



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Meeting Agenda - Final Planning and Zoning Commission

Wednesday, March 8, 2017

7:00 PM

Council Chambers

Regular Meeting

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

[Approval of Regular Meeting Minutes from February 22, 2017](#)

Attachments: [MeetingMinutes P&Z 02-22-17](#)

IV. PUBLIC APPEARANCES

V. PUBLIC BUSINESS FROM THE FLOOR

VI. PUBLIC HEARINGS

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

[Approval of Preliminary Plat \(SUBD# 17-01\) of Anderson Robe River Subdivision](#)

Attachments: [16025 Valdez Anderson Robe River Subdivision B01 L06A-8A 170301B PLAT.r](#)
[MemoFromFEMA.pdf](#)
[Prelim Check List Anderson.pdf](#)

IX. REPORTS

X. COMMISSION BUSINESS FROM THE FLOOR

XI. ADJOURNMENT



Agenda Statement

File #: 17-0116 **Version:** 1

Type: Minutes **Status:** Agenda Ready

File created: 3/3/2017 **In control:** Planning and Zoning Commission

On agenda: 3/8/2017 **Final action:**

Title: Approval of Regular Meeting Minutes from February 22, 2017

Sponsors:

Indexes:

Code sections:

Attachments: [MeetingMinutes P&Z 02-22-17](#)

Date	Ver.	Action By	Action	Result
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ITEM TITLE:

Approval of Regular Meeting Minutes from February 22, 2017

SUBMITTED BY: Selah Bauer, Senior Administrative Assistant, Community Development.

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

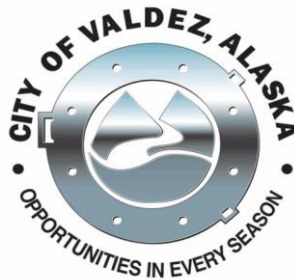
Approve the Regular Meeting Minutes from February 22, 2017.

SUMMARY STATEMENT:

Please see the regular meeting minutes from February 22, 2017.

City of Valdez

212 Chenega Ave.
Valdez, AK 99686



Meeting Minutes - Draft

Wednesday, February 22, 2017

6:00 PM

Regular Meeting

Council Chambers

Planning and Zoning Commission

WORK SESSION AGENDA - 6:00 pm

1. Work Session: Valdez Glacier Stream Bridge Easement

Elke Doom, the new City Manager, came to the Planning & Zoning Commission meeting to introduce herself and see listen to the meeting. She said she did so to learn more about how the Commission operates, and meet the Commissioners. Ryan McCune and Nate Smith introduced the East Peak Year Round Mountain Recreation Site project to the Commission and had a conversation about access to both the City's property and Mr. McCune's property on the east side of the Glacier Stream. There was discussion about the process for taking public input on a proposed access bridge easement and taking approval for the easement to the Commission and Council.

REGULAR AGENDA - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

Present 7 - Chair Donald Haasee
Commission Member Harold Blehm
Commission Member Roger Kipar
Commission Member Victor Weaver
Sr. Office Assistant Selah Bauer
Director of Community & Economic Development Lisa Von Bargaen
Sr. GIS Planning Tech AnnMarie Lain
Excused 3 - Chair Pro Tempore Jess Gondek
Commission Member Brandon Reese
Commission Member Kristian Fagerberg

III. APPROVAL OF MINUTES

MOTION: Commission Member Weaver moved, seconded by Commission Member Kipar, to Approve the Regular Meeting Minutes of February 8, 2017. The motion carried by the following vote after the following discussion occurred.

Yays: 4 - Chair Haasee, Commission Member Blehm, Commission Member Kipar, and Commission Member Weaver

1. Approval of Regular Meeting Minutes of February 8, 2017

IV. PUBLIC BUSINESS FROM THE FLOOR

There was no Public Business from the Floor.

V. NEW BUSINESS

1. Ordinance No. 17-02 Amending Title 17 Zoning of the Valdez Municipal Code Related to Breweries, Wineries and Distilleries

MOTION: Commission Member Kipar moved, seconded by Commission Member Blehm, to Approve Ordinance No. 17-02 Amending Title 17 Zoning of the Valdez Municipal Code Related to Breweries, Wineries, and Distilleries. The motion failed by the following vote after no discussion.

Yays: 3 - Chair Haasee, Commission Member Blehm, and Commission Member Kipar

Nays: 1 - Commission Member Weaver

2. Approval of Homeowners Association Covenants for CUP #14-03 for a Planned Unit Development - Easley Grove Townhomes. Applicant: Cody Galipeau

MOTION: Commission Member moved Kipar, seconded by Commission Member Weaver, to Approve the Homeowners Association Covenants for CUP #14-03 for a Planned Unit Development – Easley Grove Townhomes. The motion passed by the following vote after discussion.

Yays: 4 - Chair Haasee, Commission Member Blehm, Commission Member Kipar, and Commission Member Weaver.

Commissioner Blehm said although he understands the need for a protective covenants, he wants to make sure that the enforcement of the covenant does not fall on the City to enforce. Furthermore, he asked if there could be a disclaimer statement provided in the approval document, stating that the City of Valdez would not be responsible to enforce the covenants.

Community & Economic Development Director, Lisa VonBargen, said she agrees with Commissioner Blehm. She said protective covenants such as this, are a civil matter that the City does not enforce in any way. Ms. VonBargen said the reason why these covenants are being submitted to the City is so that the City can make sure that as a set of condominiums, the homeowners in some form in aggregate are responsible to maintain certain things.

Commissioner Blehm said he understands the importance of the City approval of the wording of the protective covenants, in order to ensure the things being asked for are realistic, but he still sees value in specifying that the City would not be

held accountable for the enforcement of the protective covenant.

Commissioner Haasee said he belongs to a Homeowners Association, and whenever issues arise with folks in the Association, they consult a lawyer and it is handled that way. Community & Economic Development Director, Lisa VonBargen, said she will consult with the City Attorney before the next P&Z meeting, to determine if it is legally necessary to include a disclaimer by the City, specifying that they will not be held responsible to enforce the protective covenants in question. She said she would inform the Commissioners as to what the City Attorney suggests.

Commissioner Blehm agreed to that idea and thanked Ms. Von Bargen. Commissioner Weaver added that reason why the Commission is being asked to review this covenants now, is because the applicant is asking for something out of the ordinary by building a Planned Unit Development. "All we're doing is allowing a more dense population than would otherwise be allowed on that piece of property," Commissioner Weaver said. "We aren't approving them saying these are good covenants, we're just approving saying yes, these meet our needs."

Community & Economic Development Director, Lisa VonBargen, said that by approving the Homeowners Association Covenants, it ensures that a mechanism is put in place to handle things that would usually be the responsibility of an individual homeowner (snow storage, building code specifications, etc.).

There being no other questions, the Commission voted to approve the Homeowners Association Covenants for a Planned Unit Development.

3. Discussion Item: Waterfront Master Plan

Discussion of waterfront Master plan is postponed to next meeting, as there was no one available from the Ports and Harbor Commission present the discussion.

4. Discussion Item: Chickens in Residential Subdivisions

Commissioner Blehm asked Senior GIS/Planning Technician, AnnMarie Lain, if she found any information pertaining to whether or not chickens can be legally referred to as pets. Mrs. Lain replied that chickens are legally referred to as domestic livestock and barnyard fowl per the City code. Commissioner Blehm stated the Commission will proceed with that the definition then. Chairman Haasee asked about whether animals would be allowed in the RN Residential area (N standing for "No Animals").

Community & Economic Development Director, Lisa VonBargen, said that if certain animals are allowed in the RA Zoning District, which is right next to the RN Zoning District, it makes sense to allow it in both. However, she said this issue needs to be brought to a Public Hearing, and residents need to be informed that the N in RN Residential area zoning would then mean that no other types of animals aside from chickens (and possibly bees) would be allowed in these particular areas. Ms. VonBargen said the community will want to weigh in on this issue, and the Commission will await the public's replies.

Chairman Haase asked if there is any road or other property separating the RN and RA zoning districts. Ms. VonBargen replied no, there is no separation.

Chairman Haase asked if the Commission wanted to implement a Waste Management Plan for chicken owners, or mandate that a permit be applied for by chicken owners (i.e. a chicken permit). He said on a personal level, he doesn't think that either are a good idea, as the Community & Economic Development Department is already over worked, and most residents wouldn't be likely to comply to such conditions anyway. He then asked what the rest of the Commissioners thought.

Commissioner Kipar said he doesn't think permits are necessary.

Commissioner Weaver said he thinks the Waste Management Plan for chickens is a good idea, as there are a lot of wild animals that may be attracted to the waste.

Community & Economic Development Director, Lisa VonBargen, said the reason she added that option to the Agenda Statement is because there are a number of stipulations that are being asked by people who want to own chickens. She said the question becomes, should those stipulations be checked. She said the City could require an electrical permit and a building permit for the chicken coop. She said a zoning review would be necessary, and such permits would help the review process to ensure zoning, building and other safety requirements are being met. Ms. VonBargen said there are some things that wouldn't get inspected under the current specifications including; whether or not an owner has a protective fence for their chickens, oversight of the amount of chickens a person has, etc. She said that if the City required a waste management plan, those things could be assessed by the Building Inspector or other City Officials. All other aspects would be on the honor system of the chicken owners.

Commissioner Kipar asked if chicken owners ran an extension cord from one building to another, would that be a violation of City Code. Community & Economic Development Director, Lisa VonBargen replied that she asked Building Inspector, Rusty Hansen, that question, and Miss Hansen said it's not allowed. However, if power was being run from the house to a chicken coop, there would have to be a separate shutoff. Chairman Haase suggested that the City simply state that any electrical sources would have to be installed per the guidelines of National Electrical Code, if they allow extension cords. Various ideas were discussed about potential power guidelines.

Commissioner Kipar said there are already Code violations happening around Valdez, that the City is unable to enforce. Therefore, the simpler the City can make this issue, the better. He suggested that the Animal Control Officer may already have the responsibility to enforce mistreatment etc. of the animals in question.

Commissioner Blehm said he's somewhat in favor of the permit process, because it establishes a baseline of requirements for people who want to own chickens.

Commissioner Weaver asked if chickens are allowed in any rural area currently. Ms. VonBargen answered that chickens are allowed in the Robe Lake subdivision, the

six mile area, and in Alpine Woods. Chairman Haase said he believes most of those areas are at least an acre in size, which is a big difference in size as to what's being considered. Ms. VonBargen said that's why there are limitations in places like Juneau that only allow six hens for a 10,000 sq. ft. lot, which is what she recommends. She said she also recommends one hen per 2,000 sq. feet, not to exceed a maximum of 24 hens per property owner. Commissioner Kipar asked Ms. VonBargen if roosters would be allowed in town as well. She answered that no roosters would be allowed, and suggested the banning of geese ownership in the City as well. Further discussion ensued with Commissioners in a general way regarding chickens, roosters and geese.

Chairman Haase asked if there were any further comments on the chicken topic. Ms. VonBargen said she wants to be clear on the Commission's recommendation for chicken permits. Do they want them or not? Commissioners threw out some ideas, but did not come to a conclusion. Ms. VonBargen said if all the Community & Economic Development Department only has to issue the permit, she believes that wouldn't cause too much additional time for the department, especially if it is an option that someone like the Animal Control Officer could do the inspections. But she said even if chicken permits are not mandated, Valdez citizens who would like to own chickens would still need to apply for building and/or electrical permits to build their coops etc.

She suggested that if people submitted it all as one packet, along with a chicken permit, it may be easier for the department, rather than having people apply for separate permits. Chairman Haase said he imagines the Commission would approve whatever Lisa VonBargen brings back as a recommendation. Commissioner Kipar asked if additional requirements, such as a chicken permit, would put too much additional stress on the Community & Economic Development Department.

Community & Economic Development Director, Lisa VonBargen, discussed potential distribution of enforcement duties, and what that might look like in general ways. She said she would do some further investigation and report back to the Planning & Zoning Commission, so they can make an informed decision.

Commissioner Blehm asked Ms. VonBargen if she could also look into whether or not an informational class on rearing chickens should be offered to the public. Ms. VonBargen said she would look into it and that there may also be a pamphlet that exists on rearing chickens, which we could include in a packet for potential chicken owners.

Commissioner Kipar asked some general questions about how to obtain chickens, how to care for them etc., and whether or not a fence would be mandatory for owners of chickens. Ms. VonBargen mentioned a variety of ways to get chickens or find out how to get chickens, and she added that fences will be mandated to protect chickens.

Chairman Haase asked if there is anything keeping people from raising chickens in their garage and install a fence out their back garage door. Community & Economic Development Director, Lisa VonBargen said she'll look into it and let the Commission know. More general discussion took place about a variety of potential concerns

regarding chicken rearing in town. Commissioner Kipar stated that in the beginning of the meeting he wasn't in favor for mandating a permit for chicken owners. But he said he changed his mind, and is now perhaps in favor of a requiring a permit, so that some of the potential issues can be mitigated by oversight.

VI. **REPORTS**

Chairman Haase asked if there were any reports that anyone wanted to brief the Commission on. Community & Economic Development Director, Lisa VonBargen, said the hiring of a new Senior Planner has been approved, and is being advertised for. She also reminded the Commission that Keri Talbott has moved back to Washington, and that her position is open now.

VII. **COMMISSION BUSINESS FROM THE FLOOR**

Commissioner Kipar commented on Code Enforcement. He said he is concerned about the condition of some of the buildings around town, and he realizes that the City is helping businesses beautify their building and such, but he believes the City should be more aggressive about enforcing building codes simultaneously.

Community & Economic Development Director, Lisa VonBargen, said she agrees. Furthermore, she said part of the beautification process could potentially includes removing blights. She said if the Beautification Program included assistance in removing blights from a particular property, that could help the process of cleaning up the town. She said perhaps the City could send out an enforcement letter letting stating that, for instance, "as a participant in the City's Abatement Demolition Grant-Matching Program, you are eligible for assistance removing blights from your property/ demolition costs up to a certain amount," that might be a helpful assistance. Ms. VonBargen said it may be helpful to include mobile home properties too.

Commissioner Weaver asked if there is a limit as to how many cars a person can have on their property, according to city code. Ms. VonBargen said there is. Commissioner Weaver said he sees so many dilapidated cars that create an eye sore in the town. Commissioner Kipar said he is concerned that there are too many code violations occurring around the City, and if the City goes after one person for a code violation, that person will ask why the City is picking on them and not their neighbor, who also has code violations occurring on their property.

Community & Economic Development Director, Lisa VonBargen, said Commissioner Kipar is absolutely correct. When asked to address a violation the first response from property owners is that everyone else has violations so why are they being singled out.

Ms. VonBargen said one of the things the City Council brought up was to create an plan for code enforcement. First, start by prioritizing the most serious code violations. Next, inform the community that the City will begin enforcing one particular violation to start with. Include an starting point in town and inform citizens that the City will work its way from one end of town to the other. That would allow the community time to rectify issues they know the City will be citing for, before the enforcement begins. Ms. VonBargen said once that happens, we will see people in subsequent subdivisions take care of their own issues, because they will see the City is serious about cleaning up the code violations.

Community & Economic Development Director, Lisa VonBargen, said there may be a lack of staff to handle such enforcement currently. She said although she doesn't suggest hiring a full-time code enforcement employee, it could behoove the City to hire an employee to enforce City Codes on a contractual basis, limited to a set amount of time. Once the bulk of code enforcement has been dealt with, enforcement would become maintenance after that. Ms. VonBargen said that she believes that would be the best way to deal with the code violation issue.

Commissioner Kipar said that regardless of what action the City takes, he believes there will still be some people who will not, or cannot afford to, rectify their code violation issues: things like junk cars, because there is no place to put them. Community & Economic Development Director, Lisa VonBargen, said some things would need to be set in place by the City before code enforcement begins, because it's ridiculous to try to enforce something in which there is no solution for people. She said for instance, we need someone in town that will haul junk cars, and we need a place to take the cars. Ms. VonBargen said it's important to determine what is really a problem and what is not.

One example she said comes up a lot is that according to zoning codes, a property owner or renter is allowed to store one boat, or one RV, or trailer, etc. on their property. However, most people in the community have more than the allowed vehicles stored on their property. She said that people with large lots can easily store more than one additional vehicle nicely on their property. However, people who live on smaller lots and store multiple vehicles on their property, can't get away with doing so in a visually appealing manner. Ms. VonBargen said that the city code should be written in a way that reflects the appropriate needs of different zoning areas. The Commissioners agreed with her.

Chairman Weaver asked if there was anything else the Commissioners wanted to bring up. Commissioner Kipar gave his opinion on the current political state. He said he emigrated to the U.S. because he believes in the idea of "United We Stand." He said he disagrees with those who post anti-Trump ideals on social media, because it divides the country. He said everyone should support the President, in his opinion.

Commissioner Blehm said he's been thinking about the Beautification Task Force, and he heard from two City Council members that the Community Garden area was no longer in jeopardy of being moved, because a location for the new fire station will be

determined somewhere out along the Richardson Highway area. He wondered if that was true.

Community & Economic Development Director, Lisa VonBargen, said that is not the case, but rather what was discussed at a recent City Council meeting was the concept plan to build the fire station on the hospital property. However, the plan includes the desire to keep the community garden area where it is currently, she said. She said the current plan includes the existence of the new fire station, snow storage, dog park, and community garden all on the hospital property, without moving the community garden. Ms. VonBargen went on to say that the plan also includes areas of the property to be reserved for different training to take place. However, City Council is now suggesting that the training area be moved somewhere out the road, but the specific area has not been determined yet.

Commissioner Blehm said that on the topic of junk car removal in the community, he said the City could invest in a full-sized grinder that will eat everything, including engine blocks. He said he spoke to a man from Cordova about the fact that Cordova also has a problem with junk cars. He said he asked the man whether or not he thought Cordova would be interested in loading up a barge with shredded cars, which takes up a lot less space than crushed cars do. He said the grinder could be moved easily from one place to another, allowing us to network with other nearby communities who would also like help in dealing with their junk car issues.

Commissioner Blehm said he believes the grinder costs about \$1.5 million dollars. Community & Economic Development Director, Lisa VonBargen, asked Commissioner Blehm to bring her some details regarding the grinder. Commissioner Blehm agreed to do so. He said he plans to buy a smaller version for his own personal needs.

General discussion took place about impound lots and potential locations.

VIII. **ADJOURNMENT**

There being no further business, Chairman Haase concluded the meeting.



Agenda Statement

File #: 17-0117 **Version:** 1
Type: New Business **Status:** Agenda Ready
File created: 3/1/2017 **In control:** Planning and Zoning Commission
On agenda: 3/8/2017 **Final action:**
Title: Approval of Preliminary Plat (SUBD# 17-01) of Anderson Robe River Subdivision
Sponsors:
Indexes:
Code sections:
Attachments: [16025 Valdez Anderson Robe River Subdivision B01 L06A-8A 170301B PLAT.pdf](#)
[MemoFromFEMA.pdf](#)
[Prelim Check List Anderson.pdf](#)

Date	Ver.	Action By	Action	Result
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ITEM TITLE:

Approval of Preliminary Plat (SUBD# 17-01) of Anderson Robe River Subdivision

SUBMITTED BY: AnnMarie Lain, Sr. GIS/Planning

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

Approve the Preliminary Plat (SUBD# 17-01) of Anderson Robe River Subdivision.

SUMMARY STATEMENT:

Daniel Anderson is the owner of Lots 6, 7, 8 and 9 of Block 1, Robe River Subdivision. The purpose of this subdivision is to combine four lots into three to better utilize available building space for residential buildings and utilities.

This approval was postponed until we received direction from FEMA on the utilization of preliminary Flood Insurance Rate Map (FIRM) data. The attached email confirms that requiring the use of the data from the preliminary Flood Insurance Study (FIS) and FIRM when it is more restrictive than the current effective information is required.

Over the last several years FEMA has been working with the City to gather data on floodplains in an extensive effort to update the FEMA-issued Flood Insurance Rate Maps (FIRM). The regulatory FIRM identifies the Community's flood zones, base flood elevations, and floodplain boundaries. This

map is used to determine where the purchase of flood insurance is required for properties with federally-backed mortgages and is used by staff to determine areas of development requiring floodplain development permits. The Regulatory maps that the City uses to determine Special Flood Hazard Areas were done in 1983 with limited quality data. FEMA released the preliminary FIRM on September 15th, 2016. The preliminary FIRM signifies significant changes for Lots 6, 7, 8, and 9 by placing the majority of this subdivision (SUBD #17-01) in a Special Flood Hazard Area.

Federal Regulation Section 44 CFR 60.3(b)(4) requires communities to “obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other sources.” As outlined by FEMA, “Data obtained are to be used by communities as criteria for requiring that new construction and substantial improvements have their lowest floors elevated to or above the BFE (Base Flood Elevation) and for prohibiting any encroachments in a floodway that would result in any increase in flood levels during occurrence of the base flood discharge. The data obtained should be used as long as they reasonably reflect flooding conditions expected during the base flood, are not known to be scientifically or technically incorrect, and represent the best data available. **Data from a draft or preliminary Flood Insurance Study (FIS) constitute available data under 44 CFR 60.3(b)(4).**”

As for Zone A, areas designated on the community's draft or preliminary FIS constitute available data under Subparagraph 60.3(b)(4). Staff has requested the surveyor to make the following changes to the plat prior to final approval:

☐ The preliminary FIRM database must be used as best available data to delineate flood-zones on this plat.

☐ A note shall be included on the plat, stating that “The property within Flood Zone A, as identified by the Federal Emergency Management Agency, shall be required to comply with Federal Regulations.”

☐ Add the water elevations of the adjoining stream at the date of the survey and the approximate mean high and mean low water elevations of the stream.

☐ Add the distances and bearing on a meander line established not less than twenty feet back from the mean high water mark of the bay, lake or stream.

Notice was sent to all property owners within 300 feet of the property per Section 16.04.090 of the Valdez Municipal Code on December 13th, 2016.

16.04.090 Notification requirements.

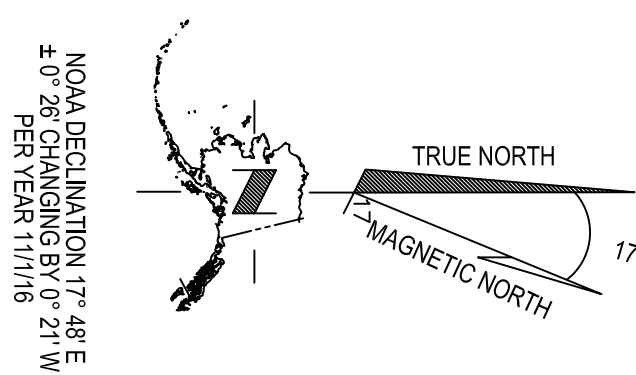
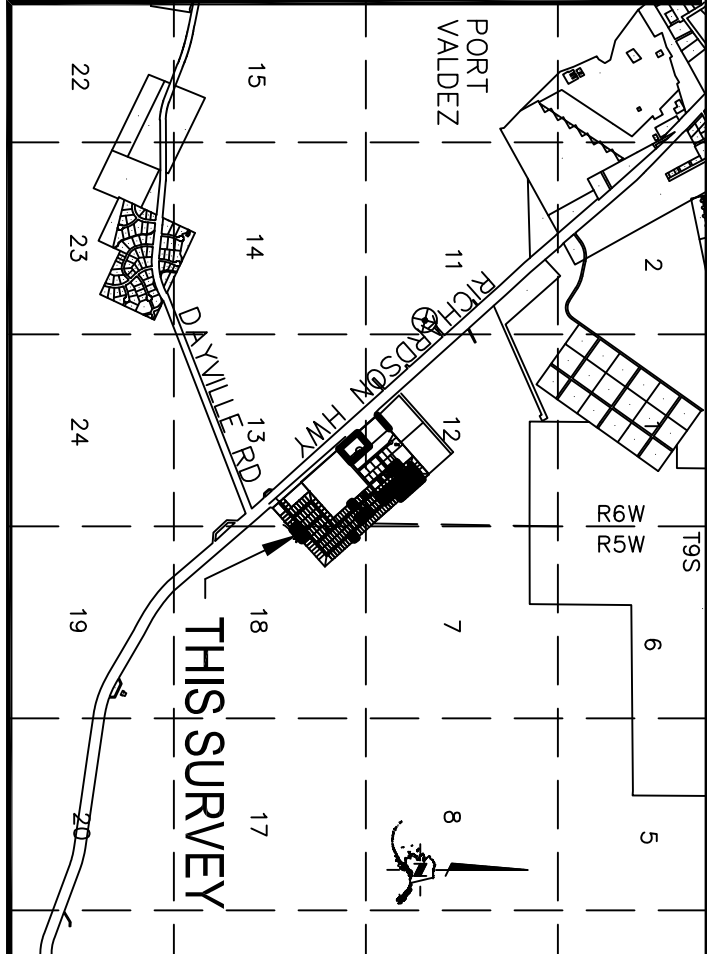
A. A notice shall be sent by mail at least ten days prior to the first scheduled meeting of the Planning and Zoning commission to consider the preliminary plat approval to each owner of property within a distance of three hundred feet of the exterior boundary of the lot or parcel described in the application for subdivision.

B. Consideration of Evidence: The Planning and Zoning Commission shall hear and consider evidence and facts from any person during preliminary and final plat approval or written communication from any person relative to the matter. The right of any person to present evidence shall not be denied for the reason that any such person was not required to be informed of such

subdivision of land.

Staff has not received any comments from adjacent land owners or other notified agencies.

Staff recommends the Planning and Zoning Commission approve preliminary plat (SUBD #17-01) of Anderson Robe River Subdivision.



CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF ANDERSON ROBE RIVER SUBDIVISION, AS SHOWN ON THIS PLAT. I APPROVE THIS SURVEY AND PLAT AND DEDICATE OR RESERVE FOR PUBLIC OR PRIVATE USE, AS SHOWN, ALL EASEMENTS, PUBLIC UTILITY AREAS, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBED ON THIS PLAT.

DANIEL S. ANDERSON
PO BOX 1842
VALDEZ, ALASKA 99686
907-481-1467

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ BY _____

NOTARY FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: _____

TAX CERTIFICATE

I, SHERI L. PIERCE, CITY CLERK FOR THE CITY OF VALDEZ, ALASKA DO HEREBY CERTIFY THAT ALL TAXES LEVIED AGAINST THE PROPERTIES REPRESENTED BY THESE LOT LINES ARE PAID AS OF _____.

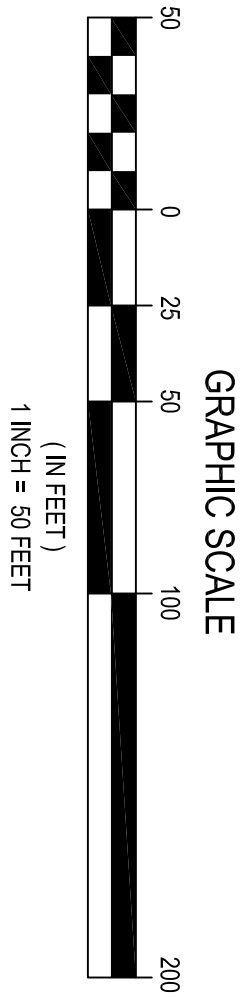
SIGNED
SHERI PIERCE
CITY CLERK, CITY OF VALDEZ

PLAT APPROVAL
I HEREBY CERTIFY THAT THIS PLAT HAS BEEN APPROVED BY THE CITY OF VALDEZ PLANNING AND ZONING COMMISSION FOR RECORDING.

SIGNED
DONALD HAASE
CHAIR OF THE PLANNING AND ZONING COMMISSION
CITY OF VALDEZ

NOTES

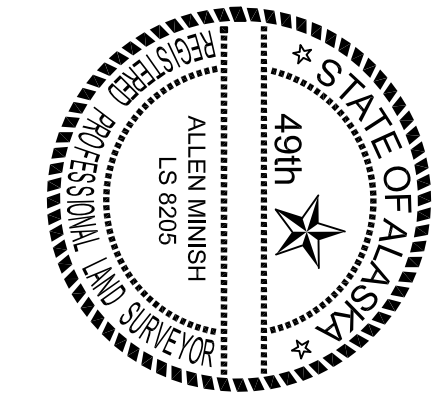
1. THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:5000.
2. BASIS OF BEARING IS FROM HIGH ACCURATE GPS DERIVED USING ALASKA SPZ ZONE 3 AND THE DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
3. ALL LOTS ARE ZONED RA.
4. PUBLIC WATER IS AVAILABLE PRIVATE ON-SITE WATER IS PROHIBITED.
5. ALL ON-SITE WASTEWATER SYSTEMS MUST COMPLY WITH CITY AND STATE REGULATIONS.
6. FLOOD ZONE BASED ON MAP 020397 0066 C DEC. 1, 1983.



SUPERVISOR:
WRANGELL MOUNTAIN TECHNICAL SERVICES

A PLAT OF
ANDERSON ROBE RIVER SUBDIVISION
CREATING LOTS 6A, 7A AND 8A OF BLOCK 1

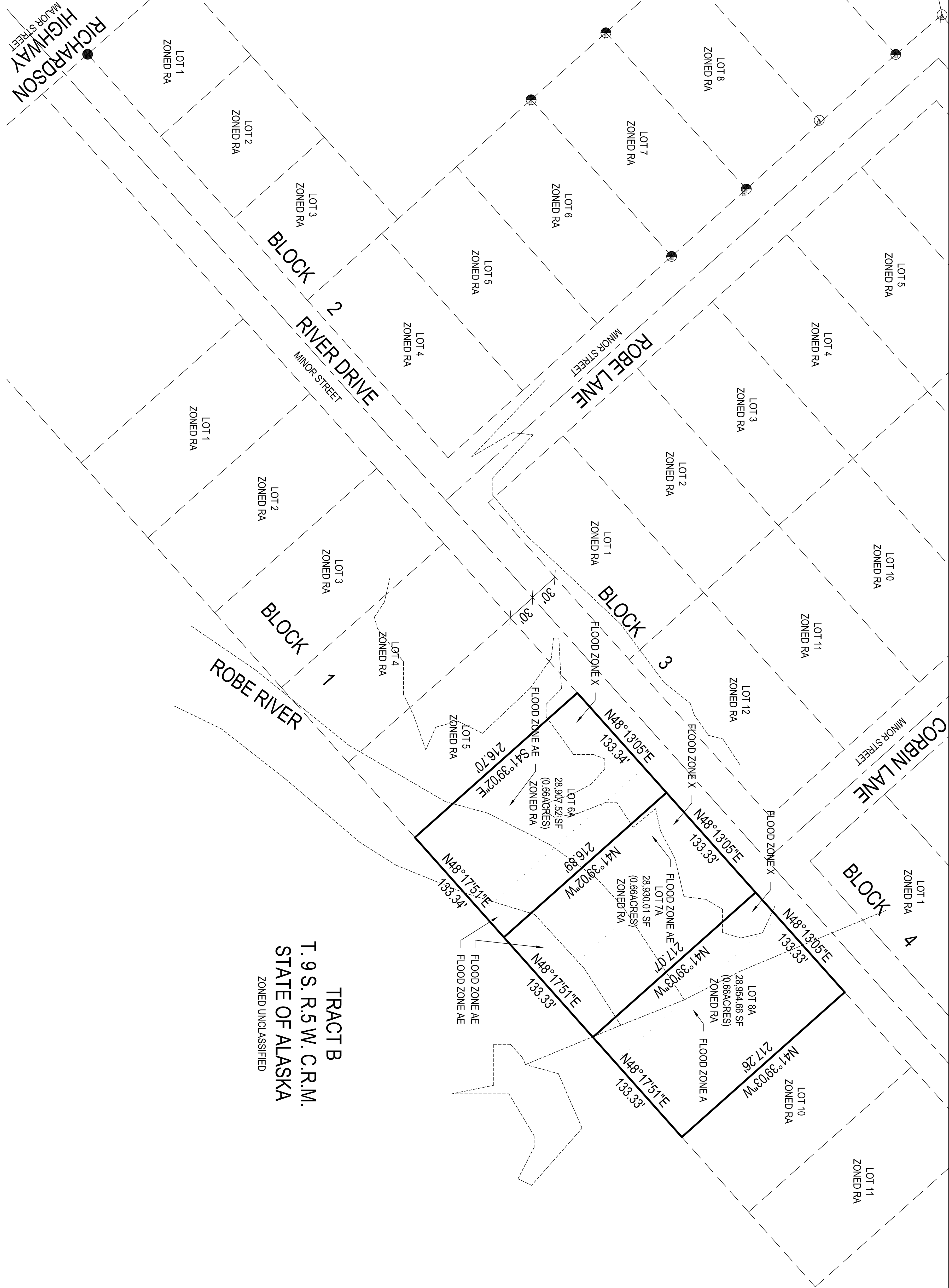
A RE-SUBDIVISION OF
ROBE RIVER PLAT 84-2 V.R.D. LOTS 6, 7, 8 AND 9 BLOCK 1
LOCATED WITHIN SURVEYED
SECTION 18, TOWNSHIP 9 SOUTH, RANGE 5 WEST
SECTION 13, TOWNSHIP 10 SOUTH, RANGE 6 WEST
COOPER RIVER MERIDIAN, ALASKA
CONTAINING 486,792.19 SF (11.192 ACRES)
VALDEZ RECORDING DISTRICT



DRAWN BY: ADM		DATE OF SURVEY:	
CHECKED BY: ADM		DATE:	
DATE: 11/20/21		SCALE: 1" = 50'	
DATE: 11/20/21			

LEGEND

- SET SECONDARY MONUMENT
- △ SET MAG NAIL MONUMENT
- FOUND SECONDARY MONUMENT REBAR
- FOUND REBAR MONUMENT
- SURVEYED
- UNSURVEYED
- EASEMENT
- ROAD CENTERLINE
- LOT LINES TO BE REMOVED AND NOT SHOWN ON FINAL PLAT
- RIVER EDGE



TRACT B
T. 9 S. R. 5 W. C.R.M.
STATE OF ALASKA
ZONED UNCLASSIFIED

SURVEYOR'S CERTIFICATE

I CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION. THAT THE MONUMENTS SHOWN EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE: _____ REGISTRATION No. 8205 S

ALLEN MINISH
REGISTERED LAND SURVEYOR

AnnMarie Lain

From: Wood-McGuinness, Karen [Karen.Wood-McGuinness@fema.dhs.gov]
Sent: Monday, February 06, 2017 1:13 PM
To: AnnMarie Lain
Subject: RE: Community Use of Preliminary FIRM

Follow Up Flag: Follow up
Flag Status: Completed

AnnMarie,

Thanks for the great clarification questions. Your interpretation of 44 CFR 60.3 (b)(4) is correct. It does state that a community is to "...reasonably utilize any base flood elevation and floodway data available." The reasonable refers to locating applicable data; the regulations do not require a community to spend a great deal of time and money (months) to locate usable data. If there is elevation data from the preliminary maps for an Approximate A zone, that constitutes the best data available. This is applicable only for using base flood data in an approximate A zone (Zone A). Also, there is a caveat that the data must be more restrictive. The reason a community would use the base flood elevation (BFE) from the FIS and FIRM from the preliminary maps for land currently within a Zone A is this data is more restrictive.

However, this does not apply to the lateral extent of a Zone A that under the new preliminary FIS and FIRM is smaller than that of the current Zone A. So your statement of "...communities must regulate floodplain development using the data in the preliminary FIS Report and FIRM ...even before the community has officially adopted the new ..." is conditional. If the extent of the Special Flood Hazard Area (SFHA) is less than that of the current Zone A, and to assure an area is "reasonably safe from flooding (44 CFR 60.3(a))," a community must regulate to the larger extent SFHA. The BFE from the preliminary maps is considered more restrictive, although, will usually provide information to an insurance company that will allow a property owner to obtain the best insurance rate.

Your point of requiring delineation of data from the preliminary maps on a proposed subdivision map is the purview of your community. Requiring the use of the data from the preliminary FIS and FIRM when it is more restrictive than the current effective information is required.

I hope this provides some clarification. Please let me know.

Thank you.

Karen

*Karen Wood-McGuinness, CFM
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From: AnnMarie Lain [<mailto:alain@ci.valdez.ak.us>]
Sent: Monday, February 06, 2017 12:09 PM
To: Wood-McGuinness, Karen <Karen.Wood-McGuinness@fema.dhs.gov>
Subject: FW: Community Use of Preliminary FIRM

Hi Karen-

We have an applicant whose platting process is currently on-hold pending your direction. Will you have time to respond to this email today? Thank you

-AML

From: AnnMarie Lain
Sent: Tuesday, January 31, 2017 2:14 PM
To: Wood-McGuinness, Karen
Cc: 'MJacobs@iso.com'; Lisa Von Barga
Subject: Community Use of Preliminary FIRM

Hi Karen-

It is my understanding that when land is designated as being located in the SFHA on a communities FIRM, and no BFEs or floodway have been identified, communities are required to apply the provision contained in subparagraph 60.3(b)(4) requiring communities to:

Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source...

It is also my understanding that communities are to use preliminary flood data and require that new construction and/or substantial improvement projects be built with the lowest floor elevated to or about the preliminary BFE. Subparagraph 60.3(b)(4) states that available BFE or floodway data should be used as long as they:

*Reasonably reflect flooding conditions expected during the base flood;
are not known to be scientifically or technically incorrect; and
represent the best data available.

Data from a preliminary FIS constitute available data.*

It is my understanding that for land currently within Zone A, communities must regulate floodplain development using the data in the preliminary FIS Report and FIRM under Subparagraph 60.3(b)(4) even before the community has officially adopted the new FIS report and FIRM into its floodplain management ordinance.

Subparagraph 60.3(a)(4) requires communities to review subdivision proposals and other proposed land development, including manufactured home parks or subdivisions, to determine whether proposed developments will be reasonably safe from flooding. Communities are required to review such proposals for floodprone areas to ensure that potential flood damage including damage to utilities is minimized, utilities are constructed to minimize or eliminate damage, and adequate drainage is provided to reduce the exposure to flood hazards.

I've requested a surveyor going through the City platting process for a new subdivision to delineate on the preliminary plat the preliminary FIRM data. The surveyor has countered stating that FEMA does not require the use of preliminary data. Your regulatory guidance would be much appreciated.

The current effective FIRM for River Drive panel # 020094 0066C and the preliminary FIRM panels for River Drive are 020094 0302D and 020094 0304D.

Thank you,

-AnnMarie Lain

Anderson Checklist

The tables below show the requirements for preliminary plats and marks the status of each piece of form and content required in Valdez Municipal Code Sections 16.08.030 (Preliminary Plat).

	Preliminary Plat Requirements	Status
	<input checked="" type="checkbox"/> =Completed, <input type="checkbox"/> =Not Completed, N/A=Not Applicable, F=Following Approval	
A	The date, scale and north point;	<input checked="" type="checkbox"/>
B	The proposed subdivision name: which shall not be the same as the name of any plat previously recorded in the city;	<input checked="" type="checkbox"/>
C	The name and address of the owner(s), the surveyor preparing the plat and the name, address and telephone number of a primary contact person;	<input checked="" type="checkbox"/>
D	The location of the subdivision by township and range, section and meridian;	<input checked="" type="checkbox"/>
E	A small scale vicinity map at a scale of not less than one inch to the mile of the section or government subdivision of the section in which the subdivision lies, with the location of the subdivision indicated thereon;	<input checked="" type="checkbox"/>
F	Unless waived and made a condition of preliminary approval, the exact length and bearing of the exterior boundaries of the subdivision;	<input checked="" type="checkbox"/>
G	The location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land;	<input checked="" type="checkbox"/>
H	Zoning on and adjacent to the subdivision;	<input checked="" type="checkbox"/>
I	Location, widths and names of all existing and platted streets, or other public ways and easements, and utility rights-of-way, parks, cemeteries, watercourses, drainage ditches, permanent buildings, bridges and other pertinent data as determined by the director;	<input checked="" type="checkbox"/>
J	The water elevations of adjoining bays, lakes or streams at the date of the survey and the approximate mean high and mean low water elevations of such bays, lakes or streams;	<input type="checkbox"/>
K	If the subdivision borders a bay, lake or stream, the distances and bearing on a meander line established not less than twenty feet back from the mean high water mark of the bay, lake or stream;	<input type="checkbox"/>
L	Areas designated as wetlands by the U.S. Corps of Engineers or in adopted city plans or studies;	N/A
M	The layout, width and approximate grades of all new streets and rights-of-way, such as highways, easements for sewers, water mains and other public utilities;	N/A
N	The direction and distance to the nearest water and sewer mains;	N/A
O	The approximate dimensions and areas of lots;	<input checked="" type="checkbox"/>
P	The proposed building area for each lot; All area	N/A
Q	The approximate radii of all curves and length of the tangent between curves;	<input checked="" type="checkbox"/>
R	The approximate location and area of property proposed to be dedicated for public use or to be reserved by deed covenant for use of all property owners in the subdivision with the conditions, if any, of such dedication or reservation;	<input checked="" type="checkbox"/>
S	Utility easements along rear lot lines shall be at least ten feet wide. The platting authority may require wider utility easements along the rear lot lines of hillside lots. Whenever possible, utilities shall be placed in dedicated rights-of-way except where that placement conflicts with a city or state transportation project;	N/A
T	If the subdivision is proposed to be completed in several phases, the sequence of development must be indicated;	N/A
U	If after consultations with the director it is determined that the location of the proposed subdivision is such, the following information will be required to be included on the preliminary plat: areas known to be susceptible to geophysical hazards including but not limited to landslide, mud and earth flow, soil creep, soil liquification, avalanche chutes, run-outs, or wind blast shall be indicated. Subdivisions which include areas within the tidal wave run up zone as indicated on official city maps and adopted studies shall have these areas identified and labeled "not for human occupation, tidal wave run up area";	N/A
V	If the proposed subdivision is located on land that has a difference in elevation of greater than six percent, the following information shall be provided on the preliminary plat: contours at five-foot vertical intervals. All pertinent elevations should be shown and shall be based on the mean sea level. Where slope exceeds twelve percent, contour lines may be shown at a suitable interval not to exceed twenty feet. The area for which contour data is to be shown shall extend beyond the boundaries of the actual property being platted a distance which will adequately relate the plat to its surroundings. All vertical control shall be based upon mean high water as referenced by the National Oceanic and Atmospheric Administration Port of Valdez, sixty-one degrees eight minutes north, one hundred forty-six degrees twenty-one minutes west, North American 1927 Datum.	<input checked="" type="checkbox"/>

