



City and Borough of Wrangell
Planning and Zoning Commission
AGENDA

Thursday, February 11, 2021
6:00 PM

Location: Borough Assembly Chambers
City Hall

PZ Meeting 2-11-21
6:00 PM

A. CALL TO ORDER / ROLL CALL

B. AMENDMENTS TO THE AGENDA

C. CONFLICTS OF INTEREST

D. APPROVAL OF MINUTES

[Minutes](#) of January 14, 2021

E. PERSONS TO BE HEARD

F. CORRESPONDENCE

G. NEW BUSINESS

H. OLD BUSINESS

[Discussion](#) of Draft Zoning Codes

I. PUBLIC COMMENT

J. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

K. ADJOURNMENT



City and Borough of Wrangell
Planning and Zoning Commission
AGENDA

Thursday, January 14, 2021
6:00 PM

Location: Zoom

PZ Meeting and Hearing January 14, 2021
6:00 PM

A. CALL TO ORDER / ROLL CALL

B. AMENDMENTS TO THE AGENDA

C. CONFLICTS OF INTEREST

D. APPROVAL OF MINUTES JP moves to approve Minutes of October 8, 2020 and December 12, 2020

KH 2nd approved

Approved unanimous

E. PERSONS TO BE HEARD

F. CORRESPONDENCE

Alaska Department of Natural Resources Public Notice for Salt Farm Gardens tideland lease for Ribbon Kelp farm in Madden Bay

Letters were also submitted by Bruce Smith and Lisa Torgramsen for Item G-5

G. NEW BUSINESS

1. Final plat review of Woodbury Industrial Subdivision, a subdivision and replat of Lots 2A and 6A, Block 61, Industrial Park Subdivision III (Plat 2001-7); and Lots 7 and 8, Block 61 of Industrial Park Subdivision (Plat 92-9), creating Lots A and B, Woodbury Industrial Subdivision, zoned Industrial, requested by Mike Matney and Brett Woodbury

KH moves to approve final plat

JP 2nd

Approved unanimous

2. Final Plat review of the WW Ingram Replat, a subdivision and replat of Lot 9C of Plat No. 73-2, a subdivision within USS 3403; and Lot 10, of USS 3403, Plat No. 73-1, zoned Rural Residential 1, requested by Wesley and Wanda Ingram

JP moves to approve final plat

KH second

Approved unanimous

3. Preliminary Plat review of the Walker Replat, a subdivision and replat of Lot 12, within Block 20, Wrangell Townsite; and Lot 3-B within Block 21, Wrangell Townsite and a portion of Lot 26, within Block 21, Wrangell townsite, creating Lot A, Walker Replat, zoned Multi-Family Residential, requested by Mark and Nola Walker Family Trust.

Open Public Hearing:

Close public Hearing:

JP moves to approve the preliminary plat as presented

KH 2nd

Approved unanimous

4. Review of GCI cell tower tideland lease modifications at Shoemaker Bay

JP moves to approve lease modification

KH 2nd

Approved unanimous

5. Request to modify contract zone agreement between the Wrangell Cooperative Association and the City and Borough of Wrangell, modifying buffer requirements and properties listed as part of the Contract Zone Agreement, for Lot A and Lot A1-A Torgramsen-Prunella Subdivision, zoned Light Industrial per the Contract Zone Agreement, requested by the Wrangell Cooperative Association.

Open Hearing:

Esther Ashton: request modification of the agreement. Initial agreement included Lot A1A but we would like to keep that commercial. Request be able to cut down within the 25 foot buffer those trees that are dangerous, to potential structures and to electrical lines.

Close Public hearing

JP moves to recommend to approve the contract zone request as presented.

KH 2nd

Bill Willard: looking at trimming roads on Zimovia

No trees are to be cut adjacent to Bruce Smith property and Torgramsen property. 2 dead trees near Bruce property close to the 25 foot buffer would be removed.

Bruce Smith – understands that their request is very specific to front and back and doesn't have comment on that, but if allowed to go all the way around was concerned about the south line near his property.

Bill Willard – spoke to Lisa and assured her not affecting anything on the buffer adjacent to her property.

Approved Unanimous

H. OLD BUSINESS

1. Discussion of draft residential codes Will take this up at regular meeting in February.
Will not be able to do public hearing notices. Will request a special meeting if necessary.

I. PUBLIC COMMENT

J. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

K. ADJOURNMENT

Chapter 20.4X**RC - Rural Commercial District**

Sections:

- 20.42.010 Intent.
- 20.42.020 Permitted principal uses and structures.
- 20.42.030 Permitted accessory uses and structures.
- 20.42.040 Conditional uses.
- 20.42.050 Prohibited uses and structures.
- 20.42.060 Minimum lot requirements.
- 20.42.070 Minimum setback requirements.
- 20.42.080 Maximum lot coverage by all buildings and structures.
- 20.42.090 Maximum height of buildings and structures.
- 20.42.100 Required off-street parking and loading.
- 20.42.110 Signs.

20.24.010 Intent.

The Rural Commercial district is intended to provide services and facilities that complement and support the needs of residents within the Rural Residential and Single Family Medium Density District. It is intended to encourage the development of small and compact areas for convenience business establishments which serve the daily needs of adjacent residential neighborhoods.

20.24.020 Permitted principal uses and structures.

In the RC district, the following uses and structures are permitted outright.

- A. An owner or manager's apartment, provided it is located above a commercially allowed enterprise;
- B. Barbershops and beauty shops;
- C. Drugstores;
- D. Eating and drinking establishments;
- E. Grocery and convenient stores;
- F. Laundromat;
- G. Retail stores.

20.24.030 Permitted accessory uses and structures.

In an RC district, the following uses and structures, which are incidental to the permitted principal uses and structures listed in Section 20.24.020, are permitted:

- A. Accessory buildings in conjunction with a permitted commercial use such as a greenhouse, or enclosed storage building;

20.24.040 Conditional uses.

In an RC district, subject to the conditional use provisions of this title, the following uses or structures may be permitted:

- A. Municipal uses such as fire stations or sewer lift stations;
- B. Licensed marijuana establishment facilities as follows: retail store, testing, limited indoor cultivation (fewer than 500 square feet under cultivation), and product manufacturing with the exception of solvent based manufacturing processes which are not allowed;
- C. Mobile food units.

20.24.050 Prohibited uses and structures.

- A. In an RC district, any use or structure not of a character indicated under permitted principal uses and structures or permitted as a conditional use is prohibited.
- B. Any personal or commercial use which causes or may reasonably be expected to cause excessive noise per WMC 9.08.085.
- C. Auto and boat repair services
- D. Conex/Container Vans
- E. Travel Trailers
- F. Outside storage of gear and equipment.

20.24.060 Minimum lot requirements.

A. Lot width: 40 feet wide.

B. Lot Area. 5000 sq ft. **20.24.070 Minimum setback requirements.**

A. Side setbacks: Five feet

B. Front setback: Five feet

C. Backyard setback: Fifteen feet

20.24.080 Maximum lot coverage by all buildings and structures.

A. Maximum Lot coverage: Sixty percent (up to 70% if shared parking area is provided)

20.24.090 Maximum height of buildings and structures.

Principal buildings and structures shall not exceed thirty feet in height, except as otherwise provided in this title.

20.24.100 Required off-street parking and loading.

Adequate off-street parking and loading spaces shall be provided in connection with any permitted use in accordance with the requirements set forth in Section 20.52.190 and could vary if shared parking is provided.

20.24.110 Signs.

Signs no larger than 32 square feet, against the external building wall, are allowed. Lighted, neon or flashing signs are not permitted externally.

Chapter 20.4X

SFMD - Single Family Residential – Medium Density District

Sections:

- 20.42.010 Intent.
- 20.42.020 Permitted principal uses and structures.
- 20.42.030 Permitted accessory uses and structures.
- 20.42.040 Conditional uses.
- 20.42.050 Prohibited uses and structures.
- 20.42.060 Minimum lot requirements.
- 20.42.070 Minimum setback requirements.
- 20.42.080 Maximum lot coverage by all buildings and structures.
- 20.42.090 Maximum height of buildings and structures.
- 20.42.100 Required off-street parking and loading.
- 20.42.110 Signs.

20.24.010 Intent.

The Single Family Residential –Medium Density District is intended to include lands away from the core town area that are specifically for one and two family dwelling units but with larger required minimum land size restrictions. It is expected that the lands either provide a full range of public services, including sewers, water, electricity and street drains, or are intended to be provided with such services in the future. The district is primarily for residential development providing larger area for yards and allowable accessory structures.

20.24.020 Permitted principal uses and structures.

In the SFMD zone, the following uses and structures are permitted outright:

- A. Single-family dwellings
- B. Duplexes
- C. Home occupations
- D. A detached Accessory Living Unit not to exceed 600 sq ft, including outside deck.

20.24.030 Permitted accessory uses and structures.

In an SFMD zone, the following uses and structures, which are incidental to the permitted principal uses and structures listed in Section 20.24.020, are permitted:

- A. Accessory buildings in conjunction with a permitted or conditional use such as a private garage, workshop or greenhouse;

- B. Automobile parking in conjunction with the permitted or conditional uses;
- C. Private outside storage in yards of not more than a total of three of the following: truck up to one ton, boat, recreational vehicle, maintained in a safe and orderly manner and separated by at least ten feet from any property lines;
- E. Nets, gear and equipment must be stored in an enclosed closed building.
- F. Parks, playgrounds and greenspace

20.24.040 Conditional uses.

In the SFMD zone, subject to the conditional use provisions of this title, the following uses or structures may be permitted:

- A. In home childcare services (not requiring or requiring a license from State)
- B. In home church services;
- C. Condominiums, townhouses, cluster housing and planned unit developments;
- D. Municipal uses such as fire stations or sewer lift stations;
- E. Vacation Rentals or Bed and Breakfasts

20.24.050 Prohibited uses and structures.

- A. In the SFMD district, any use or structure not of a character indicated under permitted principal uses and structures or permitted as a conditional use is prohibited.
- B. Any personal or commercial use which causes or may reasonably be expected to cause excessive noise per WMC 9.08.085.
- C. Co-generation facilities.
- D. Auto and boat repair services
- E. Conex/Container Vans
- F. Travel Trailers and older mobile homes. (working on defn and dates)
- G. Outside storage of broken/ non working vehicles, boats, nets, gear or equipment.

20.24.060 Minimum lot requirements.

- A. Lot width: one hundred feet.

- B. Lot Area. The minimum lot area is 15,000 square feet
- C. Minimum Lot Area for a single unit detached dwelling. One unit per each 15,000 square feet of property is allowed.

20.24.070 Minimum setback requirements.

- A. Front yard: twenty feet.
- B. Side yard abutting another lot: ten feet.
- C. Rear yard: fifteen feet.
- D. Exceptions. Accessory structures, such as a storage shed or greenhouse, two hundred square feet or less, and not on a permanent foundation, may encroach into the rear and side yard setbacks only; provided, the structure is located on the back twenty-five percent of the parcel and is a minimum of five feet from both the rear and side lot lines.

20.24.080 Maximum lot coverage by all buildings and structures.

- A. Fifty percent.

20.24.090 Maximum height of buildings and structures.

Principal buildings and structures shall not exceed thirty feet in height, as long as the roof line can be reached by the ladders of the VFD.

Chapter 21.28

PLANNED UNIT DEVELOPMENT AND CLUSTER SUBDIVISIONS

Sections:

Section XX.s Scope and Purpose

Section XX.s Applicability

Section XX.s Cluster development projects.

Section XX.s Ownership.

Section XX.s Procedure.

Section XX.s Concept plan.

Section XX.s Permitted construction.

Section XX.s Changes in concept plan.

Section XX.s Staged development.

Section XX.s Common space

Section XX.s Condominium developments.

Section XX.s Scope and Purpose

This chapter applies to all planned unit developments in the City. A planned unit development (PUD) is a device that allows a development to be planned and built as a unit, or as phased units, and permits flexibility and variation in many of the traditional controls related to density, land use, setback, open space and other design elements, and the timing and sequencing of the construction.

Planned unit development proposals shall include design and construction elements, common use facilities, open space, private housing and land management maintenance, etc., subject to requirements of all existing city and borough ordinances, except as modified by this chapter to create development qualities different from those that result from conventional design. Projects developed under the provisions of this chapter should:

- A. Create an alternative method for property development other than the strict application of subdivision standards to allow for combined residential and commercial development, mixed uses and densities greater design features and alternative land development techniques;
- B. Provide for more efficient use of land, resulting in better coordinated networks of utilities and safer networks of streets, lower construction and maintenance costs to the general public, promoting greater opportunities for public and private recreational open space, and resulting in lower construction and maintenance costs to the general public;
- C. Encourage harmonious and coordinated development of the site, considering the natural features, community facilities, pedestrian and vehicular circulation in conformance with overall transportation plans, and the land use relationship with surrounding properties and the general community.
- D. Encourage innovative planning that results in projects that benefit the community, for example, through greater efficiency in land use, improved protection of open spaces, transportation efficiency, and housing choices;

- E. Encourage housing options for a range of household sizes, incomes, and lifestyles;
- F. Encourage mixed-use development and diversified employment opportunities;
- G. Promote an economic arrangement of land use, buildings, circulation systems, open space, and utilities;

Departure from the subdivision regulations and development standards requires demonstration that adequate provisions will be made for sufficient light and air, that the density of development is compatible with surrounding land uses, that pedestrian and vehicular traffic circulation systems are safe and efficient, that the development will progress in orderly phases, and that the public health, safety, and general welfare will be protected.

Section XX.s Applicability

PUDs are allowed in a zoning district only when allowed by the code provisions specifically applicable to that district. A PUD may consist of uses permitted or conditionally permitted in the zoning district where it is located. It is an option available to developers of land 1 acre or more.

Section XX PROCEDURE

Planned unit developments shall follow the conditional use permit application process and subdivision review and approval process in Chapter xx.x. These procedures may include review and approval of a final plat by both the Planning commission and the Assembly.

A. A conditional use permit application and a development plan for a PUD shall be submitted to the City and Borough for administrative review and recommendation to the Commission.

B. The PUD development plan shall include the following:

1. A narrative description of the purpose and object for the PUD as a whole and for any development areas it contains:
 - a. The uses to be allowed as principal, accessory, or conditionally permitted; and
 - b. The development standards that apply to lands contained within the PUD and development areas; and
 - c. Any specific development standards for all proposed uses; and
 - d. Such other requirements as may be applicable to the establishment of the particular district; and
 - e. Perimeter Requirement. Property adjacent to the perimeter proposed for nonresidential use and adjacent to property outside of the PUD area and within a residential zone shall maintain all specific setback or buffer requirements typically required for such uses when adjacent to property within a residential zone.
2. A surveyed map drawn to scale and showing the external boundaries of the PUD and the boundaries of any development areas contained within the PUD. Development areas shall be labeled so as to be differentiated in the narrative description.

3. A program of development outlining the stages of future development and the phase for current approval;
4. The time schedule for construction and completion of all stages and all phases;
5. A narrative description demonstrating the independence of each stage;
6. The general location and size of the area involved and the nature of the land owner's interest in the land to be developed;
7. The density of land use to be allocated to parts of the area to be developed;
8. The location, function, ownership and manner of maintenance of common open space for the management during construction; and management during each phase of development, the final management of the completed development;
9. The use, height, bulk and location of buildings and other structures;
10. A utilities and drainage plan;
11. The substance of covenants, grants of easements or other restrictions to be imposed upon the use of the land, buildings and structures, including proposed easements for public utilities and public access;
12. A plan showing parking; loading areas; snow removal and storage areas; the location and width of proposed streets and public ways; and the relationship of new or existing streets and other public facilities in proximity to the planned development;
13. In the case of plans that call for development over a period of years, a schedule showing the time within which application for final approval of all parts of the planned development is intended to be filed;
14. A list of all permits required from local, State and Federal agencies for the uses and site development proposed in the PUD;
15. Site plans sufficient to depict above listed requirements or other conditions required by staff;
16. A description of methods to be employed to assure maintenance of any common areas and facilities shall be submitted;
17. Calculations showing the requirements of xx.xxx.xxx will be satisfied;
18. Where practical and safe, and where other means of access have not been provided, public access easements or dedications may be required to provide access to contiguous public lands or connections with existing or proposed non-motorized transportation corridors.

C. The Zoning Administrator will review the conditional use permit application and development plan to determine their completeness. After the initial review by staff the applicant may request a preliminary review of the preliminary development concept by the Planning and Zoning Commission to identify many of the planning and platting complications posed by the development and to provide the applicant with an early indication of the platting board's concerns regarding the proposal before the applicant proceeds with extensive planning and engineering studies. If all information required is provided, the proposal may move forward following the conditional use permit application procedures.

D. Commission review.

- a. The Commission will review the application and development plan according to provisions applicable to conditional use permits, planned unit developments and the zoning district in which the PUD is to be located.

b. If the Commission determines that the PUD development plan does not satisfy the conditional use permit standards and requirements or is not consistent with good design, efficient use of the site, or community standards, the Commission shall deny the application.

c. If the Commission determines that the PUD development plan does satisfy the conditional use permit standards and requirements, and is consistent with good design, efficient use of the site and community standards, the Commission may approve the development plan and a conditional use permit with such modifications or conditions that it deems necessary to protect the public health, safety, and welfare of the community and the surrounding area.

d. In any event, the Commission shall adopt written findings of fact and conclusions that are supported by substantial evidence in the record and adequately set forth the basis for the decision.

E. Additional Review Criteria. The following review criteria are in addition to the conditional use permit application requirements and the subdivision requirements:

- (1) The design effectively provides for clustered buildings, mixed uses, or mixed housing types; and
- (2) The development incorporates boundary buffers sufficient to separate adjacent property from dissimilar uses; and
- (3) The configuration of the development provides for economy and efficiency in utilities, housing construction, streets, parking and circulation; and
- (4) The PUD must be integrated with surrounding land uses and minimize any negative impacts on them.

F. Commercial and industrial PUDs.

a. A planned unit development that includes commercial, **noncommercial** or industrial uses shall comply with the following requirements and conditions:

1. The PUD site shall have direct access to an arterial or collector street.
2. Utilities, roads and other essential services must be constructed, installed and available for the immediate use of occupants of the PUD.

b. If topographical or other barriers do not provide adequate privacy for uses adjacent to the PUD, the Commission may impose conditions to provide adequate privacy, including without limitation one or both of following requirements:

1. Structures located on the perimeter of the planned development must be set back a distance sufficient to protect the privacy of adjacent uses;
2. Structures on the perimeter must be permanently screened by a fence, wall or planting or other measures sufficient to protect the privacy of adjacent uses.

G. Preliminary Plat: The preliminary plat submittal shall contain the same information required in the regular platting procedure under Section xx.xx, shall include the concept plan and site conditions map and shall also contain a written statement identifying all subdivision ordinance standards which are proposed to be modified. Draft covenants and restrictions shall be submitted with the preliminary plat.

H. Final Plat Approval. A final plat must follow the regular platting procedures and final plat standards except as modified by this chapter and may be submitted only after zoning changes, if any, have been completed. The final concept plan shall be submitted with the final plat.

After receiving approval from the platting board, all planned unit developments must receive final approval from the Borough Assembly. The Assembly shall:

1. Approve the plan and methods utilized to carry out the plan concept;
2. Approve the subdivision plat giving findings of fact and reasons for acceptance. Should the planned unit development be rejected, the council will adopt findings of fact and give reasons for such rejections within thirty days of its action.

Section XX.s Cluster development projects.

A. Planned unit developments may include residential cluster development projects which permits the size of residential lots within a subdivision to be reduced below the minimum lot size required by the zoning district within which the subdivision is located; provided, that the average dwelling density of the entire subdivision does not exceed the density permitted by the applicable zoning and comprehensive plan classification.

1. The density and maximum lot coverage for the project area as a whole shall be the same as allowed for the zoning district where it is located, unless a variance is approved by the commission.
2. All of such open space shall be dedicated to scenic or recreational purposes and to be enjoyed in common by all residents of the development, their guests and where applicable, by the general public.

B. Advantages of such a cluster development is to allow residences in a portion or portions of the development site to be built at greater density than allowed in Title 20 of this code, but with substantially larger total open space to provide better use of land contours and protection and conservation of drainage channels, steep slopes and other environmentally sensitive areas within the subdivision; and a reduction in road and utility installation and maintenance costs. All such cluster developments shall include provisions as follows:

1. Appropriate provisions for continued use and maintenance of open areas. These provisions shall include a contract commitment between owners to maintain common areas, a provision for its administration and specification of uses. Equivalent provisions for the above may be accepted by the platting board.
2. The common areas shall be utilized in a feasible manner beneficial to the residents primarily, but consideration shall be given to the public's use.
3. If there are to be individual owners of the cluster development units, then appropriate and adequate provisions must be made concerning the future sale of such units to provide for the maintenance and upkeep of the open space as stated in subsection 1 of this section above as well as the free alienation of said units.

4. A binding contract commitment to maintain the common areas and provide for its administration and specification of uses. This commitment shall include provisions for the transfer of ownership shares in common areas when individual residential, office, or other uses are sold.

Section XX.s Ownership.

All land proposed for a planned unit development shall be owned or be under the control of the applicant, whether that applicant is an individual, partnership or corporation, or groups of individuals, partnerships or corporations. The applicant shall present proof of control and shall:

- A. Provide agreements, contracts, and proposed deed restrictions acceptable to the municipality for the completion of the undertaking in accordance with the adopted concept plan as well as for the continuing operation and maintenance of such areas, functions and facilities not intended to be provided, operated, or maintained at general public expense;
- B. Bind any developer successors in title to any commitments made under subsection (A) of this section.
- C. All expenses incurred in receiving approval under subsections A, B and C of this section, shall be the developer's responsibility.

Section XX.s Permitted construction.

After submission and approval of the preliminary plat and concept plan, prepared construction documents may be submitted to the Public Works Department and any other appropriate Borough staff. Construction may proceed for public and/or approved private roads, utility installation, community-serving open space, and recreational facilities. No lots or rights shall be sold until final plat recording.

Section XX.s Changes in concept plan.

It is not intended that the planned unit development concept plan so approved shall be inflexibly applied, but rather the planned unit development should be in conformance with the concept plan, subject to modification upon approval of the planning commission.

Section XX.s Staged development.

A planned unit development subdivision proposed for completion in stages shall be designed and constructed so that each stage will be self-supporting should future proposed stages not occur. The concept plan is to include details as to each development stage and the expected timing of each stage.

Section xx.xx - Common space.

Clearly identified responsibilities must be established between the public, homeowner's association, and other owners, for the ownership, maintenance, management, and use of all common space.

Section XX.XX - Condominium developments.

A planned unit development utilizing a condominium development shall follow the same procedures as cluster developments with zero setbacks allowed, provided it is consistent with the concept plan (reference Section xx.xx below). The concept plan shall include specific provisions concerning the division of ownership of the individual dwelling units, as well as provisions for maintenance, utility costs, ownership of common areas, appearance and cleanliness, violations of agreement provisions, along with such other provisions as may be required by the platting board consistent with the provisions of this chapter.