

Planning Commission Agenda Memo

From: Ryan Miller, City Planner

Meeting: June 1, 2021

Subject: Temporary Ordinance Pertaining to Medical Cannabis Establishments

Person(s) Responsible: Ryan Miller, City Planner

Summary:

The City of Brookings has submitted a temporary ordinance regarding the issuance of local medical cannabis establishment permits and/or licenses. The proposed ordinance is temporary while the City awaits guidance from the South Dakota Department of Health on rules and regulations pertaining to the licensing of medical cannabis facilities.

Background:

Initiated measure (IM 26), which legalized medical cannabis in the State of South Dakota, provides that the South Dakota Department of Health shall set rules for medical cannabis establishments no later than October 29, 2021. Due to the current lack of Department of Health standards and requirements, the City's current regulations and controls may not yet adequately address the unique needs and impacts of medical cannabis establishments.

Item Details:

The proposed ordinance is temporary while the City awaits guidance from the South Dakota Department of Health on rules and regulations pertaining to the licensing of medical cannabis facilities. As IM 26 has an implementation date of July 1, 2021, this temporary ordinance would allow the City to deny any applications for medical cannabis facilities until such time as the State adopts rules and regulations for the licensing of medical cannabis facilities. In the interim, the City continues to research zoning regulations for medical cannabis facilities.

Recommendations:

Staff recommends approval.

Options:

The Planning Commission has the following options:

1. Approve as presented
2. Approve as amended
3. Deny
4. Table until a future meeting

Supporting Documentation:

1. Notice
2. Ordinance