

**CITY OF WHITTIER, ALASKA
ORDINANCE #24-2015**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA AMENDING WHITTIER MUNICIPAL CODE CHAPTER 17.16.050 AND 17.16.230 TO ALLOW CAMPGROUND, PUBLIC USE AND RECREATIONAL USES WITHIN INDUSTRIAL ZONED AREAS OF THE CITY.

THE WHITTIER CITY COUNCIL HEREBY ORDAINS;

Section 1: Classification. This ordinance is general and permanent in nature and shall become a part of the Whittier Municipal Code.

Section 2: Amendment of Chapter 17.16.050. Whittier Municipal Code Chapter 17.16.050 is hereby amended to read as follows [new language is underlined]:

17.16.050 I – Industrial district.

This district is intended to provide an area for manufacturing, storage, shipping terminals and railroad-related uses. This is an area of development which is generally not compatible with residential and commercial uses because of conflicts from vehicle traffic, noise, dust and danger. The area is characterized by loading docks, railroad yards, storage buildings, and wholesale commercial enterprises. This is an area which provides for those marine uses which are not compatible with the small boat harbor. Campgrounds, Public Use Areas and Recreational uses may be allowed in Industrial zoned districts by conditional use. Campground, Public Use Areas and Recreational uses existing as of March 1, 2015 shall be considered a permitted use but may not be enlarged upon, expanded or used as grounds for adding additional structures or uses without applying for and obtaining approval as a conditional use.

Section 3: Amendment of Section 17.16.230. Section 17.16.230 of the Whittier Code of Ordinances is hereby amended to read as follows [new language is underlined]:

17.16.230 Table of allowed uses.

Table 1, allowed uses, shall be as follows:

P = Permitted

C = Conditional

Table of Allowed Uses

	Single-Family	Multifamily	Commercial	Industrial	Open Space	Small Boat Harbor	Marine Park
Accessory Residential ¹				P			
Airport				P			
Banks and financial institutions			P				
Barge operations				P		P	P
Bulk fuel storage and transfer				P			
Campgrounds				C	P		P
Churches	C	C	P				
Clubs, meeting halls			P				
Commercial animal kennel and services		P	P				
Commercial fishing operations			P			P	
Commercial garages, auto body shops			C	P			
Day care and elderly centers	C	C	P				
Duplexes	C	P	C				

Table of Allowed Uses

	Single-Family	Multifamily	Commercial	Industrial	Open Space	Small Boat Harbor	Marine Park
Ferry terminal				C		P	
Freight terminal				P			
Garbage and/or refuse transfer storage and disposal	C	C	C	P			
Hazardous or noxious materials storage				P			
Heavy equipment storage and repair				P			
Heliport and terminals				P			
Home occupation ²	P	P	P				
Hospitals and health care facilities		C	P				
Hotel		C	P				
Indoor recreation	C	P					
Junkyard				C			
Houseboat	C	C					
Lumber and building material			P	P			

Table of Allowed Uses

	Single-Family	Multifamily	Commercial	Industrial	Open Space	Small Boat Harbor	Marine Park
storage yard							
Manufacturing and wholesaling				P			
Marine services			P	P		P	C
Mobile home	C	C					
Mobile vendor			C			C	
Movie hall and theater			P				
Multifamily		P					
Museum and libraries		P					
Natural resource extraction storage and transfer				P			
Neighborhood commercial ³	C	C					
Parking lots and garages: commercial or private		C	P	P			
Parks, playgrounds, public use areas	P	P	P	C	P		P
Police, fire stations and	P	P	P	C		P	

Table of Allowed Uses

	Single-Family	Multifamily	Commercial	Industrial	Open Space	Small Boat Harbor	Marine Park
municipal offices							
Post office	C	P	P				
Private garage storage, and related accessory structures	P	P					
Professional offices	C	P	C				
Recreational use	P	P	C	C	P	P	P
Restaurant and cafe		C	P			P	
Retail fuel sales		C	P		C	P	
Retailing of merchandise and services		C	P			P	
Retail liquor sales and bars			P			P	
Roominghouse		P	C				
Sawmills, log transfer				P			
Seafood processing				P			
Schools and educational uses	C	C	C				C

Table of Allowed Uses							
	Single-Family	Multifamily	Commercial	Industrial	Open Space	Small Boat Harbor	Marine Park
Shipyards				P			
Signs		C	P	P		C	
Single-family attached, condominiums		P					
Single-family residential	P	P	C				
Temporary storage: building materials	P	P	C	C			
Utility facilities and structures	C	C	C	C	C	C	
Visitor center			C		C	P	P
Warehouses				P			

TABLE 1

NOTES

1. Accessory Residential Use. One dwelling unit may be occupied as a permanent accessory use and development may occur which is clearly incidental to the permitted principal use and structures. Roominghouses and hotels may be permitted only as temporary residential accessory uses related to specific industrial activities and time tables. Such temporary residential accessory uses shall be removed in accordance with a time limit established by the Zoning Administrator.

2. Home Occupations. Provided, that the primary use and appearance of the area remains or will be residential in nature and generally conforming to the existing development in the surrounding area and/or other areas in this district, and that:

a. There is no change in the outside of the building or premises;

b. No equipment or process shall be used which creates noise, vibration, glare, fumes, or odors, detectable to normal senses off the lot or interference in any radio or television receivers off the premises, or causes any line voltage fluctuation off the premises. No hazardous or noxious materials shall be used or stored on the premises;

c. No outside storage of materials or stock shall be allowed except on a temporary, less than six months, basis;

d. When located in the principal dwelling, the home occupation must share the same common entrance with the residential use of the building;

e. No traffic parking or utility demands shall be generated by such home occupation, in greater volume than would normally be expected in a residential neighborhood;

f. Home occupation does not include the following occupancies as defined by Table 5-A of the 1979 Uniform Building Code: A, B-1, B-3, B-4, E, H, I and R-1.

3. Neighborhood Commercial. These uses must not generate large volumes of traffic; they must be generally small, compact and compatible with the surrounding neighborhood; and must be located in buildings of residential design, scale, architecture, and exterior materials in order to preserve the residential character of the area.

Section 4: Effective Date. This ordinance is effective immediately upon adoption.

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE WHITTIER CITY COUNCIL THIS 21st DAY OF APRIL, 2015.

Introduced by: Planning and Zoning Commission

Introduction date: March 17, 2015

Public Hearing: April 21, 2015

ATTEST:



Brenda Krol
City Clerk



Daniel Blair
Mayor

Ayes: 6
Nays: 0
Absent: 1
Abstain: 0