

CITY OF CRAIG
ORDINANCE NO. 682

AN ORDINANCE AMENDING TITLE 18, CRAIG LAND DEVELOPMENT
CODE, SECTION 18.00.020, DEFINITIONS AND 18.05, ZONE
DESIGNATIONS, MARIJUANA ESTABLISHMENTS AS CONDITIONAL OR
PROHIBITED USES

WHEREAS, Alaska Statute 17.38.110 establishes that a local government may enact ordinances or regulations governing the time, place and manner that a marijuana establishment may operate in such local government; and,

WHEREAS, the City of Craig exercises zoning powers as a first class city under Alaska Statute 29.35.260; and,

WHEREAS, 3 AAC 306.010 restricts licensed marijuana establishments from being located within 500 feet of a recreation or youth center; and,

WHEREAS, Title 17.38 of Alaska Statutes, and Section 3 AAC 306.310 of the Alaska Administrative Code prohibits the sale, gift, distribution, delivery, an offer to sell, distribution, or delivery of marijuana product to any person under the age of 21; and,

WHEREAS, Hamilton Drive provides the only access to the Craig ballparks and other recreational facilities located at Cemetery Island and has a significant amount of pedestrian traffic by minors;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CRAIG, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the code of the City of Craig, Alaska.

Section 2. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance and the application of other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall be effective immediately upon adoption.

Section 4. Action. This ordinance amends Sections 18.05 and 18.00 of the Craig Land Development Code by deleting the items shown with strikethrough text and surrounded by square brackets (~~strikethrough~~) and by adding the underlined items, as follows:

Definitions - Section 18.00.020 - "Home Occupation"

6. Marijuana establishments licensed under 3 AAC 306 shall not be considered a home occupation.

Low Density Residential - Section 18.05.001 D - Prohibited Uses

3. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

Medium Density Residential - Section 18.05.002 D - Prohibited Uses

3. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

High Density Residential - Section 18.05.003 D – Prohibited Uses

3. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

High Density Residential-I - 18.05.004 D – Prohibited Uses

3. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

Commercial – Section 18.05.005 D – Conditional Uses

13. Licensed Marijuana Retail Establishments, excluding those commercial zoned properties adjacent to Hamilton Drive

Commercial - Section 18.05.005 F – Prohibited Uses

2. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

Light Industrial - Section 18.05.006 D – Conditional Uses

15. Licensed Marijuana Retail Establishments, excluding those light industrial zoned properties adjacent to Hamilton Drive

Light Industrial - Section 18.05.006 E – Prohibited Uses

2. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

Marine Industrial - Section 18.05.007 C – Conditional Uses

6. Licensed Marijuana Retail Establishments, excluding those marine industrial zoned properties adjacent to Hamilton Drive

Marine Industrial - Section 18.05.007 D – Prohibited Uses

5. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

Heavy Industrial - 18.05.008 D – Conditional Uses

7. Licensed Marijuana Retail Establishments, excluding those heavy industrial zoned properties adjacent to Hamilton Drive

Heavy Industrial - 18.05.008 E – Prohibited Uses

5. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

Public - 18.05.009 D – Prohibited Uses

2. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

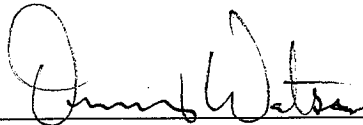
Forestry - 18.05.010 E – Prohibited Uses

3. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

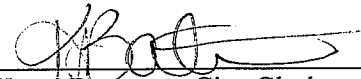
Residential Suburban - 18.05.050 D – Prohibited Uses

4. Marijuana establishments not specifically allowed as permitted or conditionally permitted uses in this zone.

Passed and approved on April 9th, 2016, 2016.



Mayor Dennis Watson



Kassi Bateman, City Clerk