



ORDINANCE NO. 2023-_____

**CITY OF ARDEN HILLS
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 13,
OF THE ARDEN HILLS CITY CODE CONCERNING THE SALE OF
LOWER-POTENCY HEMP EDIBLES**

THE CITY COUNCIL OF THE CITY OF ARDEN HILLS, MINNESOTA, ORDAINS:

SECTION 1. Chapter 13 – Zoning Code, Section 1305 – Rules, Scope, Interpretation, & Definitions, Subsection 1305.04 - Definitions, is hereby amended adding the following underlined definitions:

· Hemp Concentrate. The extracts and resins of a hemp plant or hemp plant parts, including when refined to increase the presence of targeted cannabinoids or when intended to be consumed by combustion or vaporization of the product and inhalation of smoke, aerosol, or vapor from the product.

· Hemp-Derived Consumer Product. A product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and containing or consisting of hemp plant parts; or containing hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

· Hemp Plant. All parts of the plant of the genus Cannabis that has a delta-9 tetrahydrocannabinol concentration of no more than 0.3 percent on a dry weight basis.

· Lower-Potency Hemp Edible. Any product that (1) is intended to be eaten or consumed as a beverage by humans; (2) contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients; (3) is not a drug; (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabigerol, or any combination of those cannabinoids that does not exceed the identified amounts; (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving; (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol; (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and (8) is a type of product approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by that Office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods. Lower-Potency Hemp Edibles includes “edible cannabinoid products” as defined by Minn. Stat. § 151.72. Lower-potency hemp edibles do not include products containing only nonintoxicating cannabinoids.

· Lower-Potency Hemp Edible Sales. The processing or sale of lower-potency hemp edibles or hemp-derived consumer products

· Nonintoxicating Cannabinoid. A cannabinoid that when introduced into the human body does not impair the central nervous system and does not impair the human audio, visual, or mental processes. Nonintoxicating cannabinoid includes but is not limited to cannabidiol (CBD) and cannabigerol (CBG) but does not include any artificially derived cannabinoid and must contain less than 0.3% tetrahydrocannabinol (THC).

SECTION 2. Chapter 13 – Zoning Code, Section 1320 – District Provisions, Subsection 1320.05 – Land Use Chart, is hereby amended by replacing the chart in its entirety as follows:

1320.05 Land Use Chart.

See attached Attachment “A” for the Land Use Chart with the addition of lower-potency hemp edible sales as a Conditional and Accessory Use in the B-3 District.

SECTION 3. Chapter 13 – Zoning Code, Section 1325.02 Accessory Uses, is hereby amended by adding a Subdivision 6 as follows:

Subd. 6 Lower-Potency Hemp Edible Sales.

A. Lower-Potency Hemp Edible Sales shall be a Conditional Accessory use only permitted in the B-3 Service Business District.

B. Applicants for Conditional Accessory Lower-Potency Hemp Edible Sales shall follow the conditional use permit procedures prescribed in Section 1355.04, subd. 3, and Appendix A, Procedure Manual. The City shall review a site plan and specifics of the proposed lower-potency hemp edibles business and may issue the permit subject to, but not limited to, the following requirements:

1. Lower-potency hemp edible sales shall only be permitted as an accessory use on a Subject Property where the principal use is Retail Sales & Service, and when such accessory use is clearly incidental to the principal use.
2. The Subject Property shall not be located within 1,000 feet of any school.
3. The Subject Property shall not be located within 500 feet of any property providing day care or residential treatment services, or an attraction within a public park that is regularly used by minors including a playground or athletic field.
4. No lower-potency hemp edible sales shall occur between the hours of 10:00 p.m. and 8:00 a.m. the following day.

SECTION 4. This Ordinance shall become effective immediately upon its passage and publication according to law. A Summary of this Ordinance will be published in accordance with state statute.

PASSED and ADOPTED this ____ day of _____, 2023, by the City Council of the City of Arden Hills, Minnesota.

CITY OF ARDEN HILLS

By _____
David Grant, Mayor

ATTEST:

Julie Hanson, City Clerk

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