

# City Council Agenda Memo

**From:** Bonnie Foster, City Clerk

**Council Meeting:** September 27, 2022

**Subject:** Medical Cannabis Application: Silver Creek Trading Co., LLC, dba Cannabis Connection

**Presenter:** Bonnie Foster, City Clerk  
Steve Britzman, City Attorney

## **Summary:**

City Staff requests City Council Action on a Medical Cannabis Application received from Silver Creek Trading Co., LLC, dba Cannabis Connection, for a Dispensary to be located at 1304 6<sup>th</sup> Street.

## **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.

Ordinance 22-026 amended Section 16, Subsection (f) of Ordinance 21-028 of the City of Brookings is hereby amended to read as follows:

- f. The licensed premises shall not be located within a dwelling unit or any building containing a pediatrician's office, hotel or motel or lodging facility. A licensed premises may be located within a mixed business/residential structure, provided the licensed premises is not located within a dwelling unit.

**Item Details:**

City Staff and the City Attorney have reviewed the Medical Cannabis Application received from Silver Creek Trading Co., LLC, dba Cannabis Connection.

The application is complete, with proof of possession of the property, with a lease agreement confirmed. The site location, 1304 6<sup>th</sup> Street, meets zoning requirements. 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. 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 and attachments, verified ownership, and has determined 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  
Medical Cannabis – Summary  
Ordinance 21-028  
Ordinance 22-026