



Haines Borough Planning Commission Regular Meeting Agenda

COMMISSIONERS:

ROB GOLDBERG, CHAIR
LEE HEINMILLER, VICE-CHAIR
LARRY GEISE
HEATHER LENDE
DON TURNER III
BRENDA JOSEPHSON
ROB MILLER

Thursday, July 7, 2016 - 6:30 p.m.

Assembly Chambers, 213 Haines Hwy.

1. CALL TO ORDER / PLEDGE TO THE FLAG
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES: June 9, 2016
5. PUBLIC COMMENTS [Items not scheduled for public hearing]
6. CHAIRMAN'S REPORT
7. STAFF REPORT
 - A. Planning & Zoning Report
8. PUBLIC HEARINGS: None
9. UNFINISHED BUSINESS: None
10. NEW BUSINESS:
 - A. Historic District/Building Review: None
 - B. Haines Borough Code Amendments
 1. Allowing Accessory Apartments in Light Industrial/Commercial Zone – Discussion Item – This item is up for discussion at the request of Karen Hess.
 2. Removing Haines Coastal Zone Management Plan in Chapter 18.110 – Action Item – The Alaska Coastal Management Program was eliminated in 2011. The Borough code needs to be amended to keep the consistency. **Possible Motion:** Recommend the Assembly adopt the proposed ordinance.
 - C. Project Updates: None
 - D. Other New Business
 1. Classification of Borough Lands for Sale – Lot 8A, Primary School Subdivision – Action Item – The Borough received requests for purchasing the vacant Borough-Owned real property on the corner of Main Street and Third Avenue for future development. HBC 14.20.040 requires that Borough lands may be classified for sale by the Assembly with the advice of the Planning Commission. **Possible Motion:** Recommend the Assembly classify the property for sale.
11. COMMISSION COMMENTS
12. CORRESPONDENCE
13. SCHEDULE MEETING DATE
 - A. Regular Meeting – Thursday, August 11, 2016 6:30 p.m.
14. ADJOURNMENT



**Haines Borough
Planning Commission Meeting
June 9, 2016
MINUTES**

Draft

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Goldberg** called the meeting to order at 6:30 p.m. in Assembly Chambers and led the pledge to the flag.
2. **ROLL CALL – Present:** Chairman Rob **Goldberg**, and Commissioners Lee **Heinmiller**, Brenda **Josephson**, Larry **Geise**, Don **Turner III**, Heather **Lende** and Rob **Miller**.
Staff Present: Brad **Ryan**/Interim Manager, Jan **Hill**/Mayor, and Tracy **Cui**, Planning and Zoning Technician III.
Also Present: Diana **Lapham**/Liaison, Emily **Files**/KHNS, Paul **Nelson**, Carol **Tuynman**, Joe **Parnell**, Darsie **Culbeck**, Mike **Wilson**, Sean **Brownell**, and others.
3. **APPROVAL OF AGENDA**
Motion: **Turner** moved to “approve the agenda.” **Heinmiller** seconded it. The motion carried unanimously.
4. **APPROVAL OF MINUTES** – May 12, 2016 Regular Meeting Minutes.
Miller suggested including “Josephson’s verbiage” under Item 10B1.
Motion: **Heinmiller** moved to “approve the May 12, 2016 minutes as amended,” and **Geise** seconded it. The motion carried unanimously.
Chairman **Goldberg** and Commissioner **Miller** will meet with **Cui** tomorrow at 10 a.m. in the Borough office to go over the height ordinance.
5. **PUBLIC COMMENTS**
Parnell expressed his concerns about the harbor expansion project. He thinks the plan misrepresents the truth.
6. **CHAIRMAN’S REPORT—None**
7. **STAFF REPORTS**
 - A. **Planning & Zoning Staff Report**
Cui reported monthly permits and citizen complaints.
Lende asked about the sign permit issued to Jehovah’s Witnesses. The question was raised if it is acceptable to put up a commercial sign in publicly owned right-of-ways to advertise a business. **Ryan** said he would like to consult with the Borough attorney.
8. **PUBLIC HEARINGS**
 - A. **Mike Wilson - Heliport Conditional Use Proposal**
Goldberg opened the public hearing at 6:47 p.m.
Wilson and **Brownell** briefly introduced their proposal. **Brownell** stated the proposed site is a perfect spot for helicopters. **Culbeck**, **Miller** and **Geise** all agreed.

Tuynman said she is not against the proposal, but she is in favor of using the airport as much as possible for helicopter use.

Goldberg closed the public hearing at 6:55 p.m.

Lende asked about the differences between charter and tour. **Brownell** said conducting tours will require a tour permit from the Borough.

Goldberg pointed out comments from the local residents shall be considered. He is concerned about the charters. He does not think that having an unlimited number of charters is going to be acceptable for these residents. He recommended the developer communicate with the neighbors and come up with a plan to mitigate the potential impacts.

Brownell said the proposed site will bring less impact to the residents and wildlife compared to other heliports.

Turner said the commission went through the eight criteria and determined that the proposal met these eight criteria last winter. Personally, he will have a hard time saying the proposal does not meet the eight criteria five months later. He does not think there will be an increasing charter business because helicopter operation is expensive. Also, he pointed out the helicopters are not compatible at the airport. Helicopter operation is quite different from the airplane operation.

Miller suggested adding a time term limit on the permit. **Geise** disagreed.

Lende said the proposal is not compatible with the comprehensive plan. **Turner** said the proposed site is in the general use zone, which is the least restrictive zone of the Haines Borough.

Brownell said they have one of two FAA-approved helipads in the Borough.

Motion: Josephson moved to “approve Wilson’s heliport conditional use proposal,” and **Miller** seconded.

Lende said she would like to issue the permit with a stipulation of no commercial helicopter tour operations. **Josephson** pointed out that the Borough has Title 5 which restrains the commercial tour operations.

Goldberg stated he is hesitant to issue the permit without conditions.

Primary Amendment: Lende moved to “issue the permit for a period of two years and operation hours of 8 a.m. to 8 p.m.,” and **Miller** seconded it. The primary amendment failed 1-6 with **Goldberg, Geise, Josephson, Heinmiller, Turner** and **Miller** opposed.

Secondary Amendment: Miller moved to “issue the permit for a period of three years,” and **Lende** seconded it. The secondary amendment passed 4-3 with **Geise, Josephson** and **Turner** opposed.

More discussion ensued.

The main motion passed 6-1 with **Lende** opposed.

Chairman Goldberg called a five-minute recess.

9. UNFINISHED BUSINESS—None

10. NEW BUSINESS

A. Historic District/Building Review—None

B. Haines Borough Code Amendments—None

1. Reviewing Process for Capital Improvement Projects in HBC 18.30.040

The commission agreed with the manager’s recommendation, and modified the original ordinance to incorporate **Goldberg**’s ideas. This code change adds two sentences to the existing code. Projects will have to come for a review and a public hearing at the conceptual stage. The commission may then decide if the project warrants further review.

Motion: **Lende** moved to “recommend the Assembly adopt the draft ordinance,” and **Geise** seconded. The motion carried unanimously.

2. Refining Definitions of Mobile Home and Modular Home in HBC 18.20.020

Mr. Leonard Dubber proposed to replace the aging mobile homes in his Spruce Grove Mobile Home Park with new small homes built on site. However, currently the code does not allow construction of multiple single-family residences in the Light Industrial Commercial Zone. Construction of multiple residences on one lot is allowed as a conditional use in many other zones in the Borough. There are existing structures that are already for residential use in LIC zone. The current code allows Mr. Dubber to have mobile homes in Spruce Grove but not single-family homes, even though the net result and impact to the neighbors is the same. In light of the discussion, the commission believed that multiple single-family residences should be considered. They agreed to change the zoning use chart to allow multiple single-family residences as a conditional use in LIC zone. This is a small code change that will improve the quality of housing in Haines.

Motion: **Lende** moved to “recommend the Assembly adopt the draft ordinance,” and **Josephson** seconded. The motion carried unanimously.

3. Classifying “Borough Parks” in HBC 18.70.040

Commissioners **Goldberg** and **Lende** will work with Burl Sheldon from the Parks and Recreation Advisory Committee to write a section in Borough Code that defines and regulates activities in Borough parks.

4. Building Height Ordinance

The commission looked at the regulations in other towns in Alaska and will bring the matter back up for discussion in October.

C. Project Updates—None

D. Other New Business

1. Parking Issues at Fort Seward

A discussion of parking issues in Fort Seward occurred, but no action was taken.

2. Request for a Platting Action to Reserve a Potential Conflict

The commission discussed the potential for conflict among uses along First Avenue. The commission rejected a suggestion that the right of way be vacated. No action was taken. Plans for the new preschool building were reviewed to general approval by the commissioners.

3. Consideration of Vacating One Portion of 5th Ave. Right-of-Way

Commissioners discussed a site for the new wood chip boiler for the school. It was decided that vacating a portion of the Fifth Avenue right of way and placing the boiler there was not a good idea. The idea of purchasing a portion of the Elks property or the Alascom property was discussed.

11. **COMMISSION COMMENTS**—None

12. **CORRESPONDENCE**—None

13. **SET MEETING DATES**

A. Regular Meeting — **Thursday, July 7, 2016 6:30 p.m.**

14. **ADJOURNMENT**– 10:05 p.m.

Staff Report for July 7, 2016

1. Permits Issued Since June, 2016

PERMIT	DATE	OWNER/AGENT	TAX ID	LOT	BLK	SUBDIVISION	DEVELOPMENT	ZONE
16-34	6/6/16	Stuart Dewitt	C-HGL-04-0400	4	4	Highlands Estates Sub.	ROW_driveway	SR
16-35	6/6/16	Stan Boor	C-HGL-04-0200	2A	4	Highlands Estates Sub.	ROW_driveway	SR
16-36	6/6/16	Norman Yoder	C-SEC-26-04L2	2		Picture Point Sub.	New Water Service	WF
16-37	6/6/16	Kyle Fossman	C-MEA-02-3300	33		Meadowland Sub.	ROW_driveway	SR
16-38	6/6/16	Kyle Fossman	C-MEA-02-3300	33		Meadowland Sub.	New Water & Sewer Services	SR
16-39	6/7/16	Doug Peel	C-LYN-0A-0400	4 & 5	A	Lynnvue Sub.	ROW_driveway	MR
16-40	6/7/16	Doug Peel	C-LYN-0A-0400	4 & 5	A	Lynnvue Sub.	New Water & Sewer Services	MR
16-41	6/8/16	Doug Peel	C-LYN-0A-0400	4 & 5	A	Lynnvue Sub.	Site Prep	MR
16-42	6/10/16	Kyle Fossman	C-MEA-02-3300	33		Meadowland Sub.	Site Prep	SR
16-43	6/10/16	Leonard Dubber	C-785-00-0100			USS 785	Food Trailer	ILC
16-44	6/15/16	Michael Wilson	3-HHY-36-3426			35 Mile Haines Highway	Year-Round Heliport	GU
15-65(A)	6/21/16	Norman Yoder	C-SEC-26-04L2	2		Picture Point Sub.	SFR	WF
16-45	6/21/16	Norman Yoder	C-SEC-26-04L2	2		Picture Point Sub.	Temporary Residence	WF
16-26(A)	6/22/16	Brian Staurseth	C-PTC-0K-02A0	2A	K	Port Chilkoot Sub.	Off-Premise Sign	SSA
16-27(A)	6/22/16	Tim Hlavnicka	C-SEC-35-11E4	4		Skagway View Sub.	SFR	RR
16-46	6/22/16	Tim Hlavnicka	C-SEC-35-11E4	4		Skagway View Sub.	Temporary Residence	RR
16-47	6/23/16	Black Bear Trailer Court LLC	C-TNS-10-0700	7-10	10	Townsite	Tiny House	C
16-48	6/24/16	Steven Cunningham	C-HHY-01-0200			2 Mile Haines Highway	Deck	RR
16-49	6/27/16	David Lohr	C-LTR-01-0100	1		Sec23, T30S, R59E, CRM	Short Plat	RMU
16-50	6/30/16	Doug Peel	C-LYN-0A-0400 & C-LYN-0A-0600	4 & 5 & 6	A	Lynnvue Subdivision	Lot Line Adjustment	MR

From: [Karen Hess](#)
To: [Xi Cui](#)
Subject: planning & zoning commission meeting
Date: Monday, June 20, 2016 4:37:23 PM

Tracy,

I would like to be scheduled for the next Planning Commission meeting for the following topic.

Don & Karen Hess

Plan on building 2 year round apartments above the car wash bays. We will be shutting the car wash down permanently, if these are allowed, and transforming the two bays into apartments above and garages below.

We currently have one efficiency apartment above my office in the back, upstairs, that is being rented to a watchman for the car wash and office buildings. It is not being used for a vacation rental.

The vacation rental was allowed by the commission 2 years ago, on a conditional use permit and that is what we are hoping for with these two rentals as well.

Currently long term apartments are not allowed in the Light Industrial Zone, however there are already long term rentals. One is a duplex across from AML on Allen Rd. There is also a rental in the building next to the Car Wash, currently SEABA. There are apartments upstairs at the Eagles Nest Motel. Those are a few but I am sure if I went looking, I could find more.

The trend is that there is a housing problem in Haines and to find something to rent, is nearly impossible.

I would like for the Commission to consider changing the Light Industrial to allow rentals. Rental property does collect and remit sales tax revenue, so putting those into the LI category makes sense.

Thank you for your consideration.

Karen Hess

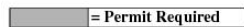
18.70.040 Zoning use chart.

The following chart summarizes the uses allowed and the standards of review for each use, townsite planning/zoning district and the zones therein. In the commercial and industrial zones, more than one building housing a permissible principal use may be developed on a single lot; provided, that each building and use shall comply with all applicable requirements of this title. Additional requirements may be applicable to developments within some zones. See the definitions in Chapter 18.20 HBC for descriptions of each use.

ZONING USE CHART

TOWNSITE PLANNING/ZONING DISTRICT

UBR = Use-By-Right CU = Conditional Use NA = Not Allowed GFA = Gross Floor Area

 = Permit Required

 = Permit Not Required

Under General Classification, uses in UPPER CASE are primary and uses in lower case are secondary.

GENERAL CLASSIFICATION →	INDUSTRIAL USES			COMMERCIAL/ Residential Uses			RESIDENTIAL USES ONLY	RESIDENTIAL/ Commercial Uses				RECREATIONAL USE	
	Heavy Industrial	Light Industrial/ Commercial	Waterfront Industrial	Commercial	Waterfront	Significant Structures Area	Single Residential	Multiple Residential	Rural Residential	Rural Mixed Use	Multiple Use	Recreational	
USES ↓	I/H	I/L/C	I/W	C	W	SSA	SR	MR	RR	RMU	MU	REC	
Accessory Apartment	NA	NA	NA	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	NA
Accessory Uses	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR
Agriculture, Personal Use	NA	NA	NA	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	CU
Animal Husbandry	UBR	UBR	NA	NA	NA	NA	CU	CU	UBR	UBR	UBR	UBR	CU
Animal Shelter	UBR	UBR	NA	NA	NA	NA	NA	NA	CU	UBR	UBR	UBR	NA
Auto Repair	UBR	UBR	NA	UBR	NA	NA	NA	NA	CU	CU	UBR	UBR	NA
Auto Sales	NA	UBR	NA	UBR	NA	NA	NA	NA	NA	CU	UBR	UBR	NA
Auto Service Station	UBR	UBR	NA	CU	NA	NA	NA	NA	NA	CU	UBR	UBR	NA
Bed and Breakfast	NA	NA	NA	UBR	UBR	UBR	CU	CU	UBR	UBR	UBR	UBR	NA
Bulk Fuel Storage	UBR	UBR	UBR	CU	CU	NA	NA	NA	NA	CU	UBR	UBR	NA
Campground	NA	NA	NA	NA	CU	CU	NA	NA	NA	UBR	UBR	UBR	CU
Cemetery	NA	NA	NA	NA	NA	NA	NA	NA	CU	CU	NA	NA	NA

Child Care Facility	NA	CU	NA	UBR	CU	CU	CU	UBR	CU	UBR	UBR	NA
Church	NA	CU	NA	UBR	UBR	UBR	CU	CU	CU	UBR	UBR	NA
Club, Private	NA	UBR	NA	UBR	CU	UBR	NA	NA	NA	UBR	UBR	NA
Combination R/I/C	CU	UBR	CU	UBR	CU	UBR	NA	NA	NA	UBR	UBR	NA
Commercial, Light – Less than 500 sf	CU	UBR	CU	UBR	UBR	UBR	NA	CU	UBR	UBR	UBR	NA
Commercial, Medium – 500 – 5,000 sf	CU	UBR	CU	UBR	CU	CU	NA	NA	CU	CU	UBR	NA
Commercial, Major – More than 5,000 sf	UBR	UBR	UBR	UBR	CU	CU	NA	NA	NA	NA	UBR	NA
Communication Equipment/ Commercial	UBR	UBR	UBR	UBR	CU	CU	NA	NA	NA	CU	UBR	CU
Communication Equipment/Personal	NA	NA	NA	UBR	CU	CU	CU	CU	CU	CU	UBR	NA
Condominium/ Townhouse	NA	NA	NA	CU	CU	UBR	NA	UBR	NA	UBR	UBR	NA
Convalescent/ Nursing Home	NA	NA	NA	UBR	CU	CU	NA	UBR	NA	UBR	UBR	NA
Convenience Store	UBR	UBR	NA	UBR	CU	NA	NA	CU	NA	CU	UBR	NA
Correctional Facility	NA	CU	NA	CU	NA	NA	NA	NA	NA	NA	UBR	NA
Crop Production	NA	NA	NA	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	NA
Duplex	NA	NA	NA	CU	CU	UBR	NA	UBR	CU	UBR	UBR	NA
Educational Facility	NA	CU	NA	UBR	CU	CU	CU	CU	CU	UBR	UBR	CU
Fence on Lot Line/ Within Setback	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR
Fence not within Setback	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR
Firing Range	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Group Home	NA	CU	NA	UBR	CU	CU	NA	UBR	CU	UBR	UBR	NA
Guest House	NA	NA	NA	CU	CU	NA	CU	CU	CU	CU	CU	NA
Heavy Equipment Repair	UBR	UBR	UBR	UBR	NA	NA	NA	NA	NA	CU	UBR	NA
Heavy Equipment Storage	UBR	UBR	UBR	UBR	NA	NA	NA	NA	CU	UBR	UBR	NA
Home Occupation	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	NA
Hotel/Motel	NA	CU	NA	UBR	CU	UBR	NA	NA	NA	CU	UBR	NA
Industrial, Heavy	UBR	CU	UBR	CU	NA	NA	NA	NA	NA	CU	UBR	NA
Industrial, Light	CU	UBR	CU	CU	CU	NA	NA	NA	NA	CU	UBR	NA
Institutional Home	NA	NA	NA	UBR	NA	NA	NA	CU	NA	CU	UBR	NA
Junk Yard	UBR	UBR	NA	CU	NA	NA	NA	NA	NA	CU	UBR	NA
Kennel	UBR	CU	NA	CU	NA	NA	NA	NA	CU	CU	UBR	NA

Landfill	UBR	UBR	NA	CU	NA	NA	NA	NA	NA	CU	UBR	NA
Marine Commercial Facility	NA	NA	UBR	NA	CU	CU	NA	NA	NA	NA	UBR	NA
Marine Industrial Facility	NA	NA	UBR	NA	CU	NA	NA	NA	NA	NA	UBR	NA
Mobile Home Park	NA	CU	NA	NA		NA	NA	NA	NA	CU	UBR	NA
Multiple Single-Family Residences	NA	NA	NA	CU	CU	NA	NA	CU	CU	CU	CU	NA
Multi-Unit Dwelling	NA	NA	NA	CU	CU	UBR	NA	UBR	NA	UBR	UBR	NA
Planned Unit Development	NA	NA	NA			CU	NA		CU	NA	UBR	NA
Play Field/Park	NA	CU	NA		CU	UBR	UBR	UBR	UBR	UBR	UBR	CU
Public Facility	CU	CU	UBR	UBR	UBR	UBR	CU	CU	CU	CU	UBR	CU
Recycling Facility	UBR	UBR	NA	CU	NA	NA	NA	NA	NA	CU	UBR	NA
Resource Extraction/ Proc.	UBR	CU	CU	CU	NA	NA	NA	NA	CU	CU	UBR	NA
RV Park	NA	CU	NA	CU	CU	NA	NA	NA	CU	UBR	UBR	NA
Single Unit Dwelling	NA	NA	NA	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	NA
Solid Waste Transfer Facil.	UBR	UBR	NA	CU	NA	NA	NA	NA	NA	CU	UBR	NA
Subdivision, Residential	NA	NA	NA	CU	UBR	UBR	UBR	UBR	UBR	UBR	UBR	NA
Temporary Structure	UBR	UBR	UBR	UBR	CU	CU	UBR	UBR	UBR	UBR	UBR	CU
Temporary Use	UBR	UBR	UBR	UBR	CU	CU	UBR	UBR	UBR	UBR	UBR	CU
Theme Park	NA	CU	NA	CU	CU	NA	NA	NA	NA	CU	UBR	CU
Trailer*/Mobile Home Outside Mobile Home Park	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	UBR	NA
Utility Facility	UBR	UBR	UBR	CU	CU	NA		NA	CU	CU	UBR	CU
Vacation Rental	NA	CU	NA	UBR	UBR	UBR	CU	UBR	UBR	UBR	UBR	NA
Zero Lot Line Commercial	UBR	UBR	NA	UBR	CU	NA	NA	NA	NA	CU	UBR	NA
Zero Lot Line Residential	NA	NA	NA	NA	NA	UBR	NA	UBR	NA	UBR	UBR	NA
Zoo	NA	UBR	NA	CU	CU	CU	NA	NA	CU	CU	UBR	CU

* Exception: Recreational trailers parked but not used for habitation or storage.

(Ord. 14-12-393 § 4; Ord. 13-09-349 § 7; Ord. 09-04-202 § 4; Ord. 07-04-153)

18.20.020 Definitions – Regulatory.

“Accessory apartment” means a one bedroom or efficiency unit containing separate living, sleeping, cooking, bathroom and/or laundry facilities, not exceeding 600 square feet in area, contained within or added to a properly permitted single-family dwelling. The accessory apartment must be atop, beneath or connected by a common wall to the principal dwelling unit or within or atop a detached garage. One additional off-street parking space must be provided on the lot where such accessory apartment is permitted. The building, except as may be necessary to accommodate residents with disabilities, may have no more than one main entrance facing a street. An example of an accessory apartment is a “mother-in-law” apartment.

“Duplex” means a building containing two dwelling units.

“Dwelling” means a building used primarily for residential occupancy.

“Dwelling, multiple or multi-unit” means a structure built for residential occupancy and designed and constructed with two or more distinctly separate and independent dwelling units.

Examples include: duplexes, tri-plexes and four-plexes.

“Dwelling unit” means a residential use consisting of a building or portion thereof providing independent living, sleeping, cooking, bathroom and accessory uses.

“Guest house” means a secondary dwelling not larger than 800 square feet of gross building area used primarily for guests, family, or transient occupancy.

“Lodge” means a rental accommodation with furnished quarters that provides, or is associated with, services such as meals and/or guiding, and accommodates one or more guests at a time.

“Lodging house” means a building in which lodgings are let to include an inn, bed and breakfast, or hotel.

“Single-family dwelling” means a structure situated on a permanent foundation which is intended for habitation by a single family. This definition does not include a mobile home.

“Vacation rental” means a privately owned residential dwelling, such as, but not limited to, a single-family residence, apartment, or room, that is rented for periods of 30 consecutive days or less, limited to a single guest or family at a time.



Memo from the Clerk

Date: July 1, 2016
 To: Planning Commission
 Cc: Borough Manager
 From: Julie Cozzi, MMC, Borough Clerk
 Re: Draft Ordinance to Remove HCMP References from Code

On June 30, Manager Seward and I had the pleasure of meeting with Chairman Goldberg to discuss the Coastal Management Plan (CMP). We discussed the following points and concluded the meeting in agreement that the code references pertaining to the Haines CMP should be removed, as soon as possible. It was also agreed that since most of the code sections are in Title 18, it is important to bring this to you, the Planning Commission, for an official recommendation prior to submitting it to the assembly.

- The Alaska Coastal Management Program (ACMP) was a program that was in place for approximately four decades. This program involved approving coastal district management plans (including the Haines District), evaluating the effectiveness of the plans, and providing financial assistance to assist the coastal districts in their work. The regulations included statewide standards for the ACMP and district plans.
- The entire program was eliminated in 2011 through a delayed repealer when legislation necessary to continue the program failed to pass both bodies of the legislature during regular session as well as two subsequent special sessions. During the 2012 regular session, the legislature failed to adopt legislation to reestablish the ACMP (HB 325). Then, a citizens' ballot initiative on the August 2012 primary ballot was also defeated:

Statewide Voting Results

YES – 46678 – 37.91%
 NO – 76440 – 62.09%

Haines Voting Results

YES – 295
 NO – 313

- In 2012, the Haines Borough adopted a revised Comprehensive Plan with the assistance of Barbara Sheinberg who was also involved with the last Haines CMP Plan (2007). It is the opinion of Mr. Goldberg, Mr. Seward, and I that important components of that plan were incorporated into the Comprehensive Plan.

Following certification of the 2012 primary election, the Haines Borough should have followed up with removal of all code references to the defunct program. That did not happen likely due to management and staff turnover. This is one example of the types of obsolete code we believe the new Code Review Commission can help us discover.

We can take the opportunity to address this particular code now, and I have prepared a draft ordinance for planning commission review. This ordinance includes all affected code sections except HBC 18.30.040. That section is excluded since it is currently up for amendment through Ordinance 16-01-429. At the assembly level, we can recommend the following changes to that particular ordinance prior to adoption:

HBC 18.30.040 Planning commission.

I. The commission shall review and report to the borough assembly regarding the location, design, construction, demolition or disposition of any public building, facility, collector or arterial street, park, green belt, playground or other public facility. The report and recommendation of the commission shall be based upon the comprehensive plan, ~~coastal zone management plan~~ and the capital improvements program.

J. The commission shall report to the borough assembly on all preliminary and final plats the commission has processed as the platting authority (see Chapter [18.100](#) HBC).

~~K. The commission shall, at least once every two years, review, prepare and adopt recommendations to the borough assembly and the State Coastal Policy Council respectively for amendments to the coastal zone management plan.~~

~~The commission is responsible for implementing and enforcing the provisions of the coastal zone management program prior to the issuance of any permit approval under this title. (See Chapter [18.110](#) HBC for specific regulations.)~~

Therefore, between the two ordinances, all HCMP references would be removed from the Haines Borough Code.

We ask for your support of the attached ordinance. Thank you.

An Ordinance of the Haines Borough repealing all references to the Coastal Zone Management Plan from the Borough Code since that state program was eliminated in 2011 and components of that plan were incorporated into the 2012 Haines Comprehensive Plan.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately following adoption.

Section 4. Repeal of Chapter 18.110. Chapter 18.110 of the Haines Borough Code is hereby repealed in its entirety, as follows:

NOTE: STRIKETHROUGH ITEMS ARE DELETED

~~Chapter 18.110~~
~~COASTAL ZONE MANAGEMENT~~

~~18.110.010 Authority:~~

~~The coastal zone management plan of the borough, adopted by the borough assembly on June 16, 1980, revised on September 7, 1993, March 22, 2000, and September 5, 2006, shall apply to all permits issued under this title.~~

~~18.110.020 Application:~~

~~The borough manager, upon application by a developer for any land use or development permit, shall review the proposed development for consistency with the adopted policies of the Haines coastal zone management plan.~~

~~18.110.030 Procedure:~~

~~If the development is required to have a consistency review and approval, the manager shall advise the applicant of the procedures to be followed and assist as is reasonably necessary. The manager shall review the pertinent data provided by the applicant as required under the coastal zone management plan and make recommendations on consistency to the borough planning commission. The planning commission, upon receipt of an application containing a requirement for consistency review, shall conduct any public hearings and processes required in the coastal zone management plan in order to provide a recommendation to the manager for a final determination. Upon receipt by the manager of a favorable consistency decision, the commission may then proceed to issue any appropriate permits applied for.~~

~~18.110.040 CZM plan review:~~

~~The planning commission shall review the coastal zone management plan every five years and make recommendation to the assembly if it feels changes or amendments are necessary.~~

Section 5. Amendment of Section 18.60.010. Section 18.60.010, specifically Subsections P and U, of the Haines Borough Code is hereby amended to read, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

18.60.010 General approval criteria.

...
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 **along state identified anadromous fish streams** 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.

...

U. Waterfront. The following requirements apply in all waterfront zones:

1. Dredge and Fill Activities. ~~Any person, p~~**Persons or firms** planning a development in wetlands ~~designated in the coastal zone management plan~~ are required to apply for and obtain a dredge and fill permit from the United States Army Corps of Engineers prior to commencement of development.

~~2. Compliance with coastal zone management program shall be strictly enforced within the waterfront zones.~~

...

Section 6. Amendment of Subsection 18.60.020(1)(2)(b). Subsection 18.60.020(1)(2)(b) of the Haines Borough Code is hereby amended to read, as follows:

NOTE: ~~STRIKETHROUGH~~ ITEMS ARE DELETED

18.60.020 Specific approval criteria.

The following uses are subject to the preceding general criteria and these additional specific approval criteria:

...

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

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 Haines coastal zone management plan, the comprehensive plan,~~ or where prohibited by federal, state or local law.

Section 7. Amendment of Section 18.100.070. Subsection 18.100.070 of the Haines Borough Code is hereby amended to read, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

18.100.070 General requirements and design standards.

The proposed subdivision shall conform to:

A. The provisions of AS [40.15](#), and AS [29.40](#), as amended from time to time and all other relevant laws and regulations.

B. All applicable ordinances of the borough.

C. The **borough's** comprehensive plan ~~and the coastal management plan of the borough.~~

Section 8. Amendment of Section 18.100.120. Subsection 18.100.120 of the Haines Borough Code is hereby amended to read, as follows:

NOTE: ~~STRIKETHROUGH~~ ITEMS ARE DELETED

18.100.120 Agency approval letters required.

Prior to the approval and recording of the final plat, any required agency approvals must be submitted in written form to the commission. This is in reference, for example, to ~~coastal zone management~~, Army Corps of Engineers, Department of Environmental Conservation, Department of Natural Resources and Department of Transportation. All other state and federal permitting requirements apply and shall be submitted as approved by the appropriate agency to the commission.

Section 9. Amendment of Section 12.08.060. Subsection 12.08.060 of the Haines Borough Code is hereby amended to read, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

HBC 12.08 Road and Sidewalk Construction, Maintenance, and Repair

12.08.060 Other requirements not eliminated.

This chapter only establishes design and construction standards and does not eliminate any other requirements that may be established by federal or state statutes, borough ordinances or other regulations adopted pursuant to these laws. Permits may be required in instances involving construction in flood hazard zones, wetlands and fish habitat. Grading, excavation and fill permits, storm water/water separation waivers and ~~coastal management~~ **comprehensive plan** consistency reviews may be required. The land owner is responsible for knowing the necessity of a permit and acquiring it.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
____ DAY OF _____, 2016.

ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: ___/___/___
Date First Public Hearing: ___/___/___
Date Second Public Hearing: ___/___/___

PARDEE MARINE SURVEYS
PO BOX 296
HAINES, ALASKA 99827
(907) 766- 2154 ph
(907) 766- 2148 fax
(907) 303- 7301 cell
Pardeemarinesurveys@aptalaska.net

“SINCE 1983”

RECEIVED
MAY 25 2016
HAINES BOROUGH

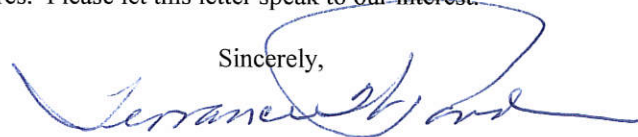
TO: Brad Ryan Haines Borough Administrator
PO BOX 1209
Haines, Alaska 99827

25 May 2016

Dear Mr. Ryan,

My Wife and I are interested in purchasing the vacant Borough property on the corner of Main Street and Third Avenue for future commercial development. It is specifically Lot-8A of the Primary School Subdivision. It is measured at 32,666 sq. ft. or .75 acres. Please let this letter speak to our interest.

Sincerely,



Terrance W. Pardee MSG USA (Ret.)

IMMACULATE HEALTH CARE

256-665-2568
87 Haven Court
P.O.Box 729
Haines Ak
99827

June 24, 2016
William Seward
Borough Manger
103 Third Avenue S.
P.O. Box 1209
Haines Ak,99827

Dear Mr. Seward,
We, Mark and Lori Smith, Haines residents are writing this letter to declare our interest to purchase borough owned property at 3rd and Main St./Lot 8A, Plat# 2014-7 Haines Ak.

Sincerely yours,

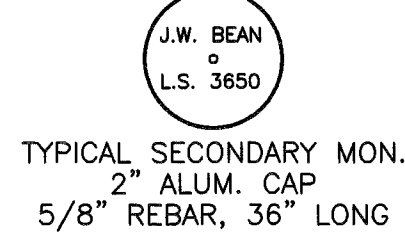
Mark Smith, MD.

Lori Smith, RDH

LEGEND

- ⊕ PRIMARY DOT CENTERLINE MONUMENT IN CASING RECOVERED THIS SURVEY
2 1/4" BRASS CAP
- SECONDARY MONUMENT SET THIS SURVEY BY J.W. BEAN
- SECONDARY MONUMENT RECOVERED THIS SURVEY
2" ALUMINUM CAP, SET BY LS 6277

— SURVEYED
- - - UNSURVEYED
— CENTERLINE
— SURVEY TIE



RECORD DIMENSIONS DIFFERENT FROM MEASURED OR CALCULATED DIMENSIONS ARE SHOWN IN PARENTHESIS. ALL RECORDED INFORMATION THIS SURVEY FROM PLAT NO. 2008-21 UNLESS OTHERWISE NOTED.

BASIS OF BEARING

BASIS OF BEARING FOR THIS PLAT IS THE RECORD BEARING OF S80°55'00"E TO A FOUND BRASS CAP MONUMENT BEING THE CENTERLINE OF MAIN STREET & 4th STREET TO A FOUND BRASS CAP MONUMENT BEING THE CENTERLINE OF MAIN & 5th STREET, HAINES TOWNSITE AS SHOWN ON RECORD PLAT NO. 2008-21

STATEMENT OF OWNERSHIP:

I HEREBY CERTIFY THAT HAINES BOROUGH IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAT 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 18 Sep, 2014

Owner Stephanie Scott Owner David Sosa
STEPHANIE SCOTT MAYOR HAINES BOROUGH DAVID SOSA BOROUGH MANGER HAINES BOROUGH

NOTARY'S ACKNOWLEDGEMENTS:

UNITED STATES OF AMERICA)
STATE OF ALASKA) S.S.

THIS IS TO CERTIFY THAT ON THIS 18th DAY OF September, 2014 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED:

Stephanie Scott
David Sosa

KNOWN TO ME TO BE THE PERSON (PERSONS) DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE (SHE) (THEY) SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE
Notary Public, State of Alaska
Commission # 1406176
My Commission Expires June 18, 2018
Stephanie E. Friele
Notary Public for Alaska
My Commission Expires June 18, 2018

CERTIFICATE BY THE HAINES BOROUGH

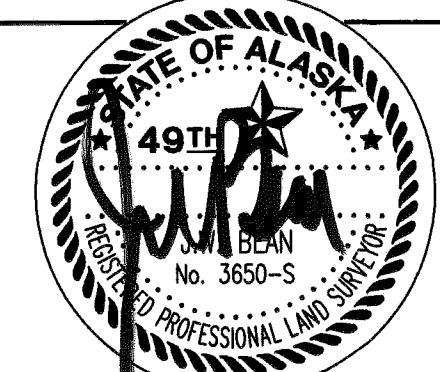
THE REPLAT OF LOT 8, PRIMARY SCHOOL SUBDIVISION, PLAT NO. 2008-21, AS DESCRIBED HEREON HAS BEEN FOUND TO COMPLY WITH THE PROVISION SET FORTH IN HC. 18.100 AND IS APPROVED FOR RECORDING WITH THE HAINES RECORDERS OFFICE DATED:

Rob Goldberg, 2014.
HAINES BOROUGH PLANNING COMMISSION CHAIR
DATE 9/19/2014
Stephanie K Scott
HAINES BOROUGH MAYOR
DATE 9-18-2014

CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED AND REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT ALL DIMENSIONAL DETAILS AND RELATIVE BEARINGS ARE CORRECT AS SHOWN AND THAT ALL EASEMENTS AND RIGHT OF WAYS APPEARING ON THE LAND ARE AS SHOWN.

Date 9-18-2014 J.W. Bean
J.W. BEAN



J.W. BEAN INC.
PROFESSIONAL SURVEYOR
1070 ARCTIC CIRCLE
JUNEAU - ALASKA
(907) 789-0590
SURVEYOR - PLANNER
PROJ: HNS-8114-WHEELER-LOTS8A&B

CERTIFICATION OF BOROUGH ASSESSOR

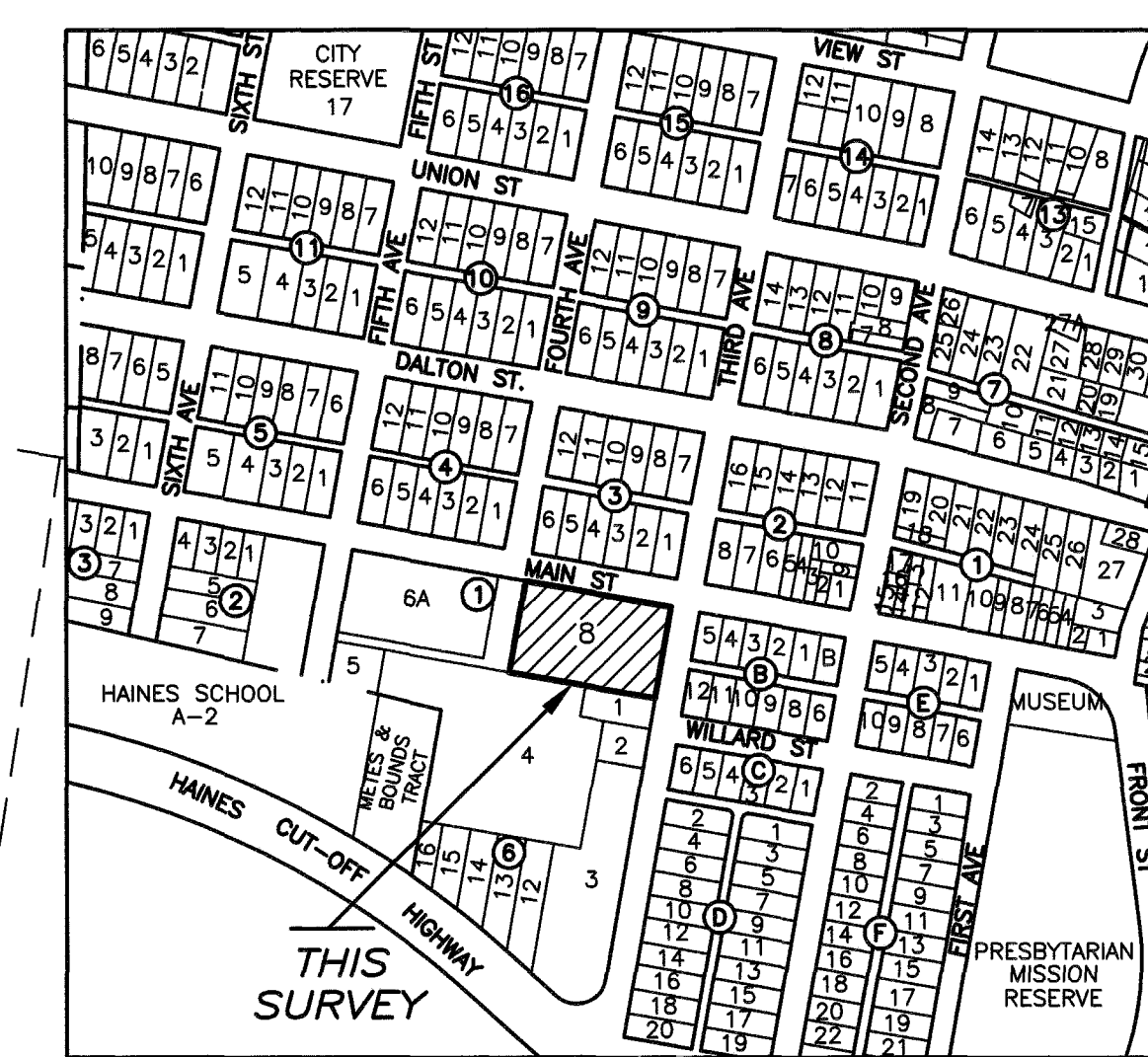
I HEREBY CERTIFY THAT THE APPLICANTS ARE NOT DELINQUENT ON PROPERTY TAXES FOR THE PROPERTY SPECIFIED ON THE SUBDIVISION PLAT SHOWN HEREON.

Dated September 18, 2014.

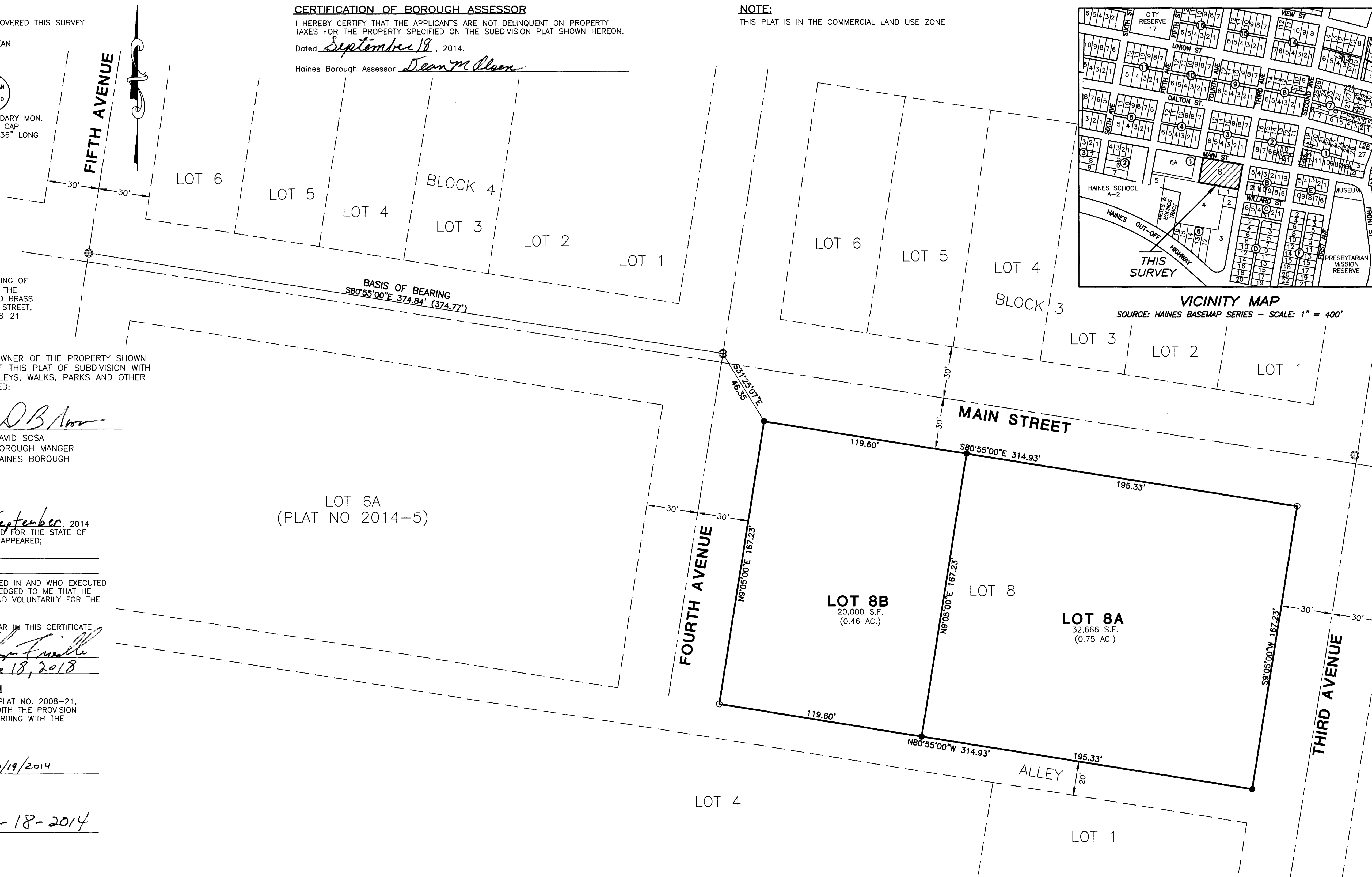
Haines Borough Assessor Dean M Olson

NOTE:

THIS PLAT IS IN THE COMMERCIAL LAND USE ZONE



VICINITY MAP
SOURCE: HAINES BASEMAP SERIES - SCALE: 1" = 400'



2014-7
Plat # Haines
Rec Dist
Date 9-22 2014
Time 10:40 A.M.

A RESUBDIVISION OF LOT 8, PRIMARY SCHOOL SUBDIVISION CREATING LOTS 8A & 8B, WITHIN U.S. SURVEY NO. 735 WITHIN HAINES TOWNSITE, ALASKA HAINES RECORDING DISTRICT - HAINES, ALASKA

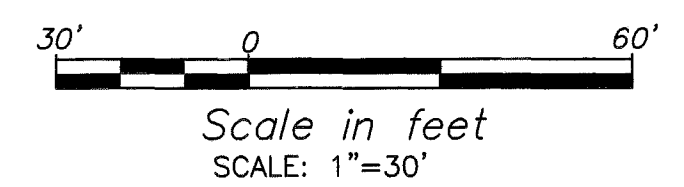
OWNERS:
HAINES BOROUGH
PO BOX 1209
HAINES, ALASKA 99827

SURVEYOR:
JW BEAN, INC.
PROFESSIONAL SURVEYOR
1070 ARCTIC CIRCLE
JUNEAU, ALASKA 99801

SCALE: 1"=30' DATE: 9-16-2014 SHEET 1 OF 1

NOTES:

1. ALL PLAT BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS.
2. ALL DISTANCES SHOWN ARE REDUCED TO HORIZONTAL.
3. LOTS WITHIN THIS SUBDIVISION ARE SERVED BY THE HAINES BOROUGH MUNICIPAL WATER AND SEWER SYSTEMS.



E:\GDM\BEAN\HAINES\HNS-8114-WHEELER-LOTS8A&B.DWG 3:40:08 PM AST 9/16/2014

OWNERSHIP CERTIFICATE

WE HEREBY CERTIFY THAT HAINES BOROUGH IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH OUR FREE CONSENT, DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED:

DATE 10-28-15 DATE 10-28-15
Jan Hill *David Sosa*
 JAN HILL DAVID SOSA
 HAINES BOROUGH MAYOR HAINES BOROUGH MANAGER
 P.O. BOX 1209 P.O. BOX 1209
 HAINES, AK 99827 HAINES, AK 99827

NOTARY ACKNOWLEDGEMENT

UNITED STATES OF AMERICA)
) S.S.
 STATE OF ALASKA)
 THIS IS TO CERTIFY THAT ON THIS 28th DAY OF October, 2015, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED;

JAN HILL AND DAVID SOSA
 KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

Tina Olsen
 NOTARY PUBLIC FOR THE STATE OF ALASKA

MY COMMISSION EXPIRES: 6/15/2019

CERTIFICATE BY THE HAINES BOROUGH

I CERTIFY THAT THIS RE-SUBDIVISION PLAT OF LOTS 1, 2, 3, & 4, PLAT NO. 2008-21; LOTS 12 THROUGH 16 AND TRACT A-2 OF PRESBYTERIAN MISSION PLAT, U.S.S. 735, AND ADDITION OF 20' UTILITY EASEMENT TO LOT 8A, PLAT NO. 2014-7, AND NOW DESCRIBED HEREON AS HAINES SCHOOL SUBDIVISION, HAS BEEN FOUND TO COMPLY WITH THE PROVISION SET FORTH IN HC. 18.100 AND IS APPROVED FOR RECORDING WITH THE HAINES RECORDING OFFICE.

Lee Reminilla 10-28-15
 ROB GOLDBERG LEE REMINILLA, VICE DATE
 HAINES BOROUGH PLANNING COMMISSION CHAIRMAN
Jan Hill 10-28-15
 JAN HILL DATE
 HAINES BOROUGH MAYOR

CERTIFICATION OF BOROUGH ASSESSOR

I HEREBY CERTIFY THAT THE APPLICANTS ARE NOT DELINQUENT ON PROPERTY TAXES FOR THE PROPERTY SPECIFIED ON THIS SUBDIVISION PLAT AS SHOWN HEREON.

10-28-15 *Daan M. Olsen*
 DATE HAINES BOROUGH ASSESSOR

SURVEYOR'S CERTIFICATE

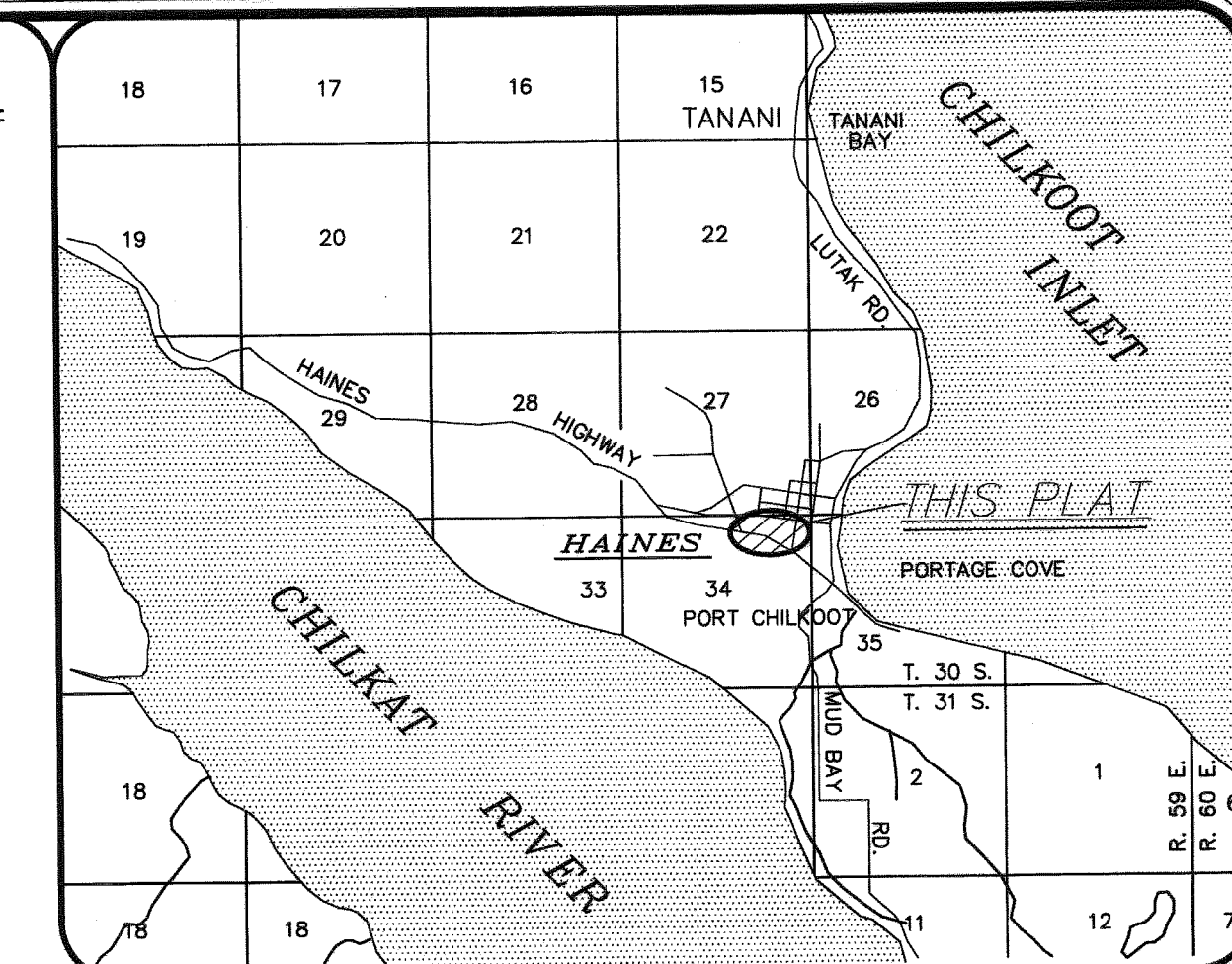
I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS THE SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT ALL DIMENSIONAL AND RELATIVE BEARINGS ARE CORRECT, ALL EASEMENTS AND RIGHTS OF WAY APPEARING ON THE LAND AS SHOWN, AND ALL MONUMENTS ARE SET IN PLACE AS NOTED UPON THIS PLAT AS REPRESENTED.

10-19-2015
 DATE



GENERAL NOTES:

- THE BASIS OF BEARING FOR THIS SURVEY ARE TWO CENTERLINE BRASS CAP MONUMENTS SET IN MONUMENT WELLS LOCATED AT THE INTERSECTION OF MAIN AND FOURTH, AND AT THE INTERSECTION OF MAIN AND FIFTH AS SHOWN ON HAINES TOWNSITE PLAT No. 2014-7; WITH A RECORDED BEARING OF N 80°55'00" W, A DISTANCE OF 375.00'. A MEASURED DISTANCE OF 374.85.
- WHERE RECORD COURSES (BEARINGS AND/OR DISTANCES) DIFFER FROM THAT OF ACTUAL MEASURED OR COMPUTED COURSES, RECORD COURSE ARE SHOWN WITHIN PARENTHESIS WHILE THE ACTUAL MEASURED OR COMPUTED SURVEY COURSES ARE SHOWN WITHOUT PARENTHESIS.
- ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS AND DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
- THE ACCURACY OF THIS SURVEY IS GREATER THAN 1:5,000
- RECORD BEARINGS AND DISTANCES ARE FROM PLAT No. 2014-7, 2008-21, AND 42, UNLESS OTHERWISE NOTED.
- SUBJECT OF EASEMENTS AND RESTRICTIONS OF RECORD. LOTS MAY BE AFFECTED BY ENCROACHMENTS NOT DEPICTED.
- THIS PLAT IS IN THE COMMERCIAL LAND USE ZONE.
- LOT WITHIN THIS SUBDIVISION ARE SERVED BY THE HAINES BOROUGH MUNICIPAL WATER AND SEWER SYSTEMS.



VICINITY MAP
 SCALE 1" = 1 MILE

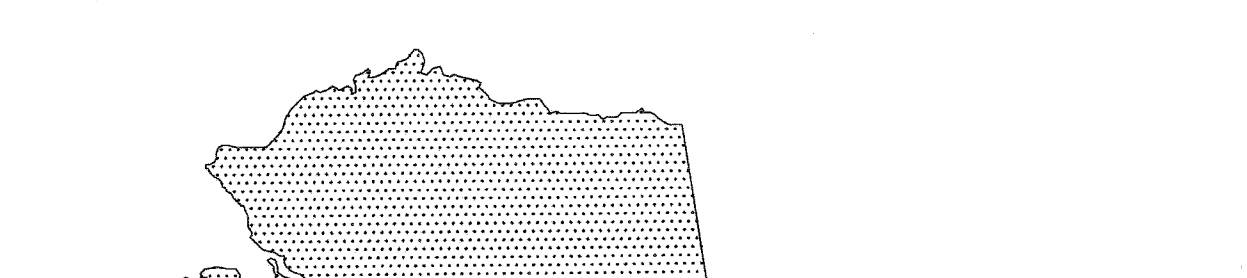
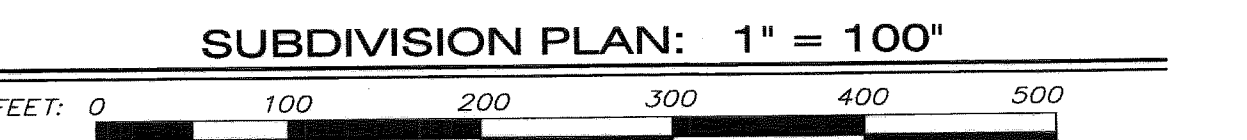
LEGEND

- FOUND SURVEY MONUMENTS:**
- ⊕ FOUND PRIMARY DOT/PP CENTERLINE MONUMENT: 2" BRASS CAP ON PIPE AND SET IN MONUMENT WELL CASING.
 - ⊙ FOUND 2" TO 2.5" ALUMINUM CAP (AC) ON 5/8" DIA. REBAR.
 - FOUND REBAR W/YELLOW PLASTIC CAP (YPC) ON 5/8" DIA. REBAR.
 - Ⓜ MONUMENT SET BY DOUGLAS FINLEY, LS-6277
 - Ⓜ MONUMENT SET BY J.W. BEAN, LS-3650
- SET SURVEY MONUMENTS:**
- SET SECONDARY MONUMENT THIS SURVEY: 2-1/2" DIA. ALUMINUM CAP ON 5/8" DIA. REBAR 30" LONG.
 - Ⓜ SET 1" DIA. X 2" SURVEY MARK NAIL WITH STAINLESS STEEL WASHER.

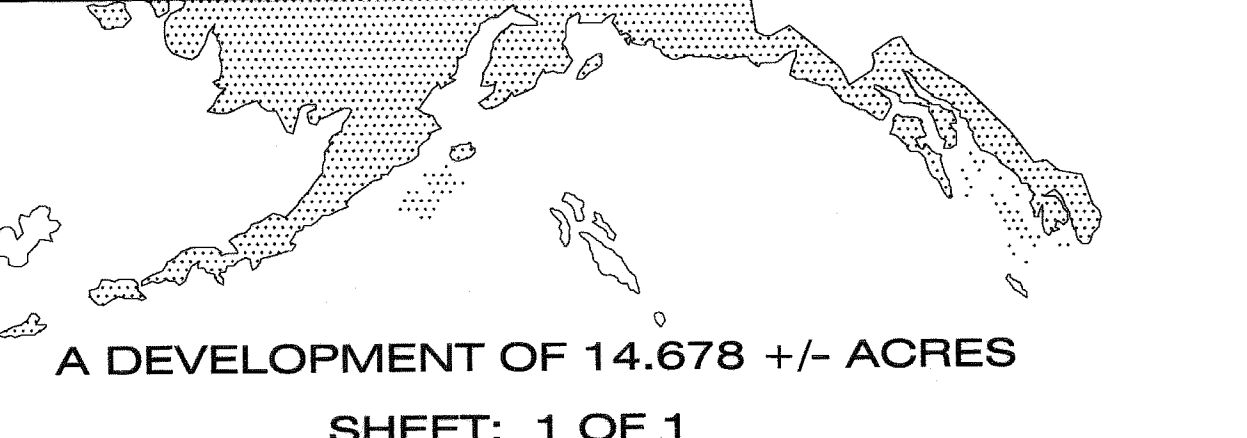
- ROAD CENTERLINE
- PROPERTY LINE - SURVEYED BOUNDARY
- PROPERTY LINE - PROPOSED LOTS
- PROPERTY LINE - UNSURVEYED
- PROPERTY LINE VACATED BY THIS PLAT
- (C) CALCULATED BEARING AND/OR DISTANCE
- (M) MEASURED BEARING AND/OR DISTANCE
- (#00-000) RECORDING OFFICE PLAT NUMBER, OR SERIAL RECORDING NUMBER FROM WHICH RECORD BEARING AND/OR DISTANCE WAS TAKEN.
- (BEARING AND/OR DIST) RECORD INFORMATION PER PRESBYTERIAN MISSION PLAT, No. 42
- (R1) RECORD INFORMATION PER VACATION OF LOT LINES PLAT No. 2001-10
- (R2) RECORD INFORMATION PER PRIMARY SCHOOL SUBDIVISION PLAT No. 2008-21
- (R3) RECORD INFORMATION PER RE-SUBDIVISION LOT 8, PRIMARY SCHOOL SUBDIVISION, CREATING LOTS 8A & 8B, PLAT No. 2014-7.

OWNER: HAINES BOROUGH
 P.O. BOX 397
 HAINES, AK 99827

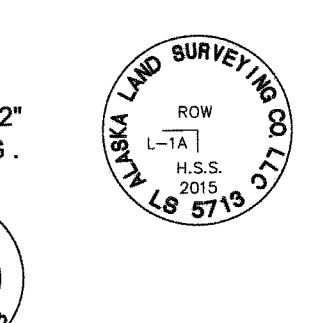
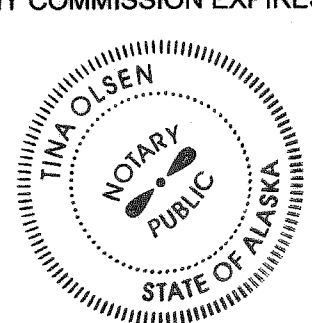
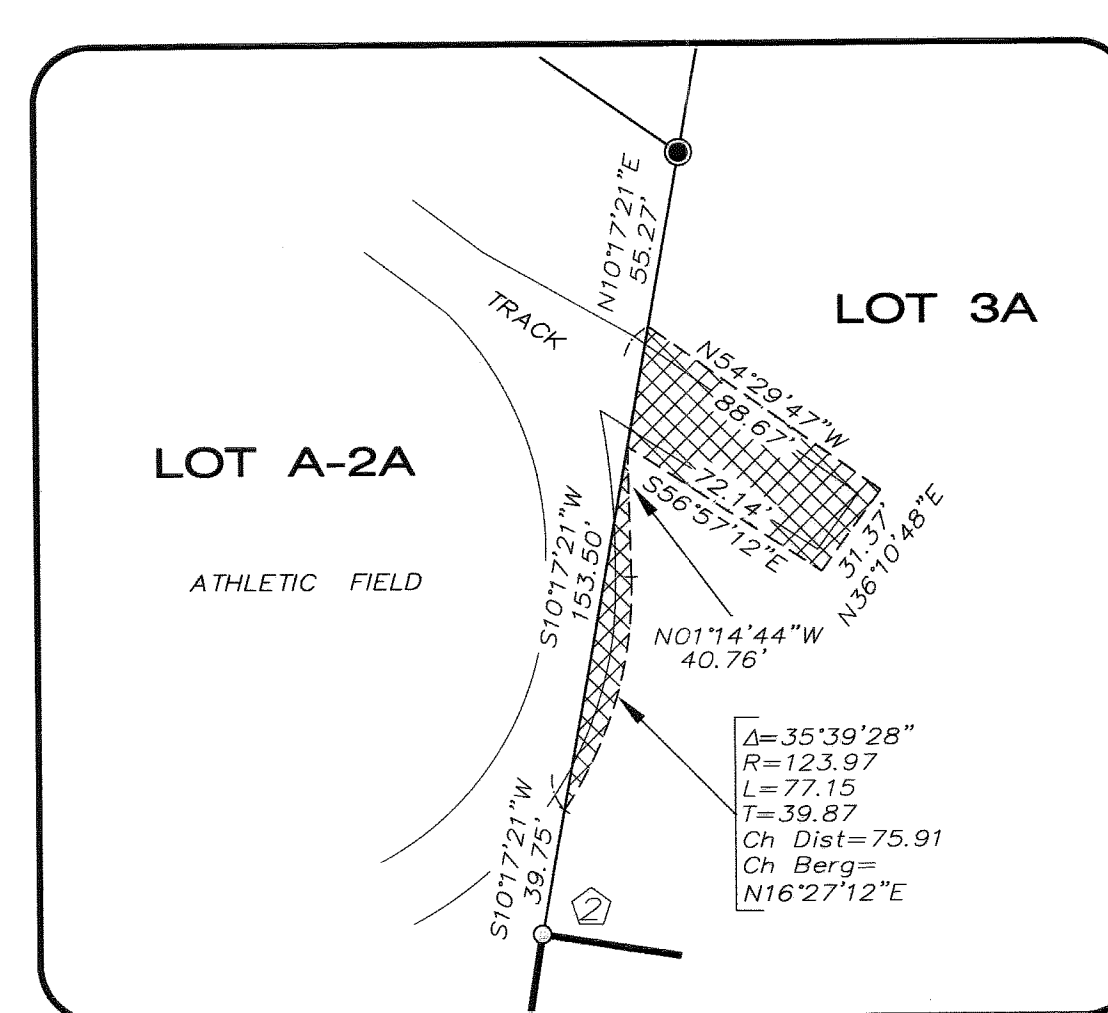
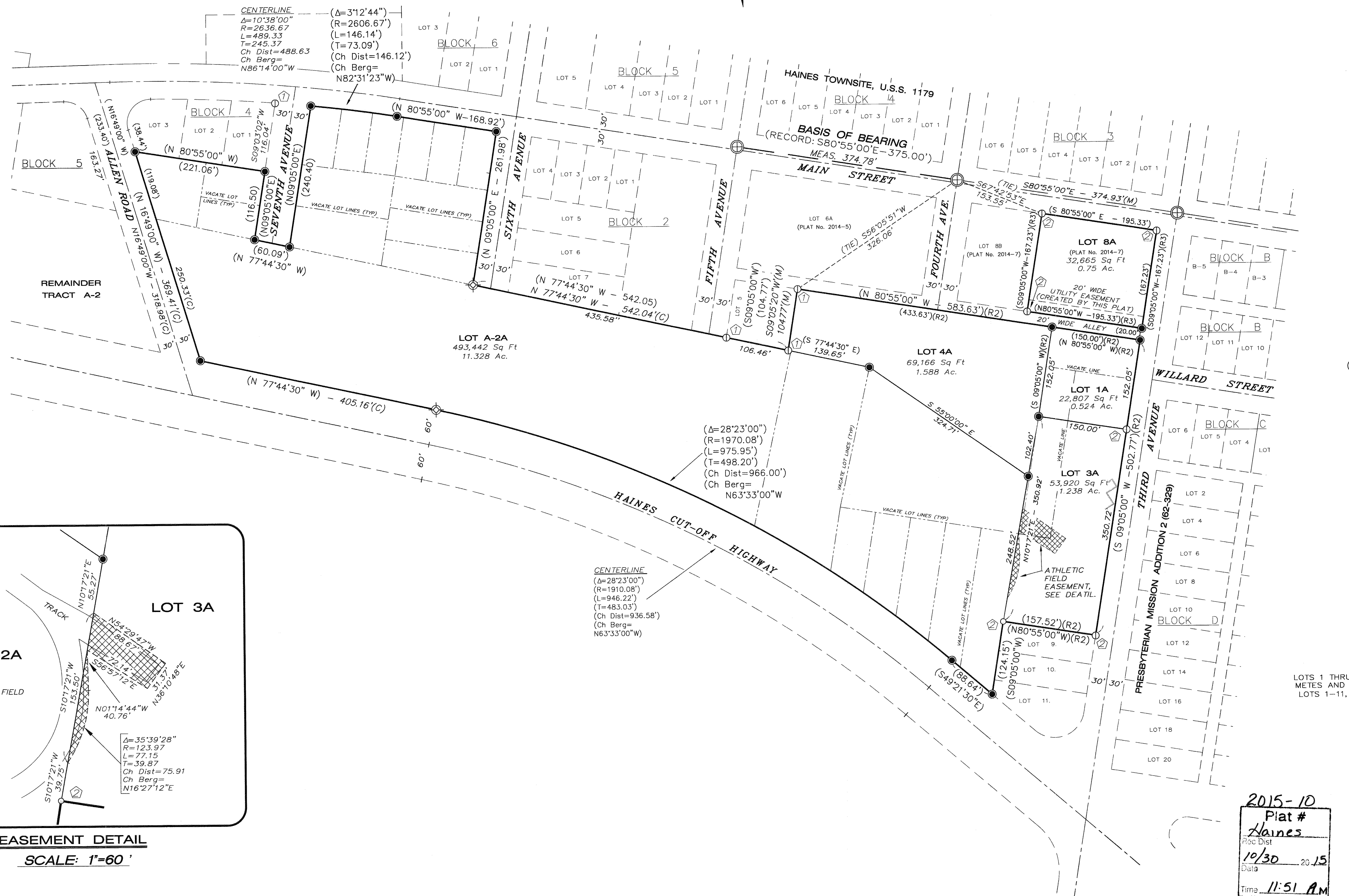
SURVEYOR: ALASKA LAND SURVEYING CO., L.L.C.
 P.O. BOX 397
 5451 N. MAVERICK DRIVE
 PALMER, ALASKA 99645
 907-745-1491



A RE-SUBDIVISION PLAT OF
 LOTS 1 THRU 4, PRIMARY SCHOOL SUBDIVISION (PLAT No. 2008-21); HAINES INDEPENDENT SCHOOL - METES AND BOUNDS TRACT, AND TRACT A-2; ALONG WITH THE VACATION OF LOTS 12-16, BLOCK 6; LOTS 1-11, BLOCK 3; AND LOTS 4-6, BLOCK 4, PRESBYTERIAN MISSION, U.S.S. 735 (PLAT No. 42).
 INTO
HAINES SCHOOL SUBDIVISION
 LOCATED WITHIN U.S. SURVEY 735
 SEC 34, TOWNSHIP 30 SOUTH, RANGE 59 EAST, C.R.M.
 HAINES BOROUGH - HAINES RECORDING DISTRICT - HAINES, ALASKA



DRAWN BY: T.M.K. SCALE: 1"=100' DATE: 9 OCTOBER 2015 PROJECT NO.: 14542.01A / 4137





HAINES BOROUGH, ALASKA
P.O. BOX 1209
HAINES, AK 99827
(907) 766-2231 FAX (907) 766-2716

June 27, 2016

«PRIMARYOWNER»
«ADDRESS»
«CITY», «STATE» «ZIPCODE»

Re: Classification of Borough-Owned Property for Sale
Lot 8A, Primary School Subdivision; C-PSS-00-08A0; 0.75 Acres; Commercial Zone

Dear Land Owner,

Haines Borough records show that you own the property adjacent to the above-listed property. Recently the Borough received requests for purchase of Borough-Owned real property for future development. Please see attached plat map.

Per Haines Borough Code 14.20.040, "A. Borough lands may be classified for sale by the assembly with the advice of the planning commission. B. No land which the borough owns or has an interest in shall be sold until it has first been classified for sale and a use designated...D. Public meetings shall be held by the planning commission to discuss any such classification and designation before making any recommendation to the assembly. All adjacent property owners of the parcel to be classified shall be notified, in writing, of the public meetings..."

The Haines Borough Planning Commission will hold a public meeting on this matter at 6:30 p.m. at the Haines Borough Assembly Chambers on Thursday July 7th. As one of the adjacent property owners of the above-listed property, you are being notified that you are invited to attend and comment at the meeting. If you have any questions on the matter please contact the Borough.

Sincerely,

A handwritten signature in cursive script that reads "Tracy Cui".

Tracy Cui, AICP
Planning and Zoning Technician III
(907)766-2231 Ext 23
xcui@haines.ak.us

PRIMARYOWNER	ADDRESS	CITY	STATE	ZIPCODE
CLIFFOROAD THOMAS	BOX 23	HAINES	AK	99827
EDITH VON STAUFFENBERG	BOX 687	HAINES	AK	99827
DOROTHY STECHER	BOX 1153	HAINES	AK	99827
AK BUSINESS GROWTH CORP.	BOX 1309	HAINES	AK	99827
C/O JEFFREY HAISLER	BOX 710	HAINES	AK	99827
LLC WHEELER & KITAYAMA	BOX 911	HAINES	AK	99827

14.20.040 Classification of lands for sale.

A. Borough lands may be classified for sale by the assembly with the advice of the planning commission.

B. No land which the borough owns or has an interest in shall be sold until it has first been classified for sale and a use designated.

C. The assembly may require that there be no use of any land, or interest in land, other than permitted by its designation, unless the written approval of the assembly is obtained.

D. Public meetings shall be held by the planning commission to discuss any such classification and designation before making any recommendation to the assembly. All adjacent property owners of the parcel to be classified shall be notified, in writing, of the public meetings.

E. Designation of a use of any land shall not conflict with any existing valid zoning regulations and shall be in keeping with the borough comprehensive plan.

F. The borough does not warrant by its classification, designation or sale of land that the land is suited for the use authorized under said classification, designation or sale and no guaranty is given or implied that it shall be profitable to employ the land to said use.



Memo from the Clerk

Date: July 1, 2016
To: Planning Commission
Cc: Borough Manager
From: Julie Cozzi, MMC, Borough Clerk
Re: Draft Ordinance to Add General Park Governance to Code

In looking for guidance in the code for the Picture Point Park ordinance (11-10-274), the borough manager at the time, Mark Earnest, noted there was no general provision in code governing borough parks. Therefore, Ordinance 11-10-275 was drafted to address that deficiency and was introduced during the 10/25/11 assembly meeting. During a brief discussion, the assembly expressed a general support for the idea.

The first public hearing was originally scheduled for 11/15/11 but was rescheduled to 1/10/12 to provide the planning commission (PC) with an opportunity to review and comment. The PC ended up delaying their review until their 1/19/12 meeting, therefore, on 1/10/12 staff recommended the first public hearing be rescheduled for the first assembly meeting in February when the PC comments were most likely to be available.

The borough attorney had proposed amendments to the current draft, and they were outlined to the assembly in a memo from the clerk. Staff recommended those amendments be made prior to a hearing. No amendments were made, and no hearings were held. The expectation seemed to be that those would happen after the PC's recommendations were received.

On 1/19/12, even though it was on the published PC agenda, this ordinance did not get discussed by the commission. If I recall correctly, Mr. Earnest put the ordinance on hold. The reason(s) have not been ascertainable.

It is my understanding the PC is ready to take this topic up again in response to a request from the Parks & Recreation Advisory Committee. Hence, this memo has been prepared to provide some background on previous efforts.

Memo Attachments:

Draft Ordinance 11-10-275

Memo from the Clerk re. Attorney-Recommended Amendments

An Ordinance of the Haines Borough adding Haines Borough Code Title 12 Chapter 12.30 to generally provide for the governance of borough parks.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Purpose. This ordinance adds Title 12 Chapter 12.30 to generally provide for the governance of borough parks. The code is amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

**Chapter 12.30
PARKS**

Sections:

- 12.30.010 Definitions
- 12.30.010 Park policy
- 12.30.010 Park regulations
- 12.30.010 Prohibited acts

12.30.010 DEFINITIONS.

A. "Park," as used in this chapter, includes any park, playground or water under the jurisdiction of the borough.

B. "Refuse," as used in this chapter, means waste paper, cans, bottles, glass, scrap, picnic refuse, garbage and other waste matter.

12.30.020 PARK POLICY.

All borough parks and playgrounds shall be maintained and governed under regulations which shall provide the greatest possible public use by all citizens as may be allowed by the finances available. No one group or organization shall have any special claim or privilege.

12.30.030 PARK REGULATIONS.

The borough manager is empowered to make such rules and regulations pertaining to the conduct and use of parks and playgrounds as are consistent with this chapter and as are necessary to administer the same or to protect public property or the safety, health, morals or welfare of the public.

12.30.040 PROHIBITED ACTS.

A. No person shall at any time scatter or deposit refuse or garbage upon or within any park in the borough.

B. No person shall at any time break bottles or other glass containers within any of the areas described herein in such manner that fragments of glass may be strewn around the playgrounds or recreation areas or parks.

C. No person shall operate a motor vehicle, off-the-road vehicle, all-terrain vehicle, motorcycle, snow machine or other motorized vehicle over, upon or through a public park, within the borough, unless as expressly provided for in the ordinances of the borough.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS _____ DAY OF _____, 20__.

ATTEST:

Mayor

Julie Cozzi, MMC, Borough Clerk

Date Introduced: 10/25/11 - First Hearing scheduled for 11/15/11 but postponed to 1/10/12 when it was subsequently removed from the agenda. A hearing was never rescheduled, because borough manager put it on hold (reason unknown).
Date of First Public Hearing: ___/___/___
Date of Second Public Hearing: ___/___/___