

**CITY OF CORDOVA, ALASKA
ORDINANCE 1134**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA,
REPEALING AND REENACTING CORDOVA MUNICIPAL CODE CHAPTER 18.08 AND
AMENDING CHAPTER 18.39 TO EXPAND PERMITTED USES AND TO GENERALLY
UPDATE AND CONSOLIDATE THE REQUIREMENTS OF THE WATERFRONT
COMMERCIAL PARK DISTRICT**

WHEREAS, the City of Cordova, Alaska (“City”) encourages development in the Waterfront Commercial Park District; and

WHEREAS, it is in the City’s best interest to repeal and reenact Chapter 18.08 and amend Chapter 18.39.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cordova, that:

Section 1. Cordova Municipal Code Chapter 18.08 entitled “Definitions” is hereby repealed and reenacted to read as follows:

Chapter 18.08 – DEFINITIONS

18.08.010 – Definitions.

For the purpose of this title, the words and terms set forth in this chapter shall have the following meanings.

"Alley" means a public way designed and intended to provide only a secondary means of access to any property abutting thereon.

"Alteration" means any change, addition or modification in the construction, location or use classification.

"Amateur radio antenna" means a structure or device designed to collect or radiate electromagnetic waves for noncommercial amateur radio equipment including without limitation ham, citizen band radio, VHF and single side-band antennas.

"Antenna" means a structure or device designed to collect or radiate electromagnetic waves, including, without limitation, directional antennas such as panels, microwave dishes, satellite dishes; and omni-directional antennas such as whip antennas.

"Automobile wrecking" means the dismantling of used motor vehicles or trailers or the storage or sale of parts from dismantled or partially dismantled, obsolete or wrecked vehicles.

"Boardinghouse" means a building other than a hotel with not more than five sleeping rooms where lodging, with or without meals, is provided for compensation for three or more persons, but not exceeding fifteen persons, on other than day-to-day basis and which is not open to transient guests.

"Building" means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

"Building, accessory" means a detached building, the use of which is appropriate, subordinate and customarily incidental to that of the main building or to the main use of the land and which is located on the same lot as the main building or use. An accessory building shall be considered to be a part of the main building when joined to the main building by a common wall not less than four feet long or when any accessory building and the main building are connected by a breezeway which shall not be less than eight feet in width.

"Building, agricultural" means a building located in the unclassified district and used to shelter farm implements, hay, grain, poultry, livestock or other farm produce, in which there is no human habitation and which is not used by the public.

"Building area" means the total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of steps.

"Building code" means the building code and/or other building regulations applicable to the city.

"Building, existing" means a building erected prior to the adoption of the ordinance codified in this chapter or one for which a legal building permit has been issued.

"Building height" means the vertical distance from the grade to the highest point of the roof.

"Building official" means the officer charged with the administration and enforcement of this title. The public works director shall act as building official until the city council otherwise designates.

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

"Children's nursery" means any home or institution used and maintained to provide day care for more than four children not more than seven years of age.

"Collocation" means the use of a telecommunication tower by more than one provider of telecommunication service.

"Coverage" means that percentage of the total lot area covered by the building area.

"Cultural center" means a building used for the promotion of culture, arts, science, education, and/or research.

"Dwelling" means a building or any portion thereof designed or used exclusively for residential occupancy including one-family, two-family and multiple-family dwellings, but not including any other building wherein human beings may be housed.

"Dwelling, multiple-family" means any building containing three or more dwelling units.

"Dwelling, one-family" means any detached building containing only one dwelling unit.

"Dwelling, two-family" means any building containing only two dwelling units.

"Dwelling unit" means one or more rooms and a single kitchen in a dwelling designed as a unit for occupancy by not more than one family for living or sleeping purposes, and in which not more than two persons are lodged for hire.

"Family" means any number of individuals related by blood or marriage or an unrelated group of not more than five persons living together as a single housekeeping unit in a dwelling unit.

"Fence height" means the vertical distance between the ground, either natural or filled, directly under the fence and the highest point of the fence.

"Floor area" means the total of each floor of a building within the surrounding outer walls but excluding vent shafts and courts.

"Frontage" means all the property fronting on one side a street between intersecting streets or between a street and right-of-way, end of street or city boundary.

"Garage, private" means an accessory building or any portion of a main building used in connection with residential purposes for the storage of passenger motor vehicles.

"Garage, public" means any garage, other than a private garage, available to the public, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, or adjusting or equipping of automobiles or other vehicles.

"Garage, storage" means any building or portion thereof, other than a private garage, used for the storage of motor vehicles and the incidental service of vehicles stored therein.

"General maintenance" means the upkeep of property or equipment; to keep in an existing state of repair; preserve from failure or decline.

"Grade" or "ground level" means the average level of the finished ground at the center of all walls to a building. In case walls are parallel to and within five feet of a public sidewalk, the ground level shall be measured at the sidewalk.

"Guest room" means any room in a hotel, dormitory, boarding house or lodging house used and maintained to provide sleeping accommodations for not more than two persons. Each one hundred square feet or fraction thereof of floor area used for sleeping purposes shall be considered to be a separate guest room.

"Home occupation" means an accessory use of a service character customarily conducted within a dwelling by the residents thereof, which is clearly secondary to the use of the dwelling for living purposes and does not change the character thereof and does not involve more than one paid assistant.

"Hotel" means any building or group of buildings in which there are rooms used, designed or intended to be used for the purpose of offering to the general public food or lodging, or both, on a day-to-day basis.

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

"Loading space" means an off-street space or berth on the same lot within a building or structure to be used for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

"Lot" means a parcel of land occupied or to be occupied by a use, building or unit group of buildings, and accessory buildings and uses, together with such yards, open spaces, lot widths and lot area as are required by this title and having frontage on a public street.

"Lot, corner" means a lot situated at the junction of, and bordering on, two intersecting streets.

"Lot depth" means the horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

"Lot line, corner lot front" means the shortest street line of a corner lot.

"Lot line, interior lot front" means a line separating the lot from the street.

"Lot line, rear" means the line that is opposite and most distant from the front lot line, and in the case of irregular, triangular or gore-shaped lot, a line not less than ten feet in length, within a lot, parallel to and at the maximum distance from the front lot line.

"Lot line, side" means any lot boundary line not a front lot line or a rear lot line.

"Lot width" means the mean horizontal distance separating the side lines of a lot and at right angles to its depth.

"Mobile home, double-wide" means two portable units designed and built to be towed on their own separate chassis and permanently combined on-site to form a single immobile dwelling unit.

"Mobile home, single-wide " means a transportable single-family dwelling which may be towed on its own running gear, and which may be temporarily or permanently affixed to real estate, used for nontransient residential purposes and constructed with the same or similar electrical, plumbing and sanitary facilities as immobile housing.

"Mobile home park" means a parcel of land under single ownership which has been planned and improved for the placement of two or more mobile homes for nontransient use.

"Mobile home subdivision" means a parcel of land planned and improved for the placement of two or more mobile homes on individually owned lots.

"Modular home" means a factory-built dwelling unit designed to be transported from factory to the site and set on a permanent foundation. The complete unit meets all the requirements of the Uniform Building Code as adopted by the city and is eligible for conventional bank financing.

"Monopole" means a support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

"Nonconforming building" means any building or structure or any portion thereof, lawfully existing at the time the ordinance codified in this title became effective, which was designed, erected or structurally altered for a use that does not conform to the use regulations of the zone in which it is located or a building or structure that does not conform to all the height and area regulations of the zone in which it is located.

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

"Private parking space" means any automobile parking space not less than ten feet wide and twenty feet long.

"Public parking space" means an area of not less than two hundred fifty square feet inclusive of drives or aisles giving access thereof, accessible from streets and alleys or from private driveways leading to streets and alleys and being designed and arranged so as to be usable, practicable and safe for the storage of passenger motor vehicles operated by individual drivers.

"Service station" means any building, structure, premises or other space used primarily for the retail sale and dispensing of motor fuels, tires, batteries and other small accessories; the installation and servicing of such lubricants, tires, batteries and other small accessories, and such other services which do not customarily or usually require the services of a qualified automotive mechanic. When the retail sale and dispensing of motor fuels, lubricants and accessories is incidental to the conduct of a public garage, the premises shall be classified as a public garage.

"Services, business" means services that support a business or commercial enterprise, including but not limited to accounting, consulting, legal, and management services.

"Services, retail" means the selling of goods, wares, or merchandise directly to the consumer or persons without a resale license.

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

"State highway" means a right-of-way classified by the state as a Primary, Secondary A or Secondary B highway.

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

"Street line" means the line of demarcation between a street and the lot or land abutting thereon.

"Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

"Telecommunication" means the transmission and reception of messages, impressions, pictures, and signals by means of electricity, electromagnetic waves, and any other kind of energy, force variations, or impulses whether conveyed by cable, wire, radiated through space, or transmitted through other media within a specified area or between designated points.

"Telecommunication antenna" means an antenna used in telecommunication, and whose operation is subject to licensing by the Federal Communications Commission.

"Telecommunication tower" means a structure intended to support equipment used to transmit and/or receive telecommunication signals including monopoles, guyed and lattice steel structures. This definition does not include a tower that supports only one or more amateur radio antennas.

"Tower height" means the vertical distance from the grade to the top of the telecommunication tower, including any antenna or other equipment thereon.

"Trailer" means any vehicle used or intended to be used as living or sleeping quarters for humans and which may be driven, towed or propelled from one location to another without change in structure or design, whether or not the same is supported by wheels and including trailers, trailer coaches and house cars.

"Trailer camp," "trailer park" or "trailer lot" means any area or premises where space for two or more trailers is rented, held out for rent or for which free occupancy or camping for such number is permitted to trailers or users for the purpose of securing their trade, herein referred to as a trailer camp but not including automobile or trailer sales lots on which unoccupied house trailers are parked for inspection and sales.

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

"Use, accessory" means a use customarily incidental and subordinate to the principal use of the land, building or structures and located on the same lot or parcel of land.

"Watchman or caretaker dwelling" means an accessory dwelling located within a commercial or industrial building for the purpose of housing a watchman or caretaker employed on the premises or the owner operator in conjunction with a permitted principal use. The maximum size of a watchman's dwelling shall be up to twenty percent of the total square footage of the building not to exceed seven hundred fifty square feet. Watchman's quarters will not be considered a residential use.

"Yard" means an open unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this title, on the same lot on which a building is situated.

"Yard, front" means a yard extending across the full width of a lot measured between the front lot line of the lot or a future street width line and the nearest exterior wall of the building, front of a bay window or the front of a covered porch or other similar projection, whichever is the nearest to the front lot line.

"Yard, rear" means a yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot lines.

"Yard, side" means a yard on each side of a main building and extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of a side lot line to the nearest part of the main building.

Section 2. Cordova Municipal Code Chapter 18.39 entitled "Waterfront Commercial Park District" is hereby amended as follows:

Chapter 18.39 - WATERFRONT COMMERCIAL PARK DISTRICT

18.39.010 - Purpose.

18.39.020 - Permitted principal uses and structures.

18.39.030 - Permitted accessory uses and structures.

18.39.040 - Conditional uses.

~~18.39.050 - Prohibited uses and structures.~~

18.39.060 - Minimum lot requirements.

18.39.070 - Minimum setback requirements.

18.39.080 - Maximum height of buildings and structures.

18.39.090 - Required off-street parking and loading.

18.39.100 - Signs.

~~18.39.110 - Drainage.~~

~~18.39.120 - Minimum finished floor elevations.~~

18.39.130 - Site plan and architectural review.

18.39.010 - Purpose.

The following statement of intent and use regulations shall apply in the WCP district: The waterfront commercial park district is intended to be applied to land with direct access or close proximity to navigable tidal waters within the city. Structures within the WCP district are to be constructed in such a manner as to be aesthetically consistent with, and reflect the community's marine-oriented lifestyle. The purpose of the Waterfront Commercial Park (WCP) district is to provide a mix of services, businesses and recreational activities to benefit the community. Uses within the WCP district waterfront commercial park district are intended to be water-dependent or water-related, and primarily those uses that are particularly related to location, recreation or commercial enterprises that derive an economic or social benefit from a waterfront location.

18.39.020 - Permitted principal uses and structures.

The following are the permitted principal uses and structures in the WCP district:

- A. Boat charter services Business services;
- B. Commercial and sport fishing supplies and services Cultural centers;
- C. Docks and harbor facilities;
- D. Eating and drinking facilities establishments;
- E. ~~Fish and seafood markets~~;
- F. ~~Fueling piers~~;
- G. ~~Gift shops~~;
- E.H. Hotels;
- F.I. Laundromats and laundries Public service and municipal buildings;
- G.J. ~~Marine-related retail and wholesale stores~~ Retail services;
- K. ~~Offices associated with permitted principal uses~~;
- L. ~~Recreational goods sales~~;
- M. ~~Travel agencies~~;
- N. ~~Visitor information center~~;
- H.O. Waterfront parks, access paths, and boardwalks.

18.39.030 - Permitted accessory uses and structures.

The following are the permitted accessory uses and structures in the WCP district:

- A. Accessory buildings;
- B.B. ~~Parking in conjunction with permitted principal uses and conditional uses~~; Office buildings associated with permitted principal uses.
- C. ~~Outside storage~~;
- D. ~~Processing of seafood where no more than two thousand square feet of gross floor space of structure is used for processing. The smoking of seafood is prohibited.~~
- C.E. Watchman's quarters

18.39.040 - Conditional uses.

Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted in the WCP district:

- A. ~~Commercial~~ Commercial ~~Outside storage;~~
- B. Processing of seafood where no more than two thousand square feet of gross floor space of structure is used for processing;
- C. Fueling pier.

~~18.39.050 – Prohibited uses and structures.~~

~~Any use or structure not of a character as indicated under permitted principal uses and structures or permitted under conditional uses is prohibited.~~

18.39.060 - Minimum lot requirements.

The following are the minimum lot requirements in the WCP district:

- A. Lot width, ninety feet
- B. Lot area, nine thousand square feet.

18.39.070 - Minimum setbackyard requirements.

The following are the minimum setbackyard requirements in the WCP district:

- A. Front yard, fifteen feet
- B. Side yard, five feet
- C. Rear yard, five feet.

18.39.080 - Maximum height of buildings and structures.

The following are the maximum heights of buildings and structures in the WCP district:

- A. Principal buildings and structures, 30 feet
- B. Accessory buildings and structures, 20 feet.

18.39.090 - Required off-street parking and loading.

The requirements for off-street parking and loading in the WCP district shall be as set forth in Chapter 18.48 of this code. ~~In addition the following parking requirements shall apply to property in the WCP district:~~

- A. ~~Parking areas in required front yards shall be separated from property lines to provide for the delineation and limitation of access drives.~~

18.39.100 - Signs.

Signs may be allowed in the WCP district subject to ~~the supplementary district regulations,~~ the Uniform Sign Code, and as set forth in Chapter 18.44 of this code.

~~18.39.110 – Drainage.~~

The developer wishing to develop land in the WCP district shall be required to submit a drainage plan. Such drainage plan shall address stormwater runoff from the unused portion of the lot, and roof runoff.

18.39.120 – Minimum finished floor elevations.

In the WCP district, the minimum finished floor elevations as listed shall be adhered to:

South Fill Development Park	Feet
Block 1, Lot 2	24.00
3	24.00
5	24.00
6	24.25
7	25.00
8	25.50
10	25.75
Block 1, Lot 11	25.75
12	25.25
Block 2, Lot 2	25.00
Block 2, Lot 3	25.25
4	25.50
5	25.75
6	26.00
7	26.00
8	26.00
9	25.75
10	25.50

Note: Elevation datum based on the following: North Bolt fire hydrant at northwest corner of intersection of Nicholoff Way and Railroad Avenue: Elevation 29.84 feet above M.L.L.W.

18.39.130 - Site plan and architectural review.

The development plan of any proposed development in the WCP district shall be subject to a site plan review conducted in accordance with Chapter 18.42 of this code. review by the planning commission. The architectural plans shall, in addition to requirements of Sections 18.39.010 through 18.39.120, include the following:

- A. Exterior finish material;
- B. Color scheme.

~~Exterior siding finish of structures shall be wood, stucco, brick or approved metal building material.
Color scheme of exterior siding and roof finish shall consist of earth tones.~~

Section 3. This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, and published within ten (10) days after its passage.

1st reading: September 2, 2015
2nd reading and public hearing: October 7, 2015

PASSED AND APPROVED THIS 7th DAY OF OCTOBER, 2015




James Kacsh, Mayor

ATTEST: 
Susan Bourgeois, CMC, City Clerk