

**Chair**

Tom McGann

**Commissioners**

Scott Pegau

John Baenen

Allen Roemhildt

Nancy Bird

Chris Bolin

Lee Holter

**City Planner**

Samantha Greenwood

**Assistant Planner**

Leif Stavig

**PLANNING COMMISSION REGULAR MEETING  
DECEMBER 12, 2017 AT 6:30 PM  
CORDOVA CENTER COMMUNITY ROOMS A & B**

**AGENDA****1. CALL TO ORDER****2. ROLL CALL**

Chair Tom McGann, Commissioners Scott Pegau, John Baenen, Allen Roemhildt,  
Nancy Bird, Chris Bolin, and Lee Holter

**3. APPROVAL OF AGENDA (voice vote)****4. APPROVAL OF CONSENT CALENDAR (voice vote)**

- a. Minutes of October 10, 2017 Public Hearing.....Page 2
- b. Minutes of October 10, 2017 Regular Meeting.....Page 3
- c. Minutes of November 20, 2017 Public Hearing.....Page 6
- d. Minutes of November 20, 2017 Special Meeting.....Page 7

**5. DISCLOSURES OF CONFLICTS OF INTEREST****6. CORRESPONDENCE**

- a. Letter from Parks and Recreation Commission .....Page 11
- b. Newsletter #1 Hazard Mitigation Plan Update.....Page 12

**7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

- a. Guest Speakers
- b. Audience comments regarding agenda items (3 minutes per speaker)

**8. PLANNER'S REPORT .....Page 13****9. UNFINISHED BUSINESS**

- a. Resolution 17-04 .....Page 14  
A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska to repeal and reenact Chapter 18.60 of the Cordova Municipal Code in order to update and clarify the conditional use process and create a conditional use process for marijuana establishments

**10. PENDING CALENDAR**

- a. December 2017 Calendar .....Page 38
- b. January 2018 Calendar .....Page 39

**11. AUDIENCE PARTICIPATION****12. COMMISSION COMMENTS****13. ADJOURNMENT**

PLANNING COMMISSION PUBLIC HEARING  
OCTOBER 10, 2017 AT 6:30 PM  
CORDOVA CENTER COMMUNITY ROOMS A & B  
MINUTES

1. CALL TO ORDER

Chair **Tom McGann** called the Planning Commission Public Hearing to order at 6:30 PM on October 10, 2017 in Cordova Center Community Rooms A & B.

2. ROLL CALL

Present for roll call were Chair **Tom McGann** and Commissioners, **Scott Pegau**, **John Baenen**, **Allen Roemhildt**, **Mark Frohnapfel**, **Nancy Bird**, and **Chris Bolin**.

Also present was City Planner **Samantha Greenwood** and Assistant Planner **Leif Stavig**.

3 people were in the audience.

3. PUBLIC HEARING

- a. ~~Final Plat Approval for Tract A-3 and Lot 2, West Eyak Lake Tracts Subdivision Phase II~~
- b. ~~Marijuana Cultivation Facility - Conditional Use Permit~~
- c. ~~Retail Marijuana Store - Conditional Use Permit~~

**Melina Meyer**, 1 Cannery Row, said that she thought the location for both facilities was good since marijuana facilities are not banned and it meets the state's restrictions creating buffer zones. She would be available for questions during the meeting.

**McGann** acknowledged the correspondence from Copper River Seafoods.

M/Pegau S/Baenen to recess until 6:44.  
With no objection, the hearing was recessed.

The Public Hearing came back to order at 6:44 PM.

4. ADJOURNMENT

M/Frohnafel S/Pegau to adjourn the Public Hearing at 6:45 PM.  
With no objection, the hearing was adjourned.

Approved:

\_\_\_\_\_  
Tom McGann, Chair

\_\_\_\_\_  
Leif Stavig, Assistant Planner

PLANNING COMMISSION REGULAR MEETING  
OCTOBER 10, 2017 AT 6:45 PM  
CORDOVA CENTER COMMUNITY ROOMS A & B  
MINUTES

1. CALL TO ORDER

Chair **Tom McGann** called the Planning Commission Regular Meeting to order at 6:45 PM on October 10, 2017 in Cordova Center Community Rooms A & B.

2. ROLL CALL

Present for roll call were Chair **Tom McGann** and Commissioners, **Scott Pegau**, **John Baenen**, **Allen Roemhildt**, **Mark Frohnapfel**, **Nancy Bird**, and **Chris Bolin**.

Also present was City Planner **Samantha Greenwood** and Assistant Planner **Leif Stavig**.

3 people were in the audience.

3. APPROVAL OF AGENDA

M/Bird S/Pegau to approve the agenda with the deletion of 9a.

Upon voice vote, motion passed 7-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Frohnapfel, Bird, Bolin

4. APPROVAL OF CONSENT CALENDAR

a. Minutes of September 12, 2017 Regular Meeting

b. Record excused absence for John Baenen and unexcused absence for Mark Frohnapfel from the September 12, 2017 Regular Meeting

M/Bird S/Pegau to approve the consent calendar.

Upon voice vote, motion passed 7-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Frohnapfel, Bird, Bolin

5. DISCLOSURES OF CONFLICTS OF INTEREST

**Frohnapfel** declared that he may have a conflict as the manager of the facility adjacent to the two conditional use permit requests. **Greenwood** said it had to be a substantial financial interest for it to be considered a conflict. **Pegau** said that since conditional uses had notification to nearby property owners as part of the process he thought there was a conflict. The commission concurred that there was a conflict of interest.

6. CORRESPONDENCE

**McGann** acknowledged the letter from Copper River Seafoods.

7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

a. Guest Speakers

b. Audience comments regarding agenda items

## 8. PLANNER'S REPORT

**Greenwood** said that Pruhs was planning on paving the corner by Fish and Game, but they ran out of material and will not be able to pave it. **Baenen** verified that the Science Center was still moving forward on a potential future land purchase. **Greenwood** said that a portion of the marijuana code would be coming to the Planning Commission as it is going to be a conditional use permit process. **McGann** verified that **Dan Nichols's** Performance Deed of Trust was extended for another year. **Greenwood** explained that the homeowners above Chase Avenue were in negotiations to purchase portions of city lots.

## 9. NEW/MISCELLANEOUS BUSINESS

### b. Marijuana Cultivation Facility – Conditional Use Permit

M/Roemhildt S/Bird to approve the conditional use permit request for Morpac LLC, a marijuana cultivation facility, on Lot 7, Cannery Row Subdivision as described in their application.

**McGann** said it was important to go through the five conditional use permit standards. **Roemhildt** said he agreed with the Planning Departments findings and he thought that they could add some sort of condition that would make it subject to future city codes that deal with marijuana. **Greenwood** said that they were just evaluating the application and not looking into issues like what the code may be in the future. The state has permit renewals and their own process separate from the city process.

**Baenen** said that he didn't think they had the tools to make a decision on the permit request without code. **Greenwood** said they are working within the codes that they have and that they are just looking at the use.

**Pegau** said that he did not think that the conditional use met condition 3 and that it was incompatible with the zoning district. The district is looking for water-dependent enterprises and he did not think the request was water-dependent. The conditional use is not an essential business and he is not convinced it is desirable to public convenience. **Stavig** said that the Copper River Seafoods area was zoned Waterfront Historical, as well as the Orca Cannery area. **Greenwood** said that there were permitted uses in the Waterfront Historical District that were not water-dependent. **Pegau** said that he was undecided on condition 1 and thought it met all other conditions except for condition 3.

**Bolin** said that he was concerned with parking along the highway. **Melina Meyer**, applicant, said that there was plenty of room on the side and in the front of the building. She submitted two parking plans because of her concerns about the blind corner on the highway.

**Roemhildt** said that it was the city's fault that there was no code in place for marijuana establishments, not the applicant's. The application meets all the criteria. One concern from the public was a neighboring company having guests walk right next to the applicants business. He thought that was entirely avoidable.

**Bird** said that the approved uses in the district that were not water-dependent made her less concerned about the business being required to be water-dependent. **Baenen** disagreed with condition 3 and 4. He thought with the industrial uses in the area, condition 4 was not met. He also thought that the neighboring property owner's concern about the conditional use negatively impacting property values worked against condition 3.

**Pegau** said that he knew there were businesses that didn't meet permitted uses of the district, but he didn't think that was a reason to permit another one. He said if the business was located in the Unrestricted District, it would not have had to get a conditional use permit, so there are areas zoned that would allow that type of development. **McGann** said they granted a variance because of what was occurring on nearby property. The Comprehensive Plan says that they should be encouraging new businesses and not running people off.

Upon voice vote, motion passed 4-2.

Yea: McGann, Roemhildt, Bird, Bolin

Nay: Pegau, Baenen

COI: Frohn Apfel

c. **Retail Marijuana Store – Conditional Use Permit**

M/Bolin S/Roemhildt to approve the conditional use permit request for The New Company Store, a retail marijuana store, on Lot 7, Cannery Row Subdivision as described in their application.

**Bolin** said it was similar to the last application. **Roemhildt** said he agreed with the findings in the staff report. He thought the location was good as it was out of town. **Meyer** said that the state had lots of regulations with regard to signage. She picked names for the businesses that didn't reference marijuana and she didn't want the signs to yell at people. **Meyer** said that the building was currently used as storage.

**Pegau** said that he found the request did not meet condition 3, for the same reasons as the last request. **Greenwood** said that she understood that the purpose for the zoning district said a lot about water-dependent uses, but when she looks at the permitted uses list, there are a lot of uses that are not water-dependent, such as gift stores and eating and drinking establishments.

Upon voice vote, motion passed 4-2.

Yea: McGann, Roemhildt, Bird, Bolin

Nay: Pegau, Baenen

COI: Frohn Apfel

d. **Power Creek Road Recommendation to City Council**

M/Bird S/Bolin to recommend City Council provide the State of Alaska a resolution supporting the repair of Power Creek Road from the erosion that is washing the road out many, many multiple times a year.

**Bird** said that they had talked about this before and that **Pegau** thought having a resolution would help get the state's attention. **Bolin** said it had been happening for years and the culvert keeps getting washed out. **Pegau** thought it was important that as a Planning Commission they recognize the value of Power Creek Road. Losing access to the hydropower would have a huge economic impact.

Upon voice vote, motion passed 7-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Frohn Apfel, Bird, Bolin

10. **PENDING CALENDAR**

11. **AUDIENCE PARTICIPATION**

12. **COMMISSION COMMENTS**

**Bird** was wondering how to make the Power Creek project the number one priority for the city.

13. **ADJOURNMENT**

M/Frohn Apfel S/Pegau to adjourn the Regular Meeting at 7:33 PM.  
With no objection, the meeting was adjourned.

Approved:

\_\_\_\_\_  
Tom McGann, Chair

\_\_\_\_\_  
Leif Stavig, Assistant Planner

PLANNING COMMISSION PUBLIC HEARING  
NOVEMBER 20, 2017 AT 6:30 PM  
CORDOVA CENTER COMMUNITY ROOMS A & B  
MINUTES

1. CALL TO ORDER

Chair **Tom McGann** called the Planning Commission Public Hearing to order at 6:30 PM on November 20, 2017 in Cordova Center Community Rooms A & B.

2. ROLL CALL

Present for roll call were Chair **Tom McGann** and Commissioners, **Scott Pegau**, **John Baenen**, **Allen Roemhildt**, **Nancy Bird**, and **Chris Bolin**. **Lee Holter** was absent.

Also present was City Planner **Samantha Greenwood** and Assistant Planner **Leif Stavig**.

5 people were in the audience.

3. PUBLIC HEARING

a. Final Plat Approval for Tract A-3 and Lot 2, West Eyak Lake Tracts Subdivision Phase II

**Angela Butler** spoke in favor of the plat. She said that because the lot is over 1.5 acres, the future lessee will pay property tax on everything over that.

M/Pegau S/Baenen to recess until 6:44.  
With no objection, the hearing was recessed.

The Public Hearing came back to order at 6:44 PM.

4. ADJOURNMENT

M/Pegau S/Baenen to adjourn the Public Hearing at 6:45 PM.  
With no objection, the hearing was adjourned.

Approved:

\_\_\_\_\_  
Tom McGann, Chair

\_\_\_\_\_  
Leif Stavig, Assistant Planner

PLANNING COMMISSION SPECIAL MEETING  
NOVEMBER 20, 2017 AT 6:45 PM  
CORDOVA CENTER COMMUNITY ROOMS A & B  
MINUTES

1. CALL TO ORDER

Chair **Tom McGann** called the Planning Commission Special Meeting to order at 6:45 PM on November 20, 2017 in Cordova Center Community Rooms A & B.

2. ROLL CALL

Present for roll call were Chair **Tom McGann** and Commissioners, **Scott Pegau**, **John Baenen**, **Allen Roemhildt**, **Nancy Bird**, and **Chris Bolin**. **Lee Holter** was absent.

Also present was City Planner **Samantha Greenwood** and Assistant Planner **Leif Stavig**.

6 people were in the audience.

3. APPROVAL OF AGENDA

M/Pegau S/Baenen to approve the agenda.

Upon voice vote, motion passed 6-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bird, Bolin

Absent: Holter

4. DISCLOSURES OF CONFLICTS OF INTEREST

**Pegau** said that he had a conflict of interest on agenda items 6b and 6c. There was no objection.

5. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

a. Guest Speakers

b. Audience comments regarding agenda items

**Angela Butler**, 1006 Whitshed Road, said that she was the General Manager of Cordova Operations for the Eyak Corporation. She recommended approval of Tract A-3 and Lot 2, West Eyak Lake Tracts Subdivision Phase II. As chair of the board of the Prince William Sound Science Center, she recommended that the commission vote for the disposal of property for the Science Center to expand programming and operations.

**Katrina Hoffman** thanked the commission for reading her letter. The Science Center is part of a special program funded by Rasmussen and the Foraker Group that allow them to spend funds on pre-development. They have reached a stopping point until they know what site they would be developing. The lease for the building they use currently expires in 2021 and they have a substantial amount of fundraising to accomplish. It will have a positive benefit to the economy of Cordova. The Parks and Recreation Commission voted unanimously in favor of their interest in the site. They felt that between the city, the Science Center, and the Copper River Watershed Project, who is acquiring land in the area, they can come up with no net loss of recreational opportunities.

**Mike Mahoney** said that as a board member for the Science Center he wanted to recommend that the commission recommend direct negotiation with the Science Center. He thinks that is a great location for them to expand their facilities and that it would be great for Cordova.

**RJ Kopchak** thanked the commission for working on all that they do as volunteers. He was one of the founders of the Science Center and has been actively involved in its promotion and development for the last 28 years. The Science Center needs the capacity to grow and expand its facilities so it can actually create more jobs. Cordova has a healthy and robust fishery and they are going to be improving the harbor, but creating year-round jobs is always difficult. The Science Center does that, and if it is able to continue to expand, that means more winter jobs and families in town year-round. By locating the facility on ASLS 2001-5 they are able to develop a campus.

**Thea Thomas**, 112 South Second Street, was there on behalf of the Science Center as a new board member. She just learned about the project and it is very exciting. The location would give it the ability to grow.

**Susie Herschleb** said she wanted the commission to realize there is an issue with seasonal housing and RVs. They are losing business by turning away RVs. There isn't a lot of land available.

## 6. NEW/MISCELLANEOUS BUSINESS

### a. Final Plat Approval for Tract A-3 and Lot 2, West Eyak Lake Tracts Subdivision Phase II

M/Bird S/Bolin to recommend to City Council to approve the final plat request for Tract A-3 and Lot 2, West Eyak Lake Tracts Subdivision Phase II.

**Butler** said that normally SLUP lots are 1.5 acres because each shareholder is given that amount, but through inheritance the applicant was given more.

Upon voice vote, motion passed 6-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bird, Bolin

Absent: Holter

### b. Resolution 17-03

**A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska that ASLS 2001-5 be updated to 'Available' on the 2017 Land Disposal Maps**

M/Roemhildt S/Baenen to approve Resolution 17-03.

**Roemhildt** said that he made no findings against passing the resolution. **Baenen** said that he was in favor of the resolution and thought that there would be some opportunities for the city and Science Center to maintain some of the existing recreational opportunities. **Hoffman** said that the Copper River Watershed Project was acquiring four large tracts of land behind ASLS 2001-5. The Science Center and the Watershed Project have been thinking of various collaborative ideas for the area.

**Hoffman** said that the two major concerns with the Science Center being located in the area was the proximity to the fish cleaning station and the Parks and Rec facilities. They are currently adjacent to fish processing businesses and it has never been prohibitive to anyone's operations. The proximity to deep water gives them the potential for running seawater for research and a seawater heat pump.

**Bolin** said the location was great. He said that the burnpile might be a conflict for the area. He said there was also a city-owned quarry behind the burnpile. **McGann** verified that the city would still retain the quarry and there would be plenty of room to access and use it in the future if the disposal moved forward.

Upon voice vote, resolution passed 5-0.

Yea: McGann, Baenen, Roemhildt, Bird, Bolin

Absent: Holter

COI: Pegau

c. Disposal of ASLS 2001-5

M/Bird S/Baenen to recommend to City Council to dispose of ASLS 2001-5 as outlined in Cordova Municipal Code 5.22.060 B by negotiating an agreement with Prince William Sound Science Center to lease or purchase the property.

**Bird** said she thought it was important that they move this on. She hopes City Council will agree that time is of the essence so they can vacate the current building and build the new one. **Roemhildt** agreed that he wanted to minimize the loss of Parks and Recreation land and uses.

Upon voice vote, motion passed 5-0.

Yea: McGann, Baenen, Roemhildt, Bird, Bolin

Absent: Holter

COI: Pegau

d. Resolution 17-04

**A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska to repeal and reenact Chapter 18.60 of the Cordova Municipal Code in order to update and clarify the conditional use process and create a conditional use process for marijuana establishments**

M/Roemhildt S/Bolin to approve Resolution 17-04.

**Roemhildt** said the conditional use process for marijuana was important, especially since the city voters were in favor of legalization. **Greenwood** explained that the new, proposed code was so much of a change from the old code that it was too messy to create a redline version to show changes between the two.

**Pegau** said that the beginning of the existing code stated that conditional uses must be uses “deemed essential or desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the comprehensive plan,” and that was not in the proposed code’s purpose. **Stavig** said the commission should avoid comparing the proposed and existing codes linearly. In the existing code, those are conditions for granting the permit, and in the proposed code under 18.60.020 B, they remain conditions. **Pegau** said he wanted the purpose to tie back to the zoning district and the comprehensive plan. **Stavig** said they would work with that intent and add it to the code.

On 18.60.030, **Roemhildt** asked if the off-street parking included RV parks. **Greenwood** said that it didn’t, but if someone wanted to put in an RV park they would go through a conditional use permit (CUP) process. **Pegau** said “tourist courts, auto courts, motor lodges, and trailer courts” was in the existing code’s list. **Greenwood** said they would add RV parks to the list, but it wasn’t necessary as someone could ask for a CUP for anything. **Pegau** was concerned that the code didn’t say that items not on the list could be permitted by CUP. **Greenwood** said that if it wasn’t clear, they should make it clear. **McGann** said they could amend the first sentence of the section to make it inclusive of other uses. **Pegau** asked if they were opening it up to strip clubs and adult stores. **Greenwood** said that those establishments could apply for a CUP under the existing code. **McGann** said that they would have to go through the whole application process which includes a public hearing and notification.

On 18.60.080, **Pegau** verified that the city would be adding an additional buffer of 1,000 feet from schools and wondered about the remaining buffers. **Greenwood** said that the state regulations add a 500 foot buffer from churches, prisons, etc. The state application for marijuana licenses are extremely complex and have many requirements, which is why there are fewer local requirements. There is also a City Council protest period. **Roemhildt** said that he didn’t see anything in the code that would cause a CUP to be revoked. **McGann** said that the city has other tools to go after businesses for back taxes, unpaid property tax, etc.

**Pegau** said he would like to use the list in Section 18.60.090A.2. on junkyards, and require that marijuana establishments have a buffer of 1,000 feet from each of those. **Stavig** verified with **Pegau** that his intent was

to be more restrictive than state code. **Greenwood** said that “other places of public gathering” is a very general statement. **Pegau** said he wanted to separate marijuana establishments from areas of public gathering. **Roemhildt** verified that marijuana was still not legal to use in public.

**Baenen** asked how other communities in Alaska were permitting marijuana establishments. **McGann** said that he was aware of a marijuana business that was protested in Fairbanks and he thought the city was going to have a CUP process. **Greenwood** said that it all depended on the community; some have a CUP process, some don’t have anything at all. She thought a CUP worked best for Cordova. The philosophical approach has been that marijuana is legalized, there is potential economic development, and that the state has very strict rules. **Stavig** said that the more conditions that are added to the CUP process, the more liable the city is for enforcement, rather than the state.

**Bird** said that the list under junkyard was there for the commission to just to consider the proximity, and she verified that **Pegau** wanted it to create a 1,000 foot buffer from the list for marijuana establishments. **Bird** said that she was concerned about the open-endedness of “places of public gathering.” She asked if the commission should vote on the increased buffer zone. **Greenwood** said that the commission should really consider what “places of public gathering” means before voting for it. **Baenen** said that if the restriction was good enough for a junkyard, it makes sense that it could be for marijuana establishments too. **Greenwood** said requiring a mandatory 1,000 foot buffer was completely different from just considering the proximity. She said that staff would bring maps to the next meeting.

M/Pegau S/Bolin to refer the resolution back to staff for the changes as discussed.  
Upon voice vote, motion to refer passed 5-0.  
Yea: McGann, Pegau, Baenen, Roemhildt, Bolin  
Absent: Holter

## 7. AUDIENCE PARTICIPATION

## 8. COMMISSION COMMENTS

**McGann** said that he resigned from the Historic Preservation Commission. The code requires a Planning Commission representative to serve on the board. **Bird** had applied, but the City Clerk thought it would be best to make sure other members were aware of that vacancy. **Greenwood** added that there was also a vacancy on the commission.

**Pegau** apologized for not being more prepared.

**Bolin** thanked everyone for their time.

**Baenen** said he was glad to see **Pegau** and **McGann** back on the commission.

## 9. ADJOURNMENT

M/Pegau S/Baenen to adjourn the Special Meeting at 7:33 PM.  
With no objection, the meeting was adjourned.

Approved:

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Tom McGann, Chair

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Leif Stavig, Assistant Planner

**From the Administrative Office of the City of Cordova Parks and Recreation Department**

P.O. Box 1210  
Cordova AK, 99574  
(907)424-7282



Date: 11/22/17  
To: Planning and Zoning Commission  
From: Parks and Recreation Commission  
RE: The development of Disc Golf Courses in Cordova

Dear Planning and Zoning Commission;

The Parks and Recreation Commission supports the development of disc golf courses in Cordova.

At the October 10<sup>th</sup> Regular meeting of the Parks and Recreation Commission; a group of enthusiasts including a Parks and Rec. Commissioner, a citizen and Lieutenant Commander Collin R. Bronson, Commanding Officer of the USCGC SYCAMORE (WLB-209), requested the Commission consider supporting the development of a disc golf course in Cordova.

Lieutenant Commander Collin R. Bronson has offered to approach the USCG for funding to purchase the equipment needed to build a 9-hole course. Furthermore, he has offered to partner in the construction of a disc golf course in Cordova, through coordinating a volunteer effort of citizens and active duty members of the USCG.

The Commission discussed a few land options for a course, along with identifying the challenging and favorable aspects of each venue. Information about managing environmental impacts and maintaining the equipment was also discussed. All parties agreed that a disc golf course would be an enjoyable option for recreation in Cordova; and relatively easy to maintain through a partnership between the P&R Dept., USCG, and volunteer enthusiasts.

Sincerely,

Wendy Ranney – Chair; Parks and Recreation Commission  
Miriam Dunbar – Secretary; Parks and Recreation Commission  
Stephen Phillips – Parks and Recreation Commissioner  
Marvin VanDenBroek – Parks and Recreation Commissioner  
Anne Schaefer – Parks and Recreation Commissioner

## Hazard Mitigation Plan Update for Cordova, Alaska

Newsletter #1: December 2017

The State of Alaska, Department of Military and Veterans Affairs, Division of Homeland Security and Emergency Management (DHS&EM) was awarded a Pre-Disaster Mitigation Program grant from the Federal Emergency Management Agency (FEMA) to update the 2008 hazard mitigation plan (HMP) for the City of Cordova. This plan will assist the City as a valuable resource tool in making decisions. Additionally, communities must have a State- and FEMA-approved and community-adopted HMP plan to receive FEMA pre- and post- disaster grants.

LeMay Engineering & Consulting, Inc. was contracted to assist Cordova with preparing a 2017 HMP update. The HMP will identify all applicable natural hazards. The plan will identify the people and facilities potentially at risk and ways to mitigate damage from future hazard impacts.

**Join the planning team and offer your advice:** Any interested community member may join the planning team. To join, call or send Jennifer LeMay an email at [jlemay@lemayengineering.com](mailto:jlemay@lemayengineering.com). The purpose of this newsletter is to introduce this project and encourage public involvement during this process. The goal is to receive comments, identify key issues or concerns, and improve mitigation ideas.

**Attend the December 11, 2017, City Meeting at 9 am at City Hall:** The agenda will be a summary of the hazard mitigation plan process by Jennifer LeMay. You're invited to provide input to the plan. Specifically, we'll be discussing which of the following hazards are realistic for Cordova: earthquake, tsunami, flood/erosion, ground failure/avalanche, severe weather, wildland fire, and climate change? Also, what facilities are critical to your community? What mitigation actions should be implemented to prevent damage from potential hazards?

*For more information, contact:*

*Sam Greenwood, Cordova City Planner (907) 424-6220*

*Patrick LeMay, PE, Planner (907) 250-9038*

*Jennifer LeMay, PE, PMP, Lead Planner (907) 350-6061*

*Brent Nichols, DMVA, DHS&EM Project Manager (907) 428-7085*

# Planner's Report

**To:** Planning Commission  
**From:** Planning Staff  
**Date:** 12/12/2017  
**Re:** Recent Activities and Updates

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- Three building permits issued since the last meeting.
- ADOT will be bidding, inspecting and coordinating the Adams Avenue sidewalk project. Hoping to be out to bid through ADOT in February or March.
- Kopchak plat recorded as part of the conditions for the variance.
- Provided information to ADEC on disc golf course locations concerning using the lower portion of Meals Reservoir.
- Working through last remaining items on the LT2 punch list.
- Leif continues to work on format and content of the new budget book that will be completed in January.
- City Budget passed on the 6<sup>th</sup>.
- Sent letter to CUP permittee concerning expiration of permit and renewal options. Received an update including house plans. Per the conditions in the CUP staff granted an administrative extension until November of 2018 for construction to be completed.
- Completed encroachment permit for homebuyers.
- Lots of public questions about zoning, ownership, land disposal and other concerns.
- ADOT was in Cordova on December 6<sup>th</sup> to talk about Whitshed road project with staff and City Council.
- Working with wastewater crew to meet new requirements of 2017 permit.
- Coordinating with ADOT & NVE to set up work session and staff meeting
- Working through enforcement of EOW violation
- Worked through all references to Chapter 18 building codes in other chapters will incorporate into ordinance.
- Working with land owners on performance deed of trust extensions and change in performance
- Sent CC resolution supporting the stabilization to ADOT



**AGENDA ITEM # 9a**  
**Planning Commission Meeting Date: 12/12/2017**  
**PLANNING COMMISSION COMMUNICATION FORM**

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**FROM:** Planning Staff  
**DATE:** 12/6/2017  
**ITEM:** Resolution 17-04  
**NEXT STEP:** Review staff updates and vote on resolution

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☐ INFORMATION  
☐ MOTION  
☒ RESOLUTION

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**I. REQUEST OR ISSUE:**

Requested Actions: Vote on Resolution  
Applicant: N/A  
Parcel Number: N/A  
Zoning: All districts  
Attachments: Proposed CUP Code  
Current CUP Code  
Location Maps of Buffers  
State Statute for Buffers

**II. RECOMMENDED ACTION / NEXT STEP:**

“I move to approve Resolution 17-04.”

Staff recommend approving the resolution. Staff recommend the code as presented in the “Proposed CUP Code,” which has bold and underline text of the concurred changes from the 11/20/2017 Special Meeting. If the commission wishes to recommend changes to City Council, such as the increased buffers, they may do so by amending the “Proposed CUP Code” with these changes by unanimous consent or vote.

### **III. FISCAL IMPACTS:**

N/A

### **IV. BACKGROUND INFORMATION:**

On November 4, 2014, the voters of the State of Alaska approved Ballot Measure 2, which provided for the general legalization of marijuana and adopted a new chapter in the Alaska Statutes. The State of Alaska marijuana establishment license application process required approval of all applications to review by the city in which the applicant’s establishment is located.

To regulate marijuana establishments, new municipal code is required. Potential changes to code that will affect the planning commission include the requirement for marijuana establishments to obtain a Conditional Use Permit (CUP) in any zoning district. Staff have also clarified, reformatted, and updated the general CUP section, while incorporating the new marijuana CUP process into Section 18.60.080.

Requiring a CUP for all marijuana establishments allows the commission to listen to public comments and if needed, add conditions to enable the use to meet the zoning district or address concerns.

Some of the major highlights of the changes from the existing code to the proposed code include:

1. 18.60.010 Purpose – A purpose was added to the section to help explain the reasons for CUPs
2. 18.60.020 – Applications. This section was added since the current code does not address the application process or clearly define the responsibilities of staff and the planning commission in the CUP process.
3. 18.60.020 - Coastal Management section is being deleted. The state coastal zone management and the zone overlay district no longer exists. Chapter 18.50 deals with permitted uses for the coastal zone and areas meriting special attention.
4. 18.060.030 Conditional uses - was reformatted and updated. The uses that had many conditions were pulled out and given their own section to provide clarity and readability
5. 18.60.080 Conditional use for marijuana establishments. The applicant is required by the state to obtain the zoning approval from the city which the establishment will be located prior to having a complete application for the State. The city clerk is notified when the state declares an application complete. The city council has 60 days to protest the application.

The proposed code has been reviewed by the city attorney. Any edits or additions will be reviewed by the city attorney. There may be future changes to the proposed code upon further review by the city attorney and City Council.

11/20/17 - At the Planning Commission Special meeting, the commission discussed the proposed CUP code and referred it back to staff. See the unapproved minutes in this packet.

## Updates to Proposed Code from Planning Commission Special Meeting on 11/20

### 18.60.010- Purpose

Text was added to incorporate the idea of the CUP being in harmony with the zoning district and the comprehensive plan.

*The conditional use permit procedure is intended to allow flexibility in the consideration of the proposed use on surrounding property **if the proposed use is in harmony with the various elements or objectives of the comprehensive city plan and the zoning district.** The conditional use permit process provides the **opportunity to apply conditions,** controls, and safeguards to ensure that the proposed use will be compatible with the surroundings.*

### 18.60.030 Conditional uses.

The commission was concerned that it was not clear that uses other than what were listed could be applied for. The lawyer confirmed that additional uses other than the list can be considered. Text was added to clarify this and state that the uses must meet the requirements of the CUP chapter.

*The city planning commission may grant the following uses by conditional use permit in any district unless otherwise specified. **Uses not listed may be permitted in any district subject to the requirements of this chapter and if the proposed use is in harmony with the various elements or objectives of the comprehensive city plan and the zoning district.***

Under the listed uses there was concern that the previous deletion of “Q. Tourist courts, auto courts, motor lodges or trailer courts” to “R. Hotels and motels” eliminated the CUP process for trailer courts. Currently Chapter 16.90 Trailers and Trailer camps requires a CUP for trailer park in any district.

*Chapter 16.90.050 16.90.050 - Conditional use permit.*

*Automobile trailer camps may be permitted in any zoning district as a conditional use. Conditional use permits must be obtained as required in Chapter 18.60 of this code.*

### 18.60.080 – Conditional use for marijuana establishments.

During the meeting there was discussion of establishing buffer zones larger than what the state requires and adding additional buffer areas. Attached is the state statute for the current buffer zones. The commission asked that staff incorporate the areas considered for junkyard CUPs and that these areas be included in the list of buffer areas. Staff and some commissioners had concerns about the definition of “public buildings” and “places of public gatherings.” Upon researching these terms, it became clear that they were far broader than what the commission’s intent was. “Places of public gathering” could mean virtually any place and would be very difficult for staff and the commission to determine where buffers would be. After reviewing the meeting and with some discussion with commissioners “places of public gatherings” were replaced with parks and playgrounds. Parks and playgrounds encompass the areas that

some of the commissioners were concerned with having buffers around. "Public buildings" were defined and this definition is included in the code. While the commission is free to recommend whatever buffers they want, staff recommend that the commission follow all the state buffers with the addition of the 1,000-foot buffer from schools.

**The following maps are attached:**

**Map 1** - The state buffer zones

**Map 2** - The state buffer zones with 1,000 feet from the schools (staff recommended)

**Map 3** - The state buffer zones with 1,000 feet from the schools, and 500 feet from additional list items

**Map 4** - The state items and additional list items with a 1,000-foot buffer from all

Here is some sample language that could be added to the code if the commission wants to move forward with additional buffers.

1. **A buffer zone of 1,000 feet shall be required between any marijuana establishment and building**
  - a. **primarily being used as a public or private elementary or secondary education facility**
  - b. **a recreation or youth center**
  - c. **a building in which religious services are regularly conducted**
  - d. **a correctional facility**
  - e. **a hospital**
  - f. **parks and playground**
  - g. **public buildings for the purpose of this section public building shall be a publicly owned building with regular operating hours that are open to the public**

**Parks and playgrounds include, but are not limited to**

- a. **Nirvana Park**
- b. **Nettie Hansen Park**
- c. **Orca Inlet Pump Track**
- d. **Hollis Henrichs Park**

**The buffer distance specified in this subsection shall be measured by a radius of 1000 feet from the from the public entrance of the building in which the marijuana establishment premises would be located to**

1. **the outer boundaries of the school ground**
2. **the outer boundaries of the recreation or youth center**
3. **the outer boundaries parks and playground**
4. **the main public entrance of the building in which religious services are regularly conducted**
5. **the main public entrance of the hospital**
6. **the main public entrance public buildings**
7. **the main public entrance of the correctional facility**

**18.60.080 B**

In the state regulations, if a facility that requires a buffer zone from marijuana establishments comes into existence **after** the issuance of a state marijuana license, the state marijuana license is valid until the license is revoked or expires. In order to mirror the state statutes, the language could be added:

**B. This section does not void an existing marijuana establishment conditional use permit if the conditional use permit was issued prior to the requirements in 16.60.080.**

**18.60.080 C**

This is stated in Section 8.40.50 (proposed code). Having this statement here provides clarity and summarizes the permit process within the CUP section of code.

**A. Upon denial, expiration or revocation of a marijuana establishment license issued by the State of Alaska, any conditional use permit issued for that marijuana establishment shall be immediately voided and any use permitted under such permit revoked.**

**18.60.030**

Under the listed uses there was concern that the previous deletion of “Q. Tourist courts, auto courts, motor lodges or trailer courts” to “R. Hotels and motels” eliminated the CUP process for trailer courts. Currently Chapter 16.90 Trailers and Trailer camps requires a CUP for trailer park in any district.

*Chapter 16.90.050 16.90.050 - Conditional use permit.*

*Automobile trailer camps may be permitted in any zoning district as a conditional use. Conditional use permits must be obtained as required in Chapter 18.60 of this code.*

**V. LEGAL ISSUES:**

If the ordinance is passed at the council level, this would require all marijuana establishments to obtain a CUP for any zoning district within the city limits. All updates would be codified 30 days after the posting of the second reading of the ordinance.

**VI. CONFLICTS OR ENVIRONMENTAL ISSUES:**

N/A

**VII. SUMMARY AND ALTERNATIVES:**

The Planning Commission may provide additional input to the proposed CUP code or accept as it is.

**CITY OF CORDOVA, ALASKA  
PLANNING COMMISSION  
RESOLUTION 17-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CORDOVA, ALASKA, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA TO REPEAL AND REENACT CHAPTER 18.60 OF THE CORDOVA MUNICIPAL CODE IN ORDER TO UPDATE AND CLARIFY THE CONDITIONAL USE PROCESS AND CREATE A CONDITIONAL USE PROCESS FOR MARIJUANA ESTABLISHMENTS**

**WHEREAS**, the Planning Commission has determined that Chapter 18.60 entitled Conditional Use Permits is difficult to interpret, some language is outdated, and an application process needs to be included; and

**WHEREAS**, Chapter 18.60 does not define the criteria that must be met to obtain a conditional use permit for marijuana establishments; and

**WHEREAS**, the Planning Commission has determined that the proposed changes to the Cordova Municipal Code are in accordance with the purpose of Title 18 and the Comprehensive Plan; and

**WHEREAS**, the Planning Commission recommend to City Council to accept the proposed amendments and approve the ordinance.

**NOW, THEREFORE BE IT RESOLVED THAT** the Planning Commission of the City of Cordova, Alaska hereby recommend to the City Council of the City of Cordova, Alaska to repeal and reenact Chapter 18.60 of the Cordova Municipal Code in order to update and clarify the conditional use process and create a conditional use process for marijuana establishments.

**PASSED AND APPROVED THIS 12<sup>TH</sup> DAY OF DECEMBER, 2017**

\_\_\_\_\_  
Tom McGann, Chair

ATTEST:

\_\_\_\_\_  
Samantha Greenwood, City Planner

**Proposed Chapter 18.60 (For 12/12 Planning Commission Regular Meeting)**

**18.60 – Conditional Use Permits**

**18.60.010 – Purpose.**

It is recognized that there are some uses and associated structures which may be compatible with designated principal uses in specific zoning districts provided certain conditions are met. The conditional use permit procedure is intended to allow flexibility in the consideration of the proposed use on surrounding property **if the proposed use is in harmony with the various elements or objectives of the comprehensive city plan and the zoning district.** **The conditional use permit process provides the opportunity to apply conditions** application of controls and safeguards to ensure that the proposed use will be compatible with the surroundings.

**18.60.020 - Applications.**

Applications for a conditional use permit shall be filed with the city planner.

- A. The application shall include but is not limited to the following:
  1. Name and address of the applicant;
  2. If the applicant is not the owner of the subject lot, the owner's signed authorization granting applicant the authority to (a) apply for the conditional use permit and (b) bind the owner to the terms of the conditional use permit, if granted;
  3. A legal description of the property involved;
  4. A narrative description of the proposed use;
  5. A proposed time frame for the new use and/or the period of construction;
  6. Dimensioned plot plans showing the location of all existing and proposed buildings or alterations, and their existing and proposed uses;
  7. The nonrefundable fee as established by city council resolution;
  8. Narrative evidence that the application meets all of the review criteria in Section 18.60.020B. Evidence shall be sufficient to enable meaningful review of the application;
  9. Any additional information required by the Municipal Code; and
  10. Any additional information the city planner may require to determine whether the application satisfies the criteria for issuance of a permit.
- B. Prior to granting a conditional use permit, the planning commission must determine that the proposed use meets all of the following review criteria:
  1. The use is consistent with the purpose of this chapter and is compatible with the zoning district and the comprehensive plan;
  2. The use will not permanently or substantially injure the lawful use of neighboring properties;
  3. Public services and facilities are adequate to serve the proposed use;
  4. The proposed use will not have a permanent negative impact on pedestrian and vehicular traffic circulation and safety substantially greater than that anticipated from permitted development; and
  5. The proposed use will not adversely affect to the public's safety, health, or general welfare.
- C. The planning commission shall hold a public hearing upon each properly submitted application. Such hearing shall be held not less than ten days nor later than thirty days following the date of filing of such application and the applicant shall be notified of the date of such hearing.
- D. The commission shall cause to be sent to each owner of property within a distance of three hundred feet of the exterior boundary of the lot or parcel of land described in such application notice of the time and place of hearing and a description of the property involved. For the purposes of this section, "property owner" means that owner shown upon the latest tax assessment roll.

**Proposed Chapter 18.60 (For 12/12 Planning Commission Regular Meeting)**

- E. The commission shall cause to be made by its own members, or its authorized agent, an investigation of facts bearing on any application sufficient to assure that the action taken is consistent with the intent and purpose of this section.
- F. The planning commission shall hear and consider evidence and facts from any person at any public hearing or written communication from any person relative to the matter. The right of any person to present evidence shall not be denied for the reason that any such person was not required to be informed of such public hearing.
- G. Within thirty days from the conclusion of the public hearing, the planning commission shall render its decision unless such time limit be extended by common consent and agreement signed by both applicant and the commission. If, in the opinion of the commission, the necessary facts and conditions set forth in this chapter apply in fact to the property or use referred to, it may grant the conditional use permit. If, however, such facts and conditions do not prevail nor apply the commission shall deny the application.
- H. The commission, in granting approval, may establish conditions under which a lot or parcel of land may be used or a building constructed or altered; make requirements as to architecture, height of building or structure open spaces or parking areas; require conditions of operation of any enterprise; or may make any other condition, requirements or safeguards that it may consider necessary to prevent damage or prejudice to adjacent properties or detriment to the city. When necessary, the commission may require guarantees in such form as deemed proper under the circumstances to ensure that the conditions designed will be complied with.
- I. The decision of the planning commission, either for the granting with or without conditions, or the denial of an application, shall become final and effective ten days following such decision.
- J. Any aggrieved person or party may appeal the planning commission decision following the protocol in 18.64.030.
- K. Any application approved by the planning commission shall be conditional upon the privilege granted being utilized within six months after the effective date of approval.
- L. Construction work must commence within the stated period and must be diligently prosecuted to completion, otherwise the approval is automatically voided.
- M. In the case of construction, the planning commission may extend the time of construction if satisfactory evidence of planning and/or construction progress is presented.
- N. A conditional use permit shall automatically expire if for any reason the conditioned use ceases for a period of 24 months or longer
- O. A permittee who disputes the administrative official's determination that the conditioned use has not been timely initiated or has ceased for a period of 24 months or longer may appeal the official's determination under 18.64.040.
- P. A conditional use permit is not transferable from one (1) parcel of land to another. Conditional use permits may be transferred from one (1) owner to another for the same use, but if there is a change in use on the property, a new permit must be obtained.

**18.60.030 – Conditional uses.**

The city planning commission may grant the following uses by conditional use permit in any district unless otherwise specified. **Uses not listed may be permitted in any district subject to the requirements of this chapter and if the proposed use is in harmony with the various elements or objectives of the comprehensive city plan and the zoning district.**

- A. Airports;
- B. Animal hospitals or boarding establishments and veterinary practices;
- C. Cemeteries;

**Proposed Chapter 18.60 (For 12/12 Planning Commission Regular Meeting)**

- D. Concrete or cement products manufacture;
- E. Crematories if located within a cemetery containing at least five acres;
- F. Establishments or enterprises involving large assemblages of people or automobiles, including amusement parks, circuses, fairgrounds, open—air theaters, recreational centers and hospitals and sanitariums;
- G. Gas manufacture and storage; provided, that all manufacturing operations shall be subject to the approval of the building official;
- H. Government enterprise (federal, state or local);
- I. Commercial greenhouses or tree nurseries;
- J. Natural resources, development and extraction of, together with necessary buildings, apparatus or appurtenances incident thereto, including petroleum exploration and development;
- K. Off-street parking areas;
- L. Marijuana establishments subject to the regulations and limitations in this code and state law;
- M. Private clubs;
- N. Public libraries, cultural centers, museums, art galleries, research and education not operated for profit;
- O. Public or private child care facilities, public or nonprofit elementary and high schools, and institutions for higher education;
- P. Public utility or public service facilities, subject, in the case of a telecommunication tower, to the standards in Section 18.60.070;
- Q. Radio or television transmitters and Satellite dishes;
- R. Hotel and motels

**18.60.040 – Conditional use for group housing developments.**

In the case of a dwelling group consisting of two or more buildings, the contemplated arrangements of which makes it impracticable to apply the requirements of this title to the individual building units in the group, a permit for the construction of such dwelling group may be issued only if the plans of such dwelling group comply with the following conditions:

- A. That the proposed dwelling group will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding neighborhood, and it will result in intensity of land utilization no higher, and standard of open space at least as high, as permitted or specified in this chapter in the district in which the proposed dwelling group is to be located,
- B. That the tract of land on which the dwelling group is to be erected comprises at least seventy-five thousand square feet,
- C. That the buildings are to be used only for residential purposes and the customary accessory uses, such as garages, storage spaces and recreational and community activities,
- D. That the average lot area per dwelling unit on the site, exclusive of the area occupied by street, will not be less than the lot area required for each dwelling unit in the district in which the dwelling group is to be located,
- E. That there are provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population,
- F. That off-street parking is provided on the basis of one parking space for each dwelling unit within the development,
- G. That the development will not produce a volume of traffic in excess of the capacity, for which the access streets are designed,
- H. That property adjacent to the proposed dwelling group will not be adversely affected,
- I. That such dwelling group not be located in an industrial district,

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- J. That the proposed group housing development will be consistent with the intent and purpose of this title to promote public health, safety and general welfare;
- K. That snow storage areas will be provided.

**18.60.050 – Conditional use for townhouse and zero lot line developments.**

In the case of townhouse and zero lot line developments where one structure will contain two or more dwelling units, and the contemplated arrangement of the overall project makes the strict interpretation of this title impractical, the planning commission may, after a public hearing, permit such development provided the following guidelines are followed:

- A. That the proposed dwelling group will constitute a residential environment of sustained desirability and stability, that it will be in harmony with the character of the surrounding neighborhood, and it will result in an intensity of land utilization no higher, and standard of open space at least as high, as permitted or specified in this chapter in the district in which the proposed dwelling is to be located,
- B. That the tract of land on which the dwelling group is to be erected comprises a minimum of sixteen hundred square feet per dwelling unit for each dwelling unit within the proposed development,
- C. That the buildings are to be used only for residential purposes and the customary accessory uses, such as garages, storage spaces and recreational and community activities,
- D. That these are provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population,
- E. That off-street parking be provided on the basis of two parking spaces for each dwelling unit within the development. This requirement may be fulfilled by either two parking spaces adjacent to the dwelling unit or a parking area adequate to accommodate the total development parking requirement at a location conveniently located to all the dwelling units within the development,
- F. That the developer furnish the planning commission with two copies of the homeowners agreement which will cover such areas as property maintenance, dwelling unit maintenance and upkeep, etc. Only copy will be forwarded to the city attorney for his review and comments,
- G. That the development will not produce a volume of traffic in excess of the capacity for which the access streets were designed,
- H. That the property adjacent to the proposed dwelling group will not be adversely affected,
- I. That such dwelling group shall only be located on a district which permits residential use,
- J. That the proposed town house development will be consistent with the intent and purpose of this title to promote public health, safety and general welfare

**18.60.060 – Conditional use for mobile homes or travel trailers.**

The planning commission may grant a conditional use permit to allow mobile homes or travel trailers to be placed outside of planned mobile home parks in any zone district for up to twelve months to allow the lot owner temporary living quarters while building a residence. The temporary living quarters must be removed from the lot or vacated upon expiration of the conditional use permit.

**18.60.070 - Conditional use for telecommunication tower.**

- A. The planning commission may grant a conditional use permit for a telecommunication tower in any zoning district subject to the conditions in this section.
- B. In addition to the requirements 18.60.020 the application for a conditional use permit for a telecommunication tower shall include the following information:

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1. A written narrative explaining why the proposed site has been chosen, why the telecommunication tower is necessary, why the requested height was chosen, and a full explanation regarding the telecommunication tower's ability to accommodate other providers; and
  2. Specifications for the telecommunication tower and all antennas to be located on it, including a description of design characteristics and material;
  3. A site plan drawn to scale showing property boundaries, telecommunication tower location, telecommunication tower height, guy wires and anchors and existing structures and land uses on the site and on adjacent property;
  4. A map showing the locations of the applicant's existing telecommunication towers that serve customers in the city and of all telecommunication towers that the applicant proposes to construct to serve customers in the city;
  5. A report prepared by a person registered as a structural engineer in Alaska showing the capacity by type and number of the telecommunication tower and antennas, and that the telecommunication tower and antennas are designed to withstand winds in accordance with the latest revision of ASI/EIA/TIA/222 standards ("Structural standards for steel communications antenna towers and communications antenna supporting structures");
  6. Identification of the person or persons who own the telecommunication tower and the equipment that is to be located on it;
  7. Written authorization for the application from the owner of the site;
  8. Evidence that the applicant has a valid FCC license for the use of the telecommunication tower;
  9. A line of sight analysis showing the potential visual and aesthetic impacts of the telecommunication tower on adjacent residential districts through the use of photo simulations of the telecommunication tower, including all antennas, structures, and equipment, using the vantage points and number of photo simulations requested by the planning department;
  10. A written agreement, on a form approved by the city attorney, to remove the telecommunication tower and restore the site to its original condition within one hundred eighty days after the telecommunication tower is substantially unused for a period of twelve consecutive months, and providing that if the telecommunication tower is not removed within this one hundred eighty-day period, the city may remove the telecommunication tower at the cost of the owner;
  11. A cell phone coverage map showing the applicant's proposed cell phone coverage within the city;
  12. A certificate from an engineer licensed in Alaska that the telecommunication tower, and all antennas and other equipment located on it, are built and installed to approved specifications and will contain only equipment meeting Federal Communications Commission requirements;
  13. Any additional information required by the planning department during the application process.
- C. In addition to the requirements 18.60.020 the planning commission may approve an application under this section, with or without conditions, if the application meets the following criteria:
1. Location and Visual Impact. The proposed location of the telecommunication tower will minimize the visual impact on the surrounding area while allowing the telecommunication tower to function in accordance with minimum standards imposed by the applicable telecommunications regulations and the applicant's technical design requirements. Telecommunication towers and attached antennas and equipment must be painted or coated in a color that blends with the surrounding environment. Muted colors, earth tones, and subdued hues, such as gray, shall be used. All associated structures such as equipment buildings, including the roofs, shall be painted with earth tone colors unless otherwise required under this

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- code or other applicable law. Where necessary to make a telecommunication tower compatible with the historical, environmental or cultural character of its location, the planning commission may require that the telecommunication tower be disguised, hidden or screened, or integrated as an architectural feature of a structure, to reduce its visual impact.
2. Inability to Collocate. It is not feasible to locate the applicant's telecommunication antenna and other equipment on any existing structure or tower under the control of the applicant.
  3. Location in a Residential Zoning District. An applicant seeking to locate a telecommunication tower in a residential zoning district must show that the area cannot be adequately served by a telecommunication tower located in a nonresidential zoning district for valid technical reasons.
  4. Location on Public Property or Other Private Property. If the applicant proposes to acquire a site on private property for the telecommunication tower, the applicant must show that no available publicly owned site or available privately owned site occupied by a compatible use is suitable under applicable communications regulations and the applicant's technical design requirements.
  5. Design for Future Use. A new telecommunication tower shall be designed to allow collocation of telecommunication antennas equal in number to the applicant's present and reasonably foreseeable future requirements.
  6. Safety Code Met. The telecommunication tower meets all applicable laws and code requirements, including without limitation health, nuisance, noise, fire, building and safety code requirements.
  7. Distance from Existing Telecommunication Towers. A telecommunications tower shall not be approved if it is located within one-half mile (two thousand six hundred forty feet) of an existing telecommunication tower, unless the applicant certifies that the existing telecommunication tower does not meet the applicant's structural specifications and technical design requirements, or that a collocation agreement could not be obtained.
  8. Zoning Requirements. With the exception of requirements for setback and height, which are established in this section, the telecommunication tower must comply with all applicable zoning laws and regulations, including, without limitation, all laws governing land development, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, and sign, storage.
  9. Setback. In all zoning districts, a telecommunication tower must be located no less than a distance equal to the tower height from all lot lines.
  10. Signs. No signs may be located on a telecommunication tower except for identification signage.
  11. Lighting. No lighting may be located on a telecommunication tower except as reasonably required for safety purposes or as required by the Federal Communications Commission, Federal Aviation Administration or other government agency with jurisdiction.
  12. Fencing. A fence with a minimum height of eight feet must be placed on the perimeter of the site of a telecommunications tower site to limit access by the public.
  13. Height. The height of a telecommunications tower may not exceed the maximum tower height specified in the conditional use permit or in this section.
- D. No decision regulating the placement, construction or modification of a telecommunication tower may be made on the basis of environmental or health effects of radio frequency emission if the antennas and other equipment on the telecommunication tower comply with Federal Communications Commission regulations.

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**18.60.080 – Conditional use for marijuana establishments.**

- A. In addition to other applicable requirements, an applicant for a marijuana establishment conditional use permit shall submit an application to the planning commission that contains the following:
  - 1. A copy of the lease for the property upon which the marijuana establishment will be located or a notarized written statement from the land owner stating that he, she or it has knowledge of and consent for the use of the property for a marijuana establishment;
  - 2. Any additional information the city planner may require to determine whether the application satisfies the criteria for issuance of a permit.
  - 3. Verification from city clerk and utilities clerk that no monies are owed the city by the applicant or the land owner if not the applicant.
- B. A buffer zone of 1,000 feet shall be required between any marijuana establishment and building primarily being used as a public or private elementary or secondary education facility.
- C. **Upon denial, expiration or revocation of a marijuana establishment license issued by the State of Alaska, any conditional use permit issued for that marijuana establishment shall be immediately voided and any use permitted under such permit revoked.**
- D. Notwithstanding any other requirement to the contrary, a conditional use application approved by the planning commission under this section is conditional upon the applicant using the property as a marijuana establishment within six months after the effective date of the applicant's State Marijuana Establishment License.

**18.60.090 – Conditional use for junkyards.**

In addition to other applicable requirements, a junkyard conditional use is subject to the following:

- A. An applicant for a junkyard conditional use shall submit a site development plan to the planning and zoning commission containing the information required by the city planner. The planning and zoning commission shall review the site development plan, taking into account the following:
  - 1. The nature and development of the surrounding property;
  - 2. The proximity of the proposed junkyard to churches, schools, hospitals, public buildings, recreation areas, or other places of public gathering;
  - 3. The sufficiency in number of other similar business establishments in the city;
  - 4. The adequacy of fences and other types of enclosures proposed to prevent the unsightly display of the salvage yard;
  - 5. The health, safety, and general welfare of the public; and
  - 6. The suitability of the applicant to establish, maintain or operate such a business.
- B. A conditional use permit for a junkyard shall require that the junkyard be screened from public view with a privacy fence not less than seven nor more than ten feet in height. Slats in the fence shall be spaced no greater than two inches apart.

**Existing Chapter 18.60**

**18.60 – Conditional Use Permits**

**18.60.010 - Uses permitted by planning commission approval.**

The city planning commission may, after proper notice and public hearing, permit the following exceptions in any district unless otherwise specified, where such uses are deemed essential or desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the comprehensive city plan and the zoning ordinance. In approving the uses referred to in this chapter, the city planning commission shall have the authority to impose such conditions and safeguards as it deems necessary to protect the best interests of the surrounding property or neighborhood and the comprehensive city plan and zoning ordinance:

- A. Airports;
- B. Animal hospitals or boarding establishments and veterinary practices;
- C. Cemeteries;
- D. Concrete or cement products manufacture;
- E. Crematories if located within a cemetery containing at least five acres;
- F. Establishments or enterprises involving large assemblages of people or automobiles, including amusement parks, circuses, fairgrounds, open—air theaters, recreational centers and hospitals and sanitariums;
- G. Gas manufacture and storage; provided, that all manufacturing operations shall be subject to the approval of the building official;
- H. Government enterprise (federal, state or local);
- I. Greenhouses or tree nurseries;
- J. Natural resources, development and extraction of, together with necessary buildings, apparatus or appurtenances incident thereto, including petroleum exploration and development;
- K. Off-street parking areas;
- L. Private clubs;
- M. Public libraries and museums and art galleries not operated for profit;
- N. Public or private nurseries, public or nonprofit elementary and high schools, and institutions for higher education;
- O. Public utility or public service facilities, subject, in the case of a telecommunication tower, to the standards in Section 18.60.015;
- P. Radio or television transmitters;
- Q. Tourist courts, auto courts, motor lodges or trailer courts;
- R. Group housing developments. In the case of a dwelling group consisting of two or more buildings, the contemplated arrangements of which makes it impracticable to apply the requirements of this title to the individual building units in the group, a permit for the construction of such dwelling group may be issued only if the plans of such dwelling group comply with the following conditions:
  - 1. That the proposed dwelling group will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding neighborhood, and it will result in intensity of land utilization no higher, and standard of open space at least as high, as permitted or specified in this chapter in the district in which the proposed dwelling group is to be located,
  - 2. That the tract of land on which the dwelling group is to be erected comprises at least seventy-five thousand square feet,
  - 3. That the buildings are to be used only for residential purposes and the customary accessory uses, such as garages, storage spaces and recreational and community activities,

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4. That the average lot area per dwelling unit on the site, exclusive of the area occupied by street, will not be less than the lot area required for each dwelling unit in the district in which the dwelling group is to be located,
  5. That there are provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population,
  6. That off-street parking is provided on the basis of one parking space for each dwelling unit within the development,
  7. That the development will not produce a volume of traffic in excess of the capacity, for which the access streets are designed,
  8. That property adjacent to the proposed dwelling group will not be adversely affected,
  9. That such dwelling group not be located in an industrial district,
  10. That the proposed group housing development will be consistent with the intent and purpose of this title to promote public health, safety and general welfare;
- S. Townhouse and Zero Lot Line Developments. In the case of townhouse and zero lot line developments where one structure will contain two or more dwelling units, and the contemplated arrangement of the overall project makes the strict interpretation of this title impractical, the planning commission may, after a public hearing, permit such development provided the following guidelines are followed:
1. That the proposed dwelling group will constitute a residential environment of sustained desirability and stability, that it will be in harmony with the character of the surrounding neighborhood, and it will result in an intensity of land utilization no higher, and standard of open space at least as high, as permitted or specified in this chapter in the district in which the proposed dwelling is to be located,
  2. That the tract of land on which the dwelling group is to be erected comprises a minimum of sixteen hundred square feet per dwelling unit for each dwelling unit within the proposed development,
  3. That the buildings are to be used only for residential purposes and the customary accessory uses, such as garages, storage spaces and recreational and community activities,
  4. That these are provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population,
  5. That off-street parking be provided on the basis of two parking spaces for each dwelling unit within the development. This requirement may be fulfilled by either two parking spaces adjacent to the dwelling unit or a parking area adequate to accommodate the total development parking requirement at a location conveniently located to all the dwelling units within the development,
  6. That the developer furnish the planning commission with two copies of the homeowners agreement which will cover such areas as property maintenance, dwelling unit maintenance and upkeep, etc. Only copy will be forwarded to the city attorney for his review and comments,
  7. That the development will not produce a volume of traffic in excess of the capacity for which the access streets were designed,
  8. That the property adjacent to the proposed dwelling group will not be adversely affected,
  9. That such dwelling group shall only be located on a district which permits residential use,
  10. That the developer agrees in writing to comply with any additional stipulations required by the planning commission prior to the issuance of a conditional use permit,
  11. That the developer submit detailed construction plans to the planning commission prior to issuance of a building permit,
  12. That the proposed group housing development will be consistent with the intent and purpose of this title to promote public health, safety and general welfare,

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13. Upon submission of a request for a conditional use permit for townhouse development, the developer will submit a fee of five hundred fifty dollars to the city to help defray the cost of review, postage, maps, advertisements, etc., connected with the proposal. This fee will not be refundable if the request is withdrawn or denied.
- T. The planning commission may grant a conditional use permit to allow mobile homes or travel trailers to be placed outside of planned mobile home parks in any zone district for up to twelve months to allow the lot owner temporary living quarters while building a residence provided that:
  1. A building permit has been issued.
  2. Water, sewer and electric utilities have been installed.
  3. Only the lot owner may be allowed to occupy the temporary residence, and that such temporary residence may not be inhabited by other than the lot owner's immediate family.
  4. The temporary living quarters must be removed from the lot or vacated prior to the issuance of a certificate of occupancy for the residence or at the end of the twelve-month period.

**18.60.015 - Conditional use for telecommunication tower.**

- A. The planning commission may grant a conditional use permit for a telecommunication tower in any zoning district subject to the conditions in this section.
- B. The application for a conditional use permit for a telecommunication tower shall include the following information:
  1. A written narrative explaining why the proposed site has been chosen, why the telecommunication tower is necessary, why the requested height was chosen, and a full explanation regarding the telecommunication tower's ability to accommodate other providers; and
  2. Specifications for the telecommunication tower and all antennas to be located on it, including a description of design characteristics and material;
  3. A site plan drawn to scale showing property boundaries, telecommunication tower location, telecommunication tower height, guy wires and anchors and existing structures and land uses on the site and on adjacent property;
  4. A map showing the locations of the applicant's existing telecommunication towers that serve customers in the city and of all telecommunication towers that the applicant proposes to construct to serve customers in the city;
  5. A report prepared by a person registered as a structural engineer in Alaska showing the capacity by type and number of the telecommunication tower and antennas, and that the telecommunication tower and antennas are designed to withstand winds in accordance with the latest revision of ASI/EIA/TIA/222 standards ("Structural standards for steel communications antenna towers and communications antenna supporting structures");
  6. Identification of the person or persons who own the telecommunication tower and the equipment that is to be located on it;
  7. Written authorization for the application from the owner of the site;
  8. Evidence that the applicant has a valid FCC license for the use of the telecommunication tower;
  9. A line of sight analysis showing the potential visual and aesthetic impacts of the telecommunication tower on adjacent residential districts through the use of photo simulations of the telecommunication tower, including all antennas, structures, and equipment, using the vantage points and number of photo simulations requested by the planning department;
  10. A written agreement, on a form approved by the city attorney, to remove the telecommunication tower and restore the site to its original condition within one hundred eighty days after the telecommunication tower is substantially unused for a period of twelve consecutive months, and

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providing that if the telecommunication tower is not removed within this one hundred eighty-day period, the city may remove the telecommunication tower at the cost of the owner;

11. A cell phone coverage map showing the applicant's proposed cell phone coverage within the city;
  12. A certificate from an engineer licensed in Alaska that the telecommunication tower, and all antennas and other equipment located on it, are built and installed to approved specifications and will contain only equipment meeting Federal Communications Commission requirements;
  13. Any additional information required by the planning department during the application process.
- C. The planning commission may approve an application under this section, with or without conditions, if the application meets the following criteria:
1. Location and Visual Impact. The proposed location of the telecommunication tower will minimize the visual impact on the surrounding area while allowing the telecommunication tower to function in accordance with minimum standards imposed by the applicable telecommunications regulations and the applicant's technical design requirements. Telecommunication towers and attached antennas and equipment must be painted or coated in a color that blends with the surrounding environment. Muted colors, earth tones, and subdued hues, such as gray, shall be used. All associated structures such as equipment buildings, including the roofs, shall be painted with earth tone colors unless otherwise required under this code or other applicable law. Where necessary to make a telecommunication tower compatible with the historical, environmental or cultural character of its location, the planning commission may require that the telecommunication tower be disguised, hidden or screened, or integrated as an architectural feature of a structure, to reduce its visual impact.
  2. Inability to Collocate. It is not feasible to locate the applicant's telecommunication antenna and other equipment on any existing structure or tower under the control of the applicant.
  3. Location in a Residential Zoning District. An applicant seeking to locate a telecommunication tower in a residential zoning district must show that the area cannot be adequately served by a telecommunication tower located in a nonresidential zoning district for valid technical reasons.
  4. Location on Public Property or Other Private Property. If the applicant proposes to acquire a site on private property for the telecommunication tower, the applicant must show that no available publicly owned site or available privately owned site occupied by a compatible use is suitable under applicable communications regulations and the applicant's technical design requirements.
  5. Design for Future Use. A new telecommunication tower shall be designed to allow collocation of telecommunication antennas equal in number to the applicant's present and reasonably foreseeable future requirements.
  6. Safety Code Met. The telecommunication tower meets all applicable laws and code requirements, including without limitation health, nuisance, noise, fire, building and safety code requirements.
  7. Distance From Existing Telecommunication Towers. A telecommunications tower shall not be approved if it is located within one-half mile (two thousand six hundred forty feet) of an existing telecommunication tower, unless the applicant certifies that the existing telecommunication tower does not meet the applicant's structural specifications and technical design requirements, or that a collocation agreement could not be obtained.
  8. Zoning Requirements. With the exception of requirements for setback and height, which are established in this section, the telecommunication tower must comply with all applicable zoning laws and regulations, including, without limitation, all laws governing land development, visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, and sign, storage.
  9. Setback. In all zoning districts, a telecommunication tower must be located no less than a distance equal to the tower height from all lot lines.

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10. Signs. No signs may be located on a telecommunication tower except for identification signage.
  11. Lighting. No lighting may be located on a telecommunication tower except as reasonably required for safety purposes or as required by the Federal Communications Commission, Federal Aviation Administration or other government agency with jurisdiction.
  12. Fencing. A fence with a minimum height of eight feet must be placed on the perimeter of the site of a telecommunications tower site to limit access by the public.
  13. Height. The height of a telecommunications tower may not exceed the maximum tower height specified in the conditional use permit or in this section.
- D. No decision regulating the placement, construction or modification of a telecommunication tower may be made on the basis of environmental or health effects of radio frequency emission if the antennas and other equipment on the telecommunication tower comply with Federal Communications Commission regulations.

**18.60.020 - Coastal management.**

- A. An application for conditional use shall be filed in writing and certified by the owner of the property concerned.
1. The application shall contain the following data with respect to the property and the applicant:
    - a. A legal description of the property involved;
    - b. Plot plans showing the location of all existing and proposed buildings or alterations, elevations or such other data as may be required;
    - c. A proposed time frame for the project start-up and the period of construction.
  2. The application shall contain a statement and adequate evidence showing that the project use or activity will be in compliance with all applicable policies and the conditions established for the type of conditional use proposed.
- B. The planning commission shall hold a public hearing upon each properly submitted application. Such hearing shall be held not less than ten days nor later than thirty days following the date of filing of such application and the applicant shall be notified of the date of such hearing. The commission shall cause to be sent to each owner of property within a distance of three hundred feet of the exterior boundary of the lot or parcel of land described in such application notice of the time and place of hearing, a description of the property involved and the provisions of Chapter 18.50. For the purposes of this section, "property owner" means that owner shown upon the latest tax assessment roll.
- C. From the time of filing such application until the time of such hearing, the application, together with all plans and data submitted shall be available for public inspection in the office of the city clerk.
- D. The commission shall cause to be made by its own members, or its authorized agent, an investigation of facts bearing on any application sufficient to assure that the action taken is consistent with the intent and purpose of this section.
- E. The planning commission shall hear and consider evidence and facts from any person at any public hearing or written communication from any person relative to the matter. The right of any person to present evidence shall not be denied for the reason that any such person was not required to be informed of such public hearing.
- F. Within thirty days from the conclusion of the public hearing, the planning commission shall render its decision unless such time limit be extended by common consent and agreement signed by both applicant and the commission. If, in the opinion of the commission, the necessary facts and conditions set forth in Chapter 18.50 apply in fact to the property referred to, and that the same comes within the purview of the planning commission, it may grant permission for the use or activity. If, however, such facts and conditions do not prevail nor apply, the commission shall deny the application.

**Existing Chapter 18.60**

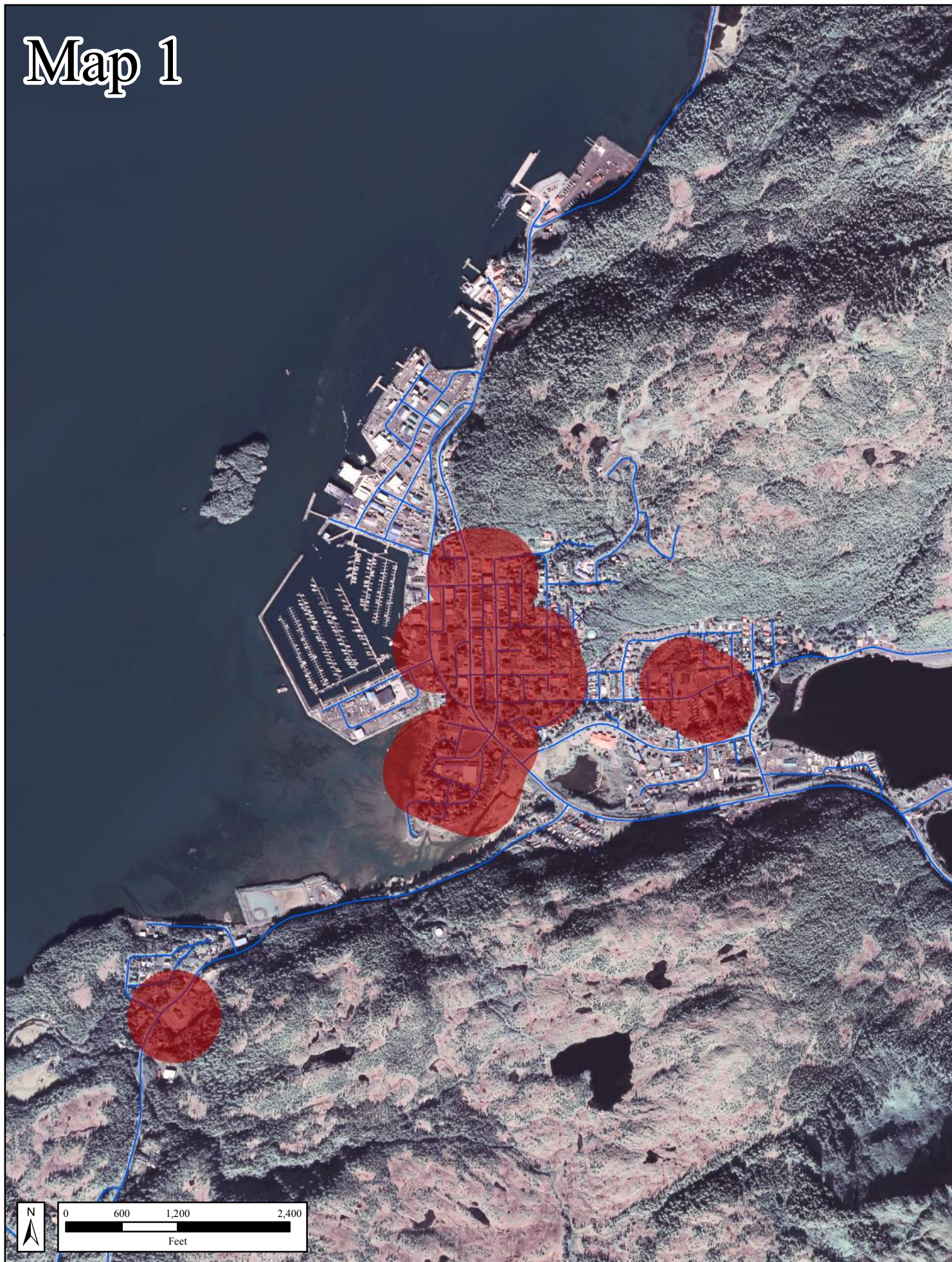
- G. The commission, in granting approval, may establish conditions under which a lot or parcel of land may be used or a building constructed or altered; make requirements as to architecture, height of building or structure open spaces or parking areas; require conditions of operation of any enterprise; or may make any other condition, requirements or safeguards that it may consider necessary to prevent damage or prejudice to adjacent properties or detriment to the city. When necessary, the commission may require guarantees in such form as deemed proper under the circumstances to ensure that the conditions designed will be complied with.
- H. The decision of the planning commission, either for the granting with or without conditions, or the denial of an application, shall become final and effective ten days following such decision.
- I. Any application approved by the planning commission shall be conditional upon the privilege granted being utilized within twelve months after the effective date of approval. In the event some construction work is involved, it must actually commence within the stated period and must be diligently prosecuted to completion, otherwise the approval is automatically voided. In such cases, the planning commission may extend the time of construction start if satisfactory evidence of planning progress is presented.
- J. In order to defray the expense of making maps, sending out notices, and incidental administration costs involved in any application for a conditional use permit, the person filing such application shall pay a fee to the city to cover the expenses incurred by the city in processing the application. Regardless of the action taken on the application, the fee will not be refunded.

**18.60.030 - Junkyards.**

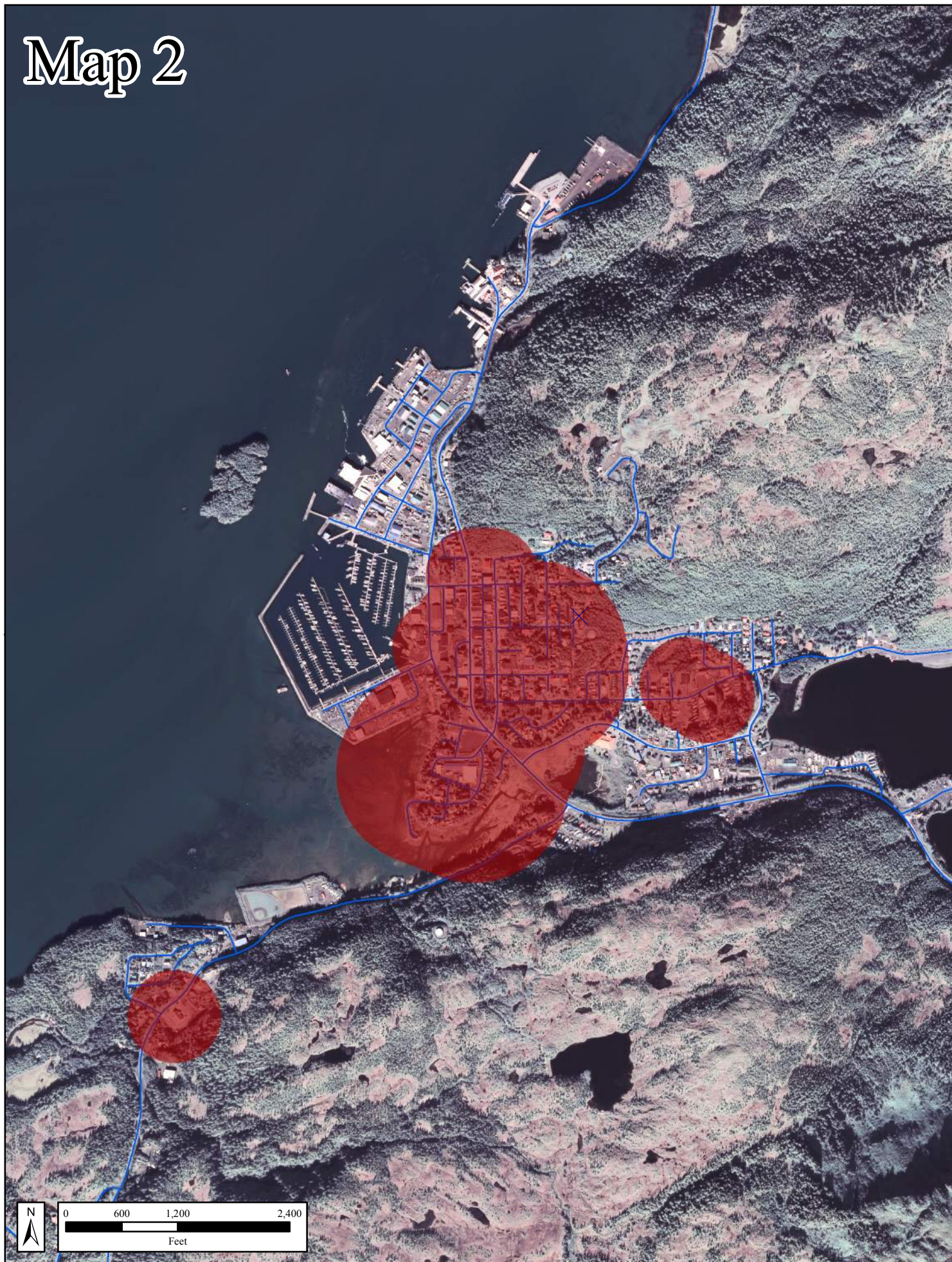
In addition to other applicable requirements, a junkyard conditional use is subject to the following:

- A. An applicant for a junkyard conditional use shall submit a site development plan to the planning and zoning commission containing the information required by the city planner. The planning and zoning commission shall review the site development plan, taking into account the following:
  - 1. The nature and development of the surrounding property;
  - 2. The need to protect the local economy, adjacent land owners, and the motoring public from economically depressing and unsightly roadside locations;
  - 3. The proximity of the proposed junkyard to churches, schools, hospitals, public buildings, recreation areas, or other places of public gathering;
  - 4. The sufficiency in number of other similar business establishments in the city;
  - 5. The adequacy of fences and other types of enclosures proposed to prevent the unsightly display of the salvage yard;
  - 6. The health, safety, and general welfare of the public; and
  - 7. The suitability of the applicant to establish, maintain or operate such a business.
- B. A conditional use permit for a junkyard shall require that the junkyard be screened from public view with a privacy fence not less than seven nor more than ten feet in height. Slats in the fence shall be spaced no greater than two inches apart.

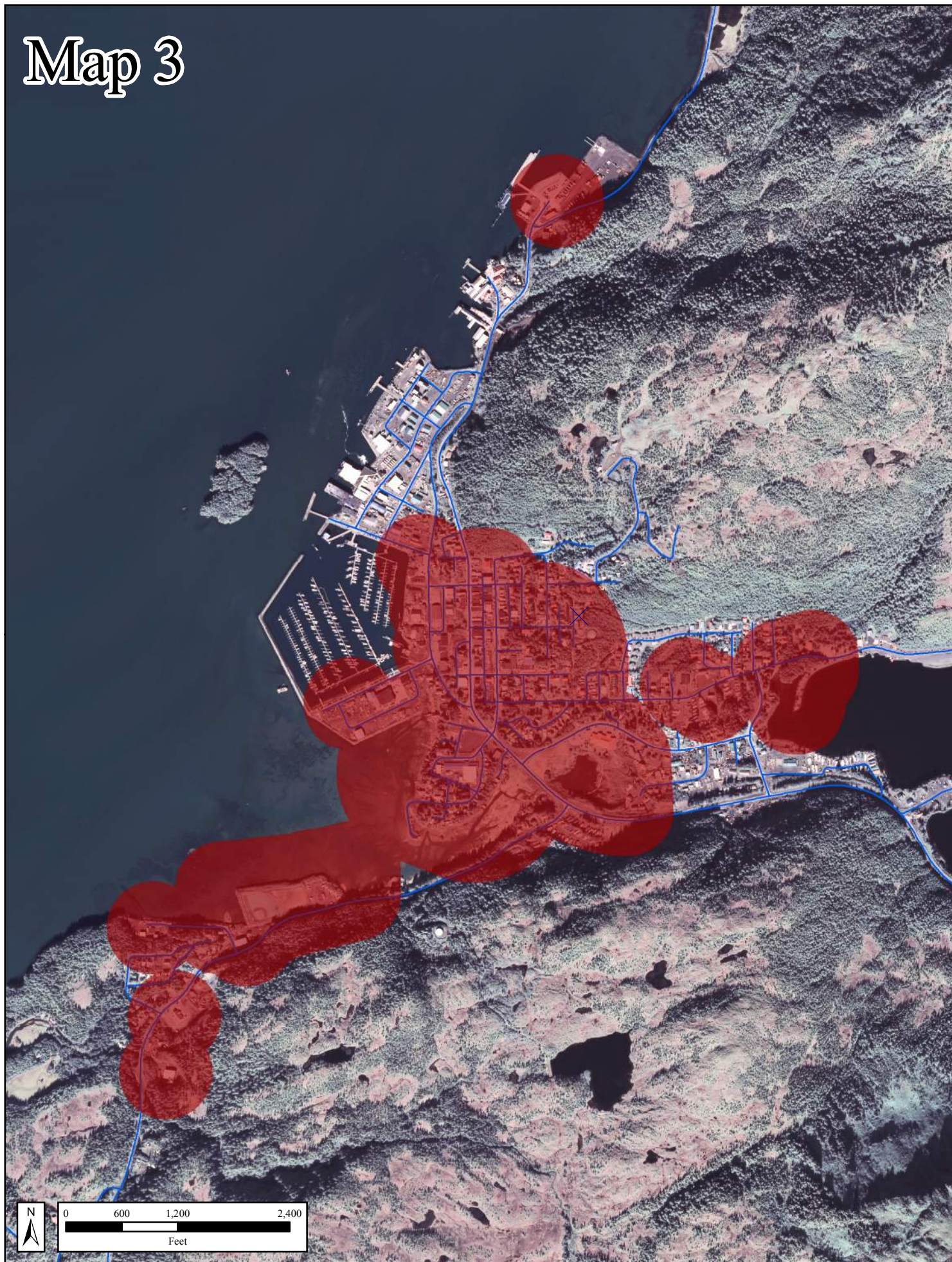
# Map 1



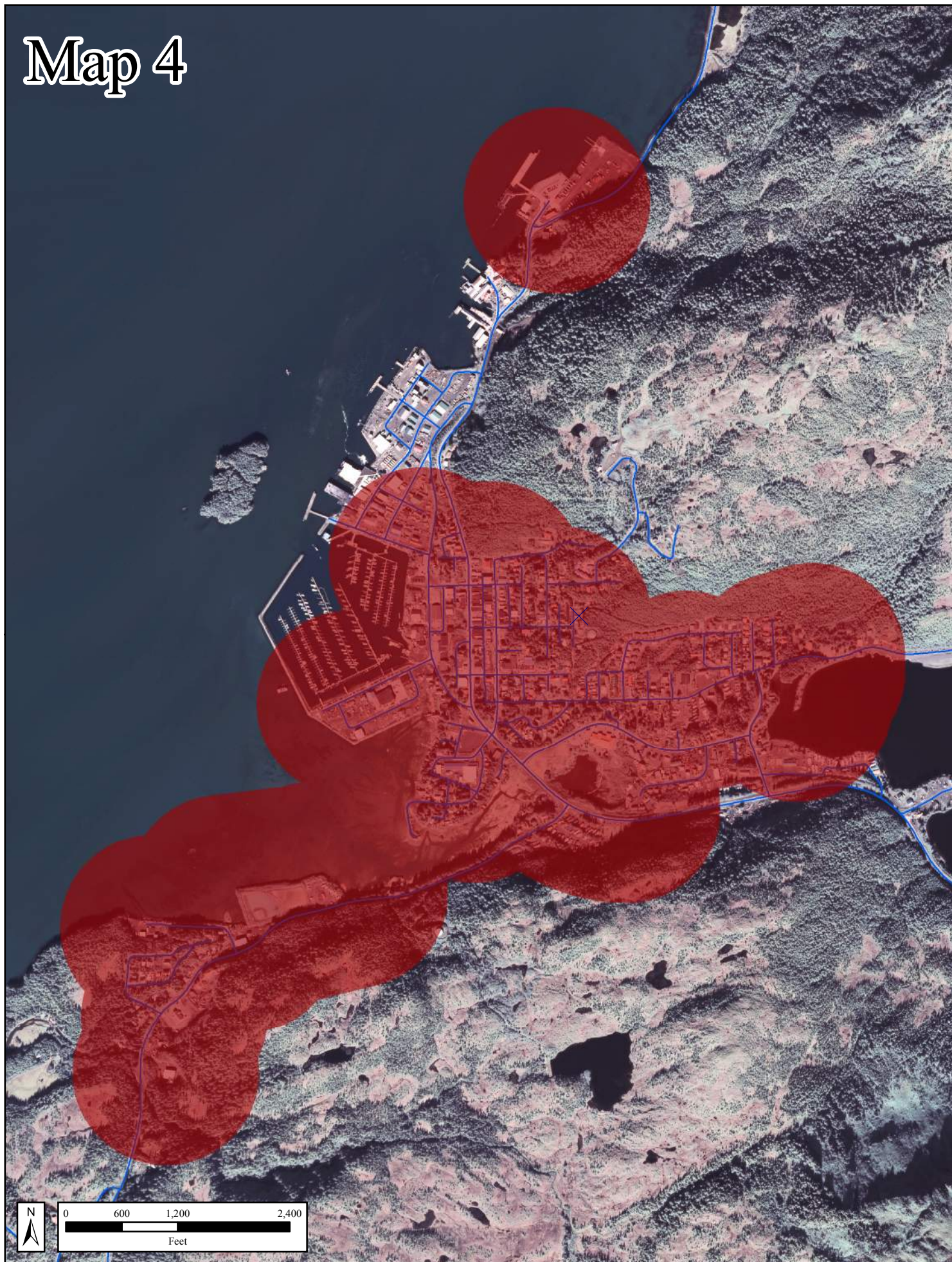
# Map 2



# Map 3



# Map 4



### **3 AAC 306.010. License restrictions**

(a) The board will not issue a marijuana establishment license if the licensed premises will be located within 500 feet of a school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility. The distance specified in this subsection must be measured by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school ground, the outer boundaries of the recreation or youth center, the main public entrance of the building in which religious services are regularly conducted, or the main public entrance of the correctional facility. This section does not prohibit the renewal of an existing marijuana establishment license or the transfer of an existing marijuana establishment license to another person if the licensed premises were in use before the school ground, recreation or youth center, the building in which religious services are regularly conducted, or a correctional facility began use of a site within 500 feet. If an existing marijuana establishment license for premises located within 500 feet of a school ground, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility is revoked or expires, the board will not issue another marijuana establishment license for the same premises unless the school ground, the recreation or youth center, the building in which religious services are regularly conducted, or the correctional facility no longer occupies the site within 500 feet.

2017 DECEMBER

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	01	02
03	04	05	06 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	07	08	09
10	11	12 6:30 PM - Planning Commission Regular Meeting (Cordova Center Rooms A & B)	13 7:00 PM - Harbor Commission Regular Meeting (Cordova Center Room B) 7:00 PM - School Board Regular Meeting (High School Library)	14	15	16
17	18	19	20 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	21	22	23
24	25 City Closed - Christmas	26 6:00 PM - Parks and Recreation Commission Regular Meeting (Cordova Center Rooms A & B)	27	28 6:00 PM - CCMC Board Regular Meeting (CCMC Conference Room)	29	30
31	01	02	03	04	05	06

# 2018 JANUARY

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
31	01 City Closed - New Years	02	03 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	04	05	06
07	08	09 6:30 PM - Planning Commission Regular Meeting (Cordova Center Rooms A & B)	10 7:00 PM - Harbor Commission Regular Meeting (Cordova Center Room B) 7:00 PM - School Board Regular Meeting (High School Library)	11	12	13
14	15 City Closed - MLK Jr. Day	16	17 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	18	19	20
21	22	23	24	25 6:00 PM - CCMC Board Regular Meeting (CCMC Conference Room)	26	27
28	29	30 6:00 PM - Parks and Recreation Commission Regular Meeting (Cordova Center Rooms A & B)	31	01	02	03
04	05	06	07	08	09	10