

Long Range Tourism Planning Group

Noise Ordinances: Does the City of Sitka have a noise ordinance? **NO**

1. City P & R has a noise ordinance.
2. Harbor Dept, do they have an ordinance? - They do have a noise ordinance for loud noise, that they enforce 8pm to 8am.
3. How do police ask people to be quiet if no noise ordinance? - They use a state disorderly conduct statute also have one for loud vehicles.
4. Does Forest Service have a noise ordinance. The FS cannot regulate air space. We recommend a 2,000 foot AGL above National Forest but of course there is no way this can be enforced.

Zoning – can city zone for number and types of business? **With the political will, yes.**

1. Basically Wells Williams felt that it is a difficult legal and political thing to do.
2. Zoning is passing laws by the local govt that can regulate the size type, structures, and use of the land on bldgs in particular areas. Laws usually divide cities into distinct area according to use, again such as housing, industry, commercial etc. The primary purpose is to stabilize property, group similar uses, minimize adverse impacts.
3. No way thru traditional zoning can you force some one to be open year around. Same for limiting types of shops under zoning laws, retail is retail, case law says cannot target individual type of business.
4. There are free trade issues, but could set up zone of seasonal business and and zone outside of down town area.
5. Possible to maybe introduce higher tax for closed business.
6. My task – check if there are tools available for doing an ordinance, via architecture, historical, urban planning:
 - a. “Many communities have already passed zoning restrictions on fast food outlets. Historically, however these laws were enacted upon bases other than protection of the public’s health from obesity (The City of Solvang, CA is pushing forth zoning laws to keep fast food outlets out of their tourist district, but are trying to use obesity as a public health concern).
 - b. Many towns ban fast food outlets and or drive thru services to try and lessen congestion, preserve and enhance the aesthetic qualities of the community.
 - c. There have been bans that apply to certain areas. Instead of banning fast food or formula restaurants throughout the entire municipality, a ban might apply only to a designated area. For example, Solvang, which is known for its Danish character, bans new or expanded formula restaurants in its Tourist Commercial district, finding that the proliferation of formula restaurants would adversely affect its unique character. Similarly, San Francisco prohibits “formula retail uses” in at least one of its commercial districts (Section 703.3(e), san Francisco Planning Code, available at: <http://www.amlegal.com/library/ca/sanfrancisco.shtml>). The purposes of this restriction are, among other things, to “protect its vibrant small business sector and create a supportive environment for new small

business innovations,” as well as to preserve, “the distinctive character of certain neighborhood commercial districts.” The above sections a. b. and c are from Googling Solvang zoning.

7. John Stein feels that with creative thought a plan could be devised.

Transportation plan

1. Waiting to hear from DOT if any study done in Sitka.
2. The Gateway Plan by National Parks has a lot of info and time spent in giving some direction and ideas.
3. City has a Non-Motorized transportation plan with a lot of work given to looking at this issue.