



City of Valdez

212 Chenega Ave.
Valdez, AK 99686

Meeting Agenda

City Council

Wednesday, October 12, 2022

6:00 PM

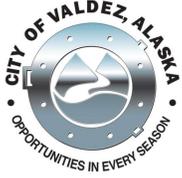
Council Chambers

Work Session - Title 17 Zoning Code Project Update

CITY COUNCIL & PLANNING AND ZONING COMMISSION JOINT WORK SESSION TITLE 17 ZONING CODE PROJECT UPDATE - 6:00 pm

Transcribed minutes are not taken for Work Sessions. Audio is available upon request.

1. [Land Acknowledgement, Introductions, Work Session Objectives](#)
2. [Context](#)
3. [Project Overview - Goals, Approach, and Schedule](#)
4. [What We've Learned So Far: Known and Emerging Issues with Current Title 17](#)
5. [Interactive Discussion](#)
6. [Next Steps and Project Timeline](#)



Legislation Text

File #: 22-0523, **Version:** 1

ITEM TITLE:

Land Acknowledgement, Introductions, Work Session Objectives

SUBMITTED BY: Kate Huber, Planning Director

FISCAL NOTES:

Expenditure Required: n/a

Unencumbered Balance: n/a

Funding Source: n/a

RECOMMENDATION:

n/a - discussion only

SUMMARY STATEMENT:

The Planning Director and Project Manager from Agnew::Beck Consulting will provide introductions and review the work session objectives.

A PDF document provided by the project consulting team is attached. It includes all of the information in the agenda packet in one place. Council members and commissioners may find it easier to review this information in the attachment.

City of Valdez: Zoning Code (Title 17) Update



City Council – Planning and Zoning Commission Joint Work Session:
 Zoning Code (Title 17) Update: Project Introduction and Discussion
 Wednesday, October 12, 2022 | 6:00 – 7:30 p.m.

PRESENTERS

City of Valdez Planning Department: Kate Huber, Director; Bruce Wall and Nicole LeRoy, staff
Agnew::Beck Consulting: Shelly Wade and Anna Brawley (Anchorage, AK)
Stantec: Erin Perdu (Minneapolis, MN) and Ryan Givens (Bellevue, WA)

WORK SESSION OBJECTIVES

1. Introduce Zoning Code (Title 17) Update project; connect to PlanValdez (Comprehensive Plan)
2. Confirm project goals for Title 17 update
3. Identify known issues with current Title 17
4. Identify desired approach(es) on specific topics to be addressed in code

AGENDA

Time (approximate)	Item	Lead
6:00 pm	Call to Order; Roll Call	Mayor Sharon Scheidt
6:10 pm	Land Acknowledgement Introductions, Work Session Objectives	Kate Huber, Planning Director Shelly Wade (facilitator) and team
6:15 pm	Context <ul style="list-style-type: none"> • What is a Comprehensive Plan? What is Zoning? • How does updating Title 17 connect back to PlanValdez? 	Shelly Wade
6:20 pm	Project Overview <ul style="list-style-type: none"> • Review project goals, approach, and schedule (see page 2) 	Shelly Wade
6:30 pm	What We’ve Learned So Far <ul style="list-style-type: none"> • Known and emerging issues with current Title 17 (see page 3) 	Erin Perdu
6:50 pm	Interactive Discussion on key topics (see page 4)	Erin Perdu, Ryan Givens
7:20 pm	Next Steps and upcoming project timeline	Shelly Wade
7:30 pm	Adjourn	Mayor Sharon Scheidt

NOTE TO COUNCIL AND PLANNING & ZONING COMMISSION

Dear Council Members and Commissioners:

Please review this packet prior to the work session. Review “Homework” questions identified in each section of this document. Consider what you would like to share during discussion.

You do not need to “turn in” homework, just review and be prepared to discuss the questions!

PREPARATION MATERIALS

INTRODUCTION

Our team is looking forward to facilitating a joint work session with you on Wednesday, October 12, 2022. To help you prepare, we are providing some background information so that we can all start with the same base of knowledge. We also have some homework questions for you to think about before the meeting, so we can make the best use of our limited time.

PROJECT GOALS, APPROACH, AND SCHEDULE

HOMEWORK: Do you have additional or different goals for the zoning code update?

Goals

The proposed overall goals for revising the zoning code include:

1. Create an ordinance that is practical, usable, and effective.
2. Ensure the ordinance is easy to understand and interpret, for the benefit of property owners, developers, and staff.
3. Eliminate unnecessary regulation and process steps.
4. Align districts, uses and standards to the place types and goals defined in PlanValdez (Comprehensive Plan).
5. Modernize code language.
6. Include more options and flexibility for innovative uses of property, while mitigating potential negative impacts on neighbors.
7. Allow for more mixed-use development.
8. Make desired housing types easier to build.
9. Ensure that the code supports places where people (residents and visitors) want to spend time.
10. Incorporate equity into code requirements.

Schedule and Community Engagement Plan

The project team will engage with the Council, Commission and the community at multiple points.

Timeframe	Activity or Milestone
Sep. 29, 2022	Staff Listening Session: Planning Department
Oct. 12, 2022	City Council and Planning and Zoning Commission Joint Work Session #1
October 2022	Staff Listening Session 2: Additional City Departments
Fall 2022 – Spring 2023	Working Group: regular (monthly) working meetings with stakeholders representing community perspectives. Will include Council member(s) and Commissioner(s). <i>To be formed in October</i>
Fall 2022 – Winter 2023	Community outreach: survey, in-person workshop. <i>Schedule to be refined this fall.</i>
Winter 2023	Initial review draft of zoning code (Title 17)
Spring 2023	City Council and Planning and Zoning Commission Joint Work Session #2
Spring 2023	Official public hearing draft and approval process for new zoning ordinance

KNOWN ISSUES WITH TITLE 17

HOMEWORK: We made a preliminary list of issues with current code. What are we missing? If you have examples of things that are working or not working, please plan to share them!

We have had the opportunity to review your existing zoning ordinance (Title 17) and held a listening session with staff on September 29, 2022 to understand known issues with the zoning code, how it impacts businesses' and residents' ability to build or update their properties, and difficulties for staff implementing the current code and assisting the public in navigating the rules.

Based on those two activities, we are sharing our initial understanding of issues that need to be addressed in the ordinance update. We will continue this learning during the joint work session and other research and stakeholder engagement.

Known/Emerging Issues (Preliminary List)

1. Natural hazards create barriers for development in Valdez; therefore, to protect people and the natural environment, regulations need to be responsive to these potential hazards.
2. Valdez is a winter city, so things like snow storage need to be considered when looking at setbacks, building placement regulations, and the public realm.
3. Make the ordinance clearer and more flexible, allowing for the types of housing and development that the city wants. Currently, staff spends a lot of time with property owners and developers interpreting what's possible, and often there is not an appropriate district to apply.
4. It would be beneficial for both property owners and staff to have an option to evaluate minor variances with administrative approval, rather than having to use a formal public hearing process; reserve the full review process for larger or more complex projects.
5. Definitions and land use descriptions are narrow and prescriptive.
6. There are several districts that are either rarely used or very similar to other districts; consider consolidation of districts. Align these districts with the Place Types defined in PlanValdez.
7. Lists of uses are antiquated, too specific, and should be more generalized.
8. Need to balance the desire for a walkable community with the needs of freight carriers and residents who drive.
9. Accommodate existing businesses/uses as much as possible: because there are so many other barriers to development, from remote location to construction costs, it is important to allow people to keep operating.
10. Rather than making non-conforming uses or businesses with significant impacts relocate, consider buffers or transition requirements to mitigate any negative impacts on neighbors.

QUESTIONS FOR CONSIDERATION

HOMEWORK: Think about what you'd like to share on these topics during the work session.

We appreciate local examples to illustrate the types of development the community wants more of (or to avoid) as we draft changes to code. Is there a building, street or place that represents what you want Valdez to look like? Please share examples during the discussion!

Please spend some time prior to the meeting considering the following questions. We will discuss these during the work session. Specific local examples are helpful!

1. What are strengths of Valdez, and how it's built today? What should the code continue to allow and encourage?
2. Where are the best places in the city that we should look to codify in Title 17? (meaning, ensure that the development pattern is allowed and supported in code)?
3. What are your top 3 priority areas for us to consider in the update of the zoning code (Title 17)?
4. What are some examples of where the zoning code is confusing?
5. Where have you seen the zoning code act as a barrier to accomplishing the community's goals?
6. We understand that currently there is no shorter, more streamlined process to address smaller issues like minor variances, that everything is either allowed by right or triggers the full planning review process. Would you agree with this assessment? What are some examples of projects or issues (uses, required conditions, variances) that you believe should NOT require a full, formal review process?
7. What types of housing are lacking in Valdez, and need more support from the zoning code?

BACKGROUND

WHAT IS A COMPREHENSIVE PLAN?

(Source: PlanValdez, Introduction)

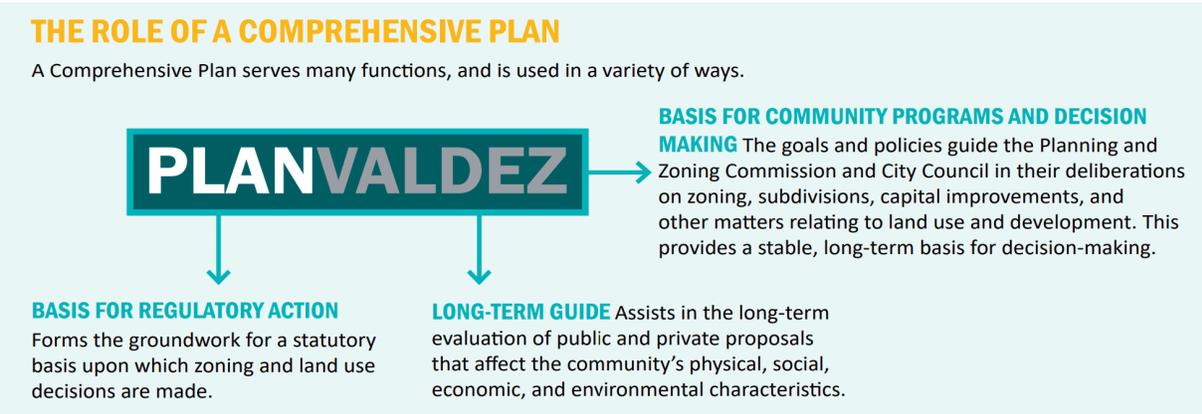
A comprehensive plan is a guide to the community’s future, providing direction on what the community aspires to be and how it should look 20 years into the future. It is a navigational tool, a compass to evaluate alternative decisions and determine which are best aligned with the community’s vision. It starts with an aspirational vision of what the people want the community to be in the future and provides actions intended to move the city towards the goals established in the Plan.

PlanValdez is the City of Valdez’s current comprehensive plan, adopted in 2021. Specifically, PlanValdez outlines short- and long-term planning actions that will continue to safeguard the City’s history and sense of place. Overall, the plan:

- Establishes a blueprint for future land use and infrastructure to effectively and efficiently guide private and public investments;
- Seeks to balance competing demands on land to the greatest benefit for citizens and the community as a whole;
- Identifies areas that will benefit from public infrastructure to promote well-planned, phased development patterns;
- Facilitates the development of work plans, budgets, capital improvements, and recommended amendments to zoning and land use ordinances to achieve desired goals and responsible stewardship of public resources; and
- Implements a consistent framework for addressing land use issues that will establish a degree of predictably for property owners, businesses, and residents.

The comprehensive plan is used by City staff, well as elected and appointed officials, as a guide for making decisions about development, capital improvements, and budgeting. While the Plan provides vision, goals, policies, and actions, it does not have the legislative “teeth” of city ordinances. For example, the future land use map in PlanValdez shows what the City intends for future use of properties, but does not govern what happens on the property right now. Instead, it represents a gradual transition towards a long-term vision.

Figure 1. Graphic illustrating the purpose of comprehensive plan (Source: PlanValdez)



ZONING CODE

Zoning is the law that governs how land is used or developed. Its main purpose is to promote the public health, safety, and general welfare of the residents of a city. A zoning code does this by regulating land uses and where they can be established; the form of development (where and how buildings are placed on the land); and other items related to how a property functions. Valdez Zoning Code (Title 17) stated purpose is to:

Regulate the use of land and improvements by districts in accordance with the city comprehensive plan. These zoning regulations are designed to provide for orderly development; to lessen street congestion; to promote fire safety and public order; to protect the public health and general welfare; to provide safe, aesthetic surroundings and living conditions; to prevent overcrowding; and to stimulate systematic development of transportation, water, sewer, school, park and other public facilities. [\[VMC 17.02.020\]](#)

This project to update Title 17 is one of multiple implementation steps to take the broad policy guidance in PlanValdez and incorporate the goals and desired future development of Valdez into city law. Zoning is the most important implementation tool for a comprehensive plan, closely linked to the plan itself.

What is included in a zoning code?

Typical components/structure of a successful zoning code ordinance include:

- Process/Review Procedures
- Review/Decision Making Bodies
- Table of Uses (rather than listing individual uses in each district)
- Dimensional Standards (tailored to the intended outcome/built form)
- Flexibility Provisions (e.g., variances / administrative adjustments)
- Nonconforming Provisions
- Buffering/Capability Standards
- Parking/Mobility Standards
- Design Guidelines

How Zoning links to PlanValdez (Comprehensive Plan)

Plan Valdez has many sections that directly impact how we approach the zoning code. The most obvious is the establishment of **Place Types**. Place Types describe the appropriate mix of land uses (primary, supporting, and incompatible) and defining characteristics (such as connectivity and visual character). The zoning code should be updated to reflect the vision in these Place Types, such as the existing use districts (and other sections) updated to align with the broad definitions of the Place Types.

Other links between the Comprehensive Plan and Title 17 include:

- **Goal 2.1:** Plan for responsible growth (and associated Actions)
- **Goal 2.3:** Promote, protect and build quality housing (and associated Actions)
- **Goal 5.2:** Provide programs and facilities for active lifestyles
Action: Update Title 17 to include conditions for approval for new motorized sports facilities.
- **Goal 7.1:** Reduce the community's vulnerability to natural events



Legislation Text

File #: 22-0524, **Version:** 1

ITEM TITLE:

Context

SUBMITTED BY: Kate Huber, Planning Director

FISCAL NOTES:

Expenditure Required: n/a

Unencumbered Balance: n/a

Funding Source: n/a

RECOMMENDATION:

n/a - discussion only

SUMMARY STATEMENT:

The consulting team, led by Shelly Wade of Agnew::Beck, will review the basics of a comprehensive plan and zoning regulations.

BACKGROUND

WHAT IS A COMPREHENSIVE PLAN?

(Source: Plan Valdez, Introduction)

A comprehensive plan is a guide to the community's future, providing direction on what the community aspires to be and how it should look 20 years into the future. It is a navigational tool, a compass to evaluate alternative decisions and determine which are best aligned with the community's vision. It starts with an aspirational vision of what the people want the community to be in the future and provides actions intended to move the city towards the goals established in the Plan.

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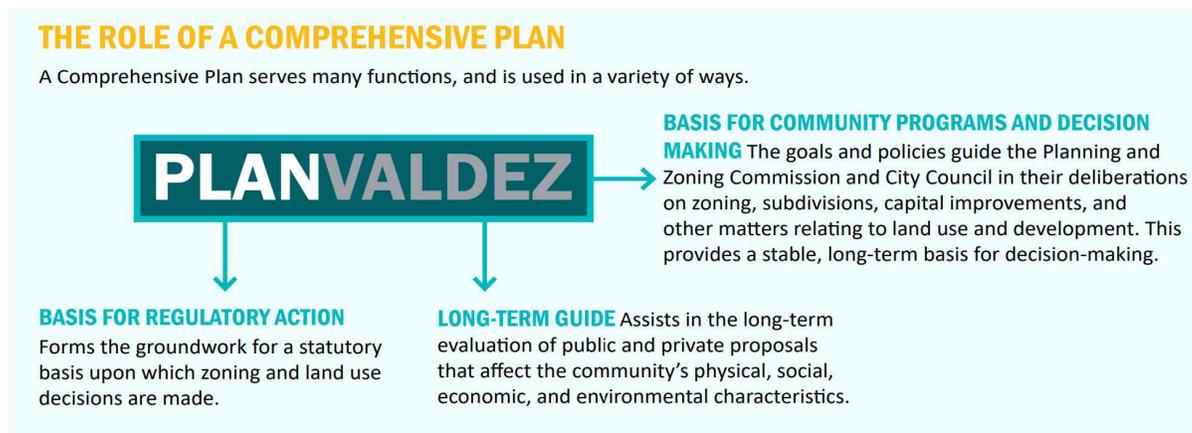
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development patterns;

- Facilitates the development of work plans, budgets, capital improvements, and recommended amendments to zoning and land use ordinances to achieve desired goals and responsible stewardship of public resources; and
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The comprehensive plan is used by City staff, well as elected and appointed officials, as a guide for making decisions about development, capital improvements, and budgeting. While the Plan provides vision, goals, policies, and actions, it does not have the legislative “teeth” of city ordinances. For example, the future land use map in Plan Valdez shows what the City intends for future use of properties, but does not govern what happens on the property right now. Instead, it represents a gradual transition towards a long-term vision.

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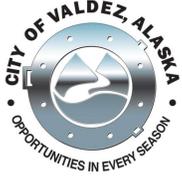
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Other links between the Comprehensive Plan and Title 17 include:

- Goal 2.1: Plan for responsible growth (and associated Actions)
- Goal 2.3: Promote, protect and build quality housing (and associated Actions)
- Goal 5.2: Provide programs and facilities for active lifestyles

Action: Update Title 17 to include conditions for approval for new motorized sports facilities.

- Goal 7.1: Reduce the community's vulnerability to natural events



Legislation Text

File #: 22-0525, **Version:** 1

ITEM TITLE:

Project Overview - Goals, Approach, and Schedule

SUBMITTED BY: Kate Huber, Planning Director

FISCAL NOTES:

Expenditure Required: n/a

Unencumbered Balance: n/a

Funding Source: n/a

RECOMMENDATION:

n/a - discussion only

SUMMARY STATEMENT:

PROJECT GOALS, APPROACH, AND SCHEDULE

Goals

The proposed overall goals for revising the zoning code include:

1. Create an ordinance that is practical, usable, and effective.
2. Ensure the ordinance is easy to understand and interpret, for the benefit of property owners, developers, and staff.
3. Eliminate unnecessary regulation and process steps.
4. Align districts, uses and standards to the place types and goals defined in Plan Valdez (Comprehensive Plan).
5. Modernize code language.
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7. Allow for more mixed-use development.
8. Make desired housing types easier to build.
9. Ensure that the code supports places where people (residents and visitors) want to spend time.

10. Incorporate equity into code requirements.

Discussion Question: Do you have additional or different goals for the zoning code update?

Schedule and Community Engagement Plan

The project team will engage with the Council, Commission and the community at multiple points.

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Spring 2023	Official public hearing draft and approval process for new zoning ordinance



Legislation Text

File #: 22-0526, **Version:** 1

ITEM TITLE:

What We've Learned So Far: Known and Emerging Issues with Current Title 17

SUBMITTED BY: Kate Huber, Planning Director

FISCAL NOTES:

Expenditure Required: n/a

Unencumbered Balance: n/a

Funding Source: n/a

RECOMMENDATION:

n/a - discussion only

SUMMARY STATEMENT:

Consulting Team Member, Erin Perdu (Stantec), will present initial feedback from the team's review of the existing Title 17 Ordinance.

KNOWN ISSUES WITH TITLE 17

We have had the opportunity to review your existing zoning ordinance (Title 17) and held a listening session with staff on September 29, 2022 to understand known issues with the zoning code, how it impacts businesses' and residents' ability to build or update their properties, and difficulties for staff implementing the current code and assisting the public in navigating the rules.

Based on those two activities, we are sharing our initial understanding of issues that need to be addressed in the ordinance update. We will continue this learning during the joint work session and other research and stakeholder engagement.

Known/Emerging Issues (Preliminary List)

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2. Valdez is a winter city, so things like snow storage need to be considered when looking at setbacks, building placement regulations, and the public realm.
3. Make the ordinance clearer and more flexible, allowing for the types of housing and development that the city wants. Currently, staff spends a lot of time with property owners and developers interpreting what's possible, and often there is not an appropriate district to apply.
4. It would be beneficial for both property owners and staff to have an option to evaluate minor

variances with administrative approval, rather than having to use a formal public hearing process; reserve the full review process for larger or more complex projects.

5. Definitions and land use descriptions are narrow and prescriptive.
6. There are several districts that are either rarely used or very similar to other districts; consider consolidation of districts. Align these districts with the Place Types defined in Plan Valdez.
7. Lists of uses are antiquated, too specific, and should be more generalized.
8. Need to balance the desire for a walkable community with the needs of freight carriers and residents who drive.
9. Accommodate existing businesses/uses as much as possible: because there are so many other barriers to development, from remote location to construction costs, it is important to allow people to keep operating.
10. Rather than making non-conforming uses or businesses with significant impacts relocate, consider buffers or transition requirements to mitigate any negative impacts on neighbors.

Discussion Questions: We made a preliminary list of issues with current code. What are we missing? If you have examples of things that are working or not working, please plan to share them!



Legislation Text

File #: 22-0527, **Version:** 1

ITEM TITLE:

Interactive Discussion

SUBMITTED BY: Kate Huber, Planning Director

FISCAL NOTES:

Expenditure Required: n/a

Unencumbered Balance: n/a

Funding Source: n/a

RECOMMENDATION:

n/a - discussion only

SUMMARY STATEMENT:

Erin Perdu and Ryan Givens from Stantec will lead a discussion of key topics.

Questions for Consideration:

Please spend some time prior to the meeting considering the following questions. We will discuss these during the work session. Specific local examples are helpful!

1. What are strengths of Valdez, and how it's built today? What should the code continue to allow and encourage?
2. Where are the best places in the city that we should look to codify in Title 17? (meaning, ensure that the development pattern is allowed and supported in code)?
3. What are your top 3 priority areas for us to consider in the update of the zoning code (Title 17)?
4. What are some examples of where the zoning code is confusing?
5. Where have you seen the zoning code act as a barrier to accomplishing the community's goals?
6. What are some examples of projects or issues (uses, required conditions, variances) that you believe should NOT require a full, formal review process?
7. What types of applications should the City streamline in terms of permitting and approvals (where they require a formal review process and public hearings today)?
8. What types of housing are lacking in Valdez, and need more support from the zoning code?

HOMEWORK: Think about what you'd like to share on these topics during the work session.

We appreciate local examples to illustrate the types of development the community wants more of (or to avoid) as we draft changes to code. Is there a building, street or place that represents what you want Valdez to look like? Please share examples during the discussion!



Legislation Text

File #: 22-0528, **Version:** 1

ITEM TITLE:

Next Steps and Project Timeline

SUBMITTED BY: Kate Huber, Planning Director

FISCAL NOTES:

Expenditure Required: n/a

Unencumbered Balance: n/a

Funding Source: n/a

RECOMMENDATION:

n/a - discussion only

SUMMARY STATEMENT:

Shelly Wade from Agnew::Beck will review next steps and the project timeline.