

# **CITY OF CRAIG PLANNING COMMISSION AGENDA**

Meeting of April 27, 2023  
7:00 p.m., Craig City Council Chambers

## **Roll Call**

Sharilyn Zellhuber (chair), John Moots, Kevin McDonald, Barbara Stanley, Jeremy Crews

## **Approval of Minutes**

1. March 23, 2023 Minutes

## **Public Comment**

1. Tammy Demmert comment on behalf of Aimee Demmert regarding deck built on Lot 2, Block 18 and ongoing efforts to resolve non-compliance
2. Other Non-Agenda Items

## **Public Hearing and New Business**

1. PC Resolution 603-22-PC – Amendment request on Conditional Use Permit for Craig Tribal Association to operate a marijuana retail establishment on commercially zoned property located at 505 Front Street (Lot B, Block B, USS 1430). Requesting a time extension for obtaining licensing.
2. PC Resolution 596-21-PC – Amendment request on Conditional Use Permit for Seventh Day Adventist Church to exceed max building height via a planned 40’ radio tower to be located at 401 6<sup>th</sup> Street (Lot 7 & 8, Block 19, USS 1430) amendment request. Requesting a time extension for obtaining FCC licensing.
3. PC Resolution 616-23-PC – Rezone portion of Lot 4, Block 28, USS 1430 from high-density residential to marine industrial and an equivalent portion of Tract C, USS 1430 from marine industrial to high-density residential.

## **Old Business**

1. Title 18 Amendment to 18.00.020 Definition of “Mobile home park” and “Mobile Building” and Additions to 18.07.040 Health and Safety Standards.

## **Adjourn**

*The meeting will be available by teleconference for both the public and planning commissioners. To call into the planning commission meeting call 1-800-315-6338, code 63275#. Commissioners can participate and vote by phone if they wish.*

CITY OF CRAIG  
PLANNING COMMISSION MINUTES  
Meeting of March 23, 2023

**Roll Call**

Sharilyn Zellhuber (chair), John Moots, Kevin McDonald (Exc. Abs), Barbara Stanley, Jeremy Crews (Abs)

From the public: Melyssa Nagamine, Steven Peavy, Mary Dinon, Clinton Cook, Lorraine DeAsis, Aaron Bean, Brian Templin.

Meeting Started at 7:03pm.

**Approval of Minutes**

1. January 26, 2023 Minutes. A motion was made and seconded to approve the minutes from the January 26, 2023 meeting.

MOTION TO APPROVE

MOOTS/ZELLHUBER

APPROVED

**Public Comment**

1. Non-Agenda Items.
  1. None

**Public Hearing and New Business**

1. PC Resolution 611-23-PC – Conditional Use Permit for Richard and Helen McCoy to operate a Bed and Breakfast in a Low-Density Residential zone at 1605 Hamilton Drive (Lot 3, HS 790, USS 2611).

Commissioner Stanley wanted to know the time period plans for construction of the proposed addition. Wilson responded that she is unsure, but that the McCoy family had intended to rent out one room in their existing home before building the addition and transferring the B&B to the addition.

Barb asked if a free-standing sign is not a conditional use permit item. Wilson said she didn't think so. The planning commission pointed out the free-standing Dreamcatcher sign which serves another B&B nearby. Commissioners expressed that there might be a conditional use permit process for free-standing signs. Wilson and Brian Templin stated they would look into it (*Editor's note: the property that Dreamcatcher is on is zoned high-density residential and allows "off premise signs" as a conditional use permit while the McCoy property, which is low-density residential, does not*).

Melyssa Nagamine, Steven Peavey, and Mary Dinon, who share a sewer line downhill of the McCoy property, expressed concern about additional stress that might be put on the system from an additional B&B structure. The utility and cost of maintenance is shared equally between the three properties. Melyssa stated she

is not as concerned about the increased usage but rather the issue of the sewage line being equally owned with all three properties being financially responsible for its up-keep. Mary noted that flooding on her end had happened previously from the McCoy property prior to their property purchase. Commissioner Moots expressed concern as well regarding the potential of doubling sewer output.

The neighbors expressed further concern about the impact of the existing utility running through the middle of their properties. Melyssa and Steven would like to build a home on their lot one day but that the current utility cannot be built over. city staff suggested working with the Craig public works to look at options look at options to build laterals from each property connecting to a sewer main on the road. An agreement would have to be reached between neighbors as the existing utility is a private line. Mary Dinon is already connected to the mainline directly so that would leave the McCoys and Melyssa/Steven to have their own individual connections set up.

Mary expressed further concern about the lack of regulations and follow-up on B&Bs in general. She felt follow-up had not been well-done in the past and that the rules had been broken by other existing B&B operators. Mary stated that she is not against people making money and utilizing their property to do so, but that she had concerns with the lack of follow-up in Craig. She was concerned about the corridor being a cover-up for the addition being its own separate structure and the addition pushing density standards on the property. Wilson acknowledged that there were efforts being done to try and get a better handle on B&B's in Craig. Wilson also noted that the addition with a corridor is unusual and not what she would recommend to attach the two buildings but that it was a permitted means to create an attached "addition" and had been done elsewhere in Craig. Wilson finished by stating density standards had been carefully analyzed and that she would be happy to provide those numbers to Mary upon request. Issues for which there is a complaint are easiest to address and follow-up on.

The planning commission expressed no concern with approving a one-bedroom B&B in the existing structure but would require further construction efforts and resolution of the sewer utility problem prior to approving a B&B as described in the application. Stanley recommended amendments to resolution conditions including removing items 5 and 6 (Building permit issues) and adjusting item 4 to read "that the bed and breakfast will be limited to one room in existing structure." The condition list would be shifted to read 1-8.

The planning commission emphasized that they are not against the B&B CUP as applied for and a future Conditional Use Permit could be submitted once construction was complete so long as the concerns are met. The neighbors echoed this sentiment.

MOTION TO APPROVE AS AMENDED    STANLEY/MOOTS    APPROVED

2. PC Resolution 612-23-PC – Replat for Robert and Jeanne Anderson’s properties which include High-Density Residential and Industrial Marine Zoning at 202 and 200 8<sup>th</sup> Street respectively (Lot 4, Block 28, USS 1430 & Tract C, USS 1430).

Stanley questioned the need for the equivalent exchange of properties. Wilson stated that she wasn’t sure but that it was not outside what was allowable. Brian Templin noted that it might have something to do with split property being fairly exchanged. Wilson acknowledged that both swapped pieces of property would need to be rezoned prior to final plat approval.

There was some further confusion about lot lines on the properties. Wilson clarified that Lot 4, Block 28 as well as Tract C and Tract C-T were owned by Robert and Jeanne Anderson. They also own one of the condos nearest Lot 4. The small, square-shaped, water-based Lot 4 nearby belongs to the City of Craig and is only water accessible.

Stanley asked what a flag-lot is. Flag-lots generally provide access to a lot through a narrow access point; generally access to a road/right-of-way. Wilson acknowledged that the lot does not effectively function as a flag lot for most folks. There is no access easement on the condominium lots to the south of Lot 4. Due to the location of the City of Craig’s Lot 4 there is also no effective water access through the flagpole. Robert and Jeanne Anderson own a condo to the south of their Lot 4 which gives them unique access by means of the “flag lot” shape.

Zellhuber asked about the city-owned Lot 4 (nearby Lot 4, Block 28). It was confirmed that the presence of city-owned Lot 4 effectively blocks Lot 4, Block 28 from water access.

Wilson acknowledged that utility improvements and easements are not required on a replat, but they are strongly recommended in this case. There would likely be utility issues for future owners if either lot is sold.

MOTION TO APPROVE

MOOTS/STANLEY

APPROVED

3. PC Resolution 613-23-PC – Replat for merging Craig Tribal Association Medium-Density Lots 18E, 18F 18G on Tract 18 at 1701 Hamilton Drive.

Clinton Cook representing the Craig Tribal Association (CTA) and Lorraine DeAsis representing Tlingit Haida Regional Housing Authority (THRHA) were on the phone ready to answer questions. Clinton requested an alternative format to the teleconference system as he was having difficulty hearing. Lorraine corrected Wilson on the title of THRHA after she incorrectly called it the Tlingit Housing

Authority. Wilson requested Lorraine email additional information on the new address for the THRHA as some of the information at the city was dated and notices had bounced back. THRHA is working with the CTA to construct the new senior housing on Tract 18.

Wilson acknowledged that the 40' right of way was marked on the plat already and that she had missed it on the initial reviews of the proposed replat. Wilson noted further that an as-built for the utility and roads had never been submitted as part of the subdivision of Tract 18 as is required and should be submitted prior to finalization of the proposed replat. The contractor who installed the utilities should have that information.

MOTION TO APPROVE

STANLEY/MOOTS

APPROVED

4. PC Resolution 614-23-PC – Variance for Aaron Bean to construct a secondary residence on an undersized lot in a High-density Residential Zone at 505 Hilltop Drive (Lot 4, Tract 6, USS 2611).

Wilson noted that all seven variance criteria appeared to be met with a question on Criteria 7. Her impression during conversations with Aaron was not that there was a pressing monetary need for the associated B&B conditional use permit and that Criteria 7 was met. Aaron noted that he and his family are not counting on the conditional use permit but saw it as value added. The associated bed and breakfast would be a good source of passive income but was not necessary. Moots stated that he doesn't see criteria 7 being an issue.

There was a brief discussion on parking. Wilson acknowledged that parking has more to do with the associated conditional use permit, but that it is also relevant to a duplex. Wilson acknowledged that the parking in front of the garage is very close to 20 feet and that some parking would likely be in the right-of-way. Regardless, the minimum four parking spaces required would be met.

Commissioner moots asked how the addition corresponds to lot lines. He wants to verify that the footprint of the building would not change. Wilson noted that there were some questions on the exact property boundaries as she hadn't had an opportunity to look for markers and had only stopped by for brief measurements for parking. No survey or as-built of that property, or adjacent properties, had taken place recently. Aaron stated that he does not intend to add to the footprint and stated that the sketch he had drawn up was very accurate. *(Editor's note: there are issues with the sketch. The property boundaries on the south end of the lot in particular appear to be overestimated with the depicted stairs/landing needing an additional CUP to be built within the setbacks as well as an accurate survey/measurement from property boundary markers. This was not addressed during the meeting due to them being primarily building permit items but were addressed later with Mr. Bean).*

MOTION TO APPROVE

STANLEY/MOOTS

APPROVED

5. PC Resolution 615-23-PC – Conditional Use Permit for Aaron Bean to operate a Bed and Breakfast in a High-density Residential Zone at 505 Hilltop Drive (Lot 4, Tract 6, USS 2611).

Commissioner Stanley started by stating she was uncomfortable with approving a B&B for a structure where the proposed B&B space is not yet built. Moots agreed. Zellhuber asked Aaron for a timeframe on the project. Aaron stated he planned to complete the structure in about a year.

Wilson noted there had been one public comment on this item. Bill Russell stated that Aaron Bean is renting the home out and is not a resident there. Aaron Bean firmly disputed this and reiterated that the Craig home was his primary residence. Aaron stated that there may be confusion as he does maintain a residence in Klawock that is an Air B&B and a business but that his PO Box is in Craig. Aaron stated he would be open to further investigation and verification of his residence in Craig.

The planning commission decided to table to resolution. Commissioners reiterated that they would be open to reconsidering once construction is further along.

MOTION TO TABLE

MOOTS/STANLEY

APPROVED

### **Old Business**

1. Ward Cove Harbor Updates

Brian spoke to the planning commission about the current state of the Ward Cove harbor project. Brian noted a few different options that had been presented to the Craig City Council and that the council was not prepared to make a decision yet. Some of those options included pursuing directed legislation, pursuing the general reevaluation report (GRR), or seeking other funds. Brian acknowledged that the council may not be up for spending more money on the project.

More details were provided about the GRR process which has no guarantee of producing a harbor and would take at least four more years (one year for funding, three years for the study). It is possible the process could determine that the existing site is no longer appropriate and push work back to site selection and scoping. Brian also acknowledged the timing of the Water Resource Development Act (WRDA) bill determining some of the timing of such decisions.

Regarding upland projects, Brian acknowledged the work the planning commission had done and stated that much of the validation report process had been intended to springboard some of the NEPA processes for building

restorations. As it stands, he is very reluctant to pursue any federal dollars; the National Park Service is the primary source of restoration funds.

Moots stated that he understands the council's frustration and acknowledged there are not many funding sources for such work.

Brian went on to state that the validation report is final. Brian stated that the delegation is still supportive but is not certain what actions they would be willing to take even if the Craig City Council opted to pursue directed legislation to move the project forward.

Brian re-iterated that he would like to see the property move to economic generating status within the next two years. There are some low-laying projects that may be pursued like dock restoration, mariculture development, AML container barge storage to support Silver Bay, etc. It is likely that some money from the state will be approved this year which could be directed to such projects and fulfill some of the goals of the original harbor project including restoration of working buildings like the webloft.

Stanley asked where the discussion on the longhouse and cultural items stand. Brian stated that there would need to be new discussion on what lands if any will be available for those purposes.

Stanley recommended a newsletter to the community as there was a lot of uncertainty and rumor spreading. Brian stated that he will be doing media interviews including one with KDN which would help.

## 2. Title 18 Mobile Home Park Mobile Building

Wilson stated that a couple specific items had been added for consideration. One of these items was the proposal from Ed Douville for Shaan Seet to produce two-piece mobile homes that could be connected on-site. Wilson stated that other than a sketch that was submitted there was very little associated information and that her requests for more information had not been answered. Wilson stated that the current language would not allow a two-piece unit as described but that the language could be adapted in some way to make it work. One option might even be for the second unit to be considered in lieu of a wanigan. Wilson concluded that without more information from Ed, she still favored the current language.

The other item of interest was the language regarding wanigans which Wilson had largely directed previously but had not been very favorable to some members of the planning commission. She stated that she had found some old language from 1989 that may better match what the planning commission had envisioned. Commissioner Moots likes the alternative language.

Wilson stated that if language were finalized, a public hearing could be held in April and a motion to recommend changes to Title 18 directed to the city council.

Zellhuber asked if there was any hurry to pass the language. Wilson answered that there were some ongoing questions regarding atypical mobile homes, including a container home that had been shipped to Craig, but no. No variance applications have been received.

Zellhuber stated that commissioner Crews had a lot to contribute on the subject and that she would like to see further discussion take place before final language was settled on. She thanked Wilson for doing more research on alternative language.

**Adjourn**

A motion was made and seconded to adjourn the meeting at approximately 9:00pm.

MOTION TO ADJOURN

STANLEY/MOOTS

APPROVED

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Chairman Sharilyn Zellhuber

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ATTEST: Samantha Wilson



To Samantha Wilson,  
City planner.

I am responding to you, Samantha Wilson, to your recent aggressive email on 4/6/23 where you are again threatening monetary fines and where you are accusing us of lying about being on Shaan Seet's list for rock work.

I told you on the phone earlier on 4/6/23 that we have been on Shaan Seet's list for months & that we check in with Ed, the president of Shaan Seet, to confirm that we are still on their project list. If the office girl told you something different, then she's unaware. If you go back several emails of correspondence between all of us you will see where you yourself said that Ed from Shaan Seet called Brian and let him know that we have a work order in.

Shaan Seet did actually come one day with their equipment before winter set in and started on the project but there was not any proper drainage pipes to be bought in the city of Craig so we had to put the project off until we could get the proper materials.

We now have the proper drainage pipes on the property and have been awaiting weather and also Shaan Seet's timeline to be able to do the work.

We have repeatedly been assured by Ed at Shaan Seet that we're still on his list.

Aimee has consistently emailed at the end of each extension asking for a further extension.

You have repeatedly threatened us with monetary fines, most recently again in your email 4/6/23 although we have been in compliance with all requests to date.

I would also like to address your accusation that building started before a permit was issued...

In actuality your harassment started with us prior to us even inquiring about a building permit. Aimee had a call from you within 30 minutes of lumber being dropped off on our property. Aimee said you asked what she's doing with this lumber and that she does not have a current building permit so why was lumber dropped off at her property.

This in itself screams prejudicial treatment & harassment of an individual.

Her answer to you on the phone was that her project manager, (myself) was out of town and that upon returning I planned to get a permit.

Upon my return to Craig & before any construction was started I came to your office to get the permit. But because you and I struggled to communicate well, I had council woman, Chanel McKinley, Aimee's business partner & family relative, talk to you and you issued the building permit to her with the condition that the elevation measurements from grade to top of deck would be provided to you within 60 days.

This was not easy to determine being that the lot slopes on one corner. The framing of the deck was barely finished by the 60 day deadline to get the measurements you requested.

By 10 or 11 am of that same day, you called me to inquire of it. I let you know that chanel had plans to be there in the afternoon with the measurements. But instead, you yourself then trespassed on our property. Your own city code states that you must give 24 hour written notice that you plan to enter the property. We didn't even so much as get a call from you that you would be entering the property. My contractor called me to let me know you were there.

When my husband questioned you and my daughter questioned you about what you were doing and why you were there and without permission, that's when you lost your composure & issued a stop work order to the contractor.

Not only did you break your own city code rules by not giving 24 hour notice you also gave the stop work order prior to the deadline that you gave us to get you the measurements.

The contractor called the mayor and told him he had never ever in his over 20 years of building seen such prejudice against a project in Craig.

The mayor came down to the property & inspected it. He told the contractor, my husband and myself that he sees no problem whatsoever with our deck. That it should not be an issue at all. That he would talk to Brian & get it straightened out. City code states that a mayor / fire chief can make this determination, but we never heard from him again.

I am just astounded that we are being treated so differently than others in this process. The direct neighbors have a deck that is not 10' set back and is more than 30" elevation to grade.

The city office itself has an entry porch that is not 10' setback and is over 30" elevation to grade.

A deck that exceeds 30" elevation is considered a structure.

The city code states that height of a structure is measured by the average of three sides of the structure.

It doesn't say which three sides, but if you take the average between the three highest points on our deck it is an average of (32.83")

The avg. for the three lowest sides is (20.5")

Avg. for 4 sides is (27.62")

SE corner is 11"

SW corner is 22"

NE corner is  $28\frac{3}{4}$

NW corner is  $47\frac{3}{4}$ "

This slope is what keeps water from standing on the property.

Although it is very expensive to rework the grade, we are still pursuing getting the property grade adjusted, although I don't understand why it's even necessary since this is commercial property.

I am requesting that you just at the very least give us an extension until the building permit we have is expired rather than all these unnecessary extensions that usually come with a monetary threat and the unnecessary angst & stress it causes my daughter. We live in a small town where many people await the few companies that do this type of work that we need done. Frozen ground during winter puts a halt on projects until it thaws again. It is out of my control of when Shaan Seet can do the work.

I would like to add that the property that we're talking about, when we bought it about 14 years ago, was a rundown 1940s log cabin with run down delapidated buildings, vehicles that didnt run, shacks that needed tearing down and a sippy wet muddy swamp ground. The work and improvements that have been done there are incredible from what it was.

It also is now a source of income to the city of craig with all its improvements, property taxes, sales taxes and bed taxes collected.

I think the craig planning and zoning committee as a whole are interested in helping people who make Craig a nicer, cleaner community, adding needed resources and who take obvious pride in its appearance. I am so proud of my single mother daughter who works so hard and has pride in her property to keep it up. I myself commend her for her diligence.

I have not included the city planning and zoning committee members in these emails before this April 6 communication because since we were In compliance with everything the planner has asked us to do, I was confident that we could get through this process. But with the most recent email that sounded intimidating, threatening and accusations of lying, that sent my daughter into a tear filled panic attack & made her question why she would even bother to improve her property at all, I've decided to speak up. So

I have included all the planning and zoning committee members in this email.

I am very unhappy how we are being treated in this process by this city planner.

I am requesting via this email to be put on the next scheduled planning and zoning committee agenda to be heard. I will also come into the office and request to be put on the next scheduled meeting agenda to be heard regarding this abuse of power.

I am including April 6 emails for reference...



From: **Samantha Planner** >  
To: **Tammy Demmert** >  
**Alaska Aimee's Cabin Renta...** >  
April 6, 2023 at 10:06 AM



Good morning Tammy and Aimee,

Tammy, thank you for forwarding Aimee's communication. I had not been a recipient on that email.

I will push the deadline to the end of April. You should check in with Shaan-Seet. Again, the building permit expires August 31<sup>st</sup>. The issue must be resolved by that time or fines will be issued. Again your options to resolve the issue include: increasing grade on your property so that the deck is no more than 30" from grade, removing the encroaching portion of the deck that is more than 30" above grade and within the 10' setback, a combination of the two options, or get an approved variance.

As the construction started before a building permit was issued and therefore does not comply with variance requirement 6, nor by extension requirements 1 or 2, I do not think a variance is likely to be approved and I would not recommend approval. Regardless, that is an option that is available to you. Please note that a limited extension as approved by the Planning Commission would be applied if the variance were denied and it would not be extended. Fines would then be applied if remediation requirements were still not met.

Again, my goal at this point is to get the issue remedied. I am willing to work with you to the extent that I can, but I cannot put off requirements indefinitely. If you do find the need to apply for a variance, I strongly recommend having documentation outlining the issues with Shaan-Seet delivering the rock/services. Although I do not think this is a variance that is likely to be passed, such information may grant you a longer extension to fix the issue.

Sincerely,

Samantha Wilson  
Craig City Planner  
907-826-3275  
[planner@craigak.com](mailto:planner@craigak.com)  
[www.craigak.com](http://www.craigak.com)

**CITY OF CRAIG  
PLANNING COMMISSION**

Staff Report  
April 27, 2023

Applicant: Craig Tribal Association

Requested Action: Time Extension of Conditional Use Permit Licensing Requirements – Operation of a Marijuana Retail Establishment in the commercial zone

Location: Lot B, Block B, USS 1430 CTA (505 Front Street.)

Lot Size: 10,609 SF

Zoning: Commercial

Surrounding Uses: North: Marine Industrial  
West: Marine industrial/Commercial  
South: Commercial  
East: Marine Industrial

**Analysis**

A conditional use permit (CUP) was approved for the Craig Tribal Association (CTA) to operate a marijuana retail establishment in a commercial zone, located at 505 Front Street (Lot B, Block B, USS 1430 CTA) on August 25<sup>th</sup>, 2022. One of the requirements of that CUP was that all licensing requirements set forth by the State of Alaska, Marijuana Control Board be met within 12 months of approval of the conditional use permit and prior to operation of the marijuana retail establishment. As state processing of licenses has fallen behind and are not expected to be approved prior to late 2023/early 2024, the CTA is looking for an amendment to the conditional use permit to extend the time allowed to meet licensing requirements.

There is a limit of two retail establishments in Craig (Ordinance 669). The approved conditional use permit does not guarantee that an applicant will complete the state licensing process. The approved permit also does not guarantee that the applicant will have their state license approved. The city (along with the public) has an opportunity to comment or object to license applications through the state licensing process. It is staff’s intent to make comments to the Marijuana Control Board for each license application that there is a limit of two licenses that can be issued. This commenting period for the city has not yet taken place.

As of the date of this staff report there have been no written comments submitted. Public notices were posted on April 13<sup>th</sup> with notice letters mailed on the same date.

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 appear to be met on the face of the application.

Criteria 14 may be met at the conclusion of the public hearing on April 27, 2023.

**Recommendation**

That the planning commission adopt an amended Resolution 603-22-PC granting a CUP resetting the time for the Craig Tribal Association to obtain required state licenses to operate a licensed marijuana retail establishment in a Commercial Zone, subject to the following conditions:

1. that the conditional use permit is not transferable to another individual or location;
2. that the applicant is required to remain current on sales tax and marijuana tax to the City of Craig for all sales associated with the permitted business;
3. that the applicant and property owner shall be current on all taxes, utility billing and other fees assessed by the City of Craig relating to the subject property and business operations;
4. that the applicant shall secure and maintain, in good standing, all licenses and permits required by the State of Alaska for operation of a marijuana establishment;
5. that the applicant shall comply with all provisions of Craig Municipal Code regarding placement and operation of a retail marijuana establishment; and,
6. 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.
7. that the applicant must have all required licenses associated with the business within 12 months and be in operation within 18 months of this amended conditional use permit.

CITY OF CRAIG  
PLANNING COMMISSION  
RESOLUTION 603-22-PC

*Amended*

GRANTING AN AMENDED CONDITIONAL USE PERMIT TO CRAIG TRIBAL ASSOCIATION TO OPERATE A LICENSED MARIJUANA RETAIL ESTABLISHMENT ON COMMERCIAL ZONED PROPERTY AT LOT B, BLOCK B, USS 1430 CTA

WHEREAS, the Planning Commission held a public hearing on April 27, 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 the Craig Tribal Association an amended conditional use permit to operate a licensed marijuana retail establishment in a Commercial Zone, located at 505 Front Street (Lot B, Block B, USS 1430 CTA), subject to the following conditions:

8. that the conditional use permit is not transferable to another individual or location;
9. that the applicant is required to remain current on sales tax and marijuana tax to the City of Craig for all sales associated with the permitted business;
10. that the applicant and property owner shall be current on all taxes, utility billing and other fees assessed by the City of Craig relating to the subject property and business operations;
11. that the applicant shall secure and maintain, in good standing, all licenses and permits required by the State of Alaska for operation of a marijuana establishment;
12. that the applicant shall comply with all provisions of Craig Municipal Code regarding placement and operation of a retail marijuana establishment; and,
13. 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.
14. that the applicant must have all required licenses associated with the business within 12 months and be in operation within 18 months of this amended conditional use permit.

Approved this 27<sup>th</sup> day of April, 2023

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Chairman Sharilyn Zellhuber

---

Samantha Wilson, City Planner



Jana D. Weltzin  
Licensed in Alaska & Arizona  
901 Photo Ave, Second Floor  
Anchorage, Alaska 99503  
Phone 907-231-3750  
JDW, LLC  
jana@jdwconsult.com

February 22<sup>nd</sup>, 2023

*Sent via USPS & Electronic Mail*

[cityclerk@craigak.com](mailto:cityclerk@craigak.com)

[planner@craigak.com](mailto:planner@craigak.com)

PO Box 725

Craig, AK 99921

*RE: Request for Extension of time for Craig Tribal Association CUP Marijuana Retail Establishment Condition No. 7*

Dear Honorable Members of the City of Craig Planning Commission,

My firm represents the Craig Tribal Association in the capacity of applying for a retail marijuana store license. We are contacting you today to request an extension to Condition No. 7 on the Conditional Use Permit that was voted on and approved August 25<sup>th</sup>, 2022.

As per the Approved Conditional Use Permit, Resolution, Condition No. 7, requires the applicant to have all required licenses and approvals associated with the business within 12 months and be in operation within 18 months. Unfortunately, and of no fault of Craig Tribal Association, the current Alcohol & Marijuana Control Office (“AMCO”) has suffered severe staff overturn in addition to a complete liquor Title 4 re-write recently approved by the State’s legislature (Session 2022) and has nearly a yearlong backlog of marijuana related applications in queue for AMCO review and processing.

In addition to the Title 4 rewrite, staff shortages, marijuana new licenses in queue, the same AMCO staff is also tasked with processing hundreds of marijuana and liquor license renewals, operating plan changes, diagram changes, and new marijuana product submissions. For an understaffed and underfunded department with a considerably heavier workload than in recent years, the delay of processing new license applications is understandable. In addition to AMCO review, the marijuana retail license must also be considered and reviewed by the Marijuana Control Board (“MCB”) which only meets on a quarterly basis. As of the date of this letter, AMCO examiners are reviewing regular applications (non-renewal or special regulation change forms) submitted **in May of 2022**. With the Craig Tribal Association’s retail application being approximately 41<sup>st</sup> in the new/transfer queue, awaiting review, we can reasonably anticipate that the application will not make the March or June 2023 MCB agenda to get the approval of this



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jana@jdwcounsel.com

license application, and the next MCB meeting would not be until September 2023, which is after the August 25, 2023, Planning Commission deadline to satisfy Condition No. 7 of the CUP.

Due to the AMCO backlog it is highly unlikely that the board will review the retail application for Craig Tribal Association until, at minimum, December 2023 or their first meeting in 2024 (Date is unknown as of now). We understand the importance of timely compliance with the requirements set forth by the City of Craig, and we regret that these unforeseen circumstances that are outside of Craig Tribal Association's control have caused this delay.

If we could be included in a Planning Commission agenda when it's convenient to the Planning Commission to discuss this situation with the Honorable Planning Commission members and consider our request for a reasonable extension to Condition No. 7 we would be very grateful for that opportunity.

Feel free to contact me if you have any questions or concerns.

Truly and Sincerely Yours,

A handwritten signature in black ink, appearing to read 'Jana D. Weltzin', is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jana D. Weltzin, Esq.

**CITY OF CRAIG  
PLANNING COMMISSION**

Staff Report  
April 27, 2023

Applicant: Craig Seventh Day Adventist Church

Requested Action: Time Extension of Conditional Use Permit Requirements – Exceed Maximum Building Height

Location: Lots 7 & 8, Block 19, USS 1430 (401 6<sup>th</sup> Street)

Lot Size: 13,750 SF

Zoning: Residential Hi Density - I

Surrounding Uses: North: ROW/Water Street  
West: High Density Residential  
South: High Density Residential  
East: ROW/6<sup>th</sup> Street

**Analysis**

The Seventh Day Adventist Church operates a religious assembly at 401 6<sup>th</sup> Street. In October 28, 2021 a conditional use permit (CUP) was passed permitting the church to exceed maximum building height for a planned 40’ radio tower. Prior to moving forward with construction, the Conditional Use Permit required the church to obtain a Federal Communications Commission (FCC) License within a year of approval of the CUP. The FCC construction permit has recently been approved due to delays with licensing but more than a year has passed. When the original conditional use permit was reviewed, two amendments were added to the conditional use permit outlining the requirement that the “...applicant abide by all state and federal requirements...” and the “...applicant obtain an FCC license within one year.”

Like many churches, the church intends to operate a low wattage radio transmitter. The church intends to operate a radio transmitter and has requested a permit to exceed the maximum building height (30’) and install a 40’ tower in place of the existing 30’ one. The tower will be attached to the building.

A public notice was sent to all property owners within 300’ of the subject property.

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 were determined to be met on the face of the application during the October 28<sup>th</sup>, 2021 meeting. None of these are affected by the requested amendment. The commission should discuss Criteria 14 at the public hearing on April 27, 2023.

**Recommendation**

That the planning commission adopt an amended Resolution 596-21-PC granting a CUP to extend the licensing requirements so that the Craig Seventh Day Adventist Church can install a radio tower, not to exceed 40' in height, located at 401 6<sup>th</sup> Street (Lots 7 & 8, Block 19, USS 1430) subject to the following conditions:

1. that the conditional use permit is not transferable to another individual or location;

2. that the applicant must abide by all state and federal requirements, permits and regulations when using the tower.;
3. that the applicant meet all requirements of its FCC construction permit. If this condition is not met, the conditional use permit is void.
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.;
5. the conditional use permit may be reviewed by the Planning Commission 12 months after approval to ensure compliance with these provisions.

CITY OF CRAIG  
PLANNING COMMISSION  
RESOLUTION 596-21-PC

Amended

GRANTING AN AMENDED CONDITIONAL USE PERMIT TO THE CRAIG SEVENTH DAY ADVENTIST CHURCH TO INSTALL A 40' RADIO TOWER IN THE RESIDENTIAL HIGH DENSITY – I ZONE AT 406 6<sup>TH</sup> STREET, LOTS 7 & 8, BLOCK 19, USS 1430

WHEREAS, the Planning Commission held a public hearing on April 27, 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 the Craig Seventh Day Adventist Church a time extension to obtain FCC licensing for their conditional use permit to install a 40' radio tower attached to their building in the Residential High Density – I zone, located at 401 6<sup>th</sup> Street (Lots 7 & 8, Block 19, USS 1430), subject to the following conditions:

1. that the conditional use permit is not transferable to another individual or location;
2. that the applicant must abide by all state and federal requirements, permits and regulations when using the tower.;
3. that the applicant meet all requirements of its FCC construction permit. If this condition is not met, the conditional use permit is void.
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.;
5. the conditional use permit may be reviewed by the Planning Commission 12 months after approval to ensure compliance with these provisions.

Approved this 27<sup>th</sup> day of April, 2023

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Chairman Sharilyn Zellhuber

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Samantha Wilson, City Planner



# Federal Communications Commission

## FM BROADCAST STATION CONSTRUCTION PERMIT

**Permittee**

Adventist Radio Alaska  
Corporation  
6100 O'Malley Road  
Anchorage, AK, 99507

<b>Call Sign</b>	<b>Facility ID</b>
	775237

<b>File Number</b> 0000202713		
<b>Filing Date</b> 10/20/2022	<b>Grant Date</b> 01/06/2023	<b>Expiration Date</b> 36 months after the grant date

<b>Community of License</b> City: Craig State: AK	<b>Frequency (MHz)</b> 94.9	<b>Station Channel</b> 235	<b>Station Class</b> D
<b>Hours of Operation:</b> Unlimited			
<b>Facility Type:</b> Noncommercial Educational			

<b>Transmitter</b> Certified for Compliance. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.	<b>Transmitter Output Power</b> As required to achieve authorized ERP.
<b>Antenna Type</b> Non-Directional	<b>Antenna Coordinates (NAD 83)</b> Latitude 55-28-36.1 N Longitude 133-8-53.2 W
<b>Major Lobe Directions</b> Not Applicable	

	<b>Horizontally Polarized Antenna</b>	<b>Vertically Polarized Antenna</b>
<b>Effective Radiated Power in the Horizontal Plane (kW)</b>	0.09	0.09

<b>Height of Radiation Center Above Ground (meters)</b>	11	11
<b>Height of Radiation Center Above Mean Sea Level (meters)</b>	22	22
<b>Height of Radiation Center Above Average Terrain (meters)</b>	-86	-86

<b>Antenna Structure Registration Number</b> Not Required	<b>Overall Height of Antenna Structure Above Ground (meters)</b> 12
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**Obstruction Marking and Lighting Specifications for Antenna Structure**

It is expressly understood that the issuance of these specifications is in no way to be considered as precluding additional or modified marking or lighting as may hereafter be required under the provisions of Section 303 (q) of the Communications Act of 1934, as amended.

**Special Operating Conditions or Restrictions**

The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.

- The permittee has specified the use of an EPA Type 2 (Opposed V Dipole), one (1) section antenna to demonstrate compliance with the FCC radiofrequency electromagnetic field exposure guidelines. If any other type or size of antenna is to be used with the facilities authorized herein, THE AUTOMATIC PROGRAM TEST PROVISIONS OF 47 C.F.R. SECTION 73.1620 WILL NOT APPLY. In this case, a FORMAL REQUEST FOR PROGRAM TEST AUTHORITY must be filed with the FCC application for license BEFORE program tests will be authorized. This request must include a revised RF field showing to demonstrate continued compliance with the FCC guidelines.
- Warning signs which describe the radiofrequency electromagnetic field radiation hazard must be posted on the roof and tower and at appropriate intervals around the building. Access to the roof, tower and antenna must be restricted to prevent the exposure of humans to RF emissions in excess of the FCC guidelines (OET Bulletin 65, Edition 97-01, released August 1997). Documentation demonstrating compliance with this special operating condition must be submitted with the FCC application for license.

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules(See Section 83.875).

Pursuant to Section 73.3598, this Construction Permit will be subject to automatic forfeiture unless construction is complete and application for license is filed prior to expiration.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

## **CITY OF CRAIG MEMORANDUM**

To: Craig Planning Commission  
From: Samantha Wilson, City Planner  
Date: April 24, 2023  
RE: PC Resolution 616-23, Rezoning Parcels of Tract C, USS 1430 from Marine Industrial to Residential – High Density and Lot 4, Block 28 from Residential – High Density to Marine Industrial

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Robert and Jeanne Anderson have applied to rezone a 3,813 ft<sup>2</sup> parcel from Tract C, USS 1430 and a 2,758 ft<sup>2</sup> parcel from Lot 4, Block 28, USS 1430. These parcels will be rezoned and swapped between the two existing lots as part of an effort to replat the two lots and expand the western side of Lot 4 so a residential structure/personal boat garage can be more easily built within the setbacks. There do not appear to be any plans to develop the marine industrial lot in the near future.

At this time there is little development on either parcel. Tract C is currently zoned Marine Industrial and will remain so after the replat when it becomes Tract C-1. Lot 4, Block 28 is Residential – High Density I and will remain so after the replat when it becomes Lot 4A.

The rezone appears to meet all of the requirements found in Title 18. The proposed property swap (i.e. rezoning a large portion of Lot 4, Block 28) appears to be directed to meet requirement 4 of zoning designation changes.

Recommendation: Recommend approval of a rezone of the respective parcels of Tract C, USS 1430 and Lot 4, Block 28 USS 1430 from Marine Industrial to Residential – High Density I and vice versa effective upon proposed replat being approved and recorded.

**CITY OF CRAIG  
PLANNING COMMISSION**

**RESOLUTION 616-23-PC**

RECOMMENDING APPROVAL OF A REQUEST BY ROBERT AND JEANNE ANDERSON TO REZONE A 3,813 SQFT PARCEL OF TRACT C FROM MARINE INDUSTRIAL TO HIGH DENSITY I (RH-I) ZONE AND A 2,758 SQFT PARCEL OF LOT 4, BLOCK 28, USS 1430 FROM HIGH DENSITY I (RH-I) TO MARINE INDUSTRIAL.

WHEREAS, the Planning Commission held a public hearing on April 27, 2023; and,

WHEREAS, public notice was given in accordance with Section 18.06.004 of the Craig Land Development Code; and,

WHEREAS, the Planning Commission finds that the specific criteria of Section 18.06.004 of the Craig Land Development Code are met as follows:

1. That the proposal is consistent with the policies of the Craig Comprehensive Plan, the Craig Coastal Management Program, the Craig Municipal Code and other applicable ordinances.
2. That the proposed designation is compatible with other existing or proposed designations in the area affected by the proposal. Compatibility is evaluated based on the permitted uses and their effects on the following:
  - a. The level of noise, odor, smoke, dust, or other objectionable pollutants that would be created and their effects on surrounding areas;
  - b. The health and safety of persons or property;
  - c. The land, air, and water or habitat quality;
  - d. Property values in the area;
  - e. Volume and type of traffic generated and the effect alterations in traffic volumes and patterns would have on health and safety;
  - f. Availability of adequate off-street parking for the uses permitted in the land use or zone designation;
  - g. Trees or shrubs designated for: habitat protection; wind, noise, sediment, or pollution buffers; recreation or open space; protection from natural hazards, watershed protection, or visual considerations.
3. That additional utilities required by the proposed designation 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.
4. That the land use or zone change does not create a shortage of land in the current land use or zone designation.
5. That there is a community need for the change.
6. That the proposed designation will not interfere with the efficiency of, the planned expansion of, or access to water dependent or water related uses unless:
  - a. There is a documented public need for the proposed use,
  - b. there is no alternative site, and

- c. the public good will be served better by the proposed use than by a water dependent or water related use.
- 7. That other relevant objections made evident at the public hearing are addressed.

NOW, THEREFORE, BE IT RESOLVED that the Craig Planning Commission recommends that the Craig City Council approve the request from Robert and Jeanne Anderson to rezone the 3,813 sqft parcel of Tract C, USS 1430 from Marine Industrial to Residential – High Density I zoning and the 2,758 sqft parcel of Lot 4, Block 28, USS 1430 from Residential – High Density I to Marine Industrial effective upon proposed replat being approved and recorded.

Approved this 27<sup>th</sup> day of April, 2023.

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Chairman Sharilyn Zellhuber

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Samantha Wilson, Craig City Planner

Print Form

Submit by Email

CITY USE ONLY

FILE NUMBER <u>230427</u>	FILE NAME <u>R2 230427</u>
DATE RECEIVED <u>4/13/23</u>	BY <u>SAW</u> FEE <u>\$30</u>
HEARING DATE <u>4/27/23</u>	NOTIFICATION DEADLINE <u>4/17/23</u>

### Zoning and/or Land Use Change Application

Applicant's Name Robert Anderson

Address \_\_\_\_\_ Telephone No. 206-910-7702

Applicant's Representative (if applicable) Chris Piburn

Address Box 1273 Craig AK. 99921 Telephone No. 907-401-0155

Subject Property Legal Description: Lot 4 Block/Tract C Survey Number 1430

Lot Size: 10,000 +/- Subdivision Name J. Anderson Boat Shop

Township: N/A Range: N/A

To help the planning commission gather facts about the proposed temporary use permit, please complete the following:

1. Describe the proposed zone change: \_\_\_\_\_  
Mr. Anderson would like to trade an equal amount of High Density Residential property from Lot 4, Block 28 with his Tract C lot which has been zoned Marine Industrial. The purpose would be to allow him to build a larger building on the newly created lot 4A that would be used for residential purposes.

2. What noise, odor, smoke, dust, or other pollutants could be caused if the zoning designation changes? \_\_\_\_\_  
None

3. What types of uses are currently located within 300 feet of the proposed zone change?  
Residential Condominium and the Sea Float plane facility.

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4. What types and sizes of buildings, signs, storage and loading areas, screens, etc. are planned should the zone designation be changed (size, height, type)? \_\_\_\_\_  
The planned building will be 50'x60' and be a single story with high ceilings for a boat garage,

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5. What utilities will be needed should the proposed zone change be adopted? \_\_\_\_\_  
Standard water and sewer

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6. What road(s) provide access to the property proposed for the zone change? \_\_\_\_\_  
Eighth, Cove, and Ninth.

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7. What type and volume of traffic will be generated by the proposed zone change? \_\_\_\_\_  
A single Standard residential lot still remains

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8. What are your parking needs and where will they be provided (indicate on the plot plan where parking is to be provided)? \_\_\_\_\_  
Onsite

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9. Why do you feel that there is a need for the change? \_\_\_\_\_  
The original lot was always too narrow and every time it has been used it has never  
conformed to the city's requirements.

10. What alternative sites are there? \_\_\_\_\_  
None for Mr. Anderson as this adjoins his existing residence.

The criteria by which a zone/land use change application is approved or denied is listed in Chapter 18.06.004.C-F of the Craig Land Development Code.

A decision of the planning commission may be appealed to the city council within 30 days of the mailing of the notice of the commission's decision. Decisions of the city council may be appealed to Superior Court.

I (we) being duly sworn, depose and say that the foregoing statements and answers herein contained, and the information herewith submitted, are in all respects true and correct to the best of my knowledge and beliefs.

Dated this 14 day of March, 2023.

Chris Piburn  
Applicant

\_\_\_\_\_  
Applicant

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*Authorization for Agency*

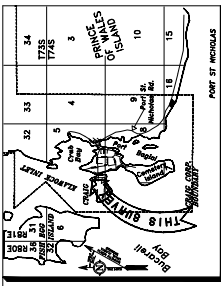
If the applicant listed on this application is other than the sole deed holder of the property or properties upon which the temporary use will take place, complete the following authorization to act as agent:

I (we), the undersigned, hereby certify that as deed holder(s) of record of the property or properties described above, I (we) hereby authorize the person listed as the applicant on this application to act and appeal as agent with respect to this application.

Dated this 06 day of April, 2023.

Signature(s) of deed holders: [Signature]





MAP OF ANCHORAGE, ALASKA  
VICINITY MAP  
SCALE: 1"=20'



TYPICAL SECONDARY MONUMENT  
SET THIS SURVEY

SET 5/8" X 30" LONG REBAR  
(UNLESS OTHERWISE NOTED) AND  
2" ALUMINUM CAP WITH PLASTIC  
INSERT



SCALE 1"=20'  
THIS DRAWING MAY BE REDUCED, VERIFIED SCALE BEFORE USING

1 METERS = 3.2808333 U.S. SURVEY FEET  
1 U.S. ACRE = 0.4047 HECTARES

SHEET 1 OF 1  
R. ANDERSON BOAT SHOP  
1100 W. 11TH AVENUE, SUITE 300  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 252-7947  
FAX: (907) 252-3441  
CRAIG OFFICE  
1100 W. 11TH AVENUE, SUITE 300  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 860-2204  
CERTIFICATE OF AUTHORIZATION # C276

A SUBDIVISION OF  
LOT 4 BLOCK 28 OF TRACT C-1  
PLAT 94-33  
CREATING LOTS 4A, AND TRACT C-1  
R. ANDERSON BOAT SHOP REPLAT  
CONTAINING 1.59 ACRES MORE OR LESS

LOCATED WITHIN  
U.S. SURVEY 1430  
KETCHIKAN RECORDING DISTRICT  
FIRST STATE OF ALASKA

SURVEYED BY: MAT  
DRAWN BY: CGP  
DATE: 2022  
DATE: FEB 2023

SCALE: 1"=20'  
CHECKED: CGP  
RAM PROJECT NO: 222600

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT I AM A PROPERLY REGISTERED AND LICENSED TO PRACTICE SURVEYING IN THE STATE OF ALASKA. I HAVE CONDUCTED THIS SURVEY IN ACCORDANCE WITH THE ALASKA SURVEYING ACT AND THE RULES AND REGULATIONS THEREUNDER. I HAVE BEEN AIDED BY THE FOLLOWING ASSISTANTS: [NAME], [NAME], AND [NAME].

**PRELIMINARY**

DATE: \_\_\_\_\_  
CHRISTOPHER G. PRILWIN, P.E. # 103532

**TAX STATEMENT**  
I HEREBY CERTIFY THAT ALL TAXES, FEES, LICENSES, PERMITS AND OTHER CHARGES REQUIRED BY LAW TO BE PAID ON THE ABOVE DESCRIBED PROPERTY ARE PAID.

DATE: \_\_\_\_\_ CITY CLERK: \_\_\_\_\_

**CERTIFICATE OF IMPROVEMENTS**  
I HEREBY CERTIFY THAT NO IMPROVEMENTS ARE REQUIRED FOR THE VACATION, REPLAT, OR RECONSTRUCTION OF THE ABOVE DESCRIBED PROPERTY.

DATE: \_\_\_\_\_ PUBLIC WORKS DIRECTOR: \_\_\_\_\_  
DATE: \_\_\_\_\_ CITY PLANNING OFFICIAL: \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION**  
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE CITY LAND DEVELOPMENT CODE, SUBDIVISION ORDINANCE.

DATE: \_\_\_\_\_ CITY PLANNING OFFICIAL: \_\_\_\_\_  
DATE: \_\_\_\_\_ PRESIDING OFFICER - PLANNING COMMISSION: \_\_\_\_\_  
DATE: \_\_\_\_\_ PLANNING COMMISSION MEMBER: \_\_\_\_\_

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE: \_\_\_\_\_ ROBERT F. ANDERSON

**NOTARY'S ACKNOWLEDGMENT**  
I, ROBERT F. ANDERSON, of the County of Matanuska, State of Alaska, do hereby certify that I am the owner of the property shown and described hereon and that I hereby adopt this plan of subdivision with my free consent and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

DATE: \_\_\_\_\_ ROBERT F. ANDERSON

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE: \_\_\_\_\_ JENNIE M. ANDERSON

**NOTARY'S ACKNOWLEDGMENT**  
I, JENNIE M. ANDERSON, of the County of Matanuska, State of Alaska, do hereby certify that I am the owner of the property shown and described hereon and that I hereby adopt this plan of subdivision with my free consent and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

DATE: \_\_\_\_\_ JENNIE M. ANDERSON

**BASIS OF BEARING**  
THE BEARINGS SHOWN ARE MAGNETIC BEARINGS BASED ON HIGH PRECISION GLOBAL NAVIGATION SATELLITE SYSTEM TECHNOLOGY, USING TRIMBLE (R/S & R10) RECEIVERS AND A REAL TIME KINEMATIC (RTK) CORRECTION SERVICE. LOCAL PLANE BEARINGS ARE OBTAINED TO TRUE GEODETIC NORTH DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.

**NOTES**  
1. THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:5000.  
2. ALL BEARINGS SHOWN ARE TRUE BEARINGS OBTAINED ON THE BASIS OF BEARING AND DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.  
3. REFERENCE TO ECTION AND TITLE INSURANCE AGENCY CERTIFICATE TO PLAT FILE NO. 79774.  
4. IF ANY ADJACENT PLATS ARE TO BE EXPANDED TO ALLOW THE CONSTRUCTION OF A NEW SHOP BUILDING, THE PLAT IS TO BE AMENDED TO REFLECT THE CHANGES.  
5. REFERENCE TO THE CO-OWNERS WITHIN THE KETCHIKAN RECORDING DISTRICT:  
A. U.S. SURVEY 1430  
B. PLAT 94-33 "SUPPLINE SUBDIVISION"



FRAC. TRACT C-T FORD  
TRACT C-1 27,949 SQFT  
LOT 4A 11,201 SQFT  
LOT 4 BLOCK 28 1,430  
LOT 4 BLOCK 28-A 1,430  
TRACT C-1 27,949 SQFT  
LOT 1 CRAIG HOMES SUBDIVISION  
EIGHTH STREET

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LEGEND	
	ORIGINAL BULL BRASS CAP
	SECONDARY MONUMENT SET THIS SURVEY
	SECONDARY MONUMENT RECOVERED
	ACCESS & UTILITY EASEMENT DESIGNATED BY THIS PLAT
	SURVEYED
	MEASURED DATA
	RECORD DATA
	EXISTING OVERHEAD ELECTRICAL
	EXISTING UNDERGROUND SEWER LINE
	EXISTING UNDERGROUND WATER LINE

## CITY OF CRAIG MEMORANDUM

To: Craig Planning Commission  
From: Samantha Wilson, City Planner  
Date: March 3, 2023  
RE: Tiny House on Wheels and Container Homes 4

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During the October 27<sup>th</sup> meeting, the planning commission continued the discussion regarding tiny houses and container homes in mobile home parks.

During that discussion most of the language was largely settled although a couple questions and comments have come up since that time.

1. In the previous discussion the following language was recommended to be changed from the following:  
*“Mobile home park” means three or more mobile homes, travel trailers and/or motor homes located on one lot or parcel.*

To this alternative:

*“Mobile home park” means three or more mobile homes, travel trailers, motor homes, and/or other mobile buildings located on one lot or parcel. Residential mobile buildings must be built off-site and moved into place as a completed unit with minimal alterations to demonstrate transportability.*

Since October, Ed Douville brought forth a plan for Shaan-Seet to manufacture two-piece modular homes for the trailer park. The language currently limits modular buildings to completed units. If language were adapted to include this use, it might look like the following:

*“Mobile home park” means three or more mobile homes, travel trailers, motor homes, and/or other mobile buildings located on one lot or parcel. Residential mobile buildings must be built off-site and moved into place either as a completed unit or a two-piece unit with minimal alterations to demonstrate transportability.*

Potential issues with this language would be the reduction of transportability and an increased chance of sprawl if a wanigan were added. Other concerns include the manner in which the two pieces are to be joined and what minimal alterations might look-like in the case of a two-piece unit.

2. Another option to address the concern with property values and transportable modular homes might be to redefine mobile buildings by focusing on the function of mobility rather than the means of mobility in 18.00.020. This would allow for the exclusion of such buildings from particular zoning areas via 18.05.040 Mobile building restricted (MBR) overlay. This overlay has been applied to certain blocks where home value decline is a concern. This rule combines the primary zoning with the overlay to prohibit the use of mobile buildings on certain lots or within a given block.

Current wording is as follows:

*“Mobile building” means a single modular building designed to be transported on its own wheels and chassis.*

The recommended altered wording is as follows:

*“Mobile building” means a single modular building designed to be transported, placed, or removed as a single unit.*

Other concerns were brought up including wanigan construction on tiny houses, potential fire hazards in tiny houses (due to wanigans and/or loft access), and container house stacking. These are generally items that are already reflected in the code (see section 18.07.040.2 for wanigan requirements) or are otherwise limited by existing rules created by zoning (i.e. height rules under 32 ft without a CUP), and/or are not currently enforced in any residence.

3. Wanigans were brought up as an item of concern as they decrease or eliminate the mobility of a mobile home and they can present an increased fire risk. One recommendation was to limit wanigans to a percentage of the original building size. The recommended language Section 18.07.040.C. Health and Safety Standards was the following:

*10. Wanigan floor space may not exceed the size of the original mobile building.*

It was argued that this language allows for extended rooflines while limiting wanigan sprawl. Wanigan floor space may be further capped to account for especially large trailers. The reason for the permissive language is due to the fact that wanigans are currently allowed and the fact that any wanigan construction limits or eliminates mobility of a trailer.

However, the following language was previously recommended in a Planning Commission meeting on March 23<sup>rd</sup>, 1989 and could be used instead:

*10. Wannigans attached to mobile units are limited in size to 50 percent of the roof area of the host building or 10x20 ft, whichever is smaller.*

Likewise, a combination of the two options may be considered.

4. To manage potential stacking of container homes in the mobile home park, the following addition to 18.07.040 Mobile home parks – Standards, C. Health and Safety Standards was recommended:

*11. Modular homes, like shipping container homes, may not be stacked within the mobile home park.*

Recommendation: The planning commission should discuss the language and comments and make adjustments accordingly. A 30 day notice period will be provided prior to the public hearing scheduled April 27<sup>th</sup> whereupon the finalized language can be approved by resolution by the Planning Commission to be forwarded to the City Council. The City Council may then adopt the new language by ordinance.