

Narrative for Conditional Use Permit Application

Introduction

This narrative is to serve as supplementary information related to the conditional permit application submitted by Green Leaf Inc to conduct commercial marijuana cultivation at 4612 Halibut Point Road Sitka Alaska 99835. As mentioned, the applicant is Green Leaf Inc., but is more commonly referred to as Green Leaf. Aaron Bean – Green Leaf's CEO- is representation for this application.

Summary of Project

Green Leaf is proposing to utilize the property located at 4612 Halibut Point Road, Sitka, Alaska for commercial marijuana cultivation. The related activities to marijuana cultivation and its parts will include, but not limited to, cultivating marijuana, drying marijuana, packaging marijuana and delivering marijuana. This application –in its entirety- stands harmony with Sitka's municipal code 22.24.026 Marijuana Conditional Use Permits.

History

The Alaska Marijuana Legalization, Ballot Measure 2 was on the November 4, 2014 ballot in Alaska as an initiated state statute, where it was approved.[1] As a result of its passage, the measure allowed people age 21 and older to possess up to one ounce of marijuana and up to six plants. It also made the manufacture, sale and possession of marijuana paraphernalia legal. The initiative was designed to implement these changes at the state level; however, these acts still remained illegal under federal law, at the time of the measure's passage.[2][3] Ballot measure 2 passed in Sitka earning approximately 70% of the total vote. [4]

The plans to try to place the measure on the ballot were announced by the Marijuana Policy Project in mid-January 2013. In June 2013, Lieutenant Gov. Mead Treadwell announced his office certified a measure allowing adults to possess up to one ounce of marijuana.[5] A citizens' group called The Alaska Campaign to Regulate Marijuana officially sponsored the measure.[6]

The Marijuana Control Board created by Measure 2 met for the first time on July 2, 2015. In December of 2016, the control board released its final draft of marijuana regulations. On Friday, January 22, 2016, Lieutenant Governor Byron Mallott filed the marijuana establishment regulations according to the provisions of AS 44.62.040 - 44.62.120. The effective date for the regulations is February 21, 2016.

Narrative

Among other things, the regulation outlines rules for formation of a 'local regulatory authority' (LRA), marijuana packaging, store locations, distribution, edibles, and on-site consumption.[7]

The Sitka assembly made motions to create a marijuana advisory committee (MAC), which would be tasked with reporting a landscape for commercial marijuana in Sitka. According to the MAC's final report all marijuana establishments would be required to obtain a "special use permit" prior to conducting business within the City of Sitka. [8]

References:

1. Yahoo News, *"Alaska measure to legalize pot qualifies for August vote,"* February 4, 2014
2. Alaska Dispatch, *"Marijuana Policy Project plans Alaska ballot measure to decriminalize pot in 2014,"* accessed January 16, 2013
3. The Huffington Post, *"Alaska Becomes Fourth State to Legalize Recreational Marijuana,"* November 5, 2014
4. <http://www.elections.alaska.gov/results/14GENR/>
5. Daily News Miner, *"Alaska Lt Gov. certifies application for legalizing marijuana,"* June 14, 2013
6. StarTribune, *"Organizers turn in signatures for Alaska marijuana legalization initiative,"* January 8, 2014
7. State of Alaska Alcohol & Marijuana Control office:
<https://www.commerce.alaska.gov/web/amco/MarijuanaRegulations.aspx>
8. Sitka General Code 22.24.026 Marijuana Special Use Permits

Sitka Municipal Code Compliance

Following is a narrative addressing specific code sections as indicated by the application for special use permit submission requirements.

Sitka Municipal Code 17.68.20

REVIEW CRITERIA

A. The use is listed as a conditional use in the underlying zoning district, or has been interpreted to be similar in use to other listed conditional uses.

The subject property is zoned C-1. Pursuant to Sitka Municipal Code 22.24.026 "Marijuana Conditional Use Permits" letter "C" Marijuana Cultivation Facility is authorized as conditional use. A Marijuana Cultivation Facility is defined by Sitka Municipal Code 22.08.587 C. as "means an entity registered to cultivate, prepare, and package marijuana and to sell marijuana and marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers" By definition Green leaf is a marijuana cultivation facility.

B. The characteristics of the site are suitable for the proposed use considering the size, shape, location, topography and natural features.

The size and shape of the existing building and land is ideal use as a marijuana cultivation facility. Locating a marijuana cultivation facility in a commercial and retail oriented zone seems a better fit in many ways. Cultivation activities would take place on a daily basis, at a time in which most -if not all- surrounding properties are operational in reference to their business operation. The impact of a marijuana cultivation facility, at this site, wouldn't have any additional impact other than what would be expected with any similar commercial use.

The existing building is constructed of steel with commercial and industrial uses in mind, and it has adequate space for all cultivation activities. There are no known topography concerns or natural features that would hinder this site to be used by Green Leaf under the conditional use permit.

- C. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, precludes, or impairs the use of the surrounding properties for the primary uses listed in the underlying zoning district.

Granting a conditional use permit and allowing Green Leaf to conduct marijuana cultivation related activities would likely enhance the use of the surrounding properties by bringing more commerce to the district. Holland America cruise lines announced they will be using the deep water dock across the street for 80% of landings for 2016. Green Leaf's cultivation facility would undoubtedly bring more tourists to the district. The additional customers in the area would be beneficial to surrounding businesses. The owners of these businesses would welcome Green Leaf as a neighbor.

- D. The proposed use will not result in the use of land for any purpose which may create or cause to be created any public nuisance including, but not limited to, air, land, or water degradation, noise, glare, heat, vibration, or other consideration which may be injurious to the public health, safety, and welfare.

Nothing conducted at Green Leaf's marijuana cultivation facility, past, present or future would be considered injurious to the public health, safety or welfare. In fact additional state controls are in place to insure public health, safety and welfare are held in high regard in relation to Green Leaf's cultivation facility.

- E. The proposed use will be reasonably compatible with existing or planned neighboring uses based on review of the following:

The basic design of the site is complete and had previously been reviewed by Sitka's building department.

2. Visual elements (scale, structural design and form, materials and so forth)

Except for exterior signs, no change of scale, structural design, form or materials are planned, in addition to what has been presented in this application

3. Noise

There will be some ambient noise outside of the building related to marijuana cultivation, but nothing that would be unreasonable or out of the norm, and certainly within city codes for acceptable decibel levels for commercial zones.

4. Noxious odors

None

5. **lighting**

The parking lot has existing illumination with lights fixed to the building. Green Leaf will also be adding additional lighting to adhere to states security requirements.

6. **Signage**

After approval is granted for conditional use, an external sign will be attached to the build in compliance with state administrative code -4800 square inches.

7. **Traffic**

none

8. **Effects on parking**

The current parking is not shared so no effect is anticipated.

9. **Effects on air quality and water quality**

None

Conclusion

We respectfully request approval of the special use permit based upon the facts presented herein. Green Leaf Inc will not only enhance the properties and businesses nearby, but also serve the greater Sitka community.