

City Council Agenda Memo

From: Bonnie Foster, City Clerk

Council Meeting: December 14, 2021

Subject: Medical Cannabis Application from Déjà vu SD

Presenter: Bonnie Foster, City Clerk

Summary:

City Staff requests City Council Action on a Medical Cannabis Application received from Déjà vu SD for a Dispensary to be located as 604 1st Avenue.

Background:

As stated in Ordinance 21-028, an Ordinance Establishing Procedures for the Licensing of Medical Cannabis Dispensaries in the City of Brookings, Section 12, Application review process states:

- a. Upon receipt of a complete application, the City Manager or their representative shall review the application to determine whether the application is in compliance with the City's ordinances. No license will be approved until the City Manager or their representative has conducted an inspection of the proposed premises to determine compliance of the proposed medical cannabis dispensary with all applicable requirements of this ordinance, and with the plans and application submittals. The City Manager or their representative shall reject any application that does not meet the requirements of this ordinance or that contains any false, misleading or incomplete information.
- b. Within thirty (30) days after the completion of the review of the application, the City Council shall approve or deny the license application provided the City Manager or their representative has determined that all requirements for a medical cannabis dispensary license have been satisfied. The City Clerk or their representative shall provide the reason(s) for denial of the license by first class mail to the applicant at the address provided in the application.
- c. If approved, the City Clerk or their representative shall issue to the applicant a cannabis license, which shall include the date of issuance, the term of the license, the name of the licensee and the physical address of the licensed premises.

Item Details:

City Staff, City Attorney, and Bill Efting, Cannabis Consultant, has reviewed the Medical Cannabis Application received from Déjà vu SD.

The application is complete, with proof of possession of the property, by deed or purchase agreement confirmed. The site location, 604 1st Ave., meets zoning requirements, with some concerns to avoid disturbing the neighboring residence. An inspection of the facility prior to opening and after remodeling will be necessary.

Once the Establishment Certificate is issued by the State, the City will complete a full inspection of the facility due to the many items to be installed, remodeled, etc. Staff will need to verify their facility and plan is consistent with the plan per their application.

Legal Consideration:

City Attorney Steve Britzman has reviewed the application, Purchase Agreement and attachments, and has determined that the Application and attachments satisfy the requirements for a Medical Cannabis License, with the License subject to City inspection prior to operation.

Strategic Plan Consideration:

Economic Growth – establishment of a Medical Cannabis Dispensary will result in economic growth for the community.

Financial Consideration:

As set in Resolution 21-075:

- Medical Cannabis Application Fee of \$5,000
- Medical Cannabis Establishment License Fee of \$5,000

Options and Recommendation:

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a study session
5. Discuss / take no action / table

Staff recommends approval of the resolution as presented.

Supporting Documentation:

Resolution

Application

Location Map

Ordinance 21-028