



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

1. Request projects at least TWENTY-ONE (21) days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

APPLICATION FOR:

☐ VARIANCE☐ CONDITIONAL USE☒ ZONING AMENDMENT☐ PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST:

Change "P" to "C" for
Recreational District uses: "Resort"
"Utility facilities," and "Public water
supply facility"

PROPERTY INFORMATION:

CURRENT ZONING: R PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): _____ PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: _____

PROPERTY OWNER ADDRESS: _____

STREET ADDRESS OF PROPERTY: _____

APPLICANT'S NAME: Ted Laufenberg

MAILING ADDRESS: 712 Etolin St. Sitka

EMAIL ADDRESS: tllaufen@gmail.com DAYTIME PHONE: 907 623-7107

DAWN YOUNG 738-3517 dawn@markdawnyoung.com

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: _____ BLOCK: _____ TRACT: _____

SUBDIVISION: _____ US SURVEY: _____

OFFICE USE ONLY

COMPLETED APPLICATION <u>myl</u>	<u>March 13, 2018</u>	SITE PLAN	<u>N/A</u>
NARRATIVE <u>myl</u>	<u>✓</u>	CURRENT PLAT	<u>N/A</u>
FEE <u>100 + 5% S.T.</u>	<u>✓</u>	PARKING PLAN	<u>N/A</u>

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:

- ☒ Completed application form
- ☒ Narrative *Attached*
- N/A* ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- N/A* ☐ Deed
- N/A* ☐ Copy of current plat
- ☐ Proof of filing fee payment

For Conditional Use Permit:

- ☐ Parking Plan
- ☐ Interior Layout

For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Topographic information
- ☐ Proof of Flagging
- ☐ Plat Certificate from a title company

If Pertinent to Application:

- ☐ Drainage and Utility Plan
- ☐ Landscape Plan

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Owner

Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

[Signature]

Applicant (If different than owner)

3/9/18

Date

Narrative for Zoning Amendment:

March 13, 2018

A petition by Baranof Property Owners Association

Change: **Three of the Permitted Uses in the Recreational District (R) to Conditional Uses.**

“Resort”, “Utility Facilities”, and “Public Water Supply Facility”

The rationale for requesting these changes is to assure that property owners in these very rural, undeveloped, recreational settings have full review of any uses that might cause significant changes to the quiet and self-sufficient life enjoyed in such settings. Properties in the Townsite of Baranof Warm Springs and Goddard Hot Springs have this “R” zoning tag.

Present residence owners at Baranof Warm Springs Townsite are in support of retaining the character and mixture represented in our present housing stock. A review of the zoning details in the present Recreational District (R) shows three permitted uses that are outside our present uses. Our general concept is to provide democratic process (public review and input) for any uses that fall outside of the status quo.

Resort- This use is *undefined* at present. It conjures up a variety of images that cover the spectrum from ...a small woodland cluster of log cabins to.... a high-rise beach-front glass & steel 40-story tower on a sandy beach. We believe a potential developer should be required to present to the Commission to provide disclosure in a public setting. During that “Conditional Use” hearing, the property/cabin owners would give feedback to the Commission and the Assembly for full review of a possible “resort”.

Utility Facilities- During the course of most utility facility installations, property owners should be given the opportunity to know *what is being installed and why*. Will there be noise, smells, ugliness or other aesthetics that will be unpleasant? This review should be made a requirement to reinforce the concept that the utility is meant to serve the residents (...a common purpose for utilities). In this case, we are also keen to avoid the construction/installation/day-to-day costs of the utility if the residents are not in favor of this utility. (i.e. an extension of the “no taxation without representation” principle.)

Public Water Supply Facility- The previous comments apply to this use as well. Making this a conditional use will provide the necessary forum for review of the proposed water supply facility.... by those who will be “served” by such a facility.

We look forward to discussing this proposal with you at your earliest convenience.

Respectfully Submitted:

Ted Laufenberg, President

Baranof Property Owners Association

cc: John Herchenrider, Vice-President

Bridget Kauffman, Secretary

Dawn Young, Treasurer

From: Baranof Property Owners Association (BPOA)
To: CBS Planning Department
Regarding: Addendum to Zoning code amendment

Approved - may not be the exact day
RECEIVED MAR 27 2019

BPOA Evaluation during the Annual Membership meeting- July 8, 2018

BPOA members encouraged the Exec. Comm. to continue its work begun in March, '18 on changing the zoning of just the townsite areas of the Bay, not the areas outside the original USS 3110 and USS 3291A&B townsite plats. Currently resorts and Public Utilities are allowed within the townsite.

-Zoning Changes requested:

-Resorts should be conditional and write a definition that makes common sense. That Lodges are not allowed and "undefined" resorts are currently permitted, doesn't make sense.

-Public facility, Public water, Utilities – We read this as producing utilities for others. These should all be conditional. However, Small residential systems that are accessory to the primary residence or are shared with one other residence would be still be permitted (a footnote in the use table would fulfill this concept).

Motion w/ Second:

BPOA supports Sitka amending zoning/code for the townsite so a resort would be a conditional use.

Utility, public facility, public water: Each could be done by conditional use permit in the townsite. Any private accessory use (not the principal use) of utilities on private lots would still be permitted.

Approved unanimously by voice vote.

Subsequent discussions with Planning Director Brylinsky and Planner Ainslee indicate that an Overlay Zone is the means for accomplishing this objective.

This summary extracted from the American Planning Association:

An overlay zone is a zoning district which is applied over one or more previously established zoning districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning district. Communities often use overlay zones to protect special features such as traditional housing, wetlands, steep slopes, and recreational uses.

Historical and Legal Implications — As with traditional zoning, uses that can be justified as contributing to the health, safety, and welfare of the population are generally allowed to be regulated via overlay zoning. Common regulations include those for historic districts or natural resource protection, though local governments are given broad authority to determine what regulation is in their community's best interest.

In this instance, the Overlay Zone is requested to be the Baranof Warm Springs townsite; US Survey (USS) 3110, 3291 A and 3291B.

Respectfully,



Ted Laufenberg, President, Baranof Property Owners Association
PO Box 2016, Sitka, AK 99835 ph. 907-623-7107 (See attached listing of members)

April 15, 2019

To: Amy Ainslie, CBS Planner

From: Ted Laufenberg, Baranof Property Owners Assoc.

Subject: Alternative approach to Zoning Code amendment

During our short discussion on Friday (4/12/19) a new concept for creating the zoning changes was brought forward. Instead of the "Overlay District" with its complicating language and definitions, the zoning amendments could be made in the Use Tables with footnotes for the affected area. Please feel free to further refine these proposed changes to accomplish the same results.

Proposed Changes for R-zone to accomplish identical results to a Baranof Warm Springs Overlay District

Table 22.16.015-1 Residential Land Uses -No Change

Table -2 Cultural/Recreational Uses

Resort P/C(10)

Footnote 10: Conditional for Baranof Townsite (USS 3110, 3291A, 3291B)

Table -4 Public Facilities Uses

Utility facilities (transformers,pump stations, etc.) P/C(8)

Public water supply facilities P/C(8)

Footnote 8: Conditional for Baranof Townsite (USS 3110, 3291A, 3291B)
