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Thursday, May 16, 2019

MEMORANDUM

To: Gary Paxton Industrial Park (GPIP) Board of Directors
From: Garry White, GPIP Director
Subject: Adjusting GPIP Zoning Code

Introduction

The GPIP Director is recommending that District Zoning Code Regulations be adjusted or modified for the GPIP properties.

Chapter 22.16 of the Sitka General Code (SGC) defines the approved use of property via various land use tables. Nearly every land use table for the GPIP properties does not include defined uses, but rather uses are codified with the following footnote:

Any uses, except retail and business uses, and [natural resource extraction](#) and mining support facilities uses may be approved in accordance with Section [2.38.080](#).

Section 2.38.080 are the GPIP Board's General Powers. Past operating practices have been that if the GPIP Board approves the use, then that is the approved land use for the property.

This method of zoning for the GPIP properties was a sufficient zoning management tool when a majority of the property at the GPIP was owned by the CBS and leased.

Now that a majority of the property is privately owned, any uses of private GPIP property outside of what the original intent use of the property when it was sold is not an approved zoning code use. An Example, if the owners of Lot 5 (Bottling plant) decided to use the property for anything except bottling water, they would need to approach the GPIP Board to get the use approved.

The GPIP Director is recommending that the attached uses in each individual land use table be approved in lieu of having the GPIP Board approve each individual change in future uses of private property.

The GPIP Board will still have the ability to approve leases on the remaining CBS owned property.

Action

- GPIP Discussion and recommendation on suggested land use tables.

**Gary Paxton Industrial Park – Board of Directors Meeting
May 20, 2019, 3:00pm – Harrigan Centennial Hall**

A. CALL TO ORDER: The Chair called the meeting to order at 3:01pm

B. ROLL CALL

Members Present: Vaughn Morrison, Rob Parrish, Scott Wager, Wayne Unger

City Representatives: Brian Hanson, Kevin Mosher

Others Present: Pat Glaab (Northline Seafoods), Camille Ferguson (Sitka Tribe), Robert Woolsey (Raven Radio), Shannon Haugland (Sentinel), Garry White, Sarah Nelson.
Members of the public.

C. Review of Minutes – April 8, 2019

MOTION: M/S Morrison/Parrish moved to approve the minutes of April 8, 2019.

ACTION: Motion PASSED 3/0 on a voice vote.

D. Correspondence & Other Information – None

E. Changes/Additions/Deletions to Agenda – None

F. Reports

Mr. White reported on activity at the GPIIP. The dock has been getting used. The Northline barge left today. The City is moving forward with PND engineers to provide information on the design for a phased development of a vessel haul out. Last week Mr. White met with the Eckert's engineer, they are moving forward. The Admin building was sold last Friday and the utilities will be switched tomorrow.

G. Persons to Be Heard – None

H. Unfinished Business

1. Raw Water Infrastructure Discussion

Mr. White was disappointed with the April 30 Assembly meeting. The meeting had very little public attendance. The Assembly questioned why the city did not ensure that the bulk water line would operate post Blue Lake Dam Expansion. The Assembly directed staff to look into who was responsible ensuring the system worked, to include potential litigation against the project manager. Paul Carson, outside consultant, reported that there are potential safety risks in repairing the raw water line while the system was under pressure. The Assembly discussed different cost estimates to repair the system. The Assembly directed Mr. White to determine if private industry would be willing to pay for repairs on the bulk water line.

NSRAA – the Assembly discussed a new water delivery agreement between the CBS and NSRAA. The agreement presented was different than the agreement the Board recommended approval of at its January meeting. The new agreement requires NSRAA to pump from the after bay and to pay for the electricity to pump the water.

Mr. Wagner added that NSRAA was not given opportunity to present a power point presentation he had created at the Assembly meeting, he did not feel the Assembly had received the full picture of the water system and water rights history. The increased costs of modifications may be greater than the project, hindering them from moving forward. They have hired engineers to look at the project.

Eckert will need to use NSRAA infrastructure for their venture to work. The CBS will have to have an agreement with the NSRAA for water to enter into the raw water pipeline.

Assembly member Kevin Mosher recommended educating the Assembly on the bulk water issue.

I. New Business

1. SBS Lease request for Lot 9c

SBS month to month lease for lot 9c from May to September 2019.

MOTION: **M/S Morrison/Parrish** moved to approve the Lot 9c lease to Silver Bay Seafoods from May through September 2019.

ACTION: **Motion PASSED 3/0** in a voice vote – Wayne Unger recused.

2. Northline Seafood's request to terminate Lot 9a lease

Northline is requesting to terminate their lease of Lot 9a two months early, the lease ends in August. They launched their barge and it left today.

MOTION: **M/S Unger/Morrison** recommended for the Assembly to terminate the lease.

Discussion: Northline built the ramp. Mr. Eddy extended it 6 feet and helped flatten it. Lot 8 is a month to month lease and is being cleaned up. They are looking at working on a large barge at the GPIIP again this fall.

ACTION: **Motion PASSED 4/0** in a voice vote.

3. Proposed adjustment to Sitka General Code 2.38

Mr. White reviewed the code and how the board was set up to operate as a Quasi-Port Authority. The board has been operating as an advisory board, making recommendations to the Assembly. He recommended making changes to the code to make the board an advisory board and looking into what efficiencies could be gained from a Port Authority.

Mr. Hanson stated that the board should recommend the changes to the Assembly. There are a number of issues that need to be addressed. The code will shift duties and responsibilities to the city departments.

MOTION: **M/S Parrish/Morrison** moved to adjust the Sitka General Code 2.38 as Mr. White recommended.

ACTION: **Motion PASSED 4/0** in a voice vote

4. Proposed adjustment to GPIIP Zoning Code

Mr. White outlined how existing zoning code is set up for the GPIIP properties. The current code allows GPIIP Board to approve uses at the GPIIP. This worked when most properties were

leased. Now that a majority of the properties are privately owned, the current zoning code requires property owners to receive GPIIP Board approval if the use of the property changes. It would be better for the code to show what is allowed or not. He reviewed conditional and permitted uses and recommended changes to the Zoning Code.

Mr. Hanson informed the board that is does not have authority to change zoning code. The GPIIP board can bring the recommended changes to the planning department. If they do not approve the proposed changed it can be appealed to the Assembly.

MOTION: **M/S Unger/Parrish** moved that the administration, planning and zoning commission, and the assembly approve the suggested zoning use tables as presented.

ACTION: **Motion PASSED 4/0** in a voice vote.

J. Adjournment: **M/S Unger/Parrish** moved to adjourn meeting at 4:03pm.