

Notice of Public Hearing  
And  
Notice of Intent to Enact an Amendment to the Zoning Ordinance

Pursuant to Minnesota Statutes, Chapter 375.51, notice is hereby given that the Becker County Planning Commission shall conduct a public hearing on **December 18<sup>th</sup>, at 6:00 P.M.** in the Jury Assembly Room, Third Floor, Becker County Courthouse, 913 Lake Avenue, Detroit Lakes, Minnesota to consider revisions to the Becker County Zoning Ordinance. Public testimony regarding this application will only be received by email, in writing, or by participating in the public hearing.

The general purpose of the Amendments is as follows:

- 1) To consider revisions to the Becker County Zoning Ordinance for requirements regulating cannabis and feedlots. Requirements will include, but are not limited to, size of establishment, location of establishment, setbacks, and fees.**

Written comments will be accepted until 12:00 P.M. on December 18<sup>th</sup>, 2024. All comments shall be addressed to Planning and Zoning Department, Attention: Zoning Administrator, Becker County Courthouse, 915 Lake Ave, Detroit Lakes, MN 56501.

# Recommended Amendments to the Becker County Zoning Ordinance

*Proposed language is indicated by underline. Language to be removed has been “strike-throughed”.*

## **Proposal # 1.) Chapter 8, Section 17 – Cannabis, and Chapter 11, Section 2, - Definitions: To adopt requirements for the production and retail sales of cannabis.**

Standards for the Cultivation, Manufacture, Wholesale, and Retail of Cannabis.

- A. General Standards applying to cannabis businesses.
  - a. All Cannabis establishments must be permitted with Becker County prior to operation.
  - b. Licensing. State licensing, if applicable, is required prior to establishment of the use.
  - c. Nuisance. The use must not establish a nuisance in the form of noise, vibration, glare, fumes, odor, lighting, or electrical interference detectable off premise.
  - d. Home Occupation. Cannabis businesses are prohibited as a home occupation.
  - e. All establishments related to Cannabis will require a conditional use permit.
- B. Performance Standards.
  - a. Setbacks. Cannabis businesses are subject to the following setbacks:
    - 1. 1,000 feet from a school.
    - 11. 500 feet from a church, daycare, library or a residence on an adjacent property.
    - 111. 500 feet from a residential treatment facility.
    - 1v. 500 feet from a park, playground, or athletic field.
  - b. Cannabis Cultivation.
    - i. Cultivation is subject to the following performance standards:
    - ii. Cultivation and Operations Plan. A business licensed or authorized to cultivate cannabis must prepare, maintain, and execute an operating plan and a cultivation plan, which must include but is not limited to:
      - 1. Site Plan. Detailing size and layout of facility, including size and layout of the cultivation facility.
      - 2. Security. Provisions for fencing and lighting.
      - 3. Solid Waste. A plan to destroy all cannabis plant material and cannabis byproduct to render it unusable. Waste material must be stored in a secure location.

**c. Manufacture and Wholesale.**

- i. Manufacture and Wholesale are subject to the following performance standards:
- ii. Facility and Operations Plan. A business licensed or authorized to manufacture and wholesale cannabis and cannabis related products must prepare, maintain, and execute a facility and operations plan, which must include but is not limited to:
  - 1. Site Plan. Detailing size and layout of facility, including size and layout of the manufacturing facility.
  - 2. Security. Provisions for fencing and lighting.
  - 3. Solid Waste. A plan to destroy all cannabis plant material and cannabis byproduct to render it unusable. Waste material must be stored in a secure location

**d. Retail.**

- i. The retail sale of cannabis and related cannabis products is subject to the following performance standards:
- ii. Business and Operations Plan. A retail business licensed or authorized to sell cannabis and cannabis related products must prepare, maintain, and execute a business plan, which must include but is not limited to:
  - 1. Hours of Operation. 8:00AM to 9:00PM Monday through Saturday and 10:00 AM to 9:00PM Sunday.
  - 2. Site Plan. Detailing size and layout of facility, including size and layout of the retail facility.
  - 3. Solid Waste. A plan to destroy all cannabis plant material and cannabis byproduct to render it unusable. Waste material must be stored in a secure location.

Definitions is hereby amended as follows:

**Cannabis:** See MN Statute 342.01.

**Proposal # 2.) Chapter 11, Section 2, - Definitions, Chapter 5, Table 5-1 – Feedlots, and Chapter 6, Section 12, Letter B, number 1.- Agricultural Standards.**

**Animal Feedlot.** “Animal feedlot” means a facility as defined in Minnesota Rules, part 7020.0300. A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of these parts, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under these parts.

**~~Feedlot, agricultural.~~** An enclosure for feeding, breeding, raising or the holding of livestock or poultry of less than 500 animal units, or mink and other fur bearing animals in less than fifteen (15) hutches, or is incidental to a farming operation which has enough land to produce the majority of feed to feed the animals and dispose of the manure (animal wastes).

~~**Feedlot, commercial.** An enclosure for the feeding, breeding, raising, or holding livestock, poultry or mink and other fur bearing animals that is not an agriculture feed lot. A pasture is a feedlot when the concentration of livestock, poultry, or other animals is such that a vegetation cover is not maintained.~~

[illegible]

	Table 5-1 Land Use Districts																
	General Agriculture		Special Protection		Residential			High Density Residential		Water Oriented Commercial			Commercial			Industry	
Use Type	All Lakes Rivers	Non Shore land	All Lakes Rivers	Non Shore land	GD & RD Lakes	NE Lakes & Rivers	Non Shore land	All Lakes Rivers	Non Shore land	GD & RD Lakes Rivers	NE Lakes	Non Shore land	GD & RD Lakes Rivers	NE Lakes	Non Shore land	Mfg	Admin & Whsg
Cropland and pasture	P	P	P	P	C	C	C										
Feedlots, under 1,500 animal units agricultural	P	P	C	C													
Feedlots, over 1,500 animal units commercial	C	C	C	C													

**B. Feedlots.** Animal feedlots shall meet the following standards:

1. New feedlots with less than 1,500 animal units shall not be located in the shoreland impact zone of watercourses or in bluff impact zones and shall be at least three hundred feet (300') from the ordinary high-water level of all public waters basins. New feedlots with more than 1,500 animal units shall not be located in the shoreland impact zone of watercourses or in bluff impact zones and shall be at least five hundred ~~three hundred~~ feet ( ~~300'~~ 500') from the ordinary high water level of all public waters basins.
2. Modifications may be made to existing feedlots that are located within three hundred feet (300') of the ordinary high-water level or within a bluff impact zone if the modifications do not extend the feedlot closer to the ordinary high water level setback or further into the bluff impact zone.
3. A certificate of compliance, interim permit, or animal feedlot permit, when required by Minnesota Regulations, parts 7020.0100 to 7020.1900, shall be obtained by the owner or operator of an animal feedlot.

**\*The entirety of the Zoning Ordinance is subject to change as the amendments may affect more than one chapter or section.**