

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION

APRIL 13, 2017 7:00 pm

Agenda

A. CALL TO ORDER/ROLL CALL

B. AMENDMENTS TO THE AGENDA

C. APPROVAL OF MINUTES: February 9, 2017 and March 9, 2017

D. PERSONS TO BE HEARD

E. CORRESPONDENCE

F. OLD BUSINESS

1. Zoning of Remote Entitlement Land Areas (defer)

G. NEW BUSINESS

1. Final Plat Review of Sea Level Subdivision III, the subdivision of Lot 2, Sea Level Subdivision II, creating Lot 2A and Lot 2B, zoned Waterfront Development, requested by Sea Level Seafoods LLC, owned by the City and Borough of Wrangell.
2. Final Plat review of Woodbury Tidelands Subdivision II, the replat of Lot 5 block 24A, Wrangell Tidelands Addition (USS 1119) and a subdivision of an unsubdivided portion of ATS #83 creating Lot 5A, Block 24A, zoned Waterfront Development, requested by Brett Woodbury, owned by the City and Borough of Wrangell.
3. Final Plat review of Replat and Sorage Easement Vacation within Lot 3, Block 1, Sortyard Subdivision and Lots 10, 11, and 12 Block 5A, ATS 83, Zoned Waterfront Development, owned by Christine and Charles Jenkins.
- Pub Hrg 4. Variance application for a front yard setback for a 32' X 40' shop on Lot 4B, Kowalski-Colier Subdivision, in Block 6 of ASLS 83-7, Wrangell Island West Subdivision, zoned Rural Residential, requested by Holley and Jeremy Padilla.
5. Discussion of Nontraditional Housing issues – Planned Unit Developments.

H. PUBLIC COMMENT

I. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

J. ADJOURNMENT

City and Borough of Wrangell

Agenda Item G1

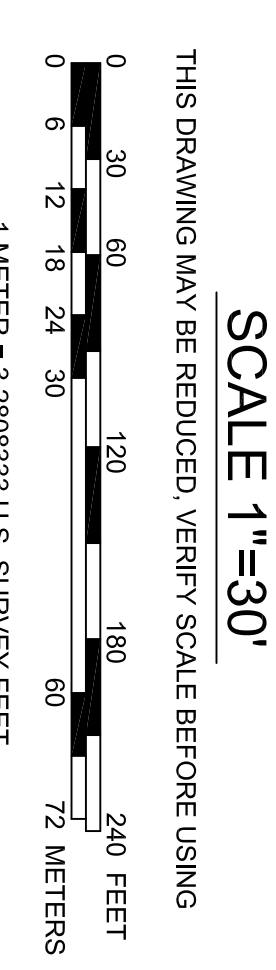
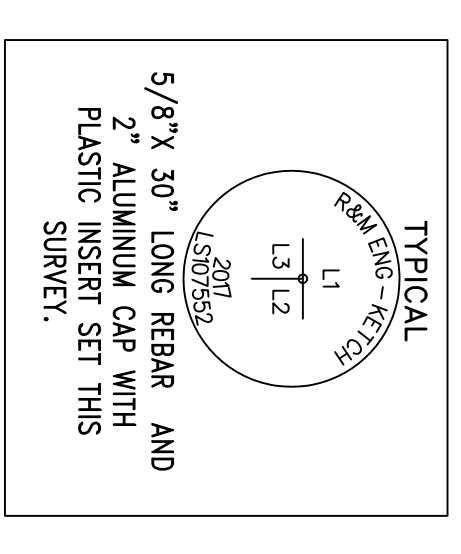
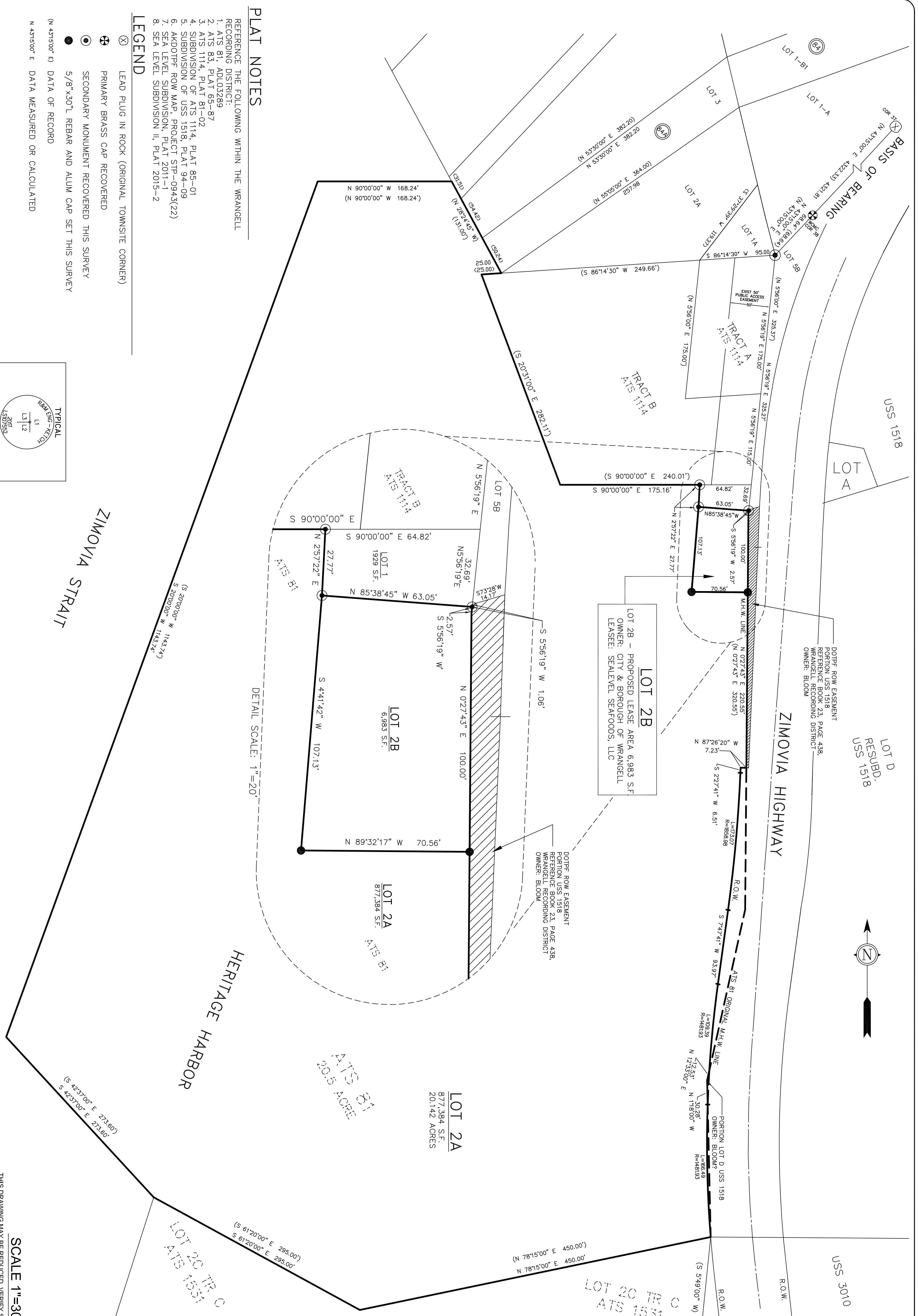
Date: April 8, 2017

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Final Plat review of Sea Level Subdivision III, the subdivision of Lot 2, Sea Level Subdivision II, creating Lot 2A and Lot 2B, zoned Waterfront Development, requested by Sea Level Seafoods LLC, owned by the City and Borough of Wrangell

Staff recommends approval of the final Plat as presented.



PLAT NOTES

- REFERENCE THE FOLLOWING WITHIN THE WRANGELL RECORDING DISTRICT:
1. ATS 81, ADL03289
 2. ATS 83, PLAT 65-87
 3. ATS 111.4, PLAT 81-02
 4. SUBDIVISION OF ATS 111.4, PLAT 85-01
 5. SUBDIVISION OF USS 1518, PLAT 94-09
 6. AKDOT/F ROW MAP, PROJECT STP-0943(22)
 7. SEA LEVEL SUBDIVISION, PLAT 2011-1
 8. SEA LEVEL SUBDIVISION II, PLAT 2015-2

LEGEND

- ⊗ LEAD PLUG IN ROCK (ORIGINAL TOWNSITE CORNER)
- ⊕ PRIMARY BRASS CAP RECOVERED
- ⊙ SECONDARY MONUMENT RECOVERED THIS SURVEY
- 5/8"X30" L REBAR AND ALUM CAP SET THIS SURVEY
- (N 43°50'00" E) DATA OF RECORD
- (N 43°50'00" E) DATA MEASURED OR CALCULATED

CLIENT:
SEA LEVEL SEAFOODS, LLC
P.O. BOX 2085
WRANGELL, ALASKA 99999

DRAWN BY: MCH
CHECKED BY: GCP
DATE PLATTED: FEB 2017
DATE SURVEYED: JAN. 30, 2017
SCALE: 1"=60'
SURVEYED BY: MCH
PROJ NO.: 17707

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, ALASKA 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

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, ALASKA AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, WRANGELL, ALASKA.

DATE: _____ CHAIRMAN, PLANNING COMMISSION

SECRETARY: _____

CERTIFICATE OF APPROVAL BY THE DISTRICT COURT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN AGING ASSESSOR 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

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN _____ 2017 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.

CHRISTOPHER G. PEJURN LS 107552 DATE: _____



WRANGELL RECORDING DISTRICT

RRM ENGINEERING & DESIGN, INC.
355 Cheloni Lane Road
Ketchikan, AK 99901
Phone: (907) 225-7917
Fax: (907) 225-3441

PROJECT: SEA LEVEL SUBDIVISION III
SUBDIVISION I, CREATING LOT 2A AND LOT 2B, SEA LEVEL SUBDIVISION II, WRANGELL RECORDING DISTRICT

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 RESERVE. WE HEREBY GRANT TO THE STATE OF ALASKA, PUBLIC USE AS NOTED.

DATE: _____ MAYOR, CITY AND BOROUGH OF WRANGELL

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 COMMISSIONED AND SWORN, PERSONALLY APPEARED _____ TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ 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 HEREBY WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: _____

LESSEE CERTIFICATE

WE, THE UNDERSIGNED HEREBY CERTIFY THAT WE ARE THE LESSEE OF LOT 2B, SEA LEVEL SUBDIVISION II, AS SHOWN HEREON. WE HEREBY APPROVE THIS SURVEY AND PLAT.

DATE: _____ AUTHORIZED REPRESENTATIVE, SEA LEVEL SEAFOODS

PRINTED NAME AND TITLE: _____

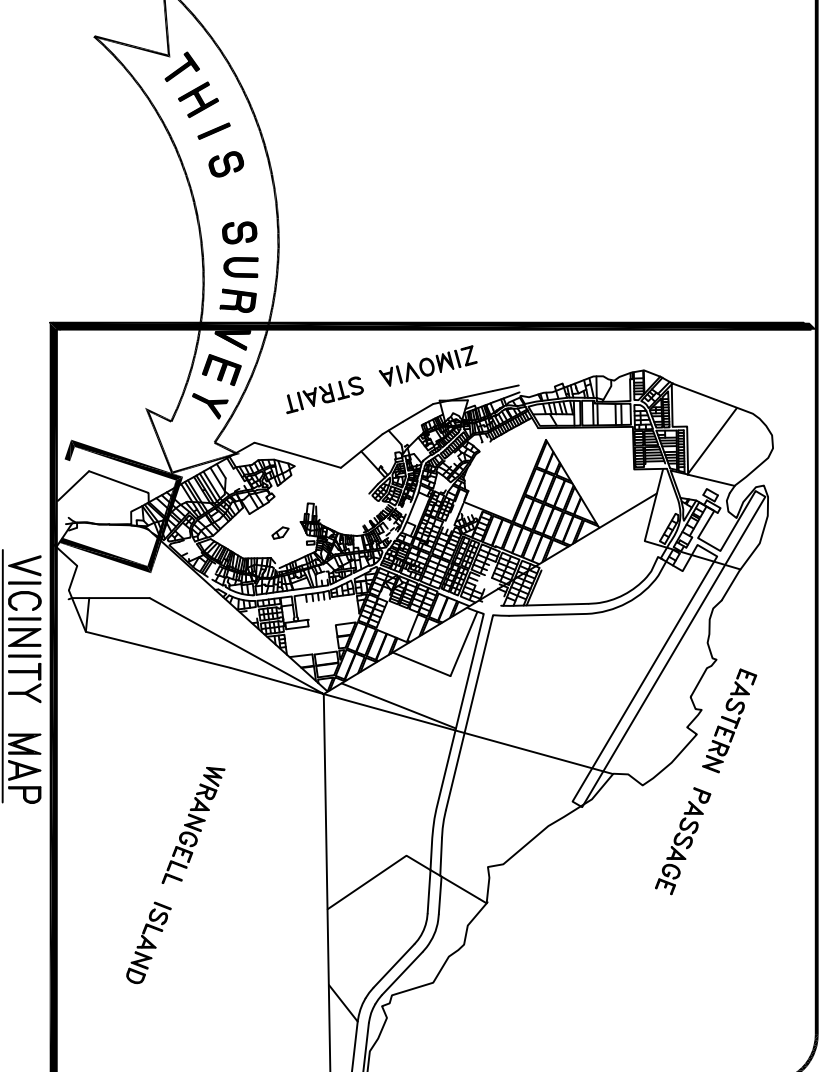
NOTARY'S ACKNOWLEDGMENT

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 COMMISSIONED AND SWORN, PERSONALLY APPEARED _____ TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ 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 HEREBY WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: _____



THIS SURVEY

City and Borough of Wrangell

Agenda Item G2

Date: April 8, 2017

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Final Plat review of Woodbury Tidelands Subdivision II, the replat of Lot 5 Block 24A, Wrangell Tidelands Addition (USS 1119) and a subdivision of an unsubdivided portion of ATS #83 creating Lot 5A, Block 24A, zoned Waterfront Development, requested by Brett Woodbury, owned by the City and Borough of Wrangell.

Staff recommends approval of the final plat.

City and Borough of Wrangell, Alaska

Agenda Item G3

Date: April 8, 2017

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Final Plat review of Replat and Storage Easement Vacation within Lot 3, Block 1, Sortyard Subdivision and Lots 10, 11, and 12 Block 5A, ATS 83, Zoned Waterfront Development, owned by Christine and Charles Jenkins.

BACKGROUND:

In August of 2015 Mr. Jenkins, on behalf of his mother, submitted a preliminary plat request, replatting 4 lots into 2 lots to create a lot with frontage on Front Street and a lot that fronts Silvernail Work Road. Easements where City utilities were created or widened to accommodate actual infrastructure. Both lots are zoned Waterfront Development.

Mr. Jenkins also requested a vacation of a storage easement across what is now Lot 3 Block A Sortyard Subdivision. The easement was granted to Mr. Jenkins when the land was unfilled tidelands owned by the City, prior to the area being filled. After it was filled, the City subdivided the land and sold off several parcels on the east side of Silvernail Work Road. The land is now owned by Christine Jenkins and the storage easement is no longer necessary. The Assembly approved the vacation of the storage easement in September of 2015.

The City had to correct the deed that was issued to Ms. Jenkins because the legal description on deed for the lot fronting Silvernail had omitted the Block the lot was located in so there could be future confusion on the title. That was done in 2016.

The final plat is now ready to be approved and recorded.

Staff recommends approval of the Final Plat.

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 DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____
 CHRISTINE JENKINS
 (CHRISTINE C. JENKINS)
 (CHRISTINE F. JENKINS)

DATE _____
 CHARLES JENKINS JR.

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 COMMISSIONED AND SWORN, PERSONALLY APPEARED TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ 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
 MY COMMISSION EXPIRES _____

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 SAID PLAT HAS BEEN APPROVED BY THE COMMISSION BY PLAT RESOLUTION NO. _____ DATED _____ 20____ 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) 88

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSESSOR 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 _____

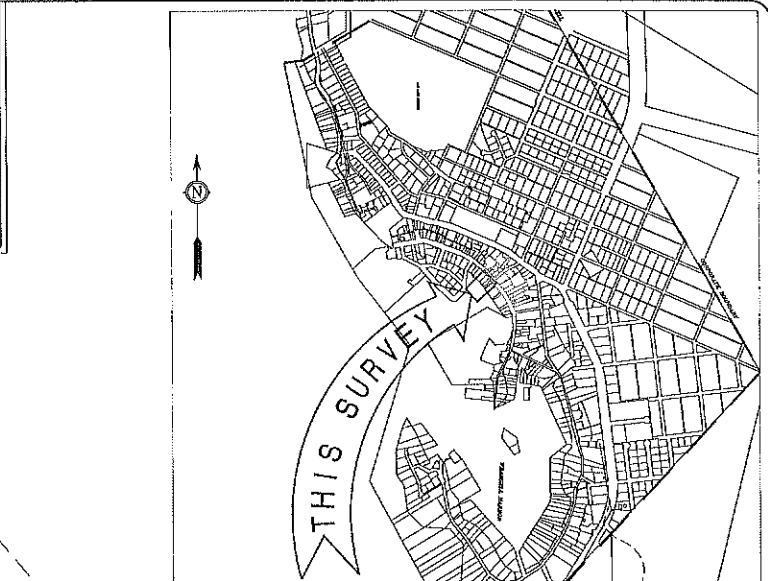
ASSESSOR CITY AND BOROUGH OF WRANGELL

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 AS RECORDED IN MINUTE BOOK _____ PAGE _____ DATED _____ 20____ AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, WRANGELL, ALASKA.

DATE _____
 ATTEST: MAYOR, CITY AND BOROUGH OF WRANGELL

CITY CLERK _____



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 DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____
 CITY & BOROUGH OF WRANGELL

DATE _____
 PRINTED NAME AND TITLE

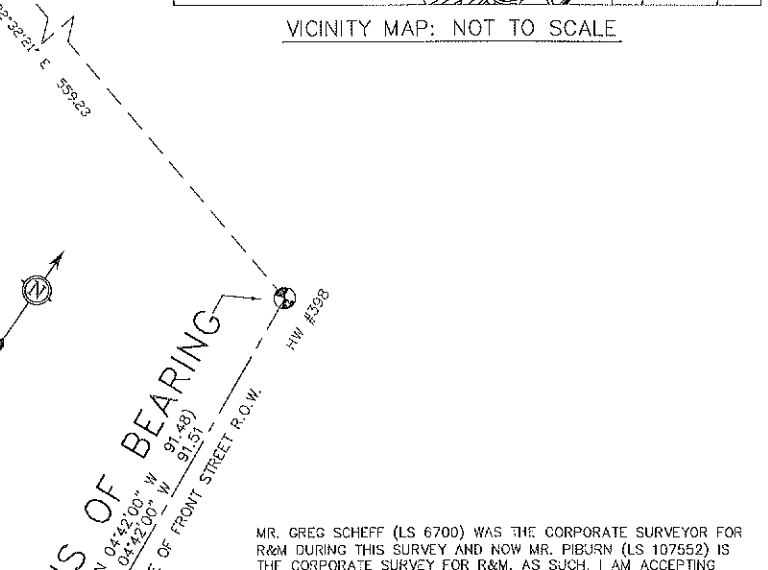
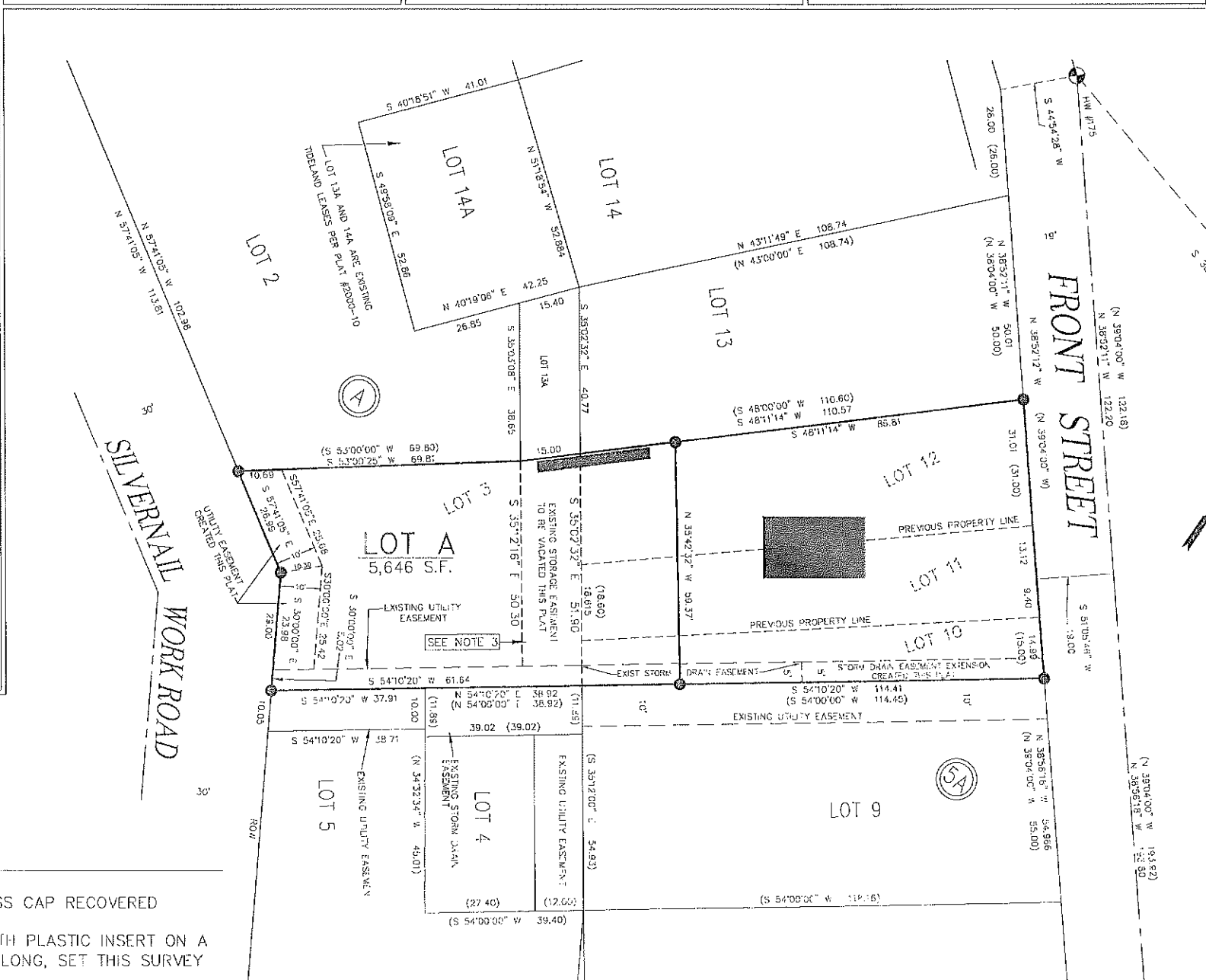
NOTARY'S ACKNOWLEDGMENT

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 COMMISSIONED AND SWORN, PERSONALLY APPEARED TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ 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
 MY COMMISSION EXPIRES _____



LEGEND

PRIMARY 2" BRASS CAP RECOVERED

2" ALUM. CAP WITH PLASTIC INSERT ON A 5/8" REBAR 30" LONG, SET THIS SURVEY

(N 04°42'00" W 91.48) DATA OF RECORD

N 04°42'00" W 91.51 DATA MEASURED

CLIENT: CHARLES JENKINS JR.
 BOX 1483
 WRANGELL, AK 99929

DRAWN BY: JLS
 CHECKED BY: CGP
 DATE PLATTED: 04-05-2016
 DATE SURVEYED: AUGUST 2015
 SCALE: 1"=16'
 SURVEYOR: G. SCHEFF
 PROJ. NO.: 152/28

PLAT NOTES

- PROPERTY ZONED WATERFRONT DEVELOPMENT.
- RECORDED WITHIN THE WRANGELL RECORDING DISTRICT.
 - SORTYARD SUBD. PLAT# 2001-3
 - BOOK 32 PAGE 803
 - BOOK 26 PAGE 385
 - BOOK 19 PAGE 411
 - BOOK 15 PAGE 998
- EXISTING STORAGE EASEMENT, PER BOOK 32 PAGE 803, TO BE VACATED THIS PLAT.

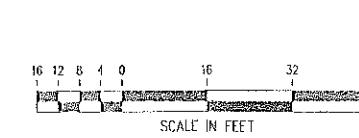
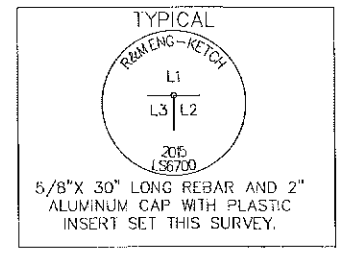
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA AND THAT IN _____ AUG/SEPT 2015 _____ 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.

DATE _____
 CHRISTOPHER M. SCHIFFER LS 6700



MR. GREG SCHEFF (LS 6700) WAS THE CORPORATE SURVEYOR FOR R&M DURING THIS SURVEY AND NOW MR. PIBURN (LS 107552) IS THE CORPORATE SURVEYOR FOR R&M, AS SUCH, I AM ACCEPTING THE MONUMENTS AS SHOWN AND PLACED THIS SURVEY.



WRANGELL RECORDING DISTRICT

R&M
 R&M ENGINEERING-KECHIKAN, INC.
 355 Cartanna Lake Road
 Ketchikan, AK 99901
 Phone: (907) 225-7817
 Fax: (907) 225-3441

CERTIFICATE OF AUTHORIZATION # 057-
 WRANGELL OFFICE
 P.O. BOX 701
 Wrangell, AK 99929
 Phone: (907) 84-2177
 Fax: (907) 874-2177

PROJECT:
 REPLAT AND STORAGE EASEMENT VACATION
 WITHIN LOT 3, BLOCK A SORTYARD
 SUBD. & LOTS 10, 11, & 12 BLK.
 SA, ATS 83 WRANGELL, AK.

City and Borough of Wrangell, Alaska

Agenda G4

Date: April 8, 2017

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Variance application for a front yard setback for a 32' X 40' shop on Lot 4B, Kowalski-Colier Subdivision, in Block 6 of ASLS 83-7, Wrangell Island West Subdivision, zoned Rural Residential, requested by Holley and Jeremy Padilla.

Background: The applicant is proposing to construct a 32' by 40' shop near the front property line fronting Zimovia Highway at approximately 12 mile. They are seeking a variance in order to have ample work and maneuverability space between structures.

Review Criteria: Rural Residential District: Chapter 20.16
Standards: Chapter 20.52
Variance: Chapter 20.52.72

Findings:

A Variance application must meet four criteria:

1. **Exceptional Physical Circumstances:** The property itself does not have exceptional physical circumstances, but does have environmental permitting issues involving wetlands. The easily buildable land surrounds the location of the existing structure recently purchased by the Padilla's. The land is higher and rockier near the front of the property with wetter and more forested lands towards the back of the property. The proposed structure would encroach 5 feet into the required setback of 20 feet (setback standard of the Rural Residential District and for properties fronting Zimovia Highway).
2. **Strict application would result in practical difficulties:** By granting a frontyard setback variance, the applicants avoid wetland permitting issues and allow easier access and maneuverability within the yard area between structures. Strict application of the variance requirements does not necessarily prevent construction of the structure, but does involve the requirement of filling wetlands and the necessary permitting associated with that.
3. **That the granting of the variance will not result in prejudice to others, or be detrimental to public health, safety or welfare:** The granting of the variance should not prejudice others as there are other properties that have structures similarly distance from property lines. The highway is very long and straight in the Wrangell West area and the structure will not cause site or safety issues for motorists.
4. **Granting of the variance is not contrary to the Wrangell Comprehensive Plan approved June 22, 2010.**

Recommendation:

Staff recommends approval of the requested 15 foot front yard setback, (5 foot variance approval).

APPLICATION FOR VARIANCE

CITY OF WRANGELL
PLANNING AND ZONING
P.O. BOX 531
WRANGELL, AK 99929
Application Fee \$50.00

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
Block 6 Lot 4B

Lot (s) size of the petition area
88960 ft²

Existing zoning of the petition area _____

Current zoning requirements that cannot be met (setbacks, height, etc.):
20' setback

Proposed change that requires this variance
Change setback to 15'

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

Explain details of the proposed development
A new, 32' x 40' structure

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: Existing development on the property limits the available space for new structures between the house and highway. To develop as planned, applicant is requesting a setback of 15' off the property line adjacent to the state highway.

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, and all vehicular and pedestrian circulation patterns relevant to those uses.

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.

Holly O. Padilla
PRINT PETITIONER'S NAME

Holly Padilla
SIGNATURE(S) OF THE OWNER(S) OF THE LAND IN PETITION AREA

12.5 Mile Zimovia Highway
ADDRESS

3/31/2017
DATE
(907) 305-0493
TELEPHONE

CERTIFICATE OF TITLESHIP AND REGISTRATION
 I, the undersigned, being duly qualified as a Surveyor in the State of Alaska, do hereby certify that the above described premises are the property of the person named therein and that the same are not subject to any lien or claim in favor of any other person, and that the same are not subject to any lien or claim in favor of any other person, and that the same are not subject to any lien or claim in favor of any other person.

WITNESSED AND SUBSCRIBED before me and me the County Clerk of the County of Fairbanks, State of Alaska, on this 15th day of May, 1981.

David M. ...
 COUNTY CLERK

John ...
 SURVEYOR

CERTIFICATE OF CONVEYANCE AND REGISTRATION
 I, the undersigned, being duly qualified as a Surveyor in the State of Alaska, do hereby certify that the above described premises are the property of the person named therein and that the same are not subject to any lien or claim in favor of any other person, and that the same are not subject to any lien or claim in favor of any other person, and that the same are not subject to any lien or claim in favor of any other person.

WITNESSED AND SUBSCRIBED before me and me the County Clerk of the County of Fairbanks, State of Alaska, on this 15th day of May, 1981.

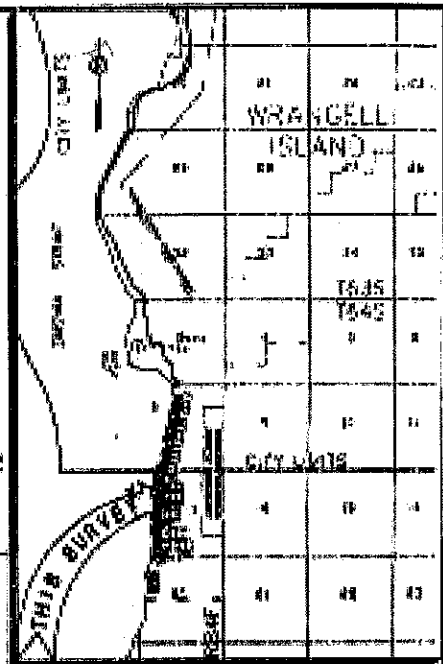
David M. ...
 COUNTY CLERK

John ...
 SURVEYOR

MONUMENT RECOVERED MONUMENT RECOVERED MONUMENT RECOVERED MONUMENT RECOVERED MONUMENT RECOVERED

MONUMENT SET

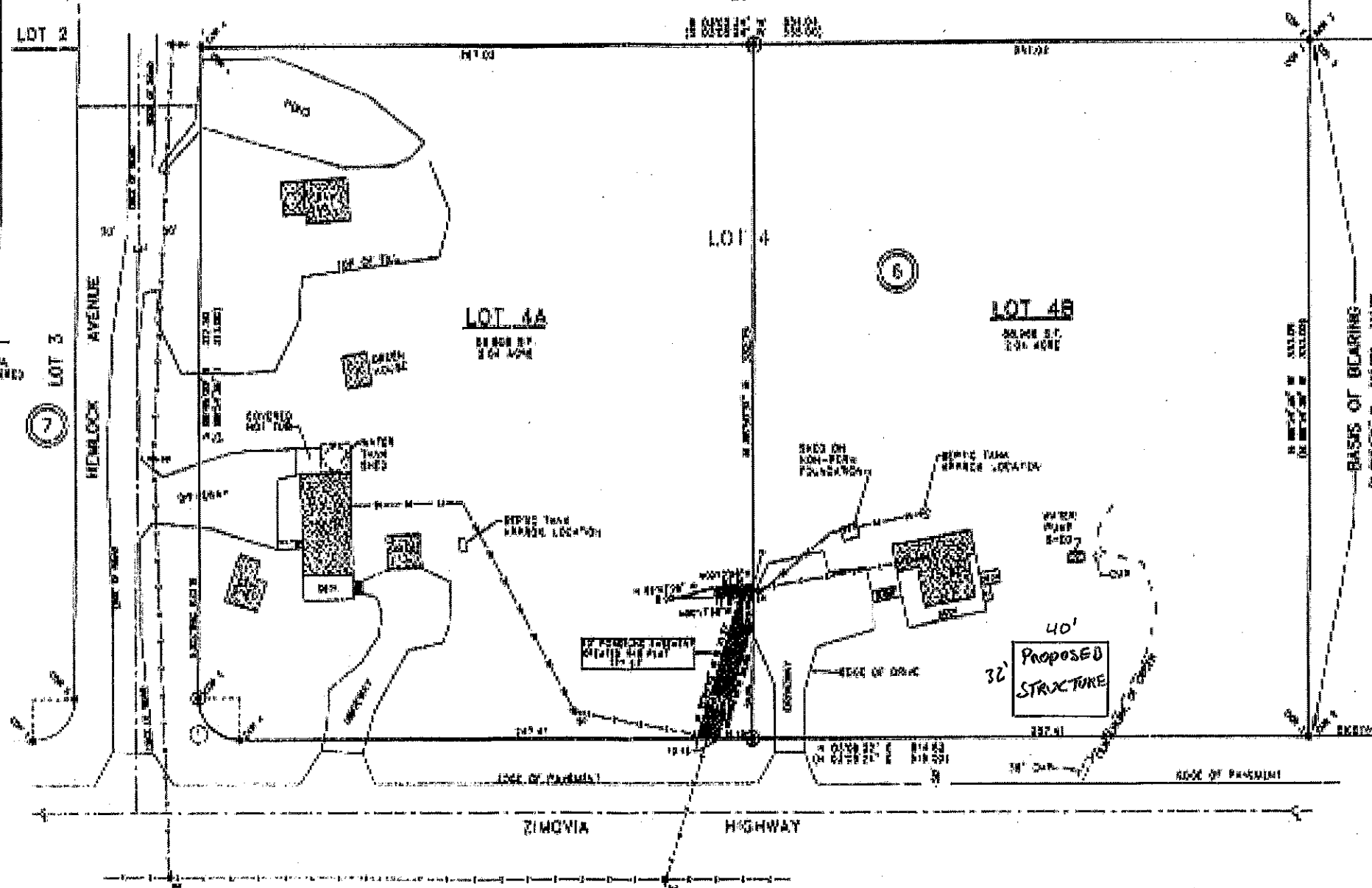
TYPICAL 1-1/2" ALUM. CAP SET WITH 3 PC OF 5/8" REBAR



PLAT APPROVAL
 THE PLAT IS APPROVED BY THE COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES OF THE STATE OF ALASKA IN ACCORDANCE WITH A.S. 35.45

John ...
 COMMISSIONER

TAX COLLECTOR
 THE SUBDIVISION HAS BEEN PAID FOR BY THE TAX COLLECTOR



LEGEND

- TYPICAL 1-1/2" ALUM. CAP SET WITH 3 PC OF 5/8" REBAR
- ⊕ POWER POLE
- ⊕ SERVICE POLE
- OVERHEAD LINES
- BURIED ELECTRICAL SERVICE LOCATION
- BURIED WATER SERVICE LOCATION
- CENTERLINE OF ROAD
- CENTERLINE OF CREEK

IS AREA OF 2' DISTANCE OF RECORD-PLAN PLAT NO. 11
 6 DISTANCE OF 2' DISTANCE OF RECORD-PLAN PLAT NO. 11
 ⑦ SURVEY POINT AND ALUMINUM CAP SET

PLAT NOTES

- THE BASIS OF BEARING OF THE BEARING ROAD HAS BEEN DETERMINED TO BE 90°00'00" (30°00'00")
- ALL BEARINGS GIVEN ARE TRUE BEARINGS AS OBTAINED BY THE SURVEYOR
- THE PLAT IS SUBJECT TO THE RIGHTS RESERVED AS CONTAINED ON THE PLAT OF LOT 4 OF THIS PLAT NO. 11

SVL DATA

STATION	BEARING	DISTANCE
1	92°00'00" (30°00'00")	20.00'
2	31.43'	31.43'
3	38.28'	38.28'

CHD. BEAR. = N48°02'22"E (N48°02'24"E)

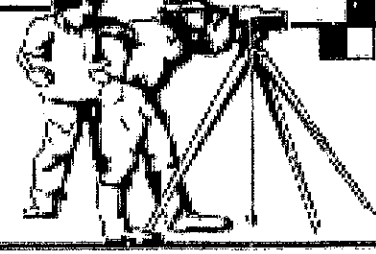
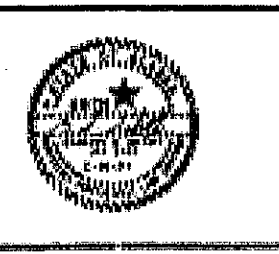
89449-222
 1981 JUN 15
 1:00 PM
 1:00 PM
 1:00 PM

SURVEYOR'S CERTIFICATE
 I, the undersigned, being duly qualified as a Surveyor in the State of Alaska, do hereby certify that the above described premises are the property of the person named therein and that the same are not subject to any lien or claim in favor of any other person, and that the same are not subject to any lien or claim in favor of any other person, and that the same are not subject to any lien or claim in favor of any other person.

WITNESSED AND SUBSCRIBED before me and me the County Clerk of the County of Fairbanks, State of Alaska, on this 15th day of May, 1981.

John ...
 COUNTY CLERK

Greg Scheff
 SURVEYOR



GREG SCHEFF & ASSOCIATES
 LAND SURVEYORS

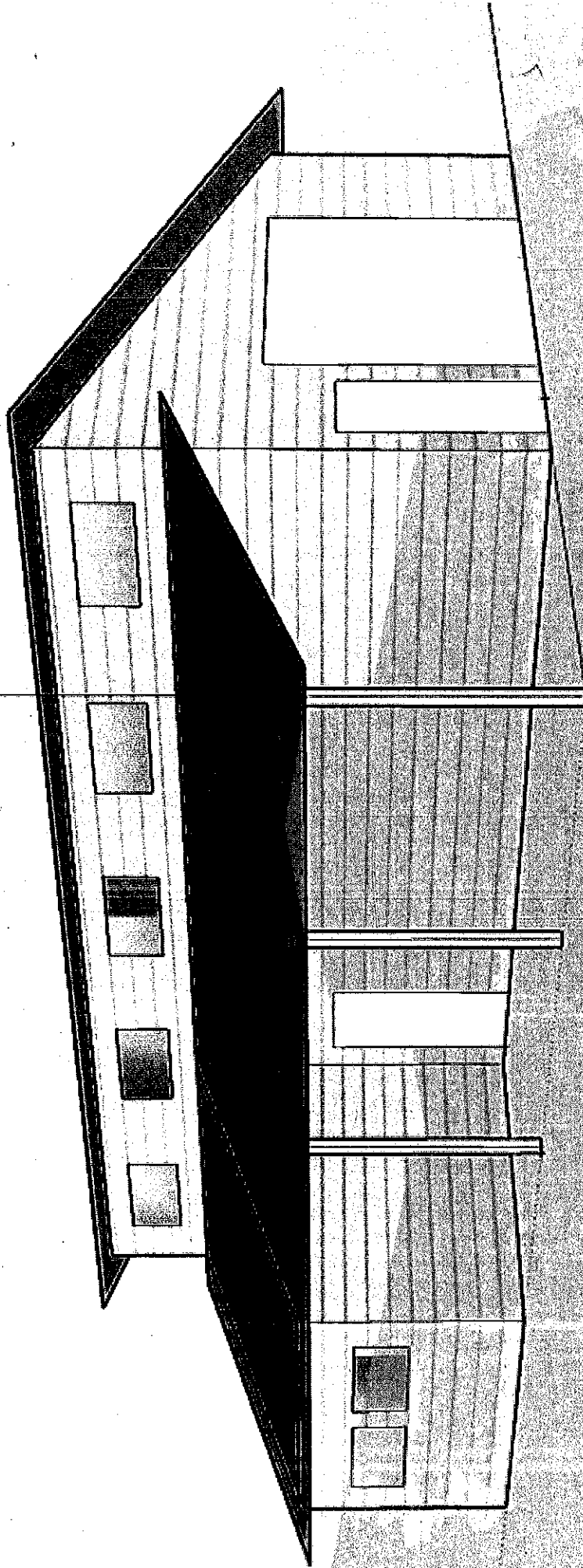
BOX 1331 WRANGELL, ALASKA 99993
 PHONE (907) 832-3122

ATTEST
KOWALEKI-COLEMAN SUBDIVISION
 THE SUBDIVISION OF LOT 4, BLOCK 8, A.S.L. 88-7, WRANGELL ISLAND WEST SUBDIVISION, PLAT NO. 88-11 WRANGELL RECORDING DISTRICT, WRANGELL, ALASKA, WITHIN BCG 17, T84S, R84E, Q3M, AK.

SUBSCRIBED AND LIND KOWALEKI, DEBRA COLEMAN
 BOX 1331 WRANGELL, AK 99993 / BOX 222 WRANGELL, AK 99993

FILE NO. PA20000071

PROPOSED STRUCTURE



City and Borough of Wrangell, Alaska

Agenda G-5

Date: April 11, 2017

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Non traditional Housing options - Planned Unit Developments

BACKGROUND:

Planning and Zoning Commission has had general discussions to day regarding nontraditional housing developments and how to permit them in the code appropriately. One option would be to adopt a Planned Unit Development code.

Attached for your review are two PUD codes from Petersburg and Sitka. Different communities handle cottage housing and PUD's differently... either through a PUD and standards, on an individual status, or specific requirements for small homes.

These are samples and there are various variations to consider.

Please remember we have scheduled a workshop on this issue prior to the May regular scheduled meeting.

City and Borough of Wrangell, Alaska

Agenda F-1

Date: November 5, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Tiny Homes, Cottages, Yurts

This memo and information is an introductory discussion of Tiny Homes, Cottages, Yurts to identify for the Commission some of the inquiries and issues that staff are discussing, and to obtain some direction or interest for future discussions.

What has prompted this discussion?

- 1) Institute Master Plan includes a development area for tiny homes/small cottages – sharing parking, common area and reducing lot size requirements.
- 2) Inquiries by several individuals about the construction of yurts in Wrangell.
- 3) Inquiries about tiny homes (on wheels or off) and where are they permitted
- 4) Staff acknowledging changes in building options and needing further education as to zoning or building code compliance

Some basic sites for starters if you feel up to exploring these issues:

Fact Sheet from the State of Minnesota on Tiny Houses:

<http://americantinyhouseassociation.org/wp-content/uploads/2016/08/Minnesota-Tiny-House-Fact-Sheet.pdf>

By Becky Kemery, excerpt from Yurts: Living in the Round

<http://www.yurtinfo.org/yurts-and-building-codes>

<http://americantinyhouseassociation.org/>

Some of the issues include:

Temporary vs. permanent use

Accessory vs primary use

Permanent foundations

Building code requirements

Standards as to floor size, sewer/water, kitchen, toilets

At our December 2016 workshop, we discussed PUD – Planned Unit Developments that could provide flexibility in subdivisions (such as the Institute Property) or existing trailer parks wanting to do something different, or other development plans. We do not have a PUD code, but they are very common and a sample draft will be provided at the meeting.

Chapter 21.28 PLANNED UNIT DEVELOPMENT AND CLUSTER SUBDIVISIONS

Sections:

- 21.28.010 General provisions.
- 21.28.020 Cluster development projects.
- 21.28.030 Ownership.
- 21.28.040 Procedure.
- 21.28.050 Concept plan.
- 21.28.060 Permitted construction.
- 21.28.070 Changes in concept plan.
- 21.28.080 Staged development.
- 21.28.090 Condominium developments.

21.28.010 General provisions.

It is the intent of the city and borough to encourage imaginative and innovative design in the application of subdivision and improvement standards for subdivision developments proposed as planned unit cluster development projects, commercial centers, industrial parks, and shopping centers. Planned unit development proposals shall be subject to requirements of all existing city and borough ordinances, except as modified by this chapter to create development qualities different from those that result from conventional design. Projects developed under the provisions of this chapter should:

- A. Encourage the enhancement and conservation of lands which have scenic, environmental, cultural, and historical significance;
- B. Enable the development of property other than by the strict application of subdivision standards in order to allow for mixed uses and mixed densities, and provide a greater level of design features and site amenities;
- C. Provide for more efficient use of land, resulting in better coordinated networks of utilities and safer networks of streets, promoting greater opportunities for public and private recreational open space, and resulting in lower construction and maintenance costs to the general public;
- D. 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.

Departure from the subdivision regulations and standards requires demonstration that adequate provisions will be made for sufficient light and air, that the density of development is compatible with surrounding land uses, that pedestrian and vehicular traffic circulation systems are safe and efficient, that the development will progress in orderly phases, and that the public health, safety, and general welfare will be protected. (Ord. 03-1729 § 4 (part), 2003.)

21.28.020 Cluster development projects.

Cluster planned unit developments are projects in which the individual lots are substantially smaller than otherwise allowed, provided there is at least as much open space within the total development as would exist if all lots were of standard size. The net density of units as a whole shall be the same as allowed under regular zoning unless otherwise approved by the planning commission.

At least seventy percent of the open space shall be dedicated to scenic or recreational purposes to be enjoyed in common by all residents, employees, and/or customers living, working or shopping in the development, their guests and, where applicable, by the general public.

Cluster developments shall include:

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

(Ord. 03-1729 § 4 (part), 2003.)

21.28.030 Ownership.

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

A. Provide agreements, contracts, and proposed deed restrictions acceptable to the municipality for the completion of the undertaking in accordance with the adopted concept plan as well as for the continuing operation and maintenance of such areas, functions and facilities not intended to be provided, operated, or maintained at general public expense;

B. Bind any developer successors in title to any commitments made under subsection (A) of this section.

(Ord. 03-1729 § 4 (part), 2003.)

21.28.040 Procedure.

Planned unit developments and cluster subdivisions shall follow the major subdivision review and approval process in Chapter 21.32. These procedures include review and approval of the final plat by both the planning commission and the assembly.

A. **Concept Review.** After initial consultation with the city pursuant to Section 21.32.030, a review of the preliminary development concept shall be made by the planning commission to any site planning and platting issues and concerns regarding the proposal in order to guide subsequent detailed planning and engineering. Flagging and monumentation shall be installed consistent with the requirements in the major subdivision review process.

B. **Preliminary Plat Submission.** The preliminary plat submittal shall contain essentially the same information required in the regular major subdivision platting procedure under Section 21.32.040 and

shall also contain a written description of proposed departures from design and improvement standards. Draft covenants and restrictions shall be submitted with the preliminary plat.

C. Final Plat Submission. The final plats shall contain the same information and detail as required for final major subdivision plats elsewhere in this title. Final covenants and restrictions shall accompany the final plat that is submitted for planning commission review.

(Ord. 03-1729 § 4 (part), 2003.)

21.28.050 Concept plan.

This plan shall indicate:

- A. Pedestrian and vehicular circulation, showing right-of-way widths as well as access points to the major thoroughfare systems. The applicant may submit one or more alternate proposals for a nonmotorized circulation system within the planned unit development.
- B. The use of all lands showing the general location, function and extent of the components or units of the plan including proposed uses, densities, or intensities of use; open space, such as parks, outdoor recreation, or scenic areas; and community-serving recreational, and education, or leisure facilities.
- C. The provision of utilities to and within the planned unit development, including municipal sewer and water supply; sanitary sewer; electrical power; telecommunications; emergency services; and fire protection.
- D. Provisions, if required by the assembly, for financial responsibility to ensure:
 - 1. The completion of each stage of the project; and to indemnify the project for a period of one year after completion of construction as to any costs the project may incur by reason of deficiency of design or construction.

(Ord. 03-1729 § 4 (part), 2003.)

21.28.060 Permitted construction.

Upon approval of the concept plan, submission and approval by the municipal engineering, department of prepared construction documents, 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 plat recording. (Ord. 03-1729 § 4 (part), 2003.)

21.28.070 Changes in concept plan.

It is not intended that the planned unit development concept plan so approved shall be inflexibly applied, but rather the planned unit development should be in conformance with the concept plan, subject to modification upon approval of the planning commission due to changed economic, social or demographic conditions. (Ord. 03-1729 § 4 (part), 2003.)

21.28.080 Staged development.

A planned unit development subdivision proposed for completion in stages shall be designed and constructed so that each stage will be self-supporting should future proposed stages not occur. The concept plan is to include details as to each development stage and the expected timing of each stage. (Ord. 03-1729 § 4 (part), 2003.)

21.28.090 Condominium developments.

Condominium developments shall follow the same procedures as cluster developments and 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 planning commission consistent with the provisions of this chapter. (Ord. 03-1729 § 4 (part), 2003.)

Chapter 18.28 - PLANNED UNIT DEVELOPMENT

Sections:

18.28.010 - General provisions.

In addition to standard subdivision layouts, it is the intent of the city to permit a reasonable degree of latitude in subdivision and improvement standards to encourage imaginative and innovative design. This is allowable for subdivision developments proposed as planned unit cluster development projects, commercial centers, industrial parks, and shopping centers. Any such plans submitted shall include design and construction elements, common use facilities, open space, private housing and land management maintenance, etc., subject to requirements of all existing city ordinances, except as may be modified by this chapter, in order to arrive at alternative urban and rural land development quality, different from conventional design.

The general purposes of the planned unit development are as follows:

- A. Create an alternative method for property development where the strict application of subdivision standards does not address the process of combined residential and commercial development and alternative land development techniques;
- B. Provide for more efficient use of land, resulting in smaller networks of utilities, safer networks of streets, lower construction and maintenance costs to the general public, creates greater opportunities for public and private recreation and provide open space;
- C. Encourage harmonious and coordinated development of the site. Primary considerations should be the relationship of natural features, community facilities and pedestrian and vehicular circulation to overall transportation plans and the land use relationship with surrounding properties and the general community;
- D. Encourage the enhancement and conservation of lands which have scenic, environmental, cultural, or historic significance.

(Ord. 631 § 3 (part), 1989)

18.28.020 - Cluster development projects.

- A. Planned unit developments may include cluster development projects in which the individual lots are substantially smaller than otherwise allowed, provided there is at least as much open space as specified under Title 19 of this code (maximum lot coverage and density), within the total development as would exist if all lots were of standard size.
 1. The density and maximum lot coverage for the project area as a whole shall be the same as allowed under Title 19 of this code, unless a variance is approved by the commission.
 2. All of such open space shall be dedicated to scenic or recreational purposes and to be enjoyed in common by all residents of the development, their guests and where applicable, by the general public.
- B. The purpose 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 19 of this code, but with substantially larger total open space to provide better use of land contours and to utilize what otherwise might be waste land as common areas to be enjoyed by all. All such cluster developments shall include provisions as follows:

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

(Ord. 631 § 3 (part), 1989)

18.28.030 - Condominium developments.

A planned unit development utilizing a condominium development shall follow the same procedures as cluster developments with zero setbacks allowed, provided it is consistent with the concept plan (reference Section 18.28.070). 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.

(Ord. 631 § 3 (part), 1989)

18.28.040 - Ownership.

All land included for the purpose of development within a planned unit development shall be owned or be under control of the applicant, whether that applicant is an individual, partnership or corporation, or group of individuals, partnerships or corporations. The applicant shall, in conjunction with preliminary approval under subsection B of this section, present proof of the unified control of the entire area within the proposed planned unit development and shall state agreement that, if the applicant proceeds with the proposed development, the applicant will:

- A. Do so in accordance with the concept plan of development officially adopted for the planned unit development, the regulations existing when the planned unit development is passed by the platting board and such other conditions or modifications as may be attached to the land at the time the planned unit development is approved;
- B. Provide contracts, and proposed deed restrictions acceptable to the municipality as to content, 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 as are not to be provided, operated or maintained at general public expense;
- C. Bind any developer successors in title to any commitments made under subsections A and B of this section.
- D. All expenses incurred in receiving approval under subsections A, B and C of this section, shall be the developer's responsibility.

(Ord. 631 § 3 (part), 1989)

18.28.050 - Procedure.

- A. Concept Review. After initial consultation with the city planner pursuant to Section 18.24.020, a review of the preliminary development concept shall be made by the platting board. This will identify many of the planning and platting complications posed by the development and will also afford 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 necessitated by this approach.
- B. Preliminary Plat Review. The preliminary plat submittal shall contain the same information required in the regular platting procedure under Section 18.24.040, shall include the concept plan and site conditions map and shall also contain a written statement identifying all subdivision ordinance standards which are proposed to be modified.
- C. Final Plat Approval. A final plat must follow the regular platting procedures and final plat standards except as modified by this chapter and may be submitted only after zoning changes, if any, have been completed. The final concept plan shall be submitted with the final plat. After receiving approval from the platting board, all planned unit developments must receive final approval from the city council. The council shall:
 - 1. Approve the plan and methods utilized to carry out the plan concept;
 - 2. Approve the subdivision plat giving findings of fact and reasons for acceptance. Should the planned unit development be rejected, the council will adopt findings of fact and give reasons for such rejections within thirty days of its action.

(Ord. 631 § 3 (part), 1989)

18.28.060 - Site conditions map for planned unit development.

This map or series of maps shall be submitted with the preliminary plat and shall be drawn to a scale of one inch equals two hundred fifty feet and shall indicate the following:

- A. Name of the planned unit development and name and address of the developer and/or agent;
- B. Scale, date, north arrow, and general location map showing the relationship of the site adjacent to such external facilities as highways, residential areas, shopping areas, fire station, school, cultural or recreational complex, and existing public facilities. Notation of this information on a scaled map is acceptable.

(Ord. 631 § 3 (part), 1989)

18.28.070 - Concept plan.

- A. This plan shall be submitted with the preliminary plat, shall be prepared to the scale set forth in Section 18.24.040, and shall indicate:
 - 1. Pedestrian and vehicular circulation, showing right-of-way widths as well as access points to the major thoroughfares. The applicant may submit alternate proposals for pedestrian systems, bicycle paths, or other alternatives for the movement of persons within the planned unit development other than by automobile;
 - 2. Use of all lands within the proposed planned unit development. Such plans shall indicate the general location, function and extent of the components or units of the plan including zoning district designation; open space provisions, such as parks, outdoor recreation, or scenic areas; community-serving recreational, educational, and leisure time facilities;
 - 3. What arrangements are made for the needed utilities to and within the planned unit development; including municipal sewer and water supply, sewage treatment, electrical, communications, ambulance, and fire protection.

4. Evidence that the conceptual plan and any supporting documents have been submitted to such appropriate agencies or departments of the city and state as may be designated by the city planner. Unless otherwise indicated by the city planner, at least the following municipal departments shall be sent the conceptual plan and supporting documents:
 - a. Municipal power and light departments;
 - b. Public works;
 - c. Fire department;
 - d. Building department;
 - e. Planning department.

The departments shall transmit their comments within forty-five days to the city planner. If their comments are not received within that time, it may be assumed that they have no objection. If required, evidence shall be presented that the conceptual plan and supporting documents have been sent to the appropriate state and federal regulatory agencies. Final approval of the plan shall be contingent upon a ruling of compliance or no objections by the agencies. All comments received by the applicant shall be available ten days prior to the public hearing concerning the concept plan or preliminary plat.

- B. After the hearing on the preliminary plat and concept plan, the platting board will review and give approval as submitted, conditional approval or deny the concept plan application. If given conditional approval, the applicant has thirty days to submit additional data required by the platting board. If requested, an extension may be granted by the platting board. If the platting board elects to deny the concept plan application, it must state the specific reasons for such denial as further provided in Section 18.12.040, and state what corrective measures may be taken by the applicant, if any, to correct the stated objections.
- C. If the applicant is denied concept plan approval or is in disagreement with conditional approval, the applicant may, within the next six months and at least fifteen days prior to any platting board meeting, resubmit a concept plan and/or preliminary plat which satisfies the conditions and objections of the platting board; or appeal the decision to the city council in accordance with Chapter 18.36.
- D. The concept plan shall contain provisions, if required by the platting board, for financial responsibility to ensure the completion of each stage of the project, and the agreement of the owner/applicant to defend and indemnify the city from any claims, liabilities or expenses the city may incur by reason of deficiency of design or construction by or on behalf of the owner/applicant.

(Ord. 631 § 3 (part), 1989)

18.28.080 - Permitted construction.

Construction may proceed for public and/or approved private roads, utility installation, community-serving open space, and recreational facilities, only after approval of the concept plan, preliminary plat and approval by the city engineering department of required construction documents. No lots or rights shall be sold until after plat recording.

(Ord. 631 § 3 (part), 1989)

18.28.090 - Changes in concept plan.

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

(Ord. 631 § 3 (part), 1989)

18.28.100 - Exemptions from subdivision regulations.

Exemption from or modification of the normal requirements of the subdivision regulations may be permitted when the developer demonstrates to the platting board that adequate provisions have been made in the planned unit development so that the density of the development is compatible with surrounding land uses and zoning requirements for the proposed use, 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. Further such modification shall result in at least equivalent quality of living standards compared to regular developments.

(Ord. 631 § 3 (part), 1989)

18.28.110 - Common space.

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

(Ord. 631 § 3 (part), 1989)

18.28.120 - Staged development.

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

(Ord. 631 § 3 (part), 1989)