



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

MEMORANDUM

To: Chair Windsor and Planning Commission Members

From: Amy Ainslie, Planning & Community Development Director

Date: August 29, 2025

Subject: Permitted Uses Within the Central Business District

At the August 20, 2025, Planning Commission meeting, commission members requested further information regarding district regulations within the CBD (central business district), and more specifically, portions of the CBD that are largely lower-density residential use such as Etolin Way, Oja Way, and Monastery Street.

Given its age and historic context, it's unsurprising that the central business district includes a diversity of uses, some of which are "legal nonconforming" (i.e. grandfathered in). While portions of the central business district are developed as shops, hotels, and similar commercial uses, other portions are residential in use and appear similar to an R-1 or R-2 neighborhood.

Though residential use is permitted to some extent within the central business district, commercial use is prioritized in the zone through uses outlined in SGC 22.16.015. Footnote 11 to the Residential Land Use Table (Table 22.16.015-1) makes this priority explicit as it states, *"Many of the permitted and conditional uses in the CBD, C-1, C-2, and WD zones generate traffic, noise, odor, and general impacts to a higher level and greater degree than permitted and conditional uses in residential districts. Owners of residential uses in the CBD, C-1, C-2 and WD districts must be aware of and accepting of all the permitted uses in these districts."*

While the CBD allows some residential use, it is constrained. Single-family homes and duplexes are prohibited in the zone (though we know that many exist as legal nonconforming uses due to their age and consistency of use). Single and multiple apartments are allowed by right if built on the upper floors of structures in the zone, and may be on a first floor as a conditional use.

Legal nonconforming status allows historic use(s) of a property (and/or structures on a property) that are no longer compliant with current zoning provisions to continue on an ongoing basis; however, it does not create an obligation for current or future property owners to continue using the property for only that purpose. In short, property owners have the right to redevelop a legal nonconforming property for/with uses and/or structures

that are compliant with current zoning provisions. Alternatively, property owners could seek a conditional use permit for redevelopment into a different kind of nonconforming use, but that is at the discretion of the Planning Commission to allow.

Permitted Uses (i.e. allowed by right) in the CBD – by use table

Table 22.16.015-1 Residential Land Uses: Multifamily (if on 2nd story or above), hotel/motel, bed and breakfast, short-term rental.

Table 22.16.015-2 Cultural/Recreational Uses: Library, museum, conference center, church, art gallery, park, trails, theater, drive-in theater, bowling center, arcades, community center.

Table 22.16.015-3 General Services Uses: General services, dry cleaning, miscellaneous repair, social service agencies, bank, credit union, health offices/outpatient clinic, medical/dental laboratory.

Table 22.16.015-4 Public Facilities Uses: Public agency or utility office, courts, police station, fire station, utility facilities.

Table 22.16.015-5 Manufacturing/Storage Uses: Construction materials storage, trucking/courier/taxi service facilities, warehousing and wholesale trade, self-service storage, freight and cargo services, equipment rental services, vehicle rental services.

Table 22.16.015-6 Retail and Business Uses: Bulk forest products sales, art galleries and sales of art, department and variety stores, food stores, motor vehicle and boat dealers (short-term basis only), auto supply stores, apparel and accessory stores, furniture and home furnishing stores, eating and drinking places, drug stores, liquor stores, used goods/secondhand stores, sporting goods, book/stationery/video/art supply, jewelry stores, monuments/tombstones/gravestones, hobby/toy/game stores, photographic and electronic stores, fabric stores, florists, medical supply stores, pet shops, stand alone souvenir and gift shops, commercial home horticulture, horticulture and related structures, general business services, professional offices, and communications services.

SGC 22.16.015 which contains the use tables has been included as an attachment to this memo for the commission's review – all permitted/conditional/prohibited uses for CBD can be found there.