

Have you wondered how we got to this point, where just recently the Planning Commission approved a grow operation in a residential neighborhood, with most of the neighborhood coming out, and hundreds of pages of documentation on the problems with this facility including falsehoods in the application itself?

I realized recently where the disconnect came from. A few years ago, the assembly set up the zoning regulations for marijuana businesses. The mayor at the time had come in with pretty strict buffer zones like we had done before with strip clubs. The assembly decimated those buffer distances and how they were measured (and since then has made the method even more tilted in the marijuana businesses' favor). One thing the assembly did do, though, is recognize that they didn't have a good defense for residential neighborhoods, so they amended the ordinance to add a conditional use process for those operations in general use zoning areas that were adjacent to a lot with a residence on it.

A conditional use process notifies everyone in a certain radius of a public hearing before the Planning Commission (with regular zoning permits there is no zoning notification to the neighbors). The intent of putting this amendment in there was so that the Planning Commission would look carefully at the neighborhood, and if they determined it was residential in character, they could deny the permit. There have been conditional use permits denied in the past for other reasons. The disconnect seemed to occur because that intent didn't get communicated to the Planning Commission. At the time, there was a lot of turnover on the commission and a lot of training going on, and what came out is that many of the members now believe that if something meets the code otherwise, then it should be given that permit.

Think about that, if we only had to determine if something met the regular permit part of the zoning code, then why would we have a conditional use hearing at all. The Planning Department could just take care of that, as they do with regular permits.

So now we're at this point where extremely weak zoning regulations combined with inadequate decisions from the Planning Commission have resulted in all conditional use permits for marijuana businesses in residential neighborhoods being approved. The problem now is that even if the assembly fixed that, which it hasn't shown any interest in

doing, then those places would still be grandfathered in and degrading those residential neighborhoods, their property values, and their desire for a peaceful life.

After that approval has happened, the assembly still has the full discretion to protest a license based on the fact that it doesn't fit the residential character of the neighborhood. While the assembly has been notified when those establishments are in residential neighborhoods, they have yet to exercise that discretion and protect any of them.

So the propositions on the ballot are completely about the overreach of government allowing these places to be put in residential neighborhoods and next to schools, churches, day cares, youth centers, drug treatment facilities, and other sensitive uses. The opposition has tried to raise the specter of businesses being put out of business, but I hope everybody realizes that those business owners all knew this was coming and chose to take the risk anyway. It's also been seen that not only do the taxes not cover the cost of regulation but also that we have loopholes in the law, like Colorado, that will enable many to get around the taxes.

State law protects an initiative for two years from being modified by the assembly, but after that they can change it as they like. So, if you vote "yes" on borough Proposition 1 or city of Fairbanks Proposition A, then it'll effectively be like hitting the reset button. They can come back in two years with much better zoning laws protecting residential neighborhoods and re-implement the businesses.

If you're still on the fence, please consider that the industry-controlled state Marijuana Control Board is about to allow on-site consumption, which was not legally allowed by the 2014 voter initiative that legalized marijuana. That will allow people to drive into or next to your neighborhood and smoke pot right there. They are allowed to stay open until 5 a.m. and can open at 8 a.m. This will add a level of misery to what your neighborhood will already be experiencing beyond what you've already read about in the recent letters to the editor.

We get one chance to protect our neighborhoods. Please vote "yes" on Proposition 1 or Proposition A.