

**Minutes of Planning & Zoning Commission
Held on June 08, 2023**

1. CALL TO ORDER: Call to order at 5:33pm

2. ROLL CALL

PRESENT: Chair Terri Henson, Vice Chair Don McConachie, Jillian Privett, Kathy St. Clair

ABSENT: Apryl Hutchinson- arrived during review of Section 8, Item A.

STAFF PRESENT: Kate Thomas, Matt Henson

3. AMENDMENTS TO THE AGENDA: NONE

4. CONFLICTS OF INTEREST: NONE

5. APPROVAL OF MINUTES

- a. Planning and Zoning Commission meeting minutes from May 11th, 2023.

M/S: DM/JP move to approve the minutes from May 11th, 2023.

Approved unanimously by poll vote.

6. CORRESPONDENCE

- a. Economic Development Directors Report May 2023

Director Thomas gave the Department Report. Mentions all Economic Development Department reports will include a comprehensive review of all divisions (Eco Dev, P & Z, WCVB) under the Economic Development Department heading.

7. PERSONS TO BE HEARD: NONE

8. NEW BUSINESS

- a. Final plat review of the Ostrander Replat, a replat of a portion of Lot 5, Block 84, USS 2589 (Plat No. 65-152), creating Lot 5A and Lot5B, zoned Rural Residential 1, owned, and requested by Mark and Margaret Mitchell

Staff: No discussion.

M/S: JP/DM to approve the final plat of the Ostrander Replat.

Approved unanimously by poll vote.

9. UNFINISHED BUSINESS

- a. Review and discussion of Detached Accessory Dwelling Units (ADU) draft code

Carol Rushmore provided further details regarding ADU Code prior to vacating her position. Portion of draft code in brackets are areas that need to be reviewed by commission.

Below are the issues that were discussed:

1. Shall attached and/or internal ADU be referenced under the same section? Are they allowable already? Under what terms?
 - a. TH asked for the code to state that the ADU must follow all other code requirements.
 - b. Internal and attached dwellings are not the same concept as an ADU. Single family districts do not allow for more than two dwellings. Whether the second dwelling is internal, attached or detached, there can be no more than two dwellings regardless of style and

construction. The ADU code is intended to be less restrictive and allow for more development than the current single-family code. More than one accessory dwelling would be allowable with conditions in a multi-family zone.

- c. A brief discussion was held on whether properties with ADUs would be grandfathered in if regulations changed in the future. Properties developed under past regulations are not affected until renovations or new construction plans are under review from the building official.
2. Do we want to allow two units, with one unit attached to the primary residence or if it is internal?
 - a. No.
3. How do we define subordinate? Is it necessary to have a qualifier? Do we want to insert a provision that allows for a process to approve a larger sized dwelling under certain conditions; subordinate to structure, no adverse impacts to adjacent property owners, under a CU permit and public hearing process?
 - a. Commissioners decide to strike the term subordinate and leave the remainder of the clause to state that the ADU maximum size can be no more than 800 sq ft to include all exterior finishes.
4. If the property already has an apartment, could they have an ADU, or would that bleed into the planned unit development or multifamily zone issue?
 - a. No. Only two dwellings regardless of style and construction.
5. Confirm all districts require CU permits for short term rentals.
 - a. Currently conditional use in SFMD districts.
6. Consider changing language from Mobile homes, travel trailers and recreational vehicles shall not be used as an ADU. Other language could state: Shall not be a mobile building or other nonpermanent structure. Is a mobile structure allowable?
 - a. Mobile homes and travel trailers cannot be used, modular units and prefabricated homes fixed to a foundation are allowable.
7. Should the PZ Commission review civil disputes for ADU? If not, consider eliminating section of code, otherwise commission should consider a CU permit requirement or other clear language.
 - a. Following approval of the code, ADU developments do not require a conditional use permit therefore would not come before the PZ commission for review. To that end, the commission does not have the capacity to resolve issues or make a recommendation following development. Therefore, it is a civil dispute. Maintain language encouraging care and consideration of proximate residences, avoiding adverse impacts.
8. Are shared utility hook ups allowable with the primary residence?
 - a. Public works reported that most utility stub outs at property lines are 6'. Two dwellings can function on 4" lines, therefore shared utilities for sewer and water appropriate. Electrical utilities should follow the WMC and building codes as required. Strike second half of first paragraph. Maintain opening phrase and statement after comma.
9. Are ADU's allowable on properties with access easements? How should ROWs be considered if at all?
 - a. Commissioners did not believe that it was necessary to site zoning districts regarding statement about rights-of-ways. Maintain statement that they are allowed on lots along publicly maintained ROW. If you must access your lot by crossing someone else's property, you cannot build an ADU. Example flag lots. Flag lots means a lot which does not have the required frontage on a dedicated right-of-way and where access to the lot is provided from an approved dedicated right-of-way by private road easement. Translation as it pertains to this clause in the code means that the lot along the right-of-way would allow for ADU developments, whereas other lots within the flag lot subdivision would not be allowable due to the access easement. Commissioners do not want to restrict development on lots served by rights-of-way that have not been accepted by the municipality or state of Alaska.

Director will send the final draft to the Attorney for review. The Commission will approve the final draft at the July 20th meeting prior to it being elevated to the Assembly for approval.

10. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

DM: Notes that visitor comments of city cleanliness has been rated highly more than the last 6 years.

11. ADJOURNMENT

Thomas will be out of town at the next scheduled meeting. Asks if July 20 would work. Commission agrees.

Adjourned @ 6:50

ATTEST: _____
Matt Henson, Secretary

Terri Henson, Chair