

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION SPECIAL MEETING AGENDA

May 26, 2016

5:30 pm

Agenda

A. CALL TO ORDER/ROLL CALL

B. PERSONS TO BE HEARD

C. CORRESPONDENCE

- 1) Letter dated 5/20/16 from Stan and Ann Schnell re. Manufacturing and Selling Cannabis in Wrangell

D. BUSINESS

- 1) Final Plat approval of the Bakeberg Subdivision, a subdivision of a portion of Lot 17, USS 2589, creating Lot A and Lot B, zoned Rural Residential I, requested by Jerry and Judy Bakeberg.
- 2) Discussion of potential land use issues, impacts and regulations for marijuana cultivation, testing, manufacturing and retail businesses within the City and Borough of Wrangell and recommendation to the Assembly.
- 3) Appeal of Zoning Administrators determination that Marijuana Cultivation and Marijuana Manufacturing are not allowed uses within the Commercial District as proposed on Lot 1, Block 1A, USS 1119 Zoned Commercial, owned by Kelsey Martinsen and Sarinee Nuamnui.

C. ADJOURNMENT

Stan & Ann Schnell
Box 807
Wrangell, AK 99929
20 May 2016

Rec'd
5/20/16

City & Borough of Wrangell
PO Box 531
Wrangell, AK 99929

RE: Manufacturing and Selling Cannabis in Wrangell

We are totally against a Retail Store and a Grow and Manufacture business in the Town limits of Wrangell. Please do not issue permits for either business. Could we at least have the Citizens of Wrangell VOTE on their opinions of cannabis in Wrangell?

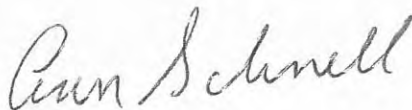
If we have this kind of business in our downtown area, I feel our reputation of a friendly, historic, and safe place will change to a "Pot Town".

Please don't let this happen. Our children should not be exposed to this drug. Look at all the time and money that has been put into selling our Town to tourists, adventurers, fishermen and historians. Look at all the money that has been put into advertising to get people to stop smoking. Millions of dollars! And now we're going to support selling Cannabis?

Just because cannabis is no longer illegal to smoke doesn't mean we have to sell it! If someone wanted to put a Prison in Wrangell, wouldn't it go to a vote of the Residents?

Please Please at least put it to a vote if you are seriously considering allowing this business on our Town.

Sincerely,



Stan & Ann Schnell

5.9 Mile Zimovia Hwy

City and Borough of Wrangell

Agenda C1

Date: May 23, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Final Plat approval of the Bakeberg Subdivision, a subdivision of a portion of Lot 17, USS 2589, creating Lot A and Lot B, zoned Rural Residential I, requested by Jerry and Judy Bakeberg.

In February, the Commissioners approved the preliminary plat with some changes:) to include in the Flag Lot access maintenance agreement language to allow City workers to maintain and access the Sewer main, lift station and electrical panel, and modification to some easement designations. This plat reflects the necessary changes, including an easement for the sewer main and electrical panel which was determined to be the City's maintenance responsibility.

The plat also includes signature panels for two companies providing financing for the property. Their requirements are that the plat shows local approval prior to their signatures. Once the Planning and Zoning Commission approves the final plat, the plat will be forwarded to each of these companies for their signature prior to the Assembly signing and recording the plat. It has been difficult to talk with their representatives, but should this process change based on clarifications of the financial companies, I will keep the Commissioners informed.

MAINTENANCE AGREEMENT FOR LOTS A AND B BAKEBERG
SUBDIVISION
WRANGELL ALASKA-WRANGELL RECORDING DISTRICT

March 8, 2016

This document shall constitute an agreement for the maintenance of the water, sewer, electrical and road maintenance providing service to Lots A and B BAKEBERG SUBDIVISION, recorded as Plat No. _____, Wrangell recording District, Wrangell Alaska. It is understood that the owners of Lots A and B, shall share equally in the joint maintenance and upkeep. The roads within these lots are not publically maintained, therefore this document becomes binding upon each individual entity owning the lots. Lot A shall only be jointly responsible only for the 30' road easement as shown on the recorded plat, and not the other roads. The sewer and water, and other utilities located within the Lots are not publically maintained, except as noted on the Recorded Plat of Bakeberg Subdivision, therefore this document becomes binding upon each individual owner or entity, to share maintenance and upkeep equally.

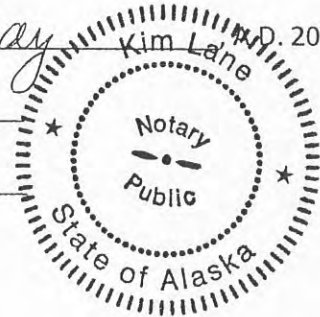
A meeting shall be held annually, or as needed and agreed upon, to discuss and designate the common costs incurred and details pertaining to the upkeep of the roads and utilities. The meeting shall be held on June 1st of each calendar year, or as agreed upon. At such meeting the status of costs, functionality and suitability of common improvements shall be discussed. Any need to amend this document, shall occur by consensus of the lot owners, and Recorded within the Wrangell Recording District.

SIGNED: Jerome E. Bakeberg Date: 5/17-16
Jerome E. Bakeberg

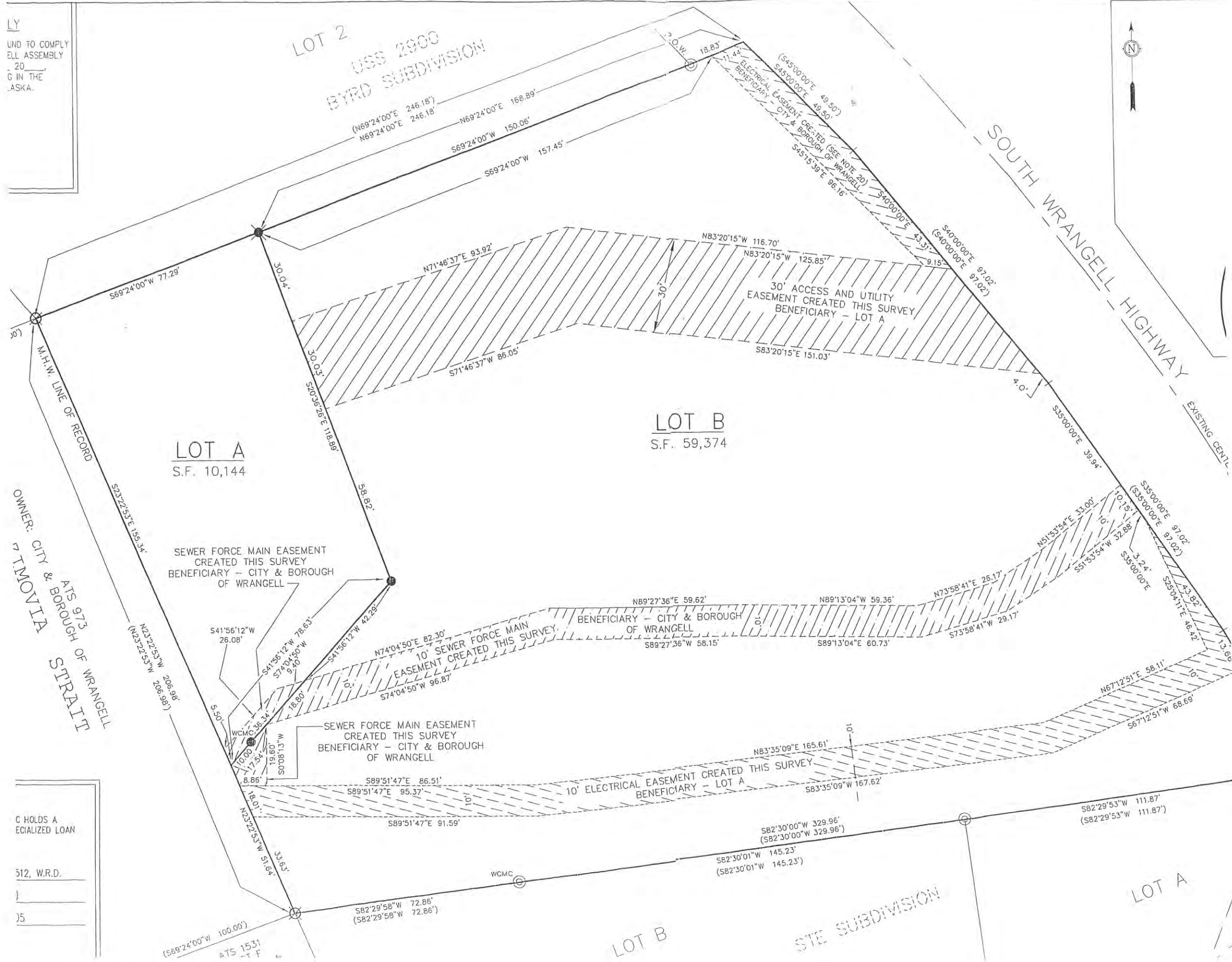
Signed: Judith A. Bakeberg Date: 5/17/16
Judith A. Bakeberg

Witness, the hands of the Grantors this 17th day of May, 2016

Alaska notary Public Kim Lane
My commission Expires 7-27-2017



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UND TO COMPLY
ELL ASSEMBLY
- 20
G IN THE
ASKA.



C HOLDS A
ECIALIZED LOAN

512, W.R.D.

1)

15

LOT 2
USS 2900
BYRD SUBDIVISION

LOT A
S.F. 10,144

LOT B
S.F. 59,374

OWNER: CITY & BOROUGH OF WRANGELL
M.T.M. STRAIT

SOUTH WRANGELL HIGHWAY
EXISTING CENTERLINE

LOT B
STE SUBDIVISION

LOT A

City and Borough of Wrangell

Agenda C2

Date: May 23, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Discussion of potential land use issues, impacts and regulations for marijuana cultivation, testing, manufacturing and retail businesses within the City and Borough of Wrangell and recommendation to the Assembly.

Background:

Planning and Zoning Commission has had 2 workshops on this item.

Included here are:

Maps of Rural Residential Areas

Updated Table of Permissible Use based on discussions of the previous two workshops

Updated table of Facility Determination

This information is available on the website at <http://www.wrangell.com/planning/commercial-marijuana-regulations-update-wrangell> with other information from the State, and also with the Calendar Item on the website.

Intent of Districts:

Rural Residential 1 RR1: provide for low impact land and water uses and activities in areas that are not suitable or desirable for intensive development due to their distance from established utility service areas, existing large lot development or existing rural lifestyles.

Rural Residential 2 RR2: provide for neighborhood scale commercial/service centers in certain locations along with residential development. The clustering of such businesses is encouraged and strip commercial development is prohibited

Issues to consider in Rural Residential:

- Sewer and Water end at 6 Mile Zimovia
- Minimum lot size for lot with utilities is 10,000 square feet
- Minimum lot size for lot without utilities is 15,000 square feet
- Lot coverage – buildings in RR1 may not cover more than 50% of lot; buildings in RR2 may not cover more than 60% of lot
- Smell, lighting, security issues affecting neighbors
- Is primarily Residential area - Closer to town, lots are smaller with higher density developments

Recommendation:

After the Commission discusses what licensed facilities should or should not be allowed in Rural Residential Areas, Staff recommends making a motion to approve forwarding to the Assembly the Commission's recommendation of where licensed facilities should be located as a conditional use permit and any other restrictions as reflected in the Table of Permissible Uses (with changes to the Permissible Use Table based on Rural Residential discussion), and the Table of Facility Determination for concurrence by the Assembly.

Table of **Proposed** Permissible Uses - PZ Recommendation to Assembly

DRAFT

CU= Conditional Use

P=Permitted

CU-CI=Cottage Industry

Marijuana License Activity	SF	MF	RR ₁	RR ₂	RMU	C	IL	I	WD	SMB	OS/P	TM
Limited Cultivation <500ft	/	/	CU-CI	CU-CI	CU*	CU	CU	CU	CU	/	/	CU
Standard Cultivation >500ft	/	/	CU-CI	CU-CI	CU*	CU**	CU**	CU	CU	/	/	CU
Manufacturing	/	/	CU-CI	CU-CI	CU*	CU***	CU***	CU	CU	/	/	CU
Testing	/	/	CU-CI	CU-CI	CU*	CU	CU	CU	CU	/	/	CU
Retail	/	/	CU-CI	P, CU-CI	CU*	CU	CU	CU	CU	/	/	CU
as of:	14-Apr	14-Apr	TBD	TBD	12-May	12-May	12-May	12-May	12-May	12-May	12-May	12-May

* Businesses are not allowed in RMU-U, and marijuana businesses would not be per
 ** maximum of 2000 sqft grow area, and indoors only
 ***all manufacturing but solvent based processes

- Single Family SF
- MultiFamily MF
- Rural Residential 1 RR1
- Rural Residential 2 RR2
- Remote Residential Mixed Use RMU
- Commercial C
- Light Industrial IL
- Industrial I
- Waterfront Development WFD
- Shoemaker Bay Waterfront Development SMB
- Open Space/Public OS/P
- Timber Management TM

 Still to be determined *(the Chart shows how the current interpretation of the code would allow or disallow a licensed activity)*
 Meeting scheduled for 5/26/16 at 5:30pm

as of 5/12/16

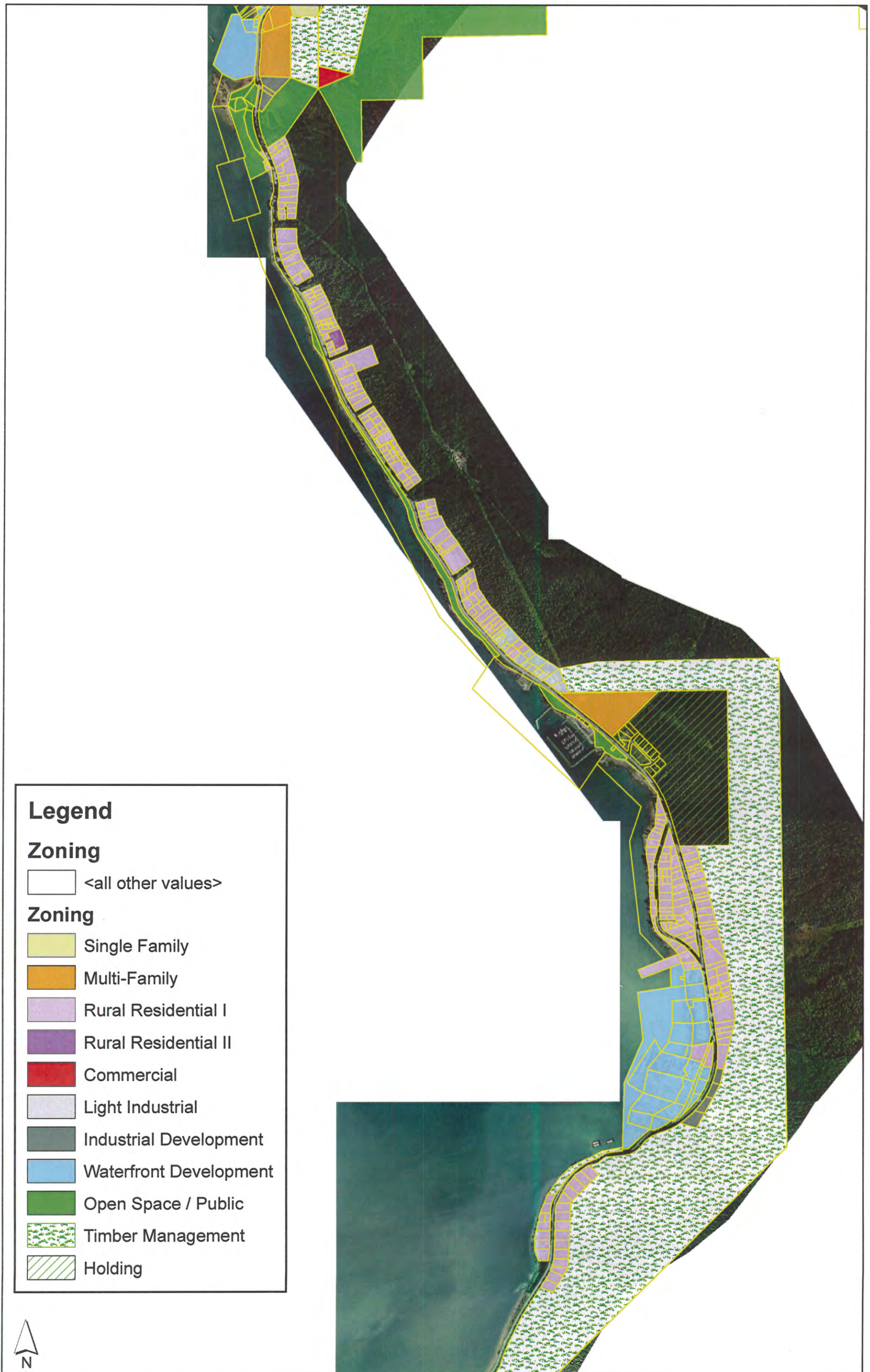
DRAFT DRAFT DRAFT DRAFT DRAFT

DRAFT FACILITY - PZ DETERMINATION of RECREATION OR YOUTH CENTER

<u>Facility</u>	<u>PZ Determination if Recreation or Youth Center</u>	<u>Notes:</u>
Nolan Center	Not a Recreation or Youth Center	Primary Use is Not Recreational
SNO Building	Not a Recreation or Youth Center	Primary Use is Not Recreational
Running Track/Flat area	Yes a Recreation area or Youth Center	Primary Use is Recreational for minors
Chief Shakes Tribal House	Not a Recreation or Youth Center	Primary Use is Not Recreational
Totem Park	Not a Recreation or Youth Center	Primary Use is Not Recreational Primary use is not recreational for minors; however, minors heavily use the area to recreate. Boundary limits should be defined clearly
Mt Dewey Trail Boundaries	Yes is a Recreation or Youth Center	Primary use is not recreational for minors; however, minors heavily use the area to recreate.
Petroglyph Beach State Park	Yes is a Recreation or Youth Center	Primary use is public sidewalk
Waterfront Walkway - Outerd	Not a Recreation or Youth Center	
City Hall Lawn	Not a Recreation or Youth Center	Primary use is lawn to City Hall, picnic area in summer, but not specficially for minors

3 AAC 306.990 Definitions (b) (35) "recreation or youth center" means a building, structure, athletic playing field or playground
 (A) run or created by the local government or the state to provide athletic recreational or or leisure activities for minors; or
 (B) operated by a public or private organization licensed to provide shelter, training or guidance for persons under 21 years of age.

CITY AND BOROUGH OF WRANGELL, ALASKA



Legend

Zoning

 <all other values>

Zoning


 Single Family

 Multi-Family

 Rural Residential I

 Rural Residential II

 Commercial

 Light Industrial

 Industrial Development

 Waterfront Development

 Open Space / Public

 Timber Management

 Holding



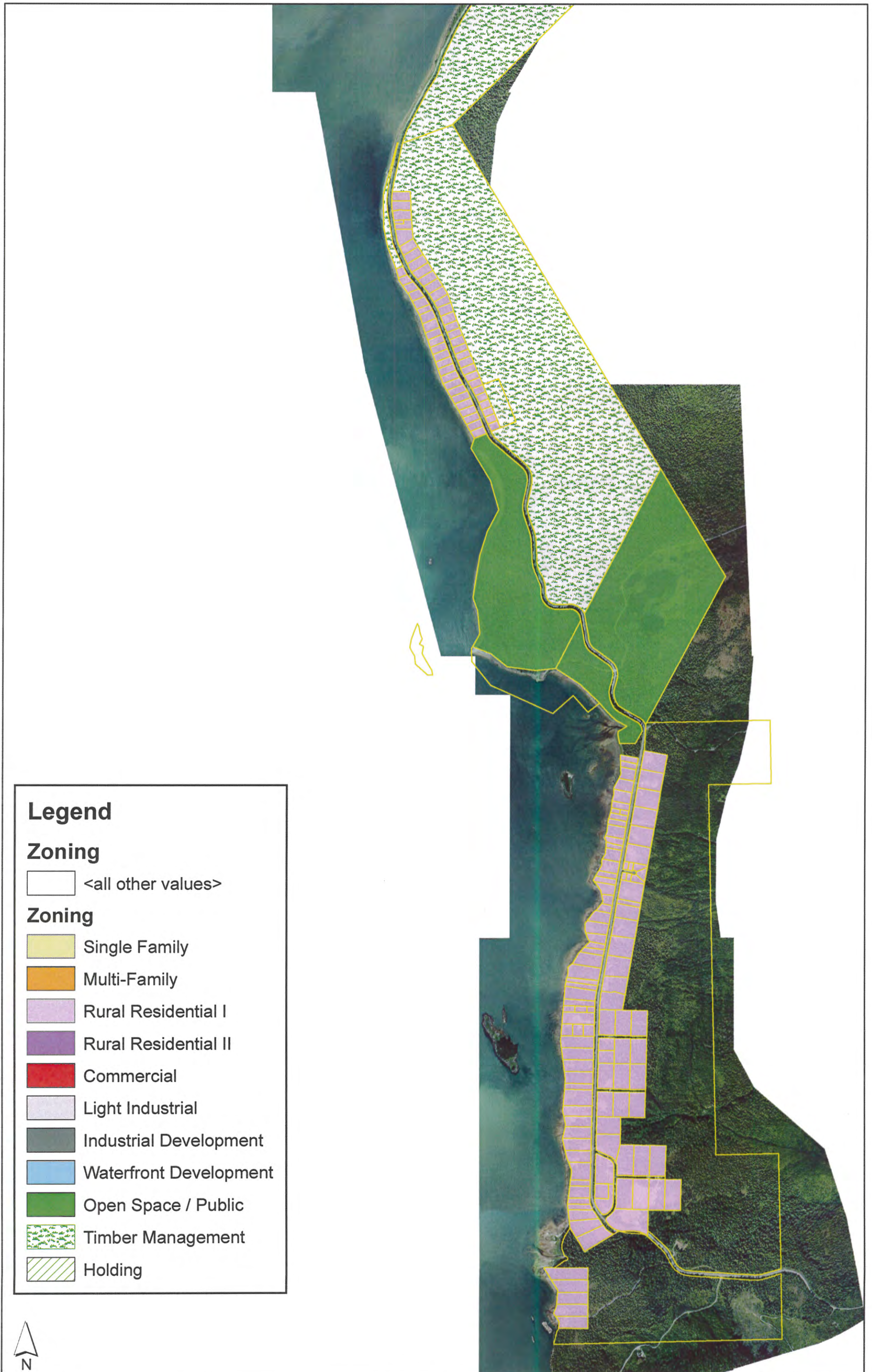
1 inch = 1,916.66667 feet
Date: 5/25/2016

Public Map

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE.

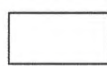


CITY AND BOROUGH OF WRANGELL, ALASKA



Legend

Zoning


 <all other values>

Zoning

 Single Family

 Multi-Family

 Rural Residential I

 Rural Residential II

 Commercial

 Light Industrial

 Industrial Development

 Waterfront Development

 Open Space / Public

 Timber Management

 Holding



1 inch = 1,916.666667 feet
Date: 5/25/2016

Public Map

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE.



Chapter 20.28 RR-1 DISTRICT – RURAL RESIDENTIAL

Sections:

- 20.28.010 Purpose.
- 20.28.020 Principal uses permitted.
- 20.28.030 Accessory uses permitted.
- 20.28.040 Conditional uses.
- 20.28.050 Standards.

20.28.010 Purpose.

The rural residential district is intended to provide for low impact land and water uses and activities in areas that are not suitable or desirable for intensive development due to their distance from established utility service areas, existing large lot development or existing rural lifestyles. These areas shall be protected from high density or incompatible development in order to maintain their character and avoid the high public costs associated with utility service for outlying or scattered development. Within the RR-1 district, low density uses, compatible with the character of the district, are encouraged provided they will not require public sewers, water systems or high volume traffic arteries. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984; Ord. 219 § 5, 1969; prior code § 95.33.010.]

20.28.020 Principal uses permitted.

The following are principal permitted uses in this district:

- A. One- and two-family dwellings to include modular and manufactured housing and mobile homes;
- B. Public parks and playgrounds. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984; Ord. 219 § 5, 1969; prior code § 95.33.020.]

20.28.030 Accessory uses permitted.

The following are permitted accessory uses in this district provided they do not create a nuisance or hazard:

- A. Private garages;
- B. Houses and tool sheds;
- C. Private docks, moorage, boat houses and net houses;
- D. Uses and structures which are customarily accessory and clearly subordinate to permitted uses;

E. Animal establishments other than commercial animal establishments. [Ord. 867 § 1, 2013; Ord. 785 § 10, 2006; Ord. 462 § 6, 1984; Ord. 219 § 5, 1969; prior code § 95.33.030.]

20.28.040 Conditional uses.

The following are the uses which may be permitted in the RR-1 district by action of the commission under the conditions and procedures specified in Chapter 20.68 WMC:

- A. Home occupations;
- B. Public and private elementary and secondary schools and colleges;
- C. Nursery schools, private kindergartens, and child care centers;
- D. Public buildings and structures;
- E. Hospitals, sanitariums, nursing homes and convalescent homes;
- F. Churches and cemeteries;
- G. Radio and television transmitters and towers;
- H. Mobile home parks;
- I. Neighborhood-oriented commercial development (e.g., neighborhood grocery);
- J. Quarrying, material extraction and processing;
- K. Energy-related facilities;
- L. Commercial animal establishments;
- M. Fisheries enhancement/aquaculture;
- N. Recreational vehicle parks;
- O. Marine ways;
- P. Storage of equipment for private and/or commercial use only;
- Q. Cottage industry. [Ord. 867 § 1, 2013; Ord. 785 § 11, 2006; Ord. 462 § 6, 1984.]

20.28.050 Standards.

The standards found in Chapter 20.52 WMC applicable to this district are:

- A. Standards policies: WMC 20.52.005;
- B. Principal structures per lot: WMC 20.52.010;

- C. Traffic vision impediments: WMC 20.52.020;
- D. Distances between buildings: WMC 20.52.030;
- E. Air, land and water quality: WMC 20.52.040;
- F. Volatile products storage: WMC 20.52.050;
- G. Noise: WMC 20.52.060;
- H. Airport interference: WMC 20.52.070;
- I. Building height: WMC 20.52.080;
- J. Density – Minimum lot size: WMC 20.52.090;
- K. Coverage – Minimum open areas: WMC 20.52.100;
- L. Setbacks – Yards: WMC 20.52.110;
- M. Shoreline dependency: WMC 20.52.120;
- N. Piers, docks, shoreline protection and shoreline construction: WMC 20.52.130;
- O. Drainage: WMC 20.52.150;
- P. Dredge and fill: WMC 20.52.160;
- Q. Home occupations: WMC 20.52.170;
- R. Mobile homes and mobile home parks – Defined: WMC 20.52.180;
- S. Off-street parking: WMC 20.52.190;
- T. Signs: WMC 20.52.210;
- U. Traffic generation: WMC 20.52.230;
- V. Recreational vehicle parks: WMC 20.52.240;
- W. Recreation: WMC 20.52.250;
- X. Firewood storage: WMC 20.52.260;
- Y. Animal establishments: WMC 20.52.270. [Ord. 867 § 1, 2013; Ord. 785 § 12, 2006; Ord. 586 § 6, 1993; Ord. 486 § 7, 1985; Ord. 462 § 6, 1984.]

Chapter 20.30
RR-2 DISTRICT – RURAL RESIDENTIAL

Sections:

- 20.30.010 Purpose.
- 20.30.020 Principal uses permitted.
- 20.30.030 Accessory uses permitted.
- 20.30.040 Conditional uses.
- 20.30.050 Standards.

20.30.010 Purpose.

The rural residential-2 (RR-2) district is intended to provide for neighborhood scale commercial/service centers in certain locations along with residential development. The clustering of such businesses is encouraged and strip commercial development is prohibited (for purposes of this program, "strip commercial development" is defined as commercial and other noncommercial development extending in either a contiguous or interrupted pattern along a public right-of-way for more than 1,200 feet). The permitted clusters of businesses shall not be located less than two miles from each other. Areas may be designated as RR-2 only if it can be demonstrated that significant public need can be served. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984.]

20.30.020 Principal uses permitted.

The following are the principal permitted uses in this district:

- A. One- and two-family dwellings to include modular and manufactured housing and mobile homes;
- B. Neighborhood-oriented commercial development (e.g., neighborhood grocery);
- C. Retail and wholesale businesses;
- D. Laundries and consumer services;
- E. Public parks and playgrounds. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984.]

20.30.030 Accessory uses permitted.

The following are permitted accessory uses in this district, provided they do not create a nuisance or hazard:

- A. Private garages;
- B. Greenhouses and tool sheds;
- C. Private docks, moorage, boat houses and net houses;
- D. Animal establishments other than commercial animal establishments;
- E. Uses and structures which are customarily accessory and clearly subordinate to permitted uses.

[Ord. 867 § 1, 2013; Ord. 785 § 13, 2006; Ord. 462 § 6, 1984.]

20.30.040 Conditional uses.

The following are uses which may be permitted in the rural residential-2 (RR-2) district by action of the commission under the conditions and procedures specified in Chapter 20.68 WMC:

- A. Home occupations;
- B. Public and private elementary and secondary schools and colleges;
- C. Nursery schools, private kindergartens and child care centers;
- D. Public buildings and structures;
- E. Hospitals, sanitariums, nursing homes and convalescent homes;
- F. Churches and cemeteries;
- G. Radio and television transmitters and towers;
- H. Mobile home parks/subdivision;
- I. Neighborhood-oriented commercial development (e.g., neighborhood grocery);
- J. Quarry, material extraction and processing;
- K. Energy-related facilities;
- L. Commercial animal establishments;
- M. Fisheries enhancement/aquaculture;
- N. Recreational vehicle parks;
- O. Marine ways;
- P. Storage of equipment for private and/or commercial use;
- Q. Cottage industry. [Ord. 867 § 1, 2013; Ord. 785 § 14, 2006; Ord. 462 § 6, 1984.]

20.30.050 Standards.

The standards found in Chapter 20.52 WMC applicable to this district are:

- A. Standards policies: WMC 20.52.005;
- B. Principal structures per lot: WMC 20.52.010;
- C. Traffic vision impediments: WMC 20.52.020;

- D. Distances between buildings: WMC 20.52.030;
- E. Air, land and water quality: WMC 20.52.040;
- F. Volatile products storage: WMC 20.52.050;
- G. Noise: WMC 20.52.060;
- H. Airport interference: WMC 20.52.070;
- I. Building height: WMC 20.52.080;
- J. Density – Minimum lot size: WMC 20.52.090;
- K. Coverage – Minimum open areas: WMC 20.52.100;
- L. Setbacks – Yards: WMC 20.52.110;
- M. Shoreline dependency: WMC 20.52.120;
- N. Piers, docks, shoreline protection and other shoreline construction: WMC 20.52.130;
- O. Drainage: WMC 20.52.150;
- P. Dredge and fill: WMC 20.52.160;
- Q. Home occupations: WMC 20.52.170;
- R. Mobile homes and mobile home parks – Defined: WMC 20.52.180;
- S. Off-street parking: WMC 20.52.190;
- T. Signs: WMC 20.52.210;
- U. Traffic generation: WMC 20.52.230;
- V. Recreational vehicle parks: WMC 20.52.240;
- W. Recreation: WMC 20.52.250;
- X. Firewood storage: WMC 20.52.260;
- Y. Animal establishments: WMC 20.52.270. [Ord. 867 § 1, 2013; Ord. 785 § 15, 2006; Ord. 586 § 7, 1993; Ord. 486 § 8, 1985; Ord. 462 § 6, 1984.]

City and Borough of Wrangell

Agenda Items C3

Date: May 24, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Appeal of Zoning Administrators determination that Marijuana Cultivation and Marijuana Manufacturing are not allowed uses within the Commercial District as proposed on Lot 1, Block 1A, USS 1119 Zoned Commercial, owned by Kelsey Martinsen and Sarinee Nuamnui.

Background:

This staff report updates my previous report included herein dated April 11, 2016.

Findings:

Based on discussion by the Planning and Zoning Commission to date in workshops held April 14 and May 12, it does not appear that the Commission believes manufacturing and cultivation are permitted uses in the Commercial District which supports Staff's original determination that these uses are not allowed; nor does the Commission seem to agree that the uses are considered retail or wholesale activities, which also supports Staff's original determination that these uses are not allowed in the Commercial District; nor does the Commission seem to agree with the applicant in his appeal that they are subordinate uses to the retail sale component.

In the earlier Staff report, staff indicated that the distance from the school property line to the retail business door was just under 500 feet. The applicant however has indicated they will extend their ramp to the retail business door such that the pedestrian access will meet the 500 foot distance requirements. The City would not respond positively to the State regarding his application for license until the construction is completed and distance verified.

The Planning and Zoning Commission needs to clearly advise the applicant regarding his request for a cultivation, manufacturing and retail license facility in the Commercial District.

Recommendation:

The Planning and Zoning Commission moves that the appeal of Mr. Martinsen for a Cultivation and Manufacturing business on Lot 1, Block 1A, USS 1119 is denied because the proposed uses are not allowed, allowed as a conditional use, or considered an accessory use in the Commercial District.

City and Borough of Wrangell

Agenda Items G4

Date: April 11, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Appeal of Zoning Administrators determination that Marijuana Cultivation and Marijuana Manufacturing are not allowed uses within the Commercial District as proposed on Lot 1, Block 1A, USS 1119 Zoned Commercial, owned by Kelsey Martinsen and Sarinee Nuamnui.

Background:

Kelsey Martinsen, as Happy Cannabis, has started the state's licensing permit process for cultivation, manufacturing and retail sales within the building where the Diamond C Restaurant is located.

On the City's website you can find the regulations and links to the State's website. <http://www.wrangell.com/planning/commercial-marijuana-regulations-update-wrangell> . I will post additional information as I sort through it. Page numbers provided in this staff report as relating to the State Regulations is based on the version that is currently on the City's website - signed by Lt. Gov Mallot and Department of Law April 2016.

The State's regulations pertaining to the licensing and operation of marijuana businesses are long and can be complex. This is a new process for all of us, so there will be issues and clarifications and understanding of the regulations that may be required as we move through the process.

After review of his application and state's license application information and the Zoning Code, Zoning Administrator Rushmore determined that the cultivation and manufacturing component of the marijuana business does not meet either the allowed or the conditional uses of the Commercial District. Mr. Martinsen is appealing the administrative decision as it concerns the cultivation and manufacturing aspects of the proposed business.

Review Criteria:

Commercial District
Standards
3 AAC Chapter 306

WMC 20.44
WMC 20.52
Regulation of Marijuana Industry

Findings:

The City and Borough of Wrangell at this time has only adopted Chapter 10.46: PROHIBITION OF CONSUMPTION OF MARIJUANA IN A PUBLIC PLACE (attached). Any proposed marijuana business must meet the existing zoning code requirements.

Staff's initial conversation with the applicant Mr. Martinsen was early on prior to the visit and presentation by Ms. Franklin, so staff's knowledge as to licensing requirements was in the infant stages. Mr. Martinsen was also not very specific as to the types of licenses he would be seeking. During a later conversation with the applicant, I indicated, incorrectly as it turns out, that his proposed cultivation permit could potentially be obtained through a conditional use permit. Staff was traveling when his actual permit and copies of his state license applications were submitted for review as a conditional use. After review of his application and state's license application information and the Zoning Code, Zoning Administrator Rushmore made a determination that the cultivation and manufacturing component of the marijuana business did not meet either the allowed or the conditional uses of the Commercial District. The proposed retail portion of the business would be allowed within the Commercial District, permitted outright, assuming the applicant meets the 500 foot from a school/youth center as required by the State. Mr. Martinsen is appealing the administrative decision as it concerns the cultivation and manufacturing aspects of the proposed business.

Mr. Martinsen is seeking to cultivate (grow) marijuana hydroponically. He is seeking to manufacture extract from the marijuana plants and also to ultimately sell a retail product. He requires 3 licenses from the State for standard cultivation, product manufacture and retail sales. Currently, per the Zoning Administrator's determination, only the retail aspect of his proposed businesses is allowed at the proposed site within the Commercial District.

Land Use and Principal Uses

The Commercial District (WMC 20.44.010) is intended to provide for the continued use and expansion of the commercial center, prevent uses having an adverse effect on nearby properties or needlessly compete for commercial space. WMC 20.44 Commercial allows under Section 20.44.020(A) Retail and Wholesale Businesses. The exact uses- hydroponic cultivation and extraction manufacturing - as proposed by the applicant are not specifically mentioned as an allowed use. Looking within the WMC code for similar type uses, the following definition was found:

Agriculture 20.08.080 "activities involving cultivating soil, producing crops, and raising livestock and fowl". (this was added in 2013 when the RMU District was added)

There were no definitions for wholesale, extraction, manufacturing or retail.

Agricultural uses are specifically allowed in the RMU District as a Principal permitted use. "Retail and Wholesale" uses are permitted in the Commercial District and the RR-2 Districts. Manufacturing is a Principal Use in the Industrial and Light Industrial Districts and in Waterfront Development District if marine oriented.

The State's Chapter 306 Regulation of Marijuana Industry, defines "extraction or marijuana extraction means production of marijuana concentrate by any water-based, food-based, or solvent-based method (3AAC 306.990 (17) (p.128).

According to the State's regulations for Marijuana product manufacturing facility license (3AAC306.500) (p. 61-62) "a person may not extract marijuana concentrate for sale, or formulate or manufacture any marijuana product for sale unless that person has obtained a marijuana product manufacturing facility license..."

3AAC 306.505 (p. 63) says a licensed marijuana product manufacturing facility is authorized to "extract marijuana concentrate"

According to the State Regulations, there are two types of marijuana cultivation licenses: a standard cultivation facility license and a limited cultivation facility license (3 AAC306.400)(p. 46).

A limited cultivation facility is one that has less than 500 square feet under cultivation. (3 AAC306.410) (p.48-49). It is not clear to staff if propagation rooms are considered in the square foot for cultivation. The applicant is proposing just over 1200 square feet for grow rooms so will require a standard cultivation facility license (3 AAC306.405) (p.47-48).

Mr. Martinsen is appealing the decision of staff based on his belief that what he is proposing is permitted under WMC 20.44.030 Accessory Uses Permitted. Specifically that his proposed uses meet the requirements of "uses and structures which are clearly incidental and subordinate to principal uses permitted and which will not create a nuisance and hazard."

Staff would argue that because the State requires a specific license for the cultivation and manufacturing, that these uses are not incidental and subordinate, but complement his proposed retail facility.

The Planning and Zoning Commission should consider the following:

- 1) Is cultivation and/or manufacturing a "wholesale" use as meant by WMC20.44.020(A); or
- 2) Is cultivation and/or manufacturing an incidental and subordinate use to his proposed retail store.

Should the Commission agree with either of the above, and approve the proposed uses as allowable, the Commission should clearly document findings as to why they agree and are overturning the Zoning Administrator's determination.

Note: At this time, there is some question as to whether the distance is 500 feet from the youth center as required, measured from the boundary to the licensed facility door. Staff measured the distance this morning and measured just under 500 feet. I have made inquiries to the State to clarify measuring requirements, have talked to the applicant, and will re measure prior to the meeting.

KELSEY J. MARTINSEN
P. O. Box 110
WRANGELL, AK 99929

April 7, 2016

CITY CLERK
APR 07 2016
RECEIVED

Kim Lane, City Clerk
Wrangell Planning and Zoning Commission
P.O. Box 531
Wrangell, AK 99929

In Re: Appeal of the denial of a Conditional Use Permit by the Zoning Administrator

Dear Ms. Lane and members of the Planning and Zoning Commission,

The Zoning Administrator recently denied my application for a conditional use permit, and I come now to appeal that decision.

My initial application for a conditional use permit was denied by Zoning Administrator, Carol Rushmore. Her instructions were to appeal to the full Commission, which I now do. I request review of the Administrator's decision by the full Commission. My initial application remains on file with the City.

The basis for this appeal is that I have met the requirements of WMC 20.68.010 through 20.60.100, and that the proposed growing operation will have absolutely no impact on the surrounding environment. Alternatively, this appeal is brought on the basis that what I propose is a permitted use under WMC 20.44.030.

The growing operation will not be visible from a public area or street; and it will not generate any noise, odor, light visible outside the building, or additional traffic.¹ The outside appearance of the building in which it will be housed will not change a bit. The growing operation will use some water, but probably no more than was previously used when the building was a hotel, and will generate no additional demand on the sewer system. A conditional use permit should be granted under WMC 20.44.030.

Moreover, the growing operation is incidental to the primary purpose and use of a permitted use, namely the retail sale of marijuana products. The retail sale of marijuana products and is generally permitted under WMC 20.44.020 and has been determined to be a permitted use by Zoning Administrator, Carol Rushmore. The growing operation is subordinate to the retail sale.

¹ The retail business, also proposed, will generate traffic in the commercial district, but Ms. Rushmore has already approved the retail shop.

WMC 20.44.030 Accessory uses permitted.

Uses and structures which are clearly incidental and subordinate to principal uses permitted and which will not create a nuisance or hazard are permitted in this district as accessory uses.

Wrangell Municipal Code 20.44.030. The proposed use, the indoor cultivation of a small amount of marijuana creates no hazard and no nuisance, and is subordinate to the primary use of the property, the sale of marijuana.

There is already a restaurant on the property. Surely, the commission would not prohibit the indoor cultivation of herbs or vegetables for use in meal preparation. This circumstance is similar, and the commission should not prohibit the growing of Marijuana to be used in the preparation of products for retail sale.

For the reasons set out above, the Planning and Zoning Commission should approve (1) a conditional use permit because the proposed operation creates no nuisance or hazard and does not alter the commercial environment in any way, and (2) approve the proposed use because the growing of marijuana is incidental and subordinate to the retail sale of marijuana products.

Sincerely,



Kelsey J. Martinsen
Applicant

Carol Rushmore

From: ecodev@wrangell.com
Sent: Monday, April 04, 2016 11:23 AM
To: Kelsey J. Martinsen
Cc: Kim Lane; Carol Rushmore; Jeff Jabusch
Subject: Request for marijuana license application

Kelsey,

Thank you for speaking with me this morning and answering some of my questions last week regarding your proposed growing operation.

Based on review of the state license application information that you submitted to my office, your Conditional Use application, and review of the Wrangell Zoning Code, as Zoning Administrator I have determined that the proposed growing operation and manufacturing facility you propose to be located at the back of the building that also houses the Diamond C Restaurant, are not permitted uses or conditional uses under the Wrangell Zoning Code in the Commercial District. The retail selling of marijuana would be a permitted use.

If you choose to appeal my decision, please write a letter to the Planning and Zoning Commission expressing your desire to appeal, why you are appealing, and the basis for your belief that the activities meet the code requirements. You can drop the letter off with the Kim Lane the City Clerk, or with me on Wednesday. Should you choose to appeal, the Planning and Zoning Commission will review my decision and your request.

You also will be interested in knowing that the Assembly will be having a workshop on Marijuana before their next regular meeting on 4/12 and the Planning and Zoning Commission are also having a workshop before their meeting on 4/14 at 6:00pm.

If you have any questions, please email, or I will be back in the office on Wednesday.

Sincerely,

Carol Rushmore
Economic Development Director

Sentinel → March 24, 2016

promotions of say, \$9.99 a pound. That way they can say they have discounted the product \$8 so it looks like a big saving for the consumer. Instead of promoting the fish for four weeks, maybe they will run it for 10 or 15 weeks out of the year. It just depends on how much success they have with it," he explained, adding that processors and distributors often have to pay (or reduce their prices) to get a retailer to promote product at a discounted price.

The increased supply of sock-eye from back to back bumper years at Bristol Bay also has had a big impact on what buyers are willing or able to pay. The big harvests mean more of the reds must be sold through discounts; that leads to a lower wholesale price, which affects the exvessel (dock) price.

"Promotions and discounts are a double-edged sword," Wink said. "They lead to lower prices, but are a necessary tool to move larger volumes of product through the supply chain. Without them, inventories would swell and product would go to waste."

Grundens for gals - Grundens, the go-to brand for heavy duty rain gear, has launched a line for women.

"Women would send us emails saying, 'We love your gear, we wear it all the time, but it's built for guys,' said Eric Tiejie, Global Product Director. "Either the sleeves are too long or they are too big in the shoulders. It was really just uncomfortable and cumbersome for women to wear." Tiejie credits a push by the

as are state commercial fisheries director, Scott Kelly, and Rep. Louise Stutes (R-Kodiak), who also chairs the legislative Fish Committee. Gunnar Knapp, director at the Institute of Social and Economic

Public Notice

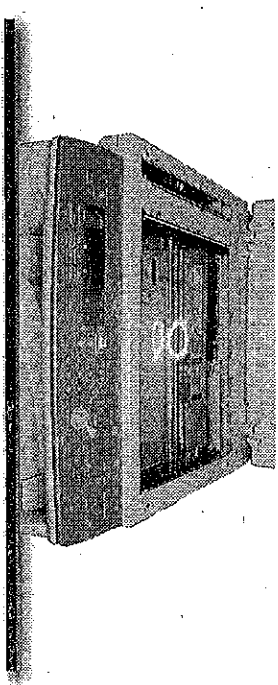
KELSEY J MARTINSEN, SARINEE NUAMNUI are applying for a new Standard Marijuana Cultivation Facility License 3 AAC 306.400(1), doing business as HAPPY CANNABIS located at 225 South Front Street, Wrangell, AK 99929, UNITED STATES. Interested persons should submit written comment or objection to their local government, the applicant, and to the Alcohol & Marijuana Control Office at 550 W 7th Ave, Suite 1600, Anchorage, AK 99501 or to marijuana.licensing@alaska.gov not later than 30 days after this notice of application.
Publish: March 17, 24 and 31, 2016

Public Notice

KELSEY J MARTINSEN, SARINEE NUAMNUI are applying for a new Marijuana Concentrate Manufacturing Facility License 3 AAC 306.515, doing business as HAPPY CANNABIS located at 225 South Front Street, Wrangell, AK 99929, UNITED STATES. Interested persons should submit written comment or objection to their local government, the applicant, and to the Alcohol & Marijuana Control Office at 550 W 7th Ave, Suite 1600, Anchorage, AK 99501 or to marijuana.licensing@alaska.gov not later than 30 days after this notice of application.
Publish: March 17, 24 and 31, 2016

Public Notice

SARINEE NUAMNUI, KELSEY J MARTINSEN are applying for a new Retail Marijuana Store License 3 AAC 306.300, doing business as HAPPY CANNABIS located at 225 South Front Street, Wrangell, AK 99929, UNITED STATES. Interested persons should submit written comment or objection to their local government, the applicant, and to the Alcohol & Marijuana Control Office at 550 W 7th Ave, Suite 1600, Anchorage, AK 99501 or to marijuana.licensing@alaska.gov not later than 30 days after this notice of application.
Publish: March 17, 24 and 31, 2016



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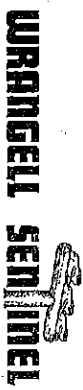
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With the cost of pages printed by color inkers at home approaching \$1.00 (or even more) per page, it makes "cents" to send your projects to the Wrangell Sentinel. Try our copy services today.

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P.O. Box 798 - 205 Front St. Wrangell, AK 99929
Ph: 874-2301 • Fax: 874-2303 Email: wrgsent@gmail.com

CITY OF WRANGELL, ALASKA
CONDITIONAL USE APPLICATION

PLANNING AND ZONING COMMISSION
P.O. BOX 531
WRANGELL, ALASKA 99929
Application Fee: \$50

RECEIVED
MAR 30 2016
WRANGELL CITY HALL

I. Applicant's Name and Address: Kelsey J. Martinsen
P.O. Box 110
Wrangell, AK 99929

Applicant's Phone Number: 907-305-0292

II. Owners's Name and Address: Kelsey J. Martinsen
Sarinee Nuamnui
P.O. Box 110 Wrangell, AK 99929

Owner's Phone Number: 907-305-0292

III. Legal Description: Lot 1, Block 1-A, U.S. Survey Wrangell Tidelines
Parcel No. _____ Subdivision
1119

IV. Zoning Classification: Commercial

V. Specific Request: Request to cultivate marijuana
hydroponically.

VI. Site Plan shall be submitted with the application. The plan shall show existing and proposed structures, driveways, roadways, existing and proposed grading. Additional information shall be furnished upon request of the Zoning Administrator.

VII. Construction Schedule: BEGIN: ASAP END: 6/9/16

SIGNATURE OF OWNER: [Signature] DATE: 3/30/16

SIGNATURE OF APPLICANT: [Signature] DATE: 3/30/16

If more than one owner or if more than one parcel is involved, attach all signatures on a separate piece of paper identifying which parcels are owned by which persons.

Written authorization of the property owner must be submitted with this application if the applicant is other than the owner.



Kelsey J. Martinsen

Owner Operator



happy
cannabis

happy cannabis



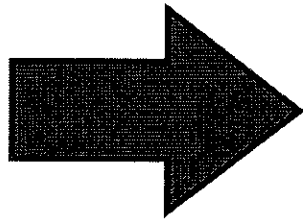
Hours

Mon - Sun 10am - 10pm

(Dimensions 27" by 25.5)

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(Dimensions 24" by 45")



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-04: Marijuana Cultivation Facility

Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

What is this form?

This operating plan supplemental form is required for all applicants seeking a marijuana cultivation facility license and must accompany the **Marijuana Establishment Operating Plan (Form MJ-01)**, per 3 AAC 306.020(b)(11). Applicants should review **Chapter 306: Article 4** of the **Alaska Administrative Code**. This form will be used to document how an applicant intends to meet the requirements of those regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020 and 3 AAC 306.420(2).

What additional information is required for cultivation facilities?

Applicants must identify how the proposed establishment will comply with applicable regulations regarding the following:

- Prohibitions
- Cultivation plan
- Odor control
- Testing procedure and protocols
- Security

This form must be submitted to AMCO's main office before any marijuana cultivation facility license application will be considered complete.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Kelsey Jene Martinsen	License Number:	10201		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Happy Cannabis				
Premises Address:	225 South Front Street				
City:	Wrangell	State:	ALASKA	ZIP:	99929



Alaska Marijuana Control Board
Operating Plan Supplemental
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Section 2 – Prohibitions

Applicants should review 3 AAC 306.405 – 3 AAC 306.410 and be able to answer “Agree” to all items below.

The marijuana cultivation facility will not:

Agree Disagree

Sell, distribute, or transfer any marijuana or marijuana product to a consumer, with or without compensation

Allow any person, including a licensee, employee, or agent, to consume marijuana or marijuana product on its licensee premises or within 20 feet of the exterior of any building or outdoor cultivation facility

Treat or otherwise adulterate marijuana with any organic or nonorganic chemical or compound to alter the color, appearance, weight, or odor of the marijuana

Section 3 – Cultivation Plan

Review the requirements under 3 AAC 306.420, and identify how the proposed premises will meet the listed requirements.

Describe the size of the space(s) the marijuana cultivation facility intends to be under cultivation, including dimensions and overall square footage. Provide your calculations below:

The facility will have two propagation rooms, the first is 14.7' x 6.4' x 10', and the second is 14.7' x 11.3' x 10'. The facility will have 15 separate grow rooms. The dimensions of each are 13.9' x 5.8' x 8.5'.

The total square feet for propagation one is 14.7' x 6.4 = 94.1 square feet.

The total square feet for propagation two is 14.7' x 11.3' = 166.1 square feet.

The total square feet for the grow rooms are 13.9' x 5.8' = 80.6 square feet.

80.6 square feet x 15 rooms is 1209 feet squared.

94.1 square feet + 166.1 square feet + 1209 square feet = 1469.2 square feet total.



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Operating Plan Supplemental
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Describe the marijuana cultivation facility's growing medium(s) to be used:

The facility will use Shallow Water Cultivation Hydroponics. The growing medium will be Growstones, (hydroponic substrate made from manufactured glass bottles), and nutrient enriched water. The plant will be started in the Growstones, and the roots of the plants will be suspended in the nutrient rich, oxygenated water.

Describe the marijuana cultivation facility's fertilizers, chemicals, gases, and delivery systems, including carbon dioxide management, to be used:

Clonex will be used to propagate clones.
The base nutrient solution is a two part hydroponic solution called Aqua Flakes A, and Aqua Flakes B. (please see attached for nutrient content).
The additives are:
Hydroguard, Silica Blast, Rapid Start.
PH Up.
PH Down.
(Please see attached file, "ingrediants_01")

Describe the marijuana cultivation facility's irrigation and waste water systems to be used:

Each grow room system will have 80 gallons of reverse osmosis water mixed with nutrients. The nutrient solution will be recirculated from a 5 gallon insulated control bucket to a insulated box lined with waterproof pond material that is 2' x 10' x 1'.
The first propagation room will have two of these same systems, and the second propagation room will have 4 of these same systems.
Weekly, the water will be drained into the sewage system to be treated at the wastewater treatment plant.



Alaska Marijuana Control Board
**Operating Plan Supplemental
Form MJ-04: Marijuana Cultivation Facility**

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Describe the marijuana cultivation facility's waste disposal arrangements:

After the plant is cultivated the roots stalks, stems and leaves that will not be sold will be ground and stored in 35 gallon containers. The containers will only be filled half way to allow for room of material to be added to make product inert. The software will record weight of product and initialize notice to board. Three days after the notice is initiated we will mix the product with used fryer oil in equal weights of oil and cannabis. The software will then generate a transport manifest, and the licensee, employee, or agent of the facility will transport waste to the local bailer facility.

Section 4 – Odor Control

Review the requirements under 3 AAC 306.430, and identify how the proposed premises will meet the listed requirement.

Describe the odor control method(s) to be used and how the marijuana cultivation facility will ensure that any marijuana at the facility does not emit an odor that is detectable by the public from outside the facility:

The propagation rooms, drying/curing room, and grow rooms will be equipped with carbon filters that draws air from the room with an Inline Duct Fan that will create negative pressure. The negative air pressure in the room will not allow smells to escape. The facility has made sure to use filters that are rated above the suggested filters for the size of the rooms. The interior walls and ceilings will be lined with a vapor barrier, and painted with latex paint to keep smells from permeating through.

Propagation Room #1 will be equipped with a 8" x 24" carbon filter and a 8" Inch Inline Duct Fan. The suggested CFM (Cubic Feet per Minute) for that area is 464. The actual CFM rating of the filter is 750.

Propagation Room #2 will be equipped with an 8" x 39" carbon filter and a with an 8" Inch inline duct fan. The suggested CFM for that area is 704. The actual CFM rating of filter is 950. The grow rooms and drying/curing will each be equipped with an 8" x 24" carbon filter and an 8 Inch inline duct fan. The suggested CFM for those rooms area are 419. The actual CFM rating of the filter is 750.

The strains grown will be started a week a part to stagger the grow. This allows for only three to six plants out of 45 to be maturing at a time. This is optimal to reduce smell opposed to having all 45 plants flowering at one time.



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-04: Marijuana Cultivation Facility

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Section 5 – Testing Procedure and Protocols

Review the requirements under 3 AAC 306.455 and 3 AAC 306.465, and identify how the proposed premises will meet the listed requirements.

Applicants should be able to answer "Agree" to the item below.

I understand and agree that:

Agree Disagree

The board will or the director shall from time to time require the marijuana cultivation facility to provide samples of the growing medium, soil amendments, fertilizers, crop production aids, pesticides, or water for random compliance checks



Describe the testing procedure and protocols the marijuana cultivation facility will follow:

After a specific strain of cannabis is dried cured, and batched together, the licensee who will be designated sample taker, will take a random homogeneous sample. The weight will be recorded in the software system and designated testing. The software will print out document the licensee will sign stating samples have been randomly taken. A copy of document will go to the testing facility, a copy will remain at our facility. The software will print out all labels, and manifests in compliance with 3 AAC 306.750.

The licensee, staff, or agent of licensee will then divide cannabis into 5 lb wholesale food grade mylar zip lock bags. The bags will be bar coded as awaiting testing. In the bags we will include Boveda humidity packs. After labeling we will segregate the cannabis into separate locked storage container designated for cannabis that is awaiting testing. After testing is complete we will store records.



Alaska Marijuana Control Board
**Operating Plan Supplemental
 Form MJ-04: Marijuana Cultivation Facility**

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Section 6 – Security

Review the requirements under 3 AAC 306.430 and 3 AAC 306.470 – 3 AAC 306.475, and identify how the proposed premises will meet the listed requirements.

Applicants should be able to answer "Agree" to the two items below.

The marijuana cultivation facility applicant has:	Agree	Disagree
Read and understands and agrees to the packaging of marijuana requirements under 3 AAC 306.470	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Read and understands and agrees to the labeling of marijuana requirements under 3 AAC 306.475	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Restricted Access Area (3 AAC 306.430):

Yes No

Will the marijuana cultivation facility include outdoor production?

If "Yes", describe the outdoor structure(s) or the expanse of open or clear ground fully enclosed by a physical barrier:



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Describe the method(s) used to ensure that any marijuana at the marijuana cultivation facility cannot be observed by the public from outside the facility:

All rooms where cannabis is grown, transported, harvested cured and stored are enclosed to the public. There are no windows in which the public may observe cannabis being cultivated. The smells of the cannabis are filtered thoroughly.

I certify that as a marijuana cultivation facility, I will submit monthly reports to the Department of Revenue and pay the excise tax required under AS 43.61.010 and 43.61.020 on all marijuana sold or provided as a sample to a marijuana establishment, as required under 3 AAC 306.480.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Signature of licensee

Printed name

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public in and for the State of Alaska.

My commission expires: _____



Alaska Marijuana Control Board
Operating Plan Supplemental
Form MJ-04: Marijuana Cultivation Facility

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550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

{Additional Space as Needed):



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

What is this form?

An operating plan is required for all marijuana establishment license applications. Applicants should review **Title 17.38** of **Alaska Statutes** and **Chapter 306** of the **Alaska Administrative Code**. This form will be used to document how an applicant intends to meet the requirements of those statutes and regulations. If your business has a formal operating plan, you may include a copy of that operating plan with your application, but all fields of this form must still be completed per 3 AAC 306.020(c).

What must be covered in an operating plan?

Applicants must identify how the proposed premises will comply with applicable statutes and regulations regarding the following:

- Security
- Inventory tracking of all marijuana and marijuana product on the premises
- Employee qualification and training
- Waste disposal
- Transportation and delivery of marijuana and marijuana products
- Signage and advertising
- Control plan for persons under the age of 21

Applicants must also complete the corresponding operating plan supplemental forms (**Form MJ-03**, **Form MJ-04**, **Form MJ-05**, or **Form MJ-06**) to meet the additional operating plan requirements for each license type.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Kelsey Jene Martinsen	License Number:	10201		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Happy Cannabis				
Premises Address:	225 South Front Street				
City:	Wrangell	State:	ALASKA	ZIP:	99929
Mailing Address:	PO Box 110				
City:	Wrangell	State:	ALASKA	ZIP:	99929
Primary Contact:	Kelsey Jene Martinsen				
Main Phone:	(907) 305-0292	Cell Phone:	(907) 305-0292		
Email:	diamondchotel@gci.net				



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Section 2 – Security

Review the requirements under 3 AAC 306.710 – 3 AAC 306.720 and 3 AAC 306.755, and identify how the proposed premises will meet the listed requirements.

Describe how the proposed premises will comply with each of the following:

Restricted Access Areas (3 AAC 306.710):

Describe how you will prevent unescorted members of the public from entering restricted access areas:

Restricted access areas will be secured behind commercial grade doors, with commercial grade keypad locks. Only the licensee, or authorized personal will have combination to those locks. The doors will be marked with signs stating "Restricted Access Area, Visitors Must Be Escorted."

A licensee, employee, or Agent of the marijuana establishment shall wear a current identification badge bearing the person's photograph.

Describe your processes for admitting visitors into and escorting them through restricted access areas:

The licensee, employee or agent of the marijuana establishment will require identification of the visitor to check if they are 21 years of age or older.

They will then be given a visitor identification badge, and escorted at all times by the licensee, an employee, or agent of marijuana establishment, while they are in restricted access area.

The licensee, an employee, or agent of the licensee shall supervise no more than five visitors at a time.



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marijuana.licensing@alaska.gov
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Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your recordkeeping of visitors who are escorted into restricted access areas:

The name, license number, type and state issue of license, date, and time of entry will be recorded on designated monthly visitor log before the visitor is escorted through the facility. When the visitor departs staff responsible for visitor will record departure time. Logs will be stored on sight for six months, then stored off sight after that.

Provide a copy of a sample identification badge to be displayed by each licensee, employee, or agent while on the premises:

Please see attached file "photo_ID_template.jpg"



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Security Alarm Systems and Lock Standards (3 AAC 306.715):

Exterior lighting is required to facilitate surveillance. Describe how the exterior lighting will meet this requirement:

The ramp and deck leading the entrance will be illuminated to allow the security cameras to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises.

An alarm system is required for all license types. Describe the security alarm system for the proposed premises:

Every exterior door and window will have alarm triggers. When triggered, sirens in the interior of the building and exterior of the building will sound, and the police will be notified through a land line. If the land line is not working the police will be notified through a back up GMS signal. Signs will be placed on all windows, and exterior doors advertising the security system.

The alarm system must be activated on all exterior doors and windows when the licensed premises is closed for business. Describe how the security alarm system meets this requirement:

The main console of the alarm system has built in functionality to manually and automatically arm the system. We will use this functionality to arm the system while the premises are closed.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your policies and procedures for preventing diversion of marijuana or marijuana product:

Our point of sale tracks all inventory from seed to sale. Inventory of all cannabis will be conducted before we open, when we close, or during any shift change by scanning barcodes of products, and cannabis plants. The cannabis products will be stored in a secure room, within a secure lock box, monitored by security cameras. All cannabis grown in facility will be monitored by security cameras.

The BioTrackTHC system uses biometric chain of custody tracking for all products in inventory. The system records the name, date and time of the employee who handled the plant, allowing all warehouse activity to be tracked. The software has built in inventory forensic reports which cannot be altered by user or the software company itself.

Describe your policies and procedures for preventing loitering:

Signs will be placed outside entrance and inside retail marijuana shop stating, "Notice: No Loitering". There are no benches, seats, or open areas to encourage loitering. When the licensee, an employee, or agent of the licensee observes loitering they will confront loiterers and ask them to leave. If they do not leave we will call police as the facility is privately owned property.

Describe your policies and procedures regarding the use of any additional security device, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm to enhance security of the proposed premises:

Motion detectors are located in Retail Marijuana Store, Licensee's Office, and Cannabis Storage room. There is also a panic button located in Retail Marijuana store.



Alaska Marijuana Control Board

Form MJ-01: Marijuana Establishment Operating Plan

Describe your policies and procedures regarding the actions to be taken by a licensee, employee, or agent when any automatic or electronic notification system alerts a local law enforcement agency of an unauthorized breach of security:

The licensee, an employee, or agent of the licensee will check video cameras to verify the event while waiting for monitoring station to call. They will then answer the telephone and confirm the situation to the security station. They will then wait for police to arrive. After police have arrived and secured the area they will disarm security system and file the appropriate reports.

Video Surveillance (3 AAC 306.720):

All licensed marijuana establishments must meet minimum standards for surveillance equipment. Applicants should be able to answer "Yes" to all items below.

Video surveillance and camera recording system covers the following areas of the premises:	Yes	No
Each restricted access area and each entrance to a restricted access area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Both the interior and exterior of each entrance to the facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Each point of sale area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Each video surveillance recording:	Yes	No
Is preserved for a minimum of 40 days, in a format that can be easily accessed for viewing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clearly and accurately displays the time and date	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is archived in a format that does not permit alteration of the recorded image, so that the images can readily be authenticated	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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Describe how the video cameras will be placed to produce a clear view adequate to identify any individual inside the licensed premises, or within 20 feet of each entrance to the licensed premises:

Please see attached file "surveillance_camera_diagram01.jpg"

Describe the locked and secure area where video surveillance recording equipment and records will be housed and stored and how you will ensure the area is accessible only to authorized personnel, law enforcement, or an agent of the board:

The surveillance record room is stored in a secure separate room located in the licensee's office. It is housed by a commercial door, and commercial key code lock. The system will only be accessible by licensee who will grant access to local law enforcement, or agents of the board. When the licensee is away from facility a temporary code will be given to authorized personal to access the surveillance room when law enforcement or an agent of the board requests. When licensee returns the temporary key will be deleted.

Location of Surveillance Equipment and Video Surveillance Records:

Yes No

Surveillance room or area is clearly defined on the premises diagram

Surveillance recording equipment and video surveillance records are housed in a designated, locked, and secure area or in a lock box, cabinet, closet or other secure area

Surveillance recording equipment access is limited to a marijuana establishment licensee or authorized employee, and to law enforcement personnel including an agent of the board

Video surveillance records are stored off-site



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Business Records (3 AAC 306.755):

All licensed marijuana establishments must maintain, in a format that is readily understood by a reasonably prudent business person, certain business records. Applicants should be able to answer "Yes" to all items below.

Business Records Maintained and Kept on the Licensed Premises:	Yes	No
All books and records necessary to fully account for each business transaction conducted under its license for the current year and three preceding calendar years; records for the last six months are maintained on the marijuana establishment's licensed premises; older records may be archived on or off-premises	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent who works at the marijuana establishment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The business contact information for vendors that maintain video surveillance systems and security alarm systems for the licensed premises	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Records related to advertising and marketing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A current diagram of the licensed premises including each restricted access area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
A log recording the name, and date and time of entry of each visitor permitted into a restricted access area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All records normally retained for tax purposes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Accurate and comprehensive inventory tracking records that account for all marijuana inventory activity from seed or immature plant stage until the retail marijuana or retail marijuana product is sold to a consumer, to another marijuana establishment, or destroyed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transportation records for marijuana and marijuana product as required under 3 AAC 306.750(f)	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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A marijuana establishment is required to exercise due diligence in preserving and maintained all required records. Describe how you will prevent records and data, including electronically maintained records, from being lost or destroyed:

Data, and electronically maintained records are stored on a server that is located in the surveillance room. The server is equipped with a raid,(redundant array of inexpensive disks), allowing for data to be preserved if the hard drives fail. Independent back ups will be automatically performed weekly onto a cloud based service. Files will be encrypted with password protection.

The accounting software is QuickBooks Online and it is cloud based, and the records are not stored on the facility, but can be accessed by owner from multiple different web browsers. Paper documents will be scanned and saved before they are stored on sight in a locked filing system in the licensee's office. They will be moved to locked storage on the date they are no longer required to be stored on site.



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Section 3 – Inventory Tracking of All Marijuana and Marijuana Product

Review the requirements under 3 AAC 306.730, and identify how the proposed establishment will meet the listed requirements.

All licensed marijuana establishments must use a marijuana inventory tracking system capable of sharing information with the system the board implements to ensure all marijuana cultivated and sold in the state, and each marijuana product processed and sold in the state, is identified and tracked from the time the marijuana propagated from seed or cutting, through transfer to another licensed marijuana establishment, or use in manufacturing a product, to a completed sale of marijuana or marijuana product, or disposal of the harvest batch of marijuana or production lot of marijuana product.

Applicants should be able to answer "Yes" to all items below.

Marijuana Tracking and Weighing:	Yes	No
A marijuana inventory tracking system, capable of sharing information with the system the board implements to ensure tracking for the reasons listed above, will be used	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All marijuana delivered to a marijuana establishment will be weighed on a scale certified in compliance with 3 AAC 306.745	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Describe the marijuana tracking system that you plan to use and how you will ensure that it is capable of sharing information with the system the board implements:

We are using a seed to sale software solution called BioTrackTHC. The entire life cycle of the plant is tracked assigning it a unique 16 digit bar code from the moment of cultivation. The plant receives a new bar code every time it enters a new stage in the plant life cycle while still being linked to the original bar code. Each plant is scanned every time it needs to be assigned to a different room in the grow house. Multiple rooms can be created in the grow house to designate the various stages of the grow phase, separate plant components, separate clones, or separate plants designated for destruction.

The software provides full traceability that allows the State to track cultivation, harvesting, processing, lab testing, transportation and sales. The third party system integration allows the licensee and state employees real time data exchange through a secure web user interface. The open API the State has adopted allows BioTrackTHC to provide the information the state needs in the format it requests.



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Section 4 – Employee Qualification and Training

Review the requirements under 3 AAC 306.700, and identify how the proposed establishment will meet the listed requirements.

A marijuana establishment and each licensee, employee, or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or a marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at a marijuana establishment.

Applicants should be able to answer "Yes" to all items below.

Marijuana Handler Permit:	Yes	No
Each licensee, employee, or agent of the marijuana establishment who sells, cultivates, manufactures, tests, or transports marijuana or marijuana product, or who checks the identification of a consumer or visitor, shall obtain a marijuana handler permit from the board before being licensed or beginning employment at the marijuana establishment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Each licensee, employee, or agent who is required to have a marijuana handler permit shall keep that person's marijuana handler permit card in that person's immediate possession (or a valid copy on file on the premises of a retail marijuana store, marijuana cultivation facility, or marijuana product manufacturing facility) when on the licensed premises	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Each licensee, employee, or agent who is required to have a marijuana handler permit shall ensure that that person's marijuana handler permit card is valid and has not expired	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Describe how your establishment will meet the requirements for employee qualifications and training:

Initially the licensee, employees, or agent of licensee will take a state approved marijuana handler permit education course and test to receive course completion certificate. The certificates will be presented to the director in order to receive marijuana permit card. When cards are issued reminders will be set in facility software to renew the permits at an appropriate time before they expire. Potential new hires will have to show they have received marijuana handling permit before they are given an application for the business, and will be instructed on how to do so. New hires will be inputted into reminder system.



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Section 5 – Waste Disposal

Review the requirements under 3 AAC 306.740, and identify how the proposed establishment will meet the listed requirements.

Applicants should be able to answer "Yes" to the statement below.

Marijuana Waste Disposal: Yes No

The marijuana establishment shall give the board at least 3 days notice in the marijuana inventory tracking system required under 3 AAC 306.730 before making the waste unusable and disposing of it

Describe how you will store, manage, and dispose of any solid or liquid waste, including wastewater generated during marijuana cultivation, production, process, testing, or retail sales, in compliance with applicable federal, state, and local laws and regulations:

After the plant is cultivated the roots stalks, stems and leaves that will not be sold will be ground and stored in 35 gallon containers. The containers will only be filled half way to allow for room of material to be added to make product inert. The software will record weight of product and initialize notice to board. Three days after the notice is initiated we will mix the product with used fryer oil in equal weights of oil and cannabis. The software will then generate a transport manifest, and the licensee, employee, or agent of the facility will transport waste to the local bailer facility.
Wastewater from hydroponic system will be drained into city sewer system to be treated by wastewater treatment plant.

Describe what material or materials you will mix with the ground marijuana waste to make it unusable:

Used liquid frying shortening made from liquid soybean oil, hydrogenated soybean oil, TBHQ and citric acid.



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Marijuana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves the marijuana establishment. Describe the process or processes that you will use to make the marijuana plant waste unusable:

After the plant is cultivated the roots, stalks, stems and leaves that will not be sold will be ground and stored in 35 gallon containers. We will weigh the waste. The containers will only be filled half way to allow for room of material to be added to make product inert. Then we will mix the product with used fryer oil in equal weights of oil and cannabis.



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Section 6 – Transportation and Delivery of Marijuana and Marijuana Products

Review the requirements under 3 AAC 306.750, and identify how the proposed establishment will meet the listed requirements.

Applicants should be able to answer "Yes" to all items below.

Marijuana Transportation:	Yes	No
The marijuana establishment from which a shipment of marijuana or marijuana product originates will ensure that any individual transporting marijuana shall have a marijuana handler permit required under 3 AAC 306.700	<input type="checkbox"/>	<input type="checkbox"/>
The marijuana establishment that originates the transport of any marijuana or marijuana product will use the marijuana inventory tracking system to record the type, amount, and weight of marijuana or marijuana product being transported, the name of the transporter, the time of departure and expected delivery, and the make, model, and license plate number of the transporting vehicle	<input type="checkbox"/>	<input type="checkbox"/>
The marijuana establishment that originates the transport of any marijuana or marijuana product will ensure that a complete printed transport manifest on a form prescribed by the board must be kept with the marijuana or marijuana product at all times during transport	<input type="checkbox"/>	<input type="checkbox"/>
During transport, any marijuana or marijuana product will be in a sealed package or container in a locked, safe, and secure storage compartment in the vehicle transporting the marijuana or marijuana product, and the sealed package will not be opened during transport	<input type="checkbox"/>	<input type="checkbox"/>
Any vehicle transporting marijuana or marijuana product will travel directly from the shipping marijuana establishment to the receiving marijuana establishment, and will not make any unnecessary stops in between except to deliver or pick up marijuana or marijuana product at any other licensed marijuana establishment	<input type="checkbox"/>	<input type="checkbox"/>
When the marijuana establishment receives marijuana or marijuana product from another licensed marijuana establishment, the recipient of the shipment will use the marijuana inventory tracking system to report the type, amount, and weight of marijuana or marijuana product received	<input type="checkbox"/>	<input type="checkbox"/>
The marijuana establishment will refuse to accept any shipment of marijuana or marijuana product that is not accompanied by the transport manifest	<input type="checkbox"/>	<input type="checkbox"/>



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Describe how marijuana or marijuana product will be prepared, packaged, and secured for shipment:

After a batch of cannabis is tested dried and properly cured the licensee, employee or agent of licensee will weigh the product on a Standardized scale connected to computer. The software will record total weight of the strain. We will then divide cannabis into 5 lb wholesale food grade mylar heat sealed bags. In the bags we will include Boveda humidity packs. We will then attach tracking label generated by inventory tracking software and all proper labeling in compliance with 3 AAC 306.475. Cannabis will then be placed in a secured cabinet until it is ready for shipment. Before shipment the cannabis will be placed in a sealed tamper-evident shipping container and labeled with labeling in compliance with 3 AAC 306.475. and a transport manifest generated by tracking system.

Describe the type of locked, safe, and secure storage compartments that will be used in any vehicles transporting marijuana or marijuana product:

The licensee's truck is equipped with two digital safety boxes that are concealed under the back seats.



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Form MJ-01: Marijuana Establishment Operating Plan

Section 7 – Signage and Advertising

Describe any signs that you intend to post on your establishment with your business name, including quantity and dimensions:

Please see attachments "signage_24_45_01"
"signage_27x25.5_01"

If you are not applying for a retail marijuana store license, you do not need to complete the rest of Section 7, including Page 17.

Restriction on advertising of marijuana and marijuana products (3 AAC 306.360):

All licensed retail marijuana stores must meet minimum standards for signage and advertising.

Applicants should be able to answer "Agree" to all items below.

No advertisement for marijuana or marijuana product will contain any statement or illustration that: Agree Disagree

Is false or misleading	<input type="checkbox"/>	<input type="checkbox"/>
Promotes excessive consumption	<input type="checkbox"/>	<input type="checkbox"/>
Represents that the use of marijuana has curative or therapeutic effects	<input type="checkbox"/>	<input type="checkbox"/>
Depicts a person under the age of 21 consuming marijuana	<input type="checkbox"/>	<input type="checkbox"/>
Includes an object or character, including a toy, a cartoon character, or any other depiction designed to appeal to a child or other person under the age of 21, that promotes consumption of marijuana	<input type="checkbox"/>	<input type="checkbox"/>



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No advertisement for marijuana or marijuana product will be placed:

Agree Disagree

Within one thousand feet of the perimeter of any child-centered facility, including a school, childcare facility, or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under the age of 21

On or in a public transit vehicle or public transit shelter

On or in a publicly owned or operated property

Within 1000 feet of a substance abuse or treatment facility

On a campus for post-secondary education

Signage and Promotional Materials:

Agree Disagree

I understand and agree to follow the limitations for signs under 3 AAC 306.360(a)

The retail marijuana store will not use giveaway coupons as promotional materials, or conduct promotional activities such as games or competitions to encourage sale of marijuana or marijuana products

All advertising for marijuana or any marijuana product will contain the warnings required under 3 AAC 306.360(e)



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Section 8 – Control Plan for Persons Under the Age of 21

Describe how the marijuana establishment will prevent persons under the age of 21 from gaining access to any portion of the licensed premises and marijuana items:

The entrance to the facility will have signs reading, "NOTICE, ALL PATRONS MUST BE OVER 21 YEARS OF AGE WITH VALID PHOTO ID"
The licensee, employee, or agent of the licensee will meet customers at door in retail marijuana shop, (which contains the door to the cultivation facility), to check ID before they are allowed further onto the premises.
All doors to restricted areas are secured with commercial grade doors, and commercial grade key code locks in which the licensee, authorized employees, or agents of the licensee have the code.

I declare under penalty of perjury that I have examined this form, including all accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Signature of licensee

Printed name

Subscribed and sworn to before me this ____ day of _____, 20____.

Notary Public in and for the State of Alaska.

My commission expires: _____



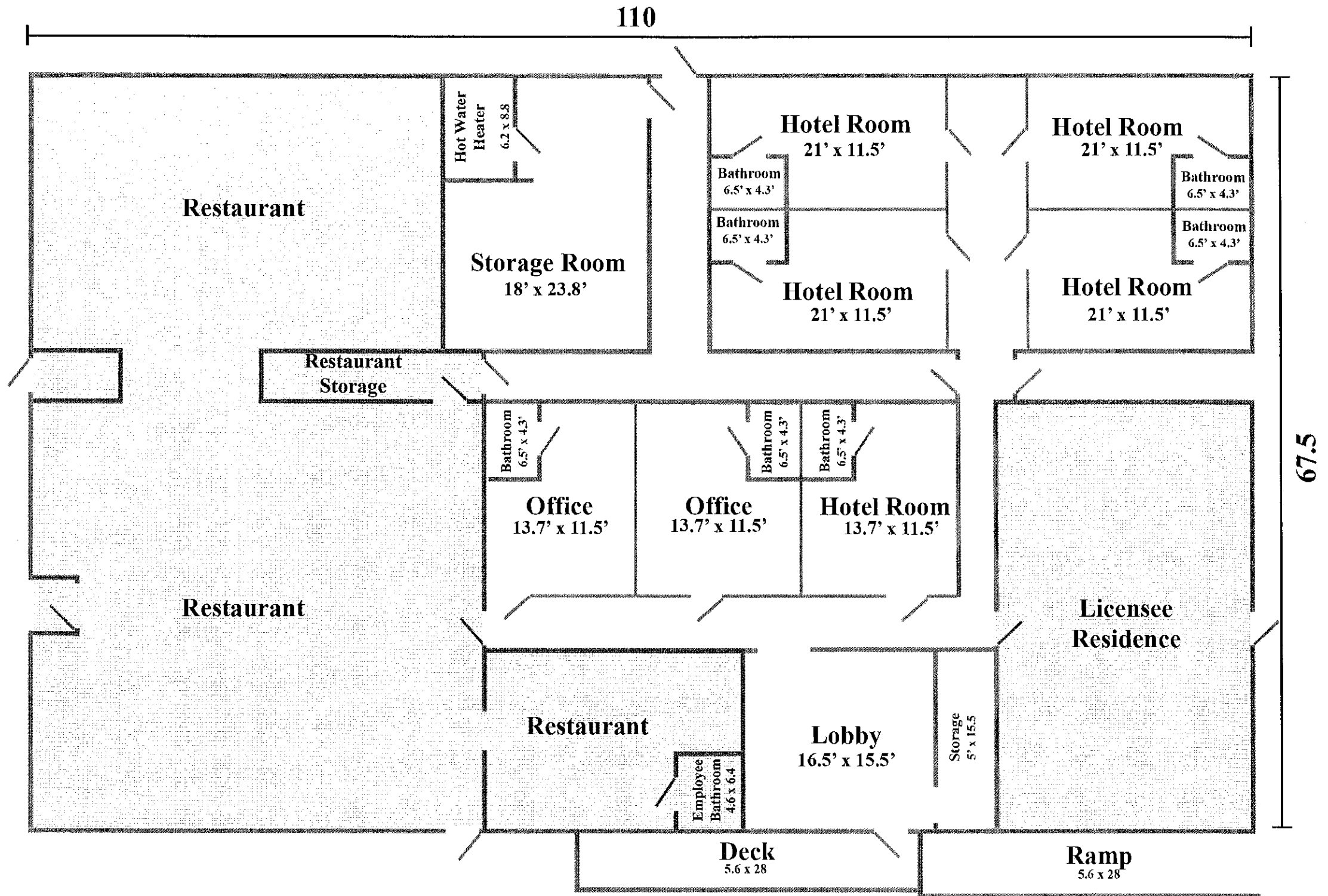
Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Marijuana Control Board

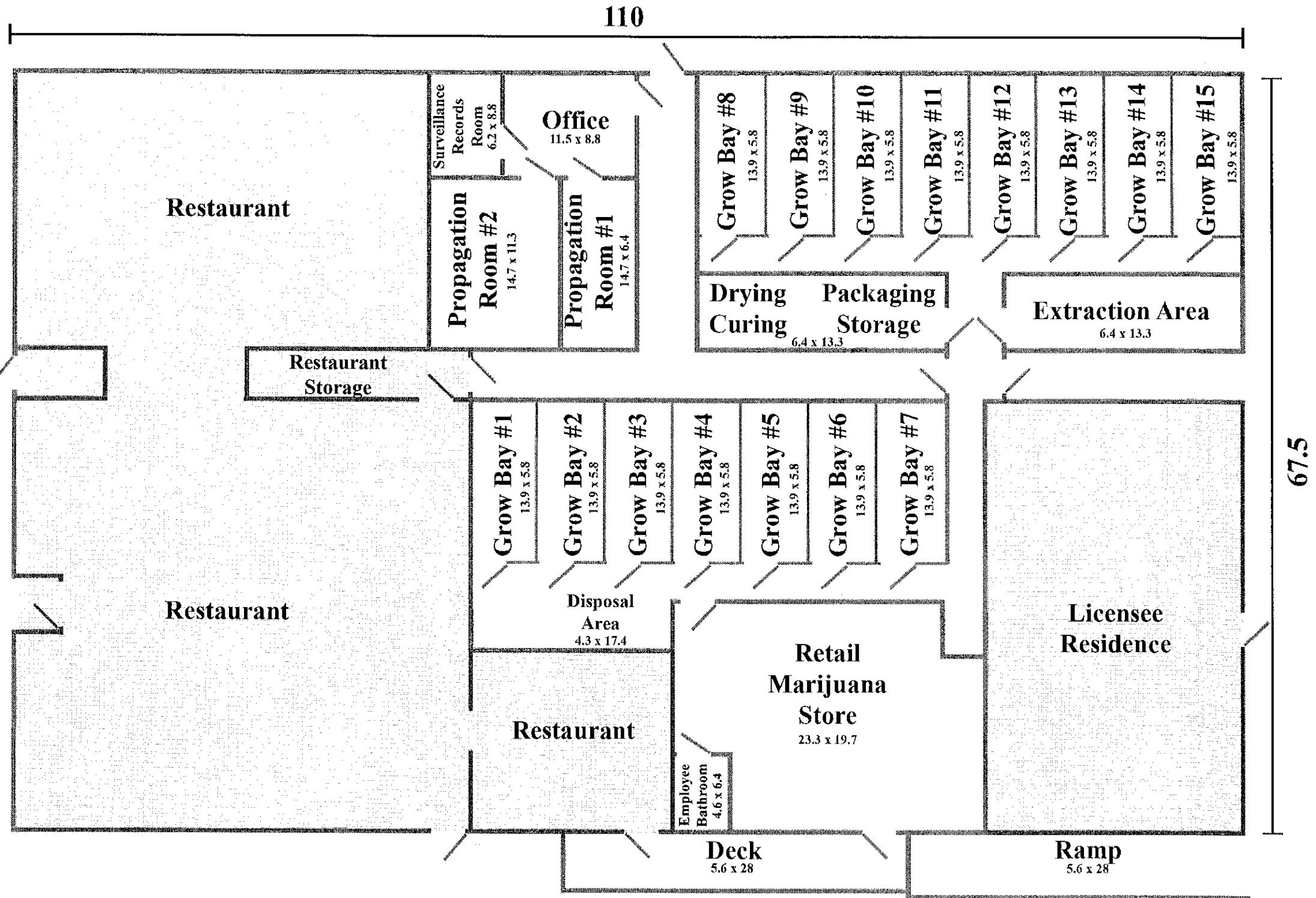
Form MJ-01: Marijuana Establishment Operating Plan

(Additional Space as Needed):

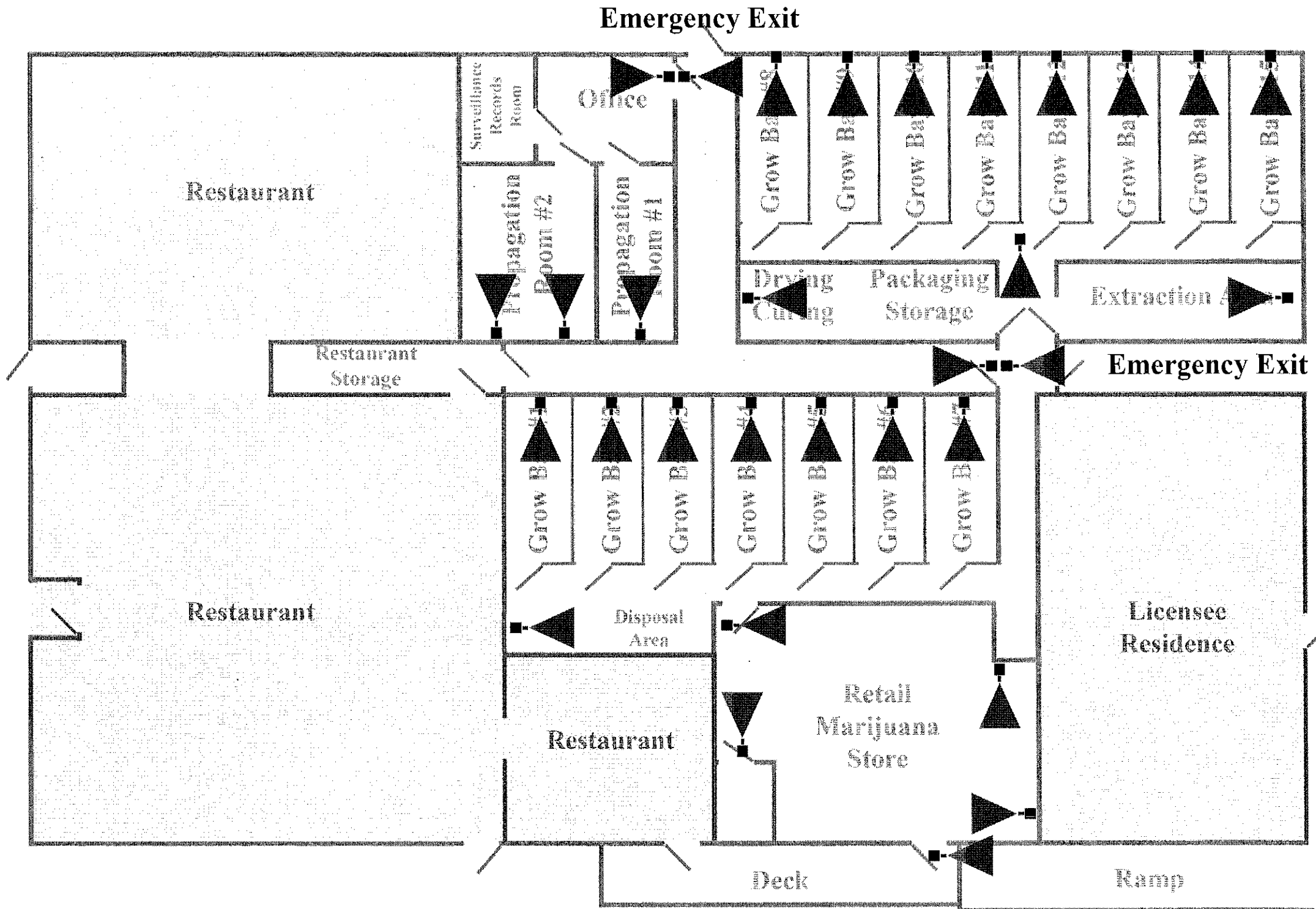
Premises Diagram Hotel



Premises Diagram



Surveillance Camera Diagram



Chapter 20.44
C DISTRICT – COMMERCIAL

Sections:

- [20.44.010](#) Purpose.
- [20.44.020](#) Principal uses permitted.
- [20.44.030](#) Accessory uses permitted.
- [20.44.040](#) Conditional uses.
- [20.44.050](#) Standards.

20.44.010 Purpose.

The commercial district is intended to provide for the continued use and expansion of Wrangell's commercial center. This land will be regulated to concentrate commercial development and to prevent uses which would have any adverse effects upon nearby properties or would needlessly compete for designated commercial space. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984; Ord. 349 § 5, 1976; prior code § 95.37.010.]

20.44.020 Principal uses permitted.

The following are permitted uses in this district:

- A. Retail and wholesale businesses;
- B. Business and professional offices;
- C. Banks;
- D. Barbershops and beauty shops; laundries and other consumer services;
- E. Restaurants, cafes and bars;
- F. Theaters and assembly halls;
- G. Clubs, lodges, fraternal organizations and union halls;
- H. Hotels and motels;
- I. Government and civic buildings;
- J. Second-story residential use; and
- K. Animal establishments other than establishments for livestock. [Ord. 867 § 1, 2013; Ord. 785 § 21, 2006; Ord. 462 § 6, 1984; Ord. 349 § 5, 1976; prior code § 95.37.020.]

20.44.030 Accessory uses permitted.

Uses and structures which are clearly incidental and subordinate to principal uses permitted and which will not create a nuisance or hazard are permitted in this district as accessory uses. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984.]

20.44.040 Conditional uses.

The following are uses which may be permitted in the commercial district by action of the commission under the conditions and procedures specified in Chapter 20.68 WMC:

A. Gasoline/service stations. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984.]

20.44.050 Standards.

The following standards under Chapter 20.52 WMC shall apply within the commercial district:

A. Standards policies: WMC 20.52.005;

B. Air, land and water quality: WMC 20.52.040;

C. Volatile products storage: WMC 20.52.050;

D. Noise: WMC 20.52.060;

E. Airport interference: WMC 20.52.070;

F. Building height: WMC 20.52.080;

G. Setbacks – Yards: WMC 20.52.110;

H. Shoreline dependency: WMC 20.52.120;

I. Piers, docks, shoreline protection and other shoreline construction: WMC 20.52.130;

J. Off-street parking: WMC 20.52.190;

K. Buffers: WMC 20.52.200;

L. Signs: WMC 20.52.210;

M. Redevelopment: WMC 20.52.220;

N. Animal establishments: WMC 20.52.270. [Ord. 867 § 1, 2013; Ord. 785 § 22, 2006; Ord. 462 § 6, 1984.]