

## **Suggested Motion**

I MOVE TO approve Ordinance 2015-42 on second and final reading.



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

## MEMORANDUM

**To:** Mark Gorman, Municipal Administrator  
Mayor McConnell and Members of the Assembly

**From:** Michael Scarcelli, Senior Planner *MS*

**Subject:** Ordinance 2015-42 Amending Industrial District regulations to allow under conditional uses an Asphalt Plant and Concrete batch Plant.

**Date:** August 17, 2015

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The Planning Commission is recommending approval of a zoning text amendment to modify SGC Table 22.16.015-5 to allow for conditional use permits for Asphalt Plants and Concrete Batch Plants located in Industrial zoning districts.<sup>1</sup>

The proposal is designed to decrease project costs, provide for more efficient supply of building materials, reduce building costs, and to increase City resources towards other matters. The request is filed by the City and Borough of Sitka. Action on this item was taken at the August 4, 2015 Planning Commission meeting. The recommendation to approve the request passed unanimously 4-0.

The Public Works and Planning and Community Development Staff support the zoning text amendment. No other comment was received.

The proposed zoning text amendment is consistent with Comprehensive Plan Section 2.2.6 *Complement existing economic activities and strive to increase economic diversity.*

**Recommendation:** Approve the ordinance.

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<sup>1</sup> Section 22.40.140 Provides for Board of Adjustment to approve temporary use permits for such plants on a per-project basis. In addition to the proposed amendment of the use table, this section will be removed.

CITY AND BOROUGH OF SITKA  
ORDINANCE NO. 2015-42

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING SITKA  
GENERAL CODE TITLE 22 ZONING TO ALLOW ASPHALT PLANTS AND CONCRETE  
BATCH PLANTS AS A CONDITIONAL USE IN THE INDUSTRIAL ZONE

BE IT ENACTED by the Assembly of the City and Borough of Sitka, Alaska as follows:

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.
2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.
3. **PURPOSE.** The purposes of this ordinance is to 1) allow asphalt plants and concrete batch plants as a conditional use in the industrial zone and 2) removing 22.20.140 Asphalt plants and concrete batch plants. The intent is to permit asphalt plants and concrete batch plants on more than a temporary basis.
4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough to revise the following sections of SGC Titles 22 as listed below (new language underlined; deleted language stricken):

Table 22.16.015-5 Manufacturing/Storage Uses.

Table 22.16.015-5  
Manufacturing/Storage Uses

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP (7)
<b>MANUFACTURING</b>																		
• Food products include seafood processing										C	C	P	P	C	C	C		
• Mariculture												P		C	C			
• Winery/brewery, small scale									C	C	C	P	P	C	C			
• Textile mill products										C	C	P	P	C	C			
• Apparel and textile products										C	C	P	P	C	C			
• Wood products, except furniture										C	C	P	P	PU/CS	C			
• Furniture and fixtures										P	P	P	P	P	C			
• Paper and allied products										C	C	P	P	C	C			
• Petroleum refining and related products										C	C	P	P					

**Table 22.16.015-5  
Manufacturing/Storage Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP (7)
• Rubber and plastics products										C	C	P	P					
• Leather and leather goods										P	P	P	P	C	C			
• Tannery										C	C							
• Stone, clay, glass and concrete products										C	C	P	P	C	C			
• Primary metal products										C	C	P	P	C	C			
• <u>Asphalt plant/concrete batch plant</u>													C					
• Fabricated metal products										C	C	P	P	C				
• Industrial and commercial machinery										C	C	P	P					
• Heavy machinery and equipment										C	C	P	P					
• Computer and office equipment										P	P	P	P	C	C			
• Electronic and electric equipment										P	P	P	P	PU/CS	C			
• Miscellaneous vehicle manufacturing										C	C	P	P	C				
• Boat building										C	C	P(5)	P	C				
• Tire retreading										C	C	P	P					
• Other manufacturing										C	C	P	P(6)	C	C			
STORAGE AND WAREHOUSING													P					
• Marine equipment/commercial fishing gear/material storage										P	P	P	P	PU/CS	C			
• Boat storage										P	P	P	P					
• Construction materials storage									P	P	P	P	P	C	C	C		
• Trucking, courier and taxi service facilities									P	P	P	P(5)	P	C	C			
• Warehousing and wholesale trade									P	P	P	P(5)	P	C				
• Self-service storage									P	P	P	P	P	C				
• Log storage	C									C	C	P	P	C			P	
• Freight and cargo services									P	P	P	P(5)	P	C				
• Equipment rental services									P	C	C	P	P	C				
• Vehicle rental services									P	P	P	P	P	C				

**Table 22.16.015-5  
Manufacturing/Storage Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP (7)
• Natural resource extraction and mining support facilities												C	C	C	C			C
• Storage of explosives													C					
• Bulk fuel storage												C						

P: Public Lands District

SF: Single-Family District

SFLD: Single-Family Low Density District

R-1: Single-Family/Duplex District

R-1 MH: Single-Family/Duplex/Manufactured Home District

R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home Low Density Districts

R-2: Multifamily District

R-2 MHP: Multifamily/Mobile Home District

CBD: Central Business District

C-1/C-2: General Commercial and General Commercial/ Mobile Home Districts

WD: Waterfront District

I: Industrial District

GI: General Island District

LI: Large Island District

R: Recreational District

OS: Open Space District

GP: Gary Paxton Special District

29 P—Permitted

30 C—Conditional Use Permit Required

31 PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

32 G. Manufacturing/Storage Uses Table 22.16.015-5 Footnotes.

33 1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission  
34 recommendation and assembly approval subject to findings of fact that show the use is in the public interest, all  
35 reasonable safeguards are to be employed to protect the surrounding area, and that there are no reasonable  
36 alternative locations for the use.

37 2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland  
38 uses may be non-water-related.

39 3. No industrial use shall be of a nature which is noxious or injurious to nearby properties by reason of  
40 smoke, emission of dust, refuse matter, odor, gases, fumes, noise, vibration or similar conditions.

41 4. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved,  
42 on a case-by-case basis.

43 5. Ferry terminals, barge freight terminals, docks and harbor facilities including float plane facilities, fueling  
44 piers and tank farms and other port facilities are permitted principal uses subject to planning commission  
45 review and public hearing and assembly approval of a binding site plan.

46 6. Automobile wrecking yards, salvage yards, and junkyards are conditional uses and shall be set back a  
47 minimum of twenty feet from property lines and be enclosed by fences a minimum of eight feet in height.  
48 The setback area may be used for customer parking but not for vehicle storage.

49 7. Any uses, except retail and business uses, and natural resource extraction and mining support facilities  
50 uses may be approved in accordance with Section 2.38.080.

51 \*\*\*

52 ~~22.20.140 Asphalt plants and concrete batch plants.~~

53 ~~A. The board of adjustment may issue temporary permits for asphalt and concrete batch plants,~~  
54 ~~for specific named projects, in public lands and industrial districts except on park, school or~~  
55 ~~hospital grounds. Such permits shall be for up to five months or the length of the project~~  
56 ~~whichever is longer and may be renewed only once in any given calendar year.~~

57 ~~B. The plant shall be removed upon completion of the project or within thirty days of the~~  
58 ~~expiration of the permit.~~

59 ~~C. Applicants shall address in their application neighborhood composition, traffic to and from the~~  
60 ~~site, noise, dust, and stipulated hours of operation. A site plan shall also be provided.~~

61 \*\*\*

62 5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of  
63 its passage.

64 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka,  
65 Alaska this 8<sup>th</sup> day of September 2015.

66  
67 Mim McConnell, Mayor

68 ATTEST:  
69  
70 Sara Peterson, CMC  
71 Sara Peterson, CMC  
72 Municipal Clerk



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

Date: 8/4/15

From: Maegan Bosak, PCDD

To: Planning Commission

Re: ZTC 15-05 To allow asphalt plants/concrete batch plants in Industrial zone with conditional use permit

### GENERAL INFORMATION

Applicant: City and Borough of Sitka

Property Owner: ZTC would apply to I Industrial zone

Property Address: N/A

Legal Description: N/A

Parcel ID Number: N/A

Size of Existing Lot: N/A

Zoning: Industrial

Existing Land Use: Industrial

Utilities: N/A

Access: Varies

Surrounding Land Use: Various

### MEETING FLOW

- Report from Staff
- Applicant comes forward
- Applicant identifies him/herself – provides comments
- Commissioners ask applicant questions
- Staff asks applicant any questions
- Floor opened up for Public Comment
- Applicant has opportunity to clarify or provide additional information
- Comment period closed - brought back to the board
- Findings
- Motion of recommendation

### ATTACHMENTS

Attachment A: Application

Attachment B: SGC 22.24.010 B

Attachment C: Public Comments

## **PROJECT DESCRIPTION**

Request is a zoning text change to allow asphalt plants and concrete batch plants in the I Industrial zone with a conditional use permit. This change would allow an asphalt plant or concrete batch plant to stay on a property in Sitka permanently with a conditional use permit.

Asphalt and concrete are a need at all times not just for specific projects as currently permitted with a temporary use permit. Allowing an asphalt plant or concrete batch plant with an approved conditional use permit could fill this need on a permanent basis.

Staff sees this code change being implemented primarily in the Granite Creek area which is accustomed to intensive industrial uses.

## **BACKGROUND AND ANALYSIS**

SGC 22.20.140 currently states that:

A. The board of adjustment may issue temporary permits for asphalt and concrete batch plants, for specific projects, in public lands and industrial districts except on park, school or hospital grounds. Such permits shall be for up to five months or the length of the project whichever is longer and may be renewed only once in any given calendar year.

B. The plant shall be removed upon completion of the project or within thirty days of the expiration of the permit.

C. Applicants shall address in their application neighborhood composition, traffic to and from the site, noise, dust, and stipulated hours of operation. A site plan shall also be provided.

**Project Site:** varies

**Project Design:** varies

**Traffic:** Could create an increase in traffic, specifically truck traffic, in Industrial zones.

**Parking:** No change to parking.

**Noise:** Could be a substantial increase in noise dependent upon lot characteristics and hours of operation.

**Public Health or Safety:** Public health factor in that asphalt/concrete plants do put out emissions and noise.

**Habitat:** Could impact habitat in immediate area.

**Property Value or Neighborhood Harmony:** Substantial use such as a asphalt plant could put a strain on neighborhood harmony due to noise created and increased truck traffic.



**Conformity with Comprehensive Plan:** The proposed ZTC would be consistent with the Comprehensive Plan, section 2.2.6, “Complement existing economic activities and strive to increase economic diversity.”

**FINDINGS**

None.

**RECOMMENDATION**

It is recommended that the Planning Commission adopt the Director’s analysis and grant the requested zoning text change.

**CITY AND BOROUGH OF SITKA  
Planning Commission  
Minutes of Meeting  
August 4, 2015**

**Present:** Chris Spivey (Acting Chair), Debra Pohlman (Member), Darrell Windsor (Member)  
Randy Hughey (Member), Michael Scarcelli (Senior Planner), Maegan Bosak  
(Planning & Community Development Director)

**Absent:** Richard Parmelee (Chair)

**Members of the Public:** John Totten, Kristy Kissinger Totten, Jim Steffen, Judy Steffen, Dan  
Jones, Jane Eidler, Sheila Finkenbinder

Vice Chair Spivey called the meeting to order at 7:00 p.m.

**Roll Call:**

**PRESENT:** 4 – Spivey, Pohlman, Windsor, Hughey. Note: Acting Chair Chris Spivey  
recused himself from items B and C due to a business association with Alps Credit  
Union, the owner of the property. Darrell Windsor agreed to serve as chair for this  
case in his stead.

**Consideration of the Agenda:**

Staff informed the commission that item A was pulled from this meeting's agenda.

**Consideration of the Minutes from the July 21, 2015 meeting:**

**MOTION: M/S WINDSOR / POHLMAN** moved to approve the meeting minutes for July  
21, 2015.

**ACTION:** Motion **PASSED unanimously 4-0** on a voice vote.

**The evening business:**

**CONDITIONAL USE PERMIT  
401 AND 407 HALIBUT POINT ROAD  
DANIEL JONES FOR ALPS CREDIT UNION**

*Public hearing and consideration of an expansion of a credit union conditional use permit at  
401 and 407 Halibut Point Road. The property is also known as Lots A and B, Block 24, U.S.  
Survey 1474-A and Lot A, Burgess Estates. The request is filed by Daniel G. Jones, P.E, LLC.  
The owner of record is ALPS Federal Credit Union.*

**STAFF REPORT:** Bosak described the project, a request for an expansion of the conditional use  
permit held by Alps Credit Union in an R-2 zone. The conditional use permit was approved by the  
Assembly in 1998 with these conditions: 1. The traffic flow and off-street parking arrangement  
conforms with the recommendation of the Planning Commission. 2. That staff review the lighting

situation to reduce the negative effects of lighting on adjacent residential properties incorporating additional lighting benefits to Erler Street if practical. 3. The storm drainage is to be contained and be directed subsurface into existing storm drainage system. 4. No water is to be allowed to be directed onto Halibut Point Road or Erler Street. Bosak noted that the expansion would involve a second lot that has already been in use for commercial purposes, at 407 Halibut Point Road. She shared comments which have come in from neighbors voicing opposition to this request. The Department of Transportation also provided a comment that the applicant would need to consult with DOT regarding their plan for a third driveway onto the property. Staff didn't perceive that this request would cause noticeable additional traffic, or noise, but did request further clarification from the applicant regarding the parking plan in terms of total number of spaces -- code allows nothing smaller than spaces measuring 9' x 18' and the application shows some spaces denoted as "small car" parking. Staff also encouraged further clarification regarding signage, setbacks and the bank edging the property.

**APPLICANT:** Dan Jones clarified the site plan including the location and flow of the drive-thru. He also discussed parking, and ways that compliance could be met on parking and on signage. Bosak asked what the impetus was for this request and Jones said he didn't know for sure but his guess is that it is a need for additional office space to support additional branches that have opened.

**PUBLIC COMMENT:** Residents spoke in opposition to the request due to concerns about the effect on neighbors' views, citing commercial "creep," as well as traffic and parking issues. Chris Spivey spoke as a member of the public suggesting that the applicant consider the possibility of keeping the drive-thru directing traffic onto Erler Street.

**COMMISSIONER DELIBERATION:** Commissioners were against increasing the impact on the value of the Totten's property as well as impacts on the residential nature of the area. Pohlman expressed concern about the size of the parking spaces, and public safety concerns with regard to the bike lane. There was discussion around denying or postponing this request to open the way for a future possible plan for a one-story building. Staff reminded commissioners that in a R-2 zone, buildings can be up to 40 feet in height, and impacts on neighbors' views or values are not taken into account.

**MOTION: M/S HUGHEY/ POHLMAN** moved to deny the following findings:

Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
  - a. Be detrimental to the public health, safety, and general welfare; *specifically residential neighbors in the adjacent area.*
  - b. Adversely affect the established character of the surrounding vicinity; *specifically, the residential nature of the R2 zone, nor*
  - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located, *specifically adjacent property values.*

2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation, *specifically 2.5.2: to encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas.*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

**ACTION:** Motion **PASSED unanimously 3-0** on a voice vote.

**MOTION: M/S HUGHEY/POHLMAN** moved to recommend denial of an expansion of a credit union conditional use permit at 401 and 407 Halibut Point Road based on the findings, due to concerns for the residential quality of the neighborhood, and concerns about traffic flow, public safety, and parking. The property is also known as Lots A and B, Block 24, U.S. Survey 1474-A and Lot A, Burgess Estates. The request is filed by Daniel G. Jones, P.E, LLC. The owner of record is ALPS Federal Credit Union.

**ACTION:** Motion **PASSED unanimously 3-0** on a voice vote.

**RE-PLAT  
401 AND 407 HALIBUT POINT ROAD  
DAN JONES FOR ALPS CREDIT UNION**

*Public hearing and consideration of a replat at 401 and 407 Halibut Point Road filed by Daniel G. Jones, P.E, LLC. The replat will remove the center lot line and merge two lots into one. The property is also known as Lots A and B, Block 24, U.S. Survey 1474-A and Lot A, Burgess Estates. The owner of record is ALPS Federal Credit Union.*

**STAFF REPORT:** Bosak explained that this re-plat is an option which the applicant will hold in reserve for now as it would negate the existing conditional use permit, and a new permit would have to be approved based on the expanded site plan.

**APPLICANT:** Dan Jones said he was available to answer any questions.

**COMMISSIONER DELIBERATION:** There was no commissioner deliberation.

**PUBLIC COMMENT:** No public comment.

**MOTION: M/S POHLMAN/HUGHEY** moved to approve a replat at 401 and 407 Halibut Point Road filed by Daniel G. Jones, P.E, LLC. The replat will remove the center lot line and merge two lots into one. The property is also known as Lots A and B, Block 24, U.S. Survey 1474-A and Lot A, Burgess Estates. The owner of record is ALPS Federal Credit Union.

**ACTION:** Motion **PASSED unanimously 3-0** on a voice vote.

**ZONING TEXT AMENDMENT  
ASPHALT PLANTS IN INDUSTRIAL ZONES WITH CUP  
CITY AND BOROUGH OF SITKA**

*Public hearing and consideration of a proposed zoning text amendment to modify SGC Table 22.16.015-5 Manufacturing/Storage Uses to allow asphalt plants and concrete batch plants in an Industrial Zone with a conditional use permit. The request is filed by the City and Borough of Sitka.*

**STAFF REPORT:** Bosak explained that currently asphalt plants are only allowed in Sitka under a temporary use permit. The need for asphalt is an essential one to Sitka, and is recurring, and under the temporary use permit, equipment has to be brought in from out of town, rather than remaining on a site, greatly increasing costs to the city and to residents needing asphalt work. This request would allow an asphalt plant to operate in an Industrial zone under a conditional use permit.

**COMMISSIONER DELIBERATION:** Commissioners clarified their understanding of the request.

**PUBLIC COMMENT:** No public comment.

**COMMISSIONER DELIBERATION:** Commissioners had no further questions.

**MOTION: M/S POHLMAN/HUGHEY** moved to recommend approval of a proposed zoning text amendment to modify SGC Table 22.16.015-5 Manufacturing/Storage Uses to allow asphalt plants and concrete batch plants in an Industrial Zone with a conditional use permit. The request is filed by the City and Borough of Sitka.

**ACTION:** Motion **PASSED unanimously 4-0** on a voice vote.

**CONDITIONAL USE PERMIT  
415 DEARMOND STREET  
SHEILA FINKENBINDER**

*Public hearing and consideration of a B&B conditional use permit at 415 DeArmond Street. The property is also known as Lot 12 and a portion of Lot 11, Block 26 of the Spruce Glen Subdivision. The request is filed by Sheila Finkenbinder. The owner of record is Sheila Finkenbinder*

**STAFF REPORT:** Bosak described the long process leading up to this point involving many meetings, and ultimately a zoning text change allowing for a B&B to operate in the owner-occupied side of a duplex. This request is for a conditional use permit to operate a B&B for single guests during mostly the summer months. The dwelling is 984 square feet, and is a one-story, two-bedroom, one bath house with an attached cottage that acts as a long-term rental. The site has in excess of five parking spots.

**APPLICANT:** Sheila Finkenbinder expressed happiness that this was now an option for people in Sitka trying to generate some income through home sharing. Staff asked if food would be served and the applicant said perhaps simple fare, but she just bought a sign that said: Bed and Breakfast: You Make Both.

**COMMISSIONER DELIBERATION:** Pohlman said some visitors had come into her place of work and they were asking about B&B lodging because everything they had looked at was full.

**PUBLIC COMMENT:** No public comment.

**MOTION: M/S WINDSOR/POHLMAN** moved to approve the following findings:

Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
  - a. Be detrimental to the public health, safety, and general welfare;
  - b. Adversely affect the established character of the surrounding vicinity; nor
  - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located,
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan, *specifically 2.1.1. Encourage the development of facilities to accommodate visitors without significant impacts on residential properties.*

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

**ACTION:** Motion **PASSED unanimously 4-0** on a voice vote.

**MOTION: M/S SPIVEY/WINDSOR** moved to recommend approval of a bed and breakfast conditional use permit at 415 DeArmond Street. The property is also known as Lot 12 and a portion of Lot 11, Block 26 of the Spruce Glen Subdivision. The request is filed by Sheila Finkenbinder. The owner of record is Sheila Finkenbinder

**ACTION:** Motion **PASSED unanimously 4-0** on a voice vote.

**DIRECTORS REPORT:** Bosak introduced new Senior Planner Michael Scarcelli.

**PUBLIC COMMENT:** No public comment was offered.

**MOTION: M/S WINDSOR/SPIVEY** moved to adjourn at 9:12 pm.

**ACTION:** Motion **PASSED unanimously 4-0** on a voice vote.

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**Chris Spivey, Vice Chair**

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**Maegan Bosak, Acting Secretary**

**CITY AND BOROUGH OF SITKA**  
PLANNING DEPARTMENT  
ZONE CHANGE APPLICATION

ZONE MAP AMENDMENT FEE	\$100.00
ZONE TEXT AMENDMENT FEE	\$100.00
<i>Plus current city sales tax</i>	

Applicant's Name: CBS  
Phone Number: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Applicant's Signature: \_\_\_\_\_ Date Submitted \_\_\_\_\_

**Provide information or data, as necessary, to fully outline the reasons and justifications for the request. Attach additional sheets as necessary.**

- For official map amendments, the application shall contain:
1. A legal description of **each** subject property along with the owner's name, address, and contact person for **each** subject property;
  2. An analysis showing the public benefit of the proposed amendment;
  3. An analysis showing the proposal's consistency with the Comprehensive Plan;
  4. A map of the area to be rezoned.

LIST SPECIFIC REQUEST: ZFC to Allow ASPHALT  
Plant in Industrial Zone with  
a conditional use permit.

EXPLANATION OF REQUEST:  
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**After the application and supporting materials has been determined to be complete by the Planning Office, the request will be placed on the next available Planning Commission agenda.**




## Carole Gibb

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**From:** Dan Tadic  
**Sent:** Wednesday, July 29, 2015 11:54 AM  
**To:** Carole Gibb  
**Cc:** Maegan Bosak; Stephen Weatherman; Ted Laufenberg  
**Subject:** Aug 4-5 Planning Commission Agenda - PW Comments

Hi Carole,

I will be out of town on Aug 4-5 so unable to attend the Planning Commission meetings. Stephen Weatherman will be acting Municipal Engineer in my absence, but I don't feel it necessary that he attend these meetings. Please let us know if you feel otherwise. I offer the following comments on the agendas:

 Tues, Aug 4

Item D: Public Works fully supports the proposed zoning text amendment to allow asphalt and concrete batch plants in an Industrial Zone with a conditional use permit. Barging plants to Sitka for small projects is untenable. Having local asphalt and concrete plants is in the City's best interest for both public and private projects to keep costs reasonable. This text change would also allow for a public process prior to setting up a new plant to ensure visibility and accountability.

Wed, Aug 5

Item A: Public Works sees issues with the parking plan as shown. Due to the nature of this lot location (at the confluence of three non-perpendicular streets - New Archangel, Spruce and HPR), this parking plan would create traffic safety issues. Drivers would be forced to back out of the parking spaces into the Right-of-Way (ROW) with limited visibility for oncoming drivers due to the proximity of the parking spaces to the intersection and the presence of adjacent parked vehicles obstructing their view. Furthermore, CBS typically restricts driveways to 20' wide max (residential) or 30' wide max (commercial) as opposed to allowing full lot frontage driveways. The idea is to restrict ingress/egress in to the ROW to a single safe location. That location is typically required to be a minimum of 6' from a property line. In this particular situation, the property line abuts a three-way intersection presenting an unsafe location.

Item E: Ted Laufenberg will represent CBS on this item as he is the Project Manager on this project. He will be present our request and be prepared to answer any questions.

Thanks,

**Dan Tadic, P.E.**  
Municipal Engineer  
City and Borough of Sitka  
Department of Public Works  
100 Lincoln Street  
Sitka, AK 99835  
P (907) 747-1807  
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dan.tadic@cityofsitka.org

**\*\*PLEASE UPDATE YOUR ADDRESS BOOK TO REFLECT MY NEW EMAIL ADDRESS\*\***



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## **Notice of Public Hearings**

The Assembly of the City and Borough of Sitka will hold a public hearing during a regular meeting scheduled Tuesday, August 25, 2015 on the following items:

- A. Ordinance 2015- 42 Public hearing and consideration of a proposed zoning text amendment to modify SGC Table 22.16.015-5 Manufacturing/Storage Uses to allow asphalt plants and concrete batch plants in an Industrial Zone with a conditional use permit. The request is filed by the City and Borough of Sitka.
- B. Public hearing and consideration of a B&B conditional use permit at 415 DeArmond Street. The property is also known as Lot 12 and a portion of Lot 11, Block 26 of the Spruce Glen Subdivision. The request is filed by Sheila Finkenbinder. The owner of record is Sheila Finkenbinder.
- C. Public hearing and consideration of a conditional use permit for a short-term rental at 703 Biorka Street. The property is also known as Lot 11, Block 23, Sitka Townsite, U.S. Survey 1474. The request is filed by Deanna Moore. The owner of record is Deanna Moore.

The Assembly may take action on August 25, 2015. The Assembly meeting will begin at 6:00 pm at University of Alaska Southeast 1332 Seward Avenue Room 229 in Sitka.

Interested residents are encouraged to make comments during the meeting and written comments can be submitted to the Municipal Clerk at 100 Lincoln Street.



# City and Borough of Sitka

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## **Sitka Planning Commission Agenda**

**Tuesday, August 4, 2015**

Held at Sealing Cove Business Center

601 Alice Loop, Sitka, Alaska

**7:00pm**

- I. CALL TO ORDER AND ROLL CALL
- II. CONSIDERATION OF THE AGENDA
- III. CONSIDERATION OF THE MINUTES FROM July 21, 2015
- IV. THE EVENING BUSINESS
  - A. Public hearing and consideration of a zoning map amendment at 1004 Halibut Point Road and 205 Kimsham Street to change the zoning from R-1 Single Family and Duplex Residential District to C-1 General Commercial District. The property is also known as Lots 3 & 4, U.S. Survey 3303. The request is filed by Trudy Prewitt. The owner of record is The Prewitt Family Trust.
  - B. Public hearing and consideration of an expansion of a credit union conditional use permit at 401 and 407 Halibut Point Road. The property is also known as Lots A and B, Block 24, U.S. Survey 1474-A and Lot A, Burgess Estates. The request is filed by Daniel G. Jones, P.E, LLC. The owner of record is ALPS Federal Credit Union.
  - C. Public hearing and consideration of a replat at 401 and 407 Halibut Point Road filed by Daniel G. Jones, P.E, LLC. The replat will remove the center lot line and merge two lots into one. The property is also known as Lots A and B, Block 24, U.S. Survey 1474-A and Lot A, Burgess Estates. The owner of record is ALPS Federal Credit Union.
  - D. Public hearing and consideration of a proposed zoning text amendment to modify SGC Table 22.16.015-5 Manufacturing/Storage Uses to allow asphalt plants and concrete batch plants in an Industrial Zone with a conditional use permit. The request is filed by the City and Borough of Sitka.**
  - E. Public hearing and consideration of a B&B conditional use permit at 415 DeArmond Street. The property is also known as Lot 12 and a portion of Lot 11, Block 26 of the Spruce Glen Subdivision. The request is filed by Sheila Finkenbinder. The owner of record is Sheila Finkenbinder.
- V. PLANNING DIRECTOR'S REPORT
- VI. PUBLIC BUSINESS FROM THE FLOOR
- VII. ADJOURNMENT

NOTE: Individuals having concerns or comments on any item are encouraged to provide written comments to the Planning Office or make comments at the Planning Commission meeting. Written comments may be dropped off at the Planning Office in City Hall, emailed to [carole@cityofsitka.com](mailto:carole@cityofsitka.com), or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.

Publish: July 27 and 29

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