



Planning Commission Meeting Agenda

Monday, October 6th, 2025 @ 6:00 PM

Chair: Simon Stricker

City Clerk: Cassandra Delougherty

Commission:

City Attorney: vacant

Joby Goerges

Roman Siltman

Victor Procuik

Corey Derksen

City of Jenkins
33861 Cottage Avenue
Jenkins, MN 56474
(218) 568-4637

Join Zoom Meeting
<https://zoom.us/join>
Meeting ID: 353 029 2895
Password: 56474
Dial by location: (312) 626-6799 (US Chicago)

NOTE: Printed materials relating to agenda items are available for public inspection in a three-ring binder on table by Council Chamber entrance.

INTRODUCTION OF NEWLY APPOINTED PLANNING COMMISSIONER

1. Call to Order – Pledge of Allegiance
2. Roll Call
3. Approval
 - a. Agenda
 - b. Minutes from the August 4th, 2025 Planning Commission meeting
4. New Business
 - a. Council Request: Consider Ame Ord. O-25-43
 - i. Information regarding amendments
 - ii. Ordinance O-25-XX, highlighting portions for amendment
5. Unfinished Business
 - a. Storage Containers and City Code Chapter 91: “Nuisance Parking & Storage”
 - b. Learning Opportunities available to Commissioners
 - c. City of Jenkins Comprehensive Plan
 - d. Adopted Policy on Conflict of Interest, Staff Interaction, and Duty of Transparency for City Council Members and Commissioners.
6. Miscellaneous/Communication
 - a. Planning & Zoning Administrator’s Report
7. Adjournment

Jenkins Planning Commission Meeting

August 4th, 2025 Meeting minutes

Introduction of Newly Appointed Planning Commissioner

The meeting began with the introduction of Corey Derksen as the newly appointed Planning Commissioner. The other commissioners welcomed him to the board.

Roll Call

The roll call was conducted, confirming the presence of all 5 of the commissioners.

Approval of Agenda

A motion was made to approve the agenda for the meeting.

Goerges made a motion to approve the agenda Siltman seconded the motion. The motion passed unanimously.

Approval of Minutes

Agenda

Minutes from the July 7th, 2025 Planning Commission meeting and Public Hearings

The commissioners reviewed the minutes from the July 7th, 2025 Planning Commission meeting and Public Hearings. It was noted that the minutes were quite extensive. Goerges made motion to approve, seconded by Siltman, all ayes.

New Business

Agricultural Zoning District Lot Size & Impervious Coverage Limits

The commissioners discussed the agricultural zoning district lot size and impervious coverage limits. Deputy Delougherty had conducted research on this topic and presented their findings to the commission.

Deputy Delougherty explained that many cities are moving away from agricultural zoning districts, with most switching to different types of business or larger residential properties. The current code for Jenkins was reviewed, noting that it had been changed to a 10-acre minimum lot size about a year ago, up from 2 acres previously.

The impervious surface coverage limits were discussed in comparison to other jurisdictions:

- Crow Wing County has a 35-acre minimum lot size and 25% impervious coverage limit for non-shoreland areas.
- Cass County has a 40-acre minimum and 5% impervious coverage limit.
- Pequot Lakes has a 20-acre minimum lot size and 10% impervious coverage limit.

The commissioners debated whether to keep the current 10% impervious coverage limit for agricultural zones. They considered the reasoning behind the limit, which was to keep the land mostly open for agricultural use.

The discussion touched on the possibility of parceling off land and rezoning it to rural residential, which would allow for different impervious surface limits. The commissioners agreed that this process was generally straightforward and often approved.

There was also mention of potential cannabis cultivation and manufacturing, but the commissioners felt that such operations would likely occur in commercial areas rather than agricultural zones.

After thorough discussion, the commission decided to maintain the current impervious coverage limit for agricultural zones.

Prociuk made a motion to leave the impervious surface coverage limit on the agricultural district as is. Goerges seconded the motion. The motion passed unanimously.

Robert's Rules of Order and Rules for Public Comment

The commission discussed the implementation of Robert's Rules of Order for their meetings. Deputy Delougherty provided the commissioners with information on Robert's Rules, including some "cheat sheets" for quick reference.

The chairman explained that as the commission has been getting busier with more items to discuss, having a structured process would be beneficial. He suggested that the commissioners review the provided materials on their own time to familiarize themselves with the rules.

The discussion also touched on the importance of staying on topic during public hearings and avoiding getting sidetracked by irrelevant information. The chairman mentioned a recent Zoom meeting about Conditional Use Permits (CUPs) and land use essentials that provided good guidance on managing public hearings effectively.

Unfinished Business

Cargo Containers and City Code Chapter 91: "Nuisance Parking & Storage"

The commission discussed the topic of cargo containers and their regulation within the city. Deputy Delougherty presented research on how other cities handle cargo containers in various zoning districts.

Key points from the discussion included:

- Most cities do not allow cargo containers in residential districts.
- Some cities have specific size limitations for cargo containers in business districts.
- There were discussions about aesthetic requirements, such as painting containers to match primary structures or using earth tones.

The commission decided to create a separate category for cargo containers and similar structures (like semi-trailers) in the zoning matrix, distinct from accessory structures. They requested Deputy Delougherty to prepare definitions for these structures for the next meeting.

The commissioners also discussed potential performance standards for cargo containers, such as minimum lot sizes, cleanliness requirements, and aesthetic considerations. They agreed that temporary use of containers (e.g., for construction purposes) might have different requirements than permanent placements.

The commission requested Deputy Delougherty to gather more information on performance standards and prepare a draft for the next meeting. They also expressed interest in adding a line item for cargo containers to the zoning matrix to clearly define where and how they would be permitted.

Goerges made a motion to have Deputy Delougherty prepare definitions for storage containers and similar structures, add a line item to the zoning matrix, and gather information on performance standards for the next meeting. Siltman seconded the motion. The motion passed unanimously.

Miscellaneous/Communication

Learning opportunities available to Commissioners

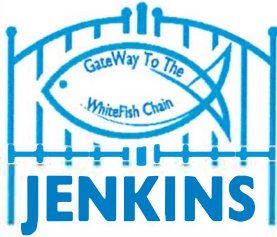
Deputy Delougherty informed the commissioners about various learning opportunities available through the League of Minnesota Cities, including webinars and online resources. The commissioners expressed interest in participating in these educational opportunities, particularly in areas related to land use and planning procedures.

Chairman Stricker suggested reviewing the comprehensive plan at a future meeting, especially for the benefit of new members. The commission also discussed the possibility of having an expert come to conduct an in-person training session on planning and zoning topics.

Consensus of the commission was to have Deputy Delougherty work toward arranging such a training session and to provide more information on available online resources at future meetings when the agenda is lighter.

Adjournment

Motion to adjourn made by Goerges, seconded by Prociuk, all ayes. The meeting was adjourned at 7:03pm.



AGENDA ITEM # 4a

REPORT TO PLANNING COMMISSION

Prepared by: Cassandra Delougherty

Date: October 2nd, 2025

Subject: Council Request: Consider Amendment to O-25-43 Regulation of Cannabis Businesses

Report: The City Council has requested that the Planning Commission review the attached Ordinance O-25-43 and consider recommendation of amending the land use matrix (highlighted in orange) to reflect recommendations from the City's temporary attorney, hired specifically for the subject of Cannabis due to threatened litigation against the city from a retail cannabis license applicant. Portions highlighted in yellow are areas the Council will need to determine a consideration of amending.

Attached you will find a summary of the recommendations from Mr. David Assaf, Flaherty & Hood.

Requested Action: Please review, discuss any recommendation of the attached draft Ordinance Amendment for City Council. If tabling the request, please give staff further direction.



Council approved sending Ord. O-25-43 back to the Planning Commission for review, and sharing the following information from Attorney David Assaf by motion, second, and ayes of all three Councilmembers in attendance at the Sept. 23rd, 2025 City Council Meeting:

Land Use Matrix Clarification and Update. Section 150.038 (the Land Use Matrix) does not currently list retail cannabis, and the City should determine whether to treat it as a CUP or as a standard retail business, as stated above. We do not recommend a CUP, unless there are specific and legal conditions other than already required in City Code that should be applied to such businesses. Since cannabis retail is substantially similar to liquor as a use, imposing conditions on cannabis that are not otherwise imposed on a liquor use, other than the basic zoning limitations authorized in the cannabis law, may be subject to legal challenge.

Land Use Considerations

The existing ordinance adopted by the City does not specifically address the requirement that a cannabis retail business receive a CUP in order to operate in the C-1 and C-2 zoning districts. The zoning code could be interpreted to allow for such cannabis retail businesses as “retail uses” permitted (without a permit) in those zoning districts or as a commercial use requiring a CUP in those districts.

Allowing these business(es) to operate in the City without requiring a CUP may be beneficial for the following reasons:

- 1.) Avoids unnecessary work for the City, as the ordinance and state law establishes requirements and conditions;
- 2.) The OCM has heavy oversight and requirements at the state level with which licensees must comply;
- 3.) Compliance checks on the local level are done by through contracted police services, just as with liquor compliance, then reported to the state;
- 4.) There is a division of the OCM to report any violations or concerns for further investigation by the state licensing authority;
- 5.) Zoning regulations are often interpreted to allow for the greatest use of the property, and given the concerns here, this may benefit a challenger to any denial of a CUP for cannabis retail registration, if that should occur; and
- 6.) A CUP typically has conditions, but state law does not allow cities much flexibility in establishing conditions, and if the criteria for a CUP are met, state law further requires the City to nonetheless approve the CUP. Thus a CUP does not accomplish much in this process given the state’s licensing authority.

If the City, through its Zoning Administrator, determines that a CUP should be required for cannabis retail businesses, the City should consider what conditions would be included in such CUP beyond what is already required in state law and the City’s Ordinance. In addition, the timing of such CUP would need to be considered with regard to a lottery. At the very least, the City would want to know the proposed location of each business so that the City may determine that its location may be able to receive a CUP prior to the lottery. The City should draw all applicants in such lottery to determine an order of priority should the first applicant fail to receive a CUP or fail to open its cannabis retail business.

ORDINANCE NO. O-25-XX
AN ORDINANCE AMENDING TITLE XI, BUSINESS REGULATIONS,
CHAPTER 113, REGULATION OF CANNABIS AND HEMP BUSINESSES AND
EVENTS

THE CITY COUNCIL OF THE CITY OF JENKINS DOES ORDAIN THAT:

SECTION 1. Jenkins City Code, Title XI –Business Regulations, is hereby amended to add Chapter 113 – Cannabis And Hemp Businesses And Events, as follows:

Section 113.01. ADMINISTRATION.

1. Findings and Purpose. The City of Jenkins City Council makes the following legislative findings:

A. The purpose of this ordinance is to implement the provisions of Minnesota Statutes, Chapter 342, which authorizes the City of Jenkins to protect the public health, safety, and welfare of Jenkins residents by regulating cannabis businesses within the legal boundaries of Jenkins.

B. City Council finds and concludes that the proposed provisions are appropriate and lawful land use regulations for the City of Jenkins, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

2. State Law Adopted. Except as further restricted or regulated by this Chapter, the provisions of Minnesota Statutes, Chapter 342, relating to cannabis and hemp regulation and the corresponding state rules with respect to the same are hereby adopted and made a part of this Chapter as if set out herein in full. Whenever there is an inconsistency between the provisions of Minnesota Statutes, Chapter 342, as amended, and the provisions of this Chapter, the more restrictive provision shall govern, unless preempted by state law.

3. Authority and Jurisdiction. The City of Jenkins has the authority to adopt this ordinance pursuant to:

A. Minn. Stat. § 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of 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.

B. Minn. Stat. § 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.

C. Minn. Stat. § 152.0263, Subd. 5, regarding the use of cannabis in public places.

D. Minn. Stat. § 462.357, regarding the authority of a local authority to adopt zoning ordinances.

This Chapter shall be applicable to the legal boundaries of the City.

4. Severability. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

5. Enforcement. The City of Jenkins is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

Section 113.02. DEFINITIONS.

Unless otherwise noted in this section, words and phrases contained in Minn. Stat. § 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.

1. Cannabis Retail Businesses. A cannabis retailer location and the retail location(s) of mezzo businesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, excluding lower-potency hemp edible retailers.

2. Cannabis Retailer. Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.

3. Daycare. A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.

4. Lower-potency Hemp Edible. As defined under Minn. Stat. § 342.01 subd. 50.

5. Lower-potency Hemp Edible Retailer. A person or entity licensed or authorized to acquire, possess, transfer, sell, dispense, or distribute lower-potency hemp edible products and related supplies and products pursuant to Minn. Stat. § 342.44.

6. Office of Cannabis Management. Minnesota Office of Cannabis Management, referred to as “OCM” in this ordinance.

7. Place of Public Accommodation. A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.
8. Preliminary License Approval. OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. § 342.17.
9. Public Place. A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.
10. Residential Treatment Facility. As defined under Minn. Stat. § 245.462 subd. 23.
11. Retail Registration: An approved registration issued by the City of Jenkins to a state- licensed cannabis retail business.
12. 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.
13. State License. An approved license issued by the State of Minnesota’s Office of Cannabis Management to a cannabis retail business.

Section 113.03. REGISTRATION OF CANNABIS BUSINESSES REQUIRED

No individual or entity may operate a state-licensed cannabis retail business within Jenkins without first registering with the City.

Section 113.04. PRE-LICENSE STATE APPLICATION RESPONSE REQUIRED

Pursuant to Minn. Stat. Ch. 342, within 30 days of receiving a copy of a state license application from OCM, the City shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

Section 113.05. PRELIMINARY INSPECTION PRIOR TO RETAIL REGISTRATION

Prior to issuance of a cannabis retail business registration, the City shall conduct a preliminary inspection to ensure compliance with local ordinances.

Section 113.06. REGISTRATION FEES

1. Fees.
 - A. The City shall not charge an application fee.
 - B. A registration fee, as established in the City of Jenkins' fee schedule, shall be charged to applicants depending on the type of retail business license applied for.
 - C. An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. § 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.
 - D. Any renewal retail registration fee imposed by the City shall be charged at the time of the second renewal and each subsequent renewal thereafter. A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. § 342.11, whichever is less.
 - E. A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

Section 113.07. APPLICATION

1. An applicant for a retail registration shall fill out a registration form, as provided by the City. Said form shall include, but is not limited to:
 - A. Full name of the property owner and applicant;
 - B. Address, email address, and telephone number of the applicant;
 - C. The address and parcel ID for the property which the retail registration is sought;
 - D. Certification that the applicant complies with the requirements of this Chapter and the Land Use and Zoning Regulations established by the City pursuant to Minn. Stat. § 342.13.
2. The applicant shall include with the form:
 - A. the registration fee as required in Section 113.06.
 - B. a copy of a valid state license or written notice of OCM license

preapproval.

3. Once an application is considered complete, the City Clerk shall inform the applicant as such, process the registration fees, and forward the registration to **the OCM and City Clerk Council** for approval or denial.
4. The registration fee shall be non-refundable once processed.

Section 113.08. APPLICATION APPROVAL AND BASIS FOR DENIAL

1. A state-licensed cannabis retail business registration shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 113.13.
2. A state-licensed cannabis retail business registration shall not be approved or renewed if the applicant is unable to meet the requirements of this Chapter or any applicable provisions of the Jenkins City Code.
3. The applicant does not have a valid license issued by the OCM.
4. The applicant fails to provide any information required on the application or provides inaccurate, false or misleading information.
5. The fee for the registration or registration renewal has not been paid.
6. The applicant has otherwise failed a preliminary inspection or compliance check completed by the city.

Section 113.09. ANNUAL COMPLIANCE CHECKS.

1. The Pequot Lakes Police Department shall complete at minimum one compliance check per calendar year of every cannabis retail business to assess if the business meets age verification requirements, as required under Minn. Stat. § 342.22 Subd. 4(b) and Minn. Stat. §342.24 and this Chapter.
2. The Pequot Lakes Police Department shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.
3. Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit

of government.

4. Any failures under this section must be reported to the Office of Cannabis Management.

Section 113.10. LOCATION CHANGE

If a state-licensed cannabis retail business seeks to move to a new location still within the legal boundaries of the City, it shall notify the City of the proposed location change and submit necessary information to meet all the criteria in this paragraph.

Section 113.11. NON-TRANSFER

A cannabis retail registration issued under this ordinance shall not be transferred.

Section 113.12. RENEWAL OF REGISTRATION

1. Renewal Required. The City shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license. A state-licensed cannabis retail business shall apply to renew registration on a form established by the City.
2. Renewal Fees. The City may charge a renewal fee for the registration starting at the second renewal, as established in the City's fee schedule.
3. Renewal Application. The application for renewal of a retail registration shall include, but is not limited to, the items required under Section 113.07 of this Ordinance.

Section 113.13. LIMITING OF REGISTRATIONS

1. If Crow Wing County has one active cannabis retail businesses registration for every 12,500 residents, the City shall not be required to register additional state-licensed cannabis retail businesses.
2. In no event shall the City issue more than one (1) cannabis retail business registration within the City, first come/first served.

Section 113.14. REQUIREMENTS FOR CANNABIS BUSINESSES

1. Minimum Buffer Requirements.
 - A. The City shall prohibit the operation of a cannabis business if the property line is adjoining to a school or licensed daycare.
 - B. Pursuant to Minn. Stat. § 462.367 subd. 14, 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/attraction within a public park that is regularly used by minors moves within the minimum buffer zone.

2. Hours of Operation. Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, or lower-potency hemp edibles between the hours of 10:00 a.m. and 10:00 p.m.

3. Signage and Building Conditions.

A. Cannabis retail businesses are required to have plans to prevent the visibility of cannabis to individuals outside the retail location.

B. Cannabis retail businesses are permitted a sign on the exterior of the building or property of the business, unless otherwise limited by the City's sign ordinance. Businesses must follow the City of Jenkins sign ordinance.

Section 113.15. SUSPENSION OF REGISTRATION

1. When Suspension is Warranted. The City may suspend a cannabis retail business's registration if it violates this Chapter or poses an immediate threat to the health or safety of the public. The City shall immediately notify the cannabis retail business in writing the grounds for the suspension.

2. Notification to OCM. The City shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide the city and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

3. Length of Suspension. The suspension of a cannabis retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended.

Section 113.16 REGISTRATION VIOLATIONS AND PENALTY

Any state-licensed cannabis retail business or lower-potency hemp edible retailer that sells to a customer or patient without valid retail registration shall incur a civil penalty of up to \$2,000 for each violation, as set forth in the City's fee schedule.

Section 113.17. LOWER-POTENCY HEMP EDIBLE RETAILERS

1. Registration Required. The sale of lower-potency hemp edibles is permitted, subject to compliance with the retail registration requirements in this Chapter and the specific terms of this Section for a retail registration for a lower-potency hemp edible retailer.

2. Application. The procedures for and content of an application for a retail registration for a lower-potency hemp edible retailer under this chapter shall be as provided in Section 113.07 of this Chapter.
3. Fees. Registration fees for a retail registration for a lower-potency hemp edible retailer shall be as provided in Section 113.06 of this Chapter.
4. Renewal. The procedures for and content of a renewal application for a retail registration for a lower-potency hemp edible retailer under this chapter shall be as provided in Section 113.12 of this Chapter. Renewal fees shall be as set forth in Section of this Chapter.
5. Basis for Denial. The registration application for a lower-potency hemp edible retailer shall be denied for any of the reasons provided in Section 113.08 of this Chapter.
6. Zoning Districts. Lower-potency hemp edible retailers must comply with the Land Use and Zoning Regulations established by the City pursuant to Minn. Stat. § 342.13.
7. Compliance Checks. The procedure for each annual compliance check shall be as provided in Section 113.09.
8. Additional Standards.
 - A. Age Requirements. The sale of lower-potency hemp edibles is permitted only in places that admit persons 21 years of age or older.
 - B. Storage of Product. Lower-potency hemp edibles shall be sold behind a counter and stored in a locked case.
9. Suspension. The procedures for imposing suspensions on lower-potency hemp edible retailers for violations of this Chapter shall be as provided in Section 113.15 of this Chapter.

Section 113.18. TEMPORARY CANNABIS EVENTS

1. License or Permit Required. A license or permit issued by the City is required prior to holding a temporary cannabis event.
2. Fee. A temporary cannabis event fee, as established in the City's fee schedule, shall be charged to applicants for temporary cannabis events.
3. Registration and Application Procedure. The City shall require an application for temporary cannabis events.
 - A. An applicant for a retail registration shall fill out an application form, as provided by the City. Said form shall include, but is not limited to:

- (1) Full name of the property owner and applicant;
 - (2) Address, email address, and telephone number of the applicant; and
 - (3) The location of the temporary cannabis event.
 - B. The applicant shall include with the form:
 - (1) the application fee as required in Section 113.06 (B);
 - (2) a copy of the OCM cannabis event license application, submitted pursuant to 342.39 subd. 2.
 - C. The application shall be submitted to the City Clerk, or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.
 - D. Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the City Council for approval or denial.
 - E. The application fee shall be non-refundable once processed.
4. Standards. The application for a license for a Temporary Cannabis Event shall meet the following standards:
- A. Location. Temporary cannabis events shall only be held on private property.
 - B. Hours. Temporary cannabis events shall only be held between the hours of 12:00 p.m. and 10:00 p.m.
 - C. On-Site Consumption. On-site consumption of cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination of those items, if approved by the city, must be limited to the designated area approved by the city and, if located in an outdoor area, must be surrounded by commercial grade fencing.
5. Basis for Denial. A request for a temporary cannabis event that does not meet the requirements of this Section shall be denied. The City shall notify the applicant of the standards not met and basis for denial.

Section 113.19. USE IN PUBLIC PLACES

1. No person shall use cannabis flower, cannabis products, or lower-potency hemp

edibles products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use.

2. Any person who violates this section shall be guilty of a petty misdemeanor.

SECTION 2. This ordinance shall take effect following its passage and publication.
Passed by the City Council of the City of Jenkins, Minnesota, this _____ day of _____, 2025.

Andrew J. Rudlang, Mayor

ATTEST:

Cassandra M. Delougherty, City Clerk-Treasurer

150.038 Land Use Matrix

"Use	AG	RR	R-1	R-2	RS	P	C-1	C-2	I-1
Cannabis Retail									
Cannabis Cultivation	CUP	E	E	E	E	E	CUP/AC	CUP/AC	CUP
Cannabis Manufacturer	E	E	E	E	E	E	CUP/AC	CUP/AC	P
Hemp Manufacturer	E	E	E	E	E	E	CUP/AC	CUP/AC	P
Wholesale	CUP	E	E	E	E	E	CUP/AC	CUP/AC	P
Cannabis Delivery	E	E	E	E	E	E	CUP	CUP	P
Events	P	E	E	E	E	E	P	P	P

Notes to table:

A - Allowed without a permit

P - Permit required

C - Conditional use

I - Interim

E - Excluded

AC - Accessory use

* Livestock allowed (A) on RR parcels greater than 10 acres.

** Livestock, small allowed (A) on R-1 parcels greater than 1 acre.

FEES

Commercial Cannabis Initial Registration fee.....\$500.00
 Commerical Cannabis Renewal Fee.....\$1,000.00
 Temporary Cannabis Event Fee\$

+ Initial retail registration fee shall not exceed \$500 or half of the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less.

+ Any renewal retail registration fee imposed by the City shall be charged at the time of the second renewal and each subsequent renewal thereafter. A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

Administrative Fines

Offense	Statute/Code	Penalty
Abandoned or Inoperable Vehicles Violation	Zoning Ordinance	\$100
Animal Husbandry Violation	Zoning Ordinance	\$100
Construction Materials	Zoning Ordinance	\$100
Dog Ordinance – No/Expired Vaccinations	City Code	\$50
Dog Ordinance Violations – all other sections	City Code	\$75
Exterior Storage	Zoning Code	\$100
Fence Standards Violation	Zoning Code	\$100
Garbage-Refuse-Debris Violation	Zoning Ordinance	\$100
Lawn/Noxious Weeds Violation	Zoning Ordinance	\$100
Property Maintenance Violation	Zoning Ordinance	\$100
Public Nuisance	Zoning Ordinance	\$50
Building Standards Violation	Zoning Ordinance	\$250
Sign Standards Violation	Zoning Ordinance	\$100
Visual/Negative Impact Violation	Zoning Ordinance	\$100
Cannabis/Low potency hemp retail sales without valid registration	Zoning Code	\$2,000/ each violation



AGENDA ITEM # 5a

REPORT TO PLANNING COMMISSION

Prepared by: Cassandra Delougherty

Date: October 2nd, 2025

Subject: Storage Containers

City Code Chapter 91: "Nuisance, Parking and Storage" and Chapter 150 "Definitions" and "Land Use Matrix"

Report: Proposed Ordinance Amendments have been presented to the Commission in previous meetings. The agenda item was most recently tabled for staff to include the agreed definition.

Attached please find the proposed amendment.

Requested Action: Please review, discuss, edit, table, approve or deny recommendation of the attached draft Ordinance Amendment for City Council. If denying or tabling the amendment, please give staff further direction.

**ORDINANCE NO. O-25-XX
CITY OF JENKINS
COUNTY OF CROW WING, STATE OF MINNESOTA**

**AN ORDINANCE AMENDING TITLE IX GENERAL REGULATIONS, CHAPTER 91
HEALTH & SAFETY: NUISANCES SUBSECTION 91.19 NUISANCE PARKING AND
STORAGE**

**AND TITLE XV LAND USAGE, CHAPTER 150 LAND USE AND SUBDIVISIONS
SUBSECTIONS 150.005 DEFINITIONS AND 150.038 LAND USE MATRIX OF THE JENKINS
CODE OF ORDINANCES**

The City Council of the City of Jenkins does ordain as follows:

Purpose and Intent: The purpose and intent of this ordinance is to amend the Jenkins Code of Ordinances, Title IX: GENERAL REGULATIONS, Chapter 91: HEALTH AND SAFETY: NUISANCES AND Title XV: LAND USAGE, Chapter 150: LAND USE AND SUBDIVISIONS Subsections 150.005: DEFINITIONS and 150.038: LAND USE MATRIX to define and regulate the use of "*STORAGE CONTAINERS*."

Section 1. Section 91.19 titled "NUISANCE PARKING AND STORAGE" is amended to read:

(A) *Declaration of nuisance.* The outside parking and storage on residentially-zoned property of large numbers of vehicles and vehicles, materials, supplies, or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance because it obstructs views on streets and private property; creates cluttered and otherwise unsightly areas; prevents the full use of residential streets for residential parking; introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited; decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood; and otherwise adversely affects property values and neighborhood patterns.

(B) *Unlawful parking and storage.*

(1) A person must not place, store, or allow the placement or storage of ice fishing houses, skateboard ramps, playhouses, or other similar non-permanent structures outside continuously for longer than 24 hours in the front yard area of residential property unless more than 100 feet back from the front property line.

(2) A person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery, or similar materials, including all materials used in connection with a business, outside on residential property, unless shielded from public view by an opaque cover or fence.

(3) A person must not cause, undertake, permit, or allow the outside parking and storage of vehicles on residential property unless it complies with the following requirements.

(a) No more than four vehicles per lawful dwelling unit may be parked or stored anywhere outside on residential property, except as otherwise permitted or required by the city because of nonresidential characteristics of the property. This maximum number does not include vehicles of occasional guests who do not reside on the property.

(b) Vehicles that are parked or stored outside in the front-yard area must be on a paved or graveled parking surface or driveway area.

(c) Vehicles, watercraft, and other articles stored outside on residential property must be owned by a person who resides on that property. Students who are away at school for periods of time but still claim the property as their legal residence will be considered residents on the property.

(4) Storage Containers. The use of storage containers, as defined in Title XV, Chapter 150, Subsection 150.005: Definitions, on any Residential lot for more than 180 days in any one year is prohibited. This prohibition shall not apply to construction storage trailers used for onsite during a construction project provided all required permits are obtained for the project, the project remains in compliance, and the trailer is removed from the lot upon completion of the project.

Section 2. Title XV, Chapter 150, Subsection 150.005 titled “Definitions” is amended to include ***Storage CONTAINER:** A portable, reusable, weather-resistant structure designed and constructed for the purpose of storing materials, goods, or equipment. Storage containers include, but are not limited to, intermodal shipping containers, cargo containers, and portable on-demand storage units (PODS). These units are typically constructed of metal or heavy-duty plastic and are not designed for human occupancy, permanent attachment to the ground, or use as a dwelling or habitable structure.*

Section 3. Title XV, Chapter 150, Subsection 150.038 titled “Land Use Matrix” is amended to include:

<u>Use</u>	<u>AG</u>	<u>RR</u>	<u>R-1</u>	<u>R-2</u>	<u>RS</u>	<u>P</u>	<u>C-1</u>	<u>C-2</u>	<u>I-1</u>
<u>Storage Container</u>			<u>E</u>	<u>E</u>		<u>E</u>			

Section 4. Repeal: This ordinance shall repeal all ordinances inconsistent herewith.

Section 5. Effective Date: This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

Andrew Rudlang, Mayor

ATTEST: _____
Cassandra M. Delougherty, City Clerk-Treasurer

**Summary Ordinance for Publication
ORDINANCE NO. O-25-XX**

**AN ORDINANCE AMENDING TITLE IX GENERAL REGULATIONS, CHAPTER 91
HEALTH & SAFETY: NUISANCES SUBSECTION 91.19 NUISANCE PARKING AND
STORAGE AND TITLE XV LAND USAGE, CHAPTER 150 LAND USE AND SUBDIVISIONS
SUBSECTIONS 150.005: DEFINITIONS AND 150.038: LAND USE MATRIX OF THE
JENKINS CODE OF ORDINANCES**

The City Council of the City of Jenkins, Minnesota has approved this summary publication of Ordinance #O-25-XX, which amends the Jenkins Code of Ordinances, Title IX: GENERAL REGULATIONS, Chapter 91: HEALTH AND SAFETY: NUISANCES AND Title XV: LAND USAGE, Chapter 150: LAND USE AND SUBDIVISIONS Subsections 150.005: DEFINITIONS and 150.038: LAND USE MATRIX to define and regulate the use of "*STORAGE CONTAINERS*", while protecting the property rights of the citizens of the City of Jenkins.

**THE FULL TEXT OF THIS ORDINANCE AMENDMENT IS AVAILABLE DURING
NORMAL OFFICE HOURS AT THE OFFICE OF THE CITY CLERK AND IS POSTED AT
THE JENKINS CITY HALL.**

Dated this ____ day of _____, 20__.

Cassandra M. Delougherty
City Clerk-Treasurer
City of Jenkins



REPORT TO PLANNING COMMISSION

Prepared by: Cassandra Delougherty
Date: October 2nd, 2025
Subject: Learning Opportunities Available to Commissioners

August Report:

In the spirit of serving our residents to the best of our abilities in our elected or appointed positions, continued education can be key to better understanding our roles and authority, processes, obligations, conflicts, and considerations. Below are just a few of the opportunities for recorded webinar viewing and League of MN Cities Member-Learn courses:

- Open Meeting Law
- Land Use Regulation Mini-Course
 - Introduction to Land Use Regulation
 - Discretion and The Land Use Regulation Process
 - Land Use Conclusion
- Land Use Regulation: Your Role in Land Use Decision Making
- Land Use Decision Making: What are the Facts?
- Code Enforcement
- Conflict of Interest

August 28th, 2025 Email Correspondence (in part, as it relates to this subject):

*"...During this time of change, I would like to encourage and help empower you to utilize some of the resources that the City of Jenkins has at our fingertips. At our most recent Planning Commission meeting, it was the consensus of the Commission that we look in to in-person training opportunities from the League of Minnesota Cities (LMC). The Council approved, and I reached out to our contacts there. LMC is happy to provide an in-person session with their internal subject matter experts, **but LMC requires** that Commissioners first successfully complete some on-demand coursework to ensure that a general understanding of land use regulations has been developed by each member prior to delving too deep into more extensive training. There is a short knowledge assessment at the end of the on-demand courses. Again, successful completion of the land use regulations on-demand course is required prior to LMC authorizing in-person training here at the City of Jenkins.*

The cost of the land use regulations on-demand course is \$15 per user. I believe that the League will invoice the City when each of you register, but if I am mistaken and payment is required at the time of registering, you will be reimbursed by the City of Jenkins for the cost



AGENDA ITEM

of the course, just provide me with a snip or copy of the receipt for the expense. If you do not already have one, you will first need to create a myLMC account before you can register for the MemberLearn land use regulations on-demand course. Here is a link to instructions and a short video on how to create an account: <https://www.lmc.org/log-in/how-to-create-a-new-mylmc-account/> Here is the link directly to the registration page of the on-demand land use regulations course: [land use regulations on-demand course](#) Commission Chairman Stricker briefly touched on the benefits of viewing (at least a portion of 😊) the webinar that LMC presented last month regarding findings of facts. My contact at the League recommended that Commissioners watch the webinar, as well, prior to in-person training. This webinar brings a greater understanding of what can and what cannot be considered in determining the recommendation of approval or denial of a land use application, The recording of the findings of facts webinar is located here: <https://memberlearn.lmc.org/library/lesson/2497653-land-use-decision-making-what-are-the-facts>”

ACCORDING TO LMC: TO DATE, THERE HAVE BEEN **TWO** COMMISSIONERS TO COMPLETE THE ON-DEMAND COURSEWORK REQUIRED TO RECEIVE FREE IN-PERSON SESSIONS FROM THE LEAGUE OF MINNESOTA CITIES STAFF.

I haven't received any replies indicating that anyone was unable or unwilling to enroll and complete the courses. Please let me know if this is the case, or if there is an error in communication from LMC regarding attendees.

Requested Action: Please complete the required on-demand coursework.



AGENDA ITEM # 5c

REPORT TO PLANNING COMMISSION

Prepared by: Cassandra Delougherty
Date: October 2nd, 2025
Subject: Jenkins Comprehensive Plan

Report: On August 28th, 2025, the Planning Commission was provided with a copy of the Comprehensive Plan for review via email.

Requested Action: Please review the City of Jenkins Comprehensive Plan over the next month and prepare to discuss any recommendation for amendments and/or additions to the Plan at the next Planning Commission Meeting, November 4th, 2025. If there are any questions in the interim, please reach out to staff.



REPORT TO PLANNING COMMISSION

Prepared by: Cassandra Delougherty

Date: October 2nd, 2025

Subject: Policy on Conflict of Interest, Staff Interaction, and Duty of Transparency for City Council Members and Commissioners

Report: On August 28th, 2025, the Planning Commission was provided with a copy of the adopted Policy on Conflict of Interest, Staff Interaction, and Duty of Transparency for City Council Members and Commissioners via email.

Regarding the portions of the email that read “...*If any of you would like training to better understand this policy, please do not hesitate to reach out. It will be required that Council Members and Commissioners read, understand, and acknowledge the policy by signing the last page. I believe that this policy works as a useful tool in clearly identifying our roles and responsibilities as appointed (or elected for Councilmembers) officials for the city.*”

“...*If anyone is opposed to signing the recently adopted Policy on Conflict of Interest, Staff Interaction, and Duty of Transparency for City Council Members and Commissioners... .. or simply has questions or would like assistance with anything communicated in this email, please reach out to me at your earliest convenience to discuss.*”

I didn't receive any replies indicating that anyone would like further training, was unable or unwilling to sign the policy. Please let me know if there are any questions, concerns, or clarifications that you would like to have addressed.

Requested Action: Please sign the attached policy or indicate why you are not signing the policy, to be reported to Council.



Policy on Conflict of Interest, Staff Interaction, and Duty of Transparency for City Council Members and Commissioners

This policy is established to provide clear guidelines on the hierarchy of duties, proper handling of potential conflicts of interest, and appropriate interactions between city staff and elected or appointed officials. It ensures that all individuals involved in city decision-making act in the best interests of the city, maintain transparency, and respect staff roles and workflows.

1. Hierarchy of Duties

City council members and commissioners owe their primary duty to the city and its residents. As public officials, they are required to:

1. **Prioritize the Public Good:** Decisions must be made in the best interest of the entire city and its residents, above personal or individual interests.
2. **Maintain Objectivity:** Council members and commissioners must ensure impartiality in deliberations and decision-making.
3. **Uphold Transparency:** All interactions with entities or individuals seeking special considerations from the city must be disclosed.
4. **Avoid Conflicts of Interest:** They must avoid actions or advocacy that create real, perceived, or potential conflicts of interest.

2. Definition of Conflict of Interest

A conflict of interest arises when a council member's or commissioner's personal, professional, or financial relationships could reasonably be expected to impair their impartiality or create a perception of bias in fulfilling their duties to the city.

Examples include but are not limited to:

- Acting on behalf of a private individual, business, or entity while in an official capacity.
- Participating in discussions or decisions where the individual has a close relationship with the involved party.
- Voting on matters where the individual has prior undisclosed involvement.

3. Required Transparency in Interactions

Council members and commissioners should disclose interactions with citizens, property owners, private entities, or other stakeholders, particularly when:

- The entity has an ongoing matter or interest in a matter before the city council, planning & zoning, or other city committees.
- The individual is involved in advising, assisting, or acting on behalf of an entity.

Such disclosures must be made in writing (email preferred) to the city clerk or mayor and include:

- The date and purpose of the interaction.
 - A summary of the matters discussed.
 - Any materials, recommendations, or paperwork exchanged.
-

4. Interactions with City Staff

Council members and commissioners do not have individual authority to direct or supervise city staff. The city clerk, or designated department head(s) are responsible for managing staff and assigning work in accordance with council-approved direction.

Staff Direction and Work Requests

- No council member or commissioner may direct a staff member to perform work unless that work has been explicitly assigned by a vote of the council.
- Special projects or assignments to staff must be documented as part of council minutes or resolutions.

Primary Communication Method

- **Email** is the preferred method of communication between council members/commissioners and staff.
 - Email provides a good written record, is less disruptive to staff, and allows staff any time needed to research an answer or get more information.
 - Staff may redirect verbal or informal requests to email for clarity and tracking.

Office Visits and Phone Calls

- Scheduled meetings or calls with staff are preferred in advance through email or city hall scheduling tools.
- Staff members are not obligated to interrupt their duties to accommodate walk-in or impromptu requests by individual council members or commissioners.

Respect for Staff Work Environment

- Council members and commissioners are expected to uphold a respectful and non- disruptive presence in city facilities. No manner of harassment, intimidation, or hostility toward staff members will be tolerated under any circumstances.
- Any concerns about staff conduct or performance should be reported to the city clerk or mayor. If the city clerk or mayor are both personally involved in the concern, the issue should be referred directly to the city attorney for review and appropriate 'next steps. Concerns should not be addressed directly by elected or appointed officials to the staff member involved.

5. Access to City Systems and Data

Council members and commissioners shall not access or remove digital data, security recordings, emails, or other files from city systems without prior approval from the city clerk (or mayor, in the absence of the city clerk).

Prohibited actions include:

- Downloading or copying security footage, computer files, or emails without explicit authorization.
- Accessing city staff workstations or systems under false pretenses.
- Taking city-owned data off-site without consent and documented purpose.

Violations will be treated as breaches of trust and may lead to removal from committees or commissions, formal censure, or referral to legal counsel for review.

The city clerk is the designated custodian and data practices officer of all official city data, files, and records. Individual council members and commissioners do not have any special or individual right of access to city data beyond what is public or granted through a formal council directive. All data access requests should be submitted in writing, with email preferred. Requests may be delayed, limited, or denied in part or in full as required under data privacy laws or if review by legal counsel is necessary, Any

disputes or concerns about access to city data should be raised at a council meeting or referred to the city attorney for review.

6. Consequences of Non-Compliance

Failure to adhere to this policy may result in:

1. A formal warning or censure by the council.
 2. Removal from committee or commission assignments or other leadership roles.
 3. Referral to appropriate authorities for review of potential legal or ethical violations.
-

7. Policy Implementation and Training

- a. All council members and commissioners shall receive training on this policy upon adoption and following each election or appointment cycle.
 - b. The city clerk or mayor shall oversee compliance and maintain records of disclosed interactions.
-

8. Handling Recurring Relationships or Roles

Council members and commissioners with recurring professional or personal relationships with entities impacted by city decisions (e.g., as an advisor, agent, or consultant) must:

- Provide an annual disclosure of such relationships.
 - Abstain from votes or actions affecting the related entity.
-

9. Reporting and Resolution of Concerns

Residents, staff, or other officials may report suspected violations of this policy to the city clerk or mayor. If both the city clerk and mayor are personally involved in the concern, the issue should be referred directly to the city attorney for review and appropriate handling. All reports will be reviewed and addressed confidentially, with findings presented to the city council for action.

Adoption and Amendments

This policy may be adopted or amended only by a four-fifths (4/5) vote of the city council at any regular or special meeting.

This policy helps ensure that council members and commissioners act with integrity, transparency, and in the city's best interest, while also fostering public trust in governance and supporting a productive, respectful working relationship with city staff.

Approved and Acknowledged:

Elected/Appointed Official Printed Name

Elected/Appointed Official Signature

Date

Mayor

Date

City Clerk-Treasurer

Date

Adopted this 26th day of August, 2025.

Andrew J. Rudlang, Mayor

Attest:

Cassandra M. Delougherty, City Clerk-Treasurer



CITY OF JENKINS
PLANNING AND ZONING ADMINISTRATOR'S REPORT
October 2nd, 2025

1. Permits/Approvals: The Following permits/approvals were completed over the last month(s) by the Zoning Department:

- a. **Molly Stockman**, Earle Jenkins Dr., driveway access permit, and Land Use Permit for septic and new home.
- b. **Jimmie Crimmins**, Laura Rose Crl, dwelling in transit, new home.
- c. **Tom Savage**, 3rd Ave., Land Use Permit for ADU and septic.
- d. **Riley Peterson**, Drake Circle, Lot Consolidation (through CWC), driveway access permit, and Land Use Permit to build a 60ftx40ft shop.
- e. **Setco Properties LP**, Rosewood St. Lot consolidation (through CWC), driveway access permit, and Land Use Permit for cement pad and 40ftx50ft shop.

2. Code Enforcement: City Staff is currently working in the following potential violations/enforcement actions. We will report on these on a monthly basis and/or as progress is made until the issue is resolved.

- a. **Northland Companies**, requesting amended CUP application:
The City has not had any communication with Norland to date. Councilmember Flategraff stated in a Council meeting that he will have a conversation with the owner. No information yet to report.

- b. **Violation: Keeping of Rooster(s) (City Code: § 150.241 (D)(4))**

Description: No person shall keep roosters or adult male chickens on any property within the city.

Violation:Nuisance-Public Nuisances affecting Peace and Safety

(City Code:§ 91.18 (U)(1)(a)) Noises Prohibited-Any distinctly and loudly audible noise that unreasonable annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person, or precludes their enjoyment of property, or affects their property's value in such a manner as to be plainly audible at the boundary of the real property, building, structure, or residence from which the noise originates, or at a distance of 50ft from the source of the noise.

Compliance letter was sent the property owners with a deadline of October 2nd to respond. A second letter will be sent Monday, October 6th.