

Appendix E

HAINESBOROUGH LAND CLASSIFICATION SYSTEM
(As recommended for adoption into Borough lands code)

(1) **HB Code # : Initial classification.** Unless classified by the Borough prior to receipt, all lands received by the borough from any source which were not acquired for a specific use, are classified **'reserved use'** and may not be sold, leased, or otherwise transferred to a public agency or private party until placed in a classification other than **reserved, use.** Reserved use shall not prohibit the granting of minor easements, rights-of-way, or use permits and similar lesser rights in such lands which will not adversely impact future uses of the land. To the extent practical, the borough will avoid making specific classifications other than reserved use, or reclassifications out of the reserved use pool on a piece meal basis, and will attempt to integrate the classification process with the development of the land management program.

(2) **HB Code # : Classification by Planning Commission.**

- (a) The planning commission shall classify each parcel of land which is owned by the borough. Prior to consideration of a classification or reclassification of land from reserved use, the planning commission shall first consider whether the land should be classified for a public use. The planning commission may classify parcels of land selected by but not patented to the city and borough. Different areas within a parcel may be given different classifications.
- (b) The planning commission shall take into account the comprehensive plan, actual growth patterns of the borough, projections for future population growth, commercial, industrial and governmental activities and plans, geography, soil conditions, carrying capacity of the land, geophysical hazard areas, areas with special habitat values, existing public access routes, projected development pressures and patterns, the long-term capital improvements program, resource inventories applicable to the parcels, private market demand for land suitable for specific uses, and plans for economic development, parks, recreation, drainage, and other plans adopted by the assembly, and other policies and information which are pertinent to the classification of the land.
- (c) After proposing a classification, the planning commission shall hold one public hearing on its proposed classification. The hearing shall be preceded by at least thirty days' notice. After the hearing, the commission shall classify the property by resolution.
- (d) If the planning commission determines that a parcel be subdivided prior to disposal or use. it shall show the proposed boundaries and classifications for each new major parcel.
- (e) The planning commission may (shall) make recommendations relating to the time parcels should be made available for disposal, conditions of disposal, and other recommendations relevant to disposal or use of the parcel.
- (f) The planning commission, on its own motion, may change the classification of a parcel previously classified. The procedures set forth in this section for initial classification shall be followed for such reclassification.

HB Code # : Classification Definitions

(A) Land classified under this chapter shall be reserved and available for the uses set forth in this subsection and for similar or accessory uses thereto.

- **Agriculture:** means the cultivation of the soil, the growing of crops and/or plants, animal and poultry husbandry, dairying, grazing, and accessory uses customarily incidental to agricultural activities.
- **Agriculture, commercial:** means conducting the business of agriculture with the intent to sell the products of the enterprise for profit.
- **Rural Farmstead:** these districts are intended for small scale agricultural uses of land. These districts are intended for areas where community sewer-and water systems are unavailable. Permitted uses include animal and veterinary hospitals, bed and breakfasts, commercial agriculture, commercial or domestic livestock, guesthouse, kennels, mobile homes, riding stables, single-family detached dwellings, and two-family attached dwellings. Lot sizes shall not be less than five acres.
- **Commercial/industrial:** means and includes lands which would be appropriately developed for commercial or industrial uses and land which, because of its location near major arterials, transportation or other facilities or certain natural resources, is most appropriately reserved for commercial or industrial development.
 - **Neighborhood (Light) Commercial:** Neighborhood commercial areas generally sell goods necessary to meet daily needs, and occupy less than two acres. The intent is to provide for the consumer population of the immediate neighborhoods in which such uses are located. Such uses include small grocery stores, dry cleaners, bookstores and beauty/barber shops. Areas shown on the map are conceptual unless existing use is a neighborhood commercial.
 - **General commercial:** Land for retail uses, including neighborhood retail and community commercial, such as shopping centers, mixed retail/residential/office uses, especially in downtown Haines. and office use. including leased government office space. The intent is to provide for a wide variety of retail, office, wholesale, personal service and other general service uses for the consumer population of large segments of the community.
 - **Industrial:** Land to be developed for general industrial uses such as manufacturing, warehousing, repair and maintenance, wholesaling, and as presently allowed by conditional use permit under the Land Use Code, an array of sales and service uses.
 - **Light Industrial:** The intent is to provide for light manufacturing, fabricating, assembly, disassembly, processing, and treatment activities in an urban or suburban environment. The uses are

intended to be conducted in a manner not detrimental to the rest of the community by reason of the emission or creation of noise, vibration, smoke, dust or other particulate matter, toxic or noxious materials, odors, fire, or explosive hazards, or glare or heat. • **Heavy**

Industrial: The intent is to provide for heavy manufacturing, fabricating, assembly, disassembly, processing, and treatment activities.

- **Waterfront commercial:** Land to be used primarily for water dependent and water related commercial uses and, in special cases, for water-related mixed uses including hotel and residential use.
- **Waterfront commercial/industrial:** Land to be used primarily for water-dependent and water-related commercial and industrial uses such as marine transportation terminals, small boat marinas, marine freight handling areas, fish buying and processing plants and marine parks.

"Public use" means and includes non-disposable lands which are presently appropriate for or which will be required in the future for one or more public uses, including recreation, education, public access, access to shorelines, public transportation, public facilities, open space, habitat protection and protection of environmentally sensitive lands.

- **Institutional and Public Use:** Land for major institutional uses, such as local, state and federal government uses; and for such public facilities as schools, libraries, fire stations, treatment plants, and public sanitary landfills.
- **Proposed public facility sites:** potential sites for future boat harbors, schools, and parks.
- **Proposed new growth areas:** Sites in rural areas suitable and available for future urban/suburban or a mixed use development when specifically approved by the Haines Borough in accord with the procedures and criteria set forth for New Growth Areas.
- **Transportation Corridors:** Land for major public roads and streets.
- **"Outdoor Recreational":** is land set aside with the intention to protect outdoor *recreational uses on private lands* only specifically requested by the adjacent land owner. Uses include bed and breakfasts, boat docking facilities, campgrounds, civic centers, downhill or cross country skiing facilities, nature centers, playgrounds, shooting and archery ranges, warming huts, trail access and facilities, campgrounds, etc.
- **Public Recreational:** is land set aside with the intention to protect outdoor *recreational uses on public lands*. Uses include trail access and facilities, nature centers, campgrounds, downhill or cross country ski facilities, playgrounds, boat docking facilities, etc.
- **"Recreation resource"** is land primarily under federal or state management for a range of resources, such as timber, minerals.

wildlife and recreation uses, including recreation cabins. Uses may include small-scale, visitor-oriented, seasonal recreational facilities.

- **"Resource Development"** Land to be managed primarily to identify and conserve natural resources until specific land uses are identified and developed; minimal residential development may occur. Uses may include small scale, visitor-oriented, seasonal recreational facilities. The area outside of the study area of Comprehensive Plan is considered designated Resource Development.

"Residential" means and includes land which is connected to the road system, or is likely to be connected to the road system in the foreseeable future and which is reasonably developable for residential uses.

- **"Residential recreational"** means and includes land to which it is unlikely a connection to the road system will be provided in the foreseeable future but which nevertheless has a present potential for low-density development for occasional residential recreational use.
- **"Rural"** is defined as open land; of or relating to the country; country people or life; or agriculture. The term suggests open country or farming.
- **"Rural low density residential"** has a minimum lot size of five acres. This classification provides for a maximum of one or less dwellings per two acres. The dwellings may be single-family detached dwellings or two-family attached dwellings. Uses may include: cottage industry, farming, animal husbandry, sawing of lumber, small scale visitor-oriented recreational facilities, guest house, outbuildings, bed and breakfast, auto shop, etc. The land will provide for the accommodation of on-site septic systems and wells. Community sewer and water systems may or may not be available.
- **"Rural medium density residential"** has a minimum lot size of two acres, with a maximum of one dwelling unit per acre. The dwellings may be single-family detached dwellings or two-family attached dwellings. Uses may include bed and breakfasts, church buildings, playgrounds, and home occupations. The land will provide for the accommodation of on-site septic systems and wells. Community sewer and water systems may or may not be available.
- **"Rural high density residential"** has a minimum lot size of 1/2 - 3/4 acre with a maximum of two dwelling units per acre. The dwellings may be single-family detached dwellings or two-family attached dwellings. These lands may or may not be provided with municipal sewer or water or electric. The land will be capable of accommodating on-site septic systems and wells. Accessory uses may include: low impact cottage industry; i.e., home based office, art gallery, consulting, architecture multi-plex, apartment building, condominium, etc.

- **"Urban residential"** are areas served by public water, sewer, electric utilities. There is no minimum lot size with a maximum of twenty (20) dwelling units per acre.
 - **"General Use"** This district is intended to be located in rural areas where community sewer and water systems are unavailable. The intent is for permitted uses to remain the existing and traditional uses of the district. If there should be any other intent of usage of these lands, a conditional use permit is required.
 - **"Multiple Use"** recognizes the previous lack of land use planning in areas that had no planning regulations. The need is to provide a reasonable transition toward land use regulation with the intent to allow as broad a range of land uses as possible. The Multiple Use district is intended to be temporary in order to allow present land use patterns to continue until more specific land use regulations are adopted. The Borough may/shall rezone a district according to the results of a public hearing process. Uses by right include all existing uses of the area. Because all uses are uses by right, there are no prohibited uses, no nonconforming uses, and no conditional uses in the district.
 - **"Resource"** means and includes land on or under which there are no known mineral or non-mineral deposits of commercial value, or upon which there are stands of commercial timber, which either have now or will probably have commercial value when existing resources are depleted or when new population or commercial or industrial growth occurs or upon which it is believed present or future commercial deposits exist.
- (B) When a parcel is identified for a specific use for which it is to be reserved within its general classification, a subclassification setting forth the specific use shall be added to the general classification.
- (C) When a parcel should be used for more than one purpose, a multiple classification may be made with an identification of the priority use.
- (D) The classification of land under this chapter shall not control the use of the land after disposal; provided, restrictions on use may be included in the conditions of sale or other conveyance document.

LAND (USE) MANAGEMENT PLAN

(5/20/98 DRAFT DOCUMENT) (1/20/99 as amended)

Concept for future consideration:

- *Planned Unit Development; is intended for those areas where a certain group of individuals in a specifically described area plan together for a variety of uses which are compatible -within that specified area, [locally; Le.. "the farm group " at 26 mile highway]*
- *The intent of the PUD is to allow flexibility in regulation, design, placement of buildings, and use of open spaces. The modifications may include requirements for lot frontage, building setbacks, and design of circulation facilities to best use site potentials afforded by special features of location, topography, size, or shape. A PUD must demonstrate creative approaches that will result in a more efficient, aesthetic and harmonious development with uses in the surrounding area, while at the same time providing higher population density or increased intensity or mix of uses than is permitted in the zone(s) in which the project is located.*
- *A PUD site must abut, and the major internal street serving the planned unit development must be directly connected to, a public road which is maintained by the Borough or State.*
- *The minimum size area for a PUD is 20,000 square feet. The minimum size area may be waived when planned unit development is used to facilitate redevelopment in the downtown area as described in the Comprehensive Plan.*
- *Any land uses may be permitted, subject to the general and specific criteria of this section, if such uses are deemed by the Commission to be appropriate in furtherance of the goals of the Comprehensive Plan and designed to complement each other.*
- *A proposed plan shall first be submitted for informal review to the Borough Mayor. The plan must include the location, general site plan layout, and types of uses proposed. A report on the proposed plan will be provided to the developer and the Commission which summaries the concerns and recommendations of the Mayor. The report shall be available within 10 days following the informal review. At any time within six months of the date of the Mayor's report on the informal review, the applicant may file to initiate formal review of the PUD request.*
- *The applicant shall, within one year of the date of the Commission approval of the preliminary PL'D plan, submit a final PUD plan to the Mayor, which shall incorporate all the changes and conditions required by the Commission. The final PUD plan must include a Mylar or electronic media copy of all necessary maps and drawings. The Mayor shall approve of the final PUD plan if the plan is substantially the same as the plan approved by the Commission and all changes and conditions of the approval have been satisfactorily met. The Commission may grant one six month extension of the deadline for final PUD plan submittal.*
- *No activity may commence on the site in furtherance of the approved PUD until all construction guarantees have been posted with and approved by the Borough.*
- *Minor alterations to the PUD, as determined by the Mayor, may be approved by the Mayor. Major revisions to a PUD shall be brought before the Commission as a conditional use. All development approved by the Commission on the PUD plan will be approved as a land use permit at the actual time of development.*