

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 to establish use designations for commercial agriculture and change use designations for crop production.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

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

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

Section 4. Amendment of Chapter 18.20: Chapter 18.20 of the Haines Borough Code of Ordinances is amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

18.20.020 Definitions – Regulatory.

...

~~"Agriculture" means a use involving the commercial growing of vegetation or the raising of farm animals, such as the use of land for farming, dairying, apiculture, horticulture, floriculture and animal husbandry. This definition does not include commercial cultivation of marijuana.~~

~~"Commercial a~~**Agriculture, commercial"** means the use of land for farming, dairying, apiculture, horticulture, floriculture and animal husbandry for profit. **Water service to any lot being used for commercial agriculture and sales shall be metered and billed at the commercial rate for water.** This definition does not include commercial cultivation of marijuana.

~~"Crop production" means a residential use,~~ **accessory to a primary commercial or residential use,** involving the raising of any vegetation for intended profit or personal use. Crops grown on the residential property may be sold on that property; provided, that only plants and crops are sold there. If the crop production or sale of the crops produced creates a need for off-street parking in addition to that required for the residential use, the owner must provide sufficient off-street parking as recommended by the borough. Water service to any lot being used for crop production and sales shall be metered and billed at the commercial rate for water only during the time the crops are being grown and/or sold on the property. During the time the crops or plants are being sold, one sign, no larger than four square feet in area, non-illuminated and located on the principal property, may be displayed. Crop production does not include animal husbandry. ~~This definition does not include~~ **nor** commercial cultivation of marijuana.

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Section 5. Amendment of Chapter 18.70: Chapter 18.70 of the Haines Borough Code of Ordinances is amended to read as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED

STRIKETHROUGH ITEMS ARE DELETED


18.70.040 Zoning use chart.


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

ZONING USE CHART

TOWNSITE PLANNING/ZONING DISTRICT

UBR = Use-By-Right CU = Conditional Use NA = Not Allowed GFA = Gross Floor Area

 = Permit Required

 = Permit Not Required

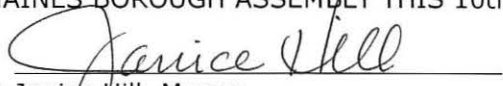
Under General Classification, uses in UPPER CASE are primary and uses in lower case are secondary.

USES	I/H	I/L/C	I/W	C	W	SSA	SR	MR	RR	RMU	MU	REC
...												
<u>Agriculture, commercial</u>	<u>UBR</u>	<u>UBR</u>	<u>UBR</u>	<u>UBR</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>UBR</u>	<u>CU</u>
...												
Crop production	<u>NA</u> <u>UBR</u>	<u>NA</u> <u>UBR</u>	<u>NA</u> <u>UBR</u>	UBR	UBR	UBR	UBR	UBR	UBR	UBR	UBR	<u>NA</u> <u>UBR</u>
...												

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 10th DAY OF JULY, 2018.

ATTEST:


Alekka Fullerton, Borough Clerk


Janice Hill, Mayor



Date Introduced: 06/12/18
Date of First Public Hearing: 06/26/18
Date of Second Public Hearing: 07/10/18