



City and Borough of Wrangell
Planning and Zoning Commission
AGENDA

Thursday, October 12, 2023
5:30 PM

Location: Borough Assembly Chambers
City Hall

Planning and Zoning Commission
5:30 PM

1. CALL TO ORDER

2. ROLL CALL

3. AMENDMENTS TO THE AGENDA

4. CONFLICTS OF INTEREST

5. APPROVAL OF MINUTES

- a. Approval of the Planning and Zoning meeting minutes from September 14th and September 25th, 2023

6. CORRESPONDENCE

- a. Accessory Dwelling Unit Public Input

7. PERSONS TO BE HEARD

8. NEW BUSINESS

- a. Final plat review of the White-Etolin Replat, a replat of a portion of Lot C, Block 30B, USS 1119 (Plat No. 2019-2), Wrangell Townsite, creating Lot C1 and Lot C2, zoned Single Family Residential, owned and requested by Todd and Catherine White
- b. (PH) Variance application request for a variance to the front yard setback for a car port on a portion of POR Lot 14, Block 12, Wrangell Townsite (Plat No. 86-5), zoned Single Family Residential, owned and requested by Robert Marshall

9. UNFINISHED BUSINESS

- a. (PH) Approval of Accessory Dwelling Unit code to added to Wrangell Municipal Code under Title 20 "Zoning"

10. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

11. ADJOURNMENT

**Minutes of Planning & Zoning Commission
Held on September 14, 2023**

1. CALL TO ORDER: Call to order at 5:30 pm.

2. ROLL CALL

PRESENT: Chair Terri Henson, Vice Chair Don McConachie, Jillian Privett, Apryl Hutchinson,

ABSENT: Kathy St. Clair

STAFF PRESENT: Kate Thomas, Matt Henson

3. AMENDMENTS TO THE AGENDA

M/S: DM/JP that item 8c be tabled from the agenda due to lack of notice and correspondence regarding the necessary public hearing and be moved to a special meeting on September 25th at 12:00pm.

Approved by polled vote.

4. CONFLICTS OF INTEREST: NONE

5. APPROVAL OF MINUTES

- a. Approval of the Planning and Zoning meeting minutes from August 10, 2023.

M/S: JP/AH move to approve the regular meeting minutes from August 10, 2023.

Approved by all in favor.

6. CORRESPONDENCE

- a. Economic Development Director Report for July and August 2023.

Director Thomas presented an oral report.

7. PERSONS TO BE HEARD: NONE

8. NEW BUSINESS

- a. (PH) After the fact Conditional Use Permit application request for a short-term rental on Lot 15, Block 84, Wrangell Townsite, zoned Waterfront Development, requested by Chad and Bonnie Ritchie.

Public Hearing Opened.

No public comment.

Public Hearing Closed.

M/S: JP/AH move to approve the findings of fact and the conditional use permit request for a business within their residence to serve as transient, short-term rental subject to the following conditions:

1. Provide Guest Guidance or similar document on noise, behavior, to encourage respect for the area and neighbors; and

2. Two off-street parking places must be provided.

McConachie asked if owners were aware of conditions. Thomas states that they have been made aware.

Approved by polled vote.

- b. (PH) Conditional Use Permit application request for a short-term rental on Lot B, Block 15, Third Street ROW Vacation, zoned Single Family Residential, requested by Heidi Milazzo and Clay Culbert.

Public Hearing Opened.

No public comment.

Public Hearing Closed.

M/S: JP/AH move to approve the findings of fact and the conditional use permit request for a home occupation allowing the residence to serve as transient, short-term rental subject to the following conditions:

1. Provide Guest Guidance or similar document on noise, behavior, to encourage respect for the residential district and neighbors; and

2. Two off-street parking places must be provided.

Approved by polled vote.

- ~~c. Preliminary plat review of the White Etolin Replat, a replat of a portion of Lot C, Block 30B, USS 1119 (Plat No. 2019-2), Wrangell Townsite, creating Lot C1 and Lot C2, zoned Single Family Residential, owned and requested by Todd and Catherine White.~~

- d. Request from Randy Easterly to purchase borough tidelands identified as Lot 24A, Block 83-A, Wrangell Townsite (Plat No. 2006-6), zoned Waterfront Development.

Chair Henson asked who owns adjacent properties. Thomas stated that she needs to verify but believes the Borough owns one lot. She asked the commission if they would want to see the current odd lot line be addressed in survey? Chair Henson stated that that information would not be necessary for this commission. Thomas stated that upon review, most tidelands in harbor have been sold to private parties apart from tidelands conveyed by the state. It is prudent to maintain tidelands near harbor access points to protect any future port and harbor developments.

M/S: DM/JP move to recommend approval of Randy Easterly's request to purchase tidelands Lot 24A, Block 83-A, Wrangell Townsite (Plat No. 2006-6), zoned Waterfront Development.

Approved by polled vote.

9. UNFINISHED BUSINESS

- a. Approval of the Accessory Dwelling Unit code to be added to Wrangell Municipal Code Title 20 Zoning.

Thomas stated that the borough attorney has reviewed the code and provided comments and considerations. The attorney asked if the code dictates a requirement to obtain a conditional use permit. The commission has stated that it wants to limit any hurdles for the public and that a conditional use permit would be used the same way as it is now, for short term rentals or other conditional uses. Other procedures exist where staff can approve building permits to mitigate any negative impacts to the community. Further discussion was had regarding square footage maximums as well as ADUs that could exist over a garage. The commission will review this code with public hearing at next meeting before it ascends to the borough assembly for a review and public hearing.

M/S: DM/JP move to approve the Accessory Dwelling Unit Draft Code as presented.

Approved by polled vote.

10.COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

Commissioner Privett announced that she has joined the Economic Development Board and will continue to help develop Alder Top to assist lower income residents buy land.

Vice Chair McConachie announced that after 30 plus years of service in the city and on this commission, he will not renew his term and will retire from his seat.

Chair Henson stated that she will not be able to attend meetings in October and November. Director Thomas asked if Commissioner Privett or Hutchinson would be willing to chair any meetings during that time. Both agreed they would be willing should a quorum be met.

11.ADJOURNMENT

Special Meeting scheduled for September 25th at 12:00pm.

Next regular meeting scheduled for October 12th at 5:30pm.

Adjourned at 5:56pm.

ATTEST: _____
Matt Henson, Secretary

Terri Henson, Chair

**Minutes of Planning & Zoning Commission
Held on September 25, 2023**

1. CALL TO ORDER: Call to order at 12:00pm.

2. ROLL CALL

PRESENT: Chair Terri Henson, Vice Chair Don McConachie, Jillian Privett, Apryl Hutchinson,

ABSENT: Kathy St. Clair

STAFF PRESENT: Kate Thomas, Matt Henson

3. AMENDMENTS TO THE AGENDA: NONE

4. CONFLICTS OF INTEREST: NONE

5. APPROVAL OF MINUTES: NONE

6. CORRESPONDENCE: NONE

7. PERSONS TO BE HEARD: NONE

8. NEW BUSINESS

- a. (PH) Preliminary plat review of the White-Etolin Replat, a replat of a portion of Lot C, Block 30B, USS 1119 (Plat No. 2019-2), Wrangell Townsite, creating Lot C1 and Lot C2, zoned Single Family Residential, owned and requested by Todd and Catherine White.

Public Hearing Opened

Public Hearing Closed

M/S: DM/AH move to approve the preliminary plat for the White-Etolin Replat as presented, owned and requested by Todd and Catherine White

Approved by polled vote.

9. UNFINISHED BUSINESS: NONE

10. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS: NONE

11. ADJOURNMENT

Adjourned at 12:02pm.

Next meeting scheduled for October 12th, 2023.

ATTEST: _____
Matt Henson, Secretary

Terri Henson, Chair

Building height
ground level

Considerations regarding the proposed municipal code amendment for addition of ADUs:

1. Item g. of the proposed language indicates that the height of an ADU cannot exceed the height of the principal residence.
✓ Suggest clarifying whether this is roofline elevation or, more appropriately that the ADU must not exceed the ground to roofline height of the primary residence - i.e. If the primary residence is a single story on a sloped lot that is 15' high from ground to roofline, then the ADU cannot be more than 15' even if it is downslope from (thus below) the primary residence.

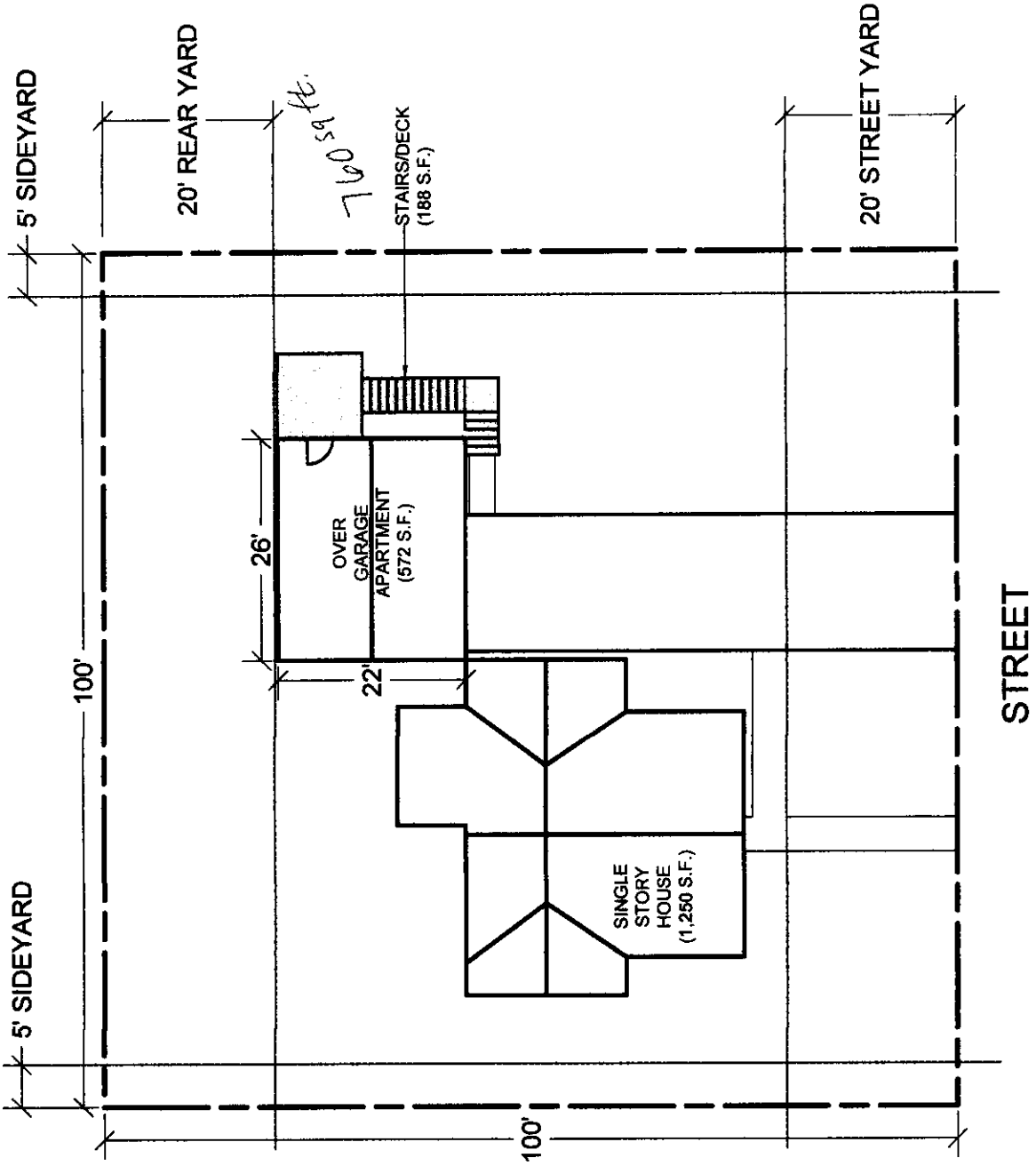
2. Item h. requires provision for a minimum of two off-street parking spaces for lots with an ADU. For clarity - does this mean both are for the ADU? Or one is dedicated for use by the ADU resident? And must it be the same minimum size (10'x17')?
✓

3. Item n. addresses the requirement of the ADU to share the sewer/septic utility with the principal residence. Who determines the capacity is sufficient per ADEC requirements - will each ADU require building permit review for utility capacity prior to permit issuance and Certificate of Occupancy? Will a permit for the addition of an ADU be denied if the primary residence's sewer fixture count is at capacity? What about the water and electrical service - will electrical be metered separately?
4 houses on one street. all want to put additional ADU?
?

4. Lastly, Item b. discusses the proposed size and limits an ADU to a maximum of 800 S.F. - INCLUSIVE of decks and stairs and home access points. The unit size seems adequate but by including the exterior areas, the effective unit size is drastically reduced. In the attached illustrative sketch it is apparent that with a typical over-garage ADU, the stairs and typical landings/porch would amount to nearly 200 S.F. (188 S.F. in the sketch) which would reduce the effective size of the unit to 600 S.F. (572 S.F. shown in sketch for typical garage size). Might it be possible to reduce the impact of exterior spaces to perhaps be calculated at 50% of the square footage? I.e. porches, decks that total 200 S.F. would reduce the overall ADU size only by 100 S.F. of allowable area? And is the 800 S.F. to be Gross Square Feet
comparison →

(exterior wall dimensions) or Net Square Feet (interior room dimension total)?

TYPICAL EXAMPLE - A 10,000 S.F. LOT WITH A 1,250 S.F. HOUSE AND ONE ADU.
WITH STAIRS AND LANDING COUNTED AT 100% (188 S.F.), THE ADU MAX IS 612
S.F. WHICH IS A VERY SMALL STUDIO APARTMENT.



October 11, 2023

Subject: Accessory Dwelling Unit code, Public Comments

Planning and Zoning Commissioners,

First off thank you for taking the time to do what you do.

When Tammi and I bought the property next to the landfill on Fourth Ave we asked city staff about the ability to put an air b and b or a rental on the property and were told we could. We didn't get too deep into the whats and hows but felt ok about doing it.

Our plan has always been to build a detached garage and have the rental unit above the garage. As our site plan included in our building permit application shows the garage will be about 5 feet away and not connected. If we are able to do so with a conditional use permit then we don't have any concerns, but if the new proposed ordinance is adopted as presented and it was to supersede the possibility of a conditional use request then we do have concerns. If that were the case we would have to combine our second lot behind the lot we live on to make the 10,000 sf minimum. That would cost us about \$5,000 in survey fees and eliminate the possibility of that lot being able to have a home of its own. It would ruin a perfectly good lot that is already the minimum size for a home in Wrangell.

As I understand the intent of the ordinance it was to help promote additional rental space in Wrangell ? If that is the case unintentional hinderances won't help to reach that goal.

Our lot we are building on is 8,681 sf and has more than adequate space to do what we are proposing. With limited pre-owned properties that are 10,000 sf it would be a shame to restrict too many of who could provide such a service.

Please consider reducing the 10,000 sf minimum lot size especially if the the detached unit is close to the house. The garage will be there either way and doesn't increase the overall size of what is being constructed. A multi family home is allowed now and could certainly be larger than what we are building.

Sorry we could not attend but we are in Disneyland with family.

Thank you for your consideration.

Greg and Tammi Meissner

City and Borough of Wrangell, Alaska
Planning and Zoning Commission
Regular Meeting October 12th, 2023
Staff Report

Agenda Item: 8A

From: Kate Thomas, Economic Development Director

Subject: Final plat review of the White-Etolin Replat, a replat of a portion of Lot C, Block 30B, USS 1119 (Plat No. 2019-2), Wrangell Townsite, creating Lot C1 and Lot C2, zoned Single Family Residential, owned and requested by Todd and Catherine White.

Review: Applicants are proposing to subdivide a parcel into two lots, creating Lot C1 and Lot C2. This is the final iteration of the plat. The preliminary plat was approved at a special meeting held on September 25th, 2023.

Recommendation: Staff recommend approval of the final plat of the White-Etolin Replat.

Motion: Move to approve the final plat for the White-Etolin Replat as presented, owned and requested by Todd and Catherine White.

Review criteria:

Chapter 19: Subdivisions
 Chapter 20: Standards

Attachments:

1. Final plat, 2. Aerial Map of Property

Findings of Fact:

The minimum lot size for lots zoned Single Family Residential is 5,000 square feet (WMC 20.52.090). The applicant is subdividing Lot C (19,314 SF) into two lots creating Lot C1 (9,745 sq. ft.) and C2 (9,569 sq. ft.). Both lots are greater than the minimum lot size. There is a 10 ft. wide utility easement that will continue through both lots along the right-of-way.

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND WITHOUT RESERVATION OF ANY RIGHTS, CLAIMS, INTERESTS, DEMANDS, OR RIGHTS TO PUBLIC OR PRIVATE USE, AS NOTED.

DATE _____ TOOD WHITE
DATE _____ CATHERINE WHITE

NOTARY'S ACKNOWLEDGMENT

U.S. OF AMERICA
STATE OF ALASKA
CITY AND BOROUGH OF WRANGELL

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY QUALIFIED AND DULY SWORN, PERSONALLY APPEARED _____ TO ME, KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED. WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL ASSEMBLY AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, WRANGELL, ALASKA.

DATE _____ MAYOR, CITY AND BOROUGH OF WRANGELL
ATTEST: _____
CITY CLERK

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL PLANNING COMMISSION AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX OFFICIO RECORDER, WRANGELL, ALASKA.

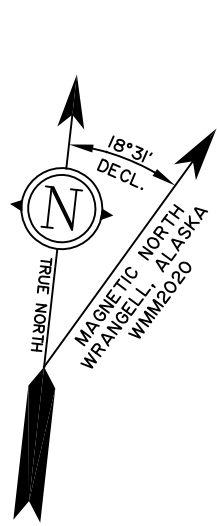
DATE _____ CHAIRMAN, PLANNING COMMISSION
SECRETARY _____

CERTIFICATE STATE OF ALASKA
(FIRST JUDICIAL DISTRICT)s

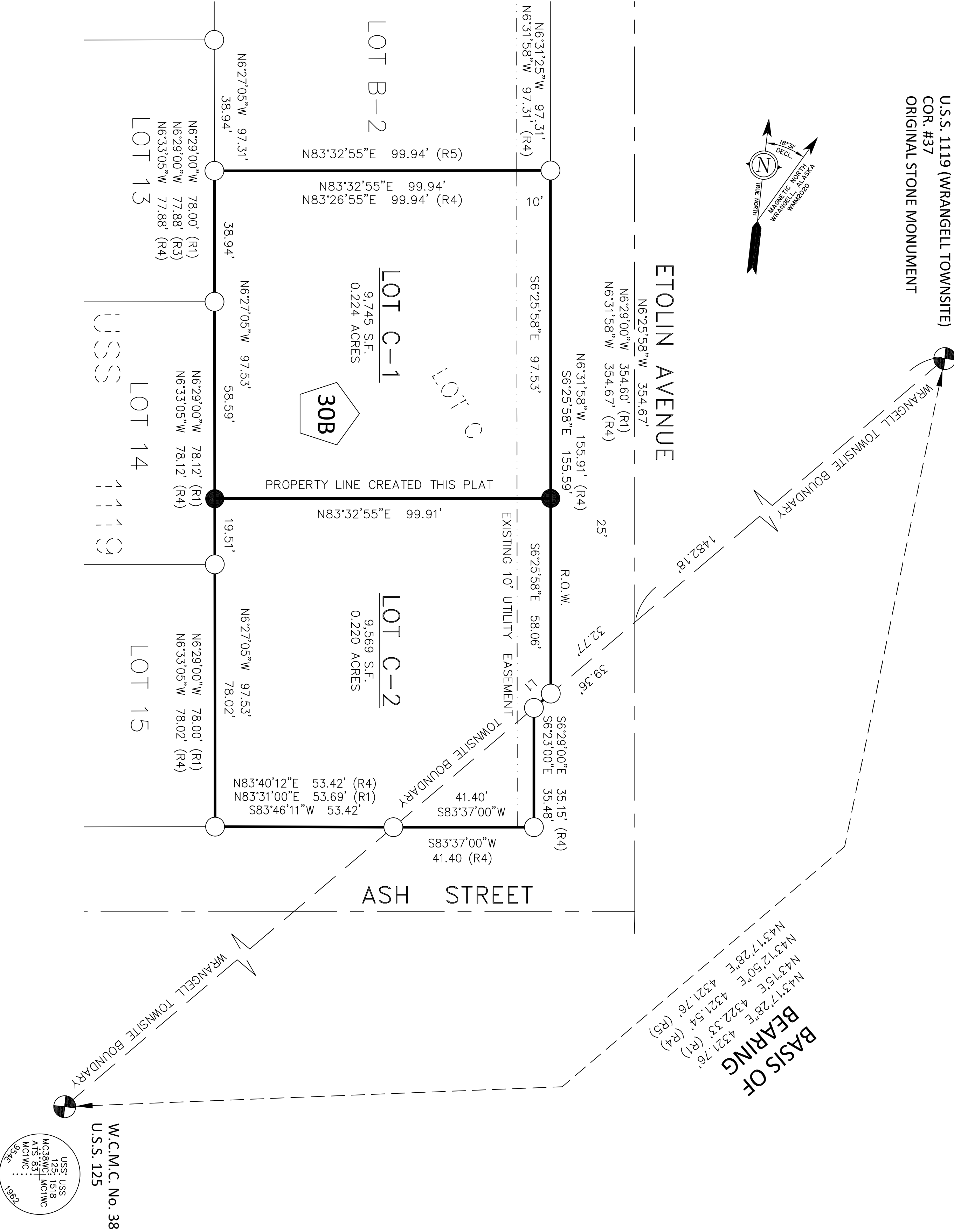
I, THE UNDERSIGNED, AS THE PROPERTY TAX CLERK FOR THE CITY AND BOROUGH OF WRANGELL, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY AND BOROUGH OF WRANGELL, IN THE NAME OF _____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS ARE PAID IN FULL, THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE OCTOBER 15, 20____ DATED THIS _____ DAY OF _____

ASSESSOR CITY AND BOROUGH OF WRANGELL



U.S.S. 1119 (WRANGELL TOWNSITE)
COR. #37
ORIGINAL STONE MONUMENT



BASIS OF BEARING
N43°17'28\"/>

LINE TABLE		
LINE	DIRECTION	LENGTH (FT)
11	S 48°17'28\"/>	6.58' (6.58 R4)

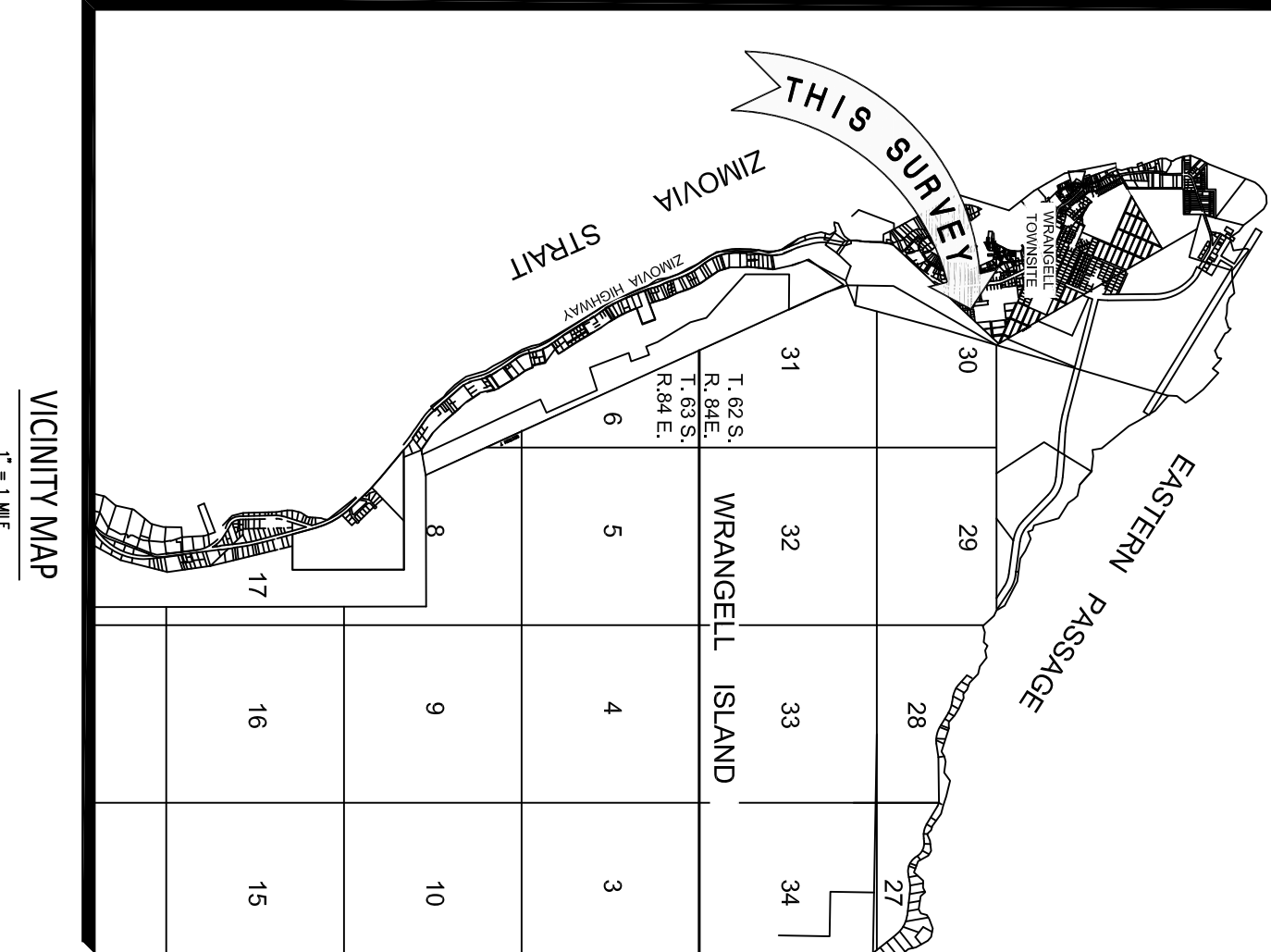
LEGEND	
	BLOCK NUMBER
	SECONDARY MONUMENT SET THIS SURVEY
	SECONDARY MONUMENT RECOVERED
	PRIMARY MONUMENT RECOVERED
	UNSURVEYED
	SURVEYED
	IRON CENTERLINE
	RECORD EASEMENT BOUNDARY
	MEASURED DATA
	RECORD PER PLAT 73.7
	RECORD PER PLAT 91.2
	RECORD PER PLAT 2015.6
	RECORD PER PLAT 2019.2
	RECORD PER PLAT 2021.6

SURVEYOR'S CERTIFICATE

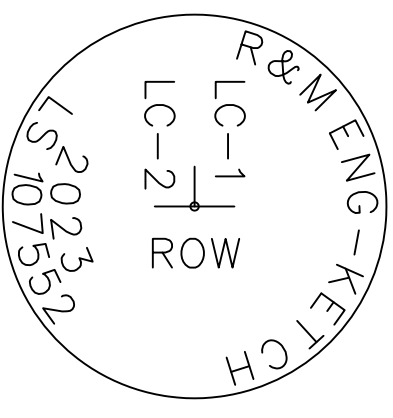
I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A TRUE AND CORRECT SURVEY OF THE LAND SHOWN THEREON, AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE _____

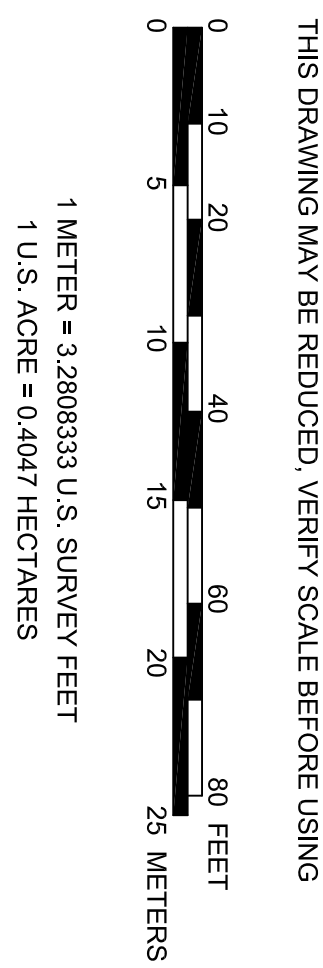
CHRISTOPHER G. PFEIFFER, PLS # 107552



TYPICAL SECONDARY MONUMENT
SET THIS SURVEY



SCALE 1"=20'



R&M ENGINEERING - KETCHIKAN, AK 99901	
Phone: (907) 225-2917	Phone: (907) 225-2917
Fax: (907) 225-2441	Fax: (907) 225-2441
WRANGELL OFFICE	Phone: (907) 305-0250
P.O. BOX 4298	WRANGELL, AK 99929
CERTIFICATE OF AUTHORIZATION # C-378	

WHITE - ETOLIN REPLAT

A REPLAT AND SUBDIVISION OF LOT C, OF ETOLIN AVENUE REPLAT, WITHIN BLOCK 30B, OF WRANGELL TOWNSITE (U.S.S. 1119), ACCORDING TO PLAT 2019-2;

CREATING

LOTS C-1 AND C-2, WHITE - ETOLIN REPLAT CONTAINING 0.443 ACRES MORE OR LESS

LOCATED WITHIN WRANGELL TOWNSITE (U.S.S. 1119) WRANGELL, ALASKA 99929 WRANGELL RECORDING DISTRICT	
SURVEYED BY: MCH	DRAWN BY: MCH
DATE: AUGUST 2023	DATE: AUGUST 2023
SCALE: 1"=20'	CHECKED: CGP
R&M PROJECT NO. 232787	

CITY AND BOROUGH OF WRANGELL, ALASKA

Item a.



1 inch = 70.912306 feet
Date: 9/2/2023
12

Public Map



**DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. AERIAL 2002.**

City and Borough of Wrangell, Alaska
Planning and Zoning Commission
Regular Meeting October 12th, 2023
Staff Report

Agenda Item: New Business, Item 8B

From: Kate Thomas, Economic Development Director

Subject: (PH) After-the-fact variance application request for a variance to the front yard setback for a car port on a portion of POR Lot 14, Block 12, Wrangell Townsite (Plat No. 86-5), zoned Single Family Residential, owned and requested by Robert Marshall.

Review: Robert Marshall is seeking approval for an after-the-fact variance request for a front yard setback of 5 ft. (15 ft. reduction) for the purpose of constructing a car port. Mr. Marshall stated in his application that the topography of the land is such that construction of a carport in other areas of the property is not feasible. He indicated that the existing location of the car port does not impede the line of sight, viewshed or otherwise of adjacent properties.

As shown in the photos supplied by Mr. Marshall, the property has a steep incline from the roadway, up to the primary residence. The residence is accessed by a long staircase that traverses the front yard. At the base of the stairs there is an area where both property owners park their vehicles. The barrier between the off-street parking area and the front yard is a vertical rock wall, indicating the steepness or change in slope from the road to the residence. The carport was constructed over the existing off-street parking area. Private garages and structures that are customarily accessory and clearly subordinate to the permitted use is allowable within the Single-Family Residential districts (WMC 20.16.030).

The property abuts a borough owned right-of-way along Evergreen Avenue. Utility infrastructure exists in proximity to and within the lot owned by Mr. Marshall. In consultation with the Public Works Director, it was determined that the existing right-of-way accounts for the water and sewer utilities. Further, the existing carport does not impede their ability to access and/or maintain those utilities.

An easement does not exist for the purpose of maintaining the electrical utilities located on the property. It is not uncommon for this to be the case within the Wrangell Townsite and elsewhere on the island. Whether it is or is not in the best interest of the landowner to build within an easement, the landowner has a right to make use of his land in any way that does not unreasonably interfere with the easement granted. While an easement does not exist currently, access to the electrical utilities should remain. In review of this variance request, the Electrical Superintendent stated that the existing carport does not unreasonably impede the department's ability to access the overhead lines.

Recommendation: Staff recommend approval of the variance request.

Motion: Move to approve the findings of fact and the variance request submitted by Robert Marshall for a 5 ft. front yard setback (15 ft. reduction) for the purposes of constructing a carport.

Review Criteria:

Chapter 20.16: Single Family Residential
 Chapter 20.52: Standards
 Chapter 20.72: Variance Permits

Attachments:

1. Aerial Map of Property, 2. Variance request application.

Findings of Fact:**A Variance Application must meet four criteria (WMC 20.72.050).**

1. That there are exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same zone; based on the topography of lot and steepness of the front yard, the carport had to be constructed in its current location.
2. That the strict application of the provisions of this title would result in practical difficulties or unnecessary hardships. Financial difficulty shall not be considered a hardship under this provision; Strict application would eliminate the ability to construct a carport in an accessible location while meeting the setback requirements.
3. That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity and will not be detrimental to the public health, safety, or welfare; The granting of the variance will not prejudice others in the area with similar construction. The variance will not create a safety issue or be detrimental to public health nor will it block sunlight or views of adjacent property owners.
4. That the granting of the variance will not be contrary to the objectives of the comprehensive plan.



APPLICATION FOR VARIANCE

CITY AND BOROUGH OF WRANGELL
PLANNING AND ZONING
P.O. BOX 531
WRANGELL, AK 99929
Application Fee \$100.00

I. The undersigned hereby applies to the City of Wrangell for a variance.

II. Description: (use additional paper if necessary)

Legal description of the area requested for the variance POR of Lot 14 block
12, Wrangell Townsite Subdivision Parcel# 02-003-212
Lot (s) size of the petition area 7436

Existing zoning of the petition area Single Family Residential
Current zoning requirements that cannot be met (setbacks, height, etc.): Front
yard 20 foot set back
Proposed change that requires this variance 5' East Front from
20 Foot to 5 Foot front yard set back

III. Application information: (use additional paper if necessary)

Explain details of the proposed development 24x14' Pre constructed
Car Port

A variance may be granted only if all four of the following conditions exist:

That there are exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same zone.

That the strict application of the provisions of this ordinance would result in practical difficulties or unnecessary hardships.

That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare.

That the granting of the variance will not be contrary to the objectives of the Comprehensive Plan.

Explain how your application meets these conditions: Steep incline in
land limits Parking/usage for property. Structure is not
in any line of sight for adjacent property
owners.

Note: A variance shall not be granted because of special conditions caused by actions of the person seeking relief or for reasons of pecuniary hardship or inconvenience. A variance shall not be granted which will permit a land use in a zone in which that use is prohibited.

A schematic site plat must be attached showing the type and location of all proposed uses on the site, all vehicular and pedestrian circulation patterns relevant to those uses, parking areas, and distance from property lines or other structures for a new building.

I hereby affirm that the above information is true and correct to the best of my knowledge. I also affirm that I am the true and legal property owner or the authorized agent thereof for the property subject herein.

Robert Marshall
PRINT PETITIONER'S NAME

Robert Marshall
SIGNATURE (S) OF THE OWNER (S) OF THE LAND IN PETITION AREA

PO Box 1154
MAILING ADDRESS

Robertjmarshall1194@gmail.com
EMAIL

7/31/23
DATE

907/660/7071
TELEPHONE



CITY AND BOROUGH OF WRANGELL
PO BOX 531
205 BRUEGER STREET
WRANGELL, AK 99929
PHONE: (907) 874-2381

RECEIPT # 42961
8/08/2023

Item b.

Received From Robbie John Marshall
PO Box 1154
Wrangell, AK 99929
(907) 660-7071

<u>Lookup</u>	<u>Name</u>	<u>Payment Type</u>	<u>Check #</u>	<u>Amount Received</u>
5672	Marshall, Robbie John	Credit Card	0002902	100.00

Description:

Building Permit

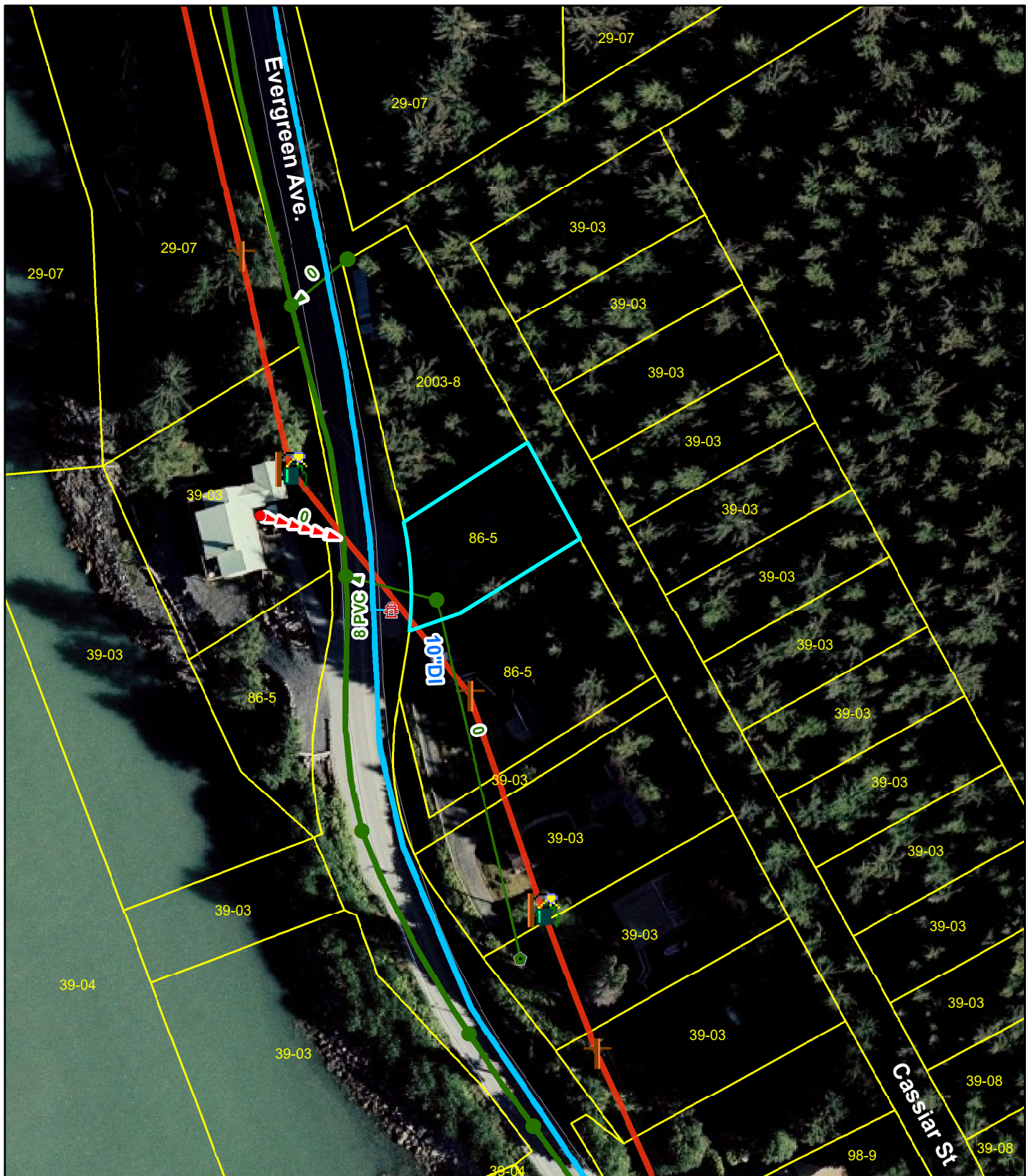
Building Permits

100.00

17

CITY AND BOROUGH OF WRANGELL, ALASKA

Item b.



1 inch = 88.640382 feet
Date: 10/2/2023
18

Public Map



**DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. AERIAL 2002.**

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY AGREE THAT THE SAME BE SUBDIVIDED INTO THE LOTS, BLOCKS, AND DISTRICTS SHOWN HEREON, AND THAT WE HEREBY AGREE TO DEDICATE THE SAME TO THE PUBLIC USE OF THE STATE OF ALASKA.

DATE: 3/20/86 BY: Mike Ford and Pam Ford

DATE: 3/20/86 BY: Pam Ford

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA
CITY OF WRANGELL

BEFORE ME, the undersigned authority, on this 20th day of March, 1986, personally appeared Mike Ford and Pam Ford, known to me to be the owners of the property described in the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 20th day of March, 1986.

My Commission Expires 4/10/89

CERTIFICATE STATE OF ALASKA FIRST JUDICIAL DISTRICT

I, the undersigned, being duly appointed and qualified, and an acting judge for the City of Wrangell, hereby certify that according to the records in my possession, the following instrument was recorded on the 20th day of March, 1986, in the name of Mike Ford and Pam Ford, and that according to the records in my possession, all taxes assessed against the same have been paid.

WITNESSED my hand and seal of office this 20th day of March, 1986.

DAY 20, MONTH 03, YEAR 86

4-29-86 Wallace J. Schmidt

CERTIFICATE OF APPROVAL BY THE BOARD

I, the undersigned, being duly appointed and qualified, and an acting judge for the City of Wrangell, hereby certify that the subdivision plat shown hereon has been approved by the Board of Planning and Development of the City of Wrangell, and that the same is in accordance with the provisions of the Subdivision Map Act, AS 43.05, and that the same is in accordance with the provisions of the Subdivision Map Act, AS 43.05, and that the same is in accordance with the provisions of the Subdivision Map Act, AS 43.05.

WITNESSED my hand and seal of office this 20th day of March, 1986.

DATE: 3/20/86 BY: Wallace J. Schmidt

CERTIFICATE OF APPROVAL BY THE COUNCIL

I, the undersigned, being duly appointed and qualified, and an acting judge for the City of Wrangell, hereby certify that the subdivision plat shown hereon has been approved by the Council of the City of Wrangell, and that the same is in accordance with the provisions of the Subdivision Map Act, AS 43.05, and that the same is in accordance with the provisions of the Subdivision Map Act, AS 43.05, and that the same is in accordance with the provisions of the Subdivision Map Act, AS 43.05.

WITNESSED my hand and seal of office this 20th day of March, 1986.

DATE: 3/20/86 BY: Wallace J. Schmidt

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY AGREE THAT THE SAME BE SUBDIVIDED INTO THE LOTS, BLOCKS, AND DISTRICTS SHOWN HEREON, AND THAT WE HEREBY AGREE TO DEDICATE THE SAME TO THE PUBLIC USE OF THE STATE OF ALASKA.

DATE: 3/20/86 BY: John & Mary Steear

DATE: 3/20/86 BY: Mary Steear

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA
CITY OF WRANGELL

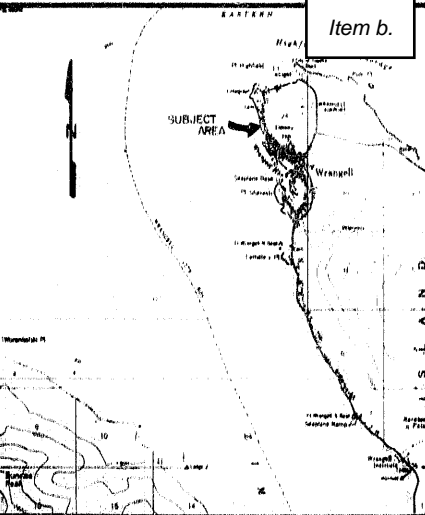
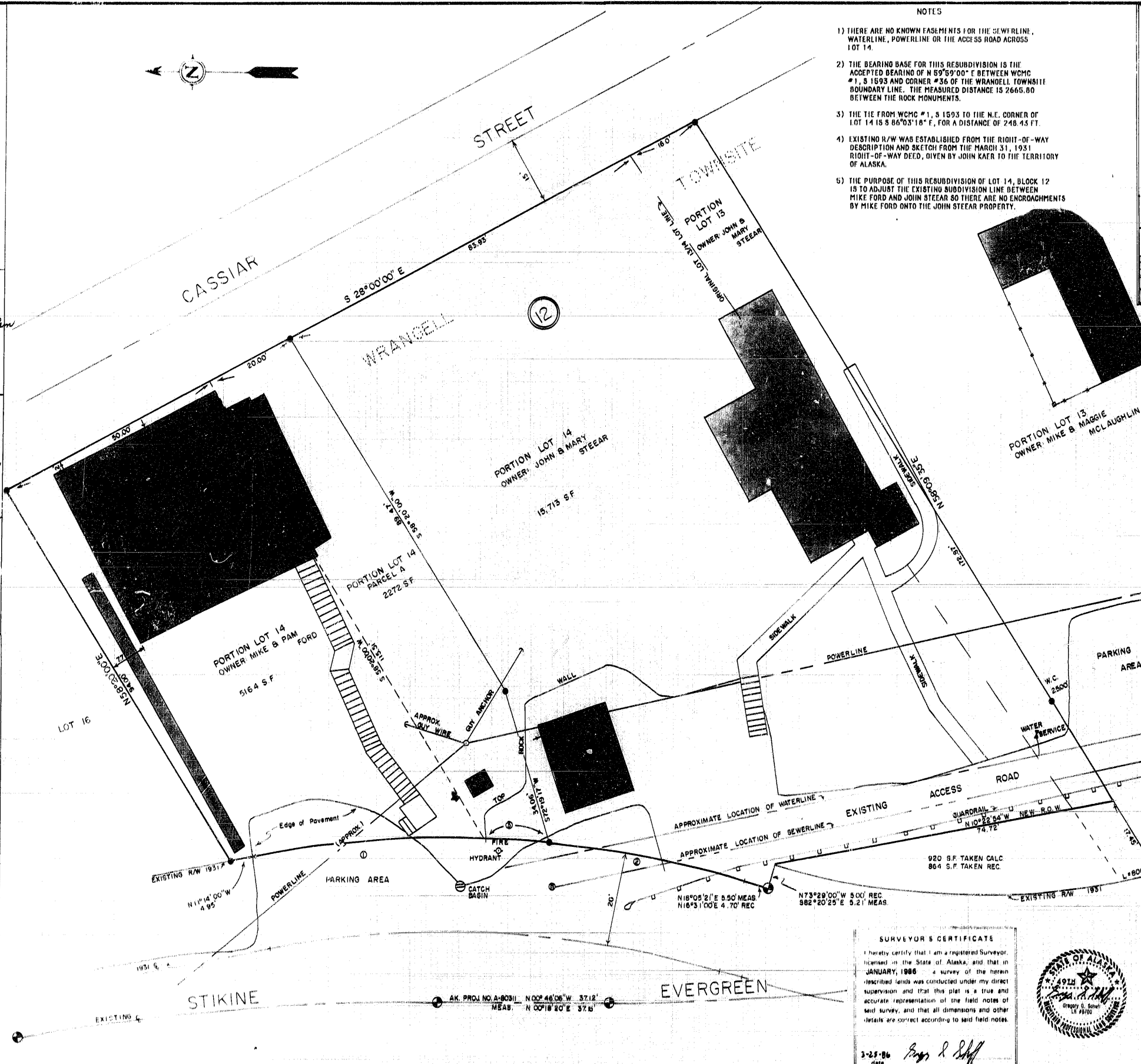
BEFORE ME, the undersigned authority, on this 20th day of March, 1986, personally appeared John & Mary Steear, known to me to be the owners of the property described in the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 20th day of March, 1986.

My Commission Expires 4/10/89

SPECIAL NOTE

1) PARCEL A IS THE AREA TO BE ACQUIRED BY MIKE & PAM FORD FROM JOHN & MARY STEEAR TO SOLVE THE ENCROACHMENT PROBLEM



VICINITY MAP
SCALE: 1" = 1 MILE

CURVE DATA	
1)	$\Delta = 10^\circ 38' 00''$
	R = 224.61'
	L = 65.23'
	C = 65.00'
	CHD. BRG. = N02°54'51"W
2)	$\Delta = 11^\circ 06' 41''$
	R = 224.61'
	L = 43.56'
	C = 43.49'
	CHD. BRG. = N10°57'35"E
3)	$\Delta = 03^\circ 39' 47''$
	R = 224.61'
	L = 14.36'
	C = 14.36'
	CHD. BRG. = N03°34'25"E

86-5
RECORDED - FILED
WRANGELL, ALASKA
DATE: 5-5-86
TIME: 4:02 P.M.
BY: [Signature]
Address: [Signature]

LEGEND

- ALUM. CAP MONUMENT (RECOVERED)
- REBAR & PLASTIC CAP (SET)

- NOTES
- 1) THERE ARE NO KNOWN EASEMENTS FOR THE SLURVLINE, WATERLINE, POWERLINE OR THE ACCESS ROAD ACROSS LOT 14.
 - 2) THE BEARING BASE FOR THIS RESUBDIVISION IS THE ACCEPTED BEARING OF N 59°59'00" E BETWEEN WCMC #1, S 1593 AND CORNER #36 OF THE WRANGELL TOWNSHIP BOUNDARY LINE. THE MEASURED DISTANCE IS 2665.80 BETWEEN THE ROCK MONUMENTS.
 - 3) THE TIE FROM WCMC #1, S 1593 TO THE N.E. CORNER OF LOT 14 IS S 86°03'18" E, FOR A DISTANCE OF 248.45 FT.
 - 4) EXISTING R/W WAS ESTABLISHED FROM THE RIGHT-OF-WAY DESCRIPTION AND SKETCH FROM THE MARCH 31, 1931 RIGHT-OF-WAY DEED, GIVEN BY JOHN KAER TO THE TERRITORY OF ALASKA.
 - 5) THE PURPOSE OF THIS RESUBDIVISION OF LOT 14, BLOCK 12 IS TO ADJUST THE EXISTING SUBDIVISION LINE BETWEEN MIKE FORD AND JOHN STEEAR SO THERE ARE NO ENCROACHMENTS BY MIKE FORD ONTO THE JOHN STEEAR PROPERTY.

SURVEYOR'S CERTIFICATE
I hereby certify that I am a registered Surveyor, licensed in the State of Alaska, and that in JANUARY, 1986, a survey of the herein described lands was conducted under my direct supervision and that this plat is a true and accurate representation of the field notes of said survey, and that all dimensions and other details are correct according to said field notes.

3-25-86
date [Signature]



RESUBDIVISION SURVEY
LOT 14, BLOCK 12
WRANGELL TOWNSHIP
FOR: MIKE OR PAM FORD JOHN & MARY STEEAR
BOX 913 BOX 937
WRANGELL, ALASKA 99833 WRANGELL, ALASKA
GREG SCHEFF & ASSOCIATES
LAND SURVEYORS
BOX 850
PETERSBURG, AK, 99833
DATE: JAN. 19, 1986 NAME OF SURVEYOR PROJECT NUMBER
GREG SCHEFF & ASSOC 81084-01-00W
SCALE: 1" = 10' DRAWN: LMS

City and Borough of Wrangell, Alaska
Planning and Zoning Commission
Regular Meeting October 12th, 2023
Staff Report

Agenda Item: Unfinished Business, Item 9A
From: Kate Thomas, Economic Development Director

Subject: Accessory Dwelling Unit Code to be added to the Wrangell Municipal Code under Title 20-“Zoning”.

Background: As the housing market continues to see a rise in land, development and home costs, the availability of affordable housing is decreasing in Wrangell and beyond. In order to expand industry, bolster our economy and ensure that interested persons and residents can build their lives here, beginning with safe and accessible housing, Wrangell has established standards and requirements for developing Accessory Dwelling Units (ADU), which can be defined as a second dwelling that is located on the same parcel as the primary single-family residence.

The final iteration affects several areas of the Wrangell Municipal Code (WMC). The details of the “Accessory Dwelling Unit” code will be added as its own chapter under Title 20. “Accessory Dwelling Units” and “Residential Districts” will be added to the definitions chapter within Title 20. “Accessory Dwelling Units” will be added to each zoning district’s list of “accessory uses permitted” section.

Recommendation: Staff recommend approval of the Accessory Dwelling Unit code as presented.

Motion: Move to approve Ordinance No. 1047, an ordinance of the Assembly of the City and Borough of Wrangell, Alaska, adding chapter 20.53 - Accessory Dwelling Units (ADU); amending chapter 20.08 – Definitions; and amending several sections in Title 20 – Zoning, to add and reference accessory dwelling units to the Wrangell Municipal Code.

Attachments: Accessory Dwelling Unit Code

Amendments to the Motion: It is the prerogative of the Commission to amend the motion as they see fit. If a commissioner would like to see the motion amended, a motion can be stated for the commissions to consider and discuss. The amendment must pass/fail, prior to a final vote on the original motion.

CITY AND BOROUGH OF WRANGELL, ALASKA
ORDINANCE NO. 1047

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ADDING CHAPTER 20.53 - ACCESSORY DWELLING UNITS (ADU); AMENDING CHAPTER 20.08 – DEFINITIONS; AND AMENDING SEVERAL SECTIONS IN TITLE 20 – ZONING, TO ADD AND REFERENCE ACCESSORY DWELLING UNITS TO THE WRANGELL MUNICIPAL CODE

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are bolded and in brackets are to be deleted.]

SEC. 1. Action. The purpose of this ordinance is to add Chapter 20.53 – Accessory Dwelling Units; to amend Chapter 20.08 – Definitions, to add 20.08.025, Accessory Dwelling Units, to add 20.08.658, Residential Zoning Districts, and to amend the following chapters to add the provisions for Accessory Dwelling Units to those Chapters in the Wrangell Municipal Code:

- Section 20.16.030 – Accessory use permitted, in Chapter 20.16 - SF District – Single-Family Residential
- Section 20.20.030 – Accessory buildings and uses permitted, in Chapter 20.20 – MF District – Multifamily Residential
- Section 20.24.030 – Accessory buildings and uses permitted, in Chapter 20.24 – SFMD District – Single-Family Residential – Medium Density
- Section 20.28.030 - Accessory uses permitted, in Chapter 20.28 – RR-1 District – Rural Residential
- Section 20.30.030 – Accessory uses permitted, in Chapter 20.30 – RR-2 District – Rural Residential
- Section 20.31.030 – Accessory uses permitted, in Chapter 20.31 – RMU District – Remote Residential Mixed-Use

SEC. 2. Addition. Chapter 20.53 – Accessory Dwelling Units is hereby added as follows:

CHAPTER 20.53

ACCESSORY DWELLING UNITS (ADU)

Sections:

20.53.010 Purpose and intent.

20.53.020 Accessory Dwelling Units.

20.53.010 Purpose and intent.

The purpose and intent of this chapter is to allow accessory dwelling units within residential zoning districts as designated in the code, while preserving the appearance and character of existing neighborhoods. Accessory dwelling units give homeowners flexibility in establishing separate living quarters adjacent to their homes so that they might provide housing opportunities for elderly or other family members, obtain rental income, provide affordable housing opportunities within the community, or utilize their property more efficiently.

20.53.020 Accessory dwelling units (ADU).

ADU's may be permanently established on a lot in a residential zoning district under the following standards:

- A. ADUs must meet all the development requirements of local, state, and federal regulations, including, but not limited to, all requirements of WMC Titles 18 and 20.
- B. ADUs shall be incidental and subordinate to the primary residence and limited in size to 800 sq. ft. to include exterior finishes such as decks, stairs, and home access points.
- C. Only one ADU is allowed per lot. The ADU must be located on the same lot as the primary dwelling, even if the lot's owner owns two or more adjacent lots. An ADU shall not be located on lots that contain a two-family as per WMC 20.08.250 or multiple-family dwelling as per WMC 20.08.230 and shall not be located on lots that already contain two or more dwellings.
- D. The minimum lot size for a lot containing an ADU is 10,000 square feet.
- E. ADUs may be no closer to the front lot line than the primary residence as per WMC 20.08.460.
- F. ADUs may only be placed in a side or rear yard, except in the case of a new or converted garage with an integrated apartment, which may be in the front yard providing minimum setbacks are met.
- G. The building height of an ADU shall not exceed the building height of the principal dwelling as per WMC 20.08.150. A building height variance shall not be granted for construction of a detached accessory dwelling unit.
- H. Lots containing an ADU must provide at least two (2) off-street parking spaces as per WMC 20.52.190.
- I. ADUs should utilize a common driveway with the primary residence from the adjacent street, unless impractical due to topographic constraints.
- J. An ADU may be used as a vacation rental dwelling or a bed and breakfast inn with a Conditional Use Permit obtained in accordance with the requirements of WMC 20.68.
- K. Mobile homes, travel trailers, and recreational vehicles may not be used as an

ADU.

- L. Lots containing an ADU may not be subdivided unless the proposed subdivided lots will comply with all minimum lot size, setback, lot coverage, and other requirements in WMC Titles 19 and 20.
- M. An ADU shall not have a material adverse impact on adjacent properties, including but not limited to viewsheds, parking, or compatibility (e.g., mass and scale of development).
- N. An ADU shall share the principal dwelling's sewer and septic system where practical, and the system shall be adequately sized and approved by ADEC for two dwelling units.
- O. An ADU shall not be constructed on flag lots, or lots accessed by access easements.

...

SEC. 3. Amendment, Chapter 20.08 – Definitions in the Wrangell Municipal Code is hereby amended as follows:

Chapter 20.08

DEFINITIONS

Sections:

20.08.010 General interpretation and construction.

20.08.020 Accessory building.

20.08.025 Accessory Dwelling Units.

20.08.030 Accessory use.

...

20.08.658 Residential Zoning Districts.

...

20.08.025 Accessory Dwelling Units.

“Accessory dwelling unit” or “ADU” means a detached second dwelling unit that is located on the same parcel as the primary single-family dwelling unit. ADUs must provide a complete, independent residential living space and shall include permanent provisions for living, including sleeping, eating, cooking and sanitation. An ADU may be created through the following methods:

1. Constructing a detached ADU on a parcel with an existing single-family home.
2. Constructing a new-single family home with a detached ADU.

20.08.658 Accessory Dwelling Units.

“Residential zoning districts” means the following zoning districts established in the WMC Title 20: Single-family residential (SF); Multifamily residential (MF); Rural residential-1 (RR-1); Rural residential-2 (RR-2); and Remote residential mixed-use (RMU).

...

SEC. 4. Amendment, Section 20.16.030 – Accessory use permitted in Chapter 20.16 – SF District – Single Family Residential in the Wrangell Municipal Code is hereby amended as follows:

20.16.030 Accessory use permitted.

The following are permitted accessory uses in this district:

A. Accessory Dwelling Units, as defined in WMC 20.53;

[A]B. Private garages and required off-street parking;

[B]C. Greenhouses and tool sheds;

[C]D. Home occupations as defined in WMC 20.08.380;

[D]E. Private docks, moorage, boat houses, and net houses;

[E]F. Uses and structures which are customarily accessory and clearly subordinate to permitted uses.

...

SEC. 5. Amendment, Section 20.20.030 – Accessory buildings and uses permitted in Chapter 20.20 – MF District – Multi-family Residential in the Wrangell Municipal Code is hereby amended as follows:

20.20.030 Accessory buildings and uses permitted.

[Accessory buildings, as defined in WMC 20.08.020, and accessory uses, as defined in WMC 20.08.030, are permitted in the multifamily residential district.]

A. Accessory Dwelling Units, as defined in WMC 20.53;

B. Accessory buildings, as defined in WMC 20.08.020;

C. Accessory uses, as defined in WMC 20.08.030.

...

SEC. 6. Amendment, Section 20.24.030 – Accessory buildings and uses permitted in Chapter 20.24 – SFMD District – Single-family Residential – Medium Density in the Wrangell Municipal Code is hereby amended as follows:

20.24.030 Accessory buildings and uses permitted.

In an SFMD zone, the following accessory buildings and uses, when customarily incidental and subordinate to the permitted principal uses and structures listed in WMC 20.24.020, are permitted:

A. Accessory Dwelling Units, as defined in WMC 20.53;

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

[B]C. Nets, gear and equipment must be stored inside an enclosed building;

[C]D. Parks, playgrounds and greenspace.

...

SEC. 7. Amendment, Section 20.28.030 – Accessory uses permitted in Chapter 20.28 - RR-1 District – Rural Residential in the Wrangell Municipal Code is hereby amended as follows:

20.28.030 Accessory uses permitted.

The following are permitted accessory uses in this district provided they do not create a nuisance or hazard:

A. Accessory buildings, as defined in WMC 20.08.020;

[A]B. Private garages;

[B]C. Houses and tool sheds;

[C]D. Private docks, moorage, boat houses and net houses;

[D]E. Uses and structures which are customarily accessory and clearly subordinate to permitted uses;

[E]F. Animal establishments other than commercial animal establishments.

...

SEC. 8. Amendment, Chapter 20.30 – RR-2 District - Rural Residential in the Wrangell Municipal Code is hereby amended as follows:

20.30.030 Accessory uses permitted.

The following are permitted accessory uses in this district, provided they do not create a nuisance or hazard:

A. Accessory buildings, as defined in WMC 20.08.020:

[A]B. Private garages;

[B]C. Greenhouses and tool sheds;

[C]D. Private docks, moorage, boat houses and net houses;

[D]E. Animal establishments other than commercial animal establishments;

[E]F. Uses and structures which are customarily accessory and clearly subordinate to permitted uses.

...

SEC. 9. Amendment, Chapter 20.31 – RMU District – Remote Residential Mixed-use in the Wrangell Municipal Code is hereby amended as follows:

20.31.030 Accessory uses permitted.

The following are permitted accessory uses in this district, provided they do not create a nuisance or hazard:

A. Accessory Dwelling Units:

[A]B. Greenhouses, workshops, tool sheds, insulated generator sheds, and similar structures;

[B]C. Private docks, moorage, boat houses and net houses;

[C]D. The keeping of chickens, goats, and other animals for the production of food and/or fiber is allowed as an accessory use similar to gardens. Mariculture uses require a conditional use permit;

[D]E. Uses and structures which are customarily accessory and subordinate to permitted uses.

SEC. 10. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 11. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: _____, 2023

PASSED IN SECOND READING: _____, 2023

Patricia Gilbert, Borough Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk