

Kenai Peninsula Borough  
Office of the Borough Clerk

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**MEMORANDUM**

**TO:** Kelly Cooper, Assembly President  
Kenai Peninsula Borough Assembly Members

**THRU:** Johni Blankenship, Borough Clerk (JB)

**FROM:** Tatyana Shassetz, Borough Clerk Secretary (SS)

**DATE:** April 21, 2020

**RE:** Arctic Herby – Application for New Retail Marijuana Store – License #23777

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Kenai Peninsula Borough Code 7.30.010 provides that the Assembly shall review and make recommendations to the state on applications for new marijuana licenses located within the Borough. Accordingly, the attached application filed by Arctic Herby is being submitted to you for review and recommendation. Due to the cancellation of the March 23<sup>rd</sup> Planning Commission meeting and the April 7<sup>th</sup> Assembly meeting. A letter of non-objection was issued to the Alcohol Marijuana Control Office on March 23<sup>rd</sup> with a condition that the non-objection was contingent upon ratification by the Assembly at the April 21<sup>st</sup> Assembly meeting.

The Borough Finance Department reviewed the application and has no objection to the new license based on unpaid taxes. The Planning Department reviewed the application and has no objection to the new license based on the standards set forth in KPB 7.30.

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**RECOMMENDATION:**

That the Assembly ratifies and approves the issuance of the letter of non-objection to the Alcohol Marijuana Control Office regarding the New Retail Marijuana Store license as requested by **Arctic Herby** with the recommendation that the following conditions be placed on the state license pursuant to 3 AAC 306.060(b):

1. The marijuana establishment shall conduct their operation consistent with the site plan submitted to the Kenai Peninsula Borough.
2. There shall be no parking in borough rights-of-way generated by the marijuana establishment.

3. The marijuana establishment shall remain current in all Kenai Peninsula Borough financial obligations consistent with KPB 7.30.020(A).
4. The marijuana establishment shall not conduct any business on, or allow any consumer to access, the retail marijuana store's licensed premises, between the hours of 2:00 a.m. and 8:00 a.m.]