



City of Valdez, Alaska
Planning & Zoning Commission
Rezone
Proposed Findings & Conclusions

Chapter 17.54 of the Valdez Municipal Code governs the amendments to the zoning districts. **Section 17.54.020(C) Minimum Area** states: “Except for the extension of existing district boundaries, no change in any use district classification or an official zoning map shall be considered which contains an area less than two acres, not including street or alley rights-of-way.” Lots 1, 2, & 3, Tract D, are over 2 acres; therefore, this rezone request meets the Minimum Area code requirement.

Date: June 22nd, 2016
File No.: REZONE #16-04
To: Planning & Zoning Commission
From: Keri Talbott, Administrative Assistant
REZONE: From RA (Single Family Residential) to CR (Commercial Residential)

General Information

Applicant: Todd Wegner
Property Owner: Todd Wegner
Property Address: 100, 90, & 80 Meals Hill Rd
Legal Description: Lots 1, 2, & 3, Tract D, Port Valdez
PIDNS: 7120-004-001-0, 7120-004-002-0, 7120-004-003-0
Parcel Size: 1.39 acres, 1.24 acres, 2.38 acres,
Zoning: From Single Family Residential (RA) to Commercial Residential (CR)
Utility Service: CVEA Electric, CVTC or GCI Telephone, CGI Cable
Existing Land Use: Single Family Residential
Access: S Hazelet Ave
Surrounding Land Use: North: Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

Project Description and Background Summary

The applicant has requested the zoning change to enable the use of rental cabins on the property. The property is currently zone Single Family Residential which does not allow for the that use. Commercial Residential zoning allows for rental cabins by approved conditional use permit. If this rezone is approved, the applicant will be required to go through the CUP process

to use rental cabins on the property. The proposed amendment has no impact on the goals or objectives of the Comprehensive Plan

Findings

The Planning and Zoning Commission shall review and adopt the findings unless it finds by a preponderance of the evidence that the findings are in error. The director's findings are:

1. Is the requested permit proper according to the Rezone Uses for the zoning district?

Yes. In the Commercial Residential zone, rental cabins would be allowed with a conditional use permit.

2. Is the application complete?

Yes. The application was complete prior to the public hearing. Mr. Wegner had provided all required documentation associated with the rezone for the rental cabins below in the Conditional Use Permitted accessory uses and structures.

3. Does the proposed development follow the other requirements of the City of Valdez land use code?

The land use code for the City of Valdez is Title 17 Zoning of the Valdez Municipal Code.

4. Will the proposed development materially endanger the public health or safety?

No aspect of this project appears to materially endanger public health or safety.

5. Will the proposed project substantially decrease the value of or be out of harmony with property in the neighboring area?

The current neighboring area is vacant land zoned single-family residential. To that end staff is recommending all future use changes require the owner/applicant to go through the conditional use permit process, to include permitted uses.

6. Will the proposed project be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Staff finds this application to be in conformance with the Comprehensive Plan as reviewed below:

The Comprehensive Plan offers goals and objectives that provide guidance on general land use, economic development, and commercial-business land use, and industrial land use. Only those relevant to the specific zoning change are listed below.

Goal - Land Use: Provide a community land use pattern that is compatible with existing land use patterns in the community, which is physically safe, environmentally sensitive, and

consistent with the provisions and requirements of the Valdez Coastal Management Program.

Objective – Provide for the adequate separation of incompatible land uses.

The immediate surrounding land to the North and South is vacant land and zoned single-family residential.

7. Are any of the following criteria such to materially endanger the public health or safety: topography, slope and soil stability, geophysical hazards, surface and subsurface drainage and water quality?

No.

8. Will the proposed project require the enlargement, upgrading or extending of public utilities or service systems?

No.

Decision of the Council

The Council may, regardless of the above findings conditionally approve or deny the permit. The Council's own independent review of information submitted at the public hearing provides the basis for the decision. The decision needs supportive findings based on factors associated with the same questions answered in the Director's Findings.

Planning and Zoning Recommendation

The Planning and Zoning Commission recommends that the Council authorize the rezone of Lots 1, 2, & 3, Tract D, Port Valdez, from RA (Single Family Residential) to CR (Commercial Residential).

Condition 1: Any future change in use to the property will require the property owner/applicant to go through the conditional use permit process, to include permitted uses. A document requiring this will be recorded to the property.