

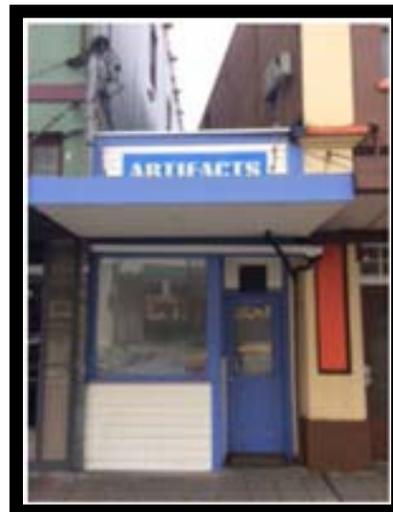
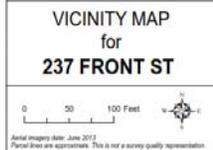
USE2016-0026
**A Conditional Use permit for a
marijuana retail use along Front
Street in downtown Juneau.**

**CBJ Planning Commission Presentation
November 30, 2016**

Eric Feldt, CBJ Planner II, AICP, CFM



VICINITY MAP



General Operation

Sell packaged marijuana only at site

- Cultivated, Manufactured, and Tested Marijuana at City & State approved sites

No on-site consumption

Use of security measures

Use of door greeter checking ID from outside – controlled access

Permissible hours: 8:01am-12:59am M – Sun.



CBJ Marijuana Conditional Use permit items

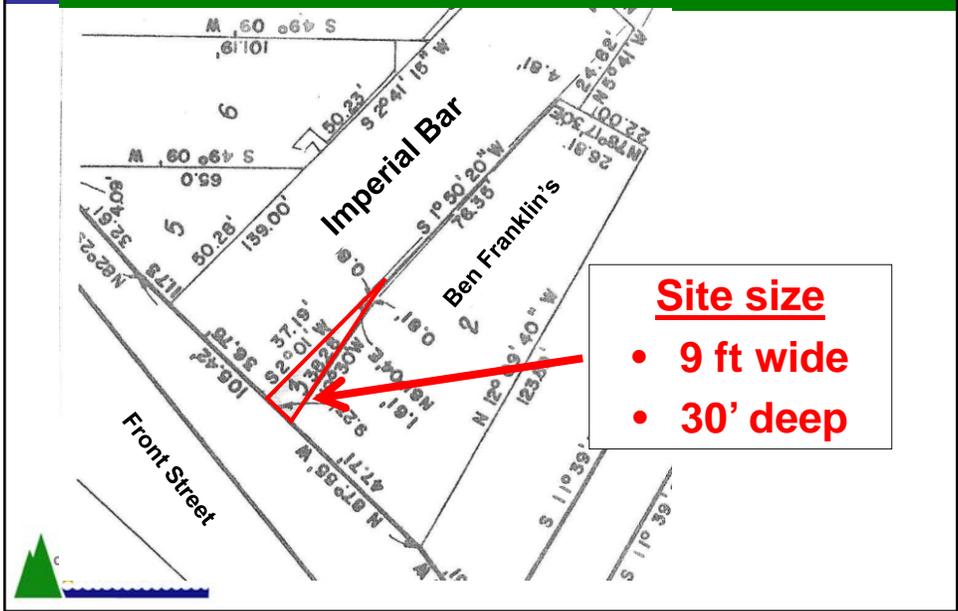
49.65.1245 - Marijuana establishment conditional use permits.

(a) In addition to the permit application and supporting materials required by CBJ [49.15.330\(c\)](#), an applicant for a conditional use permit for a marijuana establishment must submit the following additional materials:

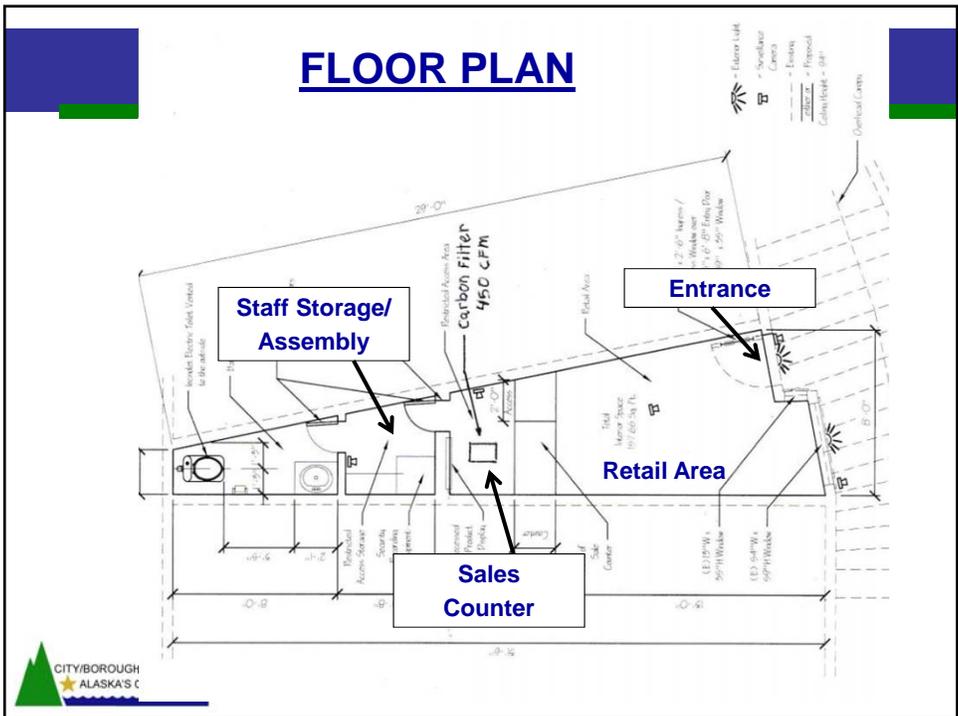
(1) A site plan of all buildings on the property where the marijuana use will be located, including, but not limited to: A floor plan showing how the floor space is or will be used to include, but not limited to, restricted access areas and the total floor area of the building(s);



Site Plan



FLOOR PLAN



CBJ Marijuana Conditional Use permit items

(2) A security plan indicating how the applicant will comply with the requirements imposed by state law;

- Applicant provides staff training
- Restrict public access w/ ID door check
- Video Security System w/ off-site viewing/ recording
- Consistent with State Marijuana laws



CBJ Marijuana Conditional Use permit items

(3) A waste disposal plan indicating how the applicant will comply with the requirements imposed by state law;

- Consistent with State marijuana laws
 - Inventory Waste
 - Waste transported to City landfill



CBJ Marijuana Conditional Use permit items

(4) A screening plan illustrating the applicants compliance with AS 17.38.070 making it unlawful to display marijuana or marijuana products in a manner that is visible to the general public from a public right-of-way;

- Front window: screen w/ opaque security glass
- Side window: No product will be visible from side window – not covered/ blocked



CBJ Marijuana Conditional Use permit items

(5) If the establishment is to be served by a private septic system, certification from a registered, qualified engineer licensed by the State of Alaska that the system has adequate capacity for the proposed use, or will with improvements;

- Not Applicable: Site served by City Sewer
- No Water connection
 - Applicant will provide temporary portable sink and toilet
 - 2018 Street upgrades: Site connected to new waterline



CBJ Marijuana Conditional Use permit items

(6) Marijuana cultivation facility license applicants must provide a ventilation and filtration plan describing the systems that will be used to ensure compliance with CBJ [49.65.1260](#) and whether the applicant intends on using carbon dioxide. The applicant shall specify if carbon dioxide enrichment will be used in cultivation and by what means the carbon dioxide will be produced. Plans should indicate the storage area for fuels used to produce carbon dioxide;

- Not Applicable – Not a Cultivation Facility



CBJ Marijuana Conditional Use permit items

(7) Marijuana product manufacturing facility license applicants, marijuana cultivation facility license applicants, and marijuana testing facility license applicants must specify all means to be used for cultivating, growing, extracting, heating, washing or otherwise changing the form of the marijuana plant, along with proposed ventilation and safety measures to be implemented for each process;

- Not Applicable – Not Marijuana Manufacturing



CBJ Marijuana Conditional Use permit items

(8) **Marijuana cultivation facility** license applicants and marijuana product manufacturing facility license applicants must specify the methods to be used to prevent the growth of harmful mold and compliance with limitations on discharge into the wastewater system; and

Not Applicable - Not Marijuana Cultivation facility.

(9) **Any additional documentation** determined by the director to be necessary for the commission to make a decision whether to approve or deny the permit, or approve with conditions, to ensure compliance with this chapter or CBJ [49.15.330\(f\)](#).

None.



Hours of Operation for Marijuana facility

49.65.1250 ...Marijuana **may not** be distributed, sold, or dispensed at...premises...between the hours of 1:00am and 8:00am Monday through Sunday.

May operate

8:01am-12:59am Mon. – Sun.

Applicant

10:00am – 7:00pm Mon. – Sun.



Required Signage for Marijuana facility

49.65.1255 required inside signage

- Post 2 signs
 - Related to: Health, Minimum consumption Age, and Transportation restrictions
- Post 1 CBJ marijuana establishment license
 - CBJ issues these signs



Required Odor & Ventilation Systems for Marijuana facilities

49.65.1260.....utilize a system which prohibits the detection of noxious odors from outside the licensed premises.

Applicant

- Provide ceiling-mounted recycled air filtration system – no outside emissions
- Door greeter: Ensures entrance door is managed



Adopted CBJ Plans

Comprehensive Plan

- Policies relating to diverse economy, entrepreneurship and innovation in Juneau
- Policies relating to ensuring appropriate noise levels in downtown

Historic District

- Policies relating to ensuring the new window and door are consistent with Downtown Historic District Design Standards
 - Detailed plans submitted at Building permitting process; Reviewed by Historic Resource Advisory Committee (HRAC)

Economic Development Plan

- Policies relating 'Revitalizing Downtown'
 - Adds businesses, shoppers, overall activity, and taxes



Staff's Findings

- ❖ Conforming w/ adopted plans
- ❖ No decrease in Property Value or Neighborhood Harmony
 - In commercial core downtown:
 - Many existing Retail, Restaurants, and Bars
 - Zoning District permits mix of businesses and land uses
 - Restrictions on Marijuana facilities is greater than other food and beverage consumption businesses.



Staff's Findings

- ❖ No decrease in Public Health & Safety
 - Posting required signs: health effects
 - Restrictions of hours of operation
 - Overall limitations of business operation
 - Juneau Police Dept. will continue to use their processes to ensure health and safety



Public Comments

- Increase inebriation/ crime
- Facility is in an area of homeless/ vulnerable population
- Close proximity to children-oriented businesses
- Upset neighborhood harmony by adding more adult-oriented businesses

Staff's Response: With the Marijuana facility restrictions, hours of operation, posting of health-related signage, staff finds those elements will not be increased as a result of approving the Conditional Use permit.



Staff's Recommendation

CDD staff recommends approval of the Conditional Use permit with the following conditions:

- 1) Prior to issuing Certificate of Occupancy, the applicant shall submit to CDD a state of Alaska license that permits the use of marijuana retail at the subject site that matches subject plans and operations described in the subject Conditional Use permit.**

- 2) The applicant shall ensure that no obstruction onto a public right-of-way is created by the business.**

- 3) Prior to issuance of a building permit, the applicant shall submit detailed drawings of the proposed door to ensure retention of the building's historic integrity.**

