



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM

Case No: ZA 20-05
Proposal: Amend the district regulations for the GP zone
Applicant: Gary Paxton Industrial Park Board of Directors
Location: Gary Paxton Industrial Park
Legal: Various
Zone: Industrial

PROJECT DESCRIPTION

This request is for a zoning text change to amend the Sitka General Code (SGC) district regulations within the zoning code for the Gary Paxton special zone.

KEY POINTS AND CONCERNS

- This zoning text amendment fundamentally alters how uses are governed and reviewed within the park. GPIP Board of Directors will have less review and oversight of uses, shifting review for conditional uses to the Planning Commission.
- Function of zoning and uses within GP zone will be akin to all other zoning districts.

RECOMMENDATION

Staff recommends approval of this zoning text change.

ATTACHMENTS

Attachment A: Applicant Proposed Text Changes
Attachment B: Applicant Materials

BACKGROUND

The intent of the Industrial zone as stated in SGC 22.16.110 is *“for industrial or heavier commercial uses including warehousing, wholesale, and distribution operations, manufacturing, natural resource extraction, contractors’ yards, and other such uses that require larger property or larger water and sewer services.”*

In describing how the use tables within the district regulations function, the code makes several exemptions for how they function within the GP zone (SGC 22.16.015):

“With the exception of the Gary Paxton special district or as otherwise provided in this code, if the letter “P,” “C,” or another notation does not appear in the box, the use is prohibited.

The Gary Paxton special (GP/GPS) district was specifically developed to allow for a wide range of flexible uses on the site. When the site was acquired, it was recognized that a number of appropriate uses may surface that could not be anticipated. Appropriate and inappropriate uses could be regulated through lease agreements and sales agreements that must be approved by the municipality. As a result, the GP/GPS district use tables shall function differently from the manner outlined above.

Any uses, except retail and business uses, at Table 22.16.015-6, as well as natural resource extracting and mining support facilities uses within Table 22.16.015-5, may be approved in the GP/GPS district without a requirement of a zoning amendment in accordance with Section 2.38.080.

Retail and business uses in the GP/GPS district that are permitted uses, conditional uses, or prohibited uses on the site are governed by Table 22.16.015-6. Natural resource extractions and mining support facilities are conditional uses governed by Table 22.16.015-5 in the GP/GPS district. These use tables are binding on the owners and the operators in the Gary Paxton industrial park. No changes to these tables shall be made without a zoning ordinance text amendment that follows the full procedures in Chapter 22.30, Zoning Code Administration.”

In short, the only binding use table for the GP zone as of now is Table 22.16.015-6 Retail and Business Uses, and the one line for natural resource extraction and mining support facilities listed in Table 22.16.015-5. All other uses can be approved by the GPIIP Board of Directors.

ANALYSIS

The GPIIP Board of Directors in May of 2019 decided that due to the trending change in ownership of parcels within the park (originally all parcels were owned by CBS and leased whereas a majority of properties are privately owned), the codified certainty of zoning would be a more appropriate way to govern uses for future buyers and owners of lots within the park.

This zoning change would make the GP zone more akin to a traditional zoning district in terms of its specified, codified uses and process around conditional uses. Below is a simplified version of uses as they would be in the GP zone if this zoning text amendment were to succeed. For brevity, prohibited uses are not represented. Asterisks (*) indicate uses that are currently specified/indicated for the GPIIP zone, recognizing that the only binding ones were in Table 22.16.015-6 and for natural resource extraction.

Table 22.16.015-1 Residential Land Uses	
Bunkhouse for transient workers	P
Table 22.16.015-2 Cultural/Recreational Uses	
Commercial use docks	P
Table 22.16.015-3 General Services Uses	
General services	P
Automotive repair	P
Automotive services	P
Miscellaneous repair	P
Kennel	C
Marijuana testing facility*	C
Vocational school	P
Specialized instruction school	P
Table 22.16.015-4 Public Facilities Uses	
Public agency warehouse	P
Utility facilities (transformers, pump stations, etc.)	P

Solid waste transfer facility	P
Wastewater treatment plant	C
Public water supply facility	C
Public transportation facility/airport	C
Animal shelter	C
Recycling facility	P
Housing support facility	P
Table 22.16.015-5 Manufacturing/Storage Uses	
Food products including seafood processing	P
Mariculture	P
Winery/brewery, small scale	P
Textile mill products	P
Apparel and textile products	P
Wood products, except furniture	P
Furniture and fixtures	P
Paper and allied products	P

Petroleum refining and related products	P
Rubber and plastics products	P
Leather and leather goods	P
Tannery	P
Stone, clay, glass, and concrete products	P
Primary metal products	P
Asphalt plant/concrete batch plant	P
Fabricated metal products	P
Industrial and commercial machinery	P
Heavy machinery and equipment	P
Computer and office equipment	P
Electronic and electric equipment	P
Miscellaneous vehicle manufacturing	P
Boat building	P
Tire retreading	P
Other manufacturing	P

Marijuana cultivation facility*	C
Marijuana cultivation facility, limited*	C
Marijuana product manufacturing facility*	C
Marijuana product manufacturing facility, extract only*	C
Marine equipment/commercial fishing gear/material storage	P
Boat storage	P
Construction materials storage	P
Trucking, courier and taxi service facilities	P
Warehousing and wholesale trade	P
Self-service storage	P
Log storage	P
Freight and cargo services	P
Equipment rental services	P
Vehicle rental services	P
Natural resource extraction and mining support facilities	P
Bulk fuel storage	P

Table 22.16.015-6 Retail and Business Uses	
Building, hardware and garden materials*	P
Bulk forest product sales*	P
Retail forest products sales	P
Food stores	P
Agricultural product sales*	P
Motor vehicle and boat dealers*	P
Auto supply stores*	P
Gasoline service stations	P
Furniture and home furnishing stores*	C
Eating and drinking places*	C
Used goods, secondhand stores*	C
Monuments, tombstones and gravestones*	P
Fuel dealers	P
Pet shops	P
Sales of goods that are wholly manufactured at GPIIP*	P

Sales of gifts, souvenirs and promotional materials that bear the logo or trade name of a GPIIP permitted use businesses*	P
Commercial home horticulture	P
Horticulture and related structures*	P
Marijuana retail facility*	C
General business services	P
Professional offices*	P
Communications services*	P
Research and development services*	P

The only recommendations that staff had on the applicant's originally submitted application was for "Resort" which the applicants had originally indicated as a "P" and eating and drinking places which the applicants wished to change from "C" to "P".

Resorts were included in the original request due to a misunderstanding of the zoning district's boundaries and keeping future growth options available. After reviewing the district boundaries, it was determined that a resort would be an inappropriate use within the district.

Eating and drinking places could serve several useful purposes within the district, catering to visitors at Fortress of the Bear, workers at the park, or customers utilizing future services at the park. However, unmitigated or unplanned, proliferation of eating and drinking place could attract substantially more non-park related pedestrian and vehicular traffic into the park which may not be wanted. These establishments could also crowd out space for other heavier industrial uses. With the lack of industrial and heavy commercial land in Sitka, staff felt this was an important resource to protect. The conditional use permit process can help to mitigate these concerns and allow for a more purposeful, planned approach to the integration of eating/drinking places within the park.

Overall, staff find the proposed changes by the applicant acceptable and fitting within the intent and character of the zoning district. As the park evolves, further changes may need to be made. As of now, the proposed zoning text amendment creates transparency in its land uses, and sets an appropriate “base level” of uses for the district.

STAFF RECOMMENDATION/CONCLUSION

Staff recommends the zoning text change to amend Title 22 of the Sitka General Code to amend the district regulations for the Gary Paxton special zone.

RECOMMENDED MOTION

“I move to recommend approval of the zoning text change to amend Title 22 of the Sitka General Code to amend the district regulations for the Gary Paxton special zone”.