

ARTICLE 1 — INTRODUCTION AND GENERAL PROVISIONS

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Article I — Introduction and General Provisions

Chapters:

- I.1 Introduction
- I.2 Title, Purpose, and General Administration
- I.3 Lot of Record and Legal Lot Determination
- I.4 Non-Conforming Situations
- I.5 Similar Use authorizations and Interpretations
- I.6 Enforcement

Chapter I.1 — Introduction

The Petersburg Borough Development Code (“Code”) is administered by the Borough Planning Official or the Official's designee. The Code regulates land use and development within the Petersburg Borough (“borough”), and presents both zoning and subdivision regulations. The Code is organized as follows:

Article 1. Article 1 describes the title, purpose, authority, organization, and general administration of the Code. Article 1 also explains how Borough officials interpret and enforce Code requirements and presents rules for the continuation of uses and developments that are lawfully established but do not comply with current Code standards (non-conforming or “grandfathered” situations).

Article 2. Article 2 contains the zoning regulations. Zones are designated by the Petersburg Borough Zoning Map, consistent with the Petersburg Borough Comprehensive Plan. The zoning regulations specify allowed land uses, and lot and development standards that are specific to particular land uses or zones. Article 2 applies only within Service Area I. In Service Area I, before commencing a new use or development, changing an existing use or development, or applying for a building permit, a property owner should contact the Planning Official in order to determine the necessary procedures and approvals.

Article 3. Article 3 contains the borough’s development design standards, including, where applicable, requirements for street access; pedestrian and vehicle circulation; parking; screening, fences, and walls; adequate transportation, electricity, water, sanitary sewer, and storm drainage facilities; and utility requirements. Article 3 applies to all subdivisions and development within Service Area I; except that Chapter 3.6, unless otherwise specifically indicated, applies throughout the borough outside of the City of Kupreanof. Article 3 is supported by the more detailed engineering design standards in the borough’s Standard Construction Specifications.

Article 4. Article 4 contains most of the borough’s application requirements, and sets forth the procedural processes (Types I –IV) for obtaining required approvals for land use and development decisions, including, but not limited to, procedures for subdivisions, property line adjustments, conditional use permits, site design review, master planned developments, vacations, variances, and zoning amendments. The borough's subdivision standards are set out in Chapters 4.6 and 4.7, and are applicable throughout the borough outside of the City of Kupreanof.

Article 5. Article 5 contains definitions that the borough uses in interpreting and administering the Code. In some cases, where Article 2 contains a general list of land uses allowed in each zone, Article 5 provides examples of uses that are consistent with each general category.

I.2 – Title, Purpose, and General Administration

Chapter I.2 — Title, Purpose, and General Administration

Sections:

I.2.010 Title

I.2.020 Purpose

I.2.030 Authority

I.2.040 Compliance and General Scope

I.2.050 Rules of Code Construction

I.2.060 Development Code Consistency with Comprehensive Plan and Other Laws

I.2.070 Development Code and Zoning Map Implementation

I.2.080 Reviews, Approvals, Coordination of Building Permits and Notifications

I.2.090 Official Action

I.2.010 Title

The official name of this Title is “The Petersburg Borough Development Code.” It may also be referred to herein as “Development Code” and “Code.” When this Code is cited, it shall include an "18" immediately preceding the section number. For example, this section would be cited as Section 18.I.2.010 of the Petersburg Municipal Code.

I.2.020 Purpose

This Code is enacted to promote the public health, safety, and welfare of borough residents, and to encourage the orderly and efficient subdivision, development and use of land within the Petersburg Borough, consistent with the Petersburg Borough Comprehensive Plan and the following principles:

- A. Compact Development**, which promotes the efficient provision of public services and infrastructure;
- B. Mixed-Use**, which places homes, jobs, stores, parks, and services within walking distance of one another;
- C. Full Utilization of Public Services** (e.g., electricity water, sewer, storm drainage, parks, and transportation facilities), which maximizes the return on public investments in infrastructure;
- D. Transportation Efficiency**, or development of an interconnected street system supporting multiple modes of transportation, which yields more direct routes (shorter distances) between local destinations, conserves energy, reduces emergency response times, and provides alternatives to the automobile for those who are unable or choose not to drive a car;
- E. Human-Scale Design**, or development in which people feel safe and comfortable walking from place to place because buildings, streetscapes, parking areas, lighting, and other components of the built environment are designed foremost with pedestrians in mind;
- F. Environmental Health**, which requires adequate light and air circulation, management of surface water runoff, and treatment and disposal of waste; and

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G. Efficient Administration of Code Requirements, consistent with the needs of the Petersburg Borough, a small municipality with limited administrative capacity.

I.2.030 Authority

This title is adopted pursuant to authority granted generally by the Alaska Constitution, the Alaska Statutes (A.S.), and the Municipal Charter, and specifically by:

- A. Alaska Constitution, Article X, Sect. 11 (Home rule powers);
- B. Municipal Charter, section 7.01 (Establishes a planning commission);
- C. Municipal Charter, section 7.03 (Requires ordinances for subdivision procedures); and
- D. AS 29.35.180(b) (Requires a home rule borough to provide for planning, platting, and land use regulation).

I.2.040 Compliance and General Scope

- A. Compliance with the subdivision requirements of the Development Code.** Subdivision policies and procedures of this Code apply throughout the Petersburg Borough outside of the City of Kupreanof. The Petersburg Borough Planning Commission serves as the Platting Authority for all lands within the Petersburg Borough, except within the City of Kupreanof. A subdivision, property line adjustment, re-plat, vacation or lot consolidation may not be filed and recorded except as permitted by this Code.
- B. Compliance with the zoning and development regulations of the Development Code by Service Area.** Within Service Area I, no structure or lot shall hereinafter be used, developed, or occupied, and no structure or part thereof shall be erected, moved, reconstructed, extended, enlarged, or otherwise altered, except as permitted by this Code. Areas outside of Service Area I are not required to comply with Building Code requirements of Title 17 of the Petersburg Municipal Code or zoning regulations as set out in Article 2 of this Code. Notification of any structure or part thereof erected, moved, reconstructed, extended, enlarged, or otherwise altered outside of Service Area I shall be submitted to Borough Finance Director no later than 6 months following construction. No fee shall be assessed by the borough for reviewing or processing a building notification form.
- C. Obligation by Successor.** The requirements of this Code apply to the owner(s) of record, persons undertaking the subdivision, development or the use of land, and to those persons' successors in interest.
- D. Transfer of Development Standards Prohibited.** Except as otherwise specifically authorized by this Code, no lot area, yard, or open space that is used to satisfy a requirement of this Code for one use shall be used to satisfy the same requirement for another use.

I.2.050 Rules of Code Construction

The following rules shall apply for construing or interpreting the terms and provisions of this Code.

- A. Provisions of this Code Declared to be Minimum Requirements.** The provisions of this Code, in their interpretation and application, are minimum requirements, adopted for the protection of the public health, safety, and general welfare.

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- B. More Restrictive or Highest standard or requirement applies.** Where a requirement of this Code varies from another provision of this Code on a related topic or with other applicable governmental provisions or regulations, the more restrictive or highest standard or requirement set out in a provision or regulation shall govern. The Borough Planning Official or Planning Commission, as applicable, shall determine which provision or regulation sets the more restrictive or highest standard or requirement. Where the applicability of a Code provision is unclear, the Planning Official may issue a formal interpretation pursuant to Section I.5.020.
- C. Meaning and intent.** All provisions, terms, phrases, and expressions contained in this Code shall be construed according to the general purposes set forth in Section I.2.020 and the specific purpose statements set forth throughout this Code. When, in a specific section of this Code, a different meaning is given for a term defined for general purposes in Chapter 5.1, the specific section's meaning and application of the term shall control.
- D. Purpose statements.** Statements of purpose or intent in this Code are provided to guide interpretations and understanding of the legislative intent behind the substantive regulations of this Code.
- E. Examples.** Unless otherwise specifically indicated, examples or lists of examples that use terms such as "for example", "e.g.", "including", "such as", or other similar language are intended to provide examples and are not exhaustive lists of all possibilities.
- F. Computation of Time.** The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the borough, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the borough. References to days are calendar days unless otherwise specifically indicated.
- G. References to other regulations.** Whenever reference is made to a regulation, statute, ordinance, resolution, or other similar law, rule or publication, it shall be construed as a reference to the most recent version or edition of such regulation, statute, ordinance, resolution, or other law, rule, or publication, except where this Code, Borough Assembly policy or applicable law require otherwise.
- H. Tenses.** Words used in the present tense include the future; the singular form includes the plural; and the plural includes the singular.
- I. Requirements versus Guidelines.** The use of the words "shall," "must," "required," or similar directive terms, means the Code provision is a mandatory requirement, establishing an obligation or duty to comply. The use of the words "may", "encouraged," "recommended," or similar terms, means the provision is a permissive guideline, indicating compliance is optional, but which may be discretionarily imposed as a mandatory requirement where the applicable Code provision allows the decision-making body to exercise such discretion.
- J. Interpreting Illustrations.** This Code contains illustrations which are intended to serve as examples of development design that either meet or do not meet particular Code standards. Except where an illustration contains a specific numerical standard or uses, or the accompanying text uses the word "shall," "must," "required," or "prohibited," strict adherence to the illustration is not required.
- K. Severability.** The provisions of this Code are severable. If any section, sentence, clause, or phrase is judged

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to be invalid by a court of competent jurisdiction, that decision shall not affect the validity of the remaining portion of the Code.

- L. Delegation of Authority.** Any act authorized by this Code to be carried out by a specific official of the borough may be carried out by a designee of such official.

1.2.060 Development Code Consistency with Comprehensive Plan and Other Laws

- A. Petersburg Borough Comprehensive Plan.** This Code implements the Petersburg Borough Comprehensive Plan. Except as otherwise required by applicable state or federal law, all provisions of this Code shall be construed in conformity with the Comprehensive Plan, including any subsequent Comprehensive Plan elements or master plans, adopted pursuant to the Comprehensive Plan.
- B. Compliance with Other Laws Required.** In addition to the requirements of this Code, all uses and development must comply with all other applicable borough, State of Alaska, and federal rules and regulations.
- C. References to Other Regulations.** All references to other borough, state, and federal rules and regulations are for informational purposes only and do not constitute a complete list of such requirements. The references do not imply any responsibility by the borough for enforcement of state or federal rules or regulations. Where a use or development is subject to both Petersburg Borough requirements and state or federal requirements, the property owner is responsible for contacting the applicable agencies and complying with their rules and regulations.

1.2.070 Development Code and Zoning Map Implementation

- A. Zoning.** The Borough Assembly, upon considering the recommendation of the Planning Commission, may enact ordinances applying or amending applicable zoning designation(s) to land within the borough, pursuant to Chapter 4.5. The Comprehensive Plan shall guide the designation of zoning.
- B. Land Use Consistent With Development Code.**
1. Once land is zoned, it may be used or developed only in accordance with the zoning regulations of this Code, including all amendments thereto. A lawful use of land (“use”) is one that is permitted in accordance with this Code, or is allowed as a legal non-conforming use, pursuant to Chapter 1.4, provided state or federal law does not prohibit the use.
 2. Land which is not yet zoned must be developed in compliance with applicable subdivision requirements, and any other applicable federal, state or local development requirements.
- C. Development Code and Zoning Map.** The borough’s Official Zoning Map (“Zoning Map”), which may be published, amended, and filed separately from this Code, is part of this Code. The zoning districts depicted on the Zoning Map correspond to the zoning districts in this Code. In addition, this Code may contain zoning regulations for special areas (i.e., Overlay Zones), and for certain uses or structures that do not appear on the Zoning Map.

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- D. Interpreting the Zoning Map.** Except as otherwise specified by this Code, the borough's zoning boundaries are as designated on the Official Zoning Map, which is kept on file at the Borough Clerk's Office. The borough may adopt and publish supplemental zoning maps where it is impractical to illustrate all regulated features on one map. Examples of regulated features include, but are not limited to, historical landmarks, base flood (flood plain) elevation, local wetland inventories, and specific area plans. In addition, the borough may require field verification and mapping (e.g., survey) of a regulated feature as part of an application, where the feature is thought to exist on or adjacent to the subject property but its exact location is unknown.
- E. Boundary Lines.** Zoning district boundaries are determined in accordance with Section 2.1.030.
- F. Changes to Official Zoning Map.** Changes to the Official Zoning Map are made under Chapter 4.5.

1.2.080 **Reviews, Approvals, Coordination of Building Permits, and Notifications**

- A. Land Use and Development Approvals and Building Permits.** Land use and development approvals are processed by two borough officials: The designated Building Official administers Building Codes under Title 17 of the Petersburg Municipal Code, and including floodplain regulations under Section 2.4.030 (PMC 17.14), and issues building permits; and the Planning Official administers the Development Code, processes land use and development approvals, and coordinates with the designated Building Official on development and building projects to ensure compliance with the Development Code.
- B. Zoning Compliance Required for Building Permits.** A building permit shall not be issued by the Building Official until the Planning Official has confirmed that all applicable requirements of this Code are met, or appropriate conditions of approval are in place to ensure compliance.
- C. Type I procedure.** Any new use or development requires, at a minimum, borough review and approval under a Type I procedure, pursuant to Section 4.1.020. The Building Official shall not issue any building permit without such approval. If in conducting a review, the Planning Official determines that other approvals are required before development or use may commence, or a building permit may be issued, the Planning Official shall advise the applicant accordingly.
- D. Notification Outside of Service Area I.** Notification of any structure or part thereof erected, moved, reconstructed, extended, enlarged, or otherwise altered outside of Service Area I shall be submitted to Borough Finance Director no later than 6 months following construction. No fee shall be assessed by the borough for reviewing or processing a building notification form.

1.2.090 **Official Action**

- A. Official Action.** The Petersburg Borough Planning Official, Building Official, Public Works Director,

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Planning Commission, and Borough Assembly are vested with authority in conformance with this Code. Borough officials shall issue no permit and grant no approval for any development or use that violates or fails to comply with conditions, requirements or standards imposed under this Code.

- B. Void Future Actions.** Any permit or approval issued or granted in conflict with the provisions of this Code shall be void, unless the borough modifies it in conformance with the Code. The Planning Official shall determine when a permit or approval is void and, as applicable, refer it back to the decision-making body for modification to ensure Code compliance.
- C. Referral to Planning Commission.** In addition to those actions that require Planning Commission approval, the Planning Official may refer any question or request to the Planning Commission.
- D. Notices, Filing, and Validity of Actions.** The failure of any person to receive mailed or other notice or any failure on the part of the borough to post, mail or file a notice, staff report, or other documentation shall not invalidate any actions pursuant to this Code, provided a good faith effort was made to make the required notification or filing.

I.3 – Lot of Record and Lot Determination

Chapter I.3 — Lot of Record and Lot Determination

Sections:

- I.3.010 Purpose and Intent
- I.3.020 Criteria
- I.3.030 Lot of Record Determination Procedure

I.3.010 Purpose and Intent

The purpose of Chapter I.3 is to establish criteria and a process for determining when a lot of record exists for the purpose of allowing a use or development on a non-conforming lot under Chapter I.4 (e.g., substandard lot that does not meet lot area or other development regulations).

I.3.020 Criteria

A lot of record is a plot of land that meets one or more of the following criteria:

- A.** The plot of land was lawfully created through a subdivision plat approved by the Alaska Department of Natural Resources (DNR) or the US Bureau of Land Management (BLM), where the plat submittal was accepted by DNR or BLM prior to date of enactment of this Code.
- B.** For property located within the boundaries of what is currently Service Area I, the plot of land was lawfully created through a subdivision recorded with the state recorder's office prior to enactment of this Code.
- C.** Where the approval of DNR, BLM or the former City of Petersburg was not required, and the plot of land was lawfully created through a deed or land sales contract and recorded with the state recorder's office prior to date of enactment of this Code.

I.3.030 Lot of Record Determination Procedure

Review of Lot of Record Determinations shall be conducted using a Type I procedure, pursuant to Section 4.1.020.

I.4 – Non-Conforming Situations

Chapter I.4 — Non-Conforming Situations

Sections:

- I.4.010 Purpose and Applicability
- I.4.020 Non-conforming Use
- I.4.030 Non-conforming Physical Development
- I.4.040 Non-conforming Lot

I.4.010 Purpose and Applicability

Chapter I.4 provides standards and procedures for the continuation of uses and developments that were lawfully established but do not comply with current Code standards (“non-conforming situations”). The Code is intended to protect public health, safety, and general welfare, while allowing reasonable use of private property. The chapter contains three sections, as follows:

- A. Non-conforming uses** (e.g., industrial use in residential zone) are subject to Section I.4.020.
- B. Non-conforming physical developments** (e.g., structure does not meet setback or height standards) are subject to Section I.4.030.
- C. Non-conforming lots** (e.g., lot is smaller than minimum area standard) are subject to Section I.4.040.

A determination as to whether a use, physical development or lot is nonconforming under this Chapter, or has been abandoned or destroyed, shall be conducted using a Type I procedure, pursuant to Section 4.1.020.

I.4.020 Non-conforming Use

Where a use of a structure or land was lawfully established according to the applicable zoning regulations of the time, but does not meet or conform to the current regulations of the district in which it is located, the use may continue, provided it conforms to the following requirements:

- A. Expansion of Non-conforming Use Limited.** Cumulative expansion of a non-conforming use shall not exceed 25 percent of the use area as it existed as of the date of adoption of this Code, and requires approval of a Conditional Use Permit under Chapter 4.3. Expansion of a use which also involves an expansion or alteration in any physical development is governed by the limitations and restrictions of Section I.4.030, regardless of whether the physical development is itself non-conforming.
- B. Location of Non-conforming Use.** A non-conforming use shall not be moved in whole or in part, including from one lot to another lot, except as to bring the use into conformance with this Code. The existence of a non-conforming use on part of a parcel shall not be construed to establish a non-conforming use on the entire parcel.
- C. Abandonment of Non-conforming Use.** A non-conforming use that is discontinued for any reason for

1.4 – Non-Conforming Situations

a period of more than 24 consecutive months shall be deemed abandoned and its legal, non-conforming status is terminated. For purposes of calculating the 24 month period, the following is conclusive evidence that a use has been discontinued:

1. the use of land is physically vacated;
2. the use ceases to be actively utilized (e.g., the premises are destroyed or damaged and the use ceases as a result; sale or manufacture of merchandise or the provision of services ceases as evidenced by the removal of signs, goods, stock, or office equipment, or the disconnection of telephone or utility service);
3. any lease or contract under which the non-conforming use has occupied the building or land is terminated;
4. a request for final reading of water and power meters is made to the applicable utilities;
5. the user's utility bill or property tax bill account became delinquent; or
6. an event occurs similar to those listed in Subsections 1-5, above.

D. Application of Code Criteria and Standards following Abandonment. Once a use has been abandoned pursuant to Subsection 1.4.020.C, the use shall not be allowed to resume or be reestablished, in whole or in part, under the same or different ownership or management, and any subsequent use of the site shall conform to the current regulations of this Code for the district in which it is located.

E. Extension for Repairs or Renovation of Non-Conforming Status for Discontinued Use. An owner, or owner's agent, may request an extension of the twenty-four month period set out in Subsection (C) above, where there has been ongoing, active repairs or renovation of the use structure. An extension is at the sole discretion of the Planning Commission. Review of a request for an extension is conducted using a Type III procedure, pursuant to Section 4.1.040. The owner must request the extension within the initial twenty-four-month period of discontinuance.

F. Not Applicable to Junkyards. Notwithstanding the provisions of this chapter, no junked vehicle or junk shall be stored outside and no junkyard shall be maintained in a location which is visible from a public right-of-way unless it is screened from view by a sight obscuring fence of good appearance or hedge of good appearance under the provisions of Chapter 3.4. For the purposes of this section, "junk" includes worn out and discarded material in general that may be turned to some use, especially old rope, chain, iron, copper, parts of machinery and bottles, and shall further include parts of buildings, fixtures and appliances, rubbish of any kind and odds and ends.

1.4.030 Non-conforming Physical Development

This Section regulates non-conforming development, such as structures, fences, or other elements of the built environment. A non-conforming development is a development which was lawfully built or installed according to the applicable zoning or other development regulations of the time, but that could not be built under the current provisions of the Code, for example, by reason of restrictions on lot area, lot coverage, location on a lot, setbacks, height, yard, equipment, access, parking, or other physical restriction or requirement. A legal non-conforming development may remain on the site so long as it remains otherwise lawful, and subject to the

I.4 – Non-Conforming Situations

limitations of paragraphs A through D below.

This Section also regulates expansion or alteration of a physical development utilized in connection with a non-conforming use, regardless of whether the physical development is itself non-conforming. Such expansion or alteration is subject to the limitations of paragraphs A through D below.

A. Expansion or Alteration. A non-conforming development, or a development utilized in connection with a non-conforming use, may be enlarged or altered provided that such alterations or expansions shall not exceed, cumulatively, 25 percent of the subject building or development area, including floor area or other surface area, paving, parking spaces, outdoor storage, signage, lighting, or other developed areas, as it existed as of the date of adoption of this Code.

1. Expansion or alteration of a non-conforming development, or a development utilized in connection with a non-conforming use, in a manner which does not increase the non-conformity requires approval of a Conditional Use Permit under Chapter 4.3.
2. Expansion or alteration of a non-conforming development, or a development utilized in connection with a non-conforming use, in a manner which increases the non-conformity requires approval of a Variance under Chapter 4.4; not more than one such Variance every 5 years shall be approved to expand or alter the same development (up to the 25% cumulative maximum).

B. Destruction.

1. Should a non-conforming development be damaged or destroyed by any means such that the cost of restoration is more than 50 percent of its current assessed value, as determined by the Petersburg Borough Assessor, its legal, non-conforming status is terminated and it shall be reconstructed only in full conformity with the current regulations of this Code. This does not preclude the timely reestablishment of a non-conforming use under Section I.4.020.

2. Should a conforming development utilized in connection with a non-conforming use be damaged or destroyed, and subsequently reconstructed, the non-conforming use may be reestablished, in the same size which existed prior to damage or destruction, under the provisions of Section I.4.020.B-E.

C. Roadway Access. The owner of a non-conforming driveway approach or access to a public street or highway, upon receiving any land use or development approval, may be required as a condition of approval to bring the non-conforming access into conformance with the current standards of the applicable roadway authority.

D. Relocation or Removal. No non-conforming development shall be moved to any other location on the subject site unless every portion of the development is made to conform to the current regulations of the district in which it is located.

I.4.040 Non-conforming Lot

A legal lot of record, as provided by Chapter I.3, with an area, width or other dimensions that met zoning

I.4 – Non-Conforming Situations

requirements existing at the time it was created, but that does not conform to the current regulations established in this Code for the zoning district in which it is located, shall be a legal non-conforming lot, and may be used or developed as permitted in the district, subject to other requirements of the district. Physical Development on a non-conforming lot which would deviate from development standards of the district, such as setbacks, height limits, or lot coverage, is subject to approval of a Variance under Chapter 4.4. If there is a minimum lot area deficiency, residential use shall be limited to a single-family dwelling and customary accessory buildings, provided applicable Building Code requirements are met.

I.5 – Similar Use Authorization and Interpretations

Chapter I.5 — Similar Use Authorization and Interpretations

Sections:

I.5.010 Similar Use Authorization

I.5.020 Interpretations

I.5.010 Similar Use Authorization

This section provides a process for authorization of similar uses.

- A. Authorization of Similar Uses.** Where a proposed use is not specifically identified by this Code, the Planning Official may find the use is similar to another use that is permitted, allowed conditionally or under Special Use Standards, or prohibited in the subject zone and apply the Code accordingly. However, uses and activities that this Code specifically prohibits in the subject zone, and uses and activities that the Planning Official finds are similar to those that are prohibited, are not allowed. Review of similar use requests shall be conducted using a Type I procedure, pursuant to Chapter 4.1.020. The Planning Official may refer a request for a similar use authorization to the Planning Commission for its review and decision.
- B. Similar Use Authorizations on File.** The borough shall keep on file a record of its similar use authorizations.

I.5.020 Interpretations

- A. General.** The Planning Official is authorized to determine the interpretation or usage of terms used in this title, pursuant to this section. Any person may request an interpretation of any term by submitting a written request to the Planning Official, who shall respond in writing. The Planning Official's interpretation shall be binding on all officers and departments of the borough.
- B. Record of Interpretations.** The Planning Official shall maintain a file of all interpretations made pursuant to this section.
- C. Appeal.** Any person may appeal an interpretation by the Planning Official regarding a term used in this title to the Planning Commission in accordance with Subsection 4.1.020.D.

I.6– Enforcement

Chapter I.6 — Enforcement

Sections:

- I.6.010 Violation
- I.6.020 Other Remedies

I.6.010 Violations

Except as provided under Subsection I.6.020, any person violating or causing the violation of any of the provisions of this Code is responsible for creating a nuisance under Chapter 9.16. Any person who fails to abate said nuisance is guilty of a violation and punishable as prescribed in Chapter 9.16.120 of the Petersburg Borough Municipal Code. Such person is guilty of a separate violation for each and every day during any portion of which a violation of this Code is committed or continued. A finding of a violation of this Code shall not relieve the responsible party of the duty to abate the violation.

I.6.020 Other Remedies

The Borough, in addition to finding a Code violation is a nuisance, may use any of the other remedies available to it, including, but not limited to, the following:

- A. Stop Work Order.** The Borough may issue a stop work order. Violation of a stop work order constitutes a nuisance violation under Chapter 9.16.
- B. Dangerous Building.** The Borough may declare a structure a Dangerous Building under Chapter 9.20.