

**CITY OF CRAIG**

**ORDINANCE NO. 95-412**

AMENDING TITLE 18 OF THE CRAIG MUNICIPAL CODE MODIFYING ZONES, SUBDIVISION, ENFORCEMENT, NON-CONFORMING USE, RECREATIONAL VEHICLE PARK AND PARKING CHAPTERS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CRAIG, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the code of the City of Craig, Alaska.

Section 2. Severability. If any provision of this ordinance or its application 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 3. Effective Date. This ordinance shall be effective immediately upon adoption.

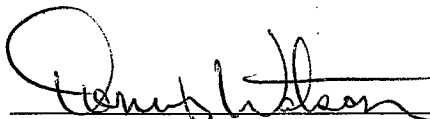
Section 4. Action. This ordinance amends the Craig Land Development Code by

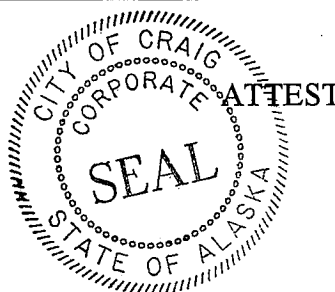
1. Adding to conditional uses in most zones;
2. Changing the non-conforming use definition;
3. Amending parking requirements;
4. Refining the development standards;
5. Clarifying the enforcement code;
6. Changing street and cul-de-sac sizes in subdivisions;
7. Requiring dedication of park land in subdivisions, and;
8. Adding to the requirements of an RV park as shown in the attached

Exhibit A - Proposed Land Development Code Changes, which is hereby made a part of this ordinance.

PASSED AND APPROVED ON

9-21-95

  
MAYOR DENNIS WATSON



ATTEST   
HELEN GRAY, CITY CLERK

## CHAPTER 18.03 - ENFORCEMENT

### 18.03.001 - ENFORCEMENT RESPONSIBILITY

The responsibility for the enforcement of the provisions of the Craig Land Development Code is assigned as follows:

- A. City Police Chief - It is the duty of the City Police Chief and of all police officers of the City to assist the Code Enforcement Officer in enforcing the Land Development Code.
- B. Code Enforcement Officer - The Mayor or City Administrator shall designate a person or persons to act as the Code Enforcement Officer to enforce this Code. The Code Enforcement Officer has the following responsibilities and powers in the enforcement of this title.
1. To review with affected individuals the provisions of applicable City Ordinances through initiation of administrative hearings and other methods to support voluntary compliance with its provisions.
  2. To issue citations for violations of this Title and to obtain compliance with this Title.
  3. To initiate by citation all necessary proceedings to forfeit bond or cash deposits.
  4. To initiate by citation proceedings to revoke approvals granted under this Code.
  5. To initiate all other enforcement proceedings authorized under this Code.

### 18.03.002 REVOCATION OF PERMIT OR APPROVAL, AND FORFEITURE OF BONDS OR DEPOSITS

A. Authority

1. The Code Enforcement Officer may initiate proceedings by citation to revoke the approval, or enforce a condition of approval, of any permit or land use approval issued pursuant to this Code in any case where a use of land has been established or conducted in a manner which violates or fails to observe the provisions of this Code or a condition of approval.
2. The Code Enforcement Officer may initiate proceedings by citation to forfeit all or a portion of a bond or cash deposit. Forfeiture of a bond or cash deposit requires a public hearing before the planning commission.

B. Content

1. A citation may order:
  - a. The discontinuance of any activity which does not comply with terms of this Title or with a term or condition of a permit or approval issued or bond or cash deposit posted under this Title.
  - b. The removal or abatement of buildings or structures, and the restoration of a site, developed or disturbed in violation of this Title or a term or condition of a permit or approval issued hereunder.
  - c. Any other action necessary to ensure compliance with all provisions of this Title and permits issued hereunder, including, but not limited to, suspension of permits until the condition of noncompliance has been remedied.

C. Review

1. Upon written application of the owner/developer, the commission shall review the citation at the first regular meeting after the date of such citation, providing for adequate public notice. Adequate public notice is completed when the notice of the meeting is posted in city hall, at the post office and in one other public place. The review shall be limited to the presence of the violations stated in the citation, and in such review the burden of proof shall be upon the owner/developer as appellant of the order. The commission shall make findings of fact, which shall be reduced to writing, together with its decision, in the form of a resolution. The decision of the commission may be to affirm, modify or rescind the citation. The decision of the planning commission shall be final unless appealed to the City Council in writing within thirty (30) days after the date the decision is mailed; or, if the person subject to the citation was present at the hearing at which the commission issued its decision, then within thirty (30) days thereafter. Such further appeal shall be in accordance with Chapter 18.04 APPEALS.

D. Procedures

1. Land Use Violations.
  - a. The Code Enforcement Officer shall notify the violator in writing of intention to issue a citation to enforce or revoke at least ten (10) days prior to an enforcement action. Such notice of citation is to contain the following:
    1. The heading reading, "Notice of Enforcement Action."

2. A list of the provisions of this Code and/or conditions violated and the means to correct such violation(s), if any.
    3. The penalties for non-compliance.
    4. An explanation of the appeal procedure.
  - b. Any person who initiated the action or complaint which led to the issuance of the citation shall also be notified by certified mail, return receipt requested.
2. Forfeiture of Bond or Cash Deposit.
  - a. The Code Enforcement Officer is to notify the person posting the bond or cash deposit of the intention to cause forfeiture of the bond or deposit at least twenty (20) days prior to a forfeiture hearing. Such notice is to contain the following:
    1. The heading reading, "Notice of Forfeiture Hearing."
    2. The reasons for seeking forfeiture and the remedial action required by the person posting the bond or deposit.
    3. The date, time, and place of the forfeiture hearing.
    4. The required penalties for non-compliance.
  - b. Notice of all Citation issuances and Forfeiture hearings shall be posted in City Hall, at the Post Office and in one other public place.

#### 18.03.003 SERVICE OF CITATION

Notice of citation, or a citation, issued under this section is to be done by the Code Enforcement Officer.

##### A. Service

1. A copy of the citation is to be either served personally or by mail, postage prepaid, certified mail, return receipt requested, to the owner of the affected premises as shown on the last equalized assessment roll. If no address can be found or is known to the Code Enforcement Officer, then the citation is to be mailed to such person at the address of the premises affected by the proceedings. The refusal of any person who receives a citation to acknowledge its receipt in writing does not affect the validity of any proceedings taken hereunder. The Code Enforcement Officer shall submit a sworn statement relating to attempts to serve a citation which is refused. This sworn statement can be used to show proof of service.
2. If the citation is delivered by hand, and the owner or developer cannot be found, it shall be posted (in a rainproof envelope) in a conspicuous place on

the site. Notice of the citation shall also be posted at city hall, the post office and one other public place for seven consecutive days. The Code Enforcement Officer shall transmit a copy of the citation to the chairman of the planning commission, and shall keep a copy of the order in a permanent record.

3. A copy of the notice is to be recorded with the City Clerk.

#### 18.03.004 RELEASE OF CITATION

Where a citation has been served pursuant to this code, and the Planning Commission has determined that the owner of an affected premises has corrected the condition which was the basis for initiation of enforcement action, the Code Enforcement Officer shall record a Release of Citation with the City Clerk and shall provide a copy to the owner.

#### 18.03.005 INTERFERENCE PROHIBITED

No person shall hinder, interfere with or impede the Code Enforcement Officer in the performance of duties assigned by this title, or other codes and ordinances of the City of Craig.

#### 18.03.006 PARTIES

A proper party for any enforcement action under this Title includes, but is not limited to, the owner of the site or any part thereof, any lessee or occupant of the site or any part thereof, and the developer and its agents, contractors, subcontractors and employees, who participate in, assist, commit or maintain a violation

#### 18.03.007 PENALTIES AND REMEDIES

##### A. Civil Remedies

1. Upon violation of any of the provisions of this Title or of a permit or any conditions thereon issued pursuant hereto, the Code Enforcement Officer on behalf of the City, or any aggrieved citizen, may institute or cause to be instituted any appropriate civil action to prevent, enjoin, abate, estop, remove or punish such violation and to obtain monetary damages suffered by such party.
2. In addition to injunctive and compensatory relief, each violation shall be subject to a civil penalty not to exceed \$1,000 and attorney's fees as provided by law.

3. Each day a violation continues, following issuance of a citation requiring its cessation, shall constitute an additional violation for purposes of assessing civil penalties.
4. An action to enjoin a violation of this chapter may be brought notwithstanding the availability of any other remedy. Upon application for injunctive relief and the finding of an existing or threatened violation, the Court shall grant injunctive relief to restrain the violation.

B. Criminal Remedies

1. Unless otherwise specifically provided, any violation of the provisions of this Title or failure to comply with its requirements, including a violation of any condition placed on any permit or approval issued under this Title, and including the willful violation of any citation issued hereunder, is a misdemeanor. Any person convicted of a misdemeanor under the ordinances of the city shall be punished by a fine of not to exceed three hundred dollars.
2. Each violation of this title occurring on a separate day and each failure to comply with the mandatory requirements of an ordinance on separate days constitutes a separate offense and the person found guilty of such repeated offenses shall be punished accordingly.

## CHAPTER 18.05 - ZONE DESIGNATIONS

### 18.05.001 RESIDENTIAL - LOW DENSITY (RL)

The purpose of the RL zone is to maintain property values and provide for aesthetically pleasing neighborhoods by permitting only single family houses, modular homes, and a limited range of compatible uses.

#### A. PERMITTED USES

1. Single family houses or duplex\*.
2. Modular homes\* or modular duplex.
3. Home occupation\* or office in residential area.\*
4. Accessory buildings\* for private/residential uses such as a garage, shed, private storage of a recreational vehicle, travel trailer, recreational boat, truck up to two tons when reasonably consistent with neighborhood surroundings or screened from view.
5. Essential services\*.
6. Travel trailer\* or motor home\* occupied by nonpaying guests accessory to a residence for a term not to exceed 90 days in any 120 day period.

#### B. TEMPORARY USES - See Section 18.06.005 Temporary Use Permit

#### C. CONDITIONAL USES

1. Religious Assembly\*.
- ~~2. Kennels\*.~~
- ~~3. Keeping of animals for profit or for more than personal use; keeping of large animals such as cattle, sheep, horses, pigs, and goats; keeping of more than four dogs with the exception of unweaned puppies; keeping of roosters or other noisy livestock; keeping of non-domestic animals such as wolf, bear, deer, snakes (state licenses and permits must also be obtained).]~~
2. Electrical Utility Substations and related uses.
3. Day Care Center\*.

4. Community Education\*
5. Public Housing
6. Logging\*
7. Group Residential\*
8. Parking truck or other equipment over two tons
9. Buildings built above maximum height
10. On lots which do not have an established principal use, normal accessory buildings\* for private/residential uses such as a garage, shed, private storage of a recreational vehicle, travel trailer, recreational boat, truck up to two tons when reasonably consistent with neighborhood surroundings or screened from view.

11. Bed and Breakfast

D. PROHIBITED USES Included but are not limited to:

1. Disturbances\*
2. Hazards\*
3. Mobile homes
4. Mobile home park\*

E. PROPERTY DEVELOPMENT STANDARDS

1. MINIMUM LOT SIZE - 9,000 square feet.
2. MINIMUM LOT WIDTH
  - a. Sixty (60) foot minimum lot width.



18.05.002 RESIDENTIAL - MEDIUM DENSITY (RM)

The purpose of the RM zone is to maintain property values and improve neighborhoods while providing for a variety of housing types and a limited range of compatible uses.

A. PERMITTED USES

1. All uses permitted in the Residential Low Density zone
2. Mobile Homes\* which meet the following:
  - a. Minimum size - 12' x 40'.
  - b. Skirting required.
3. Zero lot line\* development of two dwelling units or less.

B. TEMPORARY USES - See Section 18.06.005, Temporary Use Permit

C. CONDITIONAL USES

1. Religious Assembly\*.
2. Day Care Center\*.
3. Apartments. (Four units or more)
4. Zero Lot Line Development\* of more than two dwelling units.
5. Community Education\*
6. Public Housing.
7. Logging\*.
8. Group Residential\*.
9. Utility Substations and related uses.
- ~~10. Lodges for residential use\* with a maximum of six units accommodating a maximum of 18 people or less on a temporary basis.~~
- ~~11. Kennels\*.~~

~~[12. Keeping of animals for profit or for more than personal use; keeping of large animals such as cattle, sheep, horses, pigs, and goats; keeping of more than four dogs with the exception of unweaned puppies; keeping of roosters or other noisy livestock; keeping of non-domestic animals such as wolf, bear, deer, snakes (state licenses and permits must also be obtained).]~~

12. Parking truck or equipment over two tons on property.

13. Home occupation\* in accessory building\*.

14. Buildings built above maximum height.

15. On lots which do not have an established principal use, normal accessory buildings\* for private/residential uses such as a garage, shed, private storage of a recreational vehicle, travel trailer, recreational boat, truck up to two tons when reasonably consistent with neighborhood surroundings or screened from view.

16. Bed and Breakfast.

D. PROHIBITED USES (Included but are not limited to:)

1. Hazards\*.
2. Disturbances\*.
3. Mobile home park\*

E. PROPERTY DEVELOPMENT STANDARDS

1. MINIMUM LOT SIZE - 8,000 square feet
2. MINIMUM LOT WIDTH
  - a. Fifty (50) feet
  - b. Corner lots, sixty (60) feet

18.05.003(A) RESIDENTIAL - HIGH DENSITY (RH)

The purpose of the RH zone is to maintain property values and improve neighborhoods while providing for a variety of housing types, income levels, and a limited range of compatible uses.

A. PERMITTED USES

1. Uses permitted in the Residential Medium Density zone
2. Four-Plex (four dwelling units in one structure)
3. Mobile homes\* which meet the following:
  - a. Minimum size - 10' x 38'.
  - b. Skirting.
4. Zero lot line development\* of four dwelling units or less
5. Recreational Vehicle Park

B. TEMPORARY USES - See Section 18.06.005, Temporary Use Permit

C. CONDITIONAL USES

1. Religious Assembly\*.
2. Day Care Center\*.
3. Apartments. (Five units or more)
4. Zero Lot Line Development\* of five or more dwelling units.
5. Community Education\*.
6. Logging\*.
7. Group Residential\*.
8. Home occupation\* in accessory building\*.
- [9. ~~Kennels\*.~~]

~~[10. Keeping of animals for profit or for more than personal use; keeping of large animals such as cattle, sheep, horses, pigs, and goats; keeping of more than four dogs with the exception of unweaned puppies; keeping of roosters or other noisy livestock; keeping of non-domestic animals such as wolf, bear, deer, snakes (state licenses and permits must also be obtained).]~~

9. Mobile Home Parks\*. (See MHP ordinance.)
10. Parking truck or equipment over two tons on property.
11. Off-premises signs.
12. Utility Substations and related uses.
13. Buildings built above maximum height.
14. On lots which do not have an established principal use, normal accessory buildings\* for private/residential uses such as a garage, shed, private storage of a recreational vehicle, travel trailer, recreational boat, truck up to two tons when reasonably consistent with neighborhood surroundings or screened from view.
15. Bed and Breakfast

D. PROHIBITED USES Include but are not limited to:

1. Disturbances\*.
2. Hazards\*.

E. PROPERTY DEVELOPMENT STANDARDS

1. MINIMUM LOT SIZE - 8,000 square feet
2. MINIMUM LOT WIDTH
  - a. Fifty foot minimum lot width;

SECTION 18.05.003(B) RESIDENTIAL HIGH DENSITY I (RH-I)

The purpose of the RH zone is to maintain property values and improve neighborhoods while providing for a variety of housing types, income levels, and a limited range of compatible uses.

The RH-I zone modifies the RH zone to allow greater intensity of development on the smaller lots in the portion of Craig from the harbors west (USS 1430, USS 1429).

A. PERMITTED USES

Uses permitted in the Residential High Density zone

B. TEMPORARY USES - See Section 18.06.005, Temporary Use Permit

C. CONDITIONAL USES

1. Religious Assembly\*.
2. Day Care Center\*.
3. Apartments. (Five units or more)
4. Zero Lot Line Development\* of five or more dwelling units.
5. Community Education\*.
6. Group Residential\*.
7. Home occupation\* in accessory building\*.

~~[8. Kennels\*.]~~

~~[9. Keeping of animals for profit or for more than personal use; keeping of large animals such as cattle, sheep, horses, pigs, and goats; keeping of more than four dogs with the exception of unweaned puppies; keeping of roosters or other noisy livestock; keeping of non-domestic animals such as wolf, bear, deer, snakes (state licenses and permits must also be obtained).]~~

8. Mobile Home Parks\*. (See MHP ordinance.)
9. Parking truck or equipment over two tons on property.

10. Off-premises signs.
11. Utility Substations and related uses.
12. Buildings built above maximum height.
13. On lots which do not have an established principal use, normal accessory buildings\* for private/residential uses such as a garage, shed, private storage of a recreational vehicle, travel trailer, recreational boat, truck up to two tons when reasonably consistent with neighborhood surroundings or screened from view.

14. Bed and Breakfast.

D. PROHIBITED USES Include but are not limited to:

1. Disturbances\*.
2. Hazards\*.
3. Subdivisions creating lots less than 6,000 square feet

E. PROPERTY DEVELOPMENT STANDARDS

1. MINIMUM LOT SIZE - 6,000 SQUARE FEET
2. MINIMUM LOT WIDTH
  - a. Fifty foot minimum lot width;
  - b. Corner lots - Sixty (60) foot minimum lot width
  - c. See Section 18.15 B, Non-Conforming Lots of Record

#### 18.05.004 COMMERCIAL ZONE

The purpose of this zone is to accommodate a wide range of commercial and compatible light industrial uses in appropriate areas.

##### A. PERMITTED USES

The following uses are permitted when the City Planning Official determines that design and operation of proposed uses will not interfere with the efficiency of, proposed expansion of, or access to water dependent or water related uses unless 1) there is a documented public need for the proposed use, 2) no alternative site, and 3) the public good will be served better by the proposed use than the water-dependent/water related\* use.\*\*

1. Administrative Services and Offices.
2. Ambulance services.
3. Residential uses (apartments, watchman's quarters, etc.) accessory to\* other permitted uses. Residential uses within this zone must be accommodated within commercial buildings. Residential uses may not occupy street frontage at ground level. [Residential uses accessory to\* permitted uses plus 1-4 apartments within the commercial building (Land owners are encouraged to build apartments above street level in order to reserve commercial lands.)]
4. Auto and other light vehicle\* sales and rentals.
5. Banks and other financial institutions.
6. Building materials and supplies.
7. Restaurants and other eating establishments.
8. Light equipment\* sales, rentals.
9. Government Complexes\*.
10. Lodges and resorts\*.
11. Gunsmiths, locksmiths, and related sales and services
12. Lodging (Hotels, Motels)

13. Laundromat, laundries, dry cleaning establishments.
14. Medical services.
15. Lodges of fraternal orders, labor and social organizations.
16. Newspaper offices.
17. Post Office.
18. Professional, finance, real estate and brokerage offices.
19. Community Recreation\*.
20. Retail Sales and rentals\*.
21. Taxi stands.
22. Theaters.
23. Veterinary office -- no outdoor kennels.
24. Mini-storage units.
25. Essential Services\*.
26. Marine sales.
27. Recreational Vehicle Park

**B. LIMITATION OF ZONE CHANGE**

Zone changes to this Zone may be limited to one or more permitted uses.

**C. TEMPORARY USES - See Section 18.06.005, Temporary Use Permit**

**D. CONDITIONAL USES**

1. Commercial\* and light industrial\* uses meeting the criteria of Section 18.06.002C, Conditional Use Permits and definitions of Chapter 18.16, Definitions -Commercial and Light Industrial
2. Veterinary office. (Outdoor kennels)
3. Fish processing.



4. Utility generation plants, substations, etc.
5. Off-premises signs.
6. Bars, restaurants and other establishments providing for the sale of alcoholic beverages
7. Transportation and trucking and moving and storage facilities.
8. Gas stations.
9. Storage or retail sales of gases and other explosive or hazardous materials.
10. Auto, auto body, marine, and light equipment repair.
11. Building built above maximum height.
12. Bed and Breakfast.

E. **REQUIRED FINDINGS** for approving or denying Conditional Use Permits. (See Section 18.06.002C, Conditional Use Permits)

F. **PROHIBITED USES** (Include but are not limited to:)

1. Subdivision for residential use.
2. Uses which degrade air, water, or land resources quality\* without mitigative measures which alleviate impacts.
3. Disturbances\* and/or Hazards\*
4. Mobile home park

## 18.05.005 LIGHT INDUSTRIAL ZONE

The purpose of this zone is to accommodate low intensity\* industrial and commercial uses which will be relatively compatible with existing and proposed residential uses. The shortage of available land in Craig necessitates land use mixtures which may conflict. It is the intent of this zone to allow industrial and commercial uses which do not cause excessive traffic noise, vibration, smoke, dust, or other pollutants. Excessive is defined as of a substantially greater intensity and duration than commonly associated with surrounding uses.

### A. PERMITTED USES

1. Mini-storage units.
2. Moving and storage firms.
3. Offices, professional, or administrative services.
4. Veterinary office. (No outdoor kennels)
5. Communication services which do not interfere with local reception. (Typically including TV and radio studios, telegraph office, telecommunication centers.)
6. Retail sales of building materials, auto, marine, logging, or aircraft supplies.
7. Motel/Hotel - 20 units or less.
8. Light equipment\* sales, storage, and rentals for off site use.
9. Plant nurseries.
10. Car washes, laundromats - 20 washers or less, dry cleaning services.
11. Small appliance repair.
12. Business support\*.
13. Residential uses (apartments, watchman's quarters, etc.) accessory to\* other permitted uses. Residential uses within this zone must be accommodated within industrial buildings. Residential uses may not occupy street frontage at ground level. [~~Watchman's quarters and residential uses accessory\* to permitted uses plus 1-4 apartments within light industrial buildings.~~]

~~[14. Owner's dwelling other than a mobile home when accessory to a permitted principal use and associated residential uses accessory to the dwelling.]~~

14. Boat and RV Storage.
15. Computer and office equipment sales and service.
16. Gunsmiths, locksmiths, and related services.
17. Essential Services\*.
18. Parking truck or other equipment over two tons.

**B. LIMITATION OF ZONE CHANGES**

Zone changes to the Light Industrial zone may be limited to one or more permitted uses.

**C. TEMPORARY USES - See Section 18.06.005, Temporary Use Permit and Owner's dwelling in a mobile home**

**D. CONDITIONAL USES**

1. Fish Processing.
2. Light custom manufacturing.
3. Hotel/Motel greater than 20 units.
4. Laundromat greater than 20 washers.
5. Vehicle and equipment storage and parking.
6. Community recreation\*.
7. Heavy and Light Equipment\* repair and service.
8. Other low intensity\* commercial and industrial uses which satisfy the criteria of Section 18.06.002C, Conditional Use Permits.
9. Sale and storage of fuels and gases in compliance with applicable fire codes.
10. Repair and sales of recreational boats and motors.

11. Off-premises signs.
12. Transportation and trucking excluding air transport.
13. Buildings built above maximum height.
14. Bed and Breakfast

E. PROHIBITED USES Include but are not limited to:

1. Uses which degrade air, water, or land resources quality\* without mitigative measures which alleviate negative impacts.
2. Subdivision for residential purposes.
3. Disturbances\*.
4. Hazards\*.
5. Mobile home parks.

F. PROPERTY DEVELOPMENT STANDARDS.

1. MINIMUM LOT SIZE - Ten thousand (10,000) square feet
2. MINIMUM LOT WIDTH
  - a. Fifty (50) foot minimum lot width.
  - b. Sixty (60) foot minimum lot width for corner lots.
  - c. See Section 18.15 B, Non-Conforming Lots of Record
3. PARKING - See Chapter 18.14, Parking.

## 18.05.006 MARINE INDUSTRIAL ZONE

The purpose of the Marine Industrial Zone is to reserve areas with direct access to navigable tidal waters giving first priority to water dependent\* industrial uses and second priority to water related\* industrial and commercial uses while providing for non-preemptive\* interim uses.

### A. PERMITTED USES

The following uses are permitted when the City Planning Official determines\*\* that:

1. Facility design makes the most efficient use of the waterfront area without interfering with efficient facility operation, and that
2. The design and operation of proposed uses will not interfere with the efficiency of, the proposed expansion of, or access to water dependent or water related uses unless:
  - a. There is a documented public need for the proposed use.
  - b. No alternative site.
  - c. The public good will be served better by the proposed use than the water dependent or water related use.\*\*
    - 1) Barge freight terminals and accessory uses\*.
    - 2) Ferry terminals and accessory uses\*.
    - 3) Fuel piers - Bulk Fuel Storage and accessory uses\*.
    - 4) Port facilities and accessory uses\*.
    - 5) Seafood processing plants and facilities.
    - 6) Cold Storage plants and facilities.
    - 7) Marine research or experiment stations.
    - 8) Ice manufacture, storage and sales primarily for fishing and fish processing.

\*\*Determination to be made administratively by the City Planning Official or referred to the Planning Commission for decision if the findings in 18.05.006A, #2a,b,&c must be made.

- 9) Boat storage yards and sale facilities.
- 10) Shipyards.
- 11) Marine Way Facilities.
- 12) Docks and harbor facilities including floatplane operations and accessory uses.
- 13) Administrative offices accessory to\* permitted uses.
- 14) Boat charter services.
- 15) Recreational Boat Marina, and other buildings necessary to the operation of the boat marina.
- 16) Residential uses accessory to\* permitted uses such as watchman's apartment, owner-operator's home, or bunkhouses.
- 17) Uses not listed as permitted or conditionally permitted uses when established prior to the effective date of this code in accordance with applicable federal, state, and City statutes.
- 18) Essential Services.
- 19) Non-preemptive homes for residential use when in conformance with density standards of Section 18.05.006 E.2.

NOTE: Three or more mobile homes on one lot or parcel are defined as a Mobile Home Park and must be reviewed according to Chapter 18.07 Mobile Home Park Ordinance. (and accompanied by a change to a residential zone unless accessory\* to permitted uses.)

B. TEMPORARY USES - See Section 18.06.005, Temporary Use Permit

C. CONDITIONAL USES

1. Other water dependent/related\* industrial uses or other water dependent/related commercial uses.

2. Other non-preemptive commercial or industrial uses.
3. Helipad and heliport facilities.
4. Buildings built above maximum height.
5. Bed and Breakfast

D. PROHIBITED USES Include but are not limited to:

1. Uses which degrade air, water, or land resources quality\* without mitigative measures which alleviate impacts.
2. Subdivision for residential purposes.
3. Disturbances\*.
4. Hazards\*.

E. PROPERTY DEVELOPMENT STANDARDS

1. MINIMUM LOT WIDTH

- a. Fifty (50) foot minimum lot width.
- b. Sixty (60) foot minimum lot width for corner lots.
- c. See Section 18.15 B, Non-Conforming Lots of Record.

2. DENSITY AND MINIMUM LOT SIZE

- a. Six thousand (6000) square foot minimum lot size
- b. Density for non-preemptive\* homes - 6000 square feet of vacant lot area for one dwelling unit\* and 3500 square feet for one additional dwelling unit per lot.

## 18.05.007 HEAVY INDUSTRIAL ZONE

The purpose of the Heavy Industrial zone is to accommodate heavy industrial uses in areas which limit conflicting uses due to location, topographical conditions, and planned adjacent land uses. Due to the limited availability of these lands, priority will be given to heavy industrial uses.

### A. PERMITTED USES

The following uses are permitted when the City Planning Official determines\*\* that:

- 1) Facility design makes efficient use of the waterfront area without interfering with efficient facility operation, and that:
- 2) The design and operation of proposed uses will not interfere with the efficiency of, the proposed expansion of, or access to water dependent or water related uses unless:
  - a. There is a documented public need for the proposed use.
  - b. No alternative site.
  - c. The public good will be served better by the proposed use than the water dependent or water related use.\*\*
1. Essential services\*.
2. The manufacture, warehousing, compounding, processing, assembling, packaging, treatment, or fabrication of materials or property.
3. Heavy, Light and Marine equipment repair and maintenance.
4. Moving, and storage facilities.
5. Transportation and trucking firms.
6. Vehicle and equipment storage.
7. Storage of fuels, and propane in compliance with applicable fire codes. (Specific fencing may be required.)
8. Junkyards\* and salvage yards\* screened from view from adjacent residences or public ways.



9. Uses allowed in Marine Industrial Zone, excepting non-pre-nonpre-emptive uses.
10. Administrative offices, accessory to permitted uses.
11. Residential uses (apartments, watchman's quarters, etc.) accessory to\* other permitted uses. Residential uses within this zone must be accommodated within industrial buildings. Residential uses may not occupy street frontage at ground level. [~~Residential uses, accessory to\* industrial uses such as watchman's apartment, owner operator's home, necessary bunkhouses, etc.]~~]
12. Fish processing.

**B. LIMITATION OF ZONE CHANGE**

Zone changes to the Heavy Industrial Zone may be limited to one or more permitted uses.

**C. TEMPORARY USES - See Section 18.06.005, Temporary Use Permit**

**D. CONDITIONAL USES**

1. Uses allowed in commercial and light industrial zones.
2. Other heavy or light industrial uses.
3. Off-premises signs.
4. Helipad and heliport facilities.
5. Building built above maximum height.
6. Dog pound, veterinary facilities and kennels.

NOTE: Criteria in Section 18.06.002 C and G, Conditional Use Permits, Required Criteria for Approval, must be met.

## 18.05.009 FORESTRY

The purpose of this zone is to maintain forest lands for forest uses. Forest uses include the use of land for the production of trees and processing of forest products; fish and wildlife habitat; watershed protection; soil protection from wind and water; outdoor recreational activities and related support services; open space, noise, visual, and wind buffers; streamside buffers for habitat protection.

### A. PERMITTED USES

1. Forestry and logging in compliance with the Alaska Forest Resources and Practices Act.
2. Fish and Wildlife management.
3. Watershed protection.
4. Mineral and aggregate extraction when located at least 1320 feet (one quarter mile) from development or residential, commercial, or public zones and 300 feet from streams and other habitat areas.
5. Recreational Uses. (Hunting, fishing, hiking, hiking trails, camping, picnicking, R.V. parks, and similar low intensity uses.)
6. Public research areas.
7. Administrative services needed for permitted uses.
8. Fire stations.
- ~~9. Manufacturing, wholesaling, storage, and distribution of forest products when located at least one quarter mile from development or residential, public or commercial zones.~~
- ~~10. Lodges and resorts\*.]~~

### B. TEMPORARY USES - See Section 18.06.005 Temporary Use Permit

### C. CONDITIONAL USES

1. Mineral extraction within one quarter mile of development or residential or public zones or within 300 feet of streams and other habitat areas.
2. Wholesaling, storage, distribution and manufacture of forest products.

3. Power generating plants.
4. Solid waste disposal sites and junkyards.
5. Uses permitted or conditionally permitted in industrial and commercial zones.
6. Airstrips and helipads.
7. House or mobile home as residence when needed for forestry uses.

D. REQUIRED FINDINGS for granting or denying Conditional Use Permits. (See Section 18.06.002 C&E, Conditional Use Permits.)

E. PROHIBITED USES

1. Uses which degrade air, water, or land resources quality\* without mitigative measures which alleviate negative impacts.
2. Subdivision for residential use.

F. PROPERTY DEVELOPMENT STANDARDS

1. MINIMUM LOT SIZE - [~~No minimum lot size.~~] 40 acres.
2. PARKING - See Chapter 18.14, Parking.
3. SETBACKS: Twenty five (25) feet from all property lines. Interior setbacks - six (6) feet between structures unless fire wall is approved and built according to adopted building and fire codes unless both structures are mobile homes in which case the interior setback shall be ten (10) feet.
4. STORAGE, LOADING, SERVICE AREAS  

Open storage and loading or service areas shall be screened from the view of adjacent residences or public ways.
5. BUILDING HEIGHTS - 30 feet maximum

MEASUREMENT The building height shall be calculated as the average of three sides of the building measured from finished grade to the lowest extension of the roof eaves.

C.U.P. A Conditional Use Permit may be requested to build higher. See Section 18.06.002 K, Required Findings

6. SIGNS

- a. Must be on premises.
- b. No sign or group of signs may be of a total combined size larger than 10% of the area of the wall on which they are mounted or front with a maximum of 200 square feet of sign per business.
- c. Off-premises signs may be allowed by Conditional Use Permits.
- d. No signs shall flash or move; cause glare on any public way or surrounding residential property or be illuminated between the hours of 11 p.m. and 7 a.m. unless relating to an establishment open during those hours.

The purpose of the RS zone is to provide for a pleasant, very low density neighborhood by permitting compatible low intensity uses on larger lots.

A. PERMITTED USES

1. Uses permitted in the Residential Low Density zone.
2. Mobile Homes
  - a. 12' x 40' minimum
  - b. Placed upon a permanent foundation and skirted with appropriate material.
  - c. Wood or vinyl siding required. Gabled roofs required.

~~[3. Lodges and resorts\*]~~

3. Public ballparks, cemetery and community picnic areas.

B. TEMPORARY USES - See Section 18.06.005 Temporary Use Permit

C. CONDITIONAL USES

1. Religious Assembly\*.

~~[2. Kennels\*.]~~

~~[3. Keeping of animals for profit or for more than personal use; keeping of large animals such as cattle, sheep, horses, pigs, and goats; keeping of more than four dogs with the exception of unweaned puppies; keeping of roosters or other noisy livestock; keeping of non-domestic animals such as wolf, bear, deer, snakes (state licenses and permits must also be obtained).]~~

2. Electrical Utility Substations and related uses.
3. Day Care Center\*.
4. Community Education\*.
5. Public Housing
6. Logging\*

7. Group Residential\*
8. Parking truck or other equipment over two tons
9. Home occupation\* in accessory building\*
10. Buildings built above maximum height
11. Libraries, museums, art galleries and similar uses.
12. Outdoor recreation facilities
13. RV Park/tourist camping facility
14. Veterinary office -- no outdoor kennels
15. Bed and Breakfast

**D. PROHIBITED USES**

1. Any use or structure not listed under Permitted Uses, Temporary Use or Conditional Uses
2. Disturbances\*
3. Hazards\*

**E. PROPERTY DEVELOPMENT STANDARDS**

1. MINIMUM LOT SIZE - Ten thousand (10,000) square feet.
2. MINIMUM LOT WIDTH - [~~One Hundred (100)~~] Seventy Five (75) feet.
3. SETBACKS
  - a. Ten (10) feet from all lot lines.

## 18.08. RECREATIONAL VEHICLE PARK ORDINANCE

### A. PURPOSE

The purpose of the Recreational Vehicle Park Ordinance is to provide for functional, sanitary, and aesthetically pleasing recreational vehicle parks.

### B. PROCEDURE

#### 1. Application

All applications shall be initiated by the property owner or his authorized representative by paying the required fee and by filing an application on City forms no less than 15 days prior to the hearing date along with the following:

a. A plot plan which includes:

- 1) Name and address of property owner
- 2) Scale 1"=50' or other approved scale
- 3) North point and date
- 4) Reference to survey lot corner, section, township and range
- 5) Park boundary and approximate dimensions
- 6) Location and dimensions of all park improvements including but not limited to:
  - a) R.V. Vehicle park space dimensions
  - b) Sewer and water lines, pump stations, fire hydrants, dump stations, etc.
  - c) Power poles
  - d) Existing and proposed buildings
  - e) Garbage dumpsters
  - f) Open spaces, play areas, storage areas, etc.
- 7) Drainage ways and easements

8) Hazard and problem areas, (high water table, steep slopes, etc.)

9) Width and approximate grade of park access roads and their connection with main access roads

10) Vicinity map

11) Existing and proposed easements

b. A management plan which includes:

1) Proposed regulations inside the park

2) Method for operating and maintaining toilet facilities, garbage collection, etc.

3) Method for insuring that water, sewer, and electrical hookups conform to adopted health and safety standards

4) Management plan for non-residential uses inside the park

5) If required, landscape plan for the vegetative screen indicating the type of vegetation, spacing of plants, and maintenance provisions for the screen which shall be view obscuring within two years or description of type of fencing and provision for fence maintenance.

6) Once approved by the Planning Commission, this agreement shall be signed by the developer and filed with the City Clerk

## 2. Notice

Notice shall be given as required by Section 18.06.002 B. #2, Conditional Use Permit, Procedure, Notification.

## C. REQUIRED CRITERIA FOR APPROVAL

The Required Criteria for Approval shall be the same as required by Section 18.06.002 C (and D-L as applicable), Conditional Use Permits, Required Criteria for Approval.

## D. STANDARDS

### 1. Required Facilities

a. Water and sewage disposal facilities as follows:



1) Each park shall provide or there shall exist within a ten mile radius one sanitary dump station or all recreational vehicle spaces shall be provided with sewer and water hookups.

2) Each park shall provide and maintain a minimum of one tenant toilet facility for each 12 spaces.

3) Water and greywater disposal shall be provided within 300 feet of each park space.

4) Where sewage hookups are provided to each space, water shall also be provided.

5) Shower facilities shall be provided in parks which provide 25 or more R.V. park spaces.

6) Sewage hookups shall be made to either the City sewer system or to a community system approved by the City in accordance with applicable State and local standards.

**b. Garbage Disposal**

1) Each park shall provide and maintain animal proof garbage disposal facilities.

**c. Parking**

1) Each park shall provide at least one off-street parking space per recreational vehicle.

**d. Minimum Space Size**

1) Each park shall provide recreational vehicle park spaces a minimum of 1500 square feet in size. Park designs may include tent camping and other special use areas which vary from this standard if approved by the Planning Commission.

**e. Vehicle Pads**

1) Each park shall provide recreational vehicle pads with a surfaced area which minimizes mud and provides a suitable parking area for recreational vehicles.

f. Setbacks

Each park shall provide minimum setbacks as follows:

- 1) Setbacks from R.V. space lines for all structures, recreational vehicles, etc. 5' (five feet)
- 2) Setback of all structures, recreational vehicles, etc. from streets and access ways other than park access roads 20' (twenty feet)
- 3) Setbacks for all structures, recreational vehicles, etc. from adjacent property lines 15' (fifteen feet)

g. Access

Parks shall provide access as follows:

- 1) Shall provide access for individual park spaces from internal park access roads
- 2) Shall provide park access roads which are a minimum width of 20 feet of improved surface approved by the City and City Fire Chief
- 3) Shall provide two access points from the park to allow for escape in case of fire, where ever possible
- 4) Shall provide access designed to minimize congestion and hazards (access to be approved by the City)
- 5) Shall provide access which insures that a fire truck can approach within 100 feet of each park space

h. Health and Safety, General

- 1) Each park shall provide for the topping or removal of trees which have the potential to damage property within the park.
- 2) Each park shall provide for the removal and proper disposal of cut trees, timber, debris, rubbish, or other waste materials.
- 3) Each park shall provide a drainage plan for the park which eliminates standing water within the park and provides adequate drainage.

4) In areas where recreational vehicles would be exposed to strong winds, the Planning Commission may require the installation of stabilizing or anchoring devices.

i. Significant Features

1) Each park shall provide that existing features which are significant to the community or are required to be protected by law (such as bald eagle nest trees), be preserved in the design and protected as required by law or as required by the Planning Commission.

2) Appropriate agencies shall be notified at least 10 days prior to the hearing date for the park.

j. Other Requirements

All recreational vehicle parks shall:

1) Limit occupancy of any single RV to a maximum of 90 days within any 120 day period within the RV park.

2) Comply with all applicable adopted codes including but not limited to:

- a) Uniform Fire Code,
- b) National Fire Protection Association "Standard for Fire Safety Criteria for Recreational Vehicle Parks and Campgrounds" and "Standard on Fire Safety Criteria for Recreational Vehicles,"
- c) National Electrical Code,
- d) Plumbing Code

3) Comply with the Craig Coastal Management Program (Enforceable Rules), and Craig Comprehensive Plan (Policies and Craig Land Development Code)[, ~~and City Reconveyance Plan~~].

4) At all times, document the arrival date, departure date and exact length of stay of every RV located within the boundaries of the RV park. Said documentation shall be made immediately available to the city planning official or city police upon their request.

5) The Planning Commission or the City Planning Official may impose other design standards which would make the recreational vehicle park more compatible with surrounding land uses, the Comprehensive Plan goals, or to protect the public health, safety, or welfare.

k. Screening, if required

If a screen of view obscuring fencing or vegetation is required, the standards shall be as follows:

- 1) Where fencing is intended as screening, the Planning Commission or City Planning Official shall approve the type, color, and height of fencing material which shall be sight obscuring, well-maintained, and aesthetically pleasing.
- 2) Where vegetation is intended as screening, the screen shall be a minimum of ten feet wide and spacing and vegetation size shall be planned to be sight obscuring within two years of planting. Minimum tree height at planting shall be 5 (five) feet. Evergreen species to predominate.
- 3) Within the required R.V. park management plan, the developer shall indicate maintenance provisions for the screen or fencing.

2. DUMPSITES, IF REQUIRED

a. Dumpsites shall:

- 1) Conform to applicable State standards (plans to be reviewed by Department of Environmental Conservation)
- 2) Be surrounded by a curbed concrete apron or trough of at least 3 feet by 3 feet and provided with a suitable hinged cover milled to fit tight.
- 3) Have a means for flushing the immediate area and the camping vehicle holding tank. It shall consist of a properly supported water rinser pipe, terminating two feet above the ground with a 3/4 inch valved outlet and attached hose. The water outlet shall be protected against back-syphonage and backflow by an approved vacuum breaker installation located downstream from the shut-off valve.

E. REQUIREMENTS FOR RECREATIONAL VEHICLES WITHIN PARKS

1. Recreational vehicles must be licensed to operate on state highways while located within a recreational vehicle park.
2. The removal of wheels of a recreational vehicle (except for the temporary purpose of repair), is prohibited.
3. The installation of skirting and the installation of wannigans or other structures is prohibited.

## F. RESPONSIBILITIES OF MANAGEMENT

1. The person to whom a permit for a recreational vehicle park is issued shall operate the park in compliance with this ordinance and shall provide adequate supervision to maintain the park, its facilities, and equipment in good repair and in a clean and sanitary condition.
2. The park management shall notify park occupants of all applicable provisions of this chapter.
3. The park management shall supervise the placement of each recreational vehicle in its park space. Placement may include securing, stabilizing, and installing utility connections.

## G. PERMITS REQUIRED - CONDITIONAL USE PERMIT, BUILDING PERMIT, AND OCCUPANCY PERMIT

1. An applicant must obtain a Conditional Use Permit in accordance with Section 18.06.002, Conditional Use Permits.
2. After the Conditional Use Permit has been obtained, the developer must obtain a Building Permit from the City. The developer must submit construction drawings, layouts and specifications sufficient to verify that proposed construction and improvements conform to adopted codes and ordinances.
3. After the Building Permit is issued, the applicant must apply for an Occupancy Permit.
  - a. The Occupancy Permit will not be issued until all required improvements, including the view obscuring screen, if required, have been installed or a bond or security deposit for their ultimate installation provided as required by Section 18.10.050, Guarantee of Required Improvements.
  - b. The Occupancy Permit will be issued when the City determines that the park meets the requirements of the Recreational Vehicle Park Ordinance and other requirements which may have been made.
  - c. The Occupancy Permit shall be valid for one year. The permit shall be renewed if the City inspects the park and finds it to be in conformance with applicable ordinances.

## H. ENFORCEMENT

When it is determined that the recreational vehicle park may be in violation of this ordinance or other applicable codes, the procedures and penalties of Chapter 18.03, Enforcement, shall apply.

18.09.006 REQUIRED CRITERIA FOR APPROVAL. MAJOR AND MINOR PLATS.

- A. That the proposed subdivision is consistent with the Craig Coastal Management Program and Craig Comprehensive Plan. [~~and City Reconveyance Plan.~~]
- B. That historic buildings or sites or natural features which are significant to the community or required to be protected by law (such as eagle nest trees) are preserved in the design of the development.
- C. That the proposed subdivision will not interfere with existing or officially planned\* development.
- D. That the future street plan and utilities for the proposed subdivision will permit the development of adjoining land.
- E. That proposed access, drainage, sanitary and water facilities, and fire protection are available and adequate for the subdivision.
- F. That the City has utility capacity to serve the area without interfering with utility capacity to serve other areas if City utilities are proposed.
- G. That the proposed subdivision does not disturb trees or shrubs which are designated for habitat or resource protection; wind, noise, sediment, or pollution buffers; recreation or open space; protection from natural hazards, watershed protection, or visual considerations unless a plan is approved which will mitigate potential adverse impacts.

18.09.007 PRELIMINARY PLAT--ACTION. MAJOR AND MINOR PLATS.

- A. Major and Minor plats requiring hearings. The platting board shall approve, disapprove, or return the preliminary plat for modification or correction within sixty days of its submittal by the subdivider. The platting board shall state its decision in a resolution and will return a written copy of its decision and comments and one copy of the preliminary plat to the subdivider. **IF THE PLATTING BOARD TAKES NO ACTION WITHIN 60 DAYS, THE PRELIMINARY PLAT IS CONSIDERED APPROVED AND A CERTIFICATE OF APPROVAL SHALL BE ISSUED ON DEMAND.**

18.11.004 RIGHT-OF-WAY AND PAVEMENT WIDTHS

- A. Street right-of-way shall be wide enough to provide for the present pavement widths, future road expansion, sidewalks, and access for installation and maintenance of street drainage facilities or other utilities. Rights-of-way shall not have permanent structures built upon them by property owners.
- B. Pavement widths shall be determined by present and future traffic patterns, provision for parking, or other considerations.
- C. Right-of-way and surface widths, unless otherwise specified by the Planning Commission, are:

	<u>Right-of-Way Width</u>	<u>Surface Width</u>
Major Streets	60'	<u>50'</u>
Collectors	<u>50'</u>	<u>40'</u>
Minor Streets*	<u>40'</u>	<u>30'</u>
Alleys	20'	16'

\*Cul-de-sacs shall have a turn-around with a right-of-way diameter of eighty feet. (Ord. 131 S5(part), 1976).

18.11.005 GRADES

- A. Street grades for major streets shall not exceed 8%. Street grades for collectors and minor streets shall not exceed 15%. The minimum grade of all streets shall not be less than 2% with a 2% crown to provide for proper drainage.

18.11.006 SIGHT DISTANCES

- A. A minimum sight distance, with visibility measured along the centerline of the street, shall be provided for both vertical and horizontal curves as follows:

	<u>Minor</u> <u>(Incl. Cul-De-Sac)</u>	<u>All Others</u>
Horizontal	100'	200'
Vertical	100'	200'

(Ord. 131 S5(part), 1976).

#### 18.11.007 TANGENTS

- A. A straight section of street at least one hundred feet in length shall be built between reverse curves on major and collector streets. (Ord. 131 S5(part), 1976).

#### 18.11.008 CUL-DE-SACS

- A. Cul-de-sacs\* shall have a maximum length of six hundred feet and a right-of-way width of thirty feet with a turn-around diameter of eighty feet. Measurement of cul-de-sacs shall be along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.

#### 18.11.009 HALF STREETS

- A. Where a half street is adjacent to a subdivision, the other half of that street shall be dedicated by the subdivider. Half streets in new subdivisions will be disallowed. (Ord. 131 S5(part), 1976).

#### 18.11.010 RESERVE STRIPS

- A. Reserve strips controlling access to streets shall be prohibited except where their control is placed in the City under conditions approved by the Platting Board. (Ord. 131 S5(part), 1976).

#### 18.11.020 STREET NAMES

- A. New street names shall not duplicate the names of existing streets, but streets that are continuations of other streets already named shall bear the same name.
- B. Designations of streets as ways, places, avenues, roads, etc., should follow a definite pattern. (Ord. 131 S5(part), 1976).



## 18.11.170 LAND ALLOCATION FOR OPEN SPACE

### A. Findings and purpose. The City of Craig finds that:

1. There exists in the City of Craig a general and increasing need for parks, open spaces and recreational facilities to serve the community's expanding population.
2. The need for parks, open space and recreational facilities is greatest at the neighborhood level due to population increases from new subdivisions.
3. A system of requiring allocation of suitable land for neighborhood parks, open space and recreational facilities will most equitably and directly address the need.

### B. Consistent with the findings above, the purposes of this chapter are:

1. To insure the general health, safety and welfare of the citizens of the City of Craig when considering the approval of new subdivisions;
2. To establish a means of creating and enhancing neighborhood parks, open spaces and recreational facilities correspondent with the needs created by residential development;
3. To distribute equitably the cost of providing such parks, open spaces and recreational facilities;
4. To mitigate any adverse impacts on neighborhoods without adequate parks, open spaces and recreational facilities when approving new residential development.

### C. Every subdivision final approval within a residential zone shall be contingent upon allocation of land for open space and recreational need of its residents. This chapter shall not apply to planned unit developments.

## 18.11.171 Allocation of Open Space

### A. Criteria for Allocation of Land.

1. The following criteria shall serve as a basis for determining whether a piece of land proposed for allocation or reservation is of sufficient size, character and quality to meet the intent of this chapter:
  - a. The proposed area for allocation shall be located either within or adjacent to the subdivision for which it is required;
  - b. The area proposed by the developer for allocation must consist of an amount equal or greater than the requirements set in section 18.11.171.B;

- c. The area proposed for allocation must have a street frontage equal to at least 20 percent of its perimeter to allow for observation of play areas by residents of the subdivision. Alternative design measures that accomplish the same purpose of security may be approved by the planning commission;
- d. When new areas are proposed for allocation it may be required that they be located adjacent to or contiguous with any other established or approved open spaces or recreation areas in adjacent subdivisions in order to increase the overall benefits to the neighborhood;
- e. The topography, soils, hydrography and other physical characteristics of the area proposed for allocation or reservation shall be of such quality as to create a flat, dry, obstacle-free space on at least 50 percent of the total area required.

B. Amount of Land to be Dedicated. Subject to the exceptions set out in 18.11.170.C; all residential subdivisions shall dedicate in fee to the City of Craig real property to be used for open space or recreation. The amount of real property dedicated shall not be less than the amount identified below.

<u>Subdivision Size</u> <u>(gross square feet)</u>	<u>Allocation Requirement</u> <u>(square feet)</u>
<u>0-99,999</u>	<u>0</u>
<u>100,000-125,000</u>	<u>1,500</u>
<u>Each additional 25,000</u>	<u>500</u>

Example: A subdivision totaling 200,000 gross square feet (4.59 acres) must dedicate 3,000 square feet for open space.

18.11.172 Equivalent Facilities

A. Whenever a developer chooses to set aside land within a subdivision, which in whole or in part does not meet all the criteria for allocation in 18.11.171, the developer may propose to improve such land by grading, filling, landscaping or with installation of recreation equipment so as to be equivalent in result to the intent of this chapter, subject to approval of the planning commission. Such proposal must be submitted at the time the subdivision is submitted for approval. Approval of equivalent facilities will be made at the time of approval of the subdivision. The developer, in his proposal, shall submit a plan for completion for the equivalent facilities which is to be no longer than one year from the date of approval.

18.11.173 Approval

- A. Approval of a land allocation for open space or for equivalent facilities must be submitted to the planning commission at the time the subdivision is submitted for approval. Approval of the allocation or equivalent facilities will be granted upon approval of the subdivision. If additional requirements are imposed pursuant to 18.11.171(A)(1)(d), such conditions will be made at the time of approval. All allocations of open space pursuant to this chapter are subject to approval and acceptance by the Craig City Council. Approval and acceptance will be subject to a determination of need by the City Council for the open space and the availability of funds to purchase the open space at an amount determined by the Craig City Council.

18.11.174 Review

- A. Any subdivider who disputes any denial under this chapter or the imposition of additional requirements under 18.11.171(A)(1)(d) shall be afforded an appeal of the decision and/or requirements by the city council as outlined in 18.04 of the Craig Municipal Code. The subdivider shall have the option of a public hearing.

## CHAPTER 18.14 PARKING

- A. All parking demand created by new structures or uses, additions to existing structures or uses and change of use in existing structures shall be accommodated on the premises entirely off street with the following exceptions:

In commercial and industrial zones offsite parking may be approved by the Planning Commission

1. if the site is owned or leased by the applicant and located within 300 feet of the facility which it will serve measured from the nearest point to the property which it will serve along the route of access between the properties, and
  2. if the property is appropriately zoned for commercial and industrial use, and
  3. if access to the parking area is adequate to serve the additional volume and type of traffic generated and would not threaten health and safety by significantly altering traffic volumes and patterns.
- B. Required parking facilities for two or more uses or structures may be satisfied by the same parking facilities used jointly if it can be verified that the parking requirements of CHAPTER 18.14 C satisfy both requirements or will be used at different hours and that the right of joint use is evidenced by a deed, lease, contract or similar written instrument establishing such joint use and the proposed parking is within 300 feet as indicated in paragraph A.1. of this section.

C. Required Parking Spaces.

1. Banks, office buildings, professional offices or clinics: One public parking space per each 300 square feet of gross floor area, but not less than five spaces.
2. Bowling Alley: Three parking spaces per each alley or lane.
3. Churches: One public parking space for each five seats, based on maximum seating capacity. Each 25 inches of pews or similar facilities shall be counted as one seat.
4. Community buildings, assembly halls, lodges or union or social halls: One parking space for each 300 square feet of gross floor area.

5. Food markets, grocery stores, or shopping centers: One parking space per each 400 square feet of gross floor area.
6. Automobile repair garage, service station or dealership: Four parking spaces for each service stall or facility. Provided that all vehicles in the custody of the operator or the business for service, storage, sale or other purpose shall be stored on the premises or on a separate vehicle parking lot and shall not be parked on a public right-of-way.
7. General, high school, college auditorium, theater, eating and drinking establishment: One parking space for each three seats, based on the maximum seating capacity or one space for each 400 square feet of gross floor area depending on the nature of the business.
8. Hospital: One parking space for each five beds based upon maximum capacity.
9. Hotel/Motel: One parking space per each two guest rooms or part thereof, based upon maximum capacity.
10. Industrial or Manufacturing: One space for each 400 square feet of gross floor area or for every three employees depending upon the nature of the establishment an necessity for loading or other type of facilities.
11. Launderette: One parking space per every two washing machines.
12. Retail store or Service shop: One public parking space for each 400 square feet of gross floor area.
13. Residential uses: One parking space for each 1.5 bedrooms.
14. In addition, the uses listed above must provide one parking space for each person employed by or within the premises, but in no event shall the number of parking spaces for use by such persons be fewer than one space.

Or, if the above standards are judged to be inadequate or unreasonable in a particular case, the parking requirement shall be the number of parking spaces that the Planning Commission determines to be necessary considering the nature and type of the business and use involved, specific parking needs, and loading areas.

Variances from parking standards are subject to review under Section 18.06.003, Variances.

## CHAPTER 18.15 NON-CONFORMING USES

### A. PURPOSE

The purpose of this provision is to continue to permit lawfully established uses and structures which do not conform to the currently adopted Craig Land Development Code without encouraging their perpetuation.

### B. NONCONFORMING LOTS OF RECORD

~~[NOTWITHSTANDING LIMITATIONS IMPOSED BY OTHER PROVISIONS OF THIS CHAPTER, A PERMITTED PRINCIPAL USE AND ACCESSORY BUILDINGS MAY BE ERECTED ON A SINGLE LOT OF RECORD\* WHICH IS NOT MORE THAN 10% LESS IN DEPTH, WIDTH, OR LOT AREA THAN IS REQUIRED BY THIS CODE. (SEE CHAPTER 18.11, SUBDIVISION ORDINANCE/DESIGN STANDARDS.) CORNER LOTS ESTABLISHED PRIOR TO THE EFFECTIVE DATE OF THIS CODE WHICH ARE AT LEAST 50 FEET IN WIDTH SHALL BE CONSIDERED CONFORMING IN REGARD TO LOT WIDTH.]~~

A single lot of record\* which fails to meet the minimum lot size requirements of its zone designation shall be considered as a usable lot. Uses established or buildings constructed on such lots shall meet parking and setback requirements and shall not exceed the maximum allowable density for its zone designation.

### C. NONCONFORMING USES AND STRUCTURES

Any use or structure not conforming with this code may be continued if the use or structure was lawfully existing at the time it became non-conforming. Non-conforming uses are subject to the following ~~[REQUIREMENTS]~~ limitations:

1. Alteration - A non-conforming structure may be altered as directed by the building official to make it safe. It may be altered to the extent that the cost of such alterations does not exceed 25% of the assessed value of the structure or may be altered to decrease its non-conformity.
2. Extension - No increase in area or extent of the nonconforming use of a structure or land may be made unless the extension decreases the non-conformity.
3. Abandonment or destruction - A non-conforming use which has been abandoned for one year or more shall not be reestablished except in conformance with this code.

4. **Damage** - A structure which has been damaged to an extent equal to more than 75% of its assessed value shall not be reconstructed except in conformity with the provisions of this Code.
5. **Changes** - A non-conforming use may be changed to a conforming use and once changed may not revert to a non-conforming use.
6. **Mobile home replacement** - Non-conforming mobile homes shall be replaced only by conforming mobile homes unless the Temporary Use Permit Procedure provides a temporary alternative.
7. **Setback requirements** - Replacement structures shall meet the setback requirements and density limitations of their respective zone designations.