

Discussion on Zoning Code Changes for Cruise-Related Docks

Planning Commission
Regular Meeting June 18, 2025

Prepared by Planning & Community Development
Department

Overview

- ✓ Tourism Task Force Recommendations & Assembly Action Plan
- ✓ Definition
- ✓ Zoning Districts
- ✓ Level of Approval
- ✓ Submission Requirements
 - Criteria for Evaluation
 - Required Findings

Summary of Progress to Date

Section	Outcome/Decision
TTF Recommendation	<ul style="list-style-type: none"> Commission has made this #1 zoning change priority Changes to date reflect TTF recommendation
Definition	<p>“Cruise ship” means a passenger vessel with overnight accommodations for commercial passengers and designed for the purpose of providing pleasure and/or leisure travel, generally stopping at multiple ports on a fixed itinerary. Cruise ships do not include Alaska Marine Highway System ferries.</p> <p>“Cruise ship dock” means a fixed or floating structure, including moorings, that serves cruise ships that have the capacity to accommodate 250 or more overnight passengers, exclusive of the ship’s crew, by either berthing the cruise ship, or berthing passenger lightering vessels that transport passengers to and from the cruise ship otherwise anchored or berthed at another location.</p>
Zoning Districts	<p>Conditional: P, CBD, C-2, WD, I, GI, LI, R, OS</p> <p>Prohibited: All residential zones, Cemetery</p>
Level of Approval	<ul style="list-style-type: none"> Optional conceptual review with Planning Commission Required review/recommendation by Planning Commission Assembly approval*
Submission Requirements	<ul style="list-style-type: none"> Standard CUP requirements plus: Site Plan <ul style="list-style-type: none"> Must include in-water and upland development Binding site plan for staged developments Traffic study by licensed professional Transportation plan (if bussing/mass transit of passengers necessary/proposed) Operating plan <ul style="list-style-type: none"> Min, average, and max passengers (daily/weekly/seasonally) Provisions for Port Security Emergency service access to site and vessels Draft schedule for development & staging, including anticipated permits needed from other agencies Plans & provisions for waste disposal Estimates of supplies & resources purchased and used in Sitka

Criteria for Evaluating Impacts

Existing General CUP Criteria for Impacts

- a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses.
- b. Amount of noise to be generated and its impacts on surrounding land uses.
- c. Odors to be generated by the use and their impacts.
- d. Hours of operation.
- e. Location along a major or collector street.
- f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario.
- g. Effects on vehicular and pedestrian safety.
- h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site.
- i. Logic of the internal traffic layout.
- j. Effects of signage on nearby uses.
- k. Presence of existing or proposed buffers on the site or immediately adjacent the site.
- l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan.
- m. Other criteria that surface through public comments, planning commission, or assembly review.

Potential Criteria for Impacts Changes/Additions

- Modify vehicular criteria for vehicular traffic generation, noise, and pedestrian/vehicular safety to “impacts on.....
 - Surrounding and nearby land uses;
 - The city and borough road system, with particular attention to proposed transit routes(s) and major and/or collector streets;
 - The central business district; and
 - Tour and attraction sites frequented by visitors outside of the central business district such as historic sites, recreational areas, museums, and other cultural, artistic, scientific, educational, or animal care facilities.
- Clarify that “logic of internal traffic layout” should also address passenger queueing plan & safety
- **Additional criteria: Capacity of community to accommodate additional cruise passenger visitation including impacts on:**
 - Resident access to critical sites and services including public facilities, educational facilities, health care facilities, transportation services and facilities, offices, banks, recreation areas, subsistence areas and resources, and public and private utilities;
 - Public services and infrastructure including but not limited to public safety, transportation, utilities, solid waste disposal, public restrooms, community buildings, recreational sites, and visitor information.
 - Ability of merchants, hospitality providers, commercial transportation providers, and operators of tours and attractions to accommodate additional visitation; and
 - Other impacts that surface through public comments, planning commission, or assembly review.

Required Findings

Existing CUP Required Findings

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare;
- b. Adversely affect the established character of the surrounding vicinity; nor
- c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.

2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation.

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.

4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.

5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

Relation to Evaluation Criteria, Modifications, and Other Considerations

Reference vehicular & pedestrian safety, noise, and “capacity of community” criteria

Consider modifying ED 6.5, “Support growth of Sitka’s independent, cruise-related, and heritage tourism work and enterprises.”

Consider modifying, “...will not introduce hazardous conditions at the site that cannot be mitigated...”

Reference “capacity of community” criteria

Previously Reviewed Sections

Tourism Task Force

Recommendation #23

“Currently, the zoning code does not differentiate between types or sizes of commercial use docks. Commercial use docks are allowed by-right in the general commercial zones, the waterfront district, and the industrial district.

The task force recommends creating a separate use in the zoning code that would distinguish large docks that could berth cruise ships, and make that use conditional in all zones that currently allow commercial use docks. The definition could be based on the size of the dock, the size of vessel it can berth, and/or the number of passengers that could disembark from a vessel berthed at the dock. As a reference point, SGC 18.15.014 states that the Assembly may authorize an advisory vote that would authorize the sale or lease of municipal property for use of a dock or transfer facility that could be used by cruise ships exceeding 300 feet in length.”

Definitions

Commercial Use Docks

SGC 22.05.450: “Commercial dock” means a fixed or floating structure, including moorings, for the purpose of berthing floating vessels that: includes commercial and recreational vessels, does not have a limitation on the size or number of lease slips, may include covered lease slips and boathouses, may include secure float plane facilities, and may have seafood sales on the structure. A commercial dock along the Sitka road system shall have one parking space per slip. Commercial docks in Sitka Sound and in outlying areas do not have a parking space requirement.

Proposed Definitions

“Cruise ship” means a passenger vessel with overnight accommodations for commercial passengers and designed for the purpose of providing pleasure and/or leisure travel, generally stopping at multiple ports on a fixed itinerary. Cruise ships do not include Alaska Marine Highway System ferries .

“Cruise ship dock” means a fixed or floating structure, including moorings, that serves cruise ships that have the capacity to accommodate 250 or more overnight passengers, exclusive of the ship’s crew, by either berthing the cruise ship, or berthing passenger lightering vessels that transport passengers to and from the cruise ship otherwise anchored or berthed at another location.

Zoning Districts

Currently, Commercial Use Docks are:

- Allowed by Right: CBD, C-1, C-2, WD, I
- Conditional: GI, LI, R, OS
- Prohibited: P, SF/SFLD, R-1 & Related, R-2 & Related, C

5/7/25 Consensus:

- Allowed by Right: None
- Conditional: P, CBD, C-1, C-2, WD, I, GI, LI, R, OS
- Prohibited: SF/SFLD, R-1 & Related, R-2 & Related, C

Level of Approval

5/7/25 Consensus:

- Optional (but highly encouraged) conceptual review with Planning Commission
- Required review/recommendation by Planning Commission
- Assembly approval

Submission Requirements

Existing General Submission Requirements for CUPs

- Legal description of all properties involved in project
- Statement of objectives for the project
- Detailed description of all aspects including:
 - Land use
 - Building types and sizes
 - Population density
 - Parking and traffic circulation
 - Building coverage
 - Other information the applicant feels would assist with decision making
- Site plan including:
 - Land use layout
 - Building locations
 - Vehicular and pedestrian circulation
 - Open space and recreation areas
 - Utility plans
 - Grading & drainage, including current & proposed topography
 - Conceptual drawings of buildings, signs, or other features as required

5/7/25 Consensus Additional Submissions for Cruise Ship Dock CUPs

- Site plans for proposal must include in-water and upland development
- Site plans for initial and final development (i.e. binding site plan for staged development)
- Traffic study prepared by licensed professional (*including traffic counts, sufficiency of proposed parking, necessary traffic control/calming devices, potential hazards/disruptions/inefficiencies and proposed mitigations*)
- Transportation plan (i.e. bussing/mass transit of passengers if necessary/proposed)
- Operating plan
 - Min, average, & max passenger capacities (daily/weekly/ seasonally)
 - Provisions for Port Security
 - Emergency service access to site and vessels
- Draft schedule for development & staging, including anticipated permits needed from other agencies
- Plans & provisions for waste disposal
- Estimates of supplies & resources purchased and used in Sitka