

## AGENDA

FOR THE REGULAR MEETING OF THE CITY  
COUNCIL FOR THE CITY OF THORNE BAY,  
ALASKA

TUESDAY, September 6, 2022

TIME: 6:30 p.m.

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### THERE WILL BE A WORKSHOP BEGINNING AT 6:00PM

LOCATION: IN PERSON AT CITY HALL or TELECONFERENCE/VIDEO CONFERENCING LINE

Phone Number: 1- 650-479-3208

Meeting Link:

<https://cityofthornebay.my.webex.com/cityofthornebay.my/j.php?MTID=m99f71eee7f975b71d7ee0f9f7c5e44a1>

Meeting number: 182 323 7632 Password MghMxgJy424 (64469459 from phones and video systems)

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- 1) CALL TO ORDER:
- 2) PLEDGE TO FLAG:
- 3) ROLL CALL:
- 4) APPROVAL OF AGENDA:
- 5) MAYOR'S REPORT:
- 6) ADMINISTRATIVE REPORTS:
  - a) City Administrator:
  - b) City Clerk Report:
- 7) PUBLIC COMMENTS:
- 8) COUNCIL COMMENTS:
- 9) CONSENT AGENDA:
  - a) MINUTES
    - i. Minutes of the August 2, 2022, Regular City Council Meeting, discussion and action item:
- 10) NEW BUSINESS:
  - a) Resolution 22-09-06-01, supporting Alaska Power & Telephone Subsidiary APT Wireless, Inc.'s request for USDA ReConnect Funds to build out fiber optic-based broadband in Thorne Bay, discussion and action item:
  - b) Resolution 22-09-06-02, approving removal costs associated with demolition of the Bay Chalet, discussion and action item:
- 11) ORDINANCE FOR PUBLIC HEARING: None
- 12) ORDINANCE FOR INTRODUCTION:
  - a) Ordinance 22-09-20-01, amending Thorne Bay Municipal Code Title 17-Zoning, Chapter 17.04-Planning and Zoning, Section 17.04.028-Industrial Zone, Adding Residential Housing as a permitted use under the Conditional Use Permitting process, discussion and action item:
- 13) CONTINUATION OF PUBLIC COMMENT:
- 14) CONTINUATION OF COUNCIL COMMENT:
- 15) ADJOURNMENT:

POSTED: September 2, 2022



Minutes of August 2, 2022, Council Meeting

**MINUTES TO BE PUBLISHED BY SEPTEMBER 5, 2022**



**City of Thorne Bay  
Resolution No. 22-09-06-01**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA,  
SUPPORTING ALASKA POWER & TELEPHONE SUBSIDIARY APT WIRELESS, INC.'S REQUEST  
FOR USDA RECONNECT FUNDS TO BUILD OUT FIBER OPTIC-BASED BROADBAND IN  
THORNE BAY.**

**WHEREAS;** the City Council is the governing body for the City of Thorne Bay; and

**WHEREAS;** Thorne Bay municipal code 2.12.090 Resolutions – Formal Acts states, “Formal acts by the council not required by law to be enacted by ordinance and not being acts of a general and permanent nature may be adopted by resolution;” and

**WHEREAS;** through its subsidiaries, Alaska Power & Telephone Company provides utility services in the City of Thorne Bay, including power and limited telecommunications services; and

**WHEREAS;** locations within the City of Thorne Bay are underserved/unserved with respect to broadband; and

**WHEREAS;** USDA has provided grant funds to Alaska Power & Telephone subsidiary APT Wireless (APTW) to develop the SEALink advanced fiber optic network for Prince of Wales Island, but Thorne Bay is not yet included within the SEALink Scope; and

**WHEREAS;** APT Wireless is seeking funds through the USDA ReConnect program to develop fiber optic-based broadband for the community of Thorne Bay, so the community can participate in the benefits of the USDA-funded SEALink network; and

**WHEREAS;** Thorne Bay, a community within the Tongass National Forest region that originated as a logging camp, is seeking new economic opportunities that help diversify the local economy from its historic dependence upon the timber industry, and provide sustainable, family wage jobs; and

**WHEREAS;** high-speed, affordable broadband connectivity would be tremendously valuable to the community of Thorne Bay, and can help facilitate new economic development, distance learning, telemedicine opportunities, sharing cultural resources, and other benefits desired by residents, businesses, and families.

**NOW, THEREFORE, BE IT RESOLVED as follows:**

**Section 1.** The City of Thorne Bay supports APTW’s efforts to apply for ReConnect Funds to develop advanced broadband infrastructure for the community of Thorne Bay, and other communities on Prince of Wales Island.

**Section 2.** Thorne Bay hereby requests that the Secretary of Agriculture recognize that the Central Council of the Tlingit and Haida Indian Tribes of Alaska (CCTHITA) is the tribal government corresponding to the greater SE Alaska region, which includes Thorne Bay, and accordingly, assign the APTW proposal the maximum tribal points allowable, despite omission of CCTHITA from USDA’s maps.

**Section 3.** Thorne Bay hereby requests that the Secretary of Agriculture prioritize APTW’s proposal to the fullest extent possible due to its proposed funded service areas including tribally- and ANCSA-owned lands qualifying as Substantially Underserved Trust Areas (SUTA).

**Section 4.** Thorne Bay hereby requests that the Secretary of Agriculture highly prioritize the APTW application due to the fact that it supports the OneUSDA Southeast Alaska Sustainability Strategy, which seeks to provide economic diversification and sustainability within the Tongass National Forest region.

**Section 5.** Thorne Bay agrees it will gladly provide additional approvals for other right-of-way that may be required for a USDA-funded project, on commercially reasonable and typical terms.

**Passed and Approved this 6<sup>th</sup> day of September 2022**

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**Lee Burger, Mayor**

Attest:

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**Teri Feibel, CMC**



Introduction: September 6, 2022  
Approval Date: September 6, 2022  
Vote: \_\_\_ Yeas, \_\_\_ Nays, \_\_\_ Absent

RESOLUTION 22-09-06-02

CITY OF THORNE BAY

APPROVING THE EXPENSES ASSOCIATED WITH THE REMOVAL OF THE THORNE BAY BACHELET BUILDING

**COMING SOON**



Introduction:	<u>September 6, 2022</u>
Public Hearing:	<u>September 20, 2022</u>
Vote:	___ Yeas, ___ Nays, ___ Absent

CITY OF THORNE BAY  
ORDINANCE 22-09-20-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA,  
AMENDING TITLE 17-ZONING, CHAPTER 17.04-PLANNING AND ZONING, SECTION  
17.04.028 – INDUSTRIAL ZONE, SUBSECTION 17.04.028 (B) & (C) ADDING RESIDENTIAL  
LIVING AS A CONDITIONALLY PERMITTED USE WITHIN THE INDUSTRIAL ZONE

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY ALASKA

Section 1. Classification. This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.

Section 2. Purpose. The purpose of this ordinance is to allow for the use of Residential Living as a Conditionally Permitted use within the Industrial Zone. As the code is currently written, residential housing is only permitted as “accessory uses” to a permitted Industrial Use. The amendment would allow for property owners who are not operating a business on their lot, to use the land for residential living quarters, by applying for a Conditional Use Permit through the Planning and Zoning Commission.

Section 3. Amendment to Code. Amendments to the Thorne Bay Municipal Code are identified by the followings means: ~~(strike through)~~ indicates text to be deleted from and **(BOLD BLUE & CAPITALIZED)** indicates text added to the current code.

The Chapter and Sections of Title17-Zoning, Chapter 17.04-Planning and Zoning, Section 17.04.028-Industrial Zone, Subsections (B) & (C), are hereby amended and added to the Thorne Bay Municipal Code as written on pages 3 & 4 of this Ordinance #22-09-06-01.

Section 4. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.

Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED: September 20, 2022

\_\_\_\_\_  
Lee Burger, Mayor

ATTEST:

\_\_\_\_\_  
Teri Feibel, CMC

ADDITIONS ARE IN BLUE AND CAPITALIZED

~~Deletions are red and stricken~~

**AMENDMENT OF TITLE, CHAPTER & SECTION:**

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**TITLE 17 – ZONING**

**CHAPTER 17.04 – PLANNING & ZONING**

**THE FOLLOWING AMENDMENTS SHALL BE ADDED TO THE THORNE BAY MUNICIPAL CODE AS PROVIDED ON PAGES 3 & 4 OF THIS ORDINANCE**

**SECTION 17.04.028 INDUSTRIAL ZONE.**

This zoning designation is intended to provide an area that is suitable for both heavy and light industrial uses such as manufacturing, processing, repairing and assembling.

[Section 15.04.020](#) stipulates that “Development Plans” are required of all building to make the public aware of setback requirements and eliminate building encroachments into right-of-way, easements and other properties. (Ordinance 17-08-15-01; prior Ord. 16-01-05-02)

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**A. PERMITTED USES.**

1. Solid waste disposal facilities;
2. The manufacturing, processing, repairing, assembling and disassembling, compounding, packaging treatment, fabrication and warehousing of materials or property;
3. The storage of fuels or propane in compliance with applicable fire codes;
4. Junkyards and salvage yards that are screened from view from when adjacent to a public right-of-way;
5. Mining and quarry operations;
6. Sand and gravel operations;
7. Vehicle, marine and equipment storage;
8. Heavy and light equipment repair and maintenance;
9. Commercial nurseries and greenhouses;
10. Commercial or private stabling of farm animals;
11. Commercial sawmills shake and shingle mills;
12. Commercial lumber mills and the retail sale of lumber;
13. Moving, trucking and transportation firms;
14. Accessory Uses.
  - a) Office that is accessory to the permitted use,
  - b) Watchman’s quarters, owner/operator residence, or bunkhouse if applicable.

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**B. CONDITIONAL USE.**

1. Any **commercial** use that is not an expressly permitted use;
2. Storage and sale of explosives.

**3. RESIDENTIAL SUBDIVISION.**

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**C. PROHIBITED USE.**

1. Uses that degrade air, water and land without effective mitigative procedures that alleviate negative impacts;

~~2. Residential subdivision.~~

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**D. PROPERTY DEVELOPMENT STANDARDS.**

1. Minimum lot size: two acres with Alaska Department of Environmental Conservation review and approval.
2. Minimum lot width: one hundred fifty feet.
3. Setback Requirements.
  - a. Front yard: twenty feet.
  - b. Rear yard: twenty feet.
  - c. Side yard: twenty feet.
4. Maximum lot coverage by buildings: no limitations, setback requirement must be met.
5. Maximum height: no restrictions.
6. Within five years of purchase, improvements to the property must be equal to the value of the property at the time of purchase.

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**E. PARKING REQUIREMENTS.**

All parking must be in compliance with Section 17.04.041.

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**F. SEWAGE SYSTEMS AND TREATMENT.**

All private sewerage treatment plans and subdivisions must be approved by the Alaska Department of Environmental Conservation.

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**G. FENCES, WALLS AND HEDGES:**

Fences, Walls and Hedges may be built up to the property line and shall not obstruct vehicular visibility. (Ordinance 17-08-15-01; prior Ord. 93-23 § 6(part), 1993)