

Introduced by:	Council Member Jung-Jordan
Date:	August 13, 2019
Action:	Passed
Vote:	5-0
Amended Something Previously Adopted:	Council Member Leary
Amended Date:	November 12, 2019
Action:	Passed
Vote:	5-0

## CITY OF BETHEL, ALASKA

### Resolution #19-09 AMENDED

**A RESOLUTION BY THE BETHEL CITY COUNCIL CONDITIONALLY PROTESTING THE ISSUANCE OF A RETAIL MARIJUANA LICENSE TO ALASKAN GROWN CANNABIS LICENSE NO. 20439, ALASKAN GROWN PRODUCTS, LLC PROPOSING TO OPERATION AT 230 TUNDRA WAY, BETHEL**

- WHEREAS,** Alaskan Grown Products, LLC submitted an application for a Retail Marijuana Facility to the State of Alaska Alcohol Marijuana Control Office (AMCO), License #20439, notice of the application was received by the City Clerk's Office on June 27, 2019, deadline for Council's Protest on the Application is August 26, 2019;
- WHEREAS,** the proposed location of the retail marijuana license is 230 Tundra Way;
- WHEREAS,** on July 17, City Administration submitted a report to the City Council;
- WHEREAS,** this administrative report identified that as of July 17, the applicant had not yet applied for a conditional use permit with the City's Planning Department;
- WHEREAS,** Bethel Municipal Code Chapter 5.10.070 requires each operator of a marijuana establishment obtain a conditional use permit;
- WHEREAS,** Alaskan Grown Cannabis is not in compliance with our zoning regulation;
- WHEREAS,** the Administrative Report also identified concerns as the proposed location is connected to a premises identified by the State Deputy Fire Marshal to have fire and life safety hazards which were discovered after a Fire and Life Safety Inspection conducted on May 11, 2018;
- WHEREAS,** 240 Tundra Way is an apartment complex which is physically attached to the proposed location for the Retail Marijuana License,
- WHEREAS,** due to this proximity and the type of hazards identified, the Council does not feel the property would be safe for any type of occupancy,

Introduced by:	Council Member Jung-Jordan
Date:	August 13, 2019
Action:	Passed
Vote:	5-0
Amended Something Previously Adopted:	Council Member Leary
Amended Date:	November 12, 2019
Action:	Passed
Vote:	5-0

**WHEREAS,** the inspection of 240 Tundra Way identified 15 points of concern and correction and required the immediate vacation of the property and the implementation on a fire watch on the building while it is occupied;

**WHEREAS,** the license should not be issued unless the occupancy meets all applicable fire and life safety code requirements, as confirmed with a code compliance inspection by the State of Alaska Division of Fire and Life Safety;

**NOW, THEREFORE, BE IT RESOLVED** with the information provided and all relevant facts considered the Council conditionally protests the issuance of a Retail Marijuana License to Alaskan Grown Products and will lift the protest following the issuance of due to the lack of a Conditional Use Permit by the Planning Commission and the life health safety concerns associated with the proposed location 230 and 240 Tundra Way are eliminated to the satisfaction of the State Fire Marshal's Office.

**ENACTED AS AMENDED THIS 12 DAY OF NOVEMBER 2019 BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED.**

ATTEST:



\_\_\_\_\_  
Lori Strickler, City Clerk



\_\_\_\_\_  
Perry Barr, Mayor