HAINES BOROUGH, ALASKA
P.O. BOX 1209
HAINES, AK 99827
(907) 766-6411 * FAX (907) 766-2716

July 2, 2020

To: **Planning Commission**
From: **Libby Jacobson Planning & Zoning Tech**
Re: **Conditional Use Permit for Recreational Vehicle Park (#20-21); Tax ID C-MIS-02-0500; Commercial Use Zone; Chris Thorgesen**

SUMMARY

This memorandum serves as the borough manager's recommendation under Haines Borough Code (HBC) 18.50.040 (A) for the above referenced permit (see attached application). Our staff (Alekka Fullerton, Interim Borough Manager; Libby Jacobson and Savannah Maidy, Planning and Zoning Techs) have evaluated the application against the criteria listed in borough code. It is our opinion that the development adheres to the pertinent criteria if issued with the following conditions:

1. **The permit shall expire with the sale of the property**.
2. **Applicant must consolidate lots C-MIS-02-0500 (0.74 acres) and C-MIS-02-0100 (0.44acres) to create a lot size larger than one acre.**

   Note: Applicant is beginning process for vacating the lot lines
3. **Adequate access for emergency vehicles must be provided as required by HBC 18.60.010 C)**
4. **Applicant must submit a refuse disposal plan.**

   Note: Applicant has plans to provide dumpster on existing pad on site
5. **Proof that the proposed use shall be adequately served by public water, sewer, on-site water or sewer systems, electricity, and other utilities.**
   a) **Sewer service line connection must be capped or plugged when not in use.**
   b) **Must install a backflow prevention device on each units water connection.**
6. **A buffer along S. 6th Ave shall be implemented and connect to existing green belt.**

Per HBC 18.50.040 (B), the Planning Commission may alter the proposed conditions or impose its own. The Commission is encouraged to reconsider the conditions after the public hearing once all public comments have been received.

If the Commission wishes to propose other conditions, here are examples from HBC 18.50.040B:

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.

REVIEW

Haines Planning Department received a conditional use permit application for an RV Park on the proposed property on June 5th. We held a pre-application conference on June 24th.

BACKGROUND

Chris Thorgesen has applied for a conditional use permit to operate a RV Park at the above listed property in the Commercial Use Zoning District, located in the town-site at 527 Main Street where the applicant currently owns and operates Thor's Fitness recreation facility. In HBC Title 18.20.020, "*Recreational vehicle (RV) park*" means:

any private or commercial area or premises where space for two or more trailers or motor homes may be rented or otherwise obtained for temporary occupancy or camping, but not including automobile or trailer sales lots on which unoccupied trailers or motor homes are parked for sale.

The intent of the Commercial Zone, as defined in HBC 18.70.030(A), is to protect and enhance areas of existing commercial development and to provide areas for the continued growth of commercial enterprise. The uses in this zone are oriented toward serving the commercial needs of the residents of the borough, the surrounding area and visitors. The area is served by, or is planned to have, the necessary level of utilities and an adequate transportation system as deemed appropriate for the planned use.

The Borough began a case file August 14th, 2017 after receiving an anonymous complaint from a community member regarding a potential threatening person who may have been living in an RV in close proximity to the school.

Thorgesen was sent a Cease & Desist letter dated August 21st, 2017 by the Borough Manager about Non-Conforming use of the property, C-MIS-02-0100 & C-MIS-02-0500, after the previous owners, Elks Lodge, discontinued their non-conforming use of the site in Sept. 2011. Per HBC 18.60.020(M2A): "When a nonconforming use is discontinued or abandoned for two years or more at any time after the effective date of this title, it shall not thereafter be resumed unless it is a conditional use and a conditional use permit is granted." In April of 2015 (more than two years after the discontinued use) Thorgesen re-established service, which was in violation of the Borough code Thorgesen was asked to cease operation of the RV Park and remove the RV's & Trailers at that time. Thorgesen was informed that he would need to obtain a conditional use permit to operate an RV Park in the Commercial Zone. An application was provided to him.

The Haines Borough did a final inspection on September 11, 2017 and noted the removal of the RV's & trailers; however, the actions did not bring the property into compliance with the Borough code as one trailer remained on the property [and was not personal property.] On October 4th 2017 Thorgesen replied in opposition to the removal of a single trailer due to stating that he believed it was a Use by Right. October 19th, 2017 the Borough granted the tenant and trailer the right to remain on the property until the expiration of a contract with SAIL terminated end of November 2017, provided Thorgesen returned a temporary permit application which would bring the property into compliance with code.

During the 2020 appeal process the issue of an RV Park was again raised. The borough assessor informed Thorgesen, that he would need a conditional use permit to operate an RV Park on the property. A site visit performed by staff on June 22nd, 2020 concluded that there is currently 1 RV on the property.

Permit History

On March 5th, 2001 Harvey C. Risley, representing the Elks Lodge, inquired about a permit for a planned RV park whereas visiting Elk Club members could park their RVs on the property for 7 days or fewer. On April 16th, 2001 the Elks Lodge application was denied, however it was stated that the Commission "expressed some interest in reexamining code requirements in certain situations and would appreciate recommendations".

The Elks Lodge, represented by Keith Houlberg, applied again for a Conditional Use permit to develop a "Limited Use RV Park" on October 22nd, 2001 and was granted approval on December 3rd, 2001. A new proposed definition for *RV Park* (HCC 18.20.020) was adopted, which added wording: "or; property of non-profit entities where short-term space is offered without charge for six or fewer recreational vehicles, for stays up to a maximum of seven consecutive days." Since

it was a Condition of Approval, the Planning Commission was scheduled to review the Elks Lodge limited RV park permit in November of 2004. Other conditions of approval included:

Utility connection required by Water/Sewer Plant Operator in 2001

Buffer on Main Street side

Main access to RV park be on 6th Ave

On November 18th, 2004 the Planning Commission noted that these conditions of approval had not been met. Members noted, however, that the RV park was connected to an existing sufficient sewer line; a buffer on Main Street would interfere with snow removal & fire department access; and there were no problems with the main access to the park being from Main Street. The Elks Lodge Conditional Use permit was modified and re-approved, receiving unanimous approval.

The Elks Lodge discontinued use of the RV park operation in September 2011.

Adjacent Properties

The adjacent lots are in the Commercial use zoning. The lots immediately to the South and West of the subject lot belong to the Haines Borough School. To the North and East commercial lots are occupied by retail stores, grocery stores, hotels, and restaurants. Less than 0.25 miles to the West of the subject lot, is Light Industrial Commercial Use Zoning is an RV Park, and a heavy equipment storage & maintenance site owned by the State of Alaska.

Commission Action on Application

In order for a Conditional Use Permit to be approved by the Commission, it must meet two sets of criteria – general approval criteria of HBC 18.60.010 and conditional use criteria under HBC 18.50.040 finding that even one of the general standards is not met requires the conditional use to be denied without consideration.

General Approval Criteria (HBC 18.60.010):

A land use permit, or conditional use permit, or a platting action permit for a subdivision, may be granted if general approval criteria and applicable specific approval criteria of HBC 18.60.020 are complied with. This report notes which criteria may not have been met and need to be addressed as part of the conditions for this permit.

H. Parking. *Parking, loading areas and snow storage sites for the proposed development shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.*

I. Utilities. *The proposed use shall be adequately served by public water, sewer, on-site water or sewer systems, electricity, and other utilities prior to being occupied. The borough may require a letter of commitment from a utility company or public agency legally committing it to serve the development if such service is required. 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. The borough may require any or all parts of such installation to be oversized, however the additional cost beyond the size needed for the development will be borne by the borough.*

18.60.020 Specific approval criteria.

I. Mobile Home Parks/Recreational Vehicle (RV) Parks.

1. The following are application criteria and regulations common to both mobile home parks and recreational vehicle (RV) parks. Specific regulations for each type of park follow.

All applications for a mobile home or RV park development permit shall be made to the manager on forms provided by the borough. The application shall contain a site plan that conforms to following design requirements and contains the following information: (the highlighted portions need to be provided)

a. Name and address of the owner of the property;

b. Name and address of the developer, if other than owner;

c. Location and legal description of the park;

d. Area and dimensions of the property;

e. Number, location and size of all spaces;

f. Location and width, both plan and profile, of all access streets and pedestrian improvements;

g. Location, both plan and profile, of all water and sewer utilities;

h. Location and size of any buildings, existing and proposed;

i. Location and plan for refuse disposal;

j. Location and distribution of electrical systems;

k. Location and size of recreation/playground areas;

l. Landscaping plans;

m. Snow removal and storage plan; and

n. Any additional relevant information that is requested by a department head of the borough or the commission. After review of the submitted application contents by the manager, the applicant shall submit final site plans and may be required to submit certified engineering plans to the planning commission, including any changes recommended by the manager for approval and compliance with the conditions of the permit and the following design requirements.

(1) Minimum park area: One acre;

Current lot size is .74 acres.

(2) Maximum park density: 20 spaces per acre; the planning commission may alter the density based upon characteristics of the overall site plan as necessary;

Thorgesen proposes 10 RV spaces.

(3) Minimum Exterior Setback. Each park must have a 10-foot setback along the perimeter of the park, which shall be landscaped and used for no other purpose;

Proposal meets setback standards.

(4) Minimum Interior Separation. Mobile home and RV units must be separated from each other and from other structures by at least 15 feet;

A maximum park density plan showing appropriate separation was provided with substantial spacing.

(5) No structures may be located in any required setback;

No Structures are located within any setbacks.

(6) Access to parks must be designed to minimize congestion and hazards at their entrance and exit. All traffic into and out of the park must be through such entrances and exits. Access to spaces must be from internal streets only;

Access from Main Street does not cause congestion or hazards.

(7) Within the park, access roads shall be surfaced with a minimum of crushed surfacing material approved by the superintendent of public works and shall have a minimum width of 16 feet for one-way traffic and not less than 25 feet for two-way traffic.

Lot size and Thors Fitness parking area is large enough to accommodate two-way traffic.

The commission may require additional parking spaces to be provided within the park.

An open space or recreation area of at least 500 square feet per acre, the design of which shall be subject to approval by the commission, shall be required.

All tenants who stay at the RV Park will be required to purchase a membership at Thors Fitness. Additionally, Thorgesen has plans for rec area (picnic table by the fruit trees) behind Thors Fitness.

To enhance aesthetics and screen the surrounding properties from the park, buffering is required and shall consist of, at a minimum, a solid fence or masonry wall or opaque vegetation, or any combination thereof, or by other features approved by the planning commission to a minimum height of six feet, around the entire periphery of the park. The buffering must complement the landscape and ensure compatibility with the adjacent properties.

The RV spaces are buffered by Thors Fitness to the north and a green belt to the south.

Soil conditions, groundwater level, drainage, ground cover and topography shall be considered and compensated for in the location and design of the park.

In the event public water or sewer service is not available within 200 feet of the park, alternate water and/or wastewater disposal facilities shall be constructed sufficient to handle the projected number of spaces and designed to state DEC specifications for on-site water and on-site wastewater disposal.

The developer shall be required to provide regular refuse disposal and to keep all refuse from the park in garbage containers which shall be animal proof, insect proof and watertight.

Thorgesen has plans to provide a dumpster on site on an existing concrete pad.

The person to whom a development permit for a mobile home or RV park is issued shall operate the park in compliance with this title and shall maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition. Park occupants shall be notified of all applicable provisions of the ordinances codified in this chapter and conditions of approval by the park owner.

The owner of the mobile home or RV shall be responsible for the proper placement of the mobile home or RV in its assigned space. Placement includes securing, stabilizing and installing all utility connections. The owner or manager of the park shall be responsible for snow removal within the park and shall provide sufficient area for the storage of snow removed from park streets.

The owner or manager of the park shall be responsible for maintaining and keeping all traveled ways within the park in good repair and free of obstructions.

2. Mobile Home/RV Park Specific Criteria.

b. Recreational Vehicle (RV) Park/Specific Criteria. Recreational vehicle (RV) parks are prohibited in any area, regardless of the zoning classification, where they are found to be inconsistent with the comprehensive plan, or where prohibited by federal, state or local law.

Each RV park shall provide a minimum of one tenant toilet facility. Each RV park shall provide one sanitary service connection per RV space connected to the public or private sanitary sewer system.

A minimum of one water service connection per 10 RV spaces is required. The developer may be required to provide water service and electrical service connections to each individual RV space.

<u>Conditional Use Permit Criteria (HBC 18.50.040):</u>

Under HBC 18.50.040, there are eight criteria to be considered in deciding whether to grant a conditional use permit. The Commission may grant the permit, but shall first consider each of the following areas (as listed below) and may impose restrictions as may be necessary to protect the public health, safety, and welfare.

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

   Fire safety and emergency access has been noted within the general approval criteria standards and should be addressed within the conditions of approval.

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

   There is no evidence to support that property values will decrease.

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

   This has been addressed under the topics above of 'emergency services' in general criteria.

4. ***The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;***

   The comprehensive plan supports the proposal in some ways and does not support it in others. The following comprehensive plan goals, objectives and actions are relevant to the review:

   Housing (5.5.4) – Tourism (5.8.5) The visitor industry is the largest single industry since 19% of all employment in the Borough is related to tourism. Many of these employees are seasonal workers and seek affordable housing for several months per year. Of all the dwellings in Haines, 20% are seasonally occupied vacation homes which limits available housing in Haines in the summer months. An RV park on Main Street [Downtown Revitalization (7.4.4)] could translate to economic growth for the downtown district. Light Industrial Close to Town (7.4.7)- The property is zoned in Commercial, however, the Light Industrial Commercial Zoning is less than 500 feet away. The Comprehensive Plan notes that having flat, accessible land zoned Light Industrial near Haines Highway, city center, utilities, and ports, are positive, however, it further warns to have them tucked away in locations just off the main corridors. The Comprehensive Plan includes goals to provide buffers to neighboring residential development, and to prevent "junk yards" from taking over.

5. ***The granting of the conditional use will not be harmful to the public safety, health or welfare;***

   Discussed above under item #1.

6. ***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;***

There are no known state-identified anadromous streams in this area.

7. ***The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;***

   If all of the above conditions are implemented, this use will comply with all requirements.

8. ***Comments received from property owners impacted by the proposed development have been considered and given their due weight.***

   All property owners within an area of 500 feet from the applicant's property were notified in writing of the proposal on June 22, 2020.

   As of July 2nd, 2020 the Planning Department has not received any public comments.

   If additional comments are received prior to the July 9th planning commission meeting, they will be forward via email.

Notification:

NOTICE of PUBLIC HEARING

Haines Borough

P.O. Box 1209

Haines, AK. 99827

SHIP TO:

APPLICATION HEARING

CONDITIONAL USE PERMIT FOR RV Park

C-MIS-02-0500

Chris Thorgesen

Lots 5-7 Mission Subdivision

Dear property owner,

You have been identified as owning property within 500 feet of the above listed property. This is notification that there will be a public hearing regarding a conditional use permit for an RV Park. This matter will be heard August 13, 2020 at 6:30pm in the Assembly Chambers. You are invited to provide testimony at the meeting or submit written comments to the Borough Planning & Zoning Tech at ljacobson@haines.ak.us. For more information, please call the Lands Dept. at 766-6400 ex3 or visit https://www.hainesalaska.gov/pc/planning-commission-53

Public Hearing Date: August 13, 2020

Meeting Time: 6:30 pm

Place: Assembly Chambers 213 Haines Highway

Mailing List:

OWNER1	OWNER2	ADDRESS1	ADDRESS2
TAKSHANUK WATERSHED COUNCIL	C/O MEREDITH POCHARDT	HC 60 BOX 2008	HAINES AK 99827
MIKI ATKINS HOLDING COMPANY		P.O. BOX 470	HAINES AK 99827
DAVE OLERUD	CHARLOTTE OLERUD	BOX 1069	HAINES AK 99827
NICOLE STUDLEY IRREV. SP NEEDS	JAMES & JANICE STUDLEY TRUSTEES	P.O. BOX 946	HAINES AK 99827
PETE DOHRN	JENNIFER ALLEN	BOX 1435	HAINES AK 99827
DAVE HOFFMEISTER	GERALDINE HOFFMEISTER	P.O. BOX 304	GLENNALLEN AK 99588-0304
JAMES B. AXSOM	LINDA AXSOM	114 SOUTH RICKMAN STREET	EDEN NC 27288
CHRISTINE MARTIN		BOX 658	HAINES AK 99827
SCOTT BRADFORD	CANDI BRADFORD	BOX 606	HAINES AK 99827
AP & T	HAINES L & P CO.	P.O. BOX 3222	PORT TOWNSEND WA 98368
PATRICIA CAMPBELL		P.O. BOX 37	HAINES AK 99827
BLACK CAT CAMPGROUND CO		BOX 383	HAINES AK 99827
ALASCOM, INC.		PROPERTY TAX DIVISION P.O. BOX 7207	BEDMINSTER NJ 07921
HAINES RESIDENCE LLC	ASPEN HOTEL	1310 26th AVE NW	GIG HARBOR WA 98335
LLC WHEELER & KITAYAMA		P.O. BOX 911	HAINES AK 99827
HAINES BOROUGH SCHOOL DISTRICT		POB 1289	HAINES AK 99827

Haines Borough – Alaska
103 Third Avenue S. – P.O. Box 1209
Haines, AK 99827
907-766-2231 ext. 22
907-766-2716 Fax

August 21, 2017

Christopher Thorgesen
P.O. Box 887
Haines, AK 99827

******VIA CERTIFIED MAIL******

Re: Expiration of Non-Conforming Use: C-MIS-02-0100 & C-MIS-02-0500 Haines Elks Lodge/ Thor's Fitness

Dear Chris:

This is the sort of letter you don't want to receive, but I must write. After briefly discussing with you the status of the RV hook-ups on the referenced property, I learned that the use of this property by the Elk's Lodge as an RV hook-up for visiting Elk's members was a Non-Conforming use. Per HBC 18.60.020(M2A): "When a nonconforming use is discontinued or abandoned **for two years** or more at any time after the effective date of this title, it **shall not thereafter be resumed** unless it is a conditional use and a conditional use permit is granted".

According to our records, The Elks Lodge discontinued service in Sept. 2011 and you re-established service April 2015. Apparently, the nonconforming use was abandoned for over 3 years prior to your reconnect to city water. My failure to ensure that borough departments cross-reference when requests for service are made does not nullify the fact that the RV hook-ups should not have been allowed. The operation of an RV park, whether commercial or ancillary to your enterprises is in violation of Borough code.

- You must cease the operation of the RV park
- To continue the operation of an RV park, you must apply for and be granted a Conditional Use Permit

This property is zoned Commercial, and operation of an RV park is allowed under a conditional use permit. "Recreational vehicle (RV) park" means any private or commercial area or premises where space for two or more trailers or motor homes may be rented or otherwise obtained for temporary occupancy or camping, but not including automobile or trailer sales lots on which unoccupied trailers or motor homes are parked for sale.

A Conditional Use Permit Application is included in this letter. You may apply to the Planning Commission for a conditional use permit if you desire to continue this activity. My decision cannot be appealed.

Your property will be inspected in 15 days (September 5, 2017) for compliance to this cessation order. If land use is found in violation, fines and penalties will be assessed in accordance with HBC 18.30.070(B) and HBC 18.30.090(A).

If you have any questions, please call me at 907-766-2231 ext 29

Sincerely,

Debra Schnabel
Haines Borough Manager
dschnabel@haines.ak.us

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#: 20-21
Date: 6/5/20

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

I. Property Owner/Agent	Owner's Contractor(If Any)
Name: Christopher Thorgesen	Name:
	Haines Borough Business License #:
Mailing Address: PO Box 887, Haines, AK 99827	Alaska Business License #:
	Contractor's License #:
Contact Phone: 907-713-7213	Mailing Address:
Fax:	Contact Phone:
	Fax:
E-mail: acathor@yahoo.com	E-mail:

II. Property Information

Size of Property: .74 Acres

Property Tax #: C-MIS-02-0500

Street Address: 527 Main Street

Legal Description: Lot (s) 5-7 Block 2 Subdivision Mission

OR

Parcel/Tract_____ Section_____ Township_____ Range_____

[Attach additional page if necessary.]

Zoning: ☐Waterfront ☐Single Residential ☐Rural Residential ☐Significant Structures Area ☐Rural Mixed Use ☐Multiple Residential ☐Heavy Industrial ☐Waterfront Industrial ☒Commercial ☐Industrial Light Commercial ☐Recreational ☐Mud Bay Zoning District ☐Lutak Zoning District ☐General Use

III. Description of Work

Type of Application (Check all that apply)	**Project Description** (Check all that apply)	**Water Supply**	**Sewage Disposal**
☐Residential ☒Commercial _____sq. ft. _____seating capacity if eating/drinking establishment ☐Industrial ☐Church ☒Other Resume RV storage	☐Single Family Dwelling ☐Change of Use ☐Multi-Family Dwelling Total # of Units _____ ☐Cabin ☐Addition ☐Accessory Structure ☐Other ☒ Resume RV lot	(Existing) or Proposed ☐None ☐Community well ☐Private well ☒Borough Water System ☐Other _____	(Existing) or Proposed ☐None ☐Septic Tank ☐Holding Tank ☒Borough Sewer System ☐Pit Privy ☐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: $0
Current use of adjacent properties: Gym, Electric/APART, school
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. This a re-activation of a previously approved Conditional use permit for the Haines Elks Club.

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

   This is a current state. No impaired properties.

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.

   The current size & scale worked before, and continue to work.

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.

Other RV Lots exist and are in harmony with the comprehensive plan

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

RV Lots are ~~in~~ NOT inherently dangerous.

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.

LOT will Be maintained

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

6-5-2020
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 $ 150 —	Information/Documentation
Payment Method: - check # 1172	Req'd Rec'd
Receipt #: 029538	☐ ☐State Fire Marshal
Received By: SJM	☐ ☐State DEC
Date: 6/5/2020	☐ ☐Variance/Conditional Use Permit
	☐ ☐Sign Permit

Zoning	Bldg. Height	Lot Coverage %	Const. Type	Occupancy	# Stories
Commercial	N/A				

If Application is Complete: ☐Yes ☐No

Notified Via: _____ Notified By: _____

Date: _____

If yes,	If no,
Approved By: _____ Planning Commission Chairman	Denied By: _____ Planning Commission Chairman
Permit ID #: _____	Date: _____
Permit Effective Date: _____	Reason: _____

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

N
AP&T
MAIN STREET
THORS
116'X39'
CURRENT RV LOT
Access
26'
39'
120'
70'
100'
SCHOOL