



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Agenda Planning Commission Regular Meeting

Tuesday, February 08, 2022

12:00 PM

Assembly Chambers

Topic: Petersburg Borough Planning Commission Regular Meeting

Time: 12:00pm

Join Zoom Meeting

<https://petersburgak-gov.zoom.us/j/96232354380?pwd=UkU0b1JiaHI5SGQ4OU1ISzNaZTdCZz09>

Meeting ID: 962 3235 4380

Passcode: 289401

One tap mobile

+12532158782,,96232354380#,,,,*289401# US (Tacoma)

+13462487799,,96232354380#,,,,*289401# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 720 707 2699 US (Denver)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

Meeting ID: 962 3235 4380

Passcode: 289401

Find your local number: <https://petersburgak-gov.zoom.us/j/96232354380>

1. **Call to Order**
2. **Roll Call**
3. **Acceptance of Agenda**
4. **Approval of Minutes**

A. Meeting Minutes from 1/11/2022

5. Public Comments

Public comments are welcome on matters not appearing on the Public Hearing or Consent Calendar but are within the Borough's jurisdiction. Persons wishing to speak should come forward and state their name and address. Issues raised may be referred to staff and, if action by the Commission is needed, may be scheduled for a future meeting.

6. Consent Calendar

7. Public Hearing Items

A. Recommendation to the Borough Assembly on disposal of borough property at 700 Sandy Beach Rd (PID#: 01-004-320).

B. Recommendation to the Borough Assembly on disposal of borough property at 1015 Sandy Beach Rd (PID#: 01-014-180).

8. Non-Agenda Items

A. Commissioner Comments

B. Staff Comments

C. Next Meeting is Tuesday, March 8, 2022 at 12:00pm.

D. Copy of Zoning Practice attached.

9. Adjournment



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Minutes Planning Commission Regular Meeting

Tuesday, January 11, 2022

12:00 PM

Assembly Chambers

1. Call to Order

Called to order at noon.

2. Roll Call

PRESENT

Commission Chair Chris Fry

Commission Secretary Sally Dwyer

Commissioner Nancy Strand

Commissioner Vice Chair Heather O'Neil

Commissioner Jim Floyd

3. Acceptance of Agenda

Approved as presented.

Motion made by Commissioner Floyd, Seconded by Commissioner Strand.

Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand,
Vice Chair O'Neil, Commissioner Floyd

4. Approval of Minutes

Approved as presented.

Motion made by Commission Secretary Dwyer, Seconded by Vice Chair O'Neil.

Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand,
Vice Chair O'Neil, Commissioner Floyd

1. Meeting Minutes from October 11, 2021

5. Public Comments

Public comments are welcome on matters not appearing on the Public Hearing or Consent Calendar but are within the Borough's jurisdiction. Persons wishing to speak should come forward and state their name and address. Issues raised may be referred to staff and, if action by the Commission is needed, may be scheduled for a future meeting.

None

6. Consent Calendar

None

7. Public Hearing Items

- 1. Consideration of an application from Farragut Farms for a remote sign at the northern corner of Haugen Dr and N Nordic Dr.

Director Cabrera gave a history of this issue and how to bring the signage up to code. Marja Smets spoke on her own behalf to explain their hopes of using the signs.

Motion made by Commissioner Strand, Seconded by Commissioner Floyd.
Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand, Vice Chair O’Neil, Commissioner Floyd

- 2. Consideration of an application from Joel and Kim Randrup for a variance from the 10’ side yard setback requirement at 1116 Lake St to allow for construction of a garage. (PID: 01-002-516)

Kim and Joel Randrup were present. Joel gave an explanation of their application.

Motion made by Commissioner Strand, Seconded by Commission Secretary Dwyer.
Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand, Vice Chair O’Neil, Commissioner Floyd

- 3. Approval of Planning Commission 2022 meeting schedule.

Approved as presented.

Motion made by Commission Secretary Dwyer, Seconded by Commissioner Strand.
Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand, Vice Chair O’Neil, Commissioner Floyd

8. Non-Agenda Items

- 1. Commissioner Comments

None

- 2. Staff Comments

Director Cabrera spoke on the remote sign application process for the future. Discussion.

3. Next Meeting is February 8, 2022, at noon.

9. Adjournment

Adjourned.

Chair Chris Fry

Date

Planning Commission Staff Report

Meeting date: February 8, 2022

TO: Planning Commission

FROM: Liz Cabrera, Community & Economic Development Director

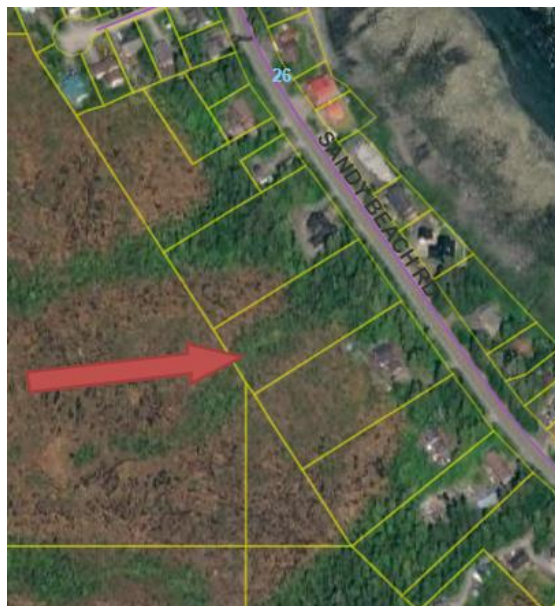
Subject: Purchase of Borough-Owned Property at 700 Sandy Beach Rd.
Marc Taylor

Recommendation:

Recommend preliminary approval of sale to the borough assembly.

The Petersburg Planning & Zoning Commission makes the following findings of fact:

1. Applicant is requesting to purchase approximately 84,942 sf of borough-owned property located at 700 Sandy Beach Road.
2. Application was referred to the Planning Commission on January 18, 2022.
3. The property has legal and practical access from Sandy Beach Road.
4. The property has more than 80' of road frontage and a lot area greater than 8,000 sf, which are minimum standards for residential property in this district.
5. A 60' w. x 440' l. undeveloped public easement exists along the eastern property line adjacent to Lot 16. No development may occur within the easement without prior approval of the borough.
6. Lot is zoned single-family residential. PMC 16.12.050 requires a property be zoned prior to approval for disposal.
7. Applicant's development plans are to construct a driveway, pad, and single-family residence within 2-3 years. Per zoning, property may be developed with single-family or duplex dwelling, or any manner allowed by code. Also, the property may be subdivided in the future as allowed by code and approved by the Planning Commission.
8. Based on review of the application by borough departments, there is no public need or use for the property.
9. Hearing notices were mailed to property owners within 600 feet of the area on January 24, 2022



Planning Commission Staff Report

Meeting date: February 8, 2022

10. On February 8, 2022, a duly noticed public hearing was held by the Petersburg Planning Commission. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

Based on the preceding findings of fact, the Petersburg Planning Commission makes the following recommendation:

1. Based on review of the application by borough departments, there is no public need or use for the property.
2. Terms and conditions of sale should reference the existing public easement and that no development may occur within the easement without prior approval of the borough.
3. Terms and conditions of sale require that any future residential development on the property connect to municipal sewer system on Sandy Beach Rd. Cost of extending utilities (electricity, water, sewer) to the property will be the responsibility of the property owner. Cost of providing service from the property line to any structure is the responsibility of the property owner.
4. Proof of consultation and, if required, a permit/letter from the Army Corps of Engineers shall be furnished to the borough prior to development of the lot.



Petersburg Borough, Alaska

Land Disposal Application
(\$500.00 non-refundable filing fee required)
Form must be completed in its entirety to be considered

PAID
JAN 18 2022
FINANCE DEPT.

Office Use:
Rec'd. by: SM
Fee: \$ 500.00
Date Rec'd: 1/18/22

Date: 1/10/2022

This is a request for land disposal via (circle one):
Lease **Purchase** **Exchange** **Other**

Parcel ID #(s) of Subject Property:
01-004-320
700 Sandy Beach Rd

Proposed term of lease: N/A
(total years)

Legal Description of Property:
Lot 15, USS 2986

Current Zoning of Property:
Single-Family Residential

Applicant Name: Marc Taylor

Applicant Mailing Address: 21318 Pioneer Way, Edmonds WA 98026

Applicant Contact Info:
(phone and/or email) 206-790-3765
mtaylor@tridentseafoods.com

1. Size of Area requested (identify the minimum area necessary in square feet): 84,942
2. Attach a map showing the location of the land requested. Map must show surrounding area with the land requested clearly marked with bolded borders or highlighted color.

3. Narrative on use of property: Explain proposed use of land and when use is expected to begin and end. Include any planned new construction or renovation, including time-frame when construction or renovation will be completed and type of materials to be used. Provide the estimated dollar value of proposed improvements. Explain the value of the proposal to the economy of the borough and any other information you feel should be considered. (attached additional sheet if necessary)

Proposed use would be to excavate and install a driveway/pad in 2022 and then build a house by end of 2023. Time Frame would be 2-3 years realistically for completion and materials to be used are going to be standard home materials. The estimated costs for the entire building process is \$560,000.00. The benefit to the borough would be the proceeds from the auction and me and my wife's remote based salaries that would come into the community.

4. Name and address of all adjacent land owners or lessees, including upland owner(s) if applicable: (attach additional sheet if necessary)

Sally and Alan Dwyer
618 Sandy Beach RD
01-004-330

David and Tanya Somerville
706 Sandy Beach RD
001-004-310

5. Are there any existing permits or leases covering any part of the land applied for?

___ Yes No If yes, please check one: (___ Lease ___ Permit)

Describe the type of permit or lease, if applicable, and the name and last known address of the permittee or lessee: _____

6. What local, state or federal permits are required for the proposed use? (list all)
Building and Core permits

7. If applicant is a corporation, provide the following information:

A. Name, address and place of incorporation: _____

B. Is the corporation qualified to do business in Alaska?: ___ Yes ___ No

Name and address of resident agent: _____

8. Why should the Planning Commission recommend Assembly approval of this request?
It is a lot that is already setup and zoned for custom building and already has a plat, and the easement that runs along side it still gives the borough access to what they would need it for.

9. How is this request consistent with the Borough's comprehensive plan?
Provides more housing opportunities in the bourough.

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary):

Department Comments: *Previously verified this parcel is not needed by Electric, Water, Wastewater or for Community Development. The parcel is also not needed for Public Works/ Streets.*

Debra K. Thompson
Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

NOTICE TO APPLICANT(s):

Applicant will be required to pay a non-refundable filing fee with the Borough of \$500 to cover estimated costs of: a title report, survey, legal fees, postage, recording fees, public noticing and advertising and other costs incidental to the processing of this application.

I hereby certify that I have received and reviewed a copy of Petersburg Municipal Code Chapters 16.12 and 16.16 (as they may pertain to my particular application) and understand the Code requirements. I further certify I am authorized to sign this application on behalf of the applicant.

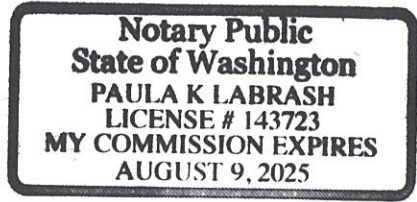
Please sign application in the presence of a Notary Public.

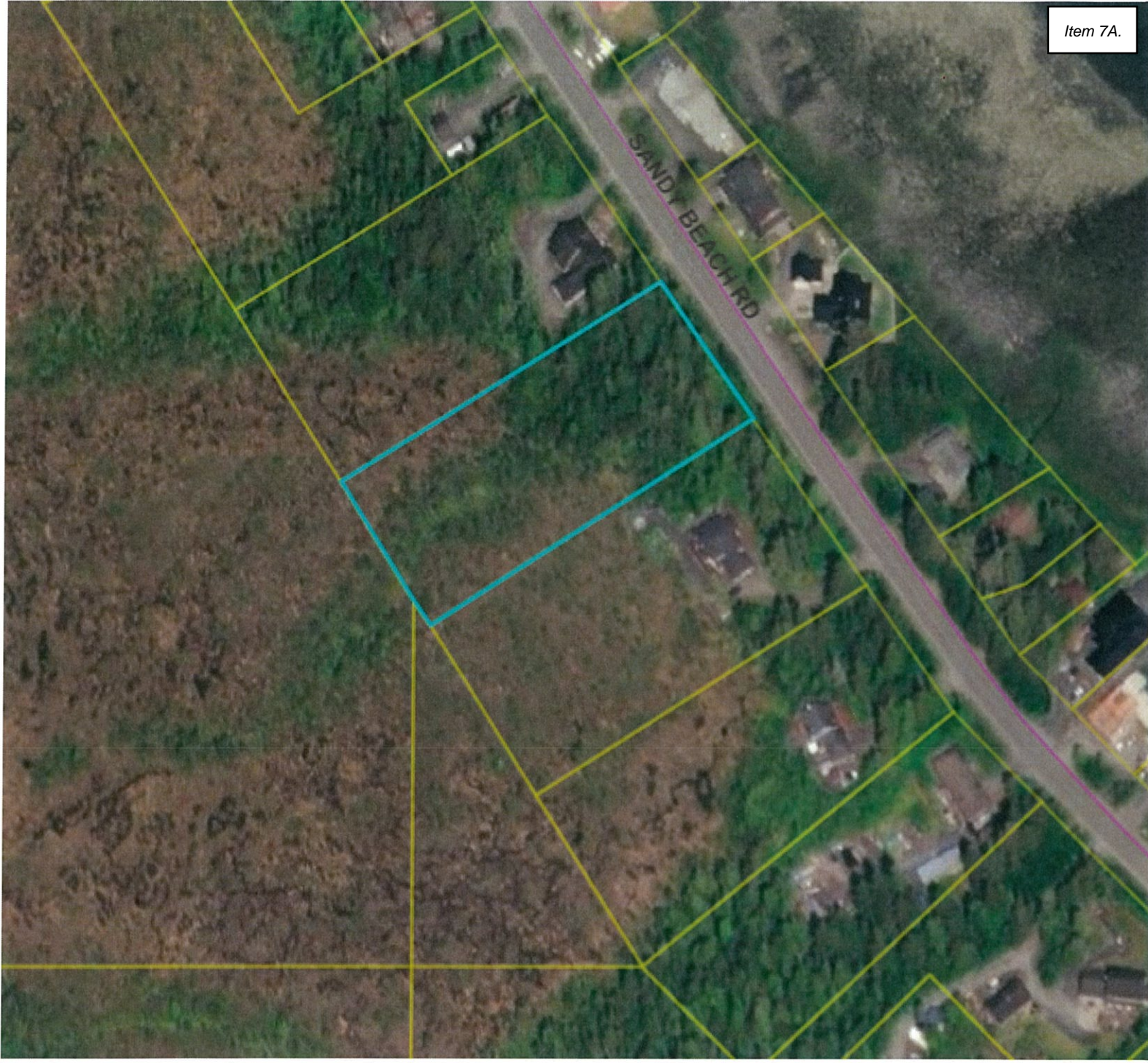
Marc Taylor
Applicant/Applicant's Representative

Subscribed and sworn to by *Marc Taylor*, who personally appeared
before me this *10th* day of *January*, 20*22*.

Paula K Labrash
Notary Public

Notary Public in and for the State of ^{*WA*}~~Alaska~~. My Commission Expires: *8-9-2025*





Debra Thompson

From: Debra Thompson
Sent: Friday, January 7, 2022 4:38 PM
To: mtaylor@tridentseafoods.com
Subject: 700 Sandy Beach Road

Hi Mike,

Karl Hagerman's response to my inquiry about 700 Sandy Beach Road is: There is no need for any of my utilities to use this lot. This is a great lot, with water and sewer stubouts in place already.

So you are good to send in your application and filing fee.

Take care,
Debbie

Debra K. Thompson, CMC
Borough Clerk/Human Resources Director

Petersburg Borough
907-772-5405



BOOK 17 PAGE 629

State of Alaska



Patent

No. 6741

Know All Men By These Presents that the State of Alaska, in consideration of the sum of TEN AND NO/100----- DOLLARS

lawful money of the United States, and other good and valuable considerations, now paid, the receipt whereof is hereby acknowledged, does hereby grant to _____

CITY OF PETERSBURG

P.O. Box 329, Petersburg, Alaska 99833 and to

its successors and assigns, all that real property situated in the Borough of _____, State of Alaska, and described as follows:

U.S. SURVEY NO. 2985, ALASKA

LOT 2. Containing 2.45 acres.

ACCORDING TO THE SURVEY PLAT OF U.S. SURVEY NO. 2985, ALASKA, EMBRACING LOTS 1 TO 10 INCLUSIVE, ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN WASHINGTON, D.C., ON JULY 27, 1951.

U.S. SURVEY NO. 2986, ALASKA

LOT 15. Containing 1.95 acres.
Subject to a 60 foot wide access easement along line 2-3.

ACCORDING TO THE SURVEY PLAT OF U.S. SURVEY NO. 2986, ALASKA, EMBRACING LOTS 11 TO 17 INCLUSIVE, ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN WASHINGTON, D.C., ON JULY 27, 1951.

ADL No. 100494
Patent No. 6741

SANDY BEACH ALASKA SUBDIVISION

BOOK 17 OF 630

ORIG. GLO LOT 23. Containing 1.48 acres.
ORIG. GLO LOT 24. Containing 1.45 acres.
ORIG. GLO LOT 25. Containing 1.42 acres.
ORIG. GLO LOT 26. Containing 1.40 acres.
Subject to Sound Drive Easement.

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,
19, 20, 21, 22, 23, 24, 25, 26, 27, 28 OF BLOCK 1. Containing 26.17
acres.

LOTS 1, 2, 3, 4, 5, 6, 7, 8 OF BLOCK 2. Containing 7.26 acres.

LOTS 1, 2, 3, 4 OF BLOCK 3. Containing 4.64 acres.

LOTS 1, 2, 3, 4, 5, 6, 7 OF BLOCK 4. Containing 8.12 acres.

LOTS 1, 2, 3, 4, 5, 6, 7 OF BLOCK 5. Containing 4.94 acres.

TRACT A. Containing 5.10 acres.

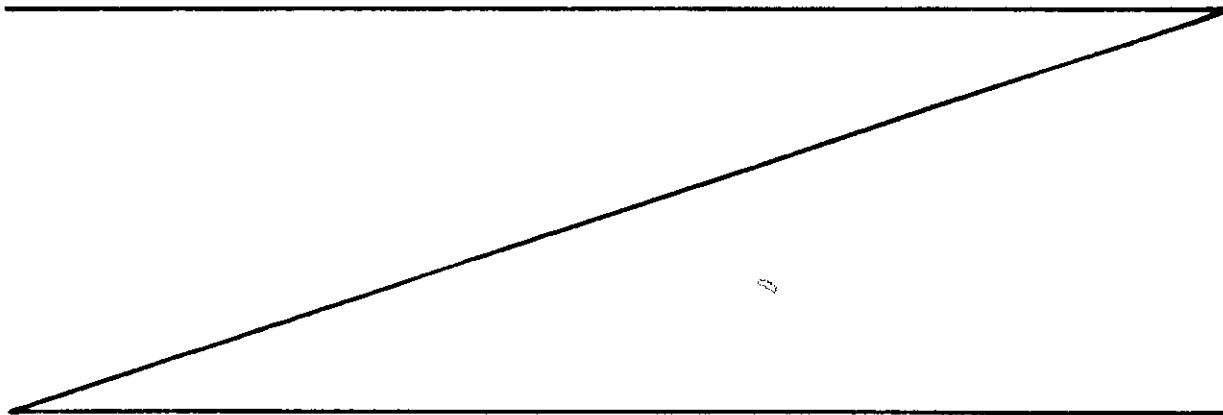
ACCORDING TO THE AMENDED SANDY BEACH ALASKA SUBDIVISION PLAT LOCATED
WITHIN SECTIONS 35 AND 36, TOWNSHIP 58 SOUTH, RANGE 79 EAST, COPPER
RIVER MERIDIAN FILED IN THE PETERSBURG RECORDING DISTRICT ON AUGUST
27, 1982 AS PLAT NO. 82-9.

CONTAINING AN AGGREGATE OF 66.38 ACRES, MORE OR LESS.

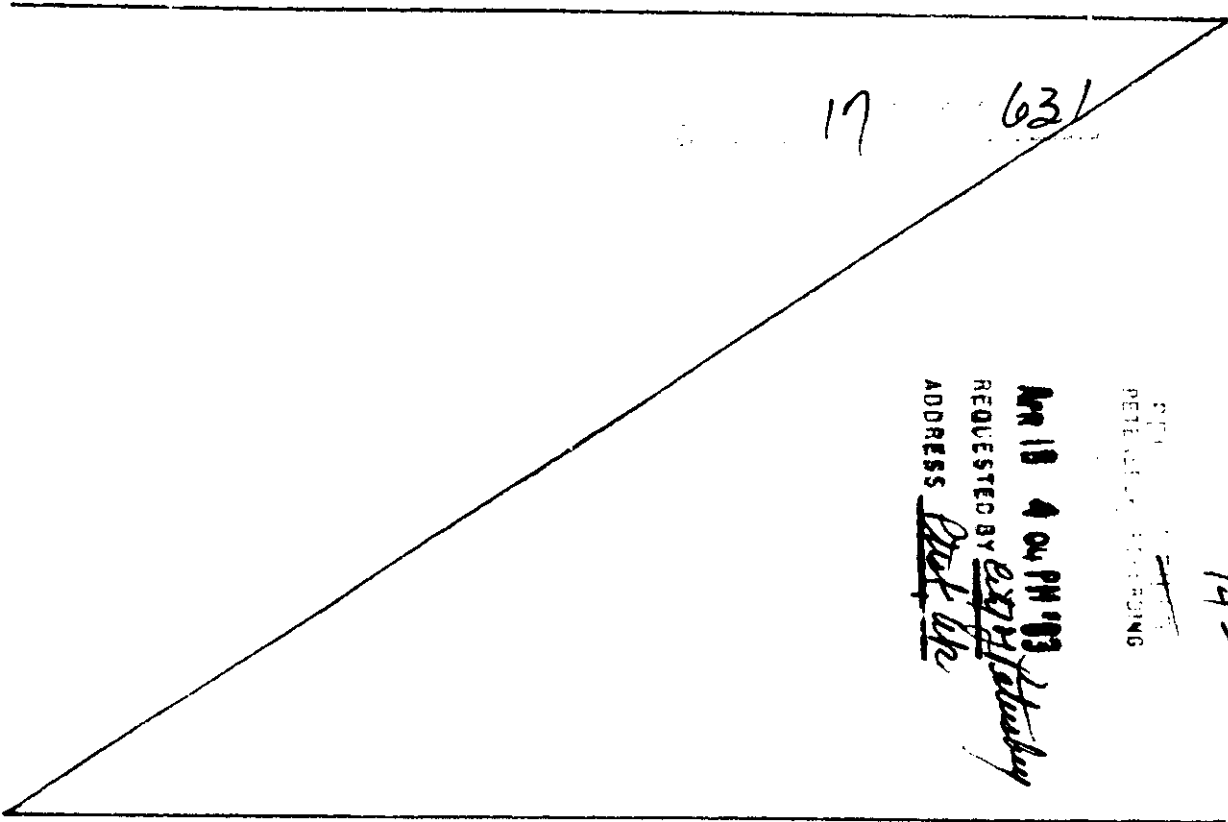
Subject to valid existing trails, roads and easements.

Pursuant to A.S. 38.05.127(a)(2) reservation of an easement for
public access is retained 50 feet upland from the line of mean high
water along Fredrick Sound and Wrangell Narrows and an easement for
public access is retained 50 feet upland of the ordinary high water
mark along an unnamed creek (locally known as "City Creek").

Net chargeable acreage under A.S. 29.18.210(c) is 66.04 acres.



ADL No. 100494
Patent No. 6741



Township 58 & 59 SOUTH, Range 79 EAST, COPPER RIVER Meridian,
 Alaska, according to the official survey thereof numbered USS 2985 and 2986;

Save And Except those restrictions appearing in the Federal Patent or other conveyance by which the Grantor acquired title:

And Further, Alaska, as Grantor, hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times for the purpose of opening, developing, drilling, and working mines or wells on these or other lands and taking out and removing therefrom all such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

To Have And To Hold the said land, together with the tenements, hereditaments, and appurtenances thereunto appertaining, unto the said Grantee and its successors and assigns forever.

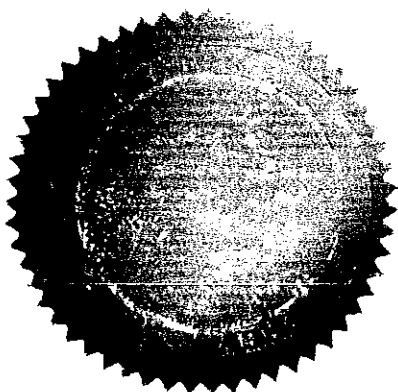
In Testimony Whereof the State of Alaska has caused these presents to be executed by the Director of the Division of Technical Services, Department of Natural Resources, State of Alaska, pursuant to delegated authority, this 8th day of October A.D., 19 82.

Warner T. May
 Director, Division of Technical Services

State of Alaska)
) ss.
THIRD Judicial District)

This Is To Certify that on the 8th day of October, 19 82, appeared before me
Warner T. May

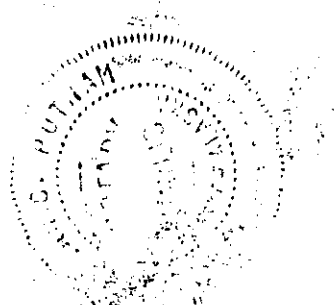
who is known to me to be the Director of the Division of Technical Services, Department of Natural Resources, State of Alaska, or the person who has been lawfully delegated the authority of said Director to execute the foregoing document; that he executed said document under such legal authority and with knowledge of its contents; and that such act was performed freely and voluntarily upon the premises and for the purposes stated therein.

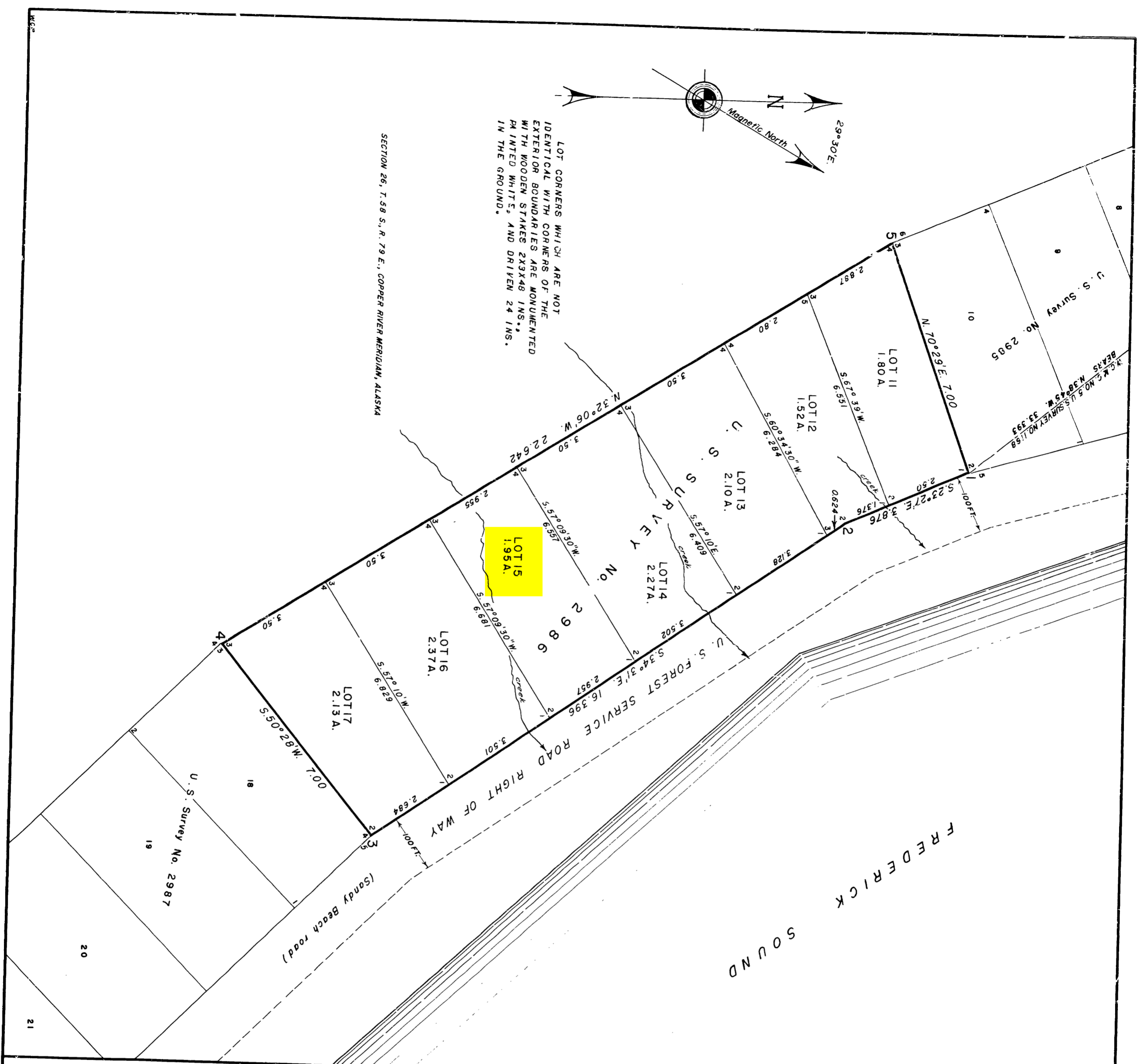


Susan G. Putnam
 Notary Public in and for Alaska
 My Commission expires December 10, 1984

State Record of Patents

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 ADL No. 100494
 Patent No. 6741





LOT CORNERS WHICH ARE NOT IDENTICAL WITH CORNERS OF THE EXTERIOR BOUNDARIES ARE MOUNTMENTED WITH WOODEN STAKES 2X3X48 INS., PAINTED WHITES, AND DRIVEN 24 INS. IN THE GROUND.

SECTION 26, T. 58 S., R. 79 E., COPPER RIVER MERIDIAN, ALASKA

**U. S. SURVEY
No. 2986, ALASKA**

**PETERSBURG SMALL TRACT GROUP
embracing
LOTS 11 TO 17 INCLUSIVE**

SITUATED
APPROXIMATELY 1 1/2 MILES SOUTHEAST OF
PETERSBURG, ALASKA IN SECTION 26,
T. 58 S., R. 79 E., COPPER RIVER
MERIDIAN, TERRITORY OF ALASKA

AREA: 14.14 ACRES



SURVEYED BY
ELLIOTT PEARSON, CADASTRAL ENGINEER
APRIL 16, 1950 TO APRIL 28, 1950

UNDER SPECIAL INSTRUCTIONS
DATED JANUARY 18, 1950 AND
APPROVED FEBRUARY 15, 1950

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON D. C. JULY 27, 1951

THIS PLAT IS STRICTLY CONFORMABLE TO THE APPROVED FIELD NOTES, AND THE SURVEY, HAVING BEEN CORRECTLY EXECUTED IN ACCORDANCE WITH THE REQUIREMENTS OF LAW AND THE REGULATIONS OF THIS BUREAU, IS HEREBY ACCEPTED.

FOR THE DIRECTOR
William F. Lockwood
CHIEF, BRANCH OF SURVEYS

12878.53

ORIGINAL

Planning Commission Staff Report

Meeting date: February 8, 2022

TO: Planning Commission

FROM: Liz Cabrera, Community & Economic Development Director

Subject: Purchase of Borough-Owned Property at 1015 Sandy Beach Rd.
Linda Millard & Samuel Burgeron

Recommendation:

Recommend preliminary approval of sale to the borough assembly.

The Petersburg Planning & Zoning Commission makes the following findings of fact:

Applicant is requesting to purchase approximately 14,925 sf of borough-owned property located at 1015 Sandy Beach Road (PID#: 01-014-180.



1. Application was referred to the Planning Commission on January 18, 2022.
2. The property has legal and practical access from Sandy Beach Road.
3. The property has more than 80' of road frontage and a lot area greater than 8,000 sf, which are minimum standards for residential property in this district.
4. Lot is zoned single-family residential.
PMC 16.12.050 requires a property be zoned prior to approval for disposal.
5. The property is within the borough's Applicant's development plans are to construct a single-family residence. Per zoning, property may be developed with single-family or duplex dwelling, or any manner allowed by code.
6. A portion of the property is located within flood zone A-1 and is subject to the requirements of PMC 17.14 Floodplain Management Regulations.
7. Based on review of the application by borough departments, there is no public need or use for the property.
8. Hearing notices were mailed to property owners within 600 feet of the area on January 24, 2022.

Planning Commission Staff Report

Meeting date: February 8, 2022

9. On February 8, 2022, a duly noticed public hearing was held by the Petersburg Planning Commission. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

Based on the preceding findings of fact, the Petersburg Planning Commission makes the following recommendation:

1. Based on review of the application by borough departments, there is no public need or use for the property.
2. Terms and conditions of sale require that any future residential development on the property connect to municipal sewer system on Sandy Beach Rd. Cost of extending utilities (electricity, water, sewer) to the property will be the responsibility of the property owner. Cost of providing service from the property line to any structure is the responsibility of the property owner.
3. Proof of consultation and, if required, a permit/letter from the Army Corps of Engineers shall be furnished to the borough prior to development of the lot.



PETERSBURG
ALASKA
Petersburg Borough, Alaska

Office Use:
Rec'd. by: VT
Fee: \$ 500
Date Rec'd: 1/12/22

Land Disposal Application
(\$500.00 non-refundable filing fee required)
Form must be completed in its entirety to be considered

Date: *January 6, 2022*

This is a request for land disposal via (circle one):
Lease **Purchase** **Exchange** **Other**

Parcel ID #(s) of Subject Property:
01-014-180

Proposed term of lease: NA
(total years)

Legal Description of Property:
1015 Sandy Beach Road, Petersburg

Current Zoning of Property:
Single Family Residential

Applicant Name: Linda Millard & Samuel Bergeron

Applicant Mailing Address: 501 A Front St
Ketchikan, AK 99901

Applicant Contact Info: (phone and/or email)
Linda: 907.617.3246 Email: lmillard@millardarchitects.com
Samuel: 907.821.0524 Email: sam@bergeronalaska.com

1. Size of Area requested (identify the minimum area necessary in square feet): 14,925 sf
2. Attach a map showing the location of the land requested. Map must show surrounding area with the land requested clearly marked with bolded borders or highlighted color. *See attached.*

3. Narrative on use of property: Explain proposed use of land and when use is expected to begin and end. Include any planned new construction or renovation, including time-frame when construction or renovation will be completed and type of materials to be used. Provide the estimated dollar value of proposed improvements. Explain the value of the proposal to the economy of the borough and any other information you feel should be considered. (attached additional sheet if necessary)

Property would be used for construction of a new single family home meeting zoning and building code requirements. Design and construction would take place soon after the property is purchased with the proposed improvements in the range of \$425,000. The economy of the borough would be strengthened by adding the property and improvements to the tax rolls and providing new housing for new residents.

4. Name and address of all adjacent land owners or lessees, including upland owner(s) if applicable: (attach additional sheet if necessary)

| | |
|------------------------------------|------------------------------|
| <u>Nancy Strand</u> | <u>1017 Sandy Beach Road</u> |
| <u>Matthew & Jolyn Duddles</u> | <u>1013 Sandy Beach Road</u> |
| <u>Petersburg Borough</u> | <u>1016 Sandy Beach Road</u> |

5. Are there any existing permits or leases covering any part of the land applied for?

Yes No If yes, please check one: (Lease Permit)

Describe the type of permit or lease, if applicable, and the name and last known address of the permittee or lessee: _____

6. What local, state or federal permits are required for the proposed use? (list all)

A local building permit is required for the development of a single family home.

7. If applicant is a corporation, provide the following information:

A. Name, address and place of incorporation: NA

B. Is the corporation qualified to do business in Alaska?: Yes No

Name and address of resident agent: _____

8. Why should the Planning Commission recommend Assembly approval of this request?

Disposal of the residential property to private ownership for housing development would increase housing stock within the Borough with the tax rolls benefitting from the development.

9. How is this request consistent with the Borough's comprehensive plan?

The Comprehensive Plan Update of 2016 notes a goal of expanding the range of quality housing in the community and the development of infill properties in established neighborhoods.

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary):

Department Comments: Please see attached email from Linda Millard.

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

NOTICE TO APPLICANT(s):

Applicant will be required to pay a non-refundable filing fee with the Borough of \$500 to cover estimated costs of: a title report, survey, legal fees, postage, recording fees, public noticing and advertising and other costs incidental to the processing of this application.

I hereby certify that I have received and reviewed a copy of Petersburg Municipal Code Chapters 16.12 and 16.16 (as they may pertain to my particular application) and understand the Code requirements. I further certify I am authorized to sign this application on behalf of the applicant.

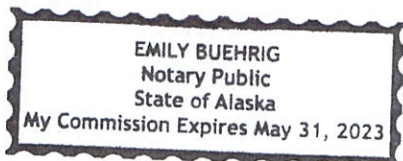
Please sign application in the presence of a Notary Public.

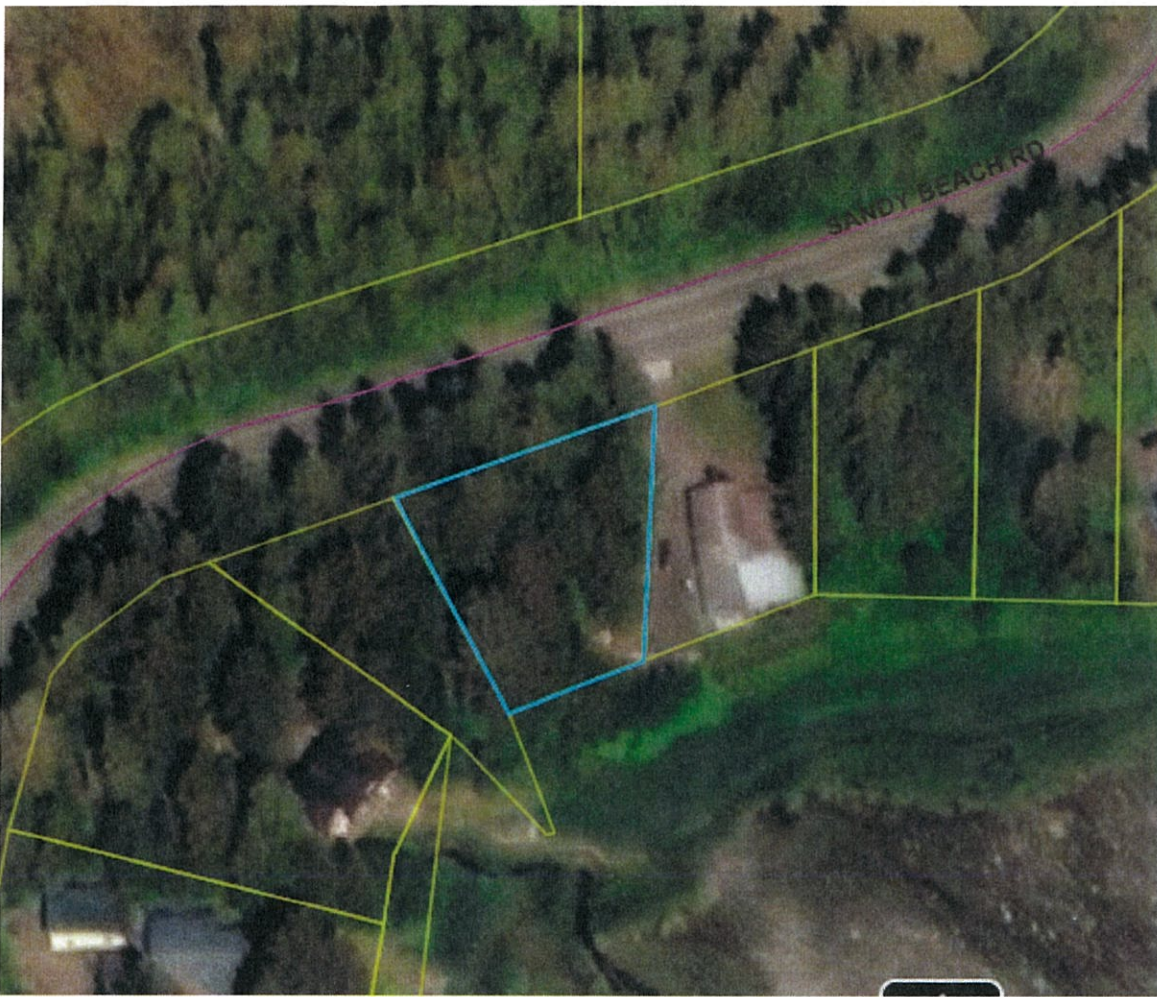
Linda G. Millard
Applicant/Applicant's Representative

Subscribed and sworn to by Linda G. Millard, who personally appeared
before me this 7th day of January, 20 22.

Emily Buehrig
Notary Public

Notary Public in and for the State of Alaska. My Commission Expires: 05/31/2023





1015 Sandy Beach Road

Parcel ID 01-014-180

168,200 assessed value

Single family residential

Debra Thompson

From: Linda Millard <lmillard@millardarchitects.com>
Sent: Tuesday, January 11, 2022 3:27 PM
To: Debra Thompson
Subject: Land Disposal Application for 1015 Sandy Beach Road, Petersburg

Hello Debbie-

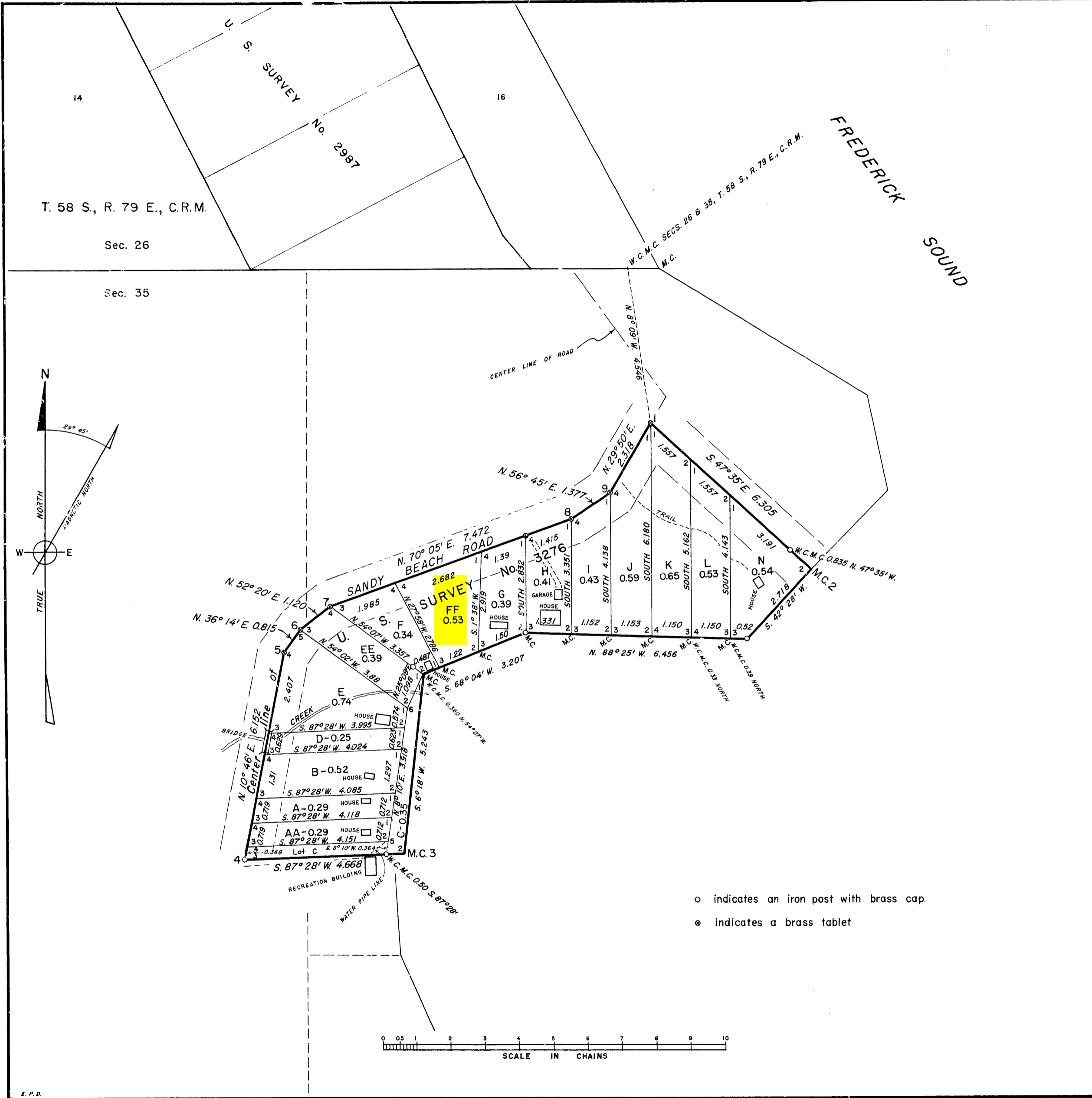
As noted on the Land Disposal Application, I verified with two of the Borough Departments to see if the Borough-owned property at 1015 Sandy Beach Road was needed for a public purpose. I first spoke with Karl Hagerman, Utility Director, at his office regarding whether he saw any need for electrical, water, or wastewater easements or other utility uses. He verified that he saw no need now or in the future for the property . I contacted Liz Cabrera, Director for Community Development, by telephone. She did not see any public need for the property and was very helpful in providing information on the property that was in the Borough files. Please let me know if there is any additional information you need for the application.

Sincerely,

Linda
Linda Millard, AIA
Principal Architect

309 Stedman St.
Ketchikan, Alaska 99901
Office: 907.225.7133
www.millardarchitects.com





U. S. SURVEY
No. 3276, ALASKA

SITUATED
ON SANDY BEACH ROAD
APPROXIMATELY 2½ MILES SOUTHEAST
OF PETERSBURG

IN
SECTION 35, TOWNSHIP 58 SOUTH, RANGE 79 EAST
OF THE COPPER RIVER MERIDIAN
AREA: 7.24 ACRES

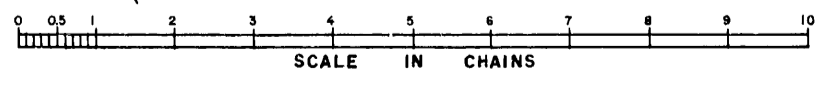
SURVEYED BY
JOHN M. SHORT, CARTOGRAPHER (CADASTRAL)
APRIL 22 TO MAY 2, 1953
UNDER SPECIAL INSTRUCTIONS
DATED APRIL 14, 1953
AND APPROVED MAY 11, 1953.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C. September 13, 1954

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director
Carl G. Harrington
Cadastral Engineering Officer

- o indicates an iron post with brass cap.
- indicates a brass tablet



State of Alaska



Patent

No. 2086

| |
|--------------------------------|
| RECORDED - 500 |
| Petersburg REC. DIST. |
| DATE Oct. 16 1974 |
| TIME 4:00 P.M. |
| Prepared by City of Petersburg |
| Advt. City 329 |

Know All Men By These Presents that the State of Alaska in consideration of the sum of
 TEN AND NO/100.....DOLLARS,
 lawful money of the United States and other good and valuable consideration, now paid, the receipt
 whereof is hereby acknowledged, does hereby grant to

CITY OF PETERSBURG

Its successors

..... and assigns all the real property situated in the Borough of

State of Alaska, described as follows:

LOT FF OF U. S. SURVEY 3276, CONTAINING 0.53 ACRES,
 MORE OR LESS, LOCATED IN TOWNSHIP 58 SOUTH, RANGE
 79 EAST, COPPER RIVER MERIDIAN.

Subject to art. right-of-way permit ADL 56729 a Federal
 Aid Highway Project No. S-0937(10) Parcel "B".

Township 58 SOUTH Range 79 EAST COPPER RIVER Meridian,
 Alaska, according to the official survey thereof save and except those restrictions appearing in the Federal Patent or
 other conveyance by which the Grantor acquired title and further, Alaska, the Grantor, expressly reserves, out of
 the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals,
 fissionable materials, and fossils of every name, kind or description, and which may be in or upon said lands above
 described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable
 materials and fossils, and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its
 lessees, successors and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon
 said lands, or any part or parts thereof, at any and all times, for the purpose of opening, developing, drilling and
 working mines or wells on these or other lands, and taking out and removing therefrom all such oils, gases, coal,
 ores, minerals, fissionable materials and fossils, and to that end it further expressly reserves out of the grant hereby
 made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys
 at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, power-
 lines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part
 thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such
 purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally all rights
 and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render
 beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

Do Have and to Hold the said land with the appurtenances thereof unto the said Grantee and
 its successors
 and assigns forever.

In Testimony Whereof the State of Alaska has caused these presents to be executed by the Director
 of the Division of Lands, Department of Natural Resources, State of Alaska, this 26th
 day of SEPTEMBER A.D. 1974.

Dale P. Testala
 Acting Director, Division of Lands

State Record of Patents
 Vol. XXI
 Page 86
 PETERSBURG
 Serial No. 74-626

Sharon and Brad Hunter 913C Sandy Beach Road

Feb. 3, 2022

Re: Sale of PID 01-014-180, 1500 Sandy Beach Road

Dear Planning Commission,

As members of the Sandy Beach neighborhood, we received the Notice of Scheduled Public Hearing for the proposed sale of the 1500 Sandy Beach Road property. Thank you for your time and consideration of this letter regarding the sale of the above-mentioned city parcel to Linda Millard and Samuel Bergeron.

We offer our full support of the sale of this single-family zoned lot for the following reasons.

- The lot requested for purchase is a valuable property which will command a fair market price providing money needed for borough operations.
- The sale will add further revenue to borough income going forward in the form of annual property tax.
- The purchasers of this property intend to move to Petersburg to become year-round residents thus adding to the economy of our town as local consumers of goods and services.
- The purchasers are small business owners and will be bringing their services to Petersburg which will also positively contribute to our economy.
- The lot is in between pre-existing single-family homes and separated from Sandy Beach Park by 3 other properties with houses so we find making an exception to the standard to which other residents have been held is inconsistent.

We are aware that there is a petition put out that presents the sale as being a change for the land from a protected part of the Sandy Beach Park and that the development of this lot will cause irreparable damage to the beauty of the well-loved and much used park and implies that the lot is contiguous with the park property itself. We think that a new house between the existing homes can be designed thoughtfully and have minimal impact on the people using the park. We believe the next-door property owners will find themselves pleased with the results of what is built and learn they have very good neighbors in the deal.

Sincerely yours,

Sharon Hunter
Brad Hunter

RECEIVED
2/3/22 KM
3:50 PM

To Whom It May Concern,

I am writing today to voice my support that the Planning and Zoning Board and Borough Assembly approve the sale of the residential property located at 1015 Sandy Beach Rd.

This lot is currently zoned as Single-Family Residential and being owned by the Borough it provides no tax revenue to the City to fund our critical infrastructure and City departments. As a small business owner with a handful of rental properties I know firsthand how difficult it is to find a lot in Petersburg to build a home on. Beachfront lots within City limits are a dwindling commodity and I believe it is in the Borough’s best interest to get as many lots that are zoned for Residential use into private hands as quickly as possible.

In the aftermath of COVID there is a revolution going on in the workplace with a significant portion moving towards working remotely; I believe Petersburg is in a good position to add to our population, bring in new businesses and neighbors that will allow our community to continue to thrive. I know both Linda Millard and Sam Bergerion and not only are they both wonderful people I am excited at having a professional architect and construction manager moving to Petersburg. Whether they choose to startup businesses or not the positive contributions they could offer to the community are significant. Their fingerprints are already showing up all over our little town as they have assisted in the design and construction of new homes but also in remodels and rebuilds of some historic properties.

Thank you for your consideration.

Nick Ohmer

To Whom it May Concern,

I am writing to express my support for the sale of the borough-owned property located at 1015 Sandy Beach Road to Linda Millard and Samuel Bergeron. As the number of empty lots dwindle in town and property values have gone up, this is a great opportunity for the Petersburg Borough to make money on the sale of the lot for a fair market price and bring two professionals to town who will add value to our community.

Some members of the community have expressed concerns that it will impede on Sandy Beach Park, however the lot does not border the park and is several lots a way. There are houses on either side of the lot and it is zone single family residential, so no development would occur any closer to the park than already exists. Additionally, the lot is zoned for single family residence, not public use, so it can be assumed the intent for the lot was to be eventually be a home and would not require any change in zoning for the purchasers to build a residence. As a member of the Petersburg community and Sandy Beach Road homeowner, I believe continued development of lots zoned and intended for single family residences will add value and character to our neighborhood.

Linda and Samuel are an architect and contractor who plan on bringing their skills to town. They have already done some work in our community including the new construction home at 408 Sandy Beach Road, remodels, and other projects currently in the works. Living here they would be able to do more business in our community, which has a large need for additional building professionals. In addition to adding to the economy in our community by bringing their businesses, they also plan on being full time residents, and would contribute to the Petersburg economy by paying property taxes and spending money at local stores.

The sale of this lot would be a great opportunity not only for the borough to make money, but to add two great people to our community.

All the best,

Colette Peters

ZONING PRACTICE

DECEMBER 2021



AMERICAN PLANNING ASSOCIATION

➔ ISSUE NUMBER 12

PRACTICE ZONING MINIMALISM



Zoning Minimalism

By Norman Wright, AICP

“Less, but better” is a time-tested principle of great design. First heralded by Dieter Rams, the credo has been infused into the creation of everything from consumer goods to software. The wisdom can be applied in practically everything we make, including land development policy. Our zoning ordinances are a product of design. They are rarely a product of this approach.

Every practitioner has a sense that some of our rules are more effective than others. It begs the question: *What is the most important rule in your zoning ordinance?*

I’ve posed this question to many colleagues across the country, and I am delighted by the answers I get. For some, the answer is build-to lines. For others it is the street standard. Someone once told me transparency requirements are the most critical. Amid the variety of answers, one thing has been clear: I have yet to hear a planner tell me that the land-use table is paramount to our efforts. Land use is not what matters most. Landscaping requirements do not seem to be the cornerstone, either. Or signage. Or fence heights. Or parking.

Those things can be important, but they do not constitute the “vital few” in anyone’s mind. After all, this question gets us to the first principles of city planning and land development. When we work from this base level, we tend to deal with the elements of physical planning. Our focus is on the relationships between the public and private realm, where street frontages, street types, and building placements determine so much of the eventual form and function.

And for good reason: when we regulate these elements effectively, we achieve something akin to 90 percent of the urbanism we want with less than 10 percent of the regulations we administer. This article makes a case for why a minimalist approach to zoning may be necessary to achieve our core aims. It proposes five simple rules that could constitute the basis of an effective zoning code and demonstrates how these rules might work in practice.

THE CASE FOR ZONING MINIMALISM

Planners generally occupy two mindsets when dealing with zoning regulations. We must be both the designer and the administrator. As designers, we are tactical and immediate, navigating the code on a case-by-case basis, working within its parameters to help builders do the best they can with what is on the ground. As administrators, we are strategic and systematic, thinking in abstractions about the new rules and policies that can guide broader change across whole communities.

The designer implements the code. The administrator changes it. Sometimes.

We know that too many rules lead to too many inconsistencies, just as too many lines of computer code lead to more bugs in the program. As designers, we tend to resolve these issues through administrative waivers, variances, and conditions of approval. This is us fighting our own code to make good things happen. Over time, we maintain a list of the most persistent issues and then, as administrators, we make changes so that the

good things happen more easily. Case in point: I remember giving waivers to commercial developments that wanted to do *less* parking until, finally, we changed the onerous parking standard and its extreme minimum requirements. No more extreme parking requirements and, better yet, no more administrative waivers.

When done well, this incremental approach gives us an ever-evolving development code that is more amenable to current trends, more internally coherent, and easier to manage as a system. This is a good thing. It is also insufficient and can obscure a deeper problem.

The popular question these days isn’t how *much* minimum parking one should require but, rather, *why have a parking minimum at all?* The more pressing question to me is this: why has it taken us so long to ask this very question?

I blame the incremental approach. The incremental approach narrows our focus and actually keeps us stuck in the designer mindset. It leads us to negotiate on a rule-by-rule basis in the same way we negotiate subdivisions on a case-by-case basis. What are we negotiating? The most immediate obstacles we see, like egregious parking minimums, instead of the larger problems that the system creates by extension of such rules (e.g., auto-centric urbanism). In other words, the incremental approach draws our attention away from the end results and first principles of great city planning—the stuff that inspired our rules in the first place.

I have overseen regulatory systems across the country now, and I must admit guilt here. In every place, with every code, I have helped my communities revise their rules in an incremental approach. Doing so has helped us to increase the fairness, ease, and effectiveness of all the bad rules that generate sprawl, restrict housing supply, exacerbate traffic congestion, and degrade sustainability.

This is never deliberate, of course. We simply try, in the designer’s incremental approach, to make things better. We cannot see the limitations until we step back, as administrators, and view the regulatory system as a whole. When we do so, we naturally find ourselves wanting to start over. We feel frustrated by the complexity, the minutiae, the bad processes, and flawed rules.

This is when zoning minimalism, as a rationale, becomes attractive. At first blush, the idea resonates on the commonsense notion that a smaller code will have less noise and internal conflict. But that is just the beginning. Zoning minimalism is not inherently an attack against complex rule-books. Zoning minimalism is a response to clear ambitious goals for the urban environment. We don’t always have such goals.

So back to the question: **What is the most important rule in your zoning ordinance?** Whatever your answer, it is your way of communicating what you think the goal must be for your community. If you explore this further, and refine the very goal itself, the rest of the minimalist approach comes naturally.

THE GOAL

A clear, tractable, underlying goal is essential to recognizing the value of a rule. Creating such goals is the most difficult challenge in minimalism. Most examples that you find in a zoning ordinance begin with generic aspirations and broadside proclamations of how the rules are established to protect the “health, safety, and welfare” of the community. From there, you might find more purposeful language tied to the policies of a comprehensive plan—with objectives like “reduce greenhouse emissions” and “increase the supply of affordable housing.” Then we take a big leap into the rules themselves.

There is a chasm between these goals and the rules that follow. We lack a direct, literal connection between the two. It begs the question: which rules are written to achieve which aspirations? All of them? Half of them? None? Did you define your minimum lot size to increase housing affordability or lower greenhouse gasses? Or both? Or is your lot size requirement designed to solve something else?

We must have an answer. We must bridge these gaps. The only way to understand the quality of a rule is in relation to the goal we seek to achieve. Otherwise, without a clear goal, we will lack a clear method for evaluation.

I cannot stress enough how critical this is to the concept of minimalism. After all, the idea here is to show what is minimally *viable*. Viability is relative to what you are trying to do. For the sake of this article, I will present what I consider to be the fundamental goal of a zoning ordinance in 2021:

To foster an accessible, resilient urban form that accommodates and adapts to human needs over time.

This is the seed from which my sample ordinance will grow. The first order of business is to define the terms:

- **Accessible:** provides accessibility in all manners of intended use for all residents of a community
- **Resilient:** can retain its form and function against external stressors
- **Accommodate:** to satisfy the wishes and needs of the intended party
- **Adapt:** to adjust to new conditions
- **Urban form:** the physical characteristics that make up built-up areas, including the shape, size, density, and configuration of settlements
- **Human needs:** physiological needs for shelter, safety, accessible travel, electricity, water, and sanitation and psychological needs for congregation, communication, and commerce

I strictly limit myself to the built environment. It is very easy to creep into other realms of need that the built environment does not directly affect. Case in point: some

zoning regulations attempt to limit land use as a means of indirectly lowering noise and reducing traffic intensity. As if the city doesn’t have another rule book for managing nuisances and enforcing speed limits. There are many local public services and local government codes that are better designed to meet different needs. So let’s focus on what those codes cannot do well: optimizing the built environment.

FIVE SIMPLE RULES

For the goal I’ve defined, I theorize that the best solution already exists. It is the city grid. The grid has worked nicely for quite some time. It provides a platform for all building types and uses, functions well for all types of local travel, encourages efficient land consumption, can be easily expanded with the terrain, and looks neat on a map.

Consider how William Penn’s 1682 grid for Philadelphia remains largely intact nearly 400 years later, supporting all manner of change within the stately confines of its public space. The grid is tied to simple rules that make it easy to start and easy to continue; you can see this in the way that Philadelphia extended Penn’s grid westward in the late 19th century. Doing so continued a sustainable, resilient urban form that is clearly capable of meeting human need.

To foster an accessible, resilient urban form that accommodates and adapts to human needs over time, we will write a development code that implements a version of this classic grid pattern. And, in the interest of *doing no harm*, the ordinance will operate with as few rules as possible to avoid unintended consequences.

Using five rules detailed below, I will focus on the assembly of the public space while ensuring an orderly, consistent relationship with the private space. I will build around a small town’s courthouse square because, well, we have to start somewhere (see figure 1).

Block Dimensions

Any combination of platted lots will maintain block lengths that are greater than or equal to 200 feet in length but less than or equal to 400 feet in length. Block sections, or the

maximum distance between any two points on the perimeter of a block, must measure no less than 283 feet in length and no more than 566 feet in length (see figure 2).

Street Standard

Public streets must meet the following standard (see figure 3): three-lane street with a 10-foot dedicated center lane for transit, 11-foot vehicle travel lanes, 8 feet for on-street parking, and 12-foot sidewalks. Trees must be planted along the sidewalk every 25 feet on-center and streetlamps provided in alternating fashion every 25 feet on-center. *Sidenote: variations are easy to accommodate. Maybe a center transit lane needs to be 12 feet and sidewalks can be 10 feet and parking 9 feet. Easy enough.*

Build-To Frontage Ratios

At least 80 percent of a building’s street facade will be within 5 feet of the public street boundary (see figure 4).

Minimum Lot Coverage

Buildings will be constructed in a manner that occupies at least 60 percent of the total platted lot surface area (see figure 5).

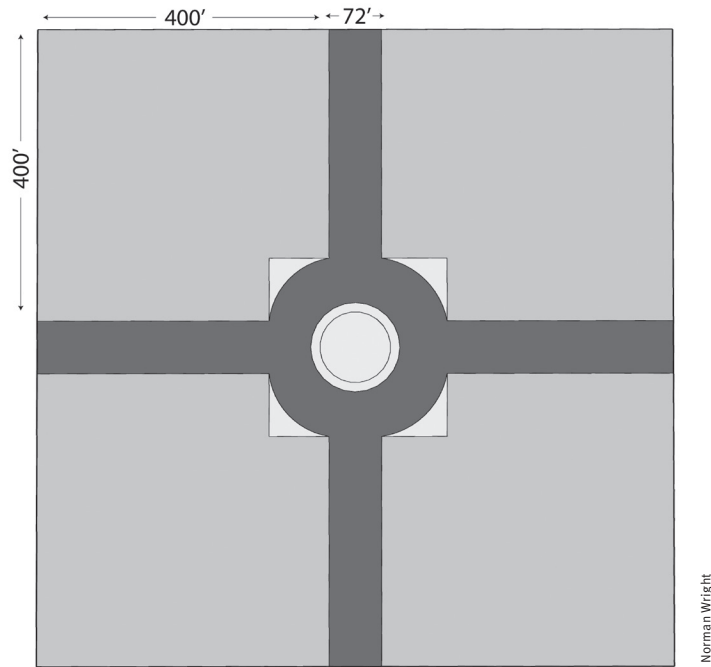
Transparency

At least 70 percent of a nonresidential building’s ground floor frontage will be composed of transparent glass. All other floors, and residential ground floors, will be composed of at least 50 percent transparent glass.

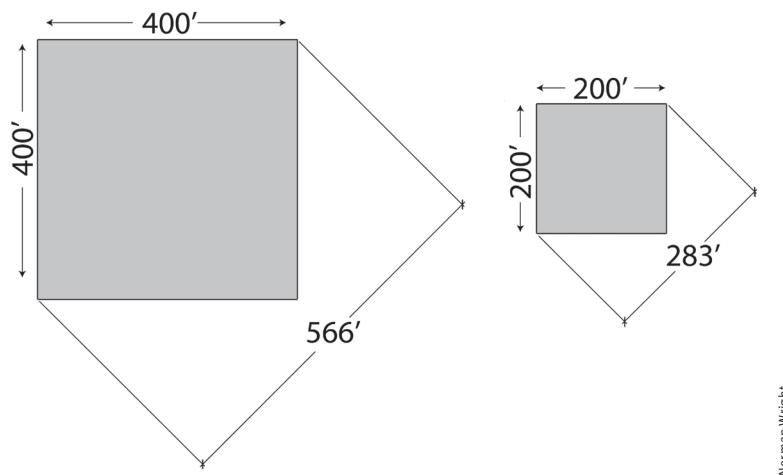
INTERPLAY AMONG THE RULES

Block length might be the most powerful rule of all. From our initial courthouse square, you can see it drastically shape the urban form. I have drawn a randomized plan using the min-max allowance of 200–400 feet (see figure 6). Because it’s random, the block sizes vary quite a bit. Four-way intersections aren’t guaranteed and, frankly, aren’t always so critical. The occasional T-intersection creates a nice opportunity for sight termini that give the area a cozy feel.

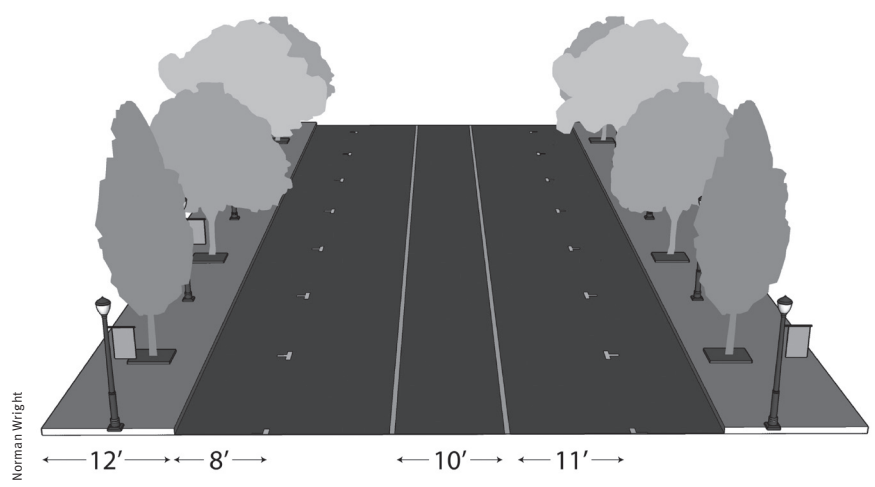
There are weird remainders, though. Every now and then a pattern like this has spaces where the land can’t quite accommodate the rules. No worries. Inadvertent



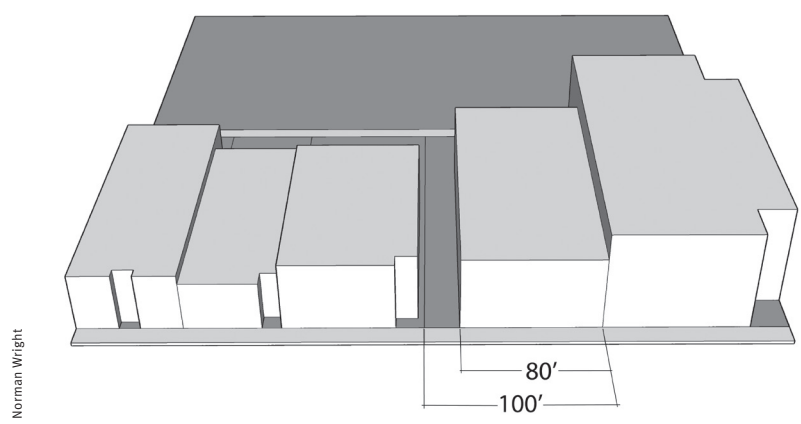
➡ Figure 1. A small town’s courthouse square



➡ Figure 2. Maximum and minimum permissible block configurations



➔ Figure 3. A street section showing the mandatory allocation of space



➔ Figure 4. A block face with a building illustrating the maximum permissible deviation from the build-to-frontage ratio

remainders of land are how pocket parks are born.

From there, the city streets inject vibrancy. This gets to another theory: Just as street grids are the core of sustainable development, great streets are the core of great urbanism. We'll zoom in at the new park and find street trees, wide sidewalks, and a shared middle lane for dedicated transit and left-hand turns.

Next come the buildings (see figure 7). I have no idea what they are used for. I don't even know how tall they will be. All I know is that each structure must be positioned near the street to create a nice interplay with the public realm. Variation matters, though, so 20 percent of each building is free to be separated from the sidewalk's edge. This allows for nice flourishes along each frontage (e.g., small entrances tucked into alcoves,

platform patios for dining alfresco, or stairways leading to two-story walkups).

As a general massing model, we find the code's lot coverage creates a very efficient use of space. A 60 percent minimum lot coverage is very confining. It creates a powerful indirect effect: Either buildings must be bigger, or lots must be smaller. Small lots create rich urbanism just as surely as rich soil makes great gardens. Most lots shrink when minimum lot coverage reaches levels of 60 percent or greater. Huge parking lots are no longer possible. Massive separations between buildings are eliminated. Wasted space is no longer wasted.

Finally, there is transparency. I used to be more sanguine about windows, thinking they were nice but not necessary. Enough time in derelict districts have taught me otherwise. Windows make this overall pattern welcoming and livable. Without them, I think we'd feel claustrophobic.

This is it. This is my city. This is my code. The space is accessible, resilient, and—like Penn's plan—it accommodates and adapts to human needs over time. It isn't perfect, of course, but these five simple elements make something that is better than what most codes can produce.

LESS BUT BETTER

Just because it is better does not mean this scheme is easier. I am quite certain that I would have an absolute battle on my hands if I were to institute this five-rule system in any jurisdiction I've served. Nevertheless, I am quite certain that if I were to hold firm on these requirements—only these and nothing more—I would forever alter the urban form in ways that are far more beneficial than anything I can produce within the confines of my current systems. The benefits would be profound.

Just like the existing ordinance, this code would not supersede other city ordinances. The building code remains intact, with all its imperfections. Public dedication and utility requirements still apply. Land recording and subdivision processes continue as always. These five rules would only replace the remainder of the land development code that current regulates form and use.

The benefits go beyond the outcomes, too. Imagine a developer is properly researching your city to find out what it takes to build there. A plain, concise code of this nature could be profoundly attractive. *Build to this simple (and effective) standard. Don't expect us to ask for anything else.*

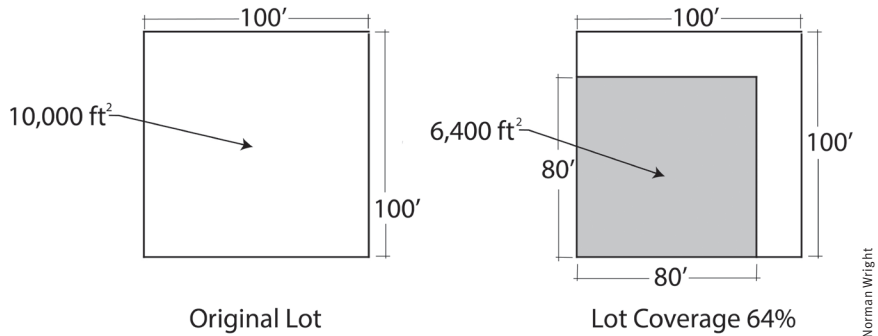
Such a predictable, clear, objective stance gives all developers—all *people*—the exact thing we want to provide: an even playing field. In this scheme, your next-door neighbor will know as much about how to contribute to the urban form as a multinational development corporation. Isn't that beautiful? We bring accessibility not only to the form itself but to the process of building it.

What about landscaping, land use, architectural design, signage, housing values, traffic and school impacts, tree preservation, and climate change? All these things are important. None directly relate to my goal. But my solution does.

This is where we must recognize leverage points in a system. If we build the right form, the rest can follow. For example, a great deal of research has demonstrated that a well-designed street grid is the best method for delivering the most benefits to the most needs, from the environmental to the aesthetic to the functional to the economic and the societal. By simply ensuring its continued development, we can produce a cascade of secondary benefits that, *but for* this form, a normal zoning ordinance cannot ensure with a thousand additional rules.

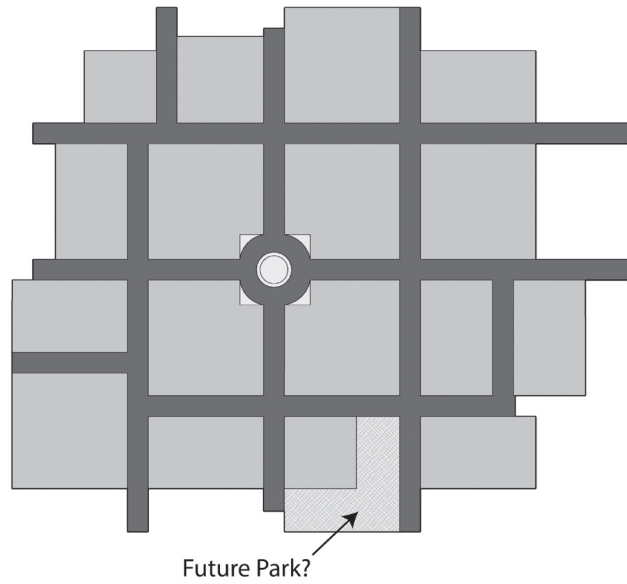
But I am not here to praise the grid. Many high performing urban environments effectively demonstrate the need for a wider variety of design schemes. So be it. Let's embrace this with variations of the minimalist approach.

Whatever the context, once a core set of rules is properly calibrated, we have a platform for developing the rest. Establishing the core rules is akin to laying out the buildings on a college campus and then allowing people to forge their desire paths to each place before we pave the eventual sidewalks that connect. Paving the "desire path" is easy and exciting once the fundamentals are anchored.



Norman Wright

➡ Figure 5. An example of a permissible lot coverage



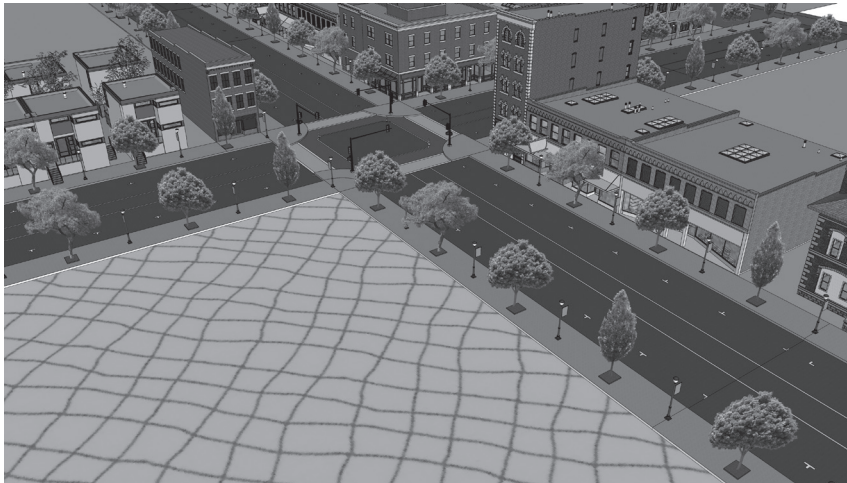
Norman Wright

➡ Figure 6. A randomly generated street plan

A paradox emerges in efforts like this. We need more discipline to administer less rules. We have to say “no” to many things that people want a zoning ordinance to solve.

Finally, please note that this article is not advocating for *only* five rules. Have 10 rules. Have 30. Vary it by district or transect

or zone or whatever nomenclature you desire. The number does not matter so long as there is clear intent, actionable goals, tractable theory, and a direct connection between the rule and the goal we aspire to achieve. These are the fundamentals of zoning minimalism. These fundamentals are becoming increasingly relevant.



Norman Wright

Figure 7. A hypothetical build-out of an intersection with park frontage

THE CORRECTIVE WAVE

The demonstration above might seem far-fetched to some. It involves a blank canvas of land and a “start from zero” approach to regulation that none of us have experienced. All planners in local government have inherited rulebooks with hundreds, or even thousands, of pages. Yet, new opportunities are emerging across the country to diminish that regulatory burden. As these moments arise, it is critical that we think more about what rules we should leave in or leave out.

In my first article for Zoning Practice in November 2012, I wrote an argument against density standards, proclaiming “the use of density regulations often leads to unintended consequences ...” and “modern zoning practice must acknowledge the limits of density regulations.” I remember presenting the argument at a conference soon after and seeing the grave concern on the audience’s faces. Some welcomed the idea. Most didn’t. I was not invited to the next conference.

Six years later, in 2018, California State Senator Scott Wiener introduced SB 827/50, a proposal to effectively eliminate local density restrictions within a half-mile of a major transit stop. The reasons are many, but the goal was clear: Senator Wiener and his constituents wanted to eliminate an

unnecessary barrier to housing. The bill failed repeatedly but heralded the start of a new wave.

The next year, 2019, Governor Kate Brown signed House Bill 2001, effectively prohibiting single-family zoning across the State of Oregon.

In 2020, Minneapolis enacted new regulations eliminating single-family zoning as a major first step in implementing its new comprehensive plan. The city decided there were more effective ways to manage growth without the collateral damage that single-family density restrictions create.

What happens next? I don’t know, but I applaud these efforts. It takes a great deal of courage, or desperation, to remove rules and restrictions. These actions are systemic responses to a clear and present housing crisis. These actions get at one of the root causes that we practitioners have known about for quite some time. We didn’t need a housing crisis to know the limitations of single-family zoning. We don’t need other crises to know the consequence of our other nonessential rules.

No question about it: we need more than five rules. The point is that we also need to reconsider our rules whenever we can. Regularly imagine the clear ideal of what are cities need to be. Express it as a goal. Draw

it out. Then write the code on a blank sheet of paper. Start at zero (or five) and watch the “vital few” requirements unfold.

I always find myself wishing I would do this more often. It feels right to do so, the pinnacle of elegance. As counterintuitive as it may feel, time and again I see that requiring less helps us accomplish more.

ABOUT THE AUTHOR

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