

By: Alex Strawn
Introduced: December 5, 2016
Public Hearing: December 19, 2016
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-43**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 17.60.020(A) APPLICABILITY AND MSB 17.60.150 GENERAL STANDARDS FOR MARIJUANA RELATED FACILITIES.

WHEREAS, on August 2, 2016, the Assembly adopted Ordinance Serial No. 16-003(SUB) which created permit requirements and standards for marijuana related facilities within the Borough; and

WHEREAS, assembly ordinance 16-003(SUB) placed marijuana related facilities within MSB 17.60 along with junkyards and correctional community residential centers; and

WHEREAS, after adoption of Ordinance 16-003(SUB), it was discovered that MSB 17.60 does not apply within special land use districts unless otherwise specified; and

WHEREAS, this ordinance would expand the applicability of MSB 17.60 to apply within Special Land Use Districts; and

WHEREAS, this ordinance would ensure that all areas of the borough have standards for both junkyard/refuse areas and marijuana related facilities; and

WHEREAS, setback requirements within MSB 17.60.150(B) were intended to match state standards, except setback distances from schools were increased to 1,000 feet; and

WHEREAS, the method for measuring separation distances within ordinance 16-003(SUB) varies from the state method because the state's method can be subjective and leaves room for interpretation; and

WHEREAS, the discrepancy in methods for measuring separation distances has been a source of confusion for potential marijuana facility applicants; and

WHEREAS, eliminating the duplicative setback requirements would make regulations related to marijuana related facilities more consistent and understandable, while maintaining the intended separation distances from sensitive receptors through the state licensing process; and

WHEREAS, this ordinance is compatible with the MSB Comprehensive Plan as it implements the following goals and policies:

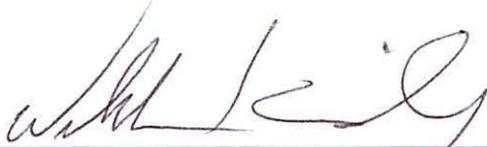
Goal (E-3): Create an attractive environment for business investment.

Policy E3-2: Institute appropriate land use guidelines and regulations that reduce land use conflicts and protect residents and businesses.; and

WHEREAS, the Planning Commission held a public hearing on this matter on December 19, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends an ordinance amending MSB 17.60.020(A) applicability and MSB 17.60.150 general standards for marijuana related facilities, as referred by the Assembly at their meeting on December 6, 2016.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 19th day of December, 2016.



WILLIAM KENDIG, Vice-Chair

ATTEST



MARY BRODIGAN, Planning Clerk

(SEAL)



YES: *Anderson, Healy, Vague, Kendig, Adams, and Rauchenstein*
NO: