

CITY OF CRAIG  
PLANNING COMMISSION MINUTES  
Meeting of November 17, 2004  
7:00 p.m., Craig City Council chambers

**Roll Call**

Roger Sadler (chair), Gail Slentz, John Moots, Lonnie Walters  
All Commission Members were present.

**Approval of Minutes**

Motion to Approve Sept 30, 2004 Minutes

Moots/Walters            Approved

Minutes from the October 28, 2004 did not need to be approved since there was no quorum for the meeting. The minutes were entered into the record as public testimony on V04-10-10.

**Public Comment**

Non-agenda items – No comments on non-agenda items

**Public Hearing**

1. Variance Request V04-10-10, Howard Walcott IV. In addition to the public hearing information entered into the record by the October 28, 2004 meeting minutes Tim and Nan Koentopp were present. Brian gave a quick overview of the request and the public testimony made on October 28, 2004.

Brian explained about the original alley vacation request and the fact that part of the structure was on the city alleyway. Brian discussed the options that he had listed for the planning commission to consider and recommended that the commission approve the variance conditional upon the alley being vacated and the access moving to the Beach Road side.

Gail asked what it means to vacate the easement. Brian answered that the city has the ability to take the alleyway and divide it among the adjacent property owners. Brian further explained that the alleyway would be cut in half (7.5' wide) and divided by intersecting the natural sidelines with the new line in the center of the alleyway. Brian further explained that Lot 3 (occupied by Walcott) was the only property being accessed by the alley.

Lonnie mentioned that all public testimony was in favor of vacating the alley.

John stated that a part of the vacated alley would have to remain an easement to allow for a utility easement in order to provide power to the lot.

There was a general discussion of the possible future utility development within a new easement.

Brian gave a general background discussion on the 1985 attempt to vacate the alley. Brian also emphasized that the property owners needed to formally initiate the process of vacating the alley.

There was a general discussion on the rest of the alley vacation process.

### **New Business**

#### 1. Variance Request V04-10-10 by Howard Walcott IV

After the public discussion a motion was made to approve resolution 469-04-PC.

Motion to Approve:                      Slentz/Walters                      Approved

### **Old Business**

#### 1. Discussion of Changes to Craig Land Development Code

Brian gave a brief report on the status of the changes to the Land Development Code. He said that the City Council had requested that the changes be broken into a series of ordinances. The new ordinances would maintain the language but would be broken into smaller parts. Brian said that the council had approved the ordinance approving most of the administrative changes in chapters 1 – 9 of Title 18. Based on discussion from John Patterson at the second reading of the ordinance all of the changes to chapter 5 were removed from the first ordinance. The council instructed that the ordinances regarding the zone changes be done as follows:

1. An ordinance containing changes to the residential and residential suburban zones.
2. An ordinance that contains the commercial zone, public zone and forestry zone.
3. An ordinance that contains the marine industrial zone.
4. An ordinance that contains light and heavy industrial zones.

Brian shared that the new breakdown of ordinances would require a change in language for the new building height definition since a new definition would apply only to the zones that had been reviewed and the old definition would apply to zones that had not been reviewed yet. If all zone changes were approved the definition would contain the draft language after they were made. Brian asked the commission if they would like to present a new resolution to accomplish the split

definition. Brian said that another alternative was to forward a letter to the city council stating the intent of the planning commission.

There was a general discussion about the benefits of submitting a letter as opposed to a new resolution or no action from the commission. After the discussion Brian was directed by the commission to draft a letter for approval at the December commission meeting.

## 2. Discussion of Planning Commission Members

Brian said that he was putting an ad in the paper and was making some phone calls about membership. Brian will call John Ward and has received a letter of interest from Ruth Ann Johns. Jerry or Evelyn Carter and Tim or Nan Koentopp were suggested by the commission.

3. Next Meeting Date: After a discussion of the holidays it was decided that the next meeting would be December 14<sup>th</sup>.

## **Adjourn**

Motion to adjourn was made.

Motion to Adjourn:

Moots/Walters

Approved

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Roger Sadler, Chairman

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Brian Templin, City Planner

January 29, 2004  
City of Craig  
Planning Commission Meeting

7:00 p.m. Craig Council Chambers

**Roll Call**

Sue Kanen (chair), Roger Sadler, Gail Slentz present; Crystal Beseau absent/excused.  
A quorum was established.

Also present were John Moots who was sworn in as a commissioner after a quorum was established and Lonnie Walters who was sworn in at the end of the meeting after Sue Kanen stepped down.

**Approval of Minutes**

Motion to approve minutes of July 24, 2003.  
Slentz/Sadler: Approved

**Public Comment**

No members of the public were present.

**Public Hearing**

Public hearing was held for a City of Craig Application for replat of ASLS 98-38.  
There was some discussion about liability issues and the process of transfer to the State of Alaska for the property to be transferred to Shaub-Ellison.  
Motion to approve preliminary plat by Craig PC Resolution 462-04-PC.  
Sadler/Slentz: Approved

**New Business**

1. Planning Commission Vacancies. The vacant position was filled by John Moots and Lonnie Walters was ready to assume the position vacated by Sue Kanen.
2. Review of CUP 01-12091, Zat's Pizza, Alcohol Service. There were no complaints, protests or law enforcement problems over the last year.  
Motion that the Planning Commission recommends no further reviews on this CUP.  
Slentz/Moots: Approved
3. Administrative extensions for Preliminary Plat for Lots 10 and 12, USS 2611.  
Information to the Commission that this preliminary plat approval was extended until 2006.
4. Conceptual Design for Ward Cove Fisheries Site – Senate Bill 1778. Information was provided to the commission about future involvement in the Ward Cove Fisheries Site development. Copies of the concept drawings were provided to commission members. There was some discussion about available parking, lot size and proposed uses of the property.

5. Report on 2003 Building Permits. Information was provided to the commission on the year's building permits. There were 28 new permits, 6 renewed permits and 1 site plan review. Gail had a question why there was only \$25 charges for commercial permits. Staff researched the permits for Bait Box, AP&T and Richard Trojan were all renewals. The original commercial permits were charged at \$100.

6. Report on HB 191 and changes to Craig Coastal Management Plan. Information was provided to the commission on legislative changes to the Coastal Management Program. There is a requirement for plan updates over the next 18 months. Sue Kanen asked about a Flood Plain plan. Staff said that they would research the need and scope of a flood plain plan and present information at the next commission meeting. Sue Kanen asked if a flood plan would be separate or part of the coastal management plan. Brian said that it would probably be separate, but would research.

### **Old Business**

1. Planning Commission Workshop for Title 18 changes. The commission recalled working on the changes over the past year and agreed that the synopsis provided in the staff packages was pretty complete. The changes need to be formally reviewed and approved prior to submittal to the City Council. Sue Kanen asked if any of the changes would require public hearings. Brian replied that none of the individual changes would require public hearing, but the revised title 18 would be available for review through the public readings and ordinance adoption process. It was decided that the review could be done in a single workshop to be held on Wednesday, February 18, 2004 at 7:00 p.m. in the Craig City Council chambers. It was requested that all commission members get a copy of the revised title 18 prior to the meeting.

### **New Member/Officer Business**

1. Sue Kanen stepped down from the commission and was given a certificate in recognition of her service to the Planning Commission. Roger Sadler (vice-chair) assumed chairmanship. Sue was allowed to take her name plate.

2. Lonnie Walters was sworn in and filled the newly vacant position.

3. Roger Sadler was nominated to be the new commission chairman.  
Slentz/Moots: Approved

Roger chose Gail Slentz to be the vice chairman.

### **Adjourn**

Next Meeting scheduled for February 26, 2004.

Motion to Adjourn at 8:00 p.m.

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Chair Roger Sadler

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Attest  
Brian Templin, City Planner

# **CITY OF CRAIG PLANNING COMMISSION AGENDA**

Meeting of February 26, 2004  
7:00 p.m., Craig City Council Chambers  
**CANCELLED**

## **Roll Call**

Roger Sadler (Chair), Gail Slentz, Crystal Beseau, John Moots, Lonnie Walters

## **Approval of Minutes**

Meeting of January 29, 2004

## **Public Comment**

Non-agenda items

## **Public Hearing**

## **New Business**

## **Old Business**

1. Planning Commission Review of CMC Title 18 Changes

## **Adjourn**

City of Craig  
Planning Commission  
Meeting of March 25, 2004  
7:00 p.m., Craig city council chambers

### **Roll Call**

The meeting was called to order at 7:00 p.m. and roll was called.  
Present: Roger Sadler (chair), Gail Slentz and John Moots  
Absent (Excused): Crystal Beseau and Lonnie Walters  
A quorum was established.

### **Approval of Minutes**

Meeting of January 29, 2004  
Moots/Slentz Approved

### **Public Comment**

No public were present.

### **Public Hearing**

No public testimony on Changes to Craig Land Development Code

### **New Business**

1. Changes to Craig Land Development Code were discussed. There were a number of general changes that clarified language, made administrative changes and deleted some outdated sections. Specific substantive changes discussed are as follows:

18.02.050 Order of Business was changed to:

1. Roll Call
2. Special Business (if any)
3. Approval of minutes of previous meetings, as amended or corrected
4. Public Comment on non-agenda items
5. Public Hearing
6. New Business
7. Old Business
8. Correspondence
9. Adjourn

18.03.002(D)(1)(a) Land Use Violations paragraph was changed to:

- a. The Code Enforcement Officer shall notify the violator of all violations, and may order cessation of activity to take place immediately. Notice of intention to issue a citation to enforce or revoke shall be made in writing at least ten (10) days prior to an

enforcement action. A notice of citation is to contain the following:

18.03.002(D)(2)(b) was changed to become 18.03.002(D)(3)

18.04(A)(3) Time Limit for Appeal. The second sentence of the paragraph was changed to the following:

An appeal states an appellant's alleged illegal activities and enforcement proceedings unless the board or a court issues an enforcement order based on a certificate of imminent peril to life or property made by the Code Enforcement Officer.

18.05 Zone Designations. Logging was removed from the list of Conditional Uses in all residential zones.

18.05 Prohibited Uses. There were two major changes to this section:

The phrase "Uses not qualifying as Permitted or Conditional" was added to the list of prohibited uses in all zones.

The phrases "Uses which degrade air, water or land resources quality", "Disturbances" and "Hazards" were deleted from the list of prohibited uses in commercial and industrial zones.

18.05 Density Standards were reworded to make application clearer.

18.05.004(A) Permitted Uses. Religious Assembly was added to the list of permitted uses in the commercial zone.

18.05.006(A) Permitted Uses. Language was changed to clarify residential use accessory to permitted uses in industrial zones.

18.06.001(C)(1) Building Permits Required. The phrase "No logging may occur within the Craig city limits without submission of a logging plan to the city and the subsequent issuance of a City of Craig building permit" was added.

18.06.002. Reference to conveyance lands was deleted from all sections.

18.10.002(A) Approval of Construction Plans. Three items were added to this section:

A sentence was added at the end of the first paragraph which states "Construction plans shall include design for curb, gutter, buried storm drain and asphalt surfacing."

A paragraph was added that states “Construction plans drawn on drafting software will be provided to the City of Craig via disk or another electronic format acceptable to the city.”

A paragraph was added that says “Upon completion of the subdivision streets, utilities and other facilities, the subdivider shall provide to the City of Craig a complete set of as-built documents prepared by a registered engineer or licensed surveyor. The as-built documents must show accurately the placement of streets, utilities and other facilities, and detail specific components installed. The as-built documents must be printed on mylar or similar material. Approval of as-builts by the City Public Works Director is necessary prior to final plat approval or release of subdivision improvement guarantee. If the as-built is prepared with electronic drafting software completed files will be provided to the City of Craig via disk or another electronic format acceptable to the city.”

18.11.008(A) Cul-de-sacs. The right-of-way width was increased from thirty feet to forty feet.

18.13(G) Setbacks. The phrase “natural stand of timber above” was changed to “natural shoreline vegetation above”.

18.15(C) Nonconforming Uses and Structures. There were several changes to this section:

In subparagraph three the time period was changed from one year to six months.

In subparagraph four the phrase “structure” was changed to “non-conforming structure”.

In subparagraph five the phrase “a conforming use changed may not revert to a non-conforming used” to read “a conforming use. Once changed, a non-conforming use may not revert to a non-conforming use. One non-conforming use may not be changed to another non-conforming use.”

A subparagraph eight was added that says “8. Change in Ownership – A non-conforming use that changes ownership is void. Non-conforming uses may not continue upon change of ownership.”

Resolution 463-04-PC was passed recommending submittal of these changes to the Craig City Council.

Moots/Slentz Approved

The commission discussed two additional changes to the Land Development Code. The first was to add a requirement to developers to install streetlights in new subdivisions. The second change discussed was to only consider usable land area in calculating development standards. Fill, wetland and steep ground were discussed as factors for usable land area.

The commission directed staff to develop language regarding the addition of streetlights to the development standards and the use of fill on tideland lots to determine development standards.

**Adjourn**

Slentz/Moots Approved

Minutes Approved April 22, 2004:

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Roger Sadler, Chairman

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Attest: Brian Templin, City Planner

CITY OF CRAIG  
PLANNING COMMISSION MEETING  
April 22, 2004  
7:00 p.m., Craig city council chambers

**Roll Call**

Roger Sadler (chair), Gail Slentz, Crystal Beseau, John Moots, Lonnie Walters

All commission members were present. A quorum was established

**Approval of Minutes**

Meeting of March 25, 2004

Motion: Moots/Beseau          Approved

**Public Comment**

Present at the meeting was the Klawock Middle/High School Student Council and their advisor, Sonny Anderson. The group was welcomed by the planner and the planning commission. Sonny thanked the commission for allowing the Student Council to participate.

**Public Hearing**

1. Application to Replat Lots 1 and 2, Block 5A, USS 1430 CTA by Walter Bolling. There was no public comment on this item.

2. Application for Variance by Walter Bolling. Charles Hawks (adjacent landowner) submitted written comment that he did not have any objection to the variance request.

The city planner commented that he had received some verbal comments regarding the blockage of the view if two story units were developed on the land. Commissioner Roger Sadler stated that he felt that the option to develop was up to the landowner as long as they did not exceed the development height restrictions without a height variance. Consensus of the commission was that height development should not have a bearing on the variance application at hand.

The city planner commented that in discussions with the Director of Public Works there was a major concern about the variance restricting access to the rear of the sewer lift station located adjacent to the area being discussed.

Commissioner John Moots made comments that he felt that the setbacks were very important not only for public works access, but for access by the fire department.

3. Changes to Craig Land Development Code. There were no public comments on this item.

### **New Business**

1. Application for Replat 04-04-22. Staff briefed the commission that this was a routine replat and met all City of Craig subdivision standards.

John Moots asked if the replat was conditional on the variance that was being requested by Walt Bolling at the same time. Staff said that their conversations with Walt indicated that Walt would still be interested in developing a multiple family dwelling unit or units and that the replat would be necessary, even if the variance was denied.

Motion was made to approve PC Resolution 464-04-PC for Preliminary Plat approval.

Motion: Slentz/Moots            Approved

2. Application for Variance 04-04-22. Staff briefed the commission that Walt Bolling had applied for a variance to the setback requirement. Walt has asked to be able to build 10' into the setback on the southerly edge and about 3' into the setback on the northerly edge of Lot 1A, Block 5A, USS 1430 CTA (preliminary plat just approved by the commission). Staff discussed the fact that allowing the variance would prejudice public works access to the rear of the lift station adjacent to the property.

Commissioner John Moots added that a variance that far into the setback would make fire department access difficult.

Motion was made to approve PC Resolution 465-04-PC, Denying approval of the variance.

Motion: Beseau/Slentz            Approved

3. Streetlight Nominations. Staff briefed the commission on the streetlight nomination process. Each year the public is invited to nominate locations for a new streetlight. This year two nominations were received. The first was from Jim Seley nominating JS Drive between the Craig-Klawock Highway and Lot 10 of USS 2611. The second nomination was from the Craig Community Foundation nominating the entrance to the CCA Parking Lot for a streetlight. Because either location would require installing a utility pole the city budget will allow for one streetlight to be installed.

The commission discussed the merits and safety considerations of both locations. The concensus of the commission was that both locations had strong safety considerations and strongly merited installation of a streetlight.

Commissioner Slentz stated that she felt that the CCA Parking lot had a higher safety consideration but that both nominations had merit.

Commissioner Sadler commented that there was currently three streetlights in the vicinity of the CCA Parking lot but that there were none on JS Drive.

There was some discussion about the option of changing bulbs in some of the lights. Commissioner Moots said that it would significantly add electricity costs.

It was discussed that the streetlight at JS Drive would probably be more expensive due to the conduit from underground utilities vs. an overhead connection at the CCA parking lot.

Commissioner Slentz asked if JS Drive was a city street. Staff answered that the street was turned over to the City of Craig when the subdivision was completed.

Commissioner Beseau made the comment that she felt that it was a lot darker along JS Drive than along the highway. She also commented that Jim Seley has put in a nomination for JS Drive the last couple of years.

Commissioner Slentz stated that the fact that Jim has put in a nomination for at least the last two years in a row and it should be given more weight.

Commissioner Walters commented that the CCA parking lot entrance was dangerous especially in the winter when there was snow on the ground.

Commissioner Sadler commented that the CCA parking lot entrance does need to be more clearly marked for safety concerns and that they have a valid consideration for a streetlight.

Commissioner Slentz asked staff about the process for the planning commission to make a motion. Staff answered that the planning commission needed to nominate a location to the City Council for their consideration at the next council meeting.

The commission decided that JS Drive was their choice and that a streetlight should be put about halfway between the highway and Lot 10 of USS 2611.

A motion was made to propose a priority list to install a streetlight along JS Drive, about halfway between the highway and Lot 10 of USS 2611 and that CCA is encouraged to nominate again next year. The city should also look at the possibility of helping to place reflective markers or protective rocks at the CCA parking lot.

Motion: Slentz/Moots            Approved

Note: The Craig City Council approved the nomination and directed city staff to install a streetlight along JS Drive. Public Works staff is considering the options to delineate the entrance to the CCA parking lot but is constrained by what they can do on State DOT/PF Right of Way or on private Property.

### **Old Business**

1. Changes to Craig Land Development Code. The planning commission spent a great deal of time at the March planning commission meeting. At that meeting the commission directed staff to propose language to add two new items to the Land Development Code. The first item was to add streetlights to the development process for new subdivisions. Staff submitted the following language:

A new paragraph will be added in section 18.10 to identify the requirement for streetlights when developing subdivisions. Proposed language is as follows:

18.10.005( C ). Streetlights will be installed by the developer. One streetlight will be placed at every intersection, one streetlight will be placed in each cul-de-sac and one streetlight will be placed on every other utility pole along a street. If the utilities are underground a pole and streetlight will be placed along the right-of-way no more than 300' apart.

This item was discussed as accepted as written. It will be included in the public hearing during the May 27, 2004 commission meeting.

The second item was to draft language for specifying usable, filled area for development standards for tideland lots. Staff submitted the following language:

A new subparagraph will be added in each residential zone's development standards to restrict residential development of tideland lots based on the amount of usable, filled land. Proposed language is as follows:

18.05.001(E)/.002(E)/.003(A)(E)/.003(B)(E) Development standards for all tideland lots shall be computed based upon filled area. When submitting plans for property development of tideland lots (building permit applications, construction plans, use permit applications, etc.) the applicant must submit an as-built survey of the lot showing the toe and top of fill. The as-built survey must clearly give the square footage of the fill measured at the toe of fill. Minimum lot size, density and maximum lot coverage will be based on the amount of fill shown on the as-built survey.

Commissioner Walters asked how buildings on pilings would be treated. It was decided that language needed to be included that took pilings into account. There was some discussion about how to include pilings into the calculation. It was decided that the square footage of the outside perimeter of pilings could be added to fill in order to meet development standards. The new language is as follows:

18.05.001(E)/.002(E)/.003(A)(E)/.003(B)(E) Development standards for additional structures or dwelling units for all tideland lots shall be computed based upon the combined total developed square footage of the lot, this includes the square footage of the filled area and the square footage of the area defined by the outside perimeter of pilings that are intended to support a structure. When submitting plans for property development of tideland lots (building permit applications, construction plans, use permit applications, etc.) the applicant must submit an as-built survey or a construction plan of the lot showing the toe and top of fill and any pilings. The as-built survey or the construction plan must show property lines, all existing improvement and utilities, clearly give the square footage of the fill measured at the toe of fill and the square footage of the area encompassed by the outer perimeter of pilings. If a construction plan is submitted prior to fill or pilings being placed on the lot the city may require that an as-built survey be completed prior to beginning construction of any structures. Density and maximum lot coverage for additional structures or dwelling units will be based on the area of fill plus the area defined by the outer perimeter of pilings shown on the as-built survey or plan proposal.

**Adjourn**

Motion: Slentz/Moots                      Approved

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Roger Sadler, Chairman

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Attest: Brian Templin, City Planner

CITY OF CRAIG  
PLANNING COMMISSION MEETING MINUTES  
Meeting of May 27, 2004  
7:00 p.m., Craig city council chambers

**Roll Call**

Roger Sadler (chair) – Excused Absent, Gail Slentz - Present, Crystal Beseau - Present, John Moots - Present, Lonnie Walters - Absent

A quorum was established.

**Approval of Minutes**

Meeting of April 22, 2004 minutes were approved with minor corrections.

Motion to Approve Minutes as Amended: Moots/Slentz Approved

**Public Comment**

1. Non-Agenda Public Comment Items. Doug Russell contacted the City Planner and asked that the Planning Commission consider restricting the use of residential property for 4-wheeler tracks. He felt that it was a safety issue and potentially could harm property values for adjacent properties. The Planning Commission commented that the safety issue was not something that it wanted to address. They felt that there were better avenues to pursue safety issues on private property. Because of the potential affect on property values however, the Commission directed staff to draft some language that might be incorporated into the Land Development Code changes that would restrict 4-wheeler tracks. Staff agreed to draft the language and present get it to the Commission for discussion at the June meeting.

**Public Hearing**

1. Land Development Code Changes. There were a number of representative from the public present to discuss changing the building height and other development standards, especially along the beach in West Craig. A letter and petition were presented to the Commission addressing these issues. Jim See and Frank Permenter talked about the damage to the viewshed if development on the beach were done at maximum current standards. Greg Head made a comment that he chose to buy the beachfront lots in front of his property and did not want to see overly restrictive standards if he chose to develop in the future.

**New Business**

1. Discussion of Setback Variances on 50' Lots along Beach Road. Walt Bolling had made a request for the Commission to conduct a general discussion of variances for setbacks on some of the narrower beachfront lots. The Commission discussed the issue and decided that without specific applications for variances it was impossible to make any decisions or recommendations.



CITY OF CRAIG  
PLANNING COMMISSION MEETING  
June 24, 2004, 7:00 p.m., Craig city council chambers

**Roll Call**

Roger Sadler (chair) - Present, Gail Slentz – Absent Excused, Crystal Beseau - Present, John Moots - Present, Lonnie Walters - Present

**Approval of Minutes**

Meeting of May 27, 2004 minutes were tabled until July meeting. The extra time will give the commission members a chance to double check the meeting minutes.

Motion to table minutes: Moots/Walters Approved

**Public Comment**

No Public Comment on Non-Agenda Items.

**Public Hearing**

1. Changes to Craig Land Development Code – No public spoke at the meeting but Jim See had stopped by the City Planner’s office to make sure that there was continuing discussion on the maximum height issue. He also commented that he would like to see some additional discussion on the issue of maximum fill.

John Moots commented that he felt that by limiting the height of fill that the city would be open to additional liability. Brian Templin said that he would check, but we could limit liability by allowing for conditional use permits and variances where special circumstances could be brought to the commission.

Crystal Beseau said that it would have been nice to keep the fill to the street level but that there were several lots already filled above street level.

John asked if there was a differentiation between fill on the beach and upland lots around Craig.

Roger Sadler said that he preferred not to see another zone or overlay created but he would like to see some limits. He said that we need to consider the expense that developers have already put into the beachfront lots and that he would probably fill high if he owned one in order to protect from the waves. He said that we need to choose an elevation that we are looking for and restrict building height based on additional fill.

John Moots said that cost of materials and labor would probably keep the fill limited. He said that the biggest concern that he had about the fill was the potential for liquification in an earthquake.

Roger asked if any engineering or design was given on the filled lots. He asked if a retaining wall over a certain height needed an engineer's drawing. He asked if there was any requirement for retaining walls over a certain height.

Crystal mentioned that she had to do a building permit for her rock wall.

Brian said that he didn't recall seeing any requirements but would check.

*Note: After researching the Craig Development Code it was found that retaining walls over 4' in height do require a building permit and a plot plan to insure that setbacks are met. Building Permit 34-95, which was renewed in 2002 was issued to Walt Bolling for the lots that we have been discussing the last couple of months. There is no requirement for engineering drawings for Craig Building Permits.*

Brian asked if there was any interest by the commission in going forward on the maximum fill issue.

John replied that he didn't see any value in it. Roger asked that if Brian ran across another city's reference to maximum fill that he would be interested in looking at it. Lonnie Walters said that if you didn't put some sort of restriction that it would eventually get out of hand. Roger suggested that limiting the amount of fill based on the road was a possibility but that it would be difficult to apply to upland lots.

Roger suggested road level or natural ground (average height on a lot), whichever is greater.

Brian mentioned that the commission could set a maximum height based on the grade of the road as a permitted development and higher construction based on a conditional use. Brian also mentioned that natural ground would be difficult because of development over the years. Allowing conditional exceptions would give the commission a great deal of latitude to make individual determinations.

Brian mentioned that if the commission was interested in putting a combined limit of fill and building height that it might want to consider a larger height to allow for both fill and construction. John said that he felt it should be two different things.

John said that he preferred to get the maximum height issue taken care of and table the fill issue until we could get further information. This would allow the commission to get the current list of changes to the City Council and look at fill changes later.

Roger mentioned that the commission could direct Brian to research additional fill issues to discuss at the next meeting. Brian said that he could look for other

cities' code and write some language for the next meeting. Brian asked what the commission would like to see if he could not find any other municipal codes that addressed the issue. John suggested a maximum of 6' of fill based on the average grade of the road and the highest point of fill.

Lonnie said that even though the fill issue came after the building height issue, it should be dealt with first. John reiterated that we should address building height first and get the current problems addressed before additional construction took place under the current code.

Roger said that the commission could incorporate building height and fill height together and look at most projects on a case by case basis. He said that using the average natural grade of the lot and a maximum building height could be used. Frank Permenter (public) mentioned that it would be difficult to define the natural ground since most lots and road have been filled. Brian asked where the grade should be measured on unfilled lots since the natural ground might go to several feet below sea level. He said that we have to be able to clearly define exactly where we are going to measure from and to. Brian mentioned that from an enforcement standpoint natural ground would be difficult, but road level would be much easier to understand and enforce.

Roger suggested that the commission consider a maximum height based on average contour of the original ground or road level, whichever is greater to the highest point of the roof. He said that Brian should write language for the next meeting to reflect this.

Brian mentioned again that the commission may want to consider changing the maximum height if they wanted to include the fill height.

Motion: John Moots made a motion that we use a maximum fill height based on the average contour or road height, whichever is greater and a maximum building height of a residential building no more than 30' from the finished grade.

Motion: Moots/No Second Motion did not carry due to a Lack of a second.

Motion: Crystal Beseau made a motion that there be a maximum building height of 30' from the average natural grade of the lot or the average grade of the road, whichever is greater, to the highest point of the roof.: Beseau/Walters  
Approved (3 to 1)

John Moots agreed with the concept but felt that 30' was too low.

### **New Business**

1. Changes to Craig Coastal Management Plan, PC Resolution 466-04 PC. Brian explained that the current Craig Coastal Management Plan needed to be updated

to meet Alaska legislative requirements. Brian said that the resolution was to indicate that the Planning Commission was willing to participate in the rewrite process.

Motion: Walters/Moots Approved

**Old Business**

1. Changes to Craig Land Development Code

- a. Existing List of Changes –  
No comments were made by the commission.
- b. Building Height Changes –  
No further discussion. See Public Hearing Item 1.
- c. Recreational Track Prohibition

Brian talked to the commission and let them know that Doug Russell had approached him and talked about the problem in his neighborhood. Brian had mentioned the problem to the planning commission at the May 27 meeting and the commission had directed Brian to write some language to address the issue. Language was provided to the commission making Motorized Vehicle Tracks a prohibited use in residential zones and a definition of Motorized Vehicle Track as “A course or structures used for racing or recreational use of ATV’s, 4-wheelers, 3-wheelers, motorcycles, go carts or other motorized equipment. Motorized Vehicle Track does not include routine use of equipment for snow removal or other maintenance.” Brian mentioned that this should only apply to residential zones as it may be a good development for commercial or industrial property.

**Adjourn**

Motion: Walters/Beseau Approved

Approved:

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Roger Sadler, Chairman

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Brian Templin, City Planner

CITY OF CRAIG PLANNING COMMISSION  
MEETING MINUTES  
Meeting of July 22, 2004  
7:00 p.m., Craig City Council chambers

**Roll Call**

Present were: Roger Sadler (chair), Gail Slentz, John Moots, and Lonnie Walters.  
Crystal Beseau was absent excused.

**Approval of Minutes**

Meeting Minutes of May 27, 2004 were approved.

MOTION: Moots/Slentz      Approved

Meeting Minutes of June 24, 2004 were approved.

MOTION: Slentz/Moots      Approved

**Public Comment**

There was no comment on Non-agenda items.

**Public Hearing**

1. Changes to Craig Land Development Code. There were several members of the public present to provide input on changes to the land development code. After some discussion the commission decided that they would hear public comment in three groups. The first would be public comment on building height changes and fill restrictions; the second would be on the prohibition of 4-wheeler tracks; and the third would be on the remaining package of changes. Most of the members of the public present were there to comment on the first two items.

**BUILDING HEIGHT/TIDELAND FILL RESTRICTIONS**

Brian shared a brief description and history of the building height issue. He shared that the commission had received a request to look at the building height and a limitation on filling tideland lots in Craig. Brian did research of several options and reviewed several communities' ordinances. The commission was interested in changing the definition of building height. The commission was also interested in limiting the height of fill for tideland lots. Brian found that most other ordinances defined the building height as measured to the highest point of the roof, whereas Craig currently measured its building height to the lowest point of the eaves. Brian also shared that he could not find other ordinances that restricted the height of fill. Brian shared that the commission felt it wanted to solve these problems without creating a new zone or special overlay.

Commissioner Moots felt that it would be good to just look at restricting tideland fill due to the cost of enforcement to try and limit fill on upland properties.

Commissioner Slentz asked if the primary reason for restricting fill height was to restrict overall building height. Brian said that was the intent of the commission. Brian also said that the commission could allow exceeding maximum fill as a conditional use and could decrease the building height accordingly as a condition of the larger fill.

There were several members of the public present to discuss tideland fill and building height. Members of the public shared that the road level had changed over the years and that there were areas that had been filled several feet above the road, especially above the original road level. Jim See shared that the planning commission needed to help protect property values, including upland owners views. Members of the public stated that they felt that the 30' building height should be measured from the original tide line or above the old road. There was some discussion about how to determine the "old road" level. There was quite a lot of discussion about the subsequent fill of the road over the years. There were some comments about how the development would look if everyone built to different heights. There were some comments about water drainage. There was some discussion that the road had originally been raised to stop high storm tides from flooding the road.

Commissioner Slentz asked that if we applied a maximum fill would it apply to all residential property or just to the beach front lots. Brian shared that the commission had discussed both options but found that it would create a difficult, expensive enforcement for upland lots because of development and defining the "natural ground" to base fill limits on.

There was discussion about using a combined maximum height or maximum fill and maximum building height. Commissioner Slentz offered suggested language that would be looked at when the resolution was considered.

#### 4-WHEELER TRACKS

Brian discussed the previous discussions that the commission had regarding the 4-wheeler tracks. Brian also told the commission that they could add this prohibition to the list of prohibited uses in the zone. In addition to the public testimony a letter from Paul and Karen Coffey was submitted to the commission. The talk centered around a track located on Lot 11D of USS 2611, owned by the Durgans.

June Durgan spoke to the commission about her views on the track. June felt that the track would not affect property values. She also commented that if the commission added the prohibition that the existing track should be grandfathered in.

Valerie Blojeski (Durgan's immediate neighbor) commented that they didn't have prior knowledge that a track existed until the day of the property signing. She said that her lot was the lot most impacted. She stated that there was a lot of

noise that she felt violated the city noise ordinance. She said that she felt that this activity should be conducted outside of a residential neighborhood. She offered to help find an alternate location. She said that the noise had a major impact on her property and the neighborhood.

Some of the youths who are currently using the track stated that the location of the track was important to them because they didn't have the capability of transporting their 4-wheelers to another location.

Commissioner Sadler asked how late in the evening the track was used. June Durgan responded that they were using the track until about 7:15 pm at the latest.

Other neighbors commented both for and against the track. Neighbors who commented for the track felt that it was a good activity for the kids. Neighbors who commented against the track felt that there were problems with the noise and the impact on the adjoining properties.

Commission Slentz commented that she understood the concerns about noise but said that she had a problem legislating specific uses on property. She felt that we might need to look at a broader ordinance for residential areas that solves the disturbance issue.

Commissioner Moots made a comment that he felt that the issue could impact property values. He felt that we needed to look at disturbance in general and the commission needed to look at whether the track should be grandfathered in. He stated that he felt that we should prohibit future uses and should put a time limit on existing ones without immediately prohibiting them.

Commissioner Walters asked if the commission would approve someone's request to build a track. The general consensus of the commission is that they wouldn't approve a track. Commissioner Slentz commented that she didn't see where anyone needed to come and ask since it isn't a commercial venture or other issue to bring to the commission.

Commissioner Sadler asked about current ordinance. Brian read the definition of "disturbance" from the land development code and talked about the difficulty in enforcing the ordinance as written.

There was some public discussion about setting time restrictions on the use of the track since the track already exists. Commissioner Slentz felt that it could be worked out between neighbors to reduce the impact. She stated that the commission really needed to look at the disturbance as a big picture item and not one activity at a time.

The question was raised about the neighbors communicating to solve the problem.

The commission asked if they needed to take any action in order to remove this change from the list and give the neighbors a chance to work out the issue. Brian said that the commission didn't have to make any action. If they did not choose to add the prohibition to the changes by amendment the issue would not proceed on its own. Commissioner Sadler said that he felt that the neighborhood should try to figure the problem out. If the neighborhood couldn't work out the issue they could bring it back to the planning commission for further discussion and possible resolution.

Commissioner Slentz reiterated that she didn't want the commission to deal with the specific activity but wanted to see the overall issue better dealt with. Brian suggested that the commission could choose to leave "disturbances" in the current code and try to strengthen that issue to solve things like 4-wheeler tracks.

#### REMAINING CHANGES

No public comment on the remaining changes.

#### **New Business**

1. No new business was discussed.

#### **Old Business**

1. Planning Commission Resolution 467-04 PC, Recommending Amendments to the Craig Land Development Code. Commissioner Moots moved to place the resolution open for discussion. Commissioner Slentz seconded the motion.

Commissioner Slentz moved to amend exhibit a of Resolution 467-04 PC to change the building height definition from eave to peak based on the definition discussed with the commission, and to change language in the tideland lot development standards to include language that says "on all tideland filled lots the total of the building height and the fill height is not to exceed 32' from the average grade of the centerline of the existing road (language to define the current centerline height needs to be written). Commissioner Moots seconded the amendment.

Amendment Motion: Slentz/Moots

Approved (3-1)

Commissioner Walters dissented because he felt that the fill issue and the building height issue needed to be handled separately. He agreed that the problem needed to be solved and that building height needed to be restricted.

Commissioner Moots moved to amend exhibit a of Resolution 467-04 PC to retain the item "disturbance" in the list of prohibited items in residential zones. Commissioner Slentz seconded the motion.

Amendment Motion: Moots/Slentz

Approved



**CITY OF CRAIG  
PLANNING COMMISSION MINUTES**

Meeting of August 26, 2004  
7:00 p.m., Craig City Council chambers

**Roll Call**

Present: Roger Sadler (chair), Crystal Beseau, John Moots, Lonnie Walters  
Absent Excused: Gail Slentz

**Approval of Minutes**

Motion to approve minutes of Meeting of July 22, 2004  
Moots/Beseau                      Approved

**Public Comment and Public Hearing**

No Public Present

**New Business**

Crystal was thanked for her service to the commission over the last several years and was given a certificate of appreciation and a photo of Craig. Crystal also got to take her name tag. She handed over her copy of the land development code.

John Moots asked if the changes to the planning code had gone through the city council yet. Brian responded that it was scheduled for first reading on September 16 and second reading on October 7.

Helipad Use. Roger Sadler asked about recent use of the helipad. Brian responded that the City Administrator had contacted Temsco and the Coast Guard to remind them that the helipad could only be used for emergency purposes.

John Moots asked about Walt Bolling's construction plans since his variance request was denied. Brian responded that Walt is currently working on designs that do not encroach into the setbacks. Brian said that he didn't have any building permit requests yet. There was some additional discussion regarding the building height changes and their relation to Walt's lot and to other beach front lots.

**Old Business**

None

**Adjourn**

Motion to adjourn.    Beseau/Moots                      Approved

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Roger Sadler, Chairman

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Brian Templin, City Planner

# CITY OF CRAIG PLANNING COMMISSION MINUTES

Meeting of September 30, 2004  
7:00 p.m., Craig City Council chambers

## **Roll Call**

Roger Sadler (chair), Gail Slentz, John Moots, Lonnie Walters were all present.

## **Approval of Minutes**

Meeting of August 26, 2004

Moots/Walters                      Approved (With Corrected Dates)

## **Public Comment and Public Hearing**

No public comment.

## **New Business**

1. Variance Request by Gary Laver (Linda Barron, Agent). Brian reported that Linda Barron, acting for Gary Laver had put in an application for a handicap lift. Brian reported that the existing deck is non-conforming but could be replaced for safety reasons and that the handicap lift could be installed without major alteration to the structure, but a variance was needed to put walls around the handicap lift because it would be within the setback. Roger commented that there was a hedge along the property line and didn't feel that the project would have any impact on the neighbors.

Motion to Approve Resolution 468-04-PC

Slentz/Walters                      Approved

## **Old Business**

1. Review of Chapter 1 of Craig Coastal Management Plan. There was no comment on the copy of chapter 1 that had been passed out. Brian reported that he would continue to try to give it to the commission in sections for review and ultimately for approval. There was some discussion about the boundaries. Brian said that we could probably look at incorporating Fish Egg and Port St. Nicholas into the Coastal Management District.

2. Changes to the Land Development Code. Brian reported to the commission that the Craig City Council had passed the first reading of City Ordinance 537. There was a question as to why the "non-preemptive housing" was being removed from Marine Industrial Zoning. Brian said that his research and discussions showed that it was because it served an original need (especially along beach road before it was changed to residential) and that with the 2000 comprehensive plan the change was introduced to make Marine Industrial the same as the rest of the

commercial/industrial zones. Roger commented that those were the reasons he recalled in that discussion. Roger asked if the change would affect any trailers that currently exist. Brian said that they could remain, but not be replaced. They would become non-conforming uses. Roger asked if they could get a variance to replace a trailer. Brian said that there might be a problem because one of the conditions of a variance was that the variance use not be a prohibited use. Roger commented that he would like to see the land eventually used for what it was zoned for, even if the current uses are non-conforming.

3. Brian reported that there was a building permit violation that he had been made aware of just prior to his trip to Fairbanks. The Church of God had a building permit for a retaining wall but had built part of the wall over the line. Brian had given them instruction to have the line surveyed and remove the construction to the proper side of the line. Brian said that they had fixed most of the problem, but that some of the tires were still over the line. Brian instructed them to completely remove the tires from the adjoining property. Brian said that he would keep the planning commission up as the situation progressed.

4. Gail asked if the land swap bill passed. Brian reported that the bills had passed the Senate and the House and that it authorized the Forest Service to purchase the city owned land, but that the President still needed to sign the bills and the appropriation needed to be put in place for the money to carry through the project. Roger asked who paid for the appraisal. Jon Bolling said that the city had to pay the entire cost of most of the property being appraised, but the Forest Service would be responsible for appraising the land next to their housing complex. Jon said that the estimate to appraise the Ward Cove Property was about \$25,000. Brian said that this project would be a good opportunity to put a committee together and do a planned unit development rather than a single zoning application.

5. Roger asked about the walking path from the school to Thomas Court. The current location of a fence, dog house and brush prevents use of the path. Roger said that one of the stipulations of the sale of the property was that they develop and maintain a path. Roger asked that staff look into the trail. Jon said that he would contact the property owner and public works to make sure that the path is usable.

6. Roger asked that the commission get a chance to review potential candidates for the vacant commissioner position. Brian said that we could do that.

### **Adjourn**

Motion to Adjourn

Walters/Slentz

Approved

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Roger Sadler, Chairman

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ATTEST: Brian Templin, City Planner

# **CITY OF CRAIG PLANNING COMMISSION MINUTES**

Meeting of October 28, 2004  
7:00 p.m., Craig City Council chambers

**\*\*Note:** Formal Meeting was cancelled due to a lack of quorum. Public testimony was held and will be entered into the record at the next meeting.\*\*

## **Roll Call**

Roger Sadler (chair) and Lonnie Walters were present.  
Gail Slentz and John Moots were absent (excused).

A quorum was not established and the commission could take no votes on items, however, Tim and Nan Koentopp and Jerry Carter were present so the present commission members listened to public testimony regarding V04-10-10.

## **Approval of Minutes**

Meeting of September 30, 2004 – No quorum

## **Public Comment**

Non-agenda items - None

## **Public Hearing**

1. Variance Request V04-10-10, Howard Walcott IV. Tim and Nan Koentopp and Jerry Carter were present to provide testimony. Brian gave some background on the variance request. There was some discussion about vacating the alley as a requirement of the variance. Roger asked if the property needed to be appraised in order to transfer the alley. Brian responded that his understanding was that there would be no cost for the alley, but the property owners would have to bear the entire cost of the survey and replat. Brian stressed that the alley vacation was not a project where the city would take the lead, the property owners had to initiate the alley vacation and make all arrangements. Brian said that the next time that the planning commission should see anything about the alley vacation would be when the property owners sent a request to the commission. There was some discussion on how the alley would be divided up. Brian said that the rules for distributing the vacated alley would be based on the natural extension of the existing property.

Jerry Carter asked about the alley vacation behind the daycare center and on the block adjacent. Brian said that the process should have been the same for that alley vacation. Jerry asked what the result would be if the alley were not vacated. Brian shared that he thought that the encroaching part of the house was a result of

the original work to vacate the alley. He said that if the alley were not vacated then there would have to be some alternative agreement to allow the structure to remain on the city alley.

Nan commented that the alley is currently being used not only for access, but as parking and storage. Nan said that they are in favor of vacating the alley and having access to Lot 3 from Beach Road. Lonnie asked if that was the intent of Mr. Walcott and Brian said that that was what he had been told. Jerry commented that one of Mr. Walcott's priorities was construction of access and parking from Beach Road.

Brian commented that the vacation of the alley was not an item that the new deck was dependant on, however, the current variance application was an appropriate place to put the special conditions to fix the alley vacation that was started in 1985 and the problems that the unfinished vacation caused.

Brian talked about the options that the commission might look at in regards to partial or conditional approval. Brian said that the lot in question meets all of the required variance conditions.

Roger asked what Jerry and the Keontopps would like to see. Jerry mentioned that additional privacy would be nice. Roger asked that if the parking issue were cleared up and the alley were vacated would that solve most of the problems (sound, privact, etc.). Nan mentioned that they would also like to build a fence and it would be better if the alley were vacated. Jerry commented that it was not an issue before because it has traditionally only been a footpath, and only turned into a driveway recently.

Roger asked if the property owners were in favor of the vacation. Jerry, Nan and Tim said that they were. Jerry also stated that he had talked to the Heads and that they were also interested.

### **New Business**

1. Variance Request V04-10-10 by Howard Walcott IV – Tabled, no quorum

### **Old Business**

1. Discussion of Changes to Craig Land Development Code. Brian gave a report of the status of the changes to the LDC at the City Council level. Brian reported that the city council had directed him to break up the ordinance into a series of small changes and that he was working on getting those through the city council.
2. Discussion of Coastal Management Conference. Brian reported on his attendance at the state coastal management conference. Brian said that it appeared that the state was taking a very narrow view of their regulations. Brian

said that he felt it was best for the staff and commission to simply continue working on the plan update as they had planned.

3. Discussion of Planning Commission Members. Brian reported that he had a letter from Ruth Ann Johns and Gail had suggested that John Ward might be interested. Brian asked that if there were any names that the commission had as suggestions for new planning commission members that they would get them to Brian.

**Adjourn – Meeting was not properly called to order due to a lack of quorum, so there was no need for formal adjournment.**

## CITY OF CRAIG

Planning Commission Meeting Minutes

Meeting of December 14, 2004

7:00 p.m., Craig City Council chambers

### **Roll Call**

Roger Sadler (chair), Gail Slentz, John Moots: Present

Lonnie Walters: Absent

### **Approval of Minutes**

Meeting of November 17, 2004. The meeting minutes for the November 17<sup>th</sup> meeting were not ready for review and will be presented at the January 27, 2005 meeting.

### **Public Comment**

Non-agenda items. No public comment was presented.

### **Public Hearing**

1. Conditional Use Permit CUP 04-12-14, Karl and Tammy Demmert. No public comment.

### **New Business**

1. Conditional Use Permit CUP 04-12-14, Karl and Tammy Demmert

Brian briefed the commission that Karl and Tammy Demmert had submitted an application for a conditional use permit to operate an overflow for their current bed and breakfast. The Inn of the Blue Heron is an existing bed and breakfast in a commercial zone operated by the Demmerts. The CUP will allow them to use their newly remodeled home on Beach Road as an overflow for their currently operated B&B.

Several of the commissioners made comments that parking was an issue in all similar uses and especially in the proposed location. Commissioner Sadler stated that the proposed location seemed tight for parking space. Brian explained that on paper it worked out for three parking spaces. Tammy said that they could park five vehicles. Tammy said that there was a potential for two guest parking and their personal vehicles.

Gail asked what would happen if parking became a problem for neighbors or emergency vehicles. Brian said that the city could notify the permittee and potentially revoke the permit if the conditions are violated. Brian also said that generally permits would be reviewed after a year. Brian said that he would gather information after 12 months and present it to the commission for review.

Tammy asked if occasional overflow would be a problem when they had friends visiting, etc. John Moots said that his concern was not the occasional overflow, but habitual overflow caused by the B&B.

Gail Slentz stated that she agreed with looking at it again in a year, but didn't think that the resolution needed to be written into the resolution.

Motion to approve amendment: Slentz/Moots

A Motion was made to amend resolution 470-04-PC to include a seventh condition that required a review after 12 months.

Motion to Amend resolution: Moots/Moots Approved

The Motion to pass resolution 470-04-PC.

Motion to approve: Approved

### **Old Business**

#### 1. Changes to Craig Land Development Code – Letter to City Council

Brian gave a draft letter to the planning commission for submission to the city council regarding the building height definition. The letter was based on a discussion at the previous meeting.

The commission approved the letter.

### **Adjourn**

Motion to Adjourn: Slentz/Moots Approved

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Roger Sadler, Chairman

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Brian Templin, City Planner