

CITY OF SELDOVIA

PO Box B, 245 Dock Street

Seldovia, Alaska 99663

Phone 907-234-7643

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Special Planning Commission Meeting

Wednesday, January 08, 2020

6:00PM

Council Chambers

Multi-Purpose Room

260 Seldovia Street

Seldovia, AK 99663

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AGENDA FOR THE SELDOVIA PLANNING COMMISSION

***SPECIAL* MEETING
MULTI-PURPOSE ROOM**

**Wednesday
January 8, 2020
6:00PM**

FORSBERG
CARLUCCIO
LETHIN
GRUBER

- A. Call to order;
- B. Roll Call;
- C. Approval of the Agenda;
- D. Approval of Minutes from December 04, 2019
- E. Public Comments Regarding Items Not on the Agenda;
- F. Public Hearings, Prior Notice;
- G. Consideration of Site Plans;
 - 1. Discussion- Rezoning Application/Amendment Procedures
 - A. Presentation by Staff or Commission
 - B. Public Presentation or Hearing
 - C. Commission Discussion
 - D. Action/Disposition
 - 2. Discussion- Title 18 Land Use Matrix and Definitions
 - A. Presentation by Staff or Commission
 - B. Public Presentation or Hearing
 - C. Commission Discussion
 - D. Action/Disposition
- H. Commission Business:
- I. Staff Reports:
 - 1. Ordinance 20-05 Amending Commercial Marine was adopted and became effective December 09, 2019.
- J. Informational Items Not Requiring Action:
- K. Comments of the Public:
- L. Comments of the Commission:
- M. Next Meeting: Regular scheduled meeting, February 5, 2020
- N. Adjournment:

***If you require special assistance to attend the meeting,
Please, notify the City Office 24 hours in advance of the meeting and arrangements will be made.**

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Seldovia
Planning Commission
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January 8, 2020

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**AGENDA FOR THE SELDOVIA PLANNING COMMISSION
REGULAR MEETING
MULTI-PURPOSE ROOM
Wednesday
December 4, 2019
6:00PM**

CARLUCCIO LETHIN GRUBER FORSBERG

- A. Call to order; MEETING CALLED TO ORDER 6:02PM BY COMMISSIONER CARLUCCIO
- B. Roll Call; IN ATTENDANCE; CARLUCCIO, GRUBER, and FORSBERG
- C. Approval of the Agenda;
GRUBER/FORSBERG MOVED TO APPROVE THE AGENDA
NO OBJECTION/ MOTION CARRIED
- D. Approval of Minutes from November 06, 2019
GRUBER/FORSBERG MOVED TO APPROVE THE MINUTES
NO OBJECTION/ MOTION CARRIED
- E. Public Comments Regarding Items Not on the Agenda; None
- F. Public Hearings, Prior Notice; None
- G. Consideration of Site Plans;
1. Waterfront Resubdivision No. 1 BLK 11 Replat
- A. Presentation by Staff or Commission
CLERK GEAGEL- Presented the plat submittal for Waterfront Resubdivision No. 1, BLK 11.
- B. Public Presentation or Hearing
JENNY CHISSUS- Discussed that there were no markings of setbacks for the shop and that if it was on its own on the property it would no longer be an accessory use.
- C. Commission Discussion
FORSBERG- Inquired about what was being replatted and discussed that the lots were in the commercial residential zone. He spoke to the setbacks being 6 feet from property lines.
CARLUCCIO- Discussed the replat being three lots turning into two. Inquired about the exceptions to the utility setback. Discussed that the lot size requirements were met and inquired if they lots met the requirements of the zone.
CM CAMERON- Discussed that the utilities for both properties were on Fulmore Ave and would not be affected by the exception.
- D. Action/Disposition
- GRUBER/FORSBERG MOVED TO APPROVE THE REPLAT AS SUBMITTED WITH THE
EXCEPTIONS REQUESTED
NO OBJECTION/ MOTION CARRIED
2. Discussion- Title 18 Land Use Matrix and Definitions
- A. Presentation by Staff or Commission
CLERK GEAGEL- Presented the draft matrix and the draft definitions for review. Discussed accessory use on a lot without a main building and examples of the occurrence in town. She referenced the nonconformity code timeline of one year for nonconformity repairs and discussed the definitions for accessory use or accessory structure. She discussed the definitions for garage, public and garage, private. She discussed getting rid of accessory use or structure on an unoccupied lot.
CARLUCCIO- Suspended the rules for discussion.
CHISSUS- Spoke to accessory uses with or without a main building. Inquired about compliance once

the code moves forward and the timeline of nonconformities. She suggested defining garage, standalone. She spoke to commercial recreation and entertainment definitions being similar. CM CAMERON- Discussed the nonconformity code and read the nonconformity code intent. She spoke to the matrix and pulling terms out of accessory use defining them such as garage and warehouse. She discussed entertainment being for spectating and recreation being for participating and separating out the definitions as such.

CARLUCCIO- Spoke to the lots in the code that were currently nonconforming. Discussed that Commercial Marine was in the process of being changed to Commercial Business. She inquired if they were going to change some of the definitions and spoke to the definition of an accessory structure versus accessory use. She spoke to dwelling units attached. She discussed mobile homes and mobile parks. Nightly rental, services, and commercial recreation versus entertainment were discussed. Garage, public and garage, private were discussed and more information was requested along with a definition for garage, standalone at the next meeting.

FORSBERG- Inquired about current nonconforming lots.

GRUBER- She spoke in support of an accessory use being a conditional use for WCR district. Spoke to industrial being permitted for industry.

B. Public Presentation or Hearing

C. Commission Discussion

D. Action/Disposition

CALLED A FIVE-MINUTE RECESS at 7:30pm

CALLED BACK TO ORDER at 7:35pm

TABLED THE CONVERSATION UNTIL THE NEXT MEETING

3. Discussion- Rezoning Application/Amendment Procedures

A. Presentation by Staff or Commission

CLERK GEAGEL- Presented a draft ordinance repealing contract zoning and amending the amendment procedures along with an application draft.

B. Public Presentation or Hearing

JENNY CHISSUS- Spoke to the applicant needing to fulfill some other requirement for a reapplication. She spoke to rejected applicants needing to be notified of the reasons they were rejected and to the preliminary application having needing to have support in their zone. She spoke in opposition of an application needing 100% approval from affected lots.

C. Commission Discussion

CARLUCCIO- Spoke to the repeal of contract zoning and the update of the amendment procedures. She stated that the most important thing was that the applicant needed to show why the change was in the best interest of the city. She spoke to the application, the public hearing, and the procedure to recommend to the city council. She spoke to the resubmittal of the application being one year instead of nine months. She spoke to the noticing and the public hearing and that a decision may not be made at the first meeting and would eventually be sent to the city council for three meetings. Applications could take six months to go through and if refused they would know the grounds on which it was denied. She spoke to the borough level of zoning areas residential and that not all property owners have to agree, it was either the majority, 75%, or all.

FORSBERG- Spoke to resubmittals and paying the fine again and to resubmittals not coming up with the same proposal to be turned down again.

GRUBER- Spoke in support of the application fee.

CM CAMERON- Spoke to setting separate parameters for the commission versus council for sending out notices for a public hearing.

D. Action/Disposition

NO ACTION WAS TAKEN AT THIS TIME

H. Commission Business:

I. Staff Reports:

1. The applicant for the Cole/Warburton Variance Permit Application has requested to revoke his application.
2. The public hearing for Ordinance 20-05 Amending Commercial Marine is scheduled for December 09, 2019.

J. Informational Items Not Requiring Action: There will be no January meeting unless there is a special meeting because the schedule falls on a holiday.

CARLUCCIO- Spoke to having a meeting on January 8th.

K. Comments of the Public:

JENNY CHISSUS- Spoke to the Commercial Marine administrative permit being designated by lots versus property owners and that there were multiple properties with buildings that sat on multiple lots. There were only 21 owners in the zone and 10% of the zone was something to think about.

CARLUCCIO- Spoke to the hearing of commercial marine being with the council and inquired if the public thought the code should say it be more or less of the zone.

L. Comments of the Commission:

GRUBER- Spoke to Commercial Marine discussion being saved for another meeting, it would be talked about for sure.

FORSBERG- Stated that it had been enlightening.

CARLUCCIO-Thanked the staff for all their work, she could just imagine that by now they are cross eyed from looking at it, but they are learning a lot and finetuning some of the definitions. It was never going to be perfect but it was going to be a lot better when they are done. She spoke in appreciation of Jenny coming and giving her input, that is why she turned it into a kind of workshop because it was important to comment when comment was needed.

M. Next Meeting: Regular scheduled meeting, February 5, 2020

N. Adjournment:

CARLUCCIO CALLED FOR ADJOURNMENT

FORSBERG/GRUBER

SO, MOVED

CARLUCCIO SO ORDERED AT 8:25PM

I certify the above represents accurate minutes of City of Seldovia Planning and Zoning Commission meeting of December 04, 2019.

Heidi Geagel, City Clerk

Approved by Commission _____

**CITY OF SELDOVIA
ORDINANCE 20-XX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA,
REPEALING CHAPTER 18.80 CONTRACT ZONING AND AMENDING CHAPTER 18.97
AMENDMENT PROCEDURES**

SECTION 1. CLASSIFICATION: This ordinance is permanent in nature and shall become a part of the Municipal Code of the City of Seldovia.

SECTION 2: SEVERABILITY: If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to another person or circumstances shall not be affected thereby.

SECTION 3. ENACTMENT: REPEALING CHAPTER 18.80 CONTRACT ZONING AND AMENDING CHAPTER 18.97 AMENDMENT PROCEDURES BY REMOVING LANGUAGE IN ~~STRIKEOUT~~ AND ADDING LANGUAGE IN **HIGHLIGHT** TO READ AS FOLLOWS:

**~~Chapter 18.80
Contract Zoning~~**

Sections:

~~18.80.010 Intent.~~

~~18.80.020 Procedures.~~

~~**18.80.010 Intent.** It is the intent of this section to provide a means of insuring that the type of land use proposed in a rezoning request is the one which occurs if the rezoning is granted. "Contract zoning" means a zoning reclassification to a less restricted use when the owner of the rezoned property, either through an agreement with the Council or a covenant in favor of the City, places restrictions on the use of the land beyond the zoning requirements generally attaching to the new district in which the property has been placed.~~

~~**18.80.020 Procedures.** A. A petition for contract zoning shall be submitted to the City Manager. The applicant's petition shall contain detailed information on the proposed development and use of the land. Proposed covenants, guarantees or other forms of agreement to assure the development and use of the land as proposed shall also be submitted. A time schedule for the development and use shall be included with the petition.~~

~~_____ B. _____ The City Manager shall present the petition to the City Planning Commission. The City Planning Commission may consider the petition upon finding that:~~

1. ~~The proposed land use is beneficial to the public interest and can be developed in a manner to be compatible with development in adjacent zoning districts.~~

2. ~~Existing public facilities, services and utilities can accommodate the proposed use without any detrimental effect on adjacent zoning districts.~~

3. ~~Rezoning accomplished under this section does not constitute "spot zoning."~~

4. ~~Unrestricted rezoning to a district ordinarily permitting the proposed use would permit other uses that would not be compatible with the adjacent land use.~~

C. ~~The City Planning Commission may reject, modify or accept the applicant's proposals submitted under subsection A of this section. If the applicant agrees, in writing, to the City Commission's acceptance or modification of the applicant's proposal, the Commission shall initiate an ordinance for amendment to the City Council. Action taken by the Commission pursuant to this section shall not be construed to limit the Commission's authority to reject or modify the applicant's proposal during the zoning ordinance amendment process.~~

D. ~~The applicant may appeal a City Planning Commission action pursuant to subsection C of this section as provided in Chapter 18.92.~~

Chapter 18.97 Amendment Procedures

Sections:

18.97.050 Initiation of Zoning Code and Official Map Amendments.

18.97.010 Amendment Procedure.

18.97.050 Initiation of Zoning Code and Official Map Amendments. A. Amendments to the Seldovia Zoning Code and Official Map may be initiated by:

1. The Seldovia City Council;
2. The Seldovia Planning Commission;
3. Submission of a petition by a majority of the property owners in the area to be amended;
4. By Petition bearing the signatures of 50 registered voters within the City.

B. A proposed amendment to the zoning code with is substantially the same as any other proposed amendment submitted within the previous twelve (12) months and which was not approved shall not be considered.

C. The zoning amendment request shall include the names and addresses of the applicant, the name of each record owner with the legal description and Borough tax parcel number of each lot that is the subject of the proposed amendment, a statement of justification, a map showing the lots comprising the area that is the subject of the proposed amendment, the present and proposed zoning, a nonrefundable fee as set forth in the Seldovia Fee Schedule adopted by the City Council, and any other pertinent information requested by the City.

18.97.010 Amendment Procedure. A. ~~Amendments to this Zoning Code shall be adopted by the City Council in accordance with procedures and provisions as provided in Chapter 18.96.~~ A completed application, as described in this section, shall be submitted to the administrative official. The administrative official shall schedule a public hearing and make notification arrangements.

B. The City Planning Commission shall hold a public hearing in accordance with the procedures and provisions as provided in Chapter 18.96 and shall consider and determine:

~~B. The City Planning Commission shall study any application for an amendment and will consider and determine:~~

1. The need and justification of the proposed amendment;
 2. Whether the proposed amendment is in conformance with the Comprehensive Plan or will further the purposes of the Plan;
 3. The effect of the proposed change on surrounding properties or the area; and
 4. The amount of undeveloped land in the general area having the same district classification as that requested by the proposed amendment.
5. Will be reasonable to implement and enforce;
 6. Will promote the present and future public health, safety, and welfare;
 7. Is in the best interest of the public, considering the effect of development permitted under the amendment, and the cumulative effect of similar development on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns.

C. The Commission shall, upon public hearing, forward its written recommendation to the Seldovia City Council, along with an excerpt of the Commission minutes showing the consideration of the proposal, all public testimony on the proposal, and public records relating to the proposed amendment.

D. The Seldovia City Council in accordance with the provisions of the Seldovia Municipal Code, may or may not adopt the amendment as a City ordinance.

SECTION 4. EFFECTIVE DATE. This ordinance becomes effective upon its adoption by the City Council.

ADOPTED by a duly constituted quorum of the City Council of the City of Seldovia, Alaska this ____ day of _____, 2020.

ATTEST:

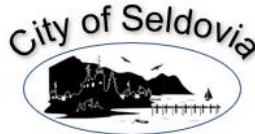
Heidi Geagel, City Clerk

APPROVED:

Dean Lent, Mayor

Vote:
Colberg-
Campbell-
Morrison-
Rojas-
Nathan-
Sweatt-

DRAFT



www.cityofseldovia.com

P.O. Drawer B Seldovia, Alaska 99663 Phone: (907) 234-7643, Fax: (907) 234-7430 email: cityclerk@cityofseldovia.com

**ZONING AMENDMENT
APPLICATION PETITION
FEE: \$150.00**

Name of Owner(s)/Petitioner(s): _____

Legal description of lot/lots covered by this application (use additional sheets if necessary) : _____

Request District Change: From Zone: _____
To _____ zone.

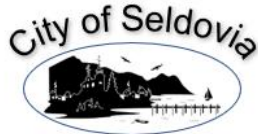
Description of neighboring land use: _____

The need and justification of the proposed amendment: _____

Please provide written narrative explaining the following (use additional sheets if necessary):

1. How is the proposed change beneficial to the public interest? _____

2. How is the proposed change compatible with surrounding zoning districts and the established land use pattern? Would it permit uses not compatible with adjacent land use? _____



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3. Are public facilities such as schools, utilities and streets adequate to support the proposed change? _____

4. How does the proposed use not constitute spot zoning? _____

Petitioners:

Signature: _____

Name: _____

Address: _____

Owner of: _____

Signature: _____

Name: _____

Address: _____

Owner of: _____

Signature: _____

Name: _____

Address: _____

Owner of: _____

Signature: _____

Name: _____

Address: _____

Owner of: _____

Date Received: _____

Receipt No: _____

Public Hearing: _____

For City Office use only

P&Z Approval: _____

Attest: _____

Definitions Accessory Buildings and Garage, Residential

Accessory Buildings

Accessory buildings are outdoor structures such as attached or detached garages, [sheds](#), [playhouses](#), storage buildings, [pergolas](#), garden structures, greenhouses, private studios, boathouses, pool houses, cabanas, and other similar residential buildings. These types of structures are used exclusively by the owners or occupants of the house or main building. Legally, most accessory buildings are not permitted to be used as sleeping quarters or as living space. Also, they can't be used to store commercial vehicles.

<https://www.thespruce.com/uses-for-an-accessory-building-2736659>

An **accessory structure** is a **structure** which is on the same parcel of property as a principal **structure** and the use of which is incidental to the use of the principal **structure**. For example a residential **structure** may have a detached garage or storage shed for garden tools as **accessory structures**. Mar 27, 2018

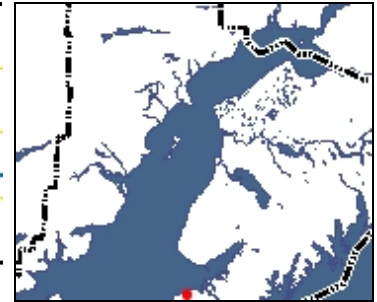
<https://www.fema.gov/accessory-structures>

Garage, Residential

*A residential **garage** ([/'qæɪɪdʒ/](#) or [/qæ'ra:dʒ/](#)) is a walled, roofed structure for storing a vehicle or vehicles that may be part of or attached to a home ("attached garage"), or a separate outbuilding or [shed](#) ("detached garage"). Residential garages typically have space for one or two [cars](#), although three-car garages are used. When a garage is attached to a house, the garage typically has an entry door into the house. Garages normally have a wide [door](#) which can be raised to permit the entry and exit of a vehicle, and then closed to secure the vehicle.*



Seldovia Accessory Use Types- 2020



Legend

- Mileposts
- City Limits
- Highways
- Major Roads
- Roads
 - Town Medium Volume
 - Town Low/Seasonal; Other
 - Proposed
- Parcels

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

0 0.09 0.18 Miles

Coordinate System: NAD_1983_StatePlane_Alaska_4_FIPS_5004_Feet

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Type any notes here.

Seldovia Parcels labeled as Accessory Building Use Type and their improvements according to KPB

	Parcel ID	Own Type	Use Type	Situs Address	Owner	Acreage	Improvements	Adjoining Lot/s
0	19201316	Private	Accessory Building	227 INLET ST	GILES GORDON E & CARLENA	0.32	Lean-to, General Purpose Building 60x40	
1	19202434	Private	Accessory Building		WILLARD GERALD & ALBERTA	0.07	Shed- 10x10, Shed- 46x10	x
2	19202450	Private	Accessory Building	275 WINIFRED AVE	PERMAN MATTHEW M & ANNA R & LO	0.29	40x30 Outbuilding	
3	19202408	Private	Accessory Building		CHRISTIENSEN SUE ELLEN	0.21	General Purpose Building 16x12	
4	19203084	Private	Accessory Building	268 WINIFRED AVE	HOMER ELECTRIC ASSOCIATION INC	0.58	Container Van Conex 40x8	
5	19203015	Private	Accessory Building	272 WINIFRED AVE	EASLEY JEREMY D	0.35	General Purpose Building 40x30	
6	19204210	Private	Accessory Building	292 WINIFRED AVE	GLACIER STATE TELEPHONE CO	0.39	Light Penetrating Stairway	
7	19204211	Private	Accessory Building	322 WINIFRED AVE	SEVILLE JOHN A & CATHLEEN	0.54	Pole Building 40x30	
8	19204313	Private	Accessory Building	323 ANDERSON WAY	PRECIOUS EARTH INC	0.88	Container Van Conex 20x8, Container Van Conex 40x8	
9	19204308	Private	Accessory Building	350 WINIFRED AVE	CAMERON KATHY	0.16	General Purpose Building 16x12	x
10	19205701	Private	Accessory Building	396 SHORELINE DR	GAYNOR JOEL R	0.13	Pole Building 14x5	
11	19205606	Private	Accessory Building		MUMMA TIMOTHY DAVID	0.21	General Purpose Building 32x24	x (vacant)
12	19205712	Private	Accessory Building	370 SHORELINE DR	RIGGS LIVING TRUST	0.15	Shed- 12x8	x
13	19205519	Private	Accessory Building	337 SHORELINE DR	KLOBERTANZ PHILLIP L	0.3	Shed 10x14, Shed 16x15 (new residential construction not noted yet)	
14	19205510	Private	Accessory Building		SWICK KENNETH A JR & ROBERTA I	0.17	Container Van Conex 40x8	x
15	19205509	Private	Accessory Building		SWICK KENNETH A JR & ROBERTA I	0.17	Shed- 12x12	x
16	19205420	Private	Accessory Building	314 SPILLUM ST	LOTT JAMES C	0.2	Residential Detached Garage, Shed- 16x16	
17	19205423	Private	Accessory Building		THIEDE ROBERT	0.21	Shed- 12x8	x
18	19205424	Private	Accessory Building	320 EAGLE RUN LOOP	HATCH IV OZIAS M	0.18	Barn 30x24	x
19	19206109	Private	Accessory Building		HILTS RODNEY H & EDITH-HELEN M	0.34	Shed 28x21	x
20	19206222	Private	Accessory Building	280 SHORELINE DR	FLECKENSTEIN JOSEPH & CARLA J	0.16	Lean-to, General Purpose Building, Boardwalk	x
21	19206226	Private	Accessory Building	376 LAKE ST	COLEMAN STANLEY	0.23	Shed 8x16, 8x16, Residential Detached Garage 30x40, General Purpose Building 24x50	
22	19206403	Private	Accessory Building		SONEN WALTER S	0.11	Storage- Hay Cover, Carport, General Purpose Building	
23	19212022	Private	Accessory Building	244 FULMOR AVE	D & D BUSINESS LLC	0.15	Residential Detached Garage 40x8	x
24	19212041	Private	Accessory Building	226 LINDSTEDT LN	FORSBERG ROGER	0.1	General Purpose Bldg, Carport	x
25	19207731	Private	Accessory Building		MILTON GARY F & ALONA L	0.02	Waterfront Boat Dock 84x20	x
26	19207830	Private	Accessory Building		SAGE C MICHAEL & CATHERINE A	0.23	General Purpose Bldg 14x12	x
27	19207807	Private	Accessory Building		KURTZ L S Jr	0.13	Greenhouse	x (lot w/accessory)
28	19207918	Private	Accessory Building	188 WATER ST	YUKNIS BIRCH ARTHUR	0.16	Waterfront Boat Dock 29x25	
29	19207915	Private	Accessory Building	187 MAIN ST	STRANIK GERALD M	0.24	General Purpose Building 40x30	
30	19209302	Private	Accessory Building	142 AUGUSTINE NOR	RICE STEPHEN	0.5	General Purpose Building 16x16	
31	19210018	Private	Accessory Building	396 A ST	LAURA S INC	0.73	General Purpose Building 40x40	
32	19207811	Private	Accessory Building	177 BAY ST	KURTZ L S Jr	0.04	Lean-to, Shed 12x12	x (lot w/accessory)

Improvements in yellow are known to be used commercially

Red- for additions

Seldovia Land Matrix Example

Yellow Highlights- Questions

Key:	P- Permitted Use	S - Secondary Use	C - Conditional Use	N- Not Permitted						
	RG	RSM	WCR	C	I	CM	CR	A	P	
Residential Land Use Types										
Accessory Structure on an Unoccupied lot (without main Unoccupied lot)	C	C	C	C	C	C	C	C	C	C
Accessory Use or Structure	P	P	P	P	P	P	P	C	P	P
Dwelling Unit, Attached Residential (apartment in a commercial building (limited to one unit))	N	N	P	P	P	S	P	N	N	N
Dwelling Unit, Attached multi-residential (apartment in a commercial building (two or more unit))	N	N	P	P	P	S	P	N	N	N
Dwelling Units, structures containing four or less units	P	C	P	C	C	N	P	N	N	N
Dwelling Units, structures containing five or more units	C	P	C	P	C	N	P	N	N	N
Mobile Homes	P	N	P	C	N	N	P	N	N	N
Mobile Home Parks	C	N	N	C	N	N	C	N	N	N

Red- for additions

Seldovia Land Matrix Example

Yellow Highlights- Questions

Key:	P- Permitted Use			S - Secondary Use			C - Conditional Use			N- Not Permitted		
	RG	RSM	WCR	C	I	CM	CR	A	P			
Commercial Land Use Types												
Dwelling unit- nightly rentals	P	N	P	P	P	P	P	N	N			
Bed and Breakfasts	P	N	P	P	S	S	P	N	N			
Business/Consumer Services(other than a home occupation)	N	P	P	P	P	P	P	N	N			
Business/Personal Services(other than a home occupation)	N	P	P	P	P	P	P	N	N			
Cabin Rentals	P	N	P	P	P	P	P	N	N			
Commercial Recreation	N	N	P	P	P	P	P	N	N			
Entertainment Uses	N	N	P	P	P	P	P	N	N			
Garage, Residential												
Garage, Commercial												
Home Occupation	P	P	P	P	P	S	P	N	N			
Hostels	P	N	P	P	P	P	P	N	N			
Marijuana Cultivation Facility, manufacturing facilities, retail facilities, and testing facilities as defined by state law, SMC 18.78 and SMC Ord. 16-09	N	N	C	C	C	C	C	N	N			
Motel/Hotel (five or more units considered motel/hotel)	C	P	C	P	N	N	C	N	N			
Lodge(contains five or fewer units)	C	P	C	P	N	N	C	N	N			
Offices	S	P	P	P	S	S	P	S	N			
Restaurant	N	N	C	C	N	P	P	N	N			
Retail Business(other than a home)	N	N	P	P	P	P	P	N	N			
Wholesale Business	N	N	C	P	P	C	C	N	N			

Red- for additions

Seldovia Land Matrix Example

Yellow Highlights- Questions

Key:	P- Permitted Use	S - Secondary Use	C - Conditional Use	N- Not Permitted					
	RG	RSM	WCR	C	I	CM	CR	A	P
Industrial Land Use Types									
Equipment sales, repairs and service (Heavy equip, or machine?)	N	N	N	P	P	N	C	N	N
Extraction of natural resources for sale not incidental to development of the area for a permitted use (surface or subsurface)	N	N	N	N	N	N	N	N	N
Gas Station	N	N	N	C	C	N	N	N	N
Junkyard	N	N	N	P	P	N	N	N	N
Lumberyard	N	N	N	P	P	N	N	N	N
Manufacturing/Fabricating/Assembly	N	N	N	C	P	N	N	N	N
Marine equipment repair and construction									
Marine equipment sales									
Marine equipment storage	N	N	P	P	P	P	C	N	N
Mini-Storage Facility									
Motor vehicle sales									
Motor vehicle services (Automotive Repair and Sales)	N	N	C	P	P	C	C	N	N
Public utility plants??? (Utility, public facility)					P				
Public Utilities and approved fuel storage (gas manufacturer/Storage)	C								
Seafood Processing	N	N	C	P	P	C	C	N	N
Storage Yard	N	N	N	P	P	N	N	N	N
Freight storage and staging for transportation except for flammable, explosive or corrosive materials not for use on the site (temporary)					P				P?
Freight storage and staging for transportation of flammable, explosive or corrosive materials (temporary)	N	N	N	N	C	N	N	N	N
Warehouse or storage facility				C					
Wholesale outlets					P				

Key:	P- Permitted Use	S - Secondary Use	C - Conditional Use	N- Not Permitted					
	RG	RSM	WCR	C	I	CM	CR	A	P
PUBLIC/INSTITUTIONAL/OTHER									
Airport and Related Services (Compatible Uses instead of related)	C	C	P	P	P	C	P	P	
Churches	C	C	P	P	C	C	P	C	
Clinics	C	C	C	P	C	P	P	C	
Fraternal Organizations	C	C	C	C	C	C	C	C	
Parks and Recreation	C	C	P	P	P	C	P	C	P
Schools	C	C	C	C	C	C	C	C	C
Hospitals	C	C	C	C	C	C	C	C	
Public buildings (requirements same as commercial district) (Government Buildings instead)	C	C	P	P	P	P	P	P	P
Signage uses in excess of those specified in Section 18.36.080, Subsection A.	C	C	C	C	C	C	C	C	C
Keeping of Livestock may be permitted provided the provisions set forth are satisfied	C	C	C	C	C	C	C	C	N
Building of decks and docks within the Seldovia Small Boat Harbor (as defined by SMC 18.52.070 D) beyond the mean high tide may be permitted if provisions set forth are met	N	N	C	N	N	C	N	N	N
Any use which causes excessive noise, odors, effluent, smoke, dust, vibrations, electrical interference, bright or flashing light, or other non-objectionable conditions which would interfere with the quiet enjoyment of a residential neighborhood	N	N	N	C?	C?	N	N	N	N

Key:	P- Permitted Use	S - Secondary Use	C - Conditional Use	N- Not Permitted					
	RG	RSM	WCR	C	I	CM	CR	A	P
Airport and Related Services								P	
Access to waterfront areas									P
Churches	C								
Accessory Structure on an Unoccupied lot	C	N	P	P	P	N	P	N	P
Accessory Use or Structure	P	P	P	P	P	P	P	N	P
Dwelling Unit, Attached Residential (apartment in a commercial building (limited to one unit))	N	N	P	P	P	S	P	N	N
Dwelling Unit, Attached multi-residential (apartment in a commercial building (two or more unit))	N	N	P	P	P	S	P	N	N
Dwelling unit- nightly rentals, Bed and Breakfasts	P	N	P	C?	N	P?	P	N	N
Dwelling Units, structures containing four or less units	P	C	P	C	N	N	P	N	N
Dwelling Units, structures	C	P	C	P	N	N	C	N	N
Entertainment				P					
Equipment sales, repairs and service (what type of equip?)	N	N	N	C	P	N	N	N	N
Extraction of natural resources for sale not incidental to development of the area for a permitted use	N	N	N	N	N	N	N	N	N
Gas Station	N	N	N	C	C	N	N	N	N
Home Occupation	P	P	P	P	P	S	P	N	N
Manufacturing	N	N	N	C	P	N	N	N	N
Marijuana Cultivation Facility, manufacturing facilities, retail facilities, and testing facilities	C	C	C	C	C	C	C	N	N
Marine equipment sales, service, repair, construction and storage	N	N	N	P	P	N	N	N	N
Mobile Homes	P	N	P	C	N	N	P	N	N
Mobile Home Parks	C	N	N	N	N	N	N	N	N
Motel/Hotel (five or more units considered motel/hotel)									

Motor vehicle sales and services	N	N	C	C	C	C	C	N	N
Office	S	P	P	P	S	S	P	S	N
Public Utilities and approved fuel storage	C								
Public utility plants					P				
Restaurant	N	N	C	C	N	P	P	N	N
Retail			P	P	P	P	P	N	N
Seafood Processing	N	N	C	P	P	C	C	N	N
Service	P	P	P	P	P	P	P	N	N
Service business and outside storage				C					
Transportation and storage except for flammable, explosive or corrosive materials not for use on the site (like freight?)					P				
Transportation and storage of flammable, explosive or corrosive materials					C				
Warehouses and transportation facilities				C					
Wholesale outlets and warehouses					P				
Wholesale Business				P					
Fraternal Organizations	C								
Parks									P
Playground									P
Private schools	C								
Public schools and recreation facilities	C								
Schools				C					
Hospitals	C								
Public buildings (requirements same as commercial district)									P
Signage uses in excess of those specified in Section 18.36.080, Subsection A.		C	C	C	C	C			
Keeping of Livestock may be permitted provided the provisions set forth are satisfied		C	C		C	C			

Building of decks and docks	N	N	C	N	N	C	N	N	N
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18.20.010 Definitions and Construction of Terms Generally. A. When used in this zoning code, the following words used herein shall be interpreted or defined as set forth in this chapter.

A. When not inconsistent with the context, words used in the present tense shall include the future; the singular number includes the plural; and the word "person" includes a firm, partnership or corporation as well as an individual; the word "lot" includes the words "plot," "piece," "parcel"; the term "shall" is always mandatory; and the words "used" or "occupied" shall be construed to include the words "intended," "arranged," or "designed" to be used or occupied.

18.20.015 Abandoned Sign. Any sign containing copy that refers to a business or activity that is no longer being conducted or pursued. (Ord. 01-01)

Accessory Building. A detached structure that:

- A. Is clearly incidental to and customarily found in connection with a principal building or use;
- B. Is subordinate to and serves a principal building or use;
- C. Is subordinate in area, extent or purpose to the principal building or use served;
- D. Contributes to the comfort, convenience or necessity of occupants, business or industry in the principal building or use served.
- E. Is located on the same or adjacent lot under the same ownership as the principal building or use served.

An accessory building shall be considered to be a part of the main building when joined by a common wall or connected by a breezeway to the main building. Accessory building means any structure regardless of type of foundation or base support, including skid-mounted or other moveable structures.

18.20.020 Accessory Use or Structure. "Accessory use or structure" means a use or of a structure on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure.

Airport. Airport means a location where aircraft such as fixed-wing aircraft, helicopters, and blimps take off and land. Aircraft may be stored or maintained at an airport. An airport consists of at least one (1) surface such as a paved or gravel runway, a helicopter touchdown and lift off (TLOF) area, helipad, or water runway for aircraft takeoffs and landings, and often includes buildings such as control towers, hangars, and terminal buildings.

Airport Compatible Uses. Airport compatible uses means uses which include, but are not limited to: hangars, Fixed Base Operators, Aircraft Repair and Manufacturing, Aircraft Sales, and other uses approved by the Seldovia Municipal Code, the Federal Aviation Administration's regulations, and compatible with the Comprehensive Plan.

18.20.023 At large. At large means an animal is at large when it is off the premises of the owner or keeper and is not in the company of or under the control of the owner or keeper, a member of his family or other person to which the animal has been entrusted, by leash, cord or chain; provided, however, that such animal shall be deemed to be under control when under competent voice control while actively engaged in an organized activity which requires that the animal not be physically restrained. (Ord. 17-05)

18.20.270 Attached residential dwelling unit. A building located on a single lot containing multiple units having a common wall of which one is a dwelling unit designed for one family. (An apartment in a commercial building)

18.20.280 Attached multi-residential dwelling unit. A building located on a single lot containing multiple units having a common wall of which more than one is a dwelling unit and designed for multiple families. (Multiple apartments in a commercial building)

Automobile Sales. Automobile sales means the use of any building or structure and associated premises for the display and sale of new or used automobiles, panel trucks or vans, trailers, or recreation vehicles and including any warranty repair work and other repair service conducted as an accessory use.

Automobile Service Station means the use of any building or structure and associated premises or other space used primarily for the retail sale and dispensing of motor fuels, tires, batteries, and other small accessories; the installation and servicing of such lubricants, tires, batteries, and other small accessories; and such other services which do not customarily or usually require the services of a qualified automotive mechanic. **GAS STATION**

Automotive Repair. means the use of any building or structure and associated premises on which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered.

Bed and Breakfast. means a residential, owner-occupied dwelling in which rooms are rented to paying guests on an overnight basis with no more than one (1) meal served daily.

18.20.024 Bee Keeping. Bee Keeping means the keeping of stinging winged insects that collect nectar and pollen, produce wax and honey, and are kept in large communities (hives). (17-05)

18.20.025 Below Grade Walls. Any area or space which falls below grade. (Ord. 06-10)

18.20.030 Building. "Building" means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind, containing walls on at least three sides.

~~**18.20.035 Temporary Structure.** "Temporary Structure" means any structure constructed or erected on the ground, on skids or movable with the~~

~~assistance of a vehicle, piece of equipment or suitable winch system. A temporary structure is treated as if it were a building, see SMC 18.20.030. (Ord. 16-10)~~

18.20.040 Building Height. "Building height" means a vertical distance from the specified reference point to the highest point of the structure not including venting. (Ord. 06-10)

"Building, Principal or Main" means a building or structure in which is conducted the principal or main use on the lot which said building is situated.

18.20.050 Building Setback. "Building setback" means the distance from a lot line or right-of-way centerline, whichever is specified, that a principal and accessory structure must be located.

"Business/Consumer Services" means the provision of services to others on a fee or contract basis, such as advertising and mailing; building maintenance; employment service; management and consulting services; protective services; equipment rental and leasing; commercial research; development and testing; photo finishing; and personal supply services.

"Business, personal service." The conduct of business providing services involving the care of a person or his or her apparel; i.e., dressmaking, tailoring, barbers and beauty, etc.

18.20.053 Business Specific Office. "Business Specific Office" means office space directly pertaining to the retail or service business use of the building. (Ord. 06-10)

"Cabin Rentals" means the renting out of one (1) or more individual, detached dwelling units or buildings to provide overnight sleeping accommodations for a period of less than thirty (30) consecutive days.

Campground. A plot of ground upon which two or more campsites are located, established or maintained for occupancy by camping units as temporary living quarters for recreational or vacation purposes.

"Cemetery" means any property used to inter the dead in buried graves or in columbarium, stacked vaults, or similar structures.

"Centerline" means the line which is in the center of a public right-of-way.

"Church" means a building or structure in which persons regularly assemble for worship, ceremonies, rituals, and education pertaining to a particular system of beliefs. The term "church" includes a synagogue or temple.

"City" means the City of Seldovia, Alaska.

"Clinic" (or outpatient clinic or ambulatory care clinic) means a health care facility that is primarily devoted to the care of outpatients. Clinics can be privately operated or publicly managed and funded, and typically cover the primary health care needs of populations in local

communities, in contrast to larger hospitals which offer specialized treatments and admit inpatients for overnight stays.

18.20.055 Combined Signage. The total square footage of all signs on any lot. (Ord. 01-01)

"Commercial Recreation" means a recreation facility operated as a business and open to the public for a fee.

Commercial Use. An occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee.

"Commission" means the Seldovia Planning and Zoning Commission.

"Conditional Use" means a use which is permitted under the terms of this chapter provided that under the specified procedures, the Commission finds that certain conditions, specified in this chapter are fulfilled.

Conditional uses are listed in the Land Use Table.

18.20.060 Dwelling. "Dwelling" means a structure containing one or more dwelling units and designed to be affixed to a permanent foundation. This term includes prefabricated structures that are not constructed on a chassis that is an integral part of the structure.

18.20.070 Dwelling Unit. "Dwelling unit" means one or more rooms in addition to a bathroom, which include kitchen facilities and are arranged, designed or used for living quarters by a family.

Entertainment Uses. Means the use of a building or space to provide amusement or entertainment especially by performers. Arcades, art gallery, bowling alley, comedy club, dance club, laser tag, museum, music performance venue, paintball, skate park, and theater.

"Essential Service" means the erection, construction, alteration, or maintenance by public utility companies or municipal departments or commissions, of underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith. This definition shall not be interpreted to include public buildings.

Equipment Sales. Heavy equipment or tangible property that is used in the operations of a business, devices, machines, tools, and vehicles....

18.20.080 Family. "Family" means one or more persons occupying a dwelling unit. means any number of individuals living together as a single housekeeping unit in a dwelling unit.

"Fraternal Organization" means a group of people formally organized for a common object, purpose, or interest (usually cultural, religious or entertainment) that conducts regular meetings and has written membership requirements.

"Freight Storage and Staging for Transportation" The process of positioning product in an indoor or outdoor area after receiving or prior to shipping.

"Garage, Commercial" means any garage other than a residential garage, for commercial use, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, adjusting, or equipping of automobiles or other vehicles.

"Garage, Residential" means an accessory building or any portion of a main building used in connection with residential purposes for the storage of passenger motor vehicles. Is a walled, roofed structure for storing a vehicles or vehicles that may be part of or attached to a home ("attached garage"), or a separate outbuilding ("detached garage"). Residential garages typically have space for one or two cars. When a garage is attached to a house, the garage typically has an entry door into the house. Garages normally have a wide door which can be raised to permit the entry or exit of a vehicle, and then closed to secure the structure.

"Gas Manufacturer/Storage" means the surface use of lands used in the production, the mechanical transformation, or the chemical transformation of hydrocarbon gas and includes uses for gas conditioning/ compressor stations. "Storage" means surface uses necessary for storage of produced or non-native natural gas.

Gas Station. Means a retail station for servicing motor vehicles especially with gasoline and oil. **Automobile Service Station**

"Governmental Building" means a building or structure owned and operated by any department, commission, or agency of the United States or of a state or municipality and used to conduct official business of government.

18.20.090 Home Occupation. "Home occupation" means any use entirely within a dwelling or accessory structure and carried on by the occupants of the dwelling, which is clearly incidental to the use of the dwelling and lot for residential purposes and does not change the character thereof. It shall not cause any noise, odors, effluent, smoke, dust, vibrations, electrical interference, bright or flashing light, or other objectionable conditions which would interfere with the quiet enjoyment of a residential neighborhood. A home occupation shall not include automobile or machinery repair, welding, sheet metal, or other similar work, and shall not require regular or frequent deliveries of goods or materials of such bulk or quantity, nor the parking of customer or client vehicles in numbers or frequency over and above the normal traffic associated with the dwelling as a residence. It allows for one exterior sign and display or stock in trade is limited to local articles and produce. (Ord. 01-01)

Hostel. Means a budget-oriented, lower cost, short-term shared-room ("dormitory") accommodation that accepts individual travelers.

"Hotel" means a building or group of buildings containing more than five (5) guest rooms used for the purpose of offering public lodging on a day-to-day basis with or without meals.

18.20.095 Incidental Secondary Uses. "Incidental Secondary Uses" means additional uses of the building of a subordinate or ancillary nature, i.e. second floor apartment. Not the main reason for the building. (Ord. 06-10)

18.20.250 Intertidal Zone. The intertidal zone, also known as the foreshore and seashore and sometimes referred to as the littoral zone, is the area that is above water at low tide and under water at high tide (in other words, the area between tide marks). (Ord. 17-06)

18.20.260 Intersections. An intersection is any point where one road meets another. Types of intersections include four-way intersections including offset approaches and three-way intersections which includes T junctions and Y junctions and includes both sides of the road of the intersecting streets. (Ord. 18-12)

"Junkyard" means any space one hundred (100) square feet or more of any lot or parcel of land used for the storage, keeping, or abandonment of junk or waste material, including scrap metals or other scrap materials, or for the dismantling, demolition, or abandonment of automobiles, other vehicles, machinery, or any parts thereof.

"Library" means a collection of sources, resources, and services, and the structure in which it is housed; it is organized for use and maintained by a public body, an institution, or a private individual.

18.20.096 Livestock. Livestock is generally accepted as large (over 250 pounds) and small (under 250 pounds) outdoor farm animals (i.e., cows, goats, horses, pigs, barnyard fowl, etc.). This definition does not include cats, dogs, other common household pets, or bee keeping. (Ord. 17-05)

18.20.100 Loading Space. "Loading space" means an off-street space on the same lot with a building or contiguous to a group of buildings, designated or intended for the temporary parking of commercial vehicles while loading and unloading, and which abuts upon a street, alley or other appropriate means of access.

"Lodge" means a building or group of buildings containing five (5) or fewer guest rooms used for the purpose of offering public lodging on a day-to-day basis with or without meals.

18.20.290 Long-Term Residential Rentals. A unit attached to a building or a single unattached building rented as a dwelling unit for more than thirty consecutive days.

18.20.110 Lot. "Lot" means a legally described land parcel or combination thereof that meets the minimum size and design requirements of this zoning code for the type and number of principal and accessory uses and structures proposed.

18.20.120 Lot Area. "Lot area" means the total horizontal net area within the lot lines exclusive of streets, highways, roads and other rights-of-way.

18.20.130 Lot Coverage. "Lot coverage" means the amount of land covered by principal and accessory structures exclusive of open porches and patios as well as parking area.

Lumberyard. An establishment that sells sawn timber and other building materials typically stored on the premises.

"Manufacturing/Fabricating/Assembly" means the mechanical or chemical transformation of materials or substances into new products including assembling of components parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors.

"Marijuana" means all parts of the plant of the genus Cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. The term does not include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

"Marijuana Concentrate" means resin, oil, wax, or any other substance derived from the marijuana plant by any method which isolates the Tetrahydrocannabinol (THC)-bearing resins of the plant.

"Marijuana Cultivation Facility" means any entity with a state license registered to cultivate, prepare, and package marijuana and to sell marijuana to Marijuana Retail Facilities, Marijuana Products Manufacturing Facilities, Marijuana Testing Facilities, but not to consumers.

"Marijuana Commercial Establishment" means any Retail Marijuana Store, Marijuana Cultivation Facility, Marijuana Product Manufacturing Facility, and Marijuana Testing Facility.

Marijuana Products. means concentrated marijuana and marijuana products that are comprised of Marijuana and other ingredients and are intended for use or consumption, such as, but not limited to edible products, ointments, and tinctures.

Marijuana Product Manufacturing Facility. means a state licensed fully enclosed secure indoor facility registered to purchase marijuana, manufacture, prepare and package marijuana products, and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

Marijuana Retail Store. means a state licensed entity registered to purchase marijuana from a marijuana cultivation facility, to purchase marijuana and marijuana products from a marijuana manufacturing facility, and sell marijuana and marijuana products to consumers.

Marijuana Testing Facility. means a state licensed commercial marijuana testing facility that is registered to analyze and certify the safety and potency of Marijuana and Marijuana Products.

Marine Equipment Sales. means a commercial use that includes one (1) or more of the following uses: — Sale or rental of large boats; — Marine service station; — Major or minor vessel repair; — Sale and rental of small boats, boat parts and accessories.

Marine Equipment Service and Repair.

Marine Equipment Storage.

Mini-Storage Facility. means a completely enclosed structure containing three (3) or more areas or rooms available for lease or rent for the purpose of the general storage of household goods, vehicles or personal property; where the lessee of the unit is provided direct access to deposit or store items and where vehicles do not fill the majority of the allowed storage space.

18.20.140 Mobile Home. "Mobile home" means a factory-assembled structure or combination thereof which contains the necessary service connections to support one or more dwelling units, is made so as to be readily movable as a unit or units on individual chassis and running gear, and which is designed to be used without a permanent foundation.

18.20.150 Mobile Home Park. "Mobile home park" means a parcel of land which has been designated and improved so that it contains three or more mobile home spaces available for rent or purchase.

"Motel" means a group of one (1) or more detached or semi-detached buildings containing two (2) or more individual dwelling units and/or guest rooms designed for, or used temporarily by, automobile tourists or transients, with a garage attached or parking space conveniently located to each unit, including groups designated as auto courts, motor lodges, or tourist courts.

"Museum" means a building or structure that houses and cares for a collection of artifacts and other objects of scientific, artistic, or historical importance and makes them available for public viewing through exhibits that may be permanent or temporary.

18.20.160 Nonconforming Lot, Use and Structure. "Nonconforming lot, use and structure" shall be any lot, use or structure that does not conform to the requirements for the zoning district in which it is located.

Noxious Use. A use which is injurious or harmful to health, highly disagreeable or offensive.

"Office" means a room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government.

18.20.170 Open Space. "Open space" means the ground area and the space above which is unimpeded from the ground to the sky by any structure except as provided in this zoning code. Open space does not include area used for parking or outside storage.

"Park" means a tract of land, designated by a public entity for the enjoyment of the public and generally used for active and passive recreational activities.

Parking, public lots. means a parking area available to the public, whether or not a fee for use is charged.

18.20.180 Parking Area. "Parking area" means an off-street area containing one or more parking spaces with aisles and driveways necessary for maneuvering without use of public rights-of-way. In general, there shall be an average of at least 350 square feet of parking area per parking space to insure adequate maneuvering area.

18.20.190 Parking Space. "Parking Space" means an area, enclosed or unenclosed, sufficient in size to store a motor vehicle. At a minimum, each space shall contain 200 square feet measuring 10 feet by 20 feet. (Ord. 00-02)

"Person" means a natural person, his or her heirs, executors, administrators, or assigns, and also including firm, partnership, or corporation, or their successors and/or assigns or the agent of any of the aforesaid.

"Personal Services" mean establishments engaged in providing services involving the care of a person or his or her apparel.

18.20.200 Planned Unit Development. "Planned unit development" means a group or combination of certain specified residential, commercial or industrial uses developed as a functional and integral unit in a district where some or all the uses might not otherwise be permitted.

18.20.210 Principal Use or Structure. "Principal use or structure" means the uses or structures for which the district is primarily designed.

"Principal Use" means the major or predominant use of a lot or parcel of land.

"Profession" means an occupation or calling requiring the practice of a learned art through specialized knowledge based on a degree issued by an institution of high learning, e.g., Doctor of Medicine.

Professional Office. The office of a member of a recognized profession maintained for the conduct of that profession.

"Property Owner" means the owner shown on the latest tax assessment roll.

"Public" means a place to which the public or a substantial group or persons has access and includes highway, rivers, lakes, transportation facilities, schools, places of amusement or business, parks, playgrounds, prisons, hallways, lobbies and other parts of apartments houses and hotels not constituting rooms or apartments designed for actual residence.

"Recreation" means leisure activities sometimes requiring equipment and taking place at prescribed places, sites, parks, or fields. It can include active recreation, such as structured individual or team activities requiring the use of special facilities, courses, fields or equipment or passive recreation, such as activities that do not require prepared facilities such as wildlife and bird viewing, observing and photographing nature, picnicking, and walking.

"Recreational Vehicle" means a vehicular-type unit, primarily designed as temporary living quarters for recreational camping, or travel use, which either has its own motor power or is mounted on or drawn by another vehicle. Recreational vehicles include, but are not limited to, travel trailers, camping trailers, truck campers, and motor homes.

"Recreation or Youth Center" means a building, structure, athletic playing field, or playground, run or created by a local government or the state to provide athletic, recreational, or leisure activities for minors, or operated by a public or private organization, licensed to provide shelter, training, or guidance for persons under 21 years of age.

Residence. A home, abode or place where an individual is actually living at a specific point in time.

"Restaurant" means an establishment where food and drink is prepared, served, and consumed primarily within the principal building.

"Retail Business" means establishments engaged in selling goods or merchandise to the general public for business or personal/household consumption and rendering services incidental to the sale of such goods.

Right-of-way. An area or strip of public land which incorporates or is intended to be occupied by, but not limited to, streets, alleys, sidewalks, bike paths, curbs, gutters, landscaping and/or public utilities.

School. Any public, religious or nonprofit facility providing a general curriculum of academic or vocational instruction serving any or all grades between kindergarten and twelfth grade.

Seafood Processing. Means the preparing of product associated with fish and fish products for shipping to the final customer.

Setback. The required minimum distance from a right-of-way or lot line that establishes the area within which only fencing, landscaping, driveways, parking and similar uses are permitted. Any structure including, but not limited to, decks, stairways, porches or

other attachments to a building are specifically prohibited in the setback.

"Secondary Use" means a use allowed on a lot or parcel of land only if there is also an allowed principal use on the property.

18.20.220 Service Station. "Service station" means any building, structure, premises or other space used primarily for the retail sale and dispensing of motor fuels, tires, batteries and other small accessories.

18.20.230 Sign. "Sign" means any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks, by which anything is made known; such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, or a commodity or product, which are visible from any public street or highway and used to attract attention, either attached to a structure or free-standing. (Ord. 01-01)

"State Highway" means a right-of-way classified by the State of Alaska as a primary or secondary highway.

"Storage Yard" means a lot used primarily for the storage of operational vehicles, construction equipment, construction materials or other tangible materials and equipment.

"Street" means a public right-of-way used as a thoroughfare and which is designed and intended to provide the primary means of access to property abutting thereon.

18.20.235 Street frontage. The length of a property line that borders a public right of way which provides the principal means of access: Alleys, public parking lots, emergency access and/or pedestrian easements are not considered as public rights-of-way for the purposes of this definition. (Ord. 01-01)

18.20.240 Structure. "Structure" means anything constructed or erected on the ground or which is attached to something located on the ground including but not limited to buildings, radio and TV towers, sheds and permanent signs, and excluding fences.

"Subsurface Extraction of Natural Resources" means removing valuable minerals or other geological materials from the earth, from an ore body, vein or (coal) seam. Materials recovered could include gas, oil, base metals, precious metals, iron, uranium, coal, diamonds, limestone, oil shale, rock salt and potash.

"Surface Extraction of Natural Resources" means removal of material, usually soil, gravel, or sand for use at another location.

~~**18.20.250 Intertidal Zone.** The intertidal zone, also known as the foreshore and seashore and sometimes referred to as the littoral zone, is the area that is above water at low tide and under water at high tide (in other words, the area between tide marks). (Ord. 17-06)~~

~~**18.20.260 Intersections.** An intersection is any point where one road meets another. Types of intersections include four-way intersections including offset~~

~~approaches and three-way intersections which includes T junctions and Y junctions and includes both sides of the road of the intersecting streets. (Ord. 18-12)~~

18.20.035 Temporary Structure. "Temporary Structure" means any structure constructed or erected on the ground, on skids or movable with the assistance of a vehicle, piece of equipment or suitable winch system. A temporary structure is treated as if it were a building, see SMC 18.20.030. (Ord. 16-10)

Transient merchant. Any person, partnership, firm or corporation, whether a resident of the City or not, who engages in a temporary business, within a period not exceeding 150 consecutive days in a calendar year, of selling and delivering goods and/or services, wares and merchandise for profit or nonprofit within the City by operating door-to-door, street corner or similar basis; or from no fixed locations or office; or from a location out-of-doors or in quarters that are easily moveable, such as a temporary leased area or space, motor vehicle, trailer or tent, includes peddlers, solicitors, itinerant merchants and vendors. Does not include vehicles for hire.

Use. means the purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

Utility, public facility. An installation owned by an agency under public franchise or ownership, or under certificate of convenience and necessity, providing the public with electricity, gas, heat, steam, communication, water, sewage collection or other similar service.

Variance. means the relaxation of the development requirements of this chapter to provide relief when the literal enforcement would deprive a property owner of the reasonable use of his or her real property.

Vending. The sale of food, services or merchandise.

A. Hawking. Is the loud or continuous audible solicitation of business by a vendor to the general public.

B. Mobile vending cart. Is a non-motorized structure or unit on wheels that is easily moved and used for vending.

C. Mobile vendor. A person or business that sells food or permitted types of goods from City-approved locations using

1. a licensed vehicle or cart capable of movement; or
2. a licensed trailer pulled behind a motor vehicle.

D. Pre-packaged food. Ready-to-eat food that is cooked, wrapped, packaged, processed, or portioned for service, sale or distribution.

E. Transient merchant. Any person, partnership, firm or corporation, whether a resident of the City or not, who engages in a temporary business, within a period not exceeding 150 consecutive days in a calendar year, of selling and

delivering goods and/or services, wares and merchandise for profit or nonprofit within the City by operating door-to-door, street corner or similar basis; or from no fixed locations or office; or from a location out-of-doors or in quarters that are easily moveable, such as a temporary leased area or space, motor vehicle, trailer or tent, includes peddlers, solicitors, itinerant merchants and vendors. Does not include vehicles for hire.

Warehouse. means a building or structure used for the storage of goods, wares and merchandise that will be processed, sold or otherwise disposed of off of the premises.

Wholesale Business. means business conducted primarily for the purpose of selling wares or merchandise in wholesale lots to retail merchants for resale.

Zoning Ordinance or Ordinances. Means the zoning ordinance of the City of Seldovia and the Seldovia Municipal Code Title 18.