

Proposed by:	Planning & Zoning Commission
Attorney Review:	11/28/2018
First Reading:	12/06/2018
Second Reading:	12/13/2018
Vote: 5 Aye	0 Nay 1 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA
ORDINANCE NO. 18-20**

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING SMC 19.08.020 PROVISION OF OFF-STREET PARKING TO UPDATE THE APPROVAL PROCESS FOR DRIVEWAY PLANS.

WHEREAS, the Planning and Zoning Commission held a public hearing on November 8, 2018 on this code amendment proposal;

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 Section 19.08.020 Provision of off-street parking to update the approval process for driveway plans.

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 19.08.020 Provision of off-street parking is hereby amended as follows:

19.08.020 Provision of off-street parking.

A. Off-street Parking Requirements.

1. There shall be provided at the time of the construction of any main building, or at the time of the alteration, enlargement or any change in use of any main building, permanently maintained, free off-street parking facilities for the use of occupants, employees or patrons of such building, and it shall be the joint and several responsibility of the owner and/or occupant of any main building or structure to provide, and thereafter maintain, minimum free off-street parking facilities listed in (a)-(d) below. Sections (a)-(c) apply to development in all zoning districts and businesses except retail businesses in the Skagway Business Historical District. Off-street parking requirements for retail businesses in the Skagway Business Historical District are listed in section (d):
 - a. Dwellings.
 - (i) For each single-family dwelling, two (2) family dwelling or multiple-family dwelling, one (1) private parking space for each dwelling unit;
 - b. Buildings Other Than Dwellings.

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- (i) Motel, one (1) private parking space for each dwelling unit or guestroom;
 - (ii) Hotel or boardinghouse, one (1) public parking space for every three (3) guestrooms;
 - (iii) Church, auditorium, theater or meeting hall, one (1) public parking space for each five (5) seats, based on maximum seating capacity;
 - (iv) Hospital, one (1) public parking space for each four (4) beds, based on maximum capacity;
 - (v) Bank, office building, professional office, funeral parlor or clinic, one (1) public parking space for each two hundred fifty (250) square feet of floor area;
 - (vi) Retail store or business, one (1) public parking space for each five hundred (500) square feet of floor area;
 - (vii) Trailer park, one (1) private parking space for each trailer space;
 - (viii) Wholesale stores, warehouses and storage buildings, one (1) public parking space for every three (3) employees;
 - (ix) Industrial and manufacturing establishments, one (1) public parking space for every three (3) employees.
 - c. Commercial vehicles. The owner or operator of any commercial enterprise involving use of commercial vehicles shall provide and utilize off-street parking adequate to park all vehicles used by that enterprise for commercial purposes.
 - d. Business establishments in the Business-Skagway Historical Zoning District:
 - (i) For each dwelling unit, one (1) private parking space.
 - (ii) Commercial vehicles. The owner or operator of any commercial enterprise involving use of commercial vehicles shall provide and utilize off-street parking adequate to park all vehicles used by that enterprise for commercial purposes, but may be located outside the business Skagway Historical Zone provided that provisions of SMC 19.06 are met.
- B. General Conditions.
 - 1. Every lot or parcel of land used as a public parking area shall be developed as follows, subject to the approval of the plans by the planning commission:
 - a. Such area shall be adequately and satisfactorily surfaced;
 - b. Where such area adjoins the side of a lot in an ~~an R~~ **a residential** district, it shall be separated from such lot by a fence not less than four (4) feet or more than six (6) feet in height. Such fence shall be maintained in good condition;
 - c. Any lights provided to illuminate such parking area shall be so arranged as to reflect the light away from adjoining premises and streets.

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2. In the case of a use not specifically mentioned in this section, the requirements for off-street parking facilities shall be the same as the above-mentioned use that, in the opinion of the planning commission, shall be deemed most similar.
3. Detailed plans for driveways shall be submitted to the ~~planning commission~~ permitting official ~~for~~ and reviewed and approved ~~approval~~ by the public works director with regard to the location and relation of the same to the public street or highway.
4. All parking spaces provided pursuant to this section shall be:
 - a. On the same lot with the main use they serve;
 - b. On an adjoining lot; or
 - c. On any lot within one hundred fifty (150) feet of the use if the Planning Commission determines that it is impractical to provide parking on the same lot.
5. No existing parking area, and no parking area provided for the purpose of complying with the provisions of this title shall hereafter be relinquished or reduced in any manner below the requirements herein established.
6. Detailed plans for all parking and loading areas shall accompany the building plans when the application for building permit is made. Such plans shall show following:
 - a. Area of the plot involved;
 - b. Layout and dimensions of each parking space; and
 - c. Entrance and exit to the parking area.

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 13th day of December, 2018.



Monica Carlson, Mayor

ATTEST:



Emily A. Deach, Borough Clerk

(SEAL)

