

## **CITY OF SELDOVIA**

PO Box B, 245 Dock Street

Seldovia, Alaska 99663

Phone 907-234-7643

Fax 907-234-7430

### **Special Planning Commission Meeting**

Tuesday, February 04, 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**

**Tuesday  
February 4, 2020  
6:00PM**

GRUBER  
FORSBERG  
CARLUCCIO  
LETHIN

- A. Call to order;
- B. Roll Call;
- C. Approval of the Agenda;
- D. Approval of Minutes from January 08, 2020
- E. Public Comments Regarding Items Not on the Agenda;
- F. Public Hearings, Prior Notice;
- G. Consideration of Site Plans;
  - 1. Replat- East Addition, Seldovia Townsite Alaska, Nook Addition
    - 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. One building permit application was received, applicant was mailed a notification for being incomplete.
  - 2. A Land Development Management Plan is being developed- possible joint work session.
- J. Informational Items Not Requiring Action:
- K. Comments of the Public:
- L. Comments of the Commission:
- M. Next Meeting: Regular scheduled meeting, March 4, 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  
Contents Page  
February 4, 2020**

Pages 7-9	Minutes of the Special Meeting January 8, 2020
Page 10	Re: Preliminary Plat of East Addition Seldovia Townsite Alaska, Nook Addition.
Page 11	Preliminary Plat of East Addition Seldovia Townsite Alaska, Nook Addition
Pages 12-15	Title 18 Matrix Land Use Table-updated 01/09/2020- DRAFT
Pages 16-31	Title 18 Definitions- DRAFT

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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
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- A. Call to order; MEETING CALLED TO ORDER 6:02PM BY COMMISSIONER CARLUCCIO
- B. Roll Call; IN ATTENDANCE; FORSBERG, CARLUCCIO, LETHIN, and GRUBER
- C. Approval of the Agenda;  
LETHIN/GRUBER MOVED TO APPROVE THE AGENDA  
NO OBJECTION/ MOTION CARRIED

- D. Approval of Minutes from December 04, 2019

CARLUCCIO- Asked Heidi to make to changes to one typo and where it says tabled it should have said postponed. She stated that it did not affect the content.

LETHIN/FORSBERG MOVED TO APPROVE THE MINUTES OF DECEMBER 14, 2019  
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. Discussion- Rezoning Application/Amendment Procedures

- A. Presentation by Staff or Commission

CLERK GEAGEL- Presented an amended draft ordinance for amending the amendment procedures where the resubmittal timeline was changed from nine months to twelve months as discussed at the previous meeting and section a and b were amended under application procedures to include the city staff and planning commission process.

- B. Public Presentation or Hearing  
None

- C. Commission Discussion

CARLUCCIO- Commented that in section 18.97.010 items 5 and 6 should state “Will it” with the word “it” added to each line.

GRUBER- Spoke in support of the rezoning application.

- D. Action/Disposition

LETHIN/FORSBERG MOVED TO MAKE A POSITIVE RECOMMENDATIONS TO THE  
REZONING AMENDMENT PROCEDURES CHAPTER 18.97  
NO OBJECTION/ MOTION CARRIED

CARLUCCIO- Spoke in support of the draft ordinance amending the amendment procedures and asked for discussion and approval of the rezoning application. She spoke to there being seven things required in the ordinance but not all were listed on the application. She stated the most important item was that the proposal was in the best interest of the public.

FORSBERG- Spoke in support of the draft ordinance amending the amendment procedures.

CLERK GEAGEL- Spoke to the application and discussed adding that requirement that a map was

needed. She spoke to the required items 2, 3, and 4 on the ordinance being up to the staff and commission to determine.

LETHIN/FORSBERG MOVED FOR APPROVAL OF THE APPLICATION TO SEND TO COUNCIL

NO OBJECTION/ MOTION CARRIED

2. Discussion- Title 18 Land Use Matrix and Definitions

A. Presentation by Staff or Commission

CLERK GEAGEL- Presented an updated title 18 land use matrix and definitions. The previous meeting's discussion had left off with garages private and public. After more research she included some examples of definitions of garages and accessory use. She updated the definitions for garage types to garage, commercial and garage, residential. She inquired if since a garage was an accessory use were accessory uses permitted without a main use as was currently taking place. She discussed the current definition for an accessory use and presented a map and spreadsheet of parcels in the City listed as accessory use types according to the Kenai Peninsula Borough. She inquired if accessory uses needed to be addressed and spoke to living quarters and title 13 requiring water and sewer to any occupied structure, residential or commercial.

B. Public Presentation or Hearing

None

C. Commission Discussion

GRUBER- Spoke to accessory use buildings being built on adjacent lots and that it was not appropriate for neighborhoods to be full of just boat or car storage. She stated that residential neighborhoods want to be surrounded by residents not garages. She spoke to the matrix making things cohesive and spoke in support of the new definition for accessory use. She spoke to hostels being conditional use in residential and that there were a few areas in the Waterfront Commercial Residential zone that were big enough for cabins.

CARLUCCIO- Spoke to the planning commission having just had a replat with a garage accessory use at the last meeting. She spoke in support of having storage buildings and accessory uses in commercial and industrial zones but not in residential. She inquired about the accessory use definition and if living quarters needed to be included. She spoke to removing garage, residential from the matrix but leaving the definition in the amended code. She spoke to commercial garages and what zones they should be permitted in. She spoke to nightly rentals, cabin rentals, bed and breakfasts and hostels, and to equipment storage and marine storage. She spoke to lodge and hotel being permitted for Commercial Business, Commercial Residential, and the Waterfront Commercial Residential zones. She spoke to outside storage being different then inside storage and personal yards versus commercial lots. She asked for a new copy of the matrix with Commercial Business included at the top to be delivered to the commission before the next the meeting so that they could make notes and have suggestions ready for the meeting.

LETHIN- Inquired about what the staff suggested for accessory use and inquired how boat storage in residential negatively impacted neighborhoods.

FORSBERG- Inquired if an accessory use could have living quarters and spoke in support of the marine uses being one line. He spoke to the Waterfront Commercial Residential zone as having properties big enough for cabins.

D. Action/Disposition

H. Commission Business:

I. Staff Reports:

1. Ordinance 20-05 Amending Commercial Marine was adopted and became effective December 09,



2019.

- 2. Clerk Geagel inquired about having a building permit workshop and spoke to the amended building permit for Cole/Warburton which should be submitted any day.  
CARLUCCIO- Spoke to wanting to complete the matrix before having a building permit matrix and suggested that the commissioners view and make recommendations on the building permit individually once it was submitted and then they could discuss the process at the next meeting.

J. Informational Items Not Requiring Action: None

K. Comments of the Public: None

L. Comments of the Commission:

LETHIN- Thanked Heidi for her work and stated that he could be available for the fourth instead of fifth.

FORSBERG- Commented that it was a lot of work and that Tuesday for the next meeting would be fine.

GRUBER- Discussed that she would not be available for the February 5<sup>th</sup> meeting, she could get her changes to Heidi before the meeting unless the Commission wanted to reschedule. She would be gone from the 5<sup>th</sup> to the 8<sup>th</sup>, weather permitting and should be available to meet the fourth.

CARLUCCIO- Thanked the commission for attending and participating and thanked Heidi.

M. Next Meeting: Regular scheduled meeting, February 5, 2020 would be rescheduled for February 4<sup>th</sup>, 2020.

N. Adjournment:

CARLUCCIO CALLED FOR ADJOURNMENT

LETHIN SO MOVED

CARLUCCIO SO ORDERED AT 7:47PM

I certify the above represents accurate minutes of City of Seldovia Planning and Zoning Commission meeting of January 08, 2020.

\_\_\_\_\_  
Heidi Geagel, City Clerk

Approved by Commission \_\_\_\_\_

# ABILITY SURVEYS

## MEASURING MAPPING & REPORTING ON ALASKA'S INFRASTRUCTURE SINCE 1976

152 DEHEL AVE., HOMER, AK 99603 PH. 907-235-8440

email; [gary@abilitysurveys.com](mailto:gary@abilitysurveys.com)

January 29, 2020

Seldovia City Planning Commission  
C/o City Clerk  
P.O. Drawer B  
Seldovia, AK 99663

Re: Preliminary Plat of EAST ADDITION SELDOVIA TOWNSITE ALASKA, NOOK  
ADDITION.

Please schedule and take action to approve the attached Preliminary Plat. I have enclosed 1 full sized copy of the plat and 4 reduced copies for the Planning Commission members.

The following Kenai Peninsula Borough Code items are being requested for exceptions;

20.30.120 Streets minimum width 60 feet; for Jack Thomas Cir.

**Findings:** Jack Thomas Cir. Has adequately served 3 lots since 1966 and 2 of those lots have adequate frontage on Airport Avenue also. The lot 4 lying east of Jack Thomas Cir. Is owned by Alaska Department of Transportation.

The owner of this subdivision also owns the adjacent lot 3 to the north at the end of Jack Thomas Circle.

20.30.190 Lots-Minimum Dimensions for Lots 2B & 2C to exceed minimum width at 50 feet and marginally exceed the 3:1 depth to width ratio.

**Findings:** A large majority of lots in Seldovia are no wider than 50 feet. A denial of the exception would place the owners in a minority status of Seldovia Lot Owners. 50 feet wide is sufficient for a building to be nearly 40 feet wide and still meet zoning setback requirements. The 3:1 depth to width ratio is marginally exceeded if the steep slope to the beach is considered as a topographic constraint to development.

The owner feels 50 feet width will appropriately serve his intended buyers.

I thank you all for your volunteer service.

Sincerely,

Gary Nelson, PLS

**LEGEND**

- FOUND 2" ALCAP ON 5/8" REBAR, 7610-S, 2018, (R3)
- FOUND 2" ALCAP BY 7610-S, 1997
- FOUND 2" ALCAP SET BY AK DOT&PF 6912-S (1989)
- FOUND MAGNAIL IN CONCRETE BY 7610-S PER R3
- (R1) RECORD DATA PER SL66-28
- (R2) RECORD DATA PER SL82-2 RECORD OF SURVEY
- (R3) RECORD DATA PER SL2018-4
- (M) MEASURED DATA

**CERTIFICATE OF OWNERSHIP**

I hereby certify that NOOK LLC is the owner of the real property shown and described hereon, and that NOOK LLC does hereby adopt this plan of subdivision, and by its free consent dedicates all public rights-of-way and grants all easements to the use shown.

CHANCELEN K. COLLIER, for NOOK LLC  
P.O. BOX 122  
SELDOVIA, AK 99663

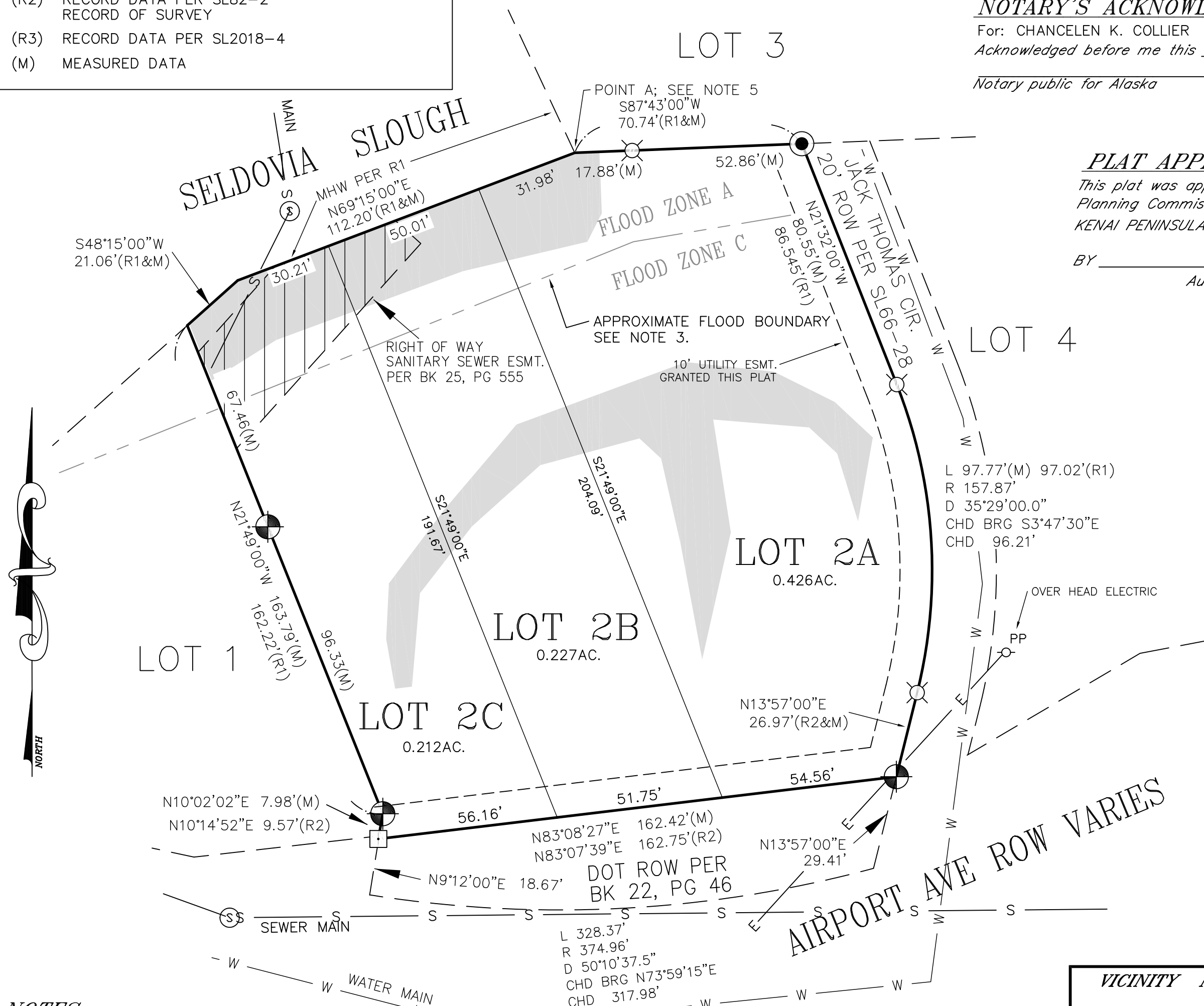
**NOTARY'S ACKNOWLEDGEMENT**

For: CHANCELEN K. COLLIER  
Acknowledged before me this \_\_\_ day of \_\_\_\_\_ 2020.  
Notary public for Alaska My Commission Expires \_\_\_\_\_

**PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of \_\_\_\_\_  
KENAI PENINSULA BOROUGH

BY \_\_\_\_\_  
Authorized Official



**NOTES**

1. THESE LOTS ARE SUBJECT TO SELDOVIA CITY CODE.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. APPROXIMATE FLOOD ZONE DEFINITION FROM FEMA F.I.R.M COMMUNITY PANEL #020012-5065A MAY 19, 1981; "ZONE A"; AREA OF 100-YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.  
"ZONE C"; AREA OF MINIMAL FLOODING.  
FLOOD HAZARD NOTICE:  
SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAT HAS BEEN DESIGNATED BY FEMA AS A FLOOD HAZARD AREA DISTRICT AS OF THE DATE THIS PLAT IS RECORDED WITH THE DISTRICT RECORDER'S OFFICE. PRIOR TO DEVELOPMENT, THE KENAI PENINSULA BOROUGH FLOODPLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR CURRENT INFORMATION AND REGULATIONS. DEVELOPMENT MUST COMPLY WITH CHAPTER 21.06 OF THE KENAI PENINSULA BOROUGH CODE.
4. LIGHT GREY HATCHING SHOWS SLOPES STEEPER THAN 20 PERCENT.
5. THE AVIGATION AND HAZARD EASEMENT AND RIGHT OF WAY FILED AT BOOK 27, PAGE 678 S.R.D., IN FAVOR OF STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, APPURTENANT TO THE SELDOVIA AIRPORT, FOR UNOBSTRUCTED PASSAGE OF ALL AIRCRAFT IN THE AIRSPACE OVER AND ABOVE THIS SUBDIVISION FROM A MINIMUM ELEVATION POINT OF 72 FEET ABOVE MEAN SEA LEVEL ON THE NORTH BOUNDARY (SHOWN AS "POINT A"), RISING AND EXTENDING IN A GENERALLY SOUTHERLY DIRECTION AT THE RATE OF ONE FOOT VERTICALLY FOR EACH TWENTY FEET HORIZONTALLY TO APPROXIMATELY 85 FEET ABOVE MEAN SEA LEVEL ABOVE THE MID POINT OF THE SOUTH BOUNDARY OF LOT 2, BLOCK 47, EAST ADDITION TO THE TOWNSITE OF SELDOVIA (SL66-28). FURTHER, THE RIGHT TO PROHIBIT USE ON AND REMOVE ANY INSTALLATION OR OBJECT WHICH WOULD CREATE ELECTRICAL INTERFERENCE WITH RADIO COMMUNICATION BETWEEN THE AIRPORT AND AIRCRAFT OR MAKE IT DIFFICULT FOR PILOTS TO DISTINGUISH BETWEEN AIRPORT LIGHTS AND OTHER LIGHTS, RESULTING IN GLARE IN THE EYES OF PILOTS USING THE AIRPORT, IMPAIR VISIBILITY IN THE VICINITY OF THE AIRPORT OR OTHERWISE ENDANGER THE LANDING, TAKING OFF, OR MANEUVERING OF AIRCRAFT. TOGETHER WITH THE RIGHT OF REASONABLE INGRESS AND EGRESS FOR THE PURPOSE OF EFFECTING AND MAINTAINING SUCH CLEARANCES.
6. THIS SUBDIVISION MAY BE AFFECTED BY AN ESTUARINE AND MARINE SHORELINE AND ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.

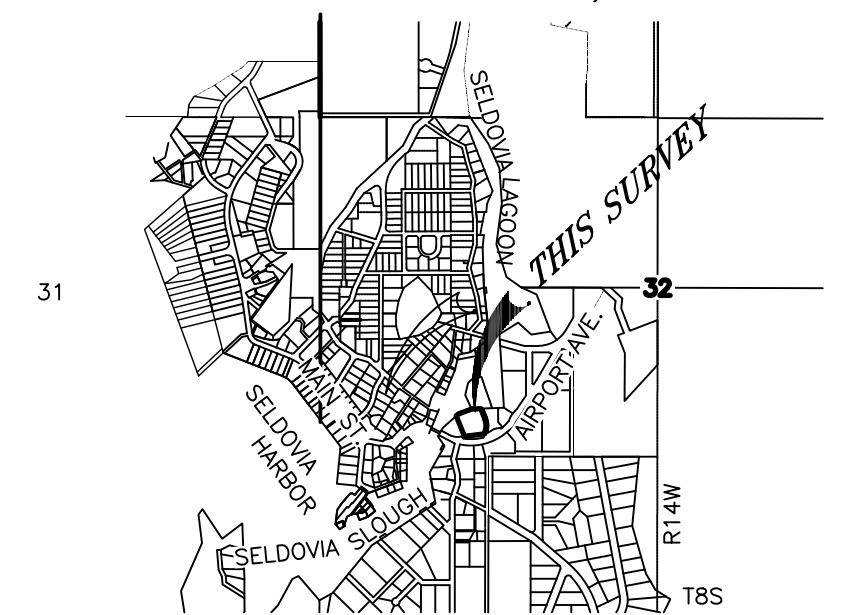
**WASTEWATER NOTE**

PLANS FOR WASTEWATER DISPOSAL, THAT MEET REGULATORY REQUIREMENTS, ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

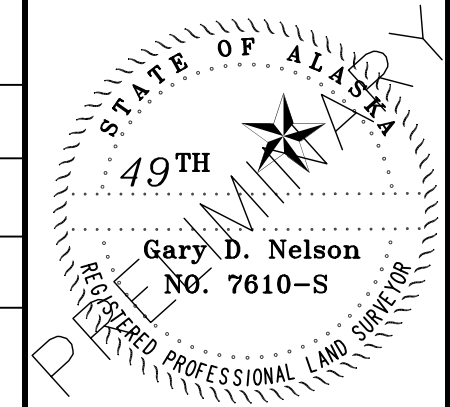
PLAT #	
Rec Dist	_____
Date	_____ 20__
Time	_____ M

KPB FILE No. 2020-

**VICINITY MAP SCALE 1"=1,500'**



DATE	1-28-2020
SCALE	1"=30'
JOB No.	5164
DRAWING:	5164FRM5011.dwg



**EAST ADDITION, SELDOVIA TOWNSITE ALASKA, NOOK ADDITION**  
A REPLAT OF LOT 2, BLOCK 47, EAST ADDITION SELDOVIA TOWNSITE ALASKA (SL66-28), EXCEPTING THAT PORTION DESCRIBED IN WARRANTY DEED AT BOOK 22, PAGE 46 & SHOWN ON PLAT NO. 82-2, SUBJECT TO FOUND SURVEY MONUMENTS, WITHIN THE SW1/4 SEC. 32, T8S, R14W, SM, CITY OF SELDOVIA, KENAI PENINSULA BOROUGH, SELDOVIA RECORDING DISTRICT, ALASKA CONTAINING 0.865 ACRES

OWNER:  
NOOK LLC  
P.O. BOX 122  
SELDOVIA, AK 99663

**ABILITY SURVEYS**  
GARY NELSON, PLS  
(907) 235-8440  
152 DEHEL AVE., HOMER ALASKA 99603

Red- for additions  
 Yellow Highlights- Questions

Seldovia Land Matrix Example

Key:	P- Permitted Use			S - Secondary Use			C - Conditional Use			N- Not Permitted		
	RG	RSM	WCR	C	I	CB	CR	A	P			
<b>Residential Land Use Types</b>												
Accessory Structure on an Unoccupied lot (without main building)	C	N	P	P	P	N	P	N	N			
Accessory Use or Structure	P	P	P	P	P	P	P	C	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 Units, structures containing four or less units	P	C	P	C	C	N	P	N	N			
Dwelling Units, structures containing five or more units	C	P	C	P	C	N	P	N	N			
Mobile Homes	P	N	P	C	N	N	P	N	N			
Mobile Home Parks	C	N	N	C	N	N	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	CB	CR	A	P			
<b>Commercial Land Use Types</b>												
Dwelling unit- nightly rentals	P	N	P	C	C	S	P	N	N			
Bed and Breakfasts	P	N	P	C	C	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	C	C	C	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, Commercial	N	N	P	P	P	C	P	P	N			
Home Occupation	P	P	P	P	P	S	P	N	N			
Hostels	C	N	P	C	C	C	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	P	P	N	P	P	N	N			
Lodge(contains five or fewer units)	C	P	P	P	N	P	P	N	N			
Offices	S	P	P	P	S	S	P	S	N			
Restaurant	N	N	P	P	N	P	P	N	N			
Retail Business(other than a home)	N	N	P	P	P	P	P	N	N			
Wholesale Business	N	N	P	P	P	P	P	N	N			

Red- for additions  
 Yellow Highlights- Questions

Seldovia Land Matrix Example

Key:	P- Permitted Use		S - Secondary Use			C - Conditional Use		N- Not Permitted		
	RG	RSM	WCR	C	I	CB	CR	A	P	
<b>Industrial Land Use Types</b>										
Equipment sales, repairs and service (Heavy equip, or machine?)	N	N	N	P	P	N	P	N	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	N
Gas Station	N	N	N	C	C	N	N	N	N	N
Junkyard	N	N	N	P	P	N	N	N	N	N
Lumberyard	N	N	N	P	P	N	N	N	N	N
Manufacturing/Fabricating/Assembly	N	N	N	C	P	N	N	N	N	N
Marine equipment repair, construction, sales, and storage	N	N	P	P	P	P	C	N	N	N
Mini-Storage Facility										
Motor vehicle sales										
Motor vehicle services (Automotive Repair and Sales)	N	N	C	P	P	C	C	N	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	N
Storage Yard	N	N	N	P	P	N	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	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	CB	CR	A	P			
<b>PUBLIC/INSTITUTIONAL/OTHER</b>												
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 of 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			

## Chapter 18.20 Definitions

### Sections:

- 18.20.010 Definitions and Construction of Terms Generally.
- 18.20.012 Specific definitions.
- 18.20.015 Abandoned Sign.
  - Accessory Structure.
- ~~18.20.020 Accessory Use or Structure.~~
  - Airport.
  - Airport Compatible Use.
- 18.20.023 At Large.
- 18.20.270 Attached Residential Dwelling Unit.
- 18.20.270 Attached Multi-Residential Dwelling Unit.
  - Automobile Sales.
  - Automobile Service Station.
  - Automotive Repair.
  - Bed and Breakfast.
- 18.20.024 Bee Keeping
- 18.20.025 Below Grade Walls.
- 18.20.030 Building.
- 18.20.040 Building Height.
  - Building, principal or main.
- 18.20.050 Building Setback.
  - Business/Consumer Services.
  - Business/Personal Services.
- 18.20.053 Business Specific Office
  - Cabin Rentals.
  - Campground.
  - Cemetery.
  - Centerline.
  - Church.
  - City.
  - Clinic.
- ~~18.20.035 Temporary Structure (move down the line)~~
- 18.20.055 Combined Signage.
  - Commercial Recreation.
  - Commercial Use.
  - Commission.
  - Conditional Use.
  - Detached.
- 18.20.060 Dwelling.
- 18.20.070 Dwelling Unit.
  - Entertainment Uses.
  - Essential Service.
  - Equipment Sales.



- 18.20.080 Family.
  - Fraternal Organization.
  - Freight Storage and Staging for Transportation
  - Garage, Private.
  - Garage, Public.
  - Gas Manufacturer/Storage.
  - Gas Station.
  - Governmental Building.
- 18.20.090 Home Occupation.
  - Hostel.
  - Hotel.
- 18.20.095 Incidental Secondary Uses.
- 18.20.250 Intertidal Zone.
- 18.20.260 Intersections.
  - Junkyard.
  - Library.
- 18.20.096 Livestock.
- 18.20.100 Loading Space.
  - Lodge.
- 18.20.290 Long-Term Residential Rentals.
- 18.20.110 Lot.
- 18.20.120 Lot Area.
- 18.20.130 Lot Coverage.
  - Lumberyard.
  - Manufacturing/Fabricating/Assembly.
  - Marijuana.
  - Marijuana Concentrate.
  - Marijuana Cultivation Facility.
  - Marijuana Commercial Establishment.
  - Marijuana Products.
  - Marijuana Product Manufacturing Facility.
  - Marijuana Retail Store.
  - Marijuana Testing Facility.
  - Marine Equipment Sales.
  - Marine Equipment Service and Repair.
  - Marine Equipment Storage.
  - Mini-Storage Facility.
- 18.20.140 Mobile Home.
- 18.20.150 Mobile Home Park.
- ~~18.20.053 Business Specific Uses~~
  - Motel.
  - Museum.
- 18.20.160 Nonconforming Lot, Use and Structure.
  - Noxious use.
  - Office.
  - Owner.
- 18.20.170 Open Space.

Park.  
 Parking, Public Lots.  
 18.20.180 Parking Area.  
 18.20.190 Parking Space.  
 Person.  
~~Personal Services.~~  
 18.20.200 Planned Unit Development.  
 18.20.210 Principal Use or Structure.  
 Principal Use.  
 Profession.  
 Professional Office.  
 Property owner.  
 Public.  
 Recreation.  
 Recreational vehicle (RV).  
 Recreation or Youth Center.  
 Residence.  
 Restaurant.  
 Retail Business.  
 Right-of-way.  
 School.  
 Seafood Processing.  
 Setback.  
 Secondary Use.  
 18.20.220 Service Station.  
 18.20.230 Sign.  
 State Highway.  
 Storage Yard.  
 Street.  
 18.20.235 Street frontage.  
 18.20.240 Structure.  
 Subsurface Extraction of Natural Resources.  
 Surface Extraction of Natural Resources.  
~~18.20.250 Intertidal Zone.~~  
~~18.20.260 Intersections.~~  
 18.20.035 Temporary Structure (moved down)  
 Transient merchant.  
 Use.  
 Utility, public facility.  
 Variance.  
 Vending.  
 Warehouse.  
 Wholesale Business.  
 Zoning Ordinance or Ordinances.

**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 Structure.** A. Is a detached structure, such as but not limited to; garages, sheds, playhouses, storage buildings, pergolas, garden structures, greenhouses, private studios, boat houses, and decks, 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.

B. 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.

C. Accessory structures are not permitted as living quarters. It shall be the duty of every owner of real property in the City to connect such property with the nearest public main in the City, providing that the public main is within two hundred feet of the property and the property includes a structure that can or will be occupied SMC 13.04.055.

~~**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 especially for recreational participation. Arcades, bowling alley, laser tag, paint ball, and skate park.

**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.

**Detached.** A building, dwelling, or structure not sharing any wall with another building or structure.

**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 for spectating, especially by performers. Art gallery, comedy club, dance club, museum, music performance venue, 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 non-profit 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.