

RESOLUTION NO. 21-126

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODBURY IN SUPPORT OF THE LOCATION AND OPERATION OF A CANNABIS DISPENSARY BY BESTBUDS, LLC WITHIN THE CITY OF WOODBURY

WHEREAS, both the medical and adult use of cannabis is authorized in the State of New Jersey ("State"), for medical sales under the Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-1, et seq. ("Jake Honig Law"), as well as for adult use sales pursuant to the recent passage of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act ("CREAMMA") (the Jake Honig Law and CREAMMA collectively referred to as the "New Jersey Cannabis Laws"); and

WHEREAS, the State of New Jersey recognizes both the beneficial uses of medical cannabis as well as the intent of the people of New Jersey to adopt a new approach to cannabis policies by controlling and legalizing cannabis in a similar fashion to the regulation of alcohol for adults; and

WHEREAS, there are currently twelve (12) licensed Alternative Treatment Centers ("ATC"), operating in the State licensed by the New Jersey Department of Health, Medical Marijuana Program ("DOH"), with an additional twenty-four (24) medical cannabis licenses of varying types preparing for final approval; and

WHEREAS, the State of New Jersey recognizes the need for additional cannabis licenses, both in the medical and adult use programs, both of which will collectively be regulated by the New Jersey Cannabis Regulatory Commission ("CRC"), as the successor regulator to the DOH; and

WHEREAS, the City of Woodbury (the "City") recognizes that while the ultimate decision to approve any new cannabis licensees is guided by the standards identified within the New Jersey Cannabis Laws and vested to the discretion of the CRC; and

WHEREAS, the Cannabis Laws nevertheless recognize the necessity of ensuring that any potential licensees/permittees have the support of the local community, as evidenced by a resolution adopted by said municipality's governing body indicating that the intended location is appropriately located or otherwise suitable for the activities related to the cultivation, manufacturing, or dispensing of medical cannabis, cannabis products, and related supplies as will be conducted at the proposed facility; and

WHEREAS, the Cannabis Laws also require, in addition to the resolution identifying support of the local community: (1) an indication that the proposed property is suitable or advantageous for the community in terms with the location specifically as well as the surrounding area; and (2) a letter or affidavit from appropriate officials of the municipality that the location will conform to local zoning requirements allowing for activities related to the operation of the proposed lawful cannabis use; and

WHEREAS, the City supports cannabis businesses that might otherwise seek to operate within the City, subject to the reasonable time, place, and manner restrictions imposed by the

lawfully enacted Ordinance No. 2342-21 (the "Ordinance"), which authorized all cannabis uses within the City, subject to reasonable limitations associated with specified zoning districts for specific license types, and the conditions by which those applicants/licensees/permittees may operate within the City; and

WHEREAS, the City recognizes ample benefits to its community associated with permitting a cannabis dispensary to be located within its border, including, but not limited to, job creation, use of local vendors for build-out and ongoing operational needs, as well as anticipated dedicated tax revenues in the amount of two percent of the receipts from each sale at any cannabis dispensary located within the borders of the City.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Woodbury, in the County of Gloucester, State of New Jersey, as follows:

1. The Mayor and City Council believe that the City of Woodbury will benefit from the location of a dispensary within the City's boundaries, subject to compliance with the Ordinance.

2. The owners of BestBuds, LLC have made presentations before this body identifying numerous aspects of its business plan, including, but not limited to, its intended location at 135 South Broad Street, Woodbury, New Jersey, and its intended use of the Property as a dispensary, if and when it is permitted to do so by the CRC.

3. The City recognizes that BestBuds, LLC has been operating for several years as a certified women owned business providing other lawful health and wellness products and services to the community, and is well suited to benefit either the medical cannabis patient population and/or the general adult population turning to cannabis for other health and wellness benefits.

4. The City recognizes that numerous residents have appeared before the City at public meetings identifying their collective support for BestBuds, LLC, including, but not limited to, their desire to see the business operation of BestBuds, LLC at the Property, including their belief that the operation of a cannabis dispensary at that location would help to revitalize that area of our community.

5. The City shares in the sentiments voiced by our community not only as to the suitability of the operation of a dispensary at the Property, but also as to the benefits that a company such as BestBuds, LLC would bring to our community as a whole.

6. The Ordinance plainly identifies that the operation of a dispensary by BestBuds, LLC at the Property is consistent with the zoning rules identified therein. Specifically, Section 2(4) identifies that dispensaries are a conditional use in Zone C-1, provided that the anticipated property: (1) adheres to the Cannabis Laws; (2) is not within 1000 feet of any school; (3) has direct frontage of Broad Street (including South Broad Street); (4) on-site parking is provided at a ratio of 5 spaces per 1000 gross square feet of retail space and other bulk and design standards; and (5) a site plan approval is submitted (post-application award).

7. The Property complies with the zoning outlined in the Resolution, because it is not within 1000 feet of any school, has direct frontage on Broad Street; subject obviously to meeting any conditions required in the Ordinance, which BestBuds, LLC is not required to take steps towards until their application is approved by the CRC, but before any license/permit is issued, including, but not limited to, any requirements related to site plan approval.

8. Based on the preceding, the City is satisfied not only that the Property BestBuds, LLC seeks to utilize is compliant with our zoning rules and requirements outlined by the Ordinance, but also that BestBuds, LLC will be a valuable addition to the group of cannabis dispensing license holders awarded by the CRC and that its business operations will have a positive impact on the City and community at large.

9. In light of that, and in the event that the CRC issues BestBuds, LLC a license/permit to operate as a dispensary (under either the Jake Honig Law or CREAMMA), this Resolution should be viewed by the State as unequivocal support by the City of BestBuds, LLC's application, and an indication that the intended location is appropriately located or otherwise suitable for the activities related to the dispensing of cannabis, cannabis products, and related supplies as will be conducted at the proposed facility.

10. The City also authorizes our solicitor and/or zoning officer to issue any required letter or affidavit identifying that the Property will conform to local zoning requirements allowing for activities related to the operation of a dispensary, as outlined in the Ordinance, subject to the understanding and agreement with BestBuds, LLC that it will comply with any and all conditions required by the Ordinance for the conditional use identified by the Ordinance, including, but not limited to, site plan approval, which the City understands and agrees will not occur until after BestBuds, LLC obtains preliminary approval by the CRC.

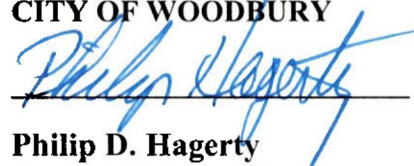
11. This resolution shall take effect immediately.

ADOPTED at the regular meeting of the Mayor and City Council of the City of

Woodbury held on September 8, 2021.

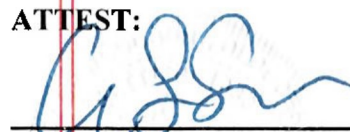
CITY OF WOODBURY

By:



Philip D. Hagerty
President of Council

ATTEST:



Cassidy L. Swanson,
Acting City Clerk

Council Member	Ayes	Nays	Abstain	Absent
Councilwoman Carter	✓			
Councilman Fleming				✓
Councilman Merinuk	✓			
Councilwoman Miller	✓			
Councilman Miller	✓			
Vacant				
Councilwoman O'Connor	✓			
Councilwoman Parker				✓
Council President Hagerty	✓			
Mayor Sickel				

CERTIFICATION

I, Cassidy Swanson hereby certify that the foregoing Resolution was adopted by the City Council, of the City of Woodbury, in the County of Gloucester and State of New Jersey at a meeting held on **September 8, 2021** at the Municipal Building, 33 Delaware Street, Woodbury, New Jersey 08096.



Cassidy L. Swanson
Acting City Clerk

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