

PETERSBURG BOROUGH

ORDINANCE #2026-XXX

AN ORDINANCE AMENDING CHAPTER 19, ZONING, OF THE PETERSBURG MUNICIPAL CODE TO CREATE AN OVERLAY ZONE FOR WIRELESS COMMUNICATION FACILITIES AND OTHER TOWERS AND TRANSMITTERS

Whereas, overlay zones are special zoning subdistricts placed over a portion of an underlying zoning district to modify the uses and standards for the area of that zone; and

Whereas, the Borough Assembly believes that the adoption of provisions regarding a Communication Facility Overlay zone would serve the public interest by expanding reliable communications infrastructure throughout the community; and

Whereas, reliable wireless, broadband and other communication services are essential to public safety, emergency response, economic development, and the daily lives of residents and businesses within the Borough; and

Whereas, the unique geographic and topographic characteristics of Petersburg — including its coastal setting, surrounding mountainous terrain, and dispersed population — create challenges for achieving adequate communication coverage, and may require the siting of communication facilities in locations that would not otherwise permit such structures; and

Whereas, the Borough Assembly finds that requiring communication facilities to undergo discretionary review on a case-by-case basis in certain zoning districts can create unnecessary delays, uncertainty, and costs that discourage investment in communication infrastructure without a corresponding public benefit; and

Whereas, the Borough Assembly wishes to create a new Communication Facility Overlay zone, the boundaries of which are reflected in attached Exhibit A.

Therefore, the Petersburg Borough Ordains, Title 19, *Zoning*, of the Petersburg Municipal Code, is hereby amended as follows:

Section 1. Classification: This ordinance is of a general and permanent nature and shall be codified in the Petersburg Municipal Code.

Section 2. Purpose: The purpose of this ordinance is to establish the standards for a Wireless Communication Facility Overlay Zone.

Section 3. Substantive Provisions: Title 19 of the Petersburg Municipal Code is hereby amended as follows. The language proposed for addition is **underlined and bold**, and the language proposed for deletion is ~~struck through~~.

A. **New Section.** A new Section, entitled Communication Facility Overlay (CFO), is hereby added to Title 19, to read as follows:

19.50.030 - Identification of Overlay Zones.

The following Overlay Zones are herein established:

- A. Marine Industrial Overlay (MIO)[.];
- B. Communication Facility Overlay (CFO).**

19.50.050 - Communication Facility Overlay Zone.

A. Purpose. The Communication Facility Overlay Zone is established to incorporate community preferences in Wireless Communication Facility siting and help streamline decision-making process for wireless communication corporations in siting Wireless Communication Facilities, consistent with the Telecommunications Act of 1996.

B. Applicability.

- 1. Upon adoption of this ordinance, the CFO Zone is hereby made applicable to the areas shown on maps in Exhibit A hereto, which shall be incorporated into an CFO Zone Map and made a part of the borough's official zoning map. Subsequent amendments to the boundaries of the CFO Zone shall be adopted under the provisions of Chapter 19.84 of this Code.**
- 2. The provisions of chapter 19.58 do not apply within the CFO Zone.**

C. Principal uses. The following are the only permitted principal uses in the CFO Zone:

- 1. All uses permitted in the underlying district;**
- 2. Wireless communication facilities (WCF) under the provisions of Chapter 19.58.**
- 3. A radio or television antenna, transmitter, or tower or any other antenna, transmitter, or tower that is not a WCF, excepting noncommercial antennas.**

D. Accessory uses. Uses and structures that are clearly incidental and subordinate in size and scale to the principal use, and which are located on the same lot.

E. Conditional uses.

- 1. All conditional uses permitted in the underlying district, except those permitted as principal uses in subsection C above.**

F. Development Standards within the CFO Zone.

- 1. Notwithstanding any other yard setback requirements for a district, a tower base must be situated on a parcel such that it is set back a minimum of One Hundred Ten Percent (110%) of the total transmitter or tower height (1x1.1 ratio) from all property lines and the boundary lines of any public road or right-of-way.**

Section 4. Severability: If any provision of this ordinance or any 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.

Section 5. Effective Date: This Ordinance shall become effective immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this ____ day of _____, 2026.

Bob Lynn, Mayor

ATTEST:

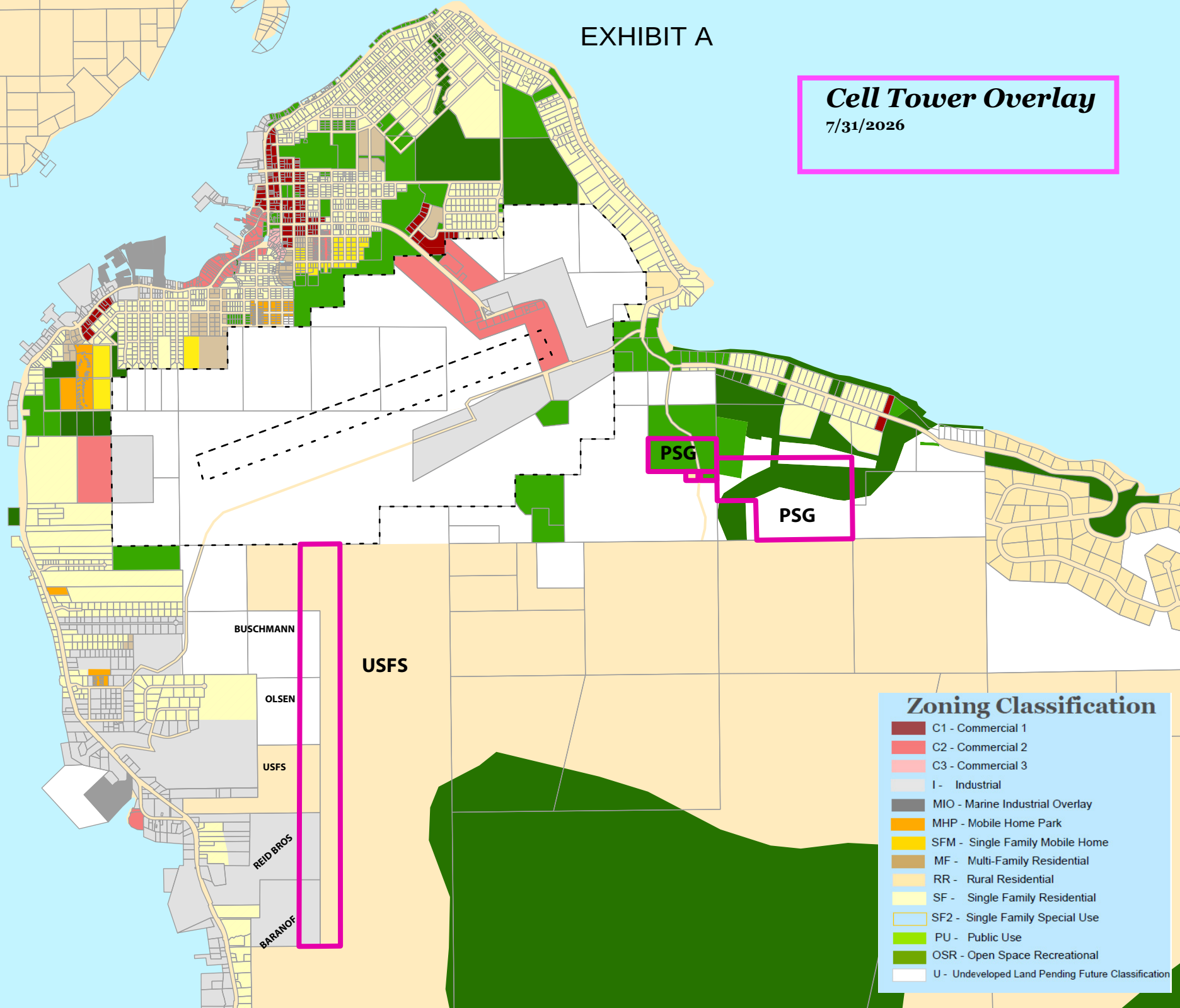
Rebecca Regula, Clerk

Adopted:
Noticed:
Effective:

EXHIBIT A

Cell Tower Overlay

7/31/2026

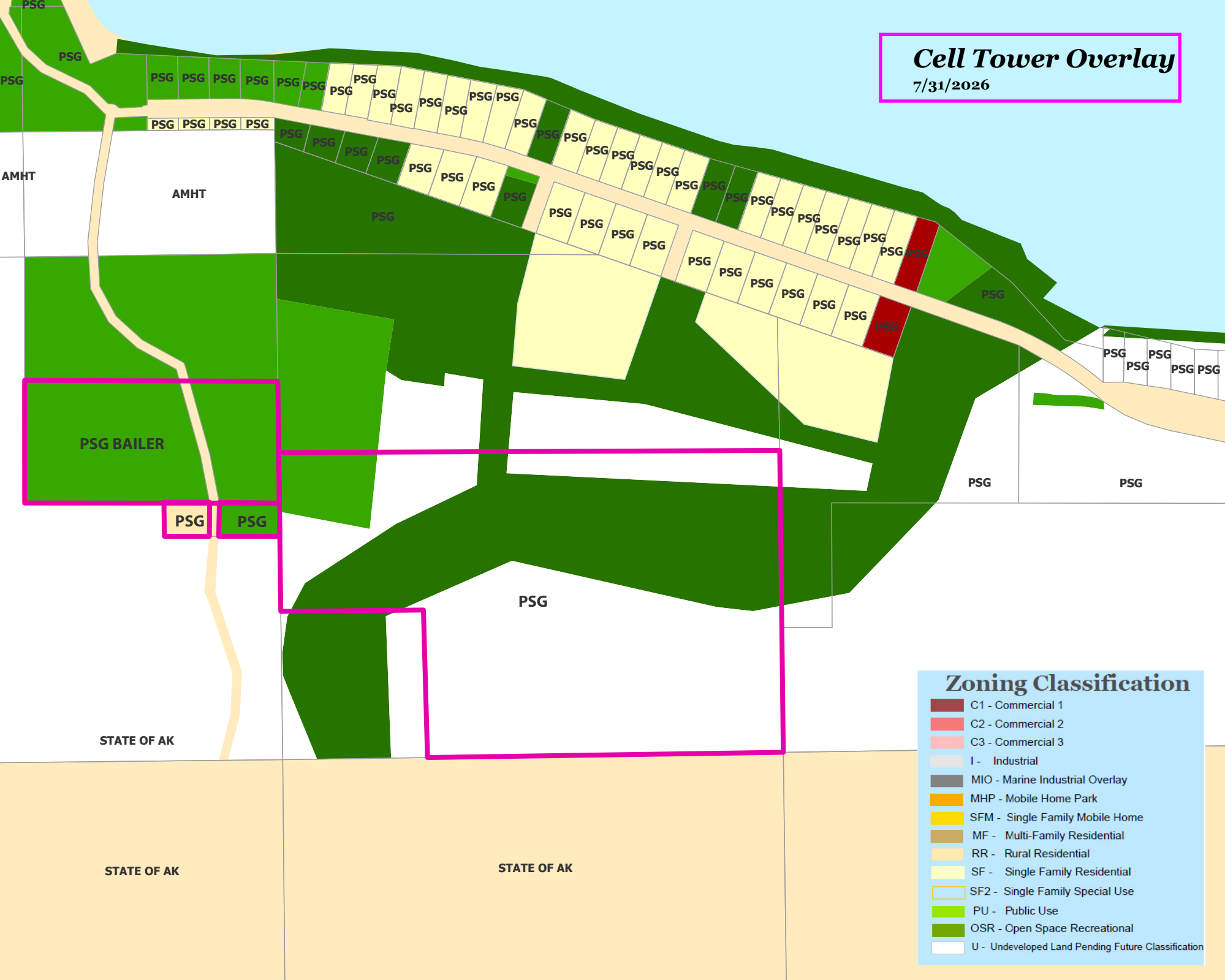


Zoning Classification

- C1 - Commercial 1
- C2 - Commercial 2
- C3 - Commercial 3
- I - Industrial
- MIO - Marine Industrial Overlay
- MHP - Mobile Home Park
- SFM - Single Family Mobile Home
- MF - Multi-Family Residential
- RR - Rural Residential
- SF - Single Family Residential
- SF2 - Single Family Special Use
- PU - Public Use
- OSR - Open Space Recreational
- U - Undeveloped Land Pending Future Classification

Cell Tower Overlay

7/31/2026



Cell Tower Overlay

7/31/2026

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SERVICE AREA ONE BOUNDARY

USFS

USFS

PEAK ENG

STATE OF AK

STATE OF AK

AMHT