

**Cannon Falls Planning Commission
Regular Meeting
City Council Chambers
December 9, 2024**

COMMISSIONERS PRESENT: Chair Steve Gesme, Commissioners Chris Nobach, Jesse Fox, Bruce Hemmah, and Diane Johnson

COMMISSIONERS ABSENT: All members were in attendance

OTHERS PRESENT: Neil Jensen, City Administrator; Zach Logelin, Permit & License Technician; Shelley Ryan, City Attorney; Jon Radermacher, new City Administrator

1. CALL TO ORDER

Chair Gesme called the meeting to order at 6:30 p.m.

2. ROLL CALL

Chair Gesme and Commissioners Fox, Hemmah, Johnson, and Nobach were in attendance.

3. APPROVAL OF AGENDA

A motion was made by Commissioner Johnson, seconded by Commissioner Hemmah and unanimously carried, to approve the agenda as presented.

4. APPROVAL OF MINUTES: October 21, 2024

A motion was made by Commissioner Nobach, seconded by Commissioner Fox and unanimously carried, to approve the meeting minutes as drafted.

5. PUBLIC INPUT

There was no public input regarding items not listed on the agenda.

6. PUBLIC HEARINGS

A. Ordinance Amending Cannon Falls City Code Relating to the Zoning of Cannabis.

Permit & License Technician Logelin provided background information. He noted that licensing has been delegated to Goodhue County and that up to four cannabis dispensaries will be licensed to operate in Goodhue County. He stated that the proposed City ordinance deals only with the zoning of cannabis businesses. He stated that the ordinance language defines the types of cannabis businesses and the zoning for each use.

Chair Gesme reviewed the Public Hearing procedure and opened the Public Hearing for this item at 6:33 p.m. No one spoke during the Public Hearing. Chair Gesme closed the Public Hearing at 6:34 p.m.

B. Ordinance Amending Cannon Falls City Code Relating to the Cannon Valley Fair.

This item was discussed following discussion of Item 7A.

Permit & License Technician Logelin provided background information. He reviewed a proposal to rezone the Cannon Valley Fair property to a new Fair zoning district that would include a list of permitted, interim, and prohibited uses. He stated that Planning Commission members may suggest changes to the draft ordinance language.

Chair Gesme reviewed the Public Hearing procedure and opened the Public Hearing for this item at 6:47 p.m.

Ferlin Miller introduced himself as the President of the Cannon Valley Fair Association Board. He stated that the Fair Board and its attorney have reviewed the proposed ordinance language, noting that this information was only recently received.

Mr. Miller referenced Section 152.021 of the draft ordinance, noting that the proposed definition does not include racing events during the Cannon Valley Fair. He stated that the Fair Board is aware of concerns relating to the go-kart racetrack and would like an opportunity to address these concerns. He stated that the proposed ordinance would restrict activities during the Cannon Valley Fair. He recommended revisions to the go-kart definitions relating to micro-sprint (600 cc) go-karts. He stated that the Fair Board is willing to look at eliminating certain classes of go-karts and taking other measures to decrease the noise levels and address other resident concerns.

Mr. Miller noted that the Cannon Valley Fairgrounds definition omits three parcels that are owned by the Cannon Valley Fair Association. He reviewed all of the Fairgrounds parcel numbers.

Mr. Miller referenced Section 152.828 (b) of the draft ordinance and requested clarification of the permitting process for this use.

Mr. Miller referenced Section 152.828 (e) of the draft ordinance and asked whether the City would expand this use to include other neighborhood focuses, organizations, or nonprofits, such as the Ridge Riders.

Mr. Miller referenced Section 152.828 (f) of the draft ordinance, noting that demolition derbies are not held only on specific holidays and are usually scheduled on two weekends, one in the fall and one in the spring.

Mr. Miller referenced Section 152.829 (e) of the draft ordinance relating to permitted accessory uses. He asked whether this use is subject to State licensing and permitting requirements.

Mr. Miller referenced Section 152.830 of the draft ordinance relating to interim uses. He stated that it would not be feasible to require vehicles and equipment to be removed daily. He also noted that it would not be possible to know the number of vehicles by April 1. He suggested expanding the timeframe to 12 months. He discussed language relating to lights and sound and discussed language relating to screening.

Mr. Miller referenced Section 152.840 of the draft ordinance relating to prohibited uses. He stated that camping has been offered for special events for years.

Mr. Miller reiterated that the Fair Board wants to work with everyone to resolve the issues. He noted that the proposed restrictions would be detrimental to the Cannon Valley Fair. He stated that the entire Fair Board has not had an opportunity to review and discuss the proposed ordinance language.

Commissioner Hemmah asked Mr. Miller how best to move the process forward. Mr. Miller indicated that a written response could be submitted from the Fair Board.

Commissioner Johnson stated her understanding from the last Council meeting that the City Attorney and the attorney for the Cannon Valley Fair Association would negotiate a resolution.

City Attorney Ryan stated that, following the last Council meeting, she exchanged emails with the attorney for the Cannon Valley Fair Association in an attempt to develop a resolution to which all parties could agree. She noted that the draft ordinance would create a new zone, authorize permitted uses within the zone, and have a permitting process for racing activities. She stated the intention of the ordinance is to address activities that occur during the Cannon Valley Fair and activities that occur on the Fairgrounds property during other times. She noted that the attorney for the Cannon Valley Fair Association received the draft ordinance language earlier in the day.

Jodi Montgomery, Haven Heights Court, Cannon Falls, asked who owns the racetrack. Cannon Valley Fair Association Board President Ferlin Miller provided clarification that the Cannon Valley Fair Association owns the racetrack but does not host racing events, other than during the Cannon Valley Fair. He stated that the racetrack is rented to outside parties. Ms. Montgomery commented that Cannon River Raceway is an LLC. She stated her understanding the Cannon River Raceway needs to comply with noise ordinances and other requirements. Ms. Montgomery referenced a request made by Mr. Miller to expand the language to include events during a 12-month period. She asked whether year-around racing events would be planned.

Erin McMahon, Hoffman Street, Cannon Falls, stated that it would be ironic to afford the Fair Board extra time, when last May racing events just started up without any opportunity for input from citizens. She spoke against changing the zoning. She stated that this would put the Fairground on a zoning island, with the City then having to consider zoning text amendments to modify the allowed and prohibited uses. She expressed opposition to year-around events and noted that the ordinance language should reference State law relating to noise levels. She commented that the Cannon Valley Fair Association must pay property taxes on all of its parcels or must apply for an exemption. She presented a petition with more than 100 signatures to apply for a discretionary petition to require the City to complete an Environmental Assessment Worksheet.

Jacqueline Broin, Haven Heights Court, Cannon Falls, commented that the road near the Fairgrounds is not in great shape and would be further damaged by the increased traffic resulting from racing events. She asked whether the residents would be responsible for street maintenance.

Brian Douglas, Minnesota Street West, Cannon Falls, stated that he lives directly across the street from the racetrack. He expressed concerns about noise levels. He requested more transparency for the public regarding the process, so that citizens know what is going on.

Jim Hoffman, Park Street West, Cannon Falls, spoke in opposition to changing the City Code. He discussed the purpose of the Urban Reserve zoning district. He stated that this ordinance would only give the Fair Board more ordinances to ignore. He stated that all residents deserve the same level of peace and quiet.

Anne Anderson, East Water Street, Cannon Falls, stated that she and her neighbors could hear every race from every go-kart class along with the announcer, even with their windows closed on summer evenings.

Al Johnson, Minnesota Street West, Cannon Falls, stated that he recorded decibel readings between 85 and 90 from his home during racing events.

No one else spoke during the Public Hearing. Chair Gesme closed the Public Hearing at 7:16 p.m.

7. DISCUSSION

A. Ordinance Amending Cannon Falls City Code Relating to the Zoning of Cannabis.

This item was discussed following discussion of Item 6A.

Commissioner Hemmah requested clarification of whether cannabis cultivation would be done within closed buildings or outdoors. Permit & License Technician Logelin commented that the definitions were modeled after language drafted by the State of Minnesota relating to cannabis businesses.

It was noted that the draft ordinance language does not appear to address Commissioner Hemmah's question. Mr. Logelin indicated that the ordinance language could be amended in the future.

Commissioner Nobach asked why cannabis manufacturing would not be allowed in B-1, B-2, or I-1 zoning districts. Mr. Logelin provided rationale for limiting cannabis cultivation and manufacturing businesses to I-2 zoning districts, with retail businesses allowed in B-1 and B-2 zoning districts. He stated that the Planning Commission can choose to recommend revisions to the draft ordinance language. Commissioner Nobach suggested consideration of allowing cannabis manufacturing businesses as permitted uses in B-2 and I-1 zoning districts and provided examples of permitted manufacturing uses in these zones. Commissioner Johnson asked whether the number of manufacturing licenses will be limited. Mr. Logelin stated his understanding that only the number of dispensaries in Goodhue County will be limited.

Commissioner Hemmah asked about odor concerns relating to the manufacturing process. Commissioner Nobach referenced one B-2 zone that is close to homes. City Administrator Jensen stated that there are unknowns in terms of odor and other concerns. He stated that the purpose of the initial ordinance was to allow cannabis manufacturing operations only in industrial areas, separated from residential and commercial areas. Mr. Logelin further reviewed the definitions.

Commissioner Fox referenced ordinance language relating to buffer zones from schools, daycare facilities, and athletic fields. Administrator Jensen noted that the buffer language is consistent with State statutes.

A motion was made by Commissioner Johnson to recommend the adoption of an ordinance amending the Cannon Falls City Code relating to cannabis businesses, as drafted. The motion was seconded by Commissioner Nobach, a vote was conducted, and the motion carried unanimously.

B. Ordinance Amending Cannon Falls City Code Relating to the Cannon Valley Fair.

This item was discussed following discussion of Item 7B.

Chair Gesme referenced the many months of discussion. He spoke in opposition to amending the Zoning Code resulting from complaints relating to the racetrack. He stated that he is against any engine-powered racing events. He relayed comments from residents that the racetrack impacts their quality of life. He described noise as a nuisance, noting that restricting the engine size would not solve the problem. He reiterated that he would be against any changes that would allow engine-powered racing at the Fairgrounds

Commissioner Nobach reviewed the timing of publishing the agenda materials. He expressed agreement with the comments made by Chair Gesme. He spoke in opposition to rezoning the Fairgrounds property, noting that the Cannon Valley Fair has operated for many years without issues. He stated that he would be against racing activities. He referenced the City of Cannon Falls Comprehensive Plan, which prohibits activities that negatively impact quality of life.

Commissioner Fox spoke in support of a new Fair zone, noting that the current Fairground zoning is half Residential and half Urban Reserve. He stated that he is not in favor of go-kart racing, even with restrictions.

Commissioner Hemmah stated that, while go-kart racing sounds like a lot of fun, it is not fun when these activities adversely affect the community that supports the Cannon Valley Fair. He encouraged the Cannon Valley Fair Association Board to review its Mission Statement and priorities in order to survive and work with the community.

Commissioner Johnson agreed with the comments made by Commissioner Hemmah. She stated that she has loved the Cannon Valley Fair all of her life. She stated that the issue revolves around the racetrack. She stated that racetracks are not referenced in the Comprehensive Plan. She stated that she is not in favor of amending the City Code. She suggested that the City work on closing down the racetrack.

A motion was made by Chair Gesme, seconded by Commissioner Johnson and unanimously carried, to adopt Resolution 2024-18, recommending that the City Council deny an ordinance amending the City Code relating to the Cannon Valley Fair.

8. ADJOURN

Chair Gesme thanked Commissioner Hemmah for his many years of service on the Planning Commission. Commissioner Hemmah expressed appreciation for the opportunity to serve the community.

Chair Gesme introduced new City Administrator Jon Radermacher.

A motion was made by Commissioner Nobach, seconded by Commissioner Fox and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:30 p.m.