

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2020-09

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 22
"ZONING" OF THE SITKA GENERAL CODE BY MODIFYING CHAPTER 22.08
"DEFINITIONS" AND CHAPTER 22.16 "DISTRICT REGULATIONS", AND ADDING
SECTION 22.08.162 "BULK RETAIL"**

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

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 establish a definition for bulk retail and change its use in the Industrial district from prohibited to conditional.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 22 entitled "Zoning", be amended by modifying Chapter 22.08, entitled "Definitions", by adding Section 22.08.162, entitled "Bulk Retail" and Chapter 22.16, entitled "District Regulations", to read as follows (deleted language stricken, new language underlined):

**Title 22
ZONING**

Chapters:

- 22.04 Introduction and General Provisions**
- 22.08 Definitions**
- 22.12 Zoning Maps and Boundaries**
- 22.16 District Regulations**
- 22.20 Supplemental District Regulations and Development Standards**
- 22.24 Special Use permits**
- 22.30 Zoning Code Administration**

* * *

**Chapter 22.08
DEFINITIONS**

Sections:

* * *

22.08.162 Bulk retail.

* * *

22.08.162 Bulk retail.

"Bulk retail" is a retail establishment engaged in selling goods or merchandise to the general public as well as to other retailers, contractors, or businesses, and rendering services incidental to the sale of such goods. Bulk retail involves a high volume of sales of related and/or unrelated products in a warehouse setting and may include membership warehouse clubs (i.e. "big box" retail). Bulk retail is differentiated from general retail by any of the following characteristics:

items for sale include large, categorized products (e.g., lumber, appliances, household furnishings, electrical and heating fixtures and supplies, wholesale and retail nursery stock, etc.) and may also include a variety of carry out goods (e.g., groceries, household, and personal care products)."

* * *

Chapter 22.16 DISTRICT REGULATIONS

Sections:

* * *

22.16.015 Permitted, conditional and prohibited uses.

* * *

22.16.015 Permitted, conditional and prohibited uses.

* * *

**Table 22.16.015-6
Retail and Businesses Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (8)	C- 1	C- 2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP	C (10)
RETAIL USES																			
• Building, hardware and garden materials										P	P		P	C	C			P	
• Bulk forest products sales									P	P	P	P	P	P				P	
• Retail forest products sales										P	P	P	P					C	
• Art galleries and sales of art									P	P	P	P							
• Department and variety stores									P	P	P	P(5)		C	C				
• Food stores									P	P	P	P(5)		C	C	C(6)		C	
• Agricultural product sales										P	P		P	C	C			P	
• Motor vehicle and boat dealers									P(7)	P	P	P(5)		C				P	
• Auto supply									P	P	P			C	C			P	

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (8)	C- 1	C- 2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP	C (10)
stores																			
• Gasoline service stations									C	P	P		P	C	C			C	
• Apparel and accessory stores									P	P	P	P(5)		C	C				
• Furniture and home furnishing stores									P	P	P			C				C	
• Eating and drinking places									P	P	P	P	C	PU/ CS	C			C	
• Drug stores									P	P	P			C	C				
• Liquor stores									P	P	P	P(5)		C	C				
• Used goods, secondhand stores									P	P	P	P(5)		C	C			C	
• Sporting goods									P	P	P	P(5)		C	C				
• Book, stationery, video and art supply									P	P	P	P(5)		C	C				
• Jewelry stores									P	P	P	P(5)		C	C				
• Monuments, tombstones and gravestones									P	P	P		P	C	C			P	
• Hobby, toy, game stores									P	P	P			C	C				
• Photographic and electronic stores									P	P	P	P(5)		C	C				
• Fabric stores									P	P	P			C	C				
• Fuel dealers										P	P		P	C	C			C	
• Florists									P	P	P			C	C				
• Medical supply stores									P	P	P			C	C				
• Pet shops									P	P	P			C	C				

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (8)	C- 1	C- 2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP	C (10)
• Sales of goods that are wholly manufactured at Gary Paxton industrial park GPIIP																		P	
• Sales of gifts, souvenirs and promotional materials that bear the logo or trade name of a GPIIP permitted use business																		P	
• Stand alone souvenir and gift shops									P	P	P	P							
• Bulk retail										P	P		<u>C</u>	C	C				
• Commercial home horticulture	P	C	C	C(9)	C(9)		C(9)	C(9)	P	P	P	P		PU/ CS(9)	C(9)	P	P		
• Horticulture and related structures	P								P	P	P	P						P	
• Marijuana retail facility									C	C	C	C	C	C	C			C	
BUSINESS SERVICES																		P	
• General business services									P	P	P	P(5)	P	C	C			C	
• Professional offices							C	C	P	P	P	P(5)		C	C			P	
• Communications services									P	P	P	P(5)		C	C			P	
• Research and development services									C	P	P	C(5)	P	C	C			P	

P: Public Lands District	C-1/C-2: General Commercial and General Commercial/ Mobile Home Districts
SF: Single-Family District	
SFLD: Single-Family Low Density District	WD: Waterfront District
R-1: Single-Family/Duplex District	I: Industrial District
R-1 MH: Single-Family/Duplex/Manufactured Home District	GI: General Island District
R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home Low Density Districts	LI: Large Island District
R-2: Multifamily District	R: Recreational District
R-2 MHP: Multifamily/Mobile Home District	OS: Open Space District
CBD: Central Business District	GP: Gary Paxton Special District
	C: Cemetery District

P—Permitted

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands
H. Retail and Business Uses Table 22.16.015-6 Footnotes.

1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings of fact that show the use is in the public interest, all reasonable safeguards are to be employed to protect the surrounding area, and that there are no reasonable alternative locations for the use.
2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.
3. No industrial use shall be of a nature which is noxious or injurious to nearby properties by reason of smoke, emission of dust, refuse matter, odor, gases, fumes, noise, vibration or similar conditions.
4. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.
5. When associated with a water-related principal use.
6. Small scale convenience stores subordinate to principal permitted uses.
7. Motor vehicles and boat dealers permitted on a short-term basis.
8. Kiosks, outdoor restaurants, portable structures such as food stands and other temporary structures that are clearly incidental to the primary use on the lot are permitted uses. Mobile food carts on wheels are permitted uses on private property. Kiosks, outdoor restaurants, portable structures such as food stands and other

temporary structures that are not clearly incidental to the primary use on the lot are conditional uses.

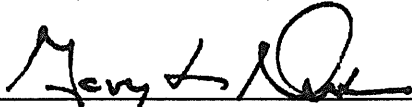
9. Commercial home horticulture conditional use permits governed by Section 22.24.025.

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

* * *


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

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska, this 24th day of March, 2020.



Gary L. Paxton, Mayor

ATTEST:



Sara Peterson, MMC
Municipal Clerk

1st reading 3/10/2020

2nd and final reading 3/24/2020

Sponsor: Administrator