

CITY OF VALDEZ, ALASKA

ORDINANCE #16-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA AUTHORIZING AN AMENDMENT TO THE ZONING MAP TO EFFECT A CHANGE ON TRACTS 2 AND 3, ALPINE VILLAGE FROM MULTI-FAMILY RESIDENTIAL TO COMMERCIAL RESIDENTIAL ON TRACT 2, ALPINE VILLAGE AND LIGHT INDUSTRIAL ON TRACT 3, ALPINE VILLAGE

WHEREAS, Dwain Dunning is the owner of Tracts 2 and 3, Alpine Village; and

WHEREAS, Mr. Dunning desires to rezone said property from Multi-Family Residential (RC) to Commercial Residential (CR) on Tract 2 and Light Industrial (LI) on Tract 3; and

WHEREAS, Mr. Dunning intends to use Tract 3 for a commercial marijuana cultivation operation and such business are only permitted in the Light Industrial (LI) and Heavy Industrial (HI) zoning districts; and

WHEREAS, Mr. Dunning's property sits directly adjacent to another parcel currently zoned Multi-Family Residential that is being used for that purpose; and

WHEREAS, Light Industrial (LI) zoned property directly adjacent to Multi-Family Residential (RC) is not in conformance with the Comprehensive Plan as the two zoning districts are not compatible with each other; and

WHEREAS, to provide a buffer between the existing Multi-Family (RC) zoned property and the desired Light Industrial (LI) on Tract 3, Mr. Dunning desires to rezone Tract 2 to Commercial Residential;

WHEREAS, a rezone may only be effectuated if the subject property is a minimum of two acres or if the adjacent zoning is the same as the desired zoning; and

WHEREAS, Mr. Dunning has replatted the two parcels to make them 2.38 (Tract 2) and 3.74 (Tract 3) acres, respectively; and

WHEREAS, the Planning & Zoning Commission held a public hearing on August 10, 2016; and following public input and discussion, approved a recommendation to Council on August 31, 2016 to approve this rezone; and

WHEREAS, city staff and the Planning & Zoning Commission find this rezone to be in conformance with the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

Section 1: The zoning map is amended to effect a change to Tracts 2 and 3, Alpine Village from Multi-Family Residential (RC) to Commercial Residential (Tract 2) and Light Industrial (Tract 3).

Section 2: The rezone is conditional upon: Any future change to the use of the property will require the applicant/property owner to go through the conditional use process to include permitted uses. A document requiring this will be recorded to the property.

Section 3: This ordinance becomes effective immediately upon passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ,  
ALASKA, this \_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF VALDEZ, ALASKA

\_\_\_\_\_  
Ruth E. Knight, Mayor

ATTEST:

\_\_\_\_\_  
Sheri L. Pierce, MMC, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Brena, Bell & Clarkson, P.C

First Reading:  
Second Reading:  
Adoption:  
Ayes:  
Noes:  
Absent:  
Abstaining: