



MUNICIPALITY OF SKAGWAY
PLANNING AND ZONING COMMISSION MINUTES
MARCH 14, 2013 REGULAR MEETING, 5:30 P.M.
ASSEMBLY CHAMBERS

Draft

[NOTE: THIS DOCUMENT CONTAINS THE OFFICIAL RECORD OF ACTIONS TAKEN AT THE MEETING. IT DOES NOT CONTAIN THE FULL DISCUSSION OVER THE ACTIONS BEING TAKEN. PLEASE CONTACT THE PERMITTING OFFICIAL AT SKAGWAY CITY HALL TO OBTAIN A COPY OF THE AUDIO RECORDING OF THE MEETING.]

1. **CALL TO ORDER:**

Vice-Chair Spencer Morgan called the meeting to order at 5:30 p.m.

2. **ROLL CALL:**

PRESENT: Vice-Chair Spencer Morgan; Commissioners David Brena and Craig Franke; and Assembly Representative Steve Burnham, Jr.

ABSENT: Chair Matt Deach and Commissioner Rocky Outcalt.

3. **APPROVAL OF MINUTES:**

C. February 14, 2013 Regular Meeting.

The minutes of the February 14, 2013 regular meeting were approved as submitted.

4. **APPROVAL OF AGENDA:**

A. March 14, 2013 Regular Meeting

The agenda of the March 14, 2013 regular meeting was approved as submitted.

5. **COMMUNICATIONS:**

A. Correspondence

Vice-Chair Morgan stated that the correspondence has been made available on the table at the back of the Assembly Chambers.

B. Hear Citizens Present.

Vice-Chair Morgan opened the meeting to public comments and queried if there were any citizens who would like to address the commission on any issues generally pertaining to items other than those on the agenda.

There were no citizen comments made.

Vice-Chair Morgan closed hearing citizens present.

6. **UNFINISHED BUSINESS:**

A. **Public Hearing. Code-amendment recommendation:** accessory housing requirements for the Residential Conservation and Residential Low-Density

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Zoning Districts. Changes to Skagway Municipal Code; Chapter 19.06.

The commission discussed the revised proposal and found the proposal to be in accordance with the changes they had requested at the prior hearing. None of the commissioners objected to moving the proposal on to the borough assembly.

Motion/Second: no motion

- B. **Public Hearing. Code-amendment recommendation:** farmers' market definition for all Zoning Districts. Changes to Skagway Municipal Code; Chapter 19.02.

Annemarie Hasskamp made a statement to the commission on behalf of the board for the community market.

Emily Willis made a statement to the commission on behalf of the board for the community market.

The commission discussed the differences to how and where the code may be changed to address farmers' markets. The commission requested to hear from the permitting official about the updates to the proposal and to hold another hearing at the following meeting with the revised proposal.

7. **NEW BUSINESS:**

- 6/2
A. **Planning & Zoning Commission Resolution #2003-03;** Conditional Use Permit No. 03-38; David Hunz; request to amend permit to expand trailer park conditional use area; Parcels 1 & 2, USS# 176, in the Industrial Zoning District

Commissioner Franke stated that he is employed by the applicant. Vice-Chair Morgan indicated that Commissioner Franke does not need to recuse himself.

The commission telephonically discussed the application with the applicant.

Mike Tranel made comments on the application. He presented some suggestions for the commission and applicant to consider.

Application Proposes: to enlarge the existing trailer park to accommodate four additional spaces.

Motion/Second: Brena/Franke

To approve amendments to Planning & Zoning Commission Resolution #2003-03; Conditional Use Permit No. 03-38; David Hunz; request to amend permit to expand trailer park conditional use area; Parcels 1 & 2, USS #176; within the Industrial Zoning District; with the following conditions:

The vegetative screening shall extend along the Klondike Highway for the new development area and the eastern fence will also extend to the new development area

Draft

2) A plot plan shall be filed with the clerk's office showing the location of 60,000 square feet set aside for the trailer park.

Motion passed unanimously by roll call vote, 3 yes, 0 no, 2 absent.

Affirming: Commissioners: Brena, Morgan, and Franke

Dissenting: Commissioners: none

Absent: Commissioners: Deach and Outcalt

8. COMMISSION DISCUSSION:

A. Industrial areas: existing land uses and zoning classification

The commission discussed this item, distinguishing the respective industrial areas that the commission is considering for amending the requirements for or the possibilities of rezoning. The full discussion can be obtained from the administrative office at Skagway city hall or by contacting the permitting official.

B. General discussion

The commission discussed a letter from Tom Hall, the owner of the Klondike Gold Fields company.

The commissioner discussed the planning & zoning commission recommendation letter to the borough assembly regarding bus and van tours

The full discussion can be obtained from the administrative office at Skagway city hall or by contacting the permitting official.

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9. ADJOURNMENT:

Motion/Second: Franke/Brena

To adjourn the meeting of March 14, 2013 at 6:55 p.m. **Motion passed by voice vote, unanimous.**

The next P&Z Commission meeting was set for 5:30 p.m. on Thursday, April 11, 2013.

David Van Horn, Permitting Official

Matt Deach, Chair

ATTEST:

Emily Deach, Municipal Clerk

(SEAL)

Approved: _____

Municipality of Skagway

Application for a Conditional Use Permit

Application/Permit # 13-05

For Borough Staff to Fill Out:
 Application Complete & Accepted for
 Review Feb 26, 2013 Date

Zoning District:

- Business General Residential General Industrial
 Business Historic Residential Conservation Industrial Light
 Residential Low Density Waterfront

Application Fee: \$50.00

A conditional use permit gives site-specific flexibility to the zoning ordinance in a uniform and controlled manner. It permits uses that are desirable to the community, but may not be suitable at every location in the zone based on character, intensity, size or impact on surrounding uses. **THE PLANNING COMMISSION MAY ATTACH RESTRICTIONS AND CONDITIONS DESIGNED TO FIT THE SPECIAL PROBLEMS WHICH THE USE PRESENTS.**

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

YOUR CONDITIONAL USE PERMIT APPLICATION MUST INCLUDE THE FOLLOWING MATERIALS TO BE COMPLETE:

- Permit application states the conditional use requested.
- A plot plan indicating date, north arrow, scale, exterior property boundaries and approximate dimensions, location of all existing and proposed buildings on the property and their approximate distance from lot lines, access for ingress and egress, sewer and water lines serving the property and power poles, all easements on the property, construction details, approximate dimension of parking areas and spaces, if applicable.
- Other information as necessary to illustrate the impact of the proposed conditional use.

Applications will not be processed until all application fees have been submitted.

Property Owner: Name David M Hunz
 Phone & Fax 983-2588 / Fax 983-2589
 Mailing Address PO Box 185 Skagway, AK 99840
 Signature [Signature]
 Date Feb 15 2013
 Business Owner: Name _____
 Phone & Fax _____
 Mailing Address _____

Who should we contact regarding this permit?
David M. Hunz

RECEIVED

FEB 26 2013

Property Description Present Use: Lot(s)/Block(s) U55176 Parcel 1 + 2
Trailer Park from Resolution # 03-03 MUNICIPALITY OF SKAGWAY

Conditional Use Requested Enlarging existing Trailer Park

Does Proposed Work Involve:

MARK ALL BOXES THAT PERTAIN TO YOUR PROJECT

- | | |
|---|--|
| <input type="checkbox"/> Residential Use | <input checked="" type="checkbox"/> New Construction |
| <input type="checkbox"/> Commercial Use | <input type="checkbox"/> Modification of Existing Building(s) |
| <input type="checkbox"/> Industrial Use | <input type="checkbox"/> Demolition of Existing Building(s) |
| <input type="checkbox"/> Land Clearing | <input type="checkbox"/> Construction in or Adjacent to Tidelands or River |
| <input type="checkbox"/> Increased Traffic or Parking Areas | |

Is Property Serviced By:

| | EXISTING SIZE | PROPOSED SIZE |
|--|-------------------------------------|---------------|
| <input checked="" type="checkbox"/> Water | (2) 2" main | Same |
| <input checked="" type="checkbox"/> Sewer | (3) 4" White water treatment plants | Same |
| <input checked="" type="checkbox"/> Electric | (8) 200 Amp | (10) 200 Amp |

The proposed use may be different than present uses in this area and may have impacts on neighboring properties. Describe any impacts the proposed use will have and what measures will be taken to minimize these impacts. Attach additional information if necessary.

By enlarging the present use, I am unaware of any impacts on neighboring properties that have not already been addressed. A greenbelt will be maintained along the highway and fencing of the park.

Per standards listed in SMC 19.04.060(B)(3) please provide information on the following:

THE PLANNING & ZONING COMMISSION MUST FIND ALL FOUR OF THE CONDITIONS SET OUT BELOW TO EXIST IN ORDER TO GRANT THE CONDITIONAL USE.

A. The requested conditional use will protect the public health, safety, and welfare:

How, please explain?

Existing park has street lighting, paved drive, concrete sidewalks, grass yards, and centralized dumpster for garbage.

B. The requested conditional use will not permanently or substantially injure the lawful use of neighboring properties or uses:

How, please explain?

This will not impact neighboring properties.

C. The requested conditional use will generally be in harmony with the comprehensive plan, coastal management plan, and other officially adopted plans:

How, please explain?

This will provide property for more housing.

D. The requested conditional use will not substantially decrease the value of or be out of harmony with property in the neighboring area:

How, please explain?

This will increase the value with these improvements and is in harmony with the Conditional use of Neighboring properties.

The Coastal Management Program Area encompasses all lands within municipal boundaries excluding State and Federal Lands.

Does this conditional use fall within the Coastal Management Program Area? Yes No

Skagway's inland coastal zone boundary includes all islands and the lands and waters within:

- The timberline of the coastal Sitka spruce/hemlock forest,
- Slopes contiguous with marine waters where mass wasting is evident or likely to occur, and
- Unvegetated areas left by receding glaciers where the coastal forest is likely to invade.

Skagway's seaward coastal zone boundary includes all marine waters and tidelands within the city limits.

Have you completed a Coastal Project Questionnaire? Yes No

- When a project is proposed for development within the City of Skagway's coastal zone, it is subject to the SCMP's enforceable policies, listed in Chapters 4.0 and 5.0 (and consolidated in Appendix A) of the Skagway Coastal Management Plan. If the project is a federal activity, or needs State or federal permit or other approval, the State reviews the project for consistency with the AGMP and the Skagway CMP, and Skagway formally participates in the State-coordinated review. If only local approval is required (such as a conditional use permit), then the Municipality reviews the project for consistency as part of the Planning Commission's regular permit review process.
- Federal lands and waters are excluded from Skagway's coastal zone. However, the federal government is not exempt from coastal management. Activities that require a federal license or permit, or that are sponsored by a federal agency, that would affect coastal uses or resources within Skagway's coastal zone must be consistent with the Skagway CMP to the maximum extent practicable.

Proposals subject to the Coastal Management Program must meet the following criteria before approval:

A. Uses and activities must be compatible with the goals and objectives of the Skagway Coastal Management Program. The subject uses and activities of the Coastal Management Program are as follows:

- | | |
|--|---|
| <input type="checkbox"/> Coastal Development; | <input type="checkbox"/> Natural Hazards |
| <input type="checkbox"/> Coastal Access | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Energy Facilities | <input type="checkbox"/> Sand and Gravel Extraction |
| <input type="checkbox"/> Fisheries and Fishery Enhancement | <input type="checkbox"/> Subsistence Uses |
| <input type="checkbox"/> Habitats | <input type="checkbox"/> Transportation Routes and Facilities |
| <input type="checkbox"/> Historic, Prehistoric, Archaeological and Cultural Resources | <input type="checkbox"/> Utility Routes and Facilities |

B. Priority use of the shoreline shall be accorded to uses and activities which are water-dependent or water-related, and to those uses and activities which are neither water-dependent or water-related for which there is no feasible and prudent inland alternative to meet the public need for the use or activity. Uses and activities which do not require shoreline access or are not enhanced by shoreline proximity must be located in a manner consistent with the policies and rules listed in SMC 17.40.

Planned Completion Date: October 31, 2014

Statement of General Compliance: I/We hereby certify that the improvement indicated herein will be so constructed as to meet all applicable ordinances and codes as adopted by the Municipality of Skagway.

Property Owner/Contractor/Agent Signature: [Signature]
Date: Feb-15-2013

Official Use Only

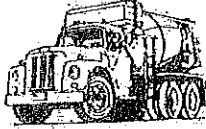
| | | | | |
|---------|--------------------------|----------------|----------------|-----------------|
| | Planning Commission | Public Hearing | Second Hearing | Permit Recorded |
| | Approval | | (if Requested) | Date: _____ |
| Granted | <input type="checkbox"/> | _____ | _____ | Book: _____ |
| Denied | <input type="checkbox"/> | | | Page: _____ |

Conditions, Instructions, Notes:

Coastal Zone Management Consistency Review:

Application Fee: \$ _____ Date Paid: _____ Receipt #: _____

THIS APPLICATION IS NOT YOUR PERMIT, YOU WILL RECEIVE YOUR CONDITIONAL USE PERMIT IN THE MAIL AFTER THIS APPLICATION HAS BEEN APPROVED BY THE APPROPRIATE COMMISSION. AN APPROVED BUILDING PERMIT IS ALSO NEEDED BEFORE ANY CONSTRUCTION BEGINS.



Hunz & Hunz Enterprises

General Contractor
P.O. Box 185
Skagway, Alaska 99840

Office (907) 983-2588

Fax (907) 983-2589

February 15, 2013

Municipality of Skagway
ATT: Permitting Office
PO Box 415
Skagway, AK 99840

Request for a Conditional Use Permit Michael J. Heney Park Expansion

I am re-applying for a conditional use permit to expand Michael J. Heney Park located on my property, USS 176. I am planning to develop the west corner of this parcel into a trailer park with (4) spaces. One water system and one septic system will service the entire park. The 60,000 square feet requirement has been met in the first phase of the park development.

An access road will be constructed on my property adjacent to the Klondike Highway. The road will be 50' wide x 240' long and will serve as access to the expanded park, off-street parking, and a fire lane. A vegetation screen will be left in place on the west side of the site.

The north side of Michael J. Heney Park borders a residential area. A vegetation screen and a privacy fence provide a buffer between any potential land-use conflicts that might occur when the adjacent land that is zoned *industrial use* may be developed.

One drawing of the expanded development plan is attached. I am hoping to complete this project no later than October 31, 2014. Please contact me with any questions you may have.

Sincerely,

David M. Hunz



2003-000290-0

Recording Dist: 111 - Skagway
7/3/2003 1:34 PM Pages: 1 of 2

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L
A
S
K
A



RECEIVED
AUG 4 2003
CITY OF SKAGWAY

Return To: City of Skagway, P.O. Box 415, Skagway,
AK 99840
Skagway Recording District, First Judicial District,
State of Alaska

PLANNING & ZONING COMMISSION
RESOLUTION NO. 03-03

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SKAGWAY, ALASKA REGARDING CONDITIONAL USE PERMIT NO. 03-38 FROM DAVID M. HUNZ IN THE INDUSTRIAL ZONING DISTRICT TO DEVELOP THE NORTHWEST CORNER OF USS 176, TRACT A-1 INTO A TRAILER PARK.

WHEREAS, David M. Hunz applied for Conditional Use Permit No. 03-38 to develop a trailer park in the Industrial Zoning District; and

WHEREAS, The Planning & Zoning Commission held a public hearing on the conditional use request on May 8, 2003; and

WHEREAS, No comments were made regarding proposed project; and

WHEREAS, The Planning & Zoning Commission must find all four of the conditions set out in SMC 19.04.060(B)(3) to exist in order to grant the conditional use; and

WHEREAS, The Planning & Zoning Commission found that the requested conditional use will protect the public health, safety and welfare with on-site water and sewer systems approved by DEC; and

WHEREAS, The Planning & Zoning Commission found that the requested conditional use will not permanently or substantially injure the lawful use of the neighboring properties or uses; and

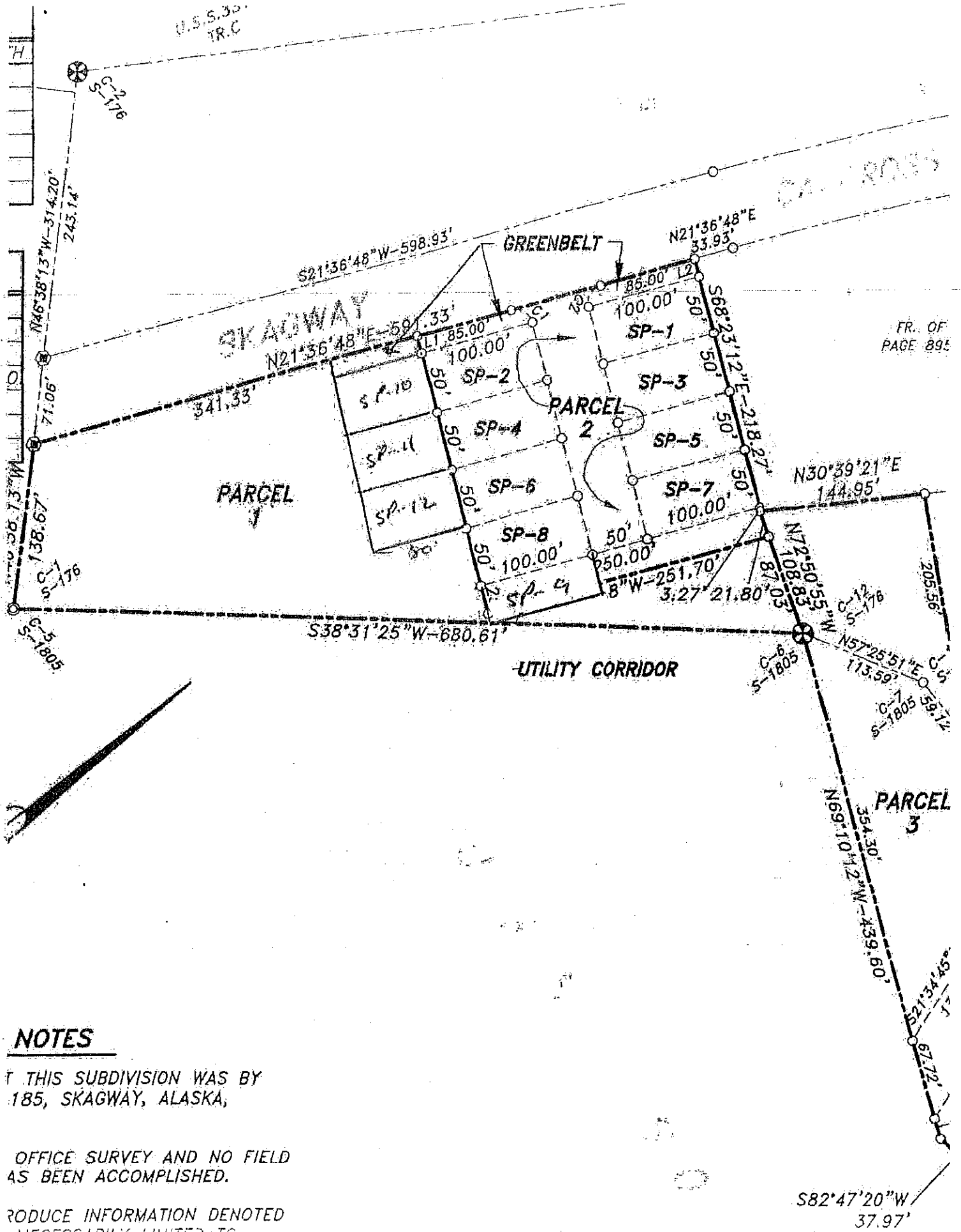
WHEREAS, The Planning & Zoning Commission found that the requested conditional use will generally be in harmony with the comprehensive plan, coastal management plan, and other officially adopted plans; and

WHEREAS, The Planning & Zoning Commission found that the requested conditional use will not substantially decrease the value of or be out of harmony with property in the neighboring area with the conditions placed on the Permit;

NOW THEREFORE BE IT RESOLVED by the Planning & Zoning Commission of the City of Skagway, Alaska that Conditional Use Application No. 03-38 from David M. Hunz on USS 176, Tract A-1 within the Industrial Zone be approved with the following conditions:

- 1. The site consists of eight (8) 50'X100' spaces;

U.S.S.33
TR.C



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NOTES

THIS SUBDIVISION WAS BY
185, SKAGWAY, ALASKA,

OFFICE SURVEY AND NO FIELD
AS BEEN ACCOMPLISHED.

PRODUCE INFORMATION DENOTED
NECESSARILY LIMITED TO;

KEY 179 AND U.S. SURVEY

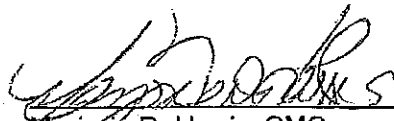
S82°47'20"W
37.97'

PLANNING & ZONING COMMISSION
RESOLUTION NO. 03-03
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2. The site has a barrier fence on 3 sides and a vegetative barrier on the Klondike Highway;
and
3. A plot plan is filed with the Clerk's Office showing the location of the 60,000 square feet
set aside for the trailer park.

PASSED AND APPROVED on the 8th day of May, 2003.

ATTEST:



Marjorie D. Harris, CMC
City Clerk



Paul Taylor, Chair

