DEFINED. The purpose of the Commercial/Industrial-Light District is to encourage a range of low intensity industrial, commercial, restaurant, and retail uses compatible with nearby residential neighborhoods. The district excludes more intensive industrial uses while allowing light manufacturing uses such as research and development, low impact, high technology manufacturing, biotechnology, small-scale distribution, alongside commercial, office, institutional and business services. Access must be provided to collector or arterial roadways as specified by the City of Columbus Comprehensive Plan.

[§ 7A-746, added by Ord. No. 22-11, effective January 12, 2023.]

SECTION 7A-~~747~~751. COMMERCIAL/INDUSTRIAL-LIGHT (C/I-LIGHT) DISTRICT DESCRIBED. The C/I-Light District, as established upon adoption of the City Code and as modified by subsequent ordinance amendments, is illustrated on the City of Columbus Official Zoning Map.

[§ 7A-747, added by Ord. No. 22-11, effective January 12, 2023.]

SECTION 7A-~~748~~752. COMMERCIAL/INDUSTRIAL-LIGHT (C/I-LIGHT) DISTRICT PERMITTED USES.

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[§ 7A-748, added by Ord. No. 22-11, effective January 12, 2023.]

SECTION 7A-~~749~~753. COMMERCIAL/INDUSTRIAL-LIGHT (C/I-LIGHT) DISTRICT CONDITIONAL USES. Most uses in the C/I-Light District are established as conditional uses due to physical conditions unique to the area which limit development capacity, including poor soil conditions, high water table, lack of municipal water supply, lack of municipal sanitary sewer, and lack of municipal storm sewer. In establishing new uses, the Planning Commission and City Council may consider the following factors to address environmental concerns, including: (i) non-contamination of the groundwater system through utilization of containment systems for off-site waste disposal and on-site sewage disposal systems; (ii) installation of wells for on-site water supply; and, (iii) installation of local or regional stormwater management facilities, including stormwater ponding and infiltration, to mitigate and manage the impact of

construction of impervious surfaces within the district. In addition, the City Council may adopt other reasonable conditions intended to protect the public health, safety and welfare, and to ensure the compatibility of land uses within the C/I-Light District and adjacent to the C/I-Light District. The following uses shall be conditional in the C/I-Light District:

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[§ 7A-749, added by Ord. No. 22-11, effective January 12, 2023; amended by Ord. No. 23-01, effective May 4, 2023.]

SECTION 7A-~~750~~754. COMMERCIAL/INDUSTRIAL-LIGHT (C/I-LIGHT) INTERIM USES.

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[§ 7A-750, added by Ord. No. 22-11, effective January 12, 2023.]

SECTION 7A-~~751~~755. COMMERCIAL/INDUSTRIAL-LIGHT (C/I-LIGHT) DISTRICT PERFORMANCE STANDARDS.

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[§ 7A-751, added by Ord. No. 22-11, effective January 12, 2023.]

SECTION 7A-~~752~~756. COMMERCIAL/INDUSTRIAL-LIGHT (C/I-LIGHT) OUTDOOR DISPLAY AND SCREENING STANDARDS.

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[§ 7A-752, added by Ord. No. 22-11, effective January 12, 2023.]

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SECTION 7A-824. PERFORMANCE STANDARDS FOR CONTRACTOR SHOPS WITH CONTRACTOR YARD ~~LIMITED~~. All Contractor Shops with accessory Contractor Yard established after December 28, 2022 shall meet the following minimum performance standards in addition to any conditions of approval that may be established pursuant to a conditional use permit.

***

[§ 7A-824, added by Ord. No. 22-11, effective January 12, 2023.]

SECTION II. All section references within **ARTICLE III** through **ARTICLE XVIII** of Chapter 7A reading "**RESERVED FOR FUTURE USE**" are hereby eliminated.

SECTION III. The title of **ARTICLE VI** is amended to read:

ARTICLE VI & ARTICLE VII PROVISIONS FOR OFFICIAL ZONING MAP ESTABLISHMENT AND PURPOSE OF DISTRICTS

SECTION IV. Non substantive housekeeping amendments including formatting, spelling, abbreviated headings, pagination and table of contents reformatting will be included in this ordinance amendment.

SECTION V. **Effective Date.** Ordinance Number 24 -__ was adopted this _____ day of _____,
2024 and shall become effective after its summary publication.

_____
Jesse H. Preiner, Mayor

ATTEST:

_____
Jack Davis, City Administrator

Published in the Forest Lake Times on _____, 2024.

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CHAPTER 7A
GENERAL ZONING REGULATIONS

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City of Columbus
PUBLIC HEARING NOTICE
City Code Amendment to Chapter 7B Sign Regulations
Interactive Technology Format
(Statutes Section 13D.02)

Notice is hereby given that a Public Hearing will be held by the City of Columbus Planning Commission on August 7, 2024 at 6:00 p.m. or as soon thereafter as parties may be heard, the hearing will be conducted in person and by Interactive Technology at the Columbus City Hall located at 16319 Kettle River Blvd., Minnesota to consider a City Code housekeeping amendment to Chapter regulating signage. A full copy of the proposed ordinance is available for review during regular business hours in the City Administrator's Office at the address listed above or viewed on the City Website. Members of the public interested in attending in person, monitoring the meetings or want more information, should contact the City Offices at 651-464-3120 or visit the City Website at ColumbusMN.us. The hearing shall continue until all evidence and testimony has been received.

Jack Davis
Jack Davis, Zoning Administrator

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3rd Draft 7.18.24

ORDINANCE NO. 24-__
AN ORDINANCE AMENDING
CHAPTER 7B – SIGN REGULATIONS
[FORMATTING AND HOUSEKEEPING AMENDMENTS]

The City Council of the City of Columbus ordains the following:

SECTION I. ARTICLE III District Provisions of Chapter 7B of the Columbus City Code is amended in its entirety to read:

SECTION 7B-300. GENERAL. In addition to the signs permitted and regulated in Article II, the following specific sign regulations apply within the following zoning districts. Sign permit provisions are included in Article IV of this Ordinance.

[§ 10-300 (now § 7B-300), amended by Ord. No. 83-2, effective May 25, 1983, amended by Ord. No. 89-1, effective July 21, 1989 and amended by Ord. No. 00-06 effective August 17, 2000, amended by Ord. No. 10-06, effective May 6, 2010.] [§ 7B-300 , Paragraph E, amended by Ord. 93-7, effective November 11, 1994.]

SECTION 7B-301. RURAL RESIDENTIAL (RR) DISTRICT.

A. **Wall Signs for Home Occupations**. One wall sign is permitted on the principal structure or accessory structure used for home occupations. The maximum sign area shall not exceed 2 square feet. Illuminated signs and dynamic signs are not permitted.

B. **Freestanding Signs for Public and Institutional Uses.** One on-premises freestanding sign is permitted on properties with public and institutional uses. The maximum sign area shall not exceed 100 square feet in area, nor 16 feet in height. Signs shall be set back a minimum of 5 feet from the front property line and 20 feet from the side yard property lines. Illuminated signs and Dynamic signs are permitted.

C. **Wall Signs for Public and Institutional Uses.** One wall sign is permitted on each wall of the principal structure with public street frontage. The maximum sign area shall not exceed 15% of the wall area. Individual sign lettering shall not exceed 24 inches in height. Illuminated wall signs are permitted. Dynamic wall signs are not permitted.

[§ 7B-303, added by Ord. No. 89-1, effective July 21, 1989, amended by Ord. 10-06, effective May 6, 2010, amended by Ord. No. 13-01, effective January 31, 2013.]

SECTION 7B-302. MIXED USE MEDIUM DENSITY RESIDENTIAL (MU-M) DISTRICT.

A. **Residential Development.**

1. Freestanding Signs. One on-premises freestanding sign or monument sign is permitted for each Suburban Residential subdivision. The maximum freestanding sign area shall not exceed 80 square feet in area, nor 16 feet in height. The maximum ground sign area shall not exceed 80 square feet in area, nor 12 feet in height. Signs shall be set back a minimum of 5 feet from the front property line and 20 feet from the side yard property lines. Dynamic signs are not permitted.

2. Wall Signs. Wall signs are not permitted in the MU-M District, except incidental identification or locational signs, such as "Management Office," "Community Room," and similar signs not exceeding 4 square feet in area or lettering exceeding 12 inches in height.

B. **Commercial Development.**

The sign regulations for commercial uses in the MU-M District shall be the same as the regulations prescribed for the Community Commercial (CC) District.

[§ 7B-304, added to Chapter 7B by Ord. No. 89-8, effective January 19, 1990, amended by Ord. No. 10-06, effective May, 6, 2010.]

SECTION 7B-303. MIXED USE HIGH DENSITY RESIDENTIAL (MU-H) DISTRICT.

A. **Residential Development.**

1. Freestanding Signs. One on-premises freestanding sign or monument sign is permitted for each Suburban Residential subdivision. The maximum freestanding sign area shall not exceed 80 square feet in area, nor 16 feet in height. The maximum ground sign area shall not exceed 80 square feet in area, nor 12 feet in height. Signs shall be set back a minimum of 5 feet from the front property line and 20 feet from the side yard property lines. Dynamic signs are not permitted.

2. Wall Signs. Wall signs are not permitted in the MU-H District for attached or detached dwellings, except incidental identification or locational signs, such as "Management Office," "Community Room," and similar signs not exceeding 4 square feet in area or lettering exceeding 12 inches in height. Building identification wall signs are permitted on one street-oriented elevation of apartments, condominiums and cooperatives exceeding three stories in height. The maximum lettering height shall not exceed 36 inches.

B. **Commercial Development.**

The sign regulations for commercial uses in the MU-H District shall be the same as the regulations prescribed for the Community Commercial (CC) District.

SECTION 7B-304. COMMUNITY COMMERCIAL (CC) DISTRICT, GENERAL COMMERCIAL (GC) DISTRICT, HIGHWAY COMMERCIAL (HC) DISTRICT, GENERAL BUSINESS (GB) DISTRICT AND LIGHT INDUSTRIAL (LI) DISTRICT.

A. **Freestanding Signs.** One on-premises freestanding sign is permitted for each commercial parcel with a principal use. Properties with multiple businesses may share space on freestanding signs. The maximum freestanding sign area for buildings with less than 20,000 square feet gross floor area shall not exceed 100 square feet in area, nor 20 feet in height. The maximum freestanding sign area for buildings with at least 20,000 square feet gross floor area but less than 40,000 square feet gross floor area shall not exceed 150 square feet in area, nor 25 feet in height. The maximum freestanding sign area for buildings with 40,000 square feet gross floor area or more shall not exceed 200 square feet in area, nor 30 feet in height. Signs shall be set back a minimum of 5 feet from the front property line and 20 feet from the side yard property lines. Illuminated signs and Dynamic signs are permitted.

B. **Freestanding Signs for Developments in I-35 Corridor.** In addition to the one allowed on-premises freestanding sign in Subsection A. above, properties in the I-35 Corridor, as defined in Section 7B-200.R. of this Ordinance, are allowed a second on-premises freestanding sign to be oriented toward the interstate highway and located in the I-35 Corridor, as provided in this subsection.

1. The maximum sign area for the second on-premises freestanding sign shall not exceed 200 square feet in area, nor 30 feet in height. Signs shall be set back a minimum of 5 feet from the property line oriented toward the interstate highway and 20 feet from the side yard property lines. Illuminated signs and Dynamic signs are permitted.

2. On any property located in the I-35 Corridor, which is also located within 300 feet of the intersection of an interstate highway on- or off-ramp and the intersecting highway, the second on-premises sign allowed in Subdivision 1 above may be substituted for a freestanding sign not exceeding 100 square feet in area, nor 60 feet in height. Such sign substituted in this Subdivision 2 may be illuminated but shall not be dynamic.

3. For any single development in the I-35 Corridor with least 150 acres in area and with a principal structure with at least 60,000 square feet of gross floor area, the maximum sign area for the second on-premises freestanding sign is allowed to exceed the maximum area and height in Subdivision 1, up to 720 square feet in area and 65 feet in height. Signs shall be set back a minimum of 5 feet from the property line oriented toward the interstate highway and 20 feet from the side yard property lines. Illuminated signs and Dynamic signs are permitted. Signs in this Subdivision 3 include full motion video display messaging with no minimum intervals between images and require an Interim Use Permit. The procedure and requirements for the application and public hearing for an Interim Use Permit are described in Sections 7A-530 and 7A-531 of the Columbus City Code. Additional criteria for the issuance of an Interim Use Permit for a Dynamic sign permitted in this Subdivision 3 shall include but are not limited to:

a. The sign shall not be considered a traffic hazard or cause a public safety concern.

b. The sign shall not be considered a public nuisance.

c. Consideration must be given for public emergency and public service messaging.

d. In the event any of the above criteria are not met before or after an Interim Use Permit is issued, video display messaging will be terminated and the Dynamic sign messaging must conform to messaging display intervals that do not change less than once every 8 seconds.

C. **Wall Signs.** Wall signs are permitted on each wall of a principal structure with direct public street frontage. Principal structures served by private street frontage are permitted one wall sign. The maximum wall sign area for buildings with less than 20,000 square feet gross floor area shall not exceed 15% of the wall area or contain lettering heights greater than 36 inches. The maximum wall sign area for buildings with at least 20,000 square feet gross floor area but less than 40,000 square feet gross floor area shall not exceed 15% of the wall area or contain lettering heights greater than 42 inches. The maximum wall sign area for buildings with 40,000 square feet gross floor area or more shall not exceed 15% of the wall area or contain lettering heights greater than 48 inches. Wall sign area allowed on a wall but not used on that wall may be allocated to another wall of the same building. Illuminated wall signs are permitted. Dynamic wall signs are not permitted.

D. **Sign Band for Multiple Wall Signs.** Buildings with multiple uses or multiple businesses may have multiple wall signs, provided the aggregate total wall sign area does not exceed the standards in Subsection C. above, and the individual sign areas are similar and complementary in size, shape and location on the building.

[§ 7B-305 added by Ord. No. 95-3, effective May 3, 1996, amended by Ord. No. 10-06, effective May 6, 2010, amended by Ord. No. 13-01, effective January 31, 2013.]

SECTION 7B-305. HORSE RACING (HR) DISTRICT.

A. **Special Purpose of the HR District**. The City Council makes the following findings in establishing the sign regulations in the HR District:

1. The HR Zoning District was created to accommodate the unique land use reflecting the Minnesota State Legislature's provisions for a single standardbred horse racing facility allowed within the Seven County Metropolitan Area.

2. Minnesota Statutes Chapter 240 includes the provisions for regional horse racing facilities and the Minnesota Racing Commission's rules, regulations, and permitting procedures.

3. The Running Aces harness track and gaming facility is a unique, one-of-a-kind, regional entertainment facility.

4. The Running Aces harness track and gaming facility occupies the largest single business property in the City of Columbus.

5. The Running Aces harness track and gaming facility is located adjacent to Interstate Highway 35 (I-35), and has direct access to the facility provided via county and local roadways.

6. The Running Aces harness track and gaming facility holds a variety of special public and private events throughout the year, in addition to harness track racing and gaming.

7. There is considerable traffic generated by and attributed to the Running Aces harness track and gaming facility.

8. There is a need for signage opportunities which are relevant to the size and scope of a regional entertainment facility.

B. The maximum freestanding sign area for buildings with 40,000 square feet gross floor area or more shall not exceed 360 square feet in area, nor 82 feet in height. Signs shall be set back a minimum of 5 feet from the front property line and 20 feet from the side yard property lines and be designed such that in the event of a column failure the breakaway point causes the sign to fall on vacant property and not cause harm or damage to human health or private/public property. Illuminated signs and Dynamic signs are permitted.

C. **Freestanding Signs for Developments in I-35 Corridor.** In addition to the one allowed on-premises freestanding sign in Subsection B. above, properties in the I-35 Corridor, as defined in Section 7B-200.R. of this Ordinance, are allowed a second on-premises freestanding sign to be oriented toward the interstate highway and located in the I-35 Corridor, as provided in this subsection.

1. The maximum sign area for the second on-premises freestanding sign shall not exceed 200 square feet in area, nor 30 feet in height. Signs shall be set back a minimum of 5 feet from the property line oriented toward the interstate highway and 20 feet from the side yard property lines. Illuminated signs and Dynamic signs are permitted.

2. On any property located in the I-35 Corridor, which is also located within 300 feet of the intersection of an interstate highway on- or off-ramp and the intersecting highway, the second on-premises sign allowed in Subdivision 1 above may be substituted for a freestanding sign not exceeding 100 square feet in area, nor 60 feet in height. Such sign substituted in this Subdivision 2 may be illuminated but shall not be dynamic.

3. For any single development in the I-35 Corridor with least 150 acres in area and with a principal structure with at least 60,000 square feet of gross floor area, the maximum sign area for the second on-premises freestanding sign is allowed to exceed the maximum area and height in Subdivision 1, up to 1,640 square feet in area and 82 feet in height. Signs shall be set back a minimum of 5 feet from the property line oriented toward the interstate highway and 20 feet from the side yard property lines and be designated such that in the event of a column failure the breakaway point causes the sign to fall on vacant property and not cause harm or damage to human health or private/public property. Illuminated signs and Dynamic signs are permitted.

D. **Wall Signs.** Wall signs are permitted on each wall of a principal structure with direct public street frontage. Principal structures served by private street frontage are permitted one wall sign. The maximum wall sign area for buildings with less than 20,000 square feet gross floor area shall not exceed 15% of the wall area or contain lettering heights greater than 36 inches. The maximum wall sign area for buildings with at least 20,000 square feet gross floor area but less than 40,000 square feet gross floor area shall

not exceed 15% of the wall area or contain lettering heights greater than 42 inches. The maximum wall sign area for buildings with 40,000 square feet gross floor area or more shall not exceed 15% of the wall area or contain lettering heights greater than 48 inches. Wall sign area allowed on a wall but not used on that wall may be allocated to another wall of the same building. Illuminated wall signs are permitted. Dynamic wall signs are not permitted.

E. **Sign Band for Multiple Wall Signs.** Buildings with multiple uses or multiple businesses may have multiple wall signs, provided the aggregate total wall sign area does not exceed the standards in Subsection C. above, and the individual sign areas are similar and complementary in size, shape and location on the building.

F. **Wall Signs on Accessory Buildings**. Signage on accessory structures shall be limited to wall signs providing identification or directional information, such as "Tack Room," "Veterinarian," or "Racing Officials." Such signage shall not exceed 20 square feet in area or lettering exceeding 12 inches in height.

G. **Directional and Public Information Signs**. Small, freestanding signs providing directional and other public information, such as "Horse Racers Only," "Park and Ride Facility," and "RV Parking," are permitted on private property in the HR District. Such signage shall not exceed 18 square feet in area or 8 feet in height or be located in areas impeding vehicle driver vision or safety.

[§ 7B-307 added by Ord. No. 10-06, effective May 6, 2010, amended by Ord. No. 13-01, effective January 31, 2013, amended by Ord. No. 15-02, effective June 4, 2015, amended by Ord. No. 21-06, effective October 21, 2021.]

SECTION 7B-306. COMMERCIAL INDUSTRIAL (C/I) DISTRICT AND COMMERCIAL INDUSTRIAL – LIGHT (C/I -LIGHT) DISTRICT.

A. **Freestanding Signs.** One on-premises freestanding sign is permitted for each commercial/industrial parcel with a principal use. Properties with multiple businesses may share space on freestanding signs. The maximum freestanding sign area shall not exceed 100 square feet in area, nor 40 feet in height. Signs shall be set back a minimum of 5 feet from the front property line and 20 feet from the side yard property lines. Illuminated signs and Dynamic signs are permitted.

B. **Wall Signs.** Wall signs are permitted on each wall of a principal structure with direct public street frontage. Principal structures served by private street frontage are permitted one wall sign. The maximum sign area shall not exceed 15% of the wall area. Individual sign lettering shall not exceed 36 inches in height. Wall sign area allowed on a wall but not used on that wall may be allocated to another wall of the same building. Illuminated wall signs are permitted. Dynamic wall signs are not permitted.

C. **Sign Band for Multiple Wall Signs**. Buildings with multiple uses or multiple businesses may have multiple wall signs, provided the aggregate total wall sign area does not exceed 15% of the wall area, and the individual sign areas are similar and complementary in size, shape and location on the building.

[§ 7B-309 added by Ord. No. 10-06, effective May 6, 2010, amended by Ord. No. 13-01, effective January 31, 2013.]

SECTION 7B-307. I-35 CORRIDOR LARGE OFF-PREMISES SIGNS. Large or over-sized off-premises signs, commonly called "highway billboards," are permitted within the I-35 Corridor, as long as the following conditions or restrictions are met:

A. **Setbacks**. Except as modified by this Section, any new off-premises sign structures constructed after the effective date of this ordinance must be set back a minimum of twenty (20) feet from any public right-of-way. No off-premises sign shall obstruct in any way a driver's vision of the road or hinder or obstruct any pedestrian path.

B. **Commercial or Industrial Zoning**. The property upon which the large off-premises sign is erected must be located within the HC, HR, or LI Zoning District.

C. **State and Federal Laws**. The requirements of State and federal law must be met before a permit is issued (see MINN. STAT. Ch. 173 (1991), and MINN. RULES, Parts 8810.0200 through 8810.1400 (1989), as amended).

D. **Size**. The sign face of a large off-premises sign shall not exceed 720 square feet and shall not exceed 1,440 square feet total for a multi-sided sign.

E. **General Requirements**. Large off-premises signs are subject to the following requirements:

1. All static signs shall be located no closer than 3,750 feet from another permitted or nonconforming large off-premises static or dynamic sign on the same side of the highway except that existing signs subject to an Interim Use Permit erected at a shorter distance may be issued up to one additional Interim Use Permit term.
2. Dynamic signs shall be located no closer than 3,750 feet from another permitted dynamic sign in excess of 200 square feet. The 3,750-foot measurement is a 360 degree measurement, calculated as a straight line from one dynamic sign to another dynamic sign, including measurements across the Interstate Highway as well as measurements to a permitted dynamic sign located on any other Interstate Highway.
3. Large off-premises signs shall be located no closer than 750 feet from a state, county, or city park, historic site, public picnic grounds, highway rest area, on-ramp or off-ramp, church or school.
4. Large off-premises signs shall be located no closer than 500 feet from any area zoned RR.
5. Large off-premises signs shall be located so as to not obstruct the view of any permitted on-premises sign.
6. Illuminated signs shall be located and the source of illumination shielded so that neither the light source, nor direct visible rays or glare project beyond the surface of the sign to be illuminated.
7. Large off-premises signs shall be located not less than 25 feet, nor more than 45 feet from the ground elevation on which the sign is erected.
8. Large off-premises signs shall be constructed and mounted with a load factor consistent with the Minnesota State Building Code. Applicants shall submit structural plans certified by a licensed structural engineer.
9. Dynamic sign messages shall not change at intervals less than once every 8 seconds. The duration of the transition of the electronic image message change shall be instantaneous and include no fading, scrolling, or other special effects.
10. All dynamic off-premises signs must be equipped with a default mechanism that will stop the messaging or freeze the image in one position when a malfunction in electronic programming occurs.
11. All dynamic off-premises signs must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness according to ambient conditions. In addition, all dynamic signs must be equipped with a default mechanism that will eliminate sign lighting or freeze the brightness at 500 nits when a malfunction in the automatic dimmer control occurs.
12. All static off-premises signs converted to dynamic off-premises signs shall be required to bury any electrical power lines located on the subject property and serving the sign structure.
13. A static off-premises sign converted to a dynamic off-premises sign shall be prohibited from conversion to a static off-premises sign.

14. All electrical equipment and wiring shall be enclosed in a shroud or other equipment box that is visually integrated into the sign structure.

15. Off-premises signs shall be allowed a three-dimensional protrusion as long as it does not extent further than four (4) feet above the top of the sign. An extension shall not be larger than 25% of the face of the sign and must form an integral part of the advertising design.

16. Any off-premises sign subject operating under a new or reissued Interim Use Permit term must be improved to conceal exposed metal support columns, consistent with the following standards:

a. Support columns shall be concealed by materials that are primarily natural stone, brick, approved masonry or stucco panels, or similar materials, and the design shall be approved by the Planning Commission in conjunction with the Interim Use Permit review. The concealment shall be a minimum of six (6) feet in width, and a minimum of twelve (12) feet in height.

b. All updated billboards concealments should be a uniform shape, and uniform color scheme and design (tan/beige/earth tone), based on an approved set of design standards.

c. All updated billboards should have a sign bearing the word "Columbus" placed near the top of the support structure.

d. Signs bearing the City's name should be oval in shape, with black lettering matching that of the new TH97 bridge with a tan/sandstone backdrop visible from traffic on Interstate 35.

F. **Interim Use Permit**. Large off-premises signs shall only be erected or maintained upon approval of an Interim Use Permit. Interim Use Permits granted by this section shall be temporary in nature. Interim Use Permits for static large off-premises signs shall be valid for a period of ten (10) years, but not later than December 31, 2031, or until any governmental agency with authority for construction of public roadways requires the underlying property for roadway purposes. Interim Use Permits for dynamic large off-premises signs shall be valid for a period of no more than twenty (20) years. Interim Use Permits shall be granted to a designated person or entity, and are not transferable to other persons or entities. An Interim Use Permit will terminate upon: (1) a violation of the conditions or terms of the permit; (2) a change in the zoning regulations that render the use nonconforming; (3) subdivision of the property; or (4) establishment of any use other than a single-family residence or agricultural use on the property after the effective date of this ordinance. Upon termination of an off-premises sign Interim Use Permit, the owner of the sign structure shall remove the structure and provide written notice to the City Administrator of such removal within sixty (60) days of the termination of the Interim Use Permit. Notwithstanding the foregoing, any Interim Use Permit which was granted prior to the effective date of this ordinance shall be allowed to continue under same conditions of approval until its current Interim Use Permit term expires or until there is a violation of the conditions of the permit, whichever occurs first.

1. **Interim Use Permit Applications.** Applications for large off-premises sign Interim Use Permits shall be filed with the City Administrator, together with a filing fee established by City Council. The application shall be forwarded to the Planning Commission for a public hearing. The Planning Commission shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer, and City Building Official in its deliberations and recommendations to the City Council for the Interim Use Permit. The procedure and requirements for the application and public hearing for an Interim Use Permit

are described in Sections 7A-530 and 7A-531 of the Columbus City Code. The City Council shall consider the recommendations of the Planning Commission and City Administrator, City Planner, City Engineer, and City Building Official in its action on the Interim Use Permit application.

2. **Interim Use Permit Renewal.** Upon the expiration of the initial term of an approved Interim Use Permit, an applicant may re-apply for renewal of an Interim Use Permit for a large off-premises sign in the same manner as an initial application. Prior granting of an Interim Use Permit does not give an applicant any vested right to renewal. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary to avoid conflict with surrounding land usage.

3. **Dynamic sign conversion of existing Interim Use Permits for large off-premises signs**. Applicants with an existing Interim Use Permit for a large off-premises sign may apply for an amendment to allow a dynamic sign. Applications for amendments to an existing Interim Use Permit are made in the same manner as an initial application under this Section. In considering the application to amend the existing Interim Use Permit, the Planning Commission and City Council shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer and City Building Official. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary, including the term of the amended Interim Use Permit, to avoid conflict with surrounding land usage.

4. **Dynamic sign conversion of existing legally nonconforming Conditional Use Permits for large off-premises signs**. Applicants with an existing legally nonconforming Conditional Use Permit for a large off-premises sign may apply for a dynamic off-premises sign by terminating the existing nonconforming Conditional Use Permit and applying for an Interim Use Permit for the dynamic off-premises sign. Applications for the Interim Use Permit are made in the same manner as an application under this Section. In considering the application to issue an Interim Use Permit, the Planning Commission and City Council shall consult with and consider the recommendations of the City Administrator, City Planner, City Engineer and City Building Official. Interim Use Permits shall conform to restrictions or conditions as the City Council may determine are necessary, including the term of the Interim Use Permit, to avoid conflict with surrounding land usage.

G. **Public Service Messages**. In all new or amended Interim Use Permits for dynamic large off-premises signs, the applicant shall be required to provide a minimum number of public messaging opportunities, such as "Amber Alerts," traffic and weather advisories, community events, and similar public messages. The number and sequencing of public messaging shall be comparable to the average number and sequencing of public messaging opportunities on dynamic large off-premises signs throughout the Twin Cities Metropolitan Area, or as agreed upon by the City Council and applicant in the conditions of the Interim Use Permit.

H. **Findings**. The City Council shall make the following findings when issuing an Interim Use Permit for a large off-premises sign:

a. The structure and sign conform to the regulations of this Section and other applicable provisions of the Columbus City Code;

b. The date or event that will terminate the use can be identified with certainty;

c. Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and

d. That the user agrees to any conditions that the City Council deems appropriate for permission of the use.

[§ 7B-310 added by Ord. No. 10-06, effective May 6, 2010, amended by Ord. No. 19-06, effective December 19, 2019; amended by Ord. No 20-05, effective November 5, 2020.]

SECTION II. ARTICLE IV ADMINISTRATION AND ENFORCEMENT Section 7B-404 of Chapter 7B of the Columbus City Code is amended in its entirety to read:

SECTION 7B-404. ADMINISTRATION AND ADJUDICATION. All relevant provisions of the Columbus City Code shall apply to the administration and adjudication of signs and sign permit applications.

[§ 7B-404 amended by Ord. No. 10-06, effective May 6, 2010.]

SECTION III. Effective Date. Ordinance Number 24-03 was adopted this ____ day of _____, 2024 and shall become effective after its summary publication.

_____
Jesse H. Preiner, Mayor

ATTEST:

_____
Jack Davis, City Administrator

Published in the Forest Lake Times on _____, 2024

3rd Draft 7.23.24

Minnesota Cannabis Legislation
MS Chapter 342 (2023 & 2024 Sessions)

Global View

I Definitions - select listing (As amended in 2024 session)

Adult-use cannabis concentrate. "Adult-use cannabis concentrate" means cannabis concentrate that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis concentrate does not include any artificially derived cannabinoid.

Adult-use cannabis flower. "Adult-use cannabis flower" means cannabis flower that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer products. [flower includes buds, leaves and stems]

Adult-use cannabis product. "Adult-use cannabis product" means a cannabis product that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.

Cannabinoid. "Cannabinoid" means any of the chemical constituents of hemp plants or cannabis plants that are naturally occurring, biologically active, and act on the cannabinoid receptors of the brain. Cannabinoid includes but is not limited to tetrahydrocannabinol and cannabidiol.

Cannabinoid product. "Cannabinoid product" means a cannabis product, a hemp-derived consumer product, or a lower-potency hemp edible.

Cannabis business. “Cannabis business" means any of the following licensed under this chapter:

cannabis microbusiness;

cannabis mezzobusiness;

cannabis cultivator;

cannabis manufacturer;

cannabis retailer;

cannabis wholesaler;

cannabis transporter;

cannabis testing facility;

cannabis event organizer;

cannabis delivery service; and

medical cannabis combination business.

Cannabis Industry. "Cannabis industry" means every item, product, person, process, action, business, or other thing related to cannabis plants, cannabis flower, and cannabis products.

Cannabis plant. "Cannabis plant" means all parts of the plant of the genus Cannabis that is growing or has not been harvested, including but not limited to a mother plant; a mature, flowering plant; an immature plant; or a seedling. Cannabis plant does not include a hemp plant.

Cannabis product. (a) "Cannabis product" means any of the following:

(1) cannabis concentrate;

(2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or

(3) any other product that contains cannabis concentrate.

(b) Cannabis product includes adult-use cannabis products, including but not limited to edible cannabis products and medical cannabinoid products. Cannabis product does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.

Cultivation. "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.

Edible cannabis product. "Edible cannabis product" means any product that is intended to be eaten or consumed as a beverage by humans; contains a cannabinoid other than an artificially derived cannabinoid in combination with food ingredients; is not a drug; and is a type of product approved for sale by the office, or is substantially similar to a product approved by the office including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods. Edible cannabis product does not include lower-potency hemp edibles.

Endorsement. "Endorsement" means an authorization from the office to conduct a specified operation activity.

Lower-potency hemp edible. (a) "Lower-potency hemp edible" means any product that:

(1) is intended to be eaten or consumed as a beverage by humans;

(2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients;

(3) is not a drug;

(4) does not contain a cannabinoid derived from cannabis plants or cannabis flower;

(5) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods; and

(6) meets either of the requirements in paragraph (b).

(b) A lower-potency hemp edible includes:

(1) a product that:

(i) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol; no more than 25 milligrams of cannabidiol, cannabigerol, cannabinol, or cannabichromene; any other cannabinoid authorized by the office; or any combination of those cannabinoids that does not exceed the identified amounts;

(ii) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving; and

(iii) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol, except that a product may include artificially derived cannabinoids created during the process of creating the delta-9 tetrahydrocannabinol that is added to the product, if no artificially derived cannabinoid is added to the ingredient containing delta-9 tetrahydrocannabinol and the ratio of delta-9 tetrahydrocannabinol to all other artificially derived cannabinoids is no less than 20 to one; or

(2) a product that:

(i) contains hemp concentrate processed or refined without increasing the percentage of targeted cannabinoids or altering the ratio of cannabinoids in the extracts or resins of a hemp plant or hemp plant parts beyond the variability generally recognized for the method used for processing or refining or by an amount needed to reduce the total THC in the hemp concentrate; and

(ii) consists of servings that contain no more than five milligrams of total THC.

Hemp business. (a) "Hemp business" means either of the following licensed under this chapter:

(1) lower-potency hemp edible manufacturer; or

(2) lower-potency hemp edible retailer.

(b) Hemp business does not include a person or entity licensed under chapter 18K to grow industrial hemp for commercial or research purposes or to process industrial hemp for commercial purposes.

Office. "Office" means the director of the Office of Cannabis Management.

Plant canopy. "Plant canopy" means the surface area within a cultivation facility that is used at any time to cultivate mature, flowering cannabis plants. For multiple tier cultivation, each tier of cultivation surface area contributes to the total plant canopy calculation. Calculation of the area of the plant canopy does not include the surface area within the cultivation facility that is used to cultivate immature cannabis plants and seedlings.

Total THC. "Total THC" means the sum of the percentage by weight of tetrahydrocannabinolic acid multiplied by 0.877 plus the percentage by weight of all tetrahydrocannabinols.

II Basic Parameters

Possession and sales are limited to persons at least 21 years of age. Alcohol and tobacco products may not be sold to or consumed by patrons in any cannabis or hemp business. All cannabis and hemp (except industrial hemp) businesses are under the jurisdiction and registration of the Office of Cannabis Management (OCM) or "office."

III Local Responsibility / Limitations

A. Any interim ordinance restricting or prohibiting a cannabis or hemp business terminates on January 1, 2025.
B. Local government cannot restrict individual possession limits:
    1. 2 ounces flower (buds, leaves & stems) on person in public.
    2. 2 pounds flower at home.
    3. 8 grams of concentrate.
    4. Edibles $\leq$ 800 mg of THC.
    5. 4 mature and 4 immature plants growing at home.
    6. Gifting to others at least 21 years of age is allowed of any personal product, but no sales.
    7. Use of personal products can be restricted in public places [e.g., tobacco law] and on public property.
C. Local government cannot prohibit any cannabis business but may restrict them to appropriate zoning districts and apply reasonable zoning regulations.
    1. OCM screens and forwards vetted cannabis business applications to local communities for local registration. Local communities have 30 days to certify an application is consistent with community requirements. The office may approve an application that isn't certified by a local community within the 30 day period.
        a. The maximum local registration/certification fee for a cannabis business is $500.
        b. Local renewal fees may not exceed $1000. Local renewal is required whenever the office renews a business registration.
        c. No other local application fee may be imposed at this stage of the process.
        d. Normal fees and review procedures apply when the City receives an actual permit application from any cannabis business.
    2. Indoor and outdoor cultivation can be limited to commercial or industrial zoning district. Cultivation can be prohibited in the RR District, except for personal home growing (maximum 4 mature and 4 immature plants at any one time).

IV Cannabis Business Descriptions

There are 11 cannabis businesses that require office licensing & local registration/certification:

A. Cultivator. Licensed to grow cannabis plants from seed and package and sell and transport seedlings, immature plants and cannabis flower (buds, leaves & stems) to other cannabis businesses.
   1. Outdoor cultivation may include up to 2 acres of mature plants (the office may increase that to 4 acres).
   2. Indoor cultivation may include up to 30,000 square feet of plant canopy (the office may increase that amount to meet the goals of M.S. 342)
   3. A licensed cultivator may also be licensed as a manufacturer, transporter, industrial hemp grower and event organizer.
   4. Requires security for indoor or outdoor cultivation, such as fencing and lighting, and waste disposal.

B. Manufacturer. Licensed to manufacture cannabis products, hemp concentrate, artificially derived cannabinoids, creation of lower-potency hemp edibles, or creation of hemp-derived consumer products.
   1. Must be in a secure facility exclusively limited to cannabis production (although may share office space and access if a manufacturer is also a licensed cultivator).
   2. All equipment must be exclusively used dedicated to cannabis manufacturing.
   3. All chemicals or compounds used in manufacturing must be approved by the office.
   4. A manufacturer may hold a cultivator license, transporter license and an event organizer license.

C. Retailer. No retail sale (retailer, microbusiness, mezzobusiness with retail or medical cannabis combination business with retail) may occur prior to a local certification, unless the office registers the business without local certification. Local communities may determine whether property taxes and assessments are current when conducting a preliminary compliance check for ordinance compatibility.
   1. Local communities may limit the number of retail establishments to one business per 12,500 population or may have no limitations.
   2. Local communities may operate a municipal cannabis retail business.
   3. Local communities may limit hours of operation to 10:00 am – 9:00 pm daily.
   4. Local communities may prohibit retail stores within 1000 feet of schools and within 500 feet of a day care, residential treatment facility or public park children's attraction (e.g., playground or playfields).
   5. Retailers may have product samples in jars (for smelling) or prepackaged bags for viewing, but no samples may be sold or given away. Products that are sold are kept in a separate secure area, inaccessible to patrons.
   6. Local communities must conduct an unannounced age compliance verification at every cannabis or hemp retail location at least one time in each calendar year. An underaged adult ($\geq$17 & <21), under the supervision of a law enforcement officer or public employee, must be used to attempt to make an underaged purchase.
   7. A retailer may have only one license per city (and three per county).
   8. A retailer may also have delivery service license and an event organizer license.

D. Microbusiness. A microbusiness is licensed to cultivate or purchase cannabis plants; purchase hemp plant parts; manufacture cannabis products, hemp concentrate, artificially derived cannabinoids, creation of lower-potency hemp edibles, or creation of hemp-derived consumer products; package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers; sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers.
   1. Indoor cultivation may include to 5000 square feet of plant canopy (the office may increase this amount but not require less than 5000 s.f.).
   2. Outdoor cultivation may include up to ½ acre of mature plants (the office may increase this amount).
   3. A higher education institution may be licensed as a microbusiness for research on cannabis products but may not sell products to other cannabis businesses or to consumers or allow any on-stie consumption.
   4. A microbusiness is also licensed to allow the on-site consumption of edible cannabis products and lower-potency hemp edibles (includes cannabis or hemp derived beverages, but not cannabis flower or concentrates for smoking or vaping).
   5. All products allowed for on-site consumption must be served in original packaging.
   6. Food and beverages may be prepared and sold on-site, along with live or recorded music.
   7. No tobacco or alcohol may be sold or consumed on site.
   8. No free samples of any cannabis or hemp products are allowed.
   9. The on-site consumption area must be separate and distinct from all other functions of the microbusiness, including a distinct entrance.
   10. The retail sale and on-site consumption area of the microbusiness shall not be visible from outside of the licensed premises.
   11. A microbusiness may also be licensed as an event organizer, and may be allowed to transport cannabis products.

E. Mezzobusiness. A mezzobusiness is licensed similarly to a microbusiness, but also grows and/or manufactures cannabis products for medical use and the manufacture of certain additional concentrates.
   1. Indoor cultivation may include to 15,000 square feet of plant canopy (the office may increase this amount).
   2. Outdoor cultivation may include up to 1 acre of mature plants (the office may increase this amount to 3 acres).
   3. A mezzobusiness may package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers.
   4. A mezzobusiness may also sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers.
   5. No free samples of any cannabis or hemp products are allowed.
   6. A mezzobusiness is not licensed for on-site consumption of anything.

7. A mezzobusiness may also be licensed as an event organizer, and may be allowed to transport cannabis products.

F. Cannabis Event Organizer. A cannabis event organizer is licensed to hold a temporary event for up to 4 days.
   1. A cannabis event requires local approval, including obtaining any necessary permits or licenses issued by a local unit of government, before holding a cannabis event.
   2. An event organizer must submit on a form approved by the office:
      a. The type and number of any other cannabis business license held by the applicant.
      b. The date(s), hours of operation, address and location where the temporary cannabis event will take place and the name of the event.
      c. A diagram of the physical layout of the temporary cannabis event showing where the event will take place on the grounds, all entrances and exits that will be used by participants during the event, all cannabis consumption areas, all cannabis retail areas where cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products will be sold, the location where cannabis waste will be stored, and any location where cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products will be stored.
      d. A list of the name, number, and type of cannabis businesses and hemp businesses that will sell cannabis plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products at the event, which may be supplemented or amended within 72 hours of the time at which the cannabis event begins.
      e. A person, cooperative, or business holding a cannabis event organizer license may not hold a cannabis testing facility license, a lower-potency hemp edible manufacturer license, or a lower-potency hemp edible retailer license.
   3. Cannabis microbusinesses with a retail endorsement, cannabis mezzobusinesses with a retail endorsement, cannabis retailers, medical cannabis combination businesses operating a retail location, and lower-potency hemp edible retailers, including the cannabis event organizer, may be authorized to sell cannabis plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products to customers at a cannabis event. Authorized retailers may only conduct sales within their specifically assigned area
   4. All sales of cannabis plants, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products at a cannabis event must take place in a retail area as designated in the premises diagram.
   5. Authorized retailers may only conduct sales within their specifically assigned area.
   6. Retailers may not sell any products to anyone visibly intoxicated or sell more than the legal possession limit to any individual.
   7. No products may be given away.
   8. Cities may allow or prohibit on-site consumption of edibles.
   9. It appears cities can restrict temporary events to be held at licensed cannabis facilities.

G. Wholesaler. A cannabis wholesaler license entitles the license holder to:
   1. Purchase immature cannabis plants and seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products from

cannabis microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers, and cannabis microbusinesses.

2. Purchase hemp plant parts, propagules and concentrate.
3. Sell immature cannabis plants and seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products to cannabis microbusinesses, cannabis mezzobusinesses, cannabis manufacturers, and cannabis retailers.
4. Import hemp-derived consumer products and lower-potency hemp edibles that contain hemp concentrate or artificially derived cannabinoids that are derived from hemp plants or hemp plant parts.
5. Sell lower-potency hemp edibles to lower-potency hemp edible retailers.
6. A cannabis wholesaler may purchase and sell other products or items that do not require a license or authorization. Products for which no license or authorization is required include but are not limited to industrial hemp products, products that contain hemp grain, hemp-derived topical products, and cannabis paraphernalia, including but not limited to childproof packaging containers and other devices designed to ensure the safe storage and monitoring of cannabis flower and cannabis products in the home to prevent access by individuals under 21 years of age.
7. A cannabis wholesaler license may also hold a cannabis transporter license, a cannabis delivery service license, and a cannabis event organizer license.
8. A cannabis wholesaler shall maintain compliance with state and local building, fire, and zoning requirements or regulations.

H. Transporter. A cannabis transporter license entitles the license holder 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 cannabis microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers, cannabis wholesalers, lower-potency hemp edible manufacturers, and industrial hemp growers to cannabis microbusinesses, cannabis mezzobusinesses, cannabis manufacturers, cannabis testing facilities, cannabis wholesalers, cannabis retailers, lower-potency hemp edible retailers, and medical cannabis combination businesses and perform other actions approved by the office.

1. A transporter must provide the number and type of equipment the business will use 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.
2. A transporter must provide a loading, transporting, and unloading plan.
3. A transporter must provide a description of the applicant's experience in the distribution or security business.
4. No vehicle or trailer may contain an image depicting the types of items being transported, including but not limited to an image depicting a cannabis or hemp leaf, or a name suggesting that the vehicle is used in transporting immature cannabis plants and seedlings, cannabis flower, cannabis products, artificially derived cannabinoids, hemp plant parts, hemp concentrate, lower-potency hemp edibles, or hemp-derived consumer products.

5. A transporter must maintain a manifest of all transportation and financial records required by the office.
6. A transporter shall ensure that all delivery times and routes are randomized.
7. A transporter must provide insurance and bonding required by the office.
8. A transporter may also hold a cannabis wholesaler license, a cannabis delivery service license, and a cannabis event organizer license.

I. Delivery Service. A cannabis delivery service license entitles the license holder to purchase cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products from licensed cannabis microbusinesses with a retail endorsement, cannabis mezzobusinesses with a retail endorsement, cannabis retailers, and medical cannabis combination businesses; transport and deliver cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumable products to customers; and perform other actions approved by the office.

1. A delivery service shall provide a list of all vehicles to be used in the delivery of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products including:
   a. The vehicle make, model, and color.
   b. The vehicle identification number.
   c. The license plate number.
   d. Proof of insurance for each vehicle.
2. A delivery service shall provide a business plan demonstrating policies to avoid sales of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products to individuals who are under 21 years of age and plans to prevent the visibility of cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products to individuals outside the delivery vehicle.
3. The office by rule shall establish record-keeping requirements for a cannabis delivery service, including but not limited to proof of delivery to individuals who are at least 21 years of age or enrolled in the registry program.
4. Receipt of cannabis flower and cannabis products by the cannabis delivery service and a delivery to a customer must be recorded in the statewide monitoring system within the time established by rule.
5. Cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products must be transported in a locked, safe, and secure storage compartment that is part of the cannabis delivery service vehicle or in a locked storage container that has a separate key or combination pad. Cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products may not be visible from outside the cannabis delivery service vehicle.
6. No cannabis delivery service vehicle or trailer may contain an image depicting the types of items being transported, including but not limited to an image depicting a cannabis or hemp leaf, or a name suggesting that the cannabis delivery service vehicle is used for transporting cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products.
7. A delivery service may also hold a cannabis retailer license, a cannabis wholesaler license, a cannabis transporter license, a cannabis event organizer license, and a

medical cannabis retailer license subject to the ownership limitations that apply to those licenses.

J. Testing Facility. A cannabis testing facility license entitles the license holder to obtain and test immature cannabis plants and seedlings, cannabis flower, cannabis products, hemp plant parts, hemp concentrate, artificially derived cannabinoids, lower-potency hemp edibles, and hemp-derived consumer products from cannabis microbusinesses, cannabis mezzobusinesses, cannabis cultivators, cannabis manufacturers, cannabis wholesalers, lower-potency hemp edible manufacturers, medical cannabis combination businesses, and industrial hemp growers.
   1. A testing facility shall provide an operating plan demonstrating the proposed layout of the facility, including a diagram of ventilation and filtration systems and policies to avoid sales to unlicensed businesses.
   2. A testing facility shall provide proof of accreditation by a laboratory accrediting organization approved by the office that, at a minimum, requires a laboratory to operate formal management systems under the International Organization for Standardization.
   3. A cannabis testing facility shall follow all testing protocols, standards, and criteria adopted by rule by the office for the testing of different forms of cannabis plants and seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, hemp plant parts, hemp concentrate, and artificially derived cannabinoids; determining batch size; sampling; testing validity; and approval and disapproval of tested items.
   4. Records of all business transactions and testing results; records required to be maintained pursuant to any applicable standards for accreditation; and records relevant to testing protocols, standards, and criteria adopted by the office must be kept for a minimum of three years at the cannabis testing facility's place of business and are subject to inspection upon request by the office or law enforcement agency.
   5. A testing facility shall dispose of or destroy used, unused, and waste cannabis plants and seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, hemp plant parts, hemp concentrate, and artificially derived cannabinoids pursuant to rules adopted by the office.
   6. A person, cooperative, or business holding a cannabis testing facility license may not own or operate, or be employed by, any other cannabis business or hemp business.

K. Medical Cannabis Combination Business. A medical cannabis combination business license entitles the license holder to perform any or all of the following:
   1. Grow cannabis plants from seed or immature plant to mature plant and harvest adult-use cannabis flower and medical cannabis flower from a mature plant.
   2. Make cannabis concentrate and make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight.
   3. Manufacture artificially derived cannabinoids, medical cannabinoid products and adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption.
   4. Purchase immature cannabis plants and seedlings and cannabis flower from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a

cannabis wholesaler, a medical cannabis cultivator, or another medical cannabis combination business.

5. Purchase hemp plant parts, propagules and hemp concentrate.
6. Purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler, a medical cannabis processor, or another medical cannabis combination business.
7. Package and label medical cannabis flower and medical cannabinoid products for sale to cannabis businesses with a medical cannabis processors processor endorsement, cannabis businesses with a medical cannabis retailers retail endorsement, other medical cannabis combination businesses, and patients enrolled persons in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient.
8. Package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers.
9. Sell medical cannabis flower and medical cannabinoid products to patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient.
10. Sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers, subject to office rules and patient registry program.
11. A medical cannabis combination business <u>may cultivate</u> cannabis to be sold as medical cannabis flower or used in medical cannabinoid products in an area of up to <u>60,000 square feet of plant canopy</u> subject to the limits on adult-use cannabis cultivation. A medical cannabis combination business may cultivate cannabis and manufacture cannabis in more than one location, except the aggregate total of plant canopy in all locations must count toward the business' canopy limit.
12. The office shall authorize a medical cannabis combination business to cultivate cannabis for sale in the adult-use market in an area of plant canopy that is equal to one-half of the area the business used to cultivate cannabis sold in the medical market in the preceding year. The office shall establish an annual verification and authorization procedure. The office may increase the area of plant canopy in which a medical cannabis combination business is authorized to cultivate cannabis for sale in the adult-use market between authorization periods if the business demonstrates a significant increase in the sale of medical cannabis and medical cannabis products.
13. A medical cannabis combination business may operate up to one retail location in each congressional district. A medical cannabis combination business must offer medical cannabis flower, medical cannabinoid products, or both at every retail location.
14. A medical cannabis combination business may 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 between facilities operated by the medical cannabis combination business.

V Immediate Cannabis Policy Considerations

As comprehensive and overwhelming all of this new legislation may be, the primary challenge is to develop an ordinance by January 1, 2025. An ordinance is likely to be subject to OCM rule clarifications and other moving targets. The primary policy considerations of a new ordinance include the following:

A. What zoning districts are appropriate for the cannabis businesses that must be accommodated, including indoor and outdoor cultivation?
B. How many retail locations does the City wish to allow? The statutes require a minimum of one location per 12,500 population, but the City may allow multiple locations.
C. If one retail location is permitted, the City will have to consider whether to allow the business on a "first come first served" basis, a lottery system or some other method. The timeframe that may be allowed to consider a lottery selection is unclear.
D. The City needs to determine whether a "municipal retail store" is at all an option.
E. The City should determine what hours of retail operations are appropriate.
F. The City needs to determine whether "cannabis events" may allow on-site consumption of edibles or not. A microbusiness is the only other cannabis business that allows on-site consumption of edibles (no smoking or vaping of products is ever allowed on-site).
G. The real focus should be to get an ordinance in place by January 1, 2025 that covers the minimum bases: appropriate zoning districts for each business and the number of retail businesses the City wishes to allow. The City needs to be ready after January 1 to certify compliance within 30 days for any cannabis business registration referred to the City by OCM.
H. The cannabis legislation does not appear to restrict how an ultimate permit application for a cannabis business is processed. The City should confirm at this time whether all applications will be reviewed as a CUP or whether any business may be allowed as a permitted use. It should also be clarified whether an IUP may be the appropriate procedure to permit a temporary cannabis event.
I. An ultimate ordinance format would likely include:
    1. Amending Article II - Definitions
    2. Amending Article VI & VII - Zoning District Use Provisions (what's allowed where and by what approval process)
    3. Amending Article VIII - Adding Section 7A-825 Cannabis Business Performance Standards