

Proposed by:	Civic Affairs Committee
P&Z Review:	08/11/2011
HDC Review:	08/08/2011
Attorney Review:	11/28/2011
First Reading:	10/04/2012
Second Reading:	10/18/2012
Vote:	5 Aye      0 Nay    1 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA  
ORDINANCE NO. 12-22**

**AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING TITLE 19 PLANNING AND ZONING BY AMENDING CHAPTER 19.12 HISTORIC DISTRICT GUIDELINES.**

**WHEREAS**, Amendments are required to address change in status from city to borough government; and

**WHEREAS**, the Civic Affairs Committee is conducting a review of the Municipal Code in conjunction with the code re-write to update the Municipal Code;

**NOW THEREFORE BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:**

**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

**Section 2. Purpose.** To amend Title 19, Planning and Zoning by amending Chapter 19.12 Historic District Guidelines.

**Section 3. Amendment.** The Skagway Municipal Code is hereby amended (~~strike through~~) indicates text to be deleted from and (**bold underscore**) indicates text added to the current code. Chapter 19.12 Historic District Guidelines is hereby amended as follows.

Chapter 19.12  
HISTORIC DISTRICT GUIDELINES/**REGULATIONS**

Sections:

- 19.12.010 Design guidelines/**regulations**--General.
- 19.12.015 Review of building plans.
- 19.12.020 Exterior siding materials.
- 19.12.030 Roofs.
- 19.12.040 Exterior trim details.
- 19.12.045 Towers.
- 19.12.050 Windows.
- 19.12.060 Doors.
- 19.12.070 Landscape elements.
- 19.12.075 Shipping ~~C~~ontainers, ~~V~~vans, ~~T~~railers and ~~R~~recreational ~~V~~ehicles.
- 19.12.080 Exterior lighting.
- 19.12.090 Additional architectural features.
- 19.12.095 Existing ~~A~~rchitectural ~~F~~eatures and ~~A~~wnings.
- 19.12.100 Exterior display of fixtures and furnishings.
- 19.12.110 Additions to historic buildings.
- 19.12.120 New construction.
- 19.12.130 Moving or ~~D~~emolishing ~~S~~tructures in the ~~H~~istoric ~~D~~istrict.

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- 19.12.140 Yard variances.
- 19.12.150 Ordinary maintenance and repair.
- 19.12.160 Door and window coverings.
- 19.12.170 The review and appeal process.
- 19.12.010 Design guidelines/~~regulations~~--General.
- A. These guidelines/~~regulations~~ were prepared to assist the district property/business owner and the historic district commission in the management of the ~~H~~historic ~~D~~district. It is intended to serve as a handbook for those who wish to build, live or conduct business in the district as well as members of the public interested in its preservation. Certain features in the district help to determine its form: The streetscape with its combination of one-to-three story building heights, false fronts, and the prevalence of retail storefronts with their expanse of plate glass windows. Other typical features promote the intimate scale and historic character of the area -- the use of architectural detailing, materials, color, and signage. The purpose of the guidelines is to promote a sense of historical continuity that contributes to the vitality of the historic district and to retain the character of the district while maintaining it for work, recreation and living purposes.
- B. The historic district commission often references historical photographs of the district. Applicants are urged to consult such photographs for guidance when planning. Persons planning to construct or restore a building should allow for at least two regular meetings in their schedule. The **historic district** commission ~~can usually~~ **makes a reasonable effort to** approve a building plan on the first meeting, but if there are changes, the **historic district** commission may require plans showing those changes before approval. The **historic district** commission ~~also~~ requires scale drawings of all four elevations and a site plan. These drawings should be at least **one-quarter (1/4) inch**<sup>2</sup> to **one (1)** foot scale.
- C. The historic district commission will use the following criteria in the design review of all changes proposed for the district:
1. All alterations to existing structures ~~should~~ **shall** be performed so as to preserve the historical and architectural character of the Skagway Historic District during the period 1899-1910. The buildings were multistoried and well constructed with simple and elaborate architectural detail. In 1908 the business corridor along Broadway took its final form with the addition of new building construction and the movement of existing structures from other sites to Broadway.
  2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or destruction of architectural features ~~should be avoided~~ **shall** ~~when possible~~ **unless not reasonably**.
  3. All buildings, structures, and sites ~~are should be~~ **are** recognized as products of their own time. Alterations that have no historical basis ~~are should be~~ **are** discouraged.
  4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site, and its environment. These changes may have acquired significance of their own, which should be recognized and respected.
  5. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations or additions do not

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destroy the historical character of the structure. The same will ~~apply~~ hold true of to new construction. Contemporary, that is, contemporary design shall not be discouraged if it does not violate the historical character of the surroundings or of the ~~H~~historic ~~D~~district as a whole. Design proposals for both new construction and alterations to existing structures must be compatible with the size, scale, color, material, and character of the property, the immediate surrounding structures, and those in the ~~H~~historic ~~D~~district.

6. The ~~H~~historic ~~D~~district ~~C~~commission will review plans using three major criteria:

- a. design of the building: scale, mass, proportions, height, rhythm and ground plan;
- b. architectural details: roofline, exterior cladding, windows, entrances, ornamentation, and interior features which are visible from the outside; and
- c. streetscape: the overall visual effect of a building in relationship to other buildings along the street. The district is a combination of many things -- architectural styles, building materials, building form and mass and landscaping. The visual impact of the ~~Skagway~~ ~~H~~historic ~~D~~district must be protected and any change or alteration must be preceded by thoughtful public review.

D. Prior to coming to the ~~H~~historic ~~D~~district ~~C~~commissions, the following questions should be reviewed by an applicant on any project involving existing historic buildings in the district:

1. Do the planned changes maintain as much of the original building as possible?
2. Are exterior alterations and changes kept to a minimum?
3. Do the plans fit the structure's original design?
4. Do the plans relate favorably to the surroundings?
5. Are the changes visible from the street sides of the building kept at a minimum?
6. Are the original building materials maintained or exposed?
7. Are all materials appropriate to the building and to the neighborhood?
8. Are the original size and shape of door and window openings the same?
9. Are the original and distinctive architectural details kept intact?

E. The following materials, structures, or architectural features are prohibited.

1. In order to preserve the unique appearance of the ~~AB~~ Arctic Brotherhood Hall and the Pantheon building, the further use of driftwood as an architectural material is prohibited.
2. In order to preserve the unique appearance of the McCabe Building and the Pantheon building, the further use of stone or cobbles is prohibited.
3. Incorporating the architectural details used on the street façade of the Gold Rush era ~~BPOE~~ Elks Lodge into a modern building is prohibited.
4. In new construction, the use of a single recessed entry on a single business frontage that serves as the entry to two individual business spaces is prohibited. Each business space shall have its own entry.
5. Canvas tents are prohibited.
6. Log buildings are prohibited except for actual log buildings from the ~~H~~historic ~~P~~period such as the original Skagway City Hall on 5<sup>th</sup> Avenue.

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7. Angled entries except at the corner of a building that is at a street or alley intersection are prohibited.
- F. Areas Meriting Special Consideration. Within the Skagway Historic District are several structures that because of their unique design or special use should not be required to conform to historic district guidelines/regulations. These structures have a history that is not from the Klondike Gold Rush which is the event that the ~~Skagway Historic District~~ historic district guidelines/regulations and ~~ordinances~~ are written to preserve. These structures are products of their own time and place. The listed examples shall not be required to conform to the Skagway Historic District Klondike Gold Rush guidelines except for 19.12.130 Demolition or moving buildings, but shall be treated as products of their own time and protected as such. The historic district ~~C~~commission shall review any modifications to these structures using the same design criteria listed in SMC 19.12.010(C)(6) basing these criteria on the periods that these buildings were constructed and the buildings own design characteristics. These structures include but are not limited to the following:
  1. The Bank of Alaska building at 6<sup>th</sup> and Broadway.
  2. The World War II Quonset Hut at 7<sup>th</sup> and Spring.
  3. The World War II Commissary building ~~that is part of the Soapy Smith Museum complex~~ on 2<sup>nd</sup> Avenue.
  4. The World War II barracks building on 4<sup>th</sup> Avenue.

19.12.015 Review of building plans.

**The historic district commission will conduct** ~~Applicants should allow for at least two meetings for the commission to review and discuss new construction or major work or additions to historic structures. This will allow the applicant to prepare plans illustrating any changes the historic district commission requires to the applicant's original plans, applicant can request a second meeting within 2 weeks. In this way the commission and the applicant is sure what has been required.~~

19.12.020 Exterior siding materials.

- A. Exterior siding materials used in construction in the district were wood and glass. With the exception of board-and-batten siding which ran vertically, clapboard and shiplap siding which ran horizontally was the choice for most construction. To a lesser degree, corrugated metal for roofs and siding was used and is considered an appropriate material for a non-street facade. Corrugated siding shall be installed vertically. Historically buildings were painted, often in several colors; they were usually not stained or left "natural." The ~~H~~historic ~~D~~istrict ~~C~~ommission can provide assistance to owners wishing more information regarding paint and/or stain colors.
- B. Historic Buildings: the original exterior siding material shall be retained and repaired whenever possible. When replacement is necessary the new material shall match the original as far as possible in size, design, composition and texture. The replacement of historic siding with steel, aluminum and vinyl siding materials is not appropriate for historic buildings.
  1. When contemplating work on the exterior of a historic building, cleaning the existing material should be the first step to determine its condition and a course of action. Cleaning shall be by the gentlest means possible. Cleaning methods which cause damage to original historic materials shall not be undertaken.

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- C. New Construction: new construction within the district needs to be compatible with the historic styles present. Authentic materials such as wood shiplap or clapboard siding are strongly encouraged. Square edged cement board or hardy board siding may only be used on "blind" walls, not walls facing on alleys or streets, and must be painted.
  - D. Prohibited Materials: stone, brick, river rock, cobbles, board and batten on street facades, log structures or siding, drift-wood, wood shakes and pressed wood panels, T-111 plywood; vinyl siding, tar paper and canvas tents.
- 19.12.030 Roofs.
- A. Rooflines were not a predominant sight in Skagway as most were hidden behind false fronts. Those that were visible or behind these facades were either shed or gable. Occasionally, false gables or portions of the gable roof were a part of the facade. Today's requirements for fire safety must be met.
  - B. Historic Buildings: original roofing material and features such as chimneys, dormers and/or decorative elements are to be retained and repaired if at all possible. If new roofing is necessary or desired, the preferred treatment is to replace the original with identical new material. If this is not possible or desirable, then the use of Fireclass A, organic felt or fiberglass matt composition type shingle, preferably in a "thick butt" design is acceptable. These are to be laid approximately five ~~inches~~ (5") inches to the weather with straight and true exposed edge lines. Corrugated metal roofing may also be allowed. Unless the historic roofing material was wood shakes, this material is not allowed as replacement roofing.
  - C. New Construction: contemporary roofing materials are available in a wide variety of sizes, materials, colors and designs. Mechanical systems and other devices which are roof mounted are to be designed in such a way that they are not visible from the street and are harmoniously incorporated into the overall building design. Visibility of the roof from street level will be a major factor in approval of roofing materials. The projection of eaves beyond the edge of the false front should be kept at a minimum. The roof shape shall be a minimum slope of six (6) inches rise to a maximum twelve (12) inches run for gable roofs except when a false front masks the pitch of the roof. Gutters and downspout shall be as unobtrusive as possible and shall not be placed on the building's main facade. In most cases they should be painted the same color as the roof's trim. Wood shakes are prohibited as roofing material.
  - D. New mechanical systems, solar panels, flat skylights and/or other devices on the roof are to be placed so they are inconspicuous from the street and in such a manner that no damage is done to any character defining features of the building.
- 19.12.040 Exterior trim details.
- A. ~~Although often perceived to be insignificant or frivolous, T~~trim details play a very important part in defining a building's character. In Skagway trim details ranged from spare and plain to the more elaborate and this pattern should be maintained. Designs for new buildings as well as additions and/or alterations to historic buildings should incorporate the historic ~~appropriate~~ trim details. The detailing can act to harmonize a building with its neighbor building or tie a new addition to the original.

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- B. Historic Buildings: Original trim elements shall be retained and repaired when at all possible. Trim that is inconsistent with the original building style and design shall not be added.
- C. New Construction: Trim details need to be given careful and thorough consideration in any new building design. They represent design opportunity for establishing the compatibility of a new building within the context of the district.

19.12.045 Towers.

- A. In Historic Skagway there were six notable towers three of which still exist, the Golden North, the Pack Train, and the McCabe building. The towers extend above the roof/false front and were usually full hip roofed. The Golden North "onion dome" is an exception. Towers were usually located on the corner of the building with the McCabe tower as the exception. Buildings with towers were located on corner lots at a street intersection with the tower on the corner nearest the intersection. Applicants should refer to the photographic record.
  - 1. Towers are allowed only on buildings located on corner lots.
  - 2. Towers are to be located on the corner of the building nearest the intersection.
  - 3. Towers should have full hip roofs.
  - 4. The main entrance to the building should be at the base of the tower.
  - 5. The building must be two or more stories high, but less than 35 feet.
  - 6. The tower must project above the false front/roof line.
  - 7. The tower height above the false front/roof line should be limited.

19.12.050 Windows.

- A. The majority of buildings in the historic district are characterized by 19th century styles of architecture. Basic design characteristics of these styles are symmetrically placed, vertically proportioned windows.
- B. Historic Buildings: Original windows shall be retained and repaired when at all possible. When replacement is necessary, a window of duplicated design that fills the original window shadow shall be used. The size, pane configuration, design and trim shall replicate that of the original. Original trim and surrounds are to be retained when windows are replaced. Aluminum or polyvinyl framed windows are not appropriate for use in a historic building.
- C. New Construction: Windows in new buildings shall emulate one of the 19th or early 20th century windows styles and shall be vertically proportioned with a minimum ratio of two (2) horizontal to three (3) vertical and shall be single or double hung. Historically ground floor windows/door occupied eighty percent (80%) ~~percent~~ **percent** of the first floor facade in commercial buildings. Plate glass is preferred to multi-pane in display windows. Vinyl frames may be allowed on a case by case basis. Non-display windows shall have a recess of at least two ~~inches~~ (2") **inches** from the glass to the wall siding.
- D. Prohibited: Aluminum frame as well as Plexiglas, smoked, mirrored, masked, frosted, or tinted glass is not appropriate for use in the district. Horizontal sliding windows are prohibited.
- E. Display Window Treatments: Historically the display windows were large, plate glass affairs that left the window display very open to pedestrian view. Some restaurants had café type curtains along the lower part of the display windows and other businesses had curtains along the upper part of the display windows. In order to maintain the look of Historic Skagway display windows, no masking or

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other reductions of the display windows will be allowed. This is not to preclude the use of security walls to protect window displays from theft from inside the store.

19.12.060

Doors.

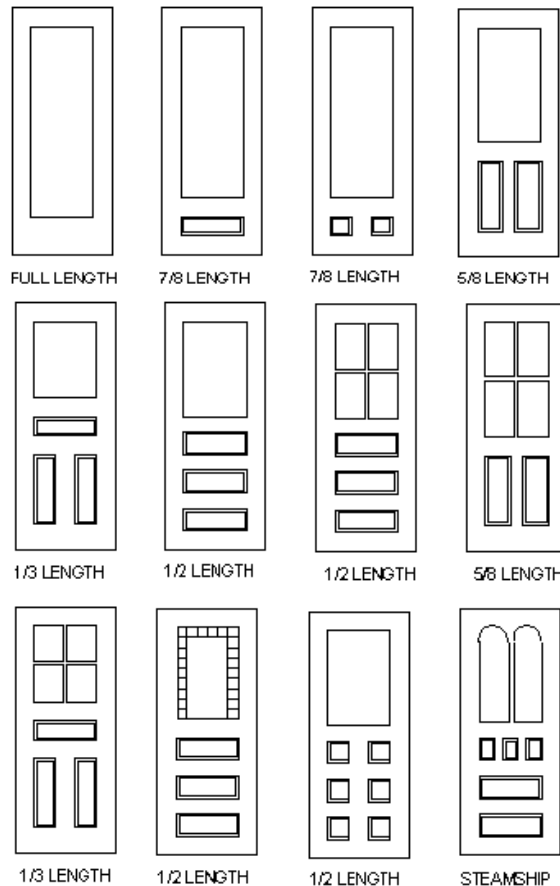
- A. Doors are an important design element of any building. Their location and style contribute to the overall character and frequently act to define the style of the building. Original doors shall be retained whenever possible and are one of the most easily reconstructed elements of a building. They are generally constructed of high quality materials, most often have design characteristics which are unavailable in today's market, and can be repaired with some ease. During the Klondike Gold Rush period there were several basic styles of doors as shown in the attached drawings. Door styles that may be used are limited to the examples illustrated or evidence from Gold Rush Skagway photos. Generally, the doors with full-length glass were used for the larger retail buildings that had large "French" plate glass display windows. The doors with **one-third (1/3)**, **one-half (1/2)**, and **five-eighths (5/8's)** glass were used as entrance doors on smaller, usually one story buildings or as ancillary doors on larger buildings. Gold Rush doors used a stile and rail design with recessed panels.
- B. Historic Doors: Original doors shall be retained, repaired and replaced in their original locations when at all possible. When replacement is necessary the original shall be matched in color, size, materials, design, ornamentation and configuration. The original trim and surround molding shall be retained intact and/or duplicated when a door is replaced.
- C. New Doors in Historic Buildings: The addition of a new door may be warranted for a building to properly function in a modern use. When new doors are to be installed a contemporary design which is sympathetic and harmonious with the original doors shall be used. The placement of the new openings shall not disrupt the original design of the building.
- D. Doors in New Construction: The overall style of the new building will determine the appropriate design characteristics of the doors to be used. Doors and entries make a strong design statement for any building. Balance, proportion, rhythm, scale and emphasis must all be considered when determining the style and design of doors. Doors should have horizontal and vertical lines rather than curved or diagonal lines. Maximum door widths for doors on street frontages 3-foot width. The maximum opening using double doors is six (6) feet.
1. Full-length glass doors shall be used for entrance doors on buildings that have large single pane plate glass display windows, are two or more stories, and have a business frontage of over twenty (20) feet. These doors should be paired, double doors. Doors with full-length glass may also be used as entrance doors on buildings of less than **than two (2)** stories or less than a twenty (20) foot width.
  2. The other styles of doors with less than full length glass may be used as access doors to stairways, for side or rear access on larger buildings, and as main business frontage entrances on buildings with less than twenty (20) feet of business frontage. These doors were usually used singly, not as double doors. Doors with full-length glass should be one piece of glass and may not have multiple panes or mullions.
- E. Prohibited: Flat steel, polyvinyl or metal doors may only be used on non-street facades of buildings. Attached raised panel doors, multi-paned style doors like

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French doors, doors split between top and bottom like Dutch doors, highly ornamented or carved wood are prohibited.

F. The following drawings are examples of possible door designs:



19.12.070

Guidelines for landscape elements.

A. The Skagway Historic District is characterized by a rectangular grid system with alleys. Streets are sixty feet (60') **feet** in width with Broadway as the main thoroughfare. Boardwalks front Broadway and cross streets from 2<sup>nd</sup> Avenue to 7<sup>th</sup> Avenue. Gravel covered streets in the historic district disappeared in 1984 when all streets in the district were paved with asphalt. Basic landscape elements in the historic district include flower boxes and hanging baskets filled with profuse blooms, ~~three~~ **several** green areas with some landscaping (see historic district map), Mollie Walsh Park and the Pullen Tract with extensive greenery and Pullen Creek flowing through both properties.

1. The district is composed of densely concentrated buildings, almost all with businesses located on the street level and some with residential quarters located on the upper floor. The mixture of uses is important and should be preserved. The overall image of the district is of a distinct streetscape fronted by boardwalks, combined with flowers and green areas of natural growth wrapped around by mountains and water.



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- B. Historic Properties: Historic landscape features shall be retained when at all possible. Flowers and boardwalks provide a visual consistency and harmony of setting in the district.
- C. New Construction. New construction in the district shall include landscape elements which reflect the scale, rhythm, texture, material, color, style and visual qualities of the historic landscape present.
- D. Parking and Vehicle Rental Lots. To reduce negative impacts on the ~~H~~historic ~~D~~district, parking lots and vehicle rental lots must be screened from view with at least a six foot (6') fence on the street sides of the lot and along alleys for at least twenty feet (20') from the boardwalk.
- E. Satellite Dishes: Satellite dish antennas should be placed so they are inconspicuous from the street and in such a manner that no damage is done to any character defining features of the building. Satellite dishes larger than **thirty-six (36) inches** in diameter shall not be visible from any streets or alleys.
- F. Flower Containers: Flowers may be put in boxes constructed of dimensional lumber or traditional unadorned clay pots. Hanging flower baskets may be of wire or wood. The number should be limited to be of minimum impact during crowded sidewalk conditions. Flower boxes are preferred to be square or rectangular shaped, **ten inches (10")** to **fifteen inches (15")** high and project less than **ten inches (10")**. Boxes and pots should be placed against the building and be kept in good repair. Flower baskets need to hang so they do not impinge on the sidewalks. They should be no more than **twelve inches (12")** in diameter not including flowers. Flower containers made of plywood, plastic, molded paper or concrete are not allowed. Plastic or silk flowers or plants are not allowed.
- G. Benches: Benches may be constructed of dimensional lumber, and/or iron. They may be stained or painted a solid color, but may not include lettering or advertising of any kind. Benches should be limited in number and placed against the building, with only one **six foot (6')** bench per **twenty (20)** lineal feet. Wherever possible, benches should be placed off of the boardwalk. Some good examples of period design benches are currently in use at ~~City Hall, Richter's,~~ **the Sweet Tooth Café** and the White Pass Depot. Benches made in whole or part of plywood, plastic, or concrete **shall** ~~are~~ not **be** allowed.
- H. Picnic tables: Picnic tables in appropriate locations enhance the **historic** ~~D~~district and add to its hospitable ambiance. To maintain a historic appearance, picnic tables should be constructed entirely of wood. Picnic tables should not be placed between the building and the street and the area should be kept clean and free of litter.
- I. Fences: Fencing can be a screen to hide activities that intrude on the streetscape of the ~~H~~historic ~~D~~district or can be a decorative addition to a structure. The fencing should be built of dimensional lumber and be simple in design whether it is a board fence or a picket fence.
  - 1. Board fencing: should be constructed of dimensional lumber. Vertical planks should abut vertically, be one ~~inch (1")~~ **inch** by six ~~inch (6")~~ **inch** to one ~~inch (1")~~ **inch** by ten ~~inch (10")~~ **inch** lumber and be on the same plane.
    - a. Board fencing used for privacy should be no more than six ~~foot (6')~~ **feet** high.
    - b. Board fencing may not be used to screen installations or activities that would otherwise be considered non-conforming unless these

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- installations or activities are necessary and subordinate to a business operating in an adjacent building.
- c. Board fencing used to screen non-conforming installations may need to be taller than six feet (6') foot.
  - d. Examples of non-conforming installations include but are not limited to oil or propane tanks, heat exchangers, or walk-in coolers or freezers.
2. Picket fencing should be between three feet (3') feet and four feet (4') feet high. Pickets should be cut from one inch (1") inch thick dimensional lumber and be on the same plane.
- J. Dumpsters, fuel tanks, garbage cans, Although accessibility is necessary, dumpsters, fuel tanks and garbage cans should be located out of view of the street or other businesses, or should be screened with fencing or landscaping to minimize the impact on the Hhistoric District. Aluminum beer kegs, bread racks, wood pallets, oil drums, etc. shall be stored out of sight from streets or alleys or be removed from the Hhistoric District.
- K. Flower boxes, benches and picnic tables that comply with 19.12.070(F), (G) and (H) may be constructed and erected without petitioning the Hhistoric District Commission for approval. Items that do not comply with the above guidelines/regulations require formal Hhistoric District Commission review and approval before installation.

19.12.075 Shipping Containers, Vans, Trailers and Recreation Vehicles.

These units have been used for storage in the Hhistoric District. Because of their modern design, they are in conflict with HDC design standards guidelines/regulations. This section is to stop the proliferation of new units and accomplish the eventual removal of existing units.

- A. Shipping containers, Semi-trailers and vans are non-conforming to the HDC building design standards guidelines/regulations and are not allowed in the Hhistoric District.
- B. Shipping containers, Semi-trailers and vans located within the Hhistoric District at the passage of Ordinance No. 2002-05, dated April 18, 2002 are allowed to remain until transfer of the business ownership, or change of the unit's location. The term "Transfer of Ownership" means and includes transfer arising from the business owner's selling, assigning, conveying, leasing to another, forfeiting or abandoning the business to another; transfers by inheritance, through a will, or divorce proceedings; and includes any transfer of fifty-one percent (51%) percent or more of the equity interest in the business to another person or legal entity.
- C. Existing Non-complying Containers are as follows:
  - 1. A time limit of no more than one year, renewable for an additional year upon written request before the end of the one-year limit.
  - 2. May not be used for the routine storage of merchandise.
  - 3. May be used for storage of fixtures, merchandise, or materials due to a construction or remodeling project.
  - 4. May be used for storage of fixtures or merchandise during an interruption of business, for example because of a flood or fire.
  - 5. Timely renewal of the time limit is the responsibility of the applicant. Renewal approval of the time limit must occur before the one-year time

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limit lapses. If the one-year time limit lapses, the shipping container shall be removed.

- D. Recreational vehicles are prohibited to be stored or occupied within the ~~H~~historic ~~D~~district. Recreational vehicles are allowed to use and park on the ~~C~~ity municipal streets within the provisions of the Skagway Municipal Code and Alaska State Statutes. Recreational vehicles shall include but not be limited to self-contained or trailer campers; fifth wheel units; or vehicles that have been converted into recreational vehicles.

19.12.080 Exterior lighting.

Because electric lighting was new to America and Alaska, there are very few photographic examples of actual historic Skagway exterior lighting. Many of these examples appear very simply made and many others weren't lighted with modern type electric bulbs but used carbide arcs or acetylene.

- A. Exterior Lights and Lighting. The measure of whether exterior lighting is appropriate is the impact the lighting fixture has on the overall look of the business frontage. Exterior lighting should be kept to a minimum and the fixtures should be as simple in design as possible. A gooseneck type lamp with a round metal shade is one example of a simple design light fixture.
- B. Historic Building: The addition of light fixtures and illumination patterns to historic properties shall be undertaken with sensitivity to the property and its neighbors. Original lighting fixtures and illumination patterns shall be retained when at all possible.
- C. New Construction: Exterior lighting in new construction needs to be sensitively designed. Lighting fixtures shall reflect the style and design of the new building. The illumination pattern of the lighting should not intrude, but should compliment the building and its environs.
- D. In all cases, clear glass bulbs are preferred to white lights; colored bulbs are not allowed. Fully exposed modern flood light type fixtures are prohibited.

19.12.090 Additional architectural features.

- A. The following additional architectural features are design elements exhibited in the district and should be reviewed. Designs for new buildings as well as ~~additions~~ additions or alterations to historic buildings can effectively incorporate one or more of the following architectural features.
- B. Dormers can be a very cost effective method of increasing the usable floor space of a building. Often historic buildings are modified by the addition of dormers. Care must be taken when adding dormers to historic buildings that scale, massing and proportion of the building is not disrupted. In new construction dormers can play a very effective role in harmonizing the contemporary building design with the existing historic styles.
- C. Transoms over display windows and doors, particularly front entry doors, ~~are~~ were a common feature of historic buildings in the district and are strongly encouraged in new construction. Transom windows require interior ceilings to be nine ~~feet~~ (9') feet or higher.
- D. Bay windows serve as a character defining element of a building. As an exterior feature they can often provide a focal component of the design. Proportion, rhythm, scale, symmetry and emphasis are important considerations in the design and placement of a bay window.

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- E. Recessed door entries are often found in buildings in the district. In new construction recessed entries can play a very effective role in harmonizing the contemporary building design with existing historic styles.
- F. Awnings: A cloth, roof-like cover projecting from a building, usually over the doors and windows.
1. Material. Awnings shall be made of woven fabric, such as canvas duck or twill, with no plasticizing or rubberizing. A striped pattern is preferred. A fabric swatch showing pattern and color is required with the application.
  2. Size. Awning height should be equal to awning projection. Minimum projection over the boardwalk is four ~~feet~~ (4') **feet**.
  3. Valance. Awning valance length is dependent on awning height. A four ~~feet~~ (4') **foot** awning allows up to a six ~~inch~~ (6") **inch** valance; a six **(6)** to seven **(7)** foot ~~(6'-7')~~ awning allows up to a twelve ~~inch~~ (12") **inch** valance. Valance length is not added to overall awning height. Awning valance was often used as sign area; refer to signs, Code Section 19.08.012(A)(5)(m) for details.
  4. Building requirements. Awnings were predominantly used on multi-story buildings. Minimum ground floor ceiling height of buildings with awnings should be twelve ~~feet~~ (12') **feet**. The top of awnings should be at the building's eyebrow, and continuous across the face of the building. Vertical framework elements shall align with the building's vertical elements. International Building Code Tables 31 and 32 and Skagway City **Municipal** Code requirements and limitations also restrict awnings.
- G. Marquees and Canopies: A rigid roof or porch-like structure attached to a building projecting over the sidewalk. Because very few marquees or canopies were built in Gold Rush Skagway, the **historic district** ~~C~~commission will restrict new marquees and canopies to buildings that had them historically or to reproductions of historic buildings that had marquees or canopies.
- H. Voids Between Buildings: The very narrow, ~~(approximately~~ **one (1) to three (3) inch** ~~4'-3')~~ openings between many buildings in the ~~H~~**historic D**istrict must be fenced or screened in such a way as to keep people or litter from having easy access to the area. This will reduce the chance of a fire occurring in these areas. The screening or fencing should be at least six ~~feet~~ (6') **feet** high and painted the color of either building creating the void. While it should be kept closed it must allow access for maintenance in the void, and be kept in good repair.
- I. Barrier Free Access: The accommodation of ramps, elevators, lifts and other building elements designed to allow handicapped access can be a difficult design problem. Scale, massing, proportion, detailing, balance and site relocation all need to be carefully considered.
- J. Temporary Window Coverings: ~~City~~ **Municipal** Code requires that all temporary exterior window coverings shall be to the scale of the window covered and shall be painted to match the trim of the building.
- 19.12.095 Existing Architectural Features and Awnings.
- A. Architectural features out of compliance with these guidelines/**regulations** will be required to comply when needing to be replaced.
- B. Approved awnings that exist at the passage of this code section are allowed to remain until those awnings need to be replaced. Buildings with awnings already in place are the Skagway Mercantile **on 2<sup>nd</sup> Avenue (Hites building)**, the Golden North Hotel **on Broadway at 3<sup>rd</sup> Avenue (Corrington building)**, Calico

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Cross Stitch on Broadway across from the Post Office (Magee building), the Bonanza on Broadway (Westmark building), Mill Direct on Broadway at 7<sup>th</sup> Avenue (Heckle building), and Inside Passage Arts on Broadway (Choate Estate building).

- 19.12.100 Exterior fixtures and furnishings.
- A. Public Telephones: telephones are necessary to modern life, but care should be exercised in their location and construction so they do not intrude on the historic streetscape.
1. Wherever possible, public telephones should be placed off the boardwalk at least three (3) feet and set perpendicular to the boardwalk. Placement of phones on the street facades of buildings is not allowed. Phones should be at least twenty (20) feet from street intersections.
  2. Dimensional lumber backdrops and side screens should be used to mask the modern design of current public telephone stands. Use of Plexiglas and bright colors is discouraged; internal lighting and advertising is not allowed.
  3. In order to minimize litter problems, trash receptacles and ashtrays should be provided.
- B. Brochure Boxes: brochure boxes may be constructed of wood or glass with wood framing. They should not cover any architectural details. The boxes should be a sufficient size and design to prevent the wind from blowing the brochures out of the boxes; preferably they should have a lid. There is a limit of one (1) box per business frontage not to exceed a size of one hundred (100) square inches. Plexiglas or other types of plastic are not allowed.
- C. Exterior Merchandise: merchandise that is available for purchase may not be displayed outside the store either on private or public property.
- D. Non-Building Sales and Rentals: sales or rentals from tents or vehicles are not allowed within the Hhistoric District.
- 19.12.110 Additions to historic buildings.
- A. The primary objective of the Hhistoric District Commission is to protect and maintain the integrity of the historic resources in the district. However, the historic district Commission is committed to providing for the development of these resources in such a manner that does not impair their utility. It is recognized that additions are often necessary for a historic building to become functional in a modern context. It is also recognized that additions must be designed to be compatible and not detract from the building, its immediate surrounds or the district as a whole.
- B. Additions to Historic Buildings: Additions to historic buildings need to be compatible in their configuration, design, style, scale, materials and architectural details with the distinctive character defining elements of the building. Additions shall be done in such a manner that they do not destroy significant historical or architectural material and if removed in the future will not impair the essential form and integrity of the building nor damage historic fabric. Additions which seek to create an earlier appearance shall not be approved. Additions which are obviously incongruous to the buildings or buildings in the immediate vicinity, or the district shall not be approved.

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- C. Additions to Non-historic Buildings: Additions to non-historic buildings in the district will be treated in the same manner as additions to historic buildings, except that maintaining original building fabric will not be considered.

19.12.120 New construction.

A. The ~~H~~historic ~~D~~istrict ~~C~~ommission encourages new construction which is appropriately designed. The historic district is the heart of this community. The design of new construction needs to be compatible and respectful of the historic building stock that surrounds it so that visual conflict and confusion are avoided. There are specific elements of building design, which can be identified and addressed in the review process so that consistency can be achieved. In their review of new construction, the historic district ~~C~~ommission will consider the following elements.

1. The overall size and height of the new building should be consistent with the surrounding buildings. It is strongly suggested that the minimum first floor ceiling be at least twelve ~~feet~~ (12') feet high. The exterior design in historic buildings is closely linked to the height of the first floor ceiling. If the first floor ceiling is low the building front will be too short, and many historic features such as transom windows, display windows, or canvas awnings will not have the same proportions as Gold Rush Skagway architecture or will not fit other guideline requirements.
2. Gold Rush Skagway buildings were generally built to look tall and impressive whether they were one, two, or three stories. Even small buildings were made to be as impressive as possible using height and false fronts. It is strongly suggested that the minimum frontage width be fifteen ~~feet~~ (15') feet and the height/width ratio be at least one and one half (1 ½) to two (2) times the frontage width.
3. Buildings will have no more than a two ~~feet~~ (2') foot setback between the front facade and the boardwalk/property line. Historically in the district, maximum use was made of the building lot with little or no space between buildings. Common walls were frequently used. In the event of a space, a fence typically closed the opening.
  - a. Commercial structures located on alleys and doing business on the alleys shall have their business frontage face on and be parallel to the alley.
    - i. The business entrance shall be from the alley façade of the structure.
    - ii. The structure is required to have the five (5) foot alley setback unless a variance is approved.
4. The overall shape of the building, particularly its roof type, height, and design emphasis (horizontal or vertical) shall be consistent and harmonious with others in the environs.
5. The rhythm and arrangement of the windows and doors shall reflect the style of the building design and the predominant patterns found in existing buildings of the area. The ratio of the total surface area of openings to total wall surface area of new buildings shall reflect that of historic buildings in the environs.
6. Exterior siding shall reflect the prevailing style of the district. A vertical or diagonal style siding shall not be used when the dominant style is a

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horizontal drop or shiplap type. The exterior siding should blend in, not stand out.

7. Trim details are often the single most relevant design feature which can be utilized to give harmony and compatibility to a new building. The new building shall be designed so that the window and door trim and architectural details compliment the existing buildings in the area.
8. When at all possible avoid substantial site alteration by importing or exporting fill materials. Generally speaking, vacant lots in the district were once occupied by a building. Attempt to place the new building as near as possible to the same grade as the original. Carefully consider the placement and relationship of the boardwalk, driveway, and accessory buildings when determining the location of a new building on the lot. Placement of the structure should make the best use of the lot frontage.
9. The elevation of the first floor in relation to the street and the finish grade of the lot can often be a critical design feature. Buildings in the historic district shall be at grade level with entry directly from the boardwalk.
10. Over the years many new materials have been developed and the use of these materials will be considered on a case by case basis.
11. Impeding traffic in the Hhistoric District is prohibited and construction must comply with Skagway Municipal Code Chapter 10.02.035.

19.12.130 Moving or Demolishing Structures in the Hhistoric District.

Historic structures make up the fabric of the Sthagway Hhistoric District and give credibility to the events that created Skagway during the Klondike Gold Rush. They are the historic heritage of Skagway. The preservation and restoration of these historic structures is the highest priority of the City Municipality of Skagway Historic District Commission. In order to retain and preserve the fabric of the Sthagway Hhistoric District for current and future generations, the demolition or moving of historic structures shall be discouraged.

- A. A minimum of two (2) Hhistoric District Commission meetings are required to review a request to move or demolish a historic building located in the Sthagway Hhistoric District.
  1. An applicant who wishes to move or demolish a structure located in the Sthagway Hhistoric District shall present documentation as to when the structure was built and its history;
  2. If the building is determined to be not historic, it may be moved or demolished upon approval of the Commission;
  3. If the building is determined to be historic by the historic district Commission, the applicant shall make public notice per City municipal regulations as to the applicant's intentions to move or demolish the structure; and
  4. The applicant shall document the structure meeting the Historic American Building Survey Level I standard that shall include the following:
    - a. Full set of measured drawings;
    - b. Large format photographs of exterior and interior; and
    - c. History and description in narrative format.
  5. The applicant shall investigate and document alternatives to moving or demolishing the structure.
- B. Upon the completion of the previous requirements, the applicant shall present the preceding information to the Sthagway Hhistoric District Commission for final

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determination. The documentation required above shall be included with the application and become part of the public record.

- C. With ~~HDC~~ **historic district commission** approval the applicant may move or demolish the structure with the following restrictions:
1. A waiting period of **twelve (12)** months after approval and any appeals to demolish a historic structure or move it to a location outside the ~~Skagway Historic District~~.
  2. No waiting period to move a historic structure to a location within the ~~Skagway Historic District~~. The building and its new site are subject to all current ~~Skagway Historic District~~ regulations and requirements.
- D. If a historic structure is a hazard to public safety, the applicant shall, prior to application, meet the research and documentation requirements in Sections A(1) and (2) and the structure shall be documented as described in Section A(3) as much as is safely possible. This documentation shall be included with the application.
- E. A historic structure that is **an imminent** hazard to public safety may be demolished upon approval.
- F. Demolition or moving each require a building permit separate from and in addition to any other building permits necessary to the project.
- G. Contractors engaged by a property owner to demolish a building in the ~~Skagway Historic District~~ shall document that a valid certificate of approval has been issued for the demolition of **the said** building or be punishable by a fine equal to that as described in the following section.
- H. A property owner that demolishes or causes to be demolished either in whole or part a building located in the ~~Skagway Historic District~~ without a certificate of approval or building permit issued by the City **Municipality** of Skagway is **subject to a civil** ~~punishable by a fine of~~ **ninety thousand dollars (\$90,000)** or the assessed value of the building and property at the time of the demolition, whichever is greater.
- I. A waiting period of one (1) year shall commence after fines have been paid for demolishing a building without approval before a building permit will be issued for subsequent construction.

19.12.140 Yard variances.

Due to peculiar conditions of design and construction in historic neighborhoods where structures were often built close to the lot lines, it is in the public interest to retain a neighborhood's historic appearance by making variances to normal yard requirements.

19.12.150 Ordinary maintenance and repair.

**Buildings must be kept in good repair.** Nothing in this chapter shall be construed to **discourage or** prevent ordinary maintenance or repair for any structure within the Skagway Historic District.

19.12.160 Door and window coverings.

Since it is important to both year-round residents and winter time visitors that the downtown district should have a pleasing appearance, the existence of appropriately-sized and harmoniously colored window and door coverings would add significantly to the appearance. Therefore all seasonal businesses both in and outside the ~~H~~historic ~~D~~istrict that board up their windows and doors prior to closing for the winter must:



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- A. Trim the plywood or boards to a size appropriate to the doors and windows being covered, and
- B. Paint the plywood or boards in a color that is some way harmonious to the paint scheme of the building.
- C. Materials adhered to the inside of the glass are prohibited.**

19.12.170 The review and appeal process.

- A. Required Submittals. The following procedures are for persons who intend to undertake rehabilitation, alteration, relocation, demolition or new construction within the Skagway Historic District. Applicants should review Municipal Code Chapter 19.10, Historic District Regulations **Administrative Provisions**.
  - 1. Application for building permit accompanied by scale drawings, site plans, materials and colors selection is filed with the City **borough** Clerk's office. All elevations for proposed construction should be included in the application. The deadline for applications to be considered by the historic district commission is 5 working days before the meeting.
  - 2. Upon filing of such application, the city **borough** clerk shall notify the ~~H~~historic ~~D~~district ~~C~~commission of the receipt of the application, and shall transmit it, together with accompanying plans and other information to the **historic district** commission.
  - 3. The ~~H~~historic ~~D~~district ~~C~~commission shall meet within thirty (30) days after notification by the city **borough** clerk of the filing. During the public meeting the **historic district** commission shall give final review of the plans. The applicant for the building permit, or a ~~duly constituted~~ representative, must be in attendance at the meeting.
  - 4. The **historic district** commission shall approve or disapprove such plans and, if approved, shall issue a certificate of approval, which is to be signed by the chairman, attached to the application for a building permit, and immediately transmitted to the building inspector. The chairman shall also stamp all prints submitted to the **historic district** commission, signifying its approval.
  - 5. If the **historic district** commission disapproves plans, it shall state its reasons for doing so, and shall transmit a record of such action and reasons therefore in writing to the building official and to the applicant. The **historic district** commission may advise modifications if it disapproves of the plans submitted. The applicant, if he or she so desires, may make modifications to the plans, and shall have the right to resubmit the application at any time after so doing.
  - 6. The failure of the ~~H~~historic ~~D~~district ~~C~~commission to approve or disapprove plans within forty-five (45) days from the date of application for the building permit, unless otherwise mutually agreed upon by the applicant and **historic district** commission, shall be deemed to constitute approval, and the building official shall proceed to process the application without regard to a certificate of approval.
  - 7. After the certificate of approval has been issued and the building permit granted to the applicant, the building official or his designee shall from time to time inspect the construction, alteration or repair approved by such certificate, and shall take such action as is necessary to force compliance with the approved plans.

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B. Appeals. Any person or persons jointly or severally aggrieved by a decision of the Historic District Commission shall have the right to appeal such decision to the Planning and Zoning Commission in writing stating detailed and specific allegations of error including reference to applicable provisions of the Skagway Municipal Code; and shall also include a statement of whether the action should be reversed, modified, remanded for further proceedings, or any other desired relief. Such appeal shall be filed within ten (10) business days excluding City or Federal holidays of the date of the letter issued within 14 calendar days notifying the applicant of the decision in writing to the city clerk, who shall immediately transmit all relevant data to the Planning and Zoning Commission. The Planning and Zoning Commission shall render a decision on the appeal within thirty (30) days after the filing thereof. Failure by the Planning and Zoning Commission to render a decision within thirty (30) days shall mean that the decision of the Historic District Commission is affirmed. If the Planning and Zoning Commission upholds the Historic District Commission's ruling, the aggrieved party can appeal to the City Council.

1. Any person aggrieved by a decision of the historic district commission, including but not limited to a municipal official, may file with the planning commission an appeal in writing stating detailed and specific allegations of error including reference to applicable provisions of the Skagway Municipal Code; and shall also include a statement of whether the action should be reversed, modified, remanded for further proceedings, or any other desired relief. All such appeals shall be filed with the borough clerk within ten (10) days of the date of such decision. If the final day to file an appeal falls on a week-end (Saturday or Sunday) or a holiday, the final day to file an appeal shall be the next working day of the week. Any purported appeals filed after ten (10) days shall not be considered by the planning commission.
2. The borough clerk shall transmit the record before the historic commission and the appeal and materials attached to the appeal to the planning commission within 20 days of the filing of the appeal. The planning commission shall make a reasonable effort to render a decision on the appeal within sixty (60) days after receipt of the record and the appeal from the borough clerk. The planning commission may extend the time for decision in its discretion. Failure by the planning commission to render a decision within sixty (60) days, or as extended by the planning commission, shall mean that the decision of the historic district commission is affirmed. If the planning commission upholds the historic district commission's ruling, the aggrieved party may appeal to the borough assembly.
3. All appeals to the planning commission shall follow the procedure as set forth in Section 19.04.070.

**Section 4. Severability.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

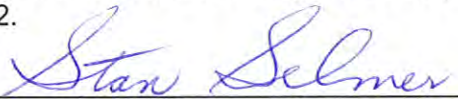
**Section 5. Effective Date.** This ordinance shall become effective immediately upon adoption.

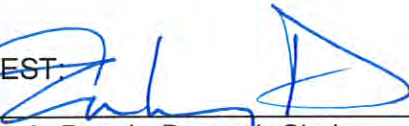
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PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 18<sup>th</sup> day of October, 2012.

  
Stan Selmer, Mayor

ATTEST:   
Emily A. Deach, Borough Clerk

(SEAL)

