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.

Opening Statements, Agenda and Consent Agenda(*)

Audio Track 1

APPROVED

CU2018-003: A request by Ryan Hallsten DBA R.C.H. Cultivation on behalf of S. Corp Inc. for conditional use approval of a marijuana cultivation facility, indoor large in the General Use 1 (GU-1) zone on Lot 21, Fairbanks Industrial Park Subdivision (located at 2745 Hanson Road, on the south side of Hanson Road, between Commerce Street and Deere Street). (Staff Contact: Manish Singh)

Audio: Track 1

CONDITIONS OF APPROVAL

1. Prior to the commencement of marijuana cultivation operation, 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 and Fire Departments 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 formal plan review by the State of Alaska Department of Environmental Conservation for the onsite septic system and the wastewater storage tank and shall comply with all recommendations and/or requirements resulting from the plan review.

2. Indoor cultivation, drying, and processing rooms or portions of the building where marijuana will be grown, processed or stored, shall be equipped with appropriately sized odor filtration systems such that the marijuana odor shall not be detectable by the public from outside the indoor cultivation facility.

3. If any modifications are made to the site plan, floor plans, or other FNSB required documents or operational characteristics, 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 ‘Light Industrial Area’ comprehensive plan land use designation. The Comprehensive Plan Land Use Goal 3 and Economic Development Goal 2 are being enhanced with the development 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 facility will have a 2,500 gal. tank and a contract with ‘Water Wagon’, a water delivery service, to meet the water supply needs for marijuana cultivation.
   b. The facility has an onsite septic system for domestic wastewater and a storage tank for the non-domestic wastewater. With the conditions imposed, the facility will have a contract with ‘Bigfoot Pumping & Thawing’, a septic pumping company to haul any access wastewater to Golden Heart Utilities Wastewater Treatment Plant according to the state regulations.
   c. The facility is served by the City of Fairbanks Fire Department for emergency fire response is served by City of Fairbanks Police Department for law enforcement.
   d. The facility is currently connected to the GVEA grid which will provide sufficient energy supply for indoor cultivation activities.
   e. Three (3) off-street parking spaces and a loading area have been provided on-site, which are adequate for the proposed cultivation conditional use.
   f. The subject property is accessible from Hanson Road. Hanson Road is a local road, maintained by the City of Fairbanks. Hanson Road can accommodate the small number of trip ends generated by the proposed facility.

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 GU-1 zone (FNSBC 18.84) and Standards for Commercial Marijuana Establishments (FNSBC 18.96.240) as well as state requirements for a commercial marijuana cultivation facility.
   a. With the conditions imposed, security systems, alarms, 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 in accordance with state and local regulations.
c. With the conditions imposed, odor will be mitigated with appropriately sized odor filtration systems in cultivation, drying, and processing facilities.
d. All marijuana and marijuana products will 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 minimal and it would not negatively impact the neighboring residential property owners because the operation is completely indoors.
f. The outdoor lighting would point downwards and will not negatively impact the neighborhood or residential uses.
g. The cultivation hours of operation will not negatively impact the neighboring residential property owners because the neighborhood has already developed with industrial and commercial uses.

APPROVED

CU2017-010: A remand of a request by Dan Sloan on behalf of the Fairbanks North Star Borough Public Works Department, for conditional use approval of a solid waste public dumping site in the Multiple-Family Residential/Professional Office (MFO) zone on Lot 1, Chena Pump Solid Waste Transfer Station Subdivision (located on the south side of Old Chena Ridge Road, west side of Chena Pump Road, and southwest of the Parks Highway). The Board of Adjustment remanded this case to the Planning Commission to rehear and enter specific findings consistent with the following: Whether the impacts on nearby residential neighborhoods have been adequately addressed with the proposed conditions, or whether additional conditions should be imposed to ensure the protection of the public health, safety and welfare. Specifically, the Planning Commission should consider (1) noise mitigation; (2) whether set hours of operation or maintenance should be imposed; (3) whether limitations on the use of lighting are necessary; and (4) whether a vegetative buffer or similar control will assist in mitigating the visual impact of the use of and/or runoff from the property. (Staff Contact: Stacy Wasinger)

Audio: Tracks 2, 3 and 4

CONDITIONS OF APPROVAL

1. Any development within the Special Flood Hazard Area, including, but not limited to filling, paving, or grading shall require a Floodplain Permit and compliance with FNSB Title 15 regulations.

2. A 50 foot wide vegetative visual buffer shall be maintained along Chena Pump Road and a 30 foot wide vegetative visual buffer shall be maintained along Old Chena Ridge Road.

3. A minimum 66 foot wide visual and water runoff buffer of existing natural vegetation shall be maintained along the west property line, along with a 12 foot gravel access road between the fence and the vegetative buffer.

4. No structures or dumpsters shall be located in the Public Utility Easement (PUE), nor shall any dumpsters, structures or other impediments be located such that the access to the PUE is restricted.

5. The existing old driveway shall be revegetated after the construction of the new driveway off of Chena Ridge Road.
6. All dumpsters and other structures shall be constructed and located on the recycled asphalt pavement surfacing and directly relate to the principal use of a solid waste public dumping site.

7. If any modifications are made to the site plan, floor plan, lighting plan, or other FNSB required documents, the applicant or holder of this conditional use permit 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).

8. Hours of operation for public use shall be limited to 7:00 a.m. to 7:00 p.m. Hours of operation for maintenance use shall be limited to 7:00 a.m. to 4:00 p.m. Snow removal shall be permitted at other times. Site shall be secured and locked when it is not open to the public.

FINDINGS OF FACT

1. The proposed conditional use will conform to the intent and purpose of Title 18 and of other ordinances and state statutes because it will conform to Title 18 requirements as a conditional use in the MFO zone.
   a. The conditional use is consistent with the Urban Area designation. With appropriate conditions, the conditional use is compatible with the existing land uses. The purpose of Title 18 will be met because the proposed use supports Land Use Goal 4, Strategy 10 of the FNSB Regional Comprehensive Plan, which is to “attract and support development that is compatible with and enhances existing land use”. The use also aligns with Transportation and Infrastructure Goal 2 to “have sufficient public utilities and infrastructure to meet existing and future demand.”
   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 by adding more space for turning and maneuvering and creating a designated area for household hazardous waste (HHW), thereby enhancing the functionality of the public dumping site.
   c. The applicant has provided information sufficient to show they intend to meet all local, state, and federal laws.

2. 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 proposed conditional use does not require water and sewer capacity.
   b. The site is served by the Alaska State Troopers, Chena Goldstream Fire Service Area, and other services.
   c. The site is connected to the GVEA grid which will provide sufficient energy supply for the public dumping site.
   d. The site is served by Chena Pump Road, an AK DOT & PF maintained road, and Old Chena Ridge Road.
   e. The expanded public dumping site will generate additional trips but will not impede vehicular and pedestrian traffic on the surrounding roads because they have adequate capacity for current and future vehicular trips.
f. Chena Pump Road has dedicated right and left turn lanes. The relocated driveway will increase the queuing capacity on Old Chena Ridge Road.

3. With the conditions imposed, the conditional use will protect public health, safety, and welfare as the facility will comply with Title 18 standards for the MFO zone.

   a. It will expand the capacity for safe disposal of solid waste in the area served by the conditional use.
   b. The existing vegetation and proposed fencing will create a buffer and minimize the visual impact of the proposed conditional use.
   c. Noise impacts are expected with the operation of the public dumping site. The restriction of hauling only within landfill gate hours will eliminate hauler truck noise at night. The minimum vegetative buffers required in Conditions 2 and 3 along the north, east, and west property lines will also help reduce noise impacts on the surrounding parcels.
   d. Odor impacts involving the solid waste will be minimized by the regular removal of waste to the FNSB Solid Waste landfill.
   e. The structures and dumpsters are not proposed to be located in the floodplain. With the proposed conditions, any filling, paving and grading or other development in the Floodplain are required to comply with Title 15 regulations to ensure public health, safety and welfare.

4. Lighting has been adequately addressed by the applicant. Security concerns dictate that lighting at transfer sites must be lit 24 hours a day, 7 days a week. FNSBC 18.96.140 requires that “Lighting, glare and general illumination shall not be directed towards residentially zoned properties other than that property from which the lighting, glare and general illumination originates.” The expansion will remove and replace existing site lighting with lower temperature, downward facing light fixtures. Other sources of light in the area include lighting and traffic on Chena Pump Road and from nearby commercial uses.

5. The restriction for hauling hours is tied to the landfill operation hours. Limited public use and maintenance hours will reduce night time noise and increase public safety.

**APPROVED**

Excuse Absent Members, Commissioner's Comments and Adjournment.

Audio: Track 4

Further information may be obtained from *FNSB Department of Community Planning* at 459-1260 or by calling the Planning Commission Clerk at 459-1277.