

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2026-XX

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 22,
“ZONING” OF THE SITKA GENERAL CODE TO PROMOTE THE CONSTRUCTION OF
ACCESSORY DWELLING UNITS (ADUs)**

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code (SGC).

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. PURPOSE. The purpose of this ordinance is to update, modernize, and streamline Sitka General Code zoning provisions related to Accessory Dwelling Units (ADUs) as found in Title 22 in order to promote the construction of additional housing options within the City and Borough of Sitka.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 22 be amended by modifying Chapter 22.05 “Definitions”, Chapter 22.16 “District Regulations”, and Chapter 22.20 “Supplemental District Regulations and Development Standards” to read as follows (deleted language stricken, new language underlined):

**Title 22
ZONING**

Chapters:

- 22.05 General Provisions**
- 22.10 Administration**
- 22.15 Zoning Maps and Boundaries**
- 22.16 District Regulations**
- 22.20 Supplemental District Regulations and Development Standards**
- 22.25 Special Use Permits**
- 22.30 Mobile and Manufactured Homes**

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**Chapter 22.05
Article II. Definitions**

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22.05.100 Accessory dwelling unit.

“Accessory dwelling unit (ADU)” is a second, detached dwelling unit that is located on the same parcel as the primary single-family dwelling unit in zoning districts which only allow one principal use under SGC 22.16.015. An ADU must provide a complete, independent residential living

space and shall include provisions for living, sleeping, eating, cooking and sanitation. Accessory dwelling units are further regulated under Chapter 22.20 SGC and other sections of this title.

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22.05.550 Dwelling unit, accessory.

"Accessory dwelling unit" means a separate, complete dwelling unit attached to or contained within the structure of the primary dwelling, or contained within a separate structure that is accessory to the primary dwelling unit on the premises.

Chapter 22.16 DISTRICT REGULATIONS

Sections:

22.16.010 Generally.

22.16.015 Permitted, conditional and prohibited uses.

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22.16.015 Permitted, conditional and prohibited uses.

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Table 22.16.015-1. Residential Land Uses

Zones	P(1)	S F	SFL D	R-1	R-1 MH	R-1 LDM H	R-2	R-2 MH P	CBD(1 1, 12)	C- 1(11)	C- 2(11)	WD(2, 11)	I	GI(3, 10)	LI(3)	R	O S	GP(1 3)	C(1 6)
RESIDENTIAL																			
• Single-family detached		P	P	P(4))	P(4))	P(4))	P(4))	P(4))		P	P	P		P	P	P	P		
• Townhouse				C(5))	C(5))	C(5))	C(5))	C(5))	C	P	P	P		C	C				
• Duplex				P	P		P	P		P	P	P		P	P				
• Residential zero lot line				P	P	P	P	P		P	P	P							
• Multiple-family				C(5))	C(5))	C(5))	P(5))	P(5))	P(5, 8)	P(5))	P(5))	P(5))		C	C			C(17 1)	
• Single manufactured home on an individual lot					P	P		P			P	P		C	C				

Zones	P(1)	S F	SFL D	R-1	R-1 MH	R-1 LDM H	R-2	R-2 MH P	CBD(1 1, 12)	C- 1(11)	C- 2(11)	WD(2, 11)	I	GI(3, 10)	LI(3)	R	O S	GP(1 3)	C(1 6)
• Tiny house on chassis on an individual lot					C	C		C			C	C		C	C				
• Mobile home park								P			P	P							
• Accessory dwelling unit		?	?	P	P	P								P	P	P			
GROUP RESIDENCES														C	C				
• Assisted living	C						C	C						C	C				
• Bunkhouse for transient workers							C	C				C		C				C(17) 1	
• Dormitory	C(4)						C	C											
• Quasi-institutional	C			C	C	C	C	C						C	C				
TEMPORARY LODGING																			
• Hostel							C	C		P	P	P							
• Hotel/motel									P	P	P	P		PU/C S	C	C			
• Bed and breakfast				C(7)	C(7)	C(7)	C(8)	C(8)	P	P	P	P		P	C				
• Short-term rental	C(1 5)			C	C	C	C	C	P	P(9)	P(9)	P(9)		P	C	P(9)			
• Rooming house							C	C	C	P	P	P		C	C				
• Lodge										P	P	P		PU/C S	C				
• Limited storage				C(6)	C(6)	C(6)	C(6)	C(6)						P	C				

P: Public Lands District

SF: Single-Family District

SFLD: Single-Family Low Density District

R-1: Single-Family/Duplex District

R-1 MH: Single-Family/Duplex/Manufactured Home District

R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home Low Density Districts

R-2: Multifamily District

R-2 MHP: Multifamily/Mobile Home District

CBD: Central Business District

C-1/C-2: General Commercial and General Commercial/Mobile Home Districts

WD: Waterfront District

I: Industrial District

GI: General Island District

LI: Large Island District

R: Recreational District

OS: Open Space District

GP: Gary Paxton Special District

C: Cemetery District

77 P – Permitted

78 C – Conditional Use Permit Required

79 PU/CS – Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

80 C. *Residential Uses Table 22.16.015-1 Footnotes.*

81 1. Public facilities not otherwise identified may be permitted in the public zone subject to
82 planning commission recommendation and assembly approval subject to findings of fact that
83 show the use is in the public interest; all reasonable safeguards are to be employed to protect
84 the surrounding area; and that there are no reasonable alternative locations for the use.

85 2. All uses in the waterfront district are intended to be water-related or water-dependent except
86 that upland uses may be non-water-related.

87 3. Uses listed as conditional uses in the GI and LI zones may be considered, but not
88 necessarily approved, on a case-by-case basis.

89 4. Including zero lot developments.

90 5. Townhouse, cluster housing developments and planned unit developments are conditional
91 uses subject to this title and SGC Title [21](#), Subdivisions.

92 6. On-site storage of commercial fishing vessels, fishing equipment and other small business
93 equipment is a permitted conditional use so long as such storage does not occupy more than
94 400 square feet.

7. Bed and breakfast establishments are limited to three guest rooms in the R-1, R-1 MH, and R-1 LD districts as conditional uses only when no other rental such as apartments is in operation on the same lot.

8. Bed and breakfast establishments are limited to five guest rooms in the R-2, R-2 MHP districts as conditional uses only when no other rental such as apartments is in operation on the same lot.

9. Short-term rentals including legal nonconforming uses shall provide two off-street parking spaces per unit, comply with the municipal fire code, and comply with the requirements of the building department based on a life safety inspection.

10. Hotels, motels, lodges, boarding houses and bed and breakfasts capable of accommodating a maximum of six guests plus one guest for each one-half acre or fraction thereof above one acre on unsubdivided islands are permitted principal uses. Hotels, motels, lodges, boarding houses and bed and breakfasts, on unsubdivided islands that exceed this maximum, are conditional uses.

Bed and breakfast establishments, boarding houses, hotels, motels and lodges are conditional uses on subdivided islands.

11. 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.

12. Single or multiple apartments shall only be permitted on the first floor of structures in the CBD district if approved through the conditional use process. Single and multiple apartments are permitted uses on upper floors of structures in the CBD district.

13. Temporary lodging by owners and/or crew on vessels utilizing the industrial park's marine haul out facility is permitted; this shall not be construed to allow long-term residential occupation.

14. Accessory dwelling units shall be constructed in conformance with the standards outlined in Chapter [22.20](#) SGC, Supplemental District Regulations and Development Standards.

15. Conditional use limited to allow boats to be used as short-term rentals in harbors and slips within the public lands zoning district.

16. All uses in the cemetery district are intended to be cemetery-related and conducted with reverence and respect for those interred.

17. Multiple family dwellings and bunkhouses for transient workers shall only be eligible for a conditional use permit when proposed as workforce housing in accordance with 22.16.170.B. Bunkhouses may be approved as a principal use; multiple family dwellings shall only be approved as an accessory use and are most suitable for upper floors of structures.

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22.16.016 Accessory uses.

A. *Intent.* Certain uses are incidental and supportive of the principal use. These are indicated for each zoning district in the following table.

Table 22.16.016-1. Accessory Uses

PERMITTED ACCESSORY USES	ZONES
Accessory buildings such as garages and sheds	All zones
Required automobile parking in conjunction with permitted principal or conditional uses	All zones
Off-street parking for one commercial truck or van used for commuting	All residential zones
Required loading facilities	All zones
Utility installations except solid waste disposal facilities and water storage dams	All zones
Home occupations as defined by SGC 22.20.060	All residential zones
Private outside storage of small noncommercial trucks, boats, recreational vehicles in required setbacks no closer than five feet to the property line	All residential zones
Parks, playgrounds and open space for informal recreation	All residential zones
Accessory uses incidental to any permitted use	All nonresidential zones
One small private recreational cabin per lot in addition to the single principal structure	GI, LI and OS zones
One single unit watchman or caretaker dwelling	P, I, and GP zones
Boardwalks	R zone

Chapter 22.20

SUPPLEMENTAL DISTRICT REGULATIONS AND DEVELOPMENT STANDARDS

Sections:

22.20.010 Application of supplementary regulations.

22.20.020 Use of land and buildings.

22.20.030 Classification of new and unlisted uses.

22.20.038 Residential demolition guarantee.

22.20.040 Yards and setbacks.

22.20.050 As-built requirements.

22.20.055 Communications antennas and towers.

22.20.060 Permitted home occupations.

22.20.070 Fences, walls, and hedges.

22.20.080 Visibility at intersections.

22.20.085 Lighting.

22.20.090 Signs.

22.20.100 Off-street parking requirements.

22.20.110 Off-street loading requirements.

22.20.120 Mail delivery.

22.20.130 Large domestic animals.

22.20.150 Short-term rentals.

22.20.160 Accessory dwelling units (ADUs).

22.20.160 Accessory dwelling units (ADUs).

A. The following code section provides for binding standards and regulates the accessory dwelling units (ADUs). ADUs are intended to:

1. Utilize existing housing stock ~~while preserving the appearance and character of single-family neighborhoods.~~
2. Provide additional affordable options for long-term rental housing.
3. Provide a broader range of more affordable housing.
4. Provide a mix of housing that responds to changing family needs, smaller households and multigenerational families.
5. Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods and obtain extra income, security, companionship and services.
6. Encourage a more economic and energy-efficient use of Sitka's housing supply.

7. To maintain consistency with city and borough of Sitka's policies as recommended in the Comprehensive Plan (2.2.15, 2.2.16, 2.4.8.A, 2.5.1.B, 2.5.11, 2.10.3.B).

B. Creation. An accessory dwelling unit (ADU) is a second dwelling unit that is located on the same parcel as the primary single-family dwelling unit. ADUs must provide a complete, independent residential living space and shall include provisions for living, sleeping, eating, cooking and sanitation. ADUs can be studio-sized units, and one- and two-bedroom units. An ADU may be created through the following methods:

1. Constructing a detached ADU on a parcel with an existing single-family home.

2. Constructing a new single-family home with a detached ADU.

3. Construction a new single-family home that meets all ADU requirements as listed below in subsection C on a vacant lot, then building what will become the primary single-family dwelling unit and reclassifying the first structure built as an ADU. If the first structure built does not comply with ADU requirements in place when constructing the second structure, a conditional use permit to reclassify the first structure built as an ADU shall be required. Alternatively, an applicant may seek Planning Commission approval of a binding site plan prior to construction of the first structure that would allow second structure construction and first structure reclassification per the approved site plan even if it does not comply with ADU requirements at time of second structure construction and first structure reclassification. The Planning Commission shall have discretion to set terms and conditions on the binding site plan including any sunset provision.

C. Accessory dwelling unit requirements.

1. An ADU is a permitted use on lots served by a publicly maintained right of way in the following residential zoning districts: R-1 and R-2 and related districts exclusive of MH and MHP. An ADU shall not be constructed on lots accessed by access easements. They are also not allowed on lots served by rights of way that have not been accepted by the municipality or state of Alaska for maintenance.

2. ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than 90 consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes except in cases that qualify under SGC 22.25.010.C.2.

3. ADUs shall meet all development, design, zoning and building requirements at the time of construction (e.g., setback requirements and lot coverage standards) applicable to the primary dwelling unit, except as otherwise noted.

4. The ADU must be located on the same parcel as the primary dwelling unit.

5. Only one ADU is allowed per parcel.

6. Mobile homes, travel trailers and recreational vehicles shall not be used as an ADU. Tiny houses on chassis are permitted as ADUs subject to the construction requirements as listed in SGC 22.30.205.

7. ADUs shall only be located on a parcel in conjunction with a single-family dwelling unit. ADUs shall not be located on parcels that contain a duplex and shall not be located on parcels that contain two or more dwelling units.

8. ADUs shall be designed so that the appearance of the structure maintains, to the greatest extent possible, the appearance of a single family property.

9. If a separate external entrance for the ADU is necessary, where possible, it shall be located on the side or rear of the structure. On a corner lot, where there are two entrances visible from either street, where possible, solid screening is required to screen at least one of the entrances from the street.

10. Exterior stairs shall be located in the side or rear yard wherever possible and must comply with set-back and building code requirements.

11. The maximum size of an ADU shall be 800 1,000 square feet of habitable space.

12. Generally, ADUs are required to have two off-street parking spaces in accordance with SGC 22.20.100.G.1 except when:

a. The ADU is XXX square feet or smaller

b. The ADU is located

12. The following parking requirements are applicable for ADUs:

a. As part of the application submittal process, the applicant shall submit a parking plan delineating parking space(s) for the ADU and the primary dwelling unit. T

b. Where parking is located in any portion of the interior side and/or rear setbacks solid screening is required from adjoining properties.

c. On-street parking is prohibited.

d. If additional parking is necessary, new parking space(s) shall utilize existing curb cuts.

13. All subdivisions of lots containing ADUs are prohibited unless all minimum lot sizes (exclusive of access easements), setbacks, lot coverage, and other requirements in the zoning and subdivision codes are met.

14. Variances are prohibited on any lot containing an ADU including, but not limited to, variances for setbacks, lot coverage, building height, and off-street parking requirements.

D. Conditional use permits may be sought if the above requirements cannot be met. Conditional use permit must be in conformance with Chapter 22.25 SGC.

Chapter 22.25
SPECIAL USE PERMITS

Sections

22.25.005 General.

22.25.010 Conditional uses.

22.25.010 Conditional uses.

C. Conditional use permit provisions for short-term rentals.

1. Short-term rental establishments shall be approved as conditional uses in the R-1, R-1 MH, R-1 LD, R-1 LDMH, R-2, and R-2 MHP zoning districts with the following conditions:

a. Existing short-term rentals operating in conformance with all other applicable regulations prior to the effective date of the ordinance codified in this section may continue operating as nonconforming uses so long as payments of bed taxes and any other fees are current.

b. The permit application and process will be the same as that required for bed and breakfasts, including submission and review of both interior and exterior site plans.

c. Increase in density and other impacts on the immediate surrounding neighborhood which would occur as a result of approval of short-term rentals may be a consideration in the granting of the permit.

d. Cessation of an approved short-term rental operation for 12 consecutive months shall result in revocation of the permit and require reapplication and approval of a new conditional use permit. Timely payment of sales taxes shall be one of the primary indicators of compliance with this section.

e. When the planning commission approves a permit with the condition referring to the number of children in the facility, the term "children" shall refer to individuals who are 15 years old or younger.

f. Primary residence requirements. All short-term rentals approved on or after September 14, 2022, must comply with primary residence requirements as provided below.

i. To be eligible to apply for a short-term rental, the property containing the short-term rental must also contain the applicant's primary residence. A primary residence is that which is occupied by the applicant as the applicant's principal place of residence at least 180 days out of the year as documented by motor vehicle registration, voter registration, and/or other such evidence determined to be conclusive by the planning commission. Applicants will be required to submit a sworn

affidavit attesting that the property is their primary residence. An applicant cannot claim more than one property as their primary residence.

ii. Dwelling units on the property eligible for a permit include a single-family home, a mobile or manufactured home, or the nonowner-occupied unit within a two-family or multifamily unit.

iii. An approved permit shall automatically become void if the property is no longer the applicant's primary residence. Permits shall also become void immediately upon sale or transfer of the property. Permits are nontransferable between persons and locations.

iv. It is the intent of this subsection (C)(1)(f) that the primary residence requirements be strictly followed. However, exceptions may be granted in cases of extreme personal hardship to the applicant determined by the planning commission. In these cases, the maximum term of the permit when an exception is granted is 12 months with one possible, six-month extension if granted upon further application. The applicant shall have the burden of proof to demonstrate the exception is warranted due to circumstances beyond their control such as the employment or health needs of the applicant's or a family member. Exceptions may not be granted solely to address financial considerations or inconvenience. The property must be the primary residence of the applicant at the time of application for an exception.

2. Short-term rental incentive for ADU construction. While short-term rentals of ADUs are generally prohibited, they may be allowed conditionally under the following circumstances:

a. To promote the construction of ADUs, the owner of a property may at any time[?], but no later than one year after the issuance of an ADU certificate of occupancy, apply to use a proposed or newly constructed ADU as a short-term rental. [exception within 6 months to one year after passage of this ordinance?]

b. In the case the permit is applied for prior to construction, the activation period shall commence upon issuance of a certificate of occupancy for the ADU rather than upon planning commission approval of the permit.

c. The permit shall automatically sunset three years following permit activation. No extensions shall be granted.

d. The permit is not transferable among persons or locations; the permit shall become void immediately upon sale or transfer of the property.

e. Provisions and requirements as listed in SGC 22.25.010.C.1.b-e also apply.

32. Short-term rentals shall be allowed in the other zoning districts subject to the following general rules:

a. There shall be two parking spaces per dwelling unit.

b. The number of persons per sleeping area shall comply with the municipal fire code.

c. Upon filing for sales tax and bed tax accounts, an owner shall obtain a life safety inspection by the building department and shall comply with the requirements proposed by the department.

d. Legal nonconforming short-term rentals shall comply with these general rules within two years.

e. Short-term rentals may only be approved for mobile homes that are located along streets maintained by the city and borough or the state of Alaska.

5. EFFECTIVE DATE. This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska, this XXth day of XXX, 2026.

Steven Eisenbeisz, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st reading: X/XX/2026

2nd and final reading: X/XX/2026