

**CITY OF WELLS
COUNTY OF FARIBAUT
STATE OF MINNESOTA**

ORDINANCE NO. 2024-06

**AN ORDINANCE AMENDING VARIOUS ZONING PROVISIONS IN CITY CODE TO
INCLUDE CANNABIS BUSINESSES, LOWER POTENCY HEMP RETAILERS AND
LOWER POTENCY HEMP MANUFACTURERS**

THE CITY COUNCIL OF THE CITY OF WELLS HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Wells City Code, Title XV, Chapter 152, Zoning Code, Section 152.036 relating to permitted uses in the R-1 District is hereby amended by adding the underlined text:

§ 152.036 PERMITTED USES.

- (A) One and 2-family dwellings;
- (B) Home occupations allowed under § 152.127; and/or
- (C) Accessory buildings and structures.

SECTION 2. Wells City Code, Title XV, Chapter 152, Zoning Code, Section 152.052 relating to conditional uses in the R-2 District is hereby amended by adding the underlined text and deleting the stricken-out text:

§ 152.052 CONDITIONAL USES.

- (A) All conditional uses of the R-1 District;
- (B) Professional offices ~~and low intensity service operations~~, including offices for Cannabis Event Organizers but not including on-site Temporary Cannabis Events;
- (C) Low intensity service operations, other than any Cannabis Business, Lower Potency Hemp Edible Retailer or Lower Potency Hemp Edible Manufacturer as those businesses are defined in state law.

(~~D~~) Manufactured home parks that are licensed by the Minnesota Department of Health under provisions of state statutes and rules; and manufactured home subdivisions which conform to lot standards and requirements of Chapter 151.

SECTION 3. City Code of Ordinances, Chapter 152, Zoning Code Section 152.067 related conditional uses in the C-1 CENTRAL BUSINESS DISTRICT ZONE is hereby amended to add the underlined text as follows:

§ 152.067 CONDITIONAL USES.

- (A) Fast food and drive-in establishments;

- (B) Convenience stores;
- (C) Automobile and implement sales;
- (D) Gas stations and auto repair, excluding salvage yards;
- (E) Lumber yards and warehousing, other than warehousing of adult use cannabis products, medical cannabinoid products or lower-potency hemp edibles as those terms are defined in state law;
- (F) Single and multiple family dwellings;
- (G) Utility structures; and
- (H) Other uses as determined by the Planning and Zoning Commission to be similar in scope and intensity to those listed above.

SECTION 4. City Code of Ordinances, Chapter 152, Zoning Code Section 152.082 related conditional uses in the C-1 CENTRAL BUSINESS DISTRICT ZONE is hereby amended to add the underlined text as follows

§ 152.082 CONDITIONAL USES.

- (A) Fast food and drive-in establishments;
- (B) Lumber yards and warehousing, other than warehousing of adult use cannabis products, medical cannabinoid products or lower-potency hemp edibles as those terms are defined in state law;
- (C) Motels;
- (D) Single- and multiple-family dwellings; and
- (E) Other uses as determined by the Planning and Zoning Commission to be similar in scope and intensity to those listed above.

SECTION 5. City Code of Ordinances, Chapter 152, Zoning Code Section 152.096 and 152.097 related to permitted and conditional uses in the I-1 INDUSTRIAL DISTRICT are hereby amended to add the underlined text as follows:

§ 152.096 PERMITTED USES.

- (A) Light manufacturing (such as low potential for noise, odor, waste, or pollution problems and low transportation and other service requirements), except that Cannabis Manufacturers, Low-Potency Hemp Edible Manufacturers, Cannabis Microbusinesses, Cannabis Mezzobusinesses and Cannabis Medical Combination Businesses may be allowed as a conditional use under §152.097 herein;
- (B) Warehousing and wholesale merchandising, including cannabis wholesalers;
- (C) Automobile, truck, and farm machinery repair garages, excluding salvage yards, but including Cannabis Transporters and Cannabis Delivery Services;
- (D) Truck terminals and construction equipment storage yards;
- (E) Industrial offices;
- (F) Utility structures;

- (G) Accessory structures; ~~and~~
- (H) Adult entertainment establishments; and
- (I) Community and government buildings and parks.

§ 152.097 CONDITIONAL USES.

- (A) Heavy manufacturing (potential for noise, odor, waste, or pollution problems or high transportation and other service requirement needs);
 - (B) Junk yards, auto reduction yards, and open storage yards; ~~and~~
 - (C) Cannabis Manufacturers or Lower Potency Hemp Edible Manufacturers;
 - (D) Cannabis Medical Processing;
 - (E) Cannabis Testing Businesses;
 - (F) Cannabis Transportation Businesses;
 - (G) Cannabis Mezzobusinesses, provided if the site includes retail, the retail is an accessory use and the business location is located at least five hundred (500) feet of the property line of a school, as defined in Minnesota Statutes, § 120A.22, subd. 4, excluding a home school, when measured in a straight line to the property line of the property on which the registered establishment is located; and
 - (H) Cannabis Microbusinesses, provided if the site includes either retail or a Cannabis Lounge, then those uses are an accessory use and the business location is located at least five hundred (500) feet of the property line of a school, as defined in Minnesota Statutes, § 120A.22, subd. 4, excluding a home school, when measured in a straight line to the property line of the property on which the registered establishment is located.
 - (I) ~~—(C)~~ Medical Cannabis Combination Business, provided if the site includes retail, then the retail is an accessory use and the business location is located at least five hundred (500) feet of the property line of a school, as defined in Minnesota Statutes, § 120A.22, subd. 4, excluding a home school, when measured in a straight line to the property line of the property on which the registered establishment is located.
- (J) Other uses as determined by the Planning and Zoning Commission to be similar in scope and intensity to those listed above.

SECTION 6. City Code of Ordinances, Chapter 152, Zoning Code, Section 152.112, related to conditional uses in Agricultural District Zone is hereby amended to add the underlined text and delete the stricken text as follows:

§ 152.112 CONDITIONAL USES.

- (A) Dwellings associated with farm operations with sewage system meeting M.N.P.C.A. standards;
- (B) Accessory uses, including agricultural buildings and equipment; other than any type of manufacturing operations.
- (C) Home occupations, including seed sales and agricultural equipment repair, but not including those home occupations prohibited in §152.127;
- (D) Utility structures;
- (E) Community and governmental buildings and parks;
- (F) Individual home sewage systems meeting M.N.P.C.A. standards;
- (G) Cannabis Cultivators; and
- (H) ~~(G)~~ Other uses as determined by the Planning and Zoning Commission to be similar in scope and intensity to those listed above.

SECTION 7. Wells City Code, Title XV, Chapter 152, Zoning Code, Section 152.127 related to Home Occupations is hereby amended by adding the underlined text:

§ 152.127. HOME OCCUPATIONS.

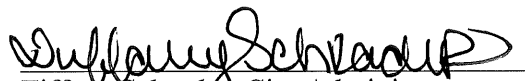
- (B) (5) Prohibited home occupations
 - (a) Animal hospital or pet shop;
 - (b) Clinics or hospital;
 - (c) Mortuaries;
 - (d) Private clubs;
 - (e) Rental operations;
 - (f) Automobile repair, major or minor;
 - (g) Major appliance repair or service;
 - (h) Painting and restoration of vehicles, trailers, or boats;
 - (i) Retail or wholesale sales;
 - (j) Manufacturing; ~~and/or~~
 - (k) Warehousing or on-site storage of goods for redistribution; ;
 - (l) Any Cannabis Business, as defined in state law, as amended from time to time, other than non-event office space for Cannabis Event Organizers; or
 - (m) Lower Potency Hemp Edible Retailers or Lower Potency Hemp Edible Manufacturers as defined by state law, as amended from time to time.

SECTION 8. EFFECTIVE DATE. This ordinance shall take effect following its passage and publication in accordance with state law.



David Braun, Mayor

ATTEST:



Tiffany Schrader, City Administrator