

**Planning Commission  
WORK SESSION  
CITY HALL CONFERENCE ROOM  
MONDAY, DECEMBER 19th, 2011  
MINUTES**

**In those matters coming before the Cordova Planning Commission at 6:00 p.m.;**  
**Monday, December 19, 2011, in the City Hall Conference Room, 602 Railroad Avenue Cordova,**  
**Alaska, are as follows:**

- A. Call to order –**
- B. Roll Call** Present for roll call were Chairman Tom Bailer, David Reggiani, John Greenwood, Greg LoForte, Roy Srb, Tom McGann and Scott Pegau.  
Also present were City Planner Samantha Greenwood and Assistant Planner Faith Wheeler-Jeppson.  
There were 2 people in the audience.
- C. CORDOVA MUNICIPAL CODE TITLE 18 - ZONING.**

**A letter was provided anonymously for the packet regarding firing weapons in the Unrestricted District**

**McGann** ~ I'd just like to comment that in the Zoning that it says that if it's illegal by State or Federal Laws that it's illegal, we don't have to address something like this in Zoning it's a crime.

**Samantha Greenwood** ~ It's legal in the Unrestricted District

**Pegau** ~ It's exempt

**Bailer** ~ RR-1 Sam do you want to start us off?

**Samantha Greenwood** ~ So this got kind of rushed in trying to work with the lawyer and stuff, so I feel like I didn't do the greatest job on the memo. We had been talking about it for so long that I forgot that we needed a little prep for the people who hadn't been talking about it for a long time. These are just suggested ways of making the Code a little more efficient, making some changes that are drastically needed from the 1970's language and verbiage. This isn't what's going to happen these aren't the rules these are just ideas to get things moving forward. The one thing that Attorney Holly Wells and I finally decided on the Principal Permitted Uses was to make a list, what do you want to see in residential? Then we'll work with the lawyer to make sure that its' kosher. But some of these things like truck gardening, that's a pretty old word. But it is allowing outdoor commercial uses. The other thing that I forgot to mention is that we dissolved Public lands and Institutions, because really that was a spot zone, anywhere that there was a City building they made it Public Lands and Institutions. And the better way to do that is to incorporate it into your Districts, you can have schools in residential and maybe a Conditional; use Permit so you can deal with traffic and square footage. But instead of having to re-zone a piece of property it would already be permitted as a Conditional Use.

**Bailer** ~ Reasons for combining, number one on the sheet says "Currently all districts have same lot size requirement 4,000 square foot for single family dwelling and 2,000 square feet for 2-3 family dwelling"

**Samantha Greenwood** ~ That's what it is in Code currently and it is very confusing.

**Bailer** ~ That doesn't make any sense

**McGann** ~ I think that's per unit

**Srb** ~ It is per unit

**Samantha Greenwood** ~ The definitions alone will probably be a work session

**Bailer** ~ O.K. so discussion points under number "Could require anything over 4plex to apply for a Conditional Use Permit", so you're saying that someone could build a 4 plex without a Conditional Use Permit.

**Samantha Greenwood** ~ Currently yes if it were in a High Density Zone which we don't even have on the ground.

**Bailer** ~ So in the wording "anything over a 4 plex" is that including a 4 plex? Basically, anything over a 3plex would require a Conditional Use Permit.

**Reggiani** ~ It's kind of how you approach this whole thing, are we looking at it currently the way we're zoned are we trying to fit the zones to what we have or are we trying to plan for the future and create zones that we're going to be thinking about as the developers start to open up more properties. If you look at it from that point of view, I think it would be good to have 'tools in the toolbox' whether we have them now or don't have them now, so that we could establish different neighborhoods for different things. Really, we're so jumbled right now and for the most part most of the buildable land is built upon already. Unless we have a big fire, I'm not sure that we're really going to be able to reclaim or reuse land and restructure what we have right now. But, I do see as the developers start going up the hillsides and developing that we'll need to talk about density levels whether we have it or not.

**Bailer** ~ I see your point about new properties but there is some remodeling going on and one that went the other way right there on Boardwalk, Buscher and Berry's property they had an apartment separate from their house and that recently has been torn down and replaced with boat parking.

**Srb** ~ Just to kind of follow up on Reggiani's point, years ago I went to an AML where they had a Planning Attorney speaking and he said that one of the powers of the Planning Commission was; was for future planning you could turn around and take existing uses, no compatible use and grandfather them in but at some point if the business sells or that there accommodation made by the City that there is other property available, that we could create something going forward with more of a sense of what your long term vision would be.

**Reggiani** ~ That's a good point

**Bailer** ~ So, I'm kind of hearing a little resistance to combining all of the residential districts

**Pegau** ~ I can see two districts, but I can't see one.

**McGann** ~ Yeah, as long as like what we were saying we can grandfather people in, we don't want people being noncompliant with zoning when they've been there for 20 years.

**Samantha Greenwood** ~ That's the deal, it's as of this date.

**Pegau** ~ And the compliance issue, we had a map earlier of all the lots in town what is the median sized lot? Because I don't think most of them meet the four thousand square foot so we actually zoned what looks like the majority of the inside of town noncompliant.

**Samantha Greenwood** ~ Most people own more than one lot, but 25' by 100' is how they were platted originally.

**Samantha Greenwood** ~ Right now our Code doesn't really speak to density per say, there is no High Density on the ground there's really not much difference between High Density and Medium Density.

**Pegau** ~ But Medium Density doesn't allow Townhouses as far as I can tell whereas High Density does.

**Pegau** ~ Interestingly, the two family dwelling you only need 4,000 square feet in Low Density and you need 6,000 square feet in High Density.

**Reggiani** ~ It's hard to look out into the future too, my thought process is do we eliminate and then just have to recreate in the future some time or we just leave it on there and just better define the Low, Medium and High. And then go to the next step as far as mapping up the city and the zones that we have. I'm leaning more towards better defining Low, Medium and High so that they are relative to density rather than eliminating or combining.

**Greenwood** ~ I can see definitely where they need to be cleaned up. To me High Density means more of apartment buildings type of structures.

**McGann** ~ Another issue that's being talking about in Code is the percentage of the lot that's being occupied.

**LoForte** ~ Your townhouses, I'm relatively sure are considered High Density units even though they are single family dwellings. My question is, if you have a High Density area you're not allowed to develop a single unit on it? Is that what you're hashing back and forth.

**Samantha Greenwood** ~ Yeah that's what they've been talking about, a single dwelling as in a Single Family residence.

**After a lengthy discussion the Commission agreed that Low, Medium and High Density Residential District needs to be rewritten.**

**Bailer** ~ So, Tom (McGann) if you're looking at smaller lot size I would ask for a recommendation on size and then we'll get that out of the way.

**McGann** ~ Certainly it could be 3,000 square feet, and still have a very nice house on it.

**Bailer** ~ Ok what are we going to do with the 3,000 square foot lot that someone comes in and says okay I need a variance because half of my 3,000 square foot is mountain side. Are we going to give it to them or hold the line at 3,000 square foot?

**Bailer** ~ OK, so for now let's put it at 3,000 square foot for consideration and we can revisit that.

**Bailer** OK, so what percentage of the lot were you thinking then?

**McGann** ~ With a lot that's 40' by 75' 3,000 square feet you take away the setbacks that leaves you with 1,500 square feet of buildable space, so that's 50%.

**Reggiani** ~ Mr. Chairman if I could help, Faith gave me this magic book, in the Planners Dictionary its talking about 'intensity' and 'density' and it's defining as "A relative measure of development impact as defined by characteristics such as the number of dwelling units per acre, amount of traffic generated, and the amount of site coverage." It's talking about the degree to which land is occupied or the density of development (There is no single measure of the intensity of land use. Rather, a land use is relatively more or less intense than another use.) But I was thinking that there's got to be some kind of definition, I'm not sure how much we need to reinvent the wheel. Other municipalities should have some examples that we could look at.

**Bailer** ~ For High Density?

**Reggiani** ~ For High Density, Medium and Low, all of them

**Bailer** ~ I think what we're kind of throwing out here now is the lot size, we've got 4,000 square foot now do we want to consider lowering the size? Right now we're considering 3,000 square foot.

**Reggiani** ~ Why would we do that? I'll throw that out there. Right now in Code its 4,000 square foot.

**McGann** ~ We'd make it more dense

**Bailer** ~ Okay so we're going around the table here.

**Reggiani** ~ I'd like to keep with the 4,000 square foot lot

**Bailer** ~ And I would favor keeping the 4,000 square foot and keeping it all the same

**Srb** ~ I would leave the lot size alone

**Pegau** ~ I have no problem with that, I'd leave it

**Greenwood** ~ I'd rather see it smaller

**McGann** ~ I'll go with consensus, 4,000 square foot is fine

**Samantha Greenwood** ~ Ok, so let's go through High Density really quick before we drop it. What about uses?

**Bailer** ~ They're good

**McGann** ~ There's one permitted use that says 'noncommercial boats'

**Bailer** ~ It says right here, private storage in yards of noncommercial trucks, boats and aircraft.

**Greenwood** ~ I'm reading from existing Code.

**Samantha Greenwood** ~ So maybe we send out a 'skeleton' for High, Medium and Low.

**Greenwood** ~ Which is pretty much High Density I would say.

**Bailer** ~ So your idea then is to come back with the outlines of the three Zones (High, Medium & Low) again.

**The Commission had a lengthy discussion on lot size of lot coverage; there was concurrence to come back to this at another time.**

**The Commission had a lengthy discussion on height; there was concurrence to come back to this point after further independent research.**

**Bailer** ~ What I want to do is go home and look at some of the Anchorage Codes and do a little research.

**Reggiani** ~ That's what I'm looking at doing, maybe we should stay at a higher elevation on this and look at zones, combining or not combining, eliminating or not eliminating without diving into the trees on each one of them to see if it makes sense. And then once we get the list of zones that we would like to keep then maybe come back with some comparables.

**Reggiani** ~ I think at our next meeting we could ask Staff to bring back some comparables like what does Petersburg do and what does Anchorage do.

**Samantha Greenwood** ~ We did that before though and the reaction we got is why we went to doing it this way coming in with something that is already written. I'm not totally shooting that down.

**Reggiani** ~ I think the decision that we've made by consensus is that we like all three, so we're not talking about combining them anymore. So if we are going to have three and we want to go through and have some good definitions of the density levels and then we need to map them out. Instead of getting in a big discussion about height and stuff I'd like to have some comparables to see what other communities are doing.

**Bailer** ~ And that's kind of where I was trying to head with it too, we have two things to go back and look at and for all of us and Staff to go back and study and that's 'lot coverage' if we want to address that and the 'height'. The rest of it we're pretty much good with what's in the High Density then.

**Staff needs to provide the Planning Commission with definitions for the following:**

**Townhouse**

**Condominium**

**Apartment**

**Dwelling**

**The Commission had a discussion on whether or not the Unrestricted Zone District has a 'sunset clause' and when it was created. Staff was asked to research this to determine if any information could be found lending credence to the claim.**

**Minimum Lot Size for the Unrestricted Zone District**

**A lengthy discussion ensued regarding the language in 18.18.030 – Lot Area**

**A.) Minimum lot size must meet the requirements of current state regulations.**

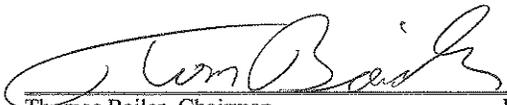
**Staff will contact Alaska DEC to see what the current State Regulations are.**

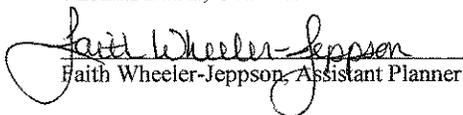
**Bailer** ~ I'd like to have the Commission consider the language "Be inspected by an independent Certified Installer" in regards to property owners doing a septic system self-install.

**Bailer** ~ So everyone is going to think about the minimum lot size (UR District) and kick that around.

**D. ADJOURNMENT**

**M/Reggiani S/Srb Motion to adjourn at 9:05 pm**

  
Thomas Bailer, Chairman 5-8-12  
Date

  
Faith Wheeler-Jepson, Assistant Planner 4/28/2012  
Date