

# Development Code Amendments

As of January 19, 2018

Amendment #	Article/Page	Summary Text	Proposed By	Date
	2-31	Standards for residential dwellings in Main St. District	Staff	1/8/2018
	2-50	Standards for personal warehouse in residential district	Staff	1/8/2018
	2-52	Correct Flood Plain base elevations	Staff	1/8/2018
	2-61	Insert Historic District overlay map	Staff	1/8/2018
	2-63	Insert Main St. District overlay map	Staff	1/8/2018
	2-46	Allow detached ADU to be up to 40-80% of primary dwelling depending on lot size; but still cannot exceed 800 sf floor area.	Burke	1/17/2018
	4-8	Expand public notice requirement for Type II Administrative Review with Notice. Includes publication on borough web/newspaper	Staff	1/18/2018

**2.3.090 Dwellings in Main Street District Overlay**

**A. Purpose.** This section provides standards for residential uses in the Main Street District Overlay.

**B. Applicability.** This section applies to new dwellings in the Main Street District Overlay.

**C. Standards.** Residential uses in the Main Street District Overlay shall conform to all of the following standards:

1. New residential uses shall not be located in a ground building floor space fronting the Main Street District Overlay, ~~specifically those portions of N. Nordic Dr. north of Haugen Dr to Balder St.; Harbor Way; Chief John Lott St.; Sing Lee Alley; portions of Gjoa St., Fram St., Excel St., Dolphin St., west of N. Nordic Dr.~~
2. New residential uses shall be permitted only above or below a ground floor space containing an allowed non-residential use in the Main Street District Overlay.
3. Single-family dwellings lawfully existing as of July 1, 2018 may continue as permitted uses; and in the event of involuntary damage or destruction due to fire or other event beyond the owner's control, such single-family use may be rebuilt and reestablished pursuant to Section 2.2.030 and applicable building codes.

### **[2.3.230      *Vacation Rental Dwelling*] — RESERVED**

#### **2.3.240      Personal Warehouse in Residential District**

Personal warehouse in a residential district is considered an accessory use and is allowed once the primary use, a residential dwelling, is established. The use is subject to review and approval through a Type I procedure, pursuant to Section 4.1.030, and shall conform to all of the following standards:

**A. One Unit.** A maximum of one personal warehouse is allowed per residential dwelling and per lot.

**B. Accessory Use.** The use must be accessory to an established residential use.

**C. Floor Area.** A personal warehouse shall not exceed XXX square feet of floor area or XX% of the residential use.

**D. Utilities.** Water and Sanitary Sewer facilities may be provided, pursuant to section 3.6.

---

## 2.4 – Overlay Zone

### 2.4.030 Floodplain Management Zone

**A. Applicability.** This chapter shall apply to all areas of special flood hazards within the jurisdiction of the borough.

**B. Purpose.** It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

1. To protect human life and health;
2. To minimize expenditure of public money and costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
6. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
7. To ensure that potential buyers are notified that property is in an area of special flood hazard; and,
8. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

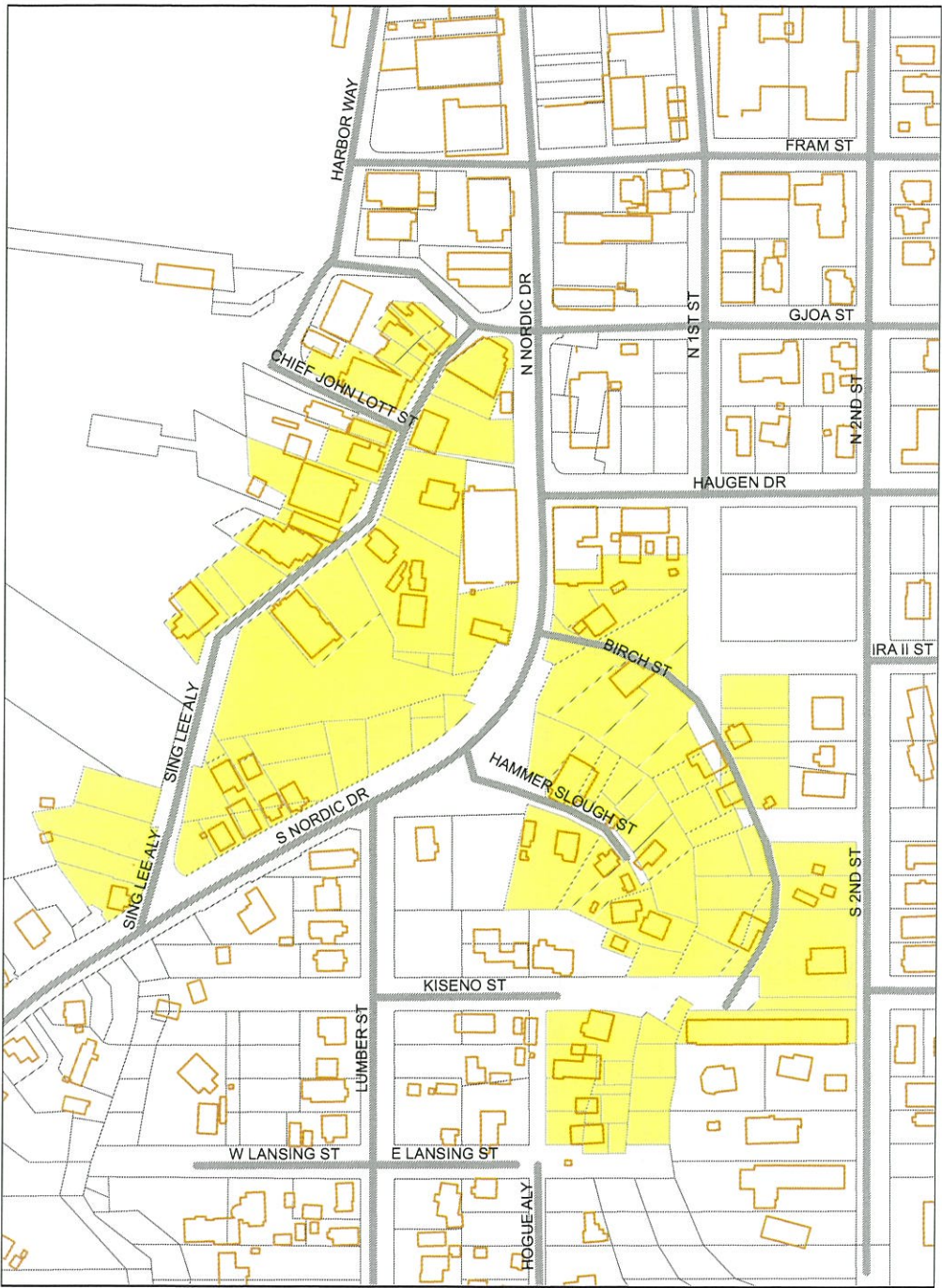
**C. Methods of reducing flood losses.**

In order to accomplish its purposes, this chapter includes methods and provisions for:

1. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging, and other development which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

**D. Basis for establishing the areas of special flood hazards.** The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of Petersburg, Alaska," dated November 3, 1981, and the flood insurance rate maps, effective date May 3, 1982, and identified as Panels 020074—0001—0016; 020074—0001 B; 020074—0002 B; 020074—0003 B; 020074—0006 B; and 020074—0010 B, are adopted by reference and declared to be a part of this chapter. The flood insurance studies shall be on file with the building-planning department of the borough, except that the base flood elevation in zones A-4 and V-4 on panel 020074—0001 B shall be twenty-five feet rather than twenty-seven feet; the base flood elevation in Zones A-4 and V-4 on panel 020074—0002 B shall be twenty-three feet rather than twenty-four feet; and, the base flood elevation in Zones A-2 and V-2 on panel 020074-0002 B shall be twenty-three feet rather than twenty-four feet.

**E. Penalties for noncompliance.** No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations.



Petersburg Downtown Historic District Map



Main Street District Overlay

---

## 2.3 – Special Use Standards | Accessory Dwellings

**2.3.170 Accessory Dwellings.** Accessory dwellings, where allowed, are subject to site development review and approval through a Type I procedure, pursuant to Section 4.1.030, and shall conform to all of the following standards:

- A. One Unit.** A maximum of one Accessory Dwelling unit is allowed per legal lot. No more than two dwellings per legal lot, including an accessory dwelling, are allowed in the RL and RM districts.
- B. Floor Area.** ~~A detached Accessory Dwelling unit shall not exceed 800 square feet of floor area, or 40 percent of the primary dwelling unit's floor area, whichever is smaller. A detached Accessory Dwelling unit shall not exceed 800 square feet of floor area, or the percentage of the primary dwelling unit's floor area, whichever is smaller, as follows: 40% of the primary dwelling units floor area on lots 0.5 Acres or less, 60% on lots 1 acre or less, and 80% on lots greater than 1 acre.~~ Accessory Dwellings must comply with maximum lot coverage requirements for the district. Notwithstanding Chapter 4.7, lot coverage variances shall not be granted for construction of a detached accessory dwelling unit. The floor area of any garage associated with the primary dwelling is not included in the calculation of maximum floor area.
- C. Lot Size.** The minimum lot size for a lot with an Accessory Dwelling is 5,000 square feet or as required by the district. Notwithstanding section Chapter 4.7, lot size variances shall not be granted for construction of a detached accessory dwelling.
- D. Location on Lot.** A detached accessory dwelling unit shall be either a minimum of 40' from the front property line or no closer to the front property line than the primary dwelling while still meeting setback requirements for the district.
- E. Building Design.** The Accessory Dwelling shall be constructed of materials that are the same or similar to the materials used on the primary dwelling.
- F. Building Height.** The height of a detached accessory dwelling shall not exceed the height of the primary dwelling.
- G. Utilities.** Sharing utilities with the primary dwelling is subject to approval of utility provider.
- H. Parking.** A minimum of two off-street parking spaces are required, total, for a site containing an Accessory Dwelling unit.
- I. Yard setback requirements.** An Accessory Dwellings must comply with yard setback requirements for the district. Notwithstanding Chapter 4.7, setback variances shall not be granted for construction of a detached accessory dwelling.
- J. Screening and Buffering.** The planning official may require a landscape hedge or fence be installed on the property line separating a detached accessory dwelling from an abutting lot containing a single-family dwelling for the purposes of visual screening and privacy between uses. Screening and buffering shall conform to the standards of Chapter 3.4.

---

## 4.1 – General Review Procedures

of another agency to respond with written comments on a pending application shall not invalidate an action or permit approval made by the borough under this code.

- d. The failure of any person to receive any notice under this section where the records of the borough indicate notice was provided in a timely and proper manner, shall not affect the validity of any proceeding under this section.

e. At least 7 days before the decision date, the borough shall publish notice of a proposed administrative decision on the borough website, and/or have said notice published in a newspaper with local circulation.

- 3. The notice of pending Administrative Decision, at a minimum, shall contain all of the following information:
  - a. The deadline for submitting written comments, which must be at least 14 days prior to the scheduled decision date or, as applicable, the scheduled planning commission meeting date where an application is referred to the commission for review;
  - b. A summary of the proposal and the relevant approval criteria in sufficient detail to help the public identify and locate applicable code requirements;
  - c. The address and borough contact person for submitting written comments; and the date, time, and location the borough planning official or planning commission, as applicable, is scheduled to make a decision on the application;
  - d. The street address or other easily understandable reference to the location of the proposed use or development;
  - e. Disclosure statement indicating that if any person fails to address the relevant approval criteria with enough detail, he or she may not be able to appeal to the Board of Adjustment or Superior Court on that issue, and that only comments on the relevant approval criteria are considered relevant evidence;
  - f. Statement that all evidence relied upon by the borough planning official or planning commission, as applicable, to make its decision is in the public record and is available for public review. Copies of this evidence can be obtained at a reasonable cost from the borough; and
  - g. Statement that after the comment period closes, the borough will issue its decision and the notice of decision shall be mailed to the applicant, property owner (if different), those who provided written comments on the proposal, and those who requested a copy of the decision.
- 4. At the conclusion of the comment period, the borough planning official shall review the comments received and prepare a decision notice approving, approving with conditions, or denying the application based on the applicable code criteria. Alternatively, the borough planning official may transmit all written