

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA

September 10, 2015

7:00pm

Agenda

A. CALL TO ORDER/ROLL CALL

B. AMENDMENTS TO THE AGENDA

C. APPROVAL OF MINUTES: June 11, 2015, August 13, 2015

D. PERSONS TO BE HEARD

E. CORRESPONDENCE

F. OLD BUSINESS

1. Zoning of Entitlement Lands and other remote areas of the Borough.
2. Discussion regarding use of containers in all zones.

G. NEW BUSINESS

- Pub Hrg
1. Preliminary Plat review of the Torgramsen-Glasner Subdivision within USS 3823, a subdivision of the remainder of Lot A-2, Torgramsen-Smith Subdivision, creating Lot C within the remainder of lot A-2, Zoned Single Family Residential, requested by Don Glasner, owned by Lisa Torgramsen.
 2. Final Plat review of the V.E. Resubdivision, a resubdivision of Lots 6 & 7 Block 2 ASLS 83-7 Wrangell Island West Subdivision, creation Lots 6A and 7A.
 3. Final Plat review of the R&J Rusaw Subdivision, a subdivision of Lot 1 Block 4 ASLS 83-7 Wrangell Island West Subdivision creating Lots 1A and 1B, zoned Rural Residential, requested by Robert and Jamie Rusaw

H. PUBLIC COMMENT

I. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

J. ADJOURNMENT

City and Borough of Wrangell

Agenda F1

Date: September 8, 2015

To: Planning and Zoning Commission

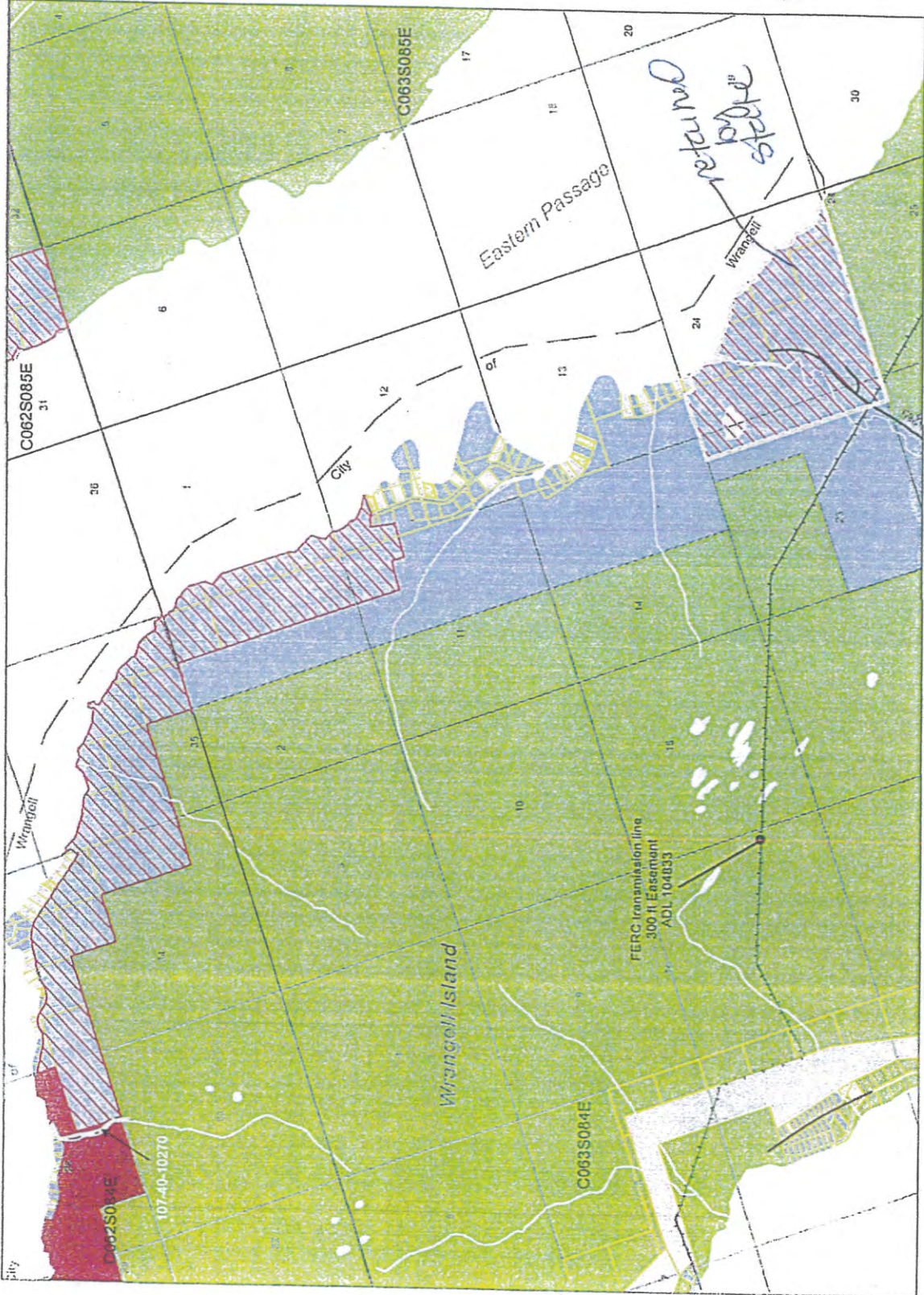
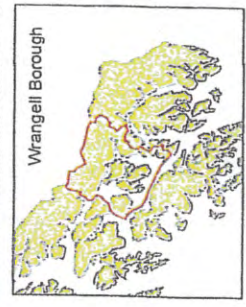
From: Carol Rushmore, Economic Development Director

Re: Zoning Entitlement Lands and other remote areas of the Borough

Attached is an overview of the map for Wrangell Island East for discussion regarding land uses. I will try and have some more detailed maps available at the meeting.

Map 6
City & Borough of
Wrangell Selections
 ADL 108133
Wrangell Island East

Legend	
	Forestry Roads
	Anadromous stream
	Wrangell M.E. Selection
	Selected
	City & Borough
	Conveyed (262 ac)
	State Land
	TA or Patent
	Retain by State
	Other Land
	US Forest Service
	Mental Health
	Surveyed parcels
	Agreement Settlement



This map is for graphic representation only. It is intended to be used as a guide only and may not show the exact location of existing surveyed parcels or show all easements and reservations. Source documents remain the official record.



Chapter 20.31 RMU DISTRICT – REMOTE RESIDENTIAL MIXED-USE

Sections:

- [20.31.010](#) Purpose.
- [20.31.020](#) Principal uses permitted.
- [20.31.030](#) Accessory uses permitted.
- [20.31.040](#) Conditional uses.
- [20.31.050](#) Standards.

20.31.010 Purpose.

The remote residential mixed-use (RMU) district is intended to provide for very low impact land and water uses and activities in remote areas of the borough. Such areas are not suitable or desirable for intensive development due to their lack of a developed road system, distance from established utility service areas, existing large lot development, and existing rural and subsistence lifestyles. These outlying settlements of the borough shall be protected from inappropriate or incompatible development in order to maintain their character and avoid the prohibitively high public costs associated with providing utility service and rapid emergency response services to them. RMU district zoning allows for low density uses consistent with the intent of each RMU subarea zone, as described below:

A. Farm Island and Sergief Island (RMU-F1 and RMU-F2). Maintain the historical use of area properties for residential dwellings, cabins, agriculture, cottage businesses, and subsistence living based on the area's natural resources.

B. Meyers Chuck (RMU-M). Maintain the historical use of the area for residential dwellings, cabins, marine services, cottage businesses, civic uses (e.g., post office, educational services), and subsistence living based on the area's natural resources. Due to the area's remoteness, small-scale commercial uses that complement a quiet rural lifestyle are allowed, provided they contribute to the overall quality of life in Meyers Chuck.

C. Olive Cove (RMU-O). Maintain the historical use of the area for residential dwellings, cabins, cottage businesses, and subsistence living based on the area's natural resources. Small-scale commercial uses that complement a quiet rural lifestyle are allowed, provided they contribute to the overall quality of life in Olive Cove.

D. Thoms Place (RMU-T). Maintain the historical use of the area for residential dwellings, cabins, cottage businesses, and subsistence living based on the area's natural resources. Small-scale commercial uses that complement a quiet rural lifestyle are allowed, provided they contribute to the overall quality of life in Thoms Place.

E. Union Bay (RMU-U). Maintain the historical use of the area for recreation, cabins, and subsistence living based on the area's natural resources. Commercial uses are not allowed.

F. Wrangell Island East (Back Channel) (RMU-E). Some of the remote areas of Wrangell Island East (Back Channel area) are to be maintained according to the historical use of the area for residential dwellings, cabins, cottage businesses, and subsistence living based on the area's natural resources. Small-scale commercial uses that complement a quiet rural lifestyle are allowed, provided they contribute to the overall quality of life in Wrangell Island East.

G. General Isolated Parcels (RMU-G). Maintain the historical use of area for residential dwellings, cabins, cottage businesses, and subsistence living based on the area's natural resources. Small-scale commercial uses that complement a quiet rural lifestyle are allowed, provided they contribute to the overall quality of life. [Ord. 867 § 1, 2013.]

20.31.020 Principal uses permitted.

The following are the principal permitted uses in this district:

A. One- and two-family dwellings to include modular and manufactured housing. Mobile homes are allowed only in the RMU-E subarea with a conditional use permit;

B. Home Occupations. The RMU-U subarea requires a conditional use permit for home occupations;

C. Commercial boat repair, storage and service, not to include fueling services. This use is not allowed in the RMU-U subarea;

D. Cottage Industries. This use is not allowed in the RMU-U subarea. The RMU-F2 subarea requires a conditional use permit for cottage industries;

E. Community Facilities. Either privately or community owned and/or maintained such as boat launch, dock, hoist, pier, postal facility, water system, sea plane support, emergency response supply cache;

F. Public Facilities. Parks and playgrounds, schools, emergency response supply caches, post offices, docks, marinas, and similar facilities pursuant to a comprehensive plan;

G. Telecommunications facilities;

H. Lodges, bed and breakfast inns, and vacation rental dwellings with two or fewer rooms or four beds. Lodges, bed and breakfast inns and vacation rental dwellings with five or fewer rooms or 10 beds are allowed in the RMU-F1 and RMU-G subareas. The RMU-F2 subarea requires a conditional use permit for lodges, bed and breakfast inns, and vacation rental dwellings. This use is not allowed in the RMU-U

subarea;

I. Agricultural uses;

J. Portable sawmills for personal use;

K. Animal Establishments. The RMU-M, RMU-O, and RMU-T subareas require conditional use permits for animal establishments;

L. Other existing uses lawfully established on the subject property prior to January 22, 2013, are allowed to continue as legal nonconforming uses. These previously existing uses, as identified by the zoning administrator, shall be allowed to continue until removed, and such uses may be maintained or replaced to their original value if destroyed, but shall not be enlarged upon, expanded nor extended, nor used as the grounds or predicate for adding other structures or uses prohibited elsewhere in the same zone. [Ord. 867 § 1, 2013.]

20.31.030 Accessory uses permitted.

The following are permitted accessory uses in this district, provided they do not create a nuisance or hazard:

A. Greenhouses, workshops, tool sheds, insulated generator sheds, and similar structures;

B. Private docks, moorage, boat houses and net houses;

C. The keeping of chickens, goats, and other animals for the production of food and/or fiber is allowed as an accessory use similar to gardens. Mariculture uses require a conditional use permit;

D. Uses and structures which are customarily accessory and subordinate to permitted uses. [Ord. 867 § 1, 2013.]

20.31.040 Conditional uses.

Other compatible uses which are consistent with the intent of this chapter, as determined by the commission, may be allowed with appropriate conditions in accordance with Chapter 20.68 WMC, if such uses would serve the community's best interest. [Ord. 867 § 1, 2013.]

20.31.050 Standards.

The standards found in Chapter 20.52 WMC applicable to this district are:

A. Standards policies: WMC 20.52.005;

B. Principal structures per lot: WMC 20.52.010;

- C. Distances between buildings: WMC 20.52.030;
- D. Air, land and water quality: WMC 20.52.040;
- E. Volatile products storage: WMC 20.52.050;
- F. Noise: WMC 20.52.060;
- G. Airport interference: WMC 20.52.070;
- H. Building height: WMC 20.52.080;
- I. Density – Minimum lot size: WMC 20.52.090;
- J. Coverage – Minimum open areas: WMC 20.52.100;
- K. Setbacks – Yards: WMC 20.52.110;
- L. Shoreline dependency: WMC 20.52.120;
- M. Piers, docks, shoreline protection and other shoreline construction: WMC 20.52.130;
- N. Drainage: WMC 20.52.150;
- O. Dredge and fill: WMC 20.52.160;
- P. Home occupations: WMC 20.52.170;
- Q. Signs: WMC 20.52.210;
- R. Recreation: WMC 20.52.250;
- S. Firewood storage: WMC 20.52.260;
- T. Animal establishments: WMC 20.52.270. [Ord. 867 § 1, 2013.]

City and Borough of Wrangell, Alaska

AGENDA ITEM F2

DATE: September 8, 2015

TO: Planning and Zoning Commission

FROM: Carol Rushmore, Economic Development Planner

RE: Use of Container Vans

At your August meeting, the Commission requested that this item be placed on the agenda for further discussion.

My memo of 7/7/11 Summarizes some of the discussion and sample ordinances discussed at that time. I am attaching some sample ordinances and other codes for container vans.

City and Borough of Wrangell, Alaska

Amended
AGENDA ITEM F1

DATE: July 7, 2011

TO: Planning and Zoning Commission

FROM: Carol Rushmore, Economic Development Planner

RE: Use of Container Vans

In November, the Commission discussed the issue of more and more container vans being used for structures or used on properties for storage. There were strategies suggested, but nothing was decided upon by the Commission. There have been additional phone call complaints recently regarding storage units in residential areas and discussions of additional container based structures.

In June, at their regular meeting, the Commission made a recommendation to the Assembly to put a moratorium on all new placement of container vans, except in the Barge Facilities and in the Marine Service Center area and to hold a hearing or workshop at their July meeting. The Assembly sent the issue back to the Commission for further discussion.

Based on the November 2010 discussion and June 2011 discussion, these were the ideas that were offered during discussion at these meetings: FOR DISCUSSION PURPOSES:

- Requirements for aesthetically appealing – uniform color, fencing, no stacking or limit the number stacked
- 1 allowed per minimum square footage
- Not allowed in single or multi family residential; or only with primary structure
- Fire Marshall approval
- Height restrictions
- Temporary structures with permits
- Setback requirements
- Building permit requirements

For amendment to the Zoning ordinance:

Add a definition, for storage container or freight container (here are several, there are many others as well)

- Any structure or storage receptacle designed or built to be generally intended for the shipment or transportation of products or goods
- A reusable transport and storage unit, fit for moving products and raw materials between locations
- A container with strength suitable to withstand shipment, storage, and handling. The container includes but is not limited to: reusable steel boxes, intermodal freight containers, corrugated boxes, wooden boxes, crates, and bulk shipping containers, drums or specialized shipping containers

- "Storage trailer and van" means a wheeled van or container unit not manufactured as a motorized vehicle or intended for long-term or short-term occupancy, but designed and manufactured for the primary purpose of storage and/or transporting commodities and goods.
- Cargo Containers: A standardized, reusable container that was originally, specifically or formerly designed for use in packing, shipping, movement or transportation of freight, articles, goods or commodities.
- Cargo/metal Storage Containers: A standardized, reusable, metal, portable storage unit that is industrial in appearance, generally 8 feet tall and in lengths of 10 feet to 40 feet.

In Rural Residential District, could add the use of containers as an accessory use: (also in SF or MF). This might eliminate a container on a lot without a primary structure. Consideration should be given to the use of the container – personal storage/commercial storage.

Storage Structures: one semi-trailer, freight container, storage trailer or van, may be used as a storage shed per lot. Commercial markings and other markings detracting from its appearance in a residential zone must be removed. (Wheeled storage containers or vans are not permitted for long term storage) – does this last one make a difference?

Or as Conditional use:

Multiple freight containers for storage or as base for structure.

Standards: (these are some summarized ordinances from other communities that are related to discussion by Commission)

Freight Containers in X district shall be screened from the public ROW, except alleys
Freight Containers in any district shall be screened from adjacent residential and commercial properties

Screening shall be accomplished through the use of landscaping – continuous hedge of 5 feet

In Commercial districts, the Freight Containers shall be located in the rear of the main structure.

A building permit shall be obtained for each container and shall meet all regulations (setbacks/standards etc)

Freight containers used only for storage shall meet the building requirements as a temporary structure regardless of the length of time it is in use, with the exception that any ventilation requirements that would apply to a permanent structure apply to a permanently placed container.

City and Borough of Wrangell

Date: June 16, 2011

To: Tim Rooney, Borough Manager and Borough Assembly

Cc: Carl Johnson, Public Works Director

From: Carol Rushmore, Economic Development Director for Planning and Zoning Commission

Re: Moratorium on placement and use of Container Vans

The Planning and Zoning Commission, at their regular meeting rescheduled for June 15, 2011, moved to recommend to the Assembly that the Assembly place a moratorium on new placements of container vans in all Zoning Districts, excluding the barge facilities and the marine service center yard. Motion passed 5 – 1.

Background: Staff and Commissioners are receiving more frequent calls and complaints about the use of container vans throughout the community. Vans are being used more and more for inexpensive personal and commercial storage uses in all Zoning Districts, and more recently are being used for building structures – garage bases and boat work areas. Planning and Zoning is trying to work through a list of issues -- proliferation of container vans --what, where, and how much is appropriate -- is one of several issues they are trying to address. Until such time that they can complete a review and develop potential standards for the use of container vans, they are requesting a moratorium, with enforcement provisions, on new placement of vans be established. The Commission recognizes that there may need to be a permitting system necessary in the short term for short term and/or construction uses of container vans. The Commission has committed to work as quickly as possible, to hold public hearings and workshops to develop an appropriate plan. In a very quick informal survey, 70 were counted in the residential town area only - excluding industrial park, marine service center and barge facilities.

Cindy Sweat
502 Wrangell, Ave.
Wrangell, AK 99929

July 14, 2011

For submission to: Wrangell Planning and Zoning Commission.

I want to go on record stating that I disagree with the idea of placing a ban, or moratorium, on personal use of container vans within the Wrangell Borough.

If you take the nickel tour around Wrangell, you will see container vans used for a variety of storage purposes. Why are Wrangellites so attached to these hefty metal boxes? I believe it's because Wrangellites understand and value practicality, affordability and durability.

First and foremost, we live in an area where it pays to have good dry storage and container vans are exceptional at doing just that.

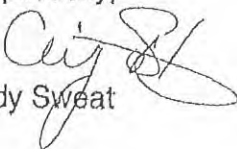
As for structural integrity, compare a container van to any prefabricated storage shed available to consumers. At one look, it is obvious that other prefabricated storage sheds are not only flimsy by comparison, but do not come close to approaching the rock-solid sturdy container van. Container vans are, in a word, Skookum.

Container vans are affordable. Depending on condition, a 20 foot used container van can be found starting at about \$1,200. Contrast that with your garden variety metal storage shed. A 12' X 10' metal shed sells for \$1,280. A 10' X 14' vinyl shed sells for \$1,700. Neither of these options come with a floor, just walls and a roof.

So if container vans are practical, sturdy and affordable, why do some people not like them? Apparently, some people don't like the way they look. Where does that leave us? Should certain Wrangellites be forced to stop using practical storage units because other Wrangellites find those units to be unrefined? Should a group of citizens be forced to get rid of perfectly good storage containers only to turn around and spend more money on a different *kind* of storage container? Should that group then be expected to incur the cost of disposing of the storage unit that they didn't want to get rid of in the first place? Should one group's desire for, and opinion of, urban style be more important than another groups desire to keep their belongings out of the weather?

It is my hope that residents of Wrangell will be allowed to continue using the tried and true container van to store and protect their belongings on their own property. Enforcing a change will inflict unnecessary financial duress and inconvenience on a large segment of our community.

Respectfully,


Cindy Sweat

RECEIVED

JUL 14 2011

WRANGELL CITY HALL

Containers

Where - Boat Yard Yes
Barge Yards Yes

RRI-

- * Leave as is
- * Okay if not seen from Roadway
- * Okay if Sided + Roofed

Res/MF

- * No New + Follow Guidelines
- * Only if Sided + Roofed (Down street)
and must meet Set Backs
- * Only if Can't be seen from Rd

Commercial

- * Not in Downtown
- * Not on Street
- * No Viewed from Street
- * Okay if Sided + Roofed

Industrial

- * Leave as is
- * Must Be Sided + Roofed
- * Not Seen from Road

Outlying Areas

- * Leave as is - no Rule

exceptions - City/Commercial Const Temp
- Construction Site w/ time limit
as accessory use only not as only Structure

How High Res-MF - Can I High
Had cut-Ind Barracked How many

DRAFT List of Containers (not including many past Shoemaker Bay)

This list was compiled in part by Commissioner Augie Schultz during his bike trips around town and supplemented by other individuals. It is for informational purposes only and has not been verified for complete accuracy or for overlooked vans. It is not listed in any order, or by zoning district.

Dan doaks evergreen ave.	3
Randy Churchill apt.	2
Silvesters apt.	1
Jon Abrahamsen	1
Behind Stikine Drug	1
Fred Thruston Case Ave	1
Jenkins Welding	2
House across from Gerald Halls	1
American Legion	1
Svensons welding	4
John Emde's lot next to boat ramp on case	2
Hospital	3
Bob Shymanski	1
Harbor Lights Church	1
Richard Kaers lot across from city barn	2
Leslie's RV lot	2
House across from Leslie's RV lot	1
Stoughs next to ferry terminal	5
Churchill lot on pine	2
Klondike Bike shop/ Sweats lot	2
Behind Alpine Minimart	3
Saunders lot a trailer and container together	1
Stoughs lot at 3 mile	2
Klinke's lot at 3 mile	1
Riches lot	1
Log house at 3 mile	1
Duncan's on Loop Road	1
Stikine Auto	2
Ken Lewis's across from Stikine Auto	1(power)
Augustine's	5
Across from Augustine's	1
John Ellis lot next to Woodbury's on Case Ave	2
Across from Delta Western	1
Jim Gillen sr. (saunders)	1
Thomas Bay	2
Lee Stella's lot	1
Across from Stella's lot	2
Chris Ottesens next to powerplant	2
Lois Hope	1
Vern Phillips next to Post Office	1
Dave Hartungs	2
Behind Howells house on evergreen	2
Ballards building next to Stikine Auto	1
G&G Smokery	2
Sentry	2
SNO building	4
TOTAL	83

Letters to the Editor

To the Editor:

Last week Planning and Zoning sent a proposed ordinance to the Borough Assembly that prevents anyone in Wrangell Borough from getting a shipping container, for any length of time, except AML, Northland and the boat haul out area. This is ridiculous. What about the person building a home, with a shipping container delivered with his supplies? What at the industrial area? What about the small sawmills? What about individual rights? I have a shipping container all the time, with hay stored in it. This ordinance should not affect every person in the borough. I thought we lived in Southeast Alaska, not Hollywood.

Heads up Wrangell, here come another radical proposed ordinance. Town Council, please use your heads on this unfair proposal.

I can see an ordinance that prevents shipping containers not to be in the visible downtown area, or nice residential areas, but not for the entire borough and every individual and business that lives here.

Ann Schnell

Birth announce



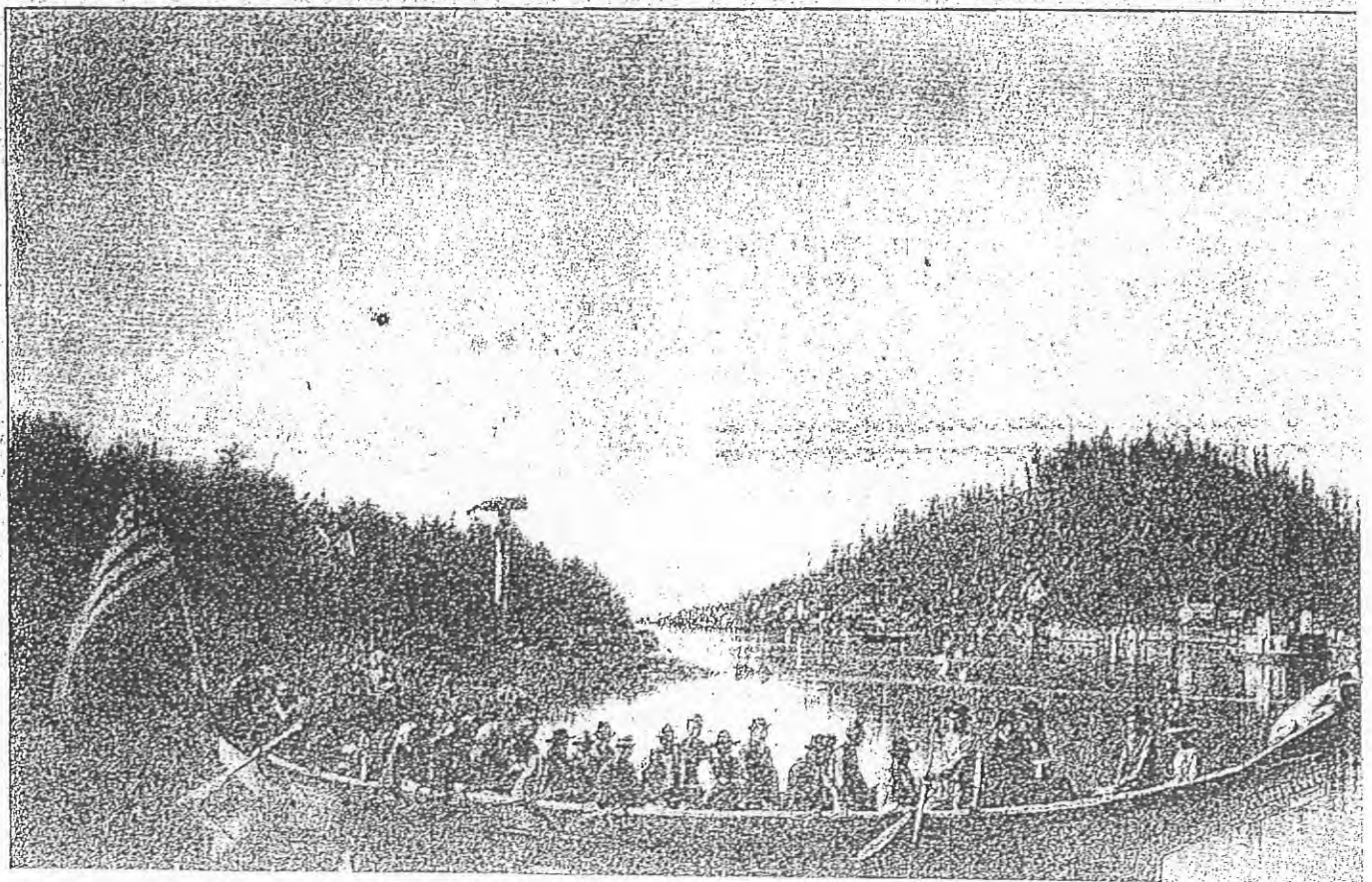
Carter Keet Cummings

Carter Keet Cummings was born June 6, 2011 at 6:20 a.m. to Shannon M. Nore and Alan Lee Cummings at Wrangell Medical Center. Carter was 6 lbs. 4 ozs and 15 1/2 inches long at birth. Siblings Maternal g of Hammo Vern and N

Getting Married?

Invite friends and family to your special day with an ad in the Sentinel.

Call 874-2301 for information.



Dillingham:

Building, Temporary. "Temporary building" means any building not designed or intended to be permanently located, placed or affixed in the place where it is located. Structures considered temporary buildings include tents, fish drying racks and dog houses. Shipping vans placed in a location for less than two years are considered temporary structures. If a van is moved to a different location on the same lot, it is classified as a permanent building and must comply with the yard requirements

4.15.051 Container vans.

For the purpose of assessing, levying, and collecting taxes, all container vans and similar property are classified as real property. (Ord. 08-01 § 2, 2008.)

Anchorage:

Containerized storage unit means a factory built shipping **container**, which has been placed on a lot or tract for the purpose of storage. Containerized storage unit includes but is not limited to **Conex or ATCO containers**, moving **vans**, and railroad boxcars.

Anchorage: Girdwood:

Accessory uses.

3.

Prohibited accessory uses and structures. Connex trailers, railroad box cars, and the like are prohibited in residential districts.

Kodiak Borough:

17.160.020 Definition.

"Accessory building" means:

A. A detached building, the use of which is appropriate, subordinate and customarily incidental to that of a main building, located on the same lot as the main building and which is not designed or intended to be used for living or sleeping purposes.

B. An accessory building shall be considered to be a part of the main building when joined to the main building by a common wall not less than four feet long or by a roofed passageway which shall not be less than eight feet in width.

C. Any structure, regardless of type of foundation or base support, including skid-mounted or other movable structure, that also requires a building permit for construction (for example, structures where the projected roof area exceeds 120 square feet). A minor structural development that does not require a building permit is not regulated by this chapter.

D. A nonmotorized container van when used for the sole purpose of storing emergency response equipment in the Kodiak Island Borough and not placed on a permanent foundation. [Ord. 2001-01 §2, 2001; Ord. 90-31 §2, 1990; Ord. 82-14-O(A) §2, 1982. Formerly §17.51.020].

Yuma, AZ:

1106.01--Cargo Containers

Cargo containers are not allowed as accessory uses in any zoning district, except as provided below:

A. Cargo Containers are permitted in Suburban Ranch (SR) and Suburban Site Built (SSB) Districts for lots of two acres or greater in size, Local Commercial (C-1) lots greater than 20,000 square feet in size, Rural Area (RA), General Commercial (C-2) and Industrial Districts subject to the following conditions:

1. Cargo containers shall meet all setback requirements for the district.
2. Cargo containers may not occupy any required off-street parking spaces.
3. Outdoor cargo containers may not be stacked, except when used for cargo purposes in the industrial districts.
4. Cargo containers are not allowed for human occupancy.
5. Licensed contractors may use cargo containers in any zoning district for temporary storage of equipment and/or materials at a construction site during construction that is authorized by a County building permit.
6. In the Suburban Ranch (SR), Suburban Site Built (SSB) and Local Commercial (C-1) districts, cargo containers shall be limited to one (1) per parcel, shall not be larger than four hundred feet in size, shall be painted in a mono-color and shall not be used for advertisements.

B. Cargo containers may be used in conjunction with moving and transport purposes incidental to residential and commercial districts.

C. Cargo containers intended to be used as a permanent, accessory use in residential and commercial zoning districts, except as provided in 1106.01 (A), may be considered as a Special Use Permit in accordance with Section 402.00. Cargo containers used as permanent accessory buildings must meet principal building development standards including setbacks, lot coverage and height regulations for the zoning district in which it lies.

D. Containers that are designed to be used for storage and appear to be cargo containers, yet do not meet the specifications for commercial shipping, packing, or transportation of freight, shall comply with the requirements of this section.

Shipping Containers

http://en.wikipedia.org/wiki/Shipping_container_architecture

Advantages

Strength and durability

Shipping containers are in many ways an ideal building material. They are designed to carry heavy loads and to be stacked in high columns. They are also designed to resist harsh environments - such as on ocean-going vessels or sprayed with road salt while transported on roads.

Modular

All shipping containers are made to standard measurements and as such they provide modular elements that can be combined into larger structures. This simplifies design, planning and transport. As they are already designed to interlock for ease of mobility during transportation, structural construction is completed by simply emplacing them. Due to the containers' modular design additional construction is as easy as stacking more containers. They can be stacked up to 12 high when empty.

Transport

Pre-fabricated modules can also be easily transported by ship, truck or rail, because they already conform to standard shipping sizes.

Availability

Used shipping containers are available across the globe.

Cost

Many used containers are available at a cost that is low compared to a finished structure built by other labor-intensive means such as bricks and mortar — which also require larger more expensive foundations. Construction involves very little labor and used shipping containers requiring only simple modification can be purchased from major transportation companies for as little as US\$1,200 each. Even when purchased brand new they seldom cost more than US\$6000.

Disadvantages

Temperature

Steel conducts heat very well; containers used for human occupancy in an environment with extreme temperature variations will normally have to be better insulated than most brick, block or wood structures.

Labour

The welding and cutting of steel is considered to be specialized labour and can increase construction costs, yet overall the costs are still lower than conventional construction.

Construction site

The containers will, in most cases, be delivered by truck and then must be emplaced by a crane or forklift. Traditional brick, block and lumber construction will also be delivered by truck. However, these materials often require a forklift to remove the pallets of materials, and might need a crane to lift them to upper stories.

Building permits

The use of steel for construction, while prevalent in industrial construction, is currently not yet widely used for residential structures. Obtaining building permits may be troublesome in some regions due to municipalities not having seen this application before.

Cargo spillages

A container can carry pretty much anything during its working life. Particular care should be taken (especially with 20ft containers) that no spillages or contamination has occurred on the inside walls. Ideally all internal surfaces should be abrasive blasted to bare metal, and repainted with a non toxic paint system.

Solvents

Solvents released from paint and sealants used in manufacture might be harmful.

For housing and other architecture

Containers are in many ways an ideal building material because they are strong, durable, stackable, cuttable, movable, modular, plentiful and relatively cheap. Architects as well as laypeople have used them to build many types of buildings such as homes, offices, apartments, schools, dormitories, artists' studios and emergency shelters. They are also used to provide temporary secure spaces on construction sites and other venues on an "as is" basis instead of building shelters.

Phillip C. Clark filed for a United States patent on November 23, 1987 described as "Method for converting one or more steel shipping containers into a habitable building at a building site and the product thereof". This patent was granted August 8, 1989 as patent 4854094. The diagrams and information contained within the documentation of this patent appear to lay the groundwork for many current shipping container architectural ideas. Even so, this patent does not appear to have represented a novel invention at its time of filing (Paul Sawyers described extensive shipping container buildings that were used on the set of the 1985 movie *Space Rage Breakout on Prison Planet*).

During the 1991 Gulf War, containers saw considerable nonstandard uses not only as makeshift shelters but also for the transportation of Iraqi prisoners of war. Holes were cut in the containers to allow for ventilation and there were no reported ill effects from this method. Containers continue to be used for military shelters, often additionally fortified by adding sandbags to the side walls to protect against weapons such as rocket-propelled grenades ("RPGs").

The abundance and relative cheapness of these containers during the last decade comes from the deficit in manufactured goods coming from North America in the last two decades. These manufactured goods come to North America from Asia and, to a lesser extent, Europe, in containers that often have to be shipped back empty, or "deadhead", at considerable expense. It is often cheaper to buy new containers in Asia than to ship old ones back. Therefore, new applications are sought for the used containers that have reached their North American destination.



Catawba County Planning, Parks and Development
100-A Southwest Blvd.
P.O. Box 389
Newton, NC 28658

Phone: 828-465-8380
Fax: 828-465-8484

SHIPPING CONTAINER AND OPEN STORAGE GUIDELINES

Steps to follow when placing a storage container on your property:

1. Check with a representative of the Catawba County Planning, Parks and Development Department to discuss your plans for placing a storage container on your property. You may contact the Catawba County Planning, Parks and Development Department at 828-465-8380, Monday through Friday from 8 a.m. – 5 p.m. or email us at planning@catawbacountync.gov.
2. Submit an application for a zoning permit for a storage container. The application needs to include an 8 ½ x 11 inch or 8 ½ x 14 inch drawing, prepared to scale, showing the footprints of existing buildings or structures and the proposed location of the storage container. You may obtain a copy of a map of your property from Catawba County's Geographic Information System at www.gis.catawba.nc.us.
3. Obtain a zoning permit from the Planning, Parks and Development Department. You may reach the Planning Department by phone at 828-465-8380, Monday through Friday from 8 a.m. to 5 p.m. or email at planning@catawbacountync.gov.
4. If you plan to install power or running water, contact the Permit Center at 828-465-8380, Monday through Friday from 8 a.m. to 5 p.m. or email at permit_center@catawbacountync.gov for assistance or you may download a copy of an application.

Residential storage:

If you want to use a shipping or storage container on residential property, the following guidelines apply:

- (a) Portable storage containers are temporarily allowed at your home for a 7-day period during moving. The time period may be extended in hardship situations.
- (b) Containers are allowed on farms as long as trees are planted or a fence is installed to screen it from roads and adjoining property.
- (c) Manufactured homes or truck trailers cannot be used for storage.

Non-residential storage:

Containers, shipping containers or other portable storage containers are allowed in office, commercial and industrial areas with the following guidelines:

- (a) The container needs to be screened from roads and adjoining property by trees or a fence/wall.
- (b) The container needs to be located at the side or behind the business.
- (c) The container needs to meet the setbacks of the zoning district.

For further information, see the Catawba County Unified Development Ordinance, Section 44-623.

Screening for businesses with open storage:

If a business stores any equipment or materials outside, it needs to be hidden from roads and adjoining property by a berm, fence, or landscaping and be setback from adjoining property lines. For further information, see the Catawba County Unified Development Ordinance, Section 44-527.

If you have questions concerning shipping containers or open storage, please call the Catawba County Planning, Parks and Development Department at 828-465-8380, Monday through Friday from 8 a.m. to 5 p.m. or email us at planning@catawbacountync.gov. Please know that we are here to assist you throughout the process.

The purpose of this information sheet is to assist you with the process of obtaining permits and approvals associated with the Unified Development Ordinance (UDO). Before proceeding with any project or spending any funds, you are strongly encouraged to contact a member of the Catawba County Planning, Parks and Development Department at 828-465-8380, Monday through Friday from 8 a.m. to 5 p.m. or email us at planning@catawbacountync.gov to insure awareness of all options that may exist as well as the most effective way of accomplishing a particular project.

must not include advertisements for any other product or service.

Are there restrictions on where a portable storage container may be placed on a property?

Yes, containers may not be placed on a street, sidewalk or trail. They may not be placed in any location that would interfere with vehicular or pedestrian circulation or cause reduced visibility at street intersections. Container placements shall adhere to all applicable building and fire code regulations for the purpose of ensuring safe passage to and from dwellings, access to utility shut-off valves and for fire protection. In addition, portable storage containers may not be located in any required open space or landscaped area.

In case of a flood, fire or other casualty event, are there any options available for keeping a portable storage container on a residential property for a longer period of time?

Yes, when a dwelling has suffered casualty damage, a person may apply for a Temporary Special Permit (TSP) to allow the use of a portable storage container for a period of up to 6 months or for the period of an active Building Permit, whichever is shorter in duration.

Such a TSP is issued administratively by the Zoning Administrator and a TSP request is made to the Zoning Permit Review Branch of the Department of Planning and Zoning. A TSP may be extended beyond a 6 month period upon approval of the Fairfax County Board of Zoning Appeals (BZA) following a public hearing. An application fee is not required for such TSP requests. ■

More information

Complaints

Zoning Enforcement Branch
703-324-1300, TTY 711

Temporary Special Permits

Zoning Permit Review Branch
703-222-1082, TTY 711

Fairfax County on the Web
www.fairfaxcounty.gov/

This brochure produced by
Fairfax County, Virginia
Department of Planning & Zoning
Zoning Administration Division
12055 Government Center Parkway
Suite 807

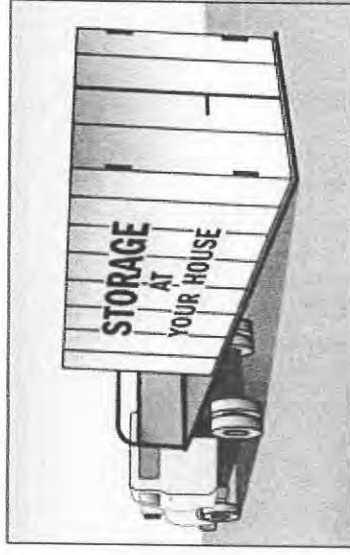
Fairfax, VA 22035
703-324-1314, TTY 711

To request this information in an alternate format, call (703) 324-1334, TTY 711.



Temporary Portable Storage Containers

Information for Residentially Developed Properties



Fairfax County, Virginia
Department of Planning & Zoning
Zoning Administration Division
December 2007



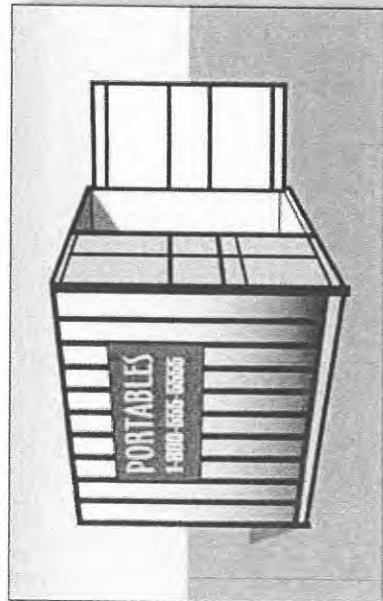
*A Fairfax County, Virginia
publication*

Temporary Portable Storage Containers for Residentially Developed Properties

Fairfax County Board of Supervisors adopted new Zoning Ordinance regulations on Sept. 10, 2007, that conditionally permit temporary residential portable storage containers on properties containing dwellings.

What is a temporary portable storage container?

It is a purpose-built, fully enclosed, box-like container with signage on one or more of its outer surfaces. It is uniquely designed to permit ease of loading to and from a transport vehicle.



Typical temporary portable storage container.

A temporary portable storage container is not a storage shed, roll-off container, dumpster, cargo/shipping container or the trailer portion of a tractor-trailer.



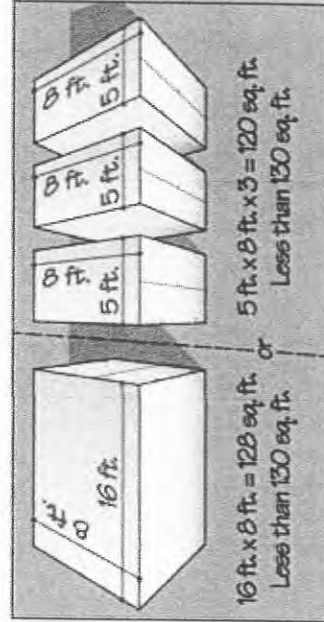
Storage sheds and roll-off containers are not temporary portable storage containers.



How much portable storage is permitted on a residential property?

Fairfax County Zoning Ordinance permits no more than 130 sq. ft. of portable storage. The 130 sq. ft. of allowable container use is a cumulative amount that may include one or more containers.

Portable storage containers come in various standard sizes. Portable storage companies generally provide containers in one or more of the following standard sizes: 16' x 8' (128 sq. ft.); 12' x 8' (96 sq. ft.); or 5' x 8' (40 sq. ft.).



The cumulative footprint area of all temporary portable storage containers on a property may not exceed 130 square feet.

How long can a portable storage container be used on a single family detached dwelling unit lot?

Portable storage containers are allowed for a period of 30 consecutive days within a 6-month period on a single family detached dwelling lot that contains 36,000 sq. ft. or less. On a single family detached dwelling lot that contains greater than 36,000 sq. ft., a portable storage container may be placed for a period not to exceed 60 consecutive days within a 6-month period.

How long can a portable storage container be used on a lot that contains a townhouse or a multiple family dwelling?

Portable storage containers are allowed on townhouse and multiple family properties for a period not to exceed 7 consecutive days within a 6-month period.

Are portable storage containers subject to height limitations?

Yes, portable storage containers may not exceed a height of 8½ feet. The height of such structures is measured from the lowest ground level adjacent to the structure to the top of the structure, therefore stacking of conventional size (8' tall) containers would not be permitted.

Do Fairfax County regulations limit the amount or type of signage that can appear on a portable storage container?

A sign displaying the container provider contact information is required. There are no limitations on the amount of signage that can be displayed on a container. However, signs



CODE GUIDE

BUREAU OF DEVELOPMENT SERVICES



TOPIC: Special Construction – IBC/3/#1 & IRC/1/#2

CODE: Structural Specialty Code: 2007 Edition
Oregon Residential Specialty Code: 2005 Edition

REVISED: August 22, 2007 [Paul L. Scarlett], Director

REFERENCE: Section 301.1 - Structural Specialty Code
Section 101.2 - Oregon Residential Specialty Code

SUBJECT: Use of Cargo Containers as Buildings and Accessory Structures

QUESTION: Can cargo containers be installed on properties and used as accessory structures?

RESPONSE: Yes, under certain conditions, cargo containers may be used in residential, multi-family residential, commercial and industrial zones as accessory structures. Under the provision of this guide, semi-truck trailers are not considered cargo containers.

Cargo containers stacked on top of each other or that are used for habitable spaces, as listed below, must be evaluated on a case-by-case basis and must meet the requirements of either the Structural Specialty or the Oregon Residential Specialty Code, as applicable, for a site built structure. For the purpose of this guide, habitable space includes the following:

1. Containers used as shops, studios, hobby rooms, offices, lunch rooms, sales areas, playhouses or other similar uses;
2. Containers used as storage of motorized passenger vehicles, or
3. Containers with plumbing or electrical power or lighting

For cargo containers used as storage and not used as habitable space as listed above or classified as a High-Hazard Group H occupancy, the Bureau will approve the installation of cargo containers as accessory structures, under the conditions listed below. Unless otherwise noted, the following requirements apply to all cargo containers used as accessory structures:

1. **Occupancy Classification.** Cargo containers shall be classified as follows:
 - a. **Containers used accessory to one or two family dwellings:** Group U, Division 1 occupancies

- b. **Containers used accessory to commercial facilities:** Group S, Division 1 occupancies
2. **Planning and Zoning.** Containers must meet all applicable use and development regulations of the Zoning Code. Regulations such as building setbacks, building lot coverage and overlay zones may affect where and if a container can be placed on a specific property. Please contact Planning and Zoning staff for site specific regulations by either calling the general zoning help line at 503-823-7526 or by visiting the Development Services Center.
3. **Building Permits.**
 - a. Building permits for containers are required as follows:
 - 1) **Containers used accessory to one or two family dwellings.**

Containers greater than 200 square feet in area or greater than ten feet in height, measured from the adjacent grade to the highest point on the container, require a building permit. Containers 200 square feet in area and less and less than ten feet in height, measured from the adjacent grade to the highest point on the container, do not require a building permit.
 - 2) **Containers used accessory to commercial buildings.**
 - a) Except as noted in b) below, a building permit is required to install containers accessory to commercial structures.
 - b) Containers that are used by a contractor for storage of construction materials on a site that has a valid building permit and which remain on the site only for the duration of the construction activity are not required to obtain a building permit.
 - (1) Such containers shall be located on the site for which a building permit has been issued or on a site immediately adjacent to the site of the construction activity which has been approved for use by the contractor as a staging area.
 - (2) The containers shall be removed from the site not later than thirty (30) days after the building permit for the construction has received final inspection;

Exemption from the permit requirements does not exempt the structure from compliance with the requirements of this guide or the zoning code.

Other construction associated with containers. Building permits are required for any construction such as a roof, deck, elevated walkway or other

similar construction with a floor area of 120 sq ft or more or connecting two or more containers. All such features shall be designed and constructed with the applicable requirements of the building code and zoning code;

- b. More than one container may be installed under a single permit provided the installation of each container is in compliance with the installation requirements of this guide and the entire installation complies with the requirements of the zoning code. Contact the Permitting Services Division of BDS for permit process information.
- c. Permit documentation shall include a site plan, a floor plan of each container to be installed and any details required to demonstrate compliance with the installation requirements outlined in this guide.
- d. Fees for permits shall be calculated based on a valuation that includes the cost of the container(s) and the cost to install the container(s) including any site work necessary to prepare the site for the container(s).

4. Specific Design Requirements

- a. **Foundations and Tie Downs.** Where containers are placed on firm, level, undisturbed natural grade or on an existing paved parking area or storage yard, anchor tie downs or permanent foundations are not required.
- b. **Ventilation.** Containers used for storage only need not be provided with additional ventilation.
- c. **Egress.**
 - 1) **Doors.** Containers shall be provided with an egress door not less than 3 feet wide by 6 foot, 8 inches high. The standard doors that the containers are equipped with may qualify as the required egress door provided they meet the minimum size requirement as stated above and provided they are equipped with a mechanical latch or other similar mechanism to hold the door in the open position when the structure is occupied.
 - 2) **Thresholds and Landings.**
 - a) **Containers used accessory to one or two family dwellings.** Provided a container is used only for storage of materials belonging to the dwelling owner or tenant of the residence that the container is accessory to, threshold height and landings at doors for containers need not comply with the one and two family dwelling code requirements.

IBC/3/#1 & IRC/1/#2

Use of Cargo Containers as Buildings and Accessory Structures

Page 4 of 4

August 22, 2007

- b) **Containers used accessory to commercial buildings.**
Threshold height and landings at doors for containers need not comply with the building code requirements.

- d. **Drainage.** Containers up to a maximum of 320 square feet of roof area are not required to be provided with gutters or downspouts or other storm water collection system provided the sheet flow of storm water from the container is contained on site and not allowed to encroach on adjacent property or public right of way.

Updates April 3, 2006 edition

Updates March 1, 1999 edition

Updates July 1, 1996 edition

Replaces UBC/5/#1 & CABO/1/#2 which replaced Policy & Procedure # D-61.

Chapter 18.61
STORAGE CONTAINERS

Deerpark, WA.

Sections:

- 18.61.010 Purpose.
- 18.61.020 Definitions.
- 18.61.030 Storage on residential use properties.
- 18.61.040 Cargo containers – Permitted locations.
- 18.61.050 Permit required – Development standards.
- 18.61.060 Current violations – Time to comply.
- 18.61.070 Conflicts.
- 18.61.080 Violations – Penalties.

18.61.010 Purpose.

The purpose of this chapter is to regulate the use of storage containers on residentially zoned and residentially used properties in the city, which regulations are adopted to protect the public health, safety, and welfare, and promote positive aesthetics in the city. (Ord. 901 § 1, 2011)

18.61.020 Definitions.

A. An “accessory storage building” is:

1. A building originally constructed for use as an accessory building for the storage of materials and equipment accessory to a primary use located on the property.
2. For purposes of this chapter, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not accessory storage buildings.

B. “Cargo containers” include standardized reusable vessels that were:

1. Originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or
2. Originally designed for or capable of being mounted or moved by rail, truck or ship by means of being mounted on a chassis or similar transport device. This definition includes the terms “transport containers” and “portable site storage containers” having a similar appearance to and similar characteristics of cargo containers. (Ord. 901 § 1, 2011)

18.61.030 Storage on residential use properties.

A. Only accessory storage buildings defined in DPMC 18.61.020(A) shall be permitted as accessory storage containers on property in any residential zone of the city, or on any property within the city the primary use of which is residential. Cargo containers, railroad cars, truck vans, converted mobile homes, travel trailers, recreational vehicles, bus bodies, vehicles, and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not permitted to be used as accessory storage buildings on property zoned residential or on property the primary use of which is

residential.

B. Notwithstanding the provisions set forth in subsection A of this section, the temporary placement of transport containers and/or portable site storage containers on residentially zoned properties, or on properties the primary use of which are residential, for the limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding 30 days in any one calendar year.

C. Notwithstanding the provisions set forth in subsection A of this section, licensed and bonded contractors may use cargo containers for the temporary location of an office, equipment, and/or materials storage structure during construction which is taking place on the property where the cargo container is located, if the use of the cargo container is authorized pursuant to a city building permit. (Ord. 901 § 1, 2011)

18.61.040 Cargo containers – Permitted locations.

A. The placement of a cargo container as an accessory storage use is limited to the following zoning districts:

1. Central commercial (CC).
2. Commercial shopping center (CS).
3. Diversified (DC).
4. Light industrial (LI).
5. Business park (BP).

B. The placement of cargo containers is further limited to properties in the above-identified zones only if the property upon which the cargo container is proposed to be located is not primarily used for residential purposes. (Ord. 901 § 1, 2011)

18.61.050 Permit required – Development standards.

A. A building permit is required prior to placement of a cargo container larger than 200 square feet in area, ensuring effective anchoring/foundation according to the then most current edition of the International Building Code. The application shall show the proposed cargo container is accessory to the permitted use of the property and meets the placement criteria for the zone.

B. Cargo containers shall meet the setback requirements of the underlying zone.

C. Cargo containers shall not be stacked above the height of a single container device, except for placement within the light industrial zone and on the back yard one-half of the lot or parcel.

D. Cargo containers shall not be used for any advertising purpose and shall be kept clean of all alphanumeric signage and writing.

E. As a condition of placement, cargo containers may be required to be fenced or screened from abutting properties and/or rights-of-way pursuant to the provisions of the underlying zoning regulations.

F. Cargo containers shall be in an approved designated area and on the same property as the principal

use and be included in the calculation of overall lot coverage.

G. Cargo containers shall not occupy required off-street parking, loading or landscaping areas.

H. Materials stored within cargo containers are subject to review and approval by the fire district. (Ord. 901 § 1, 2011)

18.61.060 Current violations – Time to comply.

All owners of property within the city shall have 120 days from the effective date of the ordinance codified in this chapter to bring the properties, which currently contain accessory storage buildings that are in violation of the terms of this chapter, into full compliance with the provisions of this chapter. (Ord. 901 § 1, 2011)

18.61.070 Conflicts.

In the event any conflict exists between the provisions of this chapter and other currently existing provisions of the Deer Park Municipal Code or other ordinances of the city, the terms and provisions of this chapter shall take precedence and to the extent of any such conflict, the terms and conditions of any existing provisions of the Deer Park Municipal Code or other ordinances of the city shall be and hereby are amended insofar as necessary to conform to the provisions of this chapter. (Ord. 901 § 1, 2011)

18.61.080 Violations – Penalties.

Violation of this chapter shall be enforced pursuant to the procedures and penalties set forth in Chapter 18.108 DPMC as the same exists now or may hereafter be amended. (Ord. 901 § 1, 2011)

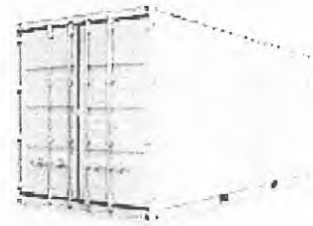
The Deer Park Municipal Code is current through Ordinance 951, passed December 17, 2014.

Disclaimer: The City Clerk's Office has the official version of the Deer Park Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

CARGO CONTAINERS FOR INCIDENTAL STORAGE

This Information Bulletin establishes the minimum conditions and requirements whereby a marine cargo container, commonly used on ocean going vessels, may be used permanently as a container for incidental storage to an existing non-residential use. When complying with the conditions and requirements of this Information Bulletin, the container shall be considered a piece of equipment and not a building.

Cargo containers which are temporarily deposited on a lot while awaiting reloading onto a ship, truck, train or other vehicle in conjunction with an approved industrial or commercial use are not required to meet the requirements of this Information Bulletin or the City of Los Angeles Building Code (LABC).



A. PERMITS AND FEES

1. A Use of Land Permit shall be required for each lot where containers are to be used for incidental storage. A fee shall be charged for each Certificate of Occupancy for use of land per LABC Section 107.2.
2. A Supplemental/Miscellaneous Plan Check Fee shall be assessed for permit processing of the Use of Land Permit per LABC Section 98.0415.

B. ZONING REGULATIONS

1. Containers shall be located only on lots where open storage of incidental materials and equipment is permitted by the City of Los Angeles Planning and Zoning Code (Zoning Code).
2. Containers may only be located on a lot that does not contain residential uses and only within the area where open storage is allowed by the Zoning Code. The lot area occupied by the containers cannot exceed any open storage area limitations of the Zoning Code for the zone of the lot.
3. Containers, complying with this Information Bulletin, shall be considered as equipment and therefore, additional off-street automobile parking is not required.
4. Similarly, these containers need not comply with Section 12.24 W.4. of the Zoning Code which requires approval from the Department of City Planning for automotive uses in the C and M Zones. The use of containers shall not be in conflict with any provisions of any prior conditional use approvals per Section 12.24 W.

5. Cargo containers shall not be permitted where open storage is not allowed due to a specific plan provision.

C. PLANS AND SPECIFICATIONS

1. A plot plan drawn to scale showing the location of all existing buildings and parking spaces on the lot, and the size and location of the proposed container(s) with respect to those buildings, parking and property lines is required.
2. The containers shall be constructed of steel or aluminum with a minimum 14 gauge thickness except for a wood floor within the metal shell. Structural plans and calculations are not required for the Use of Land Permit.

D. LOCATION, NUMBER AND SIZE

1. The containers shall be located at least 5 feet from a property line, 10 feet from another cargo container or building, and shall be located as required for incidental storage per the Zoning Code.
2. The containers shall not be located so as to block, obstruct, or reduce any required exits, open spaces, windows, vent shafts, or "required" parking spaces (including access driveways) of the existing buildings on the lot.
3. The number of containers on a lot shall be limited to one container with a maximum floor area of 400 sq. ft. for each 5,000 sq. ft. of lot area; However, a lot with less than 5,000 sq. ft. will be allowed to have one container. In all cases, the area occupied by the container(s) shall comply with the maximum area limitations for storage per the Zoning Code.
4. Each container shall not exceed 10 feet in height, 10 feet in width and 40 feet in length and shall have no wall openings except for an access door opening.
5. Containers shall not be "stacked" on top of each other or joined in any manner.

E. MISCELLANEOUS REQUIREMENTS

1. The use shall be limited to incidental storage to an approved non-residential use and shall not be used to store hazardous materials unless approved by the Fire Department.
2. The use shall not allow human occupancy of the containers.
3. Containers that have been factory-built with any electrical, plumbing, heating or air-conditioning systems shall not be connected to a power source.
4. Containers shall be maintained in good condition and free of graffiti at all times.

F. DISABLED ACCESS REQUIREMENTS

The use of the containers shall not allow human occupancy and is, therefore, exempt from the disabled access regulations.

PLANNING COMMISSION

TO: Planning Commission
FROM: Planning Staff
SUBJECT: AZ 11-0001 Zoning Code Amendment – Cargo Containers

STAFF RECOMMENDATION:

Approve the proposed Amendment to the Zoning Code establishing Cargo Container Restrictions.

PROJECT DESCRIPTION:

An amendment to the Escondido Zoning Code establishing restrictions, standards and permit requirements for the use of cargo containers in residential, commercial and industrial zones.

LOCATION:

Citywide

ENVIRONMENTAL REVIEW:

The proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15061(b) "General Rule." The proposal does not have the possibility to have a significant effect on the environment. Therefore, the project is not subject to CEQA.

BACKGROUND:

A Cargo Container is an industrial, reusable metal vessel that originally was designed for or used in the packing, shipping, movement or transportation of goods by commercial trucks, trains and/or ships. These standardized metal containers come in a variety of sizes and also are used as storage containers within commercial, industrial and residential zones. The establishment of restrictions and standards for cargo containers stems from the City's desire to address the appearance, location and proper use of these containers, especially in residential areas.

Cargo containers typically have been allowed in commercial and industrial areas, where outdoor storage has been approved, or as accessory storage structures. Over the years, cargo containers also have been allowed in residential zones as accessory structures, when appropriate setbacks and lot coverage requirements have been met. Building permits typically have not been required since these heavy metal structures meet the general intent of the building code. Due to their large size, industrial nature and appearance, and general lack of proper maintenance, cargo containers currently are not allowed on residential lots. The Code Enforcement Division has responded to complaints about cargo containers on various occasions due to their unsightly appearance. The recently adopted Council Action Plan allows staff to initiate amendments to the zoning code to address specific issues. Since there is no defined standards for the placement of cargo containers throughout the City and these

containers are not usual and customary to certain residential areas, staff has developed limitations/restrictions on residential properties, and specific provisions for the placement of cargo containers on commercial and industrial properties. A permitting process also has been proposed in order to ensure the appropriate placement, use and screening of the containers is provided and maintained.

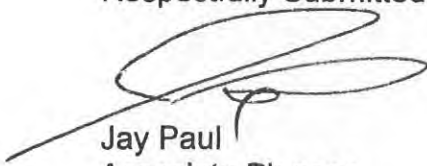
DISCUSSION:

The proposed ordinance has been drafted to address the appearance and use of storage containers on specific lots/zones throughout the City. The proposed ordinance would continue to allow cargo containers on industrial lots where outdoor storage is approved. Cargo containers on commercial lots would be limited to temporary storage purposes only to support seasonal events, provided they are located in a non-conspicuous area and do not adversely affect parking. The proposed ordinance would not allow cargo containers to be located within a single-family residential zone (R-1), multi-family zones (R-2, R-3, and R-4) or within mobilehome parks (RT) since the smaller residential lots typically do not have enough land area to properly screen them and provide a buffer area from adjacent residences.

Cargo containers would be allowed to be placed on the larger estate (RE) and agricultural lots (RE) only for storage purposes provided the lots are greater than one acre in size and proper screening is provided. The total amount of containers also is subject to the overall size of the property. In order to place a cargo container on a residential or agricultural lot, the container must be screened from view from the public way and must maintain the setbacks for the primary structure in order to provide appropriate landscape buffer areas from surrounding properties. Cargo containers also would not be allowed to be significantly modified (such as adding doors, windows, and utilities) to ensure they are used for storage purposes only. Cargo containers would be allowed to be located on residential properties developed with non-residential uses that contain sports fields (such as schools) in addition to parks, golf courses and government facilities.

The issuance of a Minor Development Permit would be required to place a cargo container on private property, and the owner would be required to submit the appropriate site plans, details regarding the container, and demonstrate the method of screening. Existing cargo containers that were lawfully permitted on private property, but not permitted by the provisions of this ordinance would be allowed to continue as a nonconforming use for two years. Then they would be required to be removed. Since cargo containers are portable and commonly sold on the open market, the two-year timeline would allow the property owner a reasonable opportunity to recoup the investment. Staff feels the proposed ordinance addresses the appropriate use of and locations for the placement of cargo containers in order to maintain the quality of life for Escondido residents, and meet the needs of commercial and industrial business owners.

Respectfully Submitted



Jay Paul
Associate Planner

Exhibit "A"

FACTORS TO BE CONSIDERED

AZ 11-0001

(Cargo Containers)

1. The public health, safety and welfare would not be adversely affected by the proposed amendment to the Zoning Code since the amendment would establish appropriate locations for the placement of cargo containers throughout the City, along with development standards a permitting process.
2. The proposed Amendment to establish cargo container restrictions would not be detrimental to surrounding properties, since the provisions establish appropriate locations/zones where cargo containers could be located, along with appropriate setbacks and screening requirements to avoid potential compatibility and adverse visual issues with surrounding properties.
3. Cargo containers, due to their size and industrial appearance, are not appropriate for use as permanent accessory buildings/structures or storage sheds in certain areas of the City. The use of cargo containers for accessory buildings, sheds, storage and other purposes has increased within the City causing in some instances blight. The General Plan contains policies to create an aesthetically pleasing community, and to preserve and enhance existing neighborhoods. The proposed amendment to establish cargo container restrictions and standards would be consistent with the General Plan and would implement these goals by providing specific standards for usage of cargo containers as storage facilities, along with the appropriate locations where they may be situated.

EXHIBIT "B"

Draft Amendment Language

Article 36. CARGO CONTAINER RESTRICTIONS

Sec. 33-720. Definition and Purpose.

- (a) **Definition.** A Cargo Container is an industrial, standardized reusable metal vessel that was originally, specifically, or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities by commercial trucks, trains and/or ships. A cargo container modified in a manner that would preclude future use by a commercial transportation entity shall be considered a cargo container for purpose of this article.
- (b) **Purpose.** This article establishes minimum development standards for the placement of metal shipping containers within the City, limits the use of cargo containers in residential zones and addresses requirements in other zones.

Sec. 33-721. Permitted Locations and Prohibitions.

- (a) It shall be unlawful to place, use, allow or maintain Cargo Containers on residential property zoned R-1, R-2, R-3, R-4, or RT; unless specifically exempted pursuant to this article.
- (b) It shall be unlawful to place, use, allow or maintain Cargo Containers on property zoned R-A or R-E; unless specifically authorized or exempted pursuant to this article.
- (c) It shall be unlawful to place, use, allow or maintain Cargo Containers in any commercial or industrial zone unless there is a legal primary use on the property where it is located, required parking is not impacted and access is maintained.
- (c) It shall be unlawful to place, use, allow or maintain Cargo Containers in any planned development or specific plan zone unless specifically authorized by the Director of the Community Development, and consistent with provisions of the specific plan or planned development.
- (d) Where permissible, the placement of cargo containers on private property shall be subject to the issuance of a Minor Development Permit by the Director of Community Development.

Sec. 33-722. Authorized Residential Use.

A cargo container may be allowed in the RA and RE zones only for storage uses if it meets all of the following requirements:

- (a) A parcel within the RE and RA zone must be a minimum of one acre in size. Only one cargo container is allowed for the first one acre and one additional cargo container per every additional five acres.
- (b) A legal primary use exists on the property.
- (c) The cargo container meets all applicable use, development standards and maintenance regulations in the Escondido Municipal and Zoning Codes.
- (d) The cargo container is appropriately screened from public view by fencing, landscaping, terrain, buildings or some combination of these methods.
- (e) Cargo containers must meet setback requirements for primary structures, but shall not be allowed closer than ten feet to any property boundary. A container also must maintain a separation of ten feet from the primary structure and other accessory structures, except for other authorized cargo containers.

Sec. 33-723. Cargo Containers in Nonresidential Zones.

- (a) Cargo containers used for the routine transportation of goods and temporarily stored in commercial and industrial zones are exempt from the provisions of this article, but subject to other use restrictions found in both the Escondido Municipal and Zoning Codes. Cargo containers may be used for long term storage on industrial zoned property in areas where open storage has been approved.
- (b) Cargo containers may be used on a temporary basis in commercial zones for additional storage to support seasonal events, but shall not be located on the site for more than 90 consecutive days. The containers shall be located to the rear or other non-conspicuous areas of the site. The containers shall not be located within the front areas of the site or highly visible areas from the public way.

Sec. 33-724. Cargo Containers for Sports Fields.

- (a) Cargo containers may be used for storage purposes in conjunction with schools that maintain sports fields, and also for parks, golf courses, governmental facilities, and other similar uses as determined by the Director of Community Development.
- (b) The container(s) shall be located in a non-conspicuous location on the site and conform to the setbacks of the underlying zone, but no closer than ten feet to any exterior property boundary. Appropriate screening may be required, as determined by the Director of Community Development.

Sec. 33-725. Temporary Storage.

- (a) Cargo containers are allowed on private property in all zones temporarily to store building materials and/or construction tools during construction pursuant to an active building permit on the same property. If the building permit is expired or finalized, the container shall be removed within ten calendar days of the permit expiration or building permit final. If construction ceases for a period of thirty days or is abandoned, the container shall be removed no later than ten calendar days after notice to remove is issued by the City. The temporary placement on lots smaller than one acre shall never exceed 180 days in any calendar year.

Sec. 33-726. Permit Administration

- (a) A Minor Development Permit shall be required prior to the placement of a cargo container on private property, unless expressly exempted by this article. An application for a Minor Development Permit shall be made to the Planning Division on forms prescribed by the Director of Community Development. The application shall be accompanied by the following:
 - (1) Three copies of a detailed site plan showing the location of the proposed container, including, but not limited to setbacks from property lines and other structures located on the site, drive aisles, parking spaces, etc.).
 - (2) Details regarding the container (including height, width, length, color, etc.).
 - (3) Method of screening.
 - (4) Such other information the Director of Community Development may require to adequately review an application
 - (5) Minor Development Permit fee, as adopted by City Council Resolution.

Sec. 33-727. Standards.

- (a) It shall be unlawful for any property owner, tenant or other responsible party to use, allow or maintain a cargo container in violation of any standard provided in this section.
- (b) Cargo containers shall not be stored in a manner that impedes access to public right-of-ways, public utility or drainage easements or adjacent structures and buildings. The cargo container(s) shall not block, obstruct, or reduce in any manner any required exits, windows, vent shafts, parking spaces, and/or access driveways.
- (c) Cargo containers may be used for storage only and shall not be used for human habitation or for commercial business purposes.
- (d) Cargo containers shall not be used to store hazardous materials in violation of any local, state or federal requirements.

- (e) Cargo containers may not occupy any required off-street parking spaces, loading/unloading areas, or fire lanes. Parking spaces may be used for temporary storage in commercial zones to support seasonal events provided the amount of spaces is not more than 20% of the required parking spaces for the sponsoring business or 5% of the overall spaces within a commercial center containing multiple tenants.
- (f) No signage shall be allowed on any permanent cargo container.
- (g) Cargo containers shall not be stacked on top of each other or on another structure.
- (h) Containers shall be prohibited from having windows, heating and cooling, plumbing, or multiple entrances. Cargo containers may include passive systems to provide appropriate ventilation. Utility services shall not be provided to the container.
- (i) All cargo containers shall be operated in a safe manner, and be structurally sound, stable and in good repair. The container shall not contain any holes, peeling paint, rust, damage or structural modifications.
- (j) Cargo Container(s) used for long-term storage shall not be visible from the portion of any public or private road that abuts the lot or property. Acceptable screening features for a cargo container include landscaping, fencing, terrain, existing structures, or a combination of these features.
- (k) Cargo container(s) used for temporary storage in commercial zones must be placed to the rear of the business and may not be placed within any designated landscape or storm water facility.
- (l) Cargo container(s) shall be painted a non-reflective neutral color that is compatible with the primary structure or to blend in with the surrounding environment.

Sec. 33-728. Nonconforming Use Expiration Date

- (a) A cargo container that was lawfully on private property before _____, 2012 may be allowed to continue as a nonconforming use for two years.



CITY OF ESCONDIDO
 PLANNING DIVISION
 201 NORTH BROADWAY
 ESCONDIDO, CA 92025-2798
 (760) 839-4671

Notice of Exemption

To: San Diego County Recorder's Office
 Attn: Vanessa Esquivel
 P.O. Box 121750
 San Diego, CA 92112-1750

From: City of Escondido
 201 North Broadway
 Escondido, CA 92025

Project Title/Case No.: AZ 11-0001

Project Location - Specific: Citywide

Project Location - City: Escondido, **Project Location - County:** San Diego

Description of Project: An amendment to the Escondido Zoning Code establishing restrictions, standards and permit requirements for the use of cargo containers in residential, commercial and industrial zones.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project

Name Jay Paul, Associate Planner, City of Escondido Telephone (760) 839-4537

Address 201 N. Broadway, Escondido, CA 92025

Private entity School district Local public agency State agency Other special district

Exempt Status: Categorical Exemption. Section 15061(b)(3) "General Rule." The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Reasons why project is exempt:

The project only involves establishing standards and restrictions for the continued placement of specific small accessory storage structures "metal cargo containers" on residential, commercial and industrial properties. Cargo containers typically have been allowed in commercial and industrial areas, where outdoor storage has been approved, or as accessory storage structures. Over the years, cargo containers also have been allowed in residential zones as accessory structures, when appropriate setbacks and lot coverage requirements have been met. Small accessory structures used for storage currently are permitted in residential, commercial and industrial zones subject to the appropriate administrative permits and any necessary building permits. Since there is no defined standards for the placement of metal cargo containers throughout the City and these containers are not usual and customary to certain residential areas, staff has developed limitations/restrictions on residential properties, and specific provisions for the placement of cargo containers on commercial and industrial properties. A permitting process also has been proposed in order to ensure the appropriate placement, use and screening of the containers is provided and maintained. In staff's opinion, the establishment of standards to regulate the continue placement and use of storage containers throughout the City of Escondido does not have the potential for causing a significant effect on the environment.

Lead Agency Contact Person: Jay Paul, Planning Division Area Code/Telephone/Extension (760) 839-4537

Signature:  February 13, 2012
 Jay Paul, Associate Planner Date

Signed by Lead Agency Date received for filing at OPR: N/A

City and Borough of Wrangell, Alaska

Agenda G1

Date: September 8, 2015

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Preliminary Plat review of the Torgramsen-Glasner Subdivision within USS 3823, a subdivision of the remainder of Lot A-2, Torgramsen-Smith Subdivision, creating Lot C within the remainder of lot A-2, Zoned Single Family Residential, requested by Don Glasner, owned by Lisa Torgramsen.

Mr. Glasner is seeking to purchase the proposed Lot C in the attached map. His request to construct enclosed commercial storage units on this proposed lot was granted a Contract Zone by the Assembly in June.

Staff requests that a 10 foot wide utility easement be centered on the mutual lot line between Proposed Lot C and Remainder Lot A-2. This provides a future corridor for utilities if ever needed to the back portions of these two lots.

Staff recommends approval of the Preliminary plat with the requested utility easement.

City and Borough of Wrangell

Agenda G2

Date: September 8, 2015

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Final Plat review of V.E. Resubdivision, a resubdivision of Lots 6 Block 2 ASLS 83-7 owned by Trust Land Office and Lot 7, Block 2, ASLS 83-7 owned by Sylvia Ettefagh and John Verhey, Wrangell Island West Subdivision, creating lots 6A and 7A within ASLS 83-7, zoned Rural Residential, requested by John Verhey and Sheila Verhey (contract buyers of Lot 6) and John and Sylvia Verhey.

Background: The applicants are reconfiguring their existing adjoining lots.

Findings:

The Planning and Zoning Commission approved the preliminary plat in June subject to concurrence by Mental Health Trust Land Office, as Lot 6, Block 2 ASLS 83-7 was under a sale contract to John Verhey and Sheila Verhey. The Quit Claim Deed from MHTLO has been received, showing full ownership by John Verhey and Sheila Verhey. In addition, Sheila Verhey is selling her interest in the parcel so that the owners of both lots will be John Verhey and Sylvia Ettefagh.

The Signature Block showing Sylvia Ettefagh as "A.K.A Sylvia DeLaney Verhey" is incorrect and has been struck and initialed from the final plat.

Recommendation: Staff recommends approval of the final plat.



VICINITY MAP:
SCALED NOT TO SCALE

CERTIFICATE OF APPROVAL BY THE ASSEMBLY
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREAFTER HAS BEEN FOUND TO CONFORM WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AND THAT THE PLAT SHOWS THEREIN HAS BEEN APPROVED FOR RECORDATION IN THE OFFICE OF THE DISTRICT CLERK, EXCEPT RECORDS, WRANGELL, ALASKA.

DATE: _____
 BY: _____
 DISTRICT CLERK

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION
 I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AM AN ACTING ASSISTANT CITY CLERK OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AND I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREAFTER HAS BEEN APPROVED FOR RECORDATION IN THE OFFICE OF THE DISTRICT CLERK, EXCEPT RECORDS, WRANGELL, ALASKA.

DATE: _____
 BY: _____
 ASSISTANT CITY CLERK

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION
 I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AM AN ACTING ASSISTANT CITY CLERK OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AND I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREAFTER HAS BEEN APPROVED FOR RECORDATION IN THE OFFICE OF THE DISTRICT CLERK, EXCEPT RECORDS, WRANGELL, ALASKA.

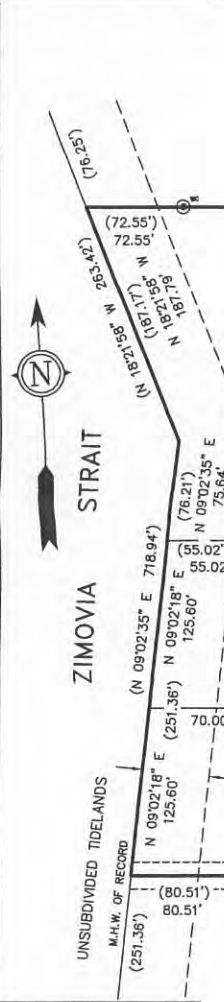
DATE: _____
 BY: _____
 ASSISTANT CITY CLERK

CERTIFICATE OF OWNERSHIP AND DEDICATION
 I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR LICENSED IN THE STATE OF ALASKA, AND THAT THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE: _____
 BY: _____
 REGISTERED SURVEYOR

LEGEND

- ⊙ SECONDARY MONUMENT RECOVERED THIS SURVEY
- 3/8" REBAR 30" LONG WITH 2" ALUM. CAP WITH PLASTIC INSERT SET THIS SURVEY
- WC WITNESS CORNER
- (86.09) DATA OF RECORD
- (86.09) DATA MEASURED OF COMPUTED



OWNERSHIP STATUS

- LOT 5 (TANNER & AMY SMITH)
- LOT 6 (JOHN JOSEPH VERNEY & SYLVIA DELANEY ETTEFAGH)
- LOT 7A (JOHN JOSEPH VERNEY & SYLVIA DELANEY ETTEFAGH)
- LOT 8 (JOHN & JOAN SANDOZ)

PROPOSED OWNERSHIP

- LOT 5 (TANNER & AMY SMITH)
- LOT 6A (JOHN VERNEY & SYLVIA ETTEFAGH)
- LOT 7A (JOHN VERNEY & SYLVIA ETTEFAGH)
- LOT 8 (JOHN & JOAN SANDOZ)

PLAT NOTES

- REFERENCES WITHIN THE WRANGELL RECORDING DISTRICT UTILIZED FOR THIS SURVEY: A. WRANGELL RECORDING DISTRICT SUBDIVISION, A.S.L.S. 83-7, PLAT #03-11; B. WRANGELL RECORDING DISTRICT SUBDIVISION, A.S.L.S. 85-3, PLAT #03-11; C. QUITCLAIM DEED #015-00010
- THE MAIN LINE OF 14.8" (U.L.S.) FORMS THE TRUE BOUNDARY OF THE BEARING PROPERTY LINES OF THIS SURVEY. THE MEANDER LINE SHOWN HERE APPROXIMATING THIS 14.8" LINE AND IS USED FOR AREA COMPUTATIONS ONLY. THE ACTUAL LINE OF 14.8" IS THE TRUE BEARING BOUNDARY.

WRANGELL RECORDING DISTRICT

SEARCHED _____
 INDEXED _____
 SERIALIZED _____
 FILED _____

WRANGELL, ALASKA

DATE: _____

PROJECT: _____

NOTARY'S ACKNOWLEDGMENT

I, THE NOTARY PUBLIC, DO HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR LICENSED IN THE STATE OF ALASKA, AND THAT THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE: _____
 BY: _____
 REGISTERED SURVEYOR

CLIENT: JOHN VERNEY & SYLVIA ETTEFAGH
 BOX 2281
 WRANGELL, ALASKA 99829

DEED RECORDING DISTRICT

SEARCHED _____
 INDEXED _____
 SERIALIZED _____
 FILED _____

WRANGELL, ALASKA

DATE: _____

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WRANGELL, ALASKA

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2015 - 000190 - 0

Recording District 104 WRANGELL

06/26/2015 09:54 AM

Page 1 of 3



State of Alaska
Alaska Mental Health Trust
Authority
Quitclaim Deed

QCD No. 772

MHT 9100241

**Record this document in the
Wrangell Recording District**

The GRANTOR, the ALASKA MENTAL HEALTH TRUST AUTHORITY, a public corporation within the Department of Revenue (AS 47.30.011 et seq.), by its agent pursuant to AS 37.14.009(a)(2), the Alaska Mental Health Trust Land Office, Department of Natural Resources, whose address is 2600 Cordova Street, Suite 100, Anchorage, Alaska 99503, pursuant to AS 38.05.801 and regulations promulgated thereunder, for TEN AND NO/100 DOLLARS and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby conveys and quitclaims to the GRANTEE, **John Joseph Verhey**, a married man, and **Sheila DeLaney Verhey**, a married woman, whose mailing address is P.O. Box 2281, Wrangell, Alaska 99929, without warranty, all right, title and interest of the Grantor, if any, in the following described real property situated in Section 17, Township 64 South, Range 84 East, Copper River Meridian, Alaska, in the Wrangell Recording District, First Judicial District, State of Alaska, and more particularly described as follows:

Lot 6 in Block 2 of Alaska State Land Survey No. 83-7, Wrangell Island West Subdivision, containing 2.411 acres, more or less, according to the survey plat filed in the Wrangell Recording District on August 1, 1983 as Plat 83-11.

TOGETHER with all the tenements thereon, if any; and all rights of the Grantor to any and all hereditaments and appurtenances thereto belonging or in anyway appertaining.

SUBJECT to valid existing rights, including reservations, easements, and exceptions in the

U.S. Patent or other state or federal conveyance, and in acts authorizing the issue thereof; easements, rights of way, covenants, conditions, reservations, notes on the plat, and restrictions of record, if any; and encumbrances or interests of record noted on the records maintained by the Department of Natural Resources, or otherwise existing on or before the date that the land was designated as Mental Health Trust Land pursuant to Section 40, Chapter 5 FSSLA 1994, as amended by Chapter 1, SSSLA 1994.

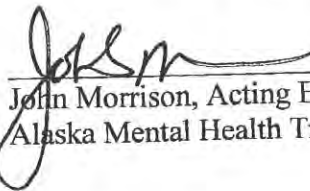
The Grantor hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils of every name, kind or description, and which may be in or upon said land above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable material, geothermal resources and fossils. The Grantor also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said land, or any part of parts thereof, at any and all times for the purpose of opening, developing, drilling and working mines or wells on these or other land and taking out and removing therefrom all such oils, gases, coal, ores, minerals, fissionable materials, geothermal resources, and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct maintain, and use all such buildings, machinery, roads, pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said land or any part thereof for the foregoing purposes and to occupy as much of said land as may be necessary or convenient for such purposes, hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally all rights and power in, to and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

Executed this 22 day of June, 2015.

GRANTOR:

ALASKA MENTAL HEALTH TRUST AUTHORITY

By:



John Morrison, Acting Executive Director
Alaska Mental Health Trust Land Office

Quitclaim Deed No. 772

Page 2 of 3



Page 2 of 3
2015-000190-0

STATE OF ALASKA)
) ss.
Third Judicial District)

This is to certify that on this 22 day of June, 2015, personally appeared **John Morrison**, the Acting Executive Director of the Alaska Mental Health Trust Land Office, known to me to be the person who acknowledged that she executed the foregoing instrument, on behalf of the Alaska Mental Health Trust Land Office, as agent for the Alaska Mental Health Trust Authority, freely and voluntarily and for the purposes therein stated.



Jamie J. Millard
Notary Public for the State of Alaska
My Commission Expires With Office.

MHT QCD 772
MHT 9100241
Parcel No. C20757

Location Index:
Township 64 South, Range 84 East, Copper River Meridian, Alaska
Section 17

AFTER RECORDING, RETURN DOCUMENTS TO:
ORIGINAL TO GRANTEE:
John Verhey & Sheila Verhey
PO Box 2281
Wrangell, AK 99929

CERTIFIED COPY TO GRANTOR:
Alaska Mental Health Trust Land Office
2600 Cordova Street, Suite 100
Anchorage, AK 99503

Official State Business – NO CHARGE

Quitclaim Deed No. 772

Page 3 of 3



Page 3 of 3
2015-000190-0

City and Borough of Wrangell, Alaska

Agenda G3

Date: September 8, 2015

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Final Plat review of the R&J Rusaw Subdivision, a subdivision of Lot 1 Block 4 ASLS 83-7 Wrangell Island West Subdivision creating Lots 1A and 1B, zoned Rural Residential, requested by Robert and Jamie Rusaw.

At the August meeting, the Planning and Zoning Commission approved the preliminary plat of the above described subdivision, including the staff requested utility easement centered on the mutual property line between the two new lots. After the meeting, the Rusaw's wrote a letter asking for information regarding the easement. Their letter is attached as is my response.

I had been told that plat would be ready for this meeting, thus its inclusion on the agenda. However, at the time of putting together the packet on Tuesday, September 8, 2015, staff has not yet seen the signed final plat and thus cannot make a recommendation of approval.

Hello Carol,

I attended the planning and Zone meeting last Thursday 8/13/15 with my mom Jamie Rusaw. My mom has some concerns about the Utility Easement that you requested. The meeting was the first time she was introduced to the idea of putting in a 10 foot easement and there was not much information presented at the meeting about it. There is already adequate utility access to all property either from Zimovia or Log Loop Road and it doesn't seem to us that it is necessary to establish a 10' easement in addition to the access already available. We would prefer this not to happen. At the meeting you stated that it was necessary due to the size of the lots. However these lots are getting smaller not bigger and they all still have good utility access coming from existing roadways. We believe there should be a legitimate reason for establishing an easement in which a portion of the property is forfeited from the landowner. If you could provide a letter of support from the utilities indicating that this is needed we would feel much better about it as we have no objection to this being done if it is really needed. From our position this proposed additional easement looks intrusive and unnecessary.

Please let us know when the next meeting is if it is necessary for us to speak with the board. We did not have time to process the information about the easement at the last meeting and the board and public setting did not seem like the right place to discuss our feelings without first understating what we wished to say.

Thank you for your time,

Jamie Rusaw and Brook McHolland,
874-2879
305-0637
PO Box 2018
Wrangell, Ak 99929



CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

P.O. BOX 531 (907)-874-2381
Wrangell, AK 99929 FAX (907)-874-3952
www.wrangell.com

August 27, 2015

Jamie Rusaw
Brook McHolland
P.O. Box 2018
Wrangell, AK 99929

Re. Utility Easement for R&J Rusaw Subdivision

Dear Jamie and Brook,

Thank you for your inquiry regarding the addition of a 10 foot utility easement centered on the mutual lot lines between proposed Lots 1A and 1B of the proposed R&J Rusaw Subdivision.

I apologize for any confusion of the request by staff and ultimate approval of the easement by the Planning and Zoning Commission. The City and Borough of Wrangell has platting authority for all lands within the borough. The Planning and Zoning Commission reviews and approves all subdivisions. Typically, during the subdivision process, utility and/or access easements may be requested by staff to provide for current or potential future needs. Often, easements are placed on all property lines for future utility corridors that might be needed.

For your proposed subdivision, the utility easement was only requested to be placed on the mutually shared property line between proposed Lots 1A and 1B, not also along the right-of-way frontage. The right-of-ways are wide in this area and provide more than ample land adjacent to lot frontages if additional utilities are ever added or reconstructed in the ROW. The 10 foot easement centered on the shared proposed property line between Lots 1A and 1B was requested for any potential future uses. These lots are very large and could easily be subdivided in the future, in whole or in part. The easements provide a corridor for any utilities that might need to access the current lands or future subdivided parcels. The 5 foot easement on each side of the shared property line is within the required 15 or 20 foot setback requirement for structures and does not impact available building space. The side yard setback in Rural Residential is 15 feet and the back yard setback is 20 feet.

Please do not hesitate to call if you have any additional questions.

Sincerely,

Carol Rushmore,
Economic Development Director