

**PETERSBURG BOROUGH
ORDINANCE #2023-14**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR SERVICE AREA 1 OF THE PETERSBURG BOROUGH TO REZONE LOT GL 14, SECTION 33, TOWNSHIP 58 SOUTH, RANGE 79 EAST, COPPER RIVER MERIDIAN, (PARCEL #01-010-600) FROM PUBLIC USE (P-1) TO SINGLE-FAMILY MOBILE HOME (SFMH), WITH CONDITIONS

WHEREAS, Skylark Park, LLC owns the parcel of land described as follows:

Lot GL 14, Section 33, Township 58 South, Range 79 East, Copper River Meridian,
Petersburg Recording District, State of Alaska
;and

WHEREAS, the parcel is currently zoned Public Use (P-1); and

WHEREAS, the property owner initiated a zoning change of the parcel under PMC 19.84.020(C); and

WHEREAS, Chapter 19.84 of the Petersburg Municipal Code (Service Area 1) provides for zoning amendments whenever the public necessity, convenience or general welfare requires; and

WHEREAS, if rezoned, Skylark Park, LLC states the intended use for the property is to subdivide the parcel into 75' X 100' lots for placement of manufactured homes, a term not currently defined in the municipal code; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the proposed rezone on September 12, 2023, and considered and reviewed applicant materials, public comments and testimony, and staff report; and

WHEREAS, the Planning Commission voted 5-0 to recommend rezoning the parcel to Single-family Mobile Home (SFMH); and

WHEREAS, Borough Charter Section 3.01(K) and Section 1.12.010(G) of the Municipal Code require amendments to the official zoning map be enacted by ordinance.

THEREFORE, THE PETERSBURG BOROUGH ORDAINS as follows:

Section 1. Classification. This Ordinance is of a general and permanent nature but will not be codified in the Municipal Code.

Section 2. Purpose. The purpose of this Ordinance is to amend the Official Zoning Map for Service Area 1 of the Petersburg Borough.

Section 3. Substantive Provisions.

- A. The Official Zoning Map for Service Area 1 of the Petersburg Borough, codified and referenced in Section 19.08.020 in the Municipal Code, is hereby amended for the following described property from Public Use (P-1) to Single-Family Mobile Home (SFMH),

with conditions: Lot GL 14, Section 33, Township 58 South, Range 79 East, Copper River Meridian, Petersburg Recording District, State of Alaska.

- B. Conditions of Rezoning: With consent of the property owner, and consistent with the property owner's development plans, the principal permitted uses on Lot GL 14 are restricted to 1) one-family and two-family dwellings (as defined in PMC 19.04.210, and 19.04.240, and 2) newly constructed manufactured homes. Mobile homes that do not meet the definition of Manufactured Homes, as set out here, are a prohibited use.

The definition of 'Newly Constructed Manufactured Homes' for purposes of this rezoning is as follows:

"Newly Constructed Manufactured homes" are transportable, factory-built dwelling units constructed by the manufacturer no more than 2 years prior to placement of the home onto the rezoned parcel, in conformance with the federal Manufactured Home Construction and Safety Standards, as evidenced by an affixed certification label in accordance with 24 CFR 3280.11.

Section 4. Where Record to be Maintained. This non-Code ordinance, and the enactment of the zoning amendment referenced under Section 3 of this ordinance, shall be maintained with the zoning records of the Borough.

Section 5. Effective Date. This Ordinance will take effect immediately upon adoption.

PASSED and APPROVED by the Assembly of the Petersburg Borough, Alaska this _____ day of _____, 2023.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective: