



Valdez Zoning Code (Title 17) Revision

Community Working Group: Meeting 2

Monday, December 5, 2022 | 12:00 – 1:30 p.m.

Meeting Location:

In Person: Valdez City Council Chambers, 212 Chenega Ave.

Zoom: <https://agnewbeck.zoom.us/j/87206349659>

Meeting ID: 872 0634 9659

One tap mobile: +13462487799,,87206349659#

Phone option for audio: (253) 215-8782 | **Toll-free** (877) 853-5257

PARTICIPANTS

Working Group: Dennis Fleming and James Devens, Council Members; Steve Goudreau and Chris Watson, Planning & Zoning Commissioners; Anna Bateman, Valdez Native Tribe Administrator; Brad Barnett, Alice MacDonald, Dan Gilson, Priscilla Gregg, Elijah Haase, Ken Lares, Valdez Residents

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)

OBJECTIVES

1. Share group members' findings: local examples of incompatible land uses or other issues
2. Review and understand current table of uses by district and required approvals
3. Review and discuss proposed table of uses and recommended approach
4. Identify overall approach for housing types and residential uses in districts

AGENDA

Time (approximate)	Item	Lead
12:00	Land Acknowledgement Group Introductions (brief) Review Agenda and Objectives	Anna Brawley
12:10	Group Homework, Share-back <ul style="list-style-type: none"> • Local examples: incompatible land uses and other issues 	All
12:20	Overview: Table of Current Land Uses in Title 17 See agenda packet, "Current Use Table" <ul style="list-style-type: none"> • Notable uses requiring public hearing • Discuss: What stands out to you? 	Erin Perdu
12:35	Proposed Use Table See agenda packet, "Proposed Use Table - Residential" <ul style="list-style-type: none"> • Review approach and key recommendations • Discuss: What do you think about the approach? Specific uses that need further discussion? 	Erin Perdu

Time (approximate)	Item	Lead
12: 50	Housing (Residential Land Uses) <ul style="list-style-type: none"> Known issues with current code Discuss: What types should be allowed, and where? 	Erin Perdu
1:05	By-Right v. Public Hearing <ul style="list-style-type: none"> Overview Discuss: What uses need more scrutiny? What types of approvals that could happen administratively? 	Ryan Givens
1:25	Next Steps <ul style="list-style-type: none"> Next meeting: Monday, January 9, 2023 Homework: Review proposed Housing use table; identify questions, points for more discussion 	Anna Brawley

Working Group Meeting Schedule

- Meeting 2: Monday, December 5, 2022 12:00 - 1:30 p.m. | Council Chambers and Zoom
- Meeting 3: Monday, January 9, 2023 12:00 - 1:30 p.m. | Council Chambers and Zoom
- Meeting 4: Monday, February 6, 2023 12:00 - 1:30 p.m. | Council Chambers and Zoom
- Meeting 5: Monday, March 6, 2023 12:00 - 1:30 p.m. | Council Chambers and Zoom
- Meeting 6: Monday, April 3, 2023 12:00 - 1:30 p.m. | Council Chambers and Zoom

USES AND HOUSING

CURRENT USES

The City currently lists permitted, conditional, and accessory uses within each zoning district. For the purposes of discussion and update, we have consolidated these uses into one table (included in your packet). As you skim this table, you will notice a lot of duplicates (or near duplicates) and some outdated language.

We will NOT be reviewing this table line-by-line, but we have provided it for context and to illustrate the fact that the list of uses is extensive and very detailed. Because, by law, uses not specifically listed in a zoning ordinance are considered prohibited, this does not leave much room for flexibility or interpretation of similar uses.

There are also many issues listed as Conditional, which means that to establish the use an applicant must go through a public hearing and review and action by the Planning & Zoning Commission. A summary of notable uses that require a Conditional Use Permit is listed below. This revision is an opportunity to think about which uses have potential impacts requiring this level of additional scrutiny.

Notable uses requiring a public hearing:

- | | |
|--|-----------------------------|
| 1. Animal hospitals | 11. Gyms |
| 2. Assembly halls | 12. Libraries and museums |
| 3. Bakeries | 13. Government offices |
| 4. Boarding houses | 14. Mobile home courts |
| 5. Bowling alleys | 15. Multi-family dwellings* |
| 6. Religious institutions* | 16. Retail paint |
| 7. Childcare centers* | 17. Playgrounds |
| 8. Community buildings | 18. Schools |
| 9. Eating and drinking establishments* | 19. Rental cabins |
| 10. Grocery stores* | 20. Veterinary |

* = in certain districts

Discussion: What stands out to you when looking at the current use table?

PROPOSED USE TABLE

To help address some of the issues described above, and make the allowed uses in zoning more consistent with Plan Valdez (the City’s Comprehensive Plan), we began drafting a consolidated use table.

Some differences in this approach, compared with the way the current ordinance handles uses:

1. There is one table that lists all uses and all zoning districts, in one place.
2. Eliminates duplication of uses.
3. Creates more general use categories, so that creative uses of land can “fit”, rather than automatically be excluded.

4. Allows a wider mix of uses in more districts, which corresponds to the Primary and Supporting land uses in *Plan Valdez*.
5. Keeps uses with potential compatibility or life/safety concerns at certain locations subject to conditional use review (including a public hearing), so proposals fit seamlessly into the surrounding context.
6. Allows complementary uses as accessory and/or as permitted uses in industrial districts.
7. Moves regulations on how many buildings can be placed per-lot to Special Use Standards.

Discussion: What do you think about this new approach in code? Are there specific uses that need further discussion?

HOUSING

In our discussions with staff, Planning and Zoning Commission and City Council, it is clear there is a strong local desire for the code to be more permissive regarding housing types and where they are permitted. The community has a housing shortage, yet the code includes several regulatory barriers to residential development. Examples:

- The code does not allow for compact single-family housing types (e.g., cottage homes or houses on smaller lots).
- There are situations where a townhouse and certain multi-family housing requires conditional use approval (which includes a public hearing).
- Mobile homes are considered different than single-family homes, and regulated separately.

Our approach to housing includes:

1. Define, in general terms, a wider range of housing types.
2. Expand the list of permitted housing types for each zone. Specifically, allow multi-family, townhouses, and duplexes (under certain criteria) in the R-B, R-C, and commercial zones.
3. Re-evaluate whether mobile homes should be permitted in the same manner as single-family houses. Rationale: while their construction methods are different, they have very similar character and impact on a neighborhood, but can be constructed at a much lower cost.

Discussion: What other housing types should be included, and where?

BY-RIGHT USES, SPECIAL STANDARDS AND CONDITIONAL USES

Finally, when we talk about uses it is important to think about which ones require more scrutiny than uses that are permitted by-right (allowed to occur in a district). That could be in the form of additional standards to be reviewed administratively by staff, or additional standards that require a public hearing. More information will be provided at the meeting regarding the process differences between a permitted use, a use that requires special standards, and a conditional use. Note that it is possible for a specific use to be permitted in certain district, but only be allowed as a conditional use or subject to additional standards in another.

Discussion: Are there uses that are currently conditional that you think could be permitted (i.e. allowed by-right instead of requiring a Conditional Use Permit)?