

**Minutes of Planning & Zoning Commission
Held on September 12, 2024**

1. **CALL TO ORDER:** Call to order at 5:30 PM.
2. **ROLL CALL**

PRESENT: Gary Watkins, Jillian Privett, Kathy St Clair, Apryl Hutchinson, Chair Terri Henson,

ABSENT: NONE.

STAFF: Kate Thomas, Matt Henson

3. **AMENDMENTS TO THE AGENDA:** NONE.
4. **CONFLICTS OF INTEREST:** NONE.
5. **APPROVAL OF MINUTES**

- a. Regular Meeting Minutes from August 8th, 2024

M/S JP/KS move to approve the regular meeting minutes from August 8th, 2024, as presented.

Chair Henson requested that the minutes be amended, stating that the narrative did not reflect the opposition or negative sentiments of the Commissioners as it reflected the rezone or amendments to the zoning district. Commissioners agreed that comments in support or disagreement of issues should be detailed in the minutes.

M/S TH/AH moved to amend the minutes to reflect the dissatisfaction of the zoning sentiments.

Amendment Approved by all in favor.

Staff amended the minutes of the August 8th. The following language was added to the summary of discussion:

{The minutes from the August 8th meeting have been amended by a motion and approval by the Planning and Zoning Commission at the September 12th meeting. The minutes are to reflect the general opinion of the Commissioners regarding the rezoning direction from the Borough Manager. Commissioners stated the grounds for their decision NOT to approve the petition to rezone, citing that the area should be reserved for Single Family Residential use. Other previous decisions to rezone under contract in this area were based on the value of public benefit, specifically the Tribal Facilities. And the value of increasing the buffer between the Mobile Home Park and other residential lots, specifically the Storage Facility owned by Glasner. Commissioners stated that they did not want to further expand light industrial uses and approve them outright as those uses may have an adverse impact on the residential nature of the area. Commissioners voted to amend the minutes from this meeting to clearly state that they are not in favor of rezoning this parcel, nor are they in favor of an interim solution, but will work to create terms for an established zone as directed to the best of their ability. Commissioners expressed concern regarding precedent and how the outcome of this issue may affect future zoning issues within the community.}

See the attached memo in the packet detailing the direction provided by Borough Manager Villarma.

6. **CORRESPONDENCE**

- a. Economic Development Department Report August 2024

Director Thomas provided report.

- b. Wrangell Development News Issue 1 (August 2024)

Director Thomas provided overview.

7. PERSONS TO BE HEARD: NONE.

8. NEW BUSINESS: NONE.

9. UNFINISHED BUSINESS

- a. Final plat review of the Pavlina-Villarma Replat, a replat of a portion of Lots 12 and 13, Block 12, within the Wrangell Townsite, according to USS1119 and a portion of Lot 14, Block 12 within Wrangell Townsite according to Plat 86-5 creating Lots 12A and 13A, zoned Single Family Residential, owned and requested by Dennis Pavlina and Carmen Villarma.

M/S: JP/KS move to approve the final plat for the Pavlina-Villarma Replat as presented, owned, and requested by Dennis Pavlina and Carmen Villarma.

Director Thomas provided administrative report.

Approved unanimously by polled vote.

- b. Review and discussion of a draft language for an ordinance creating a new zoning district to establish terms and standards for a mixed-use zoning district that incorporates light industrial and commercial uses with single-family residential. The new district is intended for a tract of land along Zimovia Highway. No action will be taken.

Director Thomas provided background and administrative reports.

Henson asked if this ordinance would encompass a larger area. Thomas stated no, just the tract of land the group had discussed. This new mixed zone could be applied to other areas by petition in the future by other groups. She also stated this would work to eliminate contractual zoning.

Thomas read the purpose statement of the light industrial district on page 32 of the packet for the record. She stated that modifications to the light industrial district could be a solution however she stated her issues with that specific zone. Stated that light industrial is meant to be most compatible with multi-family residential.

Thomas inquired about whether Commissioners perceive buffers to apply to all types of industrial use. Watkins stated that this is already covered under the Light Industrial Code but that the language is not black and white. Thomas stated the parameters listed in the contract zones are already covered in the WMC. She stated that this becomes a code violation/enforcement issue rather than a need to contract zone in the future.

Director Thomas walked through each of the uses permitted in WMC 20.26. Henson stated that Letter H in WMC 20.26.020 should be removed in this new zone. Thomas stated that there needs to be new definitions if code is unclear or if specific uses are allowed, they need to be defined for clarity. This specifically refers to transshipment facilities, as well as townhouses and condominiums.

Thomas presented to the commission examples of light industrial zoning currently used on Wrangell Island. She stated that RV parks are currently allowed under light industrial. She stated that the only reason she would consider this zoning is due to Zimovia Highway and the activities that take place on that road.

Henson stated that she does not want to light industrial widespread in single-family residential zoning. She stated that light industrial zoning allows for just about anything and that these lots could be subdivided and cause a lot of activity in the future. Henson stated that if the zone were to proceed, she would like to see a new zone with restrictions.

Thomas presented accessory uses outlined in WMC 20.26.030 through 040. She stated that she reviewed and studied the standards and setbacks and included those standards in the draft language. Henson stated that setbacks should follow the uses or current zoning. She also recommended that any lot zoned light

industrial follow current buffer requirements. She also stated that given that there are not many lots on Zimovia Highway, there would likely be many flag lots created. Hutchinson asked which zoning supersedes other zoning. Thomas stated that she would research this further.

Henson stated that the other element needing to be established is minimum lot sizes. She stated that current property owners might want to adjust lots. Hutchinson asked if current property owners in the proposed zoning space would be grandfathered in or if we would need to rezone all lots. Thomas stated that they would be grandfathered in so long as they do not change their current operations. If they want to change activity in the future, they will need to work within the actual zoning.

St. Clair asked if letter D could be removed from WMC 20.26.020. Thomas stated no, as there are already transportation uses. Thomas asked if WCA's current use could fall under letter G in 020. The commission stated yes it would.

Thomas asked if the commission would consider revision of the conditional use language to include enclosed storage facilities and changing public buildings and structures to government and civic buildings to include tribal facilities. The commission stated that that would be an easy option. Thomas stated that the parcels in question would be issued conditional use permits and Mr. Mach could apply for a CUP and if approved, would be given conditions which could include setbacks and restrictions.

Mr. Bruce Smith stated that the only difference between single-family shops and what is proposed is overall traffic. He stated that traffic could be significantly higher than a personal shop.

Mr. Ed Rialtos stated that he wants to be a good neighbor and follow whatever rules are laid out.

Thomas stated the only issue with enclosed storage units is that this opens up the ability for them to be built anywhere. Henson agreed. Thomas asked if it is implied that CUP allowing storage facilities, implies commercial use? Henson stated that while a CUP is issued, part of the restriction should be that the permit does not allow people to run industry or businesses out of the units and the units are restricted to personal storage.

Henson stated that the option to change the conditional uses would be her preferred method to adapt to this issue. Watkins stated that there would need to be a minimum square footage to allow for the light industrial to be added. There needs to be sufficient space.

Thomas asked if the commission would allow for conditional use to be the primary use if there is no single-family residence. Henson stated yes and that already occurred.

Mr. Bruce Smith stated that opening this up for single-family use without a residence could lead to visible nuisances. Thomas stated that this falls under WMC 9.08 and becomes a code enforcement issue.

Thomas stated a new zoning could be Light Industrial Overlay and this would not affect other zones and only apply to that zone.

Privett asked if there could be a residential-light industrial overlay and place the necessary restrictions. Thomas stated this is her preferred option. Watkins asked if this just affects the six lots referenced. Thomas stated, yes. Thomas asked for confirmation on changing the language of letter G. The commission agreed. Thomas stated that she would bring back two options of solutions. The commission agreed.

Phillip Mach stated that the use of single-family residential opens a can of worms. He also stated that he likes the overlay idea.

Thomas will bring two example draft codes back to the Commission. (1) amendments to the conditional uses within the Single-Family Residential district, (2) an Industrial Overlay Zoning District. Other options may include revisiting a new district for this specific area.

10. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS: NONE.

11. ADJOURNMENT

Adjourned at 6:55 PM

Next meeting is scheduled for October 10th, 2024.

ATTEST: _____
Matt Henson, Secretary

Terri Henson, Chair