



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Case No: ZA 20-04
Proposal: Zoning Map Amendment: R2 to C
Applicant: Sitka Tribe of Alaska
Owner: Sitka Tribe of Alaska
Location: NHN Sawmill Creek Road
Legal Desc.: Lot 2-2, Sheldon Jackson Campus Subdivision Number 2
Zone: R-2 multifamily residential
Size: 54,110
Parcel ID: 1-8562-055
Existing Use: Cemetery
Adjacent Use: Former SJ Campus, recycling center, cemeteries, State Troopers
Utilities: N/A
Access: Sawmill Creek Road

KEY POINTS AND CONCERNS:

- Lots have been historically used for burial/cemetery, but zoned with the former SJ campus as R-2
- CBS created a new Cemetery zoning district in the spring of 2019. This will be the first property to be rezoned under the Cemetery district.
- Spot zoning is to be expected with Cemetery zoning.

ATTACHMENTS

Attachment A: Aerial
Attachment B: Zoning Map
Attachment C: Plat
Attachment D: Applicant Materials

PROJECT DESCRIPTION

The applicants are requesting a zoning map amendment from R-2 multifamily residential to C cemetery for their lot on Sawmill Creek Road, formerly part of the Sheldon Jackson College Campus.

In deliberations, commissioners need to keep in mind that in the intention of the Cemetery zone is to create small pockets of protection for properties used for burial/cemetery purposes. As historic burial sites are proximate to other development, it is expected that in many cases, rezoning a property to Cemetery will result in acceptable spot zoning.

BACKGROUND

Prior to 2019, the city zoning code lacked a designation for cemeteries, historically residing in residential zones such as R-1 or R-2, or Public zones. This change was the result of concerns raised during the Comprehensive Plan process, identifying the need for better tracking of burial sites, protection of these historic areas, and to help ease the process of obtaining burial permits. This rezoning is the first property that will now be under the newly created Cemetery district.

The applicant is motivated to pursue this zone change because they would like to better preserve and protect the cemetery, apply for grants for the maintenance of the cemetery, and more easily track burial sites.

Descriptions of each zoning district:

SGC 22.16.050 R-2 multifamily residential district

- A. *Intent. The R-2 residential district is intended to include lands suited by topography and other natural conditions for urban development and which are provided with the full range of public utilities, including sewers, water, electricity, and storm drains or are intended to be provided with such utilities in the near future. This district is intended primarily for single-family and multiple-family residences at moderately high population densities. Structures required to serve governmental, educational, recreational, religious and limited professional office needs are allowed subject to permitted or conditional use restrictions intended to preserve and protect the residential character of the R-2 district.*

SGC 22.16.180 – C cemetery district

- A. *Intent. The cemetery district is intended to contain land used for cemeteries and limited accessory uses. All uses in the cemetery district are intended to be cemetery-related and conducted with reverence and respect for those interred. This a highly restrictive district.*

ANALYSIS

Project / Site: Lot to be rezoned is 54,110 square feet. Lot is not developed as it has historically been used as a cemetery/burial site.

Traffic: Heavy traffic on the right-of-way next to the property. Current cemetery use (which would not change with the rezoning) generates very little traffic.

Parking: Space is available to create parking if it would be desired by the property owner. No parking requirements for cemetery use.

Noise: Very minimal – intention of cemetery is to be a quiet, peaceful environment.

Public Health or Safety: No impacts to public health or safety anticipated.

Habitat: No concerns for habitat.

Property Value or Neighborhood Harmony: Cemetery zoning would likely result in less property value given the highly restricted nature of the zone and its use limitations, particularly in comparison to the high density residential uses allowed in R-2. However, the use of the

property will not change, as it has historical use as a cemetery. This zoning change is an attempt to have the zoning accurately reflect the use of the property. Therefore, there's very little anticipated change to the character of the neighborhood or neighborhood harmony due to this zoning change.

Comprehensive Plan: The proposal directly correlates to Historical, Cultural, and Arts Resources Action HCA 1.1c: *Coordinate and collaborate with interested parties to compile cemetery information* by using our zoning maps to both identify and protect land used for cemeteries.

STAFF RECOMMENDATION/CONCLUSION

Staff recommends approval of the zoning map amendment.

RECOMMENDED MOTIONS

- 1) **"I move to recommend approval of the zoning map amendment to rezone NHN Sawmill Creek Road from the R-2 multifamily residential district to the Cemetery district. The property is also known as Lot 2-2, Sheldon Jackson Campus Subdivision Number 2. The request is filed by the Sitka Tribe of Alaska. The owner of record is the Sitka Tribe of Alaska."**
- 2) **"I move to adopt the findings as listed in the staff report."**

The commission finds that:

- a. The zoning map amendment does not negatively impact the public health, safety, and welfare,
- b. The zoning map amendment has followed all code regarding amending the official zoning map with regards to public process;
- c. The zoning map amendment will not result in adverse effects on surrounding neighbors.
- d. The zoning map change is consistent with the public purpose of increasing commercial opportunities.
- e. The zoning map amendment comports with the Comprehensive Plan by aligning with goal HCA 1.1c: *Coordinate and collaborate with interested parties to compile cemetery information*.