



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, March 11, 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
March 11, 2020
6:00PM**

LETHIN
GRUBER
FORSBERG
CARLUCCIO

- A. Call to order;
- B. Roll Call;
- C. Approval of the Agenda;
- D. Approval of Minutes from February 04, 2020
- E. Public Comments Regarding Items Not on the Agenda;
- F. Public Hearings, Prior Notice;
- G. Consideration of Site Plans;
 - 1. Discussion- Ordinance Draft 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. 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 , April 01, 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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Pages 10-50 Ordinance 20-XX Amending Chapter 18.20 Definitions, Adopting Chapter 18.70 Land Use Table, and Amending the Zoning Districts to Reference the Land Use Table

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MINUTES FROM THE SELDOVIA PLANNING COMMISSION
***SPECIAL* MEETING**
MULTI-PURPOSE ROOM
Tuesday
February 4, 2020
6:00PM

GRUBER FORSBERG CARLUCCIO LETHIN

- A. Call to order; MEETING CALLED TO ORDER 6:02PM BY COMMISSIONER CARLUCCIO
- B. Roll Call; IN ATTENDANCE; GRUBER, FORSBERG, CARLUCCIO, and LETHIN
- C. Approval of the Agenda;
LETHIN/FORSBERG MOVED TO APPROVE THE AGENDA
NO OBJECTION/ MOTION CARRIED
- D. Approval of Minutes from January 08, 2020
LETHIN/GRUBER 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. Replat- East Addition, Seldovia Townsite Alaska, Nook Addition
 - A. Presentation by Staff or Commission
CLERK GEAGEL- Presented a memo from the surveyor representing the Nook Addition Replat and a preliminary plat for the replat. A Kenai Peninsula Borough parcel viewer map was included in the laydown along with a snip of the 1964 plat on file with KPB for the parcel in question.
 - B. Public Presentation or Hearing
CHANCE COLLIER, property owner- Spoke to the lot being subdivided into three normal sized city lots all with access to Airport Road. He stated that the surveyor had addressed any issues he could find and they were included as the findings in the memorandum. He spoke to driveway access that would come from Airport Road if needed in the future and that the shop on the adjacent lot was 8 to 9 feet front from the lot line.
ECOLA COLLIER, property owner- Spoke to the avigation easement being provided in the disclosure.
 - C. Commission Discussion
LETHIN- Inquired if there were any issues with access with DOT and if notice would be provided to any purchaser about the avigation easement.
CARLUCCIO- Spoke to a permit from DOT being needed in order to build a driveway on to state road and that the avigation easement was on the plat. She spoke to the exception for the lot size in the findings and that there was no required lot size in the Waterfront Commercial Residential Zone. She spoke to the setbacks in Seldovia being six feet from property lines and to the open space requirement in the zone.
CM CAMERON- Spoke to the city requiring a driveway permit along with DOT and that there was no known problem with access to the state highway. She inquired about the setbacks of the shop on the adjacent lot.
FORSBERG- Inquired about driveway access.
 - D. Action/Disposition

LETHIN/FORSBERG MOVED TO RECOMMEND APPROVAL OF THE SUBDIVISION AS

PROPOSED
NO OBJECTION/ MOTION CARRIED

2. Discussion- Title 18 Land Use Matrix and Definitions

A. Presentation by Staff or Commission

CLERK GEAGEL- Presented an updated land matrix land use table and accompanying definitions that had been updated and presented to the commission after the last meeting. The definitions included an updated accessory structure definition and updates for entertainment uses and commercial recreation. She spoke to the previous meeting's discussion having ended with the recombining of marine equipment repair, construction, sales, and storage. She inquired about the commissions preference for consolidating the term for automotive, automobile, and motor vehicle. She spoke to the definition of automobile services including recreational vehicles and about combining sales and services into one definition.

B. Public Presentation or Hearing

None

C. Commission Discussion

CARLUCCIO- Spoke to entertainment uses, commercial recreation uses, and that a dance club would be a commercial recreation. Spoke in support of changing dwelling unit, attached multi-residential from being permitted in industrial to being a conditional use. She inquired about tracking the changes made to what was currently in the code. She spoke to the lumberyard use being atleast a conditional use in Commercial Residential along with manufacturing, fabricating, and assembly. She spoke to the mini-storage facility use across the zones and that it would defeat the intent of the Commercial Business to be permitted in that zone. She discussed once the ordinance was presented to the council they would be reviewing the issues as well. She spoke to freight storage and staging for transportation and in support of separating warehouse from storage facility and defining warehouse as storage for a business and storage facility as storage for rent. She asked the clerk to work on the definition and bring it back. She spoke to fraternal organizations, clinics, and churches not being permitted in the public zone. She spoke to the excessive noise, and odors use in commercial and industrial.

CM CAMERON- Inquired if the terminology dance club could be included in both the definitions of entertainment uses and commercial recreation.

GRUBER- Spoke to dwelling unit, attached multi-residential being permitted in industrial and that it should be conditional. She spoke to manufacturing/fabricating/assembly in Commercial Business. She spoke to the mini-storage facility use across the zones and that it would defeat the intent of the Commercial Business to be permitted in that zone. She spoke in support of using motor vehicles as the overall terminology. She spoke to a warehouse being for a business and a storage facility as being a rental. She discussed that a storage facility was not a walk-in business. She spoke to fraternal organizations not being permitted in the public zone. She spoke that the excessive noise and odors use in commercial and industrial should be conditional.

LETHIN- Spoke that manufacturing/fabricating/assembly should be permitted in both Commercial Residential and Commercial Business zone and inquired about allowing mini-storage facility in Commercial Business. He stated that the permitted zones for motor vehicle sales use should be the same as mini-storage. He spoke in opposition of dileniating between warehouse and storage facility and in support of allowing storage facilities in Commercial Business. He spoke in support of fraternal organizations, clinics, and churches not being permitted in the public zone.

FORSBERG- Inquired about including automotive rental as a land use. Spoke to the excessive noise and odors land uses and the consequences of them being permitted, he spoke in support of them being a conditional use in commercial and industrial.

Commissioner Carluccio called for a five minute recess at 6:50pm

****Commissioner Carluccio called the meeting back to order at 6:52pm****

D. Action/Disposition

THE CITY CLERK WILL BRING BACK THE MATRIX IN ORDINANCE FORM AT THE NEXT MEETING

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.
CM CAMERON- Spoke to having work sessions for a Land Development Management Plan to go along with the comprehensive plan and economic development plan beginning in April with the City Council and the Seldovia Planning Commission.

J. Informational Items Not Requiring Action: None

K. Comments of the Public: None

L. Comments of the Commission:

GRUBER- Stated she was really looking forward to the meetings coming up, they sound exciting. She spoke in support of having the next meeting on March 11th.

FORSBERG- Commented that he was glad they got a milestone done with the matrix. He spoke in support of having the next meeting on March 11th.

LETHIN- Thanked the staff for their work and spoke in support of having the next meeting on March 11th.

CARLUCCIO- Thanked the staff for their work and the Commission for their time and efforts. She discussed that she would not be available for the next meeting the week of March 4th, but that she could be available for a March 11th meeting.

M. Next Meeting: Regular scheduled meeting, March 4, 2020 was rescheduled for March 11, 2020.

N. Adjournment:

CARLUCCIO CALLED FOR ADJOURNMENT

LETHIN SO MOVED

CARLUCCIO SO ORDERED AT 7:05PM

I certify the above represents accurate minutes of City of Seldovia Planning and Zoning Commission meeting of February 04, 2020.

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, AMENDING CHAPTER 18.20 DEFINITIONS, THE ZONING DISTRICTS IN CHAPTERS 18.32, 18.36, 18.40, 18.44, 18.48, 18.52, 18.56, 18.60, AND 18.64 DEFINITIONS, AND ADOPTING CHAPTER 18.70 LAND USE TABLE

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. AMENDING TITLE 18.20 DEFINITIONS BY REMOVING LANGUAGE IN STRIKEOUT AND ADDING LANGUAGE IN HIGHLIGHT TO READ AS FOLLOWS:

Chapter 18.20
Definitions

Sections:

- 18.20.010 Definitions and Construction of Terms Generally.
- 18.20.015 Abandoned Sign. **Specific Definitions.**
- ~~18.20.020 Accessory Use or Structure.~~
- ~~18.20.023 At Large.~~
- ~~18.20.024 Bee Keeping~~
- ~~18.20.030 Building.~~
- ~~18.20.035 Temporary Structure~~
- ~~18.20.040 Building Height.~~
- ~~18.20.050 Building Setback.~~
- ~~18.20.053 Business Specific Office~~
- ~~18.20.055 Combined Signage.~~
- ~~18.20.060 Dwelling.~~
- ~~18.20.070 Dwelling Unit.~~
- ~~18.20.080 Family.~~
- ~~18.20.090 Home Occupation.~~
- ~~18.20.096 Livestock~~
- ~~18.20.100 Loading Space.~~
- ~~18.20.110 Lot.~~
- ~~18.20.120 Lot Area.~~
- ~~18.20.130 Lot Coverage.~~

- ~~18.20.140 Mobile Home.~~
- ~~18.20.150 Mobile Home Park.~~
- ~~18.20.053 Business Specific Uses~~
- ~~18.20.160 Nonconforming Lot, Use and Structure.~~
- ~~18.20.170 Open Space.~~
- ~~18.20.180 Parking Area.~~
- ~~18.20.190 Parking Space.~~
- ~~18.20.200 Planned Unit Development.~~
- ~~18.20.210 Principal Use or Structure.~~
- ~~18.20.220 Service Station.~~
- ~~18.20.230 Sign.~~
- ~~18.20.235 Street frontage.~~
- ~~18.20.240 Structure.~~
- ~~18.20.250 Intertidal Zone.~~
- ~~18.20.260 Intersections.~~

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.

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

1. **Abandoned Sign.** Any sign containing copy that refers to a business or activity that is no longer being conducted or pursued. (Ord. 01-01)
2. ~~18.20.020 Accessory Use or Structure.~~ "Accessory use or structure" means a use or structure on the same lot with and of a nature customarily incidental and subordinate to the principal use or 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:**
 1. Is clearly incidental to and customarily found in connection with a principal building or use;
 2. Is subordinate to and serves a principal building or use;

3. Is subordinate in area, extent or purpose to the principal building or use served;
4. Contributes to the comfort, convenience or necessity of occupants, business or industry in the principal building or use served.
5. 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.

3. **Airport.** 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.

4. **Airport Compatible Uses.** 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.

5. ~~18-20-023~~ **At large.** At large means an 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)

6. **Automotive Repair, sales, and services.** The use of any building or structure and associated premises on which a business, service, or industry involving the maintenance, servicing, repair, painting, or 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.

7. ~~18.20.024~~ **Bee Keeping.** Bee Keeping means the **The** keeping of stinging winged insects that collect nectar and pollen, produce wax and honey, and are kept in large communities (hives). (17-05)

8. ~~18.20.025~~ **Below Grade Walls.** Any area or space which falls below grade. (Ord. 06-10)

9. ~~18.20.030~~ **Building.** "Building" means any **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)

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

11. **Building, Principal or Main.** A building or structure in which is conducted the principal or main use on the lot which said building is situated.

12. ~~18.20.050~~ **Building Setback.** "Building setback" means the **The** distance from a lot line or right-of-way centerline, whichever is specified, that a principal and accessory structure must be located.

13. **Business, Consumer Services.** 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.

14. **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.

15. ~~18.20.053~~ **Business Specific Office.** "Business Specific Office" means office Office space directly pertaining to the retail or service business use of the building. (Ord. 06-10)

16. **Cabin Rentals.** 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.
17. **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.
18. **Cemetery.** Any property used to inter the dead in buried graves or in columbarium, stacked vaults, or similar structures.
19. **Centerline.** The line which is in the center of a public right-of-way.
20. **Church.** 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.
21. **City.** "City" means the City of Seldovia, Alaska.
22. **Clinic.** 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. (or outpatient clinic or ambulatory care clinic)
23. ~~18-20-055~~ **Combined Signage.** The total square footage of all signs on any lot. (Ord. 01-01)
24. **Commercial Recreation.** A recreation facility operated as a business and open to the public for a fee especially for recreational participation. Arcades, bowling alley, dance club, laser tag, paint ball, and skate park.
25. **Commercial Use.** An occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee.
26. **Commission.** "Commission" means the Seldovia Planning and Zoning Commission.
27. **Conditional Use.** 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, Chapter 18.70, and subject to provisions of chapter 18.72.

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

29. ~~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.

30. ~~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.

31. ~~18.20.270~~ **Dwelling unit, 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)

32. ~~18.20.280~~ **Dwelling unit, 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)

33. **Entertainment Uses.** 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.

34. **Equipment Sales, repairs and service.** The use of any building or structure and associated premises on which a business, service, or industry involving the maintenance, servicing, repair, painting, or for the display and sale, of heavy equipment or tangible property that is used in the operations of a business, devices, machines, tools, and vehicles.

35. ~~18.20.080~~ **Family.** "Family" means one or more persons occupying a dwelling unit.

36. **Fraternal Organization.** 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.

37. **Freight Storage and Staging for Transportation.** The process of positioning product in an indoor or outdoor area after receiving or prior to shipping.
38. **Garage, Commercial.** 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.
39. **Garage, Residential.** 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.
40. **Gas Manufacturer/Storage.** 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.
41. **Gas Station.** 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
42. ~~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)

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

44. **Hotel.** 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.

~~18-20-096 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)

45. ~~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)

46. **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)

47. **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)

48. **Junkyard.** 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.

49. **Library.** 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.

50. **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)
51. ~~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.
52. **Lodge.** 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.
53. ~~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.
54. ~~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.
55. ~~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.
56. ~~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.
57. **Lumberyard.** An establishment that sells sawn timber and other building materials typically stored on the premises.
58. **Manufacturing/Fabricating/Assembly.** 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.
59. **Marijuana.** "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.

60. **Marijuana Concentrate.** "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.

61. **Marijuana Cultivation Facility.** 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.

62. **Marijuana Commercial Establishment.** Any Retail Marijuana Store, Marijuana Cultivation Facility, Marijuana Product Manufacturing Facility, and Marijuana Testing Facility.

63. **Marijuana Products.** "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.

64. **Marijuana Product Manufacturing Facility.** 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.

65. **Marijuana Retail Store.** 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.

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

67. **Marine Equipment Sales, service, repair, construction and storage.** The use of any building or structure and associated premises on which a business,

service, or industry involving the maintenance, servicing, repair, painting, or for the display and sale or rental of large boats; is a Marine service station; Major or minor vessel repair; or the Sale and rental of small boats, boat parts and accessories.

68. **Mini-Storage Facility.** 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.

69. ~~18.20.140~~ **Mobile Home.** "Mobile home" means a **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.

70. ~~18.20.150~~ **Mobile Home Park.** "Mobile home park" means a **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.

71. **Motel.** 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.

72. **Museum.** 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.

73. ~~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.

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

75. **Office.** A room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government.

76. ~~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.
77. **Park.** A tract of land, designated by a public entity for the enjoyment of the public and generally used for active and passive recreational activities.
78. **Parking, public lots.** A parking area available to the public, whether or not a fee for use is charged.
79. ~~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.
80. ~~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)
81. **Person.** "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.
82. ~~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.
83. ~~18-20-210~~ **Principal Use or Structure.** "Principal use or structure" means the major or predominant uses or structures of a lot or parcel for which the district is primarily designed.
84. **Profession.** "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.
85. **Professional Office.** The office of a member of a recognized profession maintained for the conduct of that profession.

86. **Property Owner.** The owner shown on the latest tax assessment roll.
87. **Public.** 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.
88. **Public Building.** A building or structure that is accessible to the public and funded from public sources, typically tax money, including governmental offices, departments, commissions, or agencies of the United States or of a state or municipality that are used to conduct official business of government.
89. **Recreation.** 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.
90. **Recreational Vehicle.** 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.
91. **Recreation or Youth Center.** 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.
92. **Residence.** A home, abode or place where an individual is actually living at a specific point in time.
93. **Restaurant.** An establishment where food and drink is prepared, served, and consumed primarily within the principal building.
94. **Retail Business.** 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.

95. **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.

96. **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.

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

98. **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.

99. **Secondary Use.** 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.

100. ~~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)

101. **State Highway.** A right-of-way classified by the State of Alaska as a primary or secondary highway.

102. **Storage Facility.** A building or structure used for the renting or leasing of storage space to occupants who are to have access to such facility for the purpose of storing and removing personal property.

103. **Storage Yard.** A lot used primarily for the storage of operational vehicles, construction equipment, construction materials or other tangible materials and equipment.

104. **Street.** 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.

105. ~~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)

106. ~~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.

107. **Subsurface Extraction of Natural Resources.** 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.

108. **Surface Extraction of Natural Resources.** The 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)

109. ~~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)

110. **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.

111. **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.

112. **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.

113. **Variance.** 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.

114. **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.

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

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

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

SECTION 3. AMENDING CHAPTERS 18.32, 18.36, 18.40, 18.44, 18.48, 18.52, 18.56, 18.60, AND 18.64 BY REMOVING LANGUAGE IN STRIKEOUT AND ADDING LANGUAGE IN HIGHLIGHT TO READ AS FOLLOWS:

Chapter 18.32
RG--Residential General District

Sections:

- 18.32.010 Purpose.
- 18.32.020 Permitted Uses.
- 18.32.030 Conditional Uses.
- 18.32.040 Minimum Lot Size and Width.
- 18.32.050 Parking Area.
- 18.32.060 Lot Coverage.
- 18.32.070 Building Setback.
- 18.32.080 Building Height.
- 18.32.090 Signage.
- 18.32.100 Visibility at Intersections.

18.32.010 Purpose. This district is designed to provide an area for residential development.

18.32.020 Permitted Uses. ~~In the RG district, permitted uses are as follows: Structures containing less than five dwelling units~~ **As permitted in the Land Use Table, Chapter 18.70.**

- A. ~~Home occupations~~
- B. ~~Mobile homes~~
- C. ~~Rental units~~
- D. ~~Accessory uses~~

18.32.025 Prohibited Uses. In the RG district, prohibited uses are as follows:

A. Any use which causes excessive 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. As prohibited in the Land Use Table, Chapter 18.70.

18.32.030 Conditional Uses. The following uses shall be permitted if it is determined the conditions set forth in this chapter and Chapters 18.64 and 18.68 are met: As permitted in the Land Use Table, Chapter 18.70, and subject to provisions of chapter 18.72.

- A. Structures containing more than four dwelling units
- B. Fraternal organizations
- C. Hospitals
- D. Mobile home parks
- E. Public school and recreation facilities
- F. Churches
- G. Private schools
- H. Public utilities and approved fuel storage
- I. Accessory uses related to fishing industry
- J. Signage uses in excess of those specified in Section 18.32.090, subsection A. (Ord. 01-01; Ord. 02-02;)
- K. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.32, 18.68, 18.72 are satisfied. (Ord. 02-02 repealed 2016; Ord. 17-05)
- L. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law, SMC 18.78 and SM Ord. 16-09. (Ord 17-07)

18.32.040 Minimum Lot Size and Width. A. 5000 square feet for a structure containing one dwelling unit.

B. 2500 square feet per dwelling unit for structures containing two or more dwelling units, provided all other standards are met.

C. Residential developments utilizing a common open space design shall contain a total area equal to that required by subsections A or B of this section, and each dwelling unit which is sold on a lot within the development shall have at least a 2000 square foot lot.

18.32.050 Parking Spaces. Two off-street parking spaces each measuring 20 by 10 feet are required for each dwelling unit. This area does not include any area required for driveways and maneuvering in parking areas.

18.32.060 Lot Coverage. Principal and accessory structures shall not cover more than 50 percent of the lot area.

18.32.070 Building Setback. A. Along any lot boundary bordering a right-of-way, the building setback required is 10 feet measured from the property line.

B. Buildings shall be set back five feet from all other lot boundaries.

18.32.080 Building Height. The maximum building height is twenty-eight (28) feet measured from where the final grade meets the average of the two highest foundation corners. Below grade walls shall not exceed ten (10) feet and shall not cause the vertical height of the structure to exceed twenty-eight (28) feet from where the final grade meets the average of the two highest foundation corners and not to exceed an overall height of thirty-eight (38) feet. (Ord. 06-10)

18.32.090 Signage. A. Combined signage serving the Residential General District shall not exceed six square feet in area and shall be located so as not to impede visibility or traffic.

B. Combined signage serving Conditional Uses shall not exceed 20 square feet in area and shall be located so as not to impede visibility or traffic. (Ord. 0101)

18.32.100 Visibility at Intersections. A. No vehicle shall be parked within thirty feet (30') of any existing municipality street intersection;

B. To ensure that a vehicle's driver has good visibility at street intersections, on corner lots both public and privately owned, there shall not be a fence, wall, hedge, planting or structure, or other obstacle including vehicles that will impede visibility between a height of 2-1/3 feet and 8 feet and greater than one foot wide above the centerline grades of the intersecting streets unless parked in already approved and designated parking area. (Ord. 06-10; Ord 18-12)

Chapter 18.36 RSM--Residential, Special Multifamily District

Sections:

- 18.36.010 Purpose.
- 18.36.020 Conditional Uses.
- 18.36.025 Prohibited Uses
- 18.36.030 Minimum Lot Size and Width.
- 18.36.040 Parking Area.
- 18.36.050 Lot Coverage.

- 18.36.060 Building Setback.
- 18.36.070 Building Height.
- 18.36.080 Signage.
- 18.36.090 Visibility at Intersections.

18.36.010 Purpose. This district is designed to accommodate multifamily structures that are developed for occupants requiring fewer parking spaces and less outdoor recreation area because of age and limitations on the number of occupants per dwelling unit.

18.36.020 Conditional Uses. ~~The following uses shall be permitted if it is determined the conditions in Chapter 18.68 and 18.72 and design standards of this chapter are met:~~
As permitted in the Land Use Table, 18.70, and subject to provisions of Chapter 18.72.

- ~~A. Structures containing more than four dwelling units.~~
- ~~B. Signage uses in excess of those specified in Section 18.36.080, subsection A. (Ord. 01-01)~~
- ~~C. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.36, 18.68, 18.72 are satisfied. (Ord. 17-05)~~
- ~~D. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law, SMC 18.78 and SMC Ord. 16-09. (Ord. 17-07)~~

18.36.025 Prohibited Uses. In the RSM district, prohibited uses are as follows:

~~A. Any use which causes excessive 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. (Ord. 06-10)~~ As prohibited in the Land Use Table, Chapter 18.70.

18.36.030 Minimum Lot Size and Width. In the RSM district, the minimum lot size and width is 1800 square feet per dwelling unit, provided all other standards are met.

18.36.040 Parking Area. One off-street parking space measuring 20 by 10 feet is required for each unit. This area does not include any area required for driveways and maneuvering in parking areas. The number of parking spaces required may be reduced if it is determined in the conditional use procedures that occupants require fewer parking spaces.

18.36.050 Lot Coverage. Principal and accessory structures shall not cover more than 70 percent of the lot area.

18.36.060 Building Setback.

- A. Along any lot boundary bordering a right-of-way, the building setback required is 10 feet measured from the property line.
- B. Buildings shall be set back five feet from all other lot boundaries. (Ord. 00-08)

18.36.070 Building Height. The maximum building height is twenty-eight (28) feet measured from where the final grade meets the average of the two highest foundation corners. Below grade walls shall not exceed ten (10) feet and shall not cause the vertical height of the structure to exceed twenty-eight (28) feet from where the final grade meets the average of the two highest foundation corners and not to exceed an overall height of thirty-eight (38) feet. (Ord. 06-10)

18.36.080 Signage. A. Combined signage serving the Residential Special Multi-family District shall not exceed six square feet in area and shall be located so as not to impede visibility or traffic.

B. Combined signage serving Conditional Uses shall not exceed 20 square feet in area and shall be located so as not to impede visibility or traffic. (Ord. 0101)

18.36.090 Visibility at Intersections. A. No vehicle shall be parked within thirty feet (30') of any existing municipality street intersection;

B. To ensure that a vehicle's driver has good visibility at street intersections, on corner lots both public and privately owned, there shall not be a fence, wall, hedge, planting or structure, or other obstacle including vehicles that will impede visibility between a height of 2-1/3 feet and 8 feet and greater than one foot wide above the centerline grades of the intersecting streets unless parked in already approved and designated parking area. (Ord. 06-10; Ord 18-12)

Chapter 18.40

WCR--Waterfront Commercial Residential District

Sections:

- 18.40.010 Purpose.
- 18.40.020 Permitted Uses.
- 18.40.030 Prohibited Uses.
- 18.40.040 Performance Standards.
- 18.40.050 Minimum Lot Area and Width.
- 18.40.060 Parking Area and Off-Street Loading Space.
- 18.40.070 Building Setback.
- 18.40.080 Visibility at Intersections.
- 18.40.090 Building Height.
- 18.40.100 Conditional Uses.
- 18.40.110 Signage.

18.40.010 Purpose. A. This district is designed to preserve and enhance the following characteristics of Seldovia:

1. Marine orientation of the community

2. Pedestrian orientation
3. Variety of compatible mixed use development
4. Scenic features due to the natural terrain and vegetation

B. The district provides an area for the service and commercial activities which support water-dependent activities related to commercial and sport fishing, tourism, recreation and transportation. The district also provides the opportunity for people to enjoy waterfront living.

18.40.020 Permitted Uses. ~~In the WCR district, permitted uses are as follows:~~
As permitted in the Land Use Table, Chapter 18.70.

- A. Residential uses
- B. Home occupations
- C. Retail
- D. Service
- E. Office
- F. Accessory uses

18.40.030 Prohibited Uses. A. ~~In the WCR District, prohibited uses are as follows:~~
Motor vehicle sales and service; As prohibited in the Land Use Table, Chapter 18.70.

~~B. Extraction of natural resources for sale not incidental to development of the area for a permitted use.~~

18.40.040 Performance Standards. Each permitted use shall meet the following performance standards:

- A. All permits required for work done in the tidelands shall be obtained prior to granting a building permit.
- B. Street and utilities must be adequate to safely accommodate the proposed use presently and in the future.

18.40.050 Minimum Lot Area and Width. A. No minimum lot area is established, but the actual lot area shall be sufficient to meet the parking, open space, natural area and setback standards of this chapter.

B. Residential uses shall provide at least 1000 square feet of open space per dwelling unit. The open space may not be used for parking or permanent structures, however 50 percent may be a covered patio or similar structure.

C. 25 percent of the land area involved shall be left with the natural vegetation and terrain existing prior to development.

18.40.060 Parking Area and Off-Street Loading Space. A. Two off-street parking spaces are required for any dwelling unit, otherwise parking requirements are the same as the Commercial District. For residential use only, the parking spaces may be made of dirt, gravel, asphalt, concrete or wood and, if unenclosed, may be within the setback from an adjacent right-of-way. If the applicant adequately demonstrates that the use will be residential, or serve customers who are not dependent on motor vehicles to reach the business, the parking requirements may be reduced accordingly by the City Planning Commission. (Ord. 00-01)

B. Off-street loading space requirements are the same as Section 18.44.050.

C. Decks or Docks in this section shall be constructed to allow for the docking of water craft within the lot boundaries and in compliance with the provisions set forth in Chapter 18.40 (Ord. 00-01; Ord. 17-06)

18.40.070 Building Setback. In the WCR District, building setback requirements shall be as follows:

A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;

B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;

C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

18.40.080 Visibility at Intersections. A. No vehicle shall be parked within thirty feet (30') of any existing municipality street intersection;

B. To ensure that a vehicle's driver has good visibility at street intersections, on corner lots both public and privately owned, there shall not be a fence, wall, hedge, planting or structure, or other obstacle including vehicles that will impede visibility between a height of 2-1/3 feet and 8 feet and greater than one foot wide above the centerline grades of the intersecting streets unless parked in already approved and designated parking area. (Ord. 00-08; Ord 18-12)

18.40.090 Building Height. The maximum building height is twenty-eight (28) feet measured from where the final grade meets the average of the two highest foundation corners. Below grade walls shall not exceed ten (10) feet and shall not cause the vertical height of the structure to exceed twenty-eight (28) feet from where the final grade meets

the average of the two highest foundation corners and not to exceed an overall height of thirty-eight (38) feet. (Ord. 06-10)

18.40.100 Conditional Uses. ~~The following uses shall be permitted if it is determined that the requirements of chapters 18.68 and 18.72 are met:~~ **As permitted in the Land Use Table, Chapter 18.70, and subject to provisions of Chapter 18.72.**

~~—A. Signage in excess of those specified in Section 18.40.110, subsection A. (Ord. 01-01)~~

~~—B. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.40, 18.68, 18.72 are satisfied. (Ord. 17-05)~~

~~—C. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law, SMC 18.78 and SMC Ord. 16-09. (Ord. 17-07)~~

18.40.110 Signage. A. Combined signage serving the Waterfront Commercial Residential District shall not exceed six square feet in area and shall be located so as not to impede visibility or traffic.

B. Combined signage serving Conditional Uses shall not exceed 20 square feet in area and shall be located so as not to impede visibility or traffic. (Ord. 0101)

Chapter 18.44 C--Commercial District

Sections:

- 18.44.010 Purpose.
- 18.44.020 Permitted Uses.
- 18.44.030 Conditional Uses.
- 18.44.040 Minimum Lot Size and Width.
- 18.44.050 Parking Area and Off-Street Loading Space.
- 18.44.060 Lot Coverage.
- 18.44.070 Building Setback.
- 18.44.080 Visibility at Intersections.
- 18.44.090 Building Height.
- 18.44.100 Signage.

18.44.010 Purpose. This district is designed to preserve or establish consolidated business areas that are primarily intended for retail, financial, entertainment and professional services occurring within enclosed structures. Integration of residential uses with commercial structures is desirable. District standards are designed to encourage development that will serve future customers driving to the area as well as pedestrian traffic from surrounding residential area.

18.44.020 Permitted Uses. The following uses shall be permitted when they occur primarily within an enclosed structure: **As permitted in the Land Use Table, Chapter 18.70.**

- A. Service
- B. Retail
- C. Wholesale
- D. Entertainment
- E. Residential structures containing more than four units
- F. Offices

18.44.030 Conditional Uses. The following uses shall be permitted if it is determined that the requirements of this chapter and Chapters 18.68 and 18.72 are met: **As permitted in the Land Use Table, Chapter 18.70, and subject to provisions of Chapter 18.72.**

- A. Gas stations
- B. Drive-in and fast food restaurants
- C. Manufacturing
- D. Schools
- E. Service business with outside storage
- F. Vehicle sales and service
- G. Warehouses and transportation facilities
- H. Residential
- I. Signage uses in excess of those specified in Section 18.44.100
- J. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.44, 18.68, 18.72 are satisfied. (Ord. 01-01, Ord. 17-05)
- K. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law, SMC 18.78 and SMC Ord. 16-09. (Ord. 17-07)

18.44.040 Minimum Lot Size and Width. In the C District, the minimum lot size and width shall be as follows:

- A. For residential uses, the standards for the residential district shall apply;
- B. 5000 square feet for uses other than residential.

18.44.050 Parking Area and Off-Street Loading Space. In the C District, parking areas and off-street loading space requirements shall be as follows:

- A. Residential uses, same as required in the residential district;
- B. Retail sales, one space per 200 square feet of gross usable floor area;
- C. Service business and offices one space for each 300 square foot of gross usable floor area;
- D. Restaurants, bars and other entertainment establishments, one parking space for each four seats based on maximum seating capacity;
- E. Transient housing, one parking space for each three rooms;
- F. In addition to the above requirements, one parking space for every four employees shall be provided;

G. If the applicant adequately demonstrates that the use will serve customers who are not dependent on motor vehicles to reach the business, the parking requirements may be reduced accordingly by the City Planning Commission. (Ord. 06-10)

18.44.060 Lot Coverage. No limit except coverage for requirements for residential uses shall be the same as for the residential district.

18.44.070 Building Setback. In the C District, building setback requirements shall be as follows:

- A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;
- B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to 1/2 the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by city plans or ordinance. If no city plan or ordinance exists, the right-of-way requirements of the borough subdivision requirements shall apply;
- C. Six (6) feet from all property boundaries not bordering rights-of-way, unless adequate fire walls are provided and adequate access to the rear of the building is otherwise provided.

18.44.080 Visibility at Intersections. A. No vehicle shall be parked within thirty feet (30') of any existing municipality street intersection;

B. To ensure that a vehicle's driver has good visibility at street intersections, on corner lots both public and privately owned, there shall not be a fence, wall, hedge, planting or structure, or other obstacle including vehicles that will impede visibility between a height of 2-1/3 feet and 8 feet and greater than one foot wide above the centerline grades of the intersecting streets unless parked in already approved and designated parking area. (Ord 18-12)

18.44.090 Building Height. The maximum building height is twenty-eight (28) feet measured from where the final grade meets the average of the two highest foundation corners. Below grade walls shall not exceed ten (10) feet and shall not cause the vertical height of the structure to exceed twenty-eight (28) feet from where the final grade meets the average of the two highest foundation corners and not to exceed an overall height of thirty-eight (38) feet. (Ord. 06-10)

18.44.100 Signage. Combined signage serving the Commercial District shall not exceed 15% of wall surface area as viewed from any lot line. (Ord. 01-01)

Chapter 18.48 I--Industrial District

Sections:

- 18.48.010 Purpose.
- 18.48.020 Permitted Uses.
- 18.48.030 Conditional Uses.
- 18.48.040 Minimum Lot Size and Width.
- 18.48.050 Parking Area and Off-Street Loading Space.
- 18.48.060 Lot Coverage.
- 18.48.070 Building Setback.
- 18.48.080 Visibility at Intersections.
- 18.48.090 Building Height.
- 18.48.100 Special Requirements.
- 18.48.110 Signage.

18.48.010 Purpose. This district is located and designed to provide an area suitable for the development of a viable industrial base for the community. Land adjacent the shoreline and located in Industrial Zone, shall be reserved for water dependent and marine uses.

18.48.020 Permitted Uses. In the I District, permitted uses shall be as follows:
As permitted in the Land Use Table, Chapter 18.70.

- A. Marine equipment sales, service, repair, construction and storage;
- B. Equipment sales, repairs and service;
- C. Seafood processing;
- D. Transportation and storage except for flammable, explosive or corrosive materials not for use on the site;
- E. Public utility plants;
- F. Manufacturing;
- G. Wholesale outlets and warehouses; H. Accessory uses;
- I. Retail sales;
- J. Attached residential dwelling units

18.48.030 Conditional Uses. The following uses shall be permitted if it is determined the requirements of Chapters 18.68 and 18.72 are met: As permitted in the Land Use Table, Chapter 18.70, and subject to provisions of chapter 18.72.

- A. Transportation and storage of flammable, explosive or corrosive materials;
- B. Gas stations;
- C. Signage uses in excess of those specified in Section 18.48.110

~~D. Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.48, 18.68, 18.72 are satisfied (Ord. 01-01, Ord. 17-05)~~

~~E. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law, SMC 18.78 and SMC Ord. 16-09. (Ord. 17-07)~~

18.48.040 Minimum Lot Size and Width. Lots shall be at least 20,000 square feet and have a width equal to or greater than 1/3 the length.

18.48.050 Parking Area and Off-Street Loading Space.

A. One (1) parking space is required for each four employees anticipated at peak operation levels plus 1 customer parking space for each 1,000 square foot of service area for uses which have local customers visiting the site.

B. One (1) off-street loading space measuring at least 60 feet long by 10 feet wide by 15 feet high, inside dimensions, shall be provided for each 20,000square foot of gross floor area.

C. Decks or Docks in this section shall be constructed to allow for the docking of water craft within the lot boundaries and in compliance with the provisions set forth in Chapter 18.48. (Ord. 17-06)

18.48.060 Lot Coverage. No minimum.

18.48.070 Building Setback. In the I District, building setback requirements shall be as follows:

A. Five (5) from all rights-of-way if the right-of-way meets existing requirements;

B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to ½ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;

C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

18.48.080 Visibility at Intersections. A. No vehicle shall be parked within thirty feet (30') of any existing municipality street intersection;

B. To ensure that a vehicle's driver has good visibility at street intersections, on corner lots both public and privately owned, there shall not be a fence, wall, hedge, planting or structure, or other obstacle including vehicles that will impede visibility between a height of 2-1/3 feet and 8 feet and greater than one foot wide above the centerline grades of the intersecting streets unless parked in already approved and designated parking area. (Ord. 00-08; Ord. 06-10; Ord 18-12)

18.48.090 Building Height. Maximum building height shall be thirty-five (35) feet measured from where the final grade meets the average of the two highest foundation corners. Below grade walls shall not exceed ten (10) feet and shall not cause the vertical height of the structure to exceed thirty-five (35) feet from where the final grade meets the average of the two highest foundation corners and not to exceed an overall height of forty-five (45) feet. (Ord. 00-08), (Ord. 0610).

18.48.100 Special Requirements.

A. Industrial uses located adjacent to Main Street shall provide pedestrian access from the ferry dock along Main Street

B. Water-dependent industrial uses shall be preferred along the waterfront. To be water-dependent, a use must meet the following criteria:

1. Requires a waterfront location or direct access to the waterfront to operate;
2. Provides goods and services essential to fishing, fish processing and marine transportation; and
3. Must be located in close proximity to fishing, fish processing and marine transportation activities to provide goods and services required by these activities.

18.48.110 Signage. Combined signage serving the Industrial District shall not exceed 15% of wall surface area as viewed from any lot line. (Ord. 01-01)

Chapter 18.52
CB--Commercial Business

Sections:

- 18.52.010 Intent.
- 18.52.020 Permitted Uses.
- 18.52.025 Incidental Secondary Uses.
- 18.52.030 Prohibited Uses.
- 18.52.035 Long-term Residential Rentals—Administrative Permit.
- 18.52.040 Performance Standards.
- 18.52.050 Minimum Lot Area and Width.
- 18.52.060 Parking Area and Off-Street Loading Space.
- 18.52.070 Building Setback.
- 18.52.080 Visibility at Intersections.

- 18.52.090 Building Height.
- 18.52.100 Conditional Uses.
- 18.52.110 Signage.
- 18.52.120 Violation—Penalties.

18.52.010 Intent. The CB District is established to provide an area for convenient, attractive and concentrated commercial development. Regulations applying to this zone are designed to encourage a compact group of business of the type which are mutually beneficial and located close enough together to encourage walk-in trade.

18.52.020 Permitted Uses. In the CB District, permitted uses constitute the principal “primary use” for commercial purposes and are as follows: As permitted in the Land Use Table, Chapter 18.70.

- A. Retail and wholesale businesses
- B. Service
- C. Business Specific Offices
- D. Restaurants, taverns, and entertainment establishments.
- E. Hotels and motels
- F. Hospitals, medical and dental clinics

18.52.025 Incidental Secondary Uses. A. Incidental secondary uses are uses that occur after the primary permitted use is met. The following uses shall be permitted as incidental secondary uses and shall not exceed forty nine percent of the building: As permitted in the Land Use Table, Chapter 18.70 and subject to provisions of this chapter.

- 1. Attached residential dwelling unit.
- 2. Attached multi residential dwelling unit.

B. Per chapter 5.35 business license no person may engage in a business in the city without first obtaining an annual business license. All requirements of chapter 5.35 must be met for the primary permitted use to be considered met for an incidental secondary use.

18.52.030 Prohibited Uses. In the CB District, prohibited uses are as follows: As prohibited in the Land Use Table, Chapter 18.70.

- A. Extraction of natural resources for sale not incidental to development of the area for a permitted use.

18.52.035 Long-Term Residential Rentals—Administrative Permit. A. Long-term residential rentals are allowed as a permitted use in the CB District but shall not exceed over 10 percent of the total number of lots located within the district and must obtain an administrative permit before operating.

1. A waitlist will be established once 10% of the district of the total number of lots are considered a long-term residential rental.
2. Long-term residential rentals with a lapse of six months or more in tenants will no longer be considered a long-term rental and must obtain a new administrative permit in order to be considered for a long-term rental as their permitted primary use.

B. All long-term residential rentals without a primary permitted use provided in 18.52.020 must obtain an administrative permit from the City of Seldovia annually.

C. An administrative permit is not required for long-term residential rentals when the primary use is already met as provided in 18.52.020.

D. No administrative permits shall be issued above the 10% threshold of the lots in the CB district. Applying for an administrative permit does not guarantee a permit will be issued. Applications received after the permitted 10% allowable lots are approved will be placed on an established waitlist as first come first serve.

18.52.040 Performance Standards. Each permitted use shall meet the following performance standards:

A. All permits required for work done in the tidelands shall be obtained prior to granting a building permit.

B. Street and utilities must be adequate to safely accommodate the proposed use presently and in the future.

18.52.050 Minimum Lot Area and Width. In the CB District, the minimum lot size and width shall be as follows:

A. 5000 square feet. (Ord. 00-08), (Ord. 06-10)

B. Lot area shall be sufficient to meet the parking and setback standards of this chapter. (Ord. 06-10)

18.52.060 Parking Area and Off-Street Loading Space. In the CB District, parking areas and off-street loading space requirements shall be as follows:

A. Residential uses, same as required in the Residential District;

B. Retail sales, one space per 200 square feet of gross usable floor area;

C. Service business and offices, one space for each 300 square feet of gross usable floor area;

D. Restaurants, bars and other entertainment establishments, one parking space for each four seats based on maximum seating capacity;

E. Transient housing, one parking space for each three rooms;

F. In addition to the above requirements, one parking space for every four employees shall be provided;

G. If the applicant adequately demonstrates that the use will serve customers who are not dependent on motor vehicles to reach the business, the parking requirements may be reduced accordingly by the City Planning Commission;

H. One off-street loading space at least 30 feet long by 10 feet wide by 16 feet high inside dimensions shall be provided for each 10,000 square foot of usable floor area.

I. Decks or Docks in this section shall be constructed to allow for the docking of water craft within the lot boundaries and in compliance with the provisions set forth in Chapter 18.52. (Ord. 00-08; Ord. 06-10; Ord. 17-06)

18.52.070 Building Setback. In the CB District, building setback requirements shall be as follows:

A. Ten (10) from all rights-of-way if the right-of-way meets existing requirements;

B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to ½ the required right-of-way width plus ten (10) feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;

C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided.

D. The setback for a deck or dock proposed along the shore of the Seldovia Small Boat Harbor (defined as any waterfront lot on Main St. between lots 19307917 and 19203059) shall be the mean high tide line. Any deck or dock proposed beyond the mean high tide shall be heard by the Planning and Zoning Commission under the conditional use permitting process (Ord. 00-08; Ord. 06-10; Ord. 17-06)

18.52.080 Visibility at Intersections. A. No vehicle shall be parked within thirty feet (30') of any existing municipality street intersection;

B. To ensure that a vehicle's driver has good visibility at street intersections, on corner lots both public and privately owned, there shall not be a fence, wall, hedge, planting

or structure, or other obstacle including vehicles that will impede visibility between a height of 2-1/3 feet and 8 feet and greater than one foot wide above the centerline grades of the intersecting streets unless parked in already approved and designated parking area. (Ord. 00-08; Ord. 06-10; Ord 18-12)

18.52.090 Building Height. The maximum building height is twenty-eight (28) feet measured from the centerline of Main Street. (Ord. 06-10)

18.52.100 Conditional Uses. ~~The following uses shall be permitted if it is determined that the requirements of Chapters 18.68 and 18.72 are met:~~ **As permitted in the Land Use Table, Chapter 18.70, and subject to provisions of Chapter 18.72.**

- A. ~~Signage uses in excess of those specified in Section 18.52.110.~~
- B. ~~Seafood processing (Ord. 17-13)~~
- C. ~~Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.52, 18.68, 18.72 are satisfied.~~
- D. ~~Building of decks or docks within the Seldovia Small Boat Harbor (as defined by SMC 18.52.070 D) beyond the mean high tide may be permitted if the provisions set forth in Chapter 18.52, and 18.68 are met (Ord. 01-01; Ord. 17-05; Ord. 17-06)~~
- E. ~~Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law, SMC 18.78 and SMC Ord. 16-09. (Ord. 17-07)~~
- F. ~~Motor vehicle sales and service within a confined specified space~~

18.52.110 Signage. Combined signage serving the Commercial Marine District shall not exceed 15% of wall surface area as viewed from any lot line. (Ord. 01-01)

18.52.120 Violation—Penalties. A. Any use of property in the Commercial Business District that is not provided in 18.52.020 or the use of any Incidental secondary use provided in 18.52.025 without a permitted use provided in 18.52.020 shall be considered a violation of this chapter. The penalty for an offense in this chapter is the fine listed in the fine schedule in SMC 1.08.040.

Chapter 18.56 CR--Commercial Residential

Sections:

- 18.56.010 Purpose.
- 18.56.020 Permitted Uses.
- 18.56.030 Prohibited Uses.
- 18.56.040 Minimum Lot Area and Width.
- 18.56.050 Parking Area and Off-Street Loading Space.
- 18.56.060 Building Setback.
- 18.56.070 Visibility at Intersections.
- 18.56.080 Building Height.
- 18.56.90 Conditional Uses.
- 18.56.100 Signage.

18.56.010 Purpose. A. This district is designed to provide an area for residential development.

B. This district is designed to preserve or establish areas that are primarily intended for retail, financial, entertainment and professional services occurring within enclosed structures. Integration of residential uses with commercial structures is desirable. District standards are designed to encourage development that will serve future customers.

18.56.020 Permitted Uses. ~~In the CR District, permitted uses are as follows:~~ **As permitted in the Land Use Table, Chapter 18.70.**

- A. Residential uses
- B. Home occupations
- C. Retail
- D. Service
- E. Office
- F. Accessory uses

18.56.030 Prohibited Uses. ~~In the CR District, prohibited uses are as follows:~~ **As prohibited in the Land Use Table.**

- A. ~~Motor vehicle sales and service;~~
- B. ~~Any use which causes excessive 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.~~

18.56.040 Minimum Lot Area and Width. Lot area shall be sufficient to meet the parking and setback standards of this chapter.

A. For residential uses, the standards for the Residential District shall apply; B. 5000 square feet for uses other than residential. (Ord. 06-10)

18.56.050 Parking Area and Off-Street Loading Space. A. Two (2) off-street parking spaces are required for any dwelling unit, otherwise parking requirements are the same as the commercial district. If the applicant adequately demonstrates that the use will serve customers who are not dependent on motor vehicles to reach the business, the parking requirements may be reduced accordingly by the City Planning Commission.

B. One off-street loading space at least 30 feet long by 10 feet wide by 15 feet high inside dimensions shall be provided for each 10,000 square foot of usable floor area. (Ord. 00-08)

18.56.060 Building Setback. In the CR District, building setback requirements shall be as follows:

A. Ten (10) feet from all rights-of-way if the right-of-way meets existing requirements; (Ord. 06-10)

B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;

C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

18.56.070 Visibility at Intersections. A. No vehicle shall be parked within thirty feet (30') of any existing municipality street intersection;

B. To ensure that a vehicle's driver has good visibility at street intersections, on corner lots both public and privately owned, there shall not be a fence, wall, hedge, planting or structure, or other obstacle including vehicles that will impede visibility between a height of 2-1/3 feet and 8 feet and greater than one foot wide above the centerline grades of the intersecting streets unless parked in already approved and designated parking area. (Ord. 00-08; Ord. 06-10; Ord 18-12)

18.56.080 Building Height. The maximum building height is twenty-eight (28) feet measured from where the final grade meets the average of the two highest foundation corners. Below grade walls shall not exceed ten (10) feet and shall not cause the vertical height of the structure to exceed twenty-eight (28) feet from where the final grade meets the average of the two highest foundation corners and not to exceed an overall height of thirty-eight (38) feet. (Ord. 06-10)

18.56.90 Conditional Uses. A. ~~Signage in excess of those specified in Section 18.56.100, subsection A. As permitted in the Land Use Table, Chapter 18.70, and subject to provisions of Chapter 18.72.~~

B. ~~Keeping of livestock may be permitted provided the provisions set forth in Chapters 18.56, 18.68, 18.72 are satisfied. (Ord. 01-01; Ord. 17-05)~~

C. ~~Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law, SMC 18.78 and SMC Ord. 16-09. (Ord. 17-07)~~

18.56.100 Signage. A. Combined signage serving the permitted uses of the Commercial Residential District shall not exceed six square feet in area and shall be located so as not to impede visibility or traffic.

B. Combined signage for lots with Main Street frontage shall not exceed 15% of the total square feet of wall surface area as viewed from any lot line.

C. Combined signage serving Conditional Uses shall not exceed 20 square feet in area and shall be located so as not to impede visibility or traffic. (Ord. 0101)

Chapter 18.60 A--Airport District

Sections:

- 18.60.010 Purpose.
- 18.60.020 Permitted Uses.
- 18.60.030 Signage.

18.60.010 Purpose. This district is specified to provide aircraft associated activities.

18.60.020 Permitted Uses. In the A District, the permitted uses are in accordance with Alaska Administrative Code Title 17, Chapter 40, Aviation **and as permitted in the Land Use Table, Chapter 18.70.**

18.60.030 Signage. Signs serving the Airport District shall not exceed 32 square feet in area and shall be located so as not to impede visibility or traffic. (Ord. 01-01)

Chapter 18.64 P--Public Lands

Sections:

- 18.64.010 Purpose.
- 18.64.020 Permitted Uses.
- 18.64.030 Signage.

18.64.010 Purpose. This district is designed to provide areas and buildings for public use.

18.64.020 Permitted Uses. In the P-District, permitted uses are as follows: **As permitted in the Land Use Table, Chapter 18.70.**

- A. Parks
- B. Playground areas
- C. ~~Access to waterfront areas~~
- D. Public buildings
 - 1. ~~Public building requirements are the same as for the Commercial district.~~
- ~~E. Accessory uses~~

18.64.030 Signage. Signs serving the Public District shall be limited to the following:

- A. Public signs erected by on or behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic; and
- B. Informational signs of a public utility regarding its poles, lines, pipes, or facilities. (Ord. 01-01)

SECTION 4. ADOPTING CHAPTER 18.70 BY ADDING THE LANGUAGE TO READ AS FOLLOWS:

Chapter 18.70 Land Use Table

Sections:

- 18.70.010 Land Use Table Incorporated.
- 18.70.020 Zoning Districts Key.
- 18.70.030 Land Use Type Key.
- 18.70.040 Land Use Table.

18.70.010 Land Use Table Incorporated. Land Use Table 18.70.040 is incorporated herein by reference and the restrictions contained therein are mandatory unless otherwise modified by this chapter (See Table 18.70.040).

18.70.020 Zoning Districts Key. Zoning Districts Key:

- RG—Residential General District
- RSM—Residential Special Multifamily District
- WCR—Waterfront Commercial Residential District
- C—Commercial District
- I—Industrial District
- CB—Commercial Business District
- CR—Commercial Residential District
- A—Airport District
- P—Public District

18.70.030 Land Use Type Key. Land Use Type Key:

- P= Principal Permitted Use
- C= Conditional Use
- S= Secondary Use
- N= Not Permitted

18.70.040 Land Use Table.

Key:	P- Permitted Use	S - Secondary Use	C - Conditional Use	N- Not Permitted						
ZONING DISTRICTS										
LAND USES	RG	RSM	WCR	C	I	CB	CR	A	P	
Residential Land Use Types										
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	C	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
Commercial Land Use Types									
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 occupation)	N	N	P	P	P	P	P	N	N
Wholesale Business	N	N	P	P	P	P	P	N	N
Industrial Land Use Types									

Automotive Repair, Services, and Sales (Was Motor Vehicles before)	N	N	C	P	P	C	C	N	N
Equipment sales, repairs and service (Heavy equip, or machine)	N	N	N	P	P	N	P	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	C	N	N
Manufacturing/Fabricating/ Assembly	N	N	N	C	P	C	C	N	N
Marine equipment sales, service, repair, construction and storage	N	N	P	P	P	P	P	N	N
Mini-Storage Facility	N	N	C	P	P	N	P	N	N
Utility, public facility (Was Public utility plants)	C	N	P	P	P	N	P	P	P
Gas manufacturer/Storage (Was Public utility and approved fuel storage)	C	N	C	P	P	N	C	P	N
Seafood Processing	N	N	C	P	P	C	C	N	N
Storage Facility	N	N	P	P	P	N	P	P	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	N	N	P	P	P	N	P	P	N
Freight storage and staging for transportation of flammable, explosive or corrosive materials	N	N	N	N	C	N	N	N	N
Warehouse	N	N	N	CP	P	N	N	N	N
Wholesale outlets	N	N	P	P	P	C??	P	P	N
PUBLIC/INSTITUTIONAL/OTHER									

Airport Compatible Uses (instead of related)	C	C	P	P	P	C	P	P	N
Churches	C	C	P	P	C	C	P	C	N
Clinics	C	C	C	P	C	P	P	C	N
Fraternal Organizations	C	C	C	C	C	C	C	C	N
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	N
Public buildings	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

SECTION 5. 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- Rojas-
 Campbell- Nathan-
 Morrison- Sweatt-