

CITY OF CRAIG  
PLANNING COMMISSION  
RESOLUTION 577-18-PC

GRANTING A CONDITIONAL USE PERMIT TO JAQUELIN WEATHERBEE TO OPERATE A LICENSED MARIJUANA RETAIL ESTABLISHMENT ON COMMERCIAL ZONED PROPERTY AT LOT 4B, BLOCK 26, USS 1430

WHEREAS, the Planning Commission held a public hearing on February 22, 2018; and,

WHEREAS, public notice was given in accordance with Section 18.06.002 of the Craig Land Development Code;

WHEREAS, Craig Municipal Code 5.10.030A1 establishes a limit of no more than two licensed marijuana stores. In the event that more than two licenses are approved by the Alaska Marijuana Control Board for marijuana retail stores in Craig, the Craig City Council shall have sole discretion in determining which licensees shall be allowed to operate in Craig; and,

WHEREAS, the Planning Commission finds that the specific criteria of Section 18.06.002 of the Craig Land Development Code are met as follows, subject to the conditions listed below:

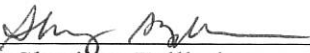
1. That the proposal is consistent with the Craig Comprehensive Plan, the Craig Municipal Code, and other applicable ordinances.
2. That the proposed use is conditionally permitted in the zone.
3. That the proposed use is compatible with other existing or proposed uses in the area affected by the proposal.
4. That the proposed use would not create noise, odor, smoke, dust, or other objectionable pollutants creating impacts on surrounding areas.
5. That the proposed use would not affect the health and safety of persons or property.
6. That the location, size, design and operating characteristics will mitigate conflicting uses.
7. That unsightliness, building height, or structural incompatibility would not significantly affect surrounding areas or the designated viewshed.
8. That the proposal would not have a significant detrimental effect on property values in the area.
9. That all utilities required by the proposed use are adequate or will be made adequate by the applicant at no additional expense to the city and will not interfere with utility capacity to serve other areas of the city.
10. That access is adequate to serve the additional volume and type of traffic generated and would not threaten health and safety by significantly altering traffic volumes and patterns.
11. That adequate off-street parking is provided.

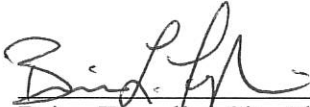
12. That the proposed use would not degrade land, air, water, or habitat quality.
13. That the proposed use will not interfere with the efficiency of, the planned expansion of, or access to water dependent or water related uses unless: 1) there is a documented public need for the proposed use, 2) no alternative site, and 3) the public good will be served better by the proposed use than by the water dependent or water related use.
14. That other relevant objections made evident at the public hearing are addressed.
15. That the proposed use and development do not disturb trees or shrubs which are designated for habitat or resource protection; wind, noise, sediment, or pollution buffers; recreation or open space; protection from natural hazards, watershed protection, or visual considerations unless a plan is approved which will mitigate potential adverse impacts.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission grants Jaquelin Weatherbee a conditional use permit to operate a licensed marijuana retail establishment in a Commercial Zone, located at 500 Water Street (Lot 4B, Block 26, USS 1430), subject to the following conditions:

1. that the conditional use permit is not transferable to another individual or location;
2. that the applicant and property owner shall be current on all taxes, utility billing and other fees assessed by the City of Craig relating to the subject property and business operations;
3. that the applicant shall secure and maintain, in good standing, all licenses and permits required by the State of Alaska for operation of a marijuana establishment;
4. that the applicant shall comply with all provisions of Craig Municipal Code regarding placement and operation of a retail marijuana establishment;
5. that the conditional use permit shall expire eighteen (18) months after the date of issue if the permittee has not been issued a marijuana establishment license by the State of Alaska;
6. that the conditional use permit shall expire twelve (12) months after the date of issue of the marijuana establishment license by the State of Alaska if the business is not operational;
7. the establishment shall not be open to the public earlier than 10:00 am or open to the public later than 8:00 pm;
8. that employees will park at public parking on Tract A-2, USS 1429 during business hours;
9. that this permit is valid only as long as Lot 5B, Block 26, USS 1430 is legally leased and available for parking for Lot 4B, Block 26, USS 1430; and,
10. that this conditional use permit is voidable by the City of Craig, at its sole discretion, if the applicant is unable to meet the above conditions.

Approved this 22<sup>nd</sup> day of February, 2018

  
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Chairman Sharilyn Zellhuber

  
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Brian Templin, City Planner