

Proposed by:	Planning & Zoning Commission
Attorney Review:	03/29/2018
First Reading:	04/05/2018
Second Reading:	04/19/2018
Vote: 6 Aye	0 Nay 0 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA  
ORDINANCE NO. 18-07**

**AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING SMC 19.06.030 RESIDENTIAL-GENERAL ZONE REGARDING MINIMUM REQUIREMENTS FOR CONDITIONALLY PERMITTED RV PARKS.**

**WHEREAS**, the Planning and Zoning Commission held a public hearing on the proposed amendments to SMC 19.06.030 at its meeting of March 20, 2018, per SMC 19.04.080(B)(3); and

**WHEREAS**, the Planning and Zoning Commission voted to approve the code amendment to SMC 19.06.030; and

**WHEREAS**, the code amendment will reduce the minimum required space for recreational vehicles in conditionally permitted RV parks, thereby increasing the allowable density and contributing to the alleviation of Skagway’s seasonal housing shortage; and

**WHEREAS**, the code amendment will remove language made redundant by SMC 15.15, which defines recreational vehicles to include camping trailers, fifth-wheel trailers, motor homes, park trailers, travel trailers, truck campers, and tiny house trailers; and

**WHEREAS**, the code amendment will allow conditionally permitted RV parks to be exempted from the RV storage regulations detailed in SMC 15.15.040;

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

**Section 1. Classification.** Section 3 of this ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

**Section 2. Purpose.** To amend SMC 19.06.030 RG – Residential General Zone to: reduce the minimum required space for RVs in conditionally permitted RV parks in order to help alleviate the seasonal housing shortage; streamline code language to provide clarity and avoid redundancies; and exempt conditionally permitted RV parks from the RV storage requirements in SMC 15.15.040.

**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. SMC 19.06.030 RG – Residential General Zone is hereby amended as follows:

19.06.030 RG—Residential-general zone.

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This zoning district includes single-family and multifamily residential housing. Single-family units, duplexes, and triplexes are allowed on five thousand (5,000) square foot lots, for an allowable density of sixteen (16) units per forty thousand (40,000) square feet. Multifamily residential units (four (4) units and above) are conditionally permitted, for a maximum allowable density of twenty-six (26) units per forty thousand (40,000) square feet.

This general residential zoning district is intended to provide an area for medium to high density residential development including single-family, duplex, triplex, and low-rise multifamily dwellings. The purpose of the zoning district is to promote a wide variety in housing types and design to meet the expanding demand for housing. The zoning district is designed for use in areas that provide full urban services and facilities.

Criteria for lands that are included in this zoning district are those that have water and sewer utilities, a developed road system, and that are close to commercial and/or industrial districts.

**A. Uses Permitted.**

**1. Principal Uses.**

- a. Single-family residences;
- b. Two (2) family duplexes;
- c. Mobile homes north of 15th Avenue and mobile home parks north of 15th Avenue, per the standards at subsection (A)(3)(j) of this section;
- d. Day care facilities;
- e. Parks, playgrounds, play fields and other open space recreation areas.

**2. Accessory Uses.**

- a. Private garages and required off-street parking;
- b. Greenhouses and tool sheds;
- c. Home occupations; provided, that the conditions listed in Section 19.02.065(B)(35) are met;
- d. Storage structures; the standard at Section 19.06.020(A)(2)(b) applies in this zoning district;
- e. Farmers' markets in accordance with Section 19.02.065(B)(27).

**3. Conditional Uses.**

- a. Multiple-family dwellings and apartment houses with three (3) or more units;
- b. Bed and breakfast establishments, rooming, and other residences rented by the day or week;
- c. Basement apartments;
- d. Temporary structures for residential use, used in conjunction with building or land development, for eighteen (18) months;
- e. Churches;
- f. Public and private elementary and secondary schools;
- g. ~~Trailer parks and RV parks; provided, that:~~

- (i) The area is at least sixty thousand (60,000) square feet;
- (ii) There are is at least ~~two thousand (2,000)~~ **three-hundred (300)** square feet for each allotted trailer-RV space and ~~one thousand (1,000)~~ square feet for each pickup-camper space overnight parking;
- (iii) Approximately four (4) feet of space is maintained between parked recreational vehicles;**
- ~~(iiiiv)~~ Utility connections are available for each trailer-RV;
- (iv) A bathhouse and restrooms are provided for overnight occupants;
- (vi) No business other than the renting of trailer-RV space shall be conducted, except for self-service laundry facilities and vending machines for the use of the occupants of the trailer court-RV park;
- (vii) Chapters ~~15.14 and 15.15~~ shall additionally govern the location, building regulations and operation of trailers, mobile homes and mobile home-RV parks, **except that SMC 15.15.040 Storage of RVs shall not apply to conditionally permitted RV parks.** and to any extent conflicting with this chapter, Chapters ~~15.14 and 15.15~~ shall be controlling. The foregoing shall not relieve an trailer owner or trailer-RV park operator from complying in all particulars with this chapter when its provisions are not specifically preempted by Chapters ~~15.14 and 15.15~~;
- h. Medical services;
- i. Accessory Housing Structures.
  - (i) Minimum of one hundred ninety (190) square feet.
  - (ii) Maximum of six hundred (600) square feet.
  - (iii) Must have water, sewer and electricity, meeting current codes.
  - (iv) No setback variances will be granted for new construction.
  - (v) All lot coverage, off-street parking and setback requirements for this zone still apply.
  - (vi) Construction must meet Uniform Building Code for efficiency dwelling units;
- j. Mobile Home Parks North of 15th Avenue.
  - (i) Minimum size of mobile home park is ten thousand (10,000) square feet.
  - (ii) Minimum lot size for each mobile home is three thousand (3,000) square feet with a maximum lot coverage of fifty percent (50%).
  - (iii) Mobile homes must be on permanent foundations with skirting in place;
  - (iv) Chapter 15.14 shall additionally govern the location, building regulations and operation of mobile home parks,**

**and to any extent conflicting with this chapter, Chapter 15.14 shall be controlling. The foregoing shall not relieve a mobile home park operator from complying in all particulars with this chapter when its provisions are not specifically preempted by Chapter 15.14;**

- k. Congregate residences that meet IBC code; provided, that:
  - (i) Occupancy does not exceed ten (10) persons on a five thousand (5,000) square foot parcel or twenty (20) persons on a ten thousand (10,000) square foot parcel.
  - (ii) There is a minimum of one (1) parking space for every three (3) persons.
  - (iii) Lot coverage by all buildings does not exceed fifty percent (50%).
  - (iv) A six foot (6') high solid fence shall be required on all lot lines bordering RG lots.
  - (v) A yard area for recreation and outdoor congregation is provided.
  - (vi) Subject to review every two (2) years and can be revoked for excessive noise complaints or congestion issues or for other reasons as determined by the planning official.
  - (vii) Maximum of one (1) congregate residence per city block;
- l. Taverns and bars;
- m. Restaurants serving alcohol;
- n. Service stations;
- o. Community gardens in accordance with Section 19.02.065(B)(17);
- p. Marijuana cultivation facilities (indoor-only), marijuana product manufacturing facilities, and marijuana testing facilities;
- q. Other uses as determined by the planning commission pursuant to Section 19.04.060(B).

B. Prohibited Uses.

- 1. Any use or structure not of a character indicated under permitted principal and accessory uses, or permitted by conditional uses.
- 2. Mobile homes or mobile home parks south of 15th Avenue.
- 3. Kennels.
- 4. Retail marijuana stores, marijuana cultivation facilities (outdoor-only).

C. Minimum Lot Requirements.

- 1. Lot Area.
  - a. For a one (1), two (2), or three (3) family dwelling, five thousand (5,000) square feet;
  - b. For a multiple-family dwelling with four (4), five (5), or six (6) dwelling units, one thousand six hundred fifty (1,650) square feet per dwelling unit;

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- c. For a multiple-family dwelling with more than six (6) dwelling units, one thousand five hundred (1,500) square feet per dwelling unit;
  - d. For a mobile home park, each lot must be a minimum of three thousand (3,000) square feet.
  - 2. Lot width, fifty feet (50').
- D. Minimum Building Setback Requirements.
- 1. Front yard, ten feet (10');
  - 2. Side Yard.
    - a. For a one (1) or two (2) family dwelling, five feet (5');
    - b. For a multiple-family dwelling unit with more than two (2) units, ten feet (10');
  - 3. Rear yard, five feet (5');
  - 4. Setbacks between structures shall be regulated by the International Building Code, Tables 601 and 602.
- E. Maximum Lot Coverage by All Buildings. Fifty percent (50%). Marijuana cultivation facilities may not exceed five hundred (500) square feet in area.
- F. Maximum Height of Buildings. Three (3) stories, but not to exceed thirty-five feet (35') in any case.
- G. Parking Requirements. All requirements within Section 19.08.020, Provision of off-street parking, must be followed.
- H. Visibility at Intersections. The standard at Section 19.06.020(J)(1) and (2) applies in this zoning district.


**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.

**PASSED AND APPROVED** by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 19<sup>th</sup> day of April, 2018.

  
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Monica Carlson, Mayor

ATTEST:

  
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Emily A. Deach, Borough Clerk  
(SEAL)

