

**Chair**

Tom McGann

**Commissioners**

Scott Pegau

John Baenen

Nancy Bird

Chris Bolin

Trae Lohse

Mark Hall

**City Planner**

Leif Stavig

**PLANNING COMMISSION REGULAR MEETING**

**DECEMBER 8, 2020 AT 6:30 PM**

**ELECTRONIC – INFORMATION BELOW**

**AGENDA**

**1. CALL TO ORDER**

**2. ROLL CALL**

Chair Tom McGann, Commissioners Scott Pegau, John Baenen, Nancy Bird, Chris Bolin, Trae Lohse, and Mark Hall

**3. APPROVAL OF AGENDA**

**4. APPROVAL OF CONSENT CALENDAR**

a. Record excused absence for John Baenen, Chris Bolin, and Trae Lohse from the October 13, 2020 Regular Meeting

b. Minutes of October 13, 2020 Regular Meeting .....Page 2

**5. DISCLOSURES OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**

**6. CORRESPONDENCE**

**7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

a. Guest Speakers

b. Audience comments regarding agenda items (3 minutes per speaker)

**8. PLANNER’S REPORT .....Page 5**

**9. NEW/MISCELLANEOUS BUSINESS**

a. Resolution 20-04 – Certificate to Plat Code Change .....Page 7

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska to add Cordova Municipal Code Section 17.24.005 – Certificate to Plat Required in order to require a Certificate to Plat for all plats submitted for city approval

**10. PENDING CALENDAR**

a. December 2020 Calendar.....Page 11

b. January 2020 Calendar.....Page 12

**11. AUDIENCE COMMENTS**

**12. COMMISSION COMMENTS**

**13. ADJOURNMENT**

**To join the meeting from your computer, tablet, or smartphone, use the following link:**

<https://global.gotomeeting.com/join/772070941>

**You can also dial in using your phone.**

United States (Toll Free): [1 877 568 4106](tel:18775684106)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

**Access Code: 772-070-941**

**PLANNING COMMISSION REGULAR MEETING  
OCTOBER 13, 2020 AT 6:30 PM  
ELECTRONIC  
MINUTES**

**1. CALL TO ORDER**

Chair **Tom McGann** called the Planning Commission Regular Meeting to order at 6:30 PM on October 13, 2020 held electronically and open to the public.

**2. ROLL CALL**

Present for roll call were Chair **Tom McGann** and Commissioners **Scott Pegau, Nancy Bird, and Mark Hall. John Baenen, Chris Bolin, and Trae Lohse** were absent.

Also present was City Planner **Leif Stavig**.

No one from the public was in attendance.

**3. APPROVAL OF AGENDA**

M/Pegau S/Hall to approve the agenda.

Upon voice vote, motion passed 4-0.

Yea: **McGann, Pegau, Bird, Hall**

Absent: **Baenen, Bolin, Lohse**

**4. APPROVAL OF CONSENT CALENDAR**

- a. **Record excused absence for Chris Bolin and Trae Lohse from the September 8, 2020 Regular Meeting**
- b. **Minutes of August 11, 2020 Public Hearing**
- c. **Minutes of August 11, 2020 Regular Meeting**
- d. **Minutes of September 8, 2020 Public Hearing**
- e. **Minutes of September 8, 2020 Regular Meeting**

M/Bird S/Hall to approve the consent calendar.

Upon voice vote, motion passed 4-0.

Yea: **McGann, Pegau, Bird, Hall**

Absent: **Baenen, Bolin, Lohse**

**5. DISCLOSURES OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**

**6. CORRESPONDENCE**

**7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

- a. **Guest Speakers**
- b. **Audience comments regarding agenda items**

## 8. PLANNER'S REPORT

**Stavig** said Robert's Rules training went well, he wanted to let people know that he has resources. With the 2021 budget there will be no change to the Planning Commission and Department. **Stavig** highlighted the three expiring terms. He had email correspondence with a state researcher about data from the comprehensive plan. It is important to keep the plan updated. **Hall** said that when he worked for the state he read it and it gets used a lot. **Pegau** said that he really looked forward to having an online map. **Bird** said that they should look into doing some sort of regular review of the comprehensive plan. **Stavig** said that the letter of interest from Cannery Row would go back to City Council at their next meeting after he did some research after the council's executive session.

## 9. NEW/MISCELLANEOUS BUSINESS

### a. Final Plat Approval for Yarbrough Subdivision

M/Hall S/Pegau to recommend to City Council to approve the final plat request for Yarbrough Subdivision.

**Hall** said that all of the changes he requested were done and the subdivision meets city code. **Bird** verified that **Yarbrough** owned all of the property being subdivided.

Upon voice vote, motion passed 4-0.

Yea: **McGann, Pegau, Bird, Hall**

Absent: **Baenen, Bolin, Lohse**

### b. Certificate to Plat Requirement – Discussion

**Stavig** said that people in general don't know a lot about land ownership; title companies are the resource for determining ownership. Certificates to plat are not required, when it has come up with surveyors, he tells them to use best practices. In general, it would not be an onerous requirement nor is it particularly expensive; he has paid around \$300 for individual certificates to plat in the past. It protects the landowner. **Stavig** said he wanted to present it as a discussion prior to bringing forward an actual code change.

**Hall** said it also protects the city from legal actions. **Pegau** said he liked the language in the Mat-Su Borough code. **Bird** agreed. **Hall** said the Kenai Borough requirement of only three days way a pain; 30-90 days is a good window.

### c. Resolution 20-03 – Capital Improvement List

*A resolution of the Planning Commission of the City of Cordova, Alaska, recommending a Capital Improvement List to the City Council*

M/Bird S/Hall to approve Resolution 20-03.

**Bird** said she reviewed the background material provided to them, particularly the information about the Crater Lake Siphon, which sounds much different than the hydroelectric project. **Hall** said the changes reflect what they talked about last time. **Pegau** wanted to see E-911 as the first priority; they need to have addresses. He verified with **Stavig** that the Second Street project they talked about

in the past was awarded and did not need to be on the list. He thought the Crater Lake Siphon project would be best as design only at \$75,000, because he wants to know what it looks like.

M/Bird S/Hall to amend the resolution to reduce the Crater Lake Siphon project to \$75,000 with design only, and to move E-911 Addressing to the top of the list.

*McGann* verified that the funding for E-911 was already secured in its own fund.

Upon voice vote, motion to amend passed 4-0.

Yea: *McGann, Pegau, Bird, Hall*

Absent: *Baenen, Bolin, Lohse*

Upon voice vote, resolution passed 4-0.

Yea: *McGann, Pegau, Bird, Hall*

Absent: *Baenen, Bolin, Lohse*

## 10. PENDING CALENDAR

*Stavig* said they would have their November Regular Meeting.

## 11. AUDIENCE PARTICIPATION

## 12. COMMISSION COMMENTS

## 13. ADJOURNMENT

M/Pegau S/Hall to adjourn the Regular Meeting at 7:01 PM.

With no objection, the meeting was adjourned.

Approved:

\_\_\_\_\_  
Tom McGann, Chair

\_\_\_\_\_  
Leif Stavig, City Planner

# Planner's Report

**To:** Planning Commission  
**From:** Planning Staff  
**Date:** 12/2/20  
**Re:** Recent Activities and Updates

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- Medium traffic from public with misc. planning questions, i.e., subdivisions, permits, maps, zoning, property purchasing, etc.
- Craig Kuntz Letter of Interest – Completed appraisal and title search; RFP to be released shortly.
- Cannery Row, Inc. Letter of Interest – Tabled by City Council.
- 2021 Budget – Process underway; see latest City Council packets for draft budget. Both Planning Department and Planning Commission are sufficiently funded for operations to continue at current levels, minus travel. Adjusted for inflation, the latest draft of the budget has expenditures at levels lower than any year in the last 10+ years.
- Forest Service Harbor lease will be on Special Meeting later this month or at January meeting.
- Yarbrough plat complete; finishing up two other administrative plats; additional plat requiring commission/council approval is pending.
- Attended several virtual Alaska Municipal League trainings.
- Staff will be involved in an update to the state's Cordova Airport Master Plan and will keep the commission updated if there are any opportunities for public comment.
- Appointments to Planning Commission will be made at 12/16 City Council Regular Meeting.
- Working to make Planning Commission meetings more digital to streamline process and reduce paper. This should result in no substantive changes for the commission.
- Prepared packet and completed minutes for Planning Commission Regular Meeting.
- 20 building permits issued for 2020. Total for 2019: 29.
- The following page is the attendance record for the past year.

	1/14/2020	2/6/2020	2/6/2020	3/10/2020	3/10/2020	6/9/2020	7/14/2020	7/14/2020	8/11/2020	8/11/2020	9/8/2020	9/8/2020	10/13/2020
	Regular	Hearing	Special	Hearing	Regular	Regular	Hearing	Regular	Hearing	Regular	Hearing	Regular	Regular
<b>Tom McGann</b>	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
<b>Scott Pegau</b>	Present	Excused*	Excused*	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present
<b>John Baenen</b>	Present	Excused*	Excused*	Present	Present	Present	Present	Present	Present	Present	Present	Present	Excused
<b>Nancy Bird</b>	Present	Present	Present	Present	Present	Excused	Present	Present	Present	Present	Present	Present	Present
<b>Chris Bolin</b>	Excused	Present	Present	Present	Present	Present	Present	Present	Excused*	Excused	Excused*	Excused	Excused
<b>Trae Lohse</b>	Excused	Present	Present	Excused*	Excused	Present	Present	Present	Present	Present	Excused*	Excused	Excused
<b>Mark Hall</b>	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present



**AGENDA ITEM # 9a**  
**Planning Commission Meeting Date: 12/8/20**

**PLANNING COMMISSION COMMUNICATION FORM**

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**FROM:** Planning Staff  
**DATE:** 12/2/20  
**ITEM:** Resolution 20-04 – Certificate to Plat Code Change  
**NEXT STEP:** Review Proposed Code Change

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INFORMATION  
 MOTION  
 RESOLUTION

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**I. REQUEST OR ISSUE:**

At the 10/13 meeting, the Planning Commission discussed adding a code requirement that all new plats must submit a Certificate to Plat. See Attachment A for the code language that will be inserted in Title 17 – Subdivisions, in Chapter 17.24 – Administration and Enforcement.

If the commission is aggregable to the presented code change and passes the resolution, an ordinance will be drafted and presented to City Council.

**II. RECOMMENDED ACTION / NEXT STEP:**

“I move to approve Resolution 20-04.”

**III. FISCAL IMPACTS:**

None currently.

**IV. BACKGROUND INFORMATION:**

Certificates to Plat are prepared by title companies, and are used to verify ownership and to determine if there are any encumbrances on the property. They are very similar to a title search performed as a part real estate transaction. The following is a definition provided from a title company:

Certificate to Plat:

A title report used by customers in ascertaining the current status and condition of title, up to the specific date searched. It provides the same information as found in a commitment. It is not to be used as a basis for closing a real estate transaction, but is provided to show title evidence to a platting authority (city, borough, state, etc.) for purposes of subdividing or re-platting land.

Certificates to Plat assist the subdivider, surveyor, and city in determining that there are no issues with ownership of the property that could potentially result in a cloud on the title. Clouds in title can cause significant issues later on that can negatively impact future land transactions and/or financing. Certificates to Plat start at around \$300, and generally do not cost significantly more. With plat fees being very minimal in Cordova, staff do not find this to be an onerous requirement, and can help prevent mistakes that could be very costly in the future.

Strategy #2 of the Land Use Section in the Cordova Comprehensive Plan concerns updating and improving Title 17 and 18. This code change improves the city’s code to add a requirement that past practice has shown to be necessary.

*10/13/20* – At the Planning Commission Regular Meeting, staff presented some background on Certificates to Plat and the commission briefly discussed the requirement.

**V. LEGAL ISSUES:**

N/A

**VI. CONFLICTS OR ENVIRONMENTAL ISSUES:**

N/A

**VII. SUMMARY AND ALTERNATIVES:**

N/A



**Attachment A – Proposed Code**

**Chapter 17.24 - ADMINISTRATION AND ENFORCEMENT**

**17.24.005 – Certificate to plat required.**

A certificate to plat prepared by a title company authorized to issue title policies in the State of Alaska is to be submitted with all plats submitted to the city for approval. A certificate to plat shall be valid for 120 days from date of issuance or update.

**CITY OF CORDOVA, ALASKA  
PLANNING COMMISSION  
RESOLUTION 20-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CORDOVA,  
ALASKA, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF CORDOVA,  
ALASKA TO ADD CORDOVA MUNICIPAL CODE SECTION 17.24.005 – CERTIFICATE TO  
PLAT REQUIRED IN ORDER TO REQUIRE A CERTIFICATE TO PLAT FOR ALL PLATS  
SUBMITTED FOR CITY APPROVAL**

**WHEREAS**, the Planning Commission has determined that requiring Certificates to Plat protects property owners and the public from potentially costly errors; and

**WHEREAS**, the Planning Commission has determined that the proposed changes to the Cordova Municipal Code presented at the December 8<sup>th</sup>, 2020 Planning Commission Regular Meeting are in accordance with the purpose of Title 17 and the Comprehensive Plan; and

**WHEREAS**, the Planning Commission recommend to City Council to accept the proposed amendments and approve the ordinance.

**NOW, THEREFORE BE IT RESOLVED THAT** the Planning Commission of the City of Cordova, Alaska hereby recommend to the City Council of the City of Cordova, Alaska to add Cordova Municipal Code Section 17.24.005 – Certificate to Plat Required in order to require a Certificate to Plat for all plats submitted for city approval.

**PASSED AND APPROVED THIS 8<sup>TH</sup> DAY OF DECEMBER, 2020**

\_\_\_\_\_  
Tom McGann, Chair

ATTEST:

\_\_\_\_\_  
Leif Stavig, City Planner

# 2020 DECEMBER

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	01	02	03	04	05
06	07	08 6:30 PM - Planning Commission Regular Meeting <i>(Electronic)</i>	09 7:00 PM - Harbor Commission Regular Meeting <i>(Cordova Center Room B)</i> 7:00 PM - School Board Regular Meeting <i>(High School Library)</i>	10	11	12
13	14	15	16 7:00 PM - City Council Regular Meeting <i>(Cordova Center Rooms A &amp; B)</i>	17	18	19
20	21	22 6:00 PM - Parks and Recreation Commission Regular Meeting <i>(Cordova Center Rooms A &amp; B)</i>	23	24 6:00 PM - CCMC Board Regular Meeting <i>(CCMC Conference Room)</i>	25 <b>City Closed - Christmas</b>	26
27	28	29	30	31	01	02
03	04	05	06	07	08	09

# 2021 JANUARY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	01 City Closed - New Years	02
03	04	05	06 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	07	08	09
10	11	12 6:30 PM - Planning Commission Regular Meeting (Electronic)	13 7:00 PM - Harbor Commission Regular Meeting (Cordova Center Room B) 7:00 PM - School Board Regular Meeting (High School Library)	14	15	16
17	18 City Closed - MLK Day	19	20 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	21	22	23
24	25	26 6:00 PM - Parks and Recreation Commission Regular Meeting (Cordova Center Rooms A & B)	27	28 6:00 PM - CCMC Board Regular Meeting (CCMC Conference Room)	29	30
31	01	02	03	04	05	06