



Memorandum

TO: Winooski Cannabis Control Commission

FROM: Eric Vorwald, AICP
Planning & Zoning Manager

RE: **Process for Cannabis License Application Review**

DATE: October 03, 2022

The purpose of this memo is to provide information to the Winooski Cannabis Control Commission regarding future processes for review of requests for local cannabis licensing.

Overview

In February of this year, the City Council established a local cannabis control commission (CCC). The purpose of the CCC is to provide local licensing for applications to operate cannabis establishments in the City of Winooski. This includes applications for retail, cultivation (indoor, outdoor, or mixed), manufacturing, wholesaling, testing, and processing. With primary oversight and review occurring at the state, through the Vermont Cannabis Control Board (CCB), the City has limited authority to regulate local cannabis operations outside of the powers granted through statutory zoning authority.

State Review of Cannabis Licenses

Any entity that desires to establish a cannabis operation, as outlined in statute, must first apply to the CCB. The CCB has specific requirements in place that need to be met for the application to proceed. Applicants are required to submit an operating plan; criminal history checks for federal and state records; personal information on all applicants and principals for the establishment; finger printing; and other requirements. The CCB is responsible for determining if the information submitted meets the statutory standards for issuing a state license.

The CCB will issue a provisional license (or pre-qualification) to applicants that meet certain criteria. The provisional license does not allow the applicant to begin operations, but may allow them to engage in commercial activities such as contracting, securing funding, or leasing commercial space. In order to begin operations, an entity must obtain an operating license from the CCB. This is the final license that allows the entity to begin operations.

Once a complete application is received by the CCB, they will notify the local CCC. The notification will include information on the name of the establishment and the principals of the establishment. Location information related to licensees may be privileged and not subject to public records requests or public disclosure, except for retail establishments. This information cannot be made

public until a license has been issued by the CCB, therefore discussions at the CCC may include limited information if done in a public meeting prior to the CCB issuing a notification of licensing to the City.

Process for Future Review of Local License Applications

Given the limitations of local review, Staff is recommending that the CCC accept and process applications for local licenses, regardless of license type, only after notice is received from the CCB that an entity will be issued an operating license. This will ensure that a licensee has met all the state's requirements related to security, personnel, operations, background checks, and similar requirements. This process would not impact an applicant's ability to apply for and receive local permits necessary to begin operations such as building permits (including state permits for public buildings) and zoning permits, which may be needed as part of the state's application process.

Recommended Action

The CCC should determine if the process outlined above should be used for future applications for local cannabis licensing.