

CITY OF UNALASKA
UNALASKA, ALASKA

ORDINANCE 2022-13

AN ORDINANCE OF THE UNALASKA CITY COUNCIL APPROVING A ZONING AMENDMENT FROM UNZONED TIDELANDS TO DEVELOPABLE TIDELANDS DISTRICT FOR 1.156 ACRES ADJACENT TO TRACT A, ATS 1360 TIDELANDS AREA

BE IT ENACTED BY THE UNALASKA CITY COUNCIL:

Section 1: Classification. This is non-code Ordinance.

Section 2: Assignment of Developable Tideland Zoning Classification to 1.156 acres adjacent to Tract A, ATS 1360 Tideland area.

WHEREAS, the existing Bobby Storrs Small Boat Harbor is in need of replacement and reconfiguration to bring the facility up to standard and accommodate more vessels; and

WHEREAS, the City proposes to undertake the re-design and expansion of the existing Bobby Storrs Small Boat facility and needs additional 1.156 acres of tideland from the State of Alaska; and

WHEREAS, the additional tideland will facilitate the expansion project via land exchange with UniSea to allow for adequate parking for the Small Boat Harbor and an expanded, more efficient floating dock; and

WHEREAS, the additional tideland will facilitate adequate space for the expansion project and maintain a channel needed to access of the OC/Pacific Stevedoring tideland; and

WHEREAS, the tideland area owned by the State of Alaska is un-zoned and rezoning it to Developable Tidelands will accommodate the expansion project's proposed use; and

WHEREAS, the City has an application for purchase of State land pending with the State of Alaska Department of Natural Resources Division of Mining, Land and Water; and

WHEREAS, the State requires the area to be zoned or to exist on a plan to be zoned.

Section 3: Effective Date. This ordinance is effective upon passage.

NOW THEREFORE BE IT RESOLVED THAT THE UNALASKA CITY COUNCIL approves the zoning designation of Developable Tideland for the newly acquired tideland area defined as 1.156 acres adjacent to Tract A, ATS 1360 Tideland area.

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, Director, Planning Department
Through: Chris Hladick, City Manager
Date: August 9, 2022
Re: Ordinance 2022-13: Approving a Zoning Amendment from Unzoned Tidelands to Developable Tidelands District for 1.156 acres adjacent to Tract A, ATS 1360 Tidelands Area

SUMMARY: The City Planning Commission passed their Resolution 2022-07 at a regularly scheduled meeting on June 16, 2022. The Planning Commission resolution recommends City Council approve a zone change request for the property described above. The applicant is the City of Unalaska and this zoning action is a required element of the State of Alaska's tideland acquisition/transfer process. The City needs the additional tidelands to provide room to redesign the small boat harbor. Tonight is the second reading of the attached ordinance.

PREVIOUS COUNCIL ACTION: Resolution 2021-81 supporting the City's application to acquire tide and submerged land from the State of Alaska Department of Natural Resources for the expansion and remodel of the Robert Storrs Small Boat Harbor was adopted on December 28, 2021.

BACKGROUND: The City committed to improving the Bobby Storrs Small Boat Harbor (BSS) as part of the Carl E. Moses (CEM) harbor project about a decade ago. The CEM has been a successful project and the City has the BSS on its Capital & Major Maintenance Plan (CMMP). The project is due to happen in FY23 and the Planning Department is working with the Ports Department to acquire the land necessary to facilitate additional dock space, new dock layout, new parking layout, and new restroom facilities.

DISCUSSION: The BSS improvement project involves coordinating with the State of Alaska to acquire additional tidelands and working with UniSea to trade some property at the shoreline. The new tideland area will enable a new, more efficient dock space layout. The property along the shoreline owned by UniSea will be exchanged with land the City owns to facilitate better parking and create more room to construct restrooms. The land UniSea will receive will be more practical for the company's Harborview Bar & Grille, operated by its hospitality division. Figure 1 illustrates the project concept and land reutilization areas in the tideland and along the shore/uplands areas.

The existing docks at BSS will be replaced. They were not designed for the current space, but were relocated/repurposed from another area in the City. Sometime in 2018 a portion of the A float needed to be removed due to damage and risk of sinking. There are multiple deficiencies in the existing dock facility. Structural elements are at risk of failure in the near future.

This project was specifically added to the Comprehensive Plan because of its importance to the community. Additional tideland was not needed when the project was first considered, however changes were made to the plan to meet current and future needs of the small boat harbor.

As part of the City's application to acquire the tidelands from the State of Alaska, City Council approved Resolution 2021-81 to acquire tide and submerged land from the State of Alaska. The

resolution was an application requirement. The State of Alaska's Department of Natural Resources Division of Mining, Land and Water is currently reviewing the application.

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. City Council can also reject the Planning Commission's recommendation.

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 adopt Ordinance 2022-13, rezoning the property from Unzoned Tidelands to Developable Tidelands District.

PROPOSED MOTION: This ordinance is included in the consent agenda. If the ordinance is moved to the regular agenda for discussion, the proposed motion would be to adopt Ordinance 2022-13.

CITY MANAGER COMMENTS: I support staff's recommendation.

ATTACHMENTS:

- FY22-31 CMMP project sheet
- Planning Commission Resolution 2022-07 with attached Exhibit A
- Public Meeting Notice 6/16/2022
- Meeting Minutes 6/16/2022

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2022-07**

**A RESOLUTION APPROVING THE ESTABLISHMENT OF A DEVELOPABLE TIDELANDS
ZONE ON A 1.156-ACRE PARCEL ADJACENT TO AND SEAWARD OF TRACT A, ATS 1360,
PLAT 92-18, AIRD**

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

WHEREAS, the State of Alaska, is the owner of a 1.156-acre subject parcel adjacent to and seaward of Tract A, ATS 1360, Plat 92-18; and

WHEREAS, AS 38.05.825(a)(5), states that land must be classified for waterfront development or for another use that is consistent or compatible with the use proposed by the municipality; and

WHEREAS, the City of Unalaska, has submitted a zoning map amendment application to apply the Developable Tidelands zone to the property depicted in Exhibit A; and

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

WHEREAS, the construction of a small boat harbor, the Robert Storrs Small Boat Harbor, is in the public interest, as identified in the Unalaska Comprehensive Plan 2020; 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 2022-07; and


THEREFORE, BE IT RESOLVED, the Planning Commission recommends to the City Council approval of the zoning of the 1.156-acre subject parcel adjacent to and seaward of Tract A, ATS 1360, Plat 92-18 to Developable Tidelands.

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.



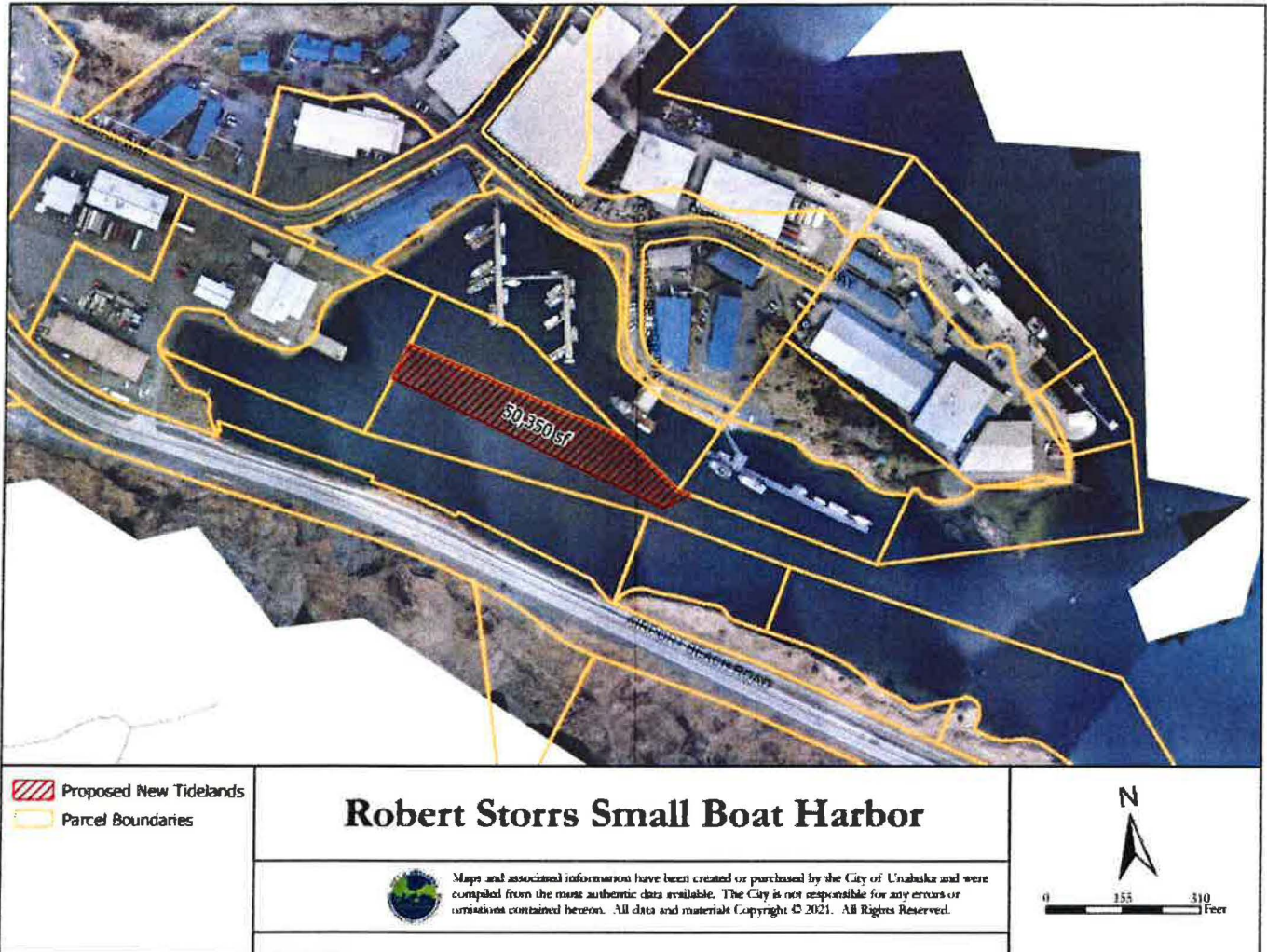
Ian Bagley
Acting Commission Chair



Bil Homka, AICP, Planning Director
Secretary of the Commission

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2022-07R**

EXHIBIT A



**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

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

7-21-22
Date



Travis Swangel
Commission Chairman

7-21-22
Date