

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2021-27

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 22
"ZONING" OF THE SITKA GENERAL CODE BY MODIFYING CHAPTER 22.16
"DISTRICT REGULATIONS" FOR THE RECREATION DISTRICT**

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 modify the permitted and conditional uses for the Recreation district as established in Title 22 of the Sitka General Code.

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 22.16, entitled "District Regulations", to read as follows (deleted language stricken, new language underlined):

**Title 22
ZONING**

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Chapters:

22.04	Introduction and General Provisions
22.08	Definitions
22.12	Zoning Maps and Boundaries
22.16	District Regulations

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**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 22.16.015-2
Cultural/Recreational Uses

ZONES	P(1)	SF	SFLD	R-1	R-1	R-1	R-2	R-2	CBD	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP	C
				1	MH	LDMH	2	MHP	(8)										(10)

RECREATIONAL																			

• Resort										P	P			C	C	<u>P/C(11)</u>			

• Amusement and entertainment														PU/CS	C	<u>C</u>			

• Outdoor amphitheater	P								P	P	P			PU/CS	C	<u>C</u>	P		

D. Cultural/Recreational Uses Table 22.16.015-2 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. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.

4. When operated as a home occupation.

5. Sport fishing lodges.

6. Any waterborne aircraft approved through the conditional use process shall be restricted to those owned by the upland property owner or long-term lessee that are not used for commercial purposes. Waterborne aircraft shall also only be allowed on docks in a secure environment.

7. The city requires liveaboards in R-1, R-2, SF, and related zones to meet the relevant liveaboard regulations that are required in the municipal harbor regulations under "liveaboards."

8. Waterborne aircraft that moor on docks on an ongoing basis are allowed as a permitted use on personal use and community personal use docks if they are solely used by the owners of the property and are solely used for noncommercial purposes. All nonprivate use of waterborne aircraft would require conditional use approval.

9. Any uses except retail and business uses and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.

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

11. Conditional use for Baranof Warm Springs Townsite (USS 3110, 3921A, and 3921B).

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**Table 22.16.015-4
Public Facilities 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)

PUBLIC FACILITIES																			

• Utility facilities (transformers, pump stations, etc.)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C(9)	P		

• Public water supply facility	P									P	P	P	P	C	C	P/C(9)			

F. Public Facilities Uses Table 22.16.015-4 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. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.

4. Minimum site area is twenty acres.

5. Ferry terminals, barge freight terminals, docks, and harbor facilities including float plane facilities, fueling piers and tank farms, and other port facilities are permitted principal uses subject to planning commission review and public hearing and assembly approval of a binding site plan.

6. Any uses, except retail and business uses, and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.

7. In which the primary purpose of the support facility is to support and maintain housing-related programs in the immediate area.

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

9. Conditional use for Baranof Warm Springs Townsite (USS 3110, 3921A, and 3921B).

**Table 22.16.015-6
Retail and Business 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																			

• Eating and drinking places									P	P	P	P	C	PU/ CS	C	<u>C</u>		C	

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 14th day of September, 2021.

Steven Eisenbeisz, Mayor

ATTEST:

Sara Peterson, MMC
Municipal Clerk

1st reading 8/24/2021

2nd and final reading 9/14/2021

Sponsor: Administrator