

Planning Commission

August 22, 2022 – 6:30 pm
Council Chambers
Hybrid Meeting

REGULAR MEETING AGENDA

Planning Commission meetings are being conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The public can make statements in this meeting during the planned public comment sections. Some members of the Commission may attend virtually. Members of the public may attend virtually by following instructions below.

Remote Attendance/Comment Options: Members of the public may attend this meeting by watching on cable channel 16, streaming on [CCXmedia.org](https://www.ccxmedia.org), streaming [via Webex](#), or by calling 1-415-655-0001 and entering access code **2454 348 4265**.

Members of the public wishing to address the Commission remotely have two options:

- Via web stream - Stream via [Webex](#) and use the 'raise hand' feature during public comment sections.
- Via phone - Call 1-415-655-0001 and enter meeting code **2454 348 4265**. Press *3 to raise your hand during public comment sections.

1. Call to Order & Land Acknowledgement

2. Approval of Agenda

3. Approval of Minutes

July 25, 2022, Regular Meeting

4. Discussion – ADUs

– End of Televised Portion of Meeting –

To listen to this portion, please call 1-415-655-0001 and enter meeting access code 2454 348 4265.

5. Council Liaison Report

6. Other Business

- a. Reports on Board of Zoning Appeals and Other Meetings

7. Adjournment



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Planning Commission

July 25, 2022 – 6:30 pm
Council Conference Room
Hybrid

REGULAR MEETING MINUTES

This meeting was conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The City used Webex to conduct this meeting and members of the public were able to monitor the meetings by watching it on Comcast cable channel 16, by streaming it on CCXmedia.org, or by dialing in to the public call-in line.

1. Call to Order

The meeting was called to order at 6:30 pm by **Chair Pockl**.

Roll Call

Commissioners present: E. Brenna, S. Ginis, L. Pockl, M. Ruby
Commissioner absent: A. Brookins, A. Johnson, C. Segelbaum
Staff present: Jason Zimmerman – Planning Manager, Myles Campbell – Planner,
Max Gort – Planning Intern
Council Liaison present: Denise La Mere-Anderson

2. Land Acknowledgement

3. Approval of Agenda

Chair Pockl asked for a motion to approve the agenda.

MOTION made by **Commissioner Ruby**, seconded by **Commissioner Ginis**, to approve the agenda of July 25, 2022.

Motion carried.

4. Informal Public Hearing – Zoning Text Amendments for THC Product Sales

Applicant: The City of Golden Valley

Myles Campbell, Planner, started by reviewing the law recently passed by the MN Legislature regulating the sale of food and beverage products containing hemp-derived cannabinoids, including tetrahydrocannabinoids (THC). Staff reviewed the history of the law starting in 2018 and reviewed the statement from the League of MN Cities regarding products containing nonintoxicating cannabinoids.

Staff reviewed the Golden Valley City Council discussion; the Council adopted the first consideration of a licensing ordinance. Council also directed planning staff to add consideration of a zoning ordinance to the next (August 2022) Planning Commission agenda.

City Council would like to largely use the tobacco ordinances as a solution to the THC sales question. While licensing may require more revision, translating the zoning restrictions from tobacco to THC are straightforward and get at the principal concern of the City Council which is to provide a buffer between these uses and schools.



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Recommendation

Staff recommends revising three zoning codes:

- Sec. 113-1. Definitions
 - Add a definition of THC Product Retailers
- Sec. 113-87. Summary Use Tables
 - Add THC Product Retailers as a restricted use to the Commercial zoning district
- Sec. 113-92. Commercial Zoning District
 - Add a 500-foot buffer from youth facilities as well as language around multi-use buildings to a THC product restriction

Action Request

Recommend approval of draft language for a zoning text amendment regarding the sale of products containing Tetrahydrocannabinol (THC).

Commissioner Ruby asked about definitions and how “meets the requirement” is defined (testing, legal enforcement). Staff said compliance checks will occur as part of licensing and the language specifically refers to the state statute definition. The discussion moved on to labeling and requirements by the state pharmacy board.

Maria Cisneros, City Attorney, spoke to the group to review the process thus far as well as discuss licensing and regulation. The conversation went on to review potential licensing processes, labeling requirements, and ordinances. **Cisneros** added that the group may see this topic presented again within the year as the law and landscape evolves.

The discussion moved on to logistics of the distance requirements, current businesses being impacted by new regulations,

Chair Pockl opened the public hearing at 6:54pm.

No in person comments.

No remote comments.

Chair Pockl closed the public hearing at 6:56pm.

Chair Pockl opened Commission discussion.

Commissioner Ginis stated the plan to follow the tobacco process makes sense, adding there will be opportunities for amendments as the City learns more, as State legislature changes, and as Federal regulation changes. **Commissioner Ruby** agreed and added he’d like to see the licensing details as they coincide with these regulations for full impact understanding.

Commissioner Ruby added that he’s not familiar with tobacco regulations/licensing and asked for an update. **Maria Cisneros, City Attorney**, gave an overview of this process for THC and tobacco. The tobacco license limit was reviewed and how/if licenses can transfer if a store is sold.

Commissioner Brenna asked about tobacco retail buffers and the response, she was not a commissioner at the time and asked for background for comparison. Staff responded the process took a while as there was a lot a headway prior to zoning needs. The buffers provided limitations but were not overly restrictive and there’s no appeal process to have an additional use in that area.

MOTION by **Chair Pockl** seconded by **Commissioner Ginis** to recommend approval of the draft language for a zoning text amendment regarding the sale of products containing Tetrahydrocannabinol (THC), as stated in the memo.

5. Discussion – ADUs - Survey Discussion

Myles Campbell, Planner, reminded members about the ADU discussion and a survey that was presented on the City website through May and June of 2022.

Of 307 participants, 302 completed the demographics questions at the end of the survey, which meant a very high rate of completion. Responses were spread through all four quadrants of Golden Valley and 6 folks stated they did not live in the City.

Staff reviewed the survey in its entirety, discussed statistics for each grouping of responses, and reviewed survey process takeaways.

(There were AV issues during the meeting so staff lost the presenter who was attending remotely)

Commissioner Ruby noted a lot of negativity towards ADUs and also a lot of confusion as apparent in the survey. He followed up with how the City will engage that confusion. Staff noted this survey wasn't set up to address concerns but as a first step to address them in the future. Rules can be drafted through the process of creating the zoning code for ADUs. **Commissioner Brenna** asked about waste removal for ADUs. Staff stated that hasn't been discussed but will be when they review sewer systems. **Chair Pockl** added how appreciative she was for the survey and to see the range of reviews. The conversation continued around the response rate, age of respondents, acceptance of change, economic and practical reasons for ADU's, and the shortage of affordable housing.

6. Council Liaison Report

Council Member La Mere-Anderson thanked Planning Commission for in depth THC conversation; nothing the zoning and licensing approach.

City Council is working on rezoning, land use changes—a lot of community feedback, St. Margaret Mary especially. Most comments are related to traffic, neighborhood feel, and potential loss of green space.

7. Other Business

Tuesday is National Night Out.

Members discussed community gardens and Commissioner Ginis mentioned the need for additional outreach to help folks connect the removal of tennis courts equals construction of community gardens.

8. Adjournment

MOTION by **Commissioner Brenna** to adjourn, seconded by **Commissioner Ruby** and approved unanimously by roll call vote. Meeting adjourned at 7:53 pm.

Andy Johnson, Secretary

Amie Kolesar, Planning Assistant