



# *Kodiak Island Borough*

## **REVISED LAKESIDE/SAFEWAY SUBAREA LAND USE PLAN ADOPTED September 23, 1997**

The Lakeside Subdivision/Safeway sub-area is located in a developing part of the Kodiak urban area. Central to the area are the Safeway store and the proposed Mill Bay Plaza shopping center. In addition, other retail developments in the area include a gas station and car wash, bank, and several fast food restaurants. Along the arterial serving the area (Mill Bay Road), a number of business buildings have been constructed, most notably, structures developed in support of the commercial fishing industry.

The area also contains a significant built-up feature, the Kodiak Municipal airport, which dominates the center of the area and impacts and influences the development that takes place around it. Moving away from the developing commercial areas, the area is characterized by some historical industrial uses (e.g. the municipal airport, the former metals dump area, and the City's impound yard), as well as some more recent industrial uses (e.g. crab pot storage and fabrication, and the City/Borough animal control facility). A portion of the planning area off the Mill Bay Road corridor has been developed for residential use. The density of this residential development varies from approximately one (1) dwelling unit per acre to ten (10) dwelling units per acre. In addition there still remains, in the area, a large amount of undeveloped, vacant land; a portion of this land is currently dedicated to open space. In the past, and recently, there has been interest in developing some of this property for residential use.

This plan has been developed with several policies in mind. These policies are derived primarily from the draft Kodiak Road System Comprehensive Policy and Land Use Plan. They are:

- Establish zoning district boundaries along natural and artificial boundaries that effectively buffer conflicting land uses from each other;
- Provide an adequate balance of land for the mix of uses that occur or may be anticipated to occur in the community; and
- Limit the types of residential development permitted in downtown Kodiak, and other commercial areas.

The land use plan for this area includes the following land use categories: general business, retail business, medium density residential, low-density residential and open space. Each of these land use categories is described later in the plan.



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As a planning tool, the land use plan provides a vision of how this area should look in the future, but as conditions in the community change, so too should the plan. This effort provides a review of the Plan to determine its compatibility with community needs and desires. The purpose of the Plan is also to provide a basis for the inevitable land use regulations that will be applied to implement it; these include zoning, subdivision, and land disposal regulations.

The general business category is intended as a land use category that permits a wide variety of intensive business land uses. These uses run the gamut from all those uses identified in the current business zoning district, with the exception of residential types of uses (e.g. hotels, apartments, etc.) to wholesale and warehouse types of land uses. The purpose of this land use category is to permit a wide range of business uses that are part of the primary and secondary economic sectors of the region. This land use category does not include, in addition to residential uses; land uses that are traditionally considered "heavy industrial." For example, bulk fuel plants, batch plants, seafood-processing plants, etc. would not be permitted. The following types of "conditionally permitted" uses are envisioned in this land use category: quarters for security personnel and institutional uses. With the wide variety of land uses envisioned in this area, and their intensity, consideration in implementing the plan must be given to screening these uses from public transportation routes and non-similar adjacent land uses. It is important to acknowledge that the Kodiak Municipal Airport is currently a central feature of the general business area identified in this plan. The Kodiak Municipal Airport (landing strip and Lilly Lake) will continue to be a primary use in this area until adequate replacement facilities are established.

The retail business category is intended as a land use category that includes a wide range of retail and service businesses. This land use category is centered around the newly developing Safeway/Mill Bay Plaza area. These types of land uses are considered less intensive from a land use perspective, but often require more parking than uses in the general business area. Therefore, in implementing this plan, consideration must be given to the impact of the required parking areas on adjacent land uses and public transportation routes. High-density (more than twelve (12) dwelling units/acre) residential uses are also permitted (under certain conditions) in this area.

Medium density residential land use has generally been defined in the Kodiak Road System Comprehensive Policy and Land Use Plan as six (6) to twelve (12) dwelling units per acre. The majority of the existing residential land uses in the area are consistent with this land use category. On a practical level, there is an economic efficiency in providing public services to this density of residential uses that is not achieved at lower density levels. For comparative purposes, six (6) dwelling units per acre are equivalent to six (6) single family dwellings, each on an approximately 7,200 square foot lot. Innovative, residential subdivision design, clustering for example, can reduce negative impacts of medium density residential development on the community and neighborhood.



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Low-density residential land use, for purposes of this Plan, represents three (3) to five (5) dwelling units per acre. Much of the vacant land, proposed for residential development, in the area has been placed in this land use category. Innovative, residential subdivision design should be utilized when land in this land use category is developed, in order to preserve public open space and greenway connectivity, while at the same time providing opportunities for additional residential development.

Open space has been defined as "any parcel or area of land or water essentially unimproved and set aside, dedicated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space" (The Illustrated Book of Development Definitions). In any area where the government already has the luxury of owning land, consideration needs to be given to dedicating a portion of that land for open space purposes. As noted in the definition above, open space is provided in this Plan for the use and enjoyment of the public. In developed areas of the community such as this, open space is even more important because of the value it adds to the community. In this Plan, open space is identified for two purposes:

- To separate potentially conflicting land uses (e.g. between residential areas and the municipal airport) and;
- For public recreation and access (e.g. Lot 11, U. S. Survey 3466, and portions of the area around Beaver Lake).

Introduced by: Mayor Selby  
Requested by: ~~Planning &  
Zoning Commission~~  
Drafted by: Community  
Development Department  
Introduced: 11/07/91  
Public Hearing: 11/21/91  
Adopted: 11/21/91

KODIAK ISLAND BOROUGH  
ORDINANCE NO. 91-31

**AN ORDINANCE ADOPTING THE LAKESIDE SUBDIVISION/SAFEWAY  
SUBAREA PLAN AND INCORPORATING THE PLAN  
INTO THE BOROUGH CODE**

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND  
BOROUGH THAT:**

**Section 1:** This ordinance is of a general and permanent nature and shall become a part of the Code of Ordinances of the Kodiak Island Borough.

**Section 2:** Chapter 17.02 of the Borough Code is amended by adding in Section 17.02.030:

"Lakeside Subdivision/Safeway Subarea Comprehensive Plan dated October, 1991. Prepared by the Kodiak Island Borough. Adopted by Ordinance No. 91-31, dated November 21, 1991."

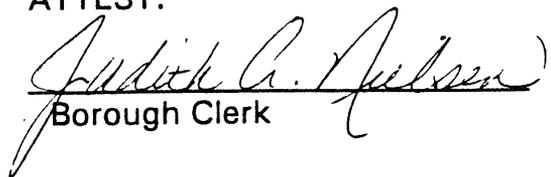
PASSED AND APPROVED THIS 21st DAY OF NOVEMBER, 1991.

KODIAK ISLAND BOROUGH

  
Borough Mayor

  
Presiding Officer

ATTEST:

  
Borough Clerk

## THE PLAN

The Lakeside Subdivision/Safeway sub-area is located in a developing part of the Kodiak urban area. Central to the area are the Safeway store and the proposed Mill Bay Plaza shopping center. In addition, new "retail" developments in the area include a car wash, bank, and fast food restaurant. Along the arterial serving the area (Mill Bay Road), a number of new business buildings have been developed, most notably, shops developed in support of the commercial fishing industry.

The area also contains a significant built-up feature, the Kodiak Municipal airport, which dominates the center of the area and impacts and influences the development that takes place around it. Moving away from the developing commercial areas, the area is characterized by some historical industrial uses; the municipal airport, the metals dump, and the City's impound yard, as well as some more recent industrial uses of the area; crab pot storage and fabrication, and the Borough's animal control facility. A significant portion of the planning area off the Mill Bay arterial has also been developed for residential use. The density of this residential development varies from approximately one (1) dwelling unit per acre to ten (10) dwelling units per acre. A portion of the area is also currently dedicated to open space, although in the past there has been movement to develop this property for residential use.

This plan has been developed with several policies in mind. These policies are derived primarily from the draft Kodiak Road System Comprehensive Policy and Land Use Plan. They are:

- Determine the nature and siting requirements of general industrial expansion that is compatible with the community;
- Establish zoning district boundaries along natural and artificial boundaries that effectively buffer conflicting land uses from each other;
- Concentrate non-residential development downtown and in other strategic locations, while limiting encroachment into residential areas;
- Provide an adequate balance of land for the mix of uses that occur or may be anticipated to occur in the community;
- Limit the types of residential development permitted in downtown Kodiak, and other commercial areas; and

- Identify and reserve land for future industrial and commercial expansion including gravel/shot rock resource extraction areas.

The land use plan for this area includes the following land use categories: general business, retail business, medium density residential, and open space. Each of these land use categories is described later in the plan. As a planning tool, the land use plan provides a vision of how this area should look in the future, but as conditions in the community change, so too should the plan. The plan should be periodically reviewed to determine its compatibility with community needs and desires. The purpose of the plan is also to provide a basis for the inevitable land use regulations that will be adopted to implement it. These include zoning, subdivision, and land disposal regulations.

The general business category is intended as a land use category that permits a wide variety of intensive business land uses. These uses run the gamut from all those uses identified in the current business zoning district, with the exception of residential types of uses (e.g. hotels, apartments, etc.) to wholesale and warehouse types of land uses. The purpose of this land use category is to permit a wide range of business uses that are part of the primary and secondary economic sectors of the region. This land use category does not include, in addition to residential uses, land uses that are traditionally considered "heavy industrial." For example, bulk fuel plants, batch plants, seafood processing plants, etc. would not be permitted. The following types of "conditionally permitted" uses are envisioned in this land use category: quarters for security personnel and institutional uses. With the wide variety of land uses envisioned in this area, and their intensity, consideration in implementing the plan must be given to screening the uses from public transportation routes and non-similar adjacent land uses. It is important to acknowledge that the Kodiak Municipal Airport is currently a central feature of the general business area identified in this plan. The Kodiak Municipal Airport (landing strip and Lilly Lake) will continue to be a grandfathered use until adequate replacement facilities are established.

The retail business category is intended as a land use category that includes a wide range of retail and service businesses. This land use category is centered around the newly developing Safeway/Mill Bay Plaza area. These types of land uses are considered less intensive from a land use perspective, but often require more parking than the uses identified for the general business areas. Therefore, in implementing this plan, consideration must be given to the impact of the parking areas on adjacent land uses and public transportation routes. Consideration will be given to the establishment of

high density (more than twelve (12) dwelling units/acre) residential uses (under certain conditions) in this area.

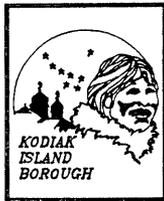
Medium density residential land use has generally been defined in the Kodiak Road System Comprehensive Policy and Land Use Plan as six (6) to twelve (12) dwelling units per acre. The majority of the existing residential land uses in the area are consistent with this land use category. On a practical level, there is an economic efficiency in providing public services to this density of residential uses that is not achieved at lower density levels. For comparative purposes, six (6) dwelling units per acre is equivalent to six (6) single family dwellings, each on an approximately 7,200 square foot lot. Innovative, residential subdivision design, clustering for example, can reduce negative impacts of medium density residential development on the community and neighborhood.

Open space has been defined as "any parcel or area of land or water essentially unimproved and set aside, dedicated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space" (The Illustrated Book of Development Definitions). In any area where the government already has the luxury of owning land, consideration needs to be given to dedicating a portion of that land for open space purposes. As noted in the definition above, open space is provided in this plan for the use and enjoyment of the public. In developed areas of the community such as this, open space is even more important because of the value it adds to the community. In this plan, open space is identified for two purposes;

- To separate potentially conflicting land uses (i.e. Lot 10, Block 2, and Lot 7, Block 1, between the residential areas and municipal airport, and general business area, Lot 10, Block 3 between the residential area and Block 3, general business area, and the buffer strip between the residential area and general business area that is now used for the dry metals site), and;
- For public recreation and access (i.e. Lot 11, U.S. Survey 3466, and the area around Beaver Lake).

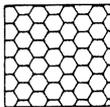


**PLAN MAP - 1991  
LAKESIDE SUBDIVISION/  
SAFEWAY SUB AREA**

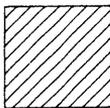


**SCALE: 1" = 750'**

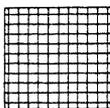
**GENERAL  
BUSINESS**



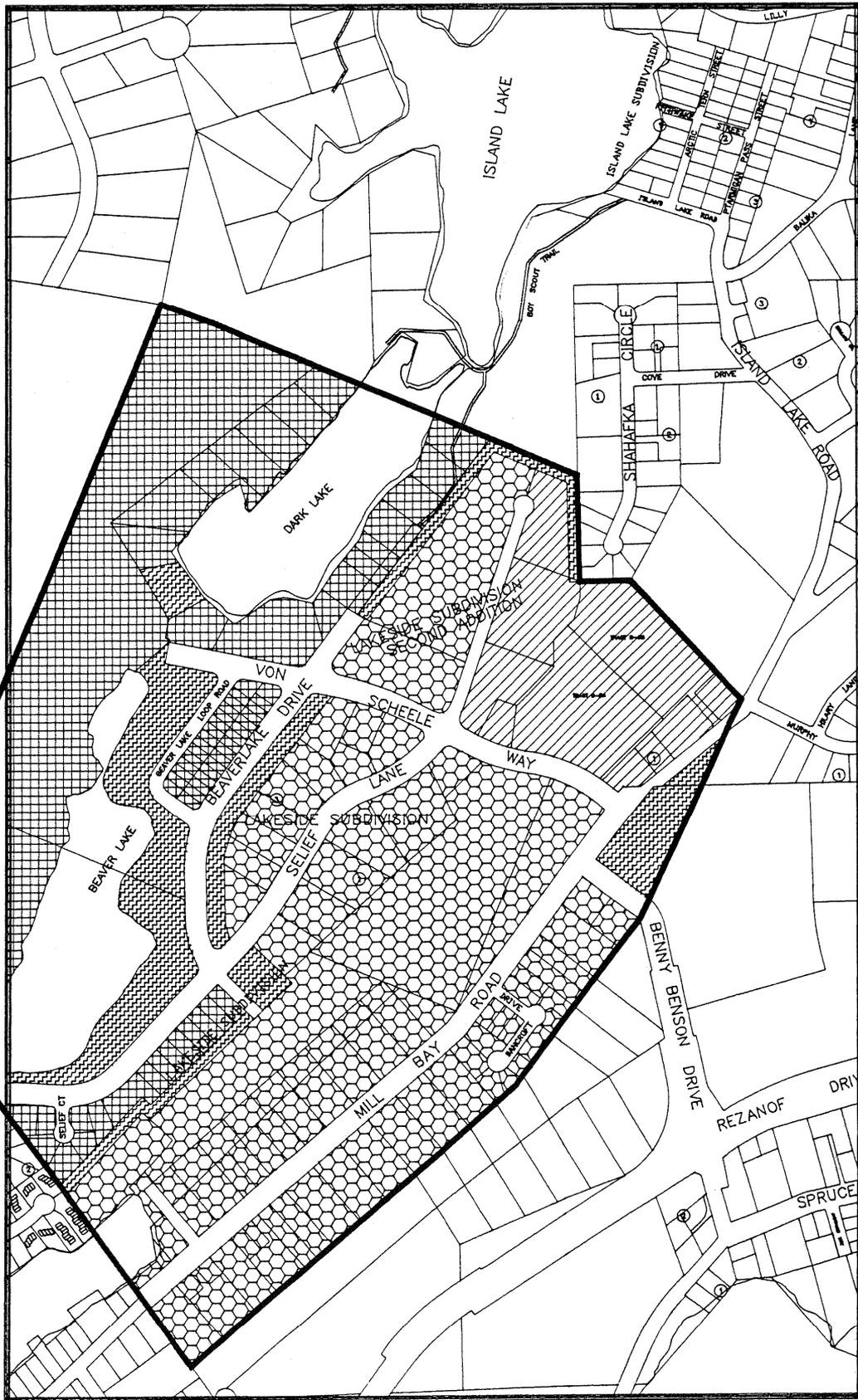
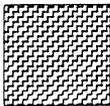
**RETAIL  
BUSINESS**



**MEDIUM  
DENSITY  
RESIDENTIAL**



**OPEN  
SPACE**



D. Ordinance No. 91-31 Adopting the Lakeside Subdivision/Safeway Sub-Area Plan and Incorporating the Plan into the Borough Code (An area generally located between Bartel Avenue and Rezanof Drive East, and Beaver Lake and Mill Bay Road.

ORDINANCE  
NO. 91-31

Presented for consideration was Ordinance No. 91-31 which, if adopted, adopted and incorporated the Lakeside Subdivision/Safeway Sub-Area Plan into the Borough Code.

FITZJEARL,  
seconded by GOULD

moved to adopt  
Ordinance No. 91-31.

Mayor Selby explained the Assembly requested rezone due to anticipated future activity. He said that on that basis the Planning & Zoning Commission was instructed to look at it as a sub-area of the overall comprehensive land use plan and set guidelines that made it consistent with the surrounding area.

Presiding Officer McFarland opened the public hearing.

Wally Johnson, City of Kodiak Mayor, spoke on behalf of the City of Kodiak. He had received a number of calls from people concerned about the municipal airport. He reminded the Assembly that it was determined at the joint City/Borough work session of October 15, 1991 that the City of Kodiak had no intention to abandon the municipal airport and objected to any restrictions on the use. He objected to and suggested that the following wording on page five of the plan be removed: "From a community development and a safety standpoint, the municipal airport is incompatible with the intent of this plan. However, the need for such a community facility is recognized. Therefore, the Kodiak Municipal airport will be tolerated until the adequate replacement facilities are established."

Chris Kinter resented language in the plan that implied that a substantial portion of the private and business community of Kodiak would be tolerated at the municipal airport. He stated he spoke on behalf of Butch Patterson and Pricilla Mesner in voicing objection to the ordinance.

Tom Merriman agreed with Mayor Johnson and expressed concern that municipal airport leaseholders had not received notification of the public hearing. He thought the municipal airport provided an important service to the community, as demonstrated during the mudslide, and that it was not the intent of the City Council to abandon it.

Bill Beaty, Commander of the local Civil Air Patrol, informed the Assembly that the CAP planned to build a hangar at the municipal airport but that endeavor had been postponed because of the wording in the ordinance. He said the state airport was limited because it was below the tidal wave line, the military had priority over it, and it was inaccessible during times of disaster. He felt the municipal airport proved to be a valuable aid for access to the community during times of disaster.

Jim Chase remarked that the municipal airport was an intricate part of his business.

Don Lawhead supported maintaining the municipal airport.

David Ausman called in and expressed concern about wording in the ordinance. He felt use of the land as an airport was more important to the community than use as an industrial area.

Mike Moore stated the benefits of using the land for the municipal airport far outweighed any other use of the property.

Knox Christie recounted that he personally was medevacked from the municipal airport during the mudslide and felt that closing it was a disservice to the community.

Tom Knoke felt the airport was an intricate part of the community and expressed concern that leaseholders were not informed of the public hearing.

Al Cratty reiterated previous comments.

Bill Beaty added his concern that leaseholders had not received notice of public hearing.

The Presiding Officer closed the public hearing and reconvened the regular meeting.

Assemblymember Milligan reiterated the importance of the municipal airport to the community during the mudslide.

Mayor Selby responded to Assemblymember's concerns and reiterated that the ordinance adopted the plan. He suggested the verbiage "tolerated use" be replaced with "permitted use". He noted the airstrip was not FAA approved.

Linda Freed, Community Development Director, reported that the airport was allowed under grandfather use and that industrial district zoning permitted hangars. She said the Planning & Zoning Commission held a public hearing on the plan and received no testimony. The Commission requested that language be put in the plan to indicate that is the appropriate long-range use of the property.

FITZJEARL,  
seconded by STEVENS

moved to amend Ordinance No. 91-31 to remove from page four and five of the plan the sentences: "It is the intent of this plan that over the long-term, this facility will be discontinued and the land will be used for more appropriate business uses. From a community development (e.g. community growth) and safety standpoint, the municipal airport is incompatible with the intent of this plan. However, the need for such a community facility is recognized." and to replace the last sentence in the first paragraph on page five that stated: "Therefore, the Kodiak Municipal Airport (landing strip and Lilly Lake) will be tolerated until adequate replacement facilities are established." with:

"The Kodiak Municipal Airport (landing strip and Lilly Lake) will continue to be granted grandfathered used."

VOTE ON MOTION TO AMEND

Ayes: Monroe, Stevens, Fitzjearl, Gould, Hancock, Milligan, McFarland

Noes: None

MOTION CARRIED Unanimous

VOTE ON MOTION AS AMENDED

Ayes: Stevens, Fitzjearl, Gould, Hancock, Milligan, Monroe, McFarland

Noes: None

MOTION CARRIED Unanimous

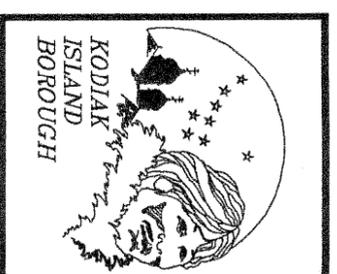
MESSAGES FROM THE BOROUGH MAYOR

MESSAGES FROM THE MAYOR

Mayor Selby informed the Assembly that a number of communities and the Southeast Municipal Conference had filed suit in court to stop the reapportionment plan. He said the Kodiak Island Borough had gone on record opposing the plan and the governor ignored the request for reconsideration. He noted that he had discussed the issue with the Borough Attorney and had determined that the Kodiak Island Borough could send the request for reconsideration to the Department of Justice or file suit as a friend of the court in brief form. He stated that filing suit as a friend of the court would be less costly and provided a no liability position to the Borough. He explained a third option was to file a lawsuit in court at a cost of \$50,000 to \$100,000 in legal fees.

Mayor Selby said it sounded favorable that \$3.7 million would be approved for disbursement to the Borough on the Peterson transfer agreement.

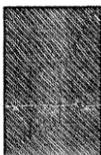
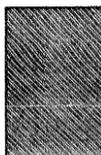
He said that generally the collection of taxes had gone well but information on payment of personal property taxes should be publicized. He informed the Assembly that in years past the City had paid the personal property taxes and this year the property



LAKESIDE SUBDIVISION/  
SAFEWAY SUB AREA/  
LAND USE PLAN

ADOPTED SEPTEMBER 23, 1997

LEGEND

-  LOW DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
-  GENERAL BUSINESS
-  RETAIL BUSINESS
-  OPEN SPACE

