



City and Borough of Wrangell  
Planning and Zoning Commission  
AGENDA

Thursday, May 08, 2025  
5:30 PM

Location: Borough Assembly Chambers  
City Hall

Planning & 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 regular meeting minutes from April 10, 2025.

**6. DIRECTORS REPORT**

**7. CORRESPONDENCE**

- a. SEARHC Conceptual Design for Planned Unit Development in Wrangell.

**8. PERSONS TO BE HEARD**

**9. NEW BUSINESS**

- a. (PH) Conditional Use Permit Application to operate a short-term rental (Airbnb) on Lot 2 of the Southeast Homes Subdivision, according to Plat No. 76-3 (APN 03-005-252), zoned Rural Residential 1, owned and requested by Daniel Rohr.
- b. (PH) Ordinance No. 10XX An Ordinance of the Assembly of the City and Borough of Wrangell, Alaska, amending the zoning map to effect a change to Lot 14 of the USS2127 Subdivision, according to Plat No. 29-07 (APN 01-005-327) from Holding to Open Space Public.

**10. UNFINISHED BUSINESS**

- a. Review of the Planned Unit Development draft code provisions.

**11. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS**

**12. ADJOURNMENT**

**Minutes of Planning & Zoning Commission  
Held on April 10, 2025**

**1. CALL TO ORDER – 5:35 PM**

**2. ROLL CALL:**

**PRESENT:** Gary Watkins, Jillian Privett, Apryl Hutchinson, Kathleen St. Clair, Terri Henson

**STAFF:** Kate Thomas, JR Meek

**3. AMENDMENTS TO THE AGENDA - None**

**4. CONFLICTS OF INTEREST - None**

**5. APPROVAL OF MINUTES**

Approval of the Planning and Zoning regular meeting minutes from March 27, 2025.

M/S: Privett/ St. Clair

***Polled Vote: All In Favor***

**6. DIRECTORS REPORT**

Staff provided an administrative update regarding the Borough's efforts to conduct a lumber survey aimed at supporting regional economic development. Additional information will be presented at a future meeting following coordination with relevant leadership and stakeholders.

**7. CORRESPONDENCE - None**

**8. PERSONS TO BE HEARD - None**

**9. NEW BUSINESS**

- a) Request from William Tonsgard of Tideline Construction, LLC. to purchase Borough-owned real property and tidelands identified as; APN 03-011-15, Lot 7, of the USS 3534 Subdivision according to Plat No. 29-20; and, APN 03-011-100, Survey USS 3000; and, a portion of APN 03-011-150, Lot 6, of the USS 3534 Subdivision according to Plat No. 29-20; and, a portion of APN 03-010-216, Lot 10, of the USS 3534 Subdivision, according to Plat No. 29-20; and, a portion of APN 03-011-200, of the ATS 1249 Subdivision, according to Plat No. 83-13.**

***M / S: Privett/St. Clair***

*Move to approve the findings of fact and a recommendation to the Borough Assembly for the sale of a portion of the Deep-Water Port Industrial Site to Tideline Construction, LLC, subject to the following conditions:*

- 1. Prior to the sale, Tideline Construction shall provide a detailed development plan for the proposed use of the property, including specifics on building placement, processing operations, stormwater management, and site layout.*
- 2. The specific parcels to be included in the sale shall be delineated and agreed upon by both Borough and Tideline Construction for subdivision planning and platting.*

3. *Negotiations for the terms of sale shall include considerations for site cleanup, infrastructure development (including road access and utility extensions), and either fair market value for the land or an equal or greater value derived from the proposed site improvements.*
4. *A comprehensive review of potential environmental impacts associated with both the existing site conditions and Tideline Construction's proposed expanded operations shall be conducted, and mitigation measures identified as necessary.*
5. *Prior to the sale closing, a subdivision plat, reflecting the agreed-upon parcel boundaries and meeting all applicable Borough and State regulations, shall be reviewed and approved by the Planning and Zoning Commission and recorded with the appropriate agency.*

Staff presented an administrative report regarding a proposed land sale at the Borough-owned Deep Water Port. The Port Commission has reviewed and approved the proposal for further consideration by the Planning and Zoning Commission.

Channel Construction, a sister company of Tidelines Construction, currently holds an existing lease at the site. The proposal outlines a potential land sale to Tidelines Construction in exchange for services, or a combination of cash and services, to support the expansion of marine freight and cargo operations. Staff noted that Tidelines holds contracts with regional organizations and has an established reputation in Southeast Alaska, with general community support for a long-term lease arrangement.

Municipal water and sewer services are not currently available at the property, but Tidelines has expressed interest in partnering with the Borough to establish utility infrastructure. A legal boundary survey is recommended to clarify property lines and avoid unintended subdivision of surrounding parcels. While some electrical infrastructure is present, updates and further evaluation will be required.

Staff recommends retaining Borough ownership of the tidelands until further zoning and development plans are finalized. The Borough and Tidelines will jointly review relevant documentation to ensure all sale requirements are met. Staff also recommends an appraisal to assess site conditions, including the cleanup of waste material and preparation for future use. At this time, the Borough does not have funding to undertake a project of this scale, and further action may be delayed until resources become available.

Staff clarified that the barge ramp shown in a referenced photo is a separate access point and is not the same as the officially proposed location for the new barge ramp intended for cargo and freight services.

Commissioner Watkins requested clarification on the estimated cost of cleanup and the total acreage of the property. Staff responded by outlining details from the original and amended proposals and explaining which waste materials are to be removed from the site.

Watkins also inquired about parcel identification numbers, specifically APN 03-011-200, and staff confirmed this parcel pertains to tidelands included in the project area.

Additionally, Watkins asked for clarification on the barge ramp shown in the proposal materials. Staff explained that the existing barge ramp depicted in the image is a separate access ramp than the official proposed location for the cargo and freight service barge ramp location, which is subject to be on the north side of the property.

***Polled Vote – All In Favor***

- b) Request from Ms. Jiaying Lu to purchase Borough Owned Real Property within the Wrangell Townsite, Lots 2, 3, 4, 5, 8, and 9, of the Subdivision Plat Block 54, according to Plat No. 68-81, zoned Open Space/Public.**

***M / S: Privett/St. Clair***

*Move to approve the findings of fact and a recommendation to the Borough Assembly for the sale of Borough Owned Real Property within Wrangell Townsite, Lots 2, 3, 4, 5, 8, and 9 of the Subdivision Plat Block 54, according to Plat No. 68-81, zoned Open Space/Public.*

Staff provided an administrative report regarding a development proposal involving six Borough-owned parcels located directly behind the former Wrangell Medical Center. The hospital has been vacant for five years and listed on the public surplus site for the past 3.5 years. The Borough initially retained these six parcels with the intent that they might add value to any future sale of the hospital building. However, with no meaningful progress on that sale, staff now recommend releasing the parcels for other public benefits, such as housing or commercial development. The proposed project, brought forward by Jiayang—seeks to create affordable housing opportunities for low-income families.

The parcels are currently zoned Open Space/Public use. Staff recommend reevaluating this zoning to accommodate residential or commercial development that aligns with community needs. Although utilities are presumed available on-site, the exact locations are unknown. Staff has coordinated with Public Works to identify exact locations. The subdivision plat has not been updated since 1968, and the area includes an easement for sewer and utility access, along with a strip labeled as “scenic” on aerial maps—though its original purpose is unclear and may no longer serve a municipal function. Purchaser is encouraged to seek information from Public Works on utility constraints and development conditions.

If approved by the Assembly, a formal survey could support planning and development efforts. While the survey is optional, a property appraisal is required if the project proceeds as a multi-family development.

Commissioners expressed general agreement on the need for expanded housing development in the City & Borough of Wrangell.

Commissioner St. Clair inquired whether the development would consist of apartment-style buildings. Staff responded that the plan is for a townhouse-style complex, although no visual materials were presented at the meeting. Levi confirmed that conceptual documentation would be submitted after the meeting.

Chair Henson asked whether the lots would be sold individually or combined. Staff clarified that some lots are intended to be combined for development, while others will remain separate. A

change to the configuration of lots requires a survey, which is the responsibility of the purchaser before or after the sale, as they see fit. A survey is not required by the Borough at this time.

Commissioner Watkins raised concerns about potential safety risks due to the proximity of a nearby playground and the construction site during construction. Commissioner Privett noted that the building is currently abandoned and will require redevelopment regardless of the proposal's approval, thereby requiring construction which will be temporary.

Chair Henson affirmed that the community is aware of the need to demolish the old hospital to make way for new development.

Watkins also asked whether the area would be rezoned for multi-family use and whether this change might affect adjacent commercial activity. Privett responded that while there could be temporary impacts such as construction noise, the proposal offers broader benefits in the form of economic development and new housing opportunities. Purchasers will be encouraged to communicate with the public regarding construction timelines and impacts.

***Polled Vote – All in Favor***

**10. UNFINISHED BUSINESS**

**c) Review and discussion of the Planned Unit Development draft code provisions.**

Staff provided an administrative report introducing the concept of Planned Unit Developments (PUDs) as a potential strategy for supporting cluster-style housing on Borough lands. Staff had met with SEARHC prior to the meeting regarding their site plans; however, SEARHC is not yet ready to bring forward a formal proposal. An update is anticipated in May 2025.

Chair Henson opened the discussion by explaining that the original purpose of exploring PUDs was to support smaller-scale developments with mutual-use areas. She clarified that such areas could be publicly or privately maintained, depending on how applicants structure agreements around shared space and long-term maintenance.

Commissioner Watkins inquired whether mutual-use areas would be designated public or private. Chair Henson reiterated that PUDs are flexible by design and that those details would be left to applicants to define in coordination with staff and the Borough.

Chair Henson also noted that developments under a PUD could allow for multi-use concepts, such as food trucks, neighborhood grocery stores, or other community amenities. She emphasized that flexibility is key to ensuring developments meet the needs of both residents and the surrounding area.

Staff confirmed that PUDs are not currently addressed in the municipal code and that any proposal involving PUD-style development would require the creation of new provisions. The Commission and staff discussed the potential of creating additional zoning designations—such as RR-3—with specific guidelines to support more flexible, clustered development options.

Commissioners discussed the suitability of Borough-owned land for this type of development. Chair Henson asked for more clarity on SEARHC's development plans before any zoning changes are recommended.

Commissioner Watkins asked how many parcels would be affected and whether code revisions were necessary. Staff responded that PUDs would apply to developments not currently defined

within the existing zoning framework, and that new language would need to be introduced into the municipal code to support this.

Chair Henson suggested a change in how lot coverage is calculated under PUDs—recommending that coverage be limited to 75% of the plat, rather than the full parcel. She proposed that Public Works and other departments weigh in on this recommendation as part of future review.

Commissioners also discussed the possibility of allowing a single applicant to purchase multiple lots for cohesive development, citing past examples like the Tlingit & Haida housing project.

Staff asked if the Commission had seen any multi-family development proposals in recent years; Commissioners indicated that no such applications had come forward. Staff clarified that the lack of variation in current zoning and the absence of code support for PUDs have limited development options to date.

Staff also noted that the current code is not in draft form, and any proposed changes—such as introducing PUDs—would require a formal review process. Prior discussions with potential applicants have revealed interest in more flexible development patterns, but the code has not allowed such concepts to move forward.

Chair Henson expressed her support for PUDs as a tool to allow more affordable and flexible property ownership, and encouraged continued work on the concept. Staff recommended the Commission take time to review the draft PUD framework at the next meeting and suggested that the Borough's new attorney also be invited to review any proposed changes. The Commission agreed. Staff will conduct a preliminary review and present additional materials for discussion at a future meeting.

## **11. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS –**

Commissioner Watkins inquired about the status of the Borough's Comprehensive Plan. Staff responded that the Borough had previously applied for funding through the Denali Commission to support an update but the application was denied. The primary barrier to updating the plan remains funding, with even a limited update typically requiring \$100,000 to \$200,000.

Staff noted that while the current Comprehensive Plan remains a valuable tool—particularly for guiding economic development—certain components are outdated and in need of revision. The timing and prioritization of a full plan update remain undetermined.

In addition, Staff highlighted the need to re-model the Borough's addressing system. This includes reviewing and updating road names and address assignments, particularly in underdeveloped or inconsistently mapped areas such as out Zimovia Highway or Remote Districts. Staff acknowledged that changing addresses is often disruptive for Wrangell residents, but work is underway to secure funding for the necessary planning and implementation.

## **12. ADJOURNMENT – 6:50 PM**

ATTEST: \_\_\_\_\_  
J.R. Meek, Secretary

\_\_\_\_\_  
Terri Henson, Chair



**PLANNING AND ZONING COMMISSION**  
**Regular Meeting May 8, 2025**  
**Staff Report**

**Agenda Item:** New Business, Item 8A

**From:** Kate Thomas, Economic Development Director

**Subject:** (PH) Conditional Use Permit Application to operate a short-term rental (Airbnb) on Lot 2 of the Southeast Homes Subdivision, according to Plat No. 76-3 (APN 03-005-252), zoned Rural Residential 1, owned and requested by Daniel Rohr.

**Introduction**

This staff report reviews a Conditional Use Permit (CUP) application submitted by Daniel Rohr to operate a short-term rental (Airbnb) on Lot 2 of the Southeast Homes Subdivision, according to Plat No. 76-3 (APN 03-005-252). The subject property is located within the Rural Residential 1 zoning district.

**Review Criteria**

- Chapter 20.08: Definitions
- Chapter 20.28: RR1 Rural Residential District
- Chapter 20.52: Standards
- Chapter 20.68: Conditional Use Permits

**Attachments**

1.) Application, 2.) Aerial Map

**Background and Findings of Fact**

Lot 2 of the Southeast Homes Subdivision, according to Plat No. 76-3 (APN 03-005-252), is located along Zimovia Highway near the 3-mile marker. The lot encompasses 15,056 square feet. The property is zoned Rural Residential 1. The property features a single-family home.

The applicant, Daniel Rohr, has requested a Conditional Use Permit (CUP) to operate a short-term rental (Airbnb) within an existing single-family home.

**Conditional Use Permit Criteria Analysis**

In considering the potential conditional use permit for the short-term rental operation within the Rural Residential district, the following criteria are addressed:

1. *When the appearance, traffic generated, noise, or other characteristics of the use would have an adverse affect upon neighboring properties, additional yards, site area, uncleared buffer strips, fences, hedges or other safeguards shall be provided by the conditional use in a manner which is sufficient to prevent any such adverse effect.*

The proposed short-term rental use within the existing single-family home is not anticipated to generate significant adverse effects on neighboring properties. While there may be a slight increase in short-term traffic in the summer season, it is not anticipated to be significantly different from normal residential traffic. The applicant will be required to adhere to all noise ordinances.

2. *Provisions for sewage disposal and water service shall be acceptable to all applicable health regulations.*

The subject property is connected to existing municipal sewage disposal and water services. There is no indication of any existing or anticipated issues with these services.

3. *Exits and entrances and off-street parking for the conditional use shall be located to prevent traffic hazards or congestion on public streets.*

The existing driveway and access points will be utilized for short-term rental. The property provides adequate off-street parking. The anticipated increase in traffic associated with the short-term rental is not expected to create traffic hazards or congestion on Zimovia Highway. The location and access points of the rental do not present any foreseeable traffic concerns.

4. *In addition to the conditions of subsections (A) through (C) of this section, schools, governmental and civic buildings and other public uses shall meet the following condition: The proposed location of the use and the size and character of the site shall facilitate maximum benefit and service to the public.*

While the proposed short-term rental is not a school, governmental, or civic building, it can provide a benefit to the public by offering additional lodging options for visitors to the community. This can support local tourism and contribute to the local economy.

### **Staff Recommendation**

Staff recommend that the Planning and Zoning Commission approve the Conditional Use Permit application submitted by Daniel Rohr for a short-term rental (Airbnb) with conditions.

### **Recommended Motion**

Move to approve the findings of fact and the Conditional Use Permit application submitted by Daniel Rohr for a short-term rental (Airbnb) with the following conditions;

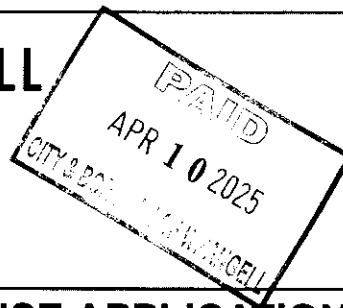
1. Provide Guest Guidance or a similar document on noise and behavior, to encourage respect for the area and neighbors; and
2. Two off-street parking places must be provided.



# CITY & BOROUGH OF WRANGELL

## PLANNING DEPARTMENT

PO BOX 531 WRANGELL, AK, 99929 | +1 (907) 874-2381  
205 BRUEGER STREET WRANGELL, AK, 99929



Item a.

### CONDITIONAL USE APPLICATION

WMC 20.68.010 - 20.68.100

APPLICATION FEE: \$100.00 / AFTER THE FACT: \$300.00

NON-REFUNDABLE - MUST BE PAID AT TIME OF FILING

OFFICIAL USE ONLY	RECEIVED BY <u>Erin</u>	DATE RECEIVED <u>4-10-25</u>	PAYMENT CREDIT CARD <input type="checkbox"/> CASH <input checked="" type="checkbox"/>
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There are some uses which, because of their potential impact on neighboring properties or because of their public service nature, should receive commission review in each case. In this manner, detailed consideration can be given to factors affecting the suitability of the proposed location. These conditional uses are specified within Chapters 20.16 through 20.51 of the Wrangell Municipal Code.

The conditions of approval are as follows: A. When the appearance, traffic generated, noise, or other characteristics of the use would have an adverse affect upon neighboring properties, additional yards, site area, uncleared buffer strips, fences, hedges or other safeguards shall be provided by the conditional use in a manner which is sufficient to prevent any such adverse effect. B. Provisions for sewage disposal and water service shall be acceptable to all applicable health regulations. C. Exits and entrances and off-street parking for the conditional use shall be located to prevent traffic hazards or congestion on public streets. D. In addition to the conditions of subsections (A) through (C) of this section, schools, governmental and civic buildings and other public uses shall meet the following condition: The proposed location of the use and the size and character of the site shall facilitate maximum benefit and service to the public.

#### SECTION I.

APPLICANT'S FULL NAME

Daniel Jay Rohr

EMAIL ADDRESS

kwickman1229@gmail.com

PHONE NUMBER

907-209-5774

APPLICANT'S MAILING ADDRESS

Po box 1983

APPLICANT'S PHYSICAL ADDRESS

12.75 Zimovia Hwy

LEGAL OWNER'S FULL NAME (IF DIFFERENT THAN APPLICANT)

PHONE NUMBER

LEGAL OWNER'S MAILING ADDRESS

#### SECTION II.

LEGAL DESCRIPTION

LOT: 2

BLOCK:

SUBDIVISION:

PARCEL ID NUMBER

03-005-252

**CITY & BOROUGH OF WRANGELL**  
**CONDITIONAL USE APPLICATION**  
CONTINUED FROM PAGE 1

**SECTION III.****CURRENT ZONING OF PROPERTY**

RR1

**SECTION IV.****DESCRIBE THE REQUESTED USE FOR THE PROPERTY (I.E. SHORT TERM RENTAL, RADIO AND CELL TOWERS)**

The residence will be used as a short-term Airbnb, with private parking located on the premises.

**SECTION V.****CONSTRUCTION SCHEDULE**

**BEGINNING DATE:** No Construction needed **END DATE:**

**SECTION VI. ACKNOWLEDGEMENTS**

*When necessary to determine compliance with existing conditions, the planning administrator shall request a specific and detailed plan. The plan shall show existing and proposed structures, driveways, parking areas, and roadways, existing and proposed grading. Additional information shall be furnished upon request of the planning administrator.*

*I understand that incomplete applications will not be accepted and that all fees must be paid prior to review of this application. If more than one owner or if more than one parcel is involved, attach all signatures on a separate piece of paper identifying which parcels are owned by which persons. Written authorization of the property owner must be submitted with this application if the applicant is other than the owner.*

**SIGNATURE OF APPLICANT**

Daniel J Rohr

Digitally signed by Daniel J Rohr  
Date: 2025.04.10 09:49:24 -08'00'

**DATE**

4/10/25

**SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT)****DATE**



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

RECEIPT # 58084

4/10/2025

Received From DANIEL ROHR  
PO BOX 1893  
WRANGELL, AK 99929

Item a.

<u>Lookup</u>	<u>Name</u>	<u>Payment Type</u>	<u>Check #</u>	<u>Amount Received</u>
3531	Rohr, Daniel	Check	0001007	100.00

**Description:**

Conditional Use App 12.75 Zimovia Hwy

Planning & Zoning Permit Revenue 100.00

# CITY AND BOROUGH OF WRANGELL, ALASKA

Item a.



Public Map



1 inch = 68.94642 feet  
Date: 4/28/2025

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



**PLANNING AND ZONING COMMISSION**  
**Regular Meeting May 8, 2025**  
**Staff Report**

**Agenda Item:** New Business, Item 8B

**From:** Kate Thomas, Economic Development Director

**Subject:** (PH) Ordinance No. 10XX An Ordinance of the Assembly of the City and Borough of Wrangell, Alaska, amending the zoning map to effect a change to Lot 14 of the USS2127 Subdivision, according to Plat No. 29-07 (APN 01-005-327) from Holding to Open Space Public.

**Introduction**

This staff report addresses a proposed zoning amendment to rezone Borough-owned property identified as Lot 14 of the USS2127 Subdivision from Holding to Open Space Public. The zoning amendment is necessary to facilitate the development of a previously approved Conditional Use Permit (2021) authorizing the construction of a communications tower by Vertical Bridge. In order to proceed with development activity, the lot must be withdrawn from the Holding district and assigned a zoning designation that allows for public infrastructure development. The Open Space Public designation is appropriate for this use and consistent with the previously approved permit. Final development will also be subject to lease authorization and approval by the Borough Assembly.

**Review Criteria**

Chapter 20.32 Open Space Public  
 Chapter 20.36 Holding  
 Chapter 20.52 Standards

**Attachments**

1.) Application, 2.) Aerial Map, 3.) Plat 29-07, 4.) Conditional Use Permit

**Background and Findings of Fact**

The subject parcel, Lot 14 (5,000 sq. ft.) of the USS2127 Subdivision (APN 01-005-327), is owned by the City and Borough of Wrangell and is currently zoned Holding. In 2021, the Planning and Zoning Commission approved a Conditional Use Permit submitted by Vertical Bridge to construct and operate a communications tower on the site. However, the Holding district does not allow for the issuance of building permits or commencement of new development without rezoning.

The Holding district is intended to preserve future development options by preventing premature development and retaining larger parcels for long-term planning purposes. To initiate development activity, properties must be withdrawn from Holding and assigned a district consistent with the intended use.

The proposed Open Space Public zoning district provides for public facilities, infrastructure, and uses that serve the health, safety, and welfare of the community. A communications tower is a permitted conditional use in the Open Space Public district, subject to existing development standards and requirements outlined in WMC 20.52.

Staff finds that the rezoning request aligns with the long-term use of the property as a public utility and is consistent with surrounding zoning and land uses. The site is generally isolated, with limited surrounding development, reducing the potential for land use conflicts.

Approval of the zoning amendment is necessary to bring the property into compliance with zoning requirements and allow for the next phases of lease negotiation and project implementation. The proposed change does not conflict with the intent of the zoning code or the comprehensive plan.

### **Staff Recommendation**

Staff recommend that the Planning and Zoning Commission approve the request to amend the zoning designation from Holding to Open Space Public for Lot 14 of the USS2127 Subdivision (APN 01-005-327), consistent with the prior Conditional Use Permit and future development of communications infrastructure.

### **Recommended Motion**

Move to approve the findings of fact and recommend that the Borough Assembly adopt Ordinance No. 10XX, amending the zoning map to effect a change to Lot 14 of the USS2127 Subdivision, according to Plat No. 29-07 (APN 01-005-327), from Holding to Open Space Public.

## CITY AND BOROUGH OF WRANGELL, ALASKA

## ORDINANCE NO. 10XX

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE ZONING MAP TO EFFECT A CHANGE TO LOT 14 OF THE USS2127 SUBDIVISION ACCORDING TO PLAT NO 29-07 FROM HOLDING TO OPEN SPACE PUBLIC

SEC. 1. Action. The effect of this ordinance is to finalize a zone for the following lot from Holding to Open Space Public per the attached Map Exhibit A.

Lot 14 of the USS2127 Subdivision, according to Plat No. 29-07 (APN 01-005-327), owned by the City and Borough of Wrangell from Holding to Open Space Public.

SEC. 2. Classification. This is a non-code ordinance.

SEC. 3. Severability. If any portion of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

SEC. 4. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: \_\_\_\_\_.

PASSED IN SECOND READING: \_\_\_\_\_.

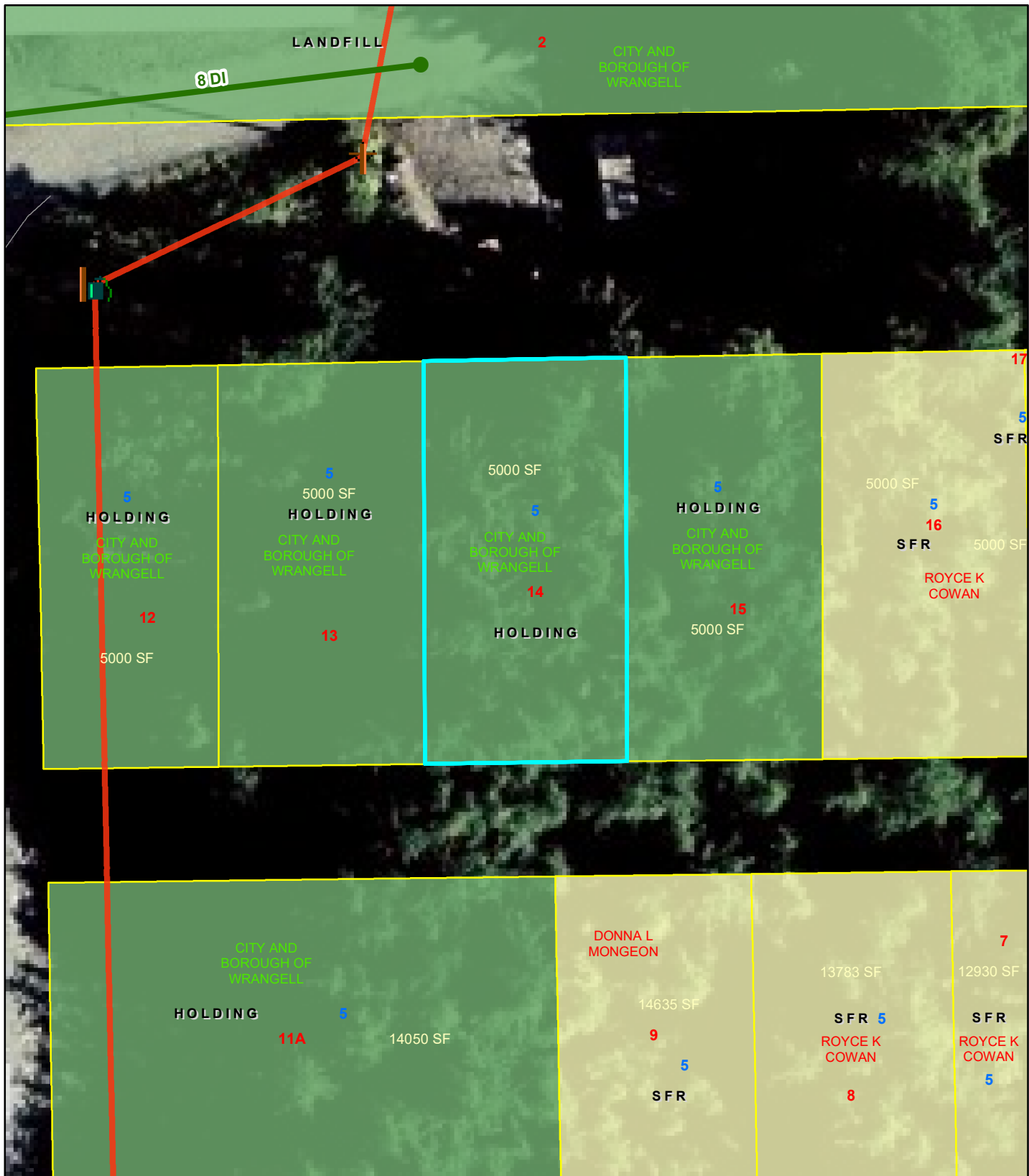
\_\_\_\_\_  
Patricia Gilbert, Borough Mayor

ATTEST:

\_\_\_\_\_  
Kim Lane, MMC, Borough Clerk

# CITY AND BOROUGH OF WRANGELL, ALASKA

Item b.



Public Map



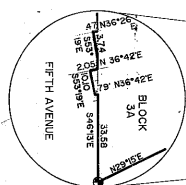
1 inch = 34.47321 feet  
Date: 4/28/2025

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



CHARLES POOL & ASSOCIATES  
CONSULTING ENGINEERS & SURVEYORS  
BOX 2609, KETCHIKAN, ALASKA 99901

NO.	DATE	BY	REVISIONS



ZIMOVI STRAIT

U.S. SURVEY NO 1240  
57.1 ACRES

U.S. SURVEY NO. 1593  
BLOCK 2

U.S. SURVEY NO. 3753  
572.28 ACRES

U.S. SURVEY NO. 2096

A.M.D. U.S. SURVEY NO. 9  
43.44 ACRES

WRANGELL AIRPORT  
AIRPORT SPUR HIGHWAY

PLAT REVISIONS				
NO.	DATE	BY	PLAT NO.	SUBDIVISION NAME
1	MAR 1991	JM	86-4	APPLEMAN SUBDIVISION LOT 3 BLOCK 1 USS 1593
2	MAR 1991	JM	87-2	HALL SUBDIVISION BLOCK 2 USS 1948
3	MAR 1991	JM	85-6	EASTAUGH SUBDIVISION LOTS 6 & 7 BLOCK 3 USS 1593
4	MAR 1991	JM	82-12	FIFTH AVENUE VACATION BLOCK 3A USS 1948
5	MAR 1991	JM	83-2	PLAT ALTERATION OF LOT 14, BLK 1, USS 2127, FIRST AVE. & STIKINE HIGHWAY
6	MAY 1992	JM	92-3	THIRD AVENUE SUBDIVISION LOTS 10 & 11 BLK 5 USS 2127

LEGEND	
---	U.S. SURVEY BOUNDARY
---	R.O.W. LINE
---	R.O.W. CENTER LINE
---	LOT BOUNDARY
---	BEGIN CURVE

SCALE: 1" = 100'

U.S. SURVEY NO. 3753

U.S. SURVEY NO. 125



## CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

Item b.

P.O. BOX 531 (907)-874-2381  
Wrangell, AK 99929 FAX (907)-874-3952  
www.wrangell.com

June 11, 2021

Joel Aro  
Lynx Consulting  
On behalf of Vertical Bridge  
17311 135<sup>th</sup> Avenue NE  
Suite A-100  
Woodinville, WA 98072

Re: Conditional Use permit request for a 150' lattice pole for use as a cell transmission tower and fenced lease area for support services on Lot 14, Block 5, USS 2127, Zoned Open Space/Public, owned by the City and Borough of Wrangell, requested by Vertical Bridge Development, LLC through their representative Lynx Consulting.

Dear Joel:

The Planning and Zoning Commission, at their regular meeting of June 10, 2021 approved your conditional use permit application for 150' lattice for use as a 4g cell transmission tower subject to the following conditions:

- 1) Permit is subject to approval by the Borough Assembly of the proposed zone change of Lot 14, Block 5, USS 2127 to Open Space/Public and modification of conditionally allowed uses to the Open Space/Public district to allow communication infrastructure. (Approved by Assembly May 25, 2021)
- 2) Permit is subject to lease approval by the Borough Assembly.
- 3) Security lighting should be no higher than 15 feet from grade and angled down and side blocked so as not impact adjacent residential houses.
- 4) Fencing should be site obscuring facing residential properties.
- 5) Intermodulation Study for interference with KSTK translator must be completed prior to installation and show a negative impact to KSTK translator.
- 6) Recommend to the Borough Assembly issues identified by KSTK be addressed within the lease document.
- 7) If access to the fenced lease area via the ROW between the transfer station and Lot 14 be developed in the future, access easement across Lots 12, 13 and 14 may be vacated for the alternative access.
- 8) The tower, antennas, structures and equipment associated with the telecommunication will be removed within six months of ceasing operations.
- 9) Generator will be for back up power supply only and muffled as much as possible.

Appeals of decisions of the Planning and Zoning Commission must be filed in writing with the Borough Clerk within 15 days (due June 25, 2021) after the date of decision. More information regarding appeals may be found at WMC 20.80.

Please do not hesitate to call if you have any additional questions.

Sincerely,



Carol Rushmore  
Economic Development Director

Cc: Planning and Zoning Commission  
Sherri Cowan  
Rosemary Ruoff  
Cindy Sweat, KSTK Radio



**PLANNING AND ZONING COMMISSION**  
**Regular Meeting May 8, 2025**  
**Staff Report**

**Agenda Item:** Unfinished Business, Item 8A

**From:** Kate Thomas, Economic Development Director

**Subject:** Review and discussion of the Planned Unit Development draft code provisions.

**Introduction**

This report provides an overview of Planned Unit Developments (PUDs) and outlines the ongoing review of the City and Borough of Wrangell's draft code provisions related to PUDs.

**Description and Purpose of Planning Unit Developments**

A Planned Unit Development (PUD) is a development approach that allows for flexibility in land planning and building. Unlike traditional zoning, which often imposes strict regulations on individual lots, a PUD enables a development to be planned and built as a unified whole or in phases. This approach allows for variations in density, land use, setbacks, open space, and other design elements, as well as flexibility in the timing and sequencing of construction. PUDs are intended to encourage innovative development that can offer community benefits such as efficient land use, a mix of housing options, and the preservation of open space.

**Background**

The Planning Commission initiated the development of these PUD code provisions in 2021. The code was last reviewed by the Planning Commission in 2023. The Planning Administrator is now bringing the code forward to the Commission for further review and discussion. This review is a crucial step in advance of proposing a final draft of the PUD code provisions.

**Staff Recommendation**

Review the draft code provisions for Planned Unit Developments. Provide recommendations to the Planning Administrator regarding any revisions they suggest to the draft code.

## Planning fundamentals for public officials and engaged citizens

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APA research staff with contributions  
from national planning law experts.

# QUICKNOTES

## Understanding Planned Unit Development

A planned unit development (PUD) is a large, integrated development adhering to a comprehensive plan and located on a single tract of land or on two or more tracts of land that may be separated only by a street or other right-of-way. PUD is a form of development that, although conceived decades ago, can be used today to advance a number of important smart growth and sustainability objectives. PUD has a number of distinct advantages over conventional lot-by-lot development. Properly written and administered, PUD can offer a degree of flexibility that allows creativity in land planning, site design, and the protection of environmentally sensitive lands not possible with conventional subdivision and land development practices. Moreover, properly applied, PUD is capable of mixing residential and nonresidential land uses, providing broader housing choices, allowing more compact development, permanently preserving common open space, reducing vehicle trips, and providing pedestrian and bicycle facilities. In exchange for design flexibility, developers are better able to provide amenities and infrastructure improvements, and find it easier to accommodate environmental and scenic attributes.

PUD is particularly useful when applied to large developments approved in phases over a number of years, such as master planned communities. PUDs are typically approved by the local legislative body (city council, board of supervisors, county commissioners) after a comprehensive review and recommendation by the planning board or commission, which normally includes a public hearing. Communities considering adoption of a PUD ordinance should be mindful that while planning boards and commissions are given a good deal of discretionary power in acting on PUDs, appropriate standards are essential. Moreover, a delicate balance must be found between the desire to be flexible in order to take into account unique site characteristics and the need to spell out concrete standards and criteria.

### WHY PLANNED UNIT DEVELOPMENT IS POPULAR

PUD has grown increasingly popular, in part because standard subdivision and zoning ordinances have serious limitations. Many older vintage zoning ordinances prohibit mixed use. Single family, multifamily, and nonresidential uses are often not allowed in the same zoning district. Older conventional ordinances also contain uniform site development standards that tend to produce monotonous outcomes. Subdivision control ordinances deal with narrow concerns, such as street, curb, and sidewalk standards and lot and block layout. The lack of meaningful amounts of well-placed, accessible open space and recreational amenities is another shortfall of conventional development controls.

### TYPES OF PLANNED UNIT DEVELOPMENT

Planned unit developments can take many forms, ranging from modest residential developments where housing units are clustered and open space is provided, to mixed use master planned communities that cover thousands of acres.

**Simple Residential Cluster.** Simple cluster subdivisions allow smaller lots on some parts of the site in exchange for permanently preserved common open space elsewhere on the site. Planning boards or commissions normally require the open space to be configured in a manner to protect sensitive natural features such as streams and riparian areas, vernal pools, ponds, and lakes, and to take into account hazard areas and areas of steep slope.

Communities may either limit the gross density of the tract to what would be permitted under conventional zoning, or may choose to offer a density bonus allowing more units than would other-

Matt Green



Showcasing a 120-acre regional multi-purpose public park, pedestrian-friendly design, and a 1500+ acre wetland system, the Buckwalter PUD and the Buckwalter Place urban center in Bluffton, South Carolina promote multiple aspects of sustainable development.



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wise be allowed. By allowing a bonus, the community can require a greater percentage of the tract as common open space. Theoretically, communities can choose to allow any residential type (or combination of types) on a parcel in the cluster plan—single-family houses, attached houses, town houses, garden apartments, or high rises. As a practical matter, however, cluster subdivisions are developed mostly for single-family homes on individual lots.

**Mixed Uses.** PUD builds on the simple residential cluster idea by allowing nonresidential uses, often at higher densities. Retail and service establishments, restaurants, schools, libraries, churches, recreation facilities, offices, and even industrial uses can be included in PUDs. Downtown or village center development with apartments above shops and live-work arrangements are also possible. The extreme case is the master planned community, which usually involves substantial acreage and combines employment, office, retail, and entertainment centers with associated self-contained neighborhoods. This can include diverse housing types as well as retail, entertainment and office centers.

### WHICH ORDINANCE, WHICH AGENCY?

Individual state planning statutes control how communities handle the deliberative process leading to a decision about a PUD. In most states a PUD provision can be made part of the zoning ordinance or it may be written as a stand-alone ordinance. In either case, the decision to approve, approve with conditions, or disapprove a PUD falls to the legislative branch of local government. Some communities permit a PUD through a discretionary review process, such as a conditional or special use permit. These permits can be approved by the legislative body, planning commission, or board of adjustment, depending on the state enabling legislation and local policies. Some communities provide for the administrative approval of mixed use developments that normally require a discretionary PUD process.

The zoning ordinance is the most appropriate place to locate planned unit development regulations. Basic legislative decisions on use and density are normally the responsibility of the legislative body. Street design and infrastructure could also be resolved through PUD approval, though these considerations are normally built into a unified development ordinance. Decisions about plan details can be left to the planning board or commission and planning staff.

### ZONING FOR PUD

Communities face a number of questions when deciding how to fit planned unit development regulations into their zoning ordinances. One alternative is to provide for planned unit development as-of-right. Under this guideline the ordinance would specify the requirements for a planned unit development, and discretionary review and approval procedures would not be necessary.

Stand-alone PUD ordinances are now fairly common. Although there are variations, a typical ordinance will include a purpose clause; a statement of the type or types of PUD that are authorized; zoning procedures; and standards for approval. The ordinance may contain definitions.

### CONSISTENCY WITH THE COMPREHENSIVE PLAN

Consistency with the comprehensive plan should be required, especially if the PUD has a major effect on growth and development in the community and on public facilities. This will be true of master planned communities. Many statutes now require zoning to be consistent with a comprehensive plan, and consistency can be required by ordinance even if there is no statutory mandate. □

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American Planning Association. 2006. "Legal Foundations: Planned Unit Development." Pp. 599–601 in Part 6: Implementation Techniques, in Planning and Urban Design Standards. Hoboken, N.J.: John Wiley and Sons.

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## Chapter 20.xx

### 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 information regarding design and construction elements, common use facilities, open space, private housing and land management maintenance, ~~etc.~~, subject to requirements of the all-existing City and Borough of Wrangell city and borough code of ordinances, except as modified by this chapter to create development qualities different from those that result from conventional design. Planned unit development projects ~~Projects developed under the provisions of this chapter~~ should:

- A. ~~Propose~~Create an alternative method for property development ~~not involving 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 utility networks ~~networks of utilities~~ and safe ~~street~~ networks of streets, lower construction and maintenance costs to the general public, promotion of ~~ing~~ greater opportunities for public and private recreational open space, and ~~resulting in~~ lower construction and maintenance costs to the general public;

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- 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 a proposer to demonstrate 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 authorized by the Wrangell Municipal 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. PUDs may only be developed on parcels one acre or larger in size. It is an option available to developers of land 1 acre or more.

#### Section XX PROCEDURE

PUDs which include conditionally permitted uses ~~planned unit developments~~ shall follow the conditional use permit application process in WMC 20.68. PUDs requiring and subdivision platting shall comply with the peocedures in WMC 19.12 and 19.16 ~~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:



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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;

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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. 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 ~~any 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

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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 issue a written decision regarding the PUD application setting forth 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 Commission shall employ the following review criteria ~~are~~ in addition to ~~the~~ Wrangell Municipal Code provisions related to 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 PUD 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.

**Commented [MDH1]:** Do these terms need to be defined?

b. If the Commission determines that 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 ~~the one or both of~~ following requirements:

1. Structures located on the perimeter of the PUD planned development must be set back a distance sufficient to protect the privacy of adjacent uses;
2. Structures on the perimeter of the PUD 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 WMC 19.12 and 19.16 ~~Section xx.xx~~, shall include the

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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 ~~PUDs planned-unit developments~~ must receive final approval from the Borough Assembly. The Assembly shall:

1. ~~Consider whether to a~~Approve the plan and methods utilized to carry out the plan concept;
2. ~~Consider whether to a~~Approve the subdivision plat. Within 30 days of its decision, the Assembly shall issue a written decision setting forth findings of fact and conclusions that are supported by substantial evidence in the record and adequately set forth the basis for the decision, 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.

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**Section XX.s Cluster development projects.**

A. Planned unit developments may include residential cluster development projects. ~~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 ~~C~~ommission.
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:

Commented [MDH2]: This is more of a general commentary. It may work better in informational materials than in the code.

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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 primarily for in a feasible manner beneficial to the residents' use primarily, but consideration shall be given to the public's use as well.
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 ual commitment to maintain the common areas and provide their for its administration and specification oen 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.

Commented [MDH3]: Not sure what this means.

#### Section XX.s Ownership.

All land proposed for a PUDplanned 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 ownership and control and shall:

- A. Provide agreements, contracts, and proposed deed restrictions acceptable to the Boroughmunicipality 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 and B, B and C of this section, shall be the applicantdeveloper's responsibility.

#### Section XX.s Permitted construction.

After submission and approval of the preliminary plat and concept plan, the applicant may submit 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.

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#### Section XX.s Changes in concept plan.

It is not intended that the ~~PUDplanned unit development~~ concept plan so approved shall be inflexibly applied, but rather the ~~PUDplanned 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 ~~PUDplanned 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 ~~should~~is to include details as to each development stage and the expected timing of each stage.

#### Section xx.xx - Common space.

Each PUD development shall clearly identify the responsibilities~~must be established ofbetween~~ the public, homeowner's association, and other owners, for the ownership, maintenance, management, and use of all common space.

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#### Section XX.XX - Condominium developments.

A ~~PUDplanned 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.