



Haines Borough

Planning and Zoning

103 Third Ave. S., Haines, Alaska, 99827. Box 1209

(907) 766-6401 * Fax: (907) 766-2716

APPLICATION FOR CONDITIONAL USE PERMIT

Permit#: _____

Date: _____

Use this form for approval by the Planning Commission. **\$150 non-refundable application fee**

I. Property Owner/Agent		Owner's Contractor (If Any)	
Name:		Name:	
Mailing Address:		Haines Borough Business License #:	
Contact Phone:		Alaska Business License #:	
Fax:		Contractor's License #:	
E-mail:		Mailing Address:	
		Contact Phone:	
		Fax:	
		E-mail:	
II. Property Information			
Size of Property:			
Property Tax #:			
Street Address:			
Legal Description: Lot (s) _____ Block _____ Subdivision _____			
OR			
Parcel/Tract _____ Section _____ Township _____ Range _____			
[Attach additional page if necessary.]			
Zoning: <input type="checkbox"/> Waterfront <input type="checkbox"/> Single Residential <input type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area			
<input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input type="checkbox"/> Waterfront Industrial			
<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/> Mud Bay Zoning District			
<input type="checkbox"/> Lutak Zoning District <input type="checkbox"/> General Use			
III. Description of Work			
<u>Type of Application</u> (Check all that apply) <input type="checkbox"/> Residential <input type="checkbox"/> Commercial _____ sq. ft. _____ seating capacity if eating/drinking establishment <input type="checkbox"/> Industrial <input type="checkbox"/> Church <input type="checkbox"/> Other _____	<u>Project Description</u> (Check all that apply) <input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input type="checkbox"/> Other _____	<u>Water Supply</u> Existing or Proposed <input type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input type="checkbox"/> Borough Water System <input type="checkbox"/> Other _____	<u>Sewage Disposal</u> Existing or Proposed <input type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input type="checkbox"/> Borough Sewer System <input type="checkbox"/> Pit Privy <input type="checkbox"/> Other _____

Per HBC 13.08.100 and 18.60.010, If a property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. Failure to connect will result in a minor offense subject to penalties.

Valuation of Work:

Current use of adjacent properties:

Attach the following documents to the permit application:

Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

PREAPPLICATION (Required)

Pre-application Conference Date: _____

Prior to submission of an application, the developer shall meet with the manager for the purpose of discussing the site, the proposed development and the conditional use permit procedure. The manager shall discuss these matters with the developer with special attention to policies and approval criteria that may pose problems or constraints on the site or the proposed development activity and policies or approval criteria that may create opportunities for the developer.

APPLICATION

Please provide a written narrative explaining how your project will meet the following requirements. You may use the space provided on this form or attach your answers. A variance may only be granted if the Planning Commission finds that these six standards are met.

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

Describe what safeguards are being provided (i.e. setbacks or buffers) to meet the condition.

2. Explain how the development of the use is such that the value of the adjoining property will not be significantly impaired.

3. Explain how the size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.

4. Describe how or why the specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

5. Explain how the granting of the conditional use will not be harmful to the public safety, health or welfare.

6. Describe the safeguards that will be provided so that the use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.

NOTICE

Per HBC 18.50.040, Comments received from property owners impacted by the proposed development will be considered and given their due weight. Additionally, the Planning Commission may impose one or more of the following conditions:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.
3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.
4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.
5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.
6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.
7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.
8. Design. The conditions may require the adoption of design standards specific to the use and site.

IV. CERTIFICATION

I hereby certify that I am the owner or duly authorized owner's agent, that I have read this application and that all information is correct. I further certify that I have read, understand and will comply with all of the provisions and permit requirements outlined hereon. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property and that the use will comply with all required conditions and specifications, will be located where proposed and when developed, will be operated according to the plan as submitted. All contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska and the Haines Borough. **I am aware that if I begin construction prior to receiving permit approval, I will be assessed a \$250.00 "After-the-Fact" fee.**

Owner or Agent

Date

PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or owner's agents to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

Office Use Only Below This Line

Non-Refundable Application Fee \$ _____ Payment Method: _____ Receipt #: _____ Received By: _____ Date: _____	Information/Documentation Req'd Rec'd <input type="checkbox"/> <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> <input type="checkbox"/> State DEC <input type="checkbox"/> <input type="checkbox"/> Variance/Conditional Use Permit <input type="checkbox"/> <input type="checkbox"/> Sign Permit
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Zoning	Bldg. Height	Lot Coverage %	Const. Type	Occupancy	# Stories
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If Application is Complete: Yes No

Notified Via: _____ Notified By: _____

Date: _____

If yes, Approved By: _____ <div style="text-align: center;">Planning Commission Chairman</div> Permit ID #: _____ Permit Effective Date: _____	If no, Denied By: _____ <div style="text-align: center;">Planning Commission Chairman</div> Date: _____ Reason: _____
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Approval Special Requirements: This application meets all applicable Borough policies and a permit is issued, conditional on the **substantial completion of construction within two** years and the following special requirements:

Notice of Right to Appeal: All decisions of the Borough Officials are appealable per HBC 18.30.050

ATTACHMENT A

SITE PLAN REQUIREMENTS

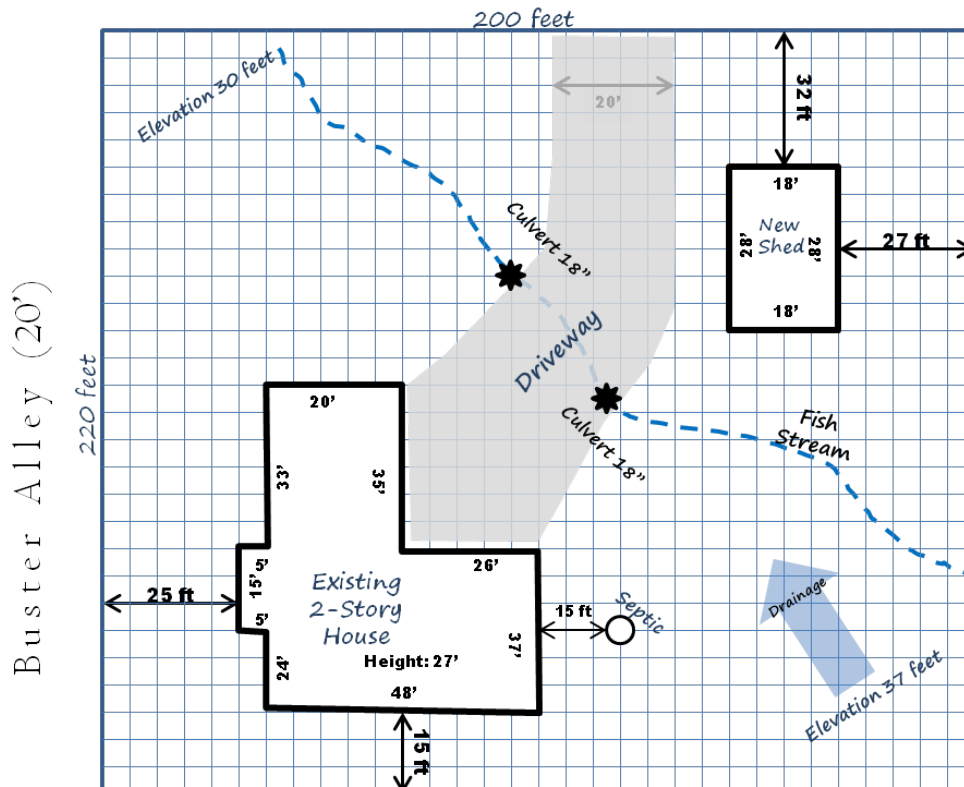
1. Drawing showing dimensions of all buildings, including elevations, of lot on which activity/use/construction is planned.
2. Existing streets, alleys, sidewalks, driveways, easements, including widths.
3. Existing buildings/structures on the property, their location, dimension and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
4. Proposed construction—including location, dimensions, and proximity to lot lines or other structures. (Measured from closest point on structure to other lot lines, structures, etc.)
5. Existing and proposed non-building improvements, including surface water drainage plan, driveway placement, culvert(s), off street parking (location and dimensions), on-site water and/or wastewater handling systems.
6. Shore lines, steep slopes, or other evidence of natural hazards.
7. If zero lot line construction proposed, show plan for handling snowdrop onto adjoining properties.

It is strongly recommended that an as-built survey be performed prior to submittal of the application.

EXAMPLE SITE PLAN

John Doe Property Tax ID X-XXX-XX-XXXX

Ripinsky Street (60')



APPROVAL CRITERIA

See [HBC 18.60.010](#) for more information.

- A. **Plans.** The proposal is substantially consistent with the borough comprehensive plan and other applicable borough-adopted plans.
- B. **Reviewing Parties.** Due deference has been given to the comments and recommendations of reviewing parties.
- C. **Fire Safety and Emergency Access.** As determined by the State Fire Marshal or the borough fire chief.
- D. **Access.** All lots on which development is planned are required to have legal road access completed to borough standards.
- E. **Traffic.** The proposed use shall not overload the existing street system with traffic or result in unsafe streets or dangers to pedestrians.
- F. **Public Maintenance.** The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow and shall not create significantly increased difficulty for snow removal or street maintenance.
- G. **Foundation.** All buildings intended for residential or commercial use shall be placed on a permanent foundation.
- H. **Parking.** See parking requirements in HBC [18.80.040](#).
- I. **Utilities.** If property on which a use is proposed is within 200 feet of an existing, adequate public water and/or sewer system, the developer shall be required to connect to the public systems. All regulations of the State Department of Environmental Conservation pertaining to water extraction and wastewater disposal, as well as the requirements of [HBC 13.04.080\(G\)](#) pertaining to on-site wastewater disposal, shall apply.
- J. **Drainage.** The applicant for a proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate or avoid runoff into public streets or adjoining lots and to protect rivers, lakes and streams from pollution. Developers may be required to provide for the conservation of natural features such as drainage basins and watersheds, and provide for land stability.
- K. **Walkways, Sidewalks and Bike Paths.** Easements for pedestrian access or bicycle paths may be required where shown by the borough to be necessary to provide reasonable circulation or access to streams, lakes, tidewater, schools, playgrounds, transportation facilities or other public facilities.
- L. **Construction Guarantees.** The borough may require the posting of a bond or other surety approved by the assembly to ensure that all required and necessary improvements are constructed as approved. The surety may provide for partial releases upon acceptance of the improvement by the borough.
- M. **Peak Use.** The peak use characteristics are the same as surrounding uses or other uses allowed in the zone.
- N. **Off-Site Impacts.** The proposed use shall not have significant negative impacts on the surrounding properties, including excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises or be unsightly or become a nuisance as defined in [HBC 8.12.020\(I\)](#). Buffering may be required to alleviate impacts between residential and nonresidential uses. The owner of the property upon which the buffering is constructed is responsible for the maintenance of the buffering in a condition that will meet the intent of this criteria.
- O. **Habitat.** A reclamation or landscaping plan may be required as a condition of approval of any use within 100 feet of a state-identified anadromous stream. The purpose of the reclamation or landscaping plan includes the control of dust, soil erosion, water runoff and siltation which otherwise would be generated on the lot and affect the surrounding area.
- P. **Anadromous Fish Stream Setbacks.** All development along state-identified anadromous fish streams will be consistent with the Haines coastal zone management program. Unless approved by [variance](#), no development shall occur within 25 feet of the banks of anadromous fish streams, designated as such by the Alaska Department of Fish and Game. Variances from this requirement may be granted by the commission based upon the unique conditions of individual properties, the proposed development, and the recommendations of a qualified fisheries biologist.
- Q. **Open Space and Facilities.** The developer may be required to dedicate land for open space, drainage, utilities, access, parks or playgrounds. Any dedication required by the commission must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policies.
- R. **Historic Resources.** The proposed use shall not adversely impact identified historic resources prior to the assessment of that resource by the borough or state. Uses located within the significant structures area must comply with the specific approval standards of this chapter. See also [HBC 18.60.020 \(G\)](#) and [HBC 18.70.050](#), Historic Building Districts.
- S. **National Flood Plain Regulations.** All permits shall be reviewed for compliance with [HBC 18.120](#), Flood Plain Regulations.
- T. **Hazard Areas.** Development which is not designed and engineered to mitigate the risk of loss of life or property is prohibited in the following hazard areas: (1) The one percent floodway of all rivers and streams; (2) Avalanche outfall areas; (3) Within 500 feet of a major fault; (4) Slopes greater than 30 percent; (5) Within 300 feet of a wildfire chute; (6) Rock and mudslide areas.
- U. **Waterfront.** The following requirements apply in all waterfront zones:
 - (1) For residential use, [setbacks](#) shall be the same as those required in the residential zone. All other uses shall be required to set back 10 feet from lot lines adjacent to every street and alley and five feet from all other lot lines; (2) Public access to the waters of Portage Cove is required to be included in all permits for development on land adjacent to Portage Cove.

SPECIAL APPROVAL CRITERIA MAY APPLY

See HBC [18.60.020](#) for more information.