

**HAMPTON TOWNSHIP
DAKOTA COUNTY, MINNESOTA
Ordinance No. 2025-01**

**ORDINANCE AMENDING THE HAMPTON TOWNSHIP
ZONING ORDINANCE REGARDING CANNABIS BUSINESSES**

The Board of Supervisors of the Town of Hampton ordains:

Section I. Interim Uses. Article III, Section 301 of Hampton Township Zoning Ordinance is hereby amended as follows:

E. Interim Uses

1. Mineral Extraction
2. Commercial Wireless Telecommunications Services Towers and Antennae
3. Cannabis Businesses

Section II. Cannabis Businesses. Article VI of Hampton Township Zoning Ordinance is hereby amended by adding a new Section 631 as follows:

Section 631: Cannabis Businesses

A. Purpose

When the Minnesota Legislature adopted Minnesota Statutes, chapter 342 to allow cannabis businesses within the state, it granted local governments authority to adopt zoning regulations but expressly forbid local governments from prohibiting the establishment or operation of a cannabis business. Therefore, even though the Township is almost exclusively agricultural and residential with no retail uses, the Town Board is required to allow the full range of cannabis businesses, including retail sales of cannabis. The purpose of this Section is to comply with the legislative mandate while attempting to protect the public health, safety, welfare of the Township's residents, and promoting the community's interest in reasonable stability in zoning, by adopting reasonable regulations on cannabis businesses.

B. Authority

The Township is authorized by Minnesota Statutes, section 342.13(c) to adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business, including the adoption of zoning regulations under Minnesota Statutes, section 462.357. The Minnesota Office of Cannabis Management licenses cannabis businesses and the County registers cannabis business as provided in Minnesota Statutes, section 342.22. The Township is responsible for processing and acting on requests for interim use permits required for cannabis businesses under this Section. The intent of this section is to comply with the provisions of Minnesota Statutes, chapter 342 and the rules promulgated thereunder. References to statutes shall include any amendments made to those sections and includes any successor provisions.

C. Definitions

For the purpose of this section, the term “cannabis business” has the meaning given the term in Minnesota Statutes, section 342.01, subdivision 14, and includes all businesses listed thereunder. For the purposes of this section, the term also includes hemp manufacturers and hemp retailers. All other terms in this section, if not otherwise defined in this Ordinance, shall have the meaning given the term in Minnesota Statutes, section 342.01, or in the rules promulgated by the Minnesota Office of Cannabis Management, including any amendments made thereto.

D. Allowed Uses

Zoning Districts. Cannabis business are allowed in the Agricultural Preservation District with the issuance of an interim use permit in accordance with the provisions of this Ordinance.

E. Permit Required

No cannabis business shall operate within the Township without first obtaining an interim use permit from the Township in accordance with Section 711 of the Zoning Ordinance. An interim use permit application for a proposed cannabis business will only be processed and acted on to the extent it is among the types of cannabis businesses that cannot be prohibited under law.

F. Buffer Zones

1. Buffer Distances. Except as provided below, no cannabis business shall be located or operate within:

- a. 1,000 feet of a school;
- b. 500 feet of a residential treatment facility;
- c. 500 feet of a daycare facility; or
- d. 500 feet of an attraction within a public park that is regularly used by minors including, but not limited to, playgrounds and athletic fields.

2. Nonconforming. A cannabis business lawfully established and operating in a location may continue to operate as a lawful nonconforming use if a school, residential treatment facility, daycare facility, or park is established within the required buffer distance. A cannabis business that becomes nonconforming is subject to the restrictions in Minnesota Statutes, section 462.357, subdivision 1e.

G. Performance Standards

Cannabis businesses shall comply with the performance standards and restrictions set out in this Section and with all other applicable Minnesota and local laws, rules, regulations, and ordinances.

1. Compliance. No cannabis business may operate within the Township unless it first complies with all applicable state and local requirements, including having obtained a

license from the Office of Cannabis Management, being registered with Dakota County, and having complied with all applicable requirements in this Ordinance.

2. Cannabis Events.

- a. Permit Required. No cannabis event may occur within the Township unless the event organizer first obtains a cannabis event permit from the Township and complies with the conditions placed on the permit and all applicable laws.
- b. Permitting Process. An applicant for a cannabis event permit must complete the Township's application form and submit it to the Town Clerk together with the applicable fee and escrow. The Town Clerk shall forward a complete application to the Town Board for consideration and a final decision on the application. The Town Board may add such conditions to a cannabis event permit as it deems are needed to protect the public health, safety, and welfare. An approved cannabis event must comply with the conditions imposed on the permit and all other applicable laws and requirements. Any failure to comply may result in revocation of the permit.
- c. Consumption Prohibited. The consumption of adult-use cannabis products at a cannabis event is prohibited.

Section III. Incorporation of Amendments. The Town Attorney and Town Clerk are hereby authorized and directed to incorporate the amendments made by this ordinance, and any previous amendments that have not been incorporated, into the Zoning Ordinance, including updating the table of contents and making non-substantive corrections as may be needed. Such updated document shall constitute the Township's official Hampton Township Zoning Ordinance.

Section IV. Effective Date. This Ordinance is effective on the first day of publication of an approved summary.

Adopted this 17 day of June 2025.

BY THE TOWN BOARD



Chairperson

Attest: 
Clerk

New material is shown in double underlining and deleted material is shown in ~~strikeout~~.