

A pair of hands is shown holding a small cannabis plant. The background is a dense field of green cannabis leaves. The text is overlaid on the image.

Marijuana in the City of Kodiak

“A whole new world”

Background and Timeline:

- November 4, 2014- Ballot Measure 2 (“an act to tax and regulate the production, sale and use of Marijuana”) was approved statewide by voters.
- May 26, 2016- City Council passed an ordinance to prohibit Marijuana establishments within the City for 6 months (effective July 1, 2016) and established a special Marijuana advisory committee.
- June 27, 2016- City Marijuana Advisory Committee had their first meeting and the 6 month timeline began.

Meeting Overview:

- First Meeting: City Marijuana Advisory Committee (“MAC”) discussed future items for discussion.
- Second Meeting: City MAC discussed Zoning for cultivation facilities, regulatory compliance and personal growing.
- Third Meeting: Community Development Director, Sara Mason discussed zoning areas within City feasible for cultivation facilities. Testing and retail stores were also discussed.
- Fourth Meeting: Received memo from attorney, Katie Davies, regarding testing facilities. Further discussion on manufacturing facility.
- Fifth Meeting: Limited Cultivation License and Retail Store.
- Sixth Meeting: Received a presentation on testing, taxation and application fees.
- Seventh Meeting: Began formulating regulations for City Council.
- Eighth Meeting: KIB Marijuana Task Force and City MAC received presentation from Fairbanks North Star Borough Community Planning Director.
- Ninth Meeting: City MAC discussed cultivation limited license in residential areas. Manufacturing edibles/ concentrates, testing and economic impact. MAC also passed 2 ordinances formulated by City attorneys:
 - Ordinance Designating City Council as Regulatory Authority
 - Ordinance Prohibiting Extraction of Tetrahydrocannabinol (“Thc”) or any Cannabinoid by Use of Materials or Methods Deemed Dangerous to Public Health and Safety, Unless Otherwise Permitted by Law

City Marijuana Advisory Council Recommendations

Cultivation:

- 1. Personal growing of Marijuana adhere to State of Alaska laws.**
- 2. 500 ft. regulation within City limits for cultivation facilities be established.**
- 3. Commercial growing is regulated within city limits to Industrial, Light Industrial, Business and Business Retail zones.**
- 4. Allow Limited Cultivation Licenses within Rural Residential (RR) areas of lots 20,000 feet or greater with a Conditional Use Permit (CUP) and with compliance of the KIB zoning requirements.**

Manufacturing:

Thorough discussion occurred among the advisory board at our last meeting about the following:

1. Recommends manufacturing facilities within City limits and to allow in Industrial, Light Industrial, Business, and Business Retail with a Conditional Use Permit (CUP). Zoning parameters of manufacturing facility - dependent on KIB zoning.
2. Edibles, whether it should be prohibited for sale

Note: Edibles are a big part of the industry. If edibles are eliminated should other forms of Marijuana such as tinctures, shatter, wax, and oils be prohibited?

Edibles:



Testing:

1. City MAC recommends to allow testing facilities in the Industrial, Light Industrial, Business, and residential areas with a Conditional Use Permit (CUP).

Retail:

- 1. 500 foot regulation within City limits for retail stores.**
 - a. Retail facilities must be outside the 500 foot parameter of schools, churches, recreation/ youth centers, and correctional facilities.**
- 2. Retail establishments are to be within Light Industrial, Industrial, Business, and Business Retail zones.**
- 3. Retail stores within city limits comply with State Laws.**

Economic Impact and Taxation

City MAC recommends adopting a local Marijuana Application Fee, License Fee, and Sales Tax.

Note: Specifics of each where not finalized.

Notes:

City MAC has one more meeting before the City's 6 month opt out option comes to an end. Feedback from the Council regarding the City MAC recommendations will be discussed if provided.

This is a whole new world for many and we look forward to learning new things as this industry establishes itself in the City of Kodiak.