THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
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MEMORANDUM

TO: Chair and Members of the Board

DATE: January 26, 2017

FROM: Sara Chambers
Interim Director, Marijuana Control Board

RE: Three Sisters Co-op #10032

This is an application for a Standard Marijuana Cultivation Facility in the City of Kodiak by Janiese Stevens, DBA Three Sisters Co-op. This application was considered and tabled by the board on June 9 and July 7, 2016.

On January 24, the AMCO Local Government Specialist spoke with the Community Development Director for the Kodiak Island Borough regarding the Borough's current moratorium on commercial marijuana licenses, which is due to expire on February 28, 2017. The Kodiak Island Borough is not the local governing body for a license application within the City of Kodiak. However, the Borough does have planning and platting authority for any development within the Borough according to Title 29 of Alaska Statute.

The Borough's Community Development director explained the Borough Assembly intends to extend the moratorium until April 30 to allow more time to draft and (hopefully) approve a comprehensive land use ordinance that addresses marijuana licenses within the Borough. Over the last year, both the Borough and the City of Kodiak have each convened separate working groups to address community concerns, and while the City was able to develop a process and local ordinances to address marijuana licenses, the Borough still must work through its deliberative process, which requires Borough Planning and Zoning commission review, as well as two readings and a public hearing by the Borough Assembly prior to adoption.

Staff has not received a Local Government protest from the City of Kodiak on this basis, but the board should be aware that other communities (Fairbanks North Star Borough, Mat-Su Borough) are struggling with similar challenges over jurisdiction, and since the addition of a Local Government Specialist to AMCO staff, we have the resources and commitment to assist with this process.

Recommendation: The board is advised to select one of the two following options:

a) Consider the application at the April meeting with the expectation that the Borough Assembly will have ended its moratorium, or

b) Delegate approval to the director