



City and Borough of Wrangell
Planning and Zoning Commission
AGENDA

Thursday, April 29, 2021
5:00 PM

Location: Borough Assembly Chambers
City Hall

Planning and Zoning Special Meeting 4/29/21
5:00 PM

A. CALL TO ORDER / ROLL CALL

B. AMENDMENTS TO THE AGENDA

C. CONFLICTS OF INTEREST

D. PERSONS TO BE HEARD

E. CORRESPONDENCE

1. Letter from KSTK Radio Station regarding their concern of potential interference between KSTK translator antenna and proposed cell tower.

F. NEW BUSINESS

1. (PH) Modification to the Open Space/Public Zoning District adding Municipal Facilities and Communication Transmission Towers as conditionally allowed uses, requested by the City and Borough of Wrangell.
2. (PH) Request for a zone change for Lot 11A, Lot 11B, and Lot 10A, Block 5, Third Avenue Subdivision and Lots 12-15, Block 5, USS 2127 from Holding to Open Space/Public requested by City and Borough of Wrangell

G. ADJOURNMENT

April 24, 2021

Wrangell Planning & Zoning Commission
P.O. Box 531
Wrangell, AK 99929

Dear Wrangell Planning and Zoning,

KSTK has two concerns regarding the City of Wrangell's potential agreement with Vertical Bridge to construct a Verizon cell tower near the Wrangell Transfer Station, AKA The Dump. KSTK owns translator K296FN - North Wrangell Island. The translator antenna is attached to the top of Transfer Station building. This translator sends KSTK's signal to the lower Stikine area and the Back Channel. Both of our concerns relate to the potential for signal interference between the cell tower signal and the KSTK translator signal. One concern is that KSTK's signal could be disrupted and not able to reach users in our service area. Perhaps a bigger concern is that KSTK needs to be held harmless if there is signal interference. In other words, KSTK does not want to be sued by Verizon if the existing KSTK signal and the new Verizon signal are interfering with each other.

Any potential signal interference can be avoided if the new service provider, Vertical Bridge / Lynx Consulting / Verizon is held responsible to engineer their system to not interfere with the existing KSTK signal.

KSTK requests that language be included in the lease agreement that:

- 1) Protects any existing telecommunications services from interference.
- 2) Hold harmless any existing telecommunications services from requirements or costs related to mitigating any interference to the cellular (or other) tenants.
- 3) The City's lease with Vertical Bridge / Verizon allow pre-existing tenants located on the premises the rights of a third party beneficiary to bring any claims against the new tenant for violating the terms of the lease if Vertical Bridge / Verizon causes interference.

The City and Borough of Wrangell and members of the community are all stakeholders in KSTK and we believe it is in everyone's interest to be pro-active and stipulate expectations of a new telecommunications entity so that Wrangell can benefit from both our local KSTK radio signal and new Verizon cell service.

Thank you for your consideration.

Sincerely,

Cindy Sweat – KSTK General Manager
PO Box 1141 – Wrangell, AK 99929
cindy@kstk.org
874-2345

City and Borough of Wrangell

Agenda Items F1

Date: April 23, 2021

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Modification to the Open Space/Public Zoning District adding two conditionally permitted uses to the District, requested by the City and Borough of Wrangell

Background: Seven lots adjacent to the solid waste transfer facility are being proposed to be rezoned to Open Space/Public from Holding to reflect the actual municipal uses of these properties. One of the lots is being considered for a new cell tower.

Recommendation:

Staff recommends approving the proposed modification to the Open Space/Public District to include municipal facilities and communication transmission towers as conditionally permitted uses.

Recommended Motion:

Move to recommend to the Assembly to approve the findings of fact and the proposed Open Space/Public District zone modification to allow Municipal Facilities and Communication Transmission Towers as a conditionally approved uses and to develop an ordinance for the zone modification for Assembly approval.

Review Criteria:

Amendments: Chapter 20.76

Holding: Chapter 20.36

Open Space/Public: Chapter 20.32

Findings:

The decision of the Planning and Zoning Commission is a recommendation to the Assembly.

The Borough is proposing to rezone seven lots adjacent to the Solid Waste Transfer Facility from Holding District (H) to Open Space/Public District (OS/P) in order to reflect the actual use of the lots by the Borough for storage or stockpile of materials, gear or equipment. Most all municipal facilities are in the Open Space/Public District. Vertical Bridge via its consultant Lynx Consulting is proposing a new cell tower on one of the Borough owned properties by the solid waste transfer facility. The zone change is also necessary in order for the use to be reviewed, as in the Holding District, only sand and gravel extraction or recreation is an allowable use and all other uses require a zone change before building permits are issued.

All uses within OS/P require conditional use permit approval. A new proposed conditionally approved use to allow Communication Transmission Towers is proposed to be added to the OS/P District. Lynx Consulting on behalf of their client Vertical Bridge explored suitable sites in Wrangell to establish an additional cell tower for better communications. They approached the borough to locate one near the Solid Waste Transfer Facility. The borough worked through access and location concerns with Lynx Consulting and a conditional use permit application will be before the Commission at the May meeting. In reviewing alternative site issues and zoning, it was discovered that the seven lots by the Solid Waste Transfer Facility, although used for storage of materials or equipment by the borough were still in the Holding District. Specifically designating Municipal Facilities as a conditionally approved use in the OS/P District reaffirms existing Municipal Facilities uses.

The Planning and Zoning Commission per, WMC 20.76.030, needs to make the following findings:

- 1. Findings as to need and justification for the proposed change including findings as to the effect which the proposed change would have on the objectives of the comprehensive plan;**

The uses being proposed to be added to the OS/P District are public facilities which comprise the majority of conditionally allowed uses in this district. The intent of the district is to provide for areas for public facilities. The new identified uses specifically spells out Communication Transmission Towers and Municipal Facilities.

The Comprehensive Plan Policy 32: Designate areas for commercial and industrial development in logical locations to promote economic opportunity and satisfy current and future needs. Cell towers are critical to support commercial and industrial development within the community.

- 2. Findings as to the effect which the proposed change would have on property owners in the area of proposed boundary changes, including changes in traffic flow, population, density, off-street parking, sewer and water services;**

The proposed use modifications to the OS/P District should not affect the existing uses of surrounding properties of the OS/P district. Most municipal facilities are already zoned OS/P, some by existing uses within the zone. Cell towers might have an impact depending on where it is proposed to be located, but all uses within the OS/P require a conditional use permit which means a public hearing and notices.

- 3. Recommendation as to the approval or disapproval of the change.**

Staff is recommending approval of adding the conditionally approved uses of Municipal Facilities and Communication Transmission Towers to the OS/P District.

Chapter 20.32 OS DISTRICT – OPEN SPACE/PUBLIC

Sections:

20.32.010 Purpose.

20.32.020 Conditional uses.

20.32.030 Standards.

20.32.010 Purpose.

The open space/public (OS) district is intended to provide for areas containing public facilities, existing and potential public recreation sites, areas subject to natural hazards, public watersheds and areas of critical wildlife habitat. The purpose of this district is to protect public safety, health and welfare, and to maintain the integrity of significant cultural, natural and recreational resources and provide for public uses consistent with the policies of the coastal management program. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984; Ord. 219 § 5, 1969; prior code § 95.34.010.]

20.32.020 Conditional uses.

The following conditional uses are allowed in this district by action of the planning and zoning commission in accordance with Chapter 20.68 WMC; provided, that the proposed use does not conflict with or degrade existing or designated recreational use areas, historic and cultural sites, or critical wildlife habitat:

- A. Quarries, mineral extraction and processing;
- B. Airport-related businesses, restaurants and support services;
- C. Aviation-related repair services;
- D. Aircraft hangars;
- E. Commercial airlines terminals;
- F. Air freight storage facilities;
- G. Hospital and medical service facilities;
- H. Schools;
- I. Docks, piers, seawalls and shoreline protection devices;
- J. Recreation facilities and sites;

K. Recreational vehicle parks;

L. Warehouses;

M. Uses and structures which are customarily accessory and subordinate to the above uses;

N. Animal establishments. [Ord. 867 § 1, 2013; Ord. 785 § 16, 2006; Ord. 462 § 6, 1984; Ord. 349 § 5, 1976; prior code § 95.34.020.]

20.32.030 Standards.

The following standards shall apply within the open space/public (OS) district:

A. Standards policies: WMC 20.52.005;

B. Principal structures per lot: WMC 20.52.010;

C. Traffic vision impediments: WMC 20.52.020;

D. Distances between buildings: WMC 20.52.030;

E. Air, land and water quality: WMC 20.52.040;

F. Volatile products storage: WMC 20.52.050;

G. Airport interference: WMC 20.52.070;

H. Building height: WMC 20.52.080;

I. Setbacks – Yards: WMC 20.52.110;

J. Shoreline dependency: WMC 20.52.120;

K. Piers, docks, shoreline protection and other shoreline construction: WMC 20.52.130;

L. Drainage: WMC 20.52.150;

M. Dredge and fill: WMC 20.52.160;

N. Off-street parking: WMC 20.52.190;

O. Signs: WMC 20.52.210;

P. Traffic generation: WMC 20.52.230;

Q. Recreational vehicle parks: WMC 20.52.240;

R. Animal establishments: WMC 20.52.270. [Ord. 867 § 1, 2013; Ord. 785 § 17, 2006; Ord. 586 § 8, 1993; Ord. 462 § 6, 1984; Ord. 219 § 5, 1969; prior code § 95.34.030.]

City and Borough of Wrangell

Agenda Items F2

Date: April 23, 2021

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Request for a zone change for Lot 11A, Lot 11B, and Lot 10A, Block 5, Third Avenue Subdivision and Lots 12-15, Block 5, USS 2127 from Holding to Open Space/Public requested by Vertical Bridge and City and Borough of Wrangell

Background:

Staff is proposing to modify the zone for seven lots located on the road to and adjacent to the solid waste transfer facilities to reflect the municipal use of the lots. One of the lots is also under consideration for the location of a new cell tower.

Recommendation:

Staff recommends approving the zone change to Open Space/Public District.

Recommended Motion:

Move to recommend to the Assembly to approve the findings of fact and the zone change for Lot 11A, Lot 11B, and Lot 10A, Block 5, Third Avenue Subdivision and Lots 12-15, Block 5, USS 2127 from Holding to Open Space/Public and develop an ordinance for the map change for Assembly approval.

Review Criteria:

Amendments: Chapter 20.76

Holding: Chapter 20.36

Open Space/Public: Chapter 20.32

Findings:

The decision of the Planning and Zoning Commission is a recommendation to the Assembly.

Vertical Bridge via its consultant Lynx Consulting is proposing a new cell tower on Borough owned property by the solid waste transfer facility. In order for the use to be appropriate, the property should be rezoned to reflect the proposed uses. Likewise, the Solid Waste Transfer Station and the Electrical Department utilize the lots along the road to the transfer station for stockpiling of gear or equipment. The seven lots adjacent to the transfer station and proposed for rezoning to Open Space/Public are zoned Holding. Other nearby lots are zoned Single Family District.

In the Holding District, only sand and gravel extraction or recreation is an allowable use. All other uses require a zone change before building permits are issued. All uses within OS/P require conditional use permit approval. Staff is proposing to modify the zoning for these seven lots from Holding (H) to Open Space/Public (OS/P) to reflect municipal use of the lots.

The Planning and Zoning Commission needs to make the following findings:

- 1. Findings as to need and justification for the proposed change including findings as to the effect which the proposed change would have on the objectives of the comprehensive plan;**

The transfer facility and electrical department uses portions of these lots for storage or waste stock pile. Future use of the lots would likely be to support the municipal transfer station activities, thus the change to the proper zone is appropriate. Almost all municipal facilities are zoned OS/P.

The Comprehensive Plan Policy 32: Designate areas for commercial and industrial development in logical locations to promote economic opportunity and satisfy current and future needs. While the properties are proposed to be zoned OS/P, the actual use is of an industrial activity. The Transfer Station is limited in expansion area for services thus these lots are the last for operational use for facilities.

Comprehensive Plan Policy 39: Manage Municipal solid waste in an efficient and cost effective manner. The Transfer Station is limited in expansion area for services thus these lots are the last available for operational use for facilities.

- 2. Findings as to the effect which the proposed change would have on property owners in the area of proposed boundary changes, including changes in traffic flow, population, density, off-street parking, sewer and water services;**

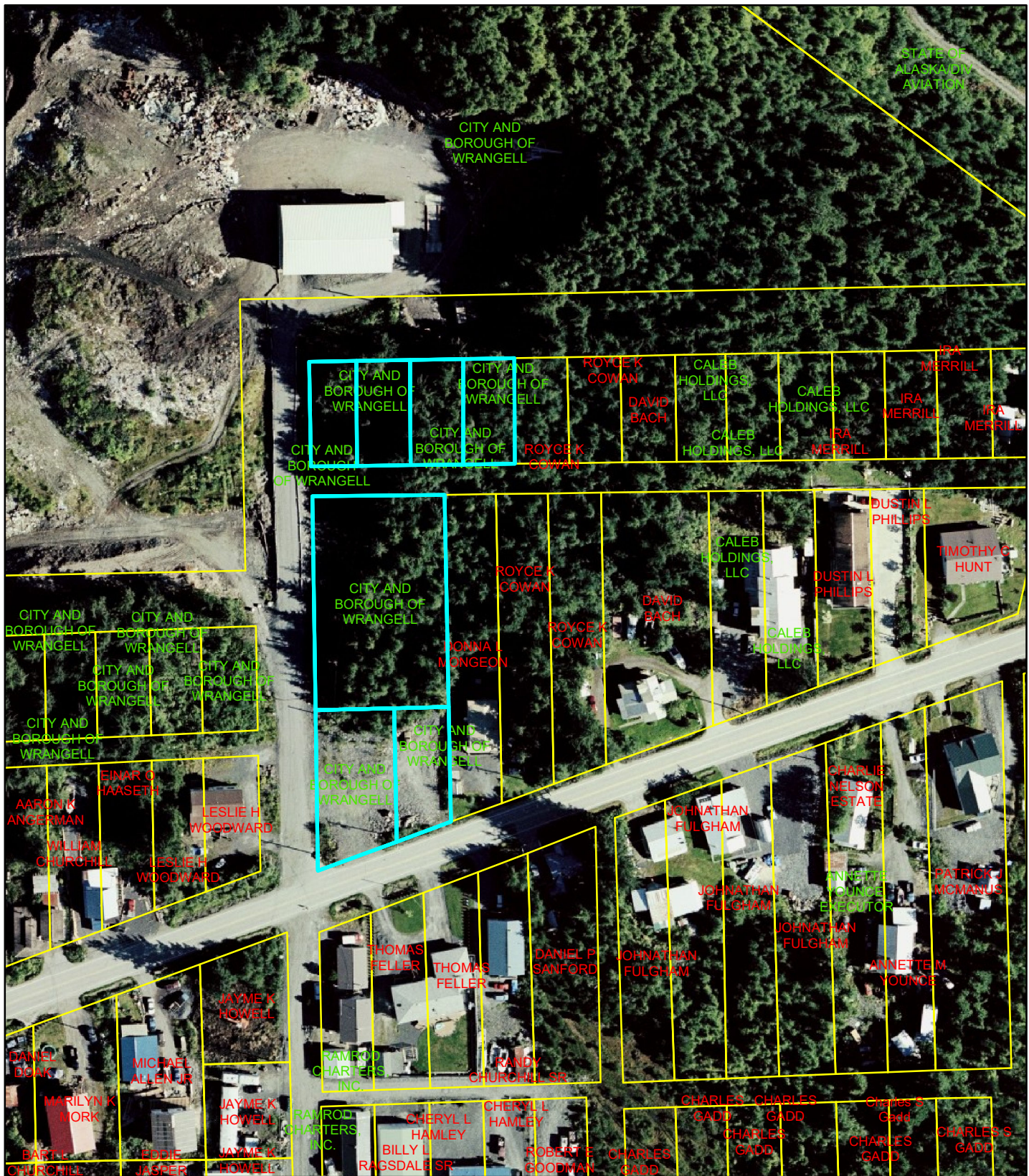
The proposed zone change itself should not affect the existing uses of surrounding properties. The properties are already being used for tire storage and electrical equipment storage. The zone change is reflecting the actual use by the Borough. There is a Conditional Use proposal that will come back to the Planning and Zoning Commission in May for a new cell tower. This is a different use than existing but will not generate traffic except for construction and maintenance purposes, nor would it impact traffic flow and utilities. There is a concern voiced by KSTK to potential interference to their translator signal located on the roof top of the Transfer Facility limiting their signal, or vice versus, their translator interferes with a cell signal and then they get charged with interference by a cell company. These issues are still being explored by KSTK and the City and the information has been provided to Lynx Consulting as well.

- 3. Recommendation as to the approval or disapproval of the change.**

Staff is recommending approval of the zone change to the zoning map to reflect the actual municipal uses.

CITY AND BOROUGH OF WRANGELL, ALASKA

Item 2.



1 inch = 131.644132 feet

10

4/16/2021

Public Map



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

Chapter 20.32 OS DISTRICT – OPEN SPACE/PUBLIC

Sections:

20.32.010 Purpose.

20.32.020 Conditional uses.

20.32.030 Standards.

20.32.010 Purpose.

The open space/public (OS) district is intended to provide for areas containing public facilities, existing and potential public recreation sites, areas subject to natural hazards, public watersheds and areas of critical wildlife habitat. The purpose of this district is to protect public safety, health and welfare, and to maintain the integrity of significant cultural, natural and recreational resources and provide for public uses consistent with the policies of the coastal management program. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984; Ord. 219 § 5, 1969; prior code § 95.34.010.]

20.32.020 Conditional uses.

The following conditional uses are allowed in this district by action of the planning and zoning commission in accordance with Chapter 20.68 WMC; provided, that the proposed use does not conflict with or degrade existing or designated recreational use areas, historic and cultural sites, or critical wildlife habitat:

- A. Quarries, mineral extraction and processing;
- B. Airport-related businesses, restaurants and support services;
- C. Aviation-related repair services;
- D. Aircraft hangars;
- E. Commercial airlines terminals;
- F. Air freight storage facilities;
- G. Hospital and medical service facilities;
- H. Schools;
- I. Docks, piers, seawalls and shoreline protection devices;
- J. Recreation facilities and sites;

K. Recreational vehicle parks;

L. Warehouses;

M. Uses and structures which are customarily accessory and subordinate to the above uses;

N. Animal establishments. [Ord. 867 § 1, 2013; Ord. 785 § 16, 2006; Ord. 462 § 6, 1984; Ord. 349 § 5, 1976; prior code § 95.34.020.]

20.32.030 Standards.

The following standards shall apply within the open space/public (OS) district:

A. Standards policies: WMC 20.52.005;

B. Principal structures per lot: WMC 20.52.010;

C. Traffic vision impediments: WMC 20.52.020;

D. Distances between buildings: WMC 20.52.030;

E. Air, land and water quality: WMC 20.52.040;

F. Volatile products storage: WMC 20.52.050;

G. Airport interference: WMC 20.52.070;

H. Building height: WMC 20.52.080;

I. Setbacks – Yards: WMC 20.52.110;

J. Shoreline dependency: WMC 20.52.120;

K. Piers, docks, shoreline protection and other shoreline construction: WMC 20.52.130;

L. Drainage: WMC 20.52.150;

M. Dredge and fill: WMC 20.52.160;

N. Off-street parking: WMC 20.52.190;

O. Signs: WMC 20.52.210;

P. Traffic generation: WMC 20.52.230;

Q. Recreational vehicle parks: WMC 20.52.240;

R. Animal establishments: WMC 20.52.270. [Ord. 867 § 1, 2013; Ord. 785 § 17, 2006; Ord. 586 § 8, 1993; Ord. 462 § 6, 1984; Ord. 219 § 5, 1969; prior code § 95.34.030.]

Chapter 20.36 H DISTRICT – HOLDING

Sections:

20.36.010 Purpose.

20.36.020 Conditional uses.

20.36.030 Standards.

20.36.010 Purpose.

A. The holding (H) district is intended to maintain future development options by setting aside large areas (in excess of short-term needs), by piecemeal development for possible future use. By preventing premature development at densities that under-utilize the land, relatively large parcels can be retained for major development projects (e.g., industrial use) when and if a need arises.

B. Areas may be withdrawn from the holding district to meet future development needs consistent with the intent of this chapter, or to provide for a use that cannot be accommodated elsewhere. The planning commission may recommend areas for withdrawal by the borough assembly. Such withdrawals shall recognize long-term land use needs over immediate concern. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984; Ord. 349 § 5, 1976; prior code §§ 95.35.010, 95.35.050.]

20.36.020 Conditional uses.

The following are uses which may be permitted in the holding (H) district by action of the commission under the conditions and procedures specified in Chapter 20.68 WMC:

A. Sand and gravel extraction and processing;

B. Low impact recreation (no major facilities required);

C. No building permits for, or subdivision of, property in the H district will be approved until the property is redistricted to meet a substantial community land use need, to reflect the existing surrounding development trends, the availability of public services, facilities and planned capital improvements. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984; Ord. 431 § 4, 1982; Ord. 349 § 5, 1976; prior code § 95.35.020.]

20.36.030 Standards.

The following standards under Chapter 20.52 WMC shall apply in the holding (H) district:

A. Standards policies: WMC 20.52.005;

B. Air, land and water quality: WMC 20.52.040;

C. Airport interference: WMC 20.52.070;

D. Drainage: WMC 20.52.150;

E. Dredge and fill: WMC 20.52.160. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984; Ord. 349 § 5, 1976; prior code § 95.35.030.]