Petersburg Development Code Revision

If adopted, the Petersburg Development Code replaces the existing Title 18, Zoning Code and Title 19, Subdivision Code.

The Development Code regulates land use and development throughout the borough, particularly in Service Area 1.

- 1. Why Change the Code?
- 2. Frequently Asked Questions
- 3. Public Outreach & Review to Date
- 4. Code Highlights
 - A. Summaries

Housing

Main Street

Historic District

Borough-wide Subdivision

Streamline Processes

New Review Process - Administrative Review with Notice

Expansion of Nonconforming Uses

Home Occupation

B. Comparison of Current Code and Proposed Code

Single-Family Residential vs. Low Density Residential (RL)

Single-Family Residential vs. Medium Density Residential (RM)

Multi-Family Residential vs. High Density Residential

Commercial-1 vs. Downtown Commercial

Commercial-1 vs. General Commercial

QUESTIONS? Contact Liz Cabrera at lcabrera@petersburgak.gov

1. Why Change the Existing Code?

The existing zoning and subdivision codes were adopted in 1985 and has only seen minor changes since. A code revision will allow us to streamline approval processes, expand the range of allowable uses, and improve the clarity and consistency of our code.

A. Goals for code changes

Improve, streamline approval processes

Increase range of allowed uses; provide standards to ensure these newly allowed uses fit with neighbors (e.g., accessory dwelling units)

Improve clarity, consistency of code application

Overall: expand Petersburg's economic opportunities, quality of life

B. Address systemic shortcomings of existing code – some examples

Outdated zoning district categories; many off-the-mark boundaries

Weak or non-existent standards to sustain what's most valued in portions of Petersburg's built environment (e.g., Main Street)

Blurry definitions (e.g. "caretaker dwelling", "building height")

Inconsistent code application, e.g., inappropriate use of Conditional Use Permits

Weak buffering of incompatible uses, e.g. residential adjoining industrial

C. Implement some of the land use recommendations of adopted comprehensive plan

Improve downtown zoning, strengthen downtown as a destination for residents, visitors

Expand/improve historic district - Hammer Slough and Sing Lee Alley

Better buffer incompatible uses (e.g., residential from industrial)

Add new/modify existing zone definitions (e.g., new waterfront industrial zone)

Improve/establish subdivision code borough wide

Increase options for moderate priced, close-in and downtown housing, while protecting neighborhood character

2. Frequently Asked Questions

Q. Where can I read the proposed new code?

Online: Go To: www.petersburgak.gov Click on: Petersburg Development Code Revision

Or, hard copies available at:

Petersburg Borough offices (Municipal Building, 12 South Nordic Drive)

Public Library (14 South Second Street).

Q. Where can I submit comments or suggested changes?

Online Comments: Go to www.petersburgak.gov Click on Petersburg Development Code Revision and look for SUBMIT COMMENT. Click on link for online comments.

Submit via email: kmalcom@petersburgak.gov

Submit via mail: PO Box 329, Petersburg, AK 99833

Hand-deliver to: Public Works Office 303 S. 2nd St. or Municipal Building, 12 S. Nordic Dr.

In-person: Attend the public hearing before the Borough Assembly, date TBD

Q. How can I stay informed?

Check the newspaper and listen to the radio for upcoming information meetings and public hearings.

Sign up to receive the Development Code email newsletter. Go to www.petersburgak.gov. Click on Petersburg Development Code Revision. Look for and Click on "Sign Up to receive periodic updates via email".

Q. Is there a summary document?

Yes, we have one page summaries of the major components of the new code to download: Main Street, Housing, Subdivisions, Review Processes, Industrial District, and the Historic District.

Q. I have some questions, who can I ask?

Please email Liz Cabrera with the Community Development Department at lcabrera@petersburgak.gov

3. Public Outreach to Date

February 2016	Borough Assembly Adopts Comprehensive Plan
	All Main St & Sing Lee Alley Property Owners Notified by Letter and
October 27, 2016	Invited to Open House Discussion on Possible Changes to Zoning Code
October 27, 2016	Letter sent to Chamber of Commerce Retail Committee
	Open House held at Library Conference Room
January 26, 2017	Presentation to PEDC
March 6, 2017	Presentation to Assembly #1
March 9, 2017	KFSK - Petersburg looks to change zoning, subdivision law
February 21, 2017	
April 18, 2017	
August 15, 2017	
September 19, 2017	Planning Commission Work Sessions
October 17, 2017	
November 9, 2017	
December 19. 2017	
December 19, 2017	Email to local Real Estate agents with copies of one-page summaries
December 28, 2017	Email Newsletter #1 – Intro to Development Code
December 28, 2017	Online Publish of Proposed Code to Borough Website
,	Hardcopy to Library
January 2, 2018	Presentation to Assembly #2
January 9, 2018	KFSK - Petersburg looks at new code for zoning, development
January 9, 2018	Planning Commission Public Hearing
January 11, 2018	Petersburg Pilot – Borough Proposes 'Major' Zoning Revision
January 16, 2018	Email Newsletter #2 - New Code + Housing
January 18, 2018	Presentation to Chamber of Commerce Board of Directors
January 30, 2018	Email Newsletter #3 – New Code + Main St.
February 1, 2018	Hearing Notice published in Petersburg Pilot
February 5, 2016	Email Newsletter #4 - New Code + Historic District
February 6, 2018	Planning Commission Public Hearing
February 15, 2018	Email Newsletter #5 - New Code + Proposed Amendments
February 15, 2018	Hearing Notice published in Petersburg Pilot
February 15, 2018	Additional flyers posted at Municipal Bldg, Library Bulletin Board, H&W
	Grocery
February 20, 2018	KFSK – On-Air Q&A on code revision with Planning Commission
February 20, 2018	Planning Commission Public Hearing
March 6, 2018	Planning Commission Public Hearing & Recommendation to Assembly
May 1, 2018	Email Newsletter #6 - Assembly Review this Fall
September 17, 2018	Presented to Assembly with draft map
October 9, 2018 -	Planning Commission – Information Session
scheduled	

HOUSING

Goal: Increase options for moderate priced, close-in and downtown housing, while protecting neighborhood character.

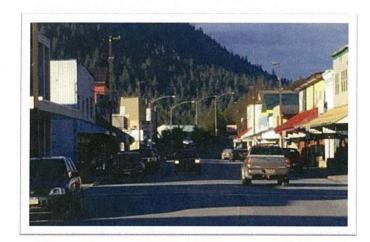


How does the proposed New Code meet this goal?

- 1. Allows for **Accessory Dwelling Units** as a stand-alone "cottage" on residential lots with an existing primary dwelling.
- 2. Creates a **High-Density Residential zone** allowing for a variety of developments. Single family, duplex, townhouse, multi-family, cottage housing, manufactured home, mobile home, and Manufactured Home Park.
- 3. Establishes standards allowing **Tiny Houses** on permanent foundations as an accessory dwelling or main dwelling in residential areas.
- 4. Provides standards allowing **Manufactured and Modular Homes** in all residential areas.
- 5. Creates a Medium-Density Residential zone with 5,000 sf minimum lot size and smaller yard setbacks and increases maximum lot coverage for the downtown residential area.

MAIN STREET

Goal: Improve downtown zoning; strengthen downtown as a destination for residents and visitors.

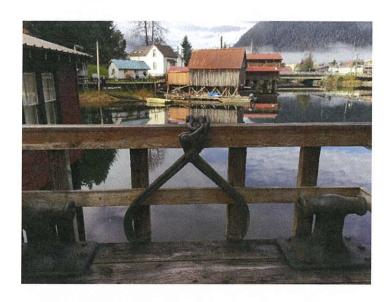


How does the proposed New Code meet this goal?

- 1. Identifies and **protects key physical elements** of the area that make it successful a lively, compact, walkable, mixed-use downtown:
 - Compact layout
 - Mixed-Use (commercial downstairs/residential upstairs)
 - Awnings over sidewalks
 - Buildings oriented to street and built out to sidewalk. No parking between building entrance and Main Street.
 - Large storefront windows; welcoming entries
 - Mostly off-street parking; minimal on-site parking.
- 2. **Eliminates off-street parking requirements**, except for new residential uses, to encourage new development.
- 3. **Creates a Historic District** for Hammer Slough and Sing Lee Alley. See Historic District flyer for more information.

HISTORIC DISTRICT

Goal: Expand and improve historic district to Hammer Slough and Sing Lee Alley



How does the proposed New Code meet this goal?

- 1. **Expands existing "historic district"** (current Commercial-2 zone) throughout Hammer Slough and Sing Lee Alley.
- 2. **Eliminates off-street parking requirements**, except for new residential uses, to encourage development.
- 3. **Identifies and preserves key physical characteristics** of Hammer Slough and Sing Lee Alley, such as wood or wood-like siding, metal on building roofs only.

INDUSTRIAL DISTRICT

Goal: Ensure adequate land for business and employment uses



How does the proposed New Code meet this goal?

- 1. Establishes 3 types of Industrial Districts to meet business needs Light Industry, General Industry and Waterfront Industry. Provides a range of locations for industrial uses, such as those with processing, manufacturing, assembly, packaging, distribution, or other activities.
- 2. **General Industry is for business/employment uses**. Residential uses limited to 750 sq. ft. caretaker dwelling and workforce housing (bunkhouses).
- 3. Light Industry provides for mix of uses, including residential. Allows for mix of uses but no 'heavy industry' to be more compatible with residential.
- 4. **Maintaining working waterfront.** Recognizes waterfront as valuable, finite resource. Industrial uses on waterfront should be dependent on waterfront location, i.e. seafood processing, shipyard.

SUBDIVISIONS

Goal: Improve and establish subdivision code borough wide.

How does the proposed New Code meet this goal?

- 1. Moves Platting Authority from the State of Alaska to Petersburg Borough for all borough lands.
- 2. Allows the Planning Commission to apply different standards in developed areas and remote areas of the borough.
- 3. **Establishes Remote Subdivisions** allowing for land divisions in remote areas of the borough with minimal requirements (legal & practical access, provision for wastewater disposal).
- 4. **Scales required public improvements** (streets, water, sewer, electricity) to the size of the subdivision in non-remote areas.
- 5. **Simplified review** for minor lot consolidations and property line adjustments throughout the borough.
- 6. Reduces cost of land division outside of Service Area one.
- 7. Does **NOT** expand zoning outside of Service Area one.

Streamline Processes

Goal: Improve land use tools to carry out borough goals.

How does the proposed New Code meet this goal?

- 1. Scales level of review to size, complexity, or location of project. Less time spent on minor issues, more time spent reviewing large projects or projects in key areas.
- **2. Allows some approvals with only administrative review**. Minor variances, such as small setbacks (1-2'), and lot line adjustments can be processed administratively rather than through the Planning Commission.
- **3. Special uses, such as B&B, home-based business, private warehouse, and accessory dwelling, are defined in code**. Use is allowed without a permit unless it is outside standard. Most proposed uses that are outside standard can be reviewed by Planning Commission.
- **4. Removes extra steps.** Current code requires some land use applications to be scheduled by the commission prior to action. This adds an extra month to the review process. New code eliminates this requirement.

Adds New Type of Land Use Permitting Process

Application: Homeowner would like to build covered porch, but cannot meet 20' setback requirement. Needs a variance to build 2' closer to property line.

Current Code	Days	Days	New Code
	Lapsed	Lapsed	
Submit Application	1	1	Submit Application
Application Review	2	2	Application Review. Meets Administrative Review standard.
Notice sent to surrounding property owners at least 15 days before scheduled Planning Commission meeting.	7-30* *Number of days depends on whether notice requirements can be met for next meeting after application is submitted.	7	Notice sent to surrounding property owners with proposed administrative decision and date decision will be made.
Public Hearing ad placed in newspaper week before Planning Commission hearing.	17- 40	21	Staff reviews application and comment; letter of determination is mailed.
Public Hearing is held. Planning Commission makes decision.	22 - 45		If there is strong objection, variance is referred to Planning Commission.
Staff sends out Letter of Determination to homeowner and anyone who commented.	23 - 47		

Expanding Non-conforming Uses.

Application: Business owner is grandfathered in at location and would like to add 4,500 sq. ft. of floor space.

Current Code	New Code
Submit Application	Submit Application
A use that is not permitted in current zone cannot be enlarged	Application Review.
or increased or occupy a greater area (19.68.060).	Up to 5,000 sq. ft. expansion allowed with a conditional use permit.
Business would not be permitted to expand.	Conditional Use Permit Process
	Letters sent to surrounding property owners.
	Public Hearing advertised.
	Planning Commission meets and renders decision.

Home Occupations

Goal: Provide opportunity for new businesses and retain quality of residential neighborhood.

How does the proposed New Code meet this goal?

- 1. Designates Home Occupation as an **Accessory Use** in residential areas with two types permits:
 - Home Occupation I: Home-based business where there are no outside employees or customers visiting the premises.
 No permit is required.
 - Home Occupation II: Home-based business that does not meet the above definition. Permit process is administrative, but still includes public notice to surrounding property owners.
- 2. Allows for **regular review of Home Occupations.** Permits will sunset after five years, or if applicant is no longer residing on premises, or if conditions of permit are violated.
- 3. Home occupations must occur in an enclosed building, cannot generate noise, odors, etc. beyond the property line, and limited to 525 sq. ft., but can be increased on lots > .5 acres.
- 4. Bed & Breakfast Inns, Market Gardens, and Child Care Homes are not considered home occupations and have their own standards and processes.

Petersburg Development Code Revision LOW DENSITY RESIDENTIAL DISTRICT

Single-Family Residential Current Code	Lot Development Standard	Low Density Residential Proposed New Code
8,000 sf	Minimum Lot Size	8,000 sf
20′	Front Yard Setback	20'
20′	Rear Yard Setback	20'
10'	Side Yard Setbacks	10′
0′	Tidelands Yard Setback	0'
80′	Minimum Frontage	80'
35%	Maximum Lot Coverage	35%
30′	Maximum Building Height	30' or 3 stories
2 spaces per unit	Minimum Off-Street Parking	1 space per unit
6'	Maximum Fence Height	Rear, Interior side – 6' Front yard – 4' Street side yard – 4'; or 6' if 3' back from property line

Current Code	Allowable Uses	Proposed New Code
Yes	Single-family dwellings	Yes
Yes	Parks & Playgrounds	Yes
Yes	Duplex	Yes
No	Manufactured Home	Yes
No	Mobile Home (pre-1976 construction)	No
No	Tiny House dwelling	Yes
	Accessory Uses*	
No	Accessory Dwelling	Yes, Max. 800 sf
2 spaces for every 2,500 sf that lot exceeds 7,500 sf	Max Garage Size	No permit. Footprint of all Accessory Structures**
Conditional Use Permit	Net house, warehouse	cannot exceed: 20% of total lot area on lots up to 15,000 sq. ft.; 15% of total lot area on lots 15,001 to 40,000 sq. ft.; and 35% total on lots over 40,000 sq. ft.

Petersburg Development Code Revision LOW DENSITY RESIDENTIAL DISTRICT

	Conditional Uses	
Conditional Use Permit Max size 525 sf	Home Occupation	Home Occupation Permit Max size 525 sf but may be increased by 275 sf for every .5 acres of lot size over .5 acre.
Conditional Use Permit	Public & Private School; Child care	Conditional Use Permit
Conditional Use Permit	Church	Conditional Use Permit
Conditional Use Permit	Trailer for Construction (Temporary dwelling during Construction)	2-year Administrative Permit Must have building permit first.
Conditional Use Permit	Public Buildings & Structures	Conditional Use Permit
Conditional Use Permit	Noncommercial radio and television towers	Conditional Use Permit

^{*} Accessory Use. A use or activity that is a subordinate part of a primary use and that is clearly incidental to a primary use on a site. Examples of accessory use include, but are not limited to, storage, home occupation, and other similar uses. A primary use must be established prior to accessory use.

^{**}Accessory Structure. A structure of secondary importance or function on a site. In general, the primary use of the site is not carried on in an accessory structure. Except for certain caretaker/watchmen dwellings under Section 2.3.200, accessory structures are detached from the primary structure. Examples of accessory structures include, but are not limited to, garages, decks, fences, membrane buildings, greenhouses, heat pumps, workshops, caretaker/watchman dwellings, warehouses, net houses, and other structures.

Petersburg Development Code Revision MEDIUM DENSITY RESIDENTIAL DISTRICT

Single-Family Residential Current Code	Lot Development Standard	Medium Density Residential Proposed New Code
8,000 sf	Minimum Lot Size	5,000 sf
20'	Front Yard Setback	20′
20'	Rear Yard Setback	10'
10'	Side Yard Setbacks	5′
0′	Tidelands Yard Setback	0'
80′	Minimum Frontage	50′
35%	Maximum Lot Coverage	40%
30′	Maximum Building Height	30' or 3 stories
2 spaces per unit	Minimum Off-Street Parking	1 space per unit
6′	Maximum Fence Height	Rear, Interior side – 6' Front yard – 4' Street side yard – 4'; or 6' if 3' back from property line

Current Code	Allowable Uses	Proposed New Code
Yes	Single-family dwellings	Yes
Yes	Parks & Playgrounds	Yes
Yes	Duplex	Yes
No	Manufactured Home	Yes
No	Tiny House Dwelling	Yes
	Accessory Uses*	
No	Accessory Dwelling	Yes, Max. 800 sf
2 spaces for every 2,500 sf that lot exceeds 7,500 sf	Max Garage Size	No conditional use permit. Footprint of all Accessory Structures**
Conditional Use Permit	Net house, warehouse	cannot exceed: 20% of total lot area on lots up to 15,000 sq. ft.; 15% of total lot area on lots 15,001 to 40,000 sq. ft.; and 35% total on lots over 40,000 sq. ft.

Petersburg Development Code Revision MEDIUM DENSITY RESIDENTIAL DISTRICT

	Conditional Uses	
Conditional Use Permit Max size 525 sf	Home Occupation	Home Occupation Permit Max size 525 sf but may be increased by 275 sf for every .5 acres of lot size over .5 acre.
Conditional Use Permit	Public & Private School; Child care	Conditional Use Permit
Conditional Use Permit	Church	Conditional Use Permit
Conditional Use Permit	Trailer for Construction (Temporary Dwelling during Construction)	2-year Administrative Permit Must have building permit first.
Conditional Use Permit	Public Buildings & Structures	Conditional Use Permit
Conditional Use Permit	Noncommercial radio and television towers	Conditional Use Permit

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Petersburg Development Code Revision HIGH DENSITY RESIDENTIAL DISTRICT

Multi-Family Residential Current Code	Lot Development Standard	High Density Residential Proposed New Code
10,000 sf	Minimum Lot Size	10,000 sf
20'	Front Yard Setback	20'
20′	Rear Yard Setback	20′
10'	Side Yard Setbacks	10'
0'	Tidelands Yard Setback	0'
100′	Minimum Frontage	100' 50' for < 3 dwellings
35%	Maximum Lot Coverage	35%
35′	Maximum Building Height	30' or 3 stories
2 spaces per unit	Minimum Off-Street Parking	1 space per unit
6'	Maximum Fence Height	Rear, Interior side – 6' Front yard – 4' Street side yard – 4'; or 6' if 3' back from property line

Current Code	Allowable Uses	Proposed New Code
Yes	Single-family dwellings	Yes
Yes	Two-family dwellings	Yes
Yes	Multi-family Structures, Townhouse Dwellings	Yes
No	Group of Dwellings (Detached Multi-family)	Yes
Only in SFMH & MHP	Mobile Home & Manufactured Home	Yes
No	Tiny House Dwelling	Yes
Yes	Public Parks & Playgrounds	Yes
Only in MHP District	Mobile Home & Manufactured Home Park	Yes
	Accessory Uses*	
No	Accessory Dwelling	Yes, Max. 800 sf
2 spaces for every 2,500 sf that lot exceeds 7,500 sf	Max Garage Size	No conditional use permit. Footprint of all Accessory Structures**

Petersburg Development Code Revision HIGH DENSITY RESIDENTIAL DISTRICT

Conditional Use Permit	Net house, warehouse	cannot exceed: 20% of total lot area on lots up to 15,000 sq. ft.; 15% of total lot area on lots 15,001 to 40,000 sq. ft.; and 35% total on lots over 40,000 sq. ft.
	Conditional Uses	
Conditional Use Permit	Boardinghouse; Rooming house (B&B, Vacation Rental)	Yes, 2 bedroom max. 4 bedroom max with conditional use permit
Conditional Use Permit Max size 525 sf	Home Occupation	Home Occupation Permit Max size 525 sf but may be increased by 275 sf for every .5 acres of lot size over .5 acre.
Conditional Use Permit	Public & Private School; Child care	Conditional Use Permit
Conditional Use Permit	Church	Conditional Use Permit
Conditional Use Permit	Trailer for Construction (Temporary Dwelling during Construction)	2-year Administrative Permit Must have building permit first.
Conditional Use Permit	Public Buildings & Structures	Conditional Use Permit
Conditional Use Permit	Noncommercial radio and television towers	Conditional Use Permit

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Petersburg Development Code Revision DOWNTOWN COMMERCIAL DISTRICT

Commercial-1 Current Code	Lot Development Standard	Downtown Commercial Proposed New Code
None.	Minimum Lot Size	None.
Where an industrial or commercial zone abuts or is separated by an alley from a residential zone, the commercial or industrial use shall have a setback requirement only on those sides that abut the residential zone equal to the rear yard requirement in the abutting zone.	Yard Setback	Same language as current code.
None.	Minimum Frontage	None.
100%	Maximum Lot Coverage	100%
35' or 3 stories	Maximum Building Height	35' or 3 stories
Depends on type of use, but generally 1 space for every 250 sf of retail space; 2 spaces for each residential unit	Minimum Off-Street Parking	Depends on type of use, but generally 1 parking space for every 400 sf of retail space; No minimum required for Main St/Sing Lee Alley, unless residential, then 1 space for each residential unit
6′	Maximum Fence Height	Front Yard and Street Side Yard: 4'; Interior and Rear Yard: 6'

Current Code	Allowable Uses	Proposed New Code
Yes	Retail Business and Consumer Services	Yes
Yes	Offices	Yes
Yes	Theaters/Assembly Hall	Yes
Yes	Hotels, Motels	Yes
Yes	Single-family, Duplex, Multi-family Dwellings	Yes, but No residential use on ground floor in Main St/Sing Lee Alley area
Yes	Public Buildings	Yes
Yes	RV Parks	No
Yes	Newspaper, Printing	Yes

Petersburg Development Code Revision DOWNTOWN COMMERCIAL DISTRICT

Yes	Parks and Playgrounds	Yes
Yes	Service Stations	Yes
	Conditional Uses	
No	Food Production	Yes Planting Area < 10,000 sf
No	Artisanal & Light Manufacturing	Accessory to Commercial/Retail Use
No	Commercial and non- commercial radio towers	Conditional Use Permit
No	Schools, Child Care, Hospitals, Clinics	Conditional Use Permit
No	Group Housing Bunkhouses/Workforce	Conditional Use Permit

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Petersburg Development Code Revision GENERAL COMMERCIAL DISTRICT

Commercial-1 Current Code	Lot Development Standard	General Commercial Proposed New Code
None.	Minimum Lot Size	None.
Where an industrial or commercial zone abuts or is separated by an alley from a residential zone, the commercial or industrial use shall have a setback requirement only on those sides that abut the residential zone equal to the rear yard requirement in the abutting zone.	Yard Setback	Same language as current code.
None.	Minimum Frontage	None.
100%	Maximum Lot Coverage	100%
35' or 3 stories	Maximum Building Height	35' or 3 stories
Depends on type of use, but generally 1 space for every 250 sf of retail space; 2 spaces for each residential unit	Minimum Off-Street Parking	Depends on type of use, but generally 1 parking space for every 400 sf of retail space;
6′	Maximum Fence Height	Front Yard and Street Side Yard: 4'; Interior and Rear Yard: 6'

Current Code	Allowable Uses	Proposed New Code
Yes	Retail Business and Consumer Services	Yes
Yes	Offices	Yes
Yes	Theaters/Assembly Hall	Yes
Yes	Hotels, Motels	Yes
Yes	Single-family, Duplex, Multi-family Dwellings	Yes
Yes	Public Buildings	Yes
Yes	RV Parks	Yes
Yes	Newspaper, Printing	Yes
Yes	Parks and Playgrounds	No

Petersburg Development Code Revision GENERAL COMMERCIAL DISTRICT

Yes	Service Stations	Yes
No	Food Production	Yes
	Conditional Uses	
No	Manufactured Home & Manufactured Home Park	Conditional Use Permit
Conditional Use Permit	Warehouse	Yes
C1-No C2-Yes	Artisanal & Light Manufacturing	Accessory to Commercial/Retail Use or some (machine shop, welding) are Yes
No	Commercial and non- commercial radio towers	Conditional Use Permit
Conditional Use Permit	Schools, Child Care, Hospitals, Clinics	Conditional Use Permit
No	Group Housing Bunkhouses/Workforce	Conditional Use Permit

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