

**PETERSBURG BOROUGH
ORDINANCE # 2025-14**

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR SERVICE AREA 1 OF THE PETERSBURG BOROUGH TO (1) REZONE WITH A CONDITION PRECEDENT GOVERNMENT LOT 21 (PARCEL #01-010-430) FROM OPEN SPACE – RECREATIONAL (O.S.R.) TO SINGLE-FAMILY MOBILE HOME (SFMH); AND (2) TO REZONE LOT 4, BLOCK A, SKYLARK II SUBDIVISION, PLAT #90-14 (PARCEL #01-010-243) FROM SINGLE-FAMILY RESIDENTIAL (S-F) TO OPEN SPACE – RECREATIONAL (O.S.R.) AND GOVERNMENT LOT 13 (PARCEL #01-010-412) FROM PUBLIC USE (P-1) TO OPEN SPACE - RECREATIONAL (O.S.R.)

WHEREAS, the Petersburg Borough owns three parcels of land described as follows:

Government Lot 21, Section 33, Township 58 South, Range 79 East, Copper River Meridian, Petersburg Recording District, State of Alaska

Lot 4, Block A, Skylark II Subdivision, Plat #90-14, Petersburg Recording District, State of Alaska

Government Lot 13, Section 33, Township 58 South, Range 79 East, Copper River Meridian, Petersburg Recording District, State of Alaska; and

WHEREAS, Government Lot 21 (PID #01-010-430) is currently zoned Open Space – Recreational (O.S.R.); and

WHEREAS, Skylark Park, LLC owns an adjoining parcel, Government Lot 14, which was recently rezoned to permit certain higher density residential development; and

WHEREAS, Skylark Park, LLC filed an application to purchase Government Lot 21 to develop residential lots in conjunction with Government Lot 14, provided that Government Lot 21 is rezoned to permit such development; and

WHEREAS, if Government Lot 21 is rezoned, the applicant's stated intended use is to subdivide the parcel into 75' X 100' lots for placement of manufactured homes, a term not currently defined in the municipal code, thus requiring a rezone to Single-Family Mobile Home (SFMH) with conditions; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the proposed rezone of Government Lot 21 on October 10, 2023, and considered and reviewed applicant materials, public comments and testimony, and staff report; and

WHEREAS, a recommendation to rezone Government Lot 21 to Single-Family Mobile Home (SFMH) with conditions failed by a vote of 3-1 by the Planning Commission; and

WHEREAS, Lot 4 (PID #01-010-243) is currently zoned Single-Family Residential (S-F), and Government Lot 13 (PID #01-010-412) is currently zoned Public Use (P-1); and

WHEREAS, in conjunction with the rezoning of Government Lot 14 to permit residential development, the Planning Commission initiated a zoning change of Lot 4 and Government Lot 13, under PMC 19.84.020(B), to establish green belt buffers between an

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established neighborhood and the proposed higher-density residential development, noting that the greenbelt could also serve as a future playground for residents of both neighborhoods consistent with Chapter 7 of the Borough's Comprehensive Plan; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the proposed rezones on December 12, 2023, and considered public comments and testimony, and staff report; and

WHEREAS, the Planning Commission voted 6-0 to recommend rezoning of both Lot 4 and Government Lot 13 to Open Space – Recreational (O.S.R.); and

WHEREAS, on October 20, 2025, the Assembly voted, by a vote of 6 - 0, to approve the sale of Government Lot 21 to Skylark Park, LLC, on the terms set out in a Conveyance and Improvement Agreement; and

WHEREAS, the sale is contingent upon the rezoning of Government Lot 21 from Open Space - Recreational (O.S.R.) to Single-Family Mobile Home (SFMH);

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, 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: Rezone.

The Official Zoning Map for Service Area 1 of the Petersburg Borough, codified and referenced in Section 19.08.020 of the Municipal Code, is hereby amended for the following described property from Open Space – Recreational (O.S.R.) to Single-Family Mobile Home (SFMH) with conditions as set out below:

Government Lot 21, Section 33, Township 58 South, Range 79 East,
Copper River Meridian, Petersburg Recording District, State of Alaska.

Conditions of Rezoning:

The principal permitted uses on Government Lot 21 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 Newly Constructed Manufactured Homes, as set out herein, are a prohibited use.

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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.

B: Rezone.

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 Single Family Residential (S-F) to Open Space – Recreational (O.S.R.):

Lot 4, Block A, Skylark II Subdivision, Plat #90-14, Petersburg Recording District, State of Alaska.

C: Rezone.

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 Open Space – Recreational (O.S.R.):

Government Lot 13, Section 33, Township 58 South, Range 79 East, Copper River Meridian, Petersburg Recording District, State of Alaska.

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

Section 5. Effective Date. This Ordinance will be effective immediately upon adoption, except that the rezoning set out in Section 3(A) herein for Government Lot 21 shall not be effective until immediately prior to the sale of Government Lot 21 by the Borough to Skylark Park, LLC. If that sale, conclusively demonstrated by the recording of the deed to Skylark Park, LLC, does not occur within 90 days of the date of this ordinance, the rezoning of Government Lot 21 shall not be implemented and Section 3(A) of this ordinance shall be deemed void and of no further force and effect.

PASSED and APPROVED by the Assembly of the Petersburg Borough, Alaska this 1st day of December, 2025.

Bob Lynn, Mayor

ATTEST:

Rebecca Regula, Borough Clerk

Adopted:
Published
Effective: