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## MEMORANDUM

Date: July 10, 2025  
To: Chair Malecha and Members of the Planning Commission of Greenvale Township  
From: T.J. Hofer, Consultant Town Planner  
Subject: Cannabis and Hemp Uses Zoning Standards  
Greenvale Township  
Project No.: OT6. 130503

In 2023 and 2024, cannabis was legalized for recreational use and the sale, possession, use, and growth of cannabis was decriminalized. The Office of Cannabis Management was established to oversee licensing of cannabis and hemp businesses as well as establish rules and standards for the use of facilities that will deal with cannabis and hemp.

The staff report from the June 12, 2025, Planning Commission meeting is attached which includes the information regarding the previous draft of the ordinance amendment.

### BACKGROUND

As part of the legalization of cannabis, the State created the Office of Cannabis Management (OCM). The rules for cannabis and hemp businesses were published in the State Register on April 14, 2025, and the OCM is currently in the process of reviewing and issuing licenses.

The OCM rules addresses many of the operational challenges related to cannabis such as security, testing, and tracking product through the commercial businesses. There are gaps left by the OCM's first draft that need to be addressed by local municipalities such as setbacks, odor control, screening, and nuisances.

State statute allows for local units of government to adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses. The zoning ordinance is specifically used to control for the time, place, and manner of various uses and must be amendment to include standards for cannabis and hemp businesses if the township wishes to have specific standards for these uses.

Cannabis retail businesses are required to register with local government units. Greenvale has delegated this authority to Dakota County; however, the township has maintained the right to adopt standards regarding the time, place, and manner of operation of cannabis and hemp businesses.

The Township first reviewed the standards at the June 12, 2025, Planning Commission meeting. The Planning Commission discussed the ordinance and potential changes to the ordinance including the A-2 zoning district creation. The Planning Commission then scheduled two listening sessions open to the public for June 26, 2025, and June 30, 2025.

The sessions held included discussion regarding the standards, the A-2 zoning district, and which properties would be rezoned to A-2. During the sessions there was a consensus that the A-2 district would be beneficial in directing cannabis and hemp businesses to specific locations in the township that

would be suited to a more commercial or industrial use and help mitigate potential nuisances and issues.

## **OVERVIEW OF PROPOSED STANDARDS**

### **Summary of Changes from June 12, 2025, Draft Ordinance**

- Establishment of A-2 Agriculture Business District
- Renaming of “A - Agriculture District” to “A-1 - Agriculture District”
- Establishing access and driveway standards
- Amending sign standards to apply to all cannabis and hemp uses
- Amending building materials and design to apply to all cannabis and hemp uses

### **Creation of A-2 Agriculture Business District**

Due to the township having a single zoning district, the options to limit where cannabis and hemp uses are located are limited. The draft ordinance establishes the A-2 Agriculture Business District to establish areas where agricultural commercial, agricultural industrial, and uses required by preemption are allowed. The uses include the same uses as the A-1, renamed from “A” zoning district, but also allow the cannabis uses as interim uses. The existing zoning district would be renamed to “A-1 – Agricultural District” but would otherwise remain unchanged.

Some parcels within the township would need to be rezoned as A-2 for the township to be in compliance with statute and not establishing standards that would be prohibitive to establishing a cannabis use. The ordinance is recommended with the condition that the township act on parcels to be rezoned at the next possible meeting.

### **Access and Driveway Standards**

Access and driveway standards are included for all uses within the township, with farm or field access roads being exempt. Additional standards are proposed for commercial and industrial land uses that require:

- Access is located off an improved pavement road.
- Access to lots shall be from the frontage of the lot.
- Shared driveways require access easements.
- Turning movements may be restricted based on roadway conditions.
- Driveways can be approved as an interim access to be phased out with a time limitation or conditions.

The Planning Commission may recommend these standards be amended for the Town Board’s consideration.

### **Cannabis and Hemp Standards**

The proposed standards have been drafted based on the Minnesota Rules, chapter 9810, and to address potential concerns related to time, place, and manner as the zoning code is meant to regulate. The standards include:

- Setbacks for cannabis businesses that are the highest allowed by statute.
- Establishing standards for access and driveways.

- General standards that apply to all cannabis and hemp businesses that establish standards for setbacks, prohibiting on-site consumption, odors, screening, outdoor storage, exterior lighting, water and wastewater, off-street parking, signs, and building materials and design.
- Use specific standards for outdoor cultivation of cannabis-related to setbacks and security.
- Use specific standards for indoor cultivation of cannabis related to lighting.
- Use specific standards for cannabis delivery services related to parking and screening.
- Use specific standards for cannabis manufacturing related security.
- Use specific standards for cannabis microbusiness including consumption standards, hours of operation, and temporary cannabis events.
- Use specific standards for cannabis mezzobusiness including hours of operation, outdoor storage and display, and temporary cannabis events.
- Use specific standards for cannabis retail sales including hours of operation, outdoor storage and display, and temporary cannabis events.
- Use specific standards for wholesale cannabis sales including outdoor storage and display.
- Use specific standards for cannabis testing facilities related to security.
- Use specific standards for cannabis transporter related to parking and screening.
- Use specific standards for low potency hemp manufacturing related security.
- Use specific standards for low potency hemp sales including hours of operation, outdoor storage and display, and temporary cannabis events.

The ordinance amendment also establishes definitions related to cannabis and hemp uses and establishes all the uses as interim uses.

## **ANALYSIS**

### **Staff Analysis**

Staff believes the proposed standards will set standards for safe and effective operations.

#### Establishment of an A-2 District

Establishment of a new zoning district requires at least some property to be rezoned to the new zoning district. The public notice did not include rezoning any property, so any rezoning of property must occur at the next Planning Commission after appropriate notices have been issued.

The Planning Commission should discuss the proposed properties to be rezoned and provide direction to staff to prepare a map regarding the rezoning.

Staff also recommends sending notice to affected landowners, even if public notice requirements established by state statute do not require notice to property owners.

## **COMMISSION ACTION**

Staff recommends the Planning Commission open the public hearing and receive any and all comments. Comments should not be responded to during the public hearing and can be further discussed during the discussion of the Planning Commission following the public hearing.

Name: Cannabis and Hemp Uses Zoning Standards

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Staff recommends the Planning Commission recommend approval of the attached ordinance establishing the A-2 Agriculture Business district, regulating access and driveways, and regulating cannabis and hemp businesses.

#### Attachments

- A. Draft Ordinance 2025-XX AN ORDINANCE ESTABLISHING THE A-2 AGRICULTURE BUSINESS DISTRICT, REGULATING ACCESS AND DRIVEWAYS, AND REGULATING CANNABIS AND HEMP BUSINESSES
- B. Zoning Map – Town of Greenvale
- C. Planning Commission “Cannabis and Hemp Uses Zoning Standards” Packet, dated June 12, 2025

**TOWN OF GREENVALE  
COUNTY OF DAKOTA  
STATE OF MINNESOTA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING THE A-2 AGRICULTURE BUSINESS DISTRICT,  
REGULATING ACCESS AND DRIVEWAYS, AND REGULATING CANNABIS AND  
HEMP BUSINESSES**

The Town Board of Greenvale, Minnesota ordains:

**Section 1 Amendment.** The Town of Greenvale Zoning and Subdivision Ordinance SECTION 3 Definitions, shall be amended by adding the underlined text as follows:

**Agriculture, Commercial Outdoor Cannabis:** See “Cannabis cultivation”.

**Agriculture, Commercial Indoor Cannabis:** See “Cannabis cultivation”.

**Cannabis Business:** Any of the cannabis businesses defined by Minnesota Statute 324.01, subd. 14, as may be amended.

**Cannabis Cultivation:** A commercial cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.

**Cannabis Cultivator:** A cannabis business that conducts an operation pursuant to Minnesota Statutes Section 342.30, as may be amended. Cannabis cultivators are considered a commercial use for the purposes of this ordinance.

**Cannabis Delivery Service:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 341.41 and 342.42, as may be amended. Cannabis delivery service are considered a commercial use for the purposes of this ordinance.

**Cannabis Manufacturer:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.31, as may be amended. Cannabis manufacturer are considered an industrial use for the purposes of this ordinance.

**Cannabis, Mezzobusiness:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.29, as it may be amended. Cannabis mezzobusiness are considered a commercial or industrial use for the purposes of this ordinance.

**Cannabis, Microbusiness:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.28, as it may be amended. Cannabis microbusiness are considered a commercial or industrial use for the purposes of this ordinance.

**Cannabis Sales, Retail:** The sale of cannabis plants and seedlings, adult-use cannabis

flower, and adult use cannabis products directly to consumers. Retail cannabis sales are considered a commercial use for the purposes of this ordinance.

**Cannabis Retailer:** A cannabis business that conducts an operation pursuant to Minnesota Statutes Section 342.32, as may be amended. Cannabis retailers are considered a commercial use for the purposes of this ordinance.

**Cannabis Retail Businesses:** A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and lower-potency hemp edible retailers. Cannabis retail businesses are considered a commercial use for the purposes of this ordinance.

**Cannabis Sales, Wholesale:** The sale of cannabis plants and seedlings, adult-use cannabis flower, and adult use cannabis products to another cannabis business. Wholesale cannabis sales are considered an industrial use for the purposes of this ordinance.

**Cannabis Testing Facility:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.37 and 342.38, as may be amended. Cannabis testing facilities are considered a commercial use for the purposes of this ordinance.

**Cannabis Transporter:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.35 and 342.36, as may be amended. Cannabis transporters are considered a commercial use for the purposes of this ordinance.

**Cannabis Wholesaler:** A cannabis business that conducts an operation pursuant to Minnesota Statutes Section 342.33 and 342.34, as may be amended. Cannabis wholesalers are considered an industrial use for the purposes of this ordinance.

**Light Manufacturing, Lower-Potency Hemp Edible:** A hemp business that conducts an operation pursuant to Minnesota Statute Section 342.45, as it may be amended. Lower-potency hemp edible light manufacturing is considered an industrial use for the purposes of this ordinance.

**Lower-Potency Hemp Edible sales:** The sale of lower-potency hemp edibles, that have been obtained from a licensed Minnesota cannabis microbusiness, cannabis mezzobusiness, cannabis manufacturer, cannabis wholesaler, or lower-potency hemp edible manufacturer, directly to consumers. Lower-potency hemp edible sales are considered a commercial use for the purposes of this ordinance.

**Lower-Potency Hemp Manufacturer:** A low potency hemp business that conducts an operation pursuant to Minnesota Statutes Section 342.45, as may be amended. Lower-potency hemp manufacturers are considered an industrial use for the purposes of this ordinance.

**Lower-Potency Hemp Edible Retailer:** A low potency hemp business that conducts an operation pursuant to Minnesota Statutes Section 342.46, as may be amended. Lower-potency hemp edible retailers are considered an commercial use for the purposes of this ordinance.

School: A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.

**Section 2 Amendment.** The Town of Greenvale Zoning and Subdivision Ordinance SECTION 5 ZONING DISTRICTS, shall be amended by adding the underlined text as follows:

**5.01 Establishment of Districts**

For the purposes of this Ordinance, Greenvale Township is hereby divided into the following zoning districts:

A-1 Agriculture District

A-2 Agricultural Business District

S Shoreland Management Overlay District

F Floodplain Management Overlay District

**5.02 A-1 - Agriculture District**

A. Purpose. This district is primarily established to promote, maintain and enhance the use of land for agricultural purposes and to protect such land from encroachment by non-agricultural-related uses, structures or activities. Agricultural operations, which include the conduct of commonly-accepted agricultural practices, are considered a priority permitted use in this district.

B. Permitted Uses and Structures. The following uses are permitted in the A-1 - Agriculture District:

1. Agriculture
2. Indoor agriculture including but not limited to greenhouse , grow houses, and indoor farming such as aqua or hydroponics.
3. Feedlots as regulated by appropriate governing body (State of Mn/Dakota County)
4. Agricultural service establishments primarily engaged in performing agricultural animal husbandry or horticultural services on a fee or contract basis including corn shelling, hay baling, and thrashing; sorting, grading, and packing fruits and vegetables for the grower; agricultural produce milling and processing; horticultural services; fruit picking; grain cleaning; harvesting and plowing; farm equipment service and repair; veterinary services; personal horse keeping; and roadside stands for the sale of agricultural produce grown primarily on the site.

5. Single Family Dwelling at a density not exceeding one (1) home per quarter-quarter section.
  6. Single Family Dwelling clustering is allowed subject to the requirements of Section 5.04 F Transfer of Development Rights and at a density not exceeding four (4) homes per quarter-quarter section.
  7. State licensed residential facilities serving six (6) or fewer persons per Minn. Stat. §§ 462.357 Subd. 7.
  8. State licensed nursery schools or day care facilities service twelve (12) or fewer persons operated at a single family residence per Minn. Stat. §§ 462.357 Subd. 7.
  9. Group family daycare facilities established under Minn. Rules, Parts 9502.0315 to 9502.0445, as amended, to serve fourteen or fewer persons per Minn. Stat. §§ 462.357 Subd. 7.
  10. Personal storage buildings.
  11. Home occupations subject to the performance standards in Section 4.05 (A).
  12. Temporary excavations and mineral extraction, subject to the performance standards in Section 7.14
- C. Accessory Uses. The following uses are permitted accessory in the A-1 – Agricultural District:
1. Driveways, private garages, parking spaces, or carports for personal use.
  2. Personal horse or animal boarding.
  3. Private swimming pools, sport courts decks, patios, fire pits, gazebos, swimming pools, and TV antennae.
  4. Temporary dwellings as allowed per Section 4.07 of this Ordinance.
  5. External Solid Fuel-Fired Heating Devices per Section 4.14.
  6. Storage of Liquid Propane or other Liquid Gas Fuels per Section 4.15.
  7. Photovoltaic (Solar) Systems per Section 4.16.
- D. Conditional Uses. The following uses may be allowed in the A-1 – Agricultural District, subject to the conditions for issuing a conditional use permit:
1. Government buildings and facilities.
  2. Places of worship or cemeteries.



3. Commercial or Public Recreation including parks.
4. Schools.
5. Agricultural service establishments primarily engaged in performing agricultural animal husbandry or horticultural services on a fee or contract basis including crop dusting, commercial boarding and training of horses, commercial hunting and trapping, and the operation of game reservations.
6. Public utility, public service structures, and other utility lines, including but not limited to: overhead and underground wires, conduits and pipes for the transmission of electricity, crude petroleum, oil, gasoline, natural and artificial gas and other petroleum products (but not including direct service lines from a main line to a consumer and not including a main line to which the service is connected), distribution substations, gas regulator stations, communications equipment buildings, pumping stations and other utility structures.
7. Communications towers and antennae, subject to Section 4.19.
8. Wind energy conversion systems, subject to Section 4.20.
9. Wholesale Solar Uses

E. Interim Uses. The following uses may be allowed in the A-1 – Agricultural District, subject to the conditions for issuing an interim use permit:

1. Home occupations as defined and subject to the standards in Section 4.05 (B).
2. Temporary farm dwellings for the purpose of providing living accommodations for farm workers subject to the following:
  - a. The applicant shall provide a signed statement identifying the farm activity that requires additional farm workers or the health limitations of the family member.
  - b. The dwelling must be removed when no longer used by the farm worker.
  - c. The temporary dwelling shall be accessory and not the primary residence on the farm.
  - d. The temporary dwelling shall meet all minimum building size and setback standards.
  - e. The property owner shall provide the Township with an escrow to cover the cost of removal of the

manufactured home in the event the property owner does not remove the manufactured home when it is no longer used for housing hired workers,

3. Temporary equipment placement and/or operations, such as a bituminous plant, or contractors' yard, for highway/road construction.
4. Uses not listed as permitted or conditional in the A-1 - Agricultural District may be allowed with an Interim Use Permit.
5. Kennels, subject to the following standards:
  - a. The minimum size for such a facility shall be five (5) acres.
  - b. The facility shall be located five hundred (500) feet from any neighboring residential property, except that of the owner.
  - c. Confinement and shelter shall be provided through the use of fences and structures in compliance with Minnesota Animal Welfare Statutes.
  - d. Indoor facilities shall provide adequate heating, ventilation and lighting.
  - e. Outdoor facilities shall provide shelter from the elements, including sunlight, rain, snow and cold weather.
  - f. Each large adult animal shall be provided with a separate fenced run of at least thirty-six (36) square feet that shall be located at least one-hundred (100) feet from any property line.

6. Bed and Breakfast

F. Transfer of Residential Development Rights

Within the A-1 -Agriculture District, the transfer of residential development rights is allowed from one parcel to another, subject to the provisions of this Section.

1. Residential Development Right

A "residential development right" as described in this Section is the entitlement of a residential dwelling unit. Residential dwellings are permitted at a maximum density of one dwelling per quarter-quarter section. The Planning Commission and Town Board shall verify that any party wishing to transfer a residential development right has such an entitlement eligibility.

Lands encumbered by surface water (shoreland overlay), wetlands, floodplain (floodplain overlay), easements or other legal encumbrances, shall be considered as land suitable for development rights transfer purposes. NOTE: The number of development rights may exceed the maximum allowed density and is not a building permit. Permits will only be issued on parcels meeting the density requirements of the zoning district.

2. Residential Development Rights Transfer

Any party wishing to convey a residential development right to another party may do so as a private transaction subject to the conditions and requirements of this Section.

3. Eligible Development Rights Transfer

Development rights may be transferred from one parcel to another within the A-1 Agriculture District subject to the following conditions and requirements:

- a. The Planning Commission and Town Board must verify the eligibility of the residential development right to be transferred.
- b. A Development Rights Transfer Agreement must be executed by the applicant and recorded against the property from which the transfer of a residential building right is allowed.

4. Recording of the Residential Development Rights Transfer

A Residential Development Rights Transfer Agreement prepared by the Township must be executed by the applicant and submitted to the Town Board for review, approval, and recording. The Residential Development Rights Transfer Agreement will legally identify the property involved in the transfer and note the elimination or loss of residential development rights on said property. The Agreement will also identify the property on which the development right will be assigned.

5. Fee and Reimbursement of Out-Of-Pocket Expenses

The applicant for a transfer of building rights shall pay a fee as per adopted fee schedule of the township.

**5.03 A-2 - Agriculture Business District**

- A. Purpose. This district is primarily established to promote, maintain and enhance the use of land for agricultural purposes and to allow for limited commercial uses, structures, and activity that is agricultural in

nature or allowed by preemption. protect such land from encroachment by non-agricultural-related uses, structures or activities..

B. Permitted Uses and Structures. The following uses are permitted in the A-2 - Agriculture Business District:

1. Agriculture
2. Indoor agriculture including but not limited to greenhouse , grow houses, and indoor farming such as aqua or hydroponics.
3. Feedlots as regulated by appropriate governing body (State of Mn/Dakota County)
4. Agricultural service establishments primarily engaged in performing agricultural animal husbandry or horticultural services on a fee or contract basis including corn shelling, hay baling, and thrashing; sorting, grading, and packing fruits and vegetables for the grower; agricultural produce milling and processing; horticultural services; fruit picking; grain cleaning; harvesting and plowing; farm equipment service and repair; veterinary services; personal horse keeping; and roadside stands for the sale of agricultural produce grown primarily on the site.
5. Single Family Dwelling at a density not exceeding one (1) home per quarter-quarter section.
6. Single Family Dwelling clustering is allowed subject to the requirements of Section 5.04 F Transfer of Development Rights and at a density not exceeding four (4) homes per quarter-quarter section.
7. State licensed residential facilities serving six (6) or fewer persons per Minn. Stat. §§ 462.357 Subd. 7.
8. State licensed nursery schools or day care facilities service twelve (12) or fewer persons operated at a single family residence per Minn. Stat. §§ 462.357 Subd. 7.
9. Group family daycare facilities established under Minn. Rules, Parts 9502.0315 to 9502.0445, as amended, to serve fourteen or fewer persons per Minn. Stat. §§ 462.357 Subd. 7.
10. Personal storage buildings.
11. Home occupations subject to the performance standards in Section 4.05 (A).
12. Temporary excavations and mineral extraction, subject to the performance standards in Section 7.14

C. Accessory Uses. The following uses are permitted accessory in the A-

2 - Agriculture Business District:

1. Driveways, private garages, parking spaces, or carports for personal use.
2. Personal horse or animal boarding.
3. Private swimming pools, sport courts decks, patios, fire pits, gazebos, swimming pools, and TV antennae.
4. Temporary dwellings as allowed per Section 4.07 of this Ordinance.
5. External Solid Fuel-Fired Heating Devices per Section 4.14.
6. Storage of Liquid Propane or other Liquid Gas Fuels per Section 4.15.
7. Photovoltaic (Solar) Systems per Section 4.16.

D. Conditional Uses. The following uses may be allowed in the A-2 - Agriculture Business District, subject to the conditions for issuing a conditional use permit:

1. Government buildings and facilities.
2. Places of worship or cemeteries.
3. Commercial or Public Recreation including parks.
4. Schools.
5. Agricultural service establishments primarily engaged in performing agricultural animal husbandry or horticultural services on a fee or contract basis including crop dusting, commercial boarding and training of horses, commercial hunting and trapping, and the operation of game reservations.
6. Public utility, public service structures, and other utility lines, including but not limited to: overhead and underground wires, conduits and pipes for the transmission of electricity, crude petroleum, oil, gasoline, natural and artificial gas and other petroleum products (but not including direct service lines from a main line to a consumer and not including a main line to which the service is connected), distribution substations, gas regulator stations, communications equipment buildings, pumping stations and other utility structures.
7. Communications towers and antennae, subject to Section 4.19.
8. Wind energy conversion systems, subject to Section 4.20.
9. Wholesale Solar Uses

- E. Interim Uses. The following uses may be allowed in the A-2 - Agriculture Business District, subject to the conditions for issuing an interim use permit:
1. Agriculture, Commercial Outdoor Cannabis.
  2. Agriculture, Commercial Indoor Cannabis.
  3. Bed and Breakfast
  4. Cannabis Delivery Service.
  5. Cannabis, Low Potency Hemp Manufacturer.
  6. Cannabis Microbusiness.
  7. Cannabis Mezzobusiness.
  8. Cannabis Sales, Low Potency Hemp Sales, Retail.
  9. Cannabis Sales, Wholesale.
  10. Cannabis Testing Facility.
  11. Cannabis Transporter.
  12. Home occupations as defined and subject to the standards in Section 4.05 (B).
  13. Kennels, subject to the following standards:
    - a. The minimum size for such a facility shall be five (5) acres.
    - b. The facility shall be located five hundred (500) feet from any neighboring residential property, except that of the owner.
    - c. Confinement and shelter shall be provided through the use of fences and structures in compliance with Minnesota Animal Welfare Statutes.
    - d. Indoor facilities shall provide adequate heating, ventilation and lighting.
    - e. Outdoor facilities shall provide shelter from the elements, including sunlight, rain, snow and cold weather.
    - f. Each large adult animal shall be provided with a separate fenced run of at least thirty-six (36) square feet that shall be located at least one-hundred (100) feet from any property line.
  14. Temporary farm dwellings for the purpose of providing living accommodations for farm workers subject to the following:
    - a. The applicant shall provide a signed statement identifying the farm activity that requires additional farm workers or the health limitations of the family member.

- b. The dwelling must be removed when no longer used by the farm worker.
        - c. The temporary dwelling shall be accessory and not the primary residence on the farm.
        - d. The temporary dwelling shall meet all minimum building size and setback standards.
        - e. The property owner shall provide the Township with an escrow to cover the cost of removal of the manufactured home in the event the property owner does not remove the manufactured home when it is no longer used for housing hired workers.
  - 15. Temporary equipment placement and/or operations, such as a bituminous plant, or contractors' yard, for highway/road construction.
  - 16. Uses not listed as permitted or conditional in the A-1 - Agricultural District may be allowed with an Interim Use Permit.

F. Transfer of Residential Development Rights  
Within the A-2 - Agriculture Business District, the transfer of residential development rights is allowed from one parcel to another, subject to the provisions of this Section.

  - 1. Residential Development Right  
A "residential development right" as described in this Section is the entitlement of a residential dwelling unit. Residential dwellings are permitted at a maximum density of one dwelling per quarter-quarter section. The Planning Commission and Town Board shall verify that any party wishing to transfer a residential development right has such an entitlement eligibility. Lands encumbered by surface water (shoreland overlay), wetlands, floodplain (floodplain overlay), easements or other legal encumbrances, shall be considered as land suitable for development rights transfer purposes. NOTE: The number of development rights may exceed the maximum allowed density and is not a building permit. Permits will only be issued on parcels meeting the density requirements of the zoning district.
  - 2. Residential Development Rights Transfer  
Any party wishing to convey a residential development right to another party may do so as a private transaction subject to the conditions and requirements of this Section.

3. Eligible Development Rights Transfer  
Development rights may be transferred from one parcel to another within the A-2 - Agriculture Business District subject to the following conditions and requirements:
  - a. The Planning Commission and Town Board must verify the eligibility of the residential development right to be transferred.
  - b. A Development Rights Transfer Agreement must be executed by the applicant and recorded against the property from which the transfer of a residential building right is allowed.
4. Recording of the Residential Development Rights Transfer  
A Residential Development Rights Transfer Agreement prepared by the Township must be executed by the applicant and submitted to the Town Board for review, approval, and recording. The Residential Development Rights Transfer Agreement will legally identify the property involved in the transfer and note the elimination or loss of residential development rights on said property. The Agreement will also identify the property on which the development right will be assigned.
5. Fee and Reimbursement of Out-Of-Pocket Expenses  
The applicant for a transfer of building rights shall pay a fee as per adopted fee schedule of the township.

**Section 3 Amendment.** The Town of Greenvale Zoning and Subdivision Ordinance SECTION 7 PERFORMANCE STANDARDS, shall be amended by adding the underlined text as follows:

**7.15 Access and Driveways**

- A. The standards within this section shall not apply to farm or field access roads.
- B. No driveway shall be located within a turn lane to a public road or another private driveway.
- C. On undivided roads, driveways on opposing sides of the road shall be aligned with one another or separated to the extent practicable as determined by the Township Engineer.
- D. Access and Driveways Serving Commercial or Industrial Uses
  1. Access serving commercial or industrial uses shall be on an improved pavement road.
  2. Access to the lot shall be from the frontage of the lot.
  3. A shared driveway located on the common lot line and/or a cross access easement



may be required for commercial access on lots. When required to provide a shared driveway or cross access easement, the subdivider shall record an easement to allow cross access to and from the lots served by the shared driveway and a joint maintenance agreement defining the maintenance responsibilities of the property owners.

4. Turning movements to and from a driveway may be restricted at the time of construction or at a future date based upon existing or anticipated roadway conditions.
5. A driveway may be approved as an interim access to be phased out at a future time or condition.

## **7.16 Cannabis and Hemp Businesses**

A. Cannabis and Hemp Businesses. All cannabis and hemp businesses shall meet the following standards:

1. Must be licensed by the State of Minnesota and in compliance with the standards set by the Office of Cannabis Management
2. Cannabis Business Buffer Required:
  - a. The Town of Greenvale shall prohibit the operation of a cannabis business within 1,000 feet of a school.
  - b. The Town of Greenvale shall prohibit the operation of a cannabis business within 500 feet of a daycare.
  - c. The Town of Greenvale shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
  - d. The Town of Greenvale shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
  - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
3. No onsite consumption is permitted, except where described below.
4. The use must meet all other standards established for the relevant zoning district as required by this ordinance.
5. The facility shall not produce noxious or nuisance causing odors, subject to the following conditions:
  - a. The facility shall be ventilated so that all odors cannot be detected by a person with a normal sense of smell at the exterior of the facility or at any adjoining use or property.
  - b. Growing cannabis must comply with all applicable laws and shall not

- produce noxious or dangerous gases or odors or otherwise create a danger to any person or entity in or near the facilities.
- c. The applicant shall provide plans that show appropriate odor control systems so as not to produce any noxious or dangerous gases or odors or create any dangers to any person or entity in or near the facility.
  - d. An odor maintenance plan must be submitted to the Township and approved by the Town Board
6. All mechanical and odor suppression equipment and trash enclosures must be screened in a manner that protects adjacent properties from visual impacts and noise levels.
7. Outdoor storage of containers, pallets, waste/recycle containers, etc. is prohibited.
8. Exterior lighting shall meet the following standards:
- a. Any lighting used to illuminate an off-street parking area, structure or area must be arranged as to deflect light away from any adjoining residential property or from the public street.
  - b. The light source must be hooded or controlled so as not to light adjacent property in excess of the maximum intensity as defined throughout this Section. Bare light bulbs are not permitted in view of adjacent property or public right of way.
  - c. No light source or combination thereof which casts light on a public street may exceed 1 foot candle meter reading as measured from the centerline of said street nor shall any light source or combination thereof which casts light on adjacent property exceed 0.4 foot candles as measured at the property line.
9. Water and Wastewater
- a. Management of wastewater shall be in accordance with the Office of Cannabis Management, Minnesota Pollution Control Agency, or local ordinances. Where multiple standards exist, the more restrictive of the standards shall apply.
  - b. Water use within the site shall be designed to maximize the amount of water reuse possible.
10. Off-street Parking
- a. Parking shall be provided based on the average for the use, or closest related used as determined by the Town Board, established in manuals prepared by the American Planning Association and the Institute of Transportation Engineers.
  - b. Be provided on an improved surface of either asphalt, concrete, or similar material recommended by the Township Engineer.
11. Signs
- a. A maximum of two fixed signs, including freestanding and wall signs, are

permitted per site.

b. Sign Area

- i. Sign area shall mean for the purposes of this section, the entire area within a continuous perimeter enclosing the extreme limits of such sign. Such perimeter shall not include any structural elements lying outside of such sign and not forming an integral part or border of the sign.
  - ii. The total square footage of permanent sign area for each lot may not exceed one square foot of sign area for each lineal foot of building front, up to a maximum of 200 square feet.
- c. Allowed signs include monument signs, wall signs, and window signs.
- d. Exterior wall, window, and monument signage shall not depict a cannabis flower, cannabis product, hemp edibles, hemp derived edible consumer product or the like.
- e. Monument signs shall not exceed six feet in height.
- f. Additionally, a business logo containing the above depictions shall not be displayed as part of any exterior signage.
- g. No products, interior signage, advertisements, or like attention-getting items shall be placed or displayed that may be visible from the exterior of the Cannabis or Hemp Business.

12. Building Materials and Design

- a. Cannabis and Hemp businesses must be designed to appear like traditional agricultural structures and must be consistent with the character of the area.

B. Agriculture, Commercial Outdoor Cannabis. As a principal or accessory use, commercial outdoor cannabis uses are subject to the additional following standards:

1. Must be licensed by the State of Minnesota as a Cannabis Cultivator and in compliance with the standards set by the Office of Cannabis Management.
2. Any area used to cultivate or grow cannabis must meet the structure setbacks of the relevant zoning district.
3. Any area where cannabis is grown, handled, or packaged shall be completely fenced as required by the Office of Cannabis Management and equipped with an emergency key box.

C. Agriculture, Commercial Indoor Cannabis. As a principal or accessory use, commercial indoor cannabis uses are subject to the additional following standards:

1. Must be licensed by the State of Minnesota as a Cannabis Cultivator and in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.
2. The facility shall be secured as required by Minnesota Statutes, Minnesota Rules,

and the Office of Cannabis Management.

3. Lighting within a greenhouse is permitted between the hours of 4:30 a.m. and 10:00 p.m.

D. Cannabis Delivery Service. Cannabis delivery services are allowed as an accessory use to a cannabis retail sales use or a lower potency hemp retail use and are subject to the additional following standards:

1. Must be licensed by the State of Minnesota as a Cannabis Delivery Service and in compliance with the standards set by the Office of Cannabis Management.
2. Fleet vehicle parking will be permitted outside of the principal structure but may not occupy parking spaces required for employees or customers.
3. Fleet vehicle parking must be screened from public street and adjacent dwellings.
4. Fleet vehicle parking may not occupy any required parking spaces.
5. All delivery and loading areas must be screened from view of the public street or adjacent properties.

E. Cannabis, Manufacturer. As a principal use, cannabis manufacturing uses are subject to the additional following standards:

1. Must be licensed by the State of Minnesota as a Cannabis Manufacturer and in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.
2. Any area where cannabis is handled or packaged shall be completely fenced as required by the Office of Cannabis Management and equipped with an emergency key box.

F. Cannabis Microbusiness. As a principal use, cannabis microbusiness uses are subject to the additional following standards:

1. Must be licensed by the State of Minnesota as a Cannabis Microbusiness and in compliance with the standards set by the Office of Cannabis Management.
2. Microbusinesses with a state license retail endorsement must be registered with Dakota County.
3. Hours of operation are limited to 10:00 AM to 9:00 PM.
4. On-site consumption is permitted pursuant to Minn. Stat. Section 342.28 subject to the following:
  - a. The consumption area shall be entirely indoors.
  - b. The square footage of the consumption area shall not exceed 10% of the occupied premises.
  - c. Food and beverage shall not be prepared or sold on-site.
  - d. Live entertainment shall not be permitted.
5. Temporary Cannabis events may be permitted administratively for retail locations not in violation of Township ordinances.

- G. Cannabis Mezzobusiness. As a principal use, cannabis microbusiness uses are subject to the additional following standards:
1. Must be licensed by the State of Minnesota as a Cannabis Mezzobusiness and in compliance with the standards set by the Office of Cannabis Management.
  2. Mezzobusinesses with a state license retail endorsement must be registered with Dakota County.
  3. Hours of operation are limited to 10:00 AM to 9:00 PM.
  4. No outdoor storage or display of equipment or merchandise is permitted. Outdoor storage of vehicles associated with the use may be permitted with an interim use permit issued in accordance with 7.09 of this ordinance.
  5. Temporary Cannabis events may be permitted administratively for retail locations not in violation of Township ordinances.
- H. Cannabis Sales, Retail. As a principal or accessory use, retail cannabis and/or low potency hemp sales are subject to the additional following standards:
1. Must be licensed by the State of Minnesota as Cannabis Retailer or a Microbusiness or Mezzobusiness with a retail endorsement, and in compliance with the standards set by the Office of Cannabis Management.
  2. Must be registered with the Dakota County.
  3. Hours of operation are limited to 10:00 AM to 9:00 PM.
  4. No outdoor storage or display of equipment or merchandise is permitted. Outdoor storage of vehicles associated with the use may be permitted with an interim use permit issued in accordance with 7.09 of this ordinance.
  5. Temporary Cannabis events may be permitted administratively for retail locations not in violation of Township ordinances.
- I. Cannabis Sales, Wholesale. As a principal use, wholesale cannabis sales are subject to the additional following standards:
1. Must be licensed by the State of Minnesota as a Cannabis Wholesaler and in compliance with the standards set by the Office of Cannabis Management.
  2. No outdoor storage or display of equipment or merchandise is permitted. Outdoor storage of vehicles associated with the use may be permitted with an interim use permit issued in accordance with 7.09 of this ordinance.
- J. Cannabis Testing Facility. As a principal or accessory use, cannabis testing facilities are subject to the additional following standards:
1. Must be licensed by the State of Minnesota as a Cannabis Testing Facility and in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.
  2. The facility shall be secured as required by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.
- K. Cannabis Transporter. Cannabis transporters are allowed as an accessory use to a cannabis wholesale establishment, a cannabis manufacturer, or a lower potency hemp

manufacturer, subject to the same standards as Cannabis Delivery Service in this ordinance and must be licensed by the State of Minnesota as a Cannabis Transporter and in compliance with the standards set by the Office of Cannabis Management.

L. Low Potency Hemp Manufacturer. As a principal or accessory use, retail low potency hemp manufacturing uses are subject to the additional following standards:

1. Must be licensed by the State of Minnesota as a Low Potency Hemp Manufacturer and in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.
2. Any area where cannabis is handled or packaged shall be completely fenced as required by the Office of Cannabis Management and equipped with an emergency key box.

M. Low Potency Hemp Sales, Retail. As a principal or accessory use, retail low potency hemp sales are subject to the additional following standards:

1. Must be licensed by the State of Minnesota as a Cannabis Retailer, Lower Potency Hemp Retailer, or a Microbusiness or Mezzobusiness with a retail endorsement, and in compliance with the standards set by the Office of Cannabis Management.
2. Must be registered with the Dakota County.
3. Hours of operation are limited to 10:00 AM to 9:00 PM.
4. No outdoor storage or display of equipment or merchandise is permitted. Outdoor storage of vehicles associated with the use may be permitted with an interim use permit issued in accordance with 7.09 of this ordinance.
5. Temporary Cannabis events may be permitted administratively for retail locations not in violation of Township ordinances.

**Section 4 Effective Date.** This ordinance shall be effective immediately upon its adoption and publication.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

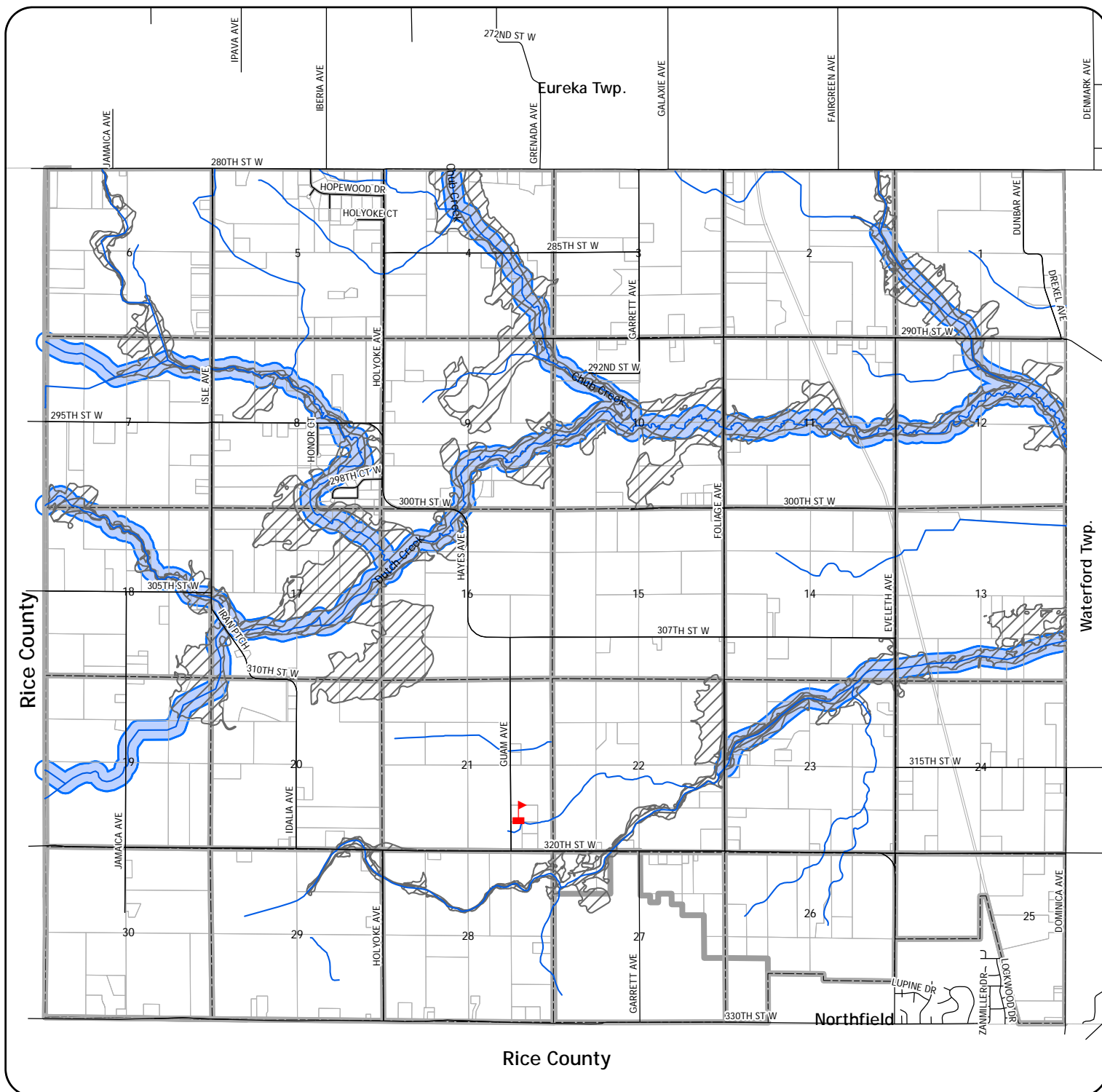
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Town Chair

ATTEST:

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Town Clerk



## Zoning Map

## Greenvale Township

Dakota County, MN

 A - Agriculture Preservation District

 300' Shoreland Overlay

 Floodplain Overlay

 River or stream

 Town Hall

0 0.125 0.25 0.5 0.75 1 Miles

 Resource  
Strategies  
Corporation



Source: Dakota County GIS

August 2011



Real People. Real Solutions.

3507 High Point Drive North  
Bldg. 1 Suite E130  
Oakdale, MN 55128

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Bolton-Menk.com

## MEMORANDUM

Date: June 12, 2025  
To: Chair Malecha and Members of the Planning Commission of Greenvale Township  
From: T.J. Hofer, Consultant Town Planner  
Subject: Cannabis and Hemp Uses Zoning Standards  
Greenvale Township  
Project No.: OT6. 130503

In 2023 and 2024, cannabis was legalized for recreational use and the sale, possession, use, and growth of cannabis was decriminalized. The Office of Cannabis Management was established to oversee licensing of cannabis and hemp businesses as well as establish rules and standards for the use of facilities that will deal with cannabis and hemp.

### BACKGROUND

As part of the legalization of cannabis, the State created the Office of Cannabis Management (OCM). The rules for cannabis and hemp businesses were published in the State Register on April 14, 2025, and the OCM is currently in the process of reviewing and issuing licenses.

The OCM rules addresses many of the operational challenges related to cannabis such as security, testing, and tracking product through the commercial businesses. There are gaps left by the OCM's first draft that need to be addressed by local municipalities such as setbacks, odor control, screening, and nuisances.

State statute allows for local units of government to adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses. The zoning ordinance is specifically used to control for the time, place, and manner of various uses and must be amendment to include standards for cannabis and hemp businesses if the township wishes to have specific standards for these uses.

Cannabis retail businesses are required to register with local government units. Greenvale has delegated this authority to Dakota County; however, the township has maintained the right to adopt standards regarding the time, place, and manner of operation of cannabis and hemp businesses.

### OVERVIEW OF PROPOSED STANDARDS

The proposed standards have been drafted based on the Minnesota Rules, chapter 9810, and to address potential concerns related to time, place, and manner as the zoning code is meant to regulate. The standards include:

- Setbacks for cannabis and hemp businesses that are the highest allowed by statute.
- General standards that apply to all cannabis and hemp businesses that establish standards for setbacks, prohibiting on-site consumption, odors, screening, outdoor storage, exterior lighting, water and wastewater, and off-street parking.



- Use specific standards for outdoor cultivation of cannabis-related to setbacks and security.
- Use specific standards for indoor cultivation of cannabis related to lighting.
- Use specific standards for cannabis delivery services related to parking, screening, and signs.
- Use specific standards for cannabis and low potency hemp manufacturer of cannabis related setbacks and security.
- Use specific standards for cannabis microbusiness including consumption standards, hours of operation, signs, and temporary cannabis events.
- Use specific standards for cannabis mezzobusiness including hours of operation, signs, outdoor storage and display, and temporary cannabis events.
- Use specific standards for cannabis and low potency retail sales including hours of operation, signs, outdoor storage and display, and temporary cannabis events.
- Use specific standards for wholesale cannabis sales including signs and outdoor storage and display.
- Use specific standards for cannabis testing facilities related to lighting.
- Use specific standards for cannabis transporter related to parking, screening, and signs.

The ordinance amendment also establishes definitions related to cannabis and hemp uses and establishes all the uses as interim uses.

## **ANALYSIS**

### **Staff Analysis**

Staff believes the proposed standards will set standards for safe and effective operations. The Township Attorney has identified an alternative to amending the existing A – Agricultural District.

#### Establishment of an A-2 District

Due to the township having a single zoning district, the options to limit where cannabis and hemp uses are located are limited. It may be in the townships' interest to develop another zoning district to assist with locating businesses in specific areas. The Township Attorney has provided an option to create a new zoning district such as "A-2 - Agricultural Business District" that would include the same uses as the A zoning district but allow the cannabis uses as interim uses. The existing zoning district would be renamed to "A-1 – Agricultural District" would remain as it is within the code.

If the township were to do this, some parcels within the township would need to be rezoned as A-2 for the township to be in compliance with statute and not establishing standards that would be prohibitive to establishing a cannabis use.

The Zoning and Subdivision Ordinance states, "Uses not listed as permitted or conditional in the A-Agricultural District may be allowed with an Interim Use Permit." While this prevents any cannabis or hemp use being able to establish in the township by right, without specific standards in the ordinance conditions related to the interim use permit would be limited to potential nuisances. Even if the township were to establish the A-2 district described above, this standard could still allow cannabis and hemp uses in the original Agricultural District.

### Daycare and School Definitions

Staff is aware of prior questions regarding what is considered a school or daycare for the purposes of determining buffers. Day care facility is defined within the ordinance as, “A licensed day care facility serving 12 or fewer persons, or a group family licensed day care facility serving 14 or fewer children.”

A definition for schools has been added to the draft amendment. This definition references definitions established in statute. This definition would not include homeschooling as a “school.” Notably, the ordinance currently only allows schools with a conditional use permit. If homeschooling is considered a “school” use, it would require a conditional use permit. The act of homeschooling is considered an accessory use to a residential dwelling.

### **COMMISSION ACTION**

Staff is requesting feedback on the proposed standards to prepare an ordinance amendment to the Zoning and Subdivision Ordinance. The Planning Commission should discuss:

- The proposed standard for various cannabis and hemp businesses.
- Any concerns regarding the setbacks from schools, daycares, residential facilities, and park equipment.
- The possibility of an “A-2 – Agricultural Business District” and general areas to be included in the district.

Staff anticipates the language to be presented to the Town Board at the June 19, 2025, meeting, and a public hearing for the amendment at the July 20, 2025, Planning Commission meeting.

### Attachments

- A. Draft Ordinance 2025-XX Standards for Cannabis Uses
- B. Zoning Map – Town of Greenvale
- C. [A Guide for Local Governments on Adult-Use Cannabis and Lower Potency Hemp Edible Licenses](#) (link only)
- D. [State Register Volume 49, Number 42, April 14, 2025](#) (link only)

**TOWN OF GREENVALE  
COUNTY OF DAKOTA  
STATE OF MINNESOTA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REGULATING THE POSSESSION, SALE, AND CONSUMPTION  
OF CANNABIS**

The Town Board of Greenvale, Minnesota ordains:

**Section 1 Amendment.** The Town of Greenvale Zoning and Subdivision Ordinance SECTION 3 Definitions, shall be amended by adding the underlined text as follows:

**Agriculture, Commercial Outdoor Cannabis:** See “Cannabis cultivation”.

**Agriculture, Commercial Indoor Cannabis:** See “Cannabis cultivation”.

**Cannabis Business:** Any of the cannabis businesses defined by Minnesota Statute 324.01, subd. 14, as may be amended.

**Cannabis Cultivation:** A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.

**Cannabis Cultivator:** A cannabis business that conducts an operation pursuant to Minnesota Statutes Section 342.30, as may be amended.

**Cannabis Delivery Service:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 341.41 and 342.42, as may be amended.

**Cannabis Manufacturer:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.31, as may be amended.

**Cannabis, Mezzobusiness:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.29, as it may be amended.

**Cannabis, Microbusiness:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.28, as it may be amended.

**Cannabis Sales, Retail:** The sale of cannabis plants and seedlings, adult-use cannabis flower, and adult use cannabis products directly to consumers.

**Cannabis Retailer:** A cannabis business that conducts an operation pursuant to Minnesota Statutes Section 342.32, as may be amended.

**Cannabis Retail Businesses:** A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and

lower-potency hemp edible retailers.

**Cannabis Sales, Wholesale:** The sale of cannabis plants and seedlings, adult-use cannabis flower, and adult use cannabis products to another cannabis business.

**Cannabis Testing Facility:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.37 and 342.38, as may be amended.

**Cannabis Transporter:** A cannabis business that conducts an operation pursuant to Minnesota Statute Section 342.35 and 342.36, as may be amended.

**Cannabis Wholesaler:** A cannabis business that conducts an operation pursuant to Minnesota Statutes Section 342.33 and 342.34, as may be amended.

**Light Manufacturing, Lower-Potency Hemp Edible:** A hemp business that conducts an operation pursuant to Minnesota Statute Section 342.45, as it may be amended.

**Lower-Potency Hemp Edible sales:** The sale of lower-potency hemp edibles, that have been obtained from a licensed Minnesota cannabis microbusiness, cannabis mezzobusiness, cannabis manufacturer, cannabis wholesaler, or lower-potency hemp edible manufacturer, directly to consumers.

**Lower-Potency Hemp Manufacturer:** A low potency hemp business that conducts an operation pursuant to Minnesota Statutes Section 342.45, as may be amended.

**Lower-Potency Hemp Edible Retailer:** A low potency hemp business that conducts an operation pursuant to Minnesota Statutes Section 342.46, as may be amended.

**School:** A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.

**Section 2 Amendment.** The Town of Greenvale Zoning and Subdivision Ordinance SECTION 5 ZONING DISTRICTS 5.04 A – Agriculture District, shall be amended by adding the underlined text as follows:

E. Interim Uses. The following uses may be allowed in the A – Agricultural District, subject to the conditions for issuing an interim use permit:

7. Agriculture, Commercial Outdoor Cannabis.
8. Agriculture, Commercial Indoor Cannabis.
9. Cannabis Delivery Service.
10. Cannabis, Low Potency Hemp Manufacturer.
11. Cannabis Microbusiness.
12. Cannabis Mezzobusiness.
13. Cannabis Sales, Low Potency Hemp Sales, Retail.
14. Cannabis Sales, Wholesale.
15. Cannabis Testing Facility.
16. Cannabis Transporter.

**Section 3 Amendment.** The Town of Greenvale Zoning and Subdivision Ordinance SECTION 7 PERFORMANCE STANDARDS, shall be amended by adding the underlined text as follows:

**7.15 Cannabis and Hemp Businesses**

- A. Cannabis and Hemp Businesses. Generally, all cannabis and hemp businesses shall meet the following standards:
1. Must be licensed by the State of Minnesota and in compliance with the standards set by the Office of Cannabis Management
  2. Buffer Required:
    - a. The Town of Greenvale shall prohibit the operation of a cannabis business within 1,000 feet of a school.
    - b. The Town of Greenvale shall prohibit the operation of a cannabis business within 500 feet of a daycare.
    - c. The Town of Greenvale shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
    - d. The Town of Greenvale shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
    - e. Pursuant to Minn. Stat. 462.357 subd. 1e, nothing in this Section shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
  3. No onsite consumption is permitted, except where described below.
  4. The use must meet all other standards established for the A – Agriculture District in 5.04 of this ordinance.
  5. The facility shall not produce noxious or nuisance causing odors, subject to the following conditions:
    - a. The facility shall be ventilated so that all odors cannot be detected by a person with a normal sense of smell at the exterior of the facility or at any adjoining use or property.
    - b. Growing cannabis must comply with all applicable laws and shall not produce noxious or dangerous gases or odors or otherwise create a danger to any person or entity in or near the facilities.
    - c. The applicant shall provide plans that show appropriate odor control systems so as not to produce any noxious or dangerous gases or odors or create any dangers to any person or entity in or near the facility.
    - d. An odor maintenance plan must be submitted to the Township and approved by the Town Board
  6. All mechanical and odor suppression equipment and trash enclosures must be

screened in a manner that protects adjacent properties from visual impacts and noise levels.

7. Outdoor storage of containers, pallets, waste/recycle containers, etc. is prohibited.

8. Exterior lighting shall meet the following standards:

a. Any lighting used to illuminate an off-street parking area, structure or area must be arranged as to deflect light away from any adjoining residential property or from the public street.

b. The light source must be hooded or controlled so as not to light adjacent property in excess of the maximum intensity as defined throughout this Section. Bare light bulbs are not permitted in view of adjacent property or public right of way.

c. No light source or combination thereof which casts light on a public street may exceed 1 foot candle meter reading as measured from the centerline of said street nor shall any light source or combination thereof which casts light on adjacent property exceed 0.4 foot candles as measured at the property line.

9. Water and Wastewater

a. Management of wastewater shall be in accordance with the Office of Cannabis Management, Minnesota Pollution Control Agency, or local ordinances. Where multiple standards exist, the more restrictive of the standards shall apply.

b. Water use within the site shall be designed to maximize the amount of water reuse possible.

10. Off-street Parking

a. Parking shall be provided based on the average for the use established in manuals prepared by the American Planning Association and the Institute of Transportation Engineers.

b. Be provided on an improved surface of either asphalt, concrete, or similar material recommended by the Township Engineer.

B. Agriculture, Commercial Outdoor Cannabis As a principal or accessory use, commercial outdoor cannabis is allowed with an interim use permit, subject to the following standards:

1. Must be licensed by the State of Minnesota as a Cannabis Cultivator and in compliance with the standards set by the Office of Cannabis Management.

2. Any area used to cultivate or grow cannabis must meet the structure setbacks of the relevant zoning district.

3. Any area where cannabis is grown, handled, or packaged shall be completely fenced as required by the Office of Cannabis Management and equipped with an emergency key box.

C. Agriculture, Commercial Indoor Cannabis. As a principal or accessory use, commercial

indoor cannabis is allowed with an interim use permit, subject to the following standards:

1. Must be licensed by the State of Minnesota as a Cannabis Cultivator and in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.
2. The facility shall be secured as required by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.
3. Indoor cannabis cultivation and growing facilities within the A – Agriculture District must be designed to appear like traditional agricultural structures and must be consistent with the character of the area.
4. Lighting within a greenhouse is permitted between the hours of 4:30 a.m. and 10:00 p.m.

D. Cannabis Delivery Service. Cannabis delivery services are allowed as an accessory use to a cannabis retail sales establishment or a lower potency hemp retail establishment with an interim use permit, subject to the following standards:

1. Must be licensed by the State of Minnesota as a Cannabis Delivery Service and in compliance with the standards set by the Office of Cannabis Management.
2. Fleet vehicle parking will be permitted outside of the principal structure but may not occupy parking spaces required for employees or customers.
3. Fleet vehicle parking must be screened from public street and adjacent dwellings.
4. Fleet vehicle parking may not occupy any required parking spaces.
5. All delivery and loading areas must be screened from view of the public street or adjacent properties.
6. A maximum of two fixed signs, including freestanding and wall signs, are permitted per site.

E. Cannabis, Low Potency Hemp Manufacturer. Cannabis and low potency hemp manufacturing is allowed as an interim use, subject to the same standards as Agriculture, Commercial Indoor Cannabis in this ordinance and must be licensed by the State of Minnesota as a Cannabis and or Lower-Potency Hemp Manufacturer and in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.

F. Cannabis Microbusiness. As a principal use, cannabis microbusiness uses are allowed, subject to the following standards:

1. Must be licensed by the State of Minnesota as a Cannabis Microbusiness and in compliance with the standards set by the Office of Cannabis Management.
2. Microbusinesses with a state license retail endorsement must be registered with Dakota County.
3. Hours of operation are limited to 10:00 AM to 9:00 PM.
4. A maximum of two fixed signs, including freestanding and wall signs, are permitted per site.
5. On-site consumption is permitted pursuant to Minn. Stat. Section 342.28 subject

to the following:

- a. The consumption area shall be entirely indoors.
  - b. The square footage of the consumption area shall not exceed 10% of the occupied premises.
  - c. Food and beverage shall not be prepared or sold on-site.
  - d. Live entertainment shall not be permitted.
  6. Temporary Cannabis events may be permitted administratively for retail locations not in violation of Township ordinances.
- G. Cannabis Mezzobusiness. As a principal use, cannabis microbusiness uses are allowed, subject to the following standards:
1. Must be licensed by the State of Minnesota as a Cannabis Mezzobusiness and in compliance with the standards set by the Office of Cannabis Management.
  2. Mezzobusinesses with a state license retail endorsement must be registered with Dakota County.
  3. Hours of operation are limited to 10:00 AM to 9:00 PM.
  4. A maximum of two fixed signs, including freestanding and wall signs, are permitted per site.
  5. No outdoor storage or display of equipment or merchandise is permitted. Outdoor storage of vehicles associated with the use may be permitted with an interim use permit issued in accordance with 7.09 of this ordinance.
  6. Temporary Cannabis events may be permitted administratively for retail locations not in violation of Township ordinances.
- H. Cannabis Sales, Low Potency Hemp Sales, Retail. As a principal or accessory use, retail cannabis and low potency hemp sales are allowed with an interim use permit, subject to the following standards:
1. Must be licensed by the State of Minnesota as a Cannabis Retailer and/or Lower Potency Hemp Retailer and in compliance with the standards set by the Office of Cannabis Management.
  2. Must be registered with the Dakota County.
  3. Hours of operation are limited to 10:00 AM to 9:00 PM.
  4. A maximum of two fixed signs, including freestanding and wall signs, are permitted per site.
  5. No outdoor storage or display of equipment or merchandise is permitted. Outdoor storage of vehicles associated with the use may be permitted with an interim use permit issued in accordance with 7.09 of this ordinance.
  6. Temporary Cannabis events may be permitted administratively for retail locations not in violation of Township ordinances.
- I. Cannabis Sales, Wholesale. As a principal use, wholesale cannabis sales are allowed with an interim use permit., subject to the following standards:
1. Must be licensed by the State of Minnesota as a Cannabis Wholesaler and in



compliance with the standards set by the Office of Cannabis Management.

2. No outdoor storage or display of equipment or merchandise is permitted. Outdoor storage of vehicles associated with the use may be permitted with an interim use permit issued in accordance with 7.09 of this ordinance.

3. A maximum of two fixed signs, including freestanding and wall signs, are permitted per site.

J. Cannabis Testing Facility. As a principal or accessory use, cannabis testing facilities are allowed with an interim use permit, subject to the same standards as Agriculture, Commercial Indoor Cannabis in this ordinance and must be licensed by the State of Minnesota as a Cannabis Testing Facility and in compliance with the standards set by Minnesota Statutes, Minnesota Rules, and the Office of Cannabis Management.

K. Cannabis Transporter. Cannabis transporters are allowed as an accessory use to a cannabis wholesale establishment, a cannabis manufacturer, or a lower potency hemp manufacturer with an interim use permit, subject to the same standards as Cannabis Delivery Service in this ordinance and must be licensed by the State of Minnesota as a Cannabis Transporter and in compliance with the standards set by the Office of Cannabis Management.

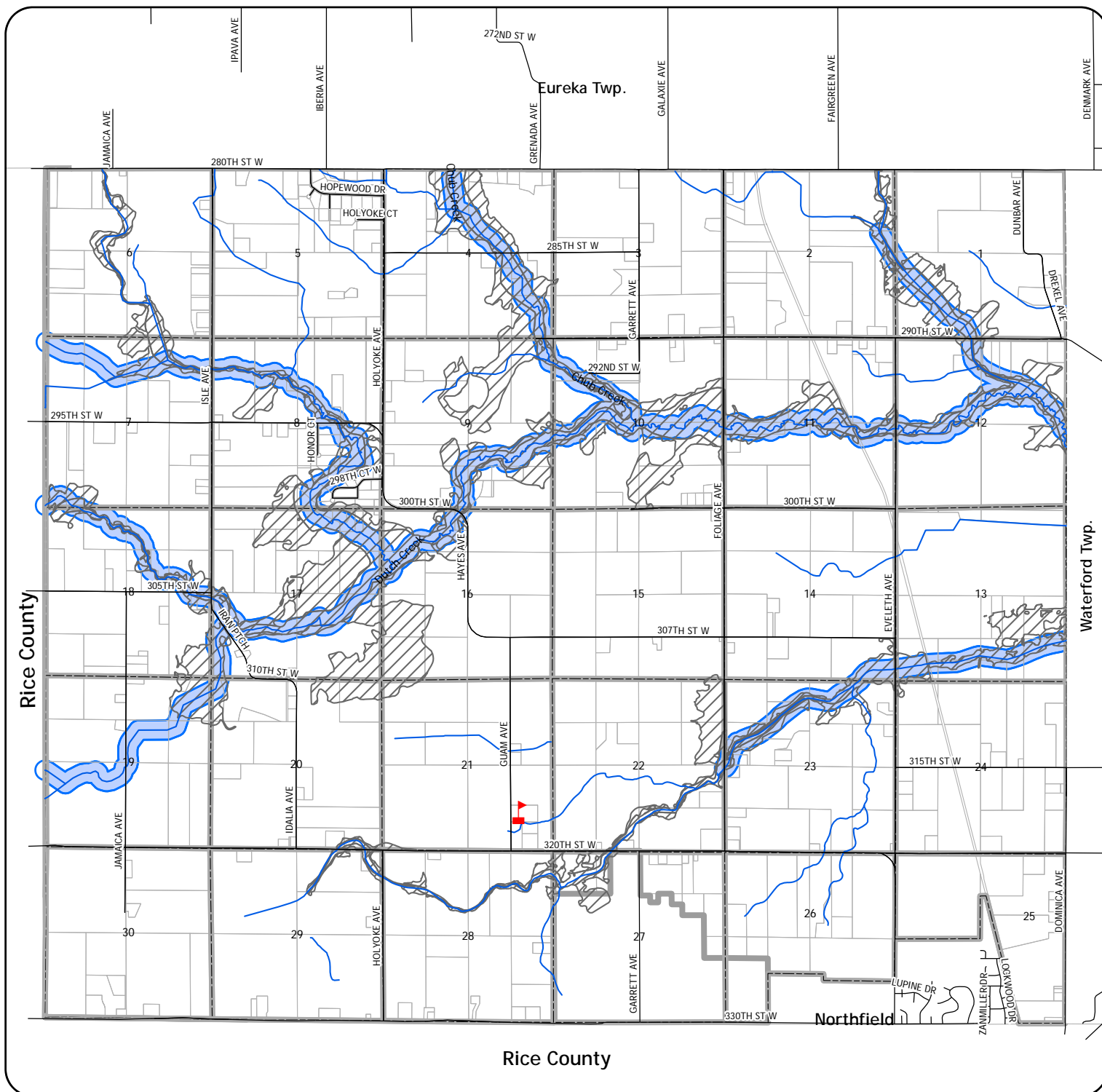
**Section 4 Effective Date.** This ordinance shall be effective immediately upon its adoption and publication.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Town Chair

ATTEST:

\_\_\_\_\_  
Town Clerk



## Zoning Map

## Greenvale Township

Dakota County, MN

0 0.125 0.25 0.5 0.75 1 Miles

 A - Agriculture Preservation District

 300' Shoreland Overlay

 Floodplain Overlay

 River or stream

 Town Hall

 Resource  
Strategies  
Corporation

Source: Dakota County GIS

August 2011