

**CITY OF CRAIG  
PLANNING COMMISSION**

Staff Report

June 13, 2023

Applicant: Patrick and Judith Murphy

Requested Action: Conditional Use Permit – Accessory Building in LD Residential Zone

Location: Lot 5A, Tract 6, ANCSA14c3 (1465 Elizabeth Court)

Lot Size: 12,891 SF

Zoning: Low-Density Residential

Surrounding Uses: North: Commercial  
West: Tideland  
South: Heavy Industrial  
East: High-Density Residential

**Analysis**

Patrick and Judith Murphy have applied to the City of Craig planning commission for a conditional use permit to construct an accessory building on a lot without an established principal use in a Low-Density Residential Zone, located at 1465 Elizabeth Court (Lot 5A, Tract 6, ANCSA14c3). The applicants propose to construct a storage shed for home building materials. The structure will be converted into a workshop after the home is built.

The lot in question is located on Salmonberry/Murphy subdivision. There have been plans to build a home overlooking the water for some time with a building permit for sitework approved in 2017 and a building permit for construction in 2022. Construction was delayed in 2022, although materials have been purchased and sitework has taken place. The accessory building will help store the building materials for the home.

I have attached a copy of the Murphy Subdivision Replat depicting Tract 6 and a copy of the application (with the applicant's site plan).

Per 18.06.002 of the LDC, the following criteria shall be met before a conditional use permit may be issued:

1. That the proposal is consistent with the Craig Comprehensive Plan, the Craig Municipal Code, and other applicable ordinances.
2. That the proposed use is conditionally permitted in the zone.
3. That the proposed use is compatible with other existing or proposed uses in the area affected by the proposal.

4. That the proposed use would not create noise, odor, smoke, dust, or other objectionable pollutants creating impacts on surrounding areas.
5. That the proposed use would not affect the health and safety of persons or property.
6. That the location, size, design and operating characteristics will mitigate conflicting uses.
7. That unsightliness, building height, or structural incompatibility would not significantly affect surrounding areas or the designated viewshed.
8. That the proposal would not have a significant detrimental effect on property values in the area.
9. That all utilities required by the proposed use are adequate or will be made adequate by the applicant at no additional expense to the city and will not interfere with utility capacity to serve other areas of the city.
10. That access is adequate to serve the additional volume and type of traffic generated and would not threaten health and safety by significantly altering traffic volumes and patterns.
11. That adequate off-street parking is provided. (See Chapter 18.14, Parking.)
12. That the proposed use would not degrade land, air, water, or habitat quality.
13. That the proposed use will not interfere with the efficiency of, the planned expansion of, or access to water dependent or water related uses unless: 1) there is a documented public need for the proposed use, 2) no alternative site, and 3) the public good will be served better by the proposed use than by the water dependent or water related use.
14. That other relevant objections made evident at the public hearing are addressed.
15. That the proposed use and development do not disturb trees or shrubs which are designated for habitat or resource protection; wind, noise, sediment, or pollution buffers; recreation or open space; protection from natural hazards, watershed protection, or visual considerations unless a plan is approved which will mitigate potential adverse impacts.

Criteria 1-13 and 15 of this section appear to be met on the face of the application. The commission should discuss Criteria 14 at the public hearing on June 22, 2023.

### **Recommendation**

That the planning commission discuss the required criteria for approval at the June 22, 2023 meeting and consider adoption of Resolution 617-23-PC granting a CUP to Patrick and Judith Murphy to construct accessory buildings on a lot without an established principal use in a Low-Density Residential Zone, located at 1465 Elizabeth Court (Lot 5A, Tract 6, ANCSA14c3), subject to the following conditions:

1. that the conditional use permit is not transferable to another location;
  2. that all parking will be off-street;
  3. that no home occupation business or commercial business is conducted on the lot without approval of a conditional use permit to operate a home occupation in an accessory building;
- and,

4. that this conditional use permit is voidable by the City of Craig, at its sole discretion, if the applicant is unable to meet the above conditions.

CITY OF CRAIG  
PLANNING COMMISSION  
RESOLUTION 617-23-PC

GRANTING A CONDITIONAL USE PERMIT TO PATRICK AND JUDITH MURPHY TO PLACE AN ACCESSORY BUILDING ON A LOT WHICH DOES NOT HAVE AN ESTABLISHED USE ON LOT 5A, TRACT 6, ANCSA14c3.

WHEREAS, the Planning Commission held a public hearing on June 22, 2023; and,

WHEREAS, public notice was given in accordance with Section 18.06.002 of the Craig Land Development Code; and,

WHEREAS, the Planning Commission finds that the specific criteria of Section 18.06.002 of the Craig Land Development Code are met as follows, subject to the conditions listed below:

1. That the proposal is consistent with the Craig Comprehensive Plan, the Craig Municipal Code, and other applicable ordinances.
2. That the proposed use is conditionally permitted in the zone.
3. That the proposed use is compatible with other existing or proposed uses in the area affected by the proposal.
4. That the proposed use would not create noise, odor, smoke, dust, or other objectionable pollutants creating impacts on surrounding areas.
5. That the proposed use would not affect the health and safety of persons or property.
6. That the location, size, design and operating characteristics will mitigate conflicting uses.
7. That unsightliness, building height, or structural incompatibility would not significantly affect surrounding areas or the designated viewshed.
8. That the proposal would not have a significant detrimental effect on property values in the area.
9. That all utilities required by the proposed use are adequate or will be made adequate by the applicant at no additional expense to the city and will not interfere with utility capacity to serve other areas of the city.
10. That access is adequate to serve the additional volume and type of traffic generated and would not threaten health and safety by significantly altering traffic volumes and patterns.
11. That adequate off-street parking is provided.
12. That the proposed use would not degrade land, air, water, or habitat quality.
13. That the proposed use will not interfere with the efficiency of, the planned expansion of, or access to water dependent or water related uses unless: 1) there is a documented public need for the proposed use, 2) no alternative site, and 3) the public good will be served better by the proposed use than by the water dependent or water related use.

14. That other relevant objections made evident at the public hearing are addressed.
15. That the proposed use and development do not disturb trees or shrubs which are designated for habitat or resource protection; wind, noise, sediment, or pollution buffers; recreation or open space; protection from natural hazards, watershed protection, or visual considerations unless a plan is approved which will mitigate potential adverse impacts.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission grants Patrick and Judith Murphy a Conditional Use Permit to build an accessory building on a lot which does not have an established use on Lot 5A, Tract 6, ANCSA14c3, subject to the following conditions:

1. that the conditional use permit is not transferable to another location;
2. that all parking will be off-street;
3. that no home occupation business or commercial business is conducted on the lot without approval of a conditional use permit to operate a home occupation in an accessory building; and,
4. that this conditional use permit is voidable by the City of Craig, at its sole discretion, if the applicant is unable to meet the above conditions.

Approved this 23<sup>th</sup> day of June, 2023.

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Chairman Sharilyn Zellhuber

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Samantha Wilson, City Planner