

CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE 2022-12

AN ORDINANCE OF THE UNALASKA CITY COUNCIL APPROVING A ZONING AMENDMENT FROM HOLDING ZONE TO MARINE DEPENDENT / INDUSTRIAL ON LOT 2, USS 8449 (LFS CAPTAINS BAY)

WHEREAS, LFS, Inc. is the owner of the parcel referred to as Lot 2, USS 8449 and situated at the end of Captains Bay Road; and

WHEREAS, LFS, Inc. parent company Trident Seafoods intends to construct a new fish processing facility in this location; and

WHEREAS, LFS, Inc. has successfully navigated the city procedures in order to secure tideland leases for the areas adjacent to the subject property for the construction of a new dock to accommodate the loading and offloading of fish and other materials; and

WHEREAS, the new facility represents a significant investment in Unalaska by Trident with the return of increased property taxes and job creation in the community; and

WHEREAS, Unalaska's City Planning Commission passed Resolution 2022-05 recommending approval of the zone change request to the City Council.

NOW THEREFORE BE IT RESOLVED THAT THE UNALASKA CITY COUNCIL approves the zoning change to Marine Dependent / Industrial for the parcel defined as Lot 2, USS 8449.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on August 9, 2022.

Vincent M. Tutiakoff, Sr.
Mayor

ATTEST:

Marjie Veeder, CMC
City Clerk

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: Bil Homka, Planning Director
Through: Chris Hladick, City Manager
Date: July 26, 2022
Re: Ordinance 2022-12: Approving a Zoning Amendment from Holding Zone to Marine Dependent / Industrial on Lot 2, USS 8449 (LFS Captains Bay)

SUMMARY: The City Planning Commission passed their Resolution 2022-05 at a regularly scheduled meeting on June 16, 2022. The resolution recommends City Council approve a zone change request Lot 2, USS 8449. The applicant is LFS, Inc. who desires to convert the site from a rock quarry to a new fish processing plant.

PREVIOUS COUNCIL ACTION: Council has not previously addressed this zoning change request. However, other council action regarding this property includes:

- December 28, 2021: City Council Meeting, Resolution 2021-76 disapproved
- January 11, 2022: Executive Session on Unalaska Tidelands Survey 103, Tracts B & C
- February 22, 2022: Council adopted Resolution 2022-06 authorizing a 66 year lease of Unalaska Tidelands Survey 103 Tracts B and C to LFS, Inc. and authorizing termination of an existing lease of Tract C.

BACKGROUND: This parcel was initially a Native Allotment and was not subject to Unalaska's Zoning Code. The lot was formerly a rock quarry operated by Bering Shai, which sold the lot to LFS, Inc. The transfer of ownership automatically triggers the site's designation to change from Native Allotment to Holding Zone. Subsequently the new owners need to apply for a zoning classification that is appropriate to their proposed use. LFS, Inc. is requesting the lot be rezoned from Holding Zone to Marine Dependent / Industrial for the purposes of constructing a new processing plant.

DISCUSSION: Per UCO § 8.12.190(C), the Planning Commission must find any Zone Amendment/Rezoning action to be reasonable, in the public's interest, and in conformance with the goals and objectives of the Comprehensive Plan in order to offer support. The Planning Commission found that rezoning this property to Marine Dependent Industrial met these three tests. Planning Commission Resolution 2022-05 was approved and recommends City Council review and approve the same based on the findings outlined below.

Reasonable. The Marine Dependent / Industrial zone is reasonable because it promotes a land use that matches the character of its surroundings and would not cause any particular burdens on the area. The lot is sufficiently sized for the structure and necessary parking requirements. Furthermore, the adjacent tidelands allow for the uses allowed within the Marine Dependent / Industrial zoning district.

Public Interest. The Marine Dependent / Industrial zone is in the public interest because it allows for the property to be developed with minimal impact to Unalaska's built environment and will

enable a new company to construct a processing plant that will bring new jobs and increase the City's tax base.

Comprehensive Plan. The Marine Dependent / Industrial zone is also consistent with the Comprehensive Plan. The Comprehensive Plan's Economic Development goals include:

1. "Make more land available for housing and businesses."
2. The Comprehensive Plan in general calls for increases to business and efficient processing.
3. The Unalaska Land Use Plan does not call for changes to the land uses in the subarea.

ALTERNATIVES: Section 8.12.190(D)(2) outlines potential Council actions as follows: The City Council may accept the recommendation of the Planning Commission or approve a modification to the recommendation of the Planning Commission. Although an outright rejection of the recommendation of the Planning Commission by the Council is possible, doing so is not advised as there currently are no future plans for other uses.

FINANCIAL IMPLICATIONS: None at this time

LEGAL: The Zone Amendment request is proceeding in accordance with City Code. City council must hold two readings of the proposed ordinance and a public hearing prior to taking any action on the zone change request. This matter is not an emergency.

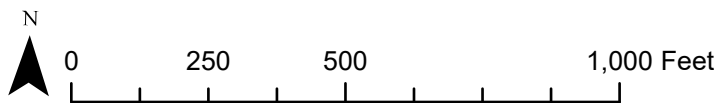
STAFF RECOMMENDATION: Staff recommends the Council accept the Planning Commission's recommendation and adoption of Ordinance 2022-12, rezoning the property from Holding Zone to Marine Dependent / Industrial

PROPOSED MOTION: I move to schedule Ordinance 2022-12 for public hearing and second reading on August 9, 2022.

CITY MANAGER COMMENTS: I support staff's recommendation.

ATTACHMENTS:

- Aerial Map with Parcel Lines and Subject Lot
- Signed Planning Commission Resolution 2022-05, 6/16/2022
- Meeting Minutes, 6/16/2022
- Public Meeting Notice, 6/16/2022



Maps and associated information have been created or purchased by the City of Unalaska and were compiled from the most authentic data available. The City is not responsible for any errors or omissions contained hereon. All data and materials Copyright © 2022. All Rights Reserved.



**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2022-05**

**A RESOLUTION APPROVING A ZONE ADMENDMENT FROM HOLDING ZONE TO
MARINE DEPENDENT INDUSTRIAL ON LOT 2, USS 8449, AIRD**

WHEREAS, UCO §8.12.190 sets forth the procedures for the taking action on a zoning map amendment application; and

WHEREAS, the applicant, LFS Inc., is the owner of Lot 2, USS 8449, filed in the Aleutian Islands Recording District, located approximately at Mile 3.3, Captains Bay Road (08-04-200); and

WHEREAS, LFS, Inc., has submitted a zoning map amendment application to rezone this property from Holding Zone to Marine Dependent Industrial; and

WHEREAS, the City of Unalaska Departments of Planning, Public Works, Public Utilities and Public Safety have reviewed the request; and

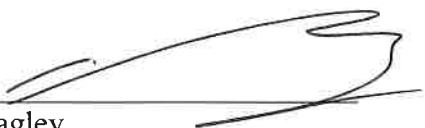
WHEREAS, notices of the public hearing were posted and mailed; and

WHEREAS, the City of Unalaska Planning Commission held a public hearing on June 16, 2022 to consider this request and to hear testimony of the public on Resolution 2022-05.

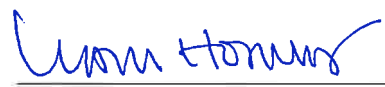
THEREFORE, BE IT RESOLVED, the Planning Commission recommends to the City Council approval of the rezone of Lot 2, USS 8449, filed in the Aleutian Islands Recording District, located at approximately Mile 3.3, Captains Bay Road (08-04-200), to Marine Dependent Industrial.

BE IT FURTHER RESOLVED, the secretary of the Planning Commission is to certify a copy of this Resolution and to file it with the Unalaska City Clerk no later than fifteen (15) working days from the date shown below.

APPROVED AND ADOPTED THIS 16TH DAY OF JUNE, 2022, BY THE PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.



Ian Bagley
Acting Commission Chair



William Homka, AICP, Planning Director
Secretary

City of Unalaska
UNALASKA PLANNING COMMISSION

P. O. Box 610 • Unalaska, Alaska 99685
(907) 581-1251 • www.ci.unalaska.ak.us

Regular Meeting
Thursday, June 16, 2022
6:00 p.m.

Unalaska City Hall
Council Chambers
43 Raven Way

Commission Members
Ian Bagley
Virginia Hatfield.

Travis Swangel, Chairman

Commission Members
Vicki Williams
Rainier Marquez

MINUTES

1. Call to order. Commissioner Bagley chaired the meeting due to Swangel attending by phone. Bagley called the Regular Meeting of the Unalaska Planning Commission to order at 6:00 pm, on June 16, 2022, in the Unalaska City Hall council chambers.
2. Roll call

<u>Present:</u>	<u>Absent:</u>
Virginia Hatfield Ian Bagley	Rainier Marquez
Travis Swangel (phone) Vicki Williams	
3. Revisions to the Agenda – Revised text for Resolution 2022-07.
4. Appearance Requests – None.
5. Announcements – None.
6. Minutes – Hatfield made a motion to approve April 21, 2022 Planning Commission minutes, Bagley seconded motion. No discussion, approved 4-0
7. Public Hearing – Resolution 2022-05 - None. Resolution 2022-06 – None. Resolution 2022-07 – None.
8. Old Business – None.
9. New Business – Bagley made a motion approve Resolution 2022-05; Williams seconded. Motion passed 4-0. Bagley made a motion to approve Resolution 2022-06; Hatfield seconded. Motion passed 4-0. Bagley made a motion to approve Resolution 2022-07; Hatfield seconded. Motion passed 4-0.
10. Worksession – None.
11. Adjournment – Having completed the agenda, the meeting was adjourned without objection at 6:25 pm.

William Homka, AICP
Secretary of the Commission

Travis Swangel
Commission Chairman

Date

Date

**CITY OF UNALASKA, ALASKA
PLANNING COMMISSION & PLATTING BOARD
REGULAR MEETING
THURSDAY, JUNE 16, 2022, 6:00 PM
AGENDA**

ZOOM Meeting Link:

<https://us02web.zoom.us/j/89874827348?pwd=b3FmenNYME9IaW5VNjNtQlpCY2k4QT09>

Meeting ID: 898 7482 7348 Passcode: 712370

Toll Free Numbers: 833 548 0276 833 548 0282 877 853 5247 888 788 0099

CALL TO ORDER
ROLL CALL
REVISIONS TO THE AGENDA
APPEARANCE REQUESTS
ANNOUNCEMENTS
MINUTES: Draft minutes from the meeting April 21, 2022

PUBLIC HEARING

1. **RESOLUTION 2022-05:** A RESOLUTION APPROVING THE REZONING OF LOT 2, USS 8449, FROM HOLDING ZONE TO MARINE DEPENDENT INDUSTRIAL
2. **RESOLUTION 2022-06:** A RESOLUTION APPROVING AN EXTENSION TO THE PRELIMINARY PLAT OF PARKSIDE ESTATES SUBDIVISION
3. **RESOLUTION 2022-07:** DRAFT TITLE FOR AGENDA: A RESOLUTION ZONING A 1.156-ACRE PARCEL ADJACENT TO/SEAWARD OF TRACT A, ATS 1360

OLD BUSINESS

No Items

NEW BUSINESS

1. **RESOLUTION 2022-05:** A RESOLUTION APPROVING THE REZONING OF LOT 2, USS 8449, FROM HOLDING ZONE TO MARINE DEPENDENT INDUSTRIAL
2. **RESOLUTION 2022-06:** A RESOLUTION APPROVING AN EXTENSION TO THE PRELIMINARY PLAT OF PARKSIDE ESTATES SUBDIVISION
3. **RESOLUTION 2022-07:** DRAFT TITLE FOR AGENDA: A RESOLUTION ZONING A 1.156-ACRE PARCEL ADJACENT TO/SEAWARD OF TRACT A, ATS 1360

WORKSESSION

No Items

ADJOURNMENT