



TITLE 49 COMMITTEE

PLANNING COMMISSION, CITY AND BOROUGH OF JUNEAU

AUGUST 21, 2015 MEETING, 11:30 AM – 1:00 PM

COMMUNITY DEVELOPMENT DEPARTMENT (CDD) CONFERENCE ROOM

FINAL MEETING MINUTES

Committee Members Present:

Nicole Grewe (Chair), Paul Voelckers, Bill Peters, Mike LeVine

Committee Members Absent:

None

Staff Present:

Laura Boyce, Senior Planner, Community Development Department (CDD)

Chrissy McNally, Planner, Community Development Department (CDD)

Rob Palmer, Attorney, Department of Law (DOL)

Public or Other Present:

Larry Woodall, Citizen

Reading of Agenda

- Motion by Peters: To approve the agenda for the August 21, 2015 meeting.
- Vote: Motion carried.
- Resolved: Agenda for the meeting of August 21, 2015 approved without modification.

Approval of Minutes

- Motion by Peters: To approve the minutes for June 12, 2015 meeting as developed by CDD staff with any technical corrections presented by planning commissioners or CDD staff.
- Vote: Motion carried.
- Resolved: Minutes for June 12, 2015 meeting approved as developed by CDD staff with any technical corrections presented by planning commissioners or CDD staff.

Agenda Topic – Marijuana

- McNally provided brief overview of CBJ Marijuana Committee activities and outcomes thus far. Special note was made regarding the relationship between state and local regulations. In particular, the State of Alaska is still working on statewide regulations, which will influence local regulations. While CBJ continues to work on local regulations, attention also needs to be paid to statewide regulations and corresponding local impacts. Notably, the CBJ Marijuana Committee has postponed the issue of marijuana clubs – or, places to legally consume product until a later date. The purpose for today's T49 is to focus attention on marijuana cultivation, processing, testing, and selling.
- McNally also noted that significant research was conducted in municipalities in Colorado and Washington regarding marijuana local land use code. Common themes, noted across municipalities included concern regarding marijuana activities in residential districts and unanticipated fast growth of industry.

- Committee discussion focused on documents submitted by CDD staff prior to meeting including:
 1. August 10, 2015 Memorandum to T49 Committee regarding allowable areas for marijuana establishments. Draft Title 49 amendments to the Table of Permissible Uses including Sections 2.300 (retail), 3.500 (testing), 4.220 (processing), 14.000 (cultivating), and 19.200 (nurseries).
 2. Attachment 1 – Proposed Buffer Maps
 3. Attachment 2 – Zoning Maps
 4. Attachment 3 – Draft Ordinance
 5. Attachment 4 – Current Table of Permissible Uses (distributed at meeting)
- Committee deliberations generally moved in chronological order from cultivating to processing to testing to selling. Committee deliberations briefly considered nurseries and generally treated similarly to cultivating.

Cultivation Discussion [Section 14.240]

1. McNally reported D1, outside the urban service boundary is the only residential district where cultivation would be allowed . Committee members studied zoning maps noting D1, outside the urban service area, generally included North Douglas beyond Bonnie Brae, Out-the-Road beyond Auke Bay, and Thane.
2. Peters noted that Marijuana Committee Member Satre added D1 , in addition to RR, LC, GC, and I, indicating the low-density character of the neighborhoods.
3. Motion by Grewe: Remove D1 from Section 14.240 (marijuana cultivation). Rationale included: 1) unequal treatment of residential districts. While D1 is considered low-density, it is a residential district – not to be treated equally with RR; 2) preference to protect all residential districts while CBJ moves into an unknown activity; 3) ease of adding zones at a later date versus the challenge of dealing with “grandfathering”; and 4) general preference for adopting more restrictive regulations and liberalizing at a later date, after CBJ has ventured into marijuana. LeVine expressed general concern, but favored leaving ordinance as crafted and adding conditions later.
4. Vote: Motion failed. Grewe (Y), Peters (N), LeVine (N), Voelckers (did not vote)
5. Motion by Peters: Approve 14.240 as crafted by CDD.
6. Resolved: Motion passed. Grewe (N), Peters (Y), LeVine (Y), and Voelckers (did not vote)
7. Grewe, LeVine, and Peters concurred 19.200 (nurseries, commercial greenhouses) to be treated equally with 14.240

Processing Discussion [Section 4.220]

1. Discussion occurred regarding appropriateness of processing in LC and RR.
2. Motion by Voelckers: Add 3s (by CUP) to RR and LC. Rationale included treating similarly to light or medium manufacturing. Grewe supported noting the RR also includes gravel extraction and other heavy uses anyway. Also noted was the preference to consolidate marijuana activities in borough’s rural areas rather than neighborhoods.
3. Resolved: Motion passed by unanimous consent with all committee members voting.

Testing Facility Discussion [Section 3.500]

1. Discussion occurred regarding adding to RR.
2. Motion by LeVine: Add 3 (by CUP) to RR. Grewe supported regarding supporting the full suite of marijuana activities in rural reserve – growing, processing, testing, and selling.
3. Resolved: Motion passed by unanimous consent with all committee members voting.

Retail Discussion [Section 2.300]

1. Discussion occurred regarding the appropriateness in WC and WI zone – issues noted cruise visitation, current alcohol package stores downtown, and impacts to other waterfront areas including Auke Bay and Tee Harbor. Commissioner Levine was concerned about the decision to allow retail in WC and WI solely based on cruise ship tourists. He thought this should be revisited if or when clubs are legal.
2. Motion by LeVine: Remove 3s (by CUP) from WC and WI.

3. Motion opposed by Grewe citing impacts for other waterfront areas.
4. Resolved: Motion passed. Levine (Y), Peters (Y), Grewe (N), Voelckers (did not vote).

Committee Member Comments and Questions

- None

CDD Staff Discussion

- Staff asked if the committee would like to allow marijuana retail in the Convenience Store Overlay. No commissioners supported allowing marijuana retail in the overlay district.

Meeting adjourned at 1:00 PM