




**PLANNING COMMISSION STAFF REPORT  
SPECIAL USE PERMIT RENEWAL USE2021 0018  
HEARING DATE: NOVEMBER 9, 2021**

(907) 586-0715  
CDD\_Admin@juneau.org  
www.juneau.org/CDD  
155 S. Seward Street • Juneau, AK 99801

**DATE:** November 2, 2021  
**TO:** Michael LeVine, Chair, Planning Commission  
**BY:** Joseph Meyers, Planner   
**THROUGH:** Jill Maclean, Director, AICP  
**PROPOSAL:** Applicant requests a five-year renewal of Special Use Permit (USE2016 0005) for a marijuana cultivation facility.

**STAFF RECOMMENDATION:** Approval

**KEY CONSIDERATIONS FOR REVIEW:**

- Notice of Decision was issued on the original Special Use Permit (USE2016 0005) on April 13, 2016.
- One enforcement action has been taken against this facility through ENF2019 0003 on January 17, 2019.
- State Marijuana License #27531 is current; CBJ Marijuana License MJL-027 is current.
- Two inspections were failed for MJL-002 for FY19.
- The facility transferred ownership on March 4, 2020.
- The current owner has passed administered inspections, has no enforcement issues on record, and licenses are maintained current.

GENERAL INFORMATION	
<b>Property Owner</b>	Spruce Holdings, LLC
<b>Applicant</b>	Casey Wilkins/Tree Logic
<b>Property Address</b>	5763 Glacier Highway
<b>Legal Description</b>	USMS 609 TR 2A1
<b>Parcel Number</b>	5B1201060112
<b>Zoning</b>	Industrial
<b>Land Use Designation</b>	TTC (Traditional Town Center)
<b>Lot Size</b>	48,470 square feet
<b>Water/Sewer</b>	CBJ
<b>Access</b>	Glacier Highway
<b>Existing Land Use</b>	Commercial Misc.
<b>Associated Applications</b>	USE2016 0005; USE2016 0006 (Rainforest Farms Retail – inactive)
<b>Type of Facility</b>	Cultivation Facility

**ALTERNATIVE ACTIONS:**

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

**ASSEMBLY ACTION REQUIRED:**

Assembly action is not required for this permit.

**STANDARD OF REVIEW:**

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - 49.65.1245
  - 49.15.330
  - 49.80

**The Commission shall hear and decide the case per 49.65.1200 Marijuana Establishment Permit. It is the purpose of this article to establish reasonable regulations that allow for the operation of marijuana establishments within the City and Borough in a manner that promotes public health, safety, and general welfare. It is not the intent of this chapter to authorize anything specifically prohibited by state law.**

*Fostering excellence in development for this generation and the next.*

## **SITE FEATURES AND ZONING**



<b>SURROUNDING ZONING AND LAND USES</b>	
<b>North (D15)</b>	MH Park
<b>South (I)</b>	Residential
<b>Southeast (I)</b>	Misc. Commercial
<b>West (D15)</b>	MH Park

<b>SITE FEATURES</b>	
<b>Anadromous</b>	Yes
<b>Flood Zone</b>	Zone X, AE
<b>Hazard</b>	None
<b>Hillside</b>	None
<b>Wetlands</b>	None
<b>Parking District</b>	None
<b>Historic District</b>	None
<b>Overlay Districts</b>	None

## **BACKGROUND INFORMATION**

**Project Description** – The applicant seeks to renew USE2016 0005.

**Background** – The Planning Commission approved a Special Use Permit (USE2016 0005), effective April 13, 2016, to allow a Marijuana cultivation facility in the Industrial zoning district with the following conditions:

1. Wastewater generated by the marijuana cultivation facility is prohibited from entering the CBJ sewer system.
2. Parking spaces shall meet CBJ 49.40.210(b)(1); 4 spaces including 1 ADA signed space shall be marked and maintained for Rainforest Farms; and 1 space shall be signed for the accessory dwelling unit.
3. If/when the owners expand to make deliveries, all deliveries must be undertaken during normal business hours, Monday through Sunday, and must not cause undue burden to the abutting properties.
4. The 50-foot streamside setback shall be maintained—fencing and parking are not allowed in the setback.
5. The CO<sub>2</sub> generator shall have an automatic shut off.
6. A propane sensor shall be installed in the cultivation building.
7. RC-48 Carbon-grade filters shall be replaced no less than once annually.
8. All CO<sub>2</sub> enrichment processes, plant extraction processes, fumigation and the use and storage of pesticide, fungicide, miticides, and thermal insecticidal fogging shall be approved by the Fire Marshal and meet the requirements of the International Fire Code (IFC) and NFPA where applicable.
9. Structures must meet the Sound Transmission Classification requirements as provided in the International Building Code.
10. All windows to the cultivation facility will be opaque and armed with an alarm system.
11. Lighting shall be installed to illuminate all access points—doors, windows—to the cultivation facility.
12. No offsite glare shall be produced by exterior doorway lights.
13. Each door shall have either a grade 2 lock with deadbolt or grade 1 lock.

14. Security cameras shall record in no less than high definition 720dpi resolution, with a minimum of 20 frames per second, with the ability to record in the infrared spectrum.
15. Security cameras shall have an unobstructed view of each doorway to the processing building and cultivation building.
16. Security cameras shall have an unobstructed view of the regular activity without sight blockage from lighting hoods, fixtures or other equipment in the processing building and cultivation building.
17. Security cameras shall have a battery back-up system installed that operates for a minimum of 24 hours; all batteries must be replaced annually.
18. Prior to the issuance of a Certificate of Occupancy, all security devices shall be inspected to ensure they are fully operational.
19. The applicant shall obtain a CBJ marijuana business license if and when applicable.
20. The property owner shall schedule an annual inspection to ensure conditions of this permit are met.
21. This CUP expires if the applicant does not receive a state marijuana license approval within 18 months.
22. The applicant has notice of pending legislation (Ordinance 2015-38) that may affect this approval. The applicant will comply with all requirements that Ordinance 2015-38 imposes when it is passed even if more restrictive than the approved conditions of USE2016 0005. If the Director determines that Ordinance 2015-38 imposes more substantial submittal requirements and/or more restrictive approval requirements than what was analyzed or imposed by this permit the Director may schedule USE2016 0005 for further review by the Planning Commission within three months of the adoption of Ordinance 2015-38.

In January 2019, this facility was issued a citation for operating without a license, modification of the floor plan without approval, security camera obstruction, and not meeting Conditions 16 and 17 of the Conditional Use Permit.

In January 2019, this facility was reinspected to ensure corrections were made to bring the facility into compliance with applicable regulations and required permit conditions. The facility failed the correction inspection for two reasons: an exterior door was unlocked with no alarm present and obstruction of security cameras. During this inspection, a citation was issued. An appeal of this citation was requested by the owner, and in February 2019, it was determined that the citation was legally issued. However, because the owner immediately attempted to remedy the issue, a warning was issued in lieu of a citation.

A third inspection was conducted and passed in January 2019.

In 2020, the marijuana license for Rainforest Farms cultivation (MJL-002) expired. The ownership of the facility was transferred, and a new Marijuana Facility License (MJL-027) was issued to Tree Logic through USE2016 0005.

The new owner passed the licensure inspection and received a license for FY2021.

## **ANALYSIS**

CBJ 49.65.1220 establishes the requirements for this renewal.

1. Licenses shall automatically renew on January 1, conditional upon the timely remittance of the annual license fee.
2. No outstanding corrective orders or enforcement actions.
3. Proof of inspection.
4. In compliance with the applicable Conditional Use Permit.

**Requirement:** Has the applicant applied for and remitted the fee for renewal of a Special Use Permit timely?

**Analysis: Yes.** The application for renewal of USE2016 0026 was received on October 25, 2021, and the fee remitted timely.

**Requirement:** At least ten days prior to the hearing, notice of the renewal request must be mailed to adjacent property owners. At least two days prior to the hearing, a general notice shall be printed in the newspaper of general circulation in the municipality.

**Analysis: Yes.** The Public Notice requirements of Title 49 have been met for this renewal.

**Requirement:** Conditions contained in the Special Use Permit cannot be changed unless the Commission amends or adds conditions to ensure compliance with this title. Have the conditions been changed to ensure compliance with Title 49?

**Analysis:** Conditions placed on the Special Use Permit have not been changed.

### **PUBLIC COMMENTS**

CDD conducted a public comment period between October 25, 2021 and November 9, 2021. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on site two weeks prior to the scheduled hearing. No public comments have been submitted as of the writing of this report.

### **FINDINGS**

**Special Use Permit Renewal Criteria** – Per CBJ 49.15.250, Development Permit Extension, the Director makes the following findings on the criteria for granting the requested Special Use permit extension:

**1. *Was the application for the requested Special Use Permit renewal complete and received timely?***

**Analysis:** No Further analysis needed.

**Finding: Yes.** The application contains the information necessary to conduct full review of the proposed permit renewal. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

**2. *Have there been any corrective or enforcement issues for this facility in the past five years?***

**Analysis:** Under the previous ownership, a citation was issued (ENF2019 0003). This citation was formally appealed, and a warning was issued in lieu. Current ownership does not have any corrective or enforcement issues on record.

**Finding: No.** The issued citation was dismissed on February 26, 2019.

**3. *Have all inspections been passed?***

**Analysis:** Under the previous ownership, this facility failed two inspections for FY2019. A third inspection was conducted and passed. Previous inspections from 2016-2018 were passed. Current ownership passed the licensure inspection for FY2021.

**Finding: Yes.** The facility passed the licensure inspection for FY2021 under current ownership. Past failed inspections were the responsibility of the previous owner.

**4. *Are State and CBJ marijuana licenses being maintained current?***

**Analysis:** State and CBJ licenses are being maintained. Copies of each permit are located in Attachment B.

**Finding: Yes.** State and CBJ marijuana licenses are current.

**5. *Have any modifications been made to the Special Use Permit?***

**Analysis:** No further analysis required.

**Finding: No.** No major modifications have been made to the Special Use Permit.

**6. *Have the conditions of the Special Use Permit been met and maintained?***

**Analysis:** No further analysis needed.

**Finding: Yes.** The conditions of the Special Use Permit are being met and maintained under the current ownership.

**RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Special Use Permit five-year renewal. The permit would allow the renewal of a five-year Special Use Permit. The permit would allow a Marijuana Cultivation License five-year renewal without amended conditions.

**STAFF REPORT ATTACHMENTS**

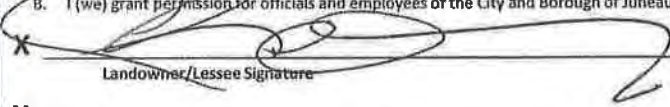
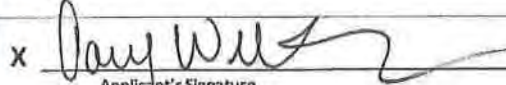
Item	Description
Attachment A	Application Packet
Attachment B	Supporting Documents
Attachment C	Public Notice





# DEVELOPMENT PERMIT APPLICATION

**NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.**

To be completed by Applicant	<b>PROPERTY LOCATION</b>	
	Physical Address <b>5763 Glacier Hwy. Juneau, AK 99801</b>	
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <b>USMS 609 TR 2A1</b>	
	Parcel Number(s) <b>5B1201060112</b>	
	This property located in the downtown historic district This property located in a mapped hazard area, if so, which _____	
	<b>LANDOWNER/ LESSEE</b>	
	Property Owner <b>Spruce Holdings</b>	Contact Person <b>Charlie Moline</b>
	Mailing Address	Phone Number(s) <b>907-321-4689</b>
	E-mail Address <b>molineak@gmail.com</b>	
	<b>LANDOWNER/ LESSEE CONSENT</b> Required for Planning Permits, not needed on Building/ Engineering Permits	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.		
X  <b>Landowner/Lessee Signature</b> <b>10/15/21</b> <b>Date</b>		
X _____ <b>Landowner/Lessee Signature</b> _____ <b>Date</b>		
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.		
<b>APPLICANT</b> If the same as OWNER, write "SAME"		
Applicant <b>Casey Wilkins/TreeLogic</b>	Contact Person <b>Casey Wilkins</b>	
Mailing Address <b>P.O. Box 240122 Douglas, AK 99824</b>	Phone Number(s) <b>907-957-3877</b>	
E-mail Address		
X  <b>Applicant's Signature</b> <b>10/15/21</b> <b>Date of Application</b>		

DEPARTMENT USE ONLY BELOW THIS LINE

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials <b>JPM</b>	Date Received <b>10/25/21</b>
Case Number <b>USE 21-018</b>	

Updated 2017 - Page 1 of 1



# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

**NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.**

To be completed by Applicant

## PROJECT SUMMARY

Renewal of marijuana cultivation facility conditional use permit at existing facility.

## TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ☐ Accessory Apartment – Accessory Apartment Application (AAP)  
☒ Use Listed in 49.25.300 – Table of Permissible Uses (USE)  
 Table of Permissible Uses Category: 14.245 Marijuana Cultivation >500 sq ft

## IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☒ YES – Case # USE2016 0005 ☐ NO

## UTILITIES PROPOSED

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

## SITE AND BUILDING SPECIFICS

Total Area of Lot 48,470 square feet Total Area of Existing Structure(s) 2750 square feet

Total Area of Proposed Structure(s) N/A square feet

## EXTERNAL LIGHTING

Existing to remain  
Proposed

☐ No  
☐ No

☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures  
☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

## ALL REQUIRED DOCUMENTS ATTACHED

### ☐ Narrative including:

- ☐ Current use of land or building(s)  
☐ Description of project, project site, circulation, traffic etc.  
☐ Proposed use of land or building(s)  
☐ How the proposed use complies with the Comprehensive Plan

*If this is a modification or extension include:*

- ☒ Notice of Decision and case number  
☒ Justification for the modification or extension  
☒ Application submitted at least 30 days before expiration date

### ☐ Plans including:

- ☐ Site plan  
☐ Floor plan(s)  
☐ Elevation view of existing and proposed buildings  
☐ Proposed vegetative cover  
☐ Existing and proposed parking areas and proposed traffic circulation  
☐ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

## ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>250</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
Total Fee	\$ <u>400.00</u>			

This form and all documents associated with it are public record once submitted.

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Attachment A - Application Packet

Case Number

Date Received

USE20210018

10/25/21

## Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

**Pre-Application Conference:** A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at [permits@juneau.org](mailto:permits@juneau.org).

**Application:** An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
  - A. Site plan, floor plan and elevation views of existing and proposed structures
  - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
  - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
  - D. Existing and proposed lighting (including cut sheets for each type of lighting)
  - E. Existing and proposed vegetation with location, area, height and type of plantings
  - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

**Document Format:** All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

**Application Review & Hearing Procedure:** Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

**Review:** As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

**Hearing:** All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

**Public Notice Responsibilities:** Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

**The Community Development Department** will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

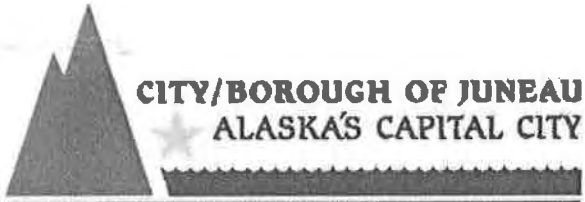
**The Applicant** will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**



## Attachment A - Application Packet



### PLANNING COMMISSION NOTICE OF DECISION

Date: April 13, 2016

File No.: USE2016 0005

Rainforest Farms, LLC.  
Attn: James Barrett  
PO Box 21714  
Juneau, AK 99801

Application For: A Conditional Use Permit for a Marijuana Cultivation Facility in an Industrial Zone.

Legal Description: USMS 609 Tract 2A1

Property Address: 5763 Glacier Highway

Parcel Code No.: 5-B12-0-106-011-2

Hearing Date: April 12, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated March 29, 2016 and approved the Marijuana Cultivation Facility to be conducted as described in the project description and project drawings submitted with the application (and with the following conditions:)

1. Wastewater generated by the marijuana cultivation facility is prohibited from entering the CBJ sewer system.
2. Parking spaces shall meet CBJ 49.40.210(b)(1); 4 spaces including 1 ADA signed space shall be marked and maintained for Rainforest Farms; and 1 space shall be signed for the accessory dwelling unit.
3. If/when the owners expand to make deliveries, all deliveries must be undertaken during normal business hours, Monday through Sunday, and must not cause undue burden to the abutting properties.
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Attachments: March 29, 2016, memorandum from Jill Maclean, Senior Planner, Community Development, to the CBJ Planning Commission regarding USE2016 0005.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

Effective Date: The permit is effective upon approval by the Commission, April 12, 2016.

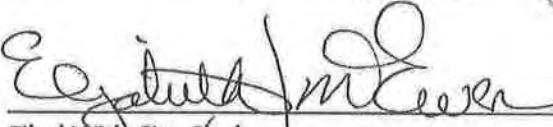
Expiration Date: The permit will expire 18 months after the effective date, or October 12, 2017 if no Building Permit has been issued and substantial construction progress has not been


made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:

  
Jill Maclean, Senior Planner  
Community Development Department

  
Benjamin Haight, Chair  
Planning Commission

  
Filed With City Clerk

  
Date

cc: Plan Review

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



# Community Development

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City & Borough of Juneau • Community Development  
155 S. Seward Street • Juneau, AK 99801  
(907) 586-0715 Phone • (907) 586-4529 Fax

**DATE:** March 29, 2016

**TO:** Planning Commission

**FROM:** Jill Maclean, Planner *Jill Maclean*  
Community Development Department

**FILE NO.:** USE2016 0005

**PROPOSAL:** Conditional Use Permit for a Marijuana Cultivation Facility in an Industrial Zone

## GENERAL INFORMATION

**Applicant:** Rainforest Farms, LLC.

**Property Owner:** Charles Moline

**Property Address:** 5763 Glacier Highway

**Legal Description:** USMS 609 Tract 2A1

**Parcel Code Number:** 5-B12-0-106-011-2

**Site Size:** 1.11 acres

**Comprehensive Plan Future Land Use Designation:** Heavy Industrial (HI)

**Zoning:** Industrial (I)

**Utilities:** CBJ Water and Sewer

**Access:** Glacier Highway

**Existing Land Use:** Commercial and Storage; Residential unit above

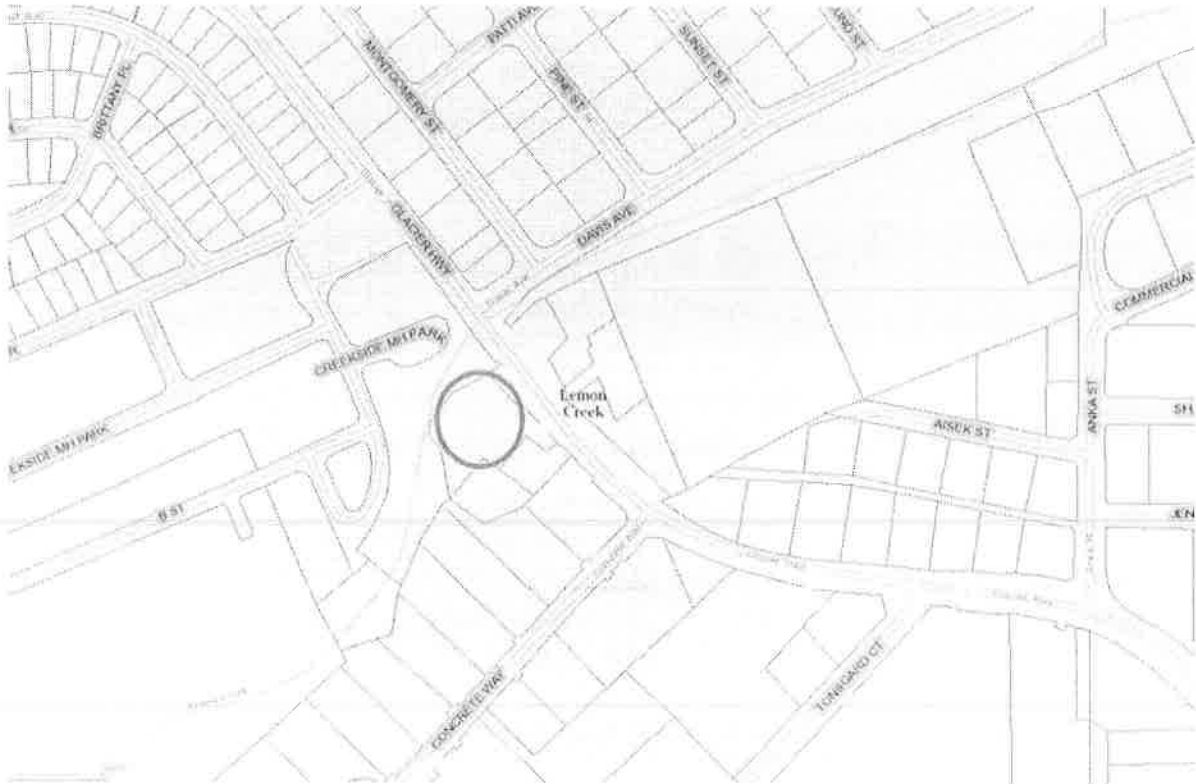
**Surrounding Land Use:**

North	-	Lemon Creek
South	-	JAG Rental – Trucking (Industrial zone)



East - Glacier Hwy/Storage (General Commercial zone)  
West - JAG Rental – Trucking (Industrial zone)

**Insert Vicinity Map Here**



**ATTACHMENTS**

- Attachment A – Conditional Use Permit Application
- Attachment B – As-Built Survey
- Attachment C – Site Plan
- Attachment D – Parking & Surveillance
- Attachment E – Site Photos
- Attachment F – Public Comment

### **PROJECT DESCRIPTION**

The applicant requests a Conditional Use permit for the development of a marijuana cultivation facility located at 5763 Glacier Highway, in an Industrial-zoned area (Note – the application mistakenly identifies the zoning of this lot as General Commercial). The applicant proposes to cultivate and prepare marijuana for sale to another licensed marijuana establishment.

### **BACKGROUND**

In November 2015, the Assembly passed Ordinance 2015-39 amending CBJ 49.25.300 Table of Permissible Uses (TPU) to include marijuana uses. Marijuana uses allowed by the TPU include marijuana cultivation, marijuana product manufacturing, marijuana testing, and marijuana retail. Marijuana cultivation is allowed in industrial zoned districts with a conditional use permit. The state will be issuing standard marijuana cultivation facility licenses with no size restrictions.

In order to complete amendments to the TPU, a moratorium was placed on applications for marijuana establishments within the CBJ through December 31, 2015. The moratorium was not extended, and the Community Development Department scheduled this application for a public hearing in accordance with CBJ 49.15.330 Conditional Use permit.

In addition to the amendments to the TPU, the CBJ Marijuana Committee recommended a Special Use Ordinance for the Planning Commission to consider pursuant to amendments to Title 49. Ordinance 2015-38 contains Conditional Use Permit application requirements specific to marijuana including odor management standards, and a local license requirement for marijuana uses. At their February 23, 2016 meeting, the Planning Commission forwarded a positive recommendation to the Assembly on Ordinance 2015-38.

While Ordinance 2015-38 has not yet been adopted by the Assembly, CDD staff recommended the applicant submit the additional materials consistent with the Planning Commission's recommendation to the Assembly. Additional information requested for this proposal includes:

- Security plans that indicate compliance with State law
- Ventilation and filtration plan
- Waste management plan
- Carbon dioxide use disclosure
- Health and Sanitation (mold prevention methods)

The applicant has addressed these topics in the application narrative.

### **INTERNAL REVIEW & COMMENTS**

The application was provided to applicable CBJ departments and external agencies for review and comment. The Building Division, General Engineering, and Police Department did not have any comments on this application. The Alaska State Department of Transportation, and the Department of Fish and Game did not have any comments on this application.

The Fire Department made the following comment: "All CO<sub>2</sub> enrichment processes, plant extraction processes, fumigation and the use and storage of pesticide, fungicide, miticides and thermal insecticidal fogging shall be approved by the fire marshal and meet the requirements of the International Fire Code (IFC) and NFPA where applicable". Staff recommends adding this comment as a condition.

See Attachment F for public comment received.

### **ANALYSIS**

#### **Project Site -**

The proposed site is located at 5763 Glacier Highway, and is bordered by Lemon Creek on the north side (see Attachment B and C). The site is located in an Industrial-zoned district. City water and sewer are available. The site is 48,470 square feet or 1.11 acres. Setbacks in Industrial zoning districts are 10 feet in the front and rear, and 0 feet for the side yards. The lot has a 30-foot access agreement to Glacier Highway as shown on the site plan provided in Attachment B. The Industrial zoning district does not have a minimum vegetative cover requirement. The site is located adjacent to Lemon Creek, an anadromous stream, with a 50' streamside setback. The existing structure is located outside the 50-foot streamside setback, and parking is not allowed in the setback area.

#### **Project Design -**

The applicant proposes using the ground floor of the existing building, 2,750 square feet for cultivation of marijuana. All windows to the cultivation facility will be opaque and armed with an alarm system. Three primary doors will allow entrance to the restricted access areas will be secured with commercial grade doors and locks. Exterior motion lighting will be installed to facilitate surveillance in addition to the existing exterior lighting. Exterior motion lights will be placed at each corner of the premises and will be detect motion within 25' of the building.

The facility will consist of a vegetative room (plants are grown in this location until they mature), a flower room (plants are moved to this room once mature and flowering as they require different amounts of light), a trim room, a cure room, and an office for where security equipment and holdings will be secured (see Attachment A). The applicant estimates the structure will accommodate a total canopy (the uppermost spreading layer of the plants) of approximately 1000 square feet. The applicant intends to have a retail store located in downtown Juneau, as well as, a processing facility in the future.

The facility will be supported by a fresh air exchange, an air conditioning and heating unit, and dehumidifiers, to provide for the atmospheric conditioning required to yield a successful marijuana crop. The heating and cooling system along with fans will also protect against mold, mildew and pesticides. Additional equipment includes carbon filters for odor control and LED grow lights. The carbon filters are designed to scrub the air clean and are designed for commercial operations in other industries, as well as, marijuana (see Attachment A).

Four small propane fueled Carbon Dioxide (CO<sub>2</sub>) generators will be installed to assist in cultivation. Plant growth is accelerated by increasing the CO<sub>2</sub> parts per million (ppm) in the grow room and therefore is a common feature in commercial facilities. There is an automatic shut off once CO<sub>2</sub> levels reach a certain point. Handlers will also have the ability to shut off the fuel source to the generator inside and outside the building. The applicant intends to maintain 4x25 gallon propane tanks onsite for CO<sub>2</sub> generation. The International Fire Code requires propane tanks of 125 gallons to have 5 foot separation from a building. According to the Capital City Fire and Rescue, the CO<sub>2</sub> generator will require an annual inspection.

Normal ambient air has anywhere from 250 to 350 CO<sub>2</sub> ppm. CO<sub>2</sub> used in marijuana cultivation ranges from 800 to 1800 ppm. According to the Federal Department of Labor's Occupational Safety & Health Administration (OSHA), a general permissible exposure limit in an eight hour work day is CO<sub>2</sub> levels of 5,000 ppm.

#### **Traffic -**

Currently, the applicant does not plan to have employees beyond the three owners of the cultivation facility. In the future, the owners may hire a maximum of one or two full-time employees. The owners do not intend to deliver product; wholesale purchases will be made on site and the purchaser will be liable for the product after the sale is finalized. Given the existing industrial and commercial uses of this area, the traffic associated with the facility should not be a concern for this location. Should the owners expand to make deliveries, staff recommends that deliveries are undertaken during normal business hours, Monday through Sunday, and do not cause undue burden to the abutting properties.

#### **Parking and Circulation -**

The cultivation facility is 2,750 square feet, and the storage shed is 510 square feet, totaling 3,260 square feet of useable space. Per CBJ 49.40.210 Table of Minimum Parking Standards, this use (warehousing) requires 1 parking space per 1,000 square feet of gross floor area; and the accessory dwelling unit requires 1 parking space. Therefore, the cultivation facility requires four (4) parking spaces, including one (1) ADA parking space which must have a posted sign; and the accessory dwelling unit above is required to have one (1) parking space, which must also be signed for their use (see Attachment D).

The five (5) total parking spaces must be 8.5-feet wide by 17-feet long, and must be painted accordingly [Note – the application narrative states the parking spaces are 8.5-feet wide by 16-feet long—this does not meet CBJ 49.40.210(b)(1)].

Per CBJ 49.40.210 (c) Off-street loading areas, this facility at a total of 3260 square feet, does not trigger the need for a loading space (5,000 square feet is the trigger for warehousing).

**Noise -**

The operation will be running 24 hours per day, with most of the work occurring during the daytime, regular business hours. All equipment for the operation will be inside the building. No externally perceptible noise is expected from the heating and cooling air to air system, fans, CO<sub>2</sub> generator, or dehumidifiers. Staff recommends as a condition of approval that the structures meet the Sound Transmission Classification requirements as provided in the International Building Code to eliminate any detectable noise from fans or generators outside of the structures.

**Odor –**

3 AAC 306.430(c)(2) and proposed Ordinance 2015-38 require marijuana cultivation licensees to prevent odor from being detectable outside of the licensed premise. The building will have carbon filters to absorb plant odor. Carbon filters are the primary method for odor elimination in marijuana facilities (see Attachment A). Staff recommends a condition that the filters be replaced no less than once annually to ensure their proper functioning.

**Waste –**

State regulations require each plant to be tracked from seed or the cloning stage to final sale or disposal. Licensees must give the state a minimum of three days' notice prior to rendering the marijuana unusable. Marijuana to be destroyed must be rendered unusable by grinding the plant waste and then mixing the ground material with compostable or non-compostable material. The compost will be stored in the storage building. Staff recommends that the storage building is outfitted with commercial grade doors and locks, and is under camera surveillance.

**Public Health or Safety -**

Security is a primary concern in the legal marijuana industry and the state regulations provide for processes and standards to ensure legal marijuana does not end up in the illegal market, is sold only to those 21 and over, and that licensed marijuana establishments are secure from theft. Proposed Ordinance 2015-38 requires that CUP applications include a security plan indicating how the applicant will comply with the requirements imposed by State law. Those requirements include;

- Exterior lighting
- Security alarm system on exterior doors



There will be 3 primary access doors that will allow entrance to the restricted access areas. Doak's will provide perimeter entrance security as well as window security. In the event that a break in occurs, both landowner, tenants, and JPD will be notified accordingly. Cash deposits will be held in a safe along with product in a secured room. This safe room will also hold business records.

Exterior motion lighting will be installed to facilitate surveillance in addition to the exterior lighting that is already in place. Exterior motion lights are placed at each corner of the premises and facing outward to detect motion within 25' of the building exterior.

A cellular phone will be kept on site for emergency calls and panic situations. In the event that there is an emergency, a phone will be available to employees and guests to make emergency phone calls.

A panic button is placed on the wall security panel to sound alarms if needed.

Employees will be required to be trained on site specific security protocols and procedures prior to employment.

An identification badge will be displayed and worn by each licensee, employee, or agent while on the premises.

Diversion of Product: Policies and procedures for preventing diversion of marijuana or marijuana product will include:

- RFID tags on all products and plants.
- A marijuana inventory tracking system designed by TraceWeed tracking systems, capable of sharing information with the system the board implements to ensure tracking for the reasons listed above, will be used.
- Products will be stored in a safe for the entire duration while awaiting sale.
- Signed manifest by the buyer of the goods will be kept for on-site record.
- Sound alarms will be installed.
- Security Systems signs will alert intruders of security measures.
- Lighting both indoors and exterior will allow for product to be monitored sufficiently via video surveillance.
- Products will be locked in a fire resistant safe.
- Access to safe will be limited only to owners and limited staff.
- Signed inventory declarations of products being stored will be accounted for and updated on a daily basis.
- A camera will be placed in the security room where the point of sale of product will take place.
- All marijuana packaged will be weighed on a scale certified in compliance with AS 3 AAC 306.745.

- Continuous video monitoring
- Commercial grade door locks on exterior points of entry

The state security requirements are addressed in the security plan provided by the applicant (see Attachment A and D). Staff recommends as a condition that prior to issuance of a Certificate of Occupancy, staff ensure that each security element is operational.

The proposal includes video surveillance in all restricted access areas, operating 24 hours a day, seven days a week, both inside and outside the facility. Staff interviewed local security specialists to determine the resolution required to provide the necessary imaging should a burglary take place. Infrared recording would be necessary if electricity was shut off or someone entered either building while the lights were shut off. Staff recommends as a condition that high resolution cameras that have the ability to record in infrared spectrum be required. Staff recommends that access doors to the restricted areas are commercial grade with commercial grade locks. It should be noted that the accessory dwelling unit located above the cultivation facility has its own external stairway access, and does not have any access to the cultivation facility.

The proposal identifies the use of ventilation, pesticides and sanitation as methods to be used to reduce the chance of mold, mildew, fungus, or pests. Samples of marijuana and manufactured product must be tested in a state licensed facility prior to sale. Testing facilities are required to test for harmful contaminants and residual solvents from extraction processes. Therefore, any harmful chemicals or microbial will be detected prior to consumer consumption.

#### **Habitat -**

The site is located adjacent to Lemon Creek, an anadromous stream. The existing structure is located outside the 50-foot streamside setback, and no parking is proposed in the setback area. Staff recommends that the required parking spaces are marked appropriately to ensure that the streamside setback is not used for parking. The applicant will *not* be installing a fence as shown on the plan, however, if a fence is installed it cannot be located within the 50' setback.

#### **Property Value or Neighborhood Harmony -**

The facility is located within an Industrial zoning district, and is not located within the buffer zones of any schools, churches, or childcare facilities. Bordered by Lemon Creek and Glacier Highway on two sides, and with surrounding operations including industrial or commercial uses, i.e. the landfill, storage facility, electric repair company, and the Breeze-In, this site is an appropriate location for this use, and is in accord with neighborhood.

#### **Conformity with Adopted Plans -**

The property has a Comprehensive Plan designation of Heavy Industrial (HI). Chapter 11 of the 2013 City and Borough of Juneau Comprehensive Plan defines HI as the following:

*Land to be developed for heavy industrial uses such as large scale food production and/or processing; large-scale or industrial-related repair activities; metal fabrication; **wholesale trade; manufacturing processes; warehousing**; outdoor storage; trucking; animal kennels; crematoria; repair and maintenance uses; resource extraction and processing such as gravel pits, rock crushing facilities, cement batch plants, asphalt plants, fuel tanks, stump dumps, salvage yards, landfill sites; aircraft facilities; and other similar large-scale or noisy and/or noxious industrial activities. Some recreational uses should be permitted, including sport vehicle, All Terrain Vehicle (ATV) or snowmobile motor-course facilities, shooting ranges, and other similar noise-generating uses. Residential, office, retail, and personal service uses are not to be allowed, except that residential caretaker facilities should be permitted.*

The subject site is provided with city water and sewer. The Planning Commission and Assembly deemed the cultivation facilities to be appropriate for industrial zoning districts. The site provides adequate space and security to operate a cultivation facility.

Staff further reviewed the 2013 Comprehensive Plan for policies that may be relevant to the proposal:

**POLICY 5.1. TO DEVELOP AND SUSTAIN A DIVERSE ECONOMY, PROVIDING OPPORTUNITIES FOR EMPLOYMENT FOR ALL RESIDENTS. Implementing Actions**

Implementing Actions

5.1 – IA1 Work with private-sector industries and businesses and public sector agencies that are interested in locating or expanding within the City and Borough of Juneau, and consider offering land, tax incentives, or other benefits to encourage new development.

**POLICY 5.4. TO ENCOURAGE AND SUPPORT REGIONAL ECONOMIC DEVELOPMENT IN OTHER CITIES AND LOCATIONS IN SOUTHEAST ALASKA TO CREATE A LOCAL ENVIRONMENT OF SERVICES AND OFFERINGS ATTRACTIVE TO COMMERCE ORIGINATING FROM OUTSIDE THE CBJ, AND TO ACTIVELY PARTICIPATE IN DEVELOPMENT AND IMPLEMENTATION OF REGIONAL SUSTAINABLE DEVELOPMENT GOALS.**

Implementing Actions

5.4 - SOP2 Encourage regional marketing for locally-made goods and locally-provided services and encourage partnerships in producing and marketing regionally-made goods and services.

5.4 - SOP7 Strengthen Juneau's role as a regional services hub for such things as fisheries research, medical, retail, tourism, transportation, and education.

**POLICY 5.11. TO ENCOURAGE THE LOCATION AND GROWTH OF LOCALLY-BASED BASIC SECTOR INDUSTRIES THAT PROVIDE YEAR-ROUND, FULL-TIME EMPLOYMENT AND PROVIDE TAX REVENUES THAT SUPPORT PUBLIC SERVICES.**

Implementing Actions

5.11 - IA1 The CBJ should establish a new Heavy Industrial zoning district category that allows light industrial and heavy industrial uses and restricts or prohibits retail, office and residential uses. The director of CDD should identify current Industrial zoning districts or other suitable area(s) that should be designated as heavy industry zoning district and so designate those lands.

**FINDINGS**

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses;  
and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

***1. Is the application for the requested conditional use permit complete?***

**Yes.** Staff finds the application contains the information necessary to conduct full review of the

proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

***2. Is the proposed use appropriate according to the Table of Permissible Uses?***

**Yes.** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 4.220 for the Industrial zoning district.

***3. Will the proposed development comply with the other requirements of this chapter?***

**Yes.** The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the April 1, 2016 and April 11, 2016 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

***4. Will the proposed development materially endanger the public health or safety?***

**No.** The proposal includes a 24 hours, 7 days a week surveillance and alarm system. The cultivation process will occur in a closed loop system and therefore no odor or product will be detectable offsite. The proposal includes necessary safety measures to ensure the product is free of contaminants and will further be tested prior to consumption according to State regulations. Therefore, as proposed, marijuana cultivation facility will not materially endanger the public health or safety.

***5. Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?***

**No.** The facility is located within an Industrial zoning district, and is not located within the buffer zones of any schools, churches, or daycare facilities. Bordered by Lemon Creek and Glacier Highway on two sides, and with surrounding industrial and commercial uses, this use is in harmony with the neighborhood, and should not decrease the value of properties in the area.

***6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?***

**Yes.** Based on the preceding analysis, staff finds the proposal to generally conform to the land use plan and the 2013 Comprehensive Plan.



**Per CBJ §49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:**

***7. Will the proposed development comply with the Juneau Coastal Management Program?***

**N/A.**

**RECOMMENDATION**

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow for the development of a marijuana cultivation facility in an industrial zoned area. The approval is subject to the following conditions:

1. Wastewater generated by the marijuana cultivation facility is prohibited from entering the CBJ sewer system.
2. Parking spaces shall meet CBJ 49.40.210(b)(1); 4 spaces including 1 ADA signed space shall be marked and maintained for Rainforest Farms; and 1 space shall be signed for the accessory dwelling unit.
3. If/when the owners expand to make deliveries, all deliveries must be undertaken during normal business hours, Monday through Sunday, and must not cause undue burden to the abutting properties.
4. The 50-foot streamside setback shall be maintained—fencing and parking are not allowed in the setback.
5. The CO<sub>2</sub> generator shall have an automatic shut off.
6. A propane sensor shall be installed in the cultivation building.
7. RC-48 Carbon-grade filters shall be replaced no less than once annually.
8. All CO<sub>2</sub> enrichment processes, plant extraction processes, fumigation and the use and storage of pesticide, fungicide, miticides and thermal insecticidal fogging shall be approved by the Fire Marshal and meet the requirements of the International Fire Code (IFC) and NFPA where applicable.
9. Structures meet the Sound Transmission Classification requirements as provided in the International Building Code to eliminate any detectable noise from fans or generators outside of the structures.
10. All windows to the cultivation facility will be opaque and armed with an alarm system.
11. Lighting shall be installed to illuminate all access points—doors, windows—to the cultivation facility.
12. No offsite glare shall be produced by exterior doorway lights.
13. Each door shall have either a grade 2 lock with deadbolt or grade 1 lock.
14. Security cameras shall record in no less than high definition 720dpi resolution, with a minimum of 20 frames per second, with the ability to record in the infrared spectrum.

15. Security cameras shall have an unobstructed view of each doorway to the processing building and cultivation building.
16. Security cameras shall have an unobstructed view of the regular activity without sight blockage from lighting hoods, fixture or other equipment in the processing building and cultivation building.
17. Security cameras shall have a battery back-up system installed that operates for a minimum of 24 hours; all batteries must be replaced annually.
18. Prior to the issuance of a Certificate of Occupancy, all security devices shall be inspected to ensure they are fully operational.
19. The applicant shall obtain a CBJ marijuana business license if and when applicable.
20. The property owner shall schedule an annual inspection to ensure conditions of this permit are met.
21. This CUP expires if the applicant does not receive a state marijuana license approval within 18 months.
22. The applicant has notice of pending legislation (Ordinance 2015-38) that may affect this approval. The applicant will comply with all requirements that Ordinance 2015-38 imposes when it is passed even if more restrictive than the approved conditions of USE2016 0001. If the Director determines that Ordinance 2015-38 imposes more substantial submittal requirements and/or more restrictive approval requirements than what was analyzed or imposed by this permit the Director may schedule USE2016 0001 for further review by the Planning Commission within three months of the adoption of Ordinance 2015-38.

# DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 2/17/16
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description <div style="text-align: center; font-size: 1.2em;">MARIJUANA CULTIVATION</div>		
	<b>PROPERTY LOCATION</b>		
	Street Address 5763 GLACIER HWY	City/Zip 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) UMS 609 TR 2A2		
	Assessor's Parcel Number(s) SB1201060112		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner's Name CHARLES MOLINE	Contact Person: CHARLIE M.	Work Phone: 321-4689
	Mailing Address PO Box 210921	Home Phone: 321-4689	Fax Number: -
	E-mail Address	Other Contact Phone Number(s): -	
	<b>LANDOWNER/ LESSEE CONSENT</b> ****Required for Planning Permits, not needed on Building/ Engineering Permits****		
<p>I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:</p> <p>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.</p> <p>B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.</p>			
X Landowner/Lessee Signature		2/17/16 Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
<b>APPLICANT</b> If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name RAIN FOREST FARMS, LLC		Contact Person: JAMES BARRETT	
Mailing Address PO Box 21714, JUNEAU, AK 99802		Work Phone: 957-4751	
E-mail Address RAINFORESTJAMES@GMAIL.COM		Home Phone: 957-4751	
		Fax Number: -	
		Other Contact Phone Number(s): -	
X Applicant's Signature		2/16/2016 Date of Application	

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE				
	<input checked="" type="checkbox"/>	Permit Type	***SIGN	Date Received	Application Number(s)
		Building/Grading Permit			
		City/State Project Review and City Land Action			
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	<input checked="" type="checkbox"/>	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		2/17/16	USE20160005
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
		Zone Change Application			
		Other (Describe)			
	***Public Notice Sign Form filled out and in the file.				
	Comments:				Permit Intake Initials <div style="font-size: 1.5em; text-align: center;">JKL</div>

# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number USE20160005	Date Received 2/17/16
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## TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ☐ Accessory Apartment\*\*\* (AAP)
 ☐ Driveway in Right-of-Way (ADW)
 ☒ Use Listed in §49.25.300 (USE)  
 (Table of Permissible Uses)

Please list the Table of Permissible Uses Category: 49.15.330

\*\*\*An Accessory Apartment Application will also be required.

## DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

MARIJUANA CULTIVATION FACILITY

## IS THIS A MODIFICATION OF AN EXISTING APPROVAL?

☒ NO ☐ YES - Case # \_\_\_\_\_

CURRENT USE OF LAND OR BUILDING(S): NO OCCUPANCY IN LOWER UNIT.  
RESIDENTS LIVE UPSTAIRS UNIT.

PROPOSED USE OF LAND OR BUILDING(S): MARIJUANA CULTIVATION FACILITY

## UTILITIES PROPOSED:

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

## SITE AND BUILDING SPECIFICS:

Total Area of Lot 48470 square feet Total Area of Existing Structure(s) 4234 square feet  
 Total Area of Proposed Structure(s) 2750 square feet

## EXTERNAL LIGHTING:

Existing to remain ☐ No ☒ Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures  
 Proposed ☒ No ☐ Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures

## PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Site Plan   | <input checked="" type="checkbox"/> Existing and proposed parking areas (including dimensions) and proposed traffic circulation |
| <input checked="" type="checkbox"/> Floor Plan of proposed buildings                  | <input checked="" type="checkbox"/> Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)              |
| <input checked="" type="checkbox"/> Elevation view of existing and proposed buildings |   |
| <input checked="" type="checkbox"/> Proposed Vegetative Cover                         |   |

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

## ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>350</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
Total Fee	\$ <u>500</u>	<u>1075</u>	<u>CDD7633</u>	<u>2/17/16</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Attachment A - Application Packet

**Site Plan and Location Narrative**  
**5763 Glacier Highway**  
**Juneau, AK**

**Where:** 5763 Glacier Highway, (UMS 609 TR 2A1), Juneau AK. 1st Level only.

**Request:** In accordance with State and local laws, we would like to apply for a conditional use permit for the purposes of Marijuana Cultivation.

**Uses of Premises:** Marijuana Cultivation. The site will be used for indoor cannabis cultivation.

**Lease Holder:** Rainforest Farms, LLC

**Property Owner:** Lemon Creek Holdings. LLC

**Site/Project Information:**

- Area - 2750 Sq Ft
- UMS 609 TR 2A1
- 1st Floor Only
- Zoning District - GC
- Building Height 18ft

**Scope:**

We are proposing and planning to use this space for cultivation of Marijuana. Marijuana will be cultivated and prepared for the sale to another licensed marijuana establishment. The cannabis will be grown under LED lights and use food grade nutrients as raw material for the operation. Plants will be grown in a soil medium. Low heat LED lights allow for cool temperatures in the facility. Product will also be dried, cured, and stored upon the premises. After product is sold, records will be retained on site and available for inspection per ordinance requirements.

Construction: Non-load bearing walls will be added to the primary room located at the entrance of the facility. Windows will be covered with a secured covering. Security Doors will be added to appropriate access points.

Hours of operation: This operation will be running for 24 hours per day. The plants will need to be maintained at any given time as needed. Most of the work will be done during the daytime during regular business hours.

Odor management: To ensure total odor air filtration, there are several important factors to consider. We will be using a carbon grade RC-48 filter for odor filtration. The RC-48 carbon is effective for the filtration of organic particles and other airborne materials. We will be using 3



- Marijuana product will be prepared, packaged, and secured for pick-up in child resistant, opaque bags. Bags will have a manifest with tracking and testing information attached at all times.
- Locked containers from purchaser will be required prior to product leaving facility.
- No product will be sold or given possession to anyone without a marijuana handlers card and manifest of transportation, and receipt of product paid.
- Commercial grade locks placed on all doors.

Guest and Visitors: Unescorted members of the public will be prohibited from entering restricted access areas and will not have access past the main entrance hallway. Security doors will be placed at the end of the hallway to prevent access to restricted access areas.

The processes for admitting visitors into and escorting them through restricted access areas will require guests to sign in with name, age, date and time of entrance and time of exit, name of person escorting visitor and guests' driver's license information. Employee or owner who has Marijuana handlers card will escort visitor at all times. Information will be stored in a locked file cabinet in the safe room for record keeping.

Guests will be required to wear a "visitor pass" connected to a lanyard for the entire duration of the visit.

Employees: We will start with just the owners and no employees. Eventually we plan to hire 1-2 full-time employees.

Each employee, or agent 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 Marijuana Control Board before beginning employment.

Hand washing sinks, bathrooms, and sanitation area will be available for employees.

Employees will be required to be trained on on-site specific security protocols and procedures prior to employment. Employee will be informed on how to handle each specific situation and how to stay safe when it occurs.

A detailed report will be made and saved on-site each time an action has been taken when security has been breached.

Parking: We have 4 parking spaces available to use.

Parking spaces are 8.5' wide by 16' long.

Delivery: Delivery Services will not be made available. Wholesale purchases will be made on site and the purchaser will be liable for the product after sale is finalised. All product will be tracked and taxed according to State Regulations. Once sale is final, records of the sale for both tax and tracking will be available on premises for inspection when needed.

Neighborhood Harmony: We have identified the neighborhood and found that this location meets all state regulations and current zoning ordinances. We have identified all school, churches, and daycare facilities and have found that this location is out of site and is outside of the buffer required by the State of Alaska. We have determined that our operations will not negatively affect the operations of surrounding homes or business. Of the immediate areas for consideration are the Landfill, Breeze-inn, a neighboring electric repair company and a storage rental business. Of these businesses, none will be negatively affected by our operation.

Signage: At this time, there will not be any significant signage other than a small sign indicating our business name and contact information near the front entrance to the building. The sign will be no larger than 24"X24" and will be placed next to the main entrance.

Signs will be placed on exterior of building to prevent loitering and theft.

Health and Sanitation: Cleaning of entire cultivation space will take place between crop rotations. We will be using food grade and non-toxic cleaning supplies. After each crop, the room will be swept, and mopped. All walls will be wiped down and surface areas will be dusted and washed as well. Watering containers and equipment will be inspected by managers once per month. Documents pertaining to cleaning schedules will be retained and saved for record keeping.

The use of small dehumidifiers will keep the air free of humidity and reduce the amount of mold and bacteria in the room. Properly cleaned carbon filtered ventilation will also allow for further sanitation to take place. Laborers are required to wash hands regularly. Before and after using bathroom as well as before and after leaving work.

Signs encouraging employees to wash hands will be placed in the bathroom and above wash areas.

By separating growing rooms, each room can be separate sanitized without affecting the other.

Utensils and tools will be cleaned as needed to prevent cross contamination.

Extractions: Extractions and concentrates will not be produced at this site. We will use small screens during trimming time to catch material for sale, however, this will not be considered an extraction technique.

License to Display: A copy of the State license will be displayed inside of the main entrance to the building, outside of the restricted access areas and will be directly in sight of the main entrance.

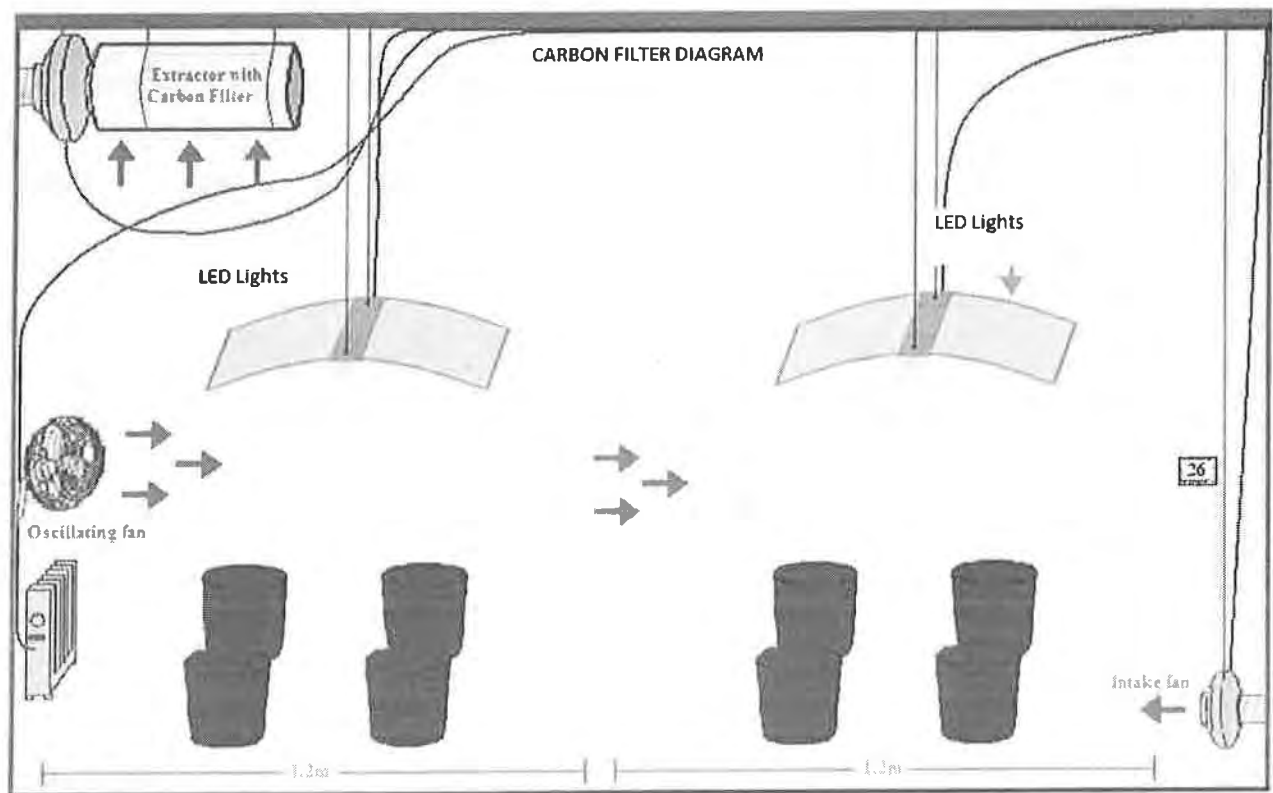
A copy of the local license will be displayed inside of the main entrance to the building, outside of the restricted access areas and will be directly in sight of the main entrance.

On-Site Record Keeping: In addition to standard operating procedures, several items will be stored on-site in a locked file cabinet. These files will be located in the safe room and will be restricted only to certain personnel and authority. Items to be stored on-site include:

- All books and records necessary to fully account for each business transaction conducted for the current year and three preceding calendar years (when applicable); records for the last six months are maintained on the marijuana establishment's licensed premises.
- A current employee list setting out the full name and marijuana handler permit number of each licensee, employee, and agent.
- The business contact information for vendors that maintain video surveillance systems and security alarm.
- Systems for the licensed premises.
- Records related to advertising and marketing.
- A current diagram of the licensed premises including each restricted access area.
- A log recording the name, and date and time of entry of each visitor permitted into a restricted access area.
- All records normally retained for tax purposes.
- 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.
- Transportation records for marijuana and marijuana product as required under 3 AAC 306.750(f).
- Expiration dates of Marijuana Handler Cards for employees.

To prevent these records from being lost or destroyed, a copy of all records will be made and stored off-site after the period of required record retention expires. Copies of records and files will be constantly updated and made in duplicate for the purposes of having back-up copies available when needed.

# CARBON FILTER DIAGRAM:



## **Commercial Lease Agreement**

### **5763 Glacier Hwy, Juneau, AK 99801**

This Commercial Lease Agreement ("Lease") is made and effective 01/17/16, by and between Lemon Creek Holdings LLC ("Landlord") and Rainforest Farms ("Tenant")

Landlord is the owner of land and buildings commonly known and numbered as 5763 Glacier Highway and legally described as follows (the "Building"); UMS 609 TR 2A1, Juneau, Alaska 99801.

Landlord makes available for lease a portion of building designated as: The first floor and commercial parking spaces (all parking spaces at the west entrance of the building and loading zone spaces at both South entrances), and 3 storage units (the "Leased Premises") Land to the North of the building is available for expansion of greenhouses if Tenant wishes.

Landlord desires to lease the Lease Premises to Tenant, and Tenant desires to lease the Leased Premises from Landlord for the Term, at the rental and upon the covenants, conditions and provisions herein set forth.

THEREFORE, in consideration of the mutual promises herein, contained and other good and valuable consideration, it is agreed;

**1. Term.**

- A. Landlord hereby leases the Leased Premises to Tenant, and Tenant hereby leases the same from Landlord, for and "initial Term" Beginning 1/17/16 ending 2/1/18.
- B. Landlord and Tenant may renew the Lease for extended terms at the end of first term. Tenant shall exercise such renewal option, if at all, by giving written notice to Landlord not less than ninety (90) days prior to the expiration of the initial Term.

**2. Rental.**

- A. Tenant shall pay to Landlord during the initial Term rental monthly Payments of [REDACTED] Each installment payment shall be due in advance on the first day of each calendar month during the lease term to Lemon Creek Holdings LLC.

- B. Payments not received by the 5<sup>th</sup> of each month shall be subject to \$75 dollar per day late fees enforceable by Alaska State Landlord Tenant Agreements.
- C. Taxes from CBJ are 5% sales tax which is due at time or monthly payments. Monthly Taxes for Leased space is \$[REDACTED] which is paid by Tenant.
- D. Security deposit shall be fifty percent (50%) of monthly lease amount due before Tenant takes over keys and has full access to Leased Premises.
- E. Tenants shall be in first place to lease additional space of second floor when existing Lease expires with current tenants. Lease for second floor shall be separate from commercial lease.

### **3. Sublease and Assignment.**

Tenant shall have the right without Landlords' consent, to assign this Lease to a corporation with which Tenant may merge or consolidate, to any subsidiary of Tenant, to any corporation under common control with Tenant, or to a purchaser of substantially all of Tenant's assets. Except as set forth above, Tenant shall not sublease all or any part of the Leased Premises, or assign this Lease in whole or in part without Landlord's consent, such as consent not to be unreasonably withheld or delayed.

### **4. Repairs and Maintenance**

During the Lease term, Landlord will make at the Landlords expenses all necessary repairs to the Leased premises regarding structural repairs, plumbing, mechanical system repairs, electrical failures due to normal use.

Landlord shall be responsible for landscaping, snow removal and exterior lighting of building.

### **5. Alterations and Improvements.**

Tenant, at Tenant's expense, shall have the right following Landlords consent to remodel, redecorate, and make improvements and replacements of and to all or any part of leased Premises from time to time as Tenant may deem desirable, provided the same are made in a workmanlike manner and utilizing good quality materials. Tenant shall have the right to place and install personal property, trade fixtures, equipment and other temporary installations in and upon the Leased Premises, and fasten the same to the premises. All personal property, equipment, machinery, trade fixtures and temporary installations, whether acquired by Tenant at the commencement of the lease term or placed or installed on the Leased premises by Tenant thereafter, shall remain Tenants property free and clear or any claim by Landlord. Tenant shall have right to remove the same at any time during the

term of this Lease provided that all damage to the Lease Premises caused by such removal shall be repaired by Tenant at Tenant's expenses.

#### **8. Insurance.**

A. If the Leased Premises or any other party of the Building is damaged by fire or other casualty resulting from any act of negligence of Tenant or any of Tenant's agents, employees or invitees, rent shall not be diminished or abated while such damages are under repair, and Tenant shall be responsible for repairs not covered by owners insurance.

B. Landlord will carry insurance to cover building and all Leased Premises. Tenant shall be responsible, at its expenses, for fire and extended coverage insurance on all of its personal property.

C. Tenant shall be responsible for obtaining any additional insurance.

#### **9. Utilities.**

Tenant shall pay all charges for electricity, Telephone, cable, security, garbage/ recycling, Internet, any janitorial services used by tenant on Leased Premises during the term of this Lease unless otherwise expressly agreed in writing by Landlord. In the event that any utility or service provided to the Leased Premises is not separately metered, Landlord shall pay the amount due and separately invoice Tenant for Tenant's pro rata share of the charges. Tenant shall pay such amounts within thirty (30) days of invoice.

#### **10. Signs.**

Following Landlord's Consent, Tenant shall have the right to place on the Leased Premises, at Locations specified by Landlord, any signs which are permitted by applicable zoning ordinances and private restrictions. Landlord May refuse consent to any proposed signage that is in Landlord's opinion too large, deceptive, unattractive or otherwise inconsistent with or inappropriate to the Leased Premises or use of any other tenant. Tenant shall repair all damage to the Leased Premises resulting from the removal of signs installed by the Tenant.

#### **11. Entry.**

Landlord shall have the right to enter upon the Leased premises at reasonable hours and approval from Tenants to inspect the same, provided Landlord shall not thereby unreasonably interfere with Tenants business on the Leased Premises.

Tenant accepts this Lease subject and subordinate to any mortgage, deed of trust or other lien presently existing or hereafter arising upon the Leased Premises, or upon the Building and to any renewals, refinancing and extensions thereof, but Tenant agrees that any such mortgagee shall have the right at any time to subordinate such mortgage, deed of trust or other lien to this Lease on such terms and subject to such conditions as such mortgagee may deem appropriate in its discretion.

**17. Notice.**

Any Notice required or permitted under this Lease shall be deemed sufficiently given or served if sent by United States Certified mail, return receipt requested, addressed as follows;

Landlord:

Lemon Creek Holdings LLC

PO BOX 210921

Auke Bay, AK

99821

Tenant:

**18. Successors.**

The Provisions of this Lease shall be extended to and be binding upon Landlord and Tenant and their respective legal representatives, successors and assigns.

**19. Consent.**

Landlord shall not unreasonably withhold or delay its consent with respect to any matter which Landlord's consent is required or desirable under this Lease.



**20. Compliance with Law.**

Tenant shall comply with all laws, orders, ordinances and other public requirements now or hereafter pertaining to Tenants use of Leased Premises. Landlord shall comply with all laws, orders ordnances and other public requirements now or hereafter affecting the Leased Premises.

**21. Final Agreement.**

This Agreement terminates and supersedes all prior understandings or agreements on the subject matter hereof. This Agreement may be modified only by further writing that is duly executed by both parties.

IN WITNESS WHEREOF, the parties have executed this Lease as of the day and year first above written.

Lemon Creek Holdings LLC, Landlord



Date 1/17/15

Rainforest Farms, Tenant



Date 1-17-16

Lemon Creek

Driveway

Employee  
Parking

Licensed Premises

Licensed Premises

Storage

Driveway

40R

Neighboring  
Building

Neighboring Building

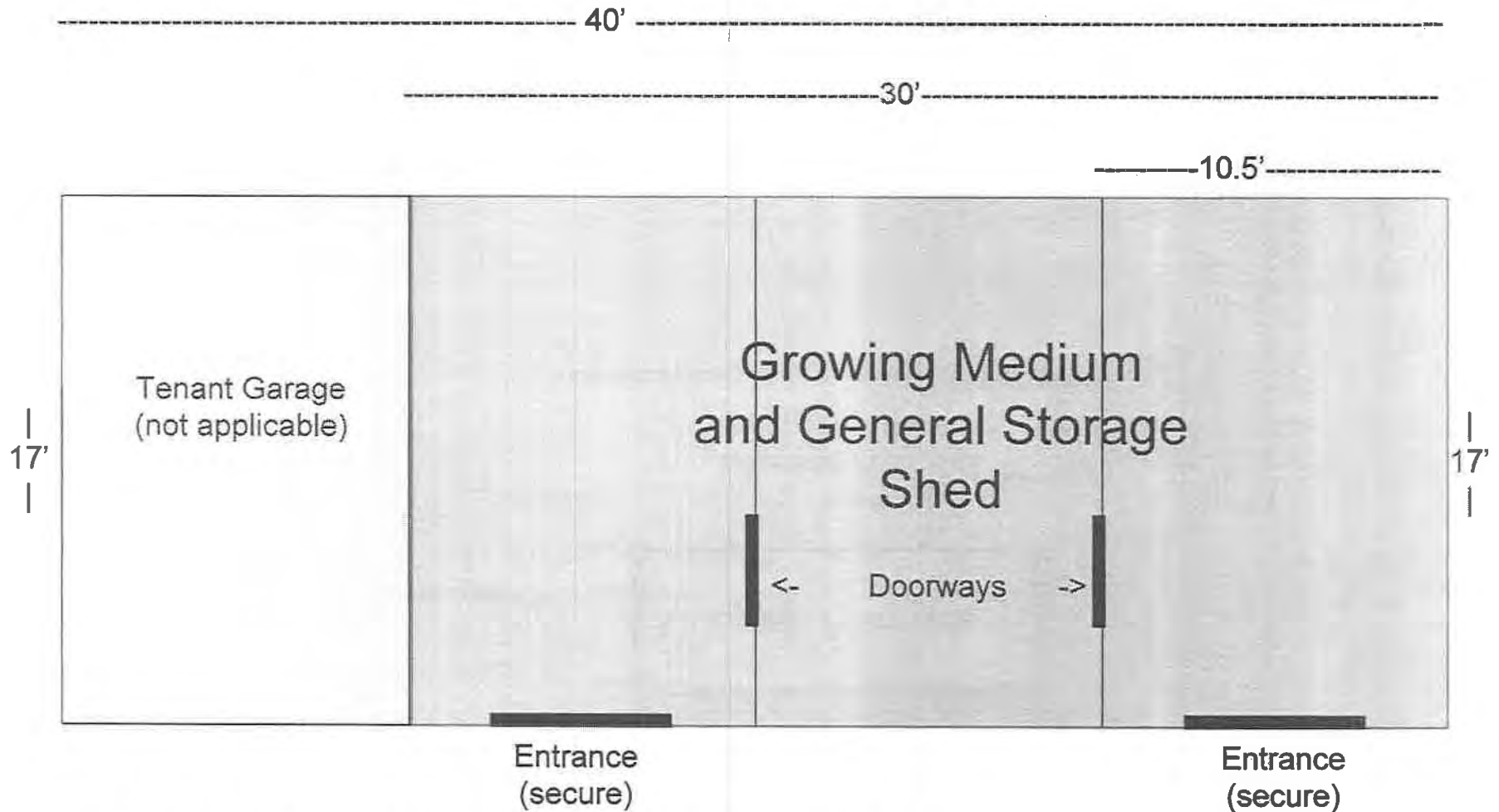
**SITE PLAN**

CULTIVATION AREA


Attachment C

Attachment A - Application Packet

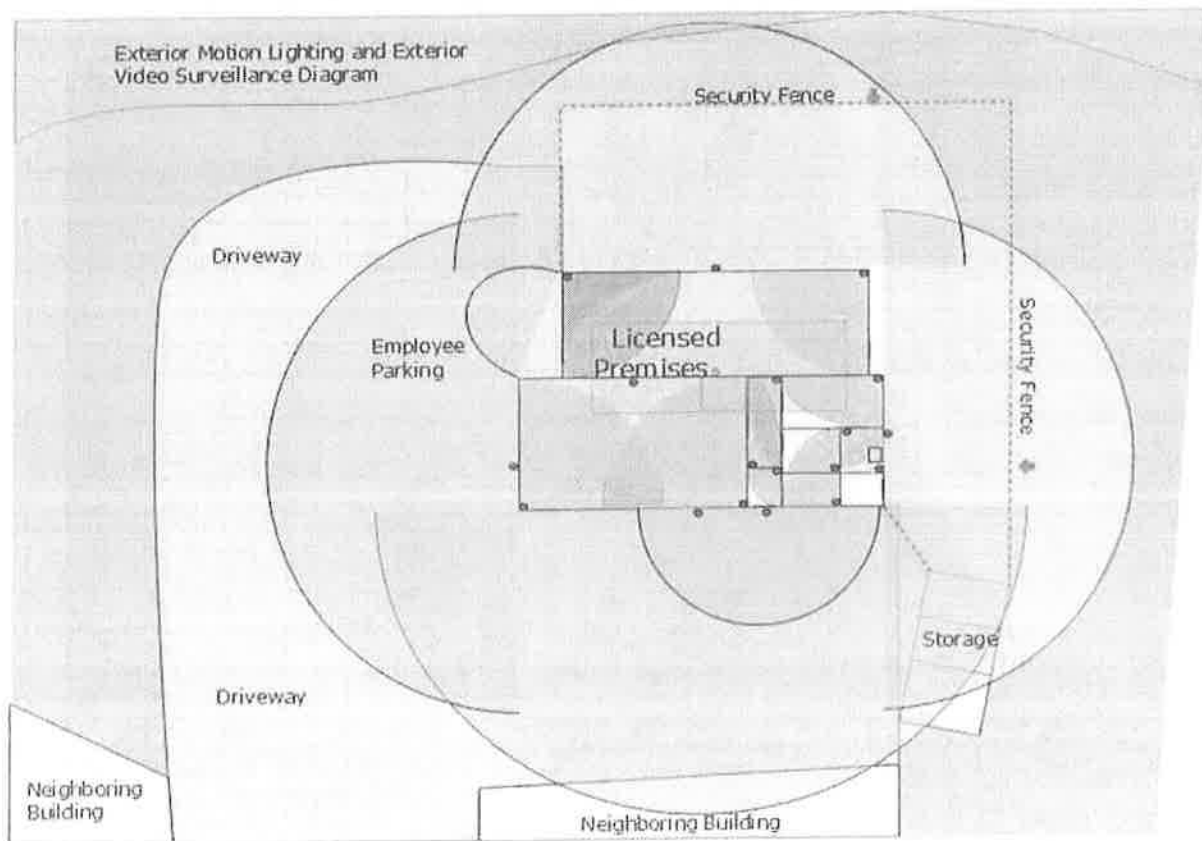
## Supplemental Shed Layout

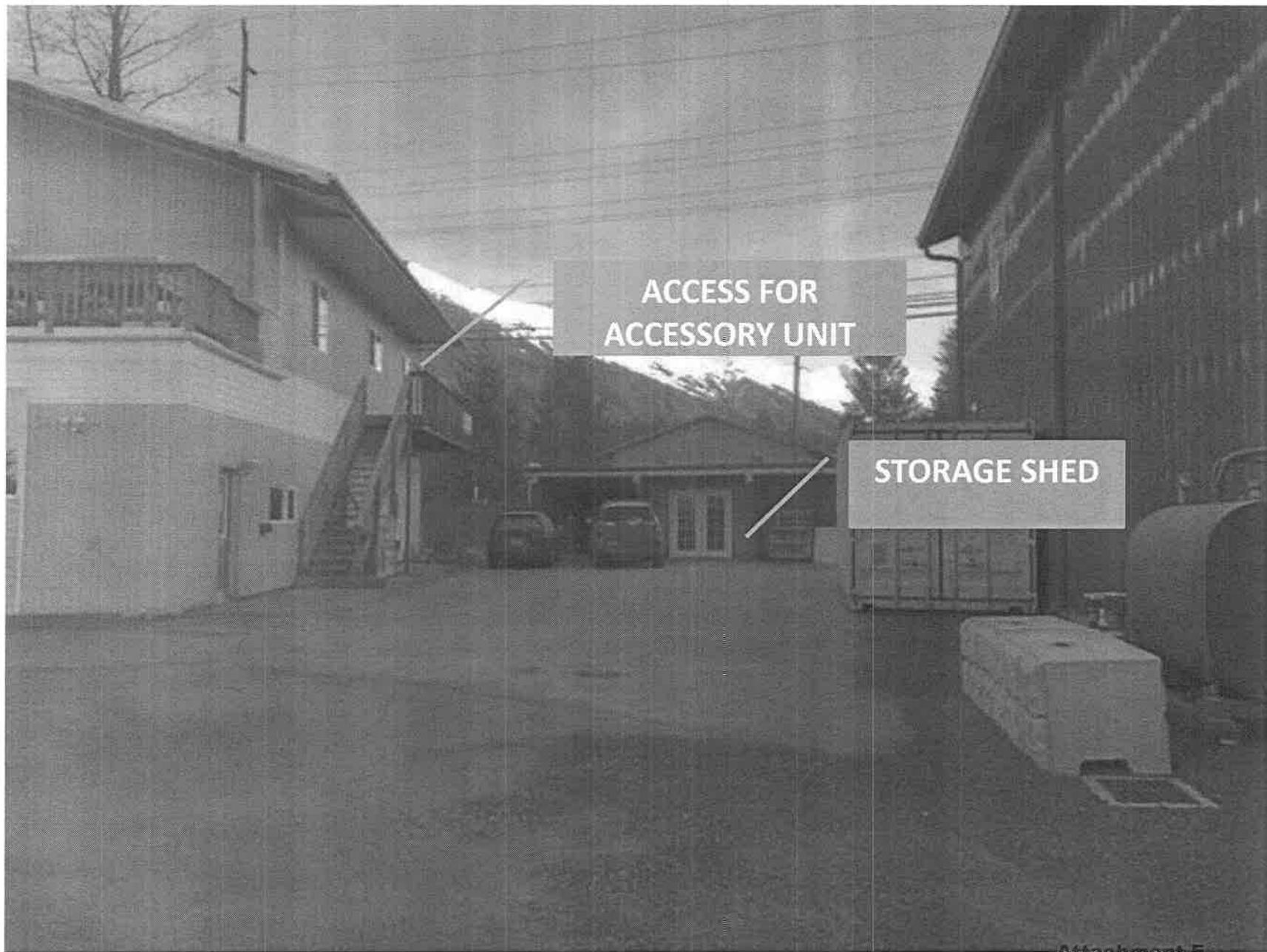


\*Absolutely no cannabis will be stored or present in this shed at anytime. This shed is not part of the restricted access area and it mainly used for storage and growing medium. By keeping the growing medium in a separate building, we can eliminate pests and mold significantly.

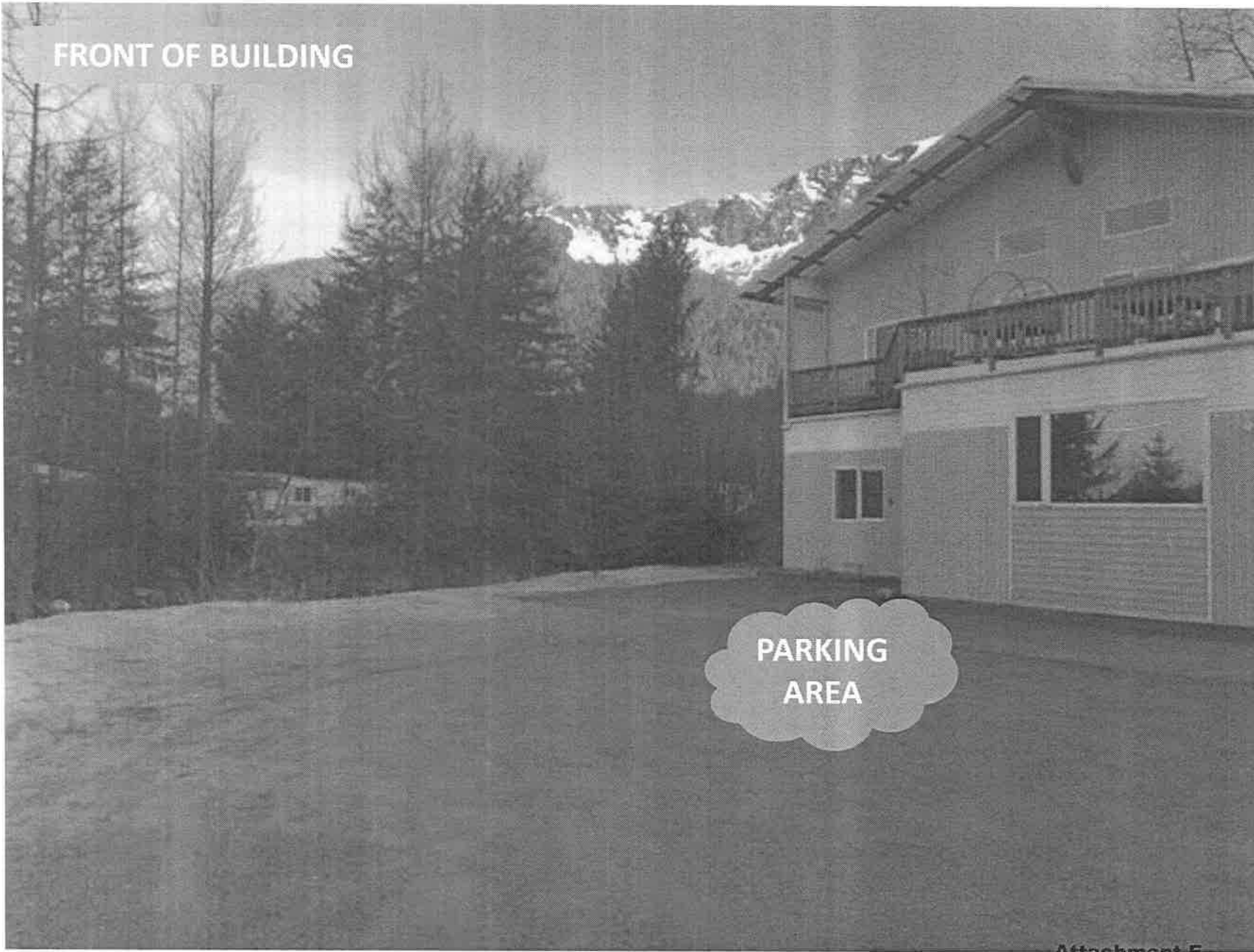
 = Usable Area

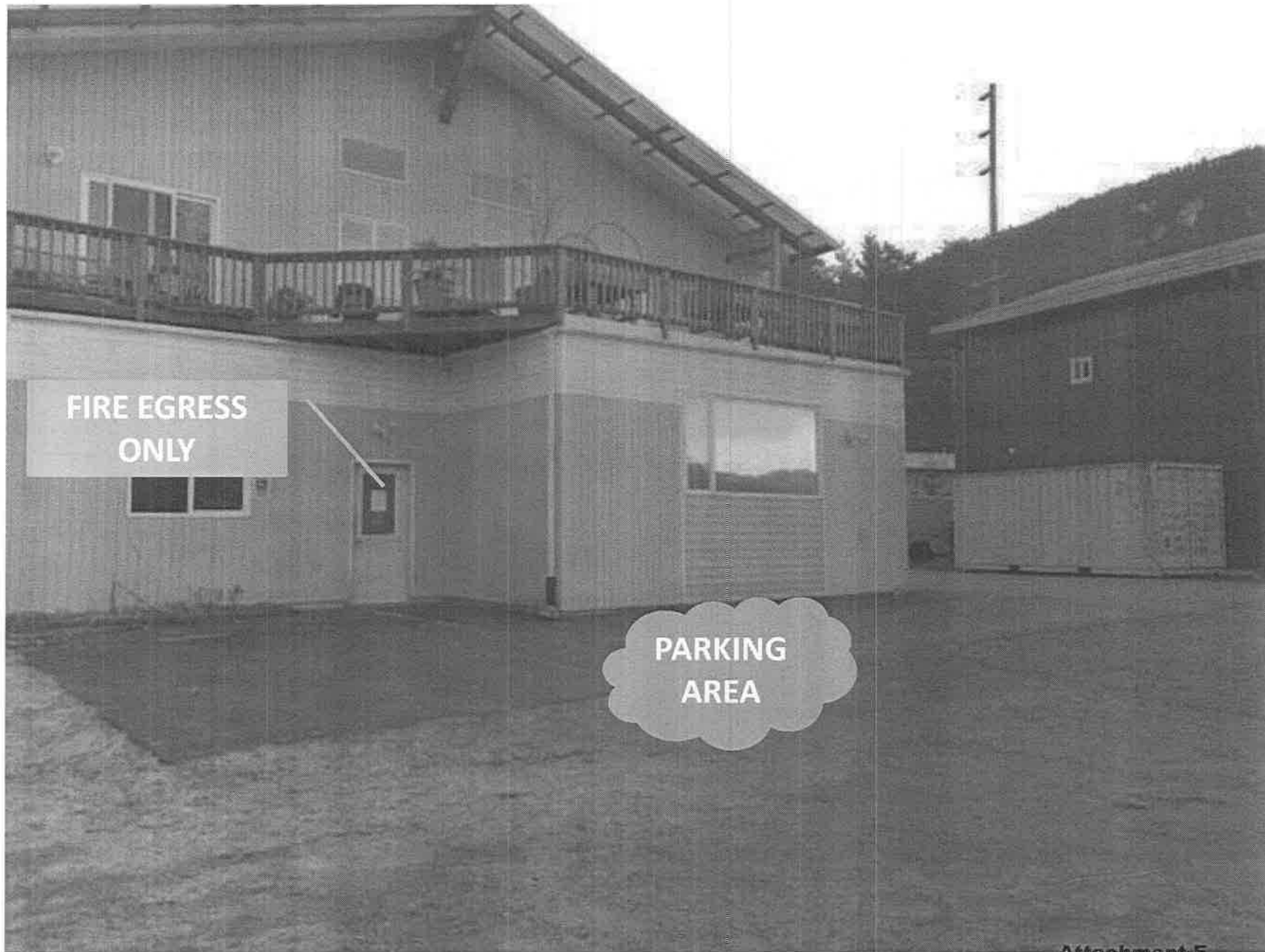
**EXTERIOR CAMERAS AND LIGHTING DIAGRAM:**





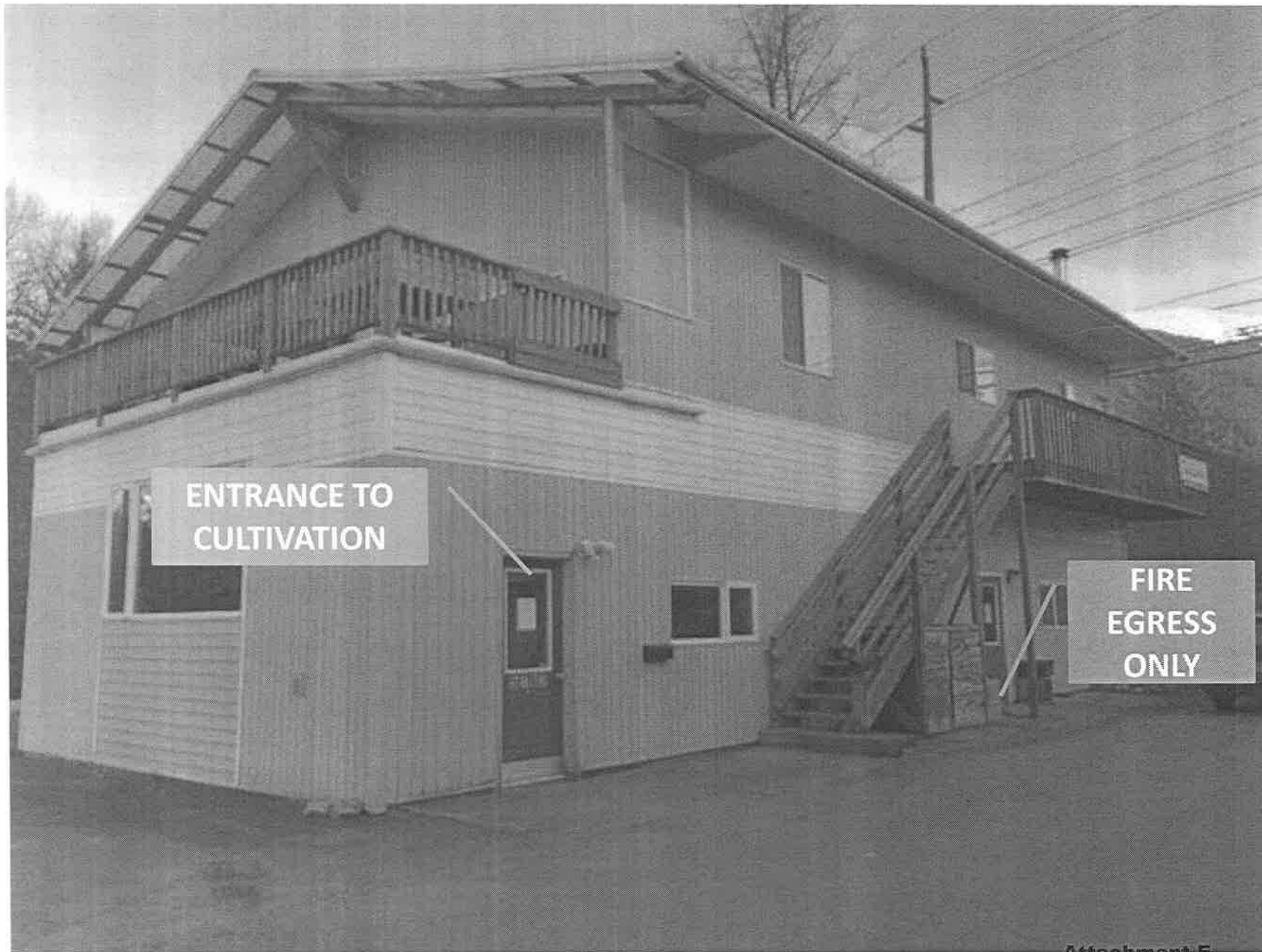
**Attachment E**





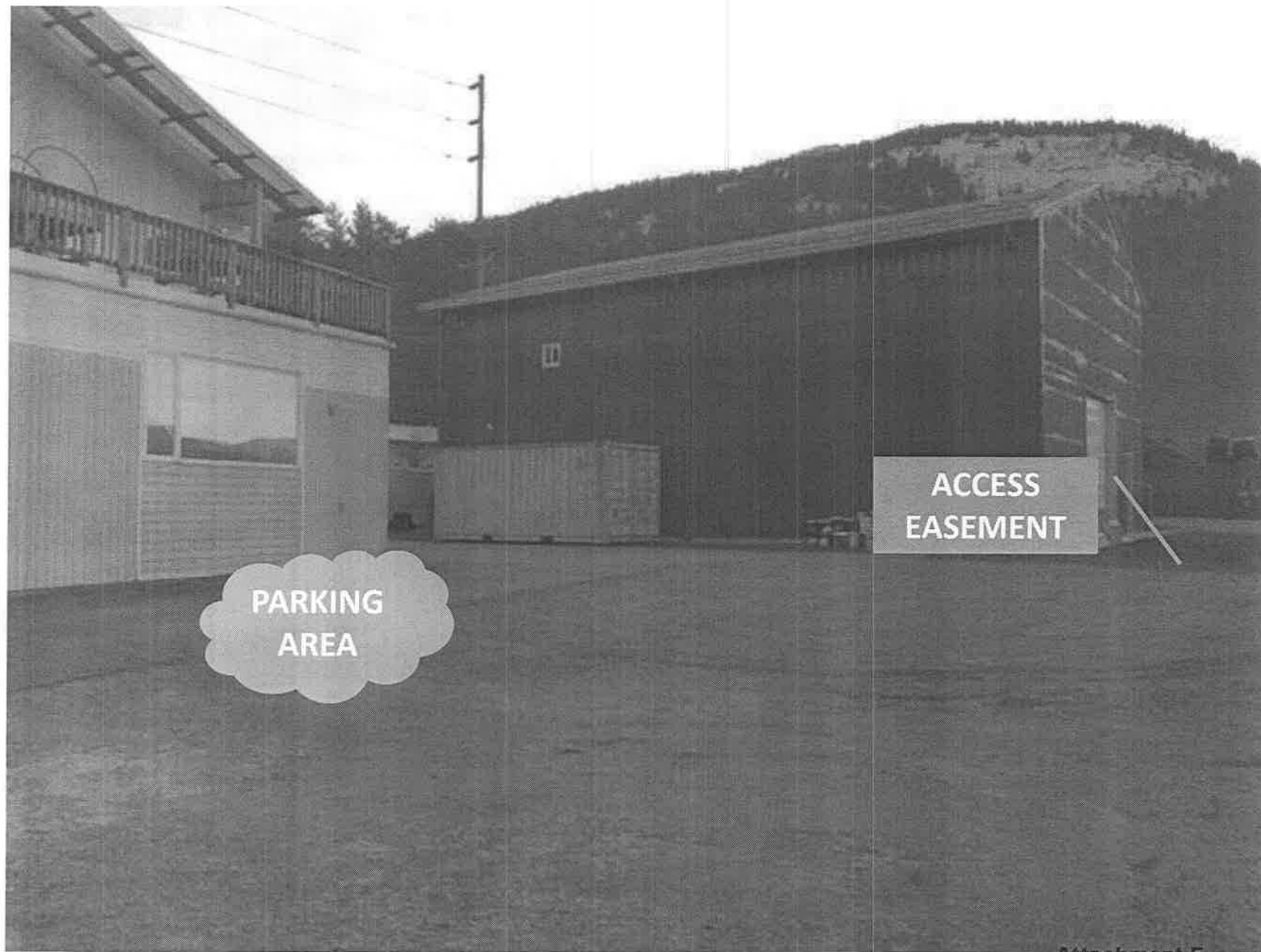
**Attachment E**



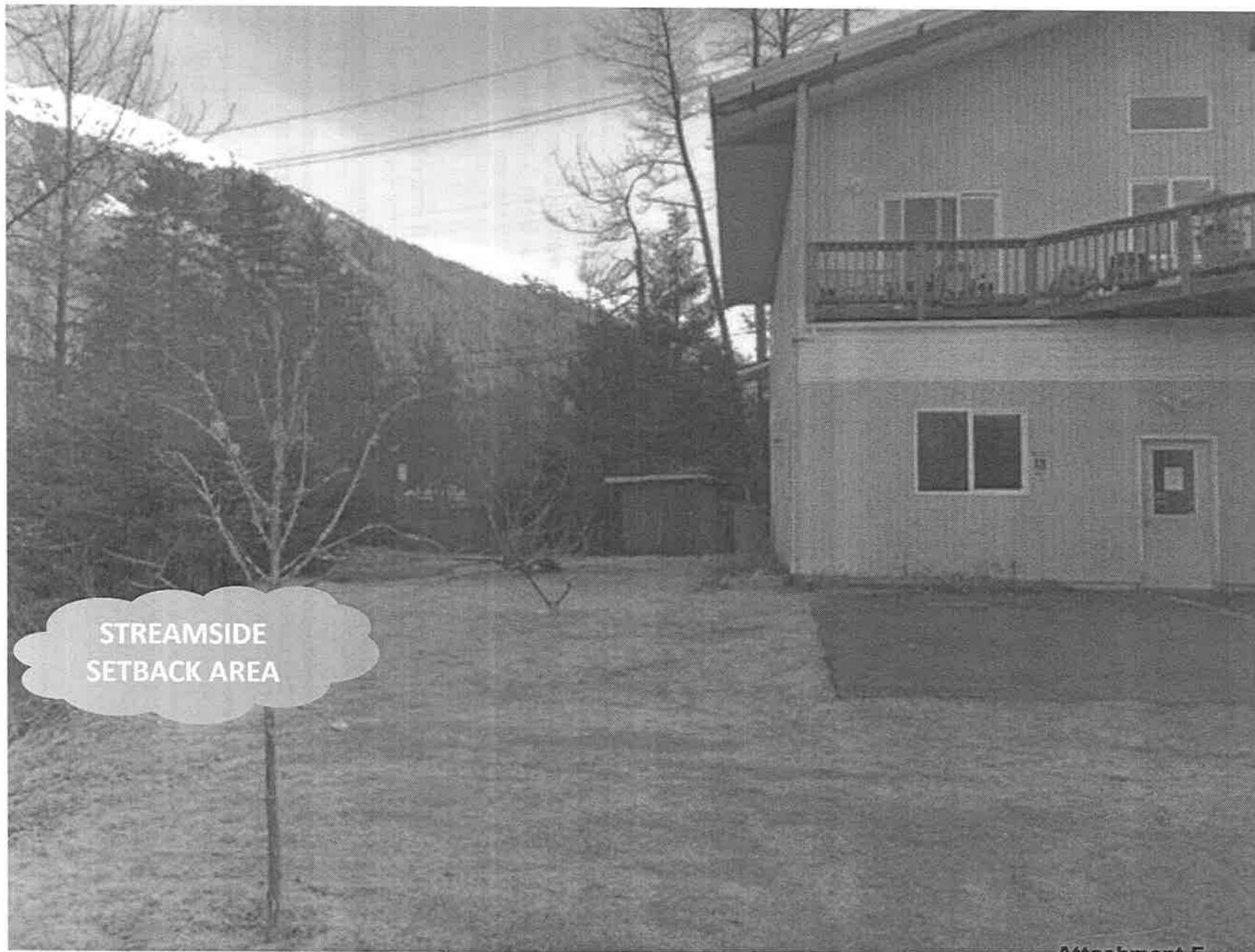


**Attachment E**





Attachment A - Application Packet



**Attachment E**

**Jill Maclean**

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**From:** 4680 <rkhildre@aol.com>  
**Sent:** Sunday, March 27, 2016 2:19 PM  
**To:** Jill Maclean  
**Subject:** Fwd: Rainforest Farms - PropertyPCN: 5-B12-0106-011-2

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

-----Original Message-----

**From:** 4680 <rkhildre@aol.com>  
**To:** jill.Maclean <jill.Maclean@juneau.org>  
**Sent:** Sun, Mar 27, 2016 3:09 pm  
**Subject:** re Rainforest Farms - PropertyPCN: 5-B12-0106-011-2

Jill, my name is Kathy Hildre, I live at 5759 Glacier Hwy, 50 yards from the front door of the applicant that is applying for a license to grow marijuana in Lemon Creek that is zoned Industrial.

My husbands family at one time owned this entire acreage off of the glacier hwy. There is the house that we live in, a house across from us which is now a commercial bldg. that stores flooring. The bldg. in question was once my father in law's shop then my husbands & we sold to Jim & Adele Hamey so that they could operate Taku Graphics. There is a large apt/home used by the Hamey's upstairs from the area that is being considered for the permit.

I realize that the CBJ made certain zone areas available for these types of businesses. I really don't care one way or the other where people do this growing, just not in my front yard & especially close to seniors that are making an effort to live here in Juneau for the balance of their lives. Pls don't make it my fault that I live in an industrial zone where this is suppose to be allowed. I was born & raised in Juneau as is my husband, the perception is that we, the seniors are costing the city money & situations like this will force more to move out.

I do believe that having something like this close to our home is NOT SAFE!! I feel that either the city or the state should have required any type of business like this to have a chain link fence around it to make it secure & safe for others. There is 1 driveway in & out of this property & once this business if granted a permit, the un-desirables knowing what type of business is here, will come & try to break in. We live in an area where these types of problems exist. Fortunately up until now we have had very little problems. Each of our bldgs. have great motion lights. I doubt that the safety of this area will continue.

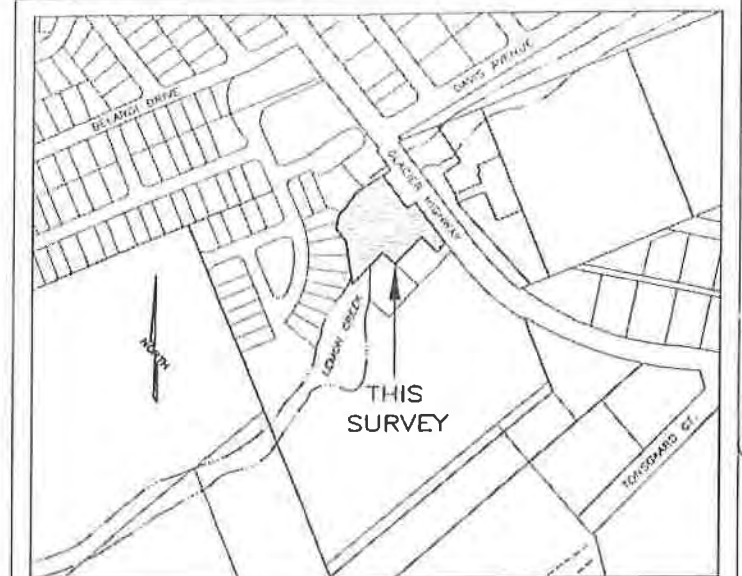
I would request that the Planning Commission not issue this permit based on my comments. I would like to know if I need to formally write something similar to this to the Planning Commission as requested in the card that was mailed. I am also informing the Planning Commission that my husband & I are selling our home to our son James O Hildre. The property at 5759 Glacier Hwy is in his name even though we have several more years before we are paid in full, reason for continuing to live out our lives in this house.

Jill, please email me or call me if I need to do something more formal for the Planning Commission, ...  
thanks. If there is any way to stop by & chat with you about this permit, I would appreciate it.

Kathy Hildre  
[rkhildre@aol.com](mailto:rkhildre@aol.com)  
907-780-8622 - home  
907-723-3621 - cell

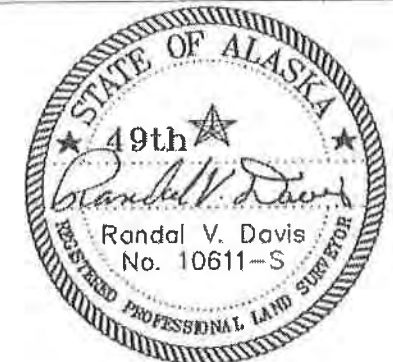
## NOTES

- 1) The Bearing Basis for this As-Built is the record bearing of N43°36'32"E between the property corners shown, per plat #2002-52, Juneau Recording District.
- 2) Record information derived from "A PLAT DENOTING SUBDIVISION OF TRACT 2a INTO TRACTS 2A1 & 2A2 MINERAL SURVEY No. 609" (Plat No. 2002-52), on file at the Office of The Recorder, Juneau Recording District, Juneau, Alaska.
- 3) Subject to easements and restrictions of record.
- 4) Where measured or calculated bearings and distances differ from record, that of record is shown in parenthesis.
- 5) All distances are measured in U.S. Survey feet.



## VICINITY MAP

NOT TO SCALE; DATE: 1991  
SOURCE: CBJ SERIES BASEMAPS



## SURVEYOR'S CERTIFICATE

I hereby certify I am a Registered Land Surveyor licensed to practice land surveying in the State of Alaska, and this As Built represents a survey made by me or under my direct supervision, and all walks, roads, improvements, encroachments and overlaps are shown correctly to the best of my knowledge.  
Date: February 23, 2010

## LEGEND

- 50' OHW SETBACK LINE
- WOOD PLANK FENCE
- EDGE OF GRAVEL
- EDGE OF ASPHALT
- CONCRETE PAD
- 2ND STORY WOOD DECK
- PLASTIC CAP ON REBAR FOUND
- METAL "SURV SPIKE" FOUND
- POINT NOT FOUND/SET

RECEIVED

MAR 08 2010

PERMIT CENTER / CDD

## AS-BUILT SURVEY

## TRACT 2A1

BEING A SUDIVSION OF TRACT 2a,

WITHIN MINERAL SURVEY No. 609

WITHIN THE CITY &amp; BOROUGH OF JUNEAU, AK

## SURVEYOR:

RANDAL V. DAVIS, PLS  
9240 N. DOUGLAS HIGHWAY  
JUNEAU, ALASKA 99801  
(907) 209-3400  
RVDAVIS@GCI.NET

## OWNERS:

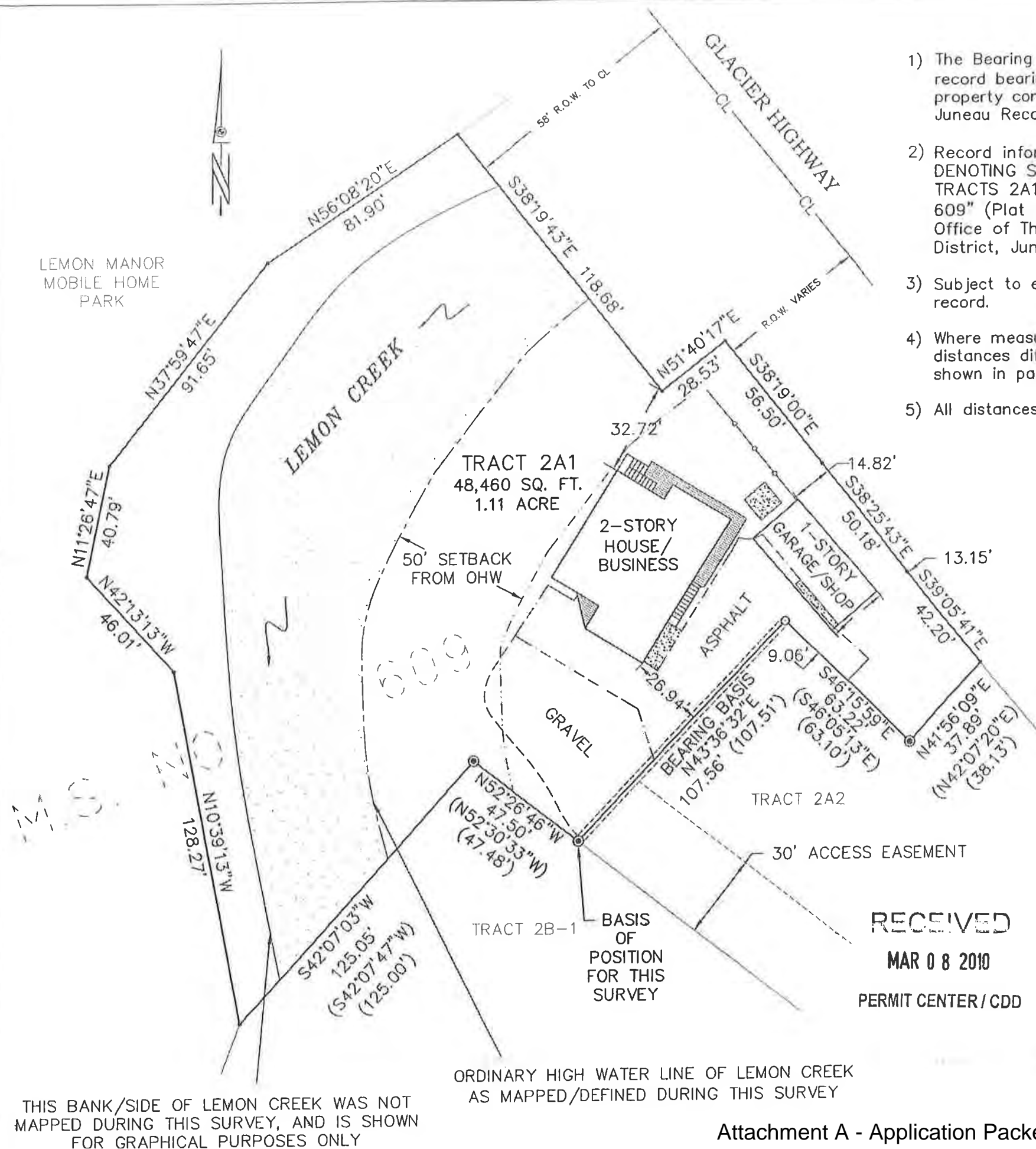
JAMES AND ADELA HAMEY  
5763 GLACIER HIGHWAY  
JUNEAU, ALASKA 99801

SURVEY DATE: 02/12/10

DRAWING SCALE: 1"=40'

Attachment B  
SHEET 1 OF 1

Attachment A - Application Packet







THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,  
and Economic Development**

**ALCOHOL & MARIJUANA CONTROL OFFICE**

550 West 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

January 14, 2020

City and Borough of Juneau

Via mail: 155 Seward Street  
Juneau, AK 99801

License Number:	10026
License Type:	Standard Marijuana Cultivation Facility
Physical Address:	5763 Glacier Highway Juneau, AK 99801
Transferor:	Rainforest Farms, LLC
Doing Business As:	Rainforest Farms, LLC
Phone Number:	907-957-4751
Email Address:	<a href="mailto:rainforestjames@gmail.com">rainforestjames@gmail.com</a>

☒ Transfer of Ownership Application

☐ Transfer of Controlling Interest

3 AAC 306.080(c)(2) requires that the board deny an application for transfer of a license to another person if the transferor has not paid all debts or taxes arising from the operation of the licensed business unless the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority. Our records indicate that you are listed as a creditor or taxing authority for the above license.

We have received an application for transfer of ownership for the above marijuana establishment license. For the purposes of 3 AAC 306.080(c)(2) and in compliance with 3 AAC 306.045(c)(1), this letter serves to provide written notice and request for status from the above referenced entity regarding the above application (see attached application documents for more information).

**Please complete and return this form to the Alcohol & Marijuana Control Office at the email below.**

NAME: Clinton Singletary, Sales Tax Administrator

PHONE: 907-586-0361

Do you have an objection to the transfer of this license?

☐ Yes

☒ No

AMOUNT OWED: \$123,804.72

DATE: 3-4-2020

COMMENTS: The above transferor still owes \$110,868.01 under a Confession of Judgment and is current on payments.

If you have any questions, please send them to [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)

Sincerely,



**OFFICE OF THE MANAGER**

Telephone: (907) 586-5240; Fax: (907) 586-5385  
[Mila.Cosgrove@juneau.org](mailto:Mila.Cosgrove@juneau.org)

February 26, 2019

Mr. Chris Peloso  
Attorney at Law  
533 Main Street  
Juneau, AK 99801

RE: Citation No. JM655411  
Marijuana Establishment License

Dear Mr. Peloso,

I am the City and Borough of Juneau's Citation Appeals Hearing Officer. This letter is in reference to the above captioned Citation issued to Rainforest Farms, LLC on January 17, 2019, for operating a marijuana establishment without a valid license.

I have reviewed your letter of appeal as well as the administrative record in this matter. The review supports that the citing officer, Mr. Nate Watts, Code Compliance Officer for the Community Development Department was within legal authority to issue a citation. Rainforest Farms did not comply with the licensure requirements in CBJ Code 49.65.1205(A).

However, Mr. Watts has also stated that Mr. James Barrett was cooperative during the inspection and immediately took corrective action to pass the inspection. Thus, the citation will be dismissed in lieu of a warning. In the future, please assure that all necessary steps for licensure renewal are completed prior to the end of the applicable calendar year, including scheduling required inspections at least 60 days prior to the end of the calendar year as required by code.

If you have questions or concerns, please do not hesitate to contact me.

Sincerely,

Mila Cosgrove  
Deputy City Manager

cc: Nate Watts, Code Compliance Officer



(907) 586-0715  
CDD\_Admin@juneau.org  
www.juneau.org/CDD  
155 S. Seward Street • Juneau, AK 99801

January 17, 2019

Parcel No: 5B1201060112  
Case No.: ENF2019 003

Rainforest Farms, LLC  
P.O. Box 21714  
Juneau, AK 99802

### **CORRECTIVE ORDER**

Dear James Barret, Giono Barrett, and Michael Healy

In response to recent inspections and review of your Conditional Use permit USE2016 0005 issued on April 13, 2016 by the Community Development Department finds Rainforest Farms, LLC to be in violation of CBJ Title 49.65.1205 - *License Required*. The license for a marijuana cultivation establishment has not been issued because there are remaining corrections with regards to Condition #16. Your building permit BLD2017 0677 also requires follow up inspection to verify corrections were made as noted from your recent Building Final Inspection on 1/15/2019.

A Corrective Order as described under the City & Borough of Juneau Title 49.65.1225 states

*(a) The Director may issue a corrective order whenever a licensee:*

- *Has violated any provision of this chapter;*
- *Has failed, refused or neglected to comply with any provision of the license issued under this chapter, any conditional use permit issued for the marijuana establishment, or any provision of Alaska Statute Chapter 17.38 or regulations adopted pursuant to that chapter;*

### **Review of the Law and the Violations**

1. Currently Rain Forest Farms, LLC is operating a Cultivation Marijuana Establishment without a City and Borough valid marijuana establishment license.

### ***49.65.1205 - License required.***

*(a) No person may operate a marijuana establishment within the City and Borough without a conditional use permit, a valid license issued by the City and Borough, and a valid license issued by the State of Alaska.*



2. Currently Rain Forest Farms, LLC is engaged in business contrary to the conditions within the Conditional Use Permit requirements outlined under number 16 of USE 2016 0005.

**49.65.1210 - Prohibited acts.**

*(a) It is unlawful for any licensee to engage in business contrary to any term or condition of any City and Borough of Juneau marijuana establishment license or any provision of this article.*

3. Rain Forest Farms, LLC made a modification to their approved original camera and floor plan that was provided in their original application. The camera plan was not submitted for review and approval.

**49.65.1245 - Marijuana establishment conditional use permits.**

*(b) If a licensee desires to modify the licensed premises by changes to equipment, increased use, such as in accordance with an approved state license endorsement, or any approved plan, an amendment to the original application and required fee shall be submitted for review and approval.*

**Corrective Action**

- Make corrections to satisfy #16 of your Conditional Use Permit which states: *Security cameras shall have an unobstructed view of the regular activity without sight blockage from lighting hoods, fixtures or other equipment in the processing building and cultivation building.*
- Make corrections identified during your Building Final Inspection stated as:
  - a. Maintain working clearance at electrical panel's width of panel by 3' depth.
  - b. Provide accurate panel directories on both panels.
- Make the above corrections immediately without delay, and contact Community Development for inspections.

**Notification of Penalties**

THIS CORRECTIVE ORDER is a lawful order of the Community Development Department under CBJ 49.65.1225, and requires your immediate attention and action. Daily citations of \$500 per day per violation may be issued to secure your compliance with this order and with CBJ Title 49, if necessary.

**Contesting a Corrective Order**

The licensee may request an informal meeting before the director prior to suspension or revocation of the license in order to allow the licensee to contest the grounds for issuance of the corrective order and to provide the licensee the opportunity to provide information to the director relevant to the grounds for the corrective order.

**Inspections of Premises**

*CBJ 49.65.1240 (a) a marijuana establishment or an applicant for a marijuana establishment license under this chapter shall, upon request, make the licensed premises or the proposed licensed premises, including any place for storage, available for inspection by the director for the purpose of ensuring compliance with this chapter and any applicable marijuana establishment license. Inspection shall include access to any marijuana or marijuana product on the premises, equipment used in cultivating,*

*processing, manufacturing, testing or storing marijuana, and the inventory tracking system and business records of the licensee or applicant.*

If you have questions regarding this Corrective Order, please contact me at 907-586-0752 between the hours of 8:00 am and 4:30 pm Monday through Friday. If you do not reach me directly you may leave a voicemail message and I will return your call.

Sincerely,

Nate Watts  
Code Compliance Officer  
(907) 586-0752, [Nate.Watts@juneau.org](mailto:Nate.Watts@juneau.org)

Encs.

cc: Jill Maclean, Community Development Director  
Jane Mores, Law Department  
Charlie Ford, Building Code Official

### CERTIFICATE OF SERVICE

I certify that on this 17<sup>th</sup> day of January, ~~2017~~ <sup>2019</sup> <sup>①</sup>, a true and correct copy of the Corrective Order to Rainforest Farms LLC and was served to the following in the manner selected:

James Barret 5763 Glacier Hwy	<input type="checkbox"/> <i>Certified mail</i> <input checked="" type="checkbox"/> <b><i>Hand Delivered</i></b> <input type="checkbox"/> <i>Facsimile</i> <input type="checkbox"/> <i>First Class Mail</i> <input type="checkbox"/> <i>Express Mail</i> <input type="checkbox"/> <i>Email</i>
	<input type="checkbox"/> <i>Legal Messenger</i> <input type="checkbox"/> <i>Hand Delivered</i> <input type="checkbox"/> <i>Facsimile</i> <input type="checkbox"/> <i>First Class Mail</i> <input type="checkbox"/> <i>Express Mail</i> <input type="checkbox"/> <i>Email</i>

By: \_\_\_\_\_



Nate Watts, Code Compliance Officer



### CBJ Marijuana License Inspection – Planning & Zoning

The purpose of this inspection is to ensure that the conditions of the approved CUP and the requirements of CBJ 49.65.1200 are met prior to operation. Take the CUP folder with you on the inspection so you have all the approved plans and a copy of the NOD. Take pictures for file if you think that is useful.

For all marijuana establishments:

- ☒ Limited access areas are marked
- ☒ Verify visitor log is properly maintained
- ☒ Floor plan matches what was approved under the CUP
- ☒ Check out alarm system – make sure all windows and doors have an alarm
- ☒ Verify that the security surveillance system is working
- ☒ Verify security surveillance system back up system (i.e. generator, batteries)
- ☒ Verify all entry and exit points to the facility are video monitored from inside and out
- ☒ Verify that there is no product visible from the public right-of-way
- ☒ Verify doors and locks meet regulatory standards
- ☒ Verify safe is installed in a secure room
- ☒ Verify property waste disposal method is in use
- ☒ Check out fertilizers
- N/A ☐ Verify storage of carbon dioxide (also part of Fire Dept. inspection) → may be applicable in 3-6 months
- ☒ Verify carbon filters are installed
- ☒ Verify ventilation system installed and operational
- ☒ Any additional conditions imposed by CUP
  
- ☒ **Passed inspection**
- ☐ **Incomplete inspection**

Items not complete:

Inspected by: Jim Nelson, Planner MJL# 600 0002

Date: 12.21.16



### **CBJ Marijuana License Inspection – Planning & Zoning**

The purpose of this inspection is to ensure that the conditions of the approved CUP and the requirements of CBJ 49.65.1200 are met prior to operation. Take the CUP folder with you on the inspection so you have all the approved plans and a copy of the NOD. Take pictures for file if you think that is useful.

For all marijuana establishments:

- ☒ Required signs are present in conspicuous place near main entrance:
  - ☒ CBJ and State Licenses (for renewal inspection only)
  - ☒ Health warning
  - ☒ Consumption and transportation warning
- ☒ Limited access areas are marked
- ☒ Verify visitor log is properly maintained and old sheets retained
- ☒ Floor plan matches what was approved under the CUP or building permits
- ☒ Check out alarm system – make sure all exterior windows and doors have an alarm
- ☒ Verify that the security surveillance system is working
- ☒ Verify security surveillance system back up system (i.e. generator, batteries)
- ☒ Verify all entry and exit points to the facility are video monitored from inside and out
- ☒ Verify that there is no product visible from the public right-of-way
- ☒ Verify doors and locks meet regulatory standards (commercial grade locks)
- ☒ Verify safe is installed in a secure room
- ☒ Verify an approved waste disposal method is in use
- ☒ Check out fertilizers
- ☒ ~~N/A~~ Verify storage of carbon dioxide sources (also part of Fire Dept. inspection)
- ☒ Verify carbon filters are installed/no noticeable odor outside building vents
- ☒ Verify ventilation system installed and operational
- ☒ Any additional conditions imposed by CUP
- ☒ **Passed inspection**
- ☐ **Incomplete inspection**

Items not complete:

Inspected by: Allison Edkins, Planner MJL# 02- Rainforest Cultivation

Date: 12/19/17



## CBJ Marijuana License Inspection – Planning & Zoning

The purpose of this inspection is to ensure that the conditions of the approved CUP and the requirements of CBJ 49.65.1200 are met prior to operation. **Take the MJL folder and CUP folder with you on the inspection so you have all the approved plans and a copy of the NOD. Review checklist from previous years. Take pictures for file if you think that is useful. Write notes on the checklist.**

✓ = pass  
X = fail

### For all marijuana establishments:

- ☒ Required signs are present in conspicuous place near main entrance:
  - CBJ and State Licenses (for renewal inspection only)
  - Health warning
  - Consumption and transportation warning
- ☒ Limited access areas are marked
- ☒ Verify visitor log is properly maintained and view that old sheets retained
- ☒ Floor plan matches what was approved under the CUP or building permits. Some minor changes may have been approved through building permits or past inspections. *wall in veg/flower room not matching*
- ☒ Check out alarm system—all exterior windows and doors have an alarm sensors *(result from second inspection different)*
- ☒ Verify security surveillance system is working and all doors/ regular work areas are covered *some cameras obstructed*
- ☒ Verify security surveillance system back up system (e.g. generator or batteries)
- ☒ Verify all entry and exit points to the facility are video monitored from inside and out
- ☒ Verify that there is no product visible from the public right-of-way
- ☒ Verify doors and locks meet regulatory standards (commercial grade locks)
- ☒ Verify safe is installed in a secure room
- ☒ Verify an approved waste disposal method is in use
- ☒ Verify carbon filters are installed/no noticeable odor outside building vents
- ☒ Verify ventilation system installed and operational
- ☒ Any additional conditions imposed by CUP *NOD for USE 16-05 conditions #17 & #16*

### For cultivation or processing operations only:

- NA* Verify storage of carbon dioxide sources (also part of Fire Dept. inspection)

### For cultivation operations only:

- ☒ Verify fertilizers used and mold/pet control

☐ PASSED INSPECTION

☒ INCOMPLETE INSPECTION

Items not complete: *Floor plan does not match plans included for USE 16-05. Cameras not capturing activity bc lighting, fans, and plant obstructions. Conditions #16 & #17 in USE 16-05 not met (effective cameras, change battery annually).*

- ☐ Complete inspection in 'GOVERN Inspections'
- ☐ Complete activity in 'GOVERN Activities'
- ☐ Work with business owner to address incomplete items.
- ☐ When complete go back to GOVERN. Hand MJL folder with inspection checklist back to Permit Techs

Inspected by: Amy Liu, Planner MJL# MJL 02

Date: 12/21/18 Attachment B - Supporting Documents



## CBJ Marijuana License Inspection – Planning & Zoning

The purpose of this inspection is to ensure that the conditions of the approved CUP and the requirements of CBJ 49.65.1200 are met prior to operation. **Take the MJL folder and CUP folder with you on the inspection so you have all the approved plans and a copy of the NOD. Review checklist from previous years. Take pictures for file if you think that is useful. Write notes on the checklist.**

### For all marijuana establishments:

✓ = pass  
X = fail

- ✓ Required signs are present in conspicuous place near main entrance:
  - CBJ and State Licenses (for renewal inspection only)
  - Health warning
  - Consumption and transportation warning
- ✓ Limited access areas are marked
- ✓ Verify visitor log is properly maintained and view that old sheets retained
- ✓ Floor plan matches what was approved under the CUP or building permits. Some minor changes may have been approved through building permits or past inspections.
- X exterior door unlocked and opened w/o alarm  
X Check out alarm system – all exterior windows and doors have an alarm sensors
- X Verify security surveillance system is working and all doors/ regular work areas are covered
- ✓ Verify security surveillance system back up system (e.g. generator or batteries)
- ✓ Verify all entry and exit points to the facility are video monitored from inside and out
- ✓ Verify that there is no product visible from the public right-of-way
- ✓ Verify doors and locks meet regulatory standards (commercial grade locks)
- ✓ Verify safe is installed in a secure room
- ✓ Verify an approved waste disposal method is in use
- ✓ Verify carbon filters are installed/no noticeable odor outside building vents
- ✓ Verify ventilation system installed and operational
- X Any additional conditions imposed by CUP *condition #16 for USE 16-05*

### For cultivation or processing operations only:

- NA Verify storage of carbon dioxide sources (also part of Fire Dept. inspection)

### For cultivation operations only:

- ✓ Verify fertilizers used and mold/pet control

☐ PASSED INSPECTION

☒ INCOMPLETE INSPECTION

Items not complete: *Exterior door unlocked & opened w/o alarm. Some cameras obstructed by plants, lights, fan.*

- ☐ Complete inspection in 'GOVERN Inspections'
- ☐ Complete activity in 'GOVERN Activities'
- ☐ Work with business owner to address incomplete items.
- ☐ When complete go back to GOVERN. Hand MJL folder with inspection checklist back to Permit Techs

Inspected by: Amy Liv, Planner MJL# m JL-02

Date: 1/16/19 Attachment B - Supporting Documents

**CBJ Marijuana License Inspection – Planning & Zoning**

The purpose of this inspection is to ensure that the conditions of the approved CUP and the requirements of CBJ 49.65.1200 are met prior to operation. ***Take the MJL folder and CUP folder with you on the inspection so you have all the approved plans and a copy of the NOD. Review checklist from previous years. Take pictures for file if you think that is useful. Write notes on the checklist.***

**For all marijuana establishments:**

- ☐ Required signs are present in conspicuous place near main entrance:
  - ☐ CBJ and State Licenses (for renewal inspection only)
  - ☐ Health warning
  - ☐ Consumption and transportation warning
- ☐ Limited access areas are marked
- ☐ Verify visitor log is properly maintained and view that old sheets retained
- ☒ Floor plan matches what was approved under the CUP or building permits. Some minor changes may have been approved through building permits or past inspections.
- ☐ Check out alarm system –all exterior windows and doors have an alarm sensors
- ☒ Verify security surveillance system is working and all doors/ regular work areas are covered
- ☐ Verify security surveillance system back up system (e.g. generator or batteries)
- ☐ Verify all entry and exit points to the facility are video monitored from inside and out
- ☐ Verify that there is no product visible form the public right-of-way
- ☐ Verify doors and locks meet regulatory standards (commercial grade locks)
- ☐ Verify safe is installed in a secure room
- ☐ Verify an approved waste disposal method is in use
- ☐ Verify carbon filters are installed/no noticeable odor outside building vents
- ☐ Verify ventilation system installed and operational
- ☒ Any additional conditions imposed by CUP

**For cultivation or processing operations only:**

- ☐ Verify storage of carbon dioxide sources (also part of Fire Dept. inspection)

**For cultivation operations only:**

- ☐ Verify fertilizers used and mold/pet control

☒ **PASSED INSPECTION**

☐ **INCOMPLETE INSPECTION**

Correction Inspection

Items not complete:

- ☐ Complete inspection in 'GOVERN Inspections'
- ☐ Complete activity in 'GOVERN Activities'
- ☐ Work with business owner to address incomplete items.
- ☐ When complete go back to GOVERN. Hand MJL folder with inspection checklist back to Permit Techs

Inspected by: N. Woltz, Compliance Planner MJL# 002

Date: 1/17/19 Attachment B - Supporting Documents





## CBJ Marijuana License Inspection – Planning & Zoning

The purpose of this inspection is to ensure that the conditions of the approved CUP and the requirements of CBJ 49.65.1200 are met prior to operation. **Take the MJL folder and CUP folder with you on the inspection so you have all the approved plans and a copy of the NOD. Review checklist from previous years. Take pictures for file if you think that is useful. Write notes on the checklist.**

### For all marijuana establishments:

- ☒ Required signs are present in conspicuous place near main entrance:
  - ☐ CBJ and State Licenses (for renewal inspection only)
  - ☐ Health warning
  - ☐ Consumption and transportation warning
- ☒ Limited access areas are marked
- ☒ Verify visitor log is properly maintained and view that old sheets retained
- ☒ Floor plan matches what was approved under the CUP or building permits. Some minor changes may have been approved through building permits or past inspections.
- ☒ Check out alarm system –all exterior windows and doors have an alarm sensors
- ☒ Verify security surveillance system is working and all doors/ regular work areas are covered
- ☒ Verify security surveillance system back up system (e.g. generator or batteries)
- ☒ Verify all entry and exit points to the facility are video monitored from inside and out
- ☒ Verify that there is no product visible from the public right-of-way
- ☒ Verify doors and locks meet regulatory standards (commercial grade locks)
- ☒ Verify safe is installed in a secure room
- ☒ Verify an approved waste disposal method is in use
- ☒ Verify carbon filters are installed/no noticeable odor outside building vents
- ☒ Verify ventilation system installed and operational
- ☒ Any additional conditions imposed by CUP

### For cultivation or processing operations only:

- ☐ Verify storage of carbon dioxide sources (also part of Fire Dept. inspection)

### For cultivation operations only:

- ☐ Verify fertilizers used and mold/pet control

☒ **PASSED INSPECTION**

☐ **INCOMPLETE INSPECTION**

### Items not complete:

- ☒ Complete inspection in 'GOVERN Inspections'
- ☒ Complete activity in 'GOVERN Activities'
- ☐ Work with business owner to address incomplete items. *NA*
- ☒ When complete go back to GOVERN. Hand MJL folder with inspection checklist back to Permit Techs

Inspected by: NWATZ, Planner MJL# 0002

Date: 12/3/19



## CBJ Marijuana License Inspection – Planning & Zoning

The purpose of this inspection is to ensure that the conditions of the approved CUP and the requirements of CBJ 49.65.1200 are met prior to operation. ***Take the MJL folder and CUP folder with you on the inspection so you have all the approved plans and a copy of the NOD. Review checklist from previous years. Take pictures for file if you think that is useful. Write notes on the checklist.***

### **For all marijuana establishments:**

- ☒ Required signs are present in conspicuous place near main entrance:
  - ☐ CBJ and State Licenses (for renewal inspection only)
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- ☒ Verify security surveillance system back up system (e.g. generator or batteries)
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- ☒ Verify an approved waste disposal method is in use
- ☒ Verify carbon filters are installed/no noticeable odor outside building vents
- ☒ Verify ventilation system installed and operational
- ☒ Any additional conditions imposed by CUP

### **For cultivation or processing operations only:**

- ☐ Verify storage of carbon dioxide sources (also part of Fire Dept. inspection)

### **For cultivation operations only:**

- ☐ Verify fertilizers used and mold/pet control

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☒ **PASSED INSPECTION**

☐ **INCOMPLETE INSPECTION**

### **Items not complete:**

- ☐ Complete inspection in 'GOVERN Inspections'
- ☐ Complete activity in 'GOVERN Activities'
- ☐ Work with business owner to address incomplete items.
- ☐ When complete go back to GOVERN. Hand MJL folder with inspection checklist back to Permit Techs

Inspected by: NWAH, Code Compliance Planner MJL# 27

Date: 5/19/21

# City and Borough of Juneau

Community Development Department

## Marijuana Establishment Business License

### Cultivation

Effective Date



Expiration Date  
December 31, 2016

**RAINFOREST FARMS  
5763 GLACIER HWY  
MJL00000002**

This license is issued pursuant to Title 49, Chapter 65 of the City and Borough of Juneau Code of Ordinances. This license is nontransferable and must be prominently displayed in the marijuana establishment in a conspicuous location inside the licensed premises near the main entrance. (CBJ 49.65.1255)

This license is only valid through the expiration date shown above. Any questions concerning the license should be addressed to: Community Development Department, 155 S Seward Street, Juneau, AK, 99801.

# City and Borough of Juneau

Community Development Department

## Marijuana Establishment Business License

### Cultivation

Effective Date

January 01, 2018



Expiration Date

December 31, 2018

**RAINFOREST FARMS  
5763 GLACIER HWY  
MJL00000002**

This license is issued pursuant to Title 49, Chapter 65 of the City and Borough of Juneau Code of Ordinances. This license is nontransferable and must be prominently displayed in the marijuana establishment in a conspicuous location inside the licensed premises near the main entrance. (CBJ 49.65.1255)

This license is only valid through the expiration date shown above. Any questions concerning the license should be addressed to: Community Development Department, 155 S Seward Street, Juneau, AK, 99801.

# City and Borough of Juneau

Community Development Department

## Marijuana Establishment Business License

### Cultivation

Effective Date

January 17, 2019



Expiration Date

December 31, 2019

**RAINFOREST FARMS  
5763 GLACIER HWY  
MJL00000002**

This license is issued pursuant to Title 49, Chapter 65 of the City and Borough of Juneau Code of Ordinances. This license is nontransferable and must be prominently displayed in the marijuana establishment in a conspicuous location inside the licensed premises near the main entrance. (CBJ 49.65.1255)

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# City and Borough of Juneau

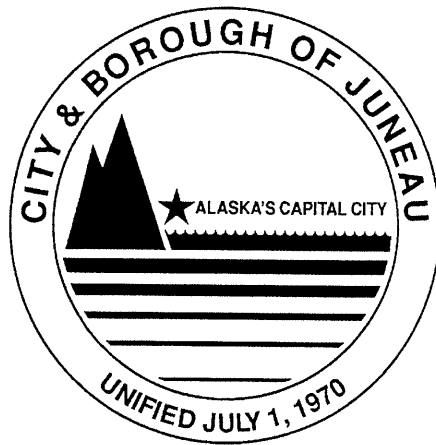
Community Development Department

## Marijuana Establishment Business License

### Cultivation

Effective Date

January 01, 2020



Expiration Date

December 31, 2020

RAINFOREST FARMS  
5763 GLACIER HWY  
MJL00000002

This license is issued pursuant to Title 49, Chapter 65 of the City and Borough of Juneau Code of Ordinances. This license is nontransferable and must be prominently displayed in the marijuana establishment in a conspicuous location inside the licensed premises near the main entrance. (CBJ 49.65.1255)

This license is only valid through the expiration date shown above. Any questions concerning the license should be addressed to: Community Development Department, 155 S Seward Street, Juneau, AK, 99801.

# City and Borough of Juneau

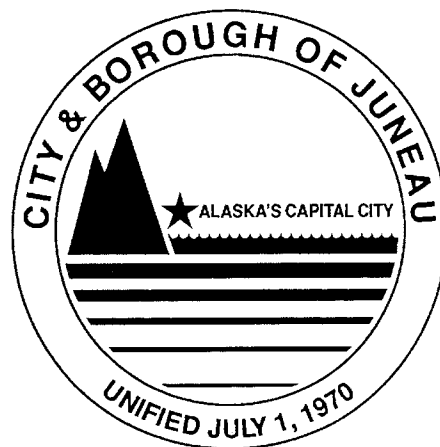
Community Development Department

## Marijuana Establishment Business License

Cultivation

Effective Date

June 08, 2021



Expiration Date

December 31, 2021

TREE LOGIC  
5763 GLACIER HWY  
MJL00000027

This license is issued pursuant to Title 49, Chapter 65 of the City and Borough of Juneau Code of Ordinances. This license is nontransferable and must be prominently displayed in the marijuana establishment in a conspicuous location inside the licensed premises near the main entrance. (CBJ 49.65.1255)

This license is only valid through the expiration date shown above. Any questions concerning the license should be addressed to: Community Development Department, 155 S Seward Street, Juneau, AK, 99801.

STATE OF ALASKA - MARIJUANA CONTROL BOARD

LICENSE NUMBER 27531

FORM CONTROL MJ-483

# MARIJUANA ESTABLISHMENT LICENSE

## 2020 - 2021

TYPE OF LICENSE: Standard Marijuana Cultivation

RENEWAL APPLICATION DUE BY: 03/30/2021

ISSUE DATE: 05/20/2021

EXPIRATION DATE: 08/31/2021

EFFECTIVE DATE:

LOCAL GOVERNMENT: Juneau (City & Borough of)

D/B/A: Stoned Salmon Farms  
5763 Glacier Highway  
Juneau, AK 99801

Mail Address:

Tree Logic LLC  
PO Box 240122  
Juneau, AK 99824

This license cannot be transferred without permission  
of the Marijuana Control Board

☐ Special restriction - see reverse side

ISSUED BY ORDER OF THE  
MARIJUANA CONTROL BOARD

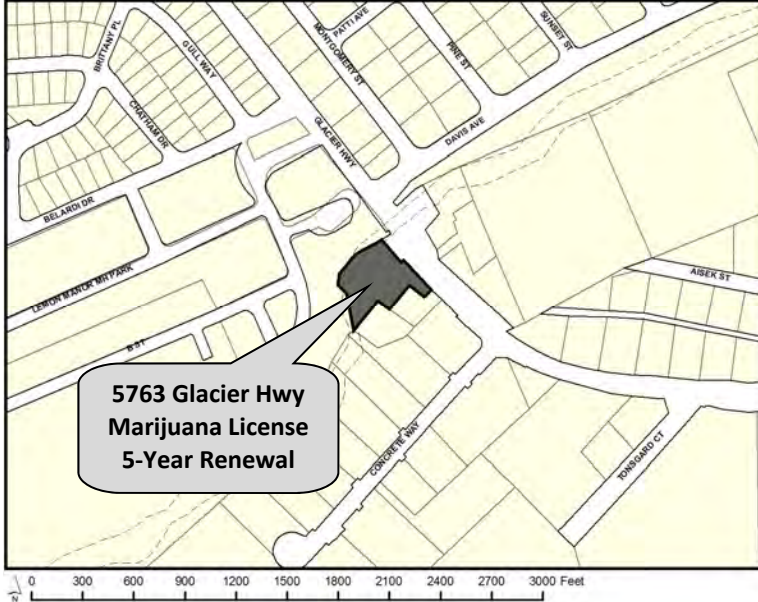
*[Signature]*  
DIRECTOR

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES



# Invitation to Comment

On a proposal being heard by the CBJ Planning Commission  
*Your Community, Your Voice*



155 S. Seward Street Juneau, Alaska 99801

TO:

A **Marijuana Cultivation License 5-Year Renewal** is up for consideration and public hearing by the Planning Commission for **Tree Logic, LLC** at **5763 Glacier Highway** in an **Industrial Zone**.

## TIMELINE

Staff Report expected to be posted **Monday, November 1, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

**Now through noon, November 8**

Comments received during this period will be sent to Planning Commissioners to read over the weekend in preparation for the hearing. The planner handling this case, Joseph Meyers, will also read any written comments that are received. You may also contact him via the phone number listed below.

**HEARING DATE & TIME: 7:00 pm, November 9, 2021**

This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: <https://juneau.zoom.us/j/82646379779>. The Webinar ID is: 826 4637 9779. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar ID.

**November 10**

The results of the hearing will be posted online.

Phone: (907)586-0715 ♦ Email: [pc\\_comments@juneau.org](mailto:pc_comments@juneau.org)  
Mail: Community Development, 155 S. Seward St, Juneau AK 99801

Printed October 25, 2021

Case No.: USE2016 0005  
Parcel No.: 5B1201060112  
CBJ Parcel Viewer: <http://epv.juneau.org>



For more information  
**NOTICE** 586-0715  
pc\_comments@juneau.org

**Marijuana Cultivation  
5-year Renewal**  
USE2016 0005

PROPOSAL: Five-year Renewal of a  
Special Use Permit for a marijuana  
Cultivation facility.

Hearing Date: 11/9/2021

