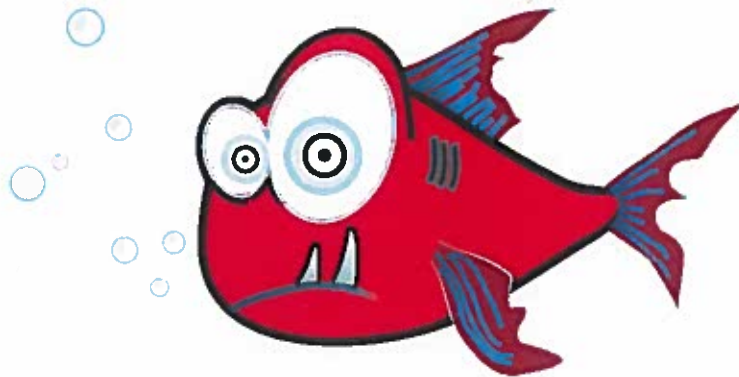


**SELDOVIA
PLANNING COMMISSION**

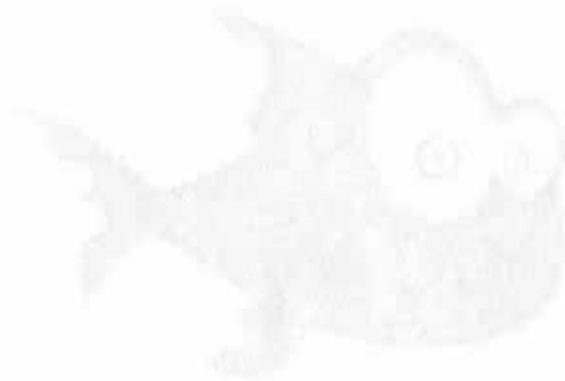
Wednesday
February 1, 2017



REGULAR MEETING
7:00pm
MULTI-PURPOSE ROOM

This page is intentionally left blank

February 1, 2017



RECEIVED
7:00 PM
FEBRUARY 1, 2017

**AGENDA FOR THE SELDOVIA PLANNING COMMISSION
REGULAR MEETING
MULTI-PURPOSE ROOM
Wednesday
February 1, 2017
7:00PM**

CAMPBELL SENENIG BATES CARLUCCIO STONE
--

- A. Call to order;
- B. Roll Call;
- C. Approval of the Agenda;
- D. Approval of Minutes from December 7, 2016;
- E. Public Comments Regarding Items Not on the Agenda;
- F. Public Hearings, Prior Notice;
- G. Consideration of Site Plans;
 - 1. Conditional Use Permit Application for Seldovia Wild Seafoods Lot 10 Block 5 Parcel # 192-026-01
 - A. Presentation by Staff or Commission
 - B. Public Presentation or Hearing
 - C. Commission Discussion
 - D. Action/Disposition
- H. Commission Business:
 - 1. Continuation of Discussion on Priority of ROW Issues Within the City
 - 2. Ordinance Consideration for Non-Conforming Structures Prior to Specific Date to be Allowed as Non-conforming for the Life of the Structure.
- I. Staff Reports:
 - 1. City Manager's Update on Annexation Working Group
- J. Informational Items Not Requiring Action:
- K. Comments of the Public:
- L. Comments of the Commission:
- M. Next Meeting: Regular scheduled meeting, March 1, 2017
- N. Adjournment:

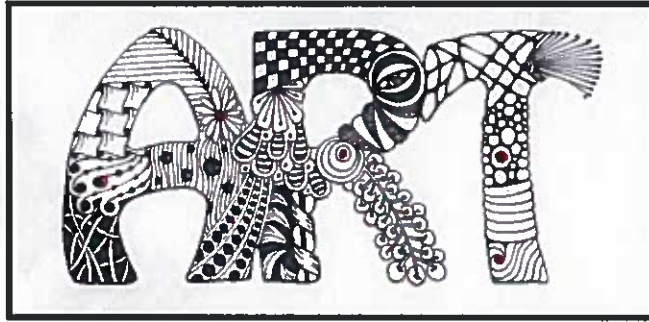
*If you require special assistance to attend the meeting,

Please, notify the City Office 24 hours in advance of the meeting and arrangements will be made.*



**THIS PAGE IS
INTENTIONALLY LEFT
BLANK**

Seldovia
Planning Commission
Contents Page
February 1, 2017



February is a great month to do art

Pages 1-2	Minutes of the Regular Meeting, December 7, 2016
Page 3-6	Application and Information Pertaining to the Conditional Use for Seldovia Wild Seafoods
Page 7-8	Seldovia Municipal Code 18.84 Nonconformity

NOTES:

This page is intentionally left blank

**MINUTES FROM THE SELDOVIA PLANNING COMMISSION
REGULAR MEETING
MULTI-PURPOSE ROOM**

Wednesday
**December 7, 2016
7:00PM**

SENENIG BATES CARLUCCIO STONE CAMPBELL
--

- A. Call to order; MEETING CALLED TO ORDER BY CHAIR CARLUCCIO AT 7:01 PM
- B. Roll Call; IN ATTENDANCE; SENENIG, BATES, CARLUCCIO, AND CAMPBELL. STONE WAS EXCUSED
- C. Approval of the Agenda; CAMPBELL/SENENIG MOVED TO APPROVE THE AGENDA
NO OBJECTION/ MOTION PASSED
- D. Approval of Minutes from November 2, 2016; SENENIG/BATES MOVED TO APPROVE THE MINUTES OF NOVEMBER 2, 2016
NO OBJECTION/ MOTION PASSED
- E. Public Comments Regarding Items Not on the Agenda;
WALTER MCINNES- Spoke to the Commission to consider a general grandfathering rule to older non-conforming structures.
- F. Public Hearings, Prior Notice; None
- G. Consideration of Site Plans;
 - 1. None
 - A. Presentation by Staff or Commission
 - B. Public Presentation or Hearing
 - C. Commission Discussion
 - D. Action/Disposition
- H. Commission Business:
 - 1. Continuation of Discussion on Priority of ROW Issues Within the City
 - A. Presentation by Staff or Commission
CLERK STANISH- Presented the surveys which were conducted on the ROWs recommended by the Commission and approved by the Council in July 2016. It is understood there are several ROW issues throughout the City. Staff asks for guidance from the Commission on priorities of these issues and options for remedies.
CM/LARSON- Gave the students in attendance a brief history of the issues of ROW and platting vs. actual placement of the existing ROW or lot lines within the City. Staff has been doing a lot of research and is looking for guidance on how the Commission would like to address these issues. Funds are limited. That said, so we move the streets to where they are platted or replat the streets?
 - B. Public Presentation or Hearing
MCINNES- It's a complex and confusing issue which will take patience and thought to alleviate any struggles which may occur. Reminded the Commission that many of these issues were a result of the earthquake or historically developing without a survey.
 - C. Commission Discussion
The Commission looked over the surveys and spoke to the concerns of private property owners encroaching into the platted ROW's.
SENENIG- We must weigh what's the benefit to the City and citizens in each of the issues. The Spruce St.

issue has been citizen initiated to remedy.

BATES- Questioned if there is a blanket allowability that could be given. Its not possible to go back, so is there a way for a grandfather acceptance of the errors?

Commission and staff discussed the impossibility of a blanket correction when it comes to tracking those when Banks and Title Companies are involved. One street at a time was considered. There is a process that was set up for these types of issues. If the citizen is in the ROW and wants something done, they need to begin the process through the lot line, ROW disputes application adopted by the City.

CAMPBELL- Addressed the non-conforming issue by discussing the adoption of an Ordinance allowing nonconforming structures within the setbacks for the life of the structure. Seeing the North St. Augustine survey, there are several private citizens encroaching into the ROW. Its not in the best interest of the City to widen the ROW to what's platted. The City must retain the right to develop the platted ROW in the future. As North St. Augustine is actually within the platted ROW, he doesn't see the need to change the ROW now. It would be beneficial to put the public on notice. There are many cities where people have done some amazingly beautiful gardens to hide utilities. They understand that they could be asked to move those at anytime. It would be good to draft a letter to citizens informing them the City understands private citizens may have developed into the platted ROW, however, at any time, they may have to move those to allow for the development of the ROW.

D. Action/Disposition

IT IS THE CONSENSUS OF THE COMMISSION TO DRAFT A LETTER TO CITIZENS EXPLAINING THE CITY MUST RETAIN THE RIGHT FOR FUTURE DEVELOPMENT OF THE PLATTED ROWS AND ANY PERSONAL PROPERTY OR PLANTINGS WITHIN THE PLATTED ROW ARE SUBJECT TO REMOVAL IF FUTURE DEVELOPMENT REQUIRES IT

Discussioin continued on other ROW issues including Cedar St., English Dr and Spruce St.

CLERK STANISH- Will research Cedar St. as it was discussed at length in the past. There may be a survey to work with.

I. Staff Reports: None

J. Informational Items Not Requiring Action: None

K. Comments of the Public: Hearing none

L. Comments of the Commission:

CAMPBELL- Thanked the students in attendance for coming and staying through to the end.

CARLUCCIO- Informed the Commission this may be her last meeting. She is not submitting an official resignation at this time. She thanked the Commission for their dedication and for putting up with her attention to detail.

M. Next Meeting: Regular scheduled meeting, January 4, 2017 will be cancelled due to lack of quorum. The next meeting will be Feb. 1, 2017

N. Adjournment:

CAMPBELL/BATES MOVED TO ADJOURN AT 8:55 PM

NO OBJECTION/ MOTION PASSED

I certify the above represents accurate minutes of City of Seldovia Planning and Zoning Commission meeting of December 7, 2016

Lisa Stanish, City Clerk

Approved by Commission _____

CITY OF SELDOVIA
CONDITIONAL USE PERMIT
APPLICATION FORM
FEE: \$150.00

Seldovia Wild Seafood
Name: ~~SELDOVIA NATIVE ASSOCIATION INC.~~
Mailing Address: ~~PO BOX A~~ SELDOVIA, AK 99663
PO BOX 908
Legal description of lot/lots: T 8 S R 14 W SEC 32, SM SL 0670030

Zoning District of lot/lots: LOT 10 BLOCK 5 PARCEL 192 026-01

Description of neighboring land use:
154' from building to church / 142' to liquor store
124' to greg davis house / 146' to dog care & SVT OFFICES

Description of proposed use (include dimensional plot plan, and other maps and diagrams):
PROCESSING / MANUFACTURING & PACKAGING
WILD ALASKAN SALMON TO MAKE
DOG TREATS
"ALASKA PUPPY LOVE DOG TREAT"

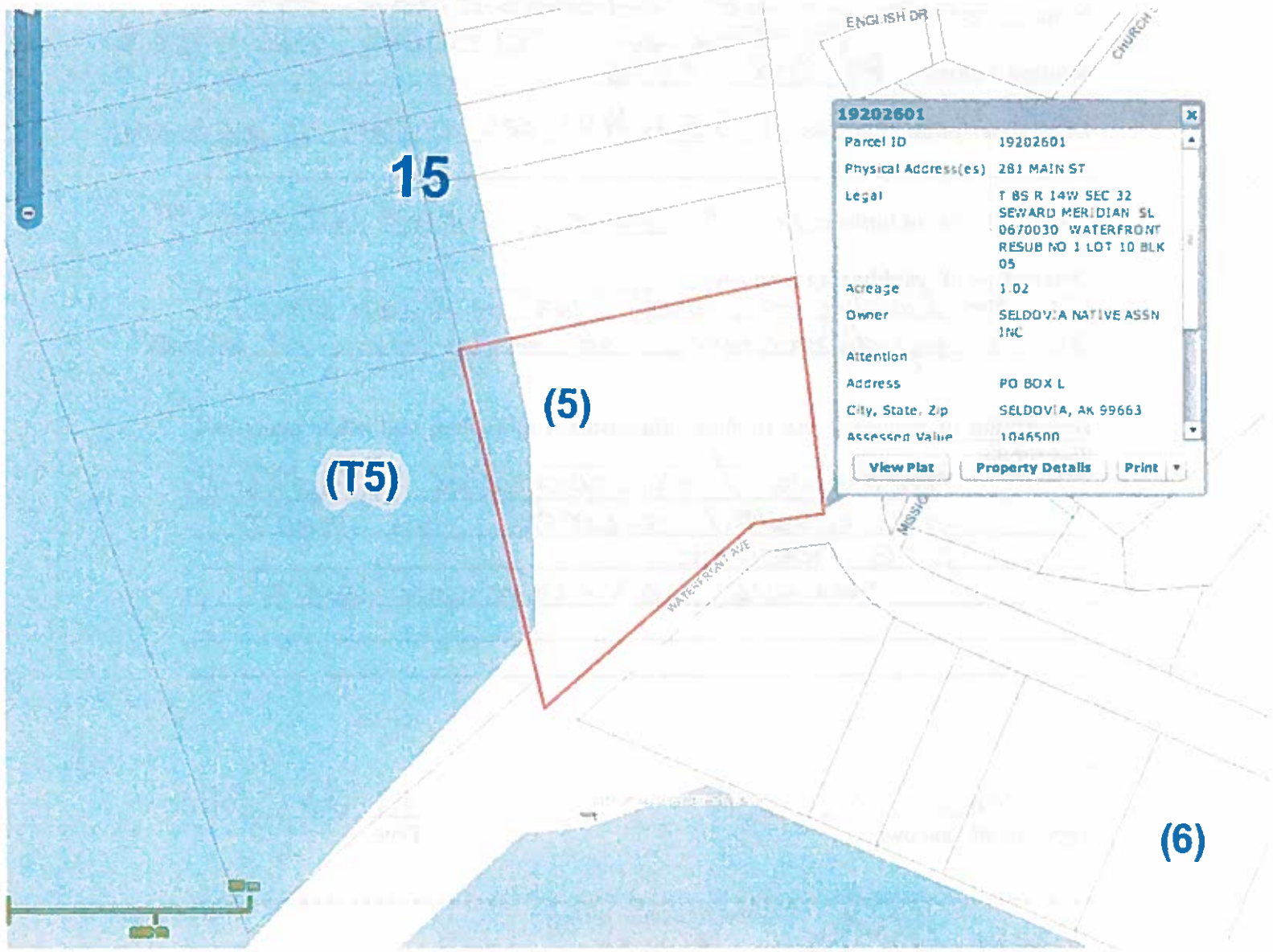
Barbara Carlough
Signature of land owner

12.28.2016
Date

.....
Date Received: 12/28/16 For City Office use only
Receipt No: 61003 P&Z Approval: _____
Public Hearing: _____ Attest: _____

APPROVED TO 2017
DIVISION OF LAND MANAGEMENT
MAY 11 2017

Handwritten notes: 19202601, 281 MAIN ST

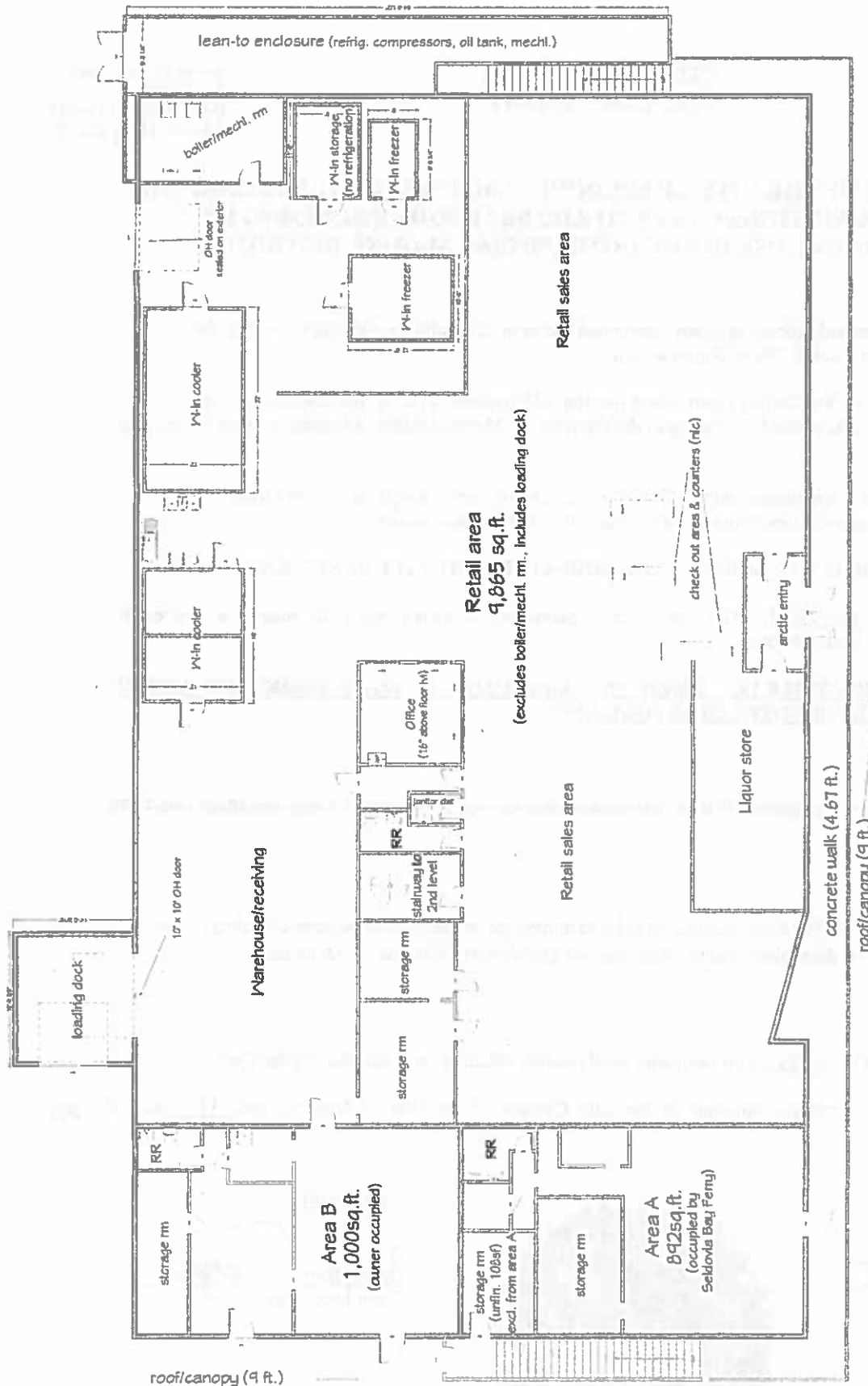


19202601

Parcel ID	19202601
Physical Address(es)	281 MAIN ST
Legal	T 8S R 14W SEC 32 SEWARD MERIDIAN 5L 0670030 WATERFRONT RESUB NO 1 LOT 10 BLK 05
Acreage	1.02
Owner	SELDOVIA NATIVE ASSN INC
Attention	
Address	PO BOX L
City, State, Zip	SELDOVIA, AK 99663
Assessed Value	1046500

[View Plat](#) [Property Details](#) [Print](#)

Former Main Street Market
281 Main St., Seldovia
First level, interior layout



Sketch by Demy & Associates, Inc.
 (907) 260-8434; demy@alaska.com

CITY OF SELDOVIA
ORDINANCE 17-13

Introduced: 12/14/2016
Posted: 1/4/2017
Public Hearing: 1/11/2017
Adopted: 1/11/2017

**AN ORDINANCE OF THE CITY OF SELDOVIA AMENDING TITLE 18 CHAPTER
18.52.100 CONDITIONAL USES TO ADD SEAFOOD PROCESSING BY
CONDITIONAL USE IN THE COMMERCIAL MARINE DISTRICT**

WHEREAS, currently seafood processing is not a permitted use or an allowable conditional use within the Commercial Marine District in the City of Seldovia; and

WHEREAS, at the Planning and Zoning Commission meeting of November 2, 2016, the Commission heard testimony on the desire to add seafood processing to the Commercial Marine District as it complies with the purpose of the district, and

WHEREAS, the Planning Commission and the Council of the City of Seldovia wish to support business and commerce development opportunities to provide economic growth in the community.

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

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, REMOVING LANGUAGE IN BOLD STRIKEOUT ADDING LANGUAGE IN HIGHLIGHT TO READ AS FOLLOWS:

Removing:

~~The following uses shall be permitted if it is determined that the requirements of Chapters 18.68 and 18.72 are met:~~

Adding:

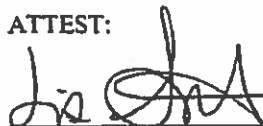
18.52.100 Conditional Uses. The following uses may be permitted, permitted with provisions or denied by the Commission, and it shall be determined that the requirements of Chapters 18.68 and 18.72 are met:

B. Seafood Processing

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon adoption by the Council.

ADOPTED by a duly constituted quorum of the City Council of the City of Seldovia this 11 day of Jan. 2017.

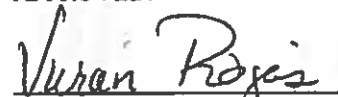
ATTEST:



Lisa Stanish, City Clerk



APPROVED:



Dean Lent, Mayor

Chapter 18.84

Nonconformity

Sections:

18.84.010 Intent.

18.84.020 Nonconforming Lots.

18.84.030 Nonconforming Structures.

18.84.040 Nonconforming Uses.

18.84.050 Elimination of Nonconforming Lots, Structures and Uses.

18.84.010 Intent. When any lot, Structure, use or occupancy legally exists prior to the adoption of this zoning code, but does not meet the requirements of this zoning code, it shall be considered a nonconforming lot, structure or use. Except as provided in this zoning code, nonconformities may continue but may not be expanded.

18.84.020 Nonconforming Lots. Each parcel of land of record on the effective date of this zoning code or amendments thereto may be developed in conformity with all other provisions of this zoning code even though such parcel fails to meet the minimum lot size required. However, owners of contiguous parcels on the effective date of this zoning code or amendments thereto, which parcels would not meet the minimum lot size if considered separately, shall not be permitted to sell or develop the contiguous parcels in a manner which increases the number of nonconforming parcels.

18.84.030 Nonconforming Structures. Nonconforming structures are subject to the following restrictions:

- B. No such structure may be enlarged or altered in a way which increases its nonconformity;

C. Any such structure, which is moved for any reason for any distance whatever, shall thereafter conform to the regulations for the zone in which it is located after it is moved.

18.84.040 Nonconforming Uses. Nonconforming uses are subject to the following provisions:

A. No structure shall be altered except as permitted in this zoning code.

B. Nonconforming uses shall not be extended to occupy any land outside nonconforming structures.

C. When a nonconforming use is discontinued for 1 (one) year, the use shall not thereafter be permitted except in conformance with the regulations of this zoning code.

D. When a nonconforming structure is destroyed, all associated nonconforming uses shall be deemed terminated.

E. The nonconformity shall not be moved to any other portion of the lot or the parcel.

18.84.050 Elimination of Nonconforming Lots, Structures and Uses. A reasonable schedule for the termination of a nonconforming lot, structure or use, or combination thereof, which significantly impairs the public health, safety and general welfare or the rights of neighboring property owners pursuant to this zoning code, shall be established by amendment to the Seldovia Zoning Code.