

AN ORDINANCE OF THE HAINES BOROUGH AMENDING BOROUGH CODE SECTION 18.20.020 TO DEFINE "VACATION RENTAL" AND CHANGE THE DEFINITION OF "LODGE"; AND AMENDING BOROUGH CODE SECTIONS 18.70.030(B)(3)(e), 18.70.030(C)(3)(e), AND 18.70.040 TO ADD VACATION RENTALS TO THE TOWNSITE ZONING CHART, THE MUD BAY PLANNING/ZONING DISTRICT, AND THE LUTAK INLET PLANNING/ZONING DISTRICT.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and if adopted with or without amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 18.20.020. Section 18.20.020 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS
~~STRIKETHROUGH~~ ITEMS ARE DELETED

18.20.020 Definitions – Regulatory.

"Lodge" means a ~~short-term~~ rental accommodation with furnished quarters; **that provides, or is associated with, services such as meals and/or guiding, and accommodates one or more guests at a time.**

"Vacation Rental" means a privately-owned residential dwelling, such as, but not limited to, a single family residence, apartment, or room, that is rented for periods of 30 consecutive days or less, limited to a single quest or family at a time.

Section 5. Amendment of Section 18.70.030(B)(3)(e). Section 18.70.030(B)(3)(e) of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS

18.70.030 Zoning districts – Zones.

The borough is hereby divided into the following zoning districts and zones. These districts and zones are depicted on the official borough zoning map.

...

B. Mud Bay Planning/Zoning District.

...

3. Rural Residential Zone (MBRR).

...

e. Conditional Uses. Conditional uses in the rural residential zone are:

- (1) Public parks, public recreation sites, and nonprofit camps;
- (2) Schools;
- (3) Fire stations;
- (4) Lodges;
- (5) Commercial or public radio and television transmitters and towers;
- (6) Public utility facilities;
- (7) Commercial Enterprise. "Commercial enterprise" means any commercial,

manufacturing, sale or service that occurs on a person's private property. A commercial enterprise shall be conducted only by a member or members of a family residing in a residence on the

property and with up to six additional employees at any one time. Terms of a conditional use permit for commercial enterprise shall eliminate or mitigate adverse effects to air quality, noise, traffic, parking, waste and sewage, signs, lighting and burdens on any community utilities and resources that may result from such commercial enterprise;

(8) Cemetery.

(9) Vacation Rentals.

...

Section 6. Amendment of Section 18.70.030(C)(3)(e). Section 18.70.030(C)(3)(e) of the Haines Borough Code is hereby amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS

18.70.030 Zoning districts – Zones.

The borough is hereby divided into the following zoning districts and zones. These districts and zones are depicted on the official borough zoning map.

...

C. Lutak Inlet Planning/Zoning District.

...

3. Rural Residential Zone.

...

e. Conditional Uses. Conditional uses in the rural residential zone are:

- (1) Churches;
- (2) Schools;
- (3) Lodging houses;
- (4) Public parks and recreation sites;
- (5) Public utility facilities;
- (6) Fire stations;
- (7) Community halls;
- (8) Governmental buildings;
- (9) Rentals, sales, and professional services;
- (10) Fish hatchery;
- (11) Commercial agriculture;
- (12) Commercial logging;
- (13) Campgrounds; provided, that:

(a) A 50-foot greenbelt separates the campsites from any public road right-of-way and a 20-foot greenbelt separates the campsites from any perimeter property lines; and

(b) The campground is at least one-half mile from existing houses or land subdivided for residential purposes at the time of the application for a conditional use permit; and

(c) The campground provides facilities for solid waste disposal (e.g., bear-proof dumpsters); and

(d) Complies with all Department of Environmental Conservation sanitation requirements contained in 18 AAC 30; and

(e) The campground has a maximum average density of six individual campsites per commercially developed acre, a minimum distance from center to center of adjacent sites of 75 feet and a maximum of 60 sites overall;

(14) Cemetery.

(15) Vacation Rentals.

...

Section 7. Amendment of Section 18.70.040. Section 18.70.040 of the Haines Borough Code is hereby amended to add a new line for vacation rentals to read as follows. (The rest of the Zoning Use Chart remains unchanged.)

NOTE: **Bolded/UNDERLINED** ITEMS ARE ADDITIONS

18.70.040 Zoning use chart.

The following chart summarizes the uses allowed and the standards of review for each use, townsite planning/zoning district and the zones therein. In the commercial and industrial zones, more than one building housing a permissible principal use may be developed on a single lot; provided, that each building and use shall comply with all applicable requirements of this title. Additional requirements may be applicable to developments within some zones. See the definitions in Chapter 18.20 HBC for descriptions of each use.

...

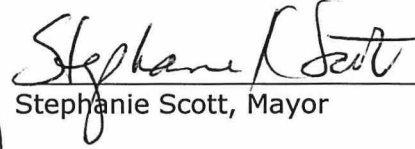
ZONING USE CHART												
TOWNSITE PLANNING/ZONING DISTRICT												
UBR = Use-By-Right CU = Conditional Use												
NA = Not Allowed GFA = Gross Floor Area												
<div style="border: 1px solid black; background-color: #cccccc; display: inline-block; padding: 2px;">= Permit Required</div>				<div style="border: 1px solid black; display: inline-block; padding: 2px;">= Permit Not Required</div>								
Under General Classification, uses in UPPER CASE are primary and uses in lower case are secondary.												
GENERAL CLASSIFICATION →	INDUSTRIAL USES			COMMERCIAL/ Residential Uses			RESIDENTIAL USES ONLY	RESIDENTIAL/ Commercial Uses				RECREATIONAL USE
Specific Zoning Districts → USES ↓	Heavy Industrial	Light Industrial/ Commercial	Water front Industrial	Commercial	Waterfront	Significant Structures Area	Single Residential	Multiple Residential	Rural Residential	Rural Mixed Use	Multiple Use	Recreational
	I/H	I/L/C	I/W	C	W	SSA	SR	MR	RR	RMU	MU	REC
<u>Vacation Rental</u>	NA	NA	NA	<u>UBR</u>	<u>UBR</u>	<u>UBR</u>	<u>CU</u>	<u>UBR</u>	<u>UBR</u>	<u>UBR</u>	<u>UBR</u>	NA

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
22nd DAY OF OCTOBER, 2013.

ATTEST:



Michelle L. Webb, Interim Borough Clerk


Stephanie Scott, Mayor

Date Introduced:	09/24/13
Date of First Public Hearing:	10/08/13
Date of Second Public Hearing:	10/22/13 - Adopted