

Introduced By:  
Date:  
Public Hearing:  
Action:  
Vote:

City Manager  
January 10, 2024  
January 24, 2024  
Enacted  
6 Yes, 0 No

CITY OF SOLDOTNA  
ORDINANCE 2024-002

AN ORDINANCE AMENDING SECTION 17.10.230, RURAL RESIDENTIAL DISTRICT  
AND SECTION 17.10.240, SINGLE-FAMILY/TWO-FAMILY RESIDENTIAL DISTRICT  
TO ALLOW DAY CARE CENTERS AS PERMITTED PRINCIPAL USES

WHEREAS, parents seek care for their children when they go to work or school and struggle to find available, stable and affordable child care; and

WHEREAS, access to high quality daycares can change children's lives, help families escape poverty and improve our local economy; and

WHEREAS, the availability of local, state-licensed daycares has declined and has a direct impact on our workforce and economic well-being; and

WHEREAS, prospective daycares are currently required to obtain a conditional use permit to operate in the Rural Residential and Single-Family/Two-Family zoning districts; and

WHEREAS, allowing administrative review of daycare permits will reduce the amount of time required to obtain a permit, will reduce the permitting fees to applicants, and will maintain the existing permitting standards for daycares; and

WHEREAS, on December 6, 2023, and without objection, the Soldotna Planning and Zoning Commission recommended approval of the proposed changes that would allow for the timely review and processing of permit applications for day cares.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOLDOTNA, ALASKA:

Section 1. That the City Council amends Section 17.10.230 – Rural Residential District paragraph (B) as follows:

B. Permitted Principal Uses and Structures. The following principal uses and structures are permitted in the RR District:

- 1) Dwellings: single-family and two-family;
- 2) Farming/general agriculture on properties greater than 1 ½ acres in size;
- 3) Mobile homes not in parks, provided not more than 2 mobile homes shall be allowed on a single lot or parcel;
- 4) Parks and day-use playgrounds; [AND]
- 5) Camping is limited to two tents or RV units for a maximum of 30 days within one calendar year[.]; and
- 6) Day care centers, provided the use complies with requirements of the State, the play area is screened from any adjoining lot in any residential district, and a site plan as required in Section 17.10.415 and an application for a zoning permit are submitted to the Administrative Officer.

Section 2. That the City Council amends Section 17.10.230 – Rural Residential District paragraph (C) as follows:

C. Conditional Uses and Structures. The following conditional uses and structures may be approved in the RR District, subject to the general standards and procedures found in Section 17.10.400, Conditional Uses, any specific standards cited with the use, and any special conditions imposed by the Commission:

1) Animal care: boarding, commercial kennels, veterinary hospital/clinics and similar uses;

....

[7] DAYCARECENTERS,PROVIDEDTHEUSECOMPLIESWITHREQUIREMENTS OF THE STATE, AND THE PLAY AREA IS SCREENED FROM ANY ADJOINING LOT IN ANY RESIDENTIAL DISTRICT;]

~~7~~[8]) Dwellings: multi-family, condominium, and townhouses subject to the provisions of 17.10.290;

~~8~~[9]) Greenhouses (commercial), tree nurseries, and similar uses;

~~9~~[10]) Guide services, including fishing, hunting, and tour, provided these activities shall be owner occupied and owner operated;

~~10~~[11])Institutions: health care, including nursing or convalescent homes and other similar establishments, provided the use complies with requirements of the State;

~~11~~[12]) Lodging: recreational, including hunting and/or fishing lodges;

~~12~~[13]) Lodging: boardinghouses;

~~13~~[14])Mobile home parks, provided they meet the requirements set forth in Section 17.10.370, Mobile Home Parks;

~~14~~[15]) Personal services: art studios, barbers, beauticians, dressmakers, photographic studios, and tailors;

~~15~~[16])Transmission towers, including radio, television, and other communication towers, provided a setback equal to the height of the tower or structure is maintained on all sides of the structure and no approach or other airspace zones of the airport are penetrated;

~~16~~[17])Recreation facilities: golf courses, miniature golf, and sports fields; and

~~17~~[18])Schools: elementary, secondary, college, and vocational/technical schools[;].

Section 3. That the City Council amends Section 17.10.240 – Single-Family/Two-Family Residential District paragraph (B) as follows:

B. Permitted Principal Uses and Structures. The following principal uses and structures are permitted in the SF/TF District:

1) Dwellings: single-family and two-family;

2) Parks and day-use playgrounds[.]; and

3) Day care centers, provided the use complies with requirements of the State, the play area is screened from any adjoining lot in any residential district, and a site plan as required in Section 17.10.415 and an application for a zoning permit are submitted to the Administrative Officer.

Section 4. That the City Council amends Section 17.10.240 – Single-Family/Two-Family Residential District paragraph (C) as follows:

C. Conditional Uses and Structures. The following conditional uses and structures may be approved in the SF/TF District, subject to the general standards and procedures found in Section 17.10.400, Conditional Uses, any specific standards cited with the use, and any special conditions imposed by the Commission. Unlisted uses and structures are not eligible for consideration as conditional uses in this district:

- 1) Churches and similar religious facilities;
- [2) DAYCARECENTERS,PROVIDEDTHEUSECOMPLIESWITHREQUIREMENTS OF THE STATE AND ANY OUTSIDE PLAY AREA IS VISUALLY SCREENED FROM ANY ADJOINING LOT IN ANY RESIDENTIAL DISTRICT;]
- 2[3) Lodging: bed and breakfast establishments, provided they shall be owner occupied and owner operated, rent no more than 3 guestrooms, have no more than 2 beds in each guestroom, and not be rented to any individual guest for more than 1 month.
- 3[4) Lodging: boardinghouses; and
- 4[5) Schools: elementary.

Section 5. This ordinance shall become effective immediately upon its enactment.

ENACTED BY THE CITY COUNCIL THIS 24TH DAY OF JANUARY, 2024.

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Paul J. Whitney, Mayor

ATTEST:

\_\_\_\_\_  
Johni Blankenship, MMC, City Clerk

Yes: Carey, Chilson, Hutchings, Nelson, Parker, Wackler  
No: None