



# City and Borough of Sitka

LEGAL DEPARTMENT

100 Lincoln Street • Sitka, Alaska 99835

January 13, 2016

Alaska Department of Law  
Attorney General's Office  
Commercial and Fair Business Section  
Attn: Harriet Dinegar Milks, Assistant Attorney General  
Box 110300  
Juneau, AK 99811

Re: Resolution No. 2016-01: A Resolution of the City and Borough of Sitka, Requesting the State Department of Law Revise the 500 foot Set-Back Provision in 3 AAC 306.010

Dear Ms. Milks,

The City and Borough of Sitka passed the attached resolution regarding the 500 ft. setback requirement last night during their regularly scheduled meeting.

This resolution requests that the licensed marijuana establishment setback requirement specified in 3 AAC 306.010 be revised to allow local planning and zoning regulation to determine the ideal setback distance for the given location with the minimum distance being 200 ft.

The City and Borough of Sitka is located on the Western coast of Baranof Island in Southeast Alaska. Given the limited developable land, we are compelled to reconcile incongruent types of zoning forced to exist in close proximity to each other. As a result, the 500 ft. setback requirement would cause considerable difficulty in large swaths of what would otherwise be ideal locations for marijuana establishments.

Thank you for your consideration.

Very sincerely,

Robin L. Koutchak  
Attorney for City and Borough of Sitka

cc. Sara Peterson, Municipal Clerk