

An aerial photograph of a suburban neighborhood, showing a grid of streets, houses with varying roof colors, and numerous green trees. The image is split vertically: the left half is darkened to serve as a background for text, while the right half shows the full, bright aerial view.

Adult Use Cannabis Updates

November 25, 2024

Important Definitions

- Office – Office of Cannabis Management
- Cannabis Business – one of 11 different types of business in the Cannabis supply chain (there were more types of licenses until the Legislature combined three medical licenses into one)
- Cannabis Retail Business– a Cannabis Business is authorized to sell cannabis at retail, which include microbusinesses, mezzobusinesses and medical combination businesses that can sell product at retail as well (vertical integration – think of take away growers for breweries)



City Role in Adult Use Cannabis

- Cannot enact additional restrictions on personal use, possession or home cultivation in the areas where statute allows these activities (Minn. Stat. 342.09)
- Cannot enact outright ban on any of 11 licensed Cannabis Businesses.
- Can apply zoning and other “reasonable” restrictions (very strictly construed).
- Choices the state gives cities:
 - A limit (or not) on the total number of Cannabis Business Retailers
 - Establishing zoning for the various types of cannabis businesses, including distance requirements from certain places
 - Establishing registration
- Collaboration in state law between state and city:
 - Confirming zoning conformity of applications submitted to the Office of Cannabis Management
 - Establishing Cannabis Business Retailer registry and associated fees
- Conducting enforcement
 - Only age verification

Retailers: Adult Use Products

Where

- Zoning Districts: B-3, M-1
- Buffers:
 - 1,000 feet of the property lines of a school
 - 500 feet of the property lines of a day care, residential treatment facility
 - 500 feet of public park where there is an attraction within that park that is regularly used by minors, including playgrounds and athletic fields
- Limit of 4 total registrations

When

- Hours: 10:00 am to 9:00 pm

How

- Registration System with specific registration application requirements and then collaboration with the Office both after the Office receives an application for a Cannabis Retailer, and when the City notifies the Office of any violations
- Age Compliance Checks
- Violations: must work with State

What

- Cannabis Retail Products: State law allows retailers to 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 customers”
- Can Cannabis Retailers sell tobacco? Unclear but seems cannot since statute does not specifically allow this, like the statute does with the lower potency hemp retailer. What is clear is that they could not do so without a tobacco license.
- Cannabis Lounge (Microbusiness) – onsite consumption

Retailers: Lower Potency Hemp Edible

Where

- Zoning Districts: CDB-C, B-1, B-3 (if sold by Cannabis Retail), M-1 (if sold at mezzo or micro business)
- Buffers: Not if just Lower-Potency Hemp Retailer (CDB-C, B-1). If sold by Cannabis Retailer (B-3) or Mezzo or Micro business (M-1), then would have to comply with buffers
- Liquor Stores – specifically allowed by statute
- Limit on number? NO

When

- Hours: Hours of the establishment where sold.

How

- Registration System (other than liquor stores) – required by state to now register even though do not currently have to register
- Compliance Checks – age verification only
- Violations: must work with State to report violations

What

- Lower Potency Hemp Edible Products: lower-potency hemp edibles that are obtained from a licensed Minnesota cannabis microbusiness, cannabis mezzobusiness, cannabis manufacturer, cannabis wholesaler, or lower-potency hemp edible manufacturer; and meet all applicable packaging and labeling requirements, as well as other products or items for which the lower-potency hemp edible retailer has a license or authorization or that do not require a license or authorization.
- Can Lower Potency Hemp Edible Retailers sell tobacco? Yes, specifically allowed in Mn Stat 342.43.
- Restaurants that have liquor license– Yes, may sell and may allow onsite consumption
- Liquor Stores – Yes, may sell

Temporary Cannabis Events

Where

- Not allowed in public place or place of public accommodation or within the buffers set forth in zoning.
- Buffers: Yes, same as in zoning

When

- When can file for an event: At least 30 days in advance.
- Hours: 10:00 a.m. to 9:00 p.m.
- Can be up to four (4) days pursuant to state law

How

- Permit Required
- Application information includes any special service requests
- Administrative Review with option for Appeal to Council
- Special Services
- Fees for Special Services
- Specifies reasons for denials

What

- No onsite consumption

Questions

