

CITY OF UNALASKA, ALASKA  
PLANNING COMMISSION & PLATTING BOARD  
REGULAR MEETING  
THURSDAY, AUGUST 15, 2024, 06:00 PM  
Council Chambers, City Hall

---

**ZOOM Meeting Link:**

<https://us02web.zoom.us/j/81310428861?pwd=ZTdnZmRZbytgTlM4RWUreHM5L25WZz09>

**Meeting ID:** 813 1042 8861 **Access Code:** 592925

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

CALL TO ORDER  
ROLL CALL  
REVISIONS TO THE AGENDA  
APPEARANCE REQUESTS  
ANNOUNCEMENTS  
MINUTES: Draft minutes from the meeting July 18, 2024

PUBLIC HEARING

1. **RESOLUTION 2024-04:** A RESOLUTION APPROVING AND RECOMMENDING A REZONING ACTION TO THE CITY COUNCIL AMENDING THE LAND BORDERING THE SOUTH SIDE OF MCLEES LAKE FROM MARINE DEPENDENT INDUSTRIAL TO OPEN SPACE

OLD BUSINESS

*No Items*

NEW BUSINESS

2. **RESOLUTION 2024-04:** A RESOLUTION APPROVING AND RECOMMENDING A REZONING ACTION TO THE CITY COUNCIL AMENDING THE LAND BORDERING THE SOUTH SIDE OF MCLEES LAKE FROM MARINE DEPENDENT INDUSTRIAL TO OPEN SPACE

WORKSESSION

*No Items*

ADJOURNMENT

## Principles of the Unalaska Planning Commission

1. The Position: In any community, the position of Planning Commissioner is a highly respected and honored one.
2. The Job: The job of Planning Commissioner is to serve the public, as representatives of the City Council and to the best of their ability, in ensuring sound planning and growth management in Unalaska. All decisions of the Planning Commission should be based on sound planning principles and practices, and not on the personal opinion of individual Planning Commissioners. Once the Planning Commission makes a recommendation to the City Council, the job of the Planning Commissioners and Planning Commission is over, in terms of that particular action.
3. Integrity: Planning Commissioners are appointed by City Council. The actions, behavior, and comportment of each Planning Commissioner reflect not only on that Planning Commissioner's integrity – but also on the integrity of the City Council and of the entire City government.
4. Collaboration: An individual Planning Commissioner is not a “lone wolf,” but is part of a collective body. As such, each Planning Commissioner is expected to act in a collaborative manner with his and her fellow Planning Commissioners.
5. Respect Each Other: While it is understandable to sometimes disagree with your fellow Planning Commissioners on issues brought before the body, and appropriate to publically vocalize that disagreement during Planning Commission meetings, a Planning Commissioner should always respect the opinion of their fellow Commissioners and treat each other with respect.
6. Majority Rules: It is important to remember that, at the end of the day, the majority rules. So, after each action is brought before the body, discussed, and voted upon, Planning Commissioners must accept and respect the rule of the majority – even if the ruling was counter to an individual Commissioner's position.
7. Respect Staff: A Planning Commissioner should respect the opinion of City Planning Staff, whether the Planning Commissioner agrees with staff or not. Planning Staff Members are professionals who are employed to serve not only the Planning Commission and general public, but the City Council.
8. The Las Vegas Rule: What comes before the Planning Commission must stay before the Planning Commission. This means there can be no outside negotiating with petitioners or with the public regarding applications brought before the Commission. And, all discussions – pro or con – concerning a petition before the Planning Commission, must take place solely within Planning Commission meetings.
9. Respect Applicants and Public: Each Planning Commissioner must always show professionalism and respect for applicants and the general public – regardless of the position held by that Planning Commissioner or by the Planning Commission.
10. Upholding the Principles: Any member of the Planning Commission who finds that he or she cannot uphold and abide by the above principles should resign from the Commission.

## PROCEDURES FOR THE CHAIR

### Approval of Minutes

The Chair states: "The minutes were included in the packet. Are there any corrections to the minutes?" [pause to wait for commissioners to object]. "Hearing none, if there are no objections, the minutes are approved as printed."

OR

If there are objects to the minutes, then...

1. Ask for a motion to approve the minutes as printed. And a second.
2. Facilitate Commission discussion.
3. Amendments will need a motion and a second.
4. When there is no more discussion, call for a vote on any amendments.
5. Continue discussion until there is none further, then call for a vote on the minutes as amended.

### Public Hearings

1. Open the public hearing.
2. Notify the public that they may raise their hand and speak from their seats.
3. Read the title of the first item.
4. Ask if any member of the public wishes to speak to the item. They may do so by raising their hand.
5. When discussion has ended, read the title of the second item.
6. Again ask for public discussion.
7. Continue until all items on the public hearing are complete.
8. NOTE: No commissioners or staff should give any input during the public hearing.

### Resolutions under new business or old business

1. Read the title of the first resolution.
2. Ask for declaration of ex parte communications and conflicts of interest from commissioners.
3. Any question of whether a conflict of interest exists will be settled by a majority vote of the Commission. Members with a conflict will be asked to sit in the audience during this discussion/vote.
4. Ask for staff presentation.
5. Ask for questions from Commissioners of staff.
6. Ask for a presentation from the applicant.
7. Ask for questions from Commissioners of the applicant.
8. Ask for a motion to approve the resolution. And a second.
9. Facilitate commission discussion.
10. If any members of the public have signed up to speak on the topic, they will be given a chance to speak. The chair must set a time limit (such as 2 minutes) to each public comment. Time limits can be objected by commissioners and subsequently put to a vote if necessary.
11. Following public testimony, continue commission discussion until there is nothing further.
12. NOTE: Each member of the public only gets one chance to speak, but anyone who signs up with staff before the commission votes shall be given their one chance to speak before the vote occurs.
13. Call for a vote.
14. Repeat for each resolution on the agenda.

City of Unalaska  
UNALASKA PLANNING COMMISSION

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

Regular Meeting  
Thursday, July 18, 2024  
6:00 p.m.

Unalaska City Hall  
Council Chambers  
43 Raven Way

Commission Members  
Ian Bagley  
Virginia Hatfield

Travis Swangel, Chairman

Commission Members  
Caroline Williams  
Rainier Marquez

MINUTES

1. Call to order. Chairman Swangel called the Regular Meeting of the Unalaska Planning Commission to order at 6:00 pm, on July 18, 2024 in the Unalaska City Hall Council Chambers.
2. Roll Call:
 

<u>Present:</u>	<u>Absent:</u>
Travis Swangel	Ian Bagley
Virginia Hatfield	Caroline Williams
	Rainer Marquez
3. Revisions to Agenda: Item No. 2 is struck with no objections.
4. Appearance requests: Ben Knowles of City Fire Department
5. Announcements: Planning will be hiring for Grants Management Coordinator soon.
6. Minutes: Minutes for January 18 and April 18, 2024 was adopted and approved with no objections.
7. Public Hearing:
  - 1) **RESOLUTION 2024-03:** A RESOLUTION APPROVING A REAR YARD REDUCTION VARIANCE FROM 15 FEE TO 1 FOOT ON A LEASE LOT ON TRACT 1, UNALASKA AIRPORT SUBDIVISION, PLAT 86-331, AIRD.
  - 2) **RESOLUTION 2024-04:** A RESOLUTION APPROVING AND RECOMMENDING A REZONING ACTION TO THE CITY COUNCIL AMENDING THE LAND BORDERING THE SOUTH SIDE OF MCLEES LAKE FROM MARINE DEPENDENT INDUSTRIAL TO HOLDING ZONE TO MATCH THE SURROUNDING ZONING.
8. Old Business: No Items
9. New Business:
  - 1) **RESOLUTION 2024-03:** A RESOLUTION APPROVING A REAR YARD REDUCTION VARIANCE FROM 15 FEE TO 1 FOOT ON A LEASE LOT ON TRACT 1, UNALASKA AIRPORT SUBDIVISION, PLAT 86-331, AIRD. Motion made by Chairman Swangel, seconded by Commissioner Hatfield. All in favor in approving resolution 4-0.
  - 2) **RESOLUTION 2024-04:** A RESOLUTION APPROVING AND RECOMMENDING A REZONING ACTION TO THE CITY COUNCIL AMENDING THE LAND BORDERING THE SOUTH SIDE OF MCLEES LAKE FROM MARINE DEPENDENT INDUSTRIAL TO HOLDING ZONE TO MATCH THE SURROUNDING ZONING. Item was struck with no objections.
10. Work session: No Items
11. Adjournment: Having completed the agenda, the meeting was adjourned without objection at 6:14 p.m.

---

Cameron Dean  
Secretary of Commission

---

Travis Swangel  
Commission Chairman

---

Date

---

Date

**City of Unalaska, Alaska  
Planning Commission/Platting Board  
Staff Report**

**A RESOLUTION APPROVING AND RECOMMENDING A REZONING ACTION TO THE CITY COUNCIL AMENDING THE LAND BORDERING THE SOUTH SIDE OF MCLEES LAKE FROM MARINE DEPENDENT INDUSTRIAL TO OPEN SPACE**

Basic Information	
<b>Application Type</b>	Zoning Amendment
<b>Land Owner</b>	Ounalashka Corporation
<b>Applicant</b>	Unalaska Planning Commission
<b>Proposed Change</b>	Marine Dependent Industrial to Open Space District
<b>Exhibits</b>	Application, Site map
<b>Staff Recommendation</b>	Approval

Legal Information	
<b>Tax Parcel ID</b>	None
<b>Address</b>	None
<b>Legal Description</b>	<ul style="list-style-type: none"> <li>• Lots 1, and 2 located in the East Half of the North West Quarter of Section 4,</li> <li>• Lots 3 and 4 located in the North Half of the South West Quarter of Section 4,</li> <li>• The East Half of the North West Quarter of Section 5 (Lot 1 inclusive),</li> <li>• Lot 2 in the North East Quarter of Section 5, and</li> <li>• The North Half of the South East Quarter of Section 5 (Lot 3 inclusive)</li> </ul> All located in Township 72S, Range 118W, within the Seward Meridian
<b>Land Use Subarea</b>	None

Area Description	
<b>North</b>	McLees Lake
<b>South</b>	Unsubdivided Holding District
<b>East</b>	Unsubdivided Holding District surrounded by Open Space
<b>West</b>	Unsubdivided Holding District surrounded by Open Space

Current Site Description and Zoning Standards	
<b>Zone</b>	Marine Dependent Industrial (MDR) (UCO §8.12.090)
<b>Existing Use</b>	None on parcel, outflow of lake used for subsistence fishing
<b>Permitted Uses</b>	(A) Purpose and intent: The Marine-Dependent/Industrial District is to provide for those land uses and structures whose primary purposes require direct access to a water body and/or can be carried out on, in, or adjacent to a water body only

Proposed Site Zoning Standards	
<b>Zone</b>	Open Space District (UCO §8.12.110)
<b>Permitted Uses</b>	(A) Purpose and intent: The Open-Space District is intended to provide for the preservation and protection of the community's scenic resources, parks, recreation, and subsistence activities. (B) Uses permitted. In the Open-Space District, no building or structure or land shall be used, and no building or structure shall be erected which is arranged, intended, or designated to be used for other than one or more of the following uses: (1) Recreational areas, parks, playgrounds, wildlife preserves, hiking trails, and such buildings and structures as are related thereto; (2) Traditional subsistence uses, defined as the gathering of fish, shellfish, berries, roots, and other edible plant species; (3) Temporary and casual recreation uses such as hiking, camping, picnicking, and sport fishing; (4) Scenic, historical, or botanical areas; (5) Agricultural and grazing uses;

	Required/Existing		Required	
<b>Lot Area</b>	10,000 SF / 300.41 Acres	<b>Front Setback (no/resident)</b>	10/20 Feet	N/A
<b>Lot Frontage</b>	70 Feet / Approximately 5 Miles	<b>Side Setbacks (no/resident/row)</b>	10/20/15	N/A
<b>Coverage</b>	80%	<b>Rear Setback (no/resident)</b>	10/20	N/A
<b>Building Height ft</b>	50 principal-35 accessory / 0	<b>Parking</b>	1/1,000 sf of floor	N/A
<b>Corner Lot?</b>	No	<b>Nonconformance?</b>	None	

Parcel History	
<b>Planning Commission Resolution</b>	N/A
<b>City Council Ordinance</b>	Ordinance 95-37: Establishment of the Zoning Map Ordinance 2001-04: Establishment of Current Zoning Map

**PLAN GUIDANCE**

1. The Comprehensive Plan’s Environmental Goal is to “Protect and respect Unalaska’s environment, natural beauty, and natural resources.”
2. Secondary Action 5 of the Environmental Goal is specifically the Protection of Subsistence Lifestyle including the protection of subsistence areas.
3. The Unalaska Land Use Plan does not call for changes to the land uses in area.

**ADDITIONAL CODE REQUIREMENTS**

1. City Council must approve any zone amendment recommended by the Planning Commission.
2. 8.12.190(C) At public hearing, the Planning Commission shall determine if any application for a zone change is reasonable, in the public interest, and in conformance with the goals and objectives of the Comprehensive Plan.
3. 8.12.110(D) Open Space District: Conditional uses and structures. In the Open-Space District, the following uses and their accessory uses may be permitted, subject to securing a Conditional Use approval in each case as provided for in this chapter (See § 8.12.200). (1) Cabins; (2) A single caretaker's building of a permanent nature; (3) Water reservoirs; (4) Water treatment facilities; (5) Flood control and drainage structures; (6) Snow and water gauging stations; (7) Pumping facilities; and (8) All other uses not listed above may be permitted as conditional uses subject to the review and approval of the Planning Commission per the provisions of § 8.12.200 contained herein.

**BACKGROUND**

1. McLees lake is a large body of water that is culturally, economically, and recreationally significant as it is a significant source of subsistence fishing, with annual salmon runs.
2. When the City was expanded to its current boundary, the unsubdivided outlands were zoned either Open Space on Fish and Wildlife lands, or Holding Zone on Ounalashka Corporation and ANCSA lands.
3. The details are murky, but it appears that this area was zoned as Marine Dependent Industrial automatically, as it was a shoreline. Likely when the work was being done, the map did not include the remainder of the lake, so it looked like a bay or ocean-front.
4. The Planning Commission requested the rezoning during a worksession regarding the State’s tideland classifications for the Unalaska Bay area at the April 18, 2024 meeting. It was noticed that there was an unusual area of MDI zoning, and the Commission requested that Planning Staff bring a re-zoning resolution for recommendation to the City Council.

**DETAILED FINDINGS**

1. The goals of the Comprehensive Plan directly support and call the City to action to protect subsistence fishing. The value of the McLees Lake fish run is significant to the residents of Unalaska, in the number of fish caught each year supports families, elders, tribal members, and residents.

2. The Open Space District is chosen because code does not allow a move to the Holding District, which is the same zoning as surrounds the unsubdivided area. In addition, while the Open Space District provides protection to the area, but is able to be changed in the future.
3. Considering the increased focus on the closures of the Bristol Bay salmon fisheries, the potential placement of Bristol Bay Salmon on the endangered species list, and numerous stream remediation works across the Pacific Northwest to protect salmon runs, it makes sense to protect our resources across the island, especially the McLees Lake runs. This rezoning action is in line with current trends.

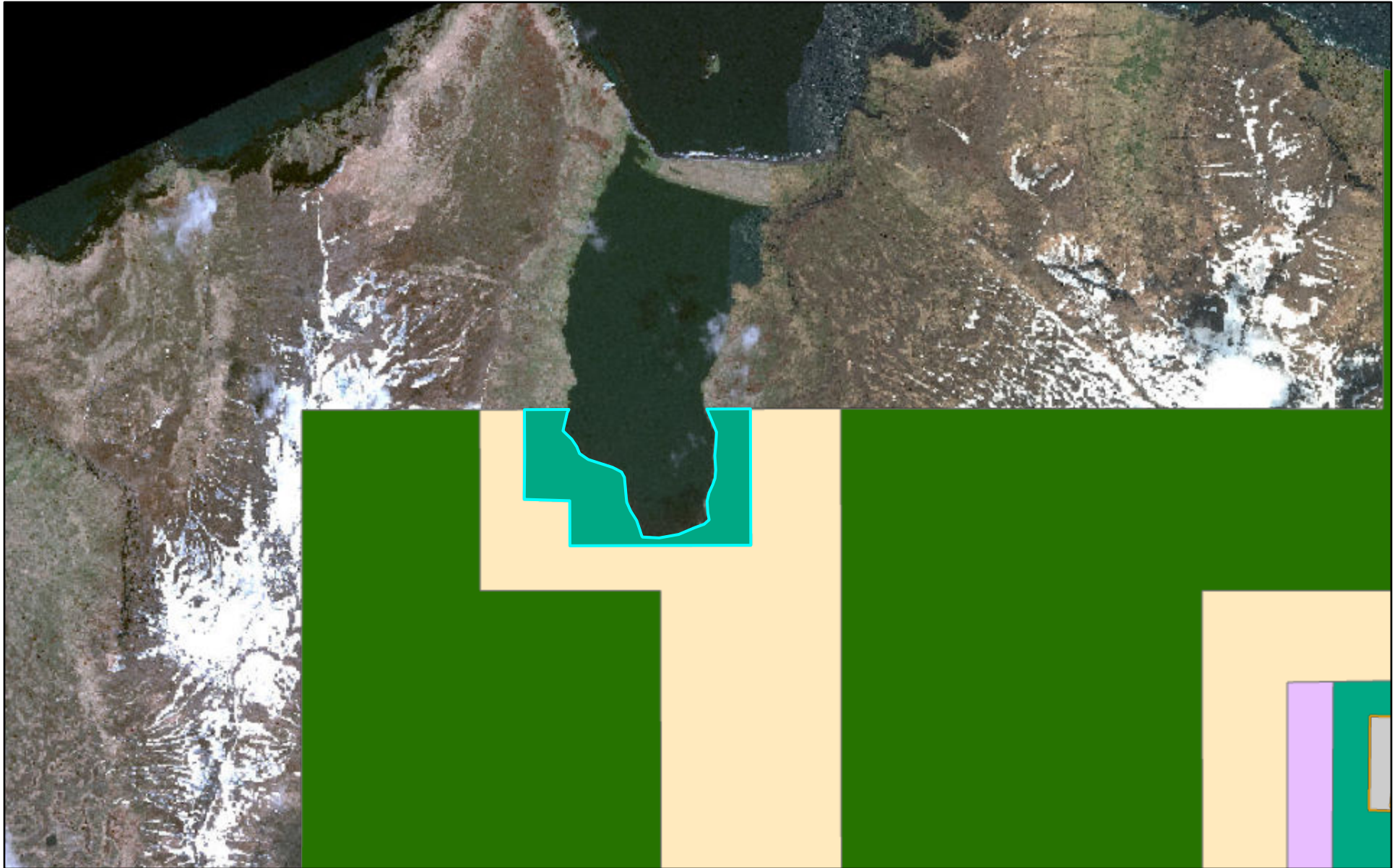
**CONDITIONS**

N/A

**DECISIONS**

1. **Recommended:** The Planning Commission approves rezone with a finding of fact, which is sent to the City Council for final decision. **Staff supports this action.**

# Resolution 2024-04: McLees Lake Rezoning



6/10/2024, 1:26:09 PM

Parcels

Holding Zone

Open Space

Zoning

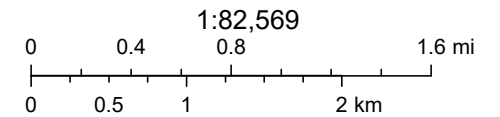
Marine Dependent Industrial

Restricted Deeds/Native Allotments

Developable Tidelands

Marine Related Industrial

Streets



City of Unalaska; Geographic Technologies Group, Inc.



**City of Unalaska, Alaska  
Planning Commission/Platting Board  
Resolution 2024-04**

**A RESOLUTION APPROVING AND RECOMMENDING A REZONING ACTION TO THE CITY COUNCIL AMENDING THE LAND BORDERING THE SOUTH SIDE OF MCLEES LAKE FROM MARINE DEPENDENT INDUSTRIAL TO OPEN SPACE**

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

**WHEREAS**, the Unalaska Planning Commission, initiated this rezoning action in response to the tideland worksession held at the Planning Commission meeting on April 18, 2024; and

**WHEREAS**, the Ounalashka Corporation, is the owner of the unsubdivided land located on the south side of McLees Lake in:

- Lots 1, and 2 located in the East Half of the North West Quarter of Section 4,
- Lots 3 and 4 located in the North Half of the South West Quarter of Section 4,
- The East Half of the North West Quarter of Section 5 (Lot 1 inclusive),
- Lot 2 in the North East Quarter of Section 5, and
- The North Half of the South East Quarter of Section 5 (Lot 3 inclusive)

All located in Township 72S, Range 118W, within the Seward Meridian; and

**WHEREAS**, the surrounding land in the remainder of Sections 4 and 5 of Township 72S, Range 118W, located in the Seward Meridian is zoned Holding District; and

**WHEREAS**, the Unalaska Planning Commission has submitted a zoning map amendment to rezone this property from Marine Dependent Industrial to Open Space to most accurately match the zoning category to current uses; and

**WHEREAS**, McLees lake is a valuable recreation, subsistence, economic, and cultural resource to the Citizens of Unalaska, as a locally significant source of Salmon on Unalaska; and

**WHEREAS**, the Open Space Zone prohibits non-recreational, or non-subsistence uses; and

**WHEREAS**, the stated area is presently undeveloped; and

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

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

**WHEREAS**, the City of Unalaska Planning Commission held a public hearing on August 15, 2024 to consider this request and to hear testimony of the public on Resolution 2024-04.

**THEREFORE, BE IT RESOLVED**, the Planning Commission recommends to the City Council approval of the rezone of unsubdivided land located on the south side of McLees Lake in Lots 1, and 2 located in the East Half of the North West Quarter of Section 4, Lots 3 and 4 located in the North Half of the South West Quarter of Section 4; and the East Half of the North West Quarter of Section 5 (Lot 1

inclusive), Lot 2 in the North East Quarter of Section 5, and the North Half of the South East Quarter of Section 5 (Lot 3 inclusive), of Township 72S, Range 118W, located in the Seward Meridian, to Open Space.

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

APPROVED AND ADOPTED THIS 15<sup>TH</sup> DAY OF AUGUST, 2024, BY THE PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

---

Travis Swangel  
Commission Chair

---

Cameron Dean, Planning Director  
Secretary