Please refer to Planning Commission Rule #25: Any action taken during this meeting is subject to reconsideration during this meeting or at the next. A request for reconsideration at the next meeting must be submitted in writing by a Planning Commissioner (who voted on the prevailing side) by the close of business the day following the meeting.

**Worksession, Opening Statements, and Consent Agenda**

**Audio Track 1**

**APPROVED**

**CU2017-012:** A request by Matthew Langberg DBA CI’s Canna LLC on behalf of Rod & Lori Cahill and Norseman Investments LLC for conditional use approval of a marijuana cultivation facility, indoor large in the General Commercial (GC) zone on Lot 3A & Lot 3B, Block 6, Rickert Subdivision (located at 1616 Cushman Street, on the west side of Cushman Street, between 16th Avenue and 17th Avenue). *(Staff Contact: Manish Singh)*

**Audio: Track 2**

**CONDITIONS**

1. Prior to the commencement of operations, the applicant or holder of this conditional use permit shall comply with all applicable land use related laws. Applicable permits and approvals may include but are not limited to:
   
   a. As required by the FNSB and the Department of Commerce, Community, and Economic Development (Alcohol and Marijuana Control Office), the applicant or holder of this conditional use permit shall ensure the site meets all licensing requirements for a commercial marijuana cultivation facility.
   
   b. The applicant or holder of this conditional use permit shall obtain a formal plan review by the City of Fairbanks Building Department and Fire Department and shall comply with all recommendations and/or requirements resulting from the plan review.
   
   c. The applicant or holder of this conditional use permit shall obtain a written wastewater control plan review by Golden Heart Utilities and shall comply with all requirements and/or recommendations resulting from the plan review.

2. Indoor cultivation, drying, and processing rooms or portions of the building shall be equipped with appropriately sized odor filtration systems and marijuana odor shall not be detectable by the public from outside the cultivation facilities.

3. If any portion of the first floor shown as ‘not related to marijuana cultivation’ in Addendum A is used for any functions supporting a marijuana cultivation establishment, an amendment to the Conditional Use Permit or a new Conditional Use Permit shall be required.
4. If any modifications are made to the site plans, floor plans, or other FNSB required documents, the applicant or holder of this conditional use permits shall submit revised documents to the FNSB Community Planning Department. If modifications are made to the conditional use, an amendment to the Conditional Use Permit may be required pursuant to FNSBC 18.104.050(D).

FINDINGS OF FACT

1. With the conditions imposed, the proposed conditional use will conform to the intent and purpose of Title 18 and of other ordinances and state statutes:

   a. The purpose of Title 18 will be met because the proposed conditional use is consistent with ‘Urban Preferred Commercial Area’ comprehensive plan land use designation. The Comprehensive Plan Land Use Goal 3 and Economic Development Goal 2 are being enhanced with the redevelopment of this site as a marijuana cultivation facility.
   b. The intent of Title 18 will be met because with the conditions imposed, the conditional use will both protect private property rights and promote public health, safety, and welfare.
   c. 3AAC 306 governs the state licensing and operational standards for marijuana facilities. Title 18 requires that a borough permitted commercial marijuana facility obtain a license pursuant to all state regulations. The applicant has provided information sufficient to show they intend to meet the state regulations and to apply for a state issued license.

2. With the conditions imposed, there are adequate existing energy and transportation facilities serving the site and other public services are available to serve the proposed conditional use.

   a. The site is served by City of Fairbanks sewer and water.
   b. The site is served by City of Fairbanks Police and Fire Department.
   c. The site is currently connected to the GVEA grid and will provide sufficient energy supply for indoor cultivation activities.
   d. Five (5) required off-street parking spaces and a loading area have been provided on-site, which are adequate for the proposed cultivation conditional use.
   e. Traffic generated by the proposed use will have relatively little impact on South Cushman Street which is maintained by the City of Fairbanks and has adequate capacity for the additional trips generated.

3. With the conditions imposed, the proposed conditional use will protect public health, safety, and welfare as the facility will comply with Title 18 standards for the GC zone and Standards for Commercial Marijuana Establishments (FNSBC 18.64 and 18.96.240, respectively) as well as state requirements for a commercial marijuana cultivation facility.

   a. With the conditions imposed, security systems, alarms, locks, cameras and lighting will meet state regulations required to obtain a commercial marijuana cultivation license.
   b. With the conditions imposed, any solid or liquid waste including marijuana plant waste will be disposed of according to state and local regulations.
   c. With the conditions imposed, odor will be mitigated with appropriately sized odor filtration systems on cultivation, drying, and processing facilities.
d. All marijuana and marijuana products would be secured inside the building to ensure the general public does not have access to them.
e. The noise generated from this cultivation operation would be negligible because the operation is completely indoors.
f. The outdoor lighting would point downwards on the parking area and would not negatively impact adjacent residential zones.
g. The hours of operation do not negatively impact the neighborhood because the facility is located on South Cushman Street which is arterial type roadway and experiences 24-hour traffic.

APPROVED

Ordinance 2017-14: An Ordinance Amending FNSBC 18.96.240(A)(3) Regarding Buffer Distances For Marijuana Establishments And Deleting The Definition of Cultivation Broker Facility And Deleting It As A Use in Title 18. (Sponsors: Assemblymembers Dodge and Davies) (Staff Contact: Kellen Spillman)

Audio: Track 3

RECOMMENDED FOR APPROVAL

Ordinance 2017-21: An Ordinance Amending FNSBC Title 18 To Define Community Gardens And To Add Community Gardens As A Permitted Use Or Conditional Use In Appropriate Zones. (Staff Contact: Kellen Spillman)

Audio: Track 4

RECOMMENDED FOR APPROVAL

Ordinance 2017-19: An Ordinance Amending FNSBC Title 18 Definitions And Sign Regulations To Delete And Amend Content-Based Sign Regulations To Comply With First Amendment Protection, Exempting Flagpoles From Required Yards And Amending FNSBC 1.20.080 Fine Schedule. (Staff Contact: Christine Nelson)

Audio: Track 5

RECOMMENDED FOR APPROVAL

Closing Comments and Adjournment.

Audio: Track 6

Further information may be obtained from FNSB Department of Community Planning at 459-1260