



Olmsted County Planning Department

August 1, 2024

Summary of Repealed and Replacement of Chapter 1400

Additions are Red and underlined, deletions are strikethroughs.

Revise Section 2.02 Add the following definitions:

Cannabis business. In accordance with MN Statutes Section 342.01 Subdivision 14, “cannabis business” means any of the following licenses by the State of Minnesota:

- A. cannabis microbusiness;
- B. cannabis mezzobusiness;
- C. cannabis cultivator;
- D. cannabis manufacturer;
- E. cannabis retailer;
- F. cannabis wholesaler;
- G. cannabis transporter;
- H. cannabis testing facility;
- I. medical cannabis combination business.

Cannabis Cultivation. Includes license types: cannabis cultivator, cannabis mezzobusiness, cannabis microbusiness and medical cannabis combination business, means in accordance with MN Statute 342.01 Subdivision 27, any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.

Cannabis Manufacturing, Processing, Extraction. Includes MN Cannabis License types: cannabis manufacturer, cannabis mezzobusiness, cannabis, microbusiness, medical cannabis combination and means a business or activity that turns raw, dried cannabis and cannabis parts into other types of cannabis products such as but not limited to edibles or topicals.

Cannabis Microbusiness: A MN Cannabis License type issued pursuant to MN Statutes Section 342.28 which permits cultivation of cannabis, manufacturing of

cannabis products and hemp products, and packaging such products for sale to customers or another licensed cannabis business and which may operate a single retail location.

Cannabis Medical Combination Business: A MN Cannabis License type issued pursuant to MN Statutes Section 342.515 which permits the cultivation and manufacturing of cannabis and hemp products, and packaging such products for sale to customers, patients, or another licensed cannabis business. Medical cannabis combination businesses may operate up to one retail location in each congressional district.

Cannabis Mezzobusiness: A MN Cannabis License type in issued pursuant to MN Statutes Section 342.29 which permits cultivation of cannabis, manufacturing of cannabis and hemp products, and packaging of such products for sale to customers or another licensed cannabis business and which may operate up to three retail locations.

Cannabis Retail: A MN Cannabis License type issued pursuant to MN Statutes Section 342.32 and which includes the following types of cannabis businesses: cannabis retailer, cannabis mezzobusiness, cannabis microbusiness, and medical cannabis combination. This license type allows these businesses to sell cannabis and cannabis products directly to consumers.

Cannabis Transporter: A MN Cannabis License type issued pursuant to MN Statutes Section 342.35. 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 of Cannabis Management.

Cannabis Testing Facility: A MN Cannabis License type issued pursuant to MN Statutes Section 342.37. 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.

Cannabis Wholesale: A MN Cannabis License type issued pursuant to MN Statutes Section 342.33 and 342.34 and which includes the following types of cannabis businesses: cannabis wholesale, cannabis cultivator, cannabis manufacturer, cannabis mezzobusiness, cannabis microbusiness, and medical cannabis combination. This license type allows a business to purchase from a business growing or manufacturing cannabis or cannabis products and sell to a cannabis business engaged in retail operations.

Revise Article 4 Section 4.02:

Section 4.02 CONDITIONAL USE/INTERIM USE:

The purpose of a conditional/interim use is to permit a use that would not be appropriate generally but may be allowed with appropriate restrictions upon a finding that 1) certain conditions as detailed in the zoning ordinance exist, and 2) the use or development conforms to the Comprehensive Plan, and 3) is compatible with the existing area.

An "interim use" is a temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

A conditional/interim use is allowed only after a petition for a permit has been approved by the Planning Advisory Commission, except when there is an appeal to the Commission decision; then, only after the approval of the County Board of Commissioners.

- A. Criteria for Granting Conditional Uses:** In granting a conditional use, the Planning Advisory Commission shall consider the effect of the proposed use on the Comprehensive Plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Commission shall consider the following:
1. The proposed use will not be injurious to the use and enjoyment of other property in the neighborhood and will not significantly diminish or impair the values of such property.

2. The proposed use will not impede the normal and orderly development and improvements of the surrounding property.
3. Adequate utilities, parking, drainage, and other necessary facilities will be provided.
4. Adequate ingress and egress will be provided to minimize traffic congestion in the public streets.
5. Based on a transportation impact analysis, if required under Section 10.48 of this Ordinance, or (if the requirement for a transportation impact analysis has been waived) considering the recommendation of the responsible road authority engineer as defined in that Section, either:
 - a. The traffic generated by the proposed use can be safely accommodated on existing or planned street systems and the existing public roads providing access to the site will not need to be upgraded or improved by the Township or County or other affected jurisdictions in order to handle the additional traffic generated by the use; or
 - b. A road use agreement has been entered into specifying responsibility for improving and maintaining the roads of affected jurisdictions including remediation of damaged roads and specification of designated haul routes to limit heavy vehicle traffic to structurally adequate corridors.
6. Adequate measures have been taken or proposed to prevent or control offensive odor, fumes, dust, noise, vibration, or lighting which would otherwise disturb the use of neighboring property.
7. The special criteria or requirements indicated in Article X, General Regulations, are complied with.
8. The water and sanitary systems are or would be adequate to prevent disease, contamination, and unsanitary conditions.
9. When deciding on a conditional use to the A 1, A 2, A 3, and A 4 Agricultural Districts, the following additional factors shall be considered.
 - a. The amount of prime agricultural land with a crop equivalent rating of 60 or above that would be taken out of production as a result of the use.
 - b. The need for new public roads or the need for improvement to existing public roads is minimal.

B. Criteria for Granting Interim Uses: Zoning regulations permit the County Board to allow interim uses. The regulations may set conditions on interim uses. Planning Advisory Commission acting on behalf of the County Board may grant permission for an interim use of property if:

1. The use conforms to the zoning regulations and meets the requirements of Section 4.02 Subdivision A;
2. The date or event that will terminate the use can be identified with certainty;
3. 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
4. The user agrees to any conditions that the Planning Advisory Commission deems appropriate for permission of the use.

C. Additional Conditions: In permitting a new conditional or interim use or the alteration of an existing conditional or interim use, the Planning Advisory Commission may impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which the Planning Advisory Commission considers necessary to protect the best interest of the surrounding area or the County as a whole. These conditions may include, but are not limited to the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height, size, or location of buildings.
3. Controlling the location and number of vehicle access points.
4. Increasing the street width.
5. Increasing the number of required off street parking spaces.
6. Limiting the number, size, location, or lighting of signs.
7. Requiring diking, fencing, screening, landscaping, or other facilities to protect adjacent or nearby property.
8. Designating sites for open space.
9. Limiting the hours of operation.
10. Limiting the length of time for which the interim use may exist.

11. Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted.
12. Special provisions for the location, design, and use of structures, sewage treatment systems, and vehicle parking areas.
13. Limiting the interim use to the current landowner.

D. Required Exhibits: The following exhibits shall be required unless waived by the Zoning Administrator:

1. A completed application form.
2. An accurate boundary description of the property.
3. A development plan of the property showing the existing or proposed buildings, streets, access roads, driveways, parking spaces and signs.
4. Landscaping and screening plans.
5. Drainage Plan.
6. Conditional uses pertaining to the Floodway, Flood Fringe (FFA and FFB) and Flood Plain Districts, Sections 9.02, 9.04, 9.06, and 9.08, shall, in addition to the previous exhibits, require the following:
 - a. Plans in triplicate drawn to scale showing the nature, location, dimensions, and elevations of the lots, existing or proposed, fill, storage of materials, flood proofing measures, and the relationship of the above to the location of the stream channel.
 - b. Specifications for building construction and materials, flood proofing, filling, dredging, grading, channel improvement, storage of materials, water supply and sanitary facilities.
 - c. Any additional information deemed necessary by the Planning Advisory Commission to determine the suitability of the particular site for the proposed use.
 - d. State and Federal Permits. Prior to granting a permit or processing an application for a Conditional Use Permit the Zoning Administrator shall determine that the applicant has obtained all necessary State and Federal Permits.

E. **Conditional/Interim Use Procedures:** The procedures for a property owner to obtain a conditional/interim use are as follows:

1. The applicant shall obtain the application and necessary forms from the Olmsted County Planning Department.
2. The applicant shall return the application to the Olmsted County Planning Department along with the required exhibits and pay the fee established by the Board for processing the conditional/interim use procedures (See Appendix A).
3. The Zoning Administrator shall transmit a certified copy of an approved conditional/interim use, along with the legal description of the property, to the County Recorder for recording except when the Commission's decision is being appealed.
4. A conditional use permit shall remain in effect for so long as the conditions of the permit are observed or complied with.
5. No application for conditional/interim use shall be reconsidered by the Planning Advisory Commission within the one (1) year period following a denial of such request, except the Commission may permit a new application if, in the opinion of the Commission, new evidence or a change of circumstances warrant it.
6. Should no construction or use begin within one year from the date of approval, or should the approved conditional/interim use be discontinued for a period of one year, the conditional/interim use shall be void.

Revise Article 5 Section 5.00:

Section 5.00 A-1 AGRICULTURAL PROTECTION DISTRICT:

The purpose of this district is to maintain, conserve and enhance agricultural land, and natural habitat for plant and animal life. This district is intended to encourage long term agricultural uses and preserve prime agricultural farmland by restricting the location and density of non-farm dwellings and other non-farm land uses.

A. Permitted Uses:

1. Dwellings:
 - a) **Farm:** One farm dwelling may be located on a farm. The definition of a farm for this district is "a lot used for agricultural or horticultural uses and comprised of either at least eighty (80) acres or two (2) contiguous and

undivided quarter quarter sections, including the abutting public road right-of-way, if any."

b) **Non-Farm:** One non-farm dwelling may be located upon a buildable non-farm lot (See Section 1.26, b, 2 & 3).

c) **Farmstead dwelling:** One farmstead dwelling may be located upon a non-farm lot in conformance with Section 5.00 D.

2. A second farm dwelling or mobile home may be placed on the same farmstead as another when the ownership of such farm exceeds a size of eighty (80) acres of contiguous land and provided that the residents of both dwellings are owners, operators or employees of said farm.
3. General farming, including the raising of crops (including cannabis), livestock, poultry, dairying, horticulture, apiculture, viticulture, sod farming, forestry, and similar agriculturally related uses, except animal feedlots.
4. Animal feedlots up to 1,000 animal units.
5. Farm drainage systems, flood control and watershed structures and erosion control devices meeting all county, state and soil conservation district minimum regulations.
6. Railroad right-of-ways, but not including freight classification yards and buildings.
7. One seasonal roadside stand where the use is located on a farm, the volume of any road providing driveway access to the use is less than 1,500 vehicles per day, and the posted speed limit on any road providing driveway access to the use is 60 mph or less, provided that:
 - a) adequate off-street parking is available; and
 - b) the road authority approves of the access and location.
 - c) No more than one thirty-two (32) square foot sign advertising the stand shall be permitted for each street or road frontage.
8. Forest and game management areas.
9. Home business as regulated in Section 10.02, where Section 10.02 directs consideration as a permitted use.

10. Accessory structures and uses customarily incidental to any of the above permitted uses when located on the same property.
11. Small non-utility wind energy conversion system.
12. Landspreading sites provided the following standards are complied with:
 - a) The applicant and landspreading site comply with MPCA Rules, Chapter 7040, as administered by the Minnesota Pollution Control Agency.
13. WECS meteorological towers.
14. The following residential uses: State licensed residential facility serving six or fewer persons; Licensed family adult foster care home or foster care for adults with five or fewer beds as permitted in MS 245A.11, Subd. 2a. No more than one four (4) square foot sign advertising the facility shall be permitted at the primary driveway entrance.
15. The following non-residential uses: State licensed non-residential facility or day care facility serving 12 or fewer persons, and a group family day care facility serving 14 or fewer children. No more than one four (4) square foot sign advertising the facility shall be permitted at the primary driveway entrance.

Revise Article 7 Section 7.00:

Section 7.00 R.S.D. RURAL SERVICE CENTER DISTRICT:

The purpose of this district is to provide for limited opportunities for residential, commercial and industrial development that will not be detrimental to the character or to other uses of the rural service centers. The rural service centers as described in the Comprehensive Plan include the following: Chester, Douglas, High Forest, Genoa, Marion, Pleasant Grove, Potsdam, Rock Dell, Salem Corners, Simpson and Viola.

A. Permitted Uses:

1. One single-family detached dwelling per lot.
2. Home occupation as regulated in Section 10.02
3. Public parks.
4. Accessory structures and uses customarily incidental to any of the above listed uses when located on the same property.
5. The raising of a maximum of ten (10) chickens as regulated in Section 10.51, as long as it is an accessory use to a single-family detached dwelling.

6. The following residential uses: State licensed residential facility serving six or fewer persons; Licensed family adult foster care home or foster care for adults with five or fewer beds as permitted in MS 245A.11, Subd. 2a. No more than one four (4) square foot sign advertising the facility shall be permitted at the primary driveway entrance.
7. The following non-residential uses: State licensed non-residential facility or day care facility serving 12 or fewer persons, and a group family day care facility serving 14 or fewer children. No more than one four (4) square foot sign advertising the facility shall be permitted at the primary driveway entrance.

B. Conditional Uses: (also see Section 4.02, Conditional/Interim Use)

1. One mobile home per lot.
2. Private or quasi-public facilities including but not limited to schools, churches, cemeteries, and community buildings.
3. Public utility buildings such as substations, transformer stations, and regulator stations, without service or storage yards.
4. **Certain commercial uses including:** Drug and gift stores, gasoline service stations, grocery and other food stores, hardware, feed and seed stores, building material, lawn and garden simply stores and nurseries, offices, governmental buildings, restaurants, taverns, cannabis retailers, medical cannabis combination business, and low potency hemp derived product sales.
5. **Certain industrial uses including:** Creamery, grain elevator, meat locker, welding shop, and auto body shop.
6. Accessory structures and uses customarily incidental to any of the above conditional uses when located on the same property.

C. Interim Uses: (also see Section 4.02, Conditional/Interim Use)

1. **Certain commercial uses including:** cannabis retailers, medical cannabis combination business and low potency hemp derived product sales.
2. Accessory structures and uses customarily incidental to any of the above interim uses when located on the same property.

Revise Article 8 Section 8.02:

Section 8.02 COMMERCIAL SERVICE DISTRICT (CS):

The purpose of this District is to provide within the Comprehensive Plan Urban Service Area suitable locations for the convenience shopping and personal services of persons residing in relatively close proximity of these commercial facilities. The location of this district should minimize conflicts with residential uses.

A. Permitted Uses:

1. Retail Trade:

- a) Drug And Gift Stores.
- b) Gasoline Service Station Without Automotive Or Vehicle Repair Services.
- c) Grocery And Other Food Stores.
- d) Hardware Stores.
- e) Restaurant And Other Eating Establishments Not Serving Alcoholic Beverages.

2. Services:

- a) Attorney, Doctor, Dentist, Financial, Insurance, Real Estate, And Similar Office Uses.
 - b) Government Buildings.
 - c) Licensed Health Care Facilities.
 - d) Personal Services Limited To The Following Uses: Laundry, Dry Cleaners, Photographic Studios, Beauty Shops, Barber Shops, Shoe Repair And Funeral Services.
 - e) Veterinary Office And Animal Clinics.
- 3. One Dwelling Unit When Included As An Integral Part Of The Principal Building And Occupied By The Owner Or His Employee.
 - 4. Accessory Structures And Uses Customarily Incidental To Any Of The Above Permitted Uses When Located On The Same Property.

B. Conditional Use: (Also See Section 4.02, Conditional Use)

- 1. Gasoline Service Stations With Minor Automobile Repair Services.
- 2. Off-Sale Liquor Stores.
- 3. Private And Quasi-Public Clubs And Lodges.
- 4. Accessory Structures And Uses Customarily Incidental To Any Of The Above Conditional Uses When Located On The Same Property.

5. Small Non-Utility Wind Energy Conversion System.
6. Solar Energy Farm (Photovoltaic Systems).
7. Compost, Commercial Small Facility

C. Interim Use: (Also see Section 4.02, Conditional/Interim Use)

1. Cannabis Retailer
2. Medical Cannabis Combination Business
3. Cannabis Microbusiness
4. Cannabis Mezzobusiness
5. Accessory structures and uses customarily incidental to any of the above interim uses when located on the same property.

Revise Article 8 Section 8.04

Section 8.04 HIGHWAY COMMERCIAL DISTRICT (HC):

This district is intended to provide suitable locations for uses oriented to serving the public and uses requiring large areas of highway frontages oriented closely to urban areas and major transportation routes within the Comprehensive Plan's Urban Service Area. Such development to be developed at standards that will not impair the traffic-carrying capabilities of abutting roads and highways; not result in strip commercial development, and to separate from residential areas and in certain cases from each other, certain commercial uses which have been determined to contribute to a "skid row" or blighting development pattern in adjacent areas.

A. Permitted Uses:

A. Retail Trade:

1. Apparel and accessory stores.
2. Building materials and hardware stores.
3. Furniture, home furnishing, antique and appliance stores.
4. Gasoline service stations and car washes.

5. Lawn and garden supply stores and nurseries.
6. Marine, motor vehicle and mobile home dealers and supply stores.
7. Restaurants and other eating establishments not serving alcoholic beverages.
8. Auction barns or sales facilities.
9. Other retail stores including cannabis retailer.

B. Services:

1. Business services, including advertising agencies, cleaning and maintenance services, and similar uses.
2. Educational facilities.
3. Government buildings.
4. Attorney, finance, insurance, real estate, engineering and other office uses.
5. Doctor, Dentist, veterinarian, and other health care facilities.
6. Motor vehicle, body shops, welding and other repair services.
7. Personal services, including barber shops, beauty shops, reducing salons, photographic shop, laundry, dry cleaners, funeral services and other similar uses; except saunas, massage parlors and similar uses.
8. Moving and storage uses.
9. Motels and hotels.
10. Home improvement trades, including electricians, plumbers, building contractor shops and services, and other similar uses.
11. **Entertainment, Adult:** Adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult saunas, adult companionship establishments, adult health clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotel or motel, adult body painting studios, and other adult establishments, located at least 1000 feet from:

- a. Any existing Residential Zoning District
 - b. Any areas designated for Future Residential Development on any Urban Services Area Land Use Plan
 - c. Any Church, School, Or Youth Facility
 - d. Any other Adult Establishment;
 - e. For the purposes of this Section this distance shall be a horizontal measurement from the nearest existing residential district boundary, church, school, youth facility or another establishment to the nearest point of the proposed adult establishment.
- C. One Dwelling Unit, when included as an integral part of the principal building or one mobile home occupied by the owner or his employee.
- D. Recreational Uses Including Athletic Clubs, Tennis Or Racquet Ball Clubs, Bowling Alleys, Dance Halls, Theaters, Roller Or Ice Skating Rinks, Golf Driving Ranges, and other similar uses.
- E. Storage And Wholesale Trade including cannabis wholesaler.
- F. Accessory Structures and Uses customarily incidental to any of the above permitted uses when located upon the same property.
- B. Conditional Use:** (See Section 4.02, Conditional/Interim Use.)
- 1. Any permitted retail or service use over ten thousand (10,000) square feet of floor area.
 - 2. Amusement Parks and race track services.
 - 3. Taverns and other facilities serving alcoholic beverages.
 - 4. Telecommunication towers and transmitters including radio, television, and commercial wireless telecommunications.
 - 5. Accessory structures and uses customarily incidental to any of the above conditional uses when located upon the same property.
 - 6. Small non-utility wind energy conversion system.

7. Solar energy farm (photovoltaic systems).
8. Compost, Commerical Small Facility

C. Interim Use: (See Section 4.02, Conditional/Interim Use)

1. Cannabis Testing Facility
2. Cannabis Transporter
3. Cannabis Delivery Service
4. Cannabis Mezzobusiness
5. Cannabis Microbusiness
6. Accessory structures and uses customarily incidental to any of the above Interim Uses when located upon the same property.

Revise Article 8 Section 8.06

Section 8.06 INDUSTRIAL DISTRICT (I):

This district in intended to provide industrial areas within the Comprehensive Plan's Urban Service Area at standards that will not impair the traffic-carrying capabilities of abutting roads and highways. The districts are to be located in areas that will ensure a functional relationship among various types of land use.

A. Permitted Uses:

1. Automobile service stations.
2. Business services; including advertising, disinfecting, and exterminating services, employment agencies.
3. Miscellaneous services; including engineering, architectural, surveying services, accounting, auditing, insurance companies, bookkeeping and labor unions.
4. Manufacturing, compounding and treatment of materials, goods or products from previously prepared materials (including cannabis manufacturer).
5. Motor freight and air transportation facilities (including cannabis transporter and cannabis delivery service).

6. Moving and storage companies.
7. Printing and publishing companies.
8. Warehousing.
9. Wholesale trade (including cannabis wholesale).
10. One dwelling unit, when included as an integral part of the principal building or one mobile home to be occupied by the owner or his employee.
11. Accessory structures and uses customarily incidental to any of the above permitted uses.

Revise Article 8 Section 8.08

Section 8.08 MEDICAL INSTITUTIONAL DISTRICT (MI):

The purpose of this district is to provide within the Urban Service Area of the Comprehensive Plan suitable locations for medical institutional uses. The location of this district should minimize conflicts with residential and agricultural uses.

A. Permitted Uses:

1. Hospitals
2. Public health centers
3. Diagnostic centers
4. Treatment centers
5. Rehabilitation centers
6. Nursing homes
7. Medical research facilities
8. Accessory structures and uses customarily incidental to any of the above permitted uses when located on the same property.

B. Conditional Uses:

1. Small non-utility wind energy conversion system.

2. Solar energy farm (photovoltaic systems).

C. Interim Uses:

1. Cannabis Medical Combination Business
2. Accessory structures and uses customarily incidental to any of the above interim uses when located on the same property.

Revise Article 10, Section 10.02

Section 10.02 HOME BUSINESSES:

The intent of the provisions providing for home businesses is to encourage new business uses by reducing the barriers to entry for new business enterprises, while maintaining a consistency with the residential or rural character of the districts that such uses locate in. *

- A. In any zoning district where home businesses are authorized, a home business shall comply with the following regulations:
 1. Said use shall occupy an area no more than twenty five (25%) percent of the total floor area of the dwelling.
 2. No home business shall require interior or exterior alterations of the dwelling exceeding 25% of the estimated building value as determined by the most current Olmsted County property records. No home business shall create emissions, surface or groundwater discharges, odor, dust, noise, electrical disturbances, glare, or vibrations exceeding the standards of the Minnesota Pollution Control Agency as specified in Minnesota Rules.
 3. Any parking generated by the conduct of the home occupation shall be provided for off the street, outside the required front yard and side street side yard.
 4. Notwithstanding any other provision to the contrary, no adult establishment shall be allowed as a home occupation in any district.
 5. All exterior lighting standards in Article 10.16 as well as those for parcels located in Commercial zoning districts found in Article 10.16, Subdivision E, Subdivision.
 6. Cannabis businesses shall not be considered incidental or accessory to the use of the property and are not permitted in any zoning district as a home occupation.

Add Article 10 Section 10.54:

Section 10.54 CANNABIS BUSINESSES

- A. Location Criteria- No cannabis business including cultivation may be located within the following distances:
- a. 1,000 feet of any educational institution or school, college or university, as defined in Section 2152.07 the Olmsted County Public Ordinance Regulating the Use of Cannabis and Cannabis Derived Products in Public Places.
 - b. 500 feet of a licensed day care facility,
 - c. 500 feet of a residential treatment facility,
 - d. 500 feet of a public park, or playground that is regularly used by minors including a playground or athletic field,
 - e. Or on any property owned by Olmsted County
- B. Cannabis Cultivation: Cannabis cultivation is only permitted in accordance with the requirements set forth in Minnesota Statutes Section 342.25 and associated Minnesota Rules and located on properties zoned Agricultural specifically A-1 Agricultural Protection District, A-2 Agricultural Protection District or A-3 Agricultural District except that indoor cultivation is permitted in association with cannabis mezzobusiness and cannabis microbusiness locations.
- a. Cannabis cultivation is not considered an accessory use incidental to the primary use of the property.
 - b. Cannabis plants may only be grown for personal use in accordance with Minnesota Statutes Section 342.09 Subd. 2 on properties with any zoning classification that authorizes a dwelling.