

EXHIBIT A

CHAPTER 21.05: USE REGULATIONS

21.05.010 TABLE OF ALLOWED USES

Table 21.05-1 below lists the uses allowed within all base zoning districts in the Anchorage Bowl. (See chapters 21.09 and 21.10 for regulations specific to Girdwood and Chugiak-Eagle River, respectively.) Each of the listed uses is defined in sections 21.05.030 through 21.05.060.

A. Explanation of Table Abbreviations

The abbreviations in the table indicate the type of review process required for a use within a zoning district. District-specific standards in chapter 21.04, use-specific standards in chapter 21.05, or design and development standards in chapter 21.07 may require a higher level of review than indicated in the table under specific circumstances. For example, many commercial uses are allowed by right ("P" for permitted use) in various zoning districts as indicated in the table, but are required to be approved by major site plan review if the gross floor area of the use is over the size threshold for a large commercial establishment. That threshold and requirement for a higher level of review are found in subsection 21.07.120A.

1. Permitted Uses

"P" in a cell indicates that the use is allowed by right in the respective zoning district. Permitted uses are subject to all applicable regulations of this title, including the use-specific standards set forth in this chapter and the development and design standards set forth in chapter 21.07.

2. Administrative Site Plan Review

"S" in a cell indicates that the use requires administrative site plan review in the respective zoning district in accordance with the procedures of section 21.03.180C., *Administrative Site Plan Review*. The site plan review process is intended to determine compliance with the development standards of this title, not to review the appropriateness of the use itself.

3. Major Site Plan Review

"M" in a cell indicates that the use requires major site plan review in the respective zoning district, in accordance with the procedures of section 21.03.180D., *Major Site Plan Review*. The site plan review process is intended to determine compliance with the development standards of this title, not to review the appropriateness of the use itself.

4. Conditional Uses

"C" in a cell indicates that, in the respective zoning district, the use is allowed only if reviewed and approved as a conditional use in accordance with the procedures of section 21.03.080, *Conditional Uses*. Throughout this title, the term "conditionally allowed" means that approval through the conditional use process is required.

5. Multiple Abbreviations

Where table 21.05-1 indicates more than one abbreviation for a particular use, such as "P/M" or "S/M," then the applicable review procedure is determined by size, geographic location, or other characteristic of the use as specified in this code.

6. Prohibited Uses

A blank cell indicates that the use is prohibited in the respective zoning district.

7. Definitions and Use-Specific Standards

Each use listed in table 21.05-1 is defined in this chapter. Regardless of whether a use is allowed by right, subject to major or administrative site plan review, or permitted as a conditional use, there may be additional standards that are applicable to the use. The cross-reference in the last column of the table identifies the code location of the definition

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and any use-specific standards. Any standards apply in all districts unless otherwise specified.

B. Table Organization

In table 21.05-1, land uses and activities are classified into general “use categories” and specific “use types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts. This classification does not list every use or activity that may appropriately exist within the categories, and specific uses may be listed in one category when they may reasonably have been listed in one or more other categories. The use categories are intended merely as an indexing tool and are not regulatory.

C. Unlisted Uses

When application is made for a use type that is not specifically listed in table 21.05-1, the procedure in section 21.03.220, *Use Classification Requests*, shall be followed.

D. Use for Other Purposes Prohibited

Approval of a use listed in table 21.05-1, and compliance with the applicable use-specific standards for that use, authorizes that use only. Development or use of a property for any other use not specifically allowed in the table and approved under the appropriate process or approved through section C. above, is prohibited.

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Sec.21.05.010 Table of Allowed Uses

E. TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
For uses allowed in the A, TA, and TR districts, see section 21.04.050.
All other uses not shown are prohibited.

		RESIDENTIAL														COMMERCIAL					INDUST.			OTHER						
Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2 ¹	MI	AF	DR	PR	PLI	W	Definitions and Use-Specific Standards	
RESIDENTIAL USES																														
Household Living	Dwelling, mixed-use							P	P							P	P	P	P	C										21.05.030A.1.
	Dwelling, multifamily					P/S	P	P	P								P	P	P											21.05.030A.2.
	Dwelling, single-family, attached			P	P	P	P	P																						21.05.030A.3.
	Dwelling, single-family, detached	P	P	P	P	P	P	P		P	P	P	P	P	P										P					21.05.030A.4.
	Dwelling, townhouse					S	S	S	S									S	S											21.05.030A.5.
	Dwelling, two-family			P	P	P	P			P	P	P	P	P																21.05.030A.6.
	Dwelling, mobile home									P																				21.05.030A.7.
	Manufactured home community					C	C	C		C																				
Group Living	Assisted living facility (3-8 residents)	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P											21.05.030B.1.
	Assisted living facility (9 or more residents)	C	C	C	C	P	P	P	P	P	C	C					C	P	P								C			21.05.030B.1.
	Correctional community residential center																C	C			C	C					C			21.05.030B.2.

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	Habilitative care facility, small (up to 6 residents)	P	P	P	P	P	P	P	P	P	P	P					P	P	P								P		21.05.030B.3.
	Habilitative care facility, medium (7-25 residents)	C	C	C	C	C	C	C	C	C	C	C					C	C	C								C		21.05.030B.3.
	Habilitative care facility, large (26+ residents)						C	C	C								C	C	C								C		21.05.030B.3.
	Roominghouse					C	P	P	P	C	C	C	C	C		P	P	P	P										21.05.030B.4.
	Severe alcohol dependent housing																	C	C		C						C		21.05.030B.5.
	Transitional living facility						P	P	P								P	P									C		21.05.030B.6[5].
COMMUNITY USES																													
Adult Care	Adult care facility (3 to 8 persons)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								P		21.05.040A.
	Adult care facility (9 or more persons)	C	C	C	C	C	C	C	C								P	P	P										21.05.040A.
Child Care	Child care center (9 or more children)	C	C	C	C	S	S	S	S	S	S	S	S	S	S	P	P	P	P								P		21.05.040B.1.
	Child care home (up to 8 children)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P										21.05.040B.2.
Community Service	Cemetery or mausoleum																										P		21.05.040C.1.
	Community center						S	S	S								S	S	S							C	S		21.05.040C.2.

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	Crematorium																	P			P	P					C		21.05.040C.3.	
	Government administration and civic facility															P/S/M	P/S/M	P/S/M	P/S/M	P/S/M	C		P/S/M				M	P/S/M		21.05.040C.4
	Homeless and transient shelter																											C		21.05.040C.5.
	Neighborhood recreation center	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	P	P									S		21.05.040C.6.
	Religious assembly	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P		P	P						P		21.05.040C.7.
	Social service facility						C	C	C							C	P	P	C									P		21.05.040C.8.
Cultural Facility	Aquarium																	M		M			M				M	M		21.05.040D.1.
	Botanical gardens																										S	S		21.05.040D.2.
	Library	S	S	S	S	S	S	S	S	S						M	M	M	M									M		21.05.040D.3.
	Museum or cultural center																M	M		M	C						M	M		21.05.040D.4.
	Zoo																										C	C		21.05.040D.5.
Educational Facility	Boarding school						M	M	M									P	M									M		21.05.040E.1.
	College or university								M								M	M	M	M								M		21.05.040E.2.
	Elementary school or middle school	P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M					P/M	P/M	P/M									P/M		21.05.040E.3.

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	High school	P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M	P/M					P/M	P/M	P/M	P/M								P/M		21.05.040E.4.
	Instructional services	C	C	C	C	C	C	C	P	C	C	C	C	C		P	P	P	P	C	P/C		P					C		21.05.040E.5.
	Vocational or trade school																	C		P	P	P	P					M		21.05.040E.6.
Health Care Facility	Health services								P							P	P	P	P	C								C		21.05.040F.1.
	Hospital/health care facility																	P	P									C		21.05.040F.2.
	Nursing facility						C	C									P/C	P	C									C		21.05.040F.3.
Parks and Open Area	Community garden					P	P	P	P							P	P	P	P								P	P		21.05.040G.1.
	Park, public or private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040G.2.
Public Safety Facility	Community or police substation					P	P	P	P							P	P	P	P	P	P	P						P		21.05.040H.1.
	Correctional institution																				C	C						C		21.05.040H.2.
	Fire station	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M					M		21.05.040H.3.
	Public safety facility																	C		P	P	P	P					C		21.05.040H.4.
Transportation Facility	Airport																				C							C		21.05.040I.1.
	Airstrip, private	C	C	C	C	C				C	C	C									C							C		21.05.040I.2.
	Heliport	C	C	C	C	C				C	C	C						C		C	C	C	P					C		21.05.040I.3.

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	Rail yard																				P	P	P						21.05.040I.4.	
	Railroad freight terminal																			P	P	P	P						21.05.040I.5.	
	Railroad passenger terminal																	S		C	S	S	S				M		21.05.040I.6.	
	Transit center																	S		C							S		21.05.040I.7.	
Utility Facility	<u>Tower, high voltage transmission</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>21.05.040J.1.</u>	
	Utility facility																			C	C	P	P				C	C	21.05.040J.2.	
	Utility substation	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	S	S		S	S	21.05.040J.3.	
	<u>Wind energy conversion system (WECS), utility</u>																					<u>C</u>	<u>C</u>	<u>C</u>			<u>C</u>		<u>21.05.040J.4.</u>	
Telecommunication Facilities	Type 1 tower	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	S	S	P	21.05.040K.
	Type 2 tower															C	C	P	C	P	P	P	P	S	C	S	S	S	21.05.040K.	
	Type 3 tower	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P	P	S	S	P	21.05.040K.
	Type 4 tower	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.040K.	
COMMERCIAL USES																														

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Agricultural Uses	Commercial horticulture	C	C	C	C	C				C	C	C	C	C				P			P	P						C		21.05.050A.1.
Animal Sales, Service & Care ²	Animal Boarding ²												C	C			P	P			P	P								21.05.050B.1.
	Animal shelter ²																	S			P	P					M		21.05.050B.2.	
	Large domestic animal facility, principal use ²																	C			P	C				C	C		21.05.050B.3.	
	Retail and pet services ²								P							P	P	P			P	C							21.05.050B.4.	
	Veterinary clinic ²									P		C	C	C	C		P	P	P	P		P	C							21.05.050B.5.
Assembly	Civic / convention center																			C							C		21.05.050C.1. 21.05.020A.	
	Club / lodge / meeting hall						C	S	S								P	P	P		P						S		21.05.050C.2. 21.05.020A.	
Entertainment and recreation ²	Amusement establishment ²																C	P			P/ C								21.05.050D.1. 21.05.020A.	
	Entertainment facility, major ²																	C			C	C				C	C		21.05.050D.2. 21.05.020A.	
	Fitness and recreational sports center ²							S	P							P	P	P	P	C	P/ C					<u>C</u>	<u>C</u>		21.05.050D.3.	
	General outdoor recreation, commercial ²														C			P			P	C				M	C		21.05.050D.4.	
	Golf course ²																					P	C				C	C		21.05.050D.5.

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	Motorized sports facility²																				C	C				C	C		21.05.050D.6. 21.05.020A.
	Movie theater²																C	M		C	S	C							21.05.050D.7. 21.05.020A.
	Nightclub²																	P			P								21.05.050D.8. 21.05.020A.
	Shooting range, outdoor²																				C	C				C	C		21.05.050D.9.
	Skiing facility, alpine²															C										C	C		21.05.050D.10
	Theater company or dinner theater²																	C	P	P	P	C							21.05.050D.11 21.05.020A.
Food and Beverage Service²	Bar²																	P		P	P	C							21.05.050E.1. 21.05.020A.
	Food and beverage kiosk²															P	P	P	P	P	P	P	P			P			21.05.050E.2. 21.05.020A.
	Restaurant²							S	P							P	P	P	P	P	P	C				P	C		21.05.050E.3. 21.05.020A.
Office	Broadcasting facility																	P	C		P	C					P		21.05.050F.1.
	Financial institution								P							P	P	P	P	C	P	C							21.05.050F.2.
	Office, business or professional								P							P	P	P	P	P	P	P					P		21.05.050F.3.
Personal Services, Repair, and Rental	Business service establishment								C							C	P	P	P	C	P	C							21.05.050G.1.
	Funeral/mortuary services																C	P	P		P								21.05.050G.2.

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	General personal services								P							P	P	P	P	C	P									21.05.050G.3.
	Small equipment rental																P	P		P	P	C	P							21.05.050G.4.
Retail Sales ²	Auction house ²																	P		P	P	P								21.05.050H.1.
	Building materials store ²																P	P			P	C								21.05.050H.2.
	Convenience store ²						C	S	P							P	P	P		C	P	C								21.05.050H.3. 21.05.020A.
	Farmers market ²															P	P	P		P	P	P					P			21.05.050H.4.
	Fueling station ²															C	P	P		P	P	P	P							21.05.050H.5. 21.05.020A.
	Furniture and home appliance store ²																P	P		C	P	C								21.05.050H.6.
	General retail ²								P							P	P	P		P	P									21.05.050H.7.
	Grocery or food store ²							S	S							P	P	P		C	P									21.05.050H.8. 21.05.020.A.
	Liquor store ²															P	P	P		C	P	C								21.05.050H.9. 21.05.020.A.
	Pawnshop ²																	P				P								
Vehicles and Equipment	Aircraft and marine vessel sales																	P		P	P	P	P							21.05.050I.1.

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		RESIDENTIAL														COMMERCIAL					INDUST.			OTHER						
Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2 ¹	MI	AF	DR	PR	PLI	W	Definitions and Use-Specific Standards	
	Parking lot or structure (50+ spaces)						C	C	C	C						C	C	P	C	P	P	P	P				C	C	21.05.050I.2. or I.3.	
	Parking lot or structure (less than 50 spaces)						C	C	C	C						P	P	P	P	P	P	P	P				P	P	21.05.050I.2. or I.3.	
	Vehicle parts and supplies ²																	P			P	P							21.05.050I.4.	
	Vehicle-large, sales and rental ²																	P			P	P							21.05.050I.5.	
	Vehicle-small, sales and rental ²																	P		C	P	P							21.05.050I.6.	
	Vehicle service and repair, major																	P			P	P								21.05.050I.7.
	Vehicle service and repair, minor																C	C	P			P	P							21.05.050I.8.
Visitor Accommodations	Camper park						C	C										C			C						C		21.05.050J.1.	
	Extended-stay lodgings							C	S									P	S		S								21.05.050J.2.	
	Hostel					C	S	S	S									P	S		S								21.05.050J.3.	
	Hotel/motel							C	S									P	M	C	S								21.05.050J.4. 21.05.020A.	
	Inn								S								P	P	S	C	S								21.05.050J.5. 21.05.020A.	
	Recreational and vacation camp										C		C	C	C			P			P						C		21.05.050J.6.	

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TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
For uses allowed in the A, TA, and TR districts, see section 21.04.050.
All other uses not shown are prohibited.

		RESIDENTIAL														COMMERCIAL					INDUST.			OTHER						
Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2'	MI	AF	DR	PR	PLI	W	Definitions and Use-Specific Standards	
INDUSTRIAL USES																														
Industrial Service	Contractor and special trades, light																	S/C			P	P							21.05.060A.1.	
	Data processing facility																	P	P		P	C					P		21.05.060A.2[1].	
	Dry cleaning establishment																	P			P	P							21.05.060A.3[2].	
	General industrial service																				P	P	P						21.05.060A.4[3].	
	Governmental service																				P	P	P				C		21.05.060A.5[4].	
	Heavy equipment sales and rental																				P	P							21.05.060A.6[5].	
	Research laboratory																		P	P	P	P	P	P				S		21.05.060A.7[6].
Manufacturing and Production	Commercial food production																	C			P	P	P				P		21.05.060B.1.	
	Cottage crafts															P	P	P		C	P								21.05.060B.2.	
	Manufacturing, general																				P	P	P						21.05.060B.3.	
	Manufacturing, heavy																				C	P	P						21.05.060B.4[3].	
	Manufacturing, light																	S/C		C	P	P	P						21.05.060B.5[4].	

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Chapter 21.05: Use Regulations
Sec.21.05.010 Table of Allowed Uses

TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS
P = Permitted Use S = Administrative Site Plan Review C = Conditional Use M = Major Site Plan Review
For uses allowed in the A, TA, and TR districts, see section 21.04.050.
All other uses not shown are prohibited.

		RESIDENTIAL														COMMERCIAL					INDUST.			OTHER						
Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2¹	MI	AF	DR	PR	PLI	W	Definitions and Use-Specific Standards	
	Natural resource extraction, organic and inorganic	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	C	C	C		21.05.060B.6[5].
	Natural resource extraction, placer mining																					C					C	C	21.05.060B.7[6].	
Marine Facility	Aquaculture																			C		C	P					C		21.05.060C.1.
	Facility for combined marine and general construction																				P	P	P							21.05.060C.2.
	Marine operations																			P	P	P	P							21.05.060C.3.
	Marine wholesaling																			P	P	P	P							21.05.060C.4.
Warehouse and Storage	Bulk storage of hazardous materials																				C	C	P							21.05.060D.1.
	Impound yard																				P	P					C			21.05.060D.2.
	Motor freight terminal																				P	P	P							21.05.060D.3.
	Self-storage facility																P/C	P			P	P	P							21.05.060D.4.
	Storage yard																			P	P	P	P							21.05.060D.5.

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Chapter 21.05: Use Regulations
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TABLE 21.05-1: TABLE OF ALLOWED USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS
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For uses allowed in the A, TA, and TR districts, see section 21.04.050.
All other uses not shown are prohibited.

		RESIDENTIAL													COMMERCIAL					INDUST.			OTHER						
Use Category	Use Type	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2 ¹	MI	AF	DR	PR	PLJ	W	Definitions and Use-Specific Standards
	Warehouse or wholesale establishment, general																				P	P	P				C		21.05.060D.6.
	Warehouse or wholesale establishment, light																	S/C		P	P	P	P				C		21.05.060D.7.
Waste and Salvage	Composting facility																					P					C		21.05.060E.1.
	Incinerator or thermal desorption unit																					C					C		21.05.060E.3.
	Junkyard or salvage yard																					C							21.05.060E.4.
	Land reclamation	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	21.05.060E.5.
	Landfill																					C					C		21.05.060E.6.
	Recycling drop-off															P	P	P			P	P					P		21.05.060E.7.
	Snow disposal site	C	C	C	C	C	C			C	C	C						C			S	S	S				C		21.05.060E.8.
	Solid waste transfer facility																				C	S					C		21.05.060E.9.

¹ See subsections 21.04.050B. and C. for interim provisions allowing for additional uses in the I-2 district.

² Uses with structures with a gross floor area over 20,000 square feet require a major site plan review through subsection 21.07.120A., *Large Commercial Establishments*.

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21.05.020 GENERALLY APPLICABLE USE STANDARDS

A. Uses Involving the Retail Sale of Alcoholic Beverages

Any use that involves the retail sale of alcoholic beverages is subject to the special land use permit for alcohol review process in section 21.03.040, *Alcohol—Special Land Use Permit*. That process shall apply to any such use regardless of whether it is listed in table 21.05-1, [OR] chapter 21.09, or chapter 21.10 as being permitted as a matter of right or subject to site plan or conditional use review. The applicant shall be required to obtain approval through both the special land use permit for alcohol process and the separate process referenced in table 21.05-1, [OR] chapter 21.09, or chapter 21.10. A cross-reference to this section 21.05.020A. in table 21.05-1, [OR] chapter 21.09, or chapter 21.10 is not required for the operator of a use to request approval under section 21.03.040.

B. Premises Containing Uses Where Children are Not Allowed

Premises containing uses where children are not allowed are defined in AMC section 10.40.050. Any premises containing uses where children are not allowed, regardless of whether it is listed in table 21.05-1, [OR] chapter 21.09, or chapter 21.10 as being permitted as a matter of right or subject to site plan or conditional review, shall comply with the requirements of this subsection 21.05.020B. The applicant shall be required to obtain approval through the process referenced in table 21.05-1, [OR] chapter 21.09, or chapter 21.10 and also to comply with the standards of this subsection 21.05.020B.

1. Purpose

Certain types of enterprises are places where children unaccompanied by an adult guardian or parent are prohibited. These enterprises have been determined, by court-accepted independent studies, to produce secondary impacts on surrounding land uses. The impacts include a decline in property values; an increase in the level of criminal activity, including prostitution, rape, and assaults, in the vicinity of these types of enterprises; and the degradation of the community standard of morality by inducing a loss of sensitivity to the adverse effect of pornography upon children, upon established family relations, and upon respect for marital relationships. The purpose of this section is to segregate such enterprises from places frequented by minors in order to reduce the influence of these enterprises on minors.

2. Minimum Distance from Certain Uses

Except as provided in subsection B.3. below, permitted principal uses, accessory uses, or conditional uses that are prohibited by law from having minors or unaccompanied minors on the premises for reasons other than sale of liquor, shall be located so that all portions of the lot on which the use is located shall be 1,000 feet or more from the property line of:

- a. A school or instructional service serving any combination of grades kindergarten through 12;
- b. A public park;
- c. A religious assembly;
- d. Property zoned residential;
- e. Property in the TA district designated as “residential” in the *Turnagain Arm Comprehensive Plan*;
- f. A community center;

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g. A neighborhood recreation center;

h. Child care centers; or

i. Public libraries.

3. Compliance with State Standards

Where the state has provided specific standards for determining an enterprise's permissible location, the state's means of measurement shall apply. Such enterprises shall also comply with subsection B.2. above if the enterprise engages in other activities not regulated by the state for which AMC title 8 prohibits the presence of minors or unaccompanied minors on the premises.

4. Administrative Permit Required

An administrative permit is required and shall be on display in a prominent place. This permit shall certify that the enterprise is in compliance with subsection B.2. or B.3. of this section, as applicable. This permit shall be obtained from the director, pursuant to section 21.03.030, *Administrative Permits*. This permit shall remain valid so long as the enterprise remains in continuous operation at that location and does not physically expand. In addition, a permit granted under subsection B.3. shall remain valid so long as the enterprise does not engage in an activity for which a permit is required under subsection B.2.

5. Premises Without Permit

An enterprise not in possession of a permit must immediately cease all activities for which a permit pursuant to this section is required.

21.05.030 RESIDENTIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS

This section defines the general residential use categories and specific residential use types listed in table 21.05-1. This section also contains use-specific standards that apply to specific use types. The use-specific standards apply regardless of whether the use type is permitted as a matter of right, or subject to a site plan or conditional use review process.

A. Household Living

This category is characterized by residential occupancy of a dwelling unit by a "household," which is defined in chapter 21.14. Tenancy is arranged on a month-to-month or longer basis. Common accessory uses include recreational activities, raising of pets, gardens, personal storage buildings, hobbies, and parking of the occupants' vehicles. Specific use types include:

1. Dwelling, Mixed-Use

a. Definition

A dwelling that is located on the same lot or in the same building as a non-residential use, in a single environment in which both residential and non-residential amenities are provided.

b. Use-Specific Standards

i. Two or more mixed-use dwellings in the same building with a non-residential use constitute a mixed-use development.

ii. Two or more mixed-use dwellings shall comply with the applicable design standards of section 21.07.110, *Residential Design Standards*, as determined by the building style. [THE RESIDENTIAL PORTION OF A MIXED-USE BUILDING OR DEVELOPMENT SHALL COMPLY WITH SECTION 21.07.110C., STANDARDS FOR MULTIFAMILY RESIDENTIAL. IF APPLICABLE, THE NONRESIDENTIAL PORTION

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OF A MIXED-USE BUILDING OR DEVELOPMENT SHALL COMPLY WITH THE LARGE COMMERCIAL ESTABLISHMENT STANDARDS OF 21.07.120A. IN CASE OF OVERLAP AND/OR CONFLICT, THE MORE STRINGENT STANDARD SHALL CONTROL.]

2. Dwelling, Multifamily

a. **Definition**

A residential building or multiple residential buildings comprising three or more dwelling units on one lot. The definition includes the terms “apartment” or “apartment building.”

b. **Use-Specific Standards**

- i. Multifamily developments that consist of three or more units in one building shall comply with section 21.07.110C., *Standards for Multifamily Residential*, except as provided in subsection b.iii. below.
- ii. Dwellings with single-family style and two-family style construction in multifamily developments shall comply with the residential design standards in subsections 21.07.110E.
- iii. Dwellings with townhouse style construction in multifamily developments shall comply with section 21.07.110D., *Standards for Townhouse Residential*.

3. Dwelling, Single-Family Attached

a. **Definition**

One dwelling unit in a building on its own lot, with one or more walls abutting the wall or walls of one other single-family dwelling unit on an adjacent lot.

b. **Use-Specific Standards**

- i. **Residential Design Standards**
Single-family attached dwellings constructed after January 1, 2014 shall comply with the applicable residential design standards in section 21.07.110, *Residential Design Standards*.
- ii. **Common Party Wall Agreement**
A common party wall agreement shall be recorded. The agreement shall provide for maintenance of the structure and other improvements in good condition, and for maintenance of the uniformity and common appearance of the exterior of all structures and landscaping.
- iii. **Access; No Vertical Stacking**
Each unit shall have its own access to the outside, and no unit may be located over another unit in whole or in part.
- iv. **Side Setback Requirement**
Detached accessory structures shall comply with the side setback requirement of the underlying zoning district on the common lot line between attached residential units.

4. Dwelling, Single-Family Detached

a. **Definition**

One detached building on its own lot, erected on a permanent foundation, designed for long-term human habitation exclusively by one household, having complete living facilities, and constituting one dwelling unit.

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b. Use-Specific Standard

Single-family detached dwellings constructed after January 1, 2014 shall comply with the applicable residential design standards in section 21.07.110, *Residential Design Standards*.

5. Dwelling, Townhouse

a. Definition

A building containing three or more single-family dwelling units erected in a single row, with each unit on its own lot and having its own separate entrance.

b. Use-Specific Standards

i. Residential Design Standards

Townhouse dwellings shall comply with the applicable residential design standards in section 21.07.110, *Residential Design Standards*.

ii. Common Party Wall Agreement

A common party wall agreement shall be recorded. The agreement shall provide for maintenance of the structure and other improvements in good condition, and for maintenance of the uniformity and common appearance of the exterior of all structures and landscaping.

iii. Access; No Vertical Stacking

Each unit shall have its own access to the outside, and no unit may be located over another unit in whole or in part.

iv. Side Setback Requirement

Detached accessory structures shall comply with the side setback requirement of the underlying zoning district on the common lot line between attached residential units.

6. Dwelling, Two-Family

a. Definition

One detached building on one lot designed for and constituting two dwelling units. The definition includes the term "duplex."

b. Use-Specific Standard

Two-family dwellings constructed after January 1, 2014 shall comply with the applicable residential design standards in section 21.07.110, *Residential Design Standards*.

7. Dwelling, Mobile Home

a. Definition

A transportable, factory-built dwelling unit designed and intended to be used as a year-round dwelling, and built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1976.

b. Use-Specific Standard

Only one mobile home is allowed per lot in the R-5 district, unless the lot is within a manufactured home community. A mobile home shall be placed on a permanent foundation unless it is located within a manufactured home community.

8. Manufactured Home Community (MHC)

a. Definition

Any parcel or adjacent parcels of land in the same ownership that are utilized for occupancy by more than two mobile homes or manufactured homes. This term

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shall not be construed to mean tourist facilities for parking of travel trailers or campers, which are classified under “camper park.”

b. Use-Specific Standards

All MHCs within the municipality shall be constructed, operated, and maintained in accordance with the general standards listed below.

i. Compliance with Applicable Regulations

MHCs shall be constructed, operated, and maintained in conformance with all applicable state statutes and regulations and local ordinances; provided, however, that the provisions of chapter 21.12, *Nonconformities*, of this title shall not be applied to prohibit the removal and replacement of a mobile home or manufactured home on a space within a MHC subject to that chapter.

ii. Responsibility for Compliance

Complete responsibility for standards established by this subsection and for construction within a MHC shall rest with the owner of such community.

iii. Minimum Site Size

MHCs shall be on sites of at least two acres.

iv. Maximum Site Density

Gross density for MHCs shall not exceed eight units per acre.

v. Impermanent Foundations

No mobile homes and manufactured homes within an MHC shall be placed on a permanent foundation.

vi. Mobile Home or Manufactured Home Spaces

(A) Occupancy

No mobile home or manufactured home space shall contain more than one manufactured home, mobile home or duplex mobile home or manufactured home. No other dwelling unit shall occupy a mobile home or manufactured home space.

(B) Minimum Size

In manufactured home communities created after [effective date], all single mobile home or manufactured home spaces shall have a minimum of 3,500 square feet of land area and all duplex mobile home or manufactured home space shall have a minimum of 5,000 square feet of land area.

(C) Mobile Home or Manufactured Home Separation

(1) No part of any mobile home, manufactured home, accessory building, or its addition shall be placed closer than 15 feet from any other mobile home, manufactured home, or its addition, or no closer than ten feet if that mobile home, manufactured home, accessory building, or its addition being placed meets NFPA (National Fire Protection Act) 501A and HUD #24 CFR 328O standards.

(2) The requirements of sections 21.06.030C.2., *Projections into Required Setbacks* and 21.05.070, *Accessory Uses*

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and Structures, shall not apply to MHCs. All mobile homes, manufactured homes, and accessory structures shall be placed at least five feet from the front space line. Steps shall not be considered in determining the separations required by this subsection.

(D) *Access*

Each mobile home or manufactured home space shall have direct access to an internal street. Direct access to exterior public streets is prohibited.

vii. Streets and Drainage Facilities

All streets within an MHC shall comply with the following standards:

(A) *Street Surface*

All streets shall be surfaced with all-weather materials, such as asphalt or concrete, to a minimum surface width of 33 feet.

(B) *Right-of-Way Width*

Any street that services 100 spaces or more shall be classified as a major street. Major streets shall have a minimum right-of-way width of 50 feet. All other streets shall have a minimum right-of-way width of 40 feet. Streets are not required to be dedicated as public rights-of-way.

(C) *Cul-De-Sac Streets*

No street shall dead end except for cul-de-sac streets that are no more than 650 feet in length and have a minimum turning radius of 50 feet at the termination point of the cul-de-sac.

(D) *Intersections*

No street shall extend more than 650 feet in length between street intersections. Intersecting streets shall cross at 90-degree angles from an alignment point 100 feet from the point of intersection. No street intersection shall be closer than 130 feet to any other street intersection.

(E) *Street Frontage*

Double-frontage spaces are prohibited, except that reverse-frontage spaces may back against streets bordering the MHC.

(F) *Street Layout*

Streets shall be laid out so that their use by through traffic will be discouraged.

(G) Street Grades

Street grades shall not exceed six percent. Street grades within 100 feet of intersections shall not exceed four percent.

(H) *Street Curves and Visibility*

The radius of street curves (between intersections) shall exceed 100 feet. Streets shall be constructed to provide clear visibility as measured along a centerline of the street for a minimum distance of 150 feet.

(I) *Crosswalks*

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Pedestrian crosswalks not less than ten feet in width may be required in blocks longer than 330 feet to provide reasonable circulation or access to schools, playgrounds, shopping centers, convenience establishments, service buildings or other community facilities. Signs approved by the traffic department shall be provided at crossing locations.

viii. Water and Sewage Systems

All mobile homes in MHCs shall be connected to water and sewage systems approved by the appropriate governmental body before they may be occupied.

ix. Landscaping

(A) L2 buffer landscaping shall be planted along each boundary of the MHC, except for vehicular and pedestrian ingress and egress points. Where two MHCs share a common lot line, the L2 buffer landscaping shall be split, with seven and one half feet (of the total 15 foot requirement) on each lot. Along MHC lot lines abutting a dedicated park, the landscaping requirement shall be halved.

(B) All areas not devoted to mobile home or manufactured home spaces, structures, drives, walks, off-street parking facilities, or other required landscaping shall be planted with site enhancement landscaping.050

x. Additions to Mobile Homes or Manufactured Homes; Accessory Buildings

(A) Generally

All additions and accessory buildings shall be subject to the spacing and setback requirements for mobile homes and manufactured homes. Any addition or accessory building shall be constructed in accordance with building safety code regulations pertaining to temporary structures, provided that additions will not be required to have a permanent foundation.

(B) Height

The height of accessory buildings is limited to that of the underlying zoning district. In the case of districts where the height is unrestricted, the maximum height of accessory structures shall be 12 feet. The height of additions to mobile homes or manufactured homes is limited to that of the underlying zoning district. The use of any area created above the original roof line of the mobile home or manufactured home as living space is prohibited.

(C) Exits

The number of exterior exits from additions shall be equal to or greater than the number of exits leading from the mobile home or manufactured home to the addition. When two exterior exits are required from additions, they shall be placed a distance apart equal to one-fifth of the total perimeter of the addition.

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xi. Refuse Collection

A MHC operator shall provide adequate refuse collection facilities. Refuse collection facilities shall be constructed and maintained in accordance with all municipal health regulations and shall be designed to bar animals from access to refuse. Refuse shall be removed from refuse collection sites at least once a week. Refuse facilities shall be screened pursuant to section 21.07.080G., *Screening*.

xii. Fuel Tanks

Fuel oil supply tanks shall be placed in compliance with applicable building and fire codes. Liquefied gas containers shall be securely anchored to a permanent and stable holding structure or adequately secured to a mobile home or manufactured home.

xiii. Campers and Travel Trailers

Occupied campers and travel trailers are not subject to paragraphs 8.b.vi., *Mobile Home or Manufactured Home Spaces*, and 8.b.viii., *Water and Sewage Systems*, of this subsection. Any permitted spaces intended for occupied campers and travel trailers shall be placed in an area segregated from permanent mobile home or manufactured home spaces. Any area within a MHC that is occupied by campers and travel trailers shall be served by a service building containing public toilet facilities and water supply.

xiv. Animals in MHCs

Outdoor keeping of animals other than dogs in MHCs shall be regulated by subsection 21.05.070D.14., except that "spaces" within MHCs shall be considered "lots" for the purposes of applying subsection 21.05.070D.14.

xv. Convenience Establishments in MHCs

Convenience establishments of a commercial nature, including stores, coin-operated laundry, beauty shops and barbershops, may be permitted in MHCs subject to the following restrictions. Such establishments and the parking lot primarily related to their operations shall not occupy more than ten percent of the area of the community, shall be subordinate to the residential use and character of the park, shall be located, designed and intended to serve frequent trade or service needs of persons residing in the community, and shall present no visible evidence of their commercial character from any portion of any district outside the community. Such convenience areas shall be considered accessory uses to the principal use of mobile homes or manufactured homes, may be permitted without a zoning change, and shall be discontinued if the MHC is discontinued.

xvi. Sites in Flood Hazard Area

The following requirements shall apply to all MHCs, any portion of which are within a flood hazard area:

- (A)** Over-the-top ties shall be provided at each of the four corners of the mobile home or manufactured home and two ties per side at intermediate locations. Mobile homes more than 50 feet long shall require one additional tie per side.

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(B) Frame ties shall be provided at each corner of the frame, and five ties per side at intermediate points. Mobile homes or manufactured homes more than 50 feet long shall require four additional ties per side.

(C) All components of the anchorage system shall be capable of carrying a force of 4,800 pounds.

(D) Any additions to the mobile home or manufactured home shall be similarly anchored.

(E) All applications for a conditional use for a MHC shall include an evacuation plan indicating alternate vehicular access and escape routes during times of flooding.

xvii. Sites in Floodplain

No mobile homes or manufactured homes shall be placed within the regulatory floodplain, except that MHCs existing before September 25, 1979, shall be permitted to place mobile homes or manufactured homes within existing unit spaces.

xviii. Nonconforming MHCs

(A) Those MHCs situated within the boundaries of the former City of Anchorage which existed prior to August 30, 1977, are not subject to paragraphs 8.b.vi., *Mobile Home or Manufactured Home Spaces*, and 8.b.vii., *Streets And Drainage Facilities*, of this subsection, provided that such communities meet the standards set forth in the former City of Anchorage Municipal Code sections 6.60.010 through 6.60.110.

(B) Those MHCs situated in any area of the municipality other than that described in paragraph i. above, which existed prior to 1966, are not subject to the requirements of paragraphs 8.b.vi., *Mobile Home or Manufactured Home Spaces*, 8.b.vii., *Streets and Drainage Facilities*, and 8.b.x., *Additions to Mobile Homes or Manufactured Homes; Accessory Buildings*, of this subsection, within the area and to the extent that it was constructed, operated or maintained prior to that date.

(C) Any MHC exempt from certain requirements of this subsection 21.05.030A.8., *Manufactured Home Community*, as provided in paragraphs xviii.(A) and (B) above, shall conform to all provisions of this subsection 21.05.030A.8. within any area first constructed, operated, or maintained after the specified date or within any area that is substantially altered, remodeled, reconstructed, or rebuilt after that date.

B. Group Living

This category is characterized by residential occupancy of a structure by a group of people who do not meet the definition of "Household Living." The size of the group may be larger than a family. Generally, structures have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may or may not also reside at the site. Accessory uses commonly include recreational facilities and vehicle parking for occupants and staff. Specific use types include:

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1. Assisted Living Facility

a. *Definition*

A facility that provides housing and ancillary care services on a residential basis to three or more adults, and adolescents in appropriate cases as allowed by exception. A small assisted living facility is defined as a group of three to eight residents. A large assisted living facility is defined as a group of nine or more residents.

b. *Use-Specific Standards for Small Assisted Living Facilities*

i. *Housekeeping Unit*

A small assisted living facility serving five or fewer residents shall be considered a single housekeeping unit.

ii. *Administrative Variance Needed*

In the R-1, R-1A, R-2A, and R-2D zones, a small assisted living facility serving five or fewer residents is permitted by right. An administrative variance pursuant to section 21.03.240J. is required to serve six to eight residents.

c. *Use-Specific Standards for Large Assisted Living Facilities*

Large assisted living facilities shall comply with the use-specific standards set forth for “adult care facilities with nine or more persons” below.

2. Correctional Community Residential Center

a. *Definition*

A community residential facility, other than a correctional institution, for the short-term or temporary detention of people in transition from a correctional institution, performing restitution, or undergoing rehabilitation and/or recovery from a legal infirmity. This does not include people who pose a threat or danger to the public for violent or sexual misconduct or who are imprisoned or physically confined under guard or 24-hour physical supervision.

b. *Use-Specific Standards*

i. *Standards for Centers Established After January 1, 1995*

The following standards apply to all correctional community residential centers established after January 1, 1995:

(A) The addition of beds requires modification of the conditional use approval and authorization by the municipality under the department of health and human services permit.

(B) No new correctional community residential center may be located within 1,250 feet of an existing center, a public park, or a school or instruction service serving any combination of grades kindergarten through 12, unless the planning and zoning commission determines that a reduction in separation distance is warranted based upon the program proposed and any other circumstances the commission deems appropriate. If the commission reduces the separation distance, it shall adopt findings of the facts upon which such reduction is based.

(C) Program occupancy limits and program requirements shall be as determined under AMC chapter 16.80 and shall not exceed limits established by the state department of corrections.

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[MAXIMUM RESIDENT OCCUPANCY AT A CENTER SHALL BE DETERMINED BY REQUIRING A MINIMUM OF 150 SQUARE FEET OF BUILDING AREA PER RESIDENT. THIS MEASUREMENT SHALL BE CALCULATED BY INCLUDING ALL BEDROOM, KITCHEN, BATHROOM, LIVING, RECREATION, AND OTHER AREAS WITHIN THE FACILITY INTENDED FOR COMMON USE BY THE RESIDENTS.]

(D) Each center shall have a minimum of 50 square feet of outdoor recreation area per maximum resident occupancy.

(E) Centers that house felons are only permitted by conditional use in the I-1 and PLI districts. Centers allowed in other districts may only house residents convicted of misdemeanors.

(F) No additional correctional community residential centers may be located in the DT zoning districts or in a B-3 zoning district in the area bounded on the north by Ship Creek, on the south by Chester Creek, on the east by Orca Street extended, and on the west by Cook Inlet.

(G) CCRCs shall not house sex offenders.

ii. *Existing Centers Established Under Quasi-Institutional House Provisions*
The three correctional community residential centers that were established under the quasi-institutional house provisions of title 16 and title 21 of this code and that existed as of January 1, 1995, may continue to operate under the terms of their existing conditional use permits, subject to applicable permitting under the department of health and human services [AND AT THE OCCUPANCY LEVEL PERMITTED AS OF THAT DATE]. No other beds may be added to these centers except that the conditional use approval may be modified for the number of beds in a CCRC with internal building area greater than 30,000 square feet if, and only if, the minimum space ratios permitted under chapter 16.80 are met without enlarging the outer dimensions of the center.

3. Habilitative Care Facility

a. Definition

A residential facility, other than a correctional center or transitional living facility, the principal use or goal of which is to serve as a place for persons seeking rehabilitation or recovery from any physical, mental, or emotional infirmity, or any combination thereof, in a family setting as part of a group rehabilitation and/or recovery program utilizing counseling, self-help, or other treatment or assistance, including, but not limited to, substance abuse rehabilitation. Such care for persons age 18 and under, who are under the jurisdiction of the state division of juvenile justice, shall be considered habilitative care, and not a correctional community residential center.

b. Use-Specific Standard

A small habilitative care facility shall provide housing for no more than six residents, including any support staff living at the facility. A medium habilitative care facility shall provide housing for seven to 25 residents, including any support staff living at the facility. A large habilitative care facility shall provide housing for 26 or more residents, including any support staff living at the facility.

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4. Roominghouse

a. **Definition**

Any dwelling or establishment in which four or more guestrooms are available for compensation that is paid on a daily, weekly, or monthly basis. A roominghouse may offer dining services only to its tenants and their guests. This definition does not include bed-and-breakfast establishments, which are classified in this title as an accessory use under section 21.05.070, or a hostel, which is classified as a "visitor accommodation" under section 21.05.050J.

b. **Use-Specific Standards**

i. *Administrative Permit*

Roominghouses shall require an administrative permit issued in accordance with section 21.03.030. An application for a roominghouse shall not be complete unless it is accompanied by proof of a current business license, health inspection for 25 occupants or more, a certificate of on-site systems approval (for on-site systems only), and a site plan and building floor plans meeting the requirements of this title.

ii. *General Standards*

(A) In residential zones, the design standards for multi-family residential buildings shall apply.

(B) L1 visual enhancement landscaping is required when abutting residential lots in a residential zone.

(C) In the R-2M, R-5, R-6, R-7, R-8, and R-9 zoning districts, the number of guestrooms shall be limited to eight guestrooms or 12 pillows.

(D) Cooking facilities are prohibited in guestrooms.

(E) The roominghouse shall be limited to a single structure, and only one roominghouse shall be allowed per lot.

(F) Public ingress and egress to the roominghouse shall be limited to one primary entrance; guestroom entrances shall be from a shared interior hall rather than individual exterior doors.

(G) In residential zones, the owner or operator of the roominghouse shall reside on site.

5. **Severe Alcohol Dependent Housing**

a. **Definition**

A facility that is intended to provide housing 24 hours per day, other than on a temporary basis, to seven or more persons who are severely alcohol dependent. Persons under the jurisdiction of the courts may reside in an severe alcohol dependent housing facility. It does not include any facility which is a correctional community residential center, residential care facility, or habilitative care facility. The facility may provide services accessory to the housing such as an on-site resident manager responsible for safety monitoring, property maintenance and monitoring, and house rules management, as well as residential support staff tasked to provide assistance with daily/independent living skills training and to provide referrals for services such as mental health, rehabilitation, medical, and other similar services. Food service, laundry, community recreation room, and other such residential-related services and facilities may be provided on-site to residents of the facility only. Group rehabilitation shall not be provided within the

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facility as a primary use, but may be provided on an occasional basis, only to residents of the facility, if it is not a requirement of residing in the facility. Case management may occur on an individual basis in a community room or private dwelling unit or sleeping room.

b. Use-Specific Standards

i. Unless waived or reduced by the planning and zoning commission, the lot line for a severe alcohol dependent housing use shall not be located within the following distances of the lot line of the following uses:

(A) Two thousand five hundred feet from another severe alcohol dependent housing use.

(B) Five hundred feet from a school.

(C) Five hundred feet from a child care center.

(D) Five hundred feet from a public park.

If the commission waives or reduces the separation distance, it shall adopt findings of the facts upon which such reduction is based.

ii. On-site services shall be for residents of the facility only.

iii. To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious within other buildings in the neighborhood.

iv. If required by the planning and zoning commission, an appropriate transition area between the use and adjacent property shall be provided by landscaping, screening, and other site improvements consistent with the character of the neighborhood.

v. The operator shall submit a management plan for the facility and a floor plan showing all uses and services, including any sleeping areas/rooms and/or residential dwelling or units. The management plan shall also include provisions regarding operations, on-site staffing, rules and regulations for tenants including hours for and number of guests per client at one time, methods to manage impacts on the adjacent neighborhoods, an outreach requirement to the surrounding area, provision of staff contact names and numbers to the local community council and surrounding neighbors, and other such items determined by the commission to lessen the potential impacts on adjacent residents and businesses. The management plan shall demonstrate that local community councils have been provided the opportunity to review and comment on the management plan, before hearing by the commission. Any group rehabilitation provided shall only be for residents of the facility, and shall not be a primary use of the facility, and shall not be a requirement of residency in the facility. Such group rehabilitation shall be described within the management plan for the facility. Once accepted, the provisions of the management plan shall be deemed incorporated as continuing conditions of use.

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vi. The lot shall abut a street designated as a class I collector or greater on the Official Streets and Highways Plan.

vii. On a three-year cycle from the date of approval of the conditional use, the operator shall schedule a non-public hearing before the planning and zoning commission to discuss the effectiveness of management and the management plan in addressing public concerns and lessening potential and observed negative impact on the neighborhood. If significant concerns are not being met, the planning and zoning commission may require a public hearing. The planning and zoning commission may require revisions to the management plan, with or without public hearing. It is the responsibility of the operator to ensure that a non-public hearing is held with the commission at least once every three years (36 months) during operation under the conditional use.

6. Transitional Living Facility

a. Definition

A facility providing temporary housing with services to assist homeless persons and families and persons with special needs to prepare for and obtain permanent housing within twenty-four months. The facility provides 24-hour a day, seven days a week programmatic assistance or services for self-sufficiency skills to its tenants, and may provide services such as, but not limited to, on-site assistance in learning independent living skills (shopping, cooking, financial budgeting, preparing for job interviews, preparing resumes, and similar skills), and referral to off-site education and employment resources (GED completion, job training, computer training, employment services, and the like) to assist the tenants in becoming financially self-sustaining.

21.05.040 COMMUNITY USES: DEFINITIONS AND USE-SPECIFIC STANDARDS

This section defines the general community use categories and specific community use types listed in table 21.05-1. This section also contains use-specific standards that apply to specific use types. The use-specific standards apply regardless of whether the use type is permitted as a matter of right, subject to an administrative or major site plan review process, or subject to the conditional use process.

A. Adult Care

1. Definition

A non-residential facility providing assistance with activities of daily living as described in AS 47.33.990(1) for three or more adults or a combination of three or more adults and adolescents.

2. Use-Specific Standards for Adult Care Facilities with Three through Eight Persons

a. These facilities are intended to be minor commercial activities, shall not detract from the principal use allowed in the district, and shall not place an undue burden on any private or public infrastructure greater than anticipated from a permitted development.

b. In all residential districts these facilities shall be located only in a single family detached structure, excluding detached condominium units. These facilities shall be prohibited if the only direct street access is from a private street.

c. These standards shall not apply to any use continuing as a lawful conditional use on April 18, 2006.

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3. **Use-Specific Standards for Adult Care Facilities with Nine or More Persons (also apply to “Large Assisted Living Facilities” and “Nursing Facility”)**

a. **Access**

The site shall provide for direct access from a street constructed to class A improvement area standards.

b. **Minimum Lot Size**

i. Unless otherwise authorized by the planning and zoning commission, the minimum lot size for a nursing facility shall be:

(A) Six to 10 beds: 15,000 square feet.

(B) Eleven or more beds: 20,000 square feet.

ii. The minimum lot size for adult care facilities with nine or more persons, and for large assisted living facilities shall be:

(A) Nine to 16 beds: the minimum lot size of the underlying district.

(B) Seventeen or more beds: 20,000 square feet.

c. **Vegetated Open Space**

A minimum of 15 percent (25 percent in the RO district) of the lot shall remain as a planted open area, landscaped area, or natural vegetation area, to exclude buildings, driveways, parking lots, sidewalks, etc., unless the decision-making body determines that retention of less than 15 percent (25 percent in the RO district) allows for sufficient buffering of adjacent uses.

d. **Parking and Setbacks**

In residential zoning districts, no parking or loading areas shall be placed in any setback, except in approved driveways.

e. **Adjacent Residential**

A facility in a non-residential district that is adjacent to a residential use or district shall provide L2 buffer landscaping along the lot line dividing the two.

f. **Ambulance and Delivery Areas**

Ambulance and delivery areas shall be screened from adjacent residential areas by L2 buffer landscaping or a fence no less than six feet high.

g. **Snow Storage**

Snow storage space adjacent to surface parking lots and pathways shall be identified on the site plan. In residential districts, to facilitate snow removal, snow storage areas equal to at least 15 percent of the total area of the site used for parking, access drives, walkways, and other surfaces that need to be kept clear of snow, shall be designated on the site plan. Such areas designated for snow storage shall be landscaped only with grasses and flowers and shall have positive drainage away from structures and pavements. Except for facilities in single-family or two-family structures, storage of snow is not allowed in the front setback. Storage of snow may be in 50 percent of the side and rear setbacks, if trees and other vegetation designated for preservation will not be damaged. If snow is to be hauled off-site, temporary snow storage areas shall be shown on the site plan.

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1 h. ***Continuing Conditional Uses***

2 These standards shall not apply to any use continuing as a lawful conditional use
3 on April 18, 2006.

4 4. **Additional Standards for Conditional Uses (also apply to “Nursing Facility” and
5 “Large Assisted Living Facility”)**

6 a. ***Use-Specific Standards Apply***

7 These uses shall meet the use-specific standards above in addition to any
8 requirements imposed by a conditional use approval.

9 b. ***Vegetated Open Space***

10 A minimum of 25 percent of the lot shall remain as open area, to include
11 landscaping or natural vegetation. The open area shall not include buildings,
12 driveways, parking lots, sidewalks, or similar structures, unless the planning and
13 zoning commission determines retention of less than 25 percent of the lot as
14 open area allows for sufficient buffering of adjacent uses.

15 c. ***Factors for Consideration***

16 When a conditional use permit is required for these uses, the following factors
17 shall be considered, as well as the approval criteria for conditional uses in
18 subsection 21.03.080C.

19 i. The extent to which the facility and the applicant seek to protect and
20 preserve the primarily residential character of the district. Factors may
21 include traffic patterns, on-street parking patterns, the control exercised
22 by the provider to mitigate environmental disturbance associated with
23 ingress and egress of facility staff at shift change, and any other
24 measures taken by the provider to ensure commercial aspects of the
25 facility do not detract from its residential purpose (if applicable) and the
26 primarily residential character of the district.

27 ii. Economic hardship on the intended occupants of the facility if the
28 conditional use is denied. Cost and availability of other housing
29 alternatives, including whether a shortage of other facilities exists, may
30 be addressed in preparation and review of the application.

31 iii. Whether the requested facility and the applicant are implementing
32 accident prevention and safety measures specific to the needs of the
33 residents, including but not limited to safety measures in state law and
34 regulation, and in municipal fire code adopted under title 23.

35 iv. Whether the conditional use advances housing opportunities for disabled
36 individuals in a residential community without jeopardizing residential
37 aspects of the neighborhood with commercial aspects of operation.

38 v. Whether the proposed size of the facility is necessary for the financial
39 viability of the facility.

40 vi. External characteristics and impacts of the proposed facility, including
41 without limitation appearance, projected contribution to traffic volumes
42 and on-street parking within the neighborhood, available street lighting,
43 and sidewalks.

44 vii. Quantifiable risks to the health, safety, and quality of life of area
45 residents and users.

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viii. Administrative and economic burden on the municipality, in either approval or denial of the conditional use.

ix. Other factors deemed relevant to the applicant or the planning and zoning commission in review of the application.

B. Child Care

1. Child Care Center

a. Definition

Child care center has the same meaning as set forth in AMC chapter 16.55 for child care and educational center, and may care for nine or more children. Operation of a child care center is not a home occupation pursuant to subsection 21.05.070D.11. This use includes pre-schools that are not associated or co-located with an elementary, middle, or high school.

b. Use-Specific Standards

i. Access

The site shall have direct access from a street constructed to municipal standards.

ii. Usable Outdoor Space

Usable outdoor space shall be provided pursuant to AMC section 16.55.450. Exempt child care centers, as per chapter 16.55, are not required to meet the usable outdoor space requirement.

iii. Vegetated Open Space in Residential Districts

In residential zoning districts where a child care center requires conditional use approval, a minimum of 25 percent of the lot shall remain as planted open area, landscaped area, or natural vegetation area, to exclude buildings, driveways, parking lots, sidewalks, etc., unless the planning and zoning commission determines that retention of less than 25 percent allows for sufficient buffering of adjacent uses. In all other residential zoning districts where a child care center is allowed, a minimum of 15 percent of the lot area shall remain as required above, unless the decision-making body determines that retention of less than 15 percent allows for sufficient buffering of adjacent uses.

iv. Parking and Setbacks

In residential zoning districts, no parking or loading areas shall be placed in any setback, except in approved driveways.

v. Adjacent Residential

L1 visual enhancement landscaping shall be provided along each lot line that abuts a lot within a residential district. A child care center in a nonresidential district, that is adjacent to a residential use or district, shall provide L2 buffer landscaping along the adjacent lot line. If the child care center is on a site where it is not a primary use, the director may determine that an alternative landscaping or fencing plan allows for sufficient buffering of adjacent uses, or that landscaping is unnecessary because the lot size is sufficiently large in relation to the use and that it will not create a high impact at the lot perimeter abutting the residential district.

vi. Snow Storage

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In residential districts, snow storage areas equal to at least 15 percent of the total area of the site used for parking, drives, walkways, and other surfaces that need to be kept clear of snow, shall be designated on the site plan. Such areas designated for snow storage shall be landscaped only with grasses and flowers and shall have flat or concave ground surface with positive drainage away from structures and pavements. Snow storage is not allowed in front setbacks except in association with single-family or two-family structures. Snow storage is allowed in 50 percent of side and rear setbacks, if trees and other vegetation designated for preservation will not be damaged. If snow is to be hauled off-site, temporary snow storage areas shall be shown on the site plan.

vii. Continuing Conditional Uses

This section shall not apply to any use continuing as a lawful conditional use on February 28, 2006.

c. Additional Standards for Conditional Uses

i. Use-Specific Standards Apply

These uses shall meet the use-specific standards above in addition to any requirements imposed by a conditional use approval.

ii. Additional Standards

Additional restrictions as to the size of the use, hours of operation, or other restrictions necessary to ensure compatibility with the neighborhood and minimize offside impacts, may be imposed by the planning and zoning commission.

2. Child Care Home

a. Definition

Child care home has the same meaning as set forth in AMC chapter 16.55 and may care for up to eight children. Operation of a child care home is not a home occupation pursuant to subsection 21.05.070D.11. This use includes pre-schools that are not associated or co-located with an elementary, middle, or high-school.

b. Use-Specific Standards

i. Minor Commercial Activity

Licensed child care homes are intended to be minor commercial activities, shall not detract from the principal use allowed in the district, and shall not place an undue burden on any private or public infrastructure greater than anticipated from a permitted development.

ii. Usable Outdoor Space

Licensed child care homes shall provide usable outdoor space as required by section 16.55.450.

iii. Continuing Conditional Uses

This section shall not apply to any use continuing as a lawful conditional use on February 28, 2006.

C. Community Service

This category includes uses of a public, non-profit, or charitable nature providing a local service to people of the community. Generally, such uses provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. The use may

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provide special counseling, education, or training. Accessory uses may include offices, meeting, food preparation, parking, therapy areas, and athletic facilities. Specific use types include:

1. Cemetery or Mausoleum

a. *Definition*

A graveyard, burial ground, mausoleum, or other place of interment, entombment, or sepulture of one or more human bodies or remains. Crematoria are not permitted unless specifically allowed under this title as a separate principal use.

b. *Use-Specific Standards*

i. *Burial of Human Remains in Other Areas Prohibited*

Human remains, other than cremated remains, may not be buried, entombed, or interred, above or below ground, except in an approved cemetery.

ii. *Platting of Burial Plots*

Burial plots shall be platting in accordance with section 21.03.200D., *Abbreviated Plat Procedure*.

iii. *Density of Burial Plots*

Notwithstanding the minimum lot area for any zoning district, there shall be no more than 1,500 burial plots per gross acre.

iv. *Interment Below Groundwater Table Prohibited*

No burial plots shall be established where interment would occur below the groundwater table.

v. *Traffic Access*

A cemetery or mausoleum shall have direct access to a street designated as a collector or greater capacity.

vi. *Dimensional Standards*

Notwithstanding the general dimensional standards in chapter 21.06, the following standards shall apply to all cemeteries and mausoleums.

(A) *Minimum Site Area*

Five acres.

(B) *Minimum Setbacks*

(1) Front setback: 10 feet.

(2) Side setback: 10 feet.

(3) Rear setback: 10 feet.

(C) *Maximum Height of Structures*

35 feet.

vii. *Setbacks*

Graves and burial plots shall not be allowed within setback areas.

viii. *Parking, Driveways, and Streets*

Parking shall be provided according to section 21.07.090, *Off-Street Parking and Loading*, except that the traffic engineer may authorize a pavement surface of gravel for drives and streets that provide direct

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access to graves and burial plots. Internal driveways and streets providing direct access to a public right-of-way or connecting to principal structures shall be paved with asphalt or concrete.

2. Community Center

a. Definition

A facility that is intended primarily to serve the meeting, cultural, social services, administrative, athletic, or entertainment needs of the community as a whole, operated by the government or as a non-profit facility, and generally open to the public.

b. Use-Specific Standards (also apply to "Religious Assembly")

i. Applicability

The standards of this subsection shall apply to all community centers and religious assemblies within a residential zoning district.

ii. Minimum Lot Area and Width

Notwithstanding any smaller minimum lot area required by tables 21.06-1 and 21.06-2, community centers and religious assemblies subject to this subsection shall have a minimum lot area of 14,000 square feet and a minimum lot width of 100 feet.

iii. Traffic Access

Community centers and religious assemblies shall have at least one property line of the site that is at least 50 feet in length, and it shall abut a street designated as a collector or greater on the *Official Streets and Highways Plan*. All ingress and egress traffic shall be directly onto such street.

iv. Buffering Standards

L2 buffer landscaping is required along all property lines where the community center or religious assembly site abuts a residential use in a residential zone.

v. Vegetated Open Space

In residential and PLI zoning districts a minimum of 25 percent of the lot area shall remain as planted open area, landscaped area, or natural vegetation area, to exclude buildings, driveways, parking lots, sidewalks, etc., unless the decision-making body determines that retention of less than 25 percent allows for sufficient buffering of adjacent uses.

vi. Parking and Setbacks

In residential zoning districts, no parking or loading areas shall be placed in any setback, except in approved driveways.

3. Crematorium

a. Definition

A furnace or establishment for the cremation of corpses, human and animal. A crematorium is never an accessory use.

b. Use-Specific Standards

i. All facilities shall be maintained within a completely enclosed building, and shall be sufficiently insulated so that, to the maximum extent feasible, no noise or odor can be detected off-premises.

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- ii. Crematoria shall be located at least 200 feet from any residential use or zoning district.

4. Governmental Administration and Civic Facility

a. Definition

An office of a governmental agency or foreign government that provides administrative and/or direct services to the public, such as, but not limited to, employment offices, public assistance offices, or motor vehicle licensing and registration services.

b. *Use-Specific Standards*

- i. Unless otherwise indicated in table 21.05-1, table 21.09.050-1, and table 21.10-4, government administration and civic facilities or additions to existing government administration and civic facilities shall have the following review process:

- (A) Construction of less than 7,000 square feet is permitted.
- (B) Construction of 7,000 to 25,000 square feet is subject to an administrative site plan review.
- (C) Construction over 25,000 square feet is subject to a major site plan review.
- (D) Lease of existing space is permitted.

- ii. The priority location for major federal, state, and municipal administrative offices and civic facilities is in the central business district. Satellite government offices and civic functions are intended to be located in other regional centers, mixed-use centers, or town centers designated in the comprehensive plan. When a government administrative and civic facility use is proposed at another location, approval is contingent on a finding by the planning and zoning commission, using the approval criteria of a public facility site selection process (21.03.140), that locating the major use in the central business district or a satellite use in a designated center would not be feasible, would not be compatible with the urban center, or would not serve the public interest.

5. Homeless and Transient Shelter

a. Definition

A facility designed to provide minimum necessities of life, including overnight accommodation, on a limited, short-term basis for individuals and families during periods of dislocation or emergency pending formulation of longer-term planning. Facility elements may include providing the physical care required, including shelter, food, and necessary medical and clothing needs, directly or by referral to appropriate agency; and planning for more permanent housing and employment, including contact with community resources.

6. Neighborhood Recreation Center

a. *Definition*

A facility providing recreation/pool facilities and/or meeting rooms, and typically oriented to the recreational needs of the residents of a particular subdivision or housing project.

7. Religious Assembly

a. *Definition*

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A building or structure, or group of buildings or structures, intended primarily for the conducting of organized religious services. Accessory uses may include, but are not limited to, parsonages, meeting rooms, child care provided for persons while they are attending religious functions, broadcast ministries, bookstores, vehicle service and repair facilities (for bus ministries and staff vehicles), lawn and garden sheds, warehouse and storage buildings, community service centers, gymnasiums, food distribution ministries. Schools associated with religious assemblies are not an accessory use.

b. *Use-Specific Standards*

i. *Standards*

Religious assembly uses shall comply with the use-specific standards set forth above under “community center.”

ii. *Columbaria*

Columbaria, which are structures having recesses in the walls to receive urns containing ashes of the dead, or columbarium walls, are permitted accessory uses with religious assemblies.

iii. *Maximum Height*

Except for those elements excepted in subsection 21.06.030D.6., a religious assembly may not exceed the height permitted in the zoning district in which it is located. However, in districts where the maximum height is less than 40 feet, the maximum height for a religious assembly may increase to 40 feet, so long as the building is setback from any point on the property line at least twice the maximum actual height.

iv. *Religious Assembly in Industrial Districts*

Religious assembly uses in the I-1 and I-2 districts shall have a maximum gross floor area of 20,000 square feet.

8. **Social Service Facility**

a. ***Definition***

A facility operated by a government or a non-profit social service agency which provides services or undertakes activities to advance the welfare of citizens in need, such as food or clothing distribution, job or life skills counseling or training, and the like. This use does not include retail facilities, medical care, behavioral health counseling, or overnight accommodations. This use may include supporting offices, but stand-alone offices of a social service agency are not considered a social service facility.

b. ***Use-Specific Standards***

i. In the R-3, R-4, and B-1A districts, social service facilities shall not exceed 3,000 square feet of gross floor area.

ii. L2 buffer landscaping shall be provided along lot lines adjacent to a residential use or district.

iii. When allowed by conditional use approval, the applicant shall submit along with their conditional use application, a copy of the state licensing application, a description of the program including the services offered, and the professional certification or licenses required to operate.

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D. Cultural Facility

This category includes public or nonprofit facilities open to the public that display or preserve objects of interest or provide facilities for one or more of the arts or sciences or provision of government services. Accessory uses may include parking, offices, storage areas, and gift shops. Specific use types include:

1. Aquarium

a. *Definition*

An establishment where collections of living aquatic organisms are kept and exhibited.

2. Botanical Gardens

a. *Definition*

A facility for the demonstration and observation of the cultivation of flowers, fruits, vegetables, native, and/or ornamental plants.

3. Library

a. *Definition*

A facility for the use of literary, musical, artistic, and/or reference materials.

4. Museum or Cultural Center

a. *Definition*

A building or place serving as a repository for a collection of natural, scientific, cultural, historic, or literary curiosities or objects of interest, or works of art, or sites and buildings, and arranged, intended, and designed to be used by members of the public for viewing, and which may include demonstrations and teaching. This use includes planetariums.

5. Zoo

a. *Definition*

An area, building, or structures that contain wild animals on exhibition for viewing by the public.

E. Educational Facility

This category includes any public and private school at the elementary, middle, junior high, or high school level. This category also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. This category also includes vocational or trade schools. Accessory uses at schools may include play areas, meeting areas, cafeterias, recreational and sport facilities, auditoriums, parking, and before- or after-school day care. Accessory uses at colleges may include offices, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities, and ancillary supporting commercial activities. Specific use types include:

1. Boarding School

a. *Definition*

A school where students are provided with on-site meals and lodging.

b. *Use-Specific Standard*

Boarding schools shall comply with the use-specific standards set forth below for "elementary school." Any associated dormitories shall comply with the use-specific standards for "dormitory" in section 21.05.070, *Accessory Uses and Structures*.

2. College or University

a. *Definition*

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A degree-granting institution, other than a vocational or trade school, that provides education beyond the high school level. The use includes, but is not limited to, classroom buildings, offices, laboratories, lecture halls, athletic facilities, and dormitories. Colleges tend to be in campus-like settings or on multiple blocks.

b. Use-Specific Standard

In accordance with section 21.03.110, colleges or universities with an approved institutional master plan are exempt from the review and approval procedures required by table 21.05-1 for projects developed under the auspices of the approved institutional master plan.

3. Elementary or Middle School

a. Definition

A public, private, parochial, or charter school offering academic instruction during the majority of the days of the week for at least two consecutive hours, for students typically between the kindergarten and eighth grade levels, but not higher than the ninth grade. This classification includes the terms “junior high school” and “intermediate school.” Pre-schools that are associated and co-located with elementary, middle, or high schools are considered to be part of the elementary, middle, or high school. Pre-schools without such association and co-location are categorized in this title as “child care facility.”

b. Use-Specific Standards (also apply to “Boarding School” and “High School”)

i. Purpose

The standards of this subsection are intended to ensure the compatibility of schools with surrounding neighborhoods and to minimize the impacts of school uses on adjacent properties.

ii. Approval Process

Schools with fewer than 10 students are permitted by-right in accordance with table 21.05-1, table 21.09.050-1, and table 21.10-4. Schools with 10 or more students are permitted by major site plan review in accordance with table 21.05-1.

iii. Site Size

Except where established site size criteria are approved by local or state governmental authority, minimum lot size in residential districts for schools with capacity of 100 or more students shall be one acre per 100 students.

iv. Setbacks

(A) In residential districts, setbacks for schools with capacity for 25 or more students shall be as follows:

(1) The front setback of the underlying district shall apply.

(2) Any structure or portion of structure equal to or less than 15 feet high and equal to or less than 50 feet in length shall be set back at least 15 feet from any side or rear lot line. Any portion of such structure longer than 50 feet in length shall be set back at least 20 feet from any side or rear lot line.

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(3) Any structure or portion of structure that is greater than 15 feet in height shall be set back at least 25 feet from any side or rear lot line.

(B) In nonresidential districts, the setbacks of the underlying district shall apply.

v. *Outdoor Play Space for Elementary and Middle Schools*

(A) Elementary and middle schools with capacity for 50 or more students, where students remain for more than four consecutive hours, shall provide two square feet of outdoor open space play area for every one square foot of total combined classroom space.

(B) The minimum dimension of any required outdoor open space play area is 20 feet.

(C) If the school is in close proximity to a park with usable open space, the park may count as the required outdoor open space play area. The decision-making body shall determine whether the nearby park is appropriate in terms of play space and access, using the following conditions as a guide:

(1) The park is between an eighth and a quarter mile from the school.

(2) The school and park are not separated by a street of arterial classification or greater on the *Official Streets and Highways Plan*, except that in the Downtown area (as defined by the Anchorage Downtown Comprehensive Plan – 2007) but excluding the area north of 2nd Avenue, the school and park may be separated by a street classified as an arterial if a signalized pedestrian crosswalk and adult crossing guard supervision are provided.

(D) The decision-making authority may reduce or waive the outdoor play space requirement if the applicant provides sufficient rationale.

vi. *Vehicle and Pedestrian Access*

(A) In all residential districts, all middle and high schools, and schools without an Anchorage school district attendance boundary shall have at least 100 feet of frontage on a collector or greater classification street, if such schools have capacity of 100 or more students.

(B) In all districts, all schools with capacity for 100 or more students shall provide a passenger loading zone in accordance with subsection 21.07.090I. [ADEQUATE ON-SITE STUDENT PICK-UP AND DROP-OFF AREA TO THE SATISFACTION OF THE DECISION-MAKING BODY.]

(C) Paved pedestrian walkways and trails, exclusive of driveways, shall be provided between the principal buildings and each abutting public right-of-way or trail.

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vii. *Temporary Structures for School Expansion Space (Relocatables)*

Temporary structures serving as expansion space for schools are allowed in all districts in which schools are allowed, subject to the following standards:

(A) Temporary structures shall not be placed in traffic circulation routes, in required parking, or in required landscaping areas.

(B) The temporary structures are exempt from the general requirements for all temporary uses contained in section 21.05.080, *Temporary Uses and Structures*.

The decision-making body may grant relief from these standards on a case-by-case basis.

viii. *Landscaping*

L1 visual enhancement landscaping is required along all property lines where the school site abuts a residential use in a residential zone.

4. **High School**

a. **Definition**

A public, private, parochial, or charter school offering academic instruction during the majority of the days of the week for at least two consecutive hours, for students typically in the ninth through twelfth grades, but may include lower grades.

b. **Use-Specific Standards**

High schools shall comply with the applicable use-specific standards set forth for “elementary or middle school” above.

5. **Instructional Services**

a. **Definition**

A specialized instructional establishment that provides on-site training of business, artistic, or commercial skills. Examples include, but are not limited to, driving schools for personal vehicles, fine arts schools, dance, music, and computer instructional services. This use does not include establishments that teach skills that prepare students for jobs in a trade (e.g., carpentry), which are classified under “vocational or trade schools.”

b. **Use-Specific Standard**

A conditional use approval [PERMIT] is required for instructional services in the I-1 district that are proposed to occupy more than 20,000 square feet of gross floor area.

6. **Vocational or Trade School**

a. **Definition**

A secondary or higher education facility teaching skills that prepare students for jobs in a trade to be pursued as an occupation, such as carpentry, welding, heavy equipment operation, piloting boats or aircraft, repair and service of appliances, motor vehicles, boats, aircraft, light or heavy equipment, and computer repair. Incidental instructional services in conjunction with another primary use shall not be considered a vocational or trade school.

b. **Use-Specific Standard**

This use excludes establishments providing training in an activity that is not otherwise permitted in the zoning district.

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F. Health Care Facility

This category includes uses that provide medical or surgical care to patients. Accessory uses may include offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities, and housing for staff or trainees. Specific uses types include:

1. Health Services

a. Definition

Establishments primarily engaged in furnishing, on an outpatient basis, chiropractic, dental, medical, surgical, or other services to individuals, including the offices of chiropractors, physicians, dentists, and other licensed medical practitioners, medical and dental laboratories, outpatient care and outpatient care facilities, pharmacies, home health care agencies, and blood banks.

b. Use-Specific Standard

Applicable health service establishments shall comply with the medical facility accessible parking requirements; see subsection 21.07.090J.4.

2. Hospital/Health Care Facility

a. Definition

A facility or institution, whether public or private, principally engaged in providing inpatient services for medical, surgical, or psychiatric care, and the treatment and housing of persons under the care of doctors and nurses. Examples include general or specialty hospitals, but exclude habilitative care facilities, assisted living facilities, and nursing facilities. Training, rehabilitation services, and health services may be permitted as accessory uses, if integral to the facility's function. Other accessory uses may include pharmacies and central services facilities, such as kitchens and laboratories which serve the health care facility.

b. Use-Specific Standards

i. Minimum Lot Size

Unless otherwise authorized by the planning and zoning commission, the minimum lot size for a hospital/health care facility shall be as follows:

(A) Six to 10 beds: 21,780 square feet.

(B) Eleven to 20 beds: 43,560 square feet.

(C) Every 10 beds (or fraction thereof) over 20 beds: 21,780 square feet.

ii. Vegetated Open Space

A minimum of 15 percent of the lot shall remain as a planted open area, landscaped area, natural vegetation area, or usable yard, to exclude buildings, driveways, parking lots, sidewalks, etc., unless the **decision-making body** [DIRECTOR] determines that retention of less than 15 percent of the lot as open area, etc., allows for sufficient buffering of adjacent uses.

iii. Landscaping Buffer

L2 buffer landscaping shall be provided along all lot lines adjacent to a residential use or district.

iv. Institutional Master Plan

In accordance with section 21.03.110, hospitals with an approved institutional master plan are exempt from the review and approval

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procedures required by table 21.05-1, **table 21.09.050-1, or table 21.10-4**, for projects developed under the auspices of the approved institutional master plan.

v. Accessible Parking

Hospital/health care facilities shall comply with the medical facility accessible parking requirements of subsection 21.07.090J.4.

3. Nursing Facility

a. Definition

A facility providing housing and nursing care for aged or chronically or incurably ill persons who are unable to function independently or with only limited assistance.

b. Use-Specific Standards

i. Nursing facilities allowed by right or by site plan review shall comply with the use-specific standards set forth for “adult care facilities with nine or more persons” above. Facilities allowed by conditional use shall comply with the additional standards for conditional uses set forth in “adult care facilities” above.

ii. Nursing facilities shall be subject to the multi-family building development and design standards in section 21.07.110C.

iii. Nursing facilities shall comply with the medical facility accessible parking requirements of subsection 21.07.090J.4.

G. Parks and Open Areas

This category includes uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Such lands tend to have few structures. Accessory uses may include clubhouses, playgrounds, maintenance facilities, concessions, caretaker's quarters, and parking. Specific use types include:

1. Community Garden

a. Definition

A private or public facility for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one individual or family, for personal use and not for commercial gain.

2. Park, Public or Private

a. Definition

An area that is predominately open space, reserved for and designed to be used principally for active and/or passive recreation, and/or to serve ecological and aesthetic functions; any area designated as park by the assembly.

b. Use-Specific Standards in the Anchorage Bowl

i. Any master plan created for a municipal park shall be reviewed and approved as follows:

(A) For all park master plan proposals, the parks and recreation commission shall hold a public meeting, which shall include the opportunity for oral public comment.

(B) Master plans for parks classified by the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* as community

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use area, special use area, or natural resource use area (over 30 acres) shall be approved by the planning and zoning commission.

(C) Master plans for parks classified by the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* as neighborhood use area or natural resource use area (30 acres or fewer) shall be approved administratively by the director.

ii. All development projects in municipal parks require a site plan review, as follows:

(A) For all development projects in municipal parks, the parks and recreation commission shall hold a public meeting, which shall include the opportunity for oral public comments.

(B) Any minor discrepancies with an approved park master plan shall be described and justified. Significant discrepancies, as determined by the parks and recreation commission, require a change in the master plan.

(C) All development projects costing more than \$500,000 or disturbing more than one acre of land and in parks classified by the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* as community use area, special use area, or natural resource use area (over 30 acres) shall be approved by major site plan review in accordance with 21.03.180D. For the purposes of this subsection, vegetation removal for public safety, natural resource protection and enhancement (such as invasive species removal and reforestation), ecosystem health, and general routine maintenance is not considered land disturbance.

(D) All development projects costing \$500,000 or less and disturbing one acre or less of land, and all development projects in parks classified by the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* as neighborhood use area or natural resource use area (30 acres or fewer) shall be approved by administrative site plan review in accordance with 21.03.180C. Trails that are reviewed under section 21.03.190, *Street and Trail Review*, are exempt from this administrative site plan review. For the purposes of this subsection, vegetation removal for public safety, natural resource protection and enhancement (such as invasive species removal and reforestation), ecosystem health, and general routine maintenance is not considered land disturbance.

(E) The decision-making body shall determine whether standards of this title relating to paving of parking lots and lighting of parking lots shall be applied to a development project, considering the location and surrounding area of the project, and the anticipated level of use. If determined by the decision-making body, the paving and lighting standards for parking lots may be reduced or waived.

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[USE-SPECIFIC STANDARDS IN CHUGIAK-EAGLE RIVER-EKLUTNA]

i. ANY MASTER PLAN CREATED FOR A MUNICIPAL PARK SHALL BE REVIEWED AND APPROVED AS FOLLOWS:

(A) FOR ALL PARK MASTER PLAN PROPOSALS, THE EAGLE RIVER-CHUGIAK PARK AND RECREATION BOARD OF SUPERVISORS SHALL HOLD A PUBLIC MEETING, WHICH SHALL INCLUDE THE OPPORTUNITY FOR ORAL PUBLIC COMMENTS.

(B) MASTER PLANS FOR PARKS CLASSIFIED BY THE ANCHORAGE PARK, GREENBELT AND RECREATION FACILITY PLAN VOLUME 2: "EAGLE RIVER-CHUGIAK-EKLUTNA" AS COMMUNITY, LARGE URBAN, OR REGIONAL PARKS SHALL BE APPROVED BY THE PLANNING AND ZONING COMMISSION.

(C) MASTER PLANS FOR PARKS CLASSIFIED BY THE ANCHORAGE PARK, GREENBELT AND RECREATION FACILITY PLAN VOLUME 2: "EAGLE RIVER-CHUGIAK-EKLUTNA" AS PLAYLOTS, MINI PARKS, VEST POCKET PARKS, OR NEIGHBORHOOD PARKS SHALL BE APPROVED ADMINISTRATIVELY BY THE DIRECTOR.

ii. ALL DEVELOPMENT PROJECTS IN MUNICIPAL PARKS REQUIRE A SITE PLAN REVIEW, AS FOLLOWS:

(A) FOR ALL DEVELOPMENT PROJECTS IN MUNICIPAL PARKS, THE EAGLE RIVER-CHUGIAK PARK AND RECREATION BOARD OF SUPERVISORS SHALL HOLD A PUBLIC MEETING, WHICH SHALL INCLUDE THE OPPORTUNITY FOR ORAL PUBLIC COMMENTS.

(B) ANY DISCREPANCIES WITH AN APPROVED PARK MASTER PLAN SHALL BE DESCRIBED AND JUSTIFIED.

(C) ALL DEVELOPMENT PROJECTS COSTING MORE THAN \$500,000 OR DISTURBING MORE THAN ONE ACRE OF LAND AND IN PARKS CLASSIFIED BY THE ANCHORAGE PARK, GREENBELT AND RECREATION FACILITY PLAN VOLUME 2: "EAGLE RIVER-CHUGIAK-EKLUTNA" AS COMMUNITY, LARGE URBAN, OR REGIONAL PARKS SHALL BE APPROVED BY MAJOR SITE PLAN REVIEW IN ACCORDANCE WITH 21.03.180C. FOR THE PURPOSES OF THIS SUBSECTION, VEGETATION REMOVAL FOR PUBLIC SAFETY, NATURAL RESOURCE PROTECTION AND ENHANCEMENT (SUCH AS INVASIVE SPECIES REMOVAL AND REFORESTATION), ECOSYSTEM HEALTH, AND GENERAL ROUTINE MAINTENANCE IS NOT CONSIDERED LAND DISTURBANCE.

(D) ALL DEVELOPMENT PROJECTS COSTING \$500,000 OR LESS AND DISTURBING ONE ACRE OR LESS OF LAND, AND ALL DEVELOPMENT PROJECTS IN PARKS CLASSIFIED BY THE ANCHORAGE PARK, GREENBELT AND RECREATION

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FACILITY PLAN VOLUME 2: "EAGLE RIVER-CHUGIAK-EKLUTNA" AS PLAYLOTS, MINI PARKS, VEST POCKET PARKS, OR NEIGHBORHOOD PARKS SHALL BE APPROVED BY ADMINISTRATIVE SITE PLAN REVIEW IN ACCORDANCE WITH 21.03.180B. TRAILS THAT ARE REVIEWED UNDER SECTION 21.03.190, *STREET AND TRAIL REVIEW*, ARE EXEMPT FROM THIS ADMINISTRATIVE SITE PLAN REVIEW. FOR THE PURPOSES OF THIS SUBSECTION, VEGETATION REMOVAL FOR PUBLIC SAFETY, NATURAL RESOURCE PROTECTION AND ENHANCEMENT (SUCH AS INVASIVE SPECIES REMOVAL AND REFORESTATION), ECOSYSTEM HEALTH, AND GENERAL ROUTINE MAINTENANCE IS NOT CONSIDERED LAND DISTURBANCE.]

c. **Use-Specific Standards in Turnagain Arm**

- i. All master plans, and any development projects costing more than \$500,000 in municipal parks identified in the *Anchorage Park, Greenbelt and Recreation Facility Plan Volume 3: "Turnagain Arm"* shall be approved by major site plan review in accordance with 21.03.180D.
- ii. All development projects costing \$500,000 or less in municipal parks identified in the *Anchorage Park, Greenbelt and Recreation Facility Plan Volume 3: "Turnagain Arm"* shall be approved by administrative site plan review in accordance with subsection 21.03.180C.
- iii. The decision-making body shall determine whether standards of this title relating to paving of parking lots and lighting of parking lots shall be applied to a development project, considering the location and surrounding area of the project, and the anticipated level of use. If determined by the decision-making body, the paving and lighting standards for parking lots may be reduced or waived.

d. **Director's Discretion**

Notwithstanding the various requirements above, the director shall require a park master plan or development project that would normally be approved administratively, to be approved by the appropriate commission if, in his or her judgment:

- i. The plan or project is likely to generate significant public interest;
- ii. The project is a significant deviation from an approved master plan;
- iii. The project will have a significant impact on neighboring uses; or
- iv. The plan or project significantly increases the intensity of development of the park.

H. **Public Safety Facility**

This category includes buildings, storage areas, and other facilities for the public safety operations of local, state, or federal government. Accessory uses may include maintenance, storage, fueling facilities, satellite offices, holding cells, and parking lots. Specific use types include:

1. **Community or Police Substation**

a. **Definition**

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A subsidiary community services or police station providing public services primarily intended for the immediate geographic area in which the station is located.

b. Use-Specific Standard

In residential districts, community or police substations shall be no larger than 3,500 square feet in gross floor area, and shall be architecturally compatible with the surrounding residential neighborhood in terms of building and roofing design and materials and lot placement.

2. Correctional Institution

a. Definition

A facility, other than a correctional community residential center, providing for the imprisonment or physical confinement of prisoners under guard or 24-hour physical supervision, such as prisons, prison farms, jails, reformatories, penitentiaries, houses of detention, detention centers, honor camps, and similar facilities.

b. Use-Specific Standards

i. Traffic Access

A site more than one-half acre in size shall provide for direct access from a street of collector or greater capacity.

ii. Screening or Buffering

The planning and zoning commission may require fencing and landscaping.

3. Fire Station

a. Definition

A station housing fire and rescue personnel including indoor and outdoor space for administrative offices, storage of equipment, and associated vehicles and servicing facilities.

4. Public Safety Facility

a. Definition

A facility operated by a government agency for the purpose of providing public safety and emergency services, training for public safety and emergency personnel, and related administrative and support services. Examples include, but are not limited to, a police station, an emergency operations center, or a fire or police training center.

I. Transportation Facility

This category includes facilities that receive and discharge passengers and freight. Accessory uses may include freight handling areas, concessions, offices, parking and maintenance, and fueling facilities. Specific use types include:

1. Airport

a. Definition

A publicly owned area of land or water that is used or intended for use for the landing and take-off of aircraft, and includes its buildings and facilities, if any.

2. Airstrip, Private

a. Definition

Privately owned land or water maintained as a runway for fixed-wing aircraft.

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b. Use-Specific Standards

- i. Private airstrips are allowed conditionally in residential districts only if approach and noise buffer areas are provided.
- ii. Applications for private airstrips shall be accompanied by a determination letter from the Federal Aviation Administration.

3. Heliport

a. Definition

An area designed to be used for the landing or takeoff of helicopters, which may include all necessary passenger and cargo facilities, fueling, and emergency service facilities.

b. Use-Specific Standards

- i. Heliports are not accessory uses unless they are accessory to an airport. A heliport associated with a principal use other than an airport shall be considered an additional principal use on the property and shall meet these use-specific standards.
- ii. Applications for heliports shall be accompanied by a determination letter from the Federal Aviation Administration (FAA).
- iii. In addition to the conditional use approval criteria at subsection 21.03.080D., the planning and zoning commission shall consider the following issues when reviewing a conditional use application for a heliport, in order to minimize impacts of a heliport on nearby uses:
 - (A) Proximity to residential zoning districts, schools, and parks.
 - (B) Arrival and departure, as established by the FAA.
 - (C) Hours of operation and projected number of takeoffs and landings.

4. Rail Yard

a. Definition

Lands reserved for typical railroad activities including, but not limited to, repair, maintenance, and servicing of rolling stock and railroad support equipment; fueling; inventory of equipment, tools, parts, and supplies in support of railroad activities; loading/unloading and transfer of freight; switching and classifying rail cars in support of train operations and intermodal activities; storage of rail cars and equipment supporting railroad activities; and crew operations, training, and other administrative support functions in support of railroad activities.

5. Railroad Freight Terminal

a. Definition

A rail facility for the loading and unloading of goods, merchandise, substances, materials, and commodities.

6. Railroad Passenger Terminal

a. Definition

A railroad facility for the boarding of passengers, but not including freight terminal operations. Accessory uses may include ticketing sales and offices, restaurants, and stores.

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7. Transit Center

a. Definition

Any premises, located at the confluence of multiple established routes (of the same or different types of transit), for the loading and unloading of passengers on public transit. Accessory uses may include ticket purchase facilities, food and beverage kiosks, and convenience stores.

J. Utility Facility

This category includes major utilities, which are infrastructure services providing regional or community-wide service, and minor utilities, which are infrastructure services that need to be located in or near the neighborhood where the service is provided. Services may be publicly or privately provided. Accessory uses may include parking and control, monitoring, or data transmission equipment. Specific uses types include:

1. Tower, High Voltage Transmission

a. Definition

A structure used to support transmission conductors transmitting electric power over relatively long distances, usually from the central generating station to main substations, or from one substation to another for load sharing or system reliability. High voltage transmission towers are designed to be capable of supporting transmission lines carrying in excess of 138 kilovolts.

b. Use-Specific Standards

i. Approval Process

If the average tower height is 70 or less above ground level, the high voltage transmission tower is a permitted use. If the average tower height exceeds 70 feet, the high voltage transmission tower requires a conditional use approval, except as follows:

(A) Towers exceeding the maximum average height of 70 feet may be replaced with a like tower, or a shorter tower, without the requirement for a conditional use.

(B) When a road project or other public works project causes a utility to modify its existing facilities to accommodate the design of the public works project, a maximum of four towers supporting an existing transmission line may be replaced with towers exceeding the maximum average height of 70 feet without the requirement for a conditional use.

ii. Location

The location of new transmission towers shall be in compliance with, and within existing or proposed transmission alignments or corridors identified in the latest version of the *Utility Corridor Plan*. Deviations from the *Utility Corridor Plan* shall require amendment to the plan before installation of any tower.

iii. Easement or Right-of-Way Clearing

Clearing and/or grubbing of vegetation within the easement or right-of-way for transmission tower installation shall be limited to minimum amount to allow for the safe installation of each transmission tower.

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iv. Landscaping

All areas cleared in conjunction with the installation of a tower, except for the area within ten feet of the tower, shall be replanted with vegetation as follows:

(A) Cleared areas originally planted by a public or private agency as part of an approved building permit, land use permit, or public facility project landscaping plan, shall be replaced in accordance with the plan, except as modified by the tower location(s). Other landscaped areas that have been cleared shall be replaced with landscaping equivalent to that which was removed. Approval of the revised landscape plan shall be by the director, except in cases where the planning and zoning commission is the approving authority.

(B) Cleared areas not previously landscaped shall be landscaped in accordance with the buffer landscaping standards. The director may approve alternative landscaping to meet the intent and intensity of buffer landscaping, except in cases where the planning and zoning commission is the approving authority.

v. Exemptions from Landscaping

Exemptions for the landscaping requirements may be granted by the director, if the utility shows there is a safety concern, the property owner does not grant authorization in which landscaping can be placed by the utility, or for other engineering or related issues.

vi. Structure Design

The color of the transmission tower structures shall be as neutral to the immediate surroundings as possible. The director shall approve the utility's proposed structure color, except in cases where the planning and zoning commission is the approving authority.

vii. Conditional Use Standards

When a high voltage transmission tower requires a conditional use approval, the application shall:

(A) Determine proposed height of the tower(s) is the minimum required to meet safety requirements, future load projections, or terrain. It is understood, however, utilities must construct facilities in compliance with the National Electric Safety Code;

(B) Identify the impact on any scenic view sheds and, if necessary, apply mitigation measures through changes to tower design, tower color, and landscaping at the tower location to reduce negative impacts; and

(C) Identify the aesthetic impact and relation of scale of the tower to abutting development and, if necessary, apply mitigation measures through changes to tower design, tower color, and landscaping at the tower location to reduce negative impacts.

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2. Utility Facility

a. *Definition*

A service of a regional nature that normally entails the construction of new buildings or structures, and that typically has employees at the site. Examples include water works, water or sewage treatment plants, power or heating plants, or steam generating plants.

3. Utility Substation

a. *Definition*

A service that is necessary to support development within the immediate vicinity, and is typically not staffed. Examples include, but are not limited to, electric transformer stations; gas regulator stations; water reservoirs; telephone exchange facilities; and water and sewage collection or pumping stations.

b. *Use-Specific Standard*

The facility shall be designed and constructed to ensure visual and aesthetic compatibility with the surrounding neighborhood. Compatibility may be achieved either by using similar architectural design and materials as building(s) in the surrounding neighborhood, or by screening the facility with L2 buffer landscaping.

4. **Wind Energy Conversion System (WECS), Utility**

a. *Definition*

Any device or assemblage which directly converts wind energy into usable thermal, mechanical, or electrical energy, including such devices as windmills and wind turbines, towers and supporting structures and such directly connected facilities as generators, alternators, inverters, batteries, and associated control equipment. A utility WECS has one or more WECS units with a rated capacity greater than 25 kW, and is intended primarily to provide distributed electric power as a public or private utility.

b. *Use-Specific Standards*

i. *Additional Submittal Requirements*

In addition to the minimum application information set forth in the title 21 user's guide, the following shall be provided:

(A) For each WECS model proposed, the make, model, an illustrative photograph or brochure, manufacturer's specifications including noise decibels data for the proposed WECS, and drawings of the support structure stamped by a structural engineer registered in the state of Alaska.

(B) Elevation drawing of each WECS model showing total height, turbine dimensions, tower and turbine colors, distance between ground and lowest point of any blade, and if proposed, the location of ladders, climbing pegs, and access doors.

(C) An assessment of potential electromagnetic interference with microwave, radio, television, personal communication systems and other wireless communication.

(D) An analysis of impacts on local wildlife shall be prepared, regarding impacts anticipated during construction, reconstruction, modification or operation of WECS. Wildlife impacts to be considered shall include, at a minimum, anticipated impacts on birds.

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(E) If any habitable building is located within 1,300 feet of any proposed utility WECS unit, then the applicant shall conduct a study on potential shadow flicker. The study shall identify locations where shadow flicker may be caused by the WECS and the expected durations of the flicker at these locations. The study shall identify areas where shadow flicker may interfere with habitable buildings and describe measures that shall be taken to eliminate or mitigate the problems. The applicant has the burden of proving that shadow flicker will not negatively impact neighboring uses.

(F) Applications shall include a visual impact analysis of the proposed WECS as installed, which may include a computerized photographic simulation, demonstrating any visual impacts from strategic vantage points. Color photographs of the proposed site from at least two locations accurately depicting the existing conditions shall be included. The visual analysis shall also indicate the color treatment of the system's components and any visual screening incorporated into the project that is intended to lessen the system's visual prominence.

(G) A noise analysis by a competent acoustical consultant documenting the noise levels associated with the proposed WECS. The study shall document projected noise levels at property lines. The noise analysis shall include low frequency noise.

ii. *Height*

The height as measured from grade to the highest point of the fully operational system, including the turbine vane(s), shall not exceed 450 feet in the AF, WS, TR, and PLI zoning districts, or 200 feet in any other district in which a utility WECS may be approved. A utility WECS shall not interfere with Federal Aviation Administration Regulations in the vicinity of an airport. In no case shall the height exceed manufacturer's specifications.

iii. *Blade or Vane Clearance*

Lowest point of moving elements, such as blades or vanes, shall be at least 30 feet above grade.

iv. *Setbacks*

(A) All WECS shall setback from all residential property lines at least 3.0 times the height of system, and from all nonresidential property lines a minimum of 2.0 times the height of the system.

(B) All systems shall be at least 325 feet from any telecommunications towers.

(C) The tower shall maintain a minimum separation distance equal to 1.1 times the height of system from all overhead power and telecommunication lines.

v. *Design Standards*

(A) Except for short-term high wind speed events such as storms, operational noise shall not exceed 50 dBH at any property line

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adjacent to a residential zoning district, and 60 dBH at any property line adjacent to a nonresidential zoning district.

(B) The rotating turbine shall not produce vibrations that are humanly perceptible beyond the property lines of the site.

(C) Lattice type towers and towers using guy wires are prohibited.

(D) All power transmission and telemetry lines from the tower to any building or other structure shall be placed underground, unless otherwise allowed by the planning and zoning commission.

(E) No tower shall be illuminated unless required by a state or federal agency, such as the FAA.

(F) All structures in a project shall be finished in a single, non-reflective, matte finished, neutral color.

(G) No commercial or noncommercial advertisements, signs, or other messages shall be placed or painted on the tower, rotor, generator or tail vane, except that a system or tower's manufacturer's logo may be displayed on a system generator housing in an unobtrusive manner, as approved by the planning and zoning commission.

(H) WECS structure shall be designed to prevent unauthorized external access to electrical and mechanical components and shall have access doors that are kept securely locked. No climbing pegs or tower ladders shall be located closer than 12 feet to the ground level at the base of the structure. A fence with a locking portal may be required by the planning and zoning commission to enclose the entire WECS tower site.

vi. *Abandoned or Unsafe Wind Energy Conversion Systems*

Any system that is not operated for a continuous period of 12 months shall be considered abandoned and shall be dismantled and removed from the property at the expense of the property owner.

K. Telecommunication Facilities

Telecommunication facilities transmit signals between or among points using electromagnetic waves. The facilities may include towers, antennas, buildings, transformers, transmitters, receivers, equipment cabinets, and parking lots.

1. Definitions

a. *Type 1 Tower*

A freestanding vertical support structure of cylindrical, conical, or rectangular cross section constructed of composite, wood, concrete, or metal employed primarily for the purpose of supporting an antenna array and commonly called a monopole.

b. *Type 2 Tower*

A freestanding vertical support structure of open frame skeletal design employed primarily for the purpose of supporting an antenna array and commonly called a lattice tower. This tower type includes lateral arrays.

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c. Type 3 Tower

A guyed vertical support structure of open frame, skeletal design, or solid pole design employed primarily for the purpose of supporting an antenna array and commonly called a guyed tower.

d. Type 4 Tower

A support structure, such as an existing building, steeple, spire, or utility pole that is not a type 1, 2, or 3 and is used for supporting a disguised, camouflaged, or hidden antenna array so that its principal or secondary function as an antenna and antenna support structure is imperceptible to an uneducated eye. The antennas are mounted on the support structure so that they are located and designed to minimize visual and aesthetic impacts to surrounding land uses and structures and shall, to the greatest extent practical, blend into the existing environment. This definition shall include any antenna or antenna array complying with the objective of definition whether it is mounted on tower structure or not.

2. Use-Specific Standards

a. Setbacks

i. The minimum distance from any lot line to the vertical axis of the tower structure shall be as follows:

(A) Types 1: equal to or greater than the setbacks of the underlying zoning district.

(B) Type 2: equal to or greater than the distance measured from grade to the first taper transition.

(C) Type 3: equal to or greater than the distance measured from the tower structure axis to the outermost guy wire anchor. The guy wire levels and anchor radius must match manufacturer's criteria for the proposed application.

(D) Type 4: none.

ii. That portion of guy wire anchor structure that is above grade shall be set back from any property line in accordance with the following:

(A) Guy wire with a nominal diameter of 0.25 inches or less--25 feet, provided the setback may be reduced to 0 feet if the anchor structure is enclosed within a sight obscuring fence.

(B) Guy wire with a nominal diameter greater than 0.25 inches but less than 0.625 inches--25 feet, provided the setback may be reduced to five feet if the anchor structure is enclosed within a sight obscuring fence.

(C) Guy wire with a nominal diameter equal to or greater than 0.625 inches--25 feet.

b. Minimum Separation Distance From Protected Land Uses

i. The minimum separation distance between the base of the tower and any principal structure on PLI or residentially-zoned land, or any school or licensed child care center, shall be two times the allowable tower height.

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- ii. After giving due consideration to the comments of the applicant, the property owner, and the local community council, the director may reduce or eliminate the minimum separation distance set forth in the paragraph b.i. above.
- c. ***Tower Structure Height***
- i. Height for a tower structure directly fixed to the ground shall be determined by measurement from grade to the highest point on the tower structure, including any installed antennas and lighting and supporting structures.
- ii. Height for a tower structure not directly affixed to the ground shall be determined by measurement from the grade of the building to the highest point on the tower structure, including any installed antennas and lighting and supporting structures. At no time shall the height of a tower installed on a building as measured from grade to the highest point on the tower structure as set forth above exceed the height of the building multiplied by two or the base height, whichever is greater. Tower structures shall not exceed the height limits set forth in subsection 21.04.060C. of this title nor interfere with Federal Aviation Administration Regulations on airport approaches.
- iii. Base height shall be as set forth below:
- (A) Residential districts--65 feet
- (B) Commercial districts--130 feet
- (C) Industrial districts--150 feet
- (D) AF district--200 feet
- (E) All other districts--100 feet
- iv. Co-location shall grant an additional 15 feet above the base height for each qualifying antenna to a maximum of 30 feet of additional height. Increases in tower structure height by operation of this paragraph shall not reclassify a tower structure from a local interest tower to a community interest tower.
- d. ***Residential Zoning Districts, RO District, and AF District***
- i. In all residential districts and in the RO district, type 1 and 3 towers, antennas without tower structures, and type 4 tower structures and antennas are permitted as a secondary and subordinate use with a permitted nonresidential use.
- ii. In the R-3, R-4, R-4A, R-5, and RO districts, type 1 and 3 towers, antennas without tower structures, and type 4 tower structures are also permitted as a secondary and subordinate use with a residential use of six dwelling units or more.
- iii. In the AF district, three towers per lot are permitted. More than three towers per lot require conditional use approval.
- e. ***Notice of Site Selection and Site Plan Review***
- i. ***B-1A and Watershed Zoning Districts***

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(A) Prior to issuance of a building or land use permit for a type 1, 2, and 3 tower structures within B-1A and W zoning districts, property owners of residential-zoned land within 500 feet of the selected tower site and the local community council shall be notified in writing of the issuance of a building or land use permit. The effective date of the permit shall be no earlier than 30 days after the date of mailing of the notification.

(B) A decision to issue a building or land use permit is final unless appealed within the 30 day notice period to the planning and zoning commission. An appeal may be filed by the applicant or by a petition of at least one-third of the owners (excluding rights-of-way) of the privately owned land within 500 feet of the outer boundary of the tower site. In the event of appeal, the planning and zoning commission shall hold a public hearing at its next available meeting and apply the standards of this section. An appeal from a decision of the planning and zoning commission may be brought in accordance with section 21.03.050A.

ii. *PLI and Residential Districts*

All type 1, 2, and 3 tower structures within a residential district, as allowed by table 21.05-1, or PLI district shall be subject to a site plan review as set forth in this section, except when a conditional use permit is required.

iii. *Other Zoning Districts*

All zoning districts not referenced in e.i. or e.ii. above are exempt from the notification requirements, the minimum separation distances from protected land uses, and the site plan review requirements set forth in this chapter.

f. **Co-location**

i. The co-location tower structure, pole, monopole or any other similar facility, must be designed to accommodate no less than the following communications equipment: 12 antennas with a flat plate wind loading of not less than four square feet per antenna; a standard mounting structure, stand off arms, platform or other similar structure that is sufficient to hold the antennas; cable ports at the base and antenna levels of the tower structure; and, sufficient room within or on the tower structure for 12 runs of 7/8" coaxial cable from the base of the tower structure to the antennas.

ii. Applicants for co-location shall provide proof in a form found acceptable to the municipal attorney that more than one service provider is using the co-location facility.

iii. All community and local interest towers shall, for a reasonable compensation, be made available for use by as many other licensed carriers as can be technically co-located thereon when the use will not result in substantial injury to the owner, or in substantial detriment to the service to the customers of the owners. All licensed carriers shall cooperate with each other in co-locating additional facilities upon such towers. All licensed carriers shall exercise good faith in co-locating with other licensed carriers and in the sharing of towers, including the sharing of technical information to evaluate the feasibility of co-location.

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g. **General Standards**

i. **Installation**

All transmitting antennas shall be installed in a manner as set forth by the manufacturer and by the Federal Communications Commission (FCC) as meeting the current American National Standards Institute (ANSI) standard for nonionizing electromagnetic radiation (NIER).

ii. **Tower Lighting**

Tower structures shall not be lighted unless the Federal Aviation Administration requires or recommends that obstruction lighting be installed. To prevent direct light reflection on other property, tower structure lighting shall be shielded to the extent permitted by the Federal Aviation Administration.

iii. **Tower Color**

The tower structure and any other structure(s) directly related to the operation of any antenna mounted on the tower structure shall be neutral in color and, to the extent possible, shall be compatible with the appearance and character of the neighborhood or location unless obstruction marking is required by the Federal Aviation Administration.

iv. **Notice and Interference**

An operator proposing to install or modify an antenna shall provide notice to all property owners within 500 feet of the date of activation of the new or modified antenna. Within 90 days of activation the antenna, the operator shall resolve all reported occurrences of interference.

v. **Identification Placard**

An identification placard shall be attached to the tower structure or the security fencing in a location clearly visible at eye level. The placard shall provide the following information:

(A) The name and address of the tower structure owner;

(B) The name and address of the tower structure manager, if different from the owner;

(C) The date of erection of the tower structure; and

(D) The owner's name and address of each antenna on the tower structure.

h. **Administrative Permit Required**

An administrative permit shall be obtained from the director. The application shall identify the antenna(s) on the tower, the legal description of the site, its zoning and its street address, if any. This permit shall certify that, when granted, the antenna, or tower structure was in compliance with this section. This permit shall remain valid so long as that antenna or tower structure remains in continuous operation or is revoked according to this title.

i. **Administrative Permit Revocation**

Unless cured, an administrative tower permit shall be revoked after notice and the opportunity to cure, for any of the following:

(A) Construction, maintenance, and/or operation of a tower at an unauthorized location;

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(B) Construction or operation of a tower in violation of any of the terms and conditions of this chapter or the conditions attached to the permit;

(C) Material misrepresentation by or on behalf of an applicant or permittee in any application or written statement upon which the administrative official substantially relies in making the decision to grant, review, or amend any permit pursuant to this section and which materially changes the application of the standards of approval of the permit;

(D) Abandonment of a tower as set forth in this section; or

(E) Failure to relocate or remove facilities as required in this section.

ii. After having a tower permit revoked, no tower shall be re-permitted for that property or by that tower owner on any property within the municipality for a period of one year except through a conditional use permit. This subsection shall apply only with respect to community and local interest tower revocations pursuant to this title after the effective date of this ordinance.

j. ***Annual Inventory***

By January 31 of each year, each tower owner who is regulated by this section shall provide the municipality with an inventory of all additions and deletions of said provider's existing towers or approved sites for such facilities that are within the municipality or within one mile of the border thereof as of December 31 of the previous year. The first inventory from each provider shall be a comprehensive current list of their existing towers and approved sites.

k. ***Time Period for Construction***

Construction of a tower shall commence within one year from the date of the permit's approval, with opportunity for a six-month extension. If not used within one year, or within the extension period, the permit shall become null and void.

l. ***Administrative Site Plan Review***

i. ***Applicability***

When an administrative site plan is required by table 21.05-1, table 21.09.050-1, or table 21.10-4, this subsection shall apply. A site plan review is required of all such towers since they have aesthetic and visual impacts on their neighbors, and the public interest is best served by allowing these neighbors and the public at large a chance to comment on and provide input concerning the location and design of these towers. All such towers shall conform to the requirements of this section and to the requirements of the zoning district in which the tower is located.

ii. ***General***

(A) In approving a site plan, the director may impose conditions to the extent that he or she concludes are necessary to minimize any adverse effect of the proposed tower structure, including all associated structures and landscaping, on adjoining properties.

(B) Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.

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1 iii. *Submittal Information*

2 Applicants for an administrative site plan review for a tower structure
3 shall submit the information required in the user's guide.

4 iv. *Public Participation Process*

5 Notwithstanding table 21.03-1, at least 35 days before acting on a tower
6 site plan application under this section, the director shall publish notice of
7 the application in a newspaper of general circulation in the municipality.
8 The notice shall state the name(s) of the applicant(s), a clear and
9 concise description of the project, the street address, if any, and the legal
10 description of the land subject to the application. The notice, including a
11 map of the vicinity, shall also be provided to any officially recognized
12 community council whose boundary encompasses the tower site and to
13 owners of property within 500 feet of the proposed site. The applicant
14 shall reimburse the municipality for the expense of advertising and
15 mailing such notice. The applicant shall also post the property with a
16 notice pursuant to subsection 21.03.020H.5. Following notice of the site
17 plan, the community council has 35 days from the date of the letter to
18 respond.

19 v. *Approval Period*

20 The director shall take action on the site plan within 50 days of the site
21 plan application submittal. Upon action, the applicant will mail to all
22 addressees on the original notice list, the written action of the director.
23 The applicant shall document their public process including a list of who
24 was notified, with what, and when as part of their permit application
25 process.

26 vi. *Factors Considered In Granting Site Plan Approval For Tower Structures*

27 In addition to the general standards for site plan approval at subsection
28 21.03.180F., the director shall also consider the factors for conditional
29 uses for tower structures in subsection p.iii. below.

30 vii. *Appeals*

31 Notwithstanding section 21.03.050, a decision of the director under the
32 authority set forth in this subsection is final unless appealed within 15
33 days to the planning and zoning commission. An appeal may be filed by
34 the applicant or by a petition of at least one-third of the owners
35 (excluding rights-of-way) of the privately owned land within 500 feet of
36 the tower site. In the event of appeal, the planning and zoning
37 commission shall hold a public hearing at its next available meeting and
38 apply the standards of this section. An appeal from a decision of the
39 planning and zoning commission may be brought in Superior Court.

40 m. *Qualification of Type 4 Tower Structure and Antenna*

41 Each type 4 tower structure and antenna shall be qualified as meeting the design
42 standard by the planning and zoning commission. A proponent of a type 4 tower
43 structure and antenna design shall provide the commission with evidence in the
44 form of construction drawings, photographs, renderings, or other data sufficient
45 for the commission to find the design standard is satisfied. At completion of the
46 construction of the first tower structure and antenna under a newly qualified
47 design, it shall be reviewed by the commission to confirm the installation
48 complies with the design standards. If the installation fails to comply, subsequent
49 tower structure and antenna design and installation shall be amended or
50 redesigned as directed by the commission.

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n. Community Interest and Local Interest Towers

Community interest and local interest towers as a permitted principal use shall be subject to the following:

i. Parking

Off-street parking space is not required, however if it is provided, parking spaces may be shared with other principal uses on the site. The parking spaces shall be paved with concrete or asphalt compound or shall be covered with a layer of crushed rock of no more than one inch in diameter to a minimum depth of three inches. Parking space illumination shall be provided only to extent that the area is illuminated when the parking space is in use. The illumination shall be the lowest possible intensity level to provide parking space lighting for safe working conditions.

ii. Security

The tower structure and support structures shall be secured to prevent unauthorized access.

iii. Separation Distance

If any community interest tower on a site exceeds 200 feet in height, the tower site shall be separated from any other principal or conditional use community interest or local interest tower site with tower(s) exceeding 200 feet in height by at least 5,280 feet (one mile).

o. Abandonment

Any antenna or tower structure that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower structure shall remove the same within 180 days of receipt of notice from the director notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower structure within said 180 days shall be grounds for the municipality to remove the tower structure or antenna at the owner's expense. If there are two or more users of a single tower structure, then this provision shall not become effective until all users cease using the tower structure.

p. Conditional Use Standards

i. General and Applicability of Conditional Use Requirement

The following provisions shall govern the issuance of conditional use permits for tower structures or antennas by the planning and zoning commission:

(A) If the community interest or local interest tower or antenna fails to meet the conditions of subsections 2.a. through 2.c and/or 2.e. through 2.o. above, then a conditional use permit shall be required for the construction of a tower structure or the placement of an antenna.

(B) Applications for conditional use permits under this section shall be subject to the conditional use procedures and general standards, except as modified in this section.

(C) In granting a conditional use permit, the planning and zoning commission may impose conditions to the extent the commission concludes such conditions are necessary to minimize any

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adverse effect of the proposed tower structure or antenna on adjoining properties.

- (D) Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.

ii. *Submittal Information*

Applicants for conditional use for a tower structure shall submit the information required in the user's guide and a non-refundable fee to reimburse the municipality for the costs of reviewing the application.

iii. *Factors Considered in Granting Conditional Use Permits for Antennas and Tower Structures.*

In addition to the general standards for a conditional use in subsection 21.03.080D., the planning and zoning commission shall consider the following factors in determining whether to issue a conditional use permit, although the commission may waive or reduce the burden on the applicant of one or more of these criteria if the commission concludes that the goals of this ordinance are better served thereby:

- (A) Height of the proposed tower structure;
- (B) Proximity of the tower structure to residential structures and residential district boundaries;
- (C) Nature of uses on adjacent and nearby properties;
- (D) Surrounding topography;
- (E) Surrounding tree coverage and foliage;
- (F) Design of the tower structure, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- (G) Proposed ingress and egress; and
- (H) Availability of suitable existing tower structures, other structures, or alternative technologies not requiring the use of tower structures or structures.

iv. *Availability of Suitable Existing Tower Structures, Other Structures, or Alternative Technology*

No new tower structure shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the planning and zoning commission that no existing tower structure, structure, or alternative technology that does not require the use of tower structures, or alternative technology can accommodate or replace the applicant's proposed antenna. An applicant shall submit any additional information requested by the planning and zoning commission related to the availability of suitable existing tower structures, other structures, or alternative technology. Evidence submitted to demonstrate that no existing tower structure, structure, or alternative technology can accommodate the applicant's proposed antenna will consist of the following:

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- (A) No existing tower structures or structures are located within the geographic area which meet applicant's engineering requirements.
- (B) Existing tower structures or structures are not of sufficient height to meet applicant's engineering requirements.
- (C) Existing tower structures or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
- (D) The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing tower structures or structures, or the antenna on the existing tower structures or structures would cause interference with the applicant's proposed antenna.
- (E) The fees, costs, or contractual provisions required by the owner in order to share an existing tower structure or structure or to adapt an existing tower structure or structure for sharing are unreasonable. Costs exceeding new tower structure development are presumed to be unreasonable.
- (F) The applicant demonstrates that there are other limiting factors that render existing tower structures and structures unsuitable.
- (G) The applicant demonstrates that an alternative technology that does not require the use of tower structures or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable. Costs of alternative technology that exceed new tower structure or antenna development shall not be presumed to render the technology unsuitable.
- v. Modifications**
Standards for modifications to community interest and local interest towers allowed as a conditional use are as follows:
- (A) Repairs and maintenance to the tower structure may be performed consistent with subsection 21.12.010F.
- (B) The replacement, repair or addition of antennas, dishes and other transmitting or receiving devices to a tower shall not be considered a modification of final approval as set forth in subsection 21.03.080D. and shall be considered a use contemplated within the original approved or de facto conditional use where the replacement, repair, or addition of antennas, dishes, and other transmitting or receiving devices:
- (1) Will serve the same user or successor entity under the original conditional use;
 - (2) Will serve the same general purpose as was served under the original conditional use;
 - (3) Is consistent with the original conditional use.

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q. **Amateur Radio Stations And Receive Only Antennas**

i. Amateur radio stations are exempt from the location, tower type, and height limitations contained in this title provided:

(A) The antenna and tower structure are part of a federally-licensed amateur radio station; and

(B) In residential zoning districts there is no use of the tower structure by a third party commercial antenna operator.

ii. The following are exempt from this title:

(A) Installation and use of antenna(s) for use by a dwelling unit occupant for personal, home occupation, or utility telemetry purposes, or by an electric or gas utility on an existing power pole or cabinet to monitor or control equipment thereon; and

(B) Noncommercial receive only antennas.

iii. Notwithstanding the above, any antenna or tower structure that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower structure shall remove the same within 180 days of receipt of notice from the director notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower structure within said 180 days shall be grounds for the municipality to remove the tower structure or antenna at the owner's expense.

iv. Any antenna or tower structure erected under this subsection 2.n. shall not exceed the height limits set forth in subsection 21.04.070C. nor interfere with Federal Aviation Administration Regulations on airport approaches.

21.05.050 COMMERCIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS

This section defines the general commercial use categories and specific commercial use types listed in table 21.05-1. The uses may either be commercial or have impacts common to commercial uses. This section also contains use-specific standards that apply to specific use types. The use-specific standards apply regardless of whether the use type is permitted as a matter of right, subject to a site plan review process, or subject to the conditional use process.

A. Agricultural Uses

This category includes activities that primarily involve producing or keeping plants on a commercial basis. Accessory uses may include dwellings for proprietors and employees, barns, storage, and sales of products produced on-site. Specific use types include:

1. Commercial Horticulture

a. Definition

An establishment engaged in the growth and sale of vegetables, produce, fruit crops, vines, shrubs, trees (including Christmas trees), sod, and nursery plants, conducted within or outside an enclosed building. This use includes, but is not limited to, crop farms, orchards, groves, tree plantations, commercial greenhouses, nurseries, and a temporary stand for the sale of products grown on the premises.

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B. Animal Sales, Service, and Care

This category includes uses that involve the selling, boarding, training, or care of animals on a commercial basis. Accessory uses may include confinement facilities for animals, parking, and storage areas. Specific use types include:

1. Animal Boarding

a. Definition

A commercial establishment where small domestic animals, such as dogs and cats, are boarded. This use includes animal daycare.

b. Use-Specific Standard

Animal boarding establishments shall comply with the use-specific standards below for “animal shelter.”

2. Animal Shelter

a. Definition

A facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public or nonprofit organization devoted to the welfare, protection, and humane treatment of animals. This term shall not include residences where animals are fostered while awaiting adoption.

b. Use-Specific Standards (also apply to “Retail and Pet Services”, “Animal Boarding”, and “Veterinary Clinic”)

i. General Standards when Use is within 100 Feet of a Residential District

All facilities, including all treatment rooms, cages, pens, kennels, and training rooms, shall be maintained within a completely enclosed building. Areas for the care of large animals that are associated with veterinary clinics are exempt from this requirement, but shall meet the setback standards of subsection 21.05.050B.3.b.iv.

ii. Standards When Use is Not within 100 Feet of a Residential District

Outdoor runs shall be located on site and shall be screened from the view of all adjacent streets and properties by fencing or vegetation.

iii. Waste Management

Waste shall be managed in accordance with AMC section 15.20.020.

3. Large Domestic Animal Facility, Principal Use

a. Definition

An establishment for keeping, harboring, riding, boarding, stabling, training, exercising, breeding, or related use of four or more large domestic animals, and the associated structure(s) such as a paddock or stable. Includes riding stable facilities for the care and exercise of horses and related equestrian activities.

b. Use-Specific Standards

i. Access

Traffic access shall be from a street constructed to standards found by the traffic engineer to be appropriate to the intensity of the use proposed.

ii. Lot Coverage

Lot coverage may be 10 percent greater than the maximum lot coverage otherwise allowed in the zoning district.

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1 iii. *Adjacent Lots*

2 Adjacent lots may be used in square footage calculations for site size
3 only. If the adjacent lots are not under single ownership, the lot owners
4 shall submit a recorded joint usage agreement for review and approval
5 by the director. In such cases, setback requirements shall not apply to
6 the common interior lot lines and a primary use need not be located on
7 the adjacent lot.

8 iv. *Setbacks*

9 Notwithstanding the setbacks of the underlying zoning district, covered
10 structures associated with a large domestic animal facility, such as a
11 stable or barn, shall be set back at least 25 feet from any abutting lot
12 line, not including interior lot lines between lots in common ownership.
13 Uncovered enclosures shall meet one of the following setback options:

14 (A) Seventy-five feet from residences existing on February 28, 2006,
15 not including any residence in common ownership with the large
16 domestic animal facility; or

17 (B) Ten feet from any abutting lot line, not including interior lot lines
18 between lots in common ownership, if the separation area is
19 vegetated with L2 buffer landscaping.

20 v. *Fences*

21 Barbed wire shall not be used for fencing of any large domestic animal
22 facilities.

23 vi. *Other Requirements*

24 Large domestic animal facilities shall:

25 (A) Meet the requirements of AMC chapter 15.20 regarding animal
26 waste, AMC subsection 15.55.060B. concerning separation
27 requirements from water supply wells, and section 21.07.020
28 concerning stream protection setbacks;

29 (B) Obtain an animal control facility license;

30 (C) Obtain certification of compliance with a state of Alaska,
31 Anchorage soil and water conservation district conservation plan,
32 or obtain a letter from the district showing demonstrated intent to
33 come into compliance with a conservation plan within one year;
34 and

35 (D) Comply with licensing and other laws concerning the keeping of
36 animals as set forth in AMC titles 15, 17, and 21.

37 vii. *Additional Conditions*

38 The planning and zoning commission may impose additional conditions
39 upon a conditional use permit that are found necessary to protect any
40 person or neighboring use from unsanitary conditions or unreasonable
41 noise or odors, or to protect the public health and safety.

42 4. **Retail and Pet Services**

43 a. ***Definition***

44 An establishment primarily engaged in the sale, bathing, and/or grooming of
45 domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic

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animals and farm animals such as horses, goats, sheep, and poultry. Accessory uses may include overnight stays incidental to the primary use.

b. Use-Specific Standard

Retail and pet services shall comply with the use-specific standards above for “animal shelter.”

5. Veterinary Clinic

a. Definition

An establishment for the medical care and treatment of animals by a licensed veterinarian.

b. Use-Specific Standard

Veterinary clinics shall comply with the use-specific standards above for “animal shelter.”

C. Assembly

This use includes buildings and facilities owned or operated by associations, corporations, governments, or other persons for social, educational, or recreational purposes. Facilities are primarily for members and their guests, or members of the public paying a fee. Accessory uses may include offices, meeting areas, food preparation areas, concessions, parking, and maintenance facilities. Specific use types include:

1. Civic/Convention Center

a. Definition

An establishment designed to accommodate 500 or more persons and used for conventions, conferences, seminars, product displays, and entertainment functions. Accessory uses may include temporary outdoor displays, parking, and food and beverage preparation and service for on-site consumption.

b. Use-Specific Standard

Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

2. Club/Lodge/Meeting Hall

a. Definition

An establishment owned or operated by a corporation, association, or persons for a social, educational, or recreational purpose, to which membership may be required for participation.

b. Use-Specific Standard

Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

D. Entertainment and Recreation

This category includes uses that provide continuous recreation or entertainment activities, outdoors or indoors. Accessory uses may include concessions, snack bars, parking, and maintenance facilities. Specific use types include:

1. Amusement Establishment

a. Definition

An establishment offering entertainment, game playing, or similar amusements to the public within a fully enclosed building. This shall include without limitation arcades, bowling alleys, billiard parlors, bingo parlors, laser tag parlors, water parks, miniature golf courses, and indoor shooting ranges.

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b. Use-Specific Standard

i. Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

ii. A conditional use **approval** **[PERMIT]** is required for amusement establishments in the I-1 district that are proposed to occupy more than 20,000 square feet of gross floor area.

2. Entertainment Facility, Major

a. Definition

Major entertainment facilities uses are designed to accommodate activities that generally draw 501 persons or more to specific events or shows. Activities are generally of a spectator nature. Examples include amphitheaters, performing arts centers, stadiums, sports arenas, coliseums, auditoriums, and fairgrounds. Accessory uses may include restaurants, bars, concessions, parking, and maintenance facilities.

b. Use-Specific Standard

Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

3. Fitness and Recreational Sports Center

a. Definition

A facility primarily featuring equipment for exercise and other active physical fitness conditioning or recreational sports activities, such as swimming, skating, racquet sports, aerobic dance, gymnasium facilities, yoga, and other kinds of sports and fitness facilities.

b. Use-Specific Standard

A conditional use **approval** **[PERMIT]** is required for fitness and recreational sports centers in the I-1 district that are proposed to occupy more than 20,000 square feet of gross floor area.

4. General Outdoor Recreation, Commercial

a. Definition

Developed recreational uses such as amusement parks, miniature golf courses, dog mushing tracks, golf driving ranges, batting cages, skateboard or skate parks or courses, bicycle motocross courses, water parks or slides, drive-in movie theaters, courses for paramilitary games, and archery facilities.

b. Use-Specific Standard

L2 buffer landscaping shall be provided wherever this use is adjacent to a residential district.

5. Golf Course

a. Definition

A tract of land laid out with a course having nine or more holes for playing the game of golf, including any accessory clubhouse, driving range, office, restaurant, concession stand, picnic tables, pro shop, maintenance building, restrooms, or similar accessory uses or structures. This term shall not include housing or miniature golf courses as a principal or accessory use, nor shall it include driving ranges that are not accessory to a golf course.

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6. Motorized Sports Facility

a. Definition

A facility for the racing of motorcycles, snow machines, race cars, or other motorized vehicles.

b. Use-Specific Standards

i. Special Land Use Permit for Alcohol

Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

ii. Hours of Operation

The maximum hours of operation shall be from 8:00 a.m. to 10:00 p.m. Monday through Saturday, and from 12:00 p.m. to 10:00 p.m. on Sunday.

iii. Additional Site Plan Requirements

In all districts, as part of the site plan application, the applicant shall comply with the following requirements:

(A) If the projected or actual noise level exceeds the standards set at AMC section 15.70.080A., a noise analysis shall be prepared identifying noise mitigation measures.

(B) The applicant shall prepare an operation plan to monitor and enforce:

(1) Prohibition on consumption of alcoholic beverage on the premises; and

(2) Mandatory transportation of racing machines to the site.

(C) The applicant shall submit a dust and litter control plan and describe the methods to be used to collect trash on the site.

(D) The applicant shall identify one or more individuals who shall be responsible for enforcement of the noise, operation, and dust and litter control plans developed pursuant to this subsection.

iv. Dimensional Standards

Notwithstanding the general dimensional standards of chapter 21.06:

(A) The planning and zoning commission may designate minimum setback areas around the perimeter of the site as it deems necessary to minimize glare and noise impact on adjacent uses, to separate incompatible uses, and to restrict casual access to the site.

(B) The maximum height of structures shall be 35 feet.

v. Site Location, Development, and Operation

(A) No motorized facility shall be located within 500 feet of any residential district.

(B) In order to prevent casual access to and from the site or to mitigate adverse effects of the motorized sports facility upon adjacent uses, the planning and zoning commission may require

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the enclosure of the entire site by a screening structure and/or landscaping, as described in section 21.07.080.

(C) Public sanitation facilities (restrooms) shall be provided on-site and operated in a manner consistent with AMC section 15.20.020.

vi. **Industrial [I-1] Districts Standard**

Motorized sports facilities are conditionally allowed in the I-1 and I-2 districts on parcels with a minimum of 20 acres. The maximum engine size allowed is 250 cc's for wheeled vehicles and 550 cc's for snow machines.

7. **Movie Theater**

a. **Definition**

An indoor theater for showing motion pictures.

8. **Nightclub**

a. **Definition**

An enterprise, that, for consideration, provides entertainment to its patrons in the form of floorshows; dance revues; live, recorded, or electronically enhanced music; patron dancing; or performances by live or recorded professional or amateur entertainers. Discotheques, nightclubs, bars, lounges, dance halls, bistros, teen clubs, and any facility that meets the terms of this definition are often, but not exclusively, open during one or more of the hours between 11:00 p.m. and 3:00 a.m. This definition excludes theaters or auditoriums with fixed seating, religious assemblies, adult-oriented establishments as defined by AMC section 10.40.050, publicly owned and operated recreation centers or parks, and public and private schools. Nightclubs may be licensed or unlicensed. Unlicensed nightclubs do not offer or sell to patrons either alcoholic beverages, as defined by AS 04.21.080, or adult entertainment, as defined by AMC section 10.40.050.

b. **Use-Specific Standards for Licensed Nightclubs**

i. All facilities adjacent to a residential district shall be maintained within a completely enclosed building, and shall be sufficiently insulated so that the standards of AMC section 15.70.080A. are met.

ii. Licensed nightclubs are subject to the special land use permit for alcohol process to allow the retail sale of alcohol; see section 21.05.020A.

c. **Use-Specific Standards for Unlicensed Nightclubs**

i. **Purpose**

Certain types of enterprises have been determined to produce secondary impacts on surrounding land uses. The impacts include a perceived decline in property values, and an increase in the level of criminal activity, including unlawful sales and use of drugs and consumption of alcoholic beverages, in the vicinity of these types of enterprises. The purpose of this subsection is to segregate such enterprises from land uses that are likely to be negatively impacted.

ii. **Minimum Distance from Certain Uses**

Except for teen nightclubs and underage dances permitted under AMC chapter 10.55, an unlicensed nightclub shall be located so that all

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portions of the lot on which the unlicensed nightclub is located shall be 300 feet or more from the lot line of property on which is located:

- (A) A school or instructional service serving any combination of grades kindergarten through 12;
- (B) A childcare center;
- (C) Property zoned residential; or
- (D) TA-zoned property designated as residential in the *Turnagain Arm Comprehensive Plan*.

iii. *Administrative Permit Required*

An administrative permit for each unlicensed nightclub shall be obtained from the department and be displayed in a prominent place inside the unlicensed nightclub. This permit shall certify that, when granted, the enterprise was in compliance with paragraph ii. of this subsection. This permit shall be obtained from the director, pursuant to section 21.03.030, *Administrative Permits*. This permit shall remain valid so long as that enterprise remains in continuous operation at that location, and does not physically expand.

9. **Shooting Range, Outdoor**

a. **Definition**

An establishment engaged in the use of land for discharging of firearms for target practice, skeet, and trap shooting.

b. **Use-Specific Standards**

i. *Intent*

The intent of the following standards for shooting ranges is primarily safety and buffering for adjacent neighborhoods.

ii. *Setbacks*

All shooting areas shall be set back a minimum distance of 100 feet from any public right-of-way. Buildings located behind the firing line are allowed to be located to the normal zone setback.

iii. *Site Size*

The minimum site size shall be 20 acres.

iv. *Shooting Area*

The backstop must be an earth mound or dugout of sufficient dimension to stop projectiles. Casual access into the line of fire shall be prevented through fencing or some equally effective equivalent.

v. *On-Site Uses*

An accessory retail store, snack shop, ammunition storage, and short-term rental of firearms and equipment for use only on the premises are permitted. Sale of alcoholic beverages is prohibited.

vi. *Noise Impact Analysis*

A noise impact analysis with a noise map based on the types of firing and layout of the range shall be submitted as part of the conditional use application.

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10. Skiing Facility, Alpine

a. *Definition*

A facility and related terrain utilized for alpine skiing, and uses and facilities typically associated with the use and operation of such facility, including but not limited to: ski and snowboard runs and trails; ski lifts and tows, including towers and structures, related to skiing and snowboarding patrons; snow-making equipment/facilities; ski patrol facilities; ski area administrative and ticketing offices; special events directly associated with ski areas such as ski races, snowboard races, snow machine races, bicycle races, and concerts; alpine slide; nordic ski trails and facilities; tubing hills; ski and equipment rental facilities and ski instruction facilities; ice skating rinks; ski bridges; and supporting accessory structures.

Ski Facility, Alpine shall not mean such uses as lodges, hotels, dwelling units, restaurants, retail shops, outdoor carts and vending areas, clinics, day care centers, offices, and high impact recreational uses such as go carts, golf courses and driving ranges, paint ball games, rifle ranges, waterslides, and stables.

11. Theater Company or Dinner Theater

a. *Definition*

An establishment for live dramatic, operatic, or dance presentations open to the public, without membership requirements, whose seating capacity does not exceed 500 seats and seating area does not exceed 3,000 square feet, or any area for the rehearsal of such live performances. These establishments may also provide food and beverages for consumption on the premises.

b. *Use-Specific Standard*

Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

E. Food and Beverage Services

This category includes businesses that serve prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and parking. Specific use types include:

1. Bar

a. *Definition*

An establishment that prepares and retails alcoholic beverages for consumption on the premises. These establishments may also manufacture malt beverages and provide limited food services.

b. *Use-Specific Standard*

Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

2. Food and Beverage Kiosk

a. *Definition*

An establishment in a [FREESTANDING BUILDING,] trailer[,] or vehicle on an impermanent foundation that sells coffee or other beverages and food from a window to customers who are either pedestrians or seated in their automobiles, for consumption off the premises, and that provides no indoor seating.

b. *Use-Specific Standards*

Kiosks in all districts shall comply with the following standards:

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- i. Food and beverage kiosks shall comply with the “drive-through service” accessory use standards in subsection 21.05.070D.6.
- ii. Kiosks shall be on wheels to facilitate movement onto and off the site, and may not be located on a permanent foundation. The wheels shall be screened with opaque skirting or screening so as to not be visible.
- iii. Kiosks may be located on the same lot as another principal use.
- iv. Kiosks shall comply with the title 23 requirements relating to mobile food units. [KIOSKS THAT PROVIDE OUTDOOR SEATING SHALL PROVIDE PARKING FOR THAT SEATING, AS REQUIRED BY SECTION 21.07.090, OFF-STREET PARKING AND LOADING.]
- v. All signs shall comply with chapter 21.11, *Signs*.

3. Restaurant

a. Definition

An establishment primarily engaged in the preparation and sale of food and beverages, normally for consumption on the premises, but including those establishments that provide only take-out or delivery service.

b. Use-Specific Standards

- i. Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.
- ii. Any restaurant with drive-through service shall comply with the “drive-through service” accessory use standards in section 21.05.070D.6.

F. Office

This category includes activities that generally focus on providing business or professional services. Accessory uses may include storage areas, cafeterias, parking, or other amenities primarily for the use of employees in the firm or building. Specific use types include:

1. Broadcasting Facility

a. Definition

An establishment engaged in the broadcasting of audio, television, or movie productions and associated activities.

2. Financial Institution

a. Definition

Establishments that provide retail banking, mortgage lending, and/or financial services to individuals and businesses. Accessory uses may include automatic teller machines, offices, and parking. Financial institutions may or may not have drive-through service depending on the zoning district in which they are located; see section 21.05.070, *Accessory Uses and Structures*.

b. Use-Specific Standards

- i. Financial institutions are permitted in the B-1A, B-1B, I-1 and I-2 districts only if they are providing primarily retail services to walk-in customers, rather than primarily office and support services with few walk-in customers.
- ii. Financial institutions in the I-1 and I-2 districts shall have a maximum gross floor area of 5,000 square feet.

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- 1 iii. Any financial institution with drive-through service shall comply with the
2 "drive-through service" accessory use standards in subsection
3 21.05.070D.6.

4 3. **Office, Business or Professional**

5 a. **Definition**

6 An establishment that provides executive, management, administrative, or
7 professional services, but not involving the sale of merchandise, except as
8 incidental to a permitted use. Typical examples include real estate, insurance,
9 property management, investment, employment, travel, advertising, law,
10 architecture, design, engineering, accounting, call centers, and similar offices.
11 Government offices are classified under "governmental administration and civic
12 facility" above.

13 b. **Use-Specific Standards**

- 14 i. Business or professional office uses in the PLI district shall comply with
15 one of the following:

16 (A) The use shall be an administrative office of a charitable or similar
17 quasi-public organization of a noncommercial nature;

18 (B) The use shall be primarily engaged in directly serving the
19 function of a community use permitted in the district; or

20 (C) The use shall be accessory to a use permitted in the district, and
21 comprise no more than one-third of the gross floor area on the
22 site, unless a greater percentage is approved by the director.

- 23 ii. Business or professional office uses in the I-1 and I-2 districts shall
24 comply with the limitations that follow, except as provided in ii.(D).:

25 (A) The building or portion of the building containing the use shall
26 not exceed 50 feet in height.

27 (B) If business or professional office uses occupy more than 20,000
28 sf of gross floor area (gfa), they shall comprise no more than 50
29 percent of the total gfa on the site.

30 (C) In the I-2 district, the use shall be directly associated with and
31 support the function of another use permitted in the district.

32 (D) The section is not applicable to the following:

33 (1) Business or professional office uses existing as of
34 January 1, 2014;

35 (2) New business or professional office uses that occupy
36 floor area previously legally occupied by a government
37 administration and civic facility use, or another use in the
38 office or health services category;

39 (3) Enlargements of (D).(1). or (D).(2). that increase their
40 gfa by no more than 25 percent; and

41 (4) Business or professional office uses in a BIP-PUD.

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G. Personal Services, Repair, and Rental

This category includes establishments engaged in the provision of information, instruction, personal improvement, personal care, repair, lease, or rent of new or used products, or similar services. Accessory uses may include offices, storage of goods, manufacture, or repackaging of goods for on-site sale, and parking. Specific use types include:

1. Business Service Establishment

a. Definition

An establishment that, for consideration, provides other businesses with advertising, leased or rented equipment, maintenance, security, management, consulting or technical aid, or copying services.

2. Funeral/Mortuary Services

a. Definition

An establishment providing services involving the display of the deceased, preparation of the deceased for burial, and rituals connected therewith before burial or cremation. Cremation services are a separate use.

3. General Personal Services

a. Definition

An establishment, whether for consideration or not, that provides care, advice, aid, maintenance, repair, treatment, or similar semi-technical, technical, or experienced assistance, other than the practice of a profession and wholesale or retail sale of goods. Examples include, but are not limited to: dry-cleaning drop-off; photography studios; check cashing; shoe repair; beauty and barber shops; locksmith; repair of household appliances; and tanning salons. This use excludes maintenance and repair of vehicles and industrial equipment or machinery.

4. Small Equipment Rental

a. Definition

The commercial rental of supplies and equipment primarily intended for personal or household use, such as furniture, and minor residential gardening and construction projects, but not including car or truck rentals, or rentals of smaller motor vehicles not for home care such as motorcycles or snowmobiles. This use does not include the rental, storage, or maintenance of large construction or other commercial heavy equipment, which are classified under "industrial service."

H. Retail Sales

This category includes retail establishments involved in the sale of new or used products to the general public. Accessory uses may include offices, parking, storage of goods, assembly, repackaging, and repair of goods for on-site sale. Specific use types include:

1. Auction House

a. Definition

A structure or enclosure where goods are sold by auction.

2. Building Materials Store

a. Definition

An establishment primarily engaged in the sale, distribution, and associated storage of lumber and other building materials such as brick, tile, cement, insulation, roofing materials, and other improvement materials and associated

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tools; and/or the sale and service of plumbing, heating, and/or electrical equipment.

3. Convenience Store

a. *Definition*

An establishment engaged primarily in the sale of convenience goods, such as pre-packaged food items, tobacco, over-the-counter drugs, periodicals, and other household goods.

b. *Use-Specific Standards*

i. Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

ii. In the R-4, R-4A, and B-1A districts, a convenience store shall not sell alcoholic beverages.

4. Farmers Market

a. *Definition*

An occasional, periodic, or seasonal market for offering for sale fresh agricultural, fresh food, or arts and crafts products directly to the consumer at an open-air market, covered structure with multiple stalls, or other pre-designated area, where the vendors are generally individuals who have raised the produce or made the product, or have taken the same on consignment for retail sale.

5. Fueling Station

a. *Definition*

An establishment engaged in the retail dispensing or sale of gasoline or other vehicular fuel products. This use definition does not include convenience store or vehicle service and repair uses.

6. Furniture and Home Appliance Store

a. *Definition*

An establishment engaged primarily in the sale of large household items, such as furniture, mattresses, carpets and flooring, and home appliances, in which a majority of the merchandise occupies large amounts of store floor area and is generally too large or heavy for an individual consumer to carry alone.

7. General Retail

a. *Definition*

An establishment engaged primarily in the retail sale of goods or merchandise, and rendering services incidental to the sale of such goods. Examples may include, but are not limited to: general merchandise retailers; warehouse and club retailers; superstores; discount stores; catalog showrooms; and specialty retail stores specializing in such goods as clothing, home décor, paint, sporting goods, books, stationary, music, video rentals, or flowers.

b. *Use-Specific Standards*

i. Any general retail use with drive-through service shall comply with the "drive-through service" accessory use standards in subsection 21.05.070D.6.

ii. General retail establishments in the I-1 district shall have a maximum gross floor area of 20,000 square feet.

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8. Grocery or Food Store

a. *Definition*

An establishment primarily engaged in the retail sale of food and/or beverages primarily to be consumed outside of the retail establishment's premises. Examples include, but are not limited to: supermarkets, grocery stores, delicatessens, specialty food shops, and bakeries. Take-out and delivery establishments are classified under "restaurant".

b. *Use-Specific Standards*

- i. Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.
- ii. Grocery or food stores in the I-1 district shall have a maximum gross floor area of 20,000 square feet.

9. Liquor Store

a. *Definition*

An establishment that is primarily engaged in selling alcoholic beverages for consumption off the premises.

b. *Use-Specific Standard*

Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

10. Pawnshop

a. *Definition*

An establishment that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.

I. Vehicles and Equipment

This category includes a broad range of uses for the sale, rental, and/or repair and maintenance of motor vehicles and related equipment. Large parking lots and outdoor storage areas may be included with these uses. Accessory uses may include incidental repair and storage, offices, and sales of parts and/or tires. Specific use types include:

1. Aircraft and Marine Vessel Sales

a. *Definition*

An establishment primarily engaged in the display and sale of aircraft and/or marine vessels as well as associated parts and supplies.

2. Parking Lot, Principal Use

a. *Definition*

An off-street, surface parking lot where motor vehicles are parked for not more than 72 consecutive hours, and the lot is not required parking for another use.

b. *Use-Specific Standard*

Principal use parking lots shall be designed in accordance with subsection 21.07.090H., *Parking and Loading Facility Design Standards*, and landscaped in accordance with subsection 21.07.080E.2., *Parking Lot Landscaping Requirements*.

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3. Parking Structure, Principal Use

a. *Definition*

A parking structure with two or more levels or stories where motor vehicles are parked for not more than 72 consecutive hours, and the spaces are not required parking for another use. The parking structure may be above and/or below grade, and the levels may be partially or fully enclosed. A parking structure may occupy a portion of a building which also includes commercial space, such as offices or retail on the ground floor.

b. *Use-Specific Standard*

Parking structures shall comply with the requirements of subsection 21.07.090M.

4. Vehicle Parts and Supplies

a. *Definition*

The display and sale of new, reconditioned, or rebuilt parts, supplies, or equipment for automobiles, motorcycles, trucks, vans, trailers, recreational vehicles, mobile homes, or snowmobiles.

b. *Use-Specific Standard*

No dismantling or wrecking of vehicles or machinery may occur on site. Uses that include dismantling and wreckage are classified by this title as “junkyards.”

5. Vehicle-Large, Sales and Rental

a. *Definition*

An establishment engaged in the display, sale, leasing, or rental of new or used motor vehicles. Vehicles include, but are not limited to, automobiles, light trucks, vans, trailers, recreational vehicles, and mobile homes.

b. *Use-Specific Standards*

i. This use may include the uses “vehicle service and repair, major” and “vehicle service and repair, minor”, and repair of the vehicle inventory with a gross vehicular weight rating over 12,000 lbs, in accordance with subsection b.ii. below, is also allowed.

ii. At any given time, no more than five percent of the vehicle inventory on the lot, not including Class A and C recreational vehicles, shall have a gross vehicular weight rating (GVWR) of more than 12,000 lbs.

6. Vehicle-Small, Sales and Rental

a. *Definition*

An establishment engaged in the display, sale, leasing, or rental of small motor vehicles. Vehicles include, but are not limited to: motorcycles, personal watercraft (jet skis), utility trailers, snowmobiles, and all-terrain vehicles (ATVs).

b. *Use-Specific Standard*

This use may include the uses “vehicle service and repair, major” and “vehicle service and repair, minor”.

7. Vehicle Service and Repair, Major

a. *Definition*

An establishment engaged in the major repair and maintenance of automobiles, motorcycles, trucks, vans, trailers, recreational vehicles, or snowmobiles. Vehicles served by this type of establishment, except for recreational vehicles, shall have a gross vehicular weight rating (GVWR) of no more than 12,000 lbs. Services include all activities listed in “vehicle service and repair, minor”, as well

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as engine, transmission, or differential repair or replacement; body, fender, or upholstery work; and painting.

b. Use-Specific Standards

i. Vehicle service bays facing a rear or side setback shall be screened from adjacent residential properties by a screening fence of at least six feet in height. Required landscaping shall be between the fence and the property line.

ii. Noise generating equipment shall meet the noise control standards of AMC section 15.70.

8. Vehicle Service and Repair, Minor

a. Definition

An establishment engaged in light maintenance activities such as engine tune-ups; oil change and lubrication; carburetor cleaning; muffler replacement; brake repair; car washing; tire shops; and detailing and polishing. Vehicle parts are sold and are ordinarily installed on the premises. Vehicles served by this type of establishment, except for recreational vehicles, shall have a gross vehicular weight rating (GVWR) of no more than 12,000 lbs.

b. Use-Specific Standards for Carwash Bays and Vehicle Repair Bays

i. Vehicle wash or service bays facing a rear or side setback shall be screened from adjacent residential properties by a screening fence of at least six feet in height. Required landscaping shall be between the fence and the property line.

ii. Noise generating equipment shall meet the noise control standards of AMC section 15.70.

J. Visitor Accommodations

This category includes visitor-serving facilities that provide temporary lodging in guest rooms or guest units, for compensation, and with an average length of stay of less than 30 days. Accessory uses may include pools and other recreational facilities for the exclusive use of guests, limited storage, restaurants, bars, meeting facilities, and offices. Specific use types include:

1. Camper Park

a. Definition

A lot or parcel of land, or portion thereof, temporarily occupied or intended for temporary occupancy by recreational vehicles or tents for travel, recreational, or vacation usage for short periods of stay, and containing a potable water source and washroom facilities. These establishments may provide laundry rooms, recreation halls, and playgrounds. These uses are not intended for vehicle storage.

b. Use-Specific Standards

i. Location and Access

No entrance to, or exit from, a camper park shall be through a residential district or shall provide access to any street other than a collector or street of greater capacity.

ii. Occupancy and Length of Stay

Spaces in camper parks may be used by campers, recreational vehicles, equivalent facilities constructed on automobiles, tents, or short-term

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housing or shelter arrangements or devices. The occupants of such space shall remain in that space a period not to exceed 30 days.

2. Extended-Stay Lodgings

a. *Definition*

A visitor lodging establishment with six or more guest rooms offering suites with kitchens, business traveler communications conveniences, and intended primarily for periods of stay of one week or more. This does not include bed-and-breakfasts, which are classified as an accessory use under section 21.05.070.

b. *Use-Specific Standards*

i. A kitchen area shall be provided in all **guest rooms** [UNITS].

ii. The facility shall provide a lobby area with a minimum of 750 square feet.

iii. In the R-4 district, extended-stay lodgings shall have a minimum lot size of 14,000 square feet and shall have principal access from a street of collector class or greater.

3. Hostel

a. *Definition*

An overnight lodging facility in which beds (pillows), rather than rooms, are rented. Sleeping accommodations are primarily dormitory-style and shared kitchen facilities may be available to the guests.

b. *Use-Specific Standards*

i. Hostels in the R-2M shall contain no more than 20 pillows. Hostels in the R-3, R-4, and R-4A shall contain no more than 40 pillows.

ii. Hostels in residential zones require an administrative permit pursuant to subsection 21.03.030.

4. Hotel/Motel

a. *Definition*

Any building containing 20 or more guestrooms, rented for compensation by the day or week, and offered for use by the general public in conjunction with subordinate services and facilities, such as restaurants and meeting rooms. Meeting facilities designed to accommodate 1,500 or more persons shall constitute a separate principal use and be classified as "civic/convention center" under this title.

b. *Use-Specific Standards*

i. Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

ii. Establishments in the R-4 and R-4A districts shall have all their guestrooms accessible by means of interior corridors.

iii. Establishments whose rooms are individually accessible from the outdoors shall have frontage on a major arterial or street of greater classification.

iv. In the R-4 district, hotels shall have a minimum lot size of 14,000 square feet and shall have principal access from a street of collector class or greater.

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5. Inn

a. *Definition*

A building or group of buildings containing between six and 19 guest rooms, or up to 60 pillows, for overnight lodging for compensation, where at least one meal per day may be provided to the guests, there is a central meeting room or lounge available to all of the guests, and there are no shared kitchen facilities.

b. *Use-Specific Standards*

i. Any use that involves the retail sale of alcohol is subject to the special land use permit for alcohol process; see section 21.05.020A.

ii. Inns in the R-4A district shall be subject to the multifamily building design standards in section 21.07.110C., and the multi-family building parking standards in section 21.07.090. In the R-4A district, inns shall adhere to the maximum floor area ratio permitted for multi-family dwellings.

6. Recreational and Vacation Camp

a. *Definition*

An overnight recreational camp, such as a children's camp, family vacation camp, or outdoor retreat. These establishments provide accommodation facilities, such as cabins and fixed camp sites, and incidental recreational and educational facilities.

21.05.060 INDUSTRIAL USES: DEFINITIONS AND USE-SPECIFIC STANDARDS

This section defines the general industrial use categories and specific industrial use types listed in table 21.05-1. This section also contains use-specific standards that apply to specific use types. The use-specific standards apply regardless of whether the use type is permitted as a matter of right, subject to a site plan review process, or subject to the conditional use process.

A. Industrial Service

This category includes establishments engaged in the repair or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Accessory activities may include retail sales, offices, parking, and storage. Specific use types include:

1. Contractor and Special Trades, Light

a. *Definition*

An establishment primarily engaged in providing general contracting and/or building construction services for residential, commercial, or industrial uses, and which typically does not involve outdoor storage of equipment or materials, and services are performed off-site. Examples include: general building contractors; plumbing, HVAC, electrical, masonry, carpentry, flooring, roofing, siding, or glass contractors; installing or repairing building equipment. This use excludes excavation, structural steel, well-drilling, street improvement, and similar heavy construction contractors. Contractors and special trades shall be categorized in the office, business and professional use if equipment and materials are not stored at the site, and fabrication or similar work is not carried on at the site.

b. *Use-Specific Standards*

This use is subject to the following limitations in the B-3 district, to ensure compatibility with the commercial area, and to limit potential impacts on residential and commercial uses.

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- i. The development shall comply with subsections 21.04.030G.7.a. and 7.b. regarding building placement and orientation [THE COMMERCIAL DESIGN STANDARDS OF SECTION 21.07.120, INCLUDING THE WINDOWS AND ENTRANCES FEATURE FOR BUILDING ORIENTATION].
- ii. Individual uses are limited to no more than 5,000 square feet of gross floor area by administrative site plan review. Individual uses of up to 20,000 square feet may be proposed through a conditional use review. Conditions of approval shall include a determination by the planning and zoning commission that the proposed size, site plan, and/or location is appropriate relative to designated commercial centers, transit corridors, and similar policy areas identified in the comprehensive plan.
- iii. The use shall be operated within a completely enclosed building, except for parking and loading. Outdoor display or storage of objects or materials is prohibited.
- iv. Vehicles with a GVWR of more than 12,000 lbs shall not remain on the premises except as necessary to load and discharge contents.

2. Data Processing Facility

a. **Definition**

An establishment where electronic data is processed by employees, including, without limitation, data entry, storage, conversion, or analysis; and subscription and credit card transaction processing.

3. Dry-Cleaning Establishment

a. **Definition**

An establishment maintained for on-site laundry and/or dry cleaning, including the use of a perchlorethylene process or similar nonflammable, non-aqueous solvent, of fabrics, textiles, wearing apparel, or articles of any sort, and also including related maintenance or operation of equipment and machinery.

4. General Industrial Service

a. **Definition**

Establishments engaged in the repair or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Examples include: welding shops; machine shops; tool repair; electric motor repair; repair of heavy machinery; heavy truck servicing and repair; aircraft servicing and repair; tire retreading or recapping; exterminators; and vending machine sales and service. Accessory activities may include retail sales, offices, parking, and storage.

b. **Use-Specific Standard**

L2 buffer landscaping is required where adjacent to residential zones.

5. Governmental Service

a. **Definition**

A facility housing government shops, maintenance and repair centers, and/or equipment storage. Accessory activities may include supporting administrative offices.

b. **Use-Specific Standard**

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If the specific development is similar to a heavy industrial use, L3 screening landscaping is required where adjacent to residential zones. Otherwise, L2 buffer landscaping is required where adjacent to residential zones.

6. Heavy Equipment Sales and Rental

a. Definition

An establishment engaged in the display, sale, leasing, or rental of construction equipment and other heavy equipment, including all heavy equipment of 12,000 or more pounds gross vehicular weight (GVW). This category does not include recreational vehicles or larger trucks that typically are sold at automobile dealerships; such vehicles are covered by "vehicle-large, sales and rental" above.

7. Research Laboratory

a. Definition

A facility that is designed or equipped for basic or applied research or experimental study, testing, or analysis in the natural sciences or engineering, including any educational activities associated with and accessory to such research, and including research and analysis facilities operated by public agencies and designed to assure public health and safety. The use does not include facilities for the manufacture or sale of products except as incidental to the main purpose of the laboratory.

B. Manufacturing and Production

This category includes industrial establishments involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, synthetic, raw, secondary, or partially completed materials may be used in the manufacturing process. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Such uses may include industries furnishing labor in the case of the refinishing of manufactured articles. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of total sales. Accessory activities may include limited retail sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, and caretaker's quarters. Specific uses types include:

1. Commercial Food Production

a. Definition

An establishment processing and/or producing food for human consumption, including facilities engaged in providing food and/or food services for institutional, governmental, commercial, industrial, and other locations of other businesses; as well as facilities that process meat, game, and seafood. Examples include airline food services and catering companies that prepare food for consumption at an off-premise customer site.

2. Cottage Crafts

a. Definition

An establishment engaged in small-scale assembly of completely hand-fabricated parts, or arts-and-crafts production by hand manufacturing of custom or craft goods. Goods are predominantly manufactured only involving the use of hand tools and domestic-scale mechanical equipment. Examples include, but are not limited to: candle making, artisan woodworking, art studio/gallery, artisan pottery, fabric making, jewelry production, glass work, and the like. Cottage crafts are less intensive than, and do not have the off-site impacts often associated with, general industrial uses.

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b. **Use-Specific Standards**

i. *Production and Sale of Cottage Crafts*

Cottage crafts may only be produced within a wholly-enclosed permanent structure. Cottage crafts production may occupy up to 1,500 square feet of gross building area, and may include up to an additional 300 square feet gross building area on the same lot devoted to the display and retail sale of the crafts produced. The retail/display area shall be located on the ground floor and in the front part of the building facing the primary street on which the lot is located.

ii. *Prohibitions*

(A) The outdoor storage of materials related to the production and sale of cottage crafts is prohibited in non-industrially-zoned districts.

(B) The use of equipment, materials, or processes that create hazards, noise, vibration, glare, fumes, or odors detectable to the normal senses off-site is prohibited.

3. **Manufacturing, General**

a. **Definition**

An establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing. This use includes additive (three-dimensional printing) manufacturing. This use does not produce or utilize toxic, hazardous, or explosive materials in large quantities as part of the manufacturing process. Examples include, but are not limited to: airplane, automobile, or truck assembly; repair of railroad equipment; beverage manufacture and brewery; boatbuilding; cabinet shops; machine or blacksmith shops; metalworking or welding shops; paint shops; processing and/or dressing of skins; and printing, publishing, and lithography.

b. **Use-Specific Standard**

L2 buffer landscaping with an 8-foot screening fence is required where adjacent to residential zones.

4. **Manufacturing, Heavy**

a. **Definition**

An establishment engaged in the manufacture or compounding process of raw materials. Such activities may involve the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. Examples include, but are not limited to: refining or initial processing of raw materials; rolling, drawing, or extruding of metals; asphalt batching plants, hot-mix plants, and RAP storage and processing; sawmills; manufacture or packaging of cement products, feed, fertilizer, flour, glue, paint, petroleum products, soap, turpentine, varnish, charcoal, or distilled products, or similar industrial uses; steel fabrication shops or yards; and manufacture, service, or repair of railroad equipment.

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b. Use-Specific Standard

L3 screening landscaping is required where adjacent to residential zones.

5. Manufacturing, Light

a. Definition

A general manufacturing establishment that, because of the nature of its equipment, operations, processes, materials, and products, has little or no potential of creating noise, vibration, dust, smoke, fumes, odor, glare, or other environmental impacts on surrounding properties or uses. The scale and intensity of operations are limited by bulk controls and other use-specific standards such that it may be compatible in some commercial areas. This use may include production, assembly, finishing, or packaging of articles from parts made at another location, such as assembly of electrical appliances or medical equipment. It includes additive (three-dimensional printing) manufacturing. It may also include production of finished household and office goods, such as furniture, clothing, or tents, from materials that are already refined, or from raw materials that do not need refining, such as paper, fabric, or pre-milled wood; or wool, clay, fiber, or similar materials.

b. Use-Specific Standards

Light manufacturing is subject to the following limitations in the B-3 district to ensure compatibility and protect commercial and residential property.

i. This use shall comply with the use-specific standards set for in subsection 21.05.060A.1. for contractor and special trades, light.

ii. Building areas used as part of the manufacturing process or related storage or distribution shall have a building height of no more than 35 feet.

iii. When a new establishment is proposed, or when an existing establishment is proposed to be expanded, advance documentation that the establishment will conform to the operation standards of section 21.07.140 and the regulations of title 15 for noise, odor, and airborne emissions shall be required prior to issuance of the land use permit. The documentation shall include an evaluation and explanation certified by a registered engineer or architect, as appropriate, that the proposed activity can achieve the off-site noise, odor, and airborne emissions standards of the municipality. Such evaluation shall describe the measures to be taken by the applicant to meet the standards. Such measures may include, for example, the provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setbacks, and use of specific construction techniques, operations, equipment, or building materials. The decision-making body shall determine the appropriate measures to be taken by the applicant to significantly reduce potential odor, dust, and airborne pollutant emissions. The measures to be taken shall be indicated on the plans as conditions of approval. After a permit has been issued, any measures that were required by the permit to limit noise shall be maintained.

6. Natural Resource Extraction, Organic and Inorganic

a. Definition

The development or extraction of organic and/or inorganic material from its natural occurrences on affected land. This use includes placer mining operations in which rock byproduct is removed from the premises. This use also includes

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commercial or industrial operations involving removal of timber, native vegetation, peat, muck, topsoil, fill, sand, gravel, rock, or any other mineral, and other operations having similar characteristics. This use includes only operations of a scale involving 50,000 cubic yards or more of material. Site preparation as part of the development of a subdivision under a subdivision agreement is not included.

b. Use-Specific Standards (also apply to “Natural Resource Extraction, Placer Mining”)

The following general standards apply in all districts:

i. Limit on Site Size

Except for placer mining, general natural resource extraction is allowed only on sites of five acres or more.

ii. Water Discharge Permit

Placer mining operations are subject to a wastewater discharge permit issued by the state department of environmental conservation.

iii. Use and Handling of Explosives

In addition to the requirements of the fire code, the following shall govern the storage, handling, and use of explosive materials:

(A) In addition to the submittal requirements for a conditional use approval, a blasting plan and a safety plan shall be submitted.

(B) Blasting shall be conducted during daylight hours within the operating hours established by the planning and zoning commission.

(C) The handling and firing of explosives shall be performed only by the individual possessing a valid explosives certificate issued by the fire marshal.

(D) Whenever a new storage or magazine site is established the Anchorage police department, Anchorage fire department and the emergency operations center shall be notified.

(E) Quantities of explosives shall be determined by the fire code at AMC title 23.

(F) Blasting operations shall be performed in accordance with the instructions of the manufacturer of the explosive materials being used.

(G) Rock fall mitigation methods may be required. When blasting is done in close proximity to a structure, railway, highway, or any other installation, precautions shall be taken to minimize earth vibrations and air blast effects. Blasting mats or other protective means shall be used to prevent fragments from being thrown.

(H) Property owners within 1,000 feet of the site shall be notified at least 24 hours in advance of blasting. Verbal notices shall be confirmed with written notice.

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- (I) All areas subject to blasting operations shall be fenced in a manner to secure the site and to prevent unauthorized access to the site.
- (J) Notice of blasting operations shall be posted at all entrances to the site and on security fencing in areas subject to blasting operations. Posting shall occur at least 24 hours in advance of blasting.
- (K) When blasting is being conducted in the vicinity of utilities (gas, water, electric, fire alarm, or telephone), the blaster shall notify the appropriate representatives of the agencies at least 24 hours in advance of blasting. Verbal notices shall be confirmed with written notice.
- (L) Before a blast is fired, the individual in charge shall make certain that all surplus explosives are in a safe place, all persons and vehicles are at a safe distance or under sufficient cover and a loud warning signal has been sounded.
- (M) The operator of the site shall be responsible for all damages to persons or property which arise from, or are caused by the blasting operations.
- iv. *Screening*
At a minimum, L3 screening landscaping is required where adjacent to residential zones. The planning and zoning commission, through the conditional use review, may require additional screening.
- v. *Required Submittals*
In addition to the general submittal requirements applicable to all site plans specified in the title 21 user's guide, additional submittal requirements are specified in that guide for natural resource extraction. The site plan shall be subject to review and approval of the department of public works for drainage, erosion, and sedimentation control; for conformance with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit and other applicable EPA guidelines; and for compliance with generally accepted sound engineering principles.
- vi. *Standards for Approval*
In addition to the conditional use standards of approval at 21.03.080D., the planning and zoning commission may approve a natural resource extraction conditional use only if the commission finds that the use also meets the following standards:
- (A) Principal access to the site shall minimize the use of residential streets, and access roads shall be treated in a manner to make them dust free. Where access roads intersect collectors or arterials, suitable traffic controls shall be established.
- (B) The extraction operations will not pose a hazard to the public health and safety.

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(C) The extraction operations will not generate noise, dust, surface water runoff or traffic that will unduly interfere with surrounding land uses.

(D) The restoration plan for the site ensures that, after extraction operations cease, the site will be left in a safe, stable, and aesthetically acceptable condition. The site shall either be restored generally to its pre-excavation contours, or as appropriate for the future use of the land.

(E) The proposed use meets such additional standards for natural resource extraction conditional uses as the director may establish by regulation pursuant to AMC chapter 3.40.

7. Natural Resource Extraction, Placer Mining

a. Definition

Natural resource extraction by means of the placer mining method that does not involve the removal of any natural resources other than small quantities of precious metals, such as gold, silver, and platinum, from the premises. Rock byproduct is not removed from the premises.

b. Use-Specific Standard

Placer mining shall comply with the use-specific standards set forth above for "natural resource extraction, organic and inorganic."

C. Marine Facility

This category includes a mix of commercial and light or general industrial manufacturing, processing, storage, wholesale, and distribution operations that are water-dependent or water-related. Water-dependent uses are generally permitted, while water-related uses are generally conditional uses. Specific use types include:

1. Aquaculture

a. Definition

An establishment engaged in the hatching, raising, and breeding of fish or other aquatic plants or animals for sale.

2. Facility for Combined Marine and General Construction

a. Definition

An establishment engaged in the manufacture, construction, and repair of marine and non-marine related products.

3. Marine Operations

a. Definition

Establishments engaged in light or general industrial manufacturing, processing, or storage operations, that are water-dependent and water-related. Examples include, but are not limited to: cargo handling facilities, including docking, loading, and related storage; fabrication, storage, and repair of fishing equipment; facilities for marine construction and salvage; facilities for marine pollution control, petrochemical cleanup, and servicing of marine sanitation devices; facilities for processing of products harvested from the ocean; facilities for manufacturing ice; marine industrial welding and fabricating; seafood packaging, packing, storage, loading, and distribution facilities; shipbuilding and facilities for construction, maintenance, and repair of vessels; marine repair yards, boat fabrication, boat storage, and marine machine shops; marine transport services, including ferries, public landings and boat launches,

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commercial vessel berthing, excursion services, hovercraft, and boat rentals; recreational and commercial fishing and boating activities; tugboat, fireboat, pilot boat; coast guard, and similar services; uses that provide pedestrian access to the waterfront; wharves, docks, ramps, and piers; marine police, harbormaster, and other marine enforcement agencies; harbor and marine supplies and services, and ship supply, such as fueling and bunkering of vessels; and aids to navigation.

4. Marine Wholesaling

a. Definition

Establishments engaged in wholesale and distribution operations of marine-related products.

D. Warehouse and Storage

This category includes uses involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Accessory uses may include offices, limited retail sales, truck fleet parking, and maintenance areas. Specific use types include:

1. Bulk Storage of Hazardous Materials

a. Definition

An establishment primarily engaged in the bulk storage and/or distribution of hazardous materials, including liquefied fuel such as petroleum gas, for wholesale sale. "Hazardous materials" is defined at AMC 16.110.020.

b. Use-Specific Standard

Any new facilities for the storage and/or dispersion of hazardous materials, or expansion of existing facilities for the storage and/or dispersing of hazardous materials, shall occur at least 1,000 feet from a residential district, school, hospital, or park.

2. Impound Yard

a. Definition

An area used for the storage of vehicles seized for any reason, including but not limited to traffic accidents, improper parking, and abandonment. No dismantling or disassembly of vehicles is permitted in an impound yard. The vehicle so stored may be sold from the impound yard by auction or otherwise, in accordance with state law.

b. Use-Specific Standard

Impound yards shall comply with the use-specific standards set forth for "storage yard" below.

3. Motor Freight Terminal

a. Definition

A facility for freight pick-up, distribution, and storage. This may include intermodal distribution facilities for truck or shipping transport.

b. Use-Specific Standards

i. Loading, parking, and maneuvering space shall be entirely on private property, which includes private leasehold of public property.

ii. There shall be a 200 foot buffer zone between the motor freight terminal operations and property zoned residential. No motor freight trucks,

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trailers (including those with refrigeration or heating units), or other motorized equipment such as fork lifts may be maneuvered, parked, or operated, nor any associated warehouses be located within 200 feet of residentially zoned property. The buffer zone may be used for employee parking, for landscaping, including a required L3 screening landscape buffer, and similar uses that do not create noise. The buffer zone shall be posted or marked in such a manner so as to clearly delineate the areas where operations are permitted.

iii. A motor freight terminal which abuts or is directly across a street or alley from residentially zoned property shall have L3 screening landscaping on the boundary of the abutting property, street, or alley.

iv. A motor freight terminal that is separated from property zoned residential by the Alaska Railroad main line corridor, or a freeway or expressway as classified on the *Official Streets and Highways Plan* is not subject to the provisions of subsections b.ii. and b.iii. above.

4. Self-Storage Facility

a. Definition

A completely enclosed structure(s) containing three or more areas or rooms available for lease or rent for the purpose of the general storage of household goods and business or personal property, where the lessee of the unit is provided direct access to deposit or store items. Also known as a "ministorage facility." A self-storage facility may have associated outdoor vehicle storage, but a stand-alone vehicle storage establishment is classified under "storage yard".

b. Use-Specific Standards

The standards below are applicable to self-storage facilities in all districts.

i. Size of Site

The self-storage site shall contain no less than one-half acre and no more than ten acres.

ii. Traffic Access and Curb Cuts

The site shall have direct driveway access from a street constructed to appropriate municipal standards as described in chapter 21.08. Location, number, and width of curb cuts shall be subject to the approval of the traffic engineer or the state department of transportation and public facilities.

iii. Dimensional Standards

Notwithstanding the general dimensional standards in chapter 21.06, the following specific standards apply:

(A) Maximum Lot Coverage By All Buildings

75 percent in industrial districts; 50 percent in all other districts.

(B) Maximum Height of Structures

35 feet. Structures over 35 feet in height shall require conditional use approval.

iv. Paving and Drainage

(A) All parking lots and driveways, interior aisles, and walkways shall be paved to municipal standards. In class B areas, the areas may be graveled with D-1.

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(B) Provisions shall be made to prevent any contamination of the domestic water supply or to prevent excessive or contaminated surface runoff from the site onto adjacent lands or streams. Drainage flow patterns shall be shown on the site plan or a separate approved map. Drainage shall comply with section 21.07.040.

v. *Permitted Accessory Uses*

The facility may provide two on-site dwelling units for use by an on-site caretaker, manager, or owner of the site.

vi. *Storage of Hazardous Substances*

The storage of explosives, radioactive materials, or any other hazardous chemicals, or flammable materials as defined by municipal code, is prohibited.

vii. *Prohibited Uses Within Storage Units*

Except for work performed ancillary to the operation of the self-storage facility, the following uses are prohibited from occurring within a self-storage facility or vehicle storage rental unit or space:

(A) The servicing, repair, or fabrication of vehicles, boats, trailers, lawn mowers, appliances, or any other equipment with the exception of battery or tire removal and replacement. These must be conducted in accordance with all federal, state, and local laws. All hazardous materials must be disposed of properly by the owner of the vehicle.

(B) The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.

(C) Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.

viii. *Fencing and Landscaping*

(A) Except as noted below, all site boundaries shall be fenced with a sight-obscuring fence structure at least eight feet high. No fencing shall be required on the portion of site boundaries where a structure, excluding containerized storage units, abuts either side of the lot line.

(B) The fence shall be constructed of concrete, solid wood, or chain link with a neutral color fabric screening or vinyl covering, and shall be approved by the department for compatibility with surrounding properties. The structure shall be maintained in a safe, sound, and orderly condition, and shall be kept free of any advertising matter other than signs permitted by this title. Only one foot of security wire, such as concertina, razor, or barbed wire, is permitted to be exposed and visible outside the fence.

(C) Where a self storage or vehicle storage facility abuts a commercially zoned district or a street of collector classification or greater on the *Official Streets and Highways Plan*, L1 visual enhancement landscaping shall be required external to the sight-obscuring fence. Where lot lines for these facilities abut a

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residential district, L2 buffer landscaping shall be required. No landscaping shall be required where a lot line abuts an industrial district, or on the portion of site boundaries where a structure, excluding containerized storage units, abuts either side of the lot line, unless otherwise required by this title.

ix. Vehicle Storage Yards

The yard may not be used to display or advertise any merchandise for sale, including vehicles. No salvaging, dismantling, or disassembly of vehicles is permitted in a vehicle storage yard.

x. Financial Guarantees

The department may require a financial guarantee to ensure installation of required landscaping, fencing, paving, or mitigation of any environmental impacts or contamination to the site or surrounding land in accordance with section 21.08.060, *Subdivision Agreements*.

xi. Existing Self Storage and Vehicle Storage Operations

Self-storage and vehicle storage operations existing on or before October 26, 2004 shall be deemed to have approved site plans and not be nonconforming uses or structures. Notwithstanding the provisions of chapter 21.12, *Nonconformities*, where self-storage and vehicle storage operations exist and have been in continuous existence since October 26, 2004, that use may continue provided the owner thereof complies with the following:

(A) Site Enhancement Plan Required

Any self-storage or vehicle storage operation existing prior to October 26, 2004 that does not comply with the requirements of this section related to sight-obscuring fencing, required landscaping external to said fencing, and elimination of security razor or concertina security wire at the top of a fence shall obtain approval by the director of, and agree to implement, a site enhancement plan for the property. This site enhancement plan shall be submitted to the director before April 26, 2014. The plan shall be fully implemented by October 26, 2014. The intent of this site enhancement plan is to bring the property as closely as reasonably possible into compliance with the above noted subsection without impeding existing operations.

(B) Contents of Site Enhancement Plan

The site enhancement plan shall include:

- (1) A graphic and legal description of the plan area.
- (2) Existing fencing and fencing types on the site.
- (3) Current vegetation external to perimeter fencing, if any.
- (4) Vehicular access points, including ingress and egress points, and queuing lanes.
- (5) Proposed modifications to bring the property into compliance with the intent of the standards of this section, but only for the following items: sight-obscuring fencing; required landscaping external to said fencing on

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any side of the property abutting a residential zoning district or an arterial, if the side is not otherwise obscured from view by other landscaping, naturally-vegetated areas, natural features, or buildings located on adjoining properties; and in all instances elimination of barbed, razor, concertina, or other security wire, unless the security wire is placed in accordance with other sections of this title.

- (6) It is the intent of this section that owners of existing facilities not be required to move existing fences or change existing operations.

(C) *Narrative Statement Required*

A narrative statement shall also be submitted with the site enhancement plan. The narrative shall be based on existing conditions and shall detail the following information:

- (1) The method of securing the area to prevent casual access.
- (2) A proposed schedule that specifies the date and methods by which the owner shall come into compliance with the intent of this section.
- (3) A description of current operations and uses that take place on the site.

(D) *Implementation of Approved Site Enhancement Plan*

The director shall set a reasonable period of time for implementation of the approved site enhancement plan, but in all cases the implementation shall be complete by October 26, 2014. Adequacy of the site enhancement plan shall be based on evidence presented by the owner, which may include the following:

- (1) The location and size of the property and the self-storage and/or vehicle storage use, including topography and related physical constraints of the site.
- (2) History of the use of the property as a self-storage and/or vehicle storage use, including information about the length of time it has existed as that use and any relevant permits or other official regulatory documents related to the use of the property as a self-storage and/or vehicle storage use.
- (3) A map of the subject property indicating the location of all parcels of real property within a distance of 300 feet from the exterior boundary of the subject property, showing the zoning district boundaries.
- (4) The compatibility of the operation with surrounding neighborhoods, and with prevention of noise, dust, safety hazards, traffic congestion, aesthetic deterioration, and other adverse environmental effects.

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(5) Any other information the property owner may wish to submit in order to make his or her case.

(E) *Decision by Director*

Upon receipt of a site enhancement plan pursuant to subsection xi.(A). above, the director shall make a determination within 60 days of submittal of the site enhancement plan. The decision of the director shall be in writing and sent by certified mail to the address listed in the owner's application.

(F) *Appeals*

A decision of the director is final unless appealed within 30 days of its receipt by the owner of the property. Appeal is to the zoning board of examiners and appeals. Only the applicant may appeal the decision of the director. An appeal from a decision of the zoning board of examiners and appeals may be brought in superior court.

5. **Storage Yard**

a. ***Definition***

Any lot or portion of a lot that is used for the sole purpose of the outdoor storage of fully operable motor vehicles; construction equipment; construction materials; sand, gravel, topsoil, or the like; or other tangible materials and equipment.

b. ***Use-Specific Standards (also apply to "Impound Yard" and "Junkyard")***

i. *Location of Site*

(A) L2 buffer landscaping with an 8-foot screening fence shall be planted along all lot lines where a storage yard or impound yard abuts any academic school, hospital, residential district, or government administration and civic facility.

(B) A junkyard shall not be located within 500 feet of any academic school, hospital, residential district, or government administration and civic facility.

ii. *Minimum Lot Size and Width for Junkyard*

Notwithstanding the general dimensional standards set forth in chapter 21.06, the minimum lot size for a junkyard shall be two acres. The minimum lot width shall be 150 feet.

iii. *Limits on Outdoor Storage*

Outdoor storage shall not exceed 35 feet in height. No outdoor storage shall occur within the required front or side setback as set forth in chapter 21.06.

iv. *Containerized Storage Units*

The following standards shall apply to the use of containerized storage units:

(A) A containerized storage unit shall be a factory-built shipping container.

(B) A containerized storage unit shall be subject to the requirements for any required permitting, as set forth in the Anchorage municipal code of ordinances.

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v. *Screening*

L3 screening landscaping is required where a junkyard is adjacent to residential districts.

vi. *Drainage; Protection of Water Supply*

Provisions shall be made to prevent any contamination of the domestic water supply or excessive surface runoff from the property into adjoining lands or streams. Failure to prevent such contamination of the domestic water supply or to prevent excessive surface runoff from the site onto adjoining lands or streams shall be cause for the conditional use to be rescinded and the junkyard to be removed at the cost of the owner of the land upon which it is located.

vii. *Existing Vehicle Storage Yards*

Storage yards in existence on October 26, 2004 and that fall under the definition of "vehicle storage yard", which means "the outdoor storage of vehicles (under 12,000 lbs. gross vehicle weight rating), boats, and recreational vehicles", may continue to exist pursuant to the requirements of subsection D.4.b.xi. above.

6. **Warehouse or Wholesale Establishment, General**

a. *Definition*

An establishment primarily engaged in the sale or distribution of goods and materials in large quantity to retailers or other businesses for resale to individual or business customers. Activities may include assembling, sorting, and grading goods into large lots and breaking bulk for redistribution into smaller lots. This use also includes warehouse storage and distribution of materials, goods, or property with no on-site wholesale business activity. This use shall not include heavy manufacturing, resource extraction, scrap operations, bulk storage of hazardous materials, or salvage operations.

b. *Use-Specific Standards*

i. L2 buffer landscaping is required where adjacent to residential districts.

ii. This use shall be limited in the PLI district to warehouse storage. Wholesale operations including the sale or distribution of goods and materials to retailers or other business customers are prohibited in the PLI district.

7. **Warehouse or Wholesale Establishment, Light**

a. *Definition*

A general warehouse or wholesale establishment whose activities of assembly, sorting, and grading goods into large lots and breaking bulk for redistribution into smaller lots are performed in such a way as to have minimal impact on surrounding properties. Operations with more than 33 percent of sales to retail customers shall be categorized as a retail sales use rather than as a warehouse or wholesale establishment.

b. *Use-Specific Standards*

i. This use shall be limited in the PLI district to warehouse storage. Wholesale operations including the sale or distribution of goods and materials to retailers or other business customers are prohibited in the PLI district.

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- ii.** Light warehouse or wholesale establishments are subject to the following limitations in the B-3 district to ensure compatibility and protect commercial and residential property.
- (A)** This use shall comply with the use-specific standards set forth in subsection 21.05.060A.1. for contractor and special trades, light.
 - (B)** Building areas used as part of the storage and distribution process shall have a building height of no more than 35 feet.
 - (C)** When a new establishment is proposed, or when an existing establishment is proposed to be expanded, advance documentation that the establishment will conform to the operational standards of section 21.07.140 and the noise regulations of title 15 may be required by the decision-making body prior to the issuance of the land use permit. The documentation shall include an evaluation and explanation certified by a registered engineer or architect, as appropriate, that the proposed activity can achieve the off-site noise standards of the municipality. Such evaluation shall describe the measures to be taken by the applicant to meet the standards. Such measures may include, for example, the provision of buffers, reduction in hours of operation, relocation of mechanical equipment, increased setbacks, and use of specialized construction techniques or building materials. The measures to be taken shall be indicated on the plans as conditions of approval. After a permit has been issued, any measures that were required by the permit to limit noise shall be maintained.

E. Waste and Salvage

This category includes uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location; uses that collect sanitary wastes; or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. Waste and salvage uses also include uses that receive hazardous wastes from others. Accessory uses may include recycling of materials, offices, and repackaging and shipment of by-products. Specific use types include:

1. Composting Facility

a. Definition

A facility where organic matter, including leaves, grass, manures, and non-meat, non-biosolids waste, amassed primarily from off-site, is processed by composting and/or processing for commercial purposes. Activities may include management, collection, transportation, staging, composting, curing, storage, marketing, or use of collected compost.

b. *Use-Specific Standards*

- i. Any composting storage area of a composting facility shall be set back at least 200 feet from any lot line abutting a residential district or any residential use (except a residential use occupied by the owner, operator, or any employee of such composting facility) that exists at the time of the establishment of the composting facility.
- ii. Composting facilities shall contain and treat on-site, all water run-off that comes into contact with the feedstocks or compost, in such manner that the run-off will not contaminate surface or ground water.

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- iii. Composting facilities shall not be located in any floodway.
- iv. No composting facility shall commence operation until a nuisance condition control plan, specifying all measures to be taken to control nuisance conditions (such as odor, noise, scattered solid waste, dust) has been approved by the director.

2. Hazardous Waste Treatment Facility

a. *Definition*

The processing of hazardous waste by means other than incineration, for the purposes of rendering the waste non-dangerous or less dangerous, safer for transport, amenable for storage, and/or able to be reused for energy production.

b. *Use-Specific Standard*

Hazardous waste treatment facilities shall be located at least 1,000 feet from any residential district.

3. Incinerator or Thermal Desorption Unit

a. *Definition*

i. *Incinerator*

An establishment that uses thermal combustion processes to destroy or alter the character or composition of medical waste, hazardous waste, sludge, soil, or municipal solid waste (not including animal or human remains). This definition does not include "rag burners" or oil heaters.

ii. *Thermal Desorption Unit*

A facility that removes volatile and semi-volatile contaminants from soils, sediments, slurries, and filter cakes using direct or indirect heat exchange. This definition does not include short-term (less than six months) on-site remediation operations.

iii. *Not Accessory Uses*

Incinerators and thermal desorption units that are accessory to other principal uses shall meet these use-specific standards.

b. *Use-Specific Standards*

i. *Separation Requirements from Residential Zoning Districts and Academic Schools*

No incinerator facility or thermal desorption unit shall be located less than 1315 feet from a residentially zoned district, a dedicated park, or an elementary, middle, or high school.

ii. *Standards for Incinerators*

(A) *Hazardous Waste Prohibited*

Incinerators covered under this section shall not accept any materials that meet the definition of hazardous waste as defined by the U.S. Environmental Protection Agency (EPA) of the state department of environmental conservation (ADEC).

(B) *Separation Distances between Incinerator Facilities*

Separation distances between incinerator facilities shall be as follows:

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TABLE 21.05-2: MINIMUM SEPARATION DISTANCES BETWEEN INCINERATOR FACILITIES

Rated Capacity (lbs./hour)	Distance from Nearest Emission Source (feet)			
	1315	2300	3280	3940
Under 500	X			
500--1,000		X		
1,001--1,500			X	
1,501--2,000				X
Facilities with unequal capacity: the largest capacity shall determine the minimum distance. Facilities with a rated capacity greater than 2,000 pounds per hour shall perform an analysis of the health risk pursuant to subsection iv.(B). below, and shall meet the standards of subsection iv.(A).(2). below.				

iii. Standards for Thermal Desorption Units (TDUs)

TDUs with a rated capacity of under 100 tons per hour shall be 1315 feet from the nearest emission source of another TDU. TDUs with a rated capacity of 100 tons per hour or more shall perform an analysis of the health risk pursuant to subsection iv.(B). below, and meet the standards of subsection iv.(A).(2). below.

iv. Standards for Both Incinerators and Thermal Desorption Units

(A) Distance Requirements

All new incinerator facilities shall be located at least 1315 feet from an existing TDU, and vice versa, unless one of the following two standards is met:

- (1)** It can be demonstrated that the combined percentage rated capacity of all incinerator facilities and thermal desorption units, existing and proposed, does not exceed 100. The combined percentage rated capacity shall be calculated as follows:

$$((I_1 + I_2 + \dots + I_N) / 500) + (T_1 + T_2 + \dots + T_N) / 100 \times 100 = C$$

Where $I_1 + I_2 + \dots + I_N$ is the sum of the rated capacities of all incinerator facilities, in pounds per hour, within 1315 feet of the proposed facility, and $T_1 + T_2 + \dots + T_N$ is the sum of the rated capacities of all thermal desorption units, in tons per hour, within 1315 feet of the proposed facility. The proposed incinerator facility or thermal desorption unit shall be included in the calculation of the combined percentage rated capacity; or

- (2)** It can be demonstrated, through an analysis of the health risk described in subsection iv.(B). below, that the combined risk of all incinerators and thermal desorption units operating within 1315 feet of the proposed facility will not pose a lifetime health risk greater than one excess cancer case per 100,000 for individuals living within adjacent residentially zoned areas or attending elementary, middle, or high schools.

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(B) *Analysis of Health Risk*

The intent of the analysis is to provide information regarding the health risks of persons living close to the proposed site. The municipality shall select a contractor to conduct the analysis and the cost will be billed to the petitioner. The analysis shall meet the following requirements:

- (1) The analysis shall utilize an EPA-approved dispersion model appropriate for the type of facility, and the given terrain, to estimate the ambient annual average concentration of contaminants from the facility. The model shall be run according to EPA modeling guidelines;
- (2) Models shall utilize a full year of local meteorological data (e.g., National Weather Service observations taken at the Anchorage International Airport). If several years worth of meteorological data are obtained, the year providing the highest ambient concentrations shall be used;
- (3) All emission factors used in conjunction with the model shall be documented. Acceptable emission factors may be obtained from either a source test conducted by the manufacturer of the same or similar model as the one proposed to be used or must reference a published report (e.g., an article in a peer review scientific journal or EPA publication);
- (4) The report shall describe the modeling results in terms of the annual concentration of each identified toxic compound at the boundary of the adjacent residential zoning districts as well as the location and magnitude of the maximum annual average concentrations found within each adjacent residential district; and
- (5) The report shall also describe the health risks attributable to these concentration levels based on the latest cancer risk values from the EPA's Integrated Risk Information System (IRIS) database. Cancer risks shall be based on the risk of one additional cancer above the background cancer rate per 100,000 individuals.

(C) *Standards for Facilities Not Meeting Separation Requirements*

The planning and zoning commission may approve a conditional use for an incinerator facility or thermal desorption unit that is less than 1315 feet from an existing facility, but meets the standards of either (A).(1). or (A).(2). above, only if the commission finds that the storage plan for the material to be burned and the waste generated by the incineration activity is adequate to prevent any runoff, groundwater contamination, airborne dust, or other means for contaminants to migrate off the site.

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- (D) *Additional Submittal Requirements for a Conditional use Permit*
In addition to standard materials required for all conditional use applications, all applicants for a conditional use for an incinerator facility or TDU shall submit the following information pertaining to the burning process:
- (1) A description of the operation, including equipment to be used.
 - (2) The type and quantity of material that will be processed.
 - (3) Operating hours and conditions.
 - (4) Plans for storing the material to be burned.
 - (5) A disposal plan for waste generated from the process.
 - (6) The location of points of vehicular access to the site and projected traffic counts for each.
 - (7) A description of the federal or state permitting process required for operation of the incinerator or TDU.
 - (8) Such other materials as the director may require by regulation pursuant to AMC chapter 3.40.
- (E) *Additional Conditions of Approval*
- (1) The planning and zoning commission shall attach such conditions to the approval of a conditional use for an incinerator or TDU as it finds are necessary to conform the use to the standards set forth above.
 - (2) All conditional uses granted under this subsection are subject to revocation if the planning and zoning commission determines, based on a recommendation by the municipal department of health and human services, that the operator of the incinerator or TDU failed to operate according to the specifications shown in the plans approved by the planning and zoning commission, or operate in conformance with the state department of environmental conservation or municipal air quality regulations. In order to determine whether or not this condition is met, the director of the municipal department of health and human services shall have authority to require monitoring for compliance with the conditional use permit and to annually obtain copies of the operator's monitoring or testing records.
 - (3) The petitioner shall obtain all applicable permits from the U.S. Environmental Protection Agency, state department of environmental conservation, and municipal department of health and human services.

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4. Junkyard or Salvage Yard

a. *Definition*

Any lot, or portion of a lot, that is used for the purpose of the outdoor storage, handling, dismantling, salvage, wrecking, keeping, or sale of used, discarded, wrecked, or abandoned airplanes, appliances, vehicles, boats, building and building materials, machinery or equipment, or parts thereof, including but not limited to scrap metals, wood, lumber, plastic, fiber, or other tangible materials defined under "junk" (see general definitions in chapter 21.14). Auto wrecking yards and salvage or scrap yards are included in this use. This does not include a composting facility or "vehicle repair/rebuilding, outdoor, hobby".

b. *Use-Specific Standard*

Junkyards and salvage yards shall comply with the use-specific standards applicable to "storage yard" set forth above.

5. Land Reclamation

a. *Definition*

An operation engaged primarily in increasing land-use capability by changing the land's character or environment through fill or regrading. Land reclamation shall include only operations at a scale involving 5,000 cubic yards or more of fill material. Site preparation as part of the development of a subdivision under a subdivision agreement is not included.

b. *Use-Specific Standards*

i. If the land reclamation operation will be completed within one year, the review and approval procedure shall be an administrative site plan review. If the operation will continue for more than one year, the review and approval procedure shall be the conditional use process. If an operation was approved under the administrative site plan review process but is not completed within one year, the operator must then apply for a conditional use permit.

ii. In addition to the submittal requirements in the user's guide, an applicant for a land reclamation use shall submit the following:

(A) A site plan showing:

(1) Drainage.

(2) Existing and proposed topographical contours (ten-foot contour).

(3) Water table information.

(4) Points of vehicular access to the site.

(B) An erosion and sediment control plan.

(C) A description of the soil types encountered on the site.

(D) A landscaping plan for the period of land reclamation operations and for final restoration of the site.

(E) A security plan to prevent casual trespass.

(F) Proposed hours of operation.

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- 1 (G) A description of land reclamation and processing operations
2 proposed for the site.
- 3 (H) Projected traffic counts for each point of vehicular access to the
4 site.
- 5 (I) An estimate of the quantity of materials to be imported to the site
6 and timetable, with supporting calculations conforming to
7 generally accepted engineering principles.
- 8 (J) A statement of the types of materials that will be accepted at the
9 site.
- 10 (K) Such other materials as the director may require by regulation
11 pursuant to AMC chapter 3.40.
- 12 iii. The site plan and erosion and sediment control plan required in
13 subsection ii. above shall be subject to review and approval for drainage,
14 erosion and sedimentation control; for conformance with the *208*
15 *Areawide Water Quality Management Plan*; and for compliance with
16 generally accepted sound engineering principles.
- 17 iv. A building or land use permit is required for land reclamation.
- 18 v. In addition to the conditional use standards of approval at 21.03.080D.,
19 the planning and zoning commission may approve a land reclamation
20 use only if the commission finds that the use also meets the following
21 standards:
- 22 (A) Principal access to the site shall minimize the use of residential
23 streets, and access roads shall be treated in a manner so as to
24 make them dust free. Where access roads intersect arterials,
25 suitable traffic controls shall be established.
- 26 (B) The site will not accept materials that are hazardous or
27 flammable.
- 28 (C) The site will not accept junk as defined in chapter 21.14.
- 29 (D) The site will not accept soils contaminated with petroleum
30 products or byproducts.
- 31 (E) The reclamation operations will not pose a hazard to the public
32 health and safety.
- 33 (F) The reclamation operations will not generate noise, dust, surface
34 water runoff, groundwater pollution, or traffic that will unduly
35 impact surrounding land uses.
- 36 (G) The restoration plan for the site ensures that, after reclamation
37 operations cease, the site will be left in a safe, stable, and
38 aesthetically acceptable condition.
- 39 (H) The proposed use meets such additional standards for land
40 reclamation conditional uses as the director may establish by
41 regulation pursuant to AMC chapter 3.40.

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- vi. The planning and zoning commission may attach such conditions to the approval of a land reclamation conditional use as it finds are necessary to mitigate potential negative impacts on adjacent uses.

6. Landfill

a. *Definition*

The burial of hazardous or non-hazardous agricultural, residential, institutional, commercial, or industrial waste, including solid waste processing. This use does not include land reclamation.

b. *Use-Specific Standards*

- i. Landfills (operational area, excavated or filled area) shall be set back at least 200 feet from the property boundary, and at least 500 feet from the lot line of any academic school, hospital, religious assembly, or residential zoning district. L3 screening landscaping is required along all lot lines.
- ii. Landfills shall contain and treat all run-off that comes into contact with the waste material, in such manner that the run-off will not contaminate surface or ground water.
- iii. Landfills shall comply with the requirements of 18 AAC 60.
- iv. Applications for a conditional use for a landfill shall specify all measures to be taken to control nuisance conditions (such as odor, noise, scattered solid waste, wildlife).

7. Recycling Drop-Off

a. *Definition*

A lot or portion of a lot where containers are located to collect various materials for recycling. This use includes drop-off and collection of materials for recycling, but not processing of such materials.

b. *Use-Specific Standards*

- i. No recycling drop-off area shall be located in required parking for any other uses on the same lot, required landscaping, or pedestrian facilities.
- ii. Recycling drop-off areas that are on a lot with another principal use such as a school or retail store shall, to the extent reasonably feasible, be placed to the side of the principal structure and/or site, and not abutting the street that provides primary access to the site.
- iii. Recycling drop-offs that are the sole or principal use on a lot, and are not placed on a lot with another principal use such as a school or retail store, shall be fenced. The fencing shall be interior to any landscaping required by section 21.07.080. Recycling drop-offs adjacent to residential districts shall have a screening fence.
- iv. If a recycling drop-off area is within 200 feet of a residential district, no collection/pick-up of the accumulated materials shall occur between the hours of 10:00 p.m. and 6:00 a.m.
- v. If a recycling drop-off area is within 200 feet of a residential district, and the drop-off includes containers for collecting glass, the area shall be closed between the hours of 10:00 p.m. and 6:00 a.m.

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8. Snow Disposal Site

a. Definition

An area used for the concentrated storage and disposal of snow transported to that site from other locations. For the purposes of this section, an entire Airport District is considered a single location.

b. Use-Specific Standards

i. Location

Snow disposal sites shall be located at least 25 feet from a class A or class B wetland, and at least 100 feet from a stream or water body.

ii. Dimensional Standards

Notwithstanding the general dimensional requirements of chapter 21.06, the following specific standards shall apply to this use.

(A) Minimum Lot Size

The minimum lot size shall be 36,000 square feet, unless otherwise established by the planning and zoning commission. Abutting smaller lots in common ownership may be considered in aggregate to achieve the minimum lot size. With a recorded joint use agreement, abutting smaller lots with multiple owners may be considered in aggregate to achieve the minimum lot size.

[A MOTOR FREIGHT TERMINAL THAT IS SEPARATED FROM PROPERTY ZONED RESIDENTIAL BY THE ALASKA RAILROAD MAIN LINE CORRIDOR, OR A FREEWAY OR EXPRESSWAY AS CLASSIFIED ON THE OFFICIAL STREETS AND HIGHWAYS PLAN IS NOT SUBJECT TO THE PROVISIONS OF SUBSECTIONS B.II. AND B.III. ABOVE.]

(B) Maximum Height of Snow Piles

The maximum height of snow piles shall be 35 feet where the snow storage operations area is within 500 feet of a residential district, unless the snow pile and the residential district are separated by the Alaska Railroad main line corridor, or a freeway or expressway as classified on the *Official Streets and Highways Plan*. In that case, and in all other areas, the maximum height of snow piles shall be the height limit of the zoning district.

(C) Minimum Setback Requirement

The minimum setback of snow piles shall be 25 feet if adjacent to a public right-of-way or to an industrial zoning district, and 50 feet if adjacent to a non-industrial zoning district.

iii. Snow Storage Area

The snow storage area shall be well defined on-site in order to prevent storage of snow on adjacent properties or landscaped areas. This may be accomplished through location, landscaping, fencing, and/or signs.

iv. Screening Fence or Berm

An earthen berm or a screening structure, either at least six feet high, shall be constructed within every setback adjacent to a public right-of-way or to a non-industrial zoning district. Site enhancement landscaping, or another ground cover acceptable to the **decision-making body** [PLANNING AND ZONING COMMISSION], shall be planted on the berm

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and within the area between the berm and the lot line for the site. The **decision-making body** [PLANNING AND ZONING COMMISSION] may require construction of a berm or fence within other setback areas in order to restrict casual access, to confine the operations within the site, to reduce noise and glare, and to ensure compatibility of the operation with adjacent uses.

v. Drainage and Water Quality Facilities

The on-site and off-site drainage network shall handle water runoff and snow melt without impacting adjacent properties. Drainage and meltwater disposal shall comply with the municipal *Design Criteria Manual* sections regarding snow disposal sites and drainage.

vi. Noise, Dust, and Litter

(A) Noise

If the level of noise from the activity at the snow disposal site, measured at the property line of any residential zoning district or noise-sensitive use such as a public building, academic school, or hospital within one half mile of the snow disposal site, shall exceed the standards stated in AMC subsection 15.70.080A., then the site plan shall identify mitigation measures.

(B) Dust and Litter Control

A dust control and litter plan shall be established and implemented. Trash collection/removal shall be done in a manner so that there are no dust or litter impacts to adjacent properties or public rights-of-way.

9. Solid Waste and/or Recycling Transfer Facility

a. Definition

An establishment for the processing, transfer, and/or disposal of hazardous or non-hazardous solid waste and/or materials for recycling.

b. Use-Specific Standards

i. A solid waste transfer facility (structures, operations, outdoor storage) shall not be located within 500 feet of any academic school, hospital, or residential zoning district.

ii. Notwithstanding the general dimensional standards set forth in chapter 21.06, the minimum lot size for a solid waste and/or recycling transfer facility shall be two acres and the minimum lot width shall be 150 feet, unless otherwise established by the **decision-making body** [PLANNING AND ZONING COMMISSION].

iii. Outdoor storage shall not exceed 35 feet in height. No outdoor storage, operations, or donations shall occur within the required front or side setback as set forth in chapter 21.06.

iv. In addition to any landscaping required under section 21.07.080, *Landscaping, Screening, and Fences*, the facility shall be surrounded by a fence that is at least eight feet high, except that public drop-off areas need not be fenced unless they are adjacent to a residential district. Such fencing that is adjacent to a residential district shall be screening fencing; such fencing that is adjacent to other non-industrial districts or to streets shall be sight-obscuring fencing.

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21.05.070 ACCESSORY USES AND STRUCTURES

A. Purpose

This section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses. An accessory use is "incidental and customarily subordinate" to a principal use if it complies with the standards set forth in this section.

B. General Standards

All accessory uses shall comply with the general standards in this subsection B.

1. Approval of Accessory Uses and Structures

a. All principal uses allowed in a zoning district shall be deemed to include the accessory uses, structures, and activities set forth in this section, unless specifically prohibited.

b. See also sections 21.05.030 through 21.05.060 above, in which incidental or accessory uses are sometimes included in the description of a specific principal use category or use type. When a definition does include permitted accessory or incidental uses, such accessory or incidental uses shall be subject to the general standards set forth in this subsection B., the zoning district limitations in subsection C. below, as well as any use-specific standards set forth in subsections D. and E. below.

2. Compliance with Ordinance Requirements

a. All accessory uses and structures shall be subject to the standards set forth in this section and the dimensional standards of chapter 21.06. In the case of any conflict between the standards of this section and any other requirement of this title, the standards of this section shall control.

b. Any use listed in subsections 21.05.030 through 21.05.060 is allowed as an accessory use to a residential use if the accessory use meets the standards of a "home occupation" at subsection 21.05.070D.11. If the use exceeds the standards of a "home occupation", then the use is no longer considered accessory and shall meet any applicable standards of subsections 21.05.010 through 21.05.060, which dictate in which districts the use is allowed, and any use-specific standards.

c. Accessory uses shall comply with all standards of this title applicable to the principal use with which they are associated. Parking requirements shall be met for both the principal use, as specified in section 21.07.090, and any additional requirements for the accessory use, if applicable and specified in this section.

3. Dimensional Standards for Accessory Buildings and Structures

a. Same Lot

The accessory use or structure shall be conducted and/or located on the same lot as the principal use.

b. Location of Accessory Structures

No accessory structure shall be erected or maintained in any required setback, except that:

i. Buildings accessory to a residential use and allowed by this section 21.05.070 may be erected in a required side or rear setback that is adjacent to an alley;

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ii. Two sheds or greenhouses, each 150 square feet or less, a maximum of 12 feet in height, and not attached to a foundation, may be erected in a required side or rear setback; and

iii. Dog runs and dog houses not attached to a foundation may be erected in a required side or rear setback.

4. Same Ownership Required

The principal use and the accessory use shall be under the same ownership.

5. Temporary Accessory Uses and Structures

Temporary accessory uses and structures shall be governed by the temporary use standards set forth in section 21.05.080 of this title.

C. Table of Allowed Accessory Uses

Table 21.05-3 below lists the accessory uses allowed within all base zoning districts in the Anchorage Bowl. (See chapters 21.09 and 21.10 for regulations specific to Girdwood and Chugiak-Eagle River, respectively.) Each of the listed uses is defined in subsection D. below.

1. Explanation of Table Abbreviations

a. Permitted Uses

"P" in a cell indicates that the accessory use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this title, including the use-specific standards in subsection D. below and the development and design standards set forth in chapter 21.07.

b. Administrative Site Plan Review

"S" in a cell indicates that the accessory use requires administrative site plan review in the respective zoning district in accordance with the procedures of section 21.03.180C., *Administrative Site Plan Review*.

c. Conditional Uses

"C" in a cell indicates that, in the respective zoning district, the accessory use is allowed only if reviewed and approved as a conditional use in accordance with the procedures of section 21.03.080, *Conditional Uses*.

d. Prohibited Uses

A blank cell indicates that the accessory use is prohibited in the respective zoning district.

e. Definitions and Use-Specific Standards

Each use listed in table 21.05-3 is defined in this section. Regardless of whether an accessory use is allowed by right or subject to administrative site plan review or conditional use, there may be additional standards that are applicable to the use. The cross-reference in the last column of the table identifies the code location of the definition and any use-specific standards. Any standards apply in all districts unless otherwise specified.

f. Unlisted Accessory Uses or Structures

An accessory use or structure that is not listed in table 21.05-3 shall comply with all standards set forth in subsection B. above.

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Chapter 21.05: Use Regulations Sec.21.05.070 Accessory Uses and Structures

g. Table of Permitted Accessory Uses and Structures

TABLE 21.05-3: TABLE OF ACCESSORY USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS																												
P = Permitted														S = Administrative Site Plan Review							C = Conditional Use Review							
	RESIDENTIAL														COMMERCIAL					INDUST.			OTHER					
Accessory Uses	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2	MI	AF	DR	PR	PLI	W	Definitions and Use-Specific Standards
Accessory dwelling unit (ADU)	P ³	P ³	P	P	P	P	P ⁴	P ⁴	P	P	P	P	P	P														21.05.070.D.1.
Bed and breakfast (up to 3 guestrooms)	P	P	P	P	P	P			P	P	P	P	P	P	P	P	P	P										21.05.070D.2.
Bed and breakfast (4 or 5 guestrooms)	S	S	S	S	S	S			S	S	S	S	S	S	P	P	P	P										21.05.070D.2.
Beekeeping	P	P	P	P	P	P	P		P	P	P	P	P	P											P	P		21.05.070D.3.
Caretaker’s residence															P	P	P	P	P	P	P				P	P	P	21.05.070D.4
Dormitory						S	S	S	S	S	S	S	S	S			P			C	P					P		21.05.070D.5.
Drive-through service															P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S						21.05.070D.6.
[FAMILY SELF-SUFFICIENCY SERVICE]						P / I	P / I	P / I								P / I	P / I											[21.05.070D.7.]
Farm, hobby									P	P	P	P	P															21.05.070D.7[8].
Garage or carport, private residential	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P				21.05.070D.8[9].
Home- and garden-related use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P				21.05.070D.9[10].
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P				21.05.070D.10[11].
Intermodal shipping container	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	21.05.070D.11[12].
Large domestic animal facility									P / C	P / C	P / C	P / C	P / C	P / C														21.05.070D.12[13].

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Chapter 21.05: Use Regulations
Sec.21.05.070 Accessory Uses and Structures

TABLE 21.05-3: TABLE OF ACCESSORY USES – RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS

P = Permitted

S = Administrative Site Plan Review

C = Conditional Use Review

Accessory Uses	RESIDENTIAL														COMMERCIAL					INDUST.			OTHER					Definitions and Use-Specific Standards
	R-1	R-1A	R-2A	R-2D	R-2M	R-3	R-4	R-4A	R-5	R-6	R-7	R-8	R-9	R-10	B-1A	B-1B	B-3	RO	MC	I-1	I-2	MI	AF	DR	PR	PLI	W	
Outdoor keeping of animals	P	P	P	P	P	P			P	P	P	P	P	P										P	P	P		21.05.070D.13[4].
Outdoor display accessory to a commercial use															P	P	P		P	P	P	P						21.05.070D.14[5].
Outdoor storage accessory to a commercial use																	P		P	P	P	P						21.05.070D.15[6].
Parking of business vehicles, outdoors, accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P														21.05.070D.16[7].
Private outdoor storage of non-commercial equipment accessory to a residential use	P	P	P	P	P	P	P	P	P	P	P	P	P	P										P				21.05.070D.17[8].
Vehicle repair/rebuilding, outdoor, hobby	P	P	P	P	P				P	P	P	P	P	P										P				21.05.070D.18[9].
Wind energy conversion system (WECS), freestanding small	S	S	S	S	S	S	S	S	S	S	S	S	S	S				S	S / C	S / C	S / C	S / C				S / C		21.05.070D.19.
Wind energy conversion system (WECS), building mounted small							S	S							S	S	S		S	S	S	S				S		21.05.070D.19.

³ Accessory dwelling units in the R-1 and R-1A [AND CE-R-1 AND CE-R-1A] districts are limited to attached ADUs, which are added to or created within single-family dwellings.

⁴ In the R-4 and R-4A districts, ADUs are allowed only on lots already improved with detached single-family dwellings as of January 1, 2014.

D. Definitions and Use-Specific Standards for Allowed Accessory Uses and Structures

This section defines the accessory uses listed in table 21.05-3 and also contains use-specific standards that apply to those uses. Accessory uses shall comply with the applicable use-specific standards in this subsection, in addition to complying with the general standards in subsection B.

1. Accessory Dwelling Unit (ADU)

a. Definition

A subordinate dwelling unit added to, created within, or detached from a detached single-family residence, which provides basic requirements for living, sleeping, cooking, and sanitation.

b. Use-Specific Standards

i. Purpose and Intent

The purpose and intent of this section is to:

- (A) Fulfill housing policy #15 of *Anchorage 2020: Anchorage Bowl Comprehensive Plan*, which provides that accessory housing units shall be allowed in certain residential zones;
- (B) Provide a means for homeowners, particularly the elderly, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;
- (C) Allow more efficient and flexible use of existing housing stock and infrastructure;
- (D) Respond to changing family needs and smaller households by providing a mix of housing;
- (E) Stabilize homeownership and enhance property values;
- (F) Provide a broader range of accessible and more affordable housing within the municipality; and
- (G) Protect neighborhood stability, property values, and single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the provisions of this title.

ii. Application, Review, and Approval Procedures

- (A) Any landowner operating or seeking to establish an ADU shall obtain a building or land use permit from the building official. The permit shall constitute an ADU permit.
- (B) With the permit application, the landowner shall submit an affidavit on a form provided by the municipality, affirming that at least one landowner will occupy the principal dwelling or the accessory unit, and that the ADU will conform to the requirements of the permit and the requirements of this section.
- (C) The permit and the affidavit shall be filed as a deed restriction with the Anchorage recording district to indicate the presence of the ADU, the requirement of owner-occupancy, and conformity with the requirements of the permit and the requirements of this chapter.
- (D) The department shall receive a fee from the applicant pursuant to the title 21 user's guide.

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- (E) For purposes of securing financing, potential landowners may request and receive a letter of pre-approval from the municipality indicating the property is eligible for an ADU permit if the potential landowner completes the application process and construction in accordance with this section.

iii. *Requirements*

All ADUs shall meet the following requirements:

(A) *Purpose*

Requirements for accessory dwelling units address the following purposes:

- (1) Ensure that accessory dwelling units maintain and are compatible with the single-family appearance and character of the principal residence, lot, and neighborhood;
- (2) Ensure that accessory dwelling units are smaller in size than the principal dwelling on the lot, and preserve yards and open space;
- (3) Provide adequate parking while maintaining the single-family residential character of the neighborhood, avoiding negative impacts to on-street parking, and minimizing the amount of paved surface on a site; and
- (4) Provide clear and flexible standards that make it practical and economical to develop accessory dwelling units that are in compliance with this code, and offer an accessible, affordable housing option to the community.

(B) *Allowed Zoning Districts*

- (1) Except as restricted by subsections (B).(2). and (B).(3). below, ADUs are allowed in all residential zoning districts.
- (2) In the R-1 and R-1A districts, ADUs are allowed only if added to or created within a detached single-family dwelling.
- (3) In the R-4 and R-4A districts, ADUs are allowed only on lots already improved with detached single-family dwellings as of January 1, 2014.

(C) *Requirements for Developing an ADU*

(1) *One Principal Structure*

One ADU may be added to or created within a detached single family dwelling on a lot, tract, or parcel, but only if the detached single-family dwelling is the sole principal structure on that lot, tract, or parcel.

(2) *Detached ADU*

One ADU detached from a single-family dwelling is permitted on a lot, tract, or parcel in all zoning districts except for the R-1 and R-1A, but only if:

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- 1 (a) The lot, tract, or parcel is 10,000 square feet or
2 greater and the detached single-family dwelling
3 is the only principal structure; or
- 4 (b) The lot, tract, or parcel abuts an alley; the ADU
5 is above a detached garage; [.] the ADU/garage
6 abuts the alley; [.] and the detached single-family
7 dwelling is the only principal structure.
- 8 (3) *Lot Coverage*
9 The lot coverage of the principal dwelling unit and all
10 accessory structures combined, including but not limited
11 to the ADU, shall be less than or equal to the maximum
12 lot coverage allowed by the zoning district.
- 13 (4) *Uses*
14 (a) An ADU shall not be permitted on any lot with a
15 child care center.
- 16 (b) The landowner shall reside in either the principal
17 dwelling unit or the ADU as his or her primary
18 residence for more than six months of each
19 year.
- 20 (5) *Building Code Requirements*
21 To ensure that the dwellings meet appropriate health
22 and fire safety standards, the ADU shall be built to the
23 adopted municipal building code standards for two-family
24 dwellings.
- 25 (6) *Size*
26 (a) The gross floor area of the ADU, not including
27 any related garage, shall be no less than 300
28 square feet.
- 29 (b) In class A districts, the gross floor area of the
30 ADU, not including any related garage, shall be
31 no greater than 700 square feet or 35 percent of
32 the total gross floor area of the principal dwelling
33 unit (excluding the ADU and garages),
34 whichever is less.
- 35 (c) In class B districts, the gross floor area of the
36 ADU, not including any related garage, shall be
37 no greater than 700 square feet or 35 percent of
38 the total gross floor area of the principal dwelling
39 unit (excluding the ADU and garages),
40 whichever is greater.
- 41 (d) The ADU shall have no more than two
42 bedrooms.
- 43 (7) *Setbacks*
44 An ADU shall not encroach into any required setback,
45 except that an ADU may encroach into the side or rear
46 setback abutting an alley.

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(8) Parking

One off-street parking space in addition to the parking spaces required for the principal dwelling unit is required for the accessory dwelling unit; but in no event shall there be fewer than three parking spaces per lot. Notwithstanding the provisions of chapter 21.12, *Nonconformities*, all off-street parking deficiencies shall be corrected.

(9) Design and Appearance

(a) All ADUs shall be designed to maintain the appearance of the primary unit as a single family dwelling. The accessory dwelling unit shall maintain the architectural style and character of the single-family residence. Exterior siding, roofing, and trim shall match the appearance of the materials on the principal dwelling unit. Roof style shall match the predominant style of the principal dwelling unit. Exterior window trim, window proportions (width to height), patterns, and orientation (horizontal to vertical) shall match those of the principal dwelling unit.

(b) The construction of an additional entry door on the side of a principal structure facing a street for entrance into an accessory dwelling unit is prohibited, unless no other entry door already exists on that side. Entrances are permitted on non-street-facing sides of the principal structure.

(10) Utilities

To the extent allowed by law and utility tariff, the ADU shall be connected to the water, sewer, gas, and electric utilities of the single family dwelling unit. However, lots with on-site water or septic systems may have a separate water and/or septic system for the ADU.

(D) Additional Requirements for Detached ADUs

(1) The ADU shall, on all street frontages, either have a front setback of at least 60 feet, or be at least 10 feet behind the street facing façade of the principal dwelling unit.

(2) The maximum height of a detached ADU shall be 25 feet.

(E) Density

ADUs are not included in the density calculations for a site.

(F) Expiration of Approval of an ADU

Approval of an ADU expires when:

(1) The ADU is altered and is no longer in conformance with this code;

(2) The property ceases to maintain all required off-street parking spaces;

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(3) A [THE] landowner of the property does not reside in either the principal or the accessory dwelling unit; or

(4) The ADU is abandoned by the landowner through written notification to the municipality on a form provided by the municipality.

(G) *Transfer*

When a property with an ADU is sold or otherwise transferred, the new landowner shall file an affidavit of owner-occupancy with the department within 30 days of the transfer, and pay a processing fee. Failure to file an affidavit by the due date constitutes failure to have a permit, in violation of this section. Transfers from one landowner to another landowner do not require a new affidavit so long as the recipient landowner signed the original affidavit.

(H) *Prior Illegal Use*

(1) All structures which meet the definition of accessory dwelling unit which are not recognized as legal nonconforming structures or uses of structures under chapter 21.12 shall comply with this subsection. Such structures may continue in existence provided the following requirements are met:

(a) A permit application for an ADU is submitted to the building safety division within six months of January 1, 2014.

(b) The unit complies with the requirements of this section.

(2) If the unit does not comply with the requirements of this section at the time the permit application is filed, the building official may grant six months to bring the unit into conformance.

(3) In addition to any other remedies provided in this code, failure to legalize an existing unit under this subsection shall result in civil penalties as provided at AMC section 14.60.030. All landowners of illegal units shall also be required to either legalize the unit or remove it.

(4) This subsection does not apply to existing legal nonconforming uses of structures established pursuant to chapter 21.12.

(I) *Variances*

No variances shall be granted from the standards and provisions of this section.

2. **Bed and Breakfast**

a. ***Definition***

A bed and breakfast is a private residence that offers overnight accommodations and limited food service to overnight guests, for which compensation is paid on a daily or weekly basis.

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b. **Use-Specific Standards**

i. **General Standards**

- (A) Bed and breakfast establishments are allowed only in attached or detached single-family and two-family dwellings, not including mobile homes.
- (B) The host-operator of the bed and breakfast enterprise shall establish and maintain the single-family or the bed and breakfast unit of a two-family structure as his or her primary domicile at all times while it is operated as a bed and breakfast.
- (C) A bed and breakfast may have up to five guestrooms, as allowed by table 21.05-3, table 21.09.050-2, and table 21.10-5. If an ADU also exists on the premises, the ADU shall count as one of the allowed guestrooms. No more than the permitted number of guestrooms shall be offered for use at any one time.
- (D) Only one daily meal shall be offered to guests at any bed and breakfast establishment.
- (E) Individual guests are prohibited from staying at a particular bed and breakfast establishment for more than 30 consecutive days.
- (F) A bed and breakfast shall not be permitted concurrently on any lot with an child or adult care facility, or assisted living facility.
- (G) The accessory use shall protect and maintain the integrity of the residential neighborhood. A bed and breakfast shall not detract from the principal use in the district and shall not place a burden on any private or public infrastructure (i.e., streets or utilities) greater than anticipated from permitted development.
- (H) Every bed and breakfast shall meet the off-street parking requirements stated in its administrative permit.
- (I) Every bed and breakfast supported by on-site well and wastewater disposal systems shall conform to the requirements of AMC chapter 15.65, pertaining to wastewater disposal regulations, and shall obtain a one-time only health authority certificate.

ii. **Administrative Permit**

A bed and breakfast shall require an administrative permit pursuant to section 21.03.030. An application for a bed and breakfast permit shall not be complete unless it is accompanied by proof of a current business license, a certificate of on-site systems approval (for on-site systems only), and a site plan and building floor plans meeting the requirements of this title.

3. **Beekeeping**

a. **Definition**

Keeping honey bees, *Apis mellifera*, for the purpose of education and/or producing honey or other products related to bees.

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b. Use-Specific Standards

- i. Colonies of *Apis mellifera* shall be managed in such a manner that their flight path to and from the hive will not bring them into contact with people on adjacent property. To accomplish this, colonies shall be:

- (A) At least 25 feet from any lot line not in common ownership; or
(B) Oriented with entrances facing away from adjacent property; or
(C) Placed behind a fence at least six feet in height and extending at least ten feet beyond the hive in all directions.

- ii. No more than four hives shall be placed on lots smaller than 10,000 square feet.

4. Caretaker's Residence

a. Definition

A single dwelling unit on the site of a nonresidential use and occupied only by a guard or the person who oversees the operation of the nonresidential facility (and his/her **household** [FAMILY]).

5. Dormitory

a. Definition

A facility intended or used as group living quarters for students, religious orders, employees, and the like, directly affiliated with a permitted principal use such as a school, college, convent, or similar institutional use.

b. Use-Specific Standards

- i. Dormitories in non-industrial districts shall comply with the multifamily residential design standards in subsection 21.07.110C.
ii. L1 visual enhancement landscaping is required when dormitories abut residential lots in a residential district.

6. Drive-Through Service

a. Definition

The physical facilities of an establishment that encourage or permit customers to receive services or obtain goods while remaining in their motor vehicles. A drive-through facility consists of two parts—the queuing lane and a service station where the service occurs. The queuing and service facilities of motor vehicle-related uses such as fueling stations, car washes, and vehicle service and repair are not included in the definition “drive-through service” as an accessory use, and are addressed elsewhere in this title.

b. Use-Specific Standards

The purpose of these standards is to allow for drive-through facilities by reducing the impacts they may create, such as noise, glare, and fumes from idling cars, noise from voice amplification equipment, or traffic interferences with vehicle and pedestrian circulation. Drive-through services are allowed as accessory uses to the following primary uses: restaurant, pharmacy, financial institution, general personal services and food and beverage kiosk. The following standards apply to all drive-through services:

i. Queuing Spaces

Vehicle queuing spaces shall be provided pursuant to section 21.07.090L.

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ii. *Impact on Adjacent Uses*

(A) A drive-through that abuts a residential zoned property shall be located, sized, and designed to minimize traffic, noise, air emissions, and glare impacts on surrounding properties, based on the findings of an administrative site plan review.

(B) No drive-through queuing spaces shall be located directly between the building and an abutting **street** **[RIGHT-OF-WAY]** unless otherwise allowed by the director.

(C) When a drive-through service facility abuts a residential zoned lot, a six-foot high screening fence or wall shall be provided along that lot line between the drive-through facility and required perimeter landscaping.

(D) To the maximum extent feasible, talk boxes shall be located so that the principal structure on the site is between the talk box and any abutting residential zoning district, and shall meet the noise control standards in AMC section 15.70.

iii. *Change of Use*

The physical addition or removal of a drive-through is a change of use.

[FAMILY SELF-SUFFICIENCY SERVICE

c. DEFINITION

A GOVERNMENTALLY OPERATED OR SPONSORED SOCIAL SERVICE AGENCY THAT PROVIDES AIDE TO ECONOMICALLY DISADVANTAGED FAMILIES IN FINDING TRAINING, EMPLOYMENT, AND HOUSING AND/OR ACCESS TO PERSONAL COMPUTER EQUIPMENT FOR USE IN SELF-INSTRUCTION. THE USE IS ACCESSORY TO HOUSING FACILITIES RUN BY PUBLIC OR NON-PROFIT AGENCIES.

d. USE-SPECIFIC STANDARDS

i. GENERAL STANDARDS

THE FOLLOWING GENERAL STANDARDS APPLY TO THESE USES IN ALL DISTRICTS:

(A) BUILDING

THE STRUCTURE USED TO HOUSE THE FACILITY SHALL MAINTAIN AT LEAST TWENTY RESIDENTIAL UNITS AND DEVOTE AT LEAST 85 PERCENT OF THE BUILDING'S MAXIMUM GROSS FLOOR AREA TO RESIDENTIAL USE.

(B) OWNERSHIP

THE OPERATING AGENCY SHALL HAVE OWNERSHIP OF THE STRUCTURE. NO OTHER ENTITY MAY RENT, LEASE, BUY, OR OTHERWISE OBTAIN SPACE IN THE BUILDING FOR THE PURPOSES OF OPERATING FACILITIES REGULATED UNDER THIS SUBSECTION.

(C) STAFF

DURING THE HOURS OF OPERATION, THERE SHALL BE AT LEAST ONE INSTRUCTOR/MONITOR ON-SITE AND RESPONSIBLE TO THE OPERATING AGENCY.

(D) CLIENTS

FACILITY USERS ARE NOT REQUIRED TO BE RESIDENTS OF THE BUILDING HOUSING THE FACILITY. THE FACILITY

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USERS SHALL BE RESTRICTED TO THE TENANTS OF THE OPERATING AGENCY OR BENEFICIARIES OF ASSISTED HOUSING FROM THE OPERATING AGENCY.]

7. Farm, Hobby

a. Definition

The production of crops for sale. This may include a temporary stand for sales on the premises.

8. Garage or Carport, Private Residential

a. Definition

A detached accessory or portion of a principal structure that is used for the parking and storage of vehicles owned and operated by the residents thereof.

b. Use-Specific Standards

i. Garages may encroach into the rear or side setback when that setback abuts an alley.

ii. Such accessory uses shall serve only the residents of the property and shall not be used for commercial purposes except as part of a home occupation approved under subsection D.10[1]. below.

iii. In class A improvement areas and in the R-7 district, all garages or carports accessory to a single residential use, whether attached to or detached from the principal structure, shall cumulatively be no larger than 50 percent of the total gross floor area of the principal structure.

iv. In class B improvement areas, except for the R-7 district, all garages or carports accessory to a single residential use, whether attached to or detached from the principal structure, shall cumulatively be no larger than five percent of the lot area, up to a maximum of 5,000 square feet.

9. Home- and Garden-Related Use

a. Definition

Accessory uses subordinate to the use of a residential dwelling. Examples include, but are not limited to, greenhouses, gardens, storage sheds, garden sheds, tool sheds, workshops, private barbeque pits, spas, and hot tubs.

b. Use-Specific Standards

i. All spas and hot tubs shall be set back a minimum of 10 feet from all property lines, and shall not be counted in calculating lot coverage.

ii. In class A improvement areas and in the R-7 district, all detached accessory structures under this use shall cumulatively be no larger than 50 percent of the total gross floor area of the principal structure.

iii. In class B improvement areas, except for the R-7 district, all detached accessory structures under this use shall cumulatively be no larger than five percent of the lot area, up to a maximum of 5,000 square feet.

10. Home Occupation

a. Definition

An activity that results in a product or service, carried out for consideration or not, and conducted as a customary, incidental, and accessory use in a dwelling unit. This use expressly does not include bed and breakfasts, hobby farms, large domestic animal facilities, small and large assisted living facilities, or adult or child care homes.

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b. Use-Specific Standards

A home occupation may be conducted in a dwelling unit or in a building accessory to a dwelling unit provided that:

- i. A permanent resident of the dwelling unit is engaged in the home occupation on the premises;
- ii. Only one nonresident may be engaged in the home occupation on the premises;
- iii. The use of a dwelling unit for a home occupation shall be clearly incidental and subordinate to its residential use. This standard is met by and limited to one of the following in class A areas:
 - (A) No more than the lesser of 25 percent or 500 square feet of the floor area of the principal dwelling is devoted to any home occupation; or
 - (B) No more than 300 square feet of an accessory building is devoted to any home occupation; or
 - (C) No more than 250 square feet of the principal dwelling and 250 square feet of the accessory building are devoted to any home occupation.
- iv. The use of a dwelling unit for a home occupation shall be clearly incidental and subordinate to its residential use. This standard is met by and limited to one of the following in class B areas:
 - (A) No more than the lesser of 40 percent or 650 square feet of the gross floor area of the primary structure is devoted to the home occupation use; or
 - (B) No more than 600 square feet of an accessory structure is devoted to the home occupation; or
 - (C) No more than 325 square feet of the principal dwelling and 350 square feet of the accessory building are devoted to any home occupation.
- v. Except for as provided in chapter 21.11, *Signs*, there shall be no change to the outside of the building or premises, nor shall there be other visible evidence of the conduct of such home occupation;
- vi. Vehicles making deliveries shall not be parked at the site for a period exceeding one hour;
- vii. No traffic or deliveries shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood;
- viii. All vehicles used in connection with the home occupation shall, except for delivery vehicles allowed above, be of the type commonly used for personal non-commercial transportation. Home occupations shall comply with the requirements of subsection D.16[7]. below;
- ix. The peace and quiet of the neighborhood shall not be disturbed. No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, or odors detectable to the normal

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senses at the property line. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes a fluctuation in line voltage off the premises. No hazardous or toxic materials shall be stored on the property as part of the home occupation;

x. The hours of operation during which an employee or co-worker, clients, or customers are allowed to come to the home in connection with the business activity are limited to between 7:00 a.m. and 10:00 p.m. Monday through Saturday. Care and feeding of animals is exempted from this provision;

xi. A home occupation shall not be permitted on any lot with an adult or child care facility, or assisted living facility; and

xii. Any storage of wholesale or retail stock in trade in conjunction with the home occupation shall not exceed 10 percent of the area devoted to the home occupation, except on lots 40,000 sf or larger in class B districts as defined in 21.08.050B. On lots meeting this exception, storage of stock in trade may equal the area devoted to the home occupation, if the storage is screened from neighboring lots and separated from the neighboring lot line by at least the established district setback.

c. ***Uses Prohibited as Home Occupations***

A home occupation shall not include, but is not limited to excluding, the following: veterinary or animal hospital; restaurant; and vehicle repair, unless allowed below under "vehicle repair/rebuilding, outdoor, hobby."

11. **Intermodal Shipping Container (Connex Unit)**

a. ***Definition***

A pre-fabricated, standardized, reusable, metal container designed and intended for transporting cargo on ocean-going ships, trains, or tractor trailers, also commonly called cargo containers, transport containers, or marine cargo containers. This use includes similar structures, such as railroad cars.

b. ***Use-Specific Standards***

The use of a connex unit is allowed in all zoning districts subject to the following:

i. Except in the industrial, commercial, and airport districts, connex units shall be screened on sides facing abutting public streets and residential properties by structures, landscaping, and/or fences at least as high as the unit, or alternately, shall be sided and roofed using materials and colors which are similar to materials and/or colors of the primary structure. If the connex unit is placed and used for seasonal purposes subject to the provisions of section 21.05.080, *Temporary Uses and Structures*, it may instead be painted with paint that matches the color scheme of the principal building or blends the connex with the surroundings.

ii. In commercial districts, connex units shall be located to the rear of all principal structures or alternately, meet either the screening or the siding and roofing requirements of section b.i. above.

iii. In residential districts, connex units are only permitted on lots equal to or greater than 40,000 square feet. Except as restricted in b.vii. below, connex units existing as of January 1, 2014 on any size lot may continue as long as the screening requirements of b.i. above and the number limitations of b.iv. below are met within one year of

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January 1, 2014, in which case such connex unit(s) shall be deemed conforming. Failure to comply with this provision shall not result in a legal nonconformity, but rather shall result in an illegal structure.

iv. In residential districts where the primary use of the lot is residential, no more than one unit is allowed per every 40,000 square feet of property up to a maximum of three units. In conjunction with nonresidential uses in residential districts, no more than three units are allowed.

v. Self-storage establishments in compliance with the development standards of 21.05.060D.4., *Self-Storage Facility*, are exempt from this section.

vi. Loading or unloading a connex unit, or the use of a connex during construction is exempt from this section, as long as the connex unit is removed promptly at the finish of the loading/unloading or construction activity.

vii. In residential districts on lots of less than 40,000 square feet, connex units existing on January 1, 2014 that are located between the front plane of the principal structure and the front property line shall be removed or relocated within one year of January 1, 2014.

12. Large Domestic Animal Facility (4 or more animals)

a. Definition

The keeping, harboring, riding, boarding, stabling, training, exercising, breeding, or related use of four or more large domestic animals regardless of animal ownership, and the associated structure(s) such as a paddock, stable, or barn. Operation of a large domestic animal facility is not a home occupation.

b. Use-Specific Standards

i. Lot Size

The minimum lot size for a large domestic animal facility of four animals is 40,000 square feet. An additional 10,000 square feet is required for each animal over four. Application for an administrative variance from the minimum lot size may be made to the department pursuant to subsection 21.03.240J.

ii. Adjacent Lots

Adjacent lots may be used in square footage calculations for site size only. If the adjacent lots are not under single ownership, the lot owners shall submit a recorded joint usage agreement for review and approval by the director. In such cases, setback requirements shall not apply to the interior lot lines between the applicable lots, and a primary use need not be located on the adjacent lot.

iii. Setbacks

Notwithstanding the setbacks of the underlying zoning district, covered structures associated with a large domestic animal facility, such as a stable or barn, shall be set back at least 25 feet from any abutting lot line, not including interior lot lines between lots in common ownership. Uncovered enclosures shall meet one of the following setback options:

(A) Seventy-five feet from residences existing on February 28, 2006, not including any residence in common ownership with the large domestic animal facility; or

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(B) Ten feet from any abutting lot line, not including interior lot lines of lots in common ownership, if the separation area is vegetated with L2 buffer landscaping.

iv. *Structures*

The square footage of any single large domestic animal facility structure shall not exceed 10 percent of the lot size, up to a maximum of 8,000 square feet.

v. *Fences*

Barbed wire shall not be used for fencing of any large domestic animal facility.

vi. *Commercial Activity*

Commercial activity associated with large domestic animal facilities, such as boarding or riding lessons, is permitted.

vii. *Other Requirements*

Large domestic animal facilities shall:

(A) Meet the requirements of AMC chapter 15.20 regarding animal waste, AMC subsection 15.55.060B. concerning separation requirements from water supply wells, and section 21.07.020 concerning stream protection setbacks;

(B) Obtain an animal control facility license;

(C) Obtain certification of compliance with a state of Alaska, Anchorage soil and water conservation district conservation plan, or obtain a letter from the district showing demonstrated intent to come into compliance with a conservation plan within one year; and

(D) Comply with licensing and other laws concerning the keeping of animals as set forth in AMC titles 15, 17, and 21.

c. ***Large Domestic Animal Facilities That Do Not Meet These Standards***

Large domestic animal facilities that exceed the use-specific standards listed above for site area, structure size, or number of animals, may be allowed by conditional use, pursuant to subsection 21.03.080.

13. **Outdoor Keeping of Animals**

a. ***Definition***

Restraining or restricting the movement of animals outside of a principal structure, by any means not involving the continued presence and/or participation of a human being.

b. ***Use-Specific Standards***

i. Notwithstanding table 21.05-3, the outdoor keeping of animals is prohibited on lots or tracts with more than two dwelling units.

ii. One to three large domestic animals may be kept outdoors on lots of 20,000 square feet or greater, but any structures or enclosures for keeping such animals shall meet the setback standards of subsection 21.05.070D.12.b.iii.

iii. The following standards apply to the outdoor keeping of all animals except for dogs, domestic cats, and large domestic animals:

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- (A) Animals kept outdoors in accordance with this section shall be contained by a structure, fenced enclosure, or pen at all times.
- (B) Animals under this section shall not be kept outdoors in manufactured home communities, except for when the following standards are met:
- (1) Any structure, fenced enclosure, or pen for the outdoor keeping of animals shall be at least 20 feet from any residence, not including the residence of the owner of the animal(s).
 - (2) No nonconforming rights for the outdoor keeping of animals in a manufactured home community shall be established. If at any time the separation distance of subsection ii.(B).(1). is no longer achieved, the animal(s) shall no longer be kept outside.
- (C) On lots of 40,000 square feet or greater, the following shall apply:
- (1) No more than one animal per 1,000 square feet of lot area may be kept outdoors.
 - (2) Structures for the outdoor keeping of animals shall not encroach into the setbacks of the zoning district and shall be at least 10 feet from any lot line.
 - (3) A facility license may be required pursuant to title 17.
- (D) On lots smaller than 40,000 square feet, the following shall apply:
- (1) Excessively noisy animals such as [THE OUTDOOR KEEPING OF] roosters, turkeys, guinea fowl, peacocks, or geese are [IS] prohibited.
 - (2) Up to five animals may be kept on lots of 6,000 square feet or less, with an additional one animal per additional 1,000 square feet of lot area. A facility license may be required pursuant to title 17.
 - (3) Structures for the outdoor keeping of animals shall not encroach into the setbacks of the zoning district and shall be at least 10 feet from any lot line.
 - (4) It shall be unlawful for any owner or custodian of an animal under this section to permit it to make chronic animal noise, as defined in AMC section 17.05.010.

14. Outdoor Display Accessory to a Commercial Use

a. Definition

Outdoor display of goods and/or materials (but not "junk" as defined by chapter 21.14) for sale, accessory to a commercial principal use. Merchandise may be directly available to the consumer for purchase.

b. Use-Specific Standards

No materials may be displayed in areas intended for vehicular circulation, required parking, required open space, required unobstructed clear width of pedestrian walkways, or required landscaping.

15. Outdoor Storage Accessory to a Commercial Use

a. Definition

Outdoor storage, but not display for sale, of goods, equipment, and/or materials (but not "junk" as defined by chapter 21.14) accessory to a commercial principal use. Merchandise in outdoor storage shall not be directly available to the consumer without the assistance of an employee.

b. Use-Specific Standards

Except in industrial districts and except for outdoor storage associated with a large commercial establishment which is governed by subsection 21.07.120A.5.m., outdoor storage of goods, equipment, and/or materials accessory to a commercial principal use shall be allowed subject to the following standards:

- i. Each outdoor storage area shall not be located closer to the front property line than the front façade of the principal building.
- ii. Goods stored in an approved outdoor storage area shall be limited to those sold or used on the premises as part of an associated primary use.
- iii. Equipment stored in an approved outdoor storage area shall be limited to equipment used for property maintenance, such as snow removal equipment. The number of pieces of equipment shall not exceed three. Such equipment storage is only allowed on lots of three acres or greater.
- iv. Each outdoor storage area shall be screened from view from all property lines and adjacent rights-of-way by an opaque fence or wall between six and eight feet in height that incorporates at least one of the predominant materials used in the principal structure. The fence or wall may exceed eight feet in height where the difference in grade between the right-of-way and the outdoor storage area makes a taller fence or wall necessary to effectively screen the area. Materials may not be stored higher than the height of the principal structure. The outer perimeter of the fence or wall shall be landscaped with L1 visual enhancement landscaping. A landscaped earth berm may be used instead of or in combination with a required fence or wall, provided it meets the same height requirements.
- v. If the outdoor storage area is covered, then the covering shall include at least one of the predominant roofing materials and exposed roofing colors on the principal structure.
- vi. Flammable liquids or gases in excess of 1,000 gallons shall be stored underground.
- vii. No goods, equipment, and/or materials may be stored in areas required for vehicular or pedestrian circulation or parking.

16. Parking of Business Vehicles, Outdoors, Accessory to a Residential Use

a. Definition

The outdoor storage or parking of a vehicle used for and/or bearing visible evidence of a commercial/business purpose, but not regulated by subsection 21.05.070E.7.

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b. ***Use-Specific Standard***

Only two vehicles bearing visible evidence of a business/commercial purpose are permitted per residence.

17. **Private Outdoor Storage of Noncommercial Equipment Accessory to a Residential Use**

a. ***Definition***

The private outdoor storage of noncommercial equipment, including noncommercial trucks, boats, aircraft, off-road vehicles, recreational vehicles (RVs), or travel trailers.

b. ***Use-Specific Standard***

The private outdoor storage of noncommercial equipment is permitted in the front setback only in the driveway, but not within five feet of any property line, and is prohibited in any side or rear setback, except in a side or rear setback abutting an alley. In class B districts, the setback shall be 25 feet from any property line where the adjacent property is not in common ownership.

18. **Vehicle Repair/Rebuilding, Outdoor, Hobby**

a. ***Definition***

The repair or rebuilding of an inoperative motor vehicle as an accessory use, not for commercial purposes.

b. ***Use-Specific Standards***

- i. Only one inoperative vehicle may stored outdoors on the site at any given time.
- ii. Any vehicle being rebuilt or repaired shall be the property of the resident of the principal structure.
- iii. Repair or rebuilding work shall take place to the rear or side of the principal structure and shall be screened from view from all property lines and adjacent rights-of-way by an opaque fence between six and eight feet in height, or by opaque landscaping of an equivalent height.

19. **Wind Energy Conversion System (WECS)**

a. ***Definition***

Any device or assemblage which directly converts wind energy into usable thermal, mechanical, or electrical energy, including such devices as windmills and wind turbines, towers and supporting structures and such directly connected facilities as generators, alternators, inverters, batteries, and associated control equipment. A small WECS has a rated power capacity of not more than 25 kW and is intended to produce power primarily for on-site consumption, either instead of or as a supplement to utility power.

b. ***Zoning Districts Allowed***

- i. In all districts where a freestanding small WECS is allowed as an accessory use, only one WECS per lot is allowed. Adjoining lots under the same ownership shall be treated as one lot for purposes of this limitation.
- ii. Notwithstanding subsection b.i. above, in the PLI, MC, I-1, I-2, and MI districts, two or three freestanding small WECS are allowed as accessory uses by conditional use approval.
- iii. In the R-2M, R-3, R-4, and R-4A districts, one freestanding small WECS is only allowed on lots with only one principal structure.

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iv. In the R-4 and R-4A districts, building-mounted WECS are only allowed on lots with only one principal structure.

c. **Use-Specific Standards**

i. **Submittal Requirements**

(A) Additional submittal requirements for WECS are provided in the title 21 user's guide.

(B) In addition to meeting the approval criteria of chapter 21.03 for the appropriate approval process, applicants for small WECS shall demonstrate in their application materials that the small WECS' visual impacts are minimized or mitigated for surrounding neighbors and the community. This may include, but is not limited to, information regarding site selection, turbine design or appearance, buffering, and screening of ground-mounted equipment.

ii. **Freestanding WECS**

(A) Small WECS in residential districts shall have a rated power capacity of not more than 10 kW. Small WECS in nonresidential districts shall have a rated power capacity of not more than 25 kW.

(B) The height of a small WECS shall be determined by compliance with the setback provisions of subsections ii.(E). through (G). below. In no instance shall a small WECS exceed 95 feet in height.

(C) Height shall be measured as depicted in the illustration below. Structures shall not interfere with Federal Aviation Administration regulations on airport approaches. In no case shall the height exceed manufacturer's specifications.

(D) The lowest point of moving elements, such as blades or vanes, shall be at least 25 feet above grade. No blades may extend over public sidewalks or trails.

(E) WECS shall be set back at least 1.5 times the height of the system from property lines abutting residentially-zoned lots and at least 1.1 times the height of the system from property lines abutting rights-of-way and nonresidentially-zoned lots.

(F) WECS shall be set back at least 25 feet from a water body edge provided that the full extent of the applicable setback distance of subsection ii.(E). above falls within the water body or the applicant's property.

(G) All systems shall be set back at least 1.1 times the height of the system from all overhead power and telecommunication lines, and any telecommunication towers.

(H) All systems shall be equipped with manual and automatic (manual or electrical) over-speed controls to limit the blade rotation speed to within the design limits of the system.

(I) The rotating turbine shall not produce vibrations that are humanly perceptible beyond the property lines of the site.

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- (J) Lattice type towers and towers using guy wires are prohibited.
- (K) All power transmission and telemetry lines from the tower to any building or other structure shall be placed underground.
- (L) No tower shall be illuminated unless required by a state or federal agency, such as the FAA.
- (M) All structures in a project shall be finished in a single, non-reflective, matte finished, neutral color.
- (N) No commercial or non-commercial advertisements, signs, or other messages shall be placed or painted on the tower, rotor, generator, or tail vane, except that a system or tower's manufacturer's logo may be displayed on a system generator housing in an unobtrusive manner.

iii. *Building Mounted WECS*

- (A) Small WECS in residential districts shall have a rated power capacity of not more than 10 kW. Small WECS in nonresidential districts shall have a rated power capacity of not more than 25 kW.
- (B) In residential districts on lots less than 20,000 square feet, a building mounted WECS shall not exceed the maximum height for principal structures of the underlying zoning district by more than 10 feet.
- (C) On buildings of 60 feet or less in height, building mounted WECS shall be no taller than 10 feet.
- (D) On buildings over 60 feet in height, building mounted WECS shall be set back from the structure edge by at least two feet for every one foot of height greater than 10 feet.
- (E) Building mounted WECS shall meet the design standards for freestanding WECS in subsections ii.(H), (I), (J), (L), (M), and (N). above.
- (F) Building mounted WECS shall be located at least 1.1 times the height of the system (rooftop to top of WECS) from all overhead power and telecommunication lines, and any telecommunication towers.

iv. *Abandoned or Unsafe WECS*

Any system that is not operated for a continuous period of 12 months shall be considered abandoned and shall be dismantled and removed from the property at the expense of the property owner.

E. **Prohibited Accessory Uses and Structures**

1. **Operation of Particle Accelerators, including Cyclotrons**

Operation of particle accelerator systems, including cyclotrons, is prohibited in all residential districts, whether or not such system is associated with a home occupation.

2. **Fabric Structures**

Frame-supported, arch-supported, or inflated tension fabric or membrane structures, fabricated off-site and assembled on-site, and typically used for garages, sheds, warehouses, or temporary or permanent shelters for automobiles, boats, or other items,

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are prohibited in all class A residential districts. In class B residential districts, setbacks for fabric structures shall be twice that otherwise required.

3. Outdoor Storage of Inoperative Vehicles

In all zoning districts, the outdoor storage of any vehicle that meets the definition of "junk vehicle" at AMC section 15.20.010 is prohibited except as provided in section 21.05.070D.19, *Vehicle Repair/Rebuilding, Outdoor, Hobby*; section 21.05.060E.4., *Junkyard or Salvage Yard*; and section 21.05.050I.7. or I.8., *Vehicle Repair, Major and Minor*.

4. Use of Mobile Home, Recreational Vehicle, or Travel Trailer as Residence

Except as allowed by 21.05.080B.3.e., in all zoning districts, mobile homes, recreational vehicles, and travel trailers may not be used as an accessory use for a permanent or temporary residence. However, an RV or travel trailer may be used as visitor accommodation for not more than 90 days in any calendar year.

5. Use of Motor Vehicle for Sales

In all zoning districts, the use of any motor vehicle or trailer as a structure in which, out of which, or from which any goods are sold or stored, any services performed, or other businesses conducted is prohibited. However, the following shall not be prohibited by this subsection:

- a. The sale of food products at a municipal-approved or -sponsored event;
- b. Use of a motor vehicle in connection with an approved recycling operation;
- c. Approved food and beverage kiosks that comply with the use-specific standards in section 21.05.050E.2., *Food and Beverage Kiosk*; and
- d. Use of a trailer in connection with an approved vehicle sales use.

6. Commercial Motor Vehicle Repair

Commercial motor vehicle repair, including engine, body, or other repair or repainting of more than one vehicle at any one time or owned by a person not residing at that address, is prohibited in all residential districts.

7. Parking of Commercial Vehicles, Outdoor

The outdoor storage or parking of a vehicle or trailer is prohibited in all residential districts, for a period of one or more nights, if the vehicle or trailer is licensed or regularly used for business purposes, and is either:

- a. A vehicle for which a commercial driver's license is required by state law;
- b. A vehicle or trailer having more than two axles;
- c. Any trailer bearing commercial signage, logo, or carrying commercial or industrial equipment or materials;
- d. A vehicle or trailer having a height in excess of 90 inches; or
- e. A vehicle with a gross vehicle weight rating (GVWR) of more than 12,000 lbs.

21.05.080 TEMPORARY USES AND STRUCTURES

A. Purpose

This section allows for the establishment of certain temporary uses of limited duration, provided that such uses do not negatively affect adjacent properties or municipal facilities, and provided

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that such uses are discontinued upon the expiration of a set time period. The construction or alteration of any permanent building or structure is not considered a temporary use.

B. General Temporary Use Standards

1. Required Permits

All temporary uses shall obtain any permits required by other municipal departments, such as the clerk's office, the health department, the building safety department, or the police department.

2. Uses Allowed

Except as specified below, any use allowed in a district, pursuant to table 21.05-1, table 21.09.050-1, or table 21.10-4, is allowed on a temporary basis in that district. Such temporary uses shall comply with the requirements of subsection D. below. Any such temporary use that is established for more than the allowed time limit as determined in subsection 21.05.080D.3. shall be considered a permanent use and shall make all improvements required by this title.

3. Other Uses and Structures Allowed

The following temporary uses and structures shall be allowed in any zoning district or as specified below, in accordance with the standards of this section.

a. Licensed Commercial Uses

Temporary licensed commercial uses and associated temporary structures are allowed in any non-residential zoning district, for not more than 90 days total (consecutive or intermittent) within a 12 month period.

b. Real Estate Sales Offices

Sales offices are allowed on residential development sites in any zoning district until all lots or houses are sold. Use of the sales office to market sites outside of the project is prohibited.

c. Temporary Parking of Construction Equipment During Construction

Temporary use of non-loading areas for tractor trailers, office trailers, construction equipment or materials, construction worker parking, or intermodal shipping container (connex) trailers, during construction or renovation is allowed in all zoning districts, subject to the standards of this section.

d. Temporary Living in a Mobile Home, Motor Home, or Other Recreational Vehicle

Notwithstanding title 23, one mobile home, motor home, or other recreational vehicle with a fully operable self-contained sanitation system may be used on a lot in the R-5, R-6, R-7, R-8, R-9, R-10, and TA districts as temporary living quarters for not more than 18 months while a permanent dwelling is being constructed or repaired, if the following requirements are met:

- i. The property owner or person intending to occupy the temporary living quarters during construction or repair of the permanent dwelling shall secure a permit from the building official before a motor home or other recreational vehicle is used on site as temporary living quarters. A permit issued under this subsection shall not be renewed and only one permit shall be issued for the same parcel within any 10 year period. The permit may be granted only upon the applicant's written certification, with attachments, that:

- (A) The self-contained sanitation system is fully operable and shall be used with zero on-site discharge, including no on-site gray water discharge, except through an approved septic system;

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- 1 (B) Site access is sufficient and shall be used to transport refuse and
2 excess waste year-round for proper off-site disposal;
- 3 (C) Electrical utility service is on-site for use during the permit period
4 and no generators shall be used;
- 5 (D) The applicant has a current building or land use permit, a copy of
6 which shall be attached to the certification; and
- 7 (E) If temporary connection to an on-site septic system is to be used,
8 proof is attached that an approved septic system is in place.

9 ii. Only one motor home or other recreational vehicle shall be permitted for
10 use as temporary living quarters on any parcel of land during the
11 construction or repair of a permanent dwelling.

12 iii. The motor home or recreational vehicle placement on the lot shall
13 comply with the setbacks of the underlying zoning district.

14 e. **Other Allowed Temporary Uses**

- 15 i. Up to nine one-day garage/yard sales per year per dwelling unit.
- 16 ii. Gatherings of less than 100 people, such as block parties, nonprofit
17 bazaars, and fundraisers.
- 18 iii. Temporary uses that occur wholly within an enclosed permanent
19 building.
- 20 iv. Frame-supported, arch-supported, or inflated tension fabric or membrane
21 structures, fabricated off-site and assembled on-site, and typically used
22 for garages, sheds, warehouses, or temporary or permanent shelters for
23 automobiles, boats, or other items, shall be allowed for 30 days within a
24 12 month period in all residential districts.

25 v. In the PLI district, temporary licensed commercial uses and associated
26 temporary structures, for not more than 90 days total duration within a 12
27 month period. The temporary use may be in operation 90 continuous
28 days or any combination of days in intermittent operation. This provision
29 does not apply to the use of construction trailers on an active
30 construction project.

31 C. **Prohibited Temporary Uses and Structures**

32 The following temporary uses and structures are prohibited:

33 1. **[RESERVED]**

34 D. **General Requirements for All Temporary Uses and Structures**

35 All temporary uses or structures shall meet the following general requirements, unless otherwise
36 specified in this title:

- 37 1. The temporary use or structure shall not have substantial adverse or noise impacts on
38 nearby residential neighborhoods.
- 39 2. The temporary use shall comply with all applicable general and specific regulations of this
40 section unless otherwise expressly stated.

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3. Unless otherwise stated in this title, temporary uses in residential districts shall last no longer than 90 days. Temporary uses in nonresidential districts shall last no longer than 180 days, with a possible 180 day extension, in accordance with AMC 23.10.104.
4. All temporary signs associated with the temporary use or structure shall be removed when the activity ends.
5. The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site.
6. The temporary use regulations of this section do not exempt the applicant or operator from any other required permits, such as health department permits.
7. If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or structure to occur, as well as any parking and traffic movement that may be associated with the temporary use, without disturbing sensitive or protected resources, including required buffers, 100-year floodplains, stream protection setbacks, wetlands, areas of slope greater than 20 percent, and required landscaping.
8. If the property is developed, the temporary use shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movement, pedestrian circulation, or parking space availability.
9. Tents and other temporary structures shall be located so as not to interfere with the normal operations of any permanent use located on the property.
10. Off-street parking shall be adequate to accommodate the proposed temporary use.
11. Applications for temporary structures to be located in or near the 100-year floodplain shall be **in accordance with subsection 21.03.090, Flood Hazard Permits.** [REQUIRED TO SUBMIT A PLAN TO THE DIRECTOR FOR THE REMOVAL OF SUCH STRUCTURE(S) IN THE EVENT OF A FLOOD NOTIFICATION. THE PLAN SHALL INCLUDE THE FOLLOWING INFORMATION:
 - a. THE NAME, ADDRESS, AND PHONE NUMBER OF THE INDIVIDUAL RESPONSIBLE FOR THE REMOVAL OF THE TEMPORARY STRUCTURES;
 - b. THE TIME FRAME PRIOR TO THE EVENT AT WHICH A STRUCTURE WILL BE REMOVED;
 - c. A COPY OF THE CONTRACT OR OTHER SUITABLE INSTRUMENT WITH A TRUCKING COMPANY TO INSURE AVAILABILITY OF REMOVAL EQUIPMENT WHEN NEEDED; AND
 - d. DESIGNATION, ACCOMPANIED BY DOCUMENTATION, OF A LOCATION OUTSIDE THE FLOODPLAIN TO WHICH THE TEMPORARY STRUCTURE WILL BE MOVED.]

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CHAPTER 21.06: DIMENSIONAL STANDARDS AND MEASUREMENTS

21.06.010 PURPOSE

A. Purpose

Specific purposes of this chapter include:

1. Preserving light and air, and avoiding congestion in residential zoning districts;
2. Promoting fire protection through appropriate separation of structures;
3. Ensuring setbacks which promote a reasonable relationship between residences and a consistent residential streetscape;
4. Promoting streetscapes that are consistent with the intended character of different commercial and mixed-use zones;
5. Promoting buildings close to the sidewalk in mixed-use districts, to reinforce a pedestrian oriented streetscape;
6. Controlling the overall building bulk and lot coverage to help define the character of different zones;
7. Promoting a reasonable building scale that is consistent with the function of local commercial areas and the character of surrounding neighborhoods; and
8. Promoting the efficient use of service capacity in areas with the highest levels of public services and intended development.

B. Applicability

This chapter applies to all development within the municipality.

21.06.020 DIMENSIONAL STANDARDS TABLES

A. This section contains tables that list the requirements for lot dimensions, building bulk, density, location, and height for all types of development. All primary and accessory structures are subject to the dimensional standards set forth in the following tables. Superscript numbers refer to notes at the bottom of each table. General rules for measurement and exceptions are set forth in section 21.06.030. Dimensional standards for Girdwood and Chugiak-Eagle River zoning districts are set forth in chapters 21.09 and 21.10, respectively. General rules for measurements and exceptions apply in those areas, even if not specifically referenced, unless specifically exempted by those chapters.

B. These general standards may be further limited or modified by other applicable sections of this title. In particular, some uses have use-specific standards in chapter 21.05 that impose stricter requirements than set forth in these tables.

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Chapter 21.06: Dimensional Standards and Measurements
Sec.21.06.020 Dimensional Standards Tables

A. Table of Dimensional Standards: Residential Districts

TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS								
(Additional standards may apply. See district-specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)								
Use	Minimum lot dimensions ¹		Max lot coverage (%)	Minimum Setback Requirements (ft)			Max number of principal structures per lot or tract ²	Maximum height of structures (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear		
R-1: Single-Family Residential District								
Residential uses	6,000	50	30 ³	20	5	10	1	Principal: 30 Accessory garages/carports: 20 Other accessory: 12
All other uses	6,000	50	30	20	5	10	N/A	
R-1A: Single-Family Residential District (larger lot)								
Residential uses	8,400	70	30 ³	20	5	10	1	Principal: 30 Accessory garages/carports: 20 Other accessory: 12
All other uses	8,400	70	30	20	5	10	N/A	
R-2A: Two-Family Residential District (larger lot)								
Dwelling, single-family detached	7,200	60	40	20	5	10	1	Principal: 30, not to exceed two and one-half stories Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	8,400	70	40	20	5	10	1	
Dwelling, single-family attached	3,500	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	
All other uses	7,200	60	40	20	5	10	N/A	
R-2D: Two-Family Residential District								
Dwelling, single-family detached	6,000	50	40	20	5	10	1	Principal: 30, not to exceed two and one-half stories Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	6,000	50	40	20	5	10	1	
Dwelling, single-family attached	3,500	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	

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Chapter 21.06: Dimensional Standards and Measurements Sec.21.06.020 Dimensional Standards Tables

TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS								
(Additional standards may apply. See district-specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)								
Use	Minimum lot dimensions ¹		Max lot coverage (%)	Minimum Setback Requirements (ft)			Max number of principal structures per lot or tract ²	Maximum height of structures (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear		
All other uses	6,000	50	40	20	5	10	N/A	
R-2M: Mixed Residential District								
Dwelling, single-family detached	6,000	50	40	20	5	10	1	Principal: 30, not to exceed two and one-half stories Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	6,000	50	40	20	5	10	1	
Dwelling, single-family attached	3,000	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	
Dwelling, townhouse	2,400	24 (30 on corner lots)	60	20		10	1	
Dwelling, multifamily (up to 8 units permitted per building)	8,500 + 2,300 for every unit over 3	50	40	20	10	10	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110G.2.	
Dwelling, multifamily, with single- or two-family style construction of multiple buildings on a lot	3,000 per unit	50	40	20	10	10		
All other uses	6,000	50	40	20	5	10		

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Chapter 21.06: Dimensional Standards and Measurements
Sec.21.06.020 Dimensional Standards Tables

TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS								
(Additional standards may apply. See district-specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)								
Use	Minimum lot dimensions ¹		Max lot coverage (%)	Minimum Setback Requirements (ft)			Max number of principal structures per lot or tract ²	Maximum height of structures (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear		
R-3: Mixed Residential District								
Dwelling, single-family attached	3,000	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	35
Dwelling, single-family detached	6,000	50	40	20	5	10	1	35
Dwelling, townhouse	2,000	20 (30 on corner lots)	60	20	N/A on common lot line; otherwise 5	10	1	35
Dwelling, two-family	6,000	50	40	20	5	10	1	
Dwelling, multi-family, three or four units	6,000	50	40	20	10	20	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110G.2.	
Dwelling, multifamily, five or six units	8,500							
Dwelling, multifamily, seven or more units	9,000 +1,000 for every unit over 7 units							
All other uses	6,000	50	40	20	10	20		
R-4: Multifamily Residential District								
Dwelling, single-family, attached	3,000	35 (40 on corner lots)	40	20	N/A on common lot line; otherwise 5	10	1	35
Dwelling, single-family detached	6,000	50	40		5	10		
Dwelling, townhouse	2,000	20 (30 on corner lots)	60	10	N/A on common lot line; otherwise 5	10	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110G.2.	35
Dwelling, multi-family	6,000	50	50		5 plus one foot for each 5 feet in	10		45 ⁴

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Chapter 21.06: Dimensional Standards and Measurements Sec.21.06.020 Dimensional Standards Tables

TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS								
(Additional standards may apply. See district-specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)								
Use	Minimum lot dimensions ¹		Max lot coverage (%)	Minimum Setback Requirements (ft)			Max number of principal structures per lot or tract ²	Maximum height of structures (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear		
All other uses	6,000	50	50		height exceeding 35 feet	10		45
R-4A: Multifamily Residential Mixed-Use District								
Dwelling, townhouse	2,000	20 (30 on corner lots)	60	Min: 10 Max: 20 ⁵ A minimum of 50% of the front building elevation shall be within the maximum front setback (see 21.06.030C.5.)	N/A on common lot line; otherwise 5	15 if adjacent to a residential district (except R-4 or R-4A); otherwise 10	More than one principal structure may be allowed on any lot or tract in accordance with subsection 21.07.110G.2.	35
Dwelling, mixed-use	6,000	50	65		10 if adjacent to a residential district (except for R-4 or R-4A); otherwise 5			45 ⁶
Dwelling, multi-family	6,000	50	65					
All other uses	6,000	50	65					
R-5: Low-Density Residential District								
Dwelling, single-family, or one mobile home	7,000	50	30	20	5	10	1	Principal: 30 Accessory garages/carports: 25 Other accessory: 12
Dwelling, two-family	13,000	100	30	20	5	10	1	
All other uses	7,000	50	30	20	5	10	N/A	
R-6: Low-Density Residential District (1 acre)								
Dwelling, single-family	43,560	150	30	50	25	50	1	Principal: 35 Accessory garages/carports: 30 Other accessory: 25
Dwelling, two-family	87,120	200	30	50	25	50	1	
All other uses	43,560	150	30	50	25	50	N/A	

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Chapter 21.06: Dimensional Standards and Measurements
Sec.21.06.020 Dimensional Standards Tables

TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS								
(Additional standards may apply. See district-specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)								
Use	Minimum lot dimensions ¹		Max lot coverage (%)	Minimum Setback Requirements (ft)			Max number of principal structures per lot or tract ²	Maximum height of structures (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear		
R-7: Single-Family Residential District (20K)								
Dwelling, single-family	20,000	120	30	25	10	20	1	Principal: 35 Accessory garages/carports: 30 Other accessory: 25
Dwelling, two-family	40,000	120	30	25	10	20	1	
All other uses	20,000	120	30	25	10	20	N/A	
R-8: Low-Density Residential District (4 acres)								
Dwelling, single-family	174,240	300	5	25	15	25	1	Principal: 35 Accessory garages/carports: 30 Other accessory: 25
Dwelling, two-family	261,360	300	5	25	15	25	1	
All other uses	174,240	300	5	25	15	25	N/A	
R-9: Low-Density Residential District (2 acres)								
Dwelling, single-family	87,120	180	5	25	15	25	1	Principal: 35 Accessory garages/carports: 30 Other accessory: 25
Dwelling, two-family	130,680	180	5	25	15	25	1	
All other uses	87,120	180	5	25	15	25	N/A	
R-10: Low-Density Residential Alpine/Slope District								
All uses	(See section 21.04.020P.2.)			10	25 feet; 50 feet if average slope exceeds 30 percent	10	1	Principal: 30 Accessory garages/carports: 25 Other accessory: 18

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Chapter 21.06: Dimensional Standards and Measurements
Sec.21.06.020 Dimensional Standards Tables

TABLE 21.06-1: TABLE OF DIMENSIONAL STANDARDS - RESIDENTIAL DISTRICTS								
(Additional standards may apply. See district-specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)								
Use	Minimum lot dimensions ¹		Max lot coverage (%)	Minimum Setback Requirements (ft)			Max number of principal structures per lot or tract ²	Maximum height of structures (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear		
<div>¹ For other lot dimensional standards, see section 21.08.030K.</div> <div>² For those residential uses where only one principal structure is allowed on a lot, no additional nonresidential principal structures are allowed.</div> <div>³ On lots less than 10,000 square feet, lot coverage may be increased to 40 percent when the entire principal structure is less than 16 feet in height, measured in accordance with subsection 21.06.030D.3.</div> <div>⁴ See subsection 21.04.020H.2.d. for information regarding possible height increases.</div> <div>⁵ See subsection 21.06.030C.5. for information regarding possible increases and exceptions to the maximum front setback.</div> <div>⁶ See subsection 21.04.020I.2.e. for information regarding possible height increases.</div>								

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Chapter 21.06: Dimensional Standards and Measurements
Sec.21.06.020 Dimensional Standards Tables

B. Table of Dimensional Standards: Commercial and Industrial Districts

TABLE 21.06-2: TABLE OF DIMENSIONAL STANDARDS - COMMERCIAL AND INDUSTRIAL DISTRICTS (Additional Standards May Apply. See district specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)							
Use	Minimum lot dimensions ⁷			Minimum setback requirement (ft)			Maximum height (ft)
	Area (sq ft)	Width (ft)	Max lot coverage (%)	Front	Side	Rear	
B-1A: Local and Neighborhood Business							
Mixed-use develop- ment	6,000	50	50	Min: 0 Max: 20 ⁸ A minimum of 30% of the street-facing building elevation shall be within the maximum front setback	10 if adjacent to a residential district; otherwise 0 or at least 5	15 if abutting a residential district; otherwise 10	30 ⁹ , not to exceed two stories
All other uses				10			30, not to exceed two stories
B-1B: Community Business							
Mixed-use develop- ment	6,000	50	50	Min: 0 Max: 20 ⁸ A minimum of 30% of the street-facing building elevation shall be within the maximum front setback	15 if adjacent to a residential district; otherwise 0 or at least 5	15 if abutting a residential district; otherwise 10	40 ⁹ , not to exceed three stories
All other uses				10			40, not to exceed three stories
B-3: General Business							
Residential household living uses	6,000	50	50	10	5 plus one foot for each 5 feet in height exceeding 35 feet	10	45 ¹⁰
Mixed-use develop- ment	6,000	50	Unre- stricted	Min: 0 Max: 20 ⁸ A minimum of 50% of the street-facing building elevation shall be within the maximum front setback	15 if adjacent to a residential district; otherwise 0 or at least 10	15 if adjacent to a residential district; otherwise 0 or at least 5	45 ¹¹ , except in the Midtown area bounded by the Seward Highway, Tudor Road, Arctic Boulevard, and Fireweed Lane, where there is no maximum height
All other uses				10			
DT-1, DT-2, and DT-3: Downtown Districts (RESERVED)							

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Chapter 21.06: Dimensional Standards and Measurements
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TABLE 21.06-2: TABLE OF DIMENSIONAL STANDARDS - COMMERCIAL AND INDUSTRIAL DISTRICTS (Additional Standards May Apply. See district specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)							
Use	Minimum lot dimensions ⁷			Minimum setback requirement (ft)			Maximum height (ft)
	Area (sq ft)	Width (ft)	Max lot coverage (%)	Front	Side	Rear	
RO: Residential Office District							
Allowed residential household living uses	6,000	50	50	10	5 plus one foot for each 5 feet in height exceeding 35 feet	10	45 ¹⁰
All other uses	6,000	50	50	10	10 if adjacent to a residential district; otherwise 5	15 if adjacent to a residential district, otherwise 10	45, not to exceed three stories of nonresidential use ¹²
MC: Marine Commercial District							
All uses	6,000	50	N/A	10	0 or at least 5	0 or at least 5	90 feet above mean sea level
I-1: Light Industrial District							
All uses	6,000	50	N/A	10	20 if adjacent to a residential district; otherwise 0 or at least 5		50 ¹³
I-2: Heavy Industrial District							
All uses	6,000	50	N/A	10	40 if adjacent to a residential district; otherwise 0 or at least 5		none
MI: Marine Industrial							
All uses	6,000	50	N/A	10	0 or at least 5		Within 50 feet of a residential district, no portion of any structure shall exceed the height limit of that district; otherwise none

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Chapter 21.06: Dimensional Standards and Measurements
Sec.21.06.020 Dimensional Standards Tables

TABLE 21.06-2: TABLE OF DIMENSIONAL STANDARDS - COMMERCIAL AND INDUSTRIAL DISTRICTS (Additional Standards May Apply. See district specific standards in chapter 21.04 and use-specific standards in chapter 21.05.)							
Use	Minimum lot dimensions ⁷			Minimum setback requirement (ft)			Maximum height (ft)
	Area (sq ft)	Width (ft)	Max lot coverage (%)	Front	Side	Rear	
⁷ For other lot dimensional standards, see section 21.08.030K.							
⁸ See subsection 21.06.050C.5. for information regarding possible increases and exceptions to the maximum front setback.							
⁹ See subsection 21.04.030G.4. for information regarding possible height increases for mixed-use development.							
¹⁰ See subsection 21.04.020H.2.d. for information regarding possible height increases.							
¹¹ See subsection 21.04.030D.2. for information regarding possible height increases.							
¹² See subsection 21.04.030E.2.d. for information regarding possible height increases.							
¹³ Non-building industrial structures and industrial appurtenances are exempt from the maximum allowed height.							

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Chapter 21.06: Dimensional Standards and Measurements Sec.21.06.020 Dimensional Standards Tables

1 C. Table of Dimensional Standards: Other Districts

TABLE 21.06-3: TABLE OF DIMENSIONAL STANDARDS - OTHER DISTRICTS (Additional Standards May Apply. See district-specific standards in chapter 21.04 and use-specific standards in chapter 21.05. See section 21.04.070 for AM district standards.)							
Uses	Minimum lot dimensions ¹⁴		Max lot coverage (%)	Minimum setback requirements (ft)			Maximum height (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear	
AF: Antenna Farm District							
All	87,120	120	50	50	25	25	Unlimited, except that structures shall not interfere with FAA regulations on airport approaches
DR: Development Reserve District							
All	5 acres	100	20	Front, side, and rear setbacks shall be 25 feet when the abutting district is PR, PLI, or residential; otherwise, the setbacks shall be equal to the analogous minimum setback in the abutting district.			35
PR and PLI: Parks and Recreation and Public Lands and Institutions Districts							
All	6,000	50	45	Front, side, and rear setbacks shall be 25 feet when the abutting district is DR, PR, PLI or residential; otherwise, the setbacks shall be equal to the analogous minimum setback in the abutting district.			75 feet in the U-MED District, Anchorage Downtown Plan area, and the Midtown area bounded by the Seward Highway, Tudor road, Arctic Boulevard, and Fireweed Lane. 45 feet in other areas. Greater height may be approved by major site plan review or through an institutional master plan.
TA: Turnagain Arm District							
Residential (with sewers)	10,400	70	30	20	5	10	35, unless [A] conditional use approval [PERMIT] is obtained for greater height
Residential (without sewers) (Bird Creek, Indian Valley, Portage inholdings)	108,150	100	20	25	15	25	
Residential (without sewers) (Rainbow Valley inholdings)	216,300	100	20	25	15	25	
Commercial (with sewers)	8,400	50	70	10	10 if adjacent to a residential district, otherwise 5	15 if adjacent to a residential district, otherwise 10	
Commercial (without sewers)	50,000	100	25	25	15	25	
Industrial (with sewers)	8,400	50	100	10	If abutting to a residential use, the setback shall be equal to that required by the residential use; otherwise none		
Industrial (without sewers)	50,000	100	25	25	15	25	
Institutional (with sewers)	8,400	50	30	25	10	15	
Institutional (without sewers)	50,000	100	25	25	15	25	

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Chapter 21.06: Dimensional Standards and Measurements
Sec.21.06.020 Dimensional Standards Tables

TABLE 21.06-3: TABLE OF DIMENSIONAL STANDARDS - OTHER DISTRICTS
(Additional Standards May Apply. See district-specific standards in chapter 21.04 and use-specific standards in chapter 21.05. See section 21.04.070 for AM district standards.)

Uses	Minimum lot dimensions ¹⁴		Max lot coverage (%)	Minimum setback requirements (ft)			Maximum height (ft)
	Area (sq ft)	Width (ft)		Front	Side	Rear	
W: Watershed District							
All	N/A	N/A	5	N/A	N/A	N/A	50
¹⁴ For other lot dimensional standards, see section 21.08.030K.							

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21.06.030 MEASUREMENTS AND EXCEPTIONS

A. Lot Area, Width, and Depth

1. Minimum lot area shall be provided as indicated in section 21.06.020, unless otherwise stated in this title.
2. Lot width and depth shall be measured as shown in the lot width and lot depth illustrations at the end of the chapter.

B. Lot Coverage

1. Lot Coverage Requirement Generally

- a. No building, structure, or lot shall be developed, used, or occupied unless it meets the lot coverage requirements set forth in this chapter or in chapter 21.04, for the zoning district in which it is located.
- b. In the R-1 and R-1A districts for residential uses on lots less than 10,000 square feet, lot coverage may be increased to 40 percent when the entire principal structure is less than 16 feet in height, measured in accordance with subsection 21.06.030D.3.

2. Structures Not Considered in Measuring Lot Coverage

Unless otherwise provided in this title, all structures shall be considered in determining lot coverage except for the following:

- a. Structures less than 30 inches above the finished grade level (such as paved terraces or ground-level decks);
- b. Windowsills, bay windows, fireplace chases, belt courses, cornices, eaves, and similar incidental architectural features;
- c. Accessibility ramps;
- d. Fences, trellises, poles, posts, ornaments, lawn furniture, and similar and customary yard accessories; and
- e. Covered stairways and walkways as described in subsection C.2.j. below.

C. Setbacks

1. Required Setbacks

- a. Setbacks shall be located as shown in the illustrations at the end of the chapter. Where a road reservation or public use easement exists in place of dedicated street, the setback required by table 21.06-1 shall start at the edge of the setback from projected right-of-way required in subsection 21.06.030C.7. below.
- b. A building, structure, or lot shall not be developed, used, or occupied unless it meets the setback requirements set forth in section 21.06.020 for the zoning district in which it is located, except as otherwise established in this title for particular uses, or unless a variance or minor modification has been granted.
- c. Setbacks shall be unoccupied and unobstructed by any structure, except as provided in subsection C.2. below, and except that fences, walls, trellises, poles, posts, ornaments, furniture, and other customary yard accessories may be permitted in any setback subject to height limitations and requirements limiting obstruction of visibility.
- d. A setback required by this title shall not be included as part of a setback required by this title for another building or structure or lot.

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- e. The entire “pole” portion of a flag lot shall be considered a front setback.
- f. Where a setback is allowed to be zero feet, the setback shall be any inelastic response displacement distance required by title 23 to accommodate seismic deflection. A parapet cap, trim, or other similar cover shall cover any gap between buildings, in accordance with title 23.

2. Projections into Required Setbacks

The following structures or features may project into required front, side, or rear setbacks as specified in this subsection:

a. ***Paved Terraces***

Paved terraces may project into any required setback, provided that no structures placed there shall violate other requirements of this title.

b. ***Unroofed Landings, Decks, and Stairs***

Except as provided in subsection 2.c. below, unroofed landings, decks, and stairs may project into required front and rear setbacks only, provided that no portion other than a handrail shall extend higher than 30 inches above the finished grade level.

c. ***Roofs Over Porches and Other Exterior Approaches***

Roofs over porches, stairways, landings, terraces, or other exterior approaches to pedestrian doorways may encroach up to five feet into a front setback, provided that, where such roof projections encroach within the setback, the roof projections shall comprise no more than 50 percent of the total length of a building's front elevation. The covered porch or entrance area encroaching into the setback shall remain exterior to the building, and unenclosed or only partly enclosed, as by a handrail.

d. ***Incidental Architectural Features***

Windowsills, fireplace chases, belt courses, cornices, eaves, and similar incidental architectural features may project up to two feet into any required setback.

e. ***Bay Windows***

Bay windows, measuring no more than eight feet in width where the projection breaks the plane of the wall, **and no more than one story in height**, may project up to two feet into any required setback, so long as there is a minimum of eight feet between the bay window and any opposing encroachment on an adjacent lot.

f. ***Private Garage or Carport***

A private garage or carport may project into a required side or rear setback abutting an alley.

g. ***Accessory Structures***

Accessory structures may encroach into a required setback as allowed in subsection 21.05.070B.3.b. Refuse collection receptacles and their enclosures that are less than 150 square feet may encroach in any side or rear setback.

h. ***Accessibility Ramps***

The director may allow the installation of accessibility ramps with handrails in any required setback if they meet the following criteria:

[THE RAMP IS NEITHER ROOFED NOR ENCLOSED;]

- i. There are no switchbacks over 30 inches in height; and

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ii. The width of the ramp does not exceed 48 inches.

i. **Fire Exits**

For buildings existing on January 1, 2014, open fire exits may project not more than four feet six inches into any required setback.

j. **Covered Stairways and Walkways**

Stairways and walkways that are roofed but not fully enclosed, and are installed to provide public access between grade-separated areas, but are not intended to provide access to the entrance of any particular structure, may encroach into required setbacks.

3. **Construction on Adjoining Lots**

In determining minimum setback requirements, each lot shall be determined individually and minimum setback requirements may not be calculated on the basis of two or more combined lots. In all instances where a building may be constructed immediately adjacent to a lot line, the building may be constructed upon or over such lot line, provided that the portion of the building on each individual lot is otherwise permitted on each lot.

4. **Corner Lots with Two or More Frontages and Double-Frontage Lots**

a. In the case of corner lots with two or more frontages and double-frontage lots, the director shall determine the setback requirements (except as provided in 4.b. below) subject to the following limitations:

i. At least one front setback shall be provided having the full depth required generally in the district.

ii. No other front setback on such lot shall have less than half the depth required generally for front setbacks in the district.

iii. For residential lots of less than one acre in area and for non-residential lots, setbacks shall be consistent with surrounding properties, with more weight given to abutting properties oriented in the same pattern.

b. For residential lots of one acre or greater in area, the property owner, with the concurrence of the traffic engineer, has discretion over which frontage shall be the primary front setback.

5. **Maximum Setbacks**

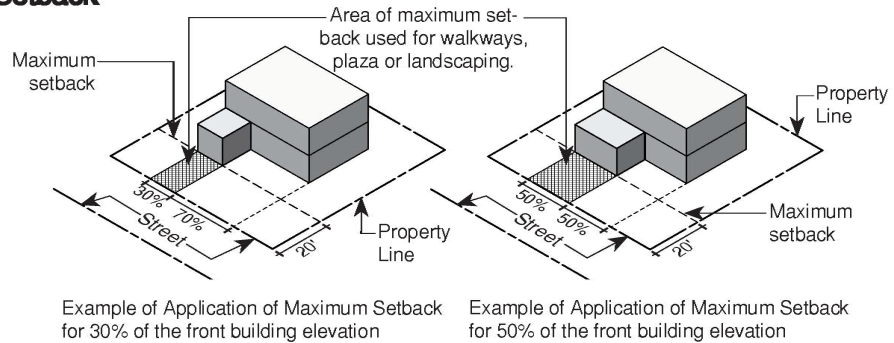
Maximum setbacks are intended to help create an environment that is inviting to pedestrians and transit users, and a more active streetscape. Maximum setbacks promote buildings closer to the sidewalk and a stronger interface between buildings and adjoining streets, improving connectivity and making walking more convenient. The requirements of this subsection provide for flexibility and creativity, and allow improvements to existing developments that do not meet the standard.

a. **Measurement and Applicability**

i. The maximum setback applies to the ground-floor, street-facing elevation of the building, as depicted below.

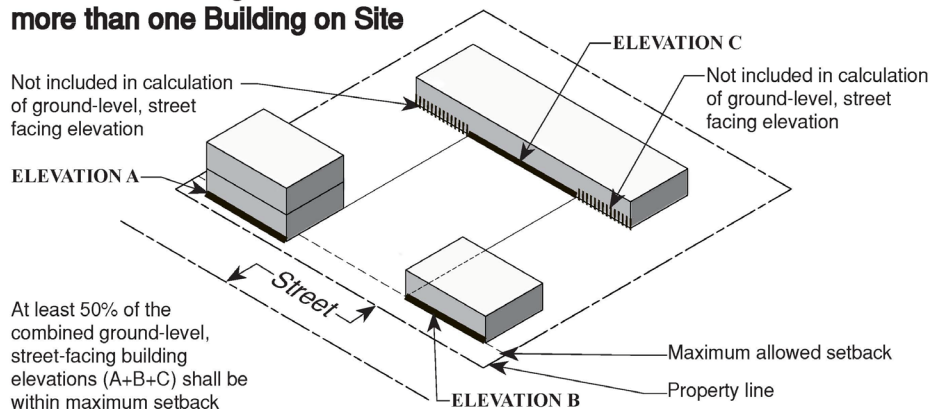
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Application of Maximum Setback



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- ii. On lots with two or more street frontages, the maximum setback shall apply only on the primary front setback. When the site abuts a street designated in the comprehensive plan as a “main street”, a “transit street”, a “mixed-use street”, or a derivation of these street typologies, the location of the maximum setback may be changed to such street with the concurrence of the director.
- iii. Where there is more than one building on the site, the maximum setback standard applies to the combined ground-floor, street-facing elevations of all the buildings, as depicted below.

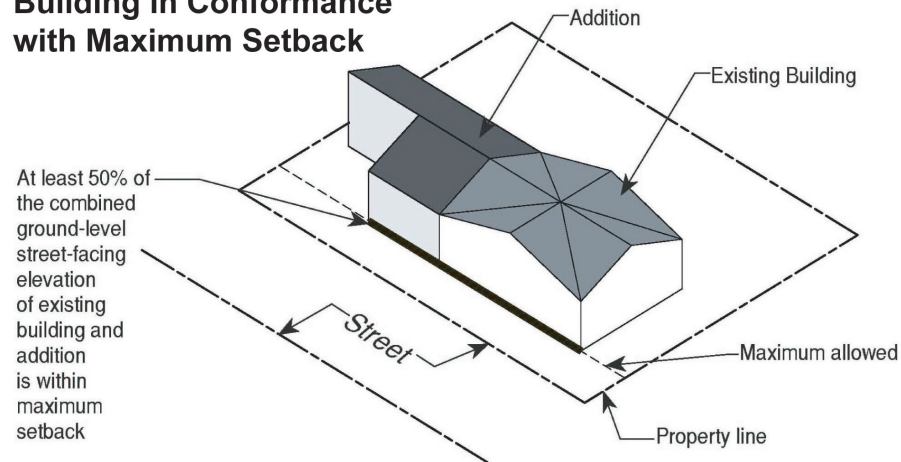
Maximum Building Setback with more than one Building on Site



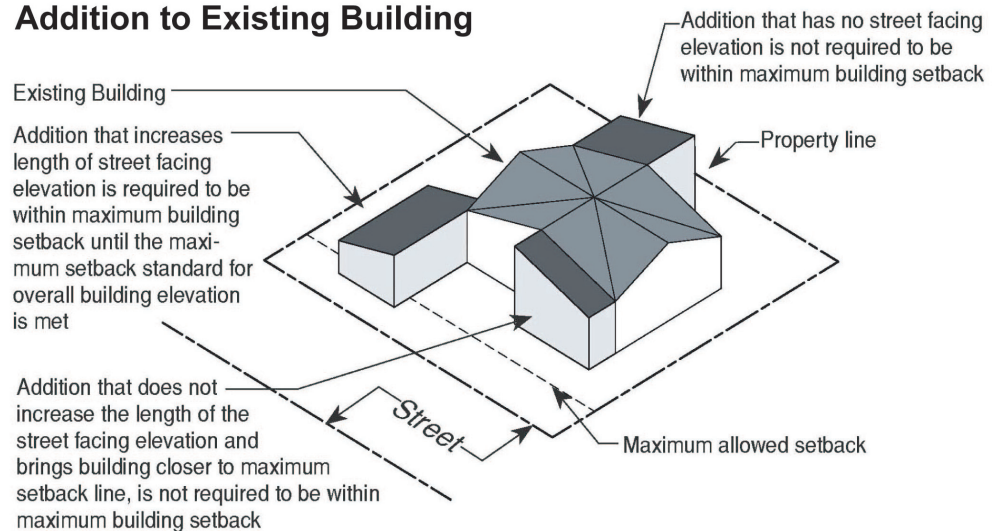
- 10
 - 11
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- iv. The maximum setbacks shall apply only to new buildings and any building addition that increases the length of the building elevation facing the applicable street, as depicted below.

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Addition to Existing Building In Conformance with Maximum Setback



Addition to Existing Building



v. For all multi-building sites except those which fall under the large commercial establishment regulations in subsection 21.07.120A., the order of construction shall ensure that this standard is met at all times.

vi. Where the required setback from a projected right-of-way is equal to or greater than the maximum setback, the maximum setback shall be measured from the projected right-of-way setback line.

b. *Use of Maximum Setback Area*

i. Motor vehicle parking and circulation is not permitted in between the street and the portion of the building that is used to comply with the maximum setback, except as provided in subsection 5.d. below.

ii. The area between the street lot line and the portion of the building that is used to comply with this subsection shall be designed to be sidewalk or walkway, building entrance plaza, pedestrian plaza, open space, landscaping, and/or courtyard areas. Where landscaping is provided, the area shall meet the specifications for site enhancement landscaping. One pedestrian feature as defined by this title is required for every 300

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square feet of maximum setback area. Parking facilities allowed under subsection 5.d. below are exempted.

c. General Exceptions to Maximum Setback

i. The maximum front setback may be exceeded by up to 20 additional feet (or more through administrative site plan review) if the additional area between the building and the property line is used to provide common open space that conforms to the standards of section 21.07.030, contains site enhancement landscaping, and/or contains pedestrian amenities as described in subsection 21.07.060F. The additional area shall not be developed for motor vehicle parking or driveways, loading or refuse collection, or ground-mounted utilities.

ii. For buildings where all the floor area is in residential use, the street-facing façade of a covered porch qualifies for meeting this standard. The porch shall have at least one entrance accessible from the street.

d. Specific Exceptions to Maximum Setback—Midrise and High-Rise Buildings

For buildings in Midtown that exceed 60 feet in height and include five or more floors, the maximum front setback may be increased to a total distance of 90 feet and incorporate up to one vehicle circulation aisle and/or parking bay between the building and the street, subject to the following requirements and limitations, in order to reduce shadowing and allow for light, air, and views along urban corridors while also retaining pedestrian connections:

i. Development requesting the maximum setback increase shall be subject to administrative site plan review, unless a higher level of review is already required.

ii. Where an area or street has been designated for more restrictive setbacks in the comprehensive plan, such as in the *Anchorage Downtown Comprehensive Plan*, the more restrictive policies or standards shall govern.

iii. The building shall provide at least one primary entrance within 90 feet of the street or right-of-way, and connected to the street by a walkway that meets subsection 21.07.060F.4., *Primary Pedestrian Walkway*.

iv. A walkway or pedestrian areas shall be provided along the length of the street-facing building elevation fronting the parking and vehicle circulation area. Perimeter landscaping and sidewalk facilities meeting the requirements of this title shall be provided along the length of the street frontage between the street and the parking lot.

e. Exemptions

The following uses are exempt from the maximum setback requirement:

i. Food and beverage kiosks;

ii. Fueling stations; and

iii. Vehicle service and repair, major or minor.

6. Setback from Planned Utility Transmission Facilities

a. No new structural or land development activity requiring a building or land use permit shall be permitted within the minimum area stated in the *Utility Corridor Plan* for planned electrical or telecommunication transmission facilities for which

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there is a projected easement or right-of-way, except as allowed under 6.b., below.

b. The following uses and activities are permitted, with written acknowledgement of coordination with the affected utilities, within the setbacks described in 6.a., above:

i. Sidewalks, walkways, pathways, and trails;

ii. Bus shelters and bus turnouts;

iii. Kiosks and seating units;

iv. Utilities, utility easements and utility-related structures;

v. Landscaping required by section 21.07.080, *Landscaping, Screening, and Fences*, and consisting of ground cover, shrubs and understory trees whose maximum height does not exceed 30 feet;

vi. Surface parking required by section 21.07.090, *Off-Street Parking and Loading*;

vii. Temporary parking as described in section 21.05.080;

viii. Additional parking to that required by this title;

ix. Open space;

x. Fences and signs;

xi. Retaining walls;

xii. Remodeling of or addition to structures existing as of February 27, 1990, so long as it does not further intrude within the setback area after that date; and

xiii. Driveways and vehicular access points.

c. Applicable setback requirements stated elsewhere in this title may include the area of setback for electrical transmission facilities.

7. Setbacks from Projected Rights-of-Way

a. *Minimum Setback*

Except as allowed under subsection 7.b. below, no new structural or land development activity requiring a building or land use permit shall be permitted within the minimum setback set forth in the table below from the existing or projected centerline of a street designated on the *Official Streets and Highways Plan* (OSHP), or within 30 feet (25 feet in class B districts) from the centerline of a road reservation or public use easement not so designated on the OSHP.

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1

TABLE 21.06-5: SETBACKS FROM PROJECTED RIGHTS-OF-WAY CENTERLINE		
	Street Class in <i>Official Streets and Highways Plan</i>	Setback from Centerline (feet)
IC	Neighborhood Collector	30
IIA	Minor Arterial	
IIIC	Major Arterial	
IB	Neighborhood Collector	35
I	Collector	40
IA	Industrial Commercial Collector	
II	Minor Arterial	
III	Major Arterial	50
IIIA	Major Arterial	65
IV	Expressway	
V	Freeway ¹⁵	75
¹⁵ The setbacks from projected rights-of-way for freeways shall not be applied to the portion of freeway that connects the Seward Highway at the Gambell/Ingra split (just north of 20 th Avenue) to the Glenn Highway (east of Airport Heights Drive) on the <i>Official Streets and Highways Plan</i> .		

2

3

4

5

b. Permitted Uses Within Setback

The following uses and activities are permitted within the setbacks described in paragraph 7.a., above:

6

i. Sidewalks, walkways, pathways, and trails;

7

ii. Bus shelters and bus turnouts;

8

iii. Kiosks, seating units, and skywalks;

9

iv. Canopies, awnings, incidental architectural features, and public art;

10

v. Utilities and utility easements;

11

vi. Temporary parking, temporary fences and signs, or temporary retaining walls, as described in paragraph 7.d., below;

12

13

vii. Additional parking to that required by this title;

14

viii. Landscaping, but not required landscaping, except that required landscaping is permitted if an alternate site plan is submitted that shows how all the required site elements, including the required landscaping, would be accommodated on the lot if the projected setback is acquired for public right-of-way;

15

16

17

18

19

ix. Approved grading activities;

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x. Remodeling of or addition to structures existing as of May 19, 1987, so long as such remodeling or addition does not further intrude within the setback area or increase the floor area of the structure within the setback area; and

xi. Driveways and vehicular access.

c. **Additional Setback Requirements**

Applicable setback requirements stated elsewhere in this chapter shall be in addition to those stated in this subsection 21.06.030C.7.

d. **Temporary Features**

As used in this subsection 21.06.030C.7.d., the term "temporary" or "temporarily" means that period of time between the issuance of a building or land use permit and the right of entry conveyed to the municipality or other government entity for a road project that affects the setback area required by this subsection 21.06.030C.7.d. Parking, fences and signs, and retaining walls required by this title may be provided temporarily within a setback area described in this subsection 21.06.030C.7.d. only if the director and the traffic engineer first find that:

i. The temporary features to be used on the lot conform to all other applicable requirements of this title;

ii. An alternate site plan has been submitted with an application for a building or land use permit for permanent required features on the lot, excluding all setback areas thereon, in conformance with all applicable requirements of this title; and

iii. An agreement between the owner of the lot and the municipality has been executed and recorded so as to give notice of the temporary requirements to be applied to the lot and of the date or event by which the temporary features shall be abandoned in favor of the permanent configuration stated in the alternate site plan.

8. **Sight Distance Triangles**

Sight distance triangles shall be unobstructed as required by the traffic engineer.

D. **Height**

1. **Allowable Height**

The maximum allowable height for buildings and structures in each district shall be as provided in section 21.06.020, *Dimensional Standards Tables*, except where specifically modified by this subsection D. and/or other provisions of this title.

2. **Airport Height Regulations [OVERLAY DISTRICT]**

Nothing in this section allows a building, structure, or appurtenance to exceed the height limitations of the airport height regulations [OVERLAY DISTRICT] (21.06.030D.9. [21.04.080C.]).

3. **Rules for Measuring Height**

a. Building height for most building types shall be measured as the vertical distance from grade plane to the midpoint (median height) of the highest roof surface, as shown in the illustration at the end of the chapter, subject to D.4. and D.5. below. Exceptions for curved roof surfaces are illustrated at the end of the chapter.

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b. Structures that are not buildings shall be measured as the vertical distance from grade plane to the highest point of the structure. Fences on top of retaining walls shall be measured from grade plane on the highest side of the retaining wall.

c. Where tables 21.06-1 and 21.06-2 measure maximum height in terms of stories, any story below grade plane shall be excluded from calculation of the number of stories for determining building height.

4. Grade Plane

The grade plane for determination of structure height shall be the average of existing or finished grade, whichever is lower, abutting the structure at exterior walls. Where the grade slopes away from the exterior walls, the grade plane shall be established by the lowest points within the area between the building and the lot line, or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.

5. Establishment of Grade

The grade plane shall be calculated using the more restrictive of either the existing grade or the finished grade.

a. Existing Grade

In no case shall the existing grade be altered by grading, such as an artificial embankment or where the ground has been built up to increase the grade around the building, to obtain a higher structure than is otherwise permitted in the district.

b. Adjustments to Establishment of Grade

In a case where existing grade or finished grade is, in the judgment of the director, inappropriate or unworkable for the purpose of measuring height, the director shall establish grade in such a way as to be consistent with this section. The proposed grade being requested by the applicant shall be, in the judgment of the director, reasonable and comparable with the grades of surrounding properties and streets; not detrimental to the general health, safety, and welfare; not result in the loss of any public views; consistent with the existing character of the neighborhood; and necessary for the preservation and enjoyment of substantial property rights of the applicant.

6. Height Exceptions

a. Free-standing flag poles shall conform to the height restrictions of the principal structure, rather than an accessory structure.

b. Window wells, light wells, cellar or basement access walkways serving a dwelling unit, and similar appurtenances installed below grade with an inside dimension of 120 square feet or less (including stairs) and that do not exceed in length 25 percent of the building elevation wall shall be excluded from calculation of grade plane for determining building height.

c. Except as specifically provided elsewhere in this title, the height limitations contained in this chapter do not apply to appurtenances on buildings, such as spires and similar religious appurtenances, belfries, cupolas, flagpoles, chimneys, antennas, rooftop mechanical equipment and its screening, stairwell towers, elevator penthouses, parapets, firewalls, open or transparent railings, solar reflectors, photovoltaic panels, skylights, or similar appurtenances; provided, however, the following:

i. The appurtenance does not interfere with Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace;

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- ii. The appurtenances cumulatively cover no more than one-third of the roof area of the building, except that when it has been demonstrated to the director and the building official that building HVAC requirements necessitate a larger mechanical penthouse, the appurtenances may cumulatively cover up to one-half of the roof area;
- iii. The appurtenance is not constructed for the purpose of providing additional floor area, usable space, or storage room for the building, except that a storage room of 60 square feet or less, combined with a stairwell tower or elevator housing, and directly related to a rooftop use (such as tool storage for a rooftop garden), is allowed; and
- iv. The appurtenance does not exceed the height limit of the district by more than 15 feet, with the following exceptions:
 - (A) The allowed height of high voltage transmission towers is addressed in subsection 21.05.040J.1.
 - (B) The allowed height of antennas and other telecommunications infrastructure is addressed in subsection 21.05.040K.;
 - (C) Flagpoles and spires and similar religious appurtenances may exceed up to 30 feet in residential districts and up to 50 feet in nonresidential districts;
 - (D) Elevator penthouses may exceed up to 25 feet;
 - (E) Parapets, firewalls, and skylights may exceed up to four feet.

7. Height Adjustments

Commercial buildings sometimes feature a greater ceiling height on the first floor to enhance the building's aesthetic appeal and openness of ground-floor retail spaces. Building height shall be allowed to be increased by up to five feet above the height limit for the district, provided that the increase is only to allow a greater first story height for ground level commercial use, and the increase in height does not result in a greater number of stories than would otherwise be constructed.

8. Height Transitions for Neighborhood Compatibility

a. Purpose

The objective of the height transition standard is to help ensure compatibility between higher intensity development and adjacent lower density residential districts, in terms of building bulk and scale, a degree of sunlight access and ambient daylighting, and the potential for privacy and visual buffering. The standard is not designed to reduce the gross floor area development potential of a subject lot; instead, it is intended to encourage thoughtful positioning of building massing and height on the subject lot with respect to adjacent neighborhoods.

b. Applicability

This standard shall apply to structures located in any non-residential district (except for the DT districts), the R-4 district, or the R-4A district, that is within 200 feet of any lot zoned R-1, R-1A, R-2A, R-2D, R-2M, R-3, R-5, R-6, R-7, R-8, R-9, or R-10.

c. Standard

Structures on the subject lot shall not penetrate a daylight plane that rises inward over the subject lot at an angle of five feet of run for every three feet of rise, and starting from a height of 15 feet above existing grade at the nearest lot line of the

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residential (protected) lot. The standard may be met using one or more of the following options:

- i. Compatible placement of a tall building on the subject lot with respect to the residential neighborhood, by shifting the location of the building to be further away from the adjacent residential property, and providing space for parking facilities or other site elements in the space in-between;
- ii. Compatible massing of a tall building, such as a step-back in building form, by arranging the building mass so that the lower part is closer and the taller part is further away from the adjacent residential property; and/or
- iii. Compatible height transition that meets the intent of the section through an alternative design and/or placement, using the procedure and criteria of section 21.07.010D., *Alternative Equivalent Compliance*.

d. Exceptions

- i. Height exceptions in subsection D.6. above that have a width of 20 feet or less facing the residential lot are not subject to the height transitions standard.
- ii. The director may exempt any portion of a proposed development which, being already completely blocked from the protected property by existing permanent structures or topography, will have no additional impact.
- iii. The director may exempt a proposed development if, because of topography or lot dimensions or configuration, the height transitions provisions would unduly restrict permissible development, and reasonable use cannot otherwise be made of the site of the proposed development.
- iv. Exceptions shall be the minimal action that would afford relief and shall cause the least interference possible with the intended protections for the residential lots.

9. Airport Height Regulations

a. Purpose

The purpose of the airport height overlay district is to regulate the height of buildings and structures to prevent interference between land uses and air traffic. It is intended to be in accordance with the Federal Aviation Regulations (FAR).

b. Specific Airport Height Maps Adopted

The following airport height zone maps are adopted and thus the referenced areas are located within the airport height overlay district:

- i. The airport height zoning map prepared for the Birchwood Airport in the municipality (most recently adopted version).
- ii. The airport height zoning map prepared for the Girdwood Airport in the municipality (most recently adopted version).
- iii. The airport height zoning map prepared for the Ted Stevens Anchorage International Airport in the municipality (most recently adopted version).
- iv. The Airport Height Zoning Map prepared for the Merrill Field Airport in the municipality (most recently adopted version).

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c. Establishment or Modification

In addition to the standard submittals required to initiate an overlay map amendment pursuant to section 21.03.160H., establishment of an airport height overlay district also shall require preparation of an airport height map as set forth in this section:

i. The owner or manager of any airport may prepare an airport height map in accordance with the provisions of this subsection and the stipulations of FAR part 77, subpart C, paragraph 77.23(A)(2), 77.23(A)(3) or 77.25. The owner or manager of a governmentally operated airport shall prepare and maintain an airport height map in accordance with FAR part 77, subpart C, paragraph 77.25. The map shall be filed with the department.

ii. The map shall be to scale and shall accurately reference the following:

(A) Existing subdivisions.

(B) Current zoning districts.

(C) Major reference points in the vicinity of the airstrip or airport.

(D) Existing topography, if available.

(E) The airport elevation that shall be the official elevation of the airport or airstrip upon approval of the map.

iii. The map required by paragraph a. above, shall accurately depict airspace zones as provided in FAR part 77, subpart C, paragraph 77.25, in ten-foot conical increments. Before submission to the Department the map shall be certified by the Federal Aviation Administration that it depicts the requirements of FAR part 77, subpart C, paragraph 77.25. If, for safety reasons, zone surfaces deviate in any way from the requirements of the FAR, each such deviation shall be indicated in writing on the map and shall be accompanied by a letter of nonobjection by the Federal Aviation Administration. Any such deviation is subject to approval of the department.

iv. Before submission to the department any optional map depicting airspace zones provided in FAR part 77, subpart C, paragraph 77.23(A)(2) or 77.23(A)(3), must be certified by the Federal Aviation Administration indicating that it accurately depicts the requirements of FAR part 77, subpart C, subsection 77.23(A)(2) or 77.23(A)(3).

d. Additional Height Limitations in Airport Height Overlay District

Notwithstanding the height limitations in section 21.06.020, *Dimensional Standards Tables*, in subsection 21.09.060B., *Dimensional Standards Tables* (Girdwood), and in subsection 21.10.060C., *Dimensional Standards Tables* (Chugiak-Eagle River), all development within the airport height overlay district shall comply with the following height limitations:

i. No structure shall be constructed or maintained so that it exceeds the greater of:

(A) Thirty-five feet above ground elevation; or

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(B) The maximum height permitted under FAR part 77, subpart C, as depicted on any airport height zone map adopted under section 21.04.080.C., Airport Height Overlay District.

ii. Any structure within three nautical miles of an airport reference point established by federal regulation, the height of which exceeds the level of that reference point by more than 200 feet, shall present to the building official the results of an airspace determination conducted by the Federal Aviation Administration pursuant to its regulations.

iii. The height restrictions of this district do not apply to buildings for which building or land use permits were issued prior to June 17, 1986.

iv. Vegetation shall not be affected by the height limitation of this section.

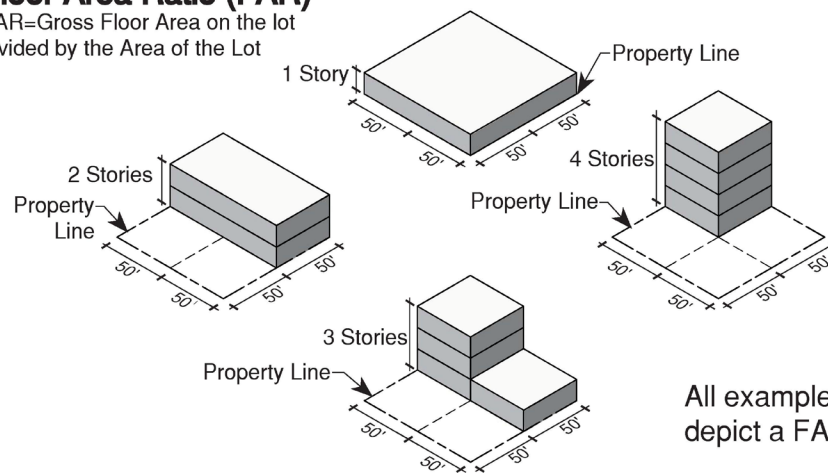
E. Floor Area Ratio (FAR)

1. Purpose

Floor area ratio (FAR) establishes the amount of use (the intensity) on a site. FAR provides a means to match the potential amount of uses with the intended functions and character of the area and the provision of public infrastructure and services. FARs also work with the height, setback, and lot coverage standards to ensure the overall bulk of development is compatible with the area. It is also the purpose of this title to provide floor area ratio bonuses to encourage development characteristics that advance community objectives, such as affordable housing, below grade parking, and open space.

Floor Area Ratio (FAR)

FAR=Gross Floor Area on the lot
divided by the Area of the Lot



2. Areas Not Considered in Measuring Floor Area Ratio

Unless otherwise provided in this title, all gross floor area shall be considered in determining FAR except for the following:

- Uninhabitable attics;
- Residential space in an attic under a roof slope of between 8:12 and 12:12, provided the residential space is limited to one story;
- Crawl spaces less than five feet from floor to ceiling;
- Floor area in stories below grade plane that is devoted to parking or loading;

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e. Detached accessory structures; and

f. Private open space that meets the standards of 21.07.030.

3. Maximum Floor Area Ratios

a. *Downtown and Other Districts*

Maximum FAR in the DT-1, DT-2, DT-3, R-4, R-4A, and other districts in which FARs may apply are established within the district-specific standards in chapter 21.04. Increases in allowable FAR are available through incentives also provided in the district-specific standards.

b. *FAR Bonus Review*

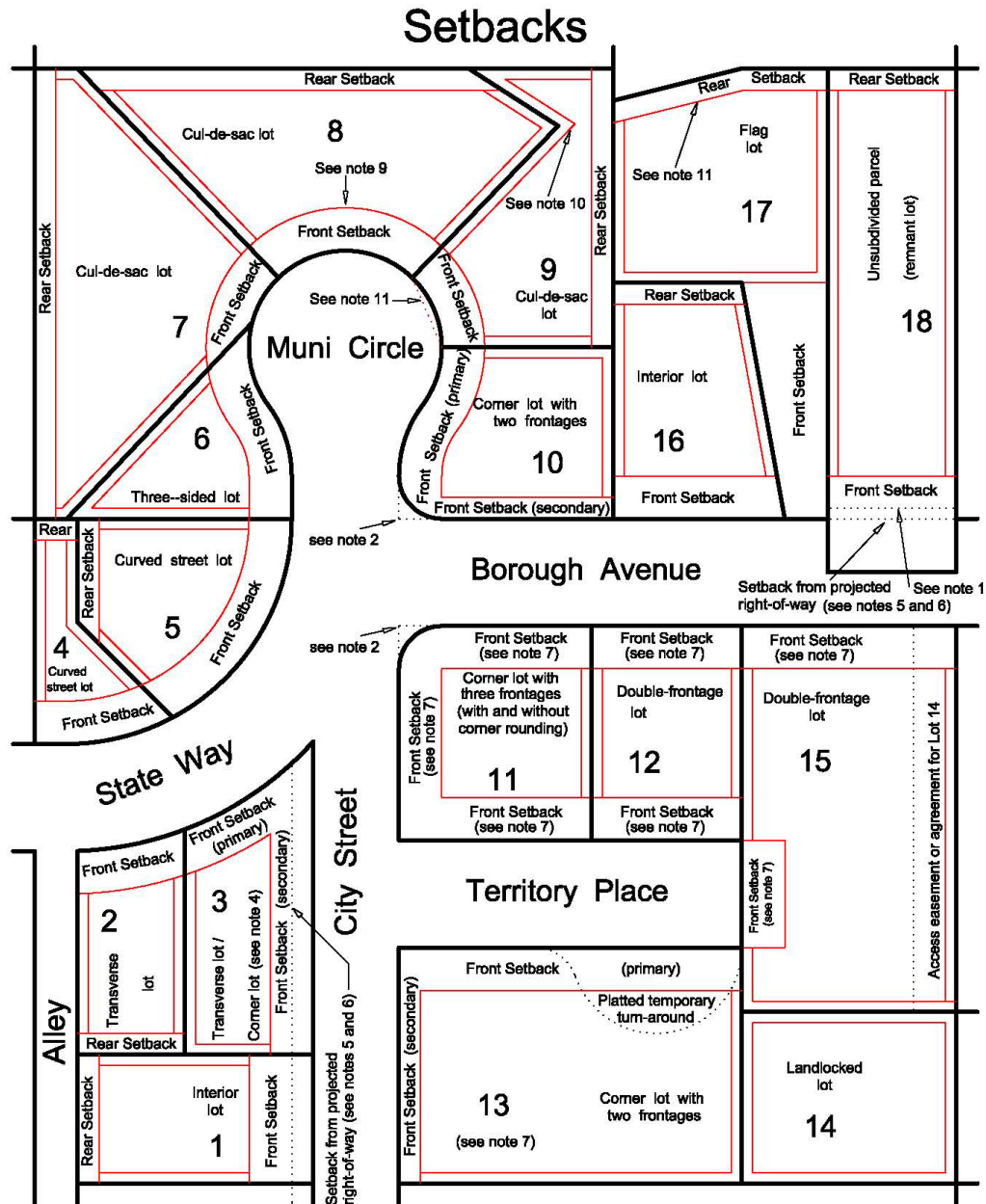
An administrative site plan review shall be conducted on all developments proposed for a floor area ratio bonus, unless exempted in writing by the director or a higher level of review is required.

c. *FAR Bonus Agreement*

Where a special feature is to be provided in order to receive an FAR bonus, the owner shall enter into a written agreement with the municipality ensuring the continued provision of the special feature for as long as the development uses the FAR bonus. The municipality shall record the agreement at the district recorder's office as a covenant running with the land, binding upon the owner and all successors and assigns, and enforceable by the municipality. Recordation of the agreement shall take place prior to the issuance of any entitlement for the development.

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Chapter 21.06: Dimensional Standards and Measurements Sec.21.06.030 Measurements and Exceptions



Notes:

All setbacks not called out in the illustration are side setbacks.

1. Section line easement, BLM road reservation, road or public use easement.
2. Front property lines intersect by extrapolation.
4. On corner, double-frontage, and three-sided lots, there are no rear setbacks, but only front and side setbacks.
5. The area between the property line and the setback from projected right-of-way is subject to the same regulations as a front setback.
6. The front setback is measured from the setback from projected right-of-way. See subsection 21.06.030C.7.c.
7. Front setbacks shall be determined pursuant to subsection 21.06.030C.4. Until such determination, full-depth setbacks apply on all frontages.
9. The setback follows the curve of the lot line.
10. Side setbacks are extended to intersect.
11. The rear property line is the line (or lines intersecting at an interior angle of not less than 135 degrees) most parallel to the chord of the front property line.

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Chapter 21.06: Dimensional Standards and Measurements
Sec.21.06.030 Measurements and Exceptions

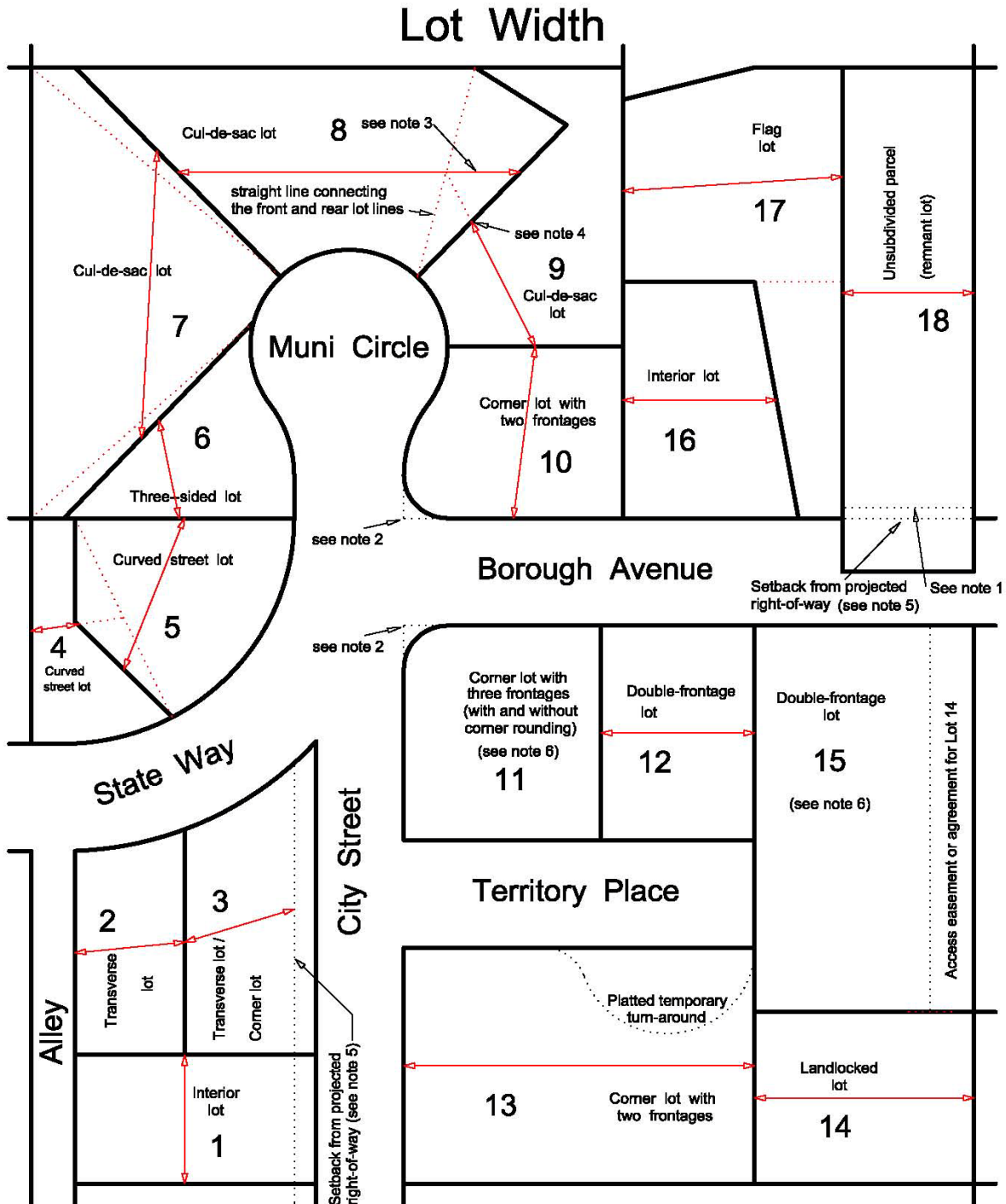


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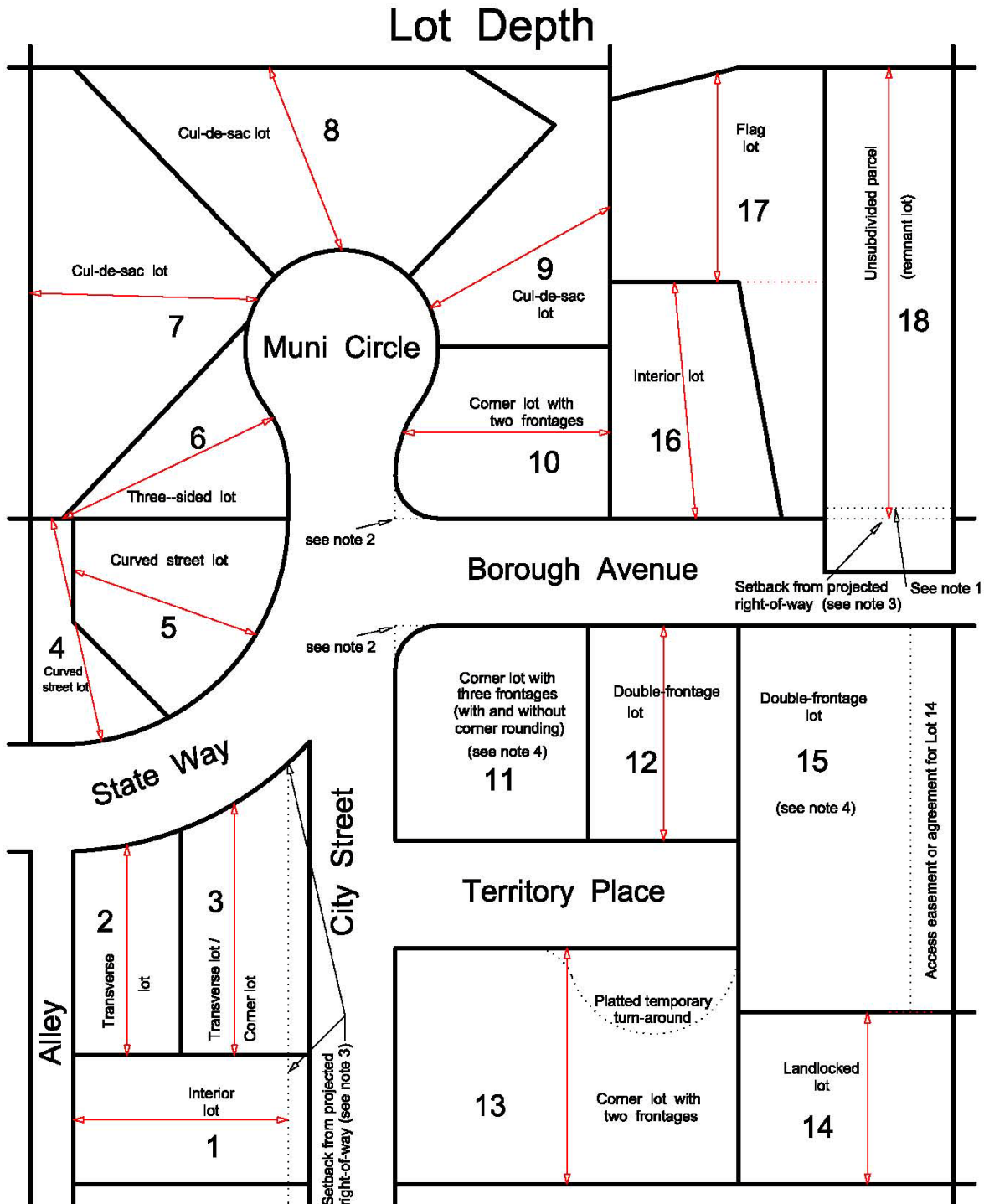
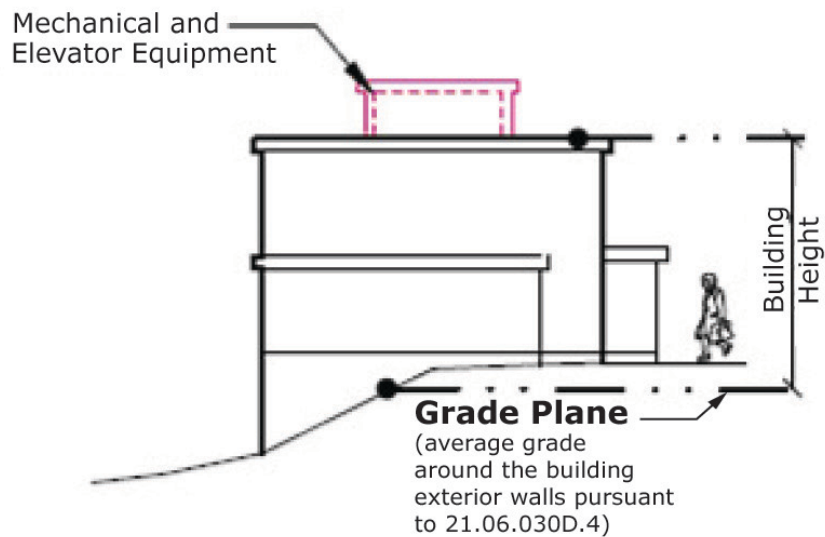
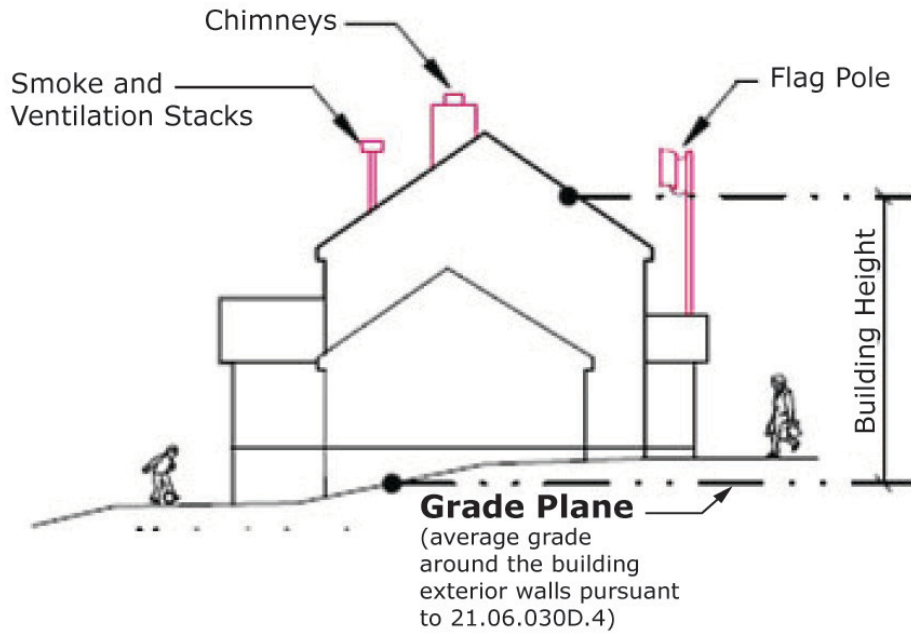


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Grade Plane for Measurement of Building Height

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Chapter 21.06: Dimensional Standards and Measurements Sec.21.06.030 Measurements and Exceptions

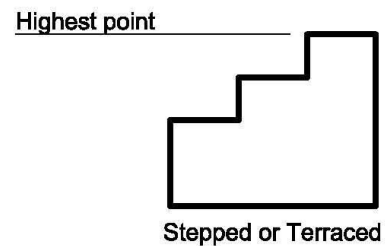
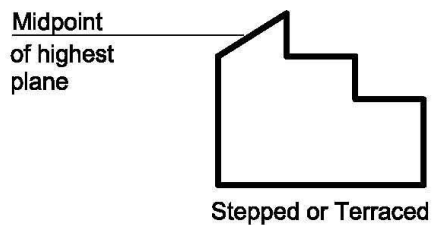
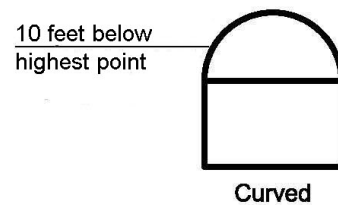
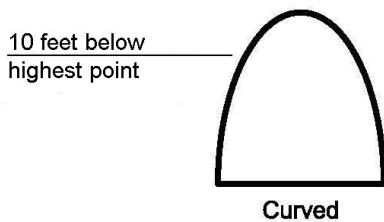
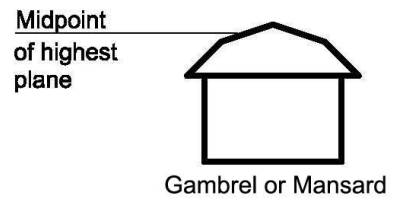
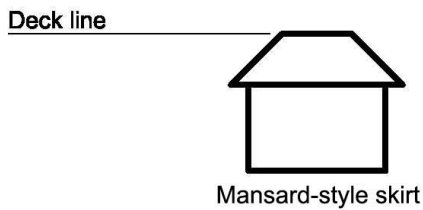
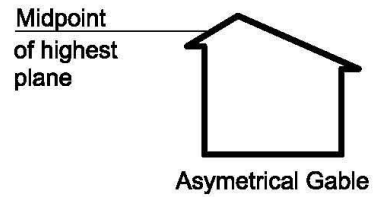
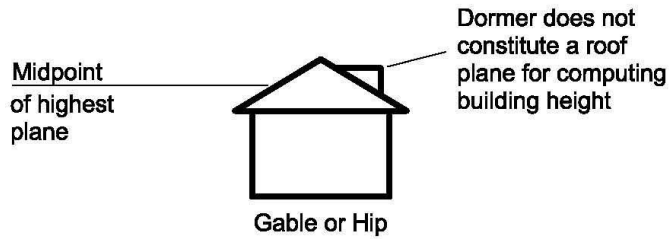
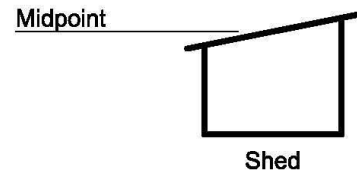
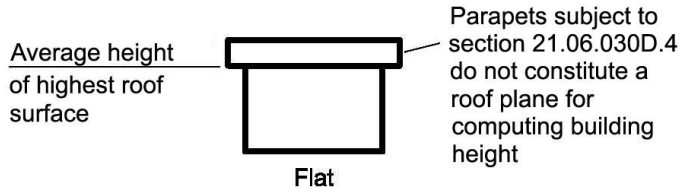


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CHAPTER 21.07: DEVELOPMENT AND DESIGN STANDARDS

21.07.010 GENERAL PROVISIONS

A. Purpose

The development and design standards set forth in this chapter shall apply to the physical layout and design of development in the municipality. These provisions address the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to implement the comprehensive plan vision for a more attractive, efficient, and livable community. The specific purposes of this chapter include:

1. To encourage the proper use of the land by promoting an appropriate balance between the built environment and the preservation and protection of open space and natural resources;
2. To provide standards that reasonably balance community goals, economic growth, quality of life, and development costs;
3. Promote the protection of natural features and resources, water quality and hydrological functions, and important or hazardous environmental areas;
4. To provide appropriate standards to ensure a high quality appearance for the municipality and promote good design while also allowing flexibility, individuality, creativity, and artistic expression;
5. To provide development and design standards that address and are tailored to the municipality's northern climate and winter city character;
6. To protect and enhance residential neighborhoods, commercial districts, and other areas by encouraging physical development that is of high quality and is compatible with the character, scale, and function of the surrounding area;
7. To encourage developments that relate to adjoining public streets, open spaces, and neighborhoods with building orientation and physical connections that contribute to the surrounding network of streets, walkways, pathways, and trails.

B. Buildings to Have Access

Every building shall be on a lot abutting on a constructed public street with principal access to such street, or with access to a constructed private street approved by the appropriate fire authority, public works department, [DEVELOPMENT SERVICES DEPARTMENT, TRAFFIC DEPARTMENT,] and **community development** [PLANNING] department. This standard may be waived by approval of the municipal engineer, traffic engineer, and the director.

C. Addresses

It is the responsibility of the property owner to affix street address numbers assigned by the municipality to the affected building(s) or on another structure (natural or otherwise) nearer to the street, to be plainly visible and legible from the street named in the address. Sub-addresses shall also be visible when approaching the building and on each applicable entrance.

D. Alternative Equivalent Compliance

1. Purpose

Alternative equivalent compliance is a procedure that allows development to meet the intent of this chapter through an alternative design. The procedure permits a site-specific

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plan that is equal to or better than the strict application of a design standard specified in this title. This procedure is not intended as a substitute for a variance or administrative modification or as a vehicle for relief from standards in this chapter.

2. Applicability

The alternative equivalent compliance procedure shall be available only for the following sections of this title [CHAPTER]:

a. Subsection 21.06.030D.8., *Height Transitions for Neighborhood Compatibility*;

b. Subsection 21.07.090M.3., *Structured Parking; Façade Treatment*;

c. Section 21.07.110, *Residential Design Standards*;

d. Section 21.07.120, *Large Commercial Establishments*; and

e. Subsection 21.09.080, *Building Design Standards* (Girdwood).

3. Pre-Application Conference Required

An applicant proposing to use alternative equivalent compliance under this section shall request and attend a pre-application conference prior to submitting the site plan for the development, to determine the preliminary response from the director. Based on that response, the site plan application shall include sufficient explanation and justification, in both written and graphic form, for the alternative compliance requested.

4. Decision-Making Responsibility

Final approval of alternative equivalent compliance under this section shall be the responsibility of the decision-making body responsible for deciding upon the application. By-right projects that are reviewed for compliance with this title through the land use permit process [WOULD NOT ORDINARILY REQUIRE REVIEW UNDER THIS TITLE], yet which are proposing alternative equivalent compliance, shall receive written approval of the alternative equivalent compliance from the director.

5. Timing of Decision

If the director is the decision-making body, the director shall render a written decision within 21 days of receipt of an application for alternative compliance. Should a decision not be rendered within 30 days, the application shall stand as approved.

6. Criteria

To grant a request for alternative equivalent compliance, the decision-making body shall find that all of the following criteria are met:

a. The proposed alternative design achieves the intent of the subject design standard to the same or better degree than the subject standard.

b. The proposed alternative design achieves the goals and policies of the comprehensive plan to the same or better degree than the subject standard.

c. The proposed alternative design results in benefits to the community that are equivalent to or better than compliance with the subject design standard.

7. Effect of Approval

Alternative compliance shall apply only to the specific site for which it is requested and does not establish a precedent for assured approval of other requests.

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21.07.020 NATURAL RESOURCE PROTECTION

A. Purpose

The municipality contains many natural amenities including streams, natural drainages, wildlife habitat areas, water bodies, scenic features such as mountains and coastal areas, wetlands, and hillsides, as well as significant amounts of native forest, tree cover, and open space, all of which contribute to the municipality's character, public health, quality of life, and property values. The requirements of this section are intended to ensure that the natural character of the municipality is reflected in patterns of development and redevelopment, where feasible and appropriate.

B. Stream, Water Body, and Wetland Protection

1. Purpose

The following requirements are intended to promote, preserve, and enhance the important hydrologic, biological, ecological, aesthetic, recreational, and educational functions provided by streams, associated riparian areas, water bodies, and wetlands, particularly by minimizing impervious surface and by reducing erosion and the contamination of streams, wetlands, and water bodies by pollutants or invasive plants.

It is the intent of the municipality to follow the adoption of the Title 21 Rewrite Project (2002-2012) within six months with a separate public process to complete the development of a stream protection setback amendment to title 21. Objectives include:

- a. To provide wider stream protection setbacks; and
- b. To provide relief for property that would be impacted or rendered nonconforming by such wider setbacks.

2. Applicability

This subsection 21.07.020B. shall apply to new development, except for the following development or activities:

- a. Maintenance and repair of existing public roads, utilities, and other public facilities within an existing right-of-way or easement, or otherwise within a setback;
- b. Flood prevention or rehabilitation work carried out by a government agency or approved by a government agency;
- c. Maintenance and repair of flood control structures and activities in response to a flood emergency; and
- d. Wetland, stream channel, and wildlife habitat restoration, construction, and/or enhancement that improves or restores the wetland or stream functions, provided that the proposed activity is approved by the appropriate agency such as the U.S. Corps of Engineers or the Alaska department of fish and game.

3. Relationship to Other Regulations

- a. This subsection 21.07.020B. does not repeal or supersede any existing federal, state, or local laws, easements, covenants, or deed restrictions. When this subsection imposes a higher or more restrictive standard than found in another applicable ordinance, statute, or regulation, this subsection shall apply.
- b. No person shall engage in any activity that will disturb, remove, drain, fill, dredge, clear, destroy, or alter any area, including vegetation, within a wetland that falls in

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the jurisdiction of the federal government and its agencies, except as may be expressly allowed under a permit issued by the appropriate federal agency.

- c. The decision-making body may grant final approval to any development or activity, including subdivisions and rezonings, in a wetland that falls within the federal government's jurisdiction conditioned upon all necessary federal approvals and permits having been obtained.

4. Buffer/Setback Requirements

a. Water Courses

i. In all zoning districts except for the R-10 district and the area covered by the *Hillside District Plan*, buildings, accessory structures, and parking lots shall be set back at least 25 feet horizontally from the ordinary high-water mark on each side of streams or, if not readily discernible, from each side of the defined bank of the stream. In the R-10 district and in the area covered by the *Hillside District Plan*, the setback shall be 50 feet. Except as provided in B.6. below, no disturbance is permitted in the setback area.

ii. In all zoning districts, buildings, accessory structures, and parking lots shall be set back at least 10 feet horizontally from the edge of each side of **above-ground** drainageways and ephemeral channels defined or verified by the public works department. Except as provided in B.6. below, no disturbance is permitted in the 10-foot setback area. The public works department may require a greater setback, if in their professional judgment, the additional setback is necessary to provide for groundwater discharge zones or infiltration areas, the disturbance of which would alter natural flow characteristics.

iii. Segments of streams or tributaries that are contained underground in pipes or culverts have no setback.

iv. For parcels where there are wetlands contiguous with a stream, setback requirements are listed in table 2 of the *Anchorage Wetlands Management Plan*.

b. Alternate Setback Option for Stream Corridor

i. A stream channel alteration or restoration project may create a "stream corridor" containing appropriate meander widths based on topographic conditions and hydraulic design. Where established, the "stream corridor" shall be the stream setback for the purposes of municipal code.

ii. The stream corridor width shall be subject to public works department approval.

iii. Stream corridor widths shall be based on appropriate reference stream reaches, considering slope, soils, discharge, elevation, and channel pattern and function and shall not be less than 100 feet wide.

iv. The design of the new stream channel may meander within this corridor. Channel alteration design shall comply with subsections 6.c. and 6.d. below. The ordinary high water mark of the designed channel shall not come within 25 feet of the edge of the corridor, and not more than 20 percent of its length shall be within 25 to 35 feet of the edge of the corridor.

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v. Before site work begins, the stream corridor shall be established by a recorded survey or an approved plat.

c. **Wetlands**

i. To the maximum extent feasible, class A and those class B wetlands which, as a result of a U.S. Corps of Engineers decision or permit condition, are not authorized for development, shall be platted into separate tracts and not included as part of a development lot. Wetland classes are defined and delineated in the *Anchorage Wetlands Management Plan*.

ii. Except as provided in B.6. below, all buildings, accessory structures, fills and other storage of materials, and parking lots shall be set back at least 15 feet horizontally from the delineated edge of all class A wetlands, and all portions of class B and C wetlands not authorized for development; no disturbance is permitted in the 15-foot setback area.

d. **Water Bodies**

In all districts, buildings, accessory structures, and parking lots shall be set back at least 25 feet horizontally from the **ordinary high water mark [EDGE]** of water bodies. The setback shall be vegetated, except for minimal areas to allow for access to those uses such as docks, boathouses, and floatplane storage that require direct access to a water body by their very nature or function.

e. **Credit for Other Requirements of this Title**

Stream, water body, and wetland setback areas shall be credited toward any applicable private open space requirements or landscaping requirements only if such setback areas serve the purposes of those requirements as set forth in this title.

5. **Boundary Delineation**

a. **Official Definitions and Standards**

i. In cases where water courses or water bodies are not mapped and recorded in official plans or other documents, delineation of such features shall be made according to public works department procedures, and shall be subject to formal verification by the public works department.

ii. In cases where wetlands are not mapped and recorded in official plans or other documents, including the *Anchorage Wetlands Management Plan*, delineation of such features shall be performed using procedures as described by the U.S. Corps of Engineers. Delineations shall be subject to formal verification by the U.S. Corps of Engineers.

b. **Water Course Boundaries**

Water course boundaries shall be delineated at the ordinary high-water mark or, if not readily discernible, the defined bank of the stream, as those terms are defined in chapter 21.14. In those instances where the defined bank of the water course is not readily discernible, the public works department shall establish the effective ordinary high-water mark. The public works department shall maintain the official record of all water course boundaries.

c. **Wetland Boundaries**

i. *Mapped Wetlands*

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Boundary delineation of wetlands shall be established by reference to the *Anchorage Wetlands Management Plan*, which is available for reference in the department and which is hereby adopted and incorporated into this title by reference. Plats shall depict class A and B wetland boundaries, and boundaries of class C wetlands that are not authorized for development.

ii. *Unmapped Wetlands*

The review of a development proposal may discover a potential wetland that has not been mapped or for which the boundaries have not been clearly established. In such instances, the boundaries of the wetland shall be delineated according to subsection 5.a.ii. above. Any new wetland boundaries delineated herein shall be submitted to the U.S. corps of engineers for approval.

6. **Development Standards**

a. ***Activities, Uses, and Structures Allowed in a Required Water Course or Wetland Setback With Prior Approval, As Noted***

i. With the appropriate approvals and/or permits and in accordance with the conditions of subsection 6.c. below, maintenance, including placement of riprap, debris removal, glaciation control, sediment removal, protection of adjacent or downstream property from flooding, soil stabilization, and erosion control, may be performed within the water course and/or the setbacks described in B.4. above. Appropriate approvals and/or permits may include a U.S. Corps of Engineers permit, a municipal flood hazard permit, or a storm water treatment plan approval.

ii. Channel alteration, including restoration and relocation projects, with appropriate state and federal permits and in accordance with the conditions of 6.c. below, are allowed.

iii. Culvertization of water courses, with any appropriate permits, is allowed.

iv. Redevelopment of structures or uses existing on January 1, 2014 is allowed in the setback where:

(A) The director determines there is no practical or feasible alternative to encroaching into the setback; and

(B) The redevelopment does not increase the encroachment over the existing situation.

v. On undeveloped platted lots existing before January 1, 2014 where the director determines the setback precludes practical or feasible development of the lot, the director shall approve a site plan that allows but minimizes encroachment into the setback.

b. ***Activities, Uses, and Structures Allowed in a Required Water Course or Wetland Setback Without Prior Approval, Unless Specifically Noted***

i. The following structures and uses of land or structures are permitted generally perpendicular to the setback or stream edge within the stream, drainageway, ephemeral channel, wetland, and water body setback, where it is necessary in order to cross or enter the feature:

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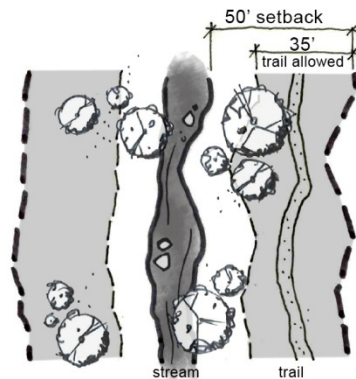
- (A) Roads, driveways, trails, and other transportation and public recreation facilities;
- (B) Utility facilities pursuant to 6.e. below;
- (C) Drainage facilities, in accordance with subsection 21.07.040 and approved by the public works department.

ii. The following structures and uses of land or structures are permitted parallel to the stream within the outer 10 feet (15 feet in the R-10 district and in the area covered by the *Hillside District Plan*) of the setback:

- (A) Public recreation facilities such as trails;
- (B) Utility facilities pursuant to 6.e. below;
- (C) Drainage facilities, in accordance with subsection 21.07.040 and approved by the public works department.

The structures and uses listed in subsections ii.(A)-(C) above are allowed provided that utility facilities and applicable drainage facilities are buried, and provided that all disturbed areas shall be revegetated with trees, shrubs, and ground cover similar to natural vegetation in the area. Revegetation is to occur during the same growing season, except as otherwise permitted by the director.

iii. Only in the area covered by the *Hillside District Plan*, trails are permitted parallel to the stream within the outer 35 feet of the setback. Through the design and permitting process, trails may be located closer to the stream for a justified reason, such as overcoming a physical, topographical, or land ownership constraint, or taking advantage of a viewpoint.



iv. All disturbed areas associated with permitted activities shall be revegetated with landscaping similar to the natural vegetation of the area. Revegetation shall occur during the same growing season as the permitted activity, unless otherwise permitted by the director.

c. **Conditions**

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All work within a water course or water course setback, whether permitted by-right or allowed through a specific approval process, shall meet the following conditions, along with any other required permits:

- i. Materials used or the removal of ground cover shall not create turbidity or other water quality problems;
- ii. There shall be no increase in flooding or erosion problems upstream or downstream;
- iii. If applicable, flow lines of the altered section of the water course shall match those in the existing water course at the endpoints of the alteration;
- iv. If applicable, the gradient/meander balance, grade control, and bed stability shall be adequate to maintain the natural stream function of water conveyance and sediment transport, in accordance with the judgment of the public works department; and
- v. If applicable, the alteration shall have no negative effect on fish habitat.

d. Prohibited Activities

- i. No person shall engage in any activity that will disturb, remove, fill, drain, dredge, clear, destroy, or alter an area, including vegetation, within water courses, water body edges, wetlands, or their associated setback areas, except as may be expressly allowed in this section or title.
- ii. Except as allowed in 6.a. and 6.b. above, channel alteration is prohibited unless required in emergency situations. In emergency situations, the municipal engineer shall be notified on the next business day after channel alteration has begun. After inspection, the municipal engineer shall prescribe any measures necessary to meet the conditions of 6.c. above. For the purposes of this standard, an "emergency" is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken immediately.
- iii. No storage or processing of hazardous materials or other substances that would constitute a violation of AMC chapter 15.40 is permitted.

e. Utilities

Utilities and potable water wells may be allowed in a setback area only if the decision-making body determines that there is no practical alternative. Any disturbance of the setback area shall be reclaimed by regrading to original contours and revegetation with native species. Provisions for reclamation of the disturbed area shall be included in any development or improvements agreement for the project, with adequate collateral to guarantee the reclamation will be completed. Utility corridors in setback areas shall be located at the outside edge of the area or if crossing the setback laterally shall disturb only the minimum area necessary to install the utility. Access roads for maintenance of utilities shall be located outside the setback area to the maximum extent feasible. Access for maintenance of utilities in setback areas shall be at specific points rather than parallel to the utility corridor whenever possible.

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f. Recreation, Education, or Scientific Activities

Structures and improvements for recreational, educational, or scientific activities such as trails, swimming beaches, docks, fishing access, and wildlife management and viewing may be permitted in a setback area by the appropriate government agency.

7. Preservation and Restoration of Vegetation

All existing vegetation within the stream or wetland setback area shall be preserved and, where necessary to repair damaged riparian areas, supplemented with additional native planting and landscaping. The removal of trees or vegetation that are a threat to the public health, safety, or welfare; the removal of species identified as invasive by the state of Alaska; or the removal of dead or naturally fallen trees or vegetation, shall be exempt from this requirement.

8. Implementation of Anchorage Wetlands Management Plan

a. Zoning and Platting Actions

Zoning and platting actions taken under this title shall be consistent with the *Anchorage Wetlands Management Plan*.

b. Application of Plan to Approved Projects

Conditional uses and preliminary plats approved prior to March 12, 1996, the date of adoption of the revised *Anchorage Wetlands Management Plan*, shall not have additional conditions imposed upon them as a result of requirements of the plan except as follows:

i. The "A" designation shall apply regardless of prior approvals.

ii. Approved plats or conditional uses in wetlands that are returned to the platting authority or planning and zoning commission for major amendment may be examined for conformity with goals and enforceable policies of the *Anchorage Wetlands Management Plan*.

iii. A new U.S. Corps of Engineers permit is required.

C. Steep Slope Development

1. Purpose

The purpose of this subsection 21.07.020C. is to establish standards that help achieve the following objectives for development on steep slopes:

a. Prevent soil erosion and landslides;

b. Provide safe circulation of vehicular and pedestrian traffic to and within hillside areas and to provide access for emergency vehicles necessary to serve the hillside areas;

c. Encourage only minimal grading that relates to the natural contour of the land and discourage mass grading of large pads and excessive terracing;

d. Encourage building types, grading design, lot sizes, site design, density, arrangement, and spacing of buildings in developments in sloped areas that integrate into the natural terrain with minimal re-contouring, in accordance with adopted goals and policies;

e. Encourage innovative architectural, landscaping, circulation, and site design;

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- f. Encourage the protection of visually significant and/or prominent natural features, such as ridgelines and rock outcroppings;
- g. Incorporate drainage design that does not adversely impact neighboring or nearby properties, downstream properties, receiving waters, and public infrastructure; and
- h. Encourage the retention of natural, indigenous vegetation that provides wildlife habitat, helps retain runoff, and maintains the area's visual character.

2. Applicability

- a. Except as noted in subsection 2.b. below, a Any lot with an average slope of 20 percent or greater, or where adverse conditions associated with slope stability, erosion, or sedimentation are present as determined by the municipal engineer, shall comply with the standards of this subsection 21.07.020C. Lots being subdivided shall comply with chapter 21.08, including subsection 21.08.030H., *Subdivisions on Slopes*, if applicable.
- b. This section applies to naturally occurring steep slopes and not to those that result from human activities, such as gravel extraction.

3. Standards

Except as allowed in subsection C.4. below, all proposed development subject to this section shall comply with the following standards.

a. **Determination of Original/Natural Grade**

Original/natural grade shall be as defined in chapter 21.14. If there has been previous development on the lot (e.g., gravel extraction), the director shall determine original/natural grade, taking into account the previous development, the existing grade of surrounding lots, the availability of information on pre-development grade, and the feasibility of using pre-development grade.

b. **Slopes Greater than 30 Percent**

That contiguous portion of any lot which is 5,000 square feet or larger with slopes steeper than 30 percent shall remain undisturbed, except as allowed in subsection C.4. below.

c. **Site Disturbance Envelope**

i. There shall be a site disturbance envelope on each applicable lot. Earth disturbance and vegetation clearing shall be limited to the site disturbance envelope. Clearing, grubbing, or grading outside the site disturbance envelope is prohibited except to modify fuels in order to reduce fire risk, or to accommodate utility service connections.

ii. The size of the site disturbance envelope shall be as follows:

- (A) Lots less than 40,000 square feet: 10,000 square feet maximum or 50 percent of the lot area maximum, whichever is less.
- (B) Lots 40,000 square feet to two acres in area: 20,000 square feet maximum.
- (C) Lots over two acres but less than five acres: 30,000 square feet maximum.

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(D) Lots five acres or greater: 40,000 square feet maximum.

iii. Areas outside the site disturbance envelope shall not be used for stockpiling materials or excess fill, construction vehicle access, storage of vehicles during construction, or similar uses. Temporary construction fencing shall be installed around the perimeter of the site disturbance envelope, to be removed after the final certificate of zoning compliance is issued.

iv. The front setback of the lot may be reduced to 10 feet.

v. If the average slope of the site disturbance envelope is less than 20 percent, the development is exempt from subsections 3.e., 3.f., 3.g., 3.h., and 3.i.

d. **Cutting, Grading, and Filling**

i. Cutting and grading to create benches or pads for buildings or structures shall be limited to within the site disturbance envelope.

ii. Cut and fill slopes shall be entirely contained within the site disturbance envelope. The toe of any fill slope not utilizing an engineered retaining structure, and any engineered retaining structure shall be a minimum of 15 feet from any property line, except for the property line abutting the street from which driveway access is taken.

iii. Cut and fill slopes shall be designed to provide a natural transition into the existing terrain by feathering and rounding.

e. **Raising or Lowering of Natural Grade**

The original, natural grade of a lot shall not be raised or lowered more than four feet at any point for construction of any structure or improvement, except:

i. The site's original grade may be raised or lowered a maximum of six feet if retaining walls are used to reduce the steepness of constructed slopes, provided that the retaining walls comply with the requirements set forth in this subsection.

ii. As necessary to construct a driveway from the street to a garage or parking lot [AREA], grade changes or retaining walls up to six feet may be allowed.

iii. For the purposes of this subsection 21.07.020C.3.e., basements and buildings set into a slope are not considered to lower the natural grade within their footprint.

f. **Retaining Walls**

Retaining walls may be used to maximize the usable area on a lot within the site disturbance envelope. Generally, a retaining wall shall be no higher than six feet, except that a wall varied in height to accommodate a variable slope shall have an average height no greater than six feet and a maximum height no greater than eight feet in any 100-foot length. Parallel retaining walls may be used to overcome steep slopes, provided the following standards are met:

i. The minimum distance between walls shall be six feet;

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- 1 ii. The maximum allowable slope between walls shall be 3H:1V; and
- 2 iii. The area between the walls shall be landscaped with one of the following
- 3 per 20 linear feet, [TREES, SHRUBS, OR BOTH AT A RATE OF 0.5
- 4 LANDSCAPE UNITS PER LINEAR FOOT] measured along the length of
- 5 the lower retaining wall:

6 (A) One tree and six shrubs; or

7 (B) Three shrubs that are at least five feet high at the time of

8 planting, and four other shrubs meeting the standards of section

9 21.07.080.

10 A higher wall is permitted:

- 11 i. Where used internally at the split between one- and two-story portions of
- 12 a building; and
- 13 ii. Where substantially hidden from public view at the rear of a building,
- 14 where it may not exceed the eave height of the building.

15 g. **Natural Drainage Patterns**

- 16 i. Site design shall not change natural drainage patterns, except as
- 17 provided below.
- 18 ii. All grading and drainage shall comply with section 21.07.040, title 23, the
- 19 *Design Criteria Manual* (current approved edition), and the municipality's
- 20 *Storm Water Treatment Plan Review Guidance Manual*.
- 21 iii. Except where otherwise provided in this section, development shall
- 22 preserve the natural surface drainage pattern unique to each site as a
- 23 result of topography and vegetation. Grading shall ensure that drainage
- 24 flows away from all structures. Natural on-site drainage patterns may be
- 25 modified on site only if the applicant shows that there will be no
- 26 significant adverse environmental impacts on site or on adjacent
- 27 properties. If natural drainage patterns are modified, appropriate
- 28 stabilization techniques shall be employed.
- 29 iv. Development shall not adversely impact adjacent and surrounding
- 30 drainage patterns.

31 h. **Ground Cover and Revegetation**

32 Ground cover and vegetation shall be maintained to control erosion and

33 sedimentation. All areas that are denuded for any purpose shall be revegetated

34 or the soils stabilized to prevent erosion and sedimentation prior to November 1

35 of the year of construction. No excavation shall be permitted after November 1

36 or before May 1 except under emergency conditions, as determined by the

37 building official.

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i. ***Building Design Standards***

The purpose of the building design standards is to minimize site disturbance, avoid extreme grading required by large building pads on steep slopes, and reduce the risk of damage from natural hazards.

i. All buildings and structures shall have a foundation which has been designed by a professional engineer, architect, or other qualified professional.

ii. At any given point, the height of the structure shall not exceed 25 feet above the original (natural) grade.

4. **Slopes Greater Than 30 Percent**

a. ***Purpose***

The requirements of this section are intended to allow consideration of development on slopes up to 50 percent. In order to assure the safety and stability of such development and to reduce offsite impacts, additional submittals are required as described in this subsection. Nothing in this subsection guarantees approval to disturb slopes greater than 30 percent.

b. ***Applicability***

If the site disturbance envelope as defined in C.3.c. above contains slopes over 30 percent, the standards of this section shall apply.

c. ***Slopes Greater Than 50 Percent***

All slopes greater than 50 percent shall remain undisturbed.

d. ***Existing Lots***

Notwithstanding other standards of this section, lots existing on January 1, 2014 that, due to the prevalence and/or distribution of slopes over 50 percent, are not able to meet these standards, are allowed a site disturbance envelope of 20,000 square feet. Within this site disturbance envelope, slopes over 50 percent are allowed to be disturbed.

e. ***Administrative Site Plan Review Required***

Development on slopes greater than 30 percent but not exceeding 50 percent requires an administrative site plan review. In addition to the site plan approval criteria set forth in subsection 21.03.180F., the approval criteria in subsection 4.g. below shall apply.

f. ***Additional Submittal Requirements***

In addition to the submittal requirements for an administrative site plan review, the following information is required:

i. A geotechnical engineering report, stamped by an engineer licensed in the state of Alaska, to include the following:

(A) Nature, distribution, strength, and stability of soils; conclusions and recommendations for grading procedures; recommendations for frequency of soil compaction testing, design criteria for corrective measures; and opinions and recommendations covering the adequacy of the site to be developed.

(B) Slope stability analysis: conclusions and recommendations concerning the effects on slope stability of excavation and fill,

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- 1 introduction of water (both on and offsite), seismic activity, and
2 erosion.
- 3 (C) Foundation investigation: conclusions and recommendations
4 concerning the effects of soil conditions on foundation and
5 structural stability, including permeability, bearing capacity, and
6 shear strength of soils.
- 7 (D) Specific recommendations for cut and fill slope stability, seepage
8 and drainage control, or other design criteria to mitigate geologic
9 hazards, slope failure, and soil erosion.
- 10 (E) Depth to groundwater in the wettest seasonal conditions, and to
11 bedrock, if less than 15 feet.
- 12 (F) Complete description of the geology of the site, a complete
13 description of bedrock and subsurface conditions and materials,
14 including artificial fill, soil depth, avalanche and mass wasting
15 hazard areas, fractures, or other significant features.
- 16 (G) A summary of field exploration methods and tests on which the
17 report is based, such as probings, core drillings, borehole
18 photography, or test pits. The public works [PROJECT
19 MANAGEMENT AND ENGINEERING] department shall confirm
20 that the analysis methods and age of data are a reliable gauge of
21 the site conditions and the potential impacts.
- 22 ii. A site development plan showing the following:
- 23 (A) Site disturbance envelope as set forth in C.3.c. above.
- 24 (B) Location of all driveways, and utility lines and installations.
- 25 (C) Location of all structures.
- 26 (D) Elevation drawings of all structures.
- 27 iii. Grading and drainage plans that provide the following:
- 28 (A) Topographic survey of existing conditions depicting at a
29 minimum two foot contour intervals on a legible site map of one
30 inch equaling 50 feet, or better.
- 31 (B) Proposed grading plan indicating limits of disturbed area,
32 finished grade at minimum two foot contour intervals, proposed
33 elevations of improvements, driveway grading at minimum 10
34 foot intervals measured on centerline, delineation of cut and fill
35 areas, constructed slopes, proposed drainage features, and
36 related construction.
- 37 (C) Drainage plans showing approximate locations for all surface
38 and subsurface drainage devices, retaining walls, dams,
39 sediment basins, storage reservoirs, and other protective
40 devices to be constructed with, or as part of, the proposed work,
41 together with a map showing drainage area, how roof and other
42 impervious surface drainage will be disposed, the complete

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drainage network, including outfall lines and natural drainage ways which may be affected by the proposed development, and the estimated volume and rate of runoff of the area served by the drains.

(D) A plan for erosion control and other specific control practices to be employed on the disturbed area where necessary.

iv. A revegetation plan that shows:

(A) The type, size, location, and grade of vegetation that will be used to complete the development plan and restore areas disturbed during construction, on a scaled plan of one inch equaling 30 feet, or better.

(B) Slope stabilization measures to be installed.

g. **Standards**

The following subsections apply to development under this subsection C.4.:

i. 21.07.020C.3.c., *Site Disturbance Envelope*;

ii. 21.07.020C.3.d., *Cutting, Grading, and Filling*;

iii. 21.07.020C.3.g., *Natural Drainage Patterns*;

iv. 21.07.020C.3.h., *Ground Cover and Revegetation*; and

v. 21.07.020C.3.i., *Building Design Standards*.

h. **Approval Criteria**

i. The proposed development minimizes disruption of the natural topography and protects natural features on the site in their natural state to the greatest degree possible.

ii. The principal and accessory structures have been sited in such a manner as to protect natural features of the site, minimize grading, preserve the appearance of scenic vistas, and minimize the risk of property damage and personal injury from natural hazards.

iii. The design of the structures includes massing, roof lines, exterior materials and colors, and decking that complements the terrain and complies with the building design standards set forth in paragraph C.3.i. above.

iv. Proposed landscaping preserves the natural character of the area while minimizing erosion and fire hazard risks to persons and property.

v. The drainage design of the development will have no adverse impact on neighboring or nearby properties.

vi. Areas not well suited for development due to soil stability characteristics, geology, hydrology limitations, or wastewater disposal, have been avoided.

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D. Wildlife Management Corridors

1. Intent

The purpose of this section is to reduce wildlife-human conflicts by managing certain linear stream corridors to minimize adverse human-wildlife interactions and to facilitate more safely the movement of wildlife in those corridors identified in this section. It is not the intent of this section to reduce density that is otherwise allowed.

2. Applicability

This subsection shall apply within 200 feet on either side of the ordinary high water mark of the following streams: Peters Creek and its tributaries upstream of the Old Glenn Highway, Eagle River, South Fork of Eagle River (below the falls), Ship Creek (upstream from Reeve Blvd.), Campbell Creek (upstream from Lake Otis Parkway), North Fork of Little Campbell Creek (upstream from Elmore Road), Rabbit Creek, Little Rabbit Creek, Indian Creek, Bird Creek, Penguin Creek, California Creek, Glacier Creek, Virgin Creek and Portage Creek.

3. Standards

Within the area identified in subsection D.2. above, the following mandatory standards shall apply:

- a. No new landfills, solid waste transfer stations, schools, or campgrounds are allowed.
- b. All outdoor trash receptacles shall be bear-resistant, and food shall not be stored outside.
- c. Roads, driveways, or trails, including bridges, shall be designed to facilitate wildlife passage along streams and to minimize wildlife-human conflicts.
- d. Trails shall be sited with direct consultation with the state department of fish and game.

4. Discretionary Approvals

- a. For discretionary approvals before the planning and zoning commission, the urban design commission, the platting board, or the zoning board of examiners and appeals that include the area identified in subsection D.2. above, the following shall be considered during deliberations:

- i. Location of new buildings, permanent structures, trails, and fences.
- ii. Long-term retention of natural vegetation and terrain in a landscape pattern that provides cover for wildlife movement and directs wildlife away from residential structures or other structures occupied on a frequent basis.

- b. All applicable discretionary approvals under this section shall be referred to the Alaska department of fish and game, wildlife division, for their review, comments, and recommendations, which shall be considered by the decision-making body.

5. Review Report

All applications affected by this section shall be referred to the Alaska Department of Fish and Game for its review, comments, and recommendations, which shall be considered by the decision-making body. Recommendations for approval shall be supported by evidence in the report submitted by that department.

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E. Flood Hazard Area Regulations

1. Purpose and Intent

The purpose of the flood hazard area regulations is to promote the public health, safety, and general welfare, and to minimize loss due to flood. The provisions of this section are intended to be an addition to all other land use regulations and to:

- a. Restrict or prohibit uses and structures that are dangerous to health, safety, or property in time of flood, or that cause increased flood heights or velocities;
- b. Require that uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection or flood proofing at the time of initial construction;
- c. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d. Minimize prolonged business interruptions;
- e. Minimize damages to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of flood hazard;
- f. Help maintain a stable tax base by providing for the sound use and development of areas of flood hazard so as to minimize future flood blight areas;
- g. Ensure that potential buyers are notified that property is in an area of flood hazard; and
- h. Ensure that those who occupy the areas of flood hazard assume responsibility for their actions.

2. Notice

Property owners affected by changes to the boundaries of the flood hazard area or by changes in the base flood elevations shall be noticed by mail.

3. Interpretation of Section; Disclaimer of Liability

- a. In the interpretation and application of this section, all provisions shall be:
 - i. Considered as minimum requirements;
 - ii. Liberally construed in favor of the governing body; and
 - iii. Deemed neither to limit nor repeal any other powers granted under state statutes.
- b. The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This section does not imply that land outside the areas of flood hazard or uses permitted within such area will be free from flooding or flood damages. This section shall not create liability on the part of the municipality, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this section or any administrative decision lawfully made thereunder.

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4. **Creation of Flood Hazard Area; Official Flood Hazard Reports and Maps**

a. **Creation of Area; Adoption of Reports and Maps**

There is hereby created a flood hazard area. This area shall be defined in its territorial extent by the following reports and maps:

i. Flood insurance study for the municipality of Anchorage, prepared by the Federal Insurance Administration, Federal Emergency Management Agency (FEMA).

ii. Flood insurance rate map (FIRM) prepared by the Federal Insurance Administration, FEMA, including the current digital flood insurance rate map (DFIRM) prepared by the Federal Insurance Administration.

iii. Flood boundary and floodway map, prepared by the Federal Insurance Administration, FEMA, including the current digital flood boundary and floodway map prepared by the Federal Insurance Administration.

iv. Flood hazard boundary map (FHBM), prepared by the Federal Insurance Administration, FEMA, including the current digital flood hazard boundary map (DFHBM) prepared by the Federal Insurance Administration.

The current editions of each of the maps and reports listed in this subsection are made a part of this section. Subsequent maps and reports prepared by the Federal Insurance Administration or the municipality delineating the flood hazard area, floodway and floodplain areas within the municipality shall become part of this chapter upon publication. A copy of the reports and maps cited in this subsection shall be on file in the department. Definitions of terms appearing on the maps and reports appear in 41 CFR 19.09.1.

b. **Flood Hazard Areas**

Within the flood hazard area, areas at a hazard for flooding include:

i. Areas within the limit of the boundary of the base flood;

ii. Areas within the highest extreme tide;

iii. Areas covered in flood hazard studies prepared for the public works department that supplement the information prepared by FEMA; and

iv. The stream setback area defined in subsection 21.07.020B.4.

c. **Review of Maps**

As necessitated by FEMA or the municipal engineer, the flood hazard district maps will be reviewed. The review may be conducted by the municipality, the U.S. corps of engineers, or the Federal Insurance Administration, and any new map panels or restudies affecting the boundaries of the flood hazard district, floodway, or floodway fringe area shall then be submitted to the planning and zoning commission for a recommendation and assembly for final adoption as part of this chapter.

d. **Rules for Interpretation of Flood Hazard Area Boundaries**

The boundaries of the flood hazard areas established by this chapter shall be determined from the cited maps and reports. Where interpretation is needed as to the exact location of the boundaries, the public works department, upon advice

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from the U.S. corps of engineers or FEMA, shall make the necessary interpretation.

5. Regulations Applicable to Flood Hazard Area

a. *Applicability*

The regulations within this section shall apply to all areas of the flood hazard area.

b. *Prohibited Development*

i. Any encroachments, new construction, fill, obstructions, substantial improvements and other development or action within the regulatory floodway that would result in any increase in flood levels during the occurrence of a base flood are prohibited.

ii. Critical facilities shall not be located in the flood hazard area. For the purposes of this subsection only, critical facilities are defined as fire stations, police stations, hospitals, emergency shelters, schools, and emergency operations centers.

c. *Standards for Issuance of Building or Land Use Permit*

No building permits, encroachment permits, manufactured home permits, or other land use permits shall be issued for any development activity within the flood hazard area unless the plans show that, in addition to compliance with all other ordinances, regulations and permit requirements, the development shall meet the following requirements:

i. Prior to final approval of a permit it must be demonstrated that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including section 404 of the Federal Water Pollution Control Act amendments of 1972.

ii. It must be demonstrated that structures will be reasonably safe from flooding. If a proposed building site is in a floodplain, all new construction and improvements shall be designed and adequately anchored to prevent flotation, collapse or lateral movement of the structure, be constructed with materials and utility equipment resistant to flood damage, and be constructed by methods and practices that minimize flood damage.

iii. The approval of a subdivision application or multi-unit development shall require proof that:

(A) The proposed construction is consistent with the need to minimize flood damage within the floodplain;

(B) All public utilities and facilities such as sewer, gas, electrical and water systems are to be located and constructed to minimize or eliminate flood damage;

(C) Adequate drainage, as required by the *Design Criteria Manual* (current approved edition), is provided to reduce exposure to flood hazards. The actions of one project shall not adversely impact the receiving waters and the rights of other property owners, as measured by increased flood peaks, flood stage,

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flood erosion, and sedimentation through storm waters or drainage systems; and

(D) Base flood elevation data has been provided for subdivision proposals and other proposed development that contains at least 50 lots or five acres, whichever is fewer.

iv. Construction within floodplains shall require that new and replacement water supply systems be designed to minimize or eliminate infiltration of floodwaters into the systems.

v. Construction within floodplains shall require that:

(A) New and replacement sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters; and

(B) On-site waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

d. *Storage of Materials or Equipment in the Floodplain*

The storage or processing of equipment or materials that are buoyant, flammable, explosive or injurious to safety, or which would cause a violation of state water quality standards upon contact with water, are prohibited in the floodplain.

6. *Regulations Applicable to Subdistricts*

a. *Floodway Area*

Since the floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris and potential projectiles and have erosion potential, the following provisions apply:

i. Permitted uses and structures are parks, parkways, greenbelts, land reserves, golf courses, playgrounds, playfields, and related facilities.

ii. Permitted accessory uses and structures are picnic tables, playground equipment, outdoor cooking facilities and like structures.

iii. The following structures and activities are permitted only by flood hazard permit including certification by a registered professional engineer demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge or result in violation of the state water quality standards: excavation of sand, gravel and other natural resources, railroad and tramway tracks, streets, bridges, utility installations and pipelines, storage yards for equipment and materials, commercial farming, and land reclamation.

iv. The following uses are prohibited: landfills, storage yards containing hazardous materials (as defined by the EPA), encroachments not otherwise excepted in this section, including fill, new construction, substantial improvements and other development.

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b. Floodway Fringe Area

The regulations listed in this subsection are applicable to the floodway fringe area:

i. Permitted uses and structures are parks, parkways, greenbelts, land reserves, golf courses, playgrounds, playfields and related facilities.

ii. Permitted accessory uses and structures are picnic tables, playground equipment, outdoor cooking facilities and like structures.

iii. The following uses, structures and activities are permitted only by flood hazard permit: any use permitted by flood hazard permit as set forth in subsection a. of this section, and all other uses, structures and activities which are in accordance with all other land use regulations provided they are adequately floodproofed as set forth in subsection E.8. below, Flood Hazard Permit.

iv. The following uses are prohibited: uses, structures and activities which are not permitted under subsections 6.b.i. through iii. of this section or which would cause violations of state water quality standards.

7. Construction Requirements

a. Generally

All new construction and substantial improvements in areas designated on the flood insurance rate map as zones A, A1-30, AE, and AH shall meet the following conditions:

i. The lowest floor, including basement or crawl space, of residential structures shall be elevated to at least one foot above the base flood level. Within the structure, attendant utility and sanitary facilities shall be elevated to at least one foot above the base flood or completely floodproofed.

ii. The lowest floor, including basement, of nonresidential structures shall be elevated to at least one foot above the base flood level, unless the structure, with all utility and sanitary facilities, is designed so that below base flood level the structure is watertight with walls substantially impermeable to the passage of water and so that it is capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

iii. All fully enclosed areas below the lowest floor that are usable solely for parking, building access, or storage in an area other than a basement or crawlspace shall have a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area according to FEMA specifications. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

iv. Where floodproofing is utilized a registered professional engineer or architect shall certify that the floodproofing methods are adequate.

v. For new manufactured home parks and manufactured home subdivisions; for expansions to existing manufactured home parks and manufactured home subdivisions; for existing manufactured home parks

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and manufactured home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50 percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for manufactured homes not placed in a manufactured home park or manufactured home subdivision, require that the repair, and on all property not within a manufactured home park or subdivision stands or lots are elevated on compacted fill or on pilings so that:

(A) The lowest floor of each manufactured home must be at least one foot above the base flood level.

(B) Adequate surface drainage and access for a hauler must be provided.

(C) For manufactured homes placed on pilings, pilings must be stable and no more than ten feet apart and reinforced if more than six feet above the ground level.

(D) Lots must be large enough to permit steps.

vi. All manufactured homes to be placed or substantially improved shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at least one foot above the base flood elevation, and be securely anchored to an adequately anchored foundation system.

vii. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include but are not limited to use of over-the-top or frame ties to ground anchors.

b. Standards for Shallow Flood Areas (AO Zones)

Shallow flooding areas appear on the flood insurance rate maps as AO zones with depth designations. The base flood depths in these zones range from one to three feet where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

i. New construction and substantial improvements of residential structures within AO zones shall have the lowest floor, including basement or crawl space, elevated above the highest adjacent grade of the building site, to at least one foot above the depth number specified on the flood insurance rate map (at least two feet if no depth number is specified).

ii. New construction and substantial improvements of nonresidential structures within AO zones shall either:

(A) Have the lowest floor, including basement, elevated above the highest adjacent grade of the building site, to at least one foot above the depth number specified on the flood insurance rate map (at least two feet if no depth number is specified); or

(B) Together with attendant utility and sanitary facilities, be completely floodproofed to or above that level so that any space

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below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect.

- iii. Adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

8. Flood Hazard Permit

a. Required

No person shall engage in development within the flood hazard area unless a flood hazard permit is first issued, pursuant to section 21.03.090, *Flood Hazard Permits*.

b. Conditions

Special conditions may be attached as a condition to the issuance of a flood hazard permit. Conditions shall include any floodproofing measures deemed necessary by the issuing official to further the purposes of this chapter. Floodproofing measures may include requirements that:

- i. The finished surface of the first or main floor shall be at least one foot above the level of the regulatory flood protection elevation.
- ii. Structures or uses below the level of the regulatory flood shall be restricted to those not involving habitual human habitation, such as working space, living space, sleeping space, etc.
- iii. The anchorage shall be suitable to resist flotation and lateral movement.
- iv. For all construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exits of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided to FEMA specifications. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers or other coverings or devices provided that they permit the automatic entry and exits of floodwaters.
- v. All areas below the level of the regulatory flood protection levels shall be coated with paint, membranes, or mortars substantially impermeable to the passage of water.
- vi. Water supply and waste treatment systems must prevent infiltration of water.
- vii. All interior drains must be connected to the sanitary sewer system.

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9. **Nonconforming Uses**

A structure or the use of a structure or premises located within the flood hazard area that was lawful before the original passage of applicable regulations, but that is not in conformity of the provisions of such regulations, may be continued subject to the following conditions:

- a. No such use shall be expanded, changed, enlarged, or altered in any way which increases its nonconformity with respect to the provisions of this chapter.
- b. If such use is discontinued for 12 consecutive months, any future use of the structure or premises shall conform to this chapter.
- c. Uses or adjuncts thereof which are or have become nuisances shall not be entitled to continuance as nonconforming uses.
- d. Any permitted alteration, addition, or repair to any nonconforming structure the cost of which equals or exceeds 50 percent of the fair market value of the structure which would result in substantially increasing the flood damage potential shall be adequately floodproofed in accordance with subsection 8.b.

10. **Duties of the Director of the Public Works Department**

- a. The director of the public works department shall grant or deny development permit applications in accordance with the provisions of this chapter, except that the platting board is directed and authorized to consider this chapter in relation to any matter brought before that board.
- b. The director of the public works department shall maintain all records required by the Federal Insurance Administration and shall file an annual report with the federal insurance administrator.
- c. Additional duties and responsibilities of the director of the public works department are as follows:
 - i. **Permit Review**
The director of the public works department shall:
 - (A) Review all flood hazard permits to determine that the permit requirements of this chapter have been satisfied.
 - (B) Review all flood hazard permits to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required.
 - (C) Review all flood hazard permits to determine if the proposed development is located in the floodway, and, if located in the floodway, ensure that the encroachment provisions of subsection 6.a. above are met.
 - ii. **Use of Other Base Flood Data**
When base flood elevation data have not been provided in accordance with subsection E.4. above, the director of the public works department shall obtain, review and reasonably utilize any base flood elevation data available from a federal, state or other source in order to administer subsections E.6. through E.9. above.

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1 iii. Information to be Obtained and Maintained

2 The director of the public works department shall:

3 (A) Obtain and record the actual elevation, in relation to mean sea
4 level, of the lowest habitable floor, including basement, of all new
5 or substantially improved structures, and whether or not the
6 structure contains a basement.

7 (B) For all new or substantially improved floodproofed structures:

8 (1) Verify and record the actual elevation, in relation to
9 mean sea level; and

10 (2) Maintain the floodproofing certifications required in
11 subsection 7.a.iv. above.

12 (C) Maintain for public inspection all records pertaining to the
13 provisions of this section.

14 iv. Duties Regarding Alteration of Watercourses

15 The director of the public works department shall:

16 (A) Notify adjacent communities and the state coordinating agency
17 prior to any alteration or relocation of a watercourse and submit
18 evidence of such notification to the Federal Insurance
19 Administration.

20 (B) Require that maintenance is provided within the altered or
21 relocated portion of the watercourse so that the flood-carrying
22 capacity is not diminished.

23 v. Interpretation of FIRM Boundaries

24 The director of the public works department shall make interpretations,
25 where needed, as to exact location of the boundaries of the areas of
26 flood hazard, for example, where there appears to be a conflict between
27 a mapped boundary and actual field conditions. The person contesting
28 the location of the boundary shall be given a reasonable opportunity to
29 appeal the interpretation as provided in subsection E.11. below.

30 11. Appeal Procedure

31 Appeals alleging error by the director of the public works department charged with the
32 enforcement or interpretation of this chapter may be taken to the zoning board of
33 examiners and appeals in accordance with the provisions of section 21.03.050, Appeals.

34 12. Standards and Conditions for Variances and Appeals

35 a. In passing upon variances or appeals, the zoning board of examiners and
36 appeals shall consider all technical evaluations, all relevant factors, standards
37 specified in other sections of this section and:

38 i. The danger that materials may be swept onto other lands to the injury of
39 others;

40 ii. The danger to life and property due to flooding or erosion damage;

41 iii. The susceptibility of the proposed facility and its contents to flood
42 damage and the effect of such damage on the individual owner;

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- iv. The importance of the services provided by the proposed facility to the community;
- v. The necessity of the facility of a waterfront location, where applicable;
- vi. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- vii. The compatibility of the proposed use with existing and anticipated development;
- viii. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- ix. The safety of access to the property in time of flood for ordinary and emergency vehicles;
- x. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- xi. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems and streets and bridges.
- b. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the items in subsections 12.a.i. through xi. of this section have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- c. The zoning board of examiners and appeals may attach such conditions to the granting of variances or appeals as it deems necessary to further the purposes of this chapter.
- d. The director of the public works department shall maintain the records of all variance and appeal actions and report any variances to the Federal Insurance Administration upon request.
- e. Conditions for variances are as follows:
 - i. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the national register of historic places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this section.
 - ii. Variances shall not be issued within any designated floodway if any increase in flood levels during the basic flood discharge would result.
 - iii. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - iv. Variances shall only be issued upon:
 - (A) A showing of good and sufficient cause;

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(B) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

(C) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

v. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

21.07.030 PRIVATE OPEN SPACE

A. Purpose

1. In residential development, private open space is intended to provide residents with opportunities for active and passive outdoor recreation, relaxation, and enjoyment.
2. In nonresidential development, private open space is intended for the general quality of the public domain, and to provide employees and customers with space for active or passive recreation and relaxation.

B. Applicability and Open Space Requirement

Development shall be required to set aside private open space according to the following minimum requirements. [FOR THE PURPOSES OF THIS SECTION, GROSS FLOOR AREA SHALL NOT INCLUDE FLOOR AREA DEVOTED TO PARKING OR LOADING, OR INDOOR PRIVATE OPEN SPACE THAT MEETS THE STANDARDS OF D.5. BELOW.]

1. R-2M districts: 480 square feet of private open space per dwelling unit, or an area equal to five percent of the gross floor area of group living uses or nonresidential development.
2. R-3 district: 400 square feet of private open space per dwelling unit. At least half of the private open space shall be shared in common among the units. Group living uses and nonresidential development shall provide an area equal to five percent of the gross floor area for open space.
3. R-4 and R-4A districts: 120 square feet of private open space per dwelling unit, and at least half of the private open space shall be shared in common among the units. Group living uses and nonresidential development shall provide an area equal to five percent of the gross floor area for open space.
4. B-1A, B-1B, B-3, RO, and nonresidential development in residential districts:
 - a. Private open space equal to five percent of the gross floor area of the nonresidential portion of the development shall be provided, up to a maximum requirement of 2,000 square feet.
 - b. Where dwelling units are part of the development, an additional 120 square feet of private open space per dwelling unit shall be provided, which shall not be combined with private open space for the nonresidential portion of the development. For townhouse-style construction, the private open space may be

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provided for the exclusive use of each dwelling unit. For other building types, at least half of the private open space shall be shared in common among the units.

5. DT districts: [to be determined through Downtown Plan and regulations processes]

C. Exemptions

The following are exempt from the private open space requirement:

1. Single-family, two-family, mobile home, and townhouse residential uses;
2. Parks, Public Safety Facility, Transportation Facility, Utility Facility, Telecommunication Facility, Agricultural Uses, Animal Boarding, Large Domestic Animal Facility;
3. Vehicles and Equipment, Manufacturing and Production, Warehouse and Storage, and Waste and Salvage use categories;
4. Any building floor area devoted to parking and/or loading;
5. Any building floor area provided as indoor private open space that meets the standards of subsection D.5. below; and
6. Any nonresidential building with less than 5,000 square feet of gross floor area.

D. Standards

1. Areas Not Credited

Lands within the following areas shall not be counted towards required private open space areas:

- a. Setbacks with slopes over 10 percent;
- b. Swales with side slopes over 10 percent, and drainage ditches;
- c. Required site perimeter and parking lot landscaping;
- d. Public or private streets or street rights of way;
- e. Parking facilities, driveways, other motor vehicle circulation areas, loading areas, and refuse collection areas; and
- f. Land covered by structures not intended solely for recreational uses.

2. [USE OF] Private Open Space Areas

In accordance with various open space requirements in subsection B. above, some required open space may be allocated to individual units (individual private open space) and some must be common to all residents/employees/visitors (common private open space).

a. Individual Private Open Space

Required private open space may be private yard, garden, patio, deck, balcony, or other open space reserved for the exclusive use of a single dwelling unit. It shall be designed for the occupants of a specific dwelling, and provided immediately adjacent to, and with direct access from the dwelling. The minimum inside dimension for such an area used to meet the private open space requirement shall be no less than 15 feet for ground level spaces such as yards, or six feet for above ground level spaces such as balconies. Individual private

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open space for the exclusive use of each dwelling unit shall have a slope of 10 percent or less.

b. Common Private Open Space

Private open space areas to be used in common by residents and/or associated with nonresidential uses or mixed uses are intended to be usable spaces that incorporate user amenities facilitating passive or active recreation and relaxation. These areas shall meet the following standards:

i. At least half of the common private open space shall be contiguous.

ii. Common private open space shall be conveniently accessible to residents or users of the development. The nearest building façade to the open space, any façade sharing a corner with the nearest building façade, or any façade directly facing the open space, shall have a primary entrance. A walkway shall connect common private open space to primary building entrances.

iii. The minimum inside dimension for an area used to meet the requirement shall be 18 feet for residential uses and 15 feet for nonresidential uses.

iv. Common private open space may include lawn areas; picnic areas; gardens; natural vegetation; equipped recreation areas; sports courts; hard surfaced pedestrian spaces such as patios, decks, courtyards, housing courtyards, or plazas; indoor private open space pursuant to D.5. below; and/or roof tops or terraces.

v. Up to 25 percent of the total required open space area may be developed for active recreation, such as with play equipment or delineated sports field.

3. Physical Delineation

A fence, hedge, earth berm, railings on decks, and/or other continuous linear landscaping features shall define and separate ground-level private open space from abutting streets and rights-of-way. Such features may be incorporated as part of required perimeter landscaping. A nonresidential private open space such as a plaza or outdoor seating area shall be exempt from the physical delineation requirement where it abuts a sidewalk or other public pedestrian space. Private open space shall be separated from refuse collection areas by L1 visual enhancement landscaping.

4. Indoor Private Open Space Option

Up to 25 percent of the total required private open space for residential uses, and up to 50 percent of the total required private open space for nonresidential uses, may be indoors. Such space:

a. Shall be located and designed to maximize sunlight access by providing one square foot of transparent window and/or skylight area for each two square feet of floor area of the indoor private open space;

b. Shall be climate controlled and furnished with features and amenities that encourage its use;

c. Shall be accessible to all residents, or to all employees and customers of the development; and

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d. Shall not be combined with some other function, such as laundry or storage.

5. Incentive for High Quality Spaces

The total open space area requirement may be reduced by 25 percent if the largest common open space area meets all the other requirements of this section and the following standards:

a. Has less than an average five percent slope;

b. Is well-drained and not wetlands;

c. Has a minimum inside dimension of 25 feet for residential uses, or 20 feet for nonresidential uses; and

d. Receives sunlight access on the majority of the open space for at least four hours per day between the spring and fall equinox.

6. Ownership

All private open space areas not reserved for the exclusive use of a single dwelling unit shall be owned jointly or in common by the owners of the development or permanently preserved through some other mechanism satisfactory to the director. While private open space may be platted into separate tracts, those tracts which provide required private open space shall not be sold separately from the development.

7. Fee In Lieu Prohibited

The payment of fees in lieu of the set-aside of land for private common open space is prohibited.

21.07.040 DRAINAGE, STORM WATER TREATMENT, EROSION CONTROL, AND PROHIBITED DISCHARGES

A. Purpose

1. Drainage plans and the requirements of this section and the *Design Criteria Manual* are intended to implement the following principles of drainage planning:

a. The design of a drainage system shall not transfer a problem from one location to another.

b. Adequate space shall be provided for drainage conveyance and storage.

c. Good drainage design incorporates the effectiveness of the natural systems, rather than negating, replacing, redirecting, or ignoring them. The features, capacity, and function of the existing natural system shall be considered and utilized.

d. Drainage and storm water management facilities shall be designed with ease of maintenance, long-term function, sub-arctic climate function, protection of public safety, and accessibility as primary considerations.

2. Other purposes of this section include:

a. Regulating development preparation and land-disturbing activity in order to control erosion and sedimentation and accordingly to prevent water pollution from sedimentation, to prevent accelerated erosion and sedimentation of lakes

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and natural watercourses; and to prevent damage to public and private property by erosion and/or sedimentation during and after construction;

b. Regulating storm water discharge to improve the quality of the environment for residents of the municipality, administer the Municipal Separate Storm Sewer permit, and manage impacts to the watersheds in the municipality; and

c. Minimizing point and non-point source pollution into the water bodies of the municipality.

B. Guidance Documents

The municipal engineer shall develop, implement, and maintain various guidance manuals which shall provide standards and guidelines for this section 21.07.040. The *Design Criteria Manual* and the *Storm Water Treatment Plan Review Guidance Manual* are examples of such manuals.

C. Emergencies

Where site work deviates from approved plans due to an emergency, the municipal engineer shall be notified on the next business day. Changes to an approved plan shall be submitted within 14 days to the public works department. For the purposes of this section, an “emergency” is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken immediately.

D. Drainage

1. Intent

A drainage plan shall show the post-development drainage patterns of the site.

2. Applicability

This section applies to all development within the municipality.

3. Drainage Plan Required

a. Applications for the following entitlements shall include a drainage plan:

i. A permit from the development services department, for projects that include land disturbance;

ii. Subdivision plat (both preliminary and abbreviated plats);

iii. Site plan review (administrative and major); and

iv. Conditional use.

The drainage plan submittal requirement may be waived by the director and the municipal engineer if both agree that such a plan is not necessary.

b. The drainage plan shall show the area affected by the application, as well as watercourses, drainage and water quality easements, appropriate drainage outfall for surface water, roof drainage, and other impervious surfaces, and any other pertinent information, and shall address surface and subsurface drainage. The drainage plan shall also indicate impacts, if any, on adjacent, up-gradient, and down-gradient properties.

c. An approved drainage plan is required before any site work commences.

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4. Standards

Drainage plans shall comply with the requirements of municipal code and the guidance of the *Design Criteria Manual*. Post-development drainage plans shall be designed in a manner such that there will be no adverse off-site impacts. Any net increase of water volumes shall be mitigated and/or directed to an adjacent drainage system or receiving water that has the demonstrated capability to handle the new flows. The municipality may require a dedicated drainage easement(s) to ensure the drainage is consistent and compatible with surrounding drainage patterns.

5. When No Permit is Required

a. In situations where a building or land use permit is not required, all design and construction activities shall comply with municipal code.

b. If the municipal engineer reasonably believes that a project is significant in nature or that it will have negative impacts on surrounding property, water quality, drainage, or the roadways, the municipal engineer may require submittal of a drainage plan and a full review of the project. The applicant shall pay the appropriate review fees for the review. If the project is under construction, the municipal engineer may issue a stop work order until the project has been reviewed and approved.

c. If a project has been completed and there are negative impacts on surrounding property, water quality, drainage, or the roadways, the municipal engineer may pursue enforcement actions under chapter 21.13.

6. Exposure of Subsurface Flows

If, during site work, unexpected subsurface flows are exposed, the municipality shall be informed immediately. If the subsurface flow cannot be contained within the site and has a significant off-site impact, work shall cease immediately and shall not be resumed until a temporary flow management plan has been submitted to and accepted by the municipality. In addition, the developer shall amend the drainage plan to address the exposed flows and potential for glaciation and shall submit it to the municipality and receive approval before resuming site work other than temporary flow management.

E. Storm Water Treatment and Erosion and Sediment Control

1. Intent

A storm water treatment plan shall show both the controls put in place during construction and any needed post-development controls to prevent erosion and protect water quality.

2. Applicability

Storm water treatment plan approval is required prior to commencement of land clearing or ground disturbing activities; the discharge of surface water (including from snow disposal sites); the construction, alteration, installation, modification, or operation of a storm water treatment or disposal system; demolition or utility work; connection to the municipal separate storm sewer system; work in water bodies, wetlands, or watercourses; or dewatering activities, except as listed in E.4. below. All construction, development, and maintenance activities shall be in accordance with the approved storm water treatment plan.

3. Nonconformities

No nonconforming rights are granted for this section 21.07.040E.

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4. Exceptions

A storm water treatment plan shall not be required for the following. An erosion control plan may still be required if the discharge is so concentrated as to cause soil disturbance. The municipal engineer may waive the requirement for a storm water treatment plan for other activities that, in his or her judgment, will not create erosion or impair water quality.

- a. Building improvements where no earth is disturbed;
- b. Any earth disturbance that is less than 500 square feet in area;
- c. Agricultural activities (not including site landscaping). Discharges from agricultural activities are still subject to water quality standards and potential enforcement for illicit discharges to watercourses or the storm sewer system;
- d. Discharges of the following into the municipal separate storm sewer system:
 - i. Uncontaminated water line flushing;
 - ii. Residential irrigation water;
 - iii. Rising ground waters;
 - iv. Uncontaminated ground water infiltration;
 - v. Uncontaminated discharges from potable water sources;
 - vi. Foundation drains;
 - vii. Air conditioning condensate;
 - viii. Springs;
 - ix. Uncontaminated water;
 - x. Individual residential car washing;
 - xi. Flows from riparian habitats and wetlands;
 - xii. De-chlorinated swimming pool discharges;
 - xiii. Street wash waters; or
 - xiv. Flows from emergency fire fighting activity.

5. Submittal Requirements and Review Procedure

Storm water treatment plans shall be submitted to the public works department on the form provided. The submittal shall include plans for both temporary (during construction) and permanent storm water treatment and erosion control, and any supplementary information required in the user's guide or the *Design Criteria Manual*.

a. **Storm Water Treatment Plan Review Guidance Manual**

The *Storm Water Treatment Plan Review Guidance Manual* shall be used to develop, review, and approve storm water treatment plans. Applicants submitting plans under this subsection shall comply with the manual regarding plan requirements and reviews, and if necessary shall gather data to confirm storm water conditions.

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b. *Changes to an Approved Storm Water Treatment Plan*

Any changes to permanent storm water controls from an approved storm water treatment plan require approval by the municipal engineer. Changes in temporary or construction storm water treatment controls or best management practices necessary to maintain effective storm water treatment do not require municipal approval but shall be documented.

c. *New Application Required*

If dewatering, land clearing, construction, alteration, installation, modification, or operation has not begun within one year after issuance of a storm water treatment plan approval, the approval is void, and a new application shall be submitted to the public works department for review and approval.

d. *Project-Wide Approval*

The municipal engineer may issue a project-wide approval to an applicant who plans to conduct an operation with the same runoff characteristics at various discharge locations. He or she may require the submittal of site-specific plans, including a schedule and description of all planned discharge activities, for approval, and may restrict that approval to certain proposed discharge activities.

6. *Land Clearing*

Mechanized land clearing of one acre or greater requires an approved storm water treatment plan. Until a subsequent use is approved, a temporary native vegetation buffer shall be retained on the perimeter of the lot being cleared, equal to or greater than the specified minimum setback required in the zoning district. This buffer shall be at least 15 feet wide on the perimeter of lots in commercial and industrial zoning districts, except where these are adjacent to PLI and/or residential zoning districts, where the temporary buffer shall be a minimum of 30 feet wide. Those areas of native vegetation in commercial and industrial zoning districts not essential to the parcel's development and situated on the perimeter of the site shall be retained and protected from disturbance as specified in subsection 21.07.080F.3.

7. *Erosion and Sediment Control Administrator*

A qualified erosion and sediment control administrator, who shall be responsible for the erosion, sedimentation, and best management practices during construction, shall be identified in each storm water treatment plan submitted for approval, except for storm water treatment plans for owner-built single- and two-family dwellings. Evidence of contractual liability shall be provided when requested.

a. In order to be identified as a qualified administrator, a person shall successfully complete a training course and associated test for certification from a training program approved by the public works department.

b. The qualified administrator shall maintain their certification in active status throughout the length of the project. In the case where the qualified administrator's certification becomes expired or revoked, a new qualified person shall be selected to be the erosion and sediment control administrator and shall be identified on the storm water treatment plan.

8. *Alternate Materials, Design, and Method of Construction*

a. The provisions of this section are not intended to prevent the use of any alternate material, design, or method of construction not specifically prohibited by this code, provided any alternate has been approved and its use authorized by the municipal engineer.

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b. The municipal engineer may approve any such alternate, provided that he or she finds that the proposed design complies with the intent and purpose of this code, and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that required in this code in suitability, effectiveness, durability, safety, sanitation, and degree of structural integrity. The details of any action granting modifications or the acceptance of a compliance alternative shall be recorded and entered in the public works department's files.

c. Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the municipal engineer may require tests as proof of compliance to be made at no expense to the municipality. Test methods shall be as specified by this code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternative, the municipal engineer shall determine test procedures. All tests shall be made by an approved agency. Reports of such tests shall be retained by the municipal engineer for the period required for the retention of public records.

9. Inspections

a. **Required Inspections**

Prior to the commencement of or during land clearing or ground disturbing activities of one acre or greater, the discharge of surface water, or dewatering activities subject to this section, an inspection of approved best management practices associated with the storm water treatment plan shall be conducted. Prior to the issuance of a certificate of zoning compliance, permanent site controls shall be verified by inspection or other means, as determined by the municipal engineer. The owner or contractor of record is responsible for requesting the required inspections at the appropriate times.

b. **Other Inspections Authorized**

i. A municipal official, upon presentation of proper identification, may enter the premises at reasonable times to inspect or perform duties imposed by this code, for the purpose of determining whether the owner or operator thereof is in compliance with the specific requirements of this section. If such premises are unoccupied, the official shall first make a reasonable effort to locate the owner or other person having charge or control of the premises and request entry. If entry is refused, any approvals issued under this section may be immediately suspended until an inspection is conducted, and the official shall have recourse to the remedies provided by law to secure entry. Permittees, owners, or operators shall immediately stop all work upon the site being posted with a stop work order for failure to allow inspection.

ii. A municipal official may inspect any property or facility suspected as the source of illicit discharges in violation of 33 USC 1342 (1987) as amended.

iii. No inspection for which a warrant would be required under the constitution of this state or the United States may be conducted under this section without the proper warrant.

c. **Availability and Production of Plans and Records**

Approved plans and specifications shall be available on site for review by municipal inspectors at the time of requested inspections. At the request of

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municipal officials and during normal working hours, owners or operators of facilities, construction sites, premises, or areas shall produce and make available for inspection or copying all records or information required to be maintained or reported under the provisions of this section.

F. Snow Storage and Disposal

1. Intent

This section addresses seasonal storage and management of plowed snow from on-site parking lots and other motor vehicle areas. It requires developments to provide space to accommodate plowed snow, and also allows alternative and innovative solutions. This section is not designed to increase the amount of area already used for snow storage by existing developed residential and commercial property; instead it is intended to clarify applicable regulations and encourage thoughtful site planning and snow management with respect to adjacent property and other requirements of this title. Its objectives are:

- a. Ensure water quality treatment and drainage control of snow melt;
- b. Maintain safe and convenient access and circulation; and
- c. Protect adjacent landscaping, walkways, streets, and property.

2. Applicability

Except where stated otherwise, all existing and new uses with on-site surface areas to be plowed for motorized vehicle access or parking shall comply with this section. For example, this includes surface areas such as parking spaces, circulation and parking aisles, associated driveways, queuing lanes, emergency vehicle access lanes, loading areas, tractor trailer areas, and vehicle sales and display areas. The following uses and surfaces are exempt:

- a. Single-family, two-family, three-unit multifamily, townhouse, and mobile home dwellings on individual lots;
- b. Snow disposal sites subject to subsection 21.05.060E.8.; and
- c. Ice-free (snow-melting) surfaces and/or covered surfaces.

3. Operational Standards

For all applicable uses (including existing uses and new development):

- a. Plowed snow shall not interfere with required pedestrian or vehicle circulation or sight distance.
- b. Snow storage shall not interfere with access to utility equipment or create a hazard around utility equipment, in accordance with utility tariffs. For example, snow piles shall not be placed underneath an overhead utility line such that the snow pile reduces clearances to less than National Electrical Safety Code (NESC) ground clearance requirements.
- c. Plowed snow may be removed to an approved snow disposal site, or shared among abutting or contiguous lots jointly managed for snow storage and disposal purposes. Plowed snow shall not be otherwise removed from the property. Snow shall not be moved to a right-of-way or other public place without a valid right-of-way permit pursuant to title 24.

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d. Snow piles stored longer than on a 72 hour temporary basis shall not result in direct offsite drainage such as onto neighboring properties or public rights-of-way, except for snow melt drainage directed into an approved drainage facility.

e. Winter trash accumulation from plowed snow shall be removed and paved snow storage areas swept by June 1 (or as soon as snowmelt conditions permit).

4. Snow Storage Areas on New Development Sites

Developments involving the construction of new principal buildings, the removal and replacement of existing principal buildings, and/or the expansion or redevelopment of on-site surface areas to be plowed for motorized vehicle access and parking shall provide for snow storage and disposal on the site plan, as provided below. Tenant improvements, renovations, alterations, and enlargements of existing developments are exempt, except that the addition or expansion of parking lots or other areas for motorized vehicle parking and access by the greater of either 10 parking spaces or 10 percent of the existing area shall comply.

a. If snow will be stored on-site, snow storage areas shall be designated on the site plan as provided in 4.b. through 4.g. below. If snow will be removed off-site to a snow disposal facility or another alternative snow management strategy is used as provided in subsection F.5. below, then the snow storage areas may be reduced or eliminated from the site plan.

b. For residential uses, an area equal to at least 10 percent of the surface area on the site to be plowed for motorized vehicle parking and access (as identified in subsection F.2.) shall be designated for snow storage. For nonresidential uses, this area requirement shall be five percent.

c. As an alternative to 4.b. above, the applicant shall provide a calculation stamped by a professional registered with the Alaska State Board of Registration for Architects, Engineers, and Land Surveyors, that indicates the proposed snow storage and disposal strategy will be adequate to accommodate the plowed snow in an average snow year, considering the site plan layout, the amount of surface area to be plowed for motorized vehicles (as identified in subsection F.2.), and the proposed method(s) of snow storage and disposal.

d. Snow storage areas shall be located to comply with the operation standards of subsection F.3. above, and shall abut the surface area to be plowed.

e. Snow storage areas shall have a minimum dimension of eight feet to accommodate snow piling from a plow blade.

f. The site plan shall not, unless allowed through an administrative site plan review, designate snow storage areas in required perimeter landscaping, required residential private open space, or on required trees. Designation of required residential private open space for snow storage shall be permitted only on the condition that the snow pile and trash accumulation from plowed snow be removed and the space made usable by May 1.

g. Snow storage areas shall be planted with ground-cover (such as grass), or paved subject to subsection 21.07.090H.12., *Paving*.

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5. **Alternative Snow Management Strategies**

Alternative snow management strategies such as snow melters, underground storage, or removal to an approved snow disposal site, may be approved by the municipal engineer in lieu of a required snow storage area, subject to the following:

- a. The owner shall either set aside the area that would otherwise be needed to provide the required snow storage area on the site, or enter into an agreement with the municipality, in conformance with the title 21 user's guide, which is recorded, runs with the use of the land, and ensures continuation of the alternative strategy and the future implementation of contingency measures if such contingency measures are ordered by the municipal engineer.
- b. Areas to be used for temporary storage of plowed snow awaiting removal or disposal shall be depicted on the site plan.
- c. The method of treatment and disposal shall comply with subsection F.8. below.

6. **Setbacks**

Plowed snow shall be set back from streams, watercourses, wetlands, and water bodies as specified in section 21.07.020, and is prohibited within ten feet of storm water outfalls and discharge points.

7. **Snow Melt Drainage**

Developments shall comply with subsection 21.07.040D., *Drainage*, to address drainage of snow melt in areas of the site affected by the development.

8. **Snow Melt Treatment**

Detention and treatment practices and/or facilities for chloride, particulates, and other pollutants shall be provided prior to discharge of snow melt from a site sufficient to comply with subsection 21.07.040E., and shall be subject to review and approval by the municipal engineer.

G. **Prohibited Discharges**

1. **Applicability**

This section applies throughout the municipality.

2. **Prohibited Discharges or Acts**

No person shall cause or permit illicit discharges:

- a. Into any waters of the state, or waters of the United States, unless such is first treated in a manner approved by the federal, state, or other agencies having jurisdiction; or
- b. Into a storm sewer of the municipality, other than pursuant to a dewatering permit, an approved storm water treatment plan, a national pollutant discharge elimination system permit, or a permit issued by a local, state, or other agency having jurisdiction. Examples of discharges that are prohibited include:
 - i. Grease, fatty materials, offal, or garbage;
 - ii. Sand, sand dust, dirt, gravel, sawdust, metal filings, broken glass, or any material which may cause or create an obstruction in the sewer;
 - iii. Gasoline, benzene, fuel oil, or a petroleum product or volatile liquid;

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- iv. Milk or any liquid milk waste product in quantities in excess of ten gallons during any 24-hour period;
- v. Wax, cyanide, phenols, or other chemical or substance that may cause damage to materials of which the sewer system is constructed; or
- vi. Wastewater, as defined in AMC section 15.20.010.

For the purposes of this section, "illicit discharges" means pollutants or any materials other than storm water.

3. Dumping in Watercourses and Water Bodies

No person shall deposit, dump, abandon, throw, scatter, or transport solid waste, garbage, rubbish, junk, fill, soil, dirt, snow, ice, vegetation, or other material in such a manner as to obstruct, impound, or cause siltation of any river, stream, creek, watercourse, water body, stream or water body or wetland setback, water quality easement, storm sewer, ditch, drain, or gutter except as otherwise allowed by valid federal, state, and other permits or licenses relative to water pollution, water impoundment, or water quality control.

H. Hazardous Sites

- 1. For the purposes of this section, any site meeting any or all of the conditions and defects described below shall be deemed to be hazardous, provided that such conditions or defects exist to the extent that the health of the watershed, the requirements of the Municipal Separate Storm Sewer System permit, or the safety of the public are endangered, as determined by the municipal engineer.
 - a. Any site that causes sediment to be discharged in such a way that it may be delivered directly or indirectly to the storm sewer or receiving waters;
 - b. Any site that causes pollution to be discharged in such a way that they may be delivered to the watershed;
 - c. Any property for which the owner, manager, or tenant fails to install and/or maintain properly permitted BMPs; or
 - d. Any site where actions are causing soil masses to be in danger of sloughing, destabilizing, failing, or collapsing as a mass wasting event.
- 2. All sites which are determined after inspection by the municipal engineer to be a hazardous shall be abated as determined by the municipal engineer.

I. Violations and Penalties

1. Violations

- a. Any person who violates any provisions of this section shall report such violation to the project management and engineering department and shall make available any information or records related to the contents of the substance discharged.
- b. In addition to any other remedy or penalty provided by this title, any person who violates any provision of this title or regulations adopted there under shall be subject to the civil penalties or injunctive relief, or both, as provided by AMC section 1.45.010B.

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- c. In any action under this section, the municipality, if not a party, may intervene as a matter of right.

2. Penalties

- a. All sites operating without approval under this section may be immediately posted with a stop work order and shall pay double fees for all required permits or inspections under this section, as well as any fines which may be assessed. In addition to any other remedy permitted by law, fines may be assessed for failure to have a permit or approved plan, failure to allow inspections, or failure to obey a properly issued stop work order. Violators of this section may also be charged \$1,000 per day until the violation(s) is corrected.

- b. Any person who negligently or intentionally permits or causes a discharge in violation of this section shall, upon conviction, be subject to a civil fine penalty of \$5,000 to \$10,000 per day, or injunctive relief to cease the violation, or both. In addition to any fine assessed under this section, any person who violates any provision of this section or any rule or regulation adopted pursuant to this section shall be subject to a further civil penalty of up to double the cleanup and remediation costs incurred as a result of the violation.

- c. Any person who permits or causes a discharge in violation of this section shall be strictly liable, regardless of intent, for the full amount of any fines or other liquidated penalties incurred by the municipality for any violations of federal law which are caused by the discharge.

- d. No certificate of zoning compliance shall be issued until all fines levied under this section have been paid.

J. Appeals

1. Appeals of orders, decisions, or determinations made by the municipal engineer shall be heard by the zoning board of examiners and appeals, pursuant to subsection 21.03.050B.
2. The zoning board of examiners and appeals shall have no authority over the interpretation of the administrative provisions of this section, nor shall the board be empowered to waive requirements of this section.

21.07.050 UTILITY DISTRIBUTION FACILITIES

A. Underground Placement Required for New or Relocated Lines

1. Except as provided in subsection B. below, all newly installed or relocated utility distribution lines (as defined in section 21.14.040) shall be placed underground.
2. Utility distribution lines owned or operated by utilities that are parties to a joint trench agreement shall be placed underground in a joint trench.
3. Nothing in this section restricts the maintenance, repair, or reinforcement of existing overhead utility distribution lines.

B. Exceptions

1. Except where an assessment district has been formed to convert overhead utility distribution lines as provided in title 19.60, utility distribution lines need not be placed underground in the class B improvement area defined in subsection 21.08.050B., or in the I-2 zoning district. However, in the following areas newly installed or relocated utility

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distribution lines shall be placed underground: Lower Hillside, between and including Abbott Road, Rabbit Creek Road, Hillside Drive and the New Seward Highway.

2. Except where an assessment district has been formed to convert overhead utility distribution lines as provided in AMC chapter 19.60, CATV utility distribution lines need not be placed underground where there are other overhead utility distribution lines; provided that, when all of the other overhead distribution lines are placed underground, the CATV utility distribution line shall also be placed underground.

3. A new utility distribution line may be placed overhead when necessary immediately to restore service interrupted by accident or damage by flood, fire, earthquake or weather; provided that the utility distribution line shall be replaced by a utility distribution line conforming to this chapter within 12 months of its placement.

4. A utility distribution line or service connection may be placed on the surface of frozen ground, provided that it is placed underground within 12 months thereafter.

5. New facilities may be added to existing overhead utility distribution facilities located outside target areas.

6. A temporary utility distribution line may be placed overhead in connection with new construction if the utility's tariff approved by the state public utilities commission expressly provides for removal of that line by a date certain, not to exceed 12 months thereafter.

C. Variances

1. The director may grant a variance from subsection A. above when any of the following is found:

a. Placing a utility distribution line underground would cause an excessive adverse environmental impact;

b. Placing a utility distribution line underground would threaten public health and safety, because the placement cannot be shown to meet acceptable technical standards for safety; or

c. Placing a utility distribution line underground in an environmentally sound and safe manner would cost more than three times the cost of placing the line overhead, where the applicant demonstrates the relative cost to the satisfaction of the director.

2. The director may grant a variance from subsection A. above when he or she finds that the utility distribution line is being placed overhead temporarily for one of the reasons listed in this subsection:

a. The line is being placed to provide service when weather conditions do not allow excavation for underground placement;

b. A permanent location for underground placement is not available because of construction in progress; or

c. The line is being placed to provide service to a temporary use or structure.

A variance issued under this subsection C.2. shall expire within two years of its issuance.

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D. Relationship to Chapter 21.12, *Nonconformities*

Existing overhead utility distribution lines located where this title requires new or relocated utility distribution lines to be placed underground are nonconforming utility distribution lines and are subject to the provisions of this subsection. A utility distribution line is not a nonconforming structure or use under chapter 21.12, *Nonconformities*, solely because it is a nonconforming overhead line under this section.

E. **Nonconforming Overhead Lines in Dedicated Municipal Parks**

1. When a utility proposes to underground an existing overhead utility distribution line located in a dedicated municipal park, and the overhead and underground alignment are identical, no fee shall be assessed to the utility for the value of the easement.

2. The public works department director may, upon request by a utility:

a. Grant an administrative variance from subsection E.1. above, up to five feet on either side of the existing overhead easement center line, to adjust the underground alignment.

b. An adjustment exceeding five feet on either side of the existing overhead easement center line shall require a new easement, including assessment of a fee for the value of the easement and administrative costs.

3. The utility shall remain solely responsible for municipal administrative fees and costs associated with the relocation, including but not limited to, a managing department application fee, and document research, review, and preparation.

4. The disposal procedures for interests in municipal land, set out in AMC chapter 25.30, and the variance procedure, set out in subsection C. above, shall not apply to this section.

F. Designation of Target Areas

1. An electric utility that owns poles that support nonconforming utility distribution lines shall prepare or otherwise include as part of its annual capital improvement plan, a five-year undergrounding program consistent with subsection G. below. This five-year program shall be updated on an annual basis. Priorities shall be based on undergrounding in conjunction with the electric utility's essential system improvements and then by target area as set forth below in no particular order of priority. The director shall review and provide comment for consideration by the electric utilities on these five-year programs. When reviewing and commenting on these programs, the director shall consider the following factors in no particular order of priority:

a. Whether undergrounding will avoid or eliminate an unusually heavy concentration of overhead distribution facilities.

b. Whether the street or general area is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic.

c. Whether the appearance of grounds and structures adjacent to the roadway is such that the removal of the overhead facilities will substantially improve the general appearance of the area.

d. Whether the street or area affects a public recreation area or an area of scenic interest.

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- 1 e. Whether there is a significant opportunity to achieve economies due to the
2 anticipated relocation or replacement of overhead lines or the widening or
3 realignment of streets within a given area.
- 4 f. Whether the five-year program sufficiently addresses the objectives of subsection
5 G. below.
- 6 g. Whether the area under consideration is within a zone where new and relocated
7 distribution lines are required to be placed underground.
- 8 h. Whether the installation of underground distribution lines is economically,
9 technically and environmentally feasible, including the effect on the attached
10 utility.
- 11 i. Whether undergrounding will avoid or eliminate overhead electric distribution or
12 other attached utility facilities in a residential area with significant risk exposure to
13 wildfire, high winds, or other natural disaster.
- 14 2. The director shall confirm annually that the electric utilities have developed project
15 undergrounding implementation plans. The director shall consult with the utilities and
16 public agencies affected by any implementation plan. In reviewing implementation plans,
17 the director shall consider the factors stated in subsection F.1. above.
- 18 3. The following shall be target areas:
 - 19 a. Central Business District: between and including Third Avenue and Tenth
20 Avenue and L Street and Ingra Street.
 - 21 b. Midtown area: between and including New Seward Highway and Minnesota
22 Drive and International Airport Road and Fireweed Lane.
 - 23 c. All municipal and state street improvement projects except for those which do not
24 require relocation of utility distribution facilities.
 - 25 d. The following major traffic corridors:
 - 26 i. Old Seward Highway.
 - 27 ii. Ingra and Gambell Streets between and including Ninth Avenue and
28 Fireweed Lane.
 - 29 iii. Northern Lights Boulevard and Benson Boulevard between and including
30 Glenwood Street and Arlington Drive.
 - 31 iv. Muldoon Road between and including New Glenn Highway and
32 Patterson Street.
 - 33 v. Tudor Road between and including Patterson Street and Arctic
34 Boulevard.
 - 35 vi. Boniface Parkway between and including 30th Avenue and New Glenn
36 Highway.
 - 37 vii. Spenard Road between and including Hillcrest Drive and International
38 Airport Road.

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viii. Arctic Boulevard between 17th Avenue and Tudor Road.

ix. Lake Otis Parkway between Tudor Road and Abbott Loop

e. All park, recreational use, and scenic interest areas.

f. Eagle River Central Business District between and including the New Glenn Highway, North Eagle River Access Road, Aurora Street as extended to the Old Glenn Highway, and the Old Glenn Highway.

g. Any area where utility distribution facilities are provided by more than one utility as a result of mergers and boundary changes approved by the state public utilities commission.

h. School and university areas.

i. Any residential area with significant risk exposure to wildfire, high winds, or other natural disaster.

G. Nonconforming Overhead Lines

1. An electric utility that owns poles that support nonconforming utility distribution lines shall remove the poles and place those lines underground. Any other utility that attaches to such poles shall place its lines underground at the same time that the pole owner places lines underground.

a. The electric utility that owns poles shall, in each fiscal year, expend at least two percent of a three-year average of its annual gross retail revenues derived from utility service connections within the municipality, excluding toll revenues, revenues from sales of natural gas to third parties, and revenues from sales of electric power for resale for purposes of undergrounding nonconforming lines. An electric utility's expenditures, pursuant to AS 42.05.381(h), within the municipality, shall be counted toward satisfaction of the two percent expenditure required by this subsection.

b. A utility with lines attached to a pole that is to be removed under this subsection shall place its lines underground at the same time that the pole owner places its lines underground. To underground nonconforming utility lines, an attached utility shall not be required to expend more than two percent of its annual gross retail revenues derived from utility service connections within the municipality, excluding toll revenues. For the purpose of satisfying subsection 21.07.050G., the utility's expenditures pursuant to AS 42.05.381(h) within the municipality are counted toward this two percent expenditure limit.

c. The electric utility that owns poles may choose which existing lines to underground in order to fulfill the two percent expenditure requirement, in consultation with appropriate public agencies and any other utilities.

d. An electric utility that owns poles that does not expend the amount required in subsection G.1. of this section, or that expends more than that amount, may carry over the under expenditure or over expenditure as an adjustment to the following year's obligation.

2. The electric utility that owns poles shall notify the director, and utilities or entities with lines attached to such poles, of the approximate date that the owner plans to remove the poles. Such notice, where possible, shall be given at least four months in advance of the

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undergrounding except where an emergency or other unforeseen circumstances preclude such notice, in which case such advance notice as is reasonable under the circumstances shall be provided.

3. A utility shall annually submit a report of its undergrounding projects and expenditures for non-conforming lines to the director within 120 days of the end of the preceding calendar year.

4. All new service connections shall be placed underground in the same manner as required for utility distribution lines under subsections A. and B. above. New service lines may be temporarily installed above ground from October through May, if placed underground prior to the next October.

H. Lines in Municipal Right-of-Way

1. The department of public works shall furnish to a utility owning or operating utility distribution lines all planning documents for municipal road construction that will require the relocation of those utility distribution lines.

2. Once a utility installing a utility distribution line underground in material compliance with a right-of-way permit issued by the department of public works and in accordance with this chapter, the municipality shall reimburse the cost of any subsequent relocation of the utility distribution line required by municipal road construction.

3. If municipal road construction requires the relocation of a nonconforming utility distribution line, the municipality, as part of the road construction project cost, shall reimburse the cost of the relocation. Reimbursable costs under this subsection include engineering and design, inspection, construction, and general overhead costs, but exclude utility plant betterment costs. Plant betterment costs are the costs of providing utility distribution line capacity or quality beyond what current industry standards require for the capacity or level of service existing before the relocation.

I. Conversion of Service Connections

A utility that places a nonconforming utility distribution line underground as required by subsection G. above shall bear the cost of placing underground any related service connections or other utility facilities on a customer's premises, in accordance with the utility's applicable tariff or rules or regulations of operation.

J. Landscaping

A utility shall provide written notice to property owners about planned projects that affect landscaping within utility easements.

21.07.060 TRANSPORTATION AND CONNECTIVITY

A. Purpose

The purpose of this section 21.07.060 is to support the creation of a safe and highly connected transportation system within the municipality in order to provide choices for drivers, bicyclists, and pedestrians; increase effectiveness of municipal service delivery; promote walking and bicycling; connect neighborhoods to each other and to local destinations such as employment, schools, parks, and shopping centers; reduce vehicle miles of travel and travel times; improve air quality; reduce emergency response times; support the pattern of designated land uses; mitigate the traffic impacts of new development; create road and trail connectivity to free up arterial capacity while protecting neighborhood identity and safety; and, in high-volume traffic corridors, maintain

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an adequate degree of crossings for local circulation and minimize road and traffic impacts on adjacent uses.

B. Applicability

The standards of this section 21.07.060 shall apply to all development in the municipality.

C. Traffic Impact Mitigation

1. Traffic Impact Analysis Required

The transportation system for new development shall be capable of supporting the proposed development in addition to the existing uses in the area. Evaluation of system capacity shall be undertaken through a traffic impact analysis (TIA), which should consider the following factors without limitation: street capacity and level of service; vehicle access and loading; on-street parking impacts; the availability of transit service and connections to transit; impacts on adjacent neighborhoods; and traffic safety including pedestrian safety. Unless the traffic engineer issues a substantiated written finding, based on location of the project and professional judgment, that there is no need for a TIA, a traffic impact analysis (TIA) shall be required with applications for development review and approval when:

- a. Thresholds established in the traffic department's *Policy on Traffic Impact Analyses* are met;
- b. A TIA is required by the planning and zoning commission or assembly as a condition of any land use application approved pursuant to the requirements of this title;
- c. Any case where the traffic engineer determines that the previous TIA for the property is out of date and no longer accurate—in such case the TIA shall not be less than two years old;
- d. Any case where increased land use intensity will result in substantially increased traffic generation or reduction of the existing level of service on affected streets by at least one service level; or
- e. Any case in which the traffic engineer determines that a TIA should be required because of other traffic concerns that may be affected by the proposed development.

2. TIA and Development Review Process

- a. Prior to the development of a required TIA, there shall be a scoping meeting that includes the traffic department, the applicant, and all other relevant parties.
- b. The development and review of a TIA shall be according to the traffic department's *Policy on Traffic Impact Analyses*.
- c. When state-owned roads are involved, the applicant shall coordinate with the state department of transportation and public facilities, and the development of a TIA shall follow state regulations as defined in 17 AAC 10.095.

3. Traffic Mitigation Measures

The applicant shall, as part of the traffic impact analysis, recommend measures to minimize and/or mitigate the anticipated impacts and determine the adequacy of the development's planned access points. Mitigation measures shall be acceptable to the traffic engineer and may include, without limitation: an access management plan;

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transportation demand management measures; a reduction in the intensity or size of the proposed development; street improvements on or off the site; phasing of the proposed development to coincide with, and not outpace, the necessary upgrades to off-site infrastructure; placement of pedestrian, bicycle, or transit facilities on or off the site; or other capital improvement projects such as traffic calming infrastructure or capacity improvements.

D. Streets and On-Site Vehicular Circulation

1. Street Standards

All streets shall meet the standards and requirements set forth in subsections 21.08.030F.2., *Street Grades*, 21.08.030F.4., *Street Alignment*, and 21.08.030F.5. *Street Intersections*.

2. Parking Lots

In addition to complying with the standards in this subsection 21.07.060D., parking lots shall comply with the standards set forth in section 21.07.090, *Off-Street Parking and Loading*.

3. Street Connectivity

a. Purpose

Street and block patterns should include a clear hierarchy of well-connected streets that distribute local traffic over multiple streets, providing multiple direct connections for neighborhood residents to and between local destinations, and avoid traffic congestion on principal routes. Within each residential development, the access and circulation system should accommodate the safe, efficient, and convenient movement of vehicles, bicycles, and pedestrians through the development; provide ample opportunities for linking adjacent neighborhoods, properties, and land uses; and be designed in such a way as to limit and discourage cut-through traffic and protect the new development and adjacent development from adverse impacts. This section is not intended to increase speed limits in neighborhoods, create opportunities for cut-through traffic, or encourage freight movement through residential areas.

b. Internal Street Connectivity

- i. Developments, whether subdivisions or not, shall meet the block length requirements of subsection 21.08.030G.
- ii. Whenever cul-de-sac streets are created, at least one 10 foot wide pedestrian access **right-of-way or** easement shall be provided, to the extent reasonably feasible, between each cul-de-sac head or street turnaround and the closest adjacent street or pedestrian walkway. This requirement shall not apply where it would result in damage to or intrusion into significant natural areas such as stream corridors, wetlands, and steep slope areas, or if the configuration of existing adjacent development prevents such a connection.

c. External Street Connectivity

- i. The arrangement of streets in a development shall provide for the alignment and continuation of existing streets from the boundaries of the development. The arrangement of streets shall provide connections to adjacent lands that are undeveloped and intended for future development as required in subsection 3.e. below, or that are developed and include opportunities for such connections. This arrangement may be reduced or waived by the decision-making body if the applicant can

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show how connectivity is provided by a different arrangement of streets. Vehicular and/or pedestrian connections to adjacent municipal parks or municipal lands designated as parks shall be required unless waived by the director of the parks and recreation department.

- ii. Street rights-of-way shall be extended to or along adjoining property boundaries such that a roadway connection or street stub shall be provided for development at least every 1,300 feet for each direction (north, south, east, and west) to the maximum extent feasible. The director may waive this requirement where the configuration of existing adjacent development, topography, or the presence of sensitive natural areas makes compliance impractical.

d. ***Vehicular Access to Public Streets***

Unless the decision-making body determines otherwise, any development of more than 100 residential units or additions to existing developments such that the total number of units exceeds 100 shall be required to provide vehicular access to at least four public streets to the extent reasonably feasible, due to topography, natural features, or the configuration of existing adjacent developments. These connections (if possible) shall be made to foster and accommodate connectivity into, out of, and within the new development, regardless of the macro-level access to and connectivity of the general area.

e. ***Connections to Vacant Land***

Where new development is adjacent to land likely to be developed or redeveloped in the future, all streets, sidewalks, pathways, trails, walkways, and access ways in the development's proposed street system shall continue through to the boundary lines of the site of new development, as determined by the director and the traffic engineer, to provide for the orderly subdivision of such adjacent land or the transportation and access needs of the community.

f. ***Neighborhood Protection from Cut-through Traffic***

Street connections should connect neighborhoods to each other and to local destinations such as schools, parks, greenbelt trail systems, and shopping areas, while minimizing neighborhood cut-through vehicle traffic movements that are non-local in nature. Configuration of local and internal streets and traffic calming measures should be used to discourage use of the local street system for cut-through collector or arterial vehicle traffic.

g. ***Pedestrian Connectivity***

Where the director and the traffic engineer have determined a vehicular connection required above is not feasible or appropriate, a pedestrian access way shall be provided as long as:

- i. The topography and existing development patterns allow for pedestrian access; and
- ii. The land uses allowed on either end of the potential pedestrian connection are such that may generate pedestrian traffic.

E. **Standards for Pedestrian Facilities**

1. **Purpose**

The purpose of this section is to provide convenient, safe, and regular pedestrian facilities along streets and within and between developments. Such facilities create a

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healthful built environment in which individuals have opportunities to incorporate physical activity, such as walking or bicycling, into their daily routine. Injuries and fatalities are reduced when interactions between pedestrians and vehicles are minimized. Adequate pedestrian facilities meet community goals for mobility and access, as well as for providing transportation choices. Safe pedestrian access for students to their schools is also an essential purpose of these standards.

2. Sidewalks

a. All sidewalks shall be designed to comply with the standards of the *Design Criteria Manual* (DCM) and *Municipality of Anchorage Standard Specifications* (MASS).

b. In all class A zoning districts except for industrial districts, sidewalks shall be installed on both sides of all streets (local, collector, arterial, public or private, including loop streets). Where indicated in the comprehensive plan, a pathway may replace a sidewalk on one side. In industrial zoning districts, a sidewalk shall be installed on one side of all local streets, and on both sides of local streets if the new sidewalks would connect to existing sidewalks on both ends and the needed sidewalk length is no greater than one quarter mile.

c. In cul-de-sacs in class A zoning districts, the following shall apply:

i. For cul-de-sacs with fewer than 150 average daily trips and with speeds limited to 25 miles per hour by design, no sidewalks are required on the cul-de-sac stem or bulb.

ii. For cul-de-sacs with 150 to 500 average daily trips, and for those with fewer than 150 average daily trips but a design speed of greater than 25 miles per hour, a sidewalk on one side of the cul-de-sac stem is required.

iii. For cul-de-sacs with more than 500 [501] average daily trips, or for cul-de-sacs that are used to access a school or a park (notwithstanding subsections c.i. and c.ii. above), sidewalks on both sides of the stem are required.

iv. Average daily trips shall be computed by the traffic engineer [division].

d. In class B zoning districts, sidewalks, walkways, pathways, and trails shall be provided in accordance with the comprehensive plan. In all cases, pedestrian facilities shall be provided on at least one side of collector and arterial streets.

e. The requirements of 2.b. and 2.c. shall not apply in steep-slope areas where sidewalks on one side of the street may be approved by the director to reduce excessive slope disturbance, adverse impacts on natural resources, and potential soil erosion and drainage problems.

f. Development on lots along existing streets in class A zoning districts shall install sidewalks in the following situations:

i. In R-4, R-4A, and commercial districts.

ii. Along streets identified in Appendix A of the *Anchorage Pedestrian Plan* as “missing sidewalk” or “inadequate sidewalk”, with a total point rating of five or higher.

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g. Where sidewalks are not specifically called for on both sides of the street by the comprehensive plan, the decision-making body may reduce a requirement to provide sidewalks (or other pedestrian facilities) on both sides of a street after considering the following:

- i. Site conditions and the potential for significant negative impacts on the natural environment;
- ii. The need to maintain and improve sidewalk continuity;
- iii. Evidence that a sidewalk would decrease pedestrian safety;
- iv. Extensive public testimony offering rational arguments against sidewalks;
- v. Availability of an alternate trail system; and
- vi. Vehicular speeds and pedestrian safety.

3. Through-Block Connections

Within new developments, pedestrian walkways, crosswalks, or multi-purpose trails no less than five feet in width shall be constructed near the center and entirely through any block that is 900 feet or more in length. This standard may be waived during a site plan review, if justified by the decision-making body.

4. On-Site Pedestrian Walkways

a. *Continuous Pedestrian Access*

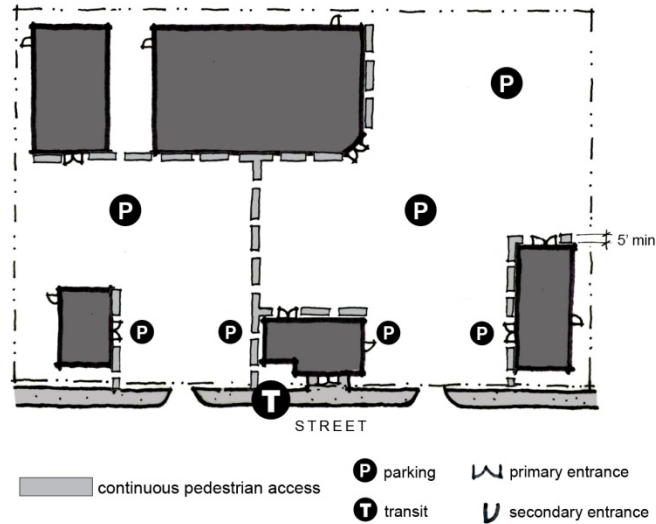
Pedestrian walkways are intended to form a convenient on-site circulation system that minimizes conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances. This subsection E.4. does not apply to single- and two-family development, or to industrial and utility facility uses in the I-1 and I-2 zoning districts.

b. *On-Site Pedestrian Connections*

The following walkways shall be provided. Where one walkway fulfills more than one requirement, only one walkway need be provided. If they can provide a relatively direct route, public pedestrian facilities such as public sidewalks shall satisfy any or all of the requirements below.

- i. A walkway shall connect the primary entrance to the abutting primary street frontage, except where a proposed walkway connection to an alternative street frontage is determined by the director to provide equal or better pedestrian access. No walkway need be provided to the primary street frontage if that frontage is a restricted access street or a frontage road, unless there is a pathway or other pedestrian facility to which access can be provided along the restricted access street or frontage road, in which case a walkway shall connect to that pedestrian facility. The walkway route shall be clear and direct, to the extent reasonably feasible.
- ii. All primary building entrances on a site shall be connected to the street by a convenient system of walkways. This includes multiple primary entrances into one building, and primary entrances in separate buildings on a site.

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- iii. A walkway shall connect the primary entrances to any transit stop abutting the site, where on an active transit route with scheduled service. The walkway shall be clear and direct to the extent reasonably feasible.

c. **Walkway Clear Width**

The minimum width of a required pedestrian walkway shall be five feet of unobstructed clear width, excluding vehicular overhang, except where otherwise stated in this title. A walkway that provides access to no more than four residential dwelling units may provide an unobstructed clear width of three feet.

d. **Walkways and Parking**

- i. Where an on-site pedestrian walkway system or required pedestrian area abuts a parking lot or internal street or driveway, the pedestrian facility shall be clearly marked and physically separated from the parking lot or drive, through the use of an upright curb of six inches in height, bollards spaced a maximum of six feet apart, or other physical buffer approved by the traffic engineer; and a change of paving materials distinguished by color, texture, textured edge, or other edge, or striping.
- ii. The vehicle overhang established in table 21.07-7, *Parking Angle, Stall And Aisle Dimensions*, shall not encroach into the minimum required walkway width or area.
- iii. Where an on-site pedestrian walkway crosses an internal street or driveway, the crosswalk shall be clearly marked and delineated through a change in paving materials distinguished by color, texture, textured edge, other edge, or striping, and shall meet the requirements of the Americans with Disabilities Act.
- iv. Multifamily or townhouse developments may provide a parking courtyard in lieu of required walkways, where specifically allowed in section 21.07.110 and in conformance with subsection 21.07.060F.18.

e. **Walkways, Landscaping, and Open Space**

Walkways shall be credited toward a required private open space where they are contiguous. A walkway that crosses a required landscaping bed (at or near

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perpendicular) shall be credited against the required landscaping area and amount of planting material.

5. Trails

All trails shall meet the following requirements in addition to the standards contained in the *Areawide Trails Plan*, *Design Criteria Manual* (DCM), and *Municipality of Anchorage Standard Specifications* (MASS):

- a. All trail connections shall be well-signed with destination and directional signing as approved by the traffic engineer or the parks director as appropriate.
- b. Trails shall be designed in such a manner that motor vehicle crossings can be eliminated or significantly minimized.
- c. Trails that connect to the street system shall do so in a safe and convenient manner as determined by the traffic engineer.

6. Use and Maintenance of Sidewalks, Walkways, Pathways, and Trails

a. **Restrictions on Use**

Sidewalks, walkways, pathways, and trails are intended to provide pedestrian access. Vehicle parking, snow storage, garbage containers, merchandise storage or display, utility boxes and poles, signs, trees, and other obstructions shall not encroach into the required minimum clear width of any required sidewalk, walkway, pathway, trail, or other pedestrian way. Pedestrian amenities including bollards are exempt from this requirement.

b. **Maintenance and Snow Removal**

Walkways required by this title shall be maintained in usable condition throughout the year, including snow and ice removal as appropriate. Sidewalks shall be maintained in a usable condition in accordance with AMC title 24.

F. Pedestrian Amenities

1. Purpose

The purpose of this section is to define and provide standards for pedestrian amenities that may be required or included in a menu of choices to meet a requirement, or listed as a special feature that can count toward a bonus incentive anywhere in this title. For example, another section of this title may list a pedestrian amenity as a special feature for which bonus floor area may be granted. The standards contained in this section give predictability for applicants, decision-makers, and the community for the minimum acceptable standards for pedestrian amenities. It also ensures the amenities will improve and enhance the community to the benefit of all, and respond to the northern latitude climate. This title provides flexibility to encourage and allow for creativity and unique situations through the alternative equivalent compliance and minor modifications process.

2. Applicability

Pedestrian amenities shall meet the minimum standards of this section in order to be credited toward a requirement, menu choice, or as a special feature bonus incentive of this title.

3. Walkway

A walkway is a surface that connects two points for pedestrian use, as defined in chapter 21.14, EITHER IMPROVED OR NOT, FOR THE PURPOSE OF PEDESTRIAN AND OTHER NON-MOTORIZED USE, WHICH CONNECTS TWO POINTS AND IS NOT ALIGNED ALONG A VEHICULAR PUBLIC RIGHT-OF-WAY. A walkway may be in a

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publicly dedicated pedestrian easement. Examples include pedestrian connections within one development site, mid-block, between subdivisions, or leading from streets to public amenities, such as schools or parks.

a. A walkway shall have a minimum unobstructed clear width of five feet, except where otherwise stated in this title. A walkway that provides access to no more than four residential dwelling units may have an unobstructed clear width of three feet.

b. Walkways shall be improved in accordance with subsection 21.08.050H.

4. Primary Pedestrian Walkway

A primary pedestrian walkway is intended to provide an unobstructed clear width of at least eight feet for pedestrian movement with additional space incorporating features along the walkway such as storefront sidewalk space, room for residential stoops or building foundation plantings, and peripheral space that accommodates landscaping, furniture, and utilities. As established generally in subsection F.1 and F. 2 above, the standards of this subsection apply only where the specific term "primary pedestrian walkway" is listed as a requirement, menu choice, or special feature that counts toward a bonus. Thus subsection is not a generally applicable requirement for other large walkways.

a. A primary pedestrian walkway shall be developed as a continuous pedestrian route extending for at least 50 feet.

b. A primary pedestrian walkway shall have an unobstructed clear width of at least eight feet. Where adjacent to a ground-floor building elevation it shall also have a sidewalk storefront or building interface zone a minimum of two feet in width for foundation landscaping or three feet in width of sidewalk space for opening doors or seating and transition pedestrian spaces. In addition, a buffer space of at least four feet in width shall be incorporated as part of the walkway when abutting any street or vehicle area, to accommodate street trees, landscaping beds, light poles, utilities, benches, and other objects to be kept clear of the walkway.

c. At least one pedestrian feature as defined by this title shall be provided for every 50 feet of length along a primary pedestrian walkway.

d. A primary pedestrian walkway shall be illuminated with pedestrian scale lighting.

e. A primary pedestrian walkway shall directly connect to surrounding public streets and sidewalks, and be publicly accessible at all times.

5. Ice-Free (Snow Melting) Walkway

An ice-free (snow melting) walkway has a heated surface for the full extent of the walkway clear width. The walkway shall be maintained as ice-free at all times in areas required to be publicly accessible, and otherwise during all hours of operation of an establishment.

6. Plaza or Courtyard

A plaza is an open space which is designed to be used for relaxation, conversation, eating, or other outdoor activities.

a. A plaza shall contain at least one pedestrian feature as defined by this title for each 200 square feet of plaza or courtyard area.

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- b. A plaza shall be visible and directly accessible from the public sidewalk and at no point be more than five feet above nor more than 12 feet below the curb level of the nearest street.
- c. A plaza shall be unobstructed to the sky except for certain permitted obstructions such as canopies or awnings, landscaping, or ornamental features such as fountains and flag poles.
- d. A plaza shall be positioned so that at least two-thirds of its area receives **access to** at least four hours of direct or reflected sunlight on March 21 and September 21. A plaza or courtyard may be credited towards a requirement, menu choice, or bonus as long as it meets this standard. The director may reduce this requirement in cases where topography or vegetation shadow the site. Reductions shall be the minimal action that would address these factors.
- e. Plazas shall not be paved with asphalt.

7. Housing Courtyard

A housing courtyard may be created when a multifamily building or buildings are arranged or configured to enclose and frame a common private open space. To receive credit as a housing courtyard, the space shall achieve the following:

- a. The residential building(s) shall enclose a clearly defined courtyard open space. The structure(s) surrounding the housing courtyard may, for example, form an O, L, or U shaped enclosure.
- b. A courtyard shall comply with the plaza requirement for pedestrian features, and with the common private open space standards of section 21.07.030.
- c. All individual dwelling units around the perimeter of a courtyard shall have windows, entrances, and/or transitional spaces such as porches or balconies that face the courtyard.
- d. A courtyard shall have a solar orientation as defined by this title in terms of openings in the courtyard and the lower height of surrounding buildings.

8. Transit Stop or Transit Shelter

A transit stop or transit shelter shall meet or exceed the minimum design standards established by the transit facilities design guidelines in the *Design Criteria Manual*.

9. Pedestrian Shelter such as a Canopy, Awning, or Marquee

A pedestrian shelter is a roof-like structure extending out from the building face that provides year round overhead protection from precipitation and wind, and that can provide visual interest and wayfinding orientation to primary entrances, passenger loading areas, or waiting areas. Pedestrian shelter may be composed of awnings, canopies, marquees, cantilevered overhangs, colonnades, or similar overhangs along the pedestrian route.

- a. A pedestrian shelter shall have a minimum dimension of six feet measured horizontally from the building wall, or shall extend to a line two feet from the curb line of the street or nearest motor vehicle area, whichever is less.
- b. A pedestrian shelter shall have a minimum vertical clearance of eight feet and a maximum vertical clearance of 12 feet, except that a pedestrian shelter that

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projects out more than eight feet measured horizontally from the building wall shall have a maximum vertical clearance of 16 feet.

- c. A pedestrian shelter may be indented as necessary to accommodate street trees, landscaping beds, street lights, bay windows, or similar building accessories. A pedestrian shelter shall not extend out to within three feet of the center of the main trunk of a street tree.
- d. A pedestrian shelter shall incorporate architectural design features of the building from which it is supported.

10. Arcade (or Building Recess)

An arcade is a covered passageway created by the overhanging upper portion of the building along a sidewalk or walkway to provide a sheltered area at grade level. An arcade is usually separated from the adjacent street, sidewalk/walkway, or pedestrian space by a line of supporting columns or arches. A ground level building recess without supporting columns may also receive credit if it achieves the following standards:

- a. An arcade shall be developed as a continuous covered space extending along a street, plaza, or courtyard or other pedestrian open space. An arcade shall be open for its entire length to the street or pedestrian open space, except for building columns.
- b. An arcade shall have a minimum vertical clearance of no less than 12 feet, and on average no greater than 18 feet.
- c. An arcade shall have a minimum horizontal walkway clear width of eight feet between the building and any supporting columns, and a maximum covered width of 20 feet.
- d. An arcade shall not at any point be above the level of the adjacent sidewalk, walkway, or pedestrian open space (whichever is higher). The width and spacing of the supporting columns shall be such that maximum visibility is maintained.
- e. The spacing and rhythm of the supporting columns shall relate to the structural or architectural pattern of the building and shall be consistent along the length of the arcade.
- f. No off-street parking spaces, passenger loading zones, driveways, or off-street loading berths are permitted anywhere within an arcade or within 10 feet of any portion thereof, unless the decision-making body determines that such activity will not adversely affect the air quality or functioning of the arcade. In no event shall such vehicular areas be eligible for credit as part of the arcade.
- g. An arcade shall be publicly accessible at all times.

11. Atrium, Galleria, or Winter Garden

An atrium, galleria, or winter garden is a publicly accessible sunlit interior space suited for year-round public use, and which takes advantage of windows and sunlight access to provide brightness, orientation, and visual connections to the outdoors.

- a. An atrium, galleria, or winter garden shall be developed and maintained as a temperature controlled, publicly accessible space furnished with features and amenities that encourage its use.

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- b. An atrium, galleria, or winter garden shall contain at least one pedestrian feature as defined by this title for each 200 square feet of floor area.
- c. An atrium, galleria, or winter garden shall be co-located with primary entrances and pedestrian activity areas, and either adjoin or directly connect to a publicly accessible sidewalk or open space.
- d. The publicly accessible portion of the atrium, galleria, or winter garden shall be at least 400 square feet, with a minimum dimension of 16 feet.
- e. At least half of an atrium, galleria, or winter garden's ceiling area and at least a portion of its wall area shall consist of transparent glazing.
- f. An atrium, galleria, or winter garden shall have access [BE EXPOSED] to direct and/or reflected sunlight for at least four hours daily for eight months of the year.

12. Sun Pocket (or Sun Trap)

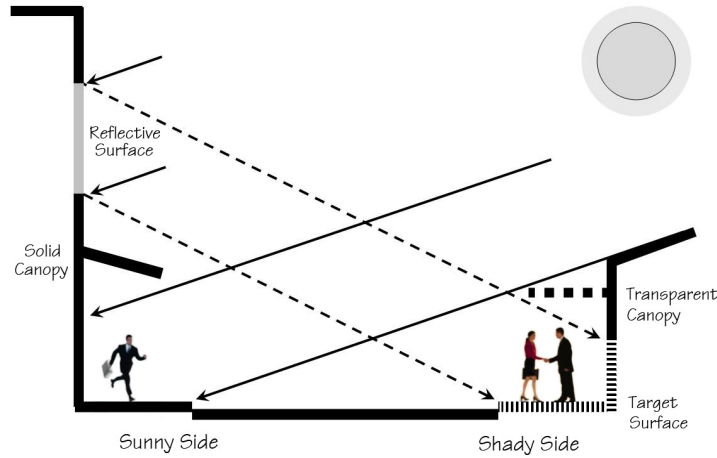
A sun pocket or sun trap is a pedestrian space that captures direct and reflected sunlight. A sun pocket shall be a clearly defined open space partly sheltered by building walls, fences, or landscape features, such as a C, L, or U shaped semi-enclosure. The protected space shall contain at least 250 square feet of pedestrian area that is exposed to direct and reflected sunlight access for at least six hours on March 21 and September 21.

13. Reflected Sunlight

Reflected sunlight as a pedestrian amenity is created by a light-colored, partially reflective, upper-story façade surface that redirects sunlight radiation to pedestrian spaces and walkways to brighten or increase the comfort level in those spaces.

- a. The reflective façade surface shall have a solar orientation.
- b. The reflective façade surface shall have a reflectance of at least 50 percent and no greater than 75 percent in order to avoid excessive glare.
- c. The reflective façade surface shall be an upper floor above ground-level.
- d. Reflected sunlight shall fall on at least 400 square feet of a publicly accessible walkway, open space, and/or abutting ground-level wall area for at least four hours on March 21 and September 21.

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14. Sheltered Transition Space

A sheltered transition space is an outdoor or glass covered space such as café seating along a building façade that provides a comfortable transition between indoor areas and unsheltered outdoor spaces.

- a. A sheltered transition space shall be a minimum of 400 square feet.
- b. A sheltered transition space shall comply with the dimensional standards for pedestrian shelter or arcade.
- c. A sheltered transition space shall contain a minimum of one pedestrian feature as defined by this title.
- d. A sheltered transition space shall not obstruct the minimum clear width of the adjoining walkway or sidewalk.

15. Bicycle Parking Facilities

- a. Required bicycle parking or a sign leading thereto shall be located in an area visible from a primary entrance area and no farther from a primary entrance than the closest motor vehicle parking space, not including designated accessible parking, carpool, or vanpool spaces. It may also be located inside the building served, in a location that is easily accessible for bicycles.
- b. A required bicycle parking space shall include a securely fixed structure that allows the bicycle wheel and frame to be locked to the facility, and that supports the bicycle frame in a stable position without damage to the bicycle, or shall be in a bicycle locker, lockable bicycle enclosure, or lockable room.
- c. A required bicycle parking space shall be a minimum of six feet long and two feet wide.
- d. The surfacing of bicycle parking facilities shall be designed and maintained to be clear of mud and snow.
- e. Bicycle parking shall not obstruct pedestrian walkways, building access, or use areas.

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16. Pedestrian-Interactive Use

A pedestrian-interactive use is intended to provide ground-floor spaces that strongly engage the sidewalk with street-facing windows and entrances, feature activities and services that support neighborhood residents, and generally contribute to the pedestrian-oriented environment. The standards that follow apply where the term “pedestrian-interactive use” is listed in this title as a requirement, special feature for a bonus, or a menu choice.

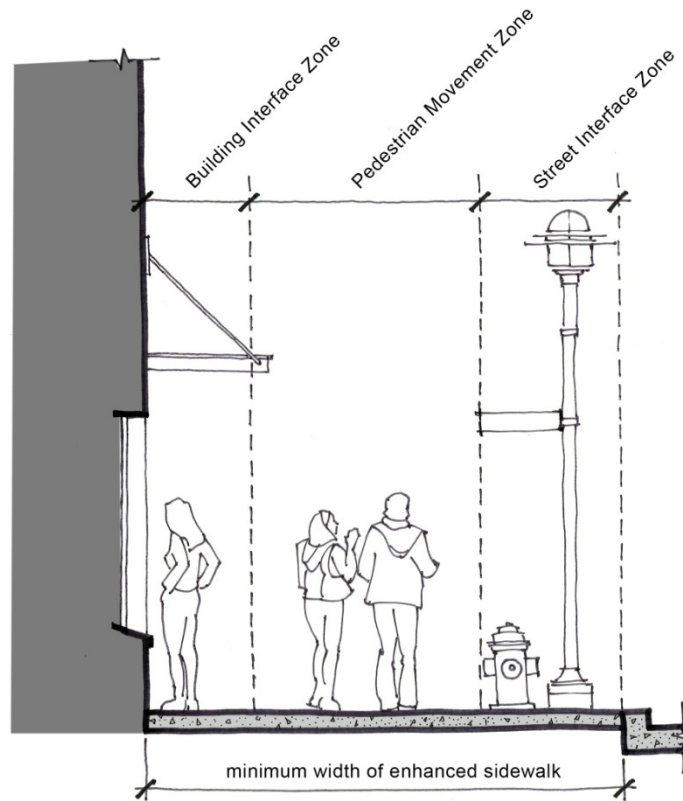
- a. A pedestrian-interactive use shall be any of the following uses that are permitted in the district: retail and pet services; financial institution providing banking services open to the public with at least one employee on site; food or beverage service; personal service; cultural facility; or the frontage of entryways or stairways through which such uses are principally accessed;
- b. Retail sales uses that are permitted in the district shall be considered pedestrian-interactive uses, except for the following types of retail sales uses: fueling station; building materials store.
- c. The following uses supporting residential neighborhood and housing development are also considered pedestrian-interactive uses when permitted in the district: residential dwellings with individual front entries along the street; elementary school; middle or high school; health services; child care center.
- d. A pedestrian-interactive use shall provide a primary entrance facing the street. Entrances at building corners facing a street may be used to satisfy this requirement.
- e. A pedestrian-interactive use shall **contain habitable floor area** [OCCUPY A HABITABLE SPACE] at least 24 feet deep extending along the full length of the ground-floor, street-facing building elevation, allowing for pedestrian and vehicle entrances, entry lobbies or atriums, and stairwells.
- f. A pedestrian-interactive use shall comply with subsection 21.06.030C.5., *Maximum Setbacks*, **but the exceptions of subsection 21.06.030C.5.d. shall not be available.**
- g. Street-facing ground-floor wall areas of a pedestrian-interactive use shall be 67 percent visual access windows, except that such wall areas for dwellings shall be at least 20 percent visual access windows.
- h. Where a building has three or more street frontages, these criteria apply along only two of the frontages.

17. Enhanced Sidewalk Option

An enhanced sidewalk promotes sidewalk widening and streetscape enhancements to support higher levels of pedestrian activity and access in mixed-use developments. An enhanced sidewalk environment with “main street” style amenities may be provided in lieu of required site perimeter landscaping where it is logical to support a pedestrian zone as determined through an administrative site plan review, and subject to the following:

- a. The sidewalk width shall be at least 12 feet, and include a pedestrian movement zone, building interface zone, and street interface zone. The street interface zone shall be at least four feet wide along major arterials. A pedestrian-interactive use meeting the standards of F.16. above shall be provided in the building next to the designated sidewalk.

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Enhanced Sidewalk in a Commercial Setting

- i. A public use easement shall be recorded for any part of the designated sidewalk to be located within the subject parcel.
 - ii. Physical obstructions within the sidewalk's building interface zone, such as landscaping, entry stoops, or seating, shall extend no more than two feet into the minimum required 12 foot width, so that at least ten feet remain.
- b. The enhanced sidewalk shall provide at least two-thirds the number of trees and shrubs required for site perimeter landscaping.
- c. The enhanced sidewalk may be placed wholly or in part within a right-of-way, subject to approval of the traffic engineer and municipal engineer.
- i. The enhanced sidewalk shall be subject to the applicable requirements of title 24, including sections 24.30.020., *Permit to use Public Places*, and 24.90, *Encroachment Permit*.
 - ii. Improvements within the public right-of-way shall be consistent with the DCM and MASS.
 - iii. Existing improvements that meet the standards of the enhanced sidewalk may be counted towards the requirements of this section, subject to approval by the director.

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- iv. The owner shall maintain landscaping and amenities for the enhanced sidewalk within the right-of-way, and comply with the provisions for removal of snow and ice in AMC 24.80.090, 100, and 110.
- v. Where the right-of-way is not adequate or cannot be configured to accommodate the enhanced sidewalk, then the development shall be set back from the street frontage as necessary to accommodate part of the improvements within the property.

18. Parking Courtyard

A parking courtyard is a pedestrian-oriented parking facility for residential developments that uses the principles of a “Woonerf Street” or “Play Street.” It is designed and operated as a shared space to allow all resident users, not only drivers, to use it safely. A parking courtyard that is credited towards a residential pedestrian facility requirement or menu choice of this title shall meet the following standards:

- a. An administrative site plan review is performed, unless a higher level of review is already required;
- b. The parking courtyard serves no more than eight dwelling units and contains no more than 12 parking spaces (not including garage spaces in individual dwellings);
- c. The parking courtyard is a dead end and does not lead or provide access to other dwelling units, parking facilities, or streets;
- d. A walkway is provided between the parking courtyard and the street—the common access driveway does not qualify as a pedestrian walkway;
- e. A special paving scheme and landscape treatment is applied, as approved through the review;
- f. The space is designed for both vehicles and people, with an emphasis on pedestrians and usable, safe, and attractive pedestrian and play space, as approved through the review; and
- g. The parking courtyard achieves the intent of this title for pedestrian access, as determined through the review.

21.07.070 NEIGHBORHOOD PROTECTION STANDARDS

A. Purpose and Relationship to Other Requirements

This section makes available a menu of additional tools to use in discretionary approvals to protect residential neighborhoods from potential adverse impacts of adjacent nonresidential uses, including limitations on hours of operation, noise, and lighting.

B. Discretionary Conditions

A decision-making body through application of this section shall:

- 1. Make findings regarding the potential adverse impact that is anticipated by the proposed development;
- 2. Propose conditions that are specifically related and commensurate to the anticipated impacts identified in the findings; and

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3. Propose conditions that are the minimum necessary to avoid or mitigate the anticipated impacts identified in the findings.

C. Nonresidential Development Adjacent to Existing Residential Use

As a condition of the approval of any conditional use permit, site plan review, subdivision, or variance of any nonresidential use located within 200 feet of any residential district, the decision-making body shall be authorized to impose conditions that are necessary to reduce or minimize any potential adverse impacts on residential property. Such conditions shall be based on findings which support the imposed condition as required by subsection 21.07.070B., and may include but are not limited to the following:

1. Hours of operation and deliveries;
2. Location on a site of activities that generate potential adverse impacts on adjacent uses, such as noise and glare;
3. Placement of trash receptacles, compactors, or recycling;
4. Location and screening of loading and delivery areas, garages, vehicle fleet parking, or vehicle maintenance areas;
5. Lighting location, intensity, and hours of illumination;
6. Placement and illumination of outdoor vending machines, telephones, or similar outdoor services and activities;
7. Additional landscaping and screening to mitigate adverse impacts;
8. Height restrictions to preserve light and privacy;
9. Ventilation and control of odors and fumes;
10. Paving to control dust; and
11. Location and orientation of changeable type or illuminated signs, to protect residential character and privacy and views from residential units.

D. Residential Development Adjacent To Existing Nonresidential Use

When a residential development is proposed adjacent to an existing commercial or industrial use, the decision-making body may impose neighborhood protection standards, including but not limited to increased landscaping, traffic calming measures, and requiring the residential development to be configured and dwelling units located to minimize potential conflicts with or adverse impacts from the existing nonresidential development. Any required mitigation measures shall be installed and maintained by the residential development, not the existing commercial or industrial use.

21.07.080 LANDSCAPING, SCREENING, AND FENCES

A. Purpose

This section is intended to ensure that new landscaping and the retention of existing vegetation is an integral part of all development. It is also the intent of this section to provide flexible requirements that encourage and allow for creativity in landscape design. More specifically, these provisions are intended to:

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1. Visually enhance industrial, commercial, community use, and residential development through retention of existing native or ornamental vegetation or through new landscaping improvements.
2. Integrate new or renovated development into the surrounding context of the community including its neighborhoods and street corridors.
3. Separate, screen, and buffer adjacent incompatible land uses through the use of landscape plantings, fencing, and other appropriate landscape architectural features.
4. Reduce and treat runoff of storm water to preserve the quality of local streams and water bodies.
5. Promote the use of existing vegetation and retention of trees, woodlands, habitat, and urban forest.
6. Reduce runoff and erosion, control dust, and preserve air and water quality.
7. Encourage use of native plants or provide landscaping that is compatible with the climate and natural setting of the municipality and can provide desired effects even during harsh urban and winter conditions.

B. Exemption for Temporary Uses

Unless required under section 21.05.080, temporary uses in accordance with section 21.05.080 are exempt from the requirements of this section.

C. Landscape Plan

1. All landscaping and screening required under this section 21.07.080 shall be reflected on a landscape plan for review and approval by the decision-making body.
2. Except for lots where there is a single principal structure containing between one and four dwelling units and any development of a single principal structure where the sum of the required perimeter and parking lot landscaping is less than 1,000 square feet, all development shall have a landscape plan prepared by a licensed landscape architect registered by the state of Alaska consistent with AS 08.48 and 12 AAC 36, for review and approval by the decision-making body. Minimum requirements for the landscape plan are as follows:
 - a. Plan scale shall be easily readable and not smaller than one inch equals 30 feet.
 - b. Plans and/or schedules shall call out the common and scientific name for each plant type or ground cover to be used.
 - c. The plan shall identify plant locations and sizes in accordance with the sizing standards of the American Standard for Nursery Stock (ANSI Z60.1-2004) as published by the American Nursery and Landscape Association.
 - d. The plan shall identify locations and areas where existing native vegetation is being used to fulfill the requirements of this section.
 - e. The location of buildings, walkways, vehicular circulation (to include adjacent streets), retaining walls, and fences shall be indicated.
 - f. Topography, expressed in contours or spot elevations, shall be identified on plans. Additionally, all drainage features to include swales, biofiltration swales,

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drainage basins, snow storage and disposal areas, and any inlets for storm drains shall be identified on plans. A separate plan, detailing site grading, that includes contours and/or spot elevations is acceptable.

g. The plan shall identify existing and proposed utility elements such as easements, transformers, utility poles, overhead and underground utility lines, street lights, and curb cuts that affect the landscape plan.

h. Planting details shall be provided.

i. North arrow and scale shall be included.

D. Cross-References to Other Requirements

1. Landscaping

Any use that is required to provide landscaping or screening pursuant to the district-specific standards of chapters 21.04, 21.09, and, 21.10; the use-specific standards of chapters 21.05, 21.09, and 21.10; or any applicable [THE] standards of other sections of this chapter 21.07, chapter 21.09, or chapter 21.10; shall provide such landscaping or screening. In the event of a conflict between other requirements and the requirements of this section 21.07.080, the more restrictive provisions shall govern.

2. Walkways

Refer to subsection 21.07.060E.4.e.

3. Parking and Loading Facilities and Vehicular Overhangs

Refer to subsections 21.07.090H.3. and H.9.

4. Private Open Space

Refer to subsection 21.07.030D.

5. Snow Storage

Refer to subsection 21.07.040F.4.

E. Types of Landscaping

Four types of landscaping may be required for a development, depending on the use and zoning district of the property and adjacent properties, and the portion of the property involved. These types of landscaping are: (1) site perimeter landscaping; (2) parking lot landscaping—perimeter and interior; (3) site enhancement landscaping applied in site interiors; and (4) tree requirements for new residential development. Minimum requirements for these landscaping types are set forth in subsections 21.07.080E.1. through E.4. below and in table 21.07-1.

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Chapter 21.07: Development and Design Standards Sec. 21.07.080 Landscaping, Screening, and Fences

1

TABLE 21.07-1: LANDSCAPING SPECIFICATIONS			
TYPE OF LANDSCAPING	BED WIDTH OR AREA/LOCATION REQUIRED	PLANT MATERIALS REQUIRED	OPTIONAL DESIGN STANDARDS
SITE PERIMETER LANDSCAPING REQUIREMENTS			
Visual Enhancement Landscaping (L1)	<p>Minimum average planting bed width: 8 feet as measured for each leg of the perimeter.</p> <p>Minimum planting bed width: 5 feet.</p> <p>No more than one-half the property line length or 50 feet, whichever is less, may have a planting bed width less than 8 feet in width. The maximum bed width used for the calculation of average bed width may not be greater than 12 feet.</p>	<p>Provide 1 tree and 6 shrubs per 20 linear feet of property line requiring visual enhancement landscaping.</p> <p>All areas within the planting bed shall be covered with living ground cover, turf, or mulch.</p> <p>All trees, shrubs, and ground covers shall be chosen for suitable hardiness and length of season for the specific area to be planted.</p>	<p>Use of raised planters, pedestrian amenities, and pedestrian scale lighting may be used to offset up to 1/3 of trees and 1/3 of shrubs, through an administrative site plan review.</p> <p>Up to 1/2 of total required shrubs may be substituted with perennial plantings at a ratio of three 1-gallon container perennials for every shrub required.</p> <p>Trees may be substituted with an equal number of shrubs at 6-foot minimum planting height in utility easements with overhead lines.</p>
Buffer Landscaping (L2)	<p>Minimum average planting bed width shall be 15 feet, with minimum width at any point not less than 10 feet, except as modified by the Optional Design Standards, in which case the overall minimum planting bed width shall be 10 feet.</p>	<p>Provide 2 trees and 6 shrubs per 20 linear feet of property line requiring buffer landscaping.</p> <p>At minimum, 1/2 of all trees shall be coniferous.</p> <p>Distribute trees and shrubs evenly along the length of the planting bed.</p> <p>All areas within the planting bed shall be covered with living ground cover, turf, or mulch.</p> <p>If relying on existing vegetation to meet these requirements, use of a site-obscuring or screening fence as an optional design standard is not allowed.</p> <p>All trees, shrubs, and ground covers shall be chosen for suitable hardiness and length of season for the specific area to be planted.</p>	<p>A 6-foot high ornamental sight-obscuring or screening fence may be used in lieu of 5 feet of planting bed width on side or rear property lines, but not along streets or street rights-of-way. The fence shall be situated within or on the edge of the planting bed, except where utilities or existing conditions create a conflict.</p> <p>Trees may be substituted with an equal number of shrubs at 6 feet minimum planting height in utility easements with overhead lines.</p>
Screening Landscaping (L3)	<p>Minimum planting bed width of 30 feet, except as allowed by the Optional Design Standards.</p>	<p>Provide 3 trees and 10 shrubs per 20 linear feet of property line requiring screening landscaping.</p> <p>At minimum, 75% of all trees shall be coniferous.</p> <p>Trees and shrubs shall be evenly distributed along the frontage.</p> <p>All areas within the planting bed shall be covered with living ground cover, turf, or mulch.</p> <p>All trees, shrubs, and ground covers shall be chosen for suitable hardiness and length of season for the specific area to be planted.</p>	<p>On side or rear property lines, but not along streets or street rights-of-way, planting bed width may be reduced by 10 feet with provision of an eight-foot high ornamental screening fence.</p>

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TABLE 21.07-1: LANDSCAPING SPECIFICATIONS			
TYPE OF LANDSCAPING	BED WIDTH OR AREA/LOCATION REQUIRED	PLANT MATERIALS REQUIRED	OPTIONAL DESIGN STANDARDS
Freeway Landscaping (L4)	Freeway landscaping requirements shall apply to any lot abutting the right-of-way of: 1. Seward Highway between Tudor Road and Potter Valley Road. 2. Glenn Highway between Boniface Parkway and the northern municipal boundary. 3. Minnesota Drive/O'Mally Road between International Airport Road and the Old Seward Highway. Minimum planting bed width of 30 feet, except as allowed by the Optional Design Standards.	Provide 3 trees and 10 shrubs per 20 linear feet of property line requiring freeway landscaping. At minimum, 1/2 of all trees shall be coniferous. Trees and shrubs may be distributed along frontage at owner's discretion. All areas within the planting bed shall be covered with living ground cover, turf, or mulch. All trees, shrubs, and ground covers shall be chosen for suitable hardiness and length of season for the specific area to be planted.	Planting bed width may be reduced by 10 feet with provision of an 8-foot high ornamental screening fence. If this option is chosen, the fence shall be set back 20 feet from the right-of-way, plant material requirements remain the same, and all required plantings shall be on the freeway side of the fence.
PARKING LOT LANDSCAPING REQUIREMENTS			
Parking Lot Perimeter Landscaping	Same as perimeter landscaping bed width requirements for L1 or L2 landscaping, as applicable. Refer to L1 and L2 perimeter landscaping requirements above in this table.	As required for L1 visual enhancement or L2 buffer landscaping (see subsection E.2.b.ii.) When not serving as required site perimeter landscaping, trees and shrubs may be grouped to best serve the design intentions for the site and promote safe use. Sight-lines for entry and egress shall be considered for placement of landscaping. [ALL AREAS WITHIN THE PLANTING BED SHALL BE COVERED WITH LIVING GROUND COVER, TURF, OR MULCH.]	Where L1 visual enhancement landscaping is required in the same location as site perimeter landscaping, the requirement for parking lot landscaping takes precedence—no use of optional design standards allowed. Where parking lot perimeter landscaping is in the same location as a higher level of site perimeter landscaping, the site perimeter landscaping requirement takes precedence.
Parking Lot Interior Landscaping	Provide total area in accordance with parking lot interior landscaping requirements in subsection E.2.c. Minimum area for individual beds shall be 165 square feet. Minimum bed width: 8 feet.	1 tree and 6 shrubs per 150 square feet of total internal landscaping required. All areas within the planting bed shall be covered with living ground cover, turf, or mulch. Plant materials shall be evenly distributed throughout planting beds in the parking lot.	Individual planting beds that are designed to be used for biofiltration may substitute up to 3/4 of the required trees and 2/3 of the required shrubs with site appropriate herbaceous plant material in planting beds designed as rain gardens according to the municipal Low Impact Development Design Guidance Manual (latest edition), at a ratio of 12 plants per tree and 2 plants per shrub.
SITE ENHANCEMENT LANDSCAPING REQUIREMENTS			
Site Enhancement Landscaping	Provide on all areas of the site not occupied by buildings, structures, driveways, walkways, off-street parking, or other authorized uses or installations, and not otherwise devoted to landscaping required by this title.	Areas subject to site enhancement landscaping shall be covered with living ground cover, turf, or planting beds with trees and shrubs, at the discretion of the property owner. Existing natural vegetation can be applied toward meeting site enhancement landscaping requirements.	

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1. Site Perimeter Landscaping Requirements

a. Purpose

Site perimeter landscaping separates land uses of different characteristics or intensities, to minimize the effects of one land use on another. Perimeter landscaping also marks the interface between public streets and individual property. Four basic levels of site perimeter landscaping are provided to accommodate a variety of land uses at a variety of intensities: (1) visual enhancement landscaping; (2) buffer landscaping; (3) screening landscaping; (4) freeway landscaping. Specifications for these landscaping types are found in table 21.07-1.

b. Applicability

Site perimeter landscaping shall be provided along the perimeter property line of development sites in accordance with table 21.07-2, except for the following:

- i. At approved points of pedestrian or vehicle access;
- ii. On individual single-family and two-family lots that are not being developed as part of a subdivision, unless required elsewhere in this title; and
- iii. Along alleys.

c. Exceptions

- i. Development which is eligible to use enhanced "main street" style sidewalk environment standards of subsection 21.07.060F.17. may use those standards **that modify the requirements [IN LIEU]** of required visual enhancement or buffer landscaping along public streets.
- ii. L4 freeway landscaping may be replaced with L2 buffer landscaping in the following situations:
 - (A) Any lot whose area, less the 30-foot setback area for the L4 freeway landscaping, is less than the minimum lot area required in the zoning district; or
 - (B) Any lot whose depth, excluding all setbacks required by this title, is less than 100 feet.

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TABLE 21.07-2: MINIMUM SITE PERIMETER LANDSCAPING – BY ABUTTING DISTRICT OR STREET

Abutting District or Street	Required Level of Site Perimeter Landscaping (Levels 1-4) ^{1, 2}												
	R-6, R-8, R-9, R-10, TA	R-1, R-1A, R-2A, R-2D, R-5, R-7	R-2M	R-3	R-4, R-4A	PLI	B-1A, B-1B, B-3, RO	I-1, I-2, MC, MI	PR	Freeway	Arterial, Expressway	Collector	Local Street
R-6, R-8, R-9, R-10, TA		L2	L2	L2	L2	L2	L2	L2		L4	L2		
R-1, R-1A, R-2A, R-2D, R-5, R-7	L2		L2	L2	L2	L2	L2	L2		L4	L2	L1	
R-2M	L2	L2			L2	L2	L2	L2		L4	L2	L1	
R-3	L2	L2				L2	L2	L2		L4	L2	L1	L1
R-4, R-4A	L2	L2	L2			L2	L1	L2		L4	L1	L1	L1
PLI	L2	L2	L2	L2	L2		L1	L1	L1	L4	L1	L1	L1
B-1A, B-1B, B-3, RO	L2	L2	L2	L1	L1	L1		L1	L2	L4	L1	L1	L1
I-1, I-2, MC, MI, AF	L2	L2	L2	L2	L2	L1	L1		L2	L4	L1	L1	L1
PR						L1	L2	L2		L4	L1	L1	L1

NOTES:

¹ This table lists minimum site perimeter landscaping standards. Other chapters or sections of title 21 may have stricter site perimeter landscaping standards which would be used instead of the standards listed in this table.

² L3 screening landscaping is not included in this table as it only occurs as a use-specific standard for certain industrial uses, or through development-specific application in processes such as conditional use approvals.

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d. ***Visual Enhancement Landscaping***

Visual enhancement landscaping is intended to integrate new or renovated development into the surrounding community and is required along property perimeters that abut another zoning district or a public right-of-way. Landscaping improvements shall be placed within the area identified as the perimeter landscaping area and may be organized to the best advantage of property development.

e. ***Buffer Landscaping***

Buffer landscaping is intended to help separate one land use from another land use that may be incompatible for reasons such as the intensity of use or the visual character.

f. ***Screening Landscaping***

Screening landscaping provides the highest level of buffering between land uses, and is mostly applied by use-specific standards in chapter 21.05 between residential land uses and abutting industrial uses.

g. ***Freeway Landscaping***

Freeway landscaping is intended to enhance the appearance of the municipality along portions of the Seward Highway, the Glenn Highway, and Minnesota Drive/O'Malley Road. Landscaping improvements in these designated areas may be used to screen adjacent uses, such as residential uses impacted by the adjacent roadways, and to enhance the appearance of major visual and scenic corridors and entrance gateways of the community. Freeway landscaping is limited to specific areas along major highways in Anchorage as identified in table 21.07-1.

2. **Parking Lot landscaping Requirements**

a. ***Purpose***

Parking lot landscaping softens the view and breaks up the visual impact of extensive paved surfaces associated with multifamily residential and nonresidential development. It also contributes to storm water management, provides orientation to entrances, increases outdoor comfort levels, and mitigates wind and dust in large parking lots. Parking lot landscaping consists of parking lot perimeter landscaping and parking lot interior landscaping.

b. ***Parking Lot Perimeter Landscaping***

i. Parking lot perimeter landscaping is required for all parking lots with 10 or more parking spaces that are associated with any multifamily or nonresidential use, and for parking lots that are a principal use on a site.

ii. Parking lot perimeter landscaping shall be placed on all perimeters of a parking lot, which includes appurtenant driveways, where the parking lot abuts a property line. L2 buffer landscaping shall be used where a nonresidential district abuts a residential district, or is adjacent to a residential district across an alley, and where a multifamily district abuts a single-family residential district. All other sides of the parking lot perimeter shall have L1 visual enhancement landscaping.

iii. Exceptions include:

(A) At approved points of pedestrian and vehicle access; and

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(B) Adjacent to lots being developed under a common development plan, where the director waives the requirement.

c. **Parking Lot Interior Landscaping**

Parking lot interior landscaping is intended to visually enhance and break up the area of larger parking lots. Parking lot interior landscaping is required for any parking lot with 40 or more parking spaces. The area of the parking lot shall be determined by the total paved area including parking, circulation aisles, and appurtenant driveways.

i. Parking lot interior landscaping requirements are as follows:

(A) 40 to 100 parking spaces: An area equal to at least five percent of the parking lot shall be devoted to landscaping.

(B) 101 to 200 parking spaces: An area equal to at least eight percent of the parking lot shall be devoted to landscaping.

(C) More than 200 parking spaces: An area equal to at least ten percent of the parking lot shall be devoted to landscaping.

ii. Areas eligible to be counted as parking lot interior landscaping in subsection c.i. above shall be surrounded by parking area and/or driveway on at least three sides, except that up to 50 percent of the total parking lot interior landscaping, up to a maximum of 800 square feet, may include landscaping areas with parking area and/or driveway on only two sides (such as corner areas of parking lots).

iii. For parking lots with more than 200 spaces, a linear landscaping break with a minimum width of 8 feet shall be provided parallel to every third drive aisle. This area may count toward the total interior parking lot landscaping requirement.

iv. Parking lots with more than 200 spaces and exceeding the parking requirements by 25 percent or more shall increase the parking lot interior landscaping area by the amount provided in subsection 21.07.090E.4.d.

v. Fifty percent of the area required for parking lot interior landscaping may be accommodated by biofiltration swales. The use of biofiltration swales to partially fulfill some portion of the need for parking lot interior landscaping requires that swales be a minimum of ten feet in width and designed to promote biofiltration.

3. **Site Enhancement Landscaping**

a. **Purpose**

Site enhancement landscaping provides plant materials to open areas of a site to enhance the appearance and function of the building and site, to help prevent erosion and dust by covering bare disturbed areas, and to help reduce and clean storm water runoff.

b. **Applicability and Requirements**

Development sites shall provide site enhancement landscaping, except that single-family or mobile home dwellings on individual lots are exempt. Site enhancement landscaping requirements, including required area and planting materials, are provided in table 21.07-1.

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4. Trees for Residential Development

a. Purpose

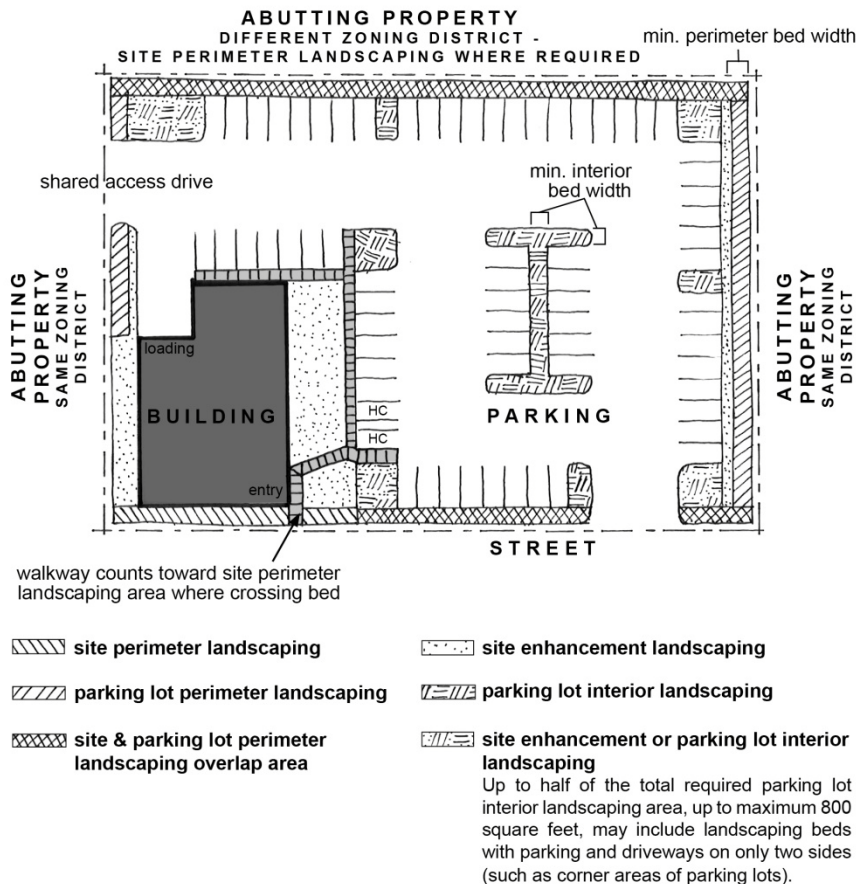
This section establishes a minimum requirement for trees in new residential development. It encourages the retention of existing trees and in general promotes a sustained presence of trees and woodlands for their benefits to property values, community character, wildlife habitat, and the natural environment in urban areas of the municipality.

b. Applicability

This section applies to **new** residential development, except for single-family and two-family lots that were platted before January 1, 2014.

c. Requirements

All individual lots in a subdivision shall have a minimum of one tree **prior to the issuance of a certificate of zoning compliance for the original structure**. A minimum of 20 trees per acre is required in new residential developments. Deciduous tree plantings shall be two-inch caliper or greater, and coniferous tree plantings shall be six feet in height or greater. This section may be fulfilled by the preservation of existing trees as provided in subsection F.1.b. below. **[EXISTING COTTONWOOD TREES MAY NOT BE USED TO FULFILL THIS REQUIREMENT.]**



Type of Landscaping Areas (Site Plan Example)

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F. General Landscaping Requirements and Standards

1. Plant Materials

Anchorage lies generally within the USDA climatic zone 3. This categorization is intended to help identify plants with suitable hardiness to survive in our climate. There are known microclimates within Anchorage that are less severe in some areas and more severe in others. It is not the intent of this title to dictate the use of individual species; however property owners are encouraged to understand the local climate and to use plant species known to be hardy. It is the property owner's responsibility to replace plant materials which are provided in response to the requirements of this title, but perish due to poor maintenance, lack of hardiness, mechanical damage, or some other reason. In all cases, the plant materials shall be living and free of defects and of normal health, height, and spread as defined by the American Standard for Nursery Stock, ANSI Z60.1, latest available edition, American Nursery and Landscape Association. Plants may be nursery grown or native transplants, provided they meet the requirements of ANSI Z60.1.

a. *Minimum Size of Planting Materials*

i. *Trees*

(A) Deciduous trees: 2 inch caliper

(B) Coniferous trees: 6 feet in height

ii. *Shrubs*

(A) Deciduous shrubs: 18 inches in height

(B) Evergreen shrubs: 18 inches in height

(C) Creeping evergreen shrubs: 18 inch spread

b. *Preservation of Existing Plant Material*

This title acknowledges the great benefit of preserving existing mature plant material over the replacement of such material with new immature landscape plantings. The mature landscaping may consist of a mass of native plant materials that include a complete community of trees, shrubs, and ground covers, or it may consist of mature individual tree specimens.

c. *Native Plant Material Mass*

A mass of existing native plant material preserved on site may be utilized to fulfill a portion of the landscaping requirements identified in this title. To fulfill this requirement, existing plant materials shall include trees, shrubs, and groundcovers. The quantity of trees within the stand of native plant materials shall be at least equal to the quantity of trees required for the types of landscaping identified above. Cottonwood trees (*Populus balsamifera* and *Populus trichocarpa*) may be kept, but shall not be included in the count of trees to meet these requirements. Provided that the stand(s) of existing vegetation meet the requirement for the quantity of trees, the area of the stand of existing vegetation shall be equal to at least 50 percent of the total square foot area for which the existing vegetation is fulfilling the landscaping requirement. Use of existing vegetation may be mixed with planted landscaping improvements to fulfill total requirements.

d. *Individual Tree Specimens*

Existing individual tree specimens that are preserved on-site may be used towards meeting the landscaping requirements for visual enhancement, buffer, screening, or freeway landscaping, as identified above, if these trees are located

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in the applicable site perimeter or parking lot landscaping areas. Retained existing trees that meet the above requirements shall be credited as follows:

i. Coniferous trees 10 feet or more in height are equivalent to three new trees.

ii. Deciduous trees 6 inches or greater caliper are equivalent to three new trees.

Cottonwood trees (*Populus balsamifera* and *Populus trichocarpa*) may not be used to meet this requirement.

2. Planting Location

a. *Utility Easements*

i. Required landscaping areas may overlap with utility easements.

ii. The developer shall coordinate landscape projects within utility easements with the respective utilities and ensure that the landscaping is compatible with the utility's need to safely and reliably operate and maintain its facilities. The utility shall provide written notice to property owners about planned projects that affect landscaping within utility easements.

b. *Visibility Clearance Areas*

All landscaping and screening materials shall comply with the clear vision area requirements of the traffic **engineer** [DIVISION].

3. Planting Bed and Vegetation Areas

a. *Protection of Landscaping*

All required landscaped areas shall be protected from potential damage by adjacent uses, such as parking and storage areas. Concrete barrier curbs or an alternate barrier capable of maintaining separation between vehicles and plantings and at least six inches in height shall be provided between vehicular use areas and landscaped areas. Landscaped areas shall be protected from impacts resulting from snow removal operations.

b. *Existing Plant Materials*

Where existing plant materials are used to meet the requirements of this section, plant materials shall be protected from construction activities in accordance with the following:

i. *Construction Fence*

A construction fence shall be placed around each tree or group of trees and shrubs to be retained at or beyond the edge of the tree protection zone. Construction fencing shall be placed prior to the commencement of construction work and shall be maintained for the duration of the construction period. Construction fencing in high-traffic areas of the construction site shall consist of a durable material, such as chain link or wood. Plastic fencing that is properly anchored and not on movable posts is acceptable for low-traffic areas of the construction site. Plastic tape is not an acceptable alternate.

ii. *Plant Material Replacement*

In the event that existing plant materials die as a result of construction activity or for any other reason, the owner is responsible for replacement

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with other landscaping materials in accordance with the requirements of this section.

c. Ground Covers and Mulches

- i. Planting beds containing trees and shrubs shall use mulches which consist of shredded bark, wood chips, or stone aggregate or other mineral mulches that are $\frac{1}{4}$ inch or more and do not become compacted.
- ii. For areas of the site outside of planting beds and subject to site enhancement landscaping, ground cover plants such as lawn grasses or native perennial ground covers and wildflowers shall be planted to provide continuous ground coverage within three years.

4. Installation of Landscaping

a. Timing

All required landscaping and screening shall be installed by the developer. All landscaping shall be installed before a certificate of zoning compliance is issued. If a certificate of zoning compliance is requested between September and May, then the certificate shall be conditioned upon the landscaping being installed before the following August 31.

b. Guarantee of Landscaping Survival

- i. The owner shall be responsible for landscaping installed to fulfill the requirements of this title and the approved site landscape plan. In order to ensure the preservation or replacement of required and installed landscaping, the owner shall provide to the municipality a warranty guarantee such as a letter of credit, escrow, performance bond, or other surety as approved by the director. Single-family and two-family homes on individual lots are exempt from providing this guarantee. The warranty guarantee shall be in an amount equal to the following schedule, and shall remain in effect for two years, starting on the date the municipality witnesses the installation per the approved landscape plan.

TABLE 21.07-3: WARRANTY GUARANTEE SCHEDULE

Lot Area	Value of Surety
10,000-15,000 sf	\$1,200
15,001-20,000 sf	\$1,750
20,001-30,000 sf	\$5,000
30,001-40,000 sf	\$7,500
40,001-50,000 sf	\$10,000
50,001-75,000 sf	\$12,500
75,001-100,000 sf	\$15,000
100,001 sf and greater	\$20,000

- ii. At warranty end and prior to the municipality authorizing release of the guarantee, a licensed landscape architect or a certified arborist shall inspect the landscaping. When landscaping is found to be complete and healthy as intended, the inspector shall provide affidavit of the same to the director. At the direction of the above inspector, the owner shall replace failed or failing landscaping with healthy material per the approved landscape plan and to the satisfaction of the inspector. The

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municipality shall release the guarantee within 30 days of receiving the affidavit of the inspector that all the landscaping is found to be complete and healthy as intended.

5. Maintenance and Replacement

- a. Trees, shrubs, other vegetation, irrigation systems, fences, and other landscaping, screening, and fencing elements shall be considered as elements of a development in the same manner as other requirements of this title.
- b. The property owner shall be responsible for regularly maintaining all landscaping elements in good condition. All landscaping shall, to the extent reasonably feasible, be maintained free from disease, weeds, and litter.
- c. Any landscaping element that dies, is removed, or is seriously damaged shall be replaced with the same type and size landscaping element that is shown on the approved landscape plan for the site.
- d. All landscaping, screening, and fencing materials and structures shall be repaired and replaced as necessary to maintain them in a structurally sound condition.

G. Screening

1. Purpose

Screening consists of landscaping, the retention of natural vegetation, or the use of physical structures to block views of specific activities or specific parts of a property or structure.

2. Refuse Collection

In order to improve the appearance of the municipality's streets and neighborhoods, refuse collection receptacles shall be screened and set back from abutting streets in a location where they can be conveniently and safely accessed by the intended users and by refuse collection vehicles, as provided in this section.

a. *Applicability*

The standards of this subsection 21.07.080G.2. shall apply to all outdoor refuse collection receptacles, including dumpsters, compactors, garbage cans, debris piles, and grease containers, except for the following:

[RECEPTACLES IN CHUGIAK-EAGLE RIVER WHICH ARE SUBJECT TO CHAPTER 21.10.]

- i. Receptacles that receive refuse collection service only from an alley.
- ii. Public trash receptacles for pedestrians.
- iii. Public drop-off recycling receptacles, which are subject to the recycling drop-off use-specific standards of subsection 21.05.060E.7.
- iv. Waste receptacles for temporary uses such as construction sites.
- v. Refuse collection receptacles that are stored indoors and brought outdoors on garbage pickup days.

b. *Service Provider Standards*

Approval under this title does not by itself guarantee that a service provider will service the receptacle. Property in the municipal solid waste service area shall also abide by AMC 26.70.050 which requires approval of enclosure plans by

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solid waste services prior to construction. Other service providers may have similar requirements.

c. Residential Dwellings

i. In class A districts, single-family, two-family, townhouse, and three-unit multifamily dwellings on lots less than 40,000 square feet shall not have dumpsters, except where serviced from an alley.

ii. In class B districts, dumpsters are permitted and shall be screened in accordance with the standards below.

iii. Where dumpsters are not provided, multifamily developments shall provide covered storage for trash receptacles. Such storage shall not be located between any building and the primary adjacent street frontage.

d. Site Plans

Site plans for applicable development shall include the proposed location and type of refuse receptacle screening that will be used and the access provisions for service trucks. If a screening enclosure is necessary pursuant to G.2.f. below, the site plan shall include the construction details of the enclosure to ensure the dimensions comply with the service provider's standards. Site plans with refuse receptacles in alleys shall identify the location of the refuse receptacle and the methods with which the receptacle shall be contained in its identified location.

e. Location

Outdoor refuse collection receptacles shall not be located in any required front setback. Outdoor refuse collection receptacles shall be set back from the front plane of the principal structure [AND SHALL,] to the extent reasonably feasible and depending on the size, location, and configuration of the site, and need for access by refuse collection vehicles[, BE SET BACK FROM THE FRONT PLANE OF THE PRINCIPAL STRUCTURE]. Refuse collection receptacles shall not be located within any area used to meet the minimum landscaping or parking requirements and loading berth requirements of this chapter, or be located in a manner that obstructs or interferes with any designated vehicular or pedestrian circulation routes onsite. Refuse collection vehicle access and circulation shall be considered and shown on the site plan, in conformance with the requirements for commercial trucks in subsection 21.07.090H.8.b., *Vehicle Access and Circulation*.

f. Screening

Each refuse collection receptacle shall be screened from view from streets and rights-of-way abutting the property, if the receptacle is to be stored within 300 feet of the street or right-of-way. The screening may be achieved by buildings and structures, fences, landscaping, topography, or a refuse collection receptacle screening enclosure.

i. If a screening enclosure is necessary to meet the standards of this subsection, the screening enclosure shall consist of a durable, three-sided screening structure. Screening enclosure construction and dimensions shall comply with service provider industry standards[, AS PROVIDED IN THE TITLE 21 USER'S GUIDE] and AMC 26.70.050.

ii. If the refuse collection receptacle is visible through the open side of the required screening structure from the abutting street or right-of-way, the

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opening shall be screened with a sight-obscuring gate. The enclosure and any gate shall be maintained in working order to function as a screening structure. The gate shall remain closed except on refuse collection days and the prior evening.

g. Amortization of Nonconforming Refuse Collection Receptacles

Existing dumpsters that are located at residential uses indicated in subsection 21.07.080G.2.c.i. shall be removed within 18 months from January 1, 2014 [THE EFFECTIVE DATE OF THIS TITLE]. Sites with refuse collection receptacles that are subject to the location and screening requirements of this subsection 21.07.080G.2. shall meet the requirements of this section within seven years from January 1, 2014 [THE EFFECTIVE DATE OF THIS TITLE], except where an administrative variance is granted in accordance with subsection 2.h. below.

h. Administrative Variance for Refuse Receptacle Location and Screening

The municipality recognizes that full compliance with the refuse receptacle location and screening standards will not be reasonably feasible for some existing developments approved prior to January 1, 2014. The intent of this subsection is to provide for partial or complete exemption in such cases, through a documented administrative process. The variance should be the minimum action necessary to provide relief, with the intent to encourage existing development to move in the direction of conformity.

i. If a site was developed prior to January 1, 2014, the property owner may apply for an administrative variance from the location and/or screening standards of this section, using the administrative variance procedure of subsection 21.03.240J., subject to the following approval criteria:

(A) Compliance would conflict with other requirements of this title, or other laws, ordinances, or regulations;

(B) Compliance would not be compatible with standards for access and safety of refuse collection operations, as documented in the title 21 user's guide;

(C) A proposed alternative achieves the intent of this section to the same or better degree; or

(D) The applicant demonstrates that compliance would be incompatible with the existing layout, function, or appeal of the development for its users, such as interference with or proximity to primary pedestrian access, required landscaping, side or rear setbacks and minimum separation from buildings, outdoor activity spaces, snow storage areas, proximity to windows to living spaces, or vehicle access and parking.

ii. [AN APPLICANT FOR AN ADMINISTRATIVE VARIANCE FROM THIS SECTION SHALL SUBMIT THE INFORMATION SPECIFIED IN THE TITLE 21 USER'S GUIDE.]

iii. THE DIRECTOR SHALL MAKE WRITTEN FINDINGS AND CONCLUSIONS FOR EACH ADMINISTRATIVE VARIANCE REQUEST.]

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3. Service and Off-Street Loading Areas

a. ***Applicability***

This standard is intended to mitigate visual and noise impacts of service and off-street loading areas on abutting residential uses and neighborhoods, and streets. The standards shall apply to all service and off-street loading areas serving nonresidential uses that are visible from a street or a nonindustrial zoning district.

b. ***Standard***

Applicable non-enclosed service and off-street loading areas shall be screened as follows:

- i. A wall or fence at least eight feet high shall be located along at least one exposed edge of the service or loading area that is parallel to vehicles/trailers parked in the service or loading area. The wall or fence shall extend the length of the longest vehicle/trailer anticipated to be parked in the service or loading area.
- ii. Additional landscaping shall be provided along the site perimeter at the location of the service or loading area to visually obscure the area from the abutting street or property.
- iii. An alternate screening plan may be approved by the director if the proposed plan effectively screens the service or loading area from abutting streets and nonindustrial districts.

4. Mechanical and Electrical Equipment

a. ***Applicability***

This section applies when it is referenced as a requirement in another section of this title.

b. ***General Requirement***

Mechanical and electrical equipment serving a single building shall be screened from view as provided below. This requirement applies to heating, ventilation, and cooling equipment; pumps; generators; and groups of four or more utility meters. The screening requirement does not apply to telecommunications equipment, chimneys, minor vent pipes, wall vents that are flush/near-flush with the building wall, or solar collectors and reflectors. Screening shall comply with AMC title 23 and the access and safety requirements of utilities.

c. ***Rooftop Mechanical and Electrical Equipment***

Rooftop mechanical and electrical equipment shall be screened from view of abutting streets and the ground level of residentially zoned lots using the menu choices provided in subsection 4.b. below. If menu choice b.iii. is the only choice selected, then the roof mounted equipment shall also be set back from the roof edge (where the roof meets the façade wall) at least three feet for each foot of height of the equipment.

d. ***Mechanical and Electrical Equipment – Other***

All other mechanical and electrical equipment shall be screened from view from abutting streets, except where located more than 40 feet from the street or right-of-way, using one of the following choices, as long as the choices do not conflict with the requirements and standards of the utility companies:

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- i. Sight-obscuring landscaping consisting of shrubs, trees, berms, and/or hardscape materials. Other landscaping required by this title, such as perimeter landscaping, may be used if it meets this standard.
- ii. A sight-obscuring fence, wall, or structure that is adequate in height to screen the equipment.
- iii. Wall-mounted utility meter bases and CT cabinets finished in a color that is consistent with other areas of the building façade, unless an alternative color or design is approved by the director.
- iv. Equipment that is disguised, camouflaged, or hidden so that its function as mechanical or electrical equipment is imperceptible to an uneducated eye.

H. Fences

1. Applicability

The provisions of this subsection 21.07.080H. shall apply to all construction, substantial reconstruction, or replacement of fences, retaining walls not required for support of a principal or accessory structure, or any other linear barrier intended to delineate different portions of a lot or to separate lots from each other. The provisions of this subsection do not apply to temporary fencing for construction, emergencies, or special public events or performance areas.

2. Location

A fence may be constructed within property boundaries, or at the lot line, subject to the limitations in this section. No fence shall be installed so as to block or divert a natural drainage flow onto or off of any other property.

3. Maximum Height

Unless specifically required elsewhere in this title for screening fences, fences shall not exceed the maximum heights set forth below. Such maximum heights shall be measured as provided in subsection 21.06.030D.3.b. [FROM THE TOP OF ANY RETAINING WALL, OR IF NO RETAINING WALL HAS BEEN CONSTRUCTED, THEN FROM NATURAL GRADE.] Unless specifically allowed by this title, no fence shall exceed eight feet in height.

a. In the R-1, R-1A, R-2A, R-2D, R-2M, R-3, R-4, R-4A, R-5, and R-7 districts:

- i. Fences in front setbacks shall not exceed four feet in height.
- ii. Fences in secondary front setbacks that abut a street of arterial or greater classification may be up to eight feet in height.
- iii. The director may approve a fence in a secondary front setback to be up to six feet in height where the property owner shows that such fence is necessary to block headlights of in-street traffic, the sight distance triangle is preserved, and no direct vehicular access to the street is provided.
- iv. Fences in side or rear setbacks shall not exceed six feet in height, except where across an alley from or abutting a nonresidential district, in which case the fence may be up to eight feet in height.

b. In the R-6, R-8, R-9, and R-10 districts, fences in front setbacks shall not exceed six feet in height if the fence is a screening or sight-obscuring fence.

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- c. In the B-1A, B-1B, B-3, and R-O districts, fences in front setbacks shall not exceed four feet in height.
- d. In the MC district, fences in front setbacks shall not exceed six feet in height.
- e. Fences in front setbacks in nonresidential districts shall be located interior to any required landscaping.
- f. Enclosures provided as a part of a permitted tennis court, ball field, or other recreational facility shall be exempt from the height restrictions of this section.

4. Finished Appearance Outward

Fences along front or secondary front setbacks [WHENEVER ANY FENCE WILL BE VISIBLE FROM ADJACENT STREETS, AND WHENEVER A FENCE IS INSTALLED AS PART OF REQUIRED SITE PERIMETER OR PARKING LOT PERIMETER LANDSCAPING AND IS VISIBLE FROM ADJACENT PROPERTIES, IT] shall be installed so that the more finished side (i.e., the side with fewer or no visible structural framing or bracing elements) faces outward from the lot on which it is installed.

5. Prohibited Materials

Fences made of debris, junk, or waste materials are prohibited, unless such materials have been recycled and reprocessed into building materials marketed to the general public and resembling new building materials, **or** unless approved by the director.

21.07.090 OFF-STREET PARKING AND LOADING

A. Purpose

This section establishes off-street parking and loading requirements as a necessary part of the development and use of land, to ensure the safe and adequate flow of traffic in the public street system, and to ensure that parking lots are designed to perform in a safe, efficient manner. It is also the intent of this section to attenuate the adverse visual, environmental, and economic impacts of parking lots, and to achieve a compact and efficient land use pattern. Specific purposes include to:

1. Ensure that off-street parking, loading, and access demands will be met without adversely affecting other nearby land uses and neighborhoods;
2. Provide for safe and orderly circulation and parking in parking and loading facilities, and minimize conflicts between pedestrians and vehicles;
3. Encourage the efficient use of land and avoid the encumbrance of more space than is necessary for parking;
4. Improve the visual appearance of public street corridors by encouraging buildings and other attractive site features to become more prominent relative to parking lots;
5. Provide for better pedestrian movement and encourage alternative modes of transportation by reducing the expanses of parking that must be traversed between destinations;
6. Support a balanced transportation system that is consistent with cleaner air and water, greater transportation choices, and efficient infill and redevelopment; and
7. Allow flexibility in addressing vehicle parking, loading, and access, including providing for reductions and alternatives to minimum parking requirements.

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B. Applicability

1. Generally

- a. The off-street parking and loading standards of this section 21.07.090 shall apply to all development in the municipality, including changes of use.
- b. Except for the off-street loading requirements of subsection 21.07.090G., all other requirements of this section shall apply to Girdwood unless specifically preempted in chapter 21.09.
- c. Except when specifically exempted, the requirements of this section shall apply to all temporary parking lots and parking lots that are a principal use on a site.

2. Expansions, Relocations, and Enlargements

A site to which a building is relocated shall provide the required parking and loading spaces. An expansion or enlargement that is an increase in the floor area or other measure of off-street parking and loading requirements shall provide spaces as required for the increase.

3. Use of Required Parking Spaces

Required parking spaces shall be available for the parking of passenger automobiles by residents, occupants, customers, visitors, or employees of the use. Required parking spaces may not be assigned, leased, or rented in any way to a use on another site, or to anyone who is not a resident, occupant, customer, guest, or employee, except for shared parking situations. See subsection 21.07.090F.16. Also, required parking spaces shall not be used for the parking of equipment or for storage of goods or inoperable vehicles.

4. Regulation of Parking Space Use

The providers of required off-street parking spaces may reasonably control the users thereof by means that may include, but are not limited to, restricting all parking to the users of the facility; parking lot attendants; control gates; tow-away areas; areas for exclusive use by employees, tenants or staff; areas restricted for use by customers or visitors; and imposing time limitations on users. Fees may be charged for the use of required parking, subject to approval of the traffic engineer. Prior to approval of the permit the traffic engineer may review all methods of control and may disapprove of any restriction such as fees that adversely affects the purpose of this section. The municipality may enforce any approved parking plan or restrictions through any of the code enforcement provisions set forth in chapter 21.13, *Enforcement*.

5. Parking Nonconformities

When a site is out of compliance as to the number of required or allowed parking spaces, section 21.12.060, *Characteristics of Use*, applies.

C. Computation of Parking and Loading Requirements

1. Fractions

When measurements of the number of required or allowed parking spaces result in a fractional number after subtracting for parking reductions or alternatives, the fraction shall be rounded as provided in section 21.14.020O., *Fractions*.

2. Multiple Uses

The number of parking spaces is computed based on the uses on the site. When there are two or more uses on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual uses. For shared parking, see subsection 21.07.090F.16. below.

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3. Area Measurements

Unless otherwise specified in table 21.07-4, all square footage-based parking and loading standards shall be computed on the basis of gross floor area of the use in question. For the purposes of this section, all gross floor area shall be counted in such measurement, except for floor area dedicated for parking spaces; driveways; circulation aisles; loading areas; or enclosed and isolated floor area exclusively for HVAC mechanical equipment serving the building, provided such area is located in a mechanical penthouse or topmost floor of a multistory building. The traffic engineer may also waive the floor area for HVAC mechanical equipment occupying another story in the building, provided the majority of such story (including the mechanical equipment) is non-habitable floor area.

4. Occupancy Load Factors

Where parking requirements for assembly rooms or other uses are based on maximum capacity under provisions of AMC title 23, the occupancy load factors of AMC title 23 shall not be adjusted.

5. Additional Computation Standards

a. Off-Street Loading Space

Required off-street loading space shall not be included as off-street parking spaces in computation of required or allowed number of off-street parking spaces, unless approved by the traffic engineer [PURSUANT TO SUBSECTION G.5. BELOW].

b. Fleet Vehicle Parking

For the purpose of calculating parking requirements, fleet vehicle parking shall not count against either the minimum or maximum requirements.

c. Areas that Count Toward Minimum but Not Maximum Parking Requirements

For the purpose of calculating parking requirements, the following types of parking spaces shall not count against the maximum parking requirement, but shall count toward the minimum requirement:

- i. Accessible parking spaces;
- ii. Passenger loading zones spaces including taxi cab stands, provided that such spaces are not required by the traffic engineer pursuant to subsection 21.07.090l.;
- iii. Vanpool and carpool parking spaces;
- iv. Parking spaces provided as the required parking for a use on another parcel through a municipally approved shared parking or off-site parking agreement; and
- v. Parking structures, underground parking, and parking within, above, or beneath the building(s) it serves.

D. Parking Lot Layout and Design Plan

1. Applicability

For all commercial, mixed-use, industrial, community, multifamily, and townhouse residential developments, the applicant shall submit a parking facility layout, circulation, and design plan for review and approval by the traffic engineer. The plan shall contain sufficient detail to enable the traffic engineer and the director to verify compliance with this section 21.07.090. Subject to approval of the traffic engineer, the parking layout and

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design plan may be combined with other plans required under this title, such as the landscaping plan required in 21.07.080, *Landscaping, Screening, and Fences*.

2. Minimum Plan Requirements

a. The parking facility layout, circulation, and design plan shall be prepared by a design professional and stamped by a professional registered with the Alaska State Board of Registration for Architects, Engineers, and Land Surveyors, except that parking lots with fewer than 20 parking spaces shall be exempt.

b. The director and traffic engineer shall establish the minimum submittal requirements for such plans that will enable staff to adequately review and ensure compliance with the standards and requirements of this section 21.07.090. Such submittal requirements, to be included in the user's guide, shall include but not be limited to elements such as placement and dimensions of spaces, landscaping, pedestrian and vehicle circulation, snow storage, lighting, loading and trash collection areas, and drainage.

c. The traffic engineer shall ensure that provisions have been made for minimum interference with street traffic flow and safe interior vehicular and pedestrian circulation, transit, and parking.

E. Off-Street Parking Requirements

1. Minimum Number of Spaces Required

Unless otherwise expressly stated in this title, off-street parking spaces shall be provided in accordance with table 21.07-4, *Off-Street Parking Spaces Required* and subsection E.2. below. Reductions, exemptions, and alternatives to the required minimum number of parking spaces are provided in subsection 21.07.090F. below.

2. Minimum of Three Parking Spaces

Where a use is required to provide off-street parking and the amount specified in table 21.07-4 would result in fewer than three spaces being required for the use, the use shall provide at least three parking spaces including one van-accessible parking space pursuant to subsection 21.07.090J. Where there are multiple uses located on a site, the uses may share the accessible space as long as the requirements of subsection 21.07.090J.1. are met. Parking reductions in subsection 21.07.090F. shall also comply with this subsection E.2. The minimum of three parking spaces shall not apply to residential household living uses, community gardens, parks and open space, utility substations, or fueling stations and food and beverage kiosks that are exclusively for drive-through customers.

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TABLE 21.07-4: OFF-STREET PARKING SPACES REQUIRED ("du" = dwelling unit; "sf" = square feet; "gfa" = gross floor area)			
Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
RESIDENTIAL USES			
Household Living	Dwelling, mixed-use, multifamily, single-family attached, two-family, and townhouse	1 per studio or efficiency or one bedroom du Add 0.5 spaces for each additional bedroom Add 0.25 guest parking spaces for each multifamily du with single-family or two-family style construction Add 0.15 guest parking spaces for each multifamily du with townhouse style construction Add 0.10 guest parking spaces for each multifamily du, with a minimum of 1 guest space Add 0.10 guest parking spaces for each mixed-use du, with a minimum of 1 guest space	X
	Dwelling, single-family detached	2 per du up to 2,400 square feet; 3 per du over 2,400 square feet, including any unfinished area which may be converted to living area	
	Accessory dwelling unit (ADU)	See subsection 21.05.070D.	
	All other household living uses	2 per du	
Group Living	Assisted living facility (9+ client capacity)	1 per 4 beds plus 1 per 350 sf of office area plus requirement for dwelling, if located in a dwelling	X
	Correctional community residential center	1 per 2,000 sf gfa	X
	Habilitative care facility	1 per 400 sf gfa, and 1 passenger loading space, reserved for pickup and delivery of adults, per 800 sf gfa	X
	Roominghouse	0.6 per guestroom	X
	Severe alcohol dependent housing	1 per 4 rooms If no rooms are provided, 1 per 4 pillows	
	Transitional living facility	1 per 2 beds plus 1 per 4 persons in principal assembly area based on maximum occupancy provisions of AMC title 23	X
COMMUNITY USES			
Adult Care	Adult care facility, 3-8 persons	1 per 400 sf gfa, and 1 passenger loading space, reserved for pickup and delivery of adults, per 2,000 sf gfa (plus requirement for principal use, if approved as accessory use)	
	Adult care facility, 9+ persons	1 per 400 sf gfa, and 1 passenger loading space, reserved for pickup and delivery of adults, per 2,000 sf gfa	X

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TABLE 21.07-4: OFF-STREET PARKING SPACES REQUIRED (“du” = dwelling unit; “sf” = square feet; “gfa” = gross floor area)			
Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
Child Care	Child care home	No additional requirements beyond those required for the dwelling unit If the establishment is for fewer than 9 children and is not located in a dwelling, then the requirement is as provided in subsection 21.07.090E.2.	
	Child care center, 9-15 children	1 space in addition to what is required for the dwelling	
	Child care center, more than 15 children	1 per 400 sf gfa, and 1 passenger loading space, reserved for pickup and delivery of children, per 800 sf gfa	
Community Service	Cemetery or mausoleum	See subsection 21.07.090E.3.	[X]
	Community center or religious assembly	1 per 5 persons in principal assembly area based on maximum occupancy provisions of AMC title 23	X
	Crematorium	1 per 4 persons in the main chapel based on maximum occupancy provisions of AMC title 23	
	Family self-sufficiency service	1 per 300 sf gfa	
	Government administration and civic buildings	1 per 300 sf gfa	X
	Homeless and transient shelter	1 per 300 sf administrative area, and 1 per 20 pillows	
	Neighborhood recreation center	See subsection 21.07.090E.3.	
	<u>Social service facility</u>	<u>1 per 300 sf gfa</u>	
Cultural Facility	Aquarium	1 per 500 sf gfa	X
	Botanical gardens	See subsection 21.07.090E.3.	X
	Library	1 per 400 sf gfa	X
	Museum or cultural center	1 per 400 sf gfa	X
	Zoo	1 per 5,000 sf of site area	X
	All other uses	1 per 400 sf gfa or 1 per 10,000 sf of site area for outdoor uses	X
Educational Facility	Boarding school	See subsection 21.07.090E.3.	X
	College and university	See subsection 21.07.090E.3.	X
	Computer-aided learning center	1 per 300 sf of enclosed floor space	X
	Elementary school and middle school	1 per 6 students, based on State of Alaska EED capacity provisions	X

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Chapter 21.07: Development and Design Standards Sec. 21.07.090 Off-Street Parking and Loading

TABLE 21.07-4: OFF-STREET PARKING SPACES REQUIRED ("du" = dwelling unit; "sf" = square feet; "gfa" = gross floor area)			
Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
	High school	6 per classroom Where the traffic engineer has reason to believe that, based on similar or comparable schools, parking study data, or other information, that parking demand for the proposed high school development is likely to exceed the requirement, the traffic engineer may require up to 1 parking space per 3 students, based on State of Alaska EED capacity provisions.	X
	Instructional services	6 per classroom, plus 1 per 300 square feet of dance or other training area	X
	Vocational or trade school	1 per 2 students based on maximum occupancy provisions of AMC title 23	X
Health Care Facility	Health services, including outpatient medical and dental offices, co-located with a hospital/ hospital campus Other health services, including outpatient medical and dental offices	1 per 250 sf gfa 1 per 300 sf gfa	X
	Hospital/ health care facility	1 per 2 beds, based on maximum capacity, plus 1 per 350 sf of office and administrative area	X
	Nursing facility	1 per 4 beds, based upon maximum capacity.	X
Park and Open Area	Community garden	1 per 5,000 sf of lot area	
	Park, public or private	See subsection 21.07.090E.3. Playfields (soccer, baseball, etc.) shall have minimum of 25 spaces per field, unless otherwise approved by the traffic engineer, for up to four fields. Facilities with more than four fields shall be subject to the determination of the traffic engineer.	
Public Safety Facility	All uses	See subsection 21.07.090E.3.	
Transportation Facility	All uses	See subsection 21.07.090E.3.	X
	[RAILROAD FREIGHT TERMINAL	SEE SUBSECTION 21.07.090E.3.	
	RAILROAD PASSENGER TERMINAL	SEE SUBSECTION 21.07.090E.3.]	

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Chapter 21.07: Development and Design Standards Sec. 21.07.090 Off-Street Parking and Loading

TABLE 21.07-4: OFF-STREET PARKING SPACES REQUIRED (“du” = dwelling unit; “sf” = square feet; “gfa” = gross floor area)			
Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
Utility Facility	Utility facility	1 per 1,000 sf gfa	X
	Utility substation, wind energy conversion system	See subsection 21.07.090E.3.	
Communication Structures	All uses	None	
COMMERCIAL USES			
Agricultural Uses	Commercial horticulture	See subsection 21.07.090E.3.	X
Animal Sales, Service & Care	Animal boarding	1 per 800 sf gfa	
	Animal shelter	1 per 400 sf gfa	
	Large domestic animal facility, principal use	1 per 4 seats or 1 per stall, whichever is greater	
	Retail and pet services	1 per 350 sf gfa	X
	Veterinary clinic	1 per 600 sf gfa	X
Assembly	Civic/convention center	1 per 4 persons in assembly areas based on maximum occupancy provisions of AMC title 23	X
	Club/lodge/meeting hall	1 per 4 persons in assembly areas based on maximum occupancy provisions of AMC title 23.	X
Entertainment and Recreation	Amusement establishment Bowling alley Bingo parlor Indoor shooting range	Indoor entertainment facility: 1 per 300 sf gfa 4 per bowling lane 1 per 4 persons in assembly areas based on maximum occupancy provisions of AMC title 23. 1 per target area, or 1 per 5 seats, whichever is greater	
	Entertainment facility, major	See subsection 21.07.090E.3.	X
	Fitness and recreational sports center	1 per 300 sf gfa	X
	General outdoor recreation, commercial	See subsection 21.07.090E.3.	[X]
	Golf course	4 per green	
	Golf driving range	0.5 per tee	
	Motorized sports facility	1 per 2 spectator seats in a structure such as a grandstand, stadium; or 1 per 2,000 sf of site area; whichever is greater	X

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Chapter 21.07: Development and Design Standards Sec. 21.07.090 Off-Street Parking and Loading

TABLE 21.07-4: OFF-STREET PARKING SPACES REQUIRED ("du" = dwelling unit; "sf" = square feet; "gfa" = gross floor area)			
Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
	Movie theater	1 per 4 persons based on maximum occupancy provisions of AMC title 23	X
	Nightclub	1 per 3 persons based on maximum capacity under provisions of AMC title 23	X
	Shooting range, outdoor	1 per target area, or 1 per 5 seats, whichever is greater	
	Skiing facility, alpine	See subsection 21.07.090E.3.	
	Theater company or dinner theater	1 per 4 persons based on maximum capacity under provisions of AMC title 23	X
Food and Beverage Service	Bar	1 per 100 sf gfa	X
	Food and beverage kiosk	0 per establishment, plus vehicle queuing spaces	
	Restaurant	1 per 100 sf gfa and outdoor seating area 1 per 125 sf gfa for drive-through restaurants (plus vehicle queuing spaces)	X
Office	Broadcasting facility	1 per 350 sf gfa	
	Financial institution	1 per 350 sf gfa (plus vehicle queuing spaces if drive-through is provided)	X
	Office, business or professional	1 per 350 sf gfa	X
Personal Service, Repair, and Rental	Business service establishment	1 per 500 sf gfa	X
	Funeral services	1 per 4 persons in main assembly areas based on maximum occupancy provisions of AMC title 23	X
	General personal services	1 per 400 sf gfa	X
	Small equipment rental	1 per 400 sf gfa	X
Retail Sales	Auction house	1 per 300 sf gfa	X
	Building materials store	1 per 600 sf gfa and outdoor display area	X
	Convenience store	1 per 350 sf gfa	X
	Farmers market	See subsection 21.07.090E.3.	
	Fueling station	1 per attendant for stand-alone fueling stations; also refer to subsection 21.07.090H. for queuing requirement	
	Furniture and home appliance store	1 per 800 sf gfa	X
	General retail	1 per 350 sf gfa	X
	Grocery or food store	1 per 250 sf gfa	X

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Chapter 21.07: Development and Design Standards Sec. 21.07.090 Off-Street Parking and Loading

TABLE 21.07-4: OFF-STREET PARKING SPACES REQUIRED ("du" = dwelling unit; "sf" = square feet; "gfa" = gross floor area)			
Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
	Liquor store	1 per 400 sf gfa	X
	Pawnshop	1 per 350 sf gfa	X
Vehicles and Equipment	Aircraft and marine vessel sales	1 per 7,000 sf outdoor display/sales area; 1 per 400 sf indoor floor area	X
	Vehicle parts and supplies	1 per 400 sf gfa; 1 per 7,000 sf outdoor display/sales area	X
	Vehicle – large and small, sales Vehicle – large and small, rental	1 per 7,000 sf outdoor display/sales area; 1 per 400 sf indoor floor area 1 per 400 sf of indoor floor area	X
	Vehicle service and repair, major and minor	0.5 per car wash bay; 4 per other service bay (provided that all vehicles in custody of operator of business for purpose of service, repair or storage shall be stored on premises or on a separate off-street parking lot or building)	
Visitor Accommodations	Camper park	1 space per 10 recreational vehicle or tent camping spaces	
	Extended-stay lodgings	1 per guestroom or one bedroom unit; 1.25 per two bedroom unit; 1.5 per three bedroom or more unit; plus 1 per 4 persons in meeting rooms based on maximum occupancy provisions of AMC title 23.	X
	Hostel	1 per 600 sf gfa	
	Hotel, motel and inn	0.9 per guestroom, plus 1 per 4 persons in meeting rooms based on maximum occupancy provisions of AMC title 23.	X
	Recreational and vacation camp	See subsection 21.07.090E.3.	
INDUSTRIAL USES¹¹			
Industrial Service ¹¹	Data processing facility	1 per 1,000 sf gfa	X
	Dry cleaning establishment	1 per 750 sf dry cleaning plant area plus 1 per 600 sf of customer service area	X
	General industrial service, contractor and special trades, light	1,000-3,000 sf gfa: 1 per 750 sf gfa; Add 1 space per each 1,000 sf gfa above 3,000 sf gfa, up to 5,000 sf gfa; Add 1 space per each 1,500 sf gfa above 5,000 sf gfa, up to 50,000 sf gfa; Add 1 space per each 2,000 sf gfa above 50,000 sf gfa	X
	Governmental service	1 per 600 sf gfa	X

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Chapter 21.07: Development and Design Standards Sec. 21.07.090 Off-Street Parking and Loading

TABLE 21.07-4: OFF-STREET PARKING SPACES REQUIRED (“du” = dwelling unit; “sf” = square feet; “gfa” = gross floor area)			
Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
	Heavy equipment, sales and rental	1 per 400 sf indoor floor area	X
	Research laboratory	1 per 350 sf gfa	X
Manufacturing and Production ¹¹	Commercial food production	1 per 400 sf gfa for catering; 1 per 800 sf gfa for food processing	X
	Cottage Crafts	1 per 600 sf gfa	
	Manufacturing (general, heavy, and light)	1,000-3,000 sf gfa: 1 per 750 sf gfa; Add 1 space per each 1,000 sf gfa above 3,000 sf gfa, up to 5,000 sf gfa; Add 1 space per each 1,500 sf gfa above 5,000 sf gfa,	X
	Natural resource extraction	See subsection 21.07.090E.3.	
Marine Facility ¹¹	Aquaculture	See subsection 21.07.090E.3.	
	Facility for combined marine and general construction	See subsection 21.07.090E.3.	
	Marine operations	See subsection 21.07.090E.3.	
	Marine wholesaling	1 per 800 sf gfa	X
Warehouse and Freight Movement ¹¹	Bulk storage of hazardous materials	See subsection 21.07.090E.3.	
	Impound yard	1 per 500 sf gfa, plus 1 per 5,000 sf of outdoor storage area	
	Motor freight terminal	see Warehouse <u>or wholesale establishment</u>	X
	Self-storage facility	1 per 75 units, plus vehicle queuing spaces for security gate. Aisles suitable for temporary loading and unloading may be counted as required parking spaces [STALLS] in accordance with table 21.07-4 as determined by the traffic engineer.	X
	Storage yard	1 per 2,000 sf of outdoor storage area	
	Warehouse <u>or wholesale establishment, general or light</u>	1,000-10,000 sf gfa: 1 per 1,000 sf gfa; Add 1 space per each 1,250 sf gfa above 10,000 sf gfa, up to 50,000 sf gfa; Add 1 space per each 1,500 sf gfa above 50,000 sf gfa,	X
	[WHOLESALE ESTABLISHMENT]	1 PER 800 SF GFA]	
Waste and Salvage	All uses	See subsection 21.07.090E.3.	

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TABLE 21.07-4: OFF-STREET PARKING SPACES REQUIRED
(“du” = dwelling unit; “sf” = square feet; “gfa” = gross floor area)

Use Category	Use Type	Minimum Spaces Required	See Loading Subsection 21.07.090G.
NOTES: ¹¹ The off-street parking requirements for industrial uses in this schedule A shall not include space devoted to office or other non-industrial related use. Where a warehousing or industrial facility contains office or other non-industrial related use, off-street parking for such spaces shall be computed using the requirements set forth in this table.			

3. Uses Not Listed or that Have No Specific Requirement

In the case of a use or category of uses not listed in table 21.07-4, or that is listed without a specific **parking** requirement, the requirements for off-street parking facilities shall be determined by the director and the traffic engineer. Such determination shall be based upon the requirements for the use specified in table 21.07-4 that is most nearly comparable to the unspecified use, traffic engineering principles, and/or parking studies. Any parking study prepared by the applicant shall include estimates of parking demand based on recommendations of the Institute of Transportation Engineers (ITE), or other acceptable estimates as approved by the traffic engineer, and shall include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability shall be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.

4. Maximum Number of Spaces Permitted

a. Purpose

The purpose of this subsection is to establish an upper limit on the number of parking spaces allowed in order to promote efficient use of land, enhanced urban design, a safe and walkable pedestrian environment, alternative modes of transportation, and to protect air and water quality. Exceptions and flexibility procedures are provided where the required limit on the number of parking spaces is problematic for a certain use.

b. Applicability

For any use categorized as a community or commercial use in table 21.05-1, *Table of Allowed Uses*, the maximum number of off-street vehicle parking spaces shall be as provided below. Temporary parking, the uses “parking lot, principal use” and “parking structure, principal use”, and uses in the Educational Facility, Parks and Open Areas, Transportation Facility, and Utility Facility use categories are exempt.

c. Maximum Number of Spaces

Developments may provide a maximum of one parking space per 250 square feet of gross floor area, or 125 percent of the minimum number of parking spaces required in table 21.07-4, whichever is greater.

d. Increased Landscaping in Large Parking Lots

Development sites with more than 200 parking spaces required in table 21.07-4 and that are proposed by the applicant to have at least 25 percent more than the minimum number of parking spaces required in table 21.07-4 shall increase the overall amount of area devoted to parking lot interior landscaping area to an area equal to at least 12 percent of the parking lot, including parking, internal

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circulation, and appurtenant driveways. This shall apply to uses which utilize the exceptions offered in subsection 4.e. below.

e. Exceptions

i. Restaurants without a drive-through, dinner theaters, and bars may provide up to 200 percent of the minimum number of parking spaces required in table 21.07-4.

ii. If application of the maximum parking standard would result in fewer than six parking spaces, the development shall be allowed six parking spaces.

iii. Exceptions to the maximum parking requirement may be allowed by the traffic engineer and the director in situations that meet all of the following criteria:

(A) The applicant provides a parking demand study of similar sites in the municipality that demonstrates that parking demand cannot be accommodated within the maximum number of parking spaces allowed or through any of the available parking reductions and alternatives such as on-street parking, shared parking with nearby uses, or incentives for alternatives to single-occupancy vehicle use; and

(B) The request is the minimum necessary variation from the standards.

5. Parking Location

Except as provided in subsection 21.07.090F., all required parking shall be on the same lot as the use served. However, required parking may be on an abutting or adjacent lot provided the zoning district in which the lot is located allows for off-street parking as a permitted principal use, site plan review use, or conditional use; in which case there shall be a parking agreement which meets the requirements of subsection F.1. below.

F. Parking Reductions and Alternatives

The traffic engineer and director may approve reductions and alternatives to providing the number of off-street parking spaces required by table 21.07-4, and/or to the circulation and dimensional standards of subsections H.8. and H.9., in accordance with the following standards.

1. Parking Agreements

A parking reduction or alternative shall require a written parking agreement between the property owner(s) and the municipality, except where expressly stated otherwise.

a. Recordation

The municipality shall record the parking agreement at the district recorder's office as a covenant that runs with the land and is binding on the owner and all successors and assigns for as long as the required number of off-street parking spaces is not provided as a result of the parking reduction or alternative. All parties involved in the parking reduction or alternative shall participate in the parking agreement. Recordation of the agreement shall take place before issuance of an entitlement requiring a parking reduction or alternative.

b. Content

The form and content of the parking agreement shall be approved by the director. It shall guarantee installation and maintenance of any required improvements by the owner, and/or the owner's continued participation in any parking

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management strategy required for a parking reduction. The parking agreement shall assure future implementation of a contingency plan by the owner if so ordered by the traffic engineer. The contingency plan may include strategies such as installation of parking, payment to the municipality for the full cost of providing the required parking, transportation demand management programs, or other parking management strategies identified in the parking reductions or alternatives of this section.

c. Termination

If for any reason the parking agreement terminates, owners and all successors and assigns who are parties to the parking agreement shall comply with all provisions of this title governing the required number of off-street parking spaces.

2. Calculation of Parking Reductions

a. Multiple Reductions

A development may be eligible for multiple reductions from the required number of parking spaces. The total impact of parking reductions shall be calculated as being multiplicative and not additive where a development is eligible for more than one. For example, if one reduction is 20 percent, and a second reduction is an additional 15 percent, their combined reduction shall be calculated as 80 percent times 85 percent equals 68 percent, or a 32 percentage point total reduction, rather than adding 20 percent plus 15 percent equals 35 percent. This is because the 15 percent reduction applies to a base that is already reduced 20 percent.

b. Minimum Reduction Credit of One Space

If the total approved reduction from the required number of parking spaces for a development is calculated to be a reduction of less than one parking space, it shall be credited as a reduction of one parking space.

3. Qualifying Site Development

Uses shall provide the following enhancements to be eligible for any reduction in the number of required parking spaces, except where stated otherwise. The qualifying site criteria shall not be required for the following parking reductions and alternatives, in this subsection 21.07.090F: downtown Anchorage parking exemption, land banking, stacked and tandem parking, or smaller parking spaces for low-turnover uses. Industrial uses, public safety facilities, transportation facilities, and utility facilities are exempt from the qualifying site development criteria.

a. Street Oriented Building

For buildings constructed after January 1, 2014, primary entrances and/or windows providing visual access shall comprise at least 15 percent of the area of any street facing building elevation. For nonresidential uses, windows providing visual access and/or primary entrances shall comprise at least 50 percent of the length and 25 percent of the ground-floor wall area of any street facing building elevation.

b. Walkway to the Street

A walkway meeting the requirements of section 21.07.060 shall connect at least one primary entrance to a street. The director and the traffic engineer may waive this requirement in situations with existing structures where it is demonstrated that the addition of a walkway will cause a reduction in parking and/or landscaping below required levels, or where the work required to add a walkway is out of proportion with the work being done to effect a change of use.

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c. **Parking Facility Location**

For buildings constructed after January 1, 2014, parking facilities including driveways shall comprise no more than 50 percent of the area between the street property line and the street facing building elevation, and garage doors shall comprise no more than 50 percent of the length of the street facing building elevation. These requirements apply to no more than two street frontages.

d. **Private Open Space**

For residential developments that are required to provide private open space, an additional 40 square feet of private open space that meets the requirements of section 21.07.030 shall be provided for each reduction of one parking space in developments built after January 1, 2014. This shall be common private open space in the case of multifamily and mixed-use dwellings.

e. **Cross-Access to Adjacent Properties**

The director and the traffic engineer may determine there is potential for driveway or walkway cross-access to abutting properties and may require a cross-access facility and/or easement within the subject property to the site boundary. Vehicular cross-access may only be required in commercial districts.

4. **Downtown**

Uses located in DT-1, DT-2, and DT-3 districts are exempt from providing off-street parking spaces. However, if parking is provided, all other standards of this section shall apply in the DT districts. NOTWITHSTANDING THE PROVISIONS OF F.1. AND F.2. ABOVE, PParking agreements and qualifying site criteria shall not be required for this exemption.

5. **Residences in Walking Distance to Downtown**

Residential household uses located north of 15th Avenue, west of Orca Street, east of L Street, and south of Ship Creek are eligible for a reduction of up to 25 percent of the minimum number of required parking spaces.

6. **Districts That Promote a Mix of Uses**

a. Uses located in the R-4A district are eligible for a reduction of up to 10 percent of the minimum number of required parking spaces.

b. Uses located in the B-1A district are eligible for a reduction of up to 10 percent of the minimum number of required parking spaces, if the B-1A district abuts residential districts on the majority of its perimeter, and has a contiguous area of no more than one acre, excluding rights-of-way. In addition, certain developments in the B-1A district are eligible for a separate parking reduction as specified in the mixed-use development or overlay district standards of chapter 21.04. Such reductions shall be reviewed and administered under this section 21.07.090F.

c. Certain developments in the B-1B and B-3 districts are eligible for a reduction of the minimum number of required parking spaces, as specified in the mixed-use development standards or overlay district standards of chapter 21.04. Such reductions shall be reviewed and administered under this section 21.07.090F.

7. **Residences in Center City Neighborhoods**

a. Residential household uses located in center city neighborhoods are eligible for a reduction of up to 10 percent of the minimum number of required parking spaces.

b. For the purposes of this provision, the center city area is bounded to the north by Joint Base Elmendorf-Richardson [AIR FORCE BASE], to the south by Tudor

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Road, to the east by Ingra Street and the Seward Highway, and to the west by Minnesota Drive. Any part of Fairview, South Addition, Government Hill, or Mountain View community council is also in the eligible area.

- c. This reduction recognizes proximity to employment centers, characteristics such as traditional street grids and development patterns, household characteristics, emphasis on walkable northern city environments, and lower parking demand in these areas.

8. Uses Adjacent to Transit Service

A use is eligible for a reduction of up to five percent of the minimum number of required parking spaces if it is located within 800 feet of the street right-of-way centerline of any municipal public transit route, subject to approval by the traffic engineer and the director. The public transportation department may require a public use easement or transit stop and/or transit shelter improvements if the subject property abuts an existing or planned transit stop. If the public transportation department requires such an easement or improvements, then the use is eligible for an additional reduction of two percent or one more parking space, whichever is greater.

9. Rideshare Programs

A nonresidential use is eligible to substitute participation in municipal rideshare programs for up to a maximum of five percent of the minimum number of required parking spaces. The land area that would otherwise be needed in order to provide the required number of parking spaces shall be set aside on the site to provide for the future construction of a parking lot in conformance with subsection 21.07.090F.12., *Land Banking*.

a. Carpool

Every designated carpool space may count as 1.8 spaces toward meeting the minimum number of required spaces. The carpool spaces shall be those closest to the primary entrance or elevator, but not closer than accessible spaces or those signed for exclusive customer/visitor use. Signs shall be posted indicating these spaces are reserved for carpool use. The traffic engineer shall consult with the public transportation department in providing carpool spaces and the location of carpool parking.

b. Vanpool

For every vanpool purchased or leased by the applicant for employee use operated through the municipal rideshare program, the number of required parking spaces shall be reduced by up to six spaces. The traffic engineer may require a safe and convenient designated vanpool passenger loading zone.

10. Transit Pass Benefits

A use in which the owner or employer offers transit passes cost-free to all employees or residents is eligible for a parking reduction of up to 10 percent of the minimum number of required parking spaces. The use shall be located within 800 feet of the street right-of-way centerline of any municipal transit route. The public transportation department may require a public use easement or transit stop and/or transit shelter improvements if the subject property abuts an existing or planned transit stop. If the public transportation department requires such an easement or improvements, then the use is eligible for an additional reduction of two percent or one more parking space, whichever is greater.

11. Parking Cash-Outs

A use is eligible for a reduction of up to 10 percent of the minimum number of required parking spaces if it implements a parking cash-out program by which commuters are

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provided the option to choose between free parking and its equivalent cash value for using an alternative mode of travel.

12. Land Banking

Subject to approval by the traffic engineer and the director, the land area that would otherwise be needed in order to provide up to 25 percent of the minimum number of required parking spaces may be set aside on the site to provide for the future construction of a parking facility. The applicant shall submit a parking demand study prepared in a form and manner prescribed by the traffic engineer that indicates the reduced parking lot will accommodate expected parking needs, and an alternate site plan to be approved by the traffic engineer that accommodates the parking that would be required without the land banked parking reduction. The area set aside shall be landscaped with site enhancement landscaping and/or pedestrian amenities approved by the director. The parking agreement shall guarantee that, if the director and the traffic engineer determine at some point in the future that additional parking spaces are needed, the owner shall construct parking on the land banked area in conformance with the alternate site plan.

13. Affordable Housing

Affordable housing units that are deed-restricted for households having an income at the time of initial occupancy of 30 percent or less of median family income are eligible for a reduction of up to 30 percent of the minimum number of required parking spaces. Affordable housing units for low income households having an income at the time of initial occupancy of 60 percent or less of median family income are eligible for a reduction of up to 15 percent of the minimum number of required parking spaces. The affordable housing units shall be consistent with the standards of subsection 21.07.110H., *Standards for Affordable Housing*.

14. Senior Housing

Dwelling units that meet the definition of senior housing are eligible for a reduction of up to 15 percent of the minimum number of required parking spaces. Dwelling units that meet the definition of senior housing that is intended for, and solely occupied by, persons 62 years of age or older are eligible for a reduction of up to 25 percent of the minimum number of required parking spaces. [THE AGREEMENT TO PROVIDE A DWELLING AS HOUSING FOR OLDER PERSONS IS AN OBLIGATION THAT RUNS WITH THE LAND AND IS BINDING ON SUBSEQUENT PROPERTY OWNERS FOR AS LONG AS THE REQUIRED PARKING IS NOT PROVIDED.]

15. Housing Density

Residential household uses are eligible for a reduction of one percent of the minimum number of required parking spaces for every four dwellings per acre above a net density of 40 dwellings per acre on the site, up to a maximum reduction of 20 percent of the minimum number of required parking spaces.

16. Shared Parking

Shared use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their peak parking demands occur at different times. The traffic engineer and director may approve shared parking facilities for uses with different peak business periods if the shared parking complies with all of the following standards:

a. Shared Parking Study

The applicant shall submit a shared parking study to the director that demonstrates the feasibility of shared parking. The study shall be provided in a form established by the traffic engineer and shall be made available to the public.

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The study shall demonstrate that any parking reduction requested will not result in the spillover of parking onto other properties or public streets, by, at a minimum, addressing the following: the size and type of the proposed development, location of required parking, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

b. Calculation of Parking Spaces Required

The shared parking study shall follow one of the following procedures:

- i. The method under subsection 16.c.;
- ii. The most current published procedures of the Urban Land Institute or the Institute of Transportation Engineers; or
- iii. Other procedures as specifically approved by the traffic engineer.

c. Alternative Calculation Method

For each use sharing the parking facility, calculate the number of off-street parking spaces required for that use in table 21.07-4. Multiply that number across the row for its land use in table 21.07-5, *Shared Parking Credit*, to determine the typical parking required for that use during the eight time periods. For each time period, add the resulting products for each of the uses sharing the parking. The column total that generates the highest number of parking spaces then becomes the shared parking requirement. This represents the time period with the highest total parking demand.

TABLE 21.07-5: SHARED PARKING CREDIT

Land Uses ¹²	Weekday Time Periods				Weekend Time Periods			
	7 am to 6 pm	6 pm to 1 am	1 am to 3 am	3 am to 7 am	7 am to 6 pm	6 pm to 1 am	1 am to 3 am	3 am to 7 am
Residential	65%	100%	100%	100%	75%	90%	10%	100%
Religious assembly	25%	50%	0%	0%	100%	50%	0%	0%
Health services	100%	30%	5%	5%	100%	0%	0%	0%
Assembly	100%	50%	5%	5%	100%	50%	5%	5%
Fitness center	90%	100%	60%	60%	100%	100%	80%	80%
Movie theater	60%	100%	0%	0%	80%	100%	0%	0%
Bar or nightclub	40%	100%	90%	0%	50%	100%	90%	0%
Restaurant	80%	100%	50%	50%	85%	100%	25%	25%
Restaurant – drive-through [FAST FOOD]	100%	90%	15%	15%	100%	80%	15%	15%
Office or financial	100%	10%	0%	5%	15%	0%	0%	0%
Retail sales / services	100%	80%	0%	0%	100%	60%	0%	0%
Visitor accommodations	75%	100%	100%	100%	75%	100%	100%	100%
NOTES: ¹² If one or more of the land uses proposed to make use of shared parking facilities do not conform to the land use classifications in this table, as determined by the director, then the applicant shall submit sufficient data to indicate the periods of peak parking demand for the uses. Based on this information, the traffic engineer shall determine the appropriate shared parking requirement.								

d. Distance to Parking Spaces

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Shared parking spaces for residential units shall be located within 500 feet of the dwelling unit entrance they serve. Shared spaces for other uses shall be within 800 feet of a primary entrance of the uses served. The traffic engineer and the director may approve a portion of shared parking spaces at a greater distance based on factors such as the pedestrian environment, availability of attendant parking, weather protection, and the type of use served.

e. Pedestrian Connection

Clear and safe pedestrian walkways shall connect the shared parking facility and the primary entrances of the uses it serves. The traffic engineer may require pedestrian street crossing improvements.

f. Separation by Streets

Separation of a use and its shared parking facility by a local street is allowed. Shared parking spaces shall not be separated from the served use by a collector or greater classification street, unless approved by the traffic engineer with consideration of the ease and safety of pedestrian access, or as specifically allowed by a comprehensive plan element specific to an area or district.

g. Residential Neighborhoods

A nonresidential use shall not participate in a shared parking facility that is located in a residential district, if the use itself is not permitted in the residential district.

h. Instructional Signs

The shared parking facility shall provide instructional signs on the premises indicating the availability of the facility for patrons of the uses it serves.

i. Shared Parking Plan

A shared parking plan shall be submitted for review and approval by the traffic engineer and the director. The shared parking plan may be combined with other parking plans required by this title.

j. Changes in Use or Shared Parking Facility

Any subsequent change to the shared parking facility or in use type shall require a review by the department and the traffic engineer for compliance with this section, including proof that sufficient parking will be available. Any change shall be approved prior to being implemented.

k. Expiration

Notwithstanding F.1.a. above, a shared parking agreement may be recorded for a time certain period, not to be less than ten years. At the end of the life of the agreement, property owners who are parties to the agreement shall comply with all provisions of this code governing the required number of off-street parking spaces.

17. Off-Site Parking

The traffic engineer and the director may approve the location of required parking spaces on a separate lot from the principal use if the off-site parking complies with all of the following standards:

a. Accessible Parking Spaces

Required accessible parking spaces shall not be located off-site.

b. Location

EXHIBIT A

The maximum distance between off-site parking spaces and the use(s) served shall be the same as provided in subsection 21.07.090F.16.d. for sharing parking spaces (measured along the shortest legal pedestrian route). Separation of a use and its off-site parking spaces by a street shall be subject to subsection 21.07.090F.16.f.

c. Pedestrian Connection

Clear and safe pedestrian walkways shall connect the off-site parking facility and the primary entrance(s) of the uses served. The traffic engineer may require sidewalk or pedestrian crossing improvements to enhance pedestrian safety or mobility to and from the off-site parking.

d. Instructional Signs

Instructional signs shall be posted on the principal site providing notice of the availability and location of additional parking. The off-site parking facility shall provide instructional signs indicating the availability of the facility for patrons of the uses it serves.

e. Residential Neighborhoods

A nonresidential use shall not participate in an off-site parking facility that is located in a residential district, if the use itself is not permitted in the residential district.

18. District Parking

The traffic engineer may reduce the minimum number of required off-street parking spaces for uses within the boundaries of a municipally recognized public parking district that provides off-site parking facilities to serve an area. To determine eligibility for this reduction or the size of the reduction to be allowed, the traffic engineer shall consider factors such as:

- a. Peak hours of use and turnover rate;
- b. The ability of the use to meet the parking requirement through other means;
- c. The availability of spaces in the nearby district parking facility;
- d. The relative distance to the use from the district parking facility; and
- e. Measures provided by the applicant to ensure employee and patron use of the district parking facility, and ease and safety of pedestrian access.

19. On-Street Parking

If approved by the traffic engineer, on-street parking spaces in the street or right-of-way abutting the frontage of the site may be counted toward the minimum required number of off-street parking spaces, including guest parking spaces. In addition, as determined by the traffic engineer, a portion of the remaining on-street parking spaces located within the maximum distance provided in subsection 21.07.090F.16.d. for shared parking spaces may be counted toward the minimum required off-street parking spaces, in an amount consistent with a fair apportionment of on-street parking spaces among the properties on the street. Upon approval, each on-street space may be substituted for one required off-street space. The provisions apply only to street frontages where on-street parking is allowed. Determination of the location and dimensions of on-street parking spaces to be counted toward the parking requirement shall be the authority of the traffic engineer based on a review of the situation. The street curb next to on-street parking spaces shall be a vertical curb (not a rolled curb), and a sidewalk shall extend the full length of the subject property.

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20. **Stacked and Tandem Parking**

a. ***Nonresidential Uses***

Stacked and tandem parking spaces for nonresidential uses are allowed to count toward the minimum number of required spaces if the owner ensures through the parking agreement that attendant parking is provided for such spaces. An accessible passenger loading zone shall be provided with attendant parking services at or near a primary entrance. Availability of this service shall be conspicuously posted inside and outside the primary entrance. The traffic engineer may waive the parking attendant requirement for automated parking structures.

b. ***Residential Uses***

Two required parking spaces for any residential dwelling may be arranged in tandem or stacked one above the other using a car stacker, so long as parking required for the dwelling unit is arranged independently from parking serving any other dwelling unit, with unobstructed vehicle access for at least one of the spaces required for each dwelling unit, and the owner assigns the two spaces toward the same dwelling and enforces their assigned use.

21. **Smaller Parking Spaces for Parking Structures and Low-Turnover Uses**

If approved by the traffic engineer, up to 20 percent of the total number of required parking spaces located in a parking structure and/or designated for employee or resident parking only may be eight feet six inches wide, subject to the requirements of table 21.07-7, *Parking Space and Aisle Dimensions*. Such spaces shall be signed for employee or resident parking only.

22. **Bicycle Parking**

A use is eligible to permanently or seasonally substitute bicycle parking spaces for required automobile parking spaces. Each automobile parking space shall be replaced by a minimum of six bicycle parking spaces not required by this title. Bicycle parking spaces shall comply with the standards of subsection 21.07.060F.15. and be separated from motor vehicle areas by bollards or other physical buffer approved by the traffic engineer.

23. **Other Eligible Reductions or Alternatives**

The traffic engineer and the director may approve any parking reduction or other alternative in addition to the choices above, or that increases the percentage reduction in any of the choices above, if the applicant demonstrates to the satisfaction of the traffic engineer and the director that the proposed parking management strategy will protect surrounding neighborhoods, and maintain traffic circulation patterns at least the same extent as would strict compliance with otherwise applicable off-street parking standards. Additional parking management strategies may include, for example, transportation demand programs, car sharing, unbundled parking, or a combination of strategies. The applicant shall provide a parking demand study prepared in a form and manner prescribed by the traffic engineer that demonstrates a reduction is appropriate based on the expected parking needs of the development, availability of transit, and similar factors. It shall be determined that:

a. The use will be adequately served by the proposed parking due to project location, transportation characteristics of the persons residing, working, or visiting the site, or because the applicant has undertaken a program or strategy that will reduce parking demand at the site; and

b. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

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G. Off-Street Loading Requirements

No building or structure used for any use specified in the loading column of table 21.07-4 shall be erected, nor shall any such existing building or structure be altered so as to increase its gross floor area by 25 percent or more, without prior provision for an off-street loading berth in conformance with the following minimum requirements:

1. Types of Loading Berths

Required off-street loading shall be provided in berths that conform to the following minimum specifications:

- a. Type A berths shall be at least 60 feet long by 10 feet wide by 14 feet six inches high, inside dimensions.
- b. Type B berths shall be at least 30 feet long by 10 feet wide by 14 feet six inches high, inside dimensions.
- c. Type C berths shall be located in the rear of a lot and utilize part of an adjacent alley. The building setback shall be a minimum of five feet from the property line along the alley for the entire width of the lot.

2. Number of Spaces

The following numbers and types of berths shall be provided for the specified uses in table 21.07-6, *Off-Street Loading Berths*; provided, however, that, in any DT district, or in any mixed-use development where an alley is available that is not shared with any adjacent R-1, R-1A, R-2A, R-2D, R-2M, or R-3 zoned residential lot, one type C berth may be substituted for one type B berth. The uses specified in this subsection shall include all structures designed, intended, or arranged for such use.

TABLE 21.07-6: OFF-STREET LOADING BERTHS

Use	Aggregate Gross Floor Area (square feet) or Number of Dwelling Units	Berths Required	Type
Residential Uses			
Multifamily and mixed-use dwellings	50-149 dwelling units in a structure	1	B
	150-249 dwelling units in a structure	2	B
	Each additional 100 dwelling units or portion thereof	1 additional	B
<u>Group housing</u>	<u>Same as for health care facilities</u>		
Community Uses			
<u>Community center or religious facility</u>	<u>Same as for assembly uses</u>		
<u>Government administration and civic facilities</u>	<u>Same as for office commercial uses</u>		
Cultural facilities	24,000--50,000	1	B
	50,001--100,000	2	B
	Over 100,000, each additional 50,000 or fraction thereof	1 additional	B
Educational facilities	Over 25,000	1	B
Health care facilities	25,000--100,000	1	B

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TABLE 21.07-6: OFF-STREET LOADING BERTHS

Use	Aggregate Gross Floor Area (square feet) or Number of Dwelling Units	Berths Required	Type
	Over 100,000	2	B
Railroad freight terminals and other transportation facilities, <u>utility facility</u>	12,000--36,000	1	A
	36,001--60,000	2	A
	60,001--100,000	3	A
	Each additional 50,000 or fraction thereof	1 additional	A
Commercial Uses			
Assembly uses, <u>entertainment and recreation uses</u>	25,000--150,000	1	B
	150,001--400,000	2	B
	Each additional 250,000 or fraction thereof	1 additional	B
All commercial establishments not otherwise specified	10,000 --24,000	1	B
	24,001--50,000	2	B
	50,001--100,000	3	B
	Over 100,000, each additional 50,000 or fraction thereof	1 additional	B
Visitor accommodations, <u>animal sales and service, [HEALTH SERVICES, AND] office, personal services, repair and rental</u> uses	25,000--40,000	1	B
	40,001--100,000	2	B
	Each additional 100,000 or fraction thereof	1 additional	B
Industrial Uses			
<u>Light contractor and special trades, dry cleaning establishment</u>	<u>Same as for general commercial establishments</u>		
<u>Data processing facility, research laboratory</u>	<u>Same as for office and personal service uses</u>		
All industrial uses <u>not otherwise specified</u>	12,000--36,000	1	A
	36,001--60,000	2	A
	60,001--100,000	3	A
	Each additional 50,000 or fraction thereof	1 additional	A

3. Uses Not Specifically Mentioned

In the case of a use not specifically mentioned in this section, the requirements for off-street loading berths shall be the same as the use mentioned in this section which, in the opinion of the director, is most similar to the use not specifically mentioned.

4. Concurrent Different Uses

When any proposed structure will be used concurrently for different purposes, the loading requirements shall be the total requirements for each use based upon its aggregate gross floor area, unless otherwise approved by the traffic engineer and the director.

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5. Location of Off-Street Loading Facilities

Off-street loading facilities required under this title shall be in all cases on the same lot or parcel of land as the structure they are intended to serve, except as provided in subsection 21.07.090G.1.c. for type C loading berths. Where parking facilities are not allowed between a building and a street, loading berths are also not allowed.

6. Manner of Using Loading Areas

No loading berth shall be so located that a parked vehicle or tractor-trailer using such loading berth projects into any street or across a required pedestrian facility or sidewalk. Loading berths shall be provided with access to an alley, or, if no alley abuts the lot, with access to a street. Any required front, side, or rear setback may be used for loading unless otherwise prohibited by this title. Design and location of entrances and exits for required off-street loading berths shall be subject to the approval of the traffic engineer.

7. Signs

The owners of the property shall provide, locate, and maintain loading signs as specified by the traffic engineer. Such signs shall not be counted against allowed advertising sign area or number.

8. Modifications

The traffic engineer may approve a modification to the loading requirements as they apply to any individual case if documentation demonstrates to the satisfaction of the traffic engineer that the change is appropriate, will not interfere with pedestrian or vehicle traffic circulation or safety, and is consistent with the intent of the requirements. The traffic engineer shall set conditions on approval of modifications as necessary to ensure that loading operations conform to the intent of this title.

H. Parking and Loading Facility Design Standards

1. Purpose

The parking and loading facility design standards promote vehicle areas which are safe, efficient, convenient, and attractive for motorists and pedestrians. Parking facility locations within a site are encouraged to be located elsewhere than the front area between the building and its street frontage, in order to enhance the function, character, and walkability of the area. These design standards also enhance the compatibility of parking and loading facilities with their surroundings.

2. Applicability

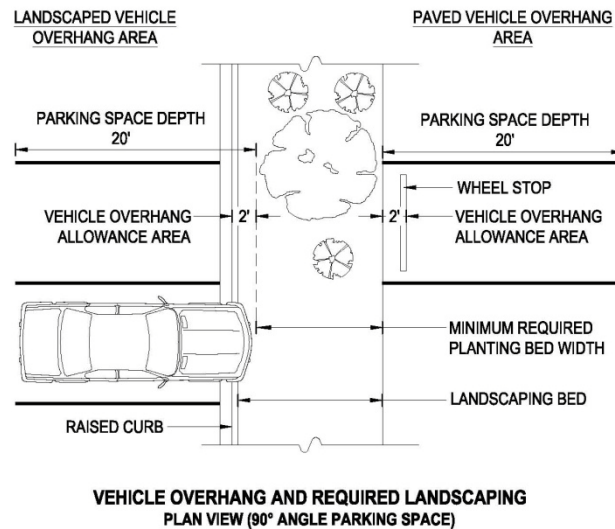
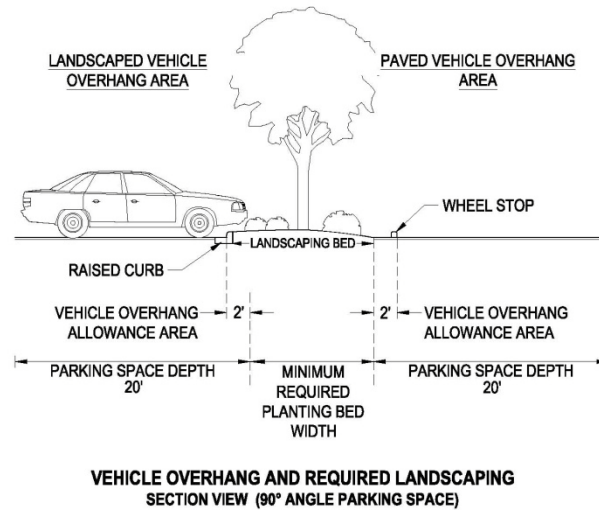
These standards apply to any parking facility or loading facility including all parking spaces in a development, except where stated otherwise. A temporary parking lot shall comply with all applicable development requirements of this title for surface parking lots and parking lot landscaping, except when associated with another temporary use permitted pursuant to section 21.05.080.

3. Landscaping and Screening

Parking and loading facilities shall comply with the landscaping and screening provisions of section 21.07.080. If the loading facilities are adjacent to the lot line, a maximum of 35 percent of one side of the loading area perimeter landscaping and the site perimeter landscaping may be replaced by a screening fence of a minimum height of six feet. That area for the proposed screening fencing shall only be located where adjacent to a loading area and/or dumpster screening area, and shall not be located adjacent to a residentially zoned parcel or a street. Provisions for location and screening of refuse containers and other elements are in section 21.07.080. No automobile or bicycle parking facility or loading facility shall be permitted in any required landscaping area. No vehicle overhang

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allowance area, as measured in table 21.07-7, may extend into the minimum required planting bed width of required landscaping. See figures that follow.



4. Drainage and Storm Water Management

Parking and loading facilities shall comply with the parking and loading related provisions of section 21.07.040, *Drainage, Storm Water Treatment, Erosion Control, and Prohibited Discharges*.

5. Exterior Lighting

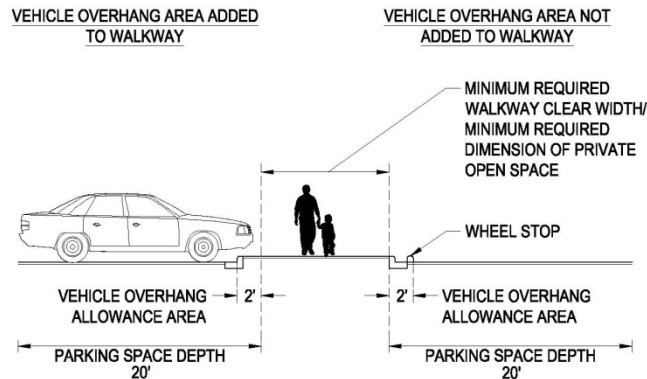
Parking and loading areas shall comply with the exterior lighting provisions of section 21.07.100.

6. Pedestrian Access and Circulation

Parking and loading facilities shall comply with the provisions of subsection 21.07.060E., *Pedestrian Facilities*. No vehicle overhang allowance area, as measured in table 21.07-7, may extend into the minimum required dimension of required walkways, pedestrian areas, or private open space. See figure that follows.

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Chapter 21.07: Development and Design Standards Sec. 21.07.090 Off-Street Parking and Loading



VEHICLE OVERHANG AND REQUIRED PEDESTRIAN FACILITIES

7. Relationship to Buildings

a. *Nonresidential Buildings*

Parking spaces and parking aisles shall be separated from any nonresidential building by a walkway or site enhancement landscaping planting area, or both, of at least four feet in width. Other motor vehicle areas shall also be subject to this requirement only where the traffic engineer determines it necessary for a safe pedestrian walkway route between a building entrance or parking lots. Otherwise, loading berths, rear service areas, motor vehicle entrance and service bays, queuing lanes, and drive-throughs are exempt.

8. Vehicular Access and Circulation

Parking lots and structures shall be designed for a safe and orderly flow of traffic throughout the site, as provided in the subsections that follow.

a. *Key Elements*

The parking facility layout, circulation, and design plan shall address the following elements as they relate to parking lots, including but not limited to: fire lanes, emergency access, drive-throughs, queuing spaces, passenger loading zones, pedestrian circulation, and loading berths.

b. *Circulation Patterns*

Internal circulation patterns and the location and traffic direction of all circulation aisles, driveways, and queuing lanes shall be designed and maintained in accordance with the municipal driveway standards currently established by the traffic engineer, and with accepted principles of traffic engineering and safety, per the traffic engineer's review based on the current manuals of the Institute of Transportation Engineers and the Urban Land Institute, and the *Manual of Uniform Traffic Control Devices* or the successor documents. Circulation patterns within parking facilities shall be well defined with pavement marking and signage, curbs, landscaping, landscaped islands, and/or other similar features. In order to define circulation and provide better sight distance, curbed end islands shall be required at the end of each row of parking spaces. Where loading facilities or on-site refuse collection are provided, commercial truck circulation shall be considered, and truck turning radii shall be shown on the parking facility layout, circulation, and design plan when required by the traffic engineer.

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c. *Parking Spaces Along Major Site Entrance Drives*

The provision, location, design, and dimensions of parking spaces on a major access driveway that serves as an entry or exit for a large establishment with multiple lots, tracts, or businesses, shall conform to municipal standards for on-street parking and be subject to review and approval by the traffic engineer.

d. *Parking Lot Entries/Driveways*

Entries and driveways providing access to parking lots shall conform to the municipal driveway standards currently established by the traffic engineer. Access to streets owned by the state of Alaska requires compliance with state driveway standards, department of transportation and public facilities approval, and a current valid state of Alaska driveway permit. Ingress and egress to parking facilities shall be designed to maintain adequate sight distance and safety and as prescribed in the municipal driveway standards.

i. *Residential Uses*

Residential driveway entrances shall comply with subsection 21.07.110G.3., *Driveway Width*.

ii. *Nonresidential Uses*

The total width of driveway entrances to a nonresidential lot from a street shall not exceed 40 percent of the frontage of the lot, or 33 percent of the frontage if the platting authority or traffic engineer finds that conditions warrant it, unless the applicant provides for snow storage in a manner approved by the decision-making body.

e. *Parking and Maneuvering*

All circulation aisles, driveways, and vehicle maneuvering areas required by this section shall be located entirely off-street and on the property unless specifically provided otherwise by this section.

i. *Access to Parking Spaces*

To ensure safe and efficient vehicular access to parking spaces, each off-street parking space shall open directly on a parking aisle or driveway of such width and design as provided in table 21.07-7 and the illustrations that follow the table. Adequate ingress and egress to each parking space shall be provided without backing more than 25 feet.

ii. *Maneuvering Area*

Off-street parking facilities shall be designed with sufficient maneuvering room so that all maneuvers associated with the parking shall occur in the off-street parking facility, and that all vehicles enter the abutting street in a forward motion.

iii. *Some Dwellings Exempted*

Single-family, two-family, townhouse, and mobile home dwellings on individual lots shall be exempted from this subsection.

iv. *Loading Berth Maneuvering*

Vehicle maneuvering for loading berths shall be subject to the requirements of subsection 21.07.090G.6., *Manner of Using Loading Areas*.

f. *Dead-End Parking Aisles*

Dead-end parking aisles may be allowed only with the approval of the traffic engineer.

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g. Alleys

Subject to safety approval by the traffic engineer, the usable portion of an alley may be credited as circulation and/or parking aisle space.

h. Cross Access and Joint Access with Adjacent Sites

The plan shall show existing parking and circulation patterns on adjacent properties and potential connections. Required parking lots serving a site, whether located on that same lot or on an adjacent lot, may be connected by means of a common access driveway within or between the interior of such lots. Applicants are encouraged to provide shared vehicle and pedestrian access to adjacent properties for convenience, safety, and efficient circulation. An access easement shall be provided on the plat, or a shared access agreement running with the land shall be recorded by the municipality, as approved and executed by the director, guaranteeing the continued availability of the shared access between the properties.

9. Dimensions of Parking Spaces and Aisles

The minimum dimensions for parking spaces and parking aisles shall be as provided in table 21.07-7, and calculated as depicted in the figures that follow the table. The minimum parking space width shall be 9'0" except as provided elsewhere in this section. The parking configuration stated in the following table and figures shall apply to all off-street parking, except as stated elsewhere in this section.

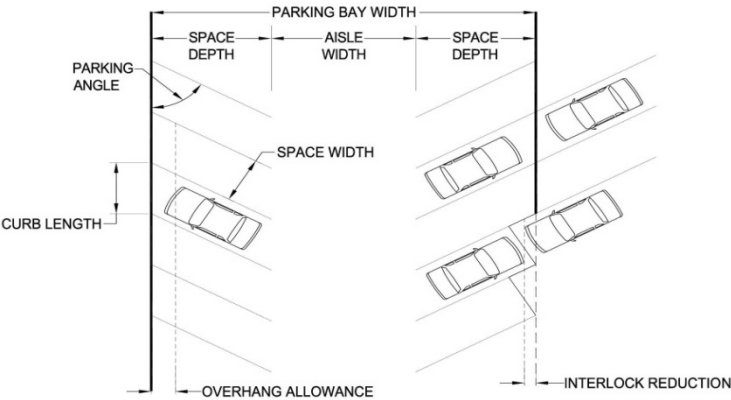
TABLE 21.07-7 PARKING ANGLE, STALL, AND AISLE DIMENSIONS								
Parking Angle	Space Width	Curb Length (Width Projection)	Space Depth (Vehicle Projection)	Aisle Width 1-way	Aisle Width 2-way	Typical Parking Bay Width (Module)	Interlock Reduction	Overhang Allowance
0 (parallel)	8' 6"	23' 0"	8' 6"	12' 6"	24'	41' 0"	0' 0"	0' 0"
	9' 0"	23' 0"	9' 0"	12' 0"	24'	42' 0"	0' 0"	
	9' 6"	23' 0"	9' 6"	12' 0"	24'	43' 0"	0' 0"	
	10' 0"	23' 0"	10' 0"	12' 0"	24'	44' 0"	0' 0"	
45	8' 6"	12' 0"	18' 9"	12' 6"	24'	61' 6"	3' 0"	1' 5"
	9' 0"	12' 9"	20' 6"	12' 0"	24'	65' 0"	3' 2"	
	9' 6"	13' 5"	20' 10"	12' 0"	24'	65' 9"	3' 4"	
	10' 0"	14' 2"	21' 3"	12' 0"	24'	66' 5"	3' 6"	
60	8' 6"	9' 10"	19' 10"	18' 6"	24'	63' 8"	2' 2"	1' 8"
	9' 0"	10' 5"	21' 10"	18' 0"	24'	67' 8"	2' 3"	
	9' 6"	10' 12"	22' 1"	18' 0"	24'	68' 2"	2' 5"	
	10' 0"	11' 7"	22' 4"	18' 0"	24'	68' 8"	2' 6"	
75	8' 6"	8' 10"	19' 7"	19' 6"	24'	63' 2"	1' 1"	1' 11"
	9' 0"	9' 4"	21' 8"	19' 0"	24'	67' 4"	1' 2"	
	9' 6"	9' 10"	21' 9"	18' 6"	24'	67' 7"	1' 3"	
	10' 0"	10' 4"	21' 11"	18' 0"	24'	67' 10"	1' 5"	
90	8' 6"	8' 6"	18' 0"	23' 6"	24'	60' 0"	0' 0"	2' 0"
	9' 0"	9' 0"	20' 0"	23' 0"	24'	64' 0"	0' 0"	
	9' 6"	9' 6"	20' 0"	22' 0"	24'	64' 0"	0' 0"	

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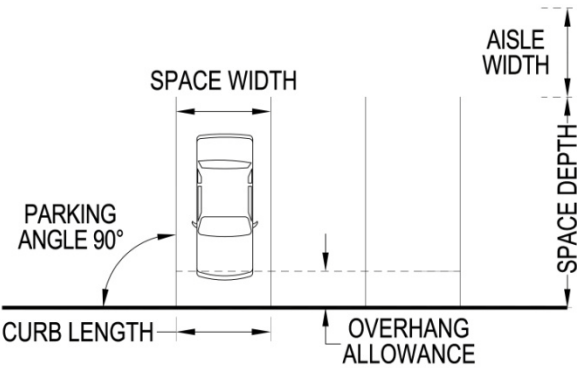
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Parking Angle	Space Width	Curb Length (Width Projection)	Space Depth (Vehicle Projection)	Aisle Width 1-way	Aisle Width 2-way	Typical Parking Bay Width (Module)	Interlock Reduction	Overhang Allowance
	10' 0"	10' 0"	20' 0"	22' 0"	24'	64' 0"	0' 0"	

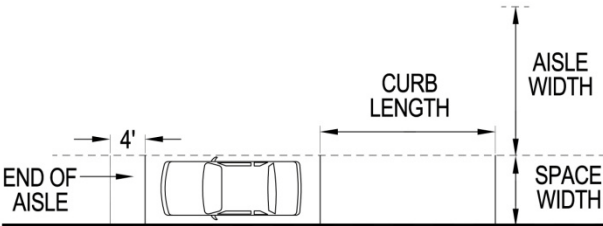
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PARKING DIMENSIONS

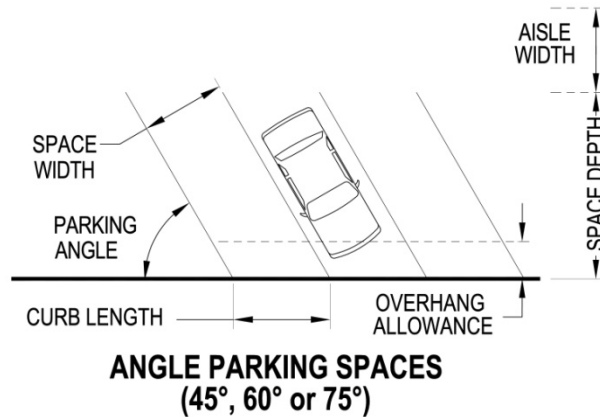


90° PARKING SPACES



PARALLEL PARKING SPACES

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a. **Parking Angle**

Parking angles between zero and 45 degrees and between 75 and 90 degrees are not permitted, except as approved by the traffic engineer. Angles between 45 and 75 degrees are permitted. The dimensions for such angles shall be calculated by the applicant using a method prescribed by the traffic engineer. The angle parking spaces diagram above, including the elements of a parking space that it depicts relative to the required space dimensions in table 21.07-7, are equally applicable to either front-in or back-in angle parking spaces.

b. **Parking Aisle Width**

Where the parking angle differs across a one-way parking aisle, the greater required parking aisle width shall be provided. In the case of on-street parking, the parking aisle width is replaced by the street's travel lane, and municipal street standards for street land widths apply.

c. **Reduction in Parking Space Depth Due to Interlock**

Parking space depth (vehicle projection) may be reduced through the use of interlock between angled parking bays as shown in the parking dimensions figure. The amount of reduction in the parking space depth shall be as provided in the interlock reduction column of table 21.07-7. The parking angle of the abutting parking bays shall be equal in order to use the interlock reduction.

d. **Overhang Allowance with a Parking Space**

The maximum overhang allowance shall be as shown in table 21.07-7 and the figures that follow it. The distance between the end of the parking space and the face of any raised curb or wheel stop used in the parking space shall be equal to (no greater or less than) the overhang allowance provided in table 21.07-7. The relationship between the overhang allowance and adjacent required landscaping and pedestrian facilities is established in subsections 21.07.090H.3. and H.6. Surfacing options for the overhang allowance area of the parking space are provided in subsection 21.07.090H.12b.6., *Paving Alternatives*.

e. **Parking Spaces Abutting a Wall, Fence, or Other Obstruction**

Minimum required parking space dimensions shall be clear of all obstructions, other than wheel and curb stops and structural columns that meet the requirements of subsection 9.f. below. When the length of a parking space abuts a wall, fence, or other obstruction, the required width of the parking space shall be increased by one foot for each side with an obstruction. The parking space

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angle and dimension requirements shall apply to the inside dimension of a parking space abutting an obstruction.

f. Structural Columns

A structural column may encroach into the width of a parking space by up to one foot if the column is located within four feet of either end of the parking space. Such column shall not be located within one foot of the drive aisle.

g. Minimum Vertical Clearance

A minimum height of 14 feet shall be maintained clear of obstructions from any parking lot surface to any structure or landscape feature above that may interfere with the safe passage of vehicles. The minimum vertical clearance for a structured parking facility, carport, or garage shall be seven feet four inches, except as follows:

i. The minimum vertical clearance for van accessible parking spaces, access aisles serving them, and vehicle routes to the van accessible spaces shall be eight feet two inches.

ii. The minimum vertical clearance for passenger loading zones including vehicular pull-up spaces, access aisles serving them, and a vehicular route between an entrance and exit and the passenger loading zone shall be nine feet six inches.

h. Smaller Parking Spaces for Low Turnover Uses

Reduced parking space dimensions may be approved by the traffic engineer pursuant to subsection F.21. above.

i. Recreational Vehicle Spaces

Parking spaces for recreational vehicles, if provided and delineated, shall be a minimum of 10 feet wide by 40 feet long.

j. Stacked, Automated, or Tandem Spaces

The traffic engineer may approve reduced parking space dimensions for stacked parking spaces, and/or tandem spaces in an attendant parking facility.

10. Parking Facility Maintenance

a. Paved surface parking lots with 20 or more spaces shall be cleaned annually, or as otherwise required by the current MS4 permit, including once following spring melt prior to June 1 or as snowmelt conditions permit, in a manner that meets air quality and water quality standards.

b. On-site storm water detention and runoff facilities serving parking facility runoff shall be cleaned and maintained in a functional manner, or as otherwise required by the current MS4 permit.

c. Grit or oil and water separator devices shall be cleaned and maintained in a functional manner, or as otherwise required by the current MS4 permit.

11. Maximum Grade of Surface Parking Lots

The maximum grade for any parking space or circulation aisle shall be five percent, except that for accessible spaces the maximum grade shall be two percent, as required by the Americans with Disabilities Act. Circulation aisles that are covered or heated may have an increased maximum grade with the approval of the traffic engineer.

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12. Paving

a. *Material*

Except as provided below, all parking spaces, loading berths, driveways, and other motor vehicle driving surfaces shall be paved and maintained with dustless, all-weather, hard materials appropriate for the municipality's sub-arctic environment, and equal in strength to two inches municipal Type E asphaltic concrete and a base material suitable for the intended traffic, to standards prescribed by the municipal engineer or as otherwise approved by the traffic engineer.

b. *Paving Exceptions and Alternatives*

The traffic engineer may approve the following exceptions and alternatives to the paving requirement, provided that the first 50 feet of a driveway, as measured from the edge of the street travelled way, shall be paved if connecting to a paved public street. This length is reduced to 15 feet for single-family and two-family uses. Where a driveway throat is less than 50 feet, the traffic engineer may approve an alternative driveway surface that effectively reduces or eliminates the tracking of sediment onto paved public streets.

i. *Use-Specific Exceptions*

Certain uses may use gravel in lieu of paving, as specified in chapter 21.05.

ii. *Exceptions for Small Parking Lots in Class B Districts*

Parking lots of 10 spaces or fewer in class B districts may instead be surfaced with a layer of crushed rock of no more than one inch in diameter, to a minimum depth of three inches.

iii. *Exceptions for Some Vehicle Storage Areas*

The following areas need not be paved: outdoor vehicle storage areas associated with a self-storage facility use; storage, sales, or rental of heavy equipment; seasonal large vehicle storage; and tractor trailer storage areas not used for loading berths, loading berth maneuvering, access to bay doors, site access, or parking [NEED NOT BE PAVED]. Such areas are still subject to the drainage requirements of subsection 21.07.040.

iv. *Exceptions for Parks and Open Spaces*

Subject to review and approval by the traffic engineer, some required parking spaces for parks facilities that are demonstrated to have a highly variable seasonal demand need not be paved.

v. *Paving Alternatives*

Pervious alternatives to the specified surface may be used, subject to approval by the traffic engineer. All surfacing shall control dust, treat storm water to municipal standards, and be such that rock and other debris is not tracked off-site. If, after construction, the traffic engineer determines that the alternative is not adhering to these requirements, the surface shall be replaced.

vi. *Landscaping in Lieu of Paving*

The vehicle overhang allowance portion of the parking space depth as measured in table 21.07-7 and illustrated in the figures following the table, may be landscaped with a low-growth, hardy plant material in lieu of paving, allowing a bumper overhang while maintaining the required

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parking dimensions. Landscaped overhang allowance areas may be contiguous with required landscaping but shall not be counted toward the minimum required planting bed width.

vii. Exception for Temporary Parking Lots

Temporary parking lots associated with another temporary use pursuant to section 21.05.080, need not be paved, unless required by the traffic engineer.

I. Passenger Loading Zones

All institutional, entertainment, and commercial uses such as schools/daycare, stadiums, and theaters that have high-volume peak traffic volumes shall provide an area for drop-offs and pick-ups that meets the following requirements:

1. Passenger Loading Zone

In addition to the required minimum number of parking spaces established in subsection 21.07.090E., the traffic engineer may require one or more passenger loading zone spaces, depending on the type, intensity, and traffic patterns of the proposed use. The passenger loading zone for large commercial establishments or other intensive uses may be required by the traffic engineer to include one or more spaces dedicated to taxi cabs and/or other specialized high occupancy vehicles.

2. Passenger Loading Zone Dimensions

Any passenger loading zone that is provided for a development shall consist of one or more passenger drop-off/pick-up spaces parallel to the driveway or circulation aisle adjacent to the building. Each space shall be a minimum of 20 feet in length and eight or more feet in width, with an access aisle at least five feet wide abutting the full length of the space. As an alternative, subject to approval of the traffic engineer, a passenger loading zone may consist of one or more parking spaces that meets the accessible parking space dimensional standards of subsection 21.07.090J.7. However, designated passenger loading zone spaces shall not count towards the accessible parking space requirement.

3. Plan

The parking facility layout, circulation, and design plan shall show the location and design of proposed passenger loading zones. For certain intensive uses, the traffic engineer may require the plan to include a traffic control plan addressing projected usage, hours of operation, peak loading/unloading time, plans for directing traffic, safety measures, and other information deemed necessary by the traffic engineer to designing a safe and well-functioning drop-off area.

4. Accessible Route

An accessible pedestrian route to the building or facility entrance shall be provided pursuant to subsection 21.07.090J.9., *Accessible Routes*.

5. Schools

Passenger loading zones shall be required for schools (public or private). Length, location, and design of the passenger loading zones shall be approved by the traffic engineer.

J. Accessible Parking Spaces

1. Required Number of Accessible Parking Spaces

A portion of the total number of parking spaces provided in each parking facility for commercial, industrial, community, multifamily, and mixed-use residential uses shall be

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accessible parking spaces. However, buildings in multifamily or mixed-use developments that are single-family, two-family, or townhouse style structures are not subject to the accessible parking space requirement. The number of accessible parking spaces shall be determined based on the total number of parking spaces provided, in accordance with table 21.07-8, *Accessible Parking Spaces*, except where otherwise stated in this section.

TABLE 21.07-8: ACCESSIBLE PARKING SPACES		
Total Parking Spaces Provided	Total Accessible Spaces Required	Number of Accessible Spaces that shall be Van-Accessible
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	2
301 to 400	8	2
401 to 500	9	2
501 to 1000	2 percent of total	1 for every 6 accessible spaces
1001 and over	20 plus 1 for each 100 over 1000	1 for every 6 accessible spaces

2. Passenger Loading Zones Attendant Parking

If passenger loading zones are provided, then at least one passenger loading zone shall be an accessible passenger loading zone. The requirements of table 21.07-8 do not apply to attendant parking spaces.

3. Multifamily and Mixed-Use Residential

Two percent, but not less than one space, of the parking spaces provided for a multifamily or mixed-use residential development with type A and type B dwelling units as defined in AMC title 23 shall be accessible.

4. Medical Facilities

At least 10 percent of patient and visitor parking spaces provided to serve hospital outpatient facilities shall be accessible. At least 20 percent of patient and visitor parking spaces provided to serve rehabilitation facilities and outpatient physical therapy facilities shall be accessible.

5. Location

Accessible parking spaces shall be located on the shortest accessible route of travel from adjacent parking to an accessible primary entrance. The accessible route of travel shall not pass behind parking spaces. In parking facilities that do not serve a particular building, accessible parking spaces shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible primary entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

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6. Location—Exceptions

In multilevel parking structures, van accessible parking spaces are permitted to be located on one level. Accessible parking spaces shall be permitted to be located in different parking facilities if it is demonstrated to the traffic engineer that substantially equivalent or greater accessibility is provided in terms of distance from an accessible entrance(s), parking fee, and user convenience.

7. Dimensions

Car accessible spaces shall be at least eight feet wide with an access aisle at least five feet wide abutting the space. Van accessible spaces shall be at least eight feet wide with an abutting access aisle at least eight feet in width. Two accessible parking spaces may share a common access aisle.

8. Maximum Grade

Accessible parking spaces and access aisles shall have surface slopes not exceeding two percent in all directions.

9. Accessible Routes

a. Location

At least one accessible route to the building or facility entrance shall be provided from accessible parking and passenger loading zones.

b. Surface Textures

Ground surfaces along accessible routes shall be stable, firm, and slip-resistant.

c. Changes in Levels

Changes in level up to one-fourth inch may be vertical and without edge treatment. Changes in level between one-fourth inch and one-half inch shall be beveled with a slope no greater than one to two. Changes in level greater than one-half inch shall be accomplished by means of a ramp.

d. Gratings

If gratings are located in walking surfaces on an accessible route, then they shall have spaces no greater than one-half inch wide in one direction. If gratings have elongated openings, then they shall be placed so that the long dimension is perpendicular to the dominant direction of travel.

e. Ramps

ADA ramps cannot protrude into the ADA access aisle. Ramp details shall be included on the plans.

10. Signs and Striping

Each accessible parking space shall be designated as reserved by pavement markings and a sign showing the symbol of accessibility. Van-accessible spaces shall have an additional sign reading "Van-Accessible" mounted below the symbol of accessibility.

a. Signs shall be located so that they do not obstruct the ramps or other pedestrian access.

b. An accessible parking sign detail shall be included in the plan submittal per M.A.S.S.

c. All accessible spaces and aisles shall be striped with blue paint to color specifications prescribed by the *Manual of Uniform Traffic Control Devices*, including the total length of the curb encompassing the accessible parking space and accessible aisle.

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11. Implementation of ADA

Regulations may be promulgated under section 21.03.210, *Title 21—Text Amendments*, to implement the requirements of Americans with Disabilities Act of 1991 as it may be amended or interpreted by federal regulation.

12. Standards for Parking as Principal Use

Where a parking structure or lot is a permitted principal or conditional use and is not providing required parking for another principal use, accessible parking spaces in accordance with this section shall be provided.

K. Bicycle Parking Spaces

All nonresidential, multifamily, and mixed-use dwelling developments with more than 40 parking spaces required in table 21.07-4 shall provide at least four bicycle parking spaces, or a number of bicycle parking spaces equal to three percent of the number of required automobile parking spaces, whichever is greater. This requirement shall not apply to buildings in multifamily or mixed-use developments that are single-family, two-family, or townhouse style structures. Bicycle parking spaces shall meet the standards of subsection 21.07.060F.15.

L. Vehicle Queuing Spaces

The vehicle queuing space requirements of this section shall apply unless otherwise expressly approved by the traffic engineer in accordance with L.7. below:

1. General

Uses of land and structures requiring vehicles and customers waiting in vehicles for service at drive-through facilities, pump stations, auto service bays, or similar uses, shall provide sufficient queuing spaces within the site to avoid impeding traffic movement in the public right-of-way. Such uses shall demonstrate to the traffic engineer that sufficient in-line waiting spaces are provided on-site as part of the parking plan to ensure the queue does not extend into the adjacent street, and that queuing minimizes interference with parking facility circulation aisles.

2. Minimum Number of Queuing Spaces Leading to Service Window

In addition to the minimum number of required off-street parking spaces, any use listed in table 21.07-9, *Vehicle Queuing Spaces*, shall provide the number of on-site queuing spaces indicated in the table for each service window. The required number of queuing spaces does not include the vehicle space to be provided at the pick-up window, teller machine, or other station where the service occurs.

TABLE 21.07-9: VEHICLE QUEUING SPACES

Activity Type	Minimum Queuing Spaces
Financial institution teller lane	4 before teller or window
Automated teller machine drive-through	3 before teller machine
Restaurant drive-through	With no ordering board/window, 4 before pick-up window; with ordering board/window, 4 before ordering board plus 4 between ordering board or window and pick-up window
Car wash bay, automatic	5 before entrance to car wash bay
Car wash bay or stall, self-service	2 before entrance to car wash bay or stall
Food and beverage kiosk	3 before pick-up window
Fueling station pump island	2 at each end of pump island lane

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TABLE 21.07-9: VEHICLE QUEUING SPACES

Activity Type	Minimum Queuing Spaces
Security gate entrance for self storage or vehicle storage facility	The queuing lane before the security gate shall measure a minimum of 50 feet in length and 24 feet in width. The width of the self-storage security gate is excluded.
Parking garage or structure	See subsection 21.07.090M., <i>Structured Parking</i>
School	See subsection 21.07.090I., <i>Passenger Loading Zones</i>
Other use with lane of vehicle queuing spaces	Determined by traffic engineer.

3. Queuing Lanes Leaving the Use

Queuing lanes shall be integrated with the on-site circulation and shall merge with the circulation aisle instead of exiting directly into a public right-of-way, except where the traffic engineer approves otherwise. The queuing lane may merge directly into a driveway, subject to approval by the traffic engineer. A minimum of 30 feet of queuing lane shall be required between the service window, bay, or station, and the point of vehicle egress to the adjacent parking facility circulation aisle, street, or right-of-way, however the traffic engineer may require more. The length and design of the queuing lane leaving a car wash bay or stall shall ensure the water and ice from vehicles do not adversely affect adjacent streets, storm drainage systems, or the safe circulation of vehicles and pedestrians.

4. Queuing Dimensions

Queuing lanes shall have a minimum width of 10 feet along straight portions and 12 feet along curved segments. Queuing spaces shall have a minimum length of 20 feet.

5. Traffic Circulation Conflicts

Queuing spaces shall not interfere with on- or off-site traffic movements or movements into or out of off-street parking and loading areas.

6. Delineation

Queuing spaces shall be delineated from other queuing lanes, driveways, internal circulation and parking aisles, loading areas, and refuse collection areas by striping, curbing, landscaping, alternative paving materials, or raised medians. Walk-in customer crosswalks across queuing lanes shall be avoided to the extent reasonably feasible and permitted upon approval by the traffic engineer. If approved, such crosswalks shall provide mitigation such as warning signage aimed at both the pedestrian and vehicle.

7. Exceptions

The traffic engineer may approve a reduction in the number of required queuing spaces or other departure from the queuing space requirements if documentation prepared by a traffic engineering professional demonstrates to the satisfaction of the traffic engineer that the change is appropriate and consistent with the intent of the requirements. The applicant shall enter into an agreement with the municipality which is recorded, runs with the use of the land, and ensures continuation of the alternative strategy and the future implementation of contingency measures if ordered by the traffic engineer.

M. Structured Parking

1. Purpose and Applicability

Parking structures and structured parking within occupied buildings shall comply with the provisions of this subsection, in order to be compatible with the architectural character and quality of adjacent buildings; avoid adverse impacts to abutting sidewalks or

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residential properties; use color, massing, and other architectural features to reduce apparent bulk; and screen potential visual impacts from garage lighting or parked vehicles. It is also the intent of this section to ensure safe and convenient vehicle access and parking, and to avoid impeding traffic on adjacent streets and pedestrian facilities. The requirements which follow do not apply to garages for individual dwellings.

2. Ground Floor Use

In the B-3, R-4, and R-4A districts along streets that have been specifically designated in the comprehensive plan as a main street, transit street, mixed-use street, or with a similar street typology, ground-floor structured parking shall be enclosed along that street frontage by a first-story habitable space that:

- a. Has a minimum depth of 25 feet;
- b. Extends the full length of the building elevation facing the designated street, excluding pedestrian and vehicle entrances and exits, stairwells, elevators, and centralized payment booths;
- c. Is designed and used for residential, community, office, retail, or other commercial use; and
- d. Includes ground floor windows providing visual access and/or primary entrances that comprise at least 25 percent of the ground level wall area.

3. Façade Treatment

The street-facing façade of a parking structure shall have a repeating pattern that includes no less than three instances of either (1) color change, (2) texture change, (3) material module change, or (4) expression of an architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib. At least one of these elements shall repeat at an interval of not more than 30 feet. The director may approve an alternative design to this standard if, through the alternative equivalent compliance process, the applicant can demonstrate an alternative building design that significantly articulates a wall plane.

4. Screening

Ground floor structured parking within a building shall be screened by a wall or façade or other architectural treatment consistent with the rest of the building in terms of style, detail, and materials. The perimeter of each parking structure floor above the ground floor shall have an opaque screen or other screening mechanism to shield vehicle headlights from public view. The screen shall be at least three and one half feet high measured from the finished floor elevation. An architectural treatment, such as a finished fascia, shall be provided to shield any unfinished structural elements such as electrical elements, exposed metal beams, and mechanical appurtenances. Lights visible from the exterior of the structure shall be covered or screened with a diffusing lens and oriented to minimize the visual impact on adjacent streets and properties.

5. Landscaping

The perimeter of a parking structure shall be planted with L1 visual enhancement landscaping in any commercial district, except at points of vehicular and pedestrian entrance and exit, where the structure abuts an alley right-of-way, where the structure directly abuts another building, or where there is a ground floor use that meets the standards of subsection M.2. above.

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6. Ingress and Egress

- a. Non-automated parking structures designed to provide more than 500 parking spaces shall have at least two vehicle entrance driveways and two vehicle exit driveways.
- b. Vehicle entrance driveways shall provide a minimum of one queuing space in addition to the vehicle space at the ticket dispenser or access reader, unless a traffic analysis indicates more queuing is needed. Such queuing space(s) shall meet the standards of subsection 21.07.090L., *Queuing Spaces*.
- c. Vehicle exit driveways shall provide a minimum of 30 feet of on-site vehicle queuing that does not interfere with any parking **spaces** [STALLS], rights-of-way, access easements, pedestrian facilities, or private streets.

7. Maximum Gradients

The maximum gradient of parking aisles shall be six percent. The grade of non-parking ramps shall be no greater than 12 percent, and shall comply with the requirements of Americans with Disabilities Act of 1991 as it may be amended or interpreted by federal regulation. Where special circumstances warrant, the traffic engineer may approve steeper grades according to accepted engineering practices, subject to special conditions of approval such as an ice-free (snow melting) ramp surface.

8. Layout and Internal Circulation

The configuration of parking and dimensions within a non-automated parking structure shall be subject to the requirements of table 21.07-7, except that a modified layout and internal circulation pattern may be approved by the traffic engineer when it can be shown that a structure meets the design guidelines of the latest Urban Land Institute, Parking Institute, or Institute of Transportation Engineers manuals.

9. Automated Parking Structures

- a. Automated parking structures shall require a traffic analysis and be subject to review and approval by the traffic engineer.
- b. Automated parking structures are exempt from the parking **space** [STALL] and aisle dimensions and vertical clearance requirements of this section.
- c. Automated parking structures shall be located wholly within an enclosed building and shall not be visible from outside the building or facility.
- d. Automated parking structures shall be operated as attendant parking.

21.07.100 EXTERIOR LIGHTING

[RESERVED]

21.07.110 RESIDENTIAL DESIGN STANDARDS

A. Purpose

The standards of this section 21.07.110 are intended to promote high-quality residential development and construction; protect property values; encourage visual variety and architectural compatibility; and promote an integrated character for the municipality's neighborhoods. Specifically, the standards:

1. Promote new residential developments that are distinctive, have character, and relate and connect to established neighborhoods;

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Chapter 21.07: Development and Design Standards Sec. 21.07.110 Residential Design Standards

2. Avoid monotony in structure design and site layout by providing variety and visual interest in the exterior design of residential buildings;
3. Enhance the residential streetscape, walkability, and the pedestrian environment by diminishing the prominence of garages and parking lots;
4. Enhance public safety by preventing garages from obscuring main entrances or blocking views of the street from inside residences;
5. Locate active living spaces, entrances, and windows to improve the physical and visual connection from residences to the street, and foster opportunities for casual surveillance of the street and outwardly expressed proprietorship of the neighborhood; and
6. Improve the compatibility of residential development with the residential character of surrounding neighborhoods and protect property values of both the subject property and surrounding development.

B. Alternatives and Flexibility

1. Alternative Equivalent Compliance

The alternative equivalent compliance procedure set forth in subsection 21.07.010D. may be used to propose alternative means of complying with the intent of this section. Structures over eight units may apply directly to the urban design commission for alternative compliance with plans at least 30 percent complete, that include exterior elevations and dimensions, floor plans, landscaping, and parking plans.

2. Minor Modifications

Minor modifications may be applied, pursuant to section 21.03.120, *Minor Modifications*.

3. Design Innovation Credit

The decision-making body may approve design innovations not covered by the menu choices, to be used as credit for up to four design features from the menus of this section. The applicant shall demonstrate a specific feature that realizes the intent of the subsection and that:

- a. Achieves an equal or better design solution for the development than would result from application of the basic menu choices; and
- b. Does not adversely affect adjacent properties or streets.

C. Standards for Multifamily Residential

1. Purpose

The purpose of these standards is to improve the appearance of design and functionality of multifamily development, recognizing the importance of design in the economic success of neighborhood areas, the need for more efficient land use, and the need to ensure the adequate protection of the surrounding area. Specific objectives include:

- a. Provide visual interest and architectural variety in multifamily residential developments that avoids featureless design, and reduces the apparent bulk of large building masses;
- b. Promote sensitive design and planning of multifamily housing units that preserves or improves the characteristics of surrounding development;

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- c. Promote building design, placement, and orientation that contributes to public safety, attractive street frontages, pedestrian access, and a sense of neighborhood and community;
- d. Promote building design, placement, and orientation that considers Alaska's northern climate in terms of weather protection and access to sunlight;
- e. Protect property values of the subject property and surrounding development and promote economic investment in neighborhoods;
- f. Improve the quality of life of residents of multifamily residential dwellings; and
- g. Provide flexible standards that allow for creativity and innovation.

2. Applicability

These standards apply to any multifamily structure (three or more units) or residential portion of a mixed-use structure. This section does not apply in Girdwood.

3. Daylighting, Views, and Building Spacing

a. Windows

Windows or primary entrance doors shall be provided on any building elevation facing a street, required private common open space, or that has primary entrances to dwellings. At least 15 percent of the wall area of the building elevation shall be windows or primary entrance doors. Windows in a garage door do not count towards the minimum area in this section.

b. Building Spacing

- i. When the front wall or rear wall of a row of dwelling units faces the front wall or rear wall of another row of dwelling units on the development site, the average distance between shall be a minimum of 24 feet, plus one foot of distance for each foot of building height above 24 feet, up to a maximum requirement of 30 feet.
- ii. When the end wall of a row of dwelling units faces the front wall or rear wall of another row of dwelling units on the development site, the average distance between shall be a minimum of 20 feet.
- iii. End walls facing end walls are not subject to the building spacing requirement of this section.
- iv. Building projections allowed under subsection 21.06.030C.2. are permitted to project into the required space between buildings.
- v. For the purposes of this subsection 21.07.110C.3.b., front walls and rear walls are defined as those walls that are generally perpendicular to party walls between dwelling units. End walls are generally parallel to party walls separating dwelling units, and are located at the end of a row of units. Front and rear walls in a building are typically the primary location of openings for light and air for the dwelling units, while end walls are not.

c. Exceptions

- i. Up to one-third of the required window and entrance wall area and/or required spacing distance between buildings may be transferred to another story or side of the structure, subject to an administrative site plan review. Transferred space shall be added to private open space

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that meets the standards of section 21.07.030. It shall be demonstrated to the director's satisfaction that the transfer responds to a site specific attribute such as solar orientation, photovoltaic panels placed for solar energy collection, a noisy arterial street, or objectionable view, and that mitigating features will be provided for the affected wall or area.

- ii. An overall reduction in required window area may be approved **by the decision-making body** if demonstrated by calculation by an energy rater certified by the state of Alaska, that the reduction is necessary to achieve an upgraded energy star rating of five star or five star plus.

4. Relationship to Parking

Parking spaces, driveways, and circulation aisles shall be separated from any multifamily residential building façade by a landscaping planting area of at least five feet in width, and allowing breaks for individual garage entrances or (where not facing the street) rows or clusters of garage entrances. The area shall be planted with site enhancement landscaping of at least ten shrubs per 20 linear feet of building length. Trees may be used in lieu of shrubs—one tree replacing five shrubs.

5. Relationship to Pedestrian Access Requirements

Walkway connections from primary entrances to the street are required in accordance with subsection 21.07.060E.4., except that multifamily developments may provide one of the following alternatives instead:

- a. Primary entrances for individual dwellings may connect to the street by the dwelling unit's individual driveway if such is provided; or
- b. A parking courtyard may be provided in conformance with subsection 21.07.060F.18.

6. Building and Site Orientation **Menu**

Buildings shall be oriented to surrounding streets, sidewalks, common private open spaces, and the public realm through at least three of the following menu choices:

a. ***Courtyard Housing***

Arrange or configure the building(s) to enclose and frame a housing courtyard as described in subsection 21.07.060F.7.

b. ***Orientation of Living Spaces and Windows—Ground Floor***

Provide windows and/or pedestrian entrances comprising at least 20 percent of the ground-floor wall area of any **building** elevation fronting on a street or private common open space or having a primary entrance serving multiple dwellings.

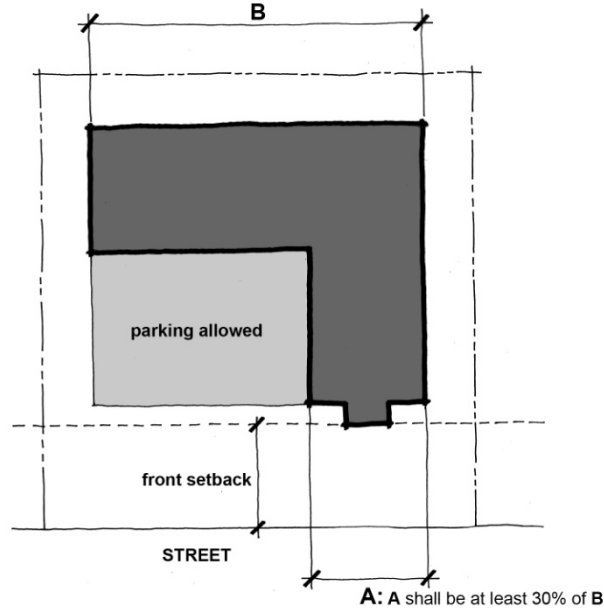
c. ***Orientation of Living Spaces and Windows—Overall Development***

As an alternative to 6.b. above, provide windows and/or pedestrian entrances comprising at least 20 percent of the total wall area of all building elevations facing a street or private common open space or having a principal front entrance serving multiple dwellings.

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d. **Street Frontage – Parking Beside or Behind the Building**

No more than 70 percent of a street-facing building elevation shall have parking facilities (including garages) between it and the street.

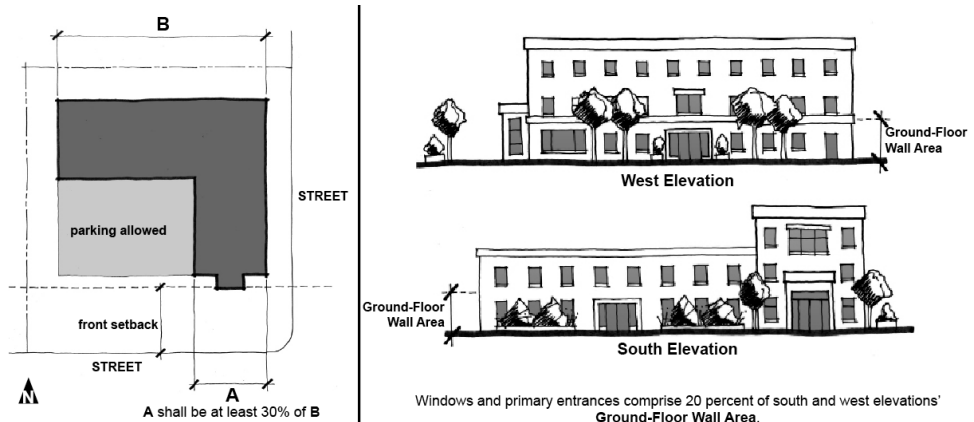


e. **Street Frontage – Limited Parking Width**

As an alternative to 6.c. above, limit driveways and parking facilities to no more than 50 percent of the total site area between the building and the street, and garages to no more than 50 percent of the street facing building elevation.

f. **Street Corner Building**

On a corner lot, provide choices 6.b. and 6.c. on both street frontages, such that the building (including its habitable floor area with windows) is placed nearest the corner, and any parking facilities are located beside or behind the building away from the street corner.



g. **Entrance with Separated Walkway to the Street**

Provide a primary entrance on each street-facing building elevation or a private common open space visible from the street, connected to the street by a clear and direct walkway separated from and not routed through a parking facility.

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h. **Site Entry Feature**

Highlight and define a pedestrian and/or vehicle entrance to a development site using three or more of the following elements:

- i. Landscape treatment with seasonal color and trees, which clearly distinguishes and highlights the site entry.
- ii. Plaza or courtyard as described in subsection 21.07.060F6. or 7.
- iii. Identifying building primary entrance form including a covered entry.
- iv. Special paving, pedestrian scale lighting, and/or bollards.
- v. Ornamental gate and/or fence.

7. **Building Articulation and Visual Variety Menu**

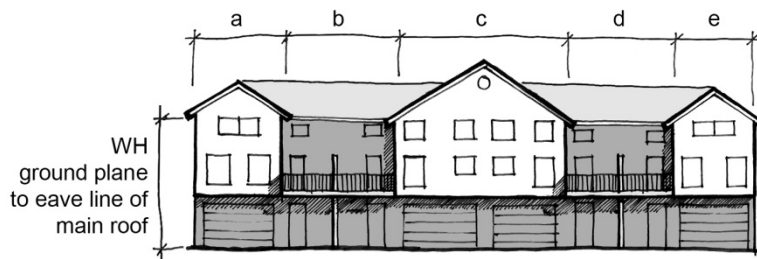
Any building elevation facing a street or having a primary entrance shall provide at least four features from the menu below. If the applicable building elevation is 42 feet or longer, then a wall modulation choice shall be selected as one of the four features. This section shall apply to no more than two building elevations, with priority to elevations facing a street or with the principal front entrance(s).

a. **Wall Modulation—at Intervals**

Provide wall plane projections, recesses, or reveals at least six feet wide, with a change in plane of at least four feet, spaced at intervals of no more than 32 feet, except allowing for:

- i. The maximum interval may be increased by two and one half feet for each foot of additional change in wall plane of the projection or recess—up to a maximum interval of 42 feet;
- ii. The depth of the modulation may be reduced by two and one-half feet where the wall modulation is tied to a change in siding material, balcony, bay window, or roofline modulation, as defined below;
- iii. The standard applies on a minimum of 60 percent of the height of the building wall.

building elevation facing street or having primary entrance



a-e: wall intervals

width $\geq 6'$, 32 - 42' max. (varies with depth), height $\geq 60\%$ WH



wall plane projection

$\geq 18"$ - 4' deep (varies)



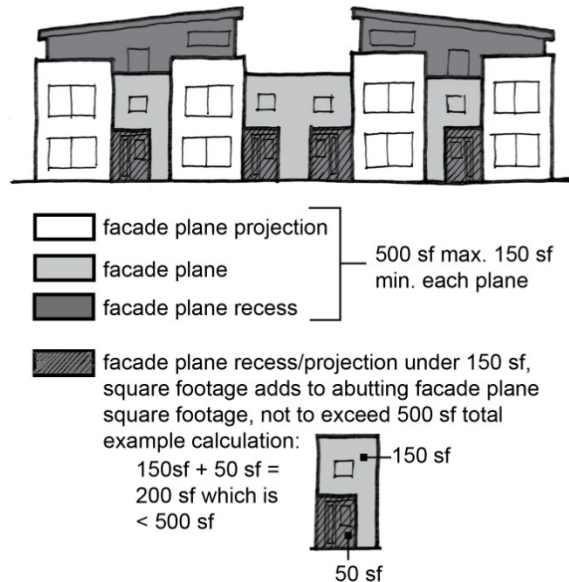
wall plane

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b. **Wall Modulation—Separate Façade Planes**

As an alternative to 7.a. above, divide the wall into separate façade planes that project or recess from abutting façade planes by a minimum depth of 18 inches. In order to be considered a separate façade plane, a portion of the façade shall have a minimum area of 150 square feet and a maximum area of 500 square feet.

building elevation facing street or having primary entrance



c. **Wall Modulation—Alternative Choice**

An alternative wall modulation design prepared by a licensed architect may be used as a design innovation credit, as provided in subsection 21.07.110B.3.

d. **Wall Modulation – Overall Building Massing**

Provide wall plane projections or recesses having a depth of at least 15 percent of the length of the building elevation or 12 feet (whichever is less), extending at least 25 percent of the length of the building elevation, for at least 60 percent of the building **wall** height, with no uninterrupted façade exceeding 56 horizontal feet.

[illustrate]

e. **Upper Story Cantilever or Step-Back**

Provide an upper story cantilever or step-back with a change of wall plane of at least four feet, or 18 inches if accentuated by a change in siding material or the façade is only two stories in height. At least two-thirds of the building elevation length shall have such cantilever or step-back. Building elevations that receive credit for menu choice 7.b., *Wall Modulation—Separate Façade Planes*, shall not receive credit for this choice.

f. **Change in Siding Material**

Use two or more primary wall siding materials, or a change of color only if the color change is delineated with trim or a change in wall plane, not including concrete or block foundation.

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g. **Ornamental Features and Detail Elements**

Use two or more façade detail features at intervals, such as medallions, shutters, columns, pilasters, wall modulations that don't meet **the wall modulation menu choices** [7.A. OR 7.B.] above, balconies that don't meet 7.h. below, trim that is three and one half inch wide or wider, or other similar features approved by the director.

h. **Balconies**

Incorporate balconies at least 32 square feet in area and eight feet wide, provided at intervals to distinguish between the individual dwellings.

i. **Bay Windows**

Incorporate bay windows at least six feet wide and high extending at least 18 inches from the **abutting** wall plane, or another type of **fenestrated projection with [LARGE PROJECTING]** windows of at least the same size.

j. **Additional Window Area**

Provide windows and/or primary entrance doors comprising at least 20 percent of the wall area of the building elevation. Windows in a garage door do not count towards the minimum area in this section.

k. **Wide Sheltered Entry Porches**

Provide covered entry porches at least 24 square feet in area and six feet wide, provided at intervals to distinguish individual dwellings.

l. **Building Elevations Free of Garage Doors**

Provide the building elevation without garage bay doors.

m. **Additional Foundation Landscaping**

Provide a foundation planting bed along the foundation wall (breaks allowed for garage doors and pedestrian entrances) an average of eight feet in depth (minimum six feet at any point), and planted with at least two trees and six shrubs per 20 linear feet of building length. This menu choice does not apply to building elevations having more than one garage bay door.

n. **Roofline Modulation**

Provide variations in roof form, orientation, or height using features at least six feet wide such as a terracing parapet, multiple peaks, jogged ridge lines, projecting roof forms and dormers, with a maximum of 32 feet of uninterrupted roofline of the main roof form between roof modulation elements. The vertical dimension of the roofline variation shall be **at least** the greater of two feet or 10 percent of the wall height.

[illustrate]

o. **Roof Forms and Attic Living Spaces**

Provide a sloped roof with dormers at intervals and a pitch no greater than 12:12 that incorporates living spaces within the roof form. [SUCH LIVING SPACES SHALL NOT BE CONSIDERED IN DETERMINING MAXIMUM FAR, PURSUANT TO SECTION 21.06.030E.2.]

p. **Variation in Building Form or Scale**

Provide a minimum of two kinds of variation in architectural form or scale, such as between individual dwellings in a building, or from one building to the next in the development. Variations may include reversed building elevations, a different

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pattern or arrangement of building modulation or articulation features, a different dwelling unit layout or design that is evident on the exterior, or a change in scale such as varying the number of stories, the number of units from one building to the next, or the width of abutting units.

8. Primary Entrance Treatment **Menu**

Each building shall incorporate at least three of the following massing, façade, or detail features to define and emphasize a primary entrance:

- a. Entrance on a porch or landing with a minimum inside dimension of six feet and sheltered by a roof, canopy, portico, marquee, or similar weather protection roof feature.
- b. Double doors.
- c. Massing features such as architectural bays that define or emphasize entry locations.
- d. Side-lights (glazed openings to the side of the door), and/or transom-lights (glazed opening above the door) in the entry design.
- e. Outdoor entrance patio, plaza, or courtyard.
- f. Integrated planters or wing walls that incorporate landscaped areas and/or seating areas.

9. Weather Protection and Sunlight **Menu**

Building and site design shall respond to Alaska's northern climate, including the effects of snow, ice, low temperatures, wind exposure, and low and seasonal sunlight conditions, by providing at least four features from the following menu. The features set forth in menu choices 9.e., *Year-Round Access to Sunlight*; 9.f., *Sunlight Access for Neighbors*; 9.h., *Sun Trap*; 9.i., *Atrium*; and 9.k., *Sunlit and Wind Protected Courtyards* shall each count as two features.

- a. ***Weather Protected Entrance***
Provide outdoor shelter that covers at least 32 square feet for any primary entrance that serves one dwelling, 48 square feet for any primary entrance that serves up to four dwellings, and 64 square feet for any primary entrance that serves more than four dwellings.
- b. ***Sheltered Passenger Loading Zone, Bicycle Parking, or Transit Stop***
Provide pedestrian shelter over a passenger loading zone, accessible parking aisle or route, bicycle parking, or a transit shelter.
- c. ***Ice-Free Walkway***
Provide an ice-free (snow melting) walkway for a required walkway connection to a primary entrance.
- d. ***Orientation for Sunlight Access***
Provide windows and/or primary entrances for at least 20 percent of the wall area with a solar orientation and demonstrate each is likely to receive at least six hours of sunlight access on March/September 21. Natural features existing at the time of development, such as trees, shall not be considered as blocking sunlight access, but newly installed landscaping material shall be planted so as to minimize blocking of sunlight access.

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e. **Year-Round Access to Sunlight**

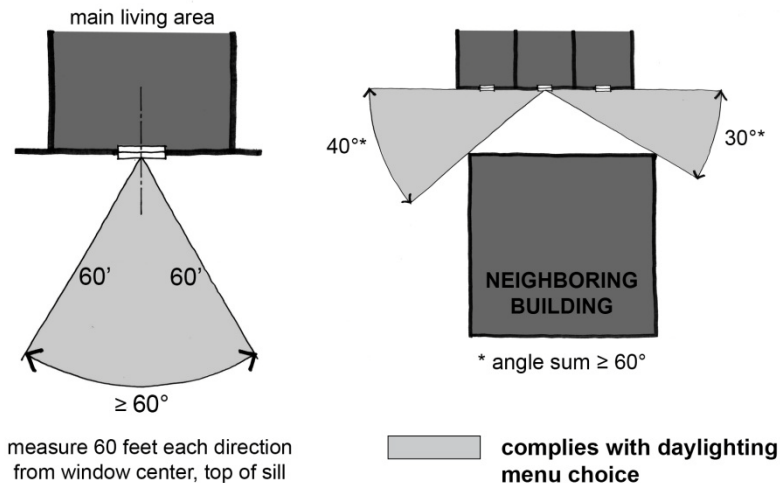
Ensure that one or more windows of every dwelling in the development will receive sunlight access for at least one hour on December 21. Natural features existing at the time of development, such as trees, shall not be considered as blocking sunlight access, but newly installed landscaping material shall be planted so as to minimize blocking of sunlight access.

f. **Sunlight Access for Neighbors**

Preserve sunlight access at least six hours daily on March/September 21 to any adjacent lot zoned PR, any sidewalk across the street, and neighboring residentially zoned property, through building placement, massing, and height.

g. **Daylighting**

Provide for apartment daylighting and building spacing as follows: Locate at least one window in the main living area of each dwelling such that an imaginary daylight plane extending from the window and formed by an angle of 60 degrees that is unobstructed for a horizontal distance of 60 feet. The plane angle shall be measured horizontally from the center of the bottom of the window. As an alternative, two angles with a sum of 60 degrees may be used.



h. **Sun Trap**

Incorporate a sun trap or "pocket" meeting the requirements of subsection 21.07.060F.12, *Sun Pocket* that captures direct and reflected sunlight as part of a common private open space.

i. **Atrium**

Provide an atrium interior sunlit common private open space or primary entrance area, meeting the requirements of subsection 21.07.060F.11., which takes advantage of direct and/or reflected sunlight.

j. **Stepped or Terraced Building Forms**

Provide a stepped or terraced building form above the second story that adheres to a daylight plane with a step-back angle no steeper than one foot of rise per one foot of run, to reduce the potential shadowing and wind turbulence effects of a tall building.

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k. ***Sunlit and Wind Protected Courtyards***

Provide a housing courtyard as described in subsection 21.07.060F.7.

10. ***Accessory Elements***

a. ***Storage***

A multifamily project shall provide at least 30 square feet of covered, enclosed, and secure bulk storage area per dwelling unit for bicycles, winter tires, and other belongings that typically cannot be accommodated within individual dwelling units. Storage areas shall not include closets accessed from within the dwelling, but may include garage floor area not required for vehicle maneuvering or parking. Storage and other accessory buildings shall be designed with materials and/or architectural elements that are related to the principal building(s).

b. ***Trash Receptacles/Dumpsters***

Where dumpsters are allowed, they shall comply with the requirements of 21.07.080G.2. [WHERE DUMPSTERS ARE NOT PROVIDED, MULTIFAMILY DEVELOPMENTS SHALL PROVIDE COVERED STORAGE FOR TRASH RECEPTACLES. SUCH STORAGE SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND THE PRIMARY ADJACENT STREET FRONTAGE.]

c. ***Garages***

i. ***Attached or Detached Garages***

To the maximum extent feasible, garage entries and carports shall not be located between a principal multifamily building and a required street frontage, but shall instead be internalized in building groups so that they are not visible from adjacent streets.

ii. ***Size***

Street-facing detached garages and carports shall be limited to six spaces per structure to avoid a continuous row of garages or carports. No more than six garage doors may appear on any multifamily building elevation facing a street, and the plane of each garage door shall be offset at least two feet from the plane of the garage door adjacent to it.

iii. ***Design***

Detached garages and carports shall be integrated in design with the principal building architecture, and shall incorporate similar and compatible building and roof forms, scale, materials, color, and details.

d. ***Mechanical and Electrical Equipment***

Mechanical and electrical equipment serving a single building shall be screened from view as provided in subsection 21.07.080G.4. [BELOW. THIS REQUIREMENT APPLIES TO HEATING, VENTILATION, AND COOLING EQUIPMENT; PUMPS; GENERATORS; AND GROUPS OF FOUR OR MORE UTILITY METERS. THE SCREENING REQUIREMENT DOES NOT APPLY TO TELECOMMUNICATIONS EQUIPMENT, CHIMNEYS, MINOR VENT PIPES, WALL VENTS THAT ARE FLUSH/NEAR-FLUSH WITH THE BUILDING WALL, OR SOLAR COLLECTORS AND REFLECTORS. SCREENING SHALL COMPLY WITH AMC TITLE 23 AND THE ACCESS AND SAFETY REQUIREMENTS OF UTILITIES.]

i. ***ROOFTOP MECHANICAL AND ELECTRICAL EQUIPMENT***

ROOFTOP MECHANICAL AND ELECTRICAL EQUIPMENT SHALL BE SCREENED FROM VIEW OF ABUTTING STREETS AND THE GROUND LEVEL OF RESIDENTIALLY ZONED LOTS USING THE

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MENU CHOICES PROVIDED IN SUBSECTION D.II. BELOW. IF MENU CHOICE II.(C). IS THE ONLY CHOICE SELECTED, THEN THE ROOF MOUNTED EQUIPMENT SHALL ALSO BE SET BACK FROM THE ROOF EDGE (WHERE THE ROOF MEETS THE FAÇADE WALL) AT LEAST THREE FEET FOR EACH FOOT OF HEIGHT OF THE EQUIPMENT.

ii. MECHANICAL AND ELECTRICAL EQUIPMENT – OTHER

ALL OTHER MECHANICAL AND ELECTRICAL EQUIPMENT SHALL BE SCREENED FROM VIEW FROM ABUTTING STREETS, EXCEPT WHERE LOCATED MORE THAN 40 FEET FROM THE STREET OR RIGHT-OF-WAY, USING ONE OF THE FOLLOWING CHOICES:

(A) SIGHT-OBSCURING LANDSCAPING CONSISTING OF SHRUBS, TREES, BERMS, AND/OR HARDSCAPE MATERIALS. OTHER LANDSCAPING REQUIRED BY THIS TITLE, SUCH AS PERIMETER LANDSCAPING, MAY BE USED IF IT MEETS THIS STANDARD.

(B) A SIGHT-OBSCURING FENCE, WALL, OR STRUCTURE THAT IS ADEQUATE IN HEIGHT TO SCREEN THE EQUIPMENT.

(C) WALL-MOUNTED UTILITY METER BASES FINISHED IN A COLOR THAT IS CONSISTENT WITH OTHER AREAS OF THE BUILDING FAÇADE, UNLESS AN ALTERNATIVE COLOR OR DESIGN IS APPROVED BY THE DIRECTOR.

(D) EQUIPMENT THAT IS DISGUISED, CAMOUFLAGED, OR HIDDEN SO THAT ITS FUNCTION AS MECHANICAL OR ELECTRICAL EQUIPMENT IS IMPERCEPTIBLE TO AN UNEDUCATED EYE.]

D. Standards for Townhouse Residential

1. Purpose

The purpose of these standards is to:

- a. Provide visual interest and architectural variety to attached dwellings that enhances the neighborhood character;
- b. Diminish the impacts of rows of garages and driveways on the pedestrian environment and street;
- c. Reduce the apparent bulk and scale of townhouse buildings, and avoid long unbroken facades;
- d. Encourage pedestrian access to be convenient, visible, safe, and inviting; and
- e. Promote daylighting and views, front yard landscaping, front entries, and windows facing the street.

2. Applicability

These standards shall apply to any townhouse development and any townhouse-style structure, any attached single-family use, and any two-family use that is constructed in townhouse-style. This section does not apply in Girdwood.

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3. Building Size

The maximum number of dwellings attached in a single row or building shall be:

- a. Two dwellings in the R-2A and R-2D districts.
- b. Six dwellings in the R-2M district.
- c. Ten dwellings in all other districts in which the use is allowed.

4. Daylighting, Views, and Building Spacing

Residential buildings shall comply with subsection 21.07.110C.3., *Daylighting, Views, and Building Spacing*, above.

5. Entryway Treatment

Primary entrances shall be given emphasis and physical access by the following:

- a. Placement on a street-facing building elevation, or where the entry door is visible from (if not facing) the street, or facing a common private open space such as an entry courtyard;
- b. A porch, landing, or other outdoor transition space with a minimum dimension of four feet, and distinguished from abutting parking surfaces by changes in material or elevation;
- c. A sheltering roof structure such as an overhang, recess, portico, or other permanent architectural feature of at least 16 square feet; and
- d. Connection to the street by walkways and/or the unit's individual driveway, or a parking courtyard as provided in subsection 21.07.060F.18.

6. Building Articulation

Principal buildings shall comply with subsection 21.07.110C.7., *Building Articulation and Visual Variety*, above, except that the standard for meeting menu item C.7.a., *Wall Modulation*, shall be as follows:

a. Wall Modulation—At Intervals

Provide projections, recesses, or reveals at least four feet wide, with a change in wall plane of at least two feet, provided at the common wall between units or at intervals of no more than 24 feet apart, except:

- i. The maximum interval may be increased by two and one half feet for each foot of additional width and change in wall plane of the projection or recess—up to a maximum interval of 48 feet.
- ii. The standard applies on a minimum of 60 percent of the height of the building wall.

7. Front-Facing Garages

Where the garage or driveway faces the street or is on the same building elevation as the primary entry to the dwelling, the following standards shall be met:

- a. The garage door width shall not exceed the greater of 10 feet or 50 percent of the width of the elevation of the dwelling, except as provided below.

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- b. The garage door width may be up to 67 percent of the width of each dwelling, if the building elevation provides at least one feature more than the minimum number required in subsection C.7., *Building Articulation*.

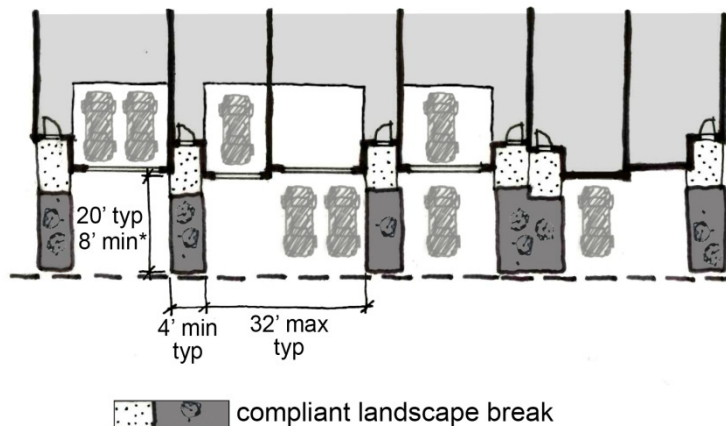
8. Landscaping

a. *Semi-Private Transition Space*

For dwelling units that front onto a street, the area between the front entry porch or landing and the abutting street shall be planted as provided in 8.d. below. Front driveway width and other motor vehicle parking facilities shall not encroach into this area.

b. *Front Driveway Separations*

Where townhouse units are served by individual garages or driveways fronting onto the street or on the same building elevation as the primary entry to the dwelling, a landscaping planting area with a width of no less than four feet shall be provided between each individual driveway. The planting area shall extend out from the building façade or front entry landing the full distance to the street, shared driveway, parking bay, or circulation aisle, but in no case extend out less than eight feet from the building garage facade. Driveways may be combined for a maximum of two dwellings, however no driveway or driveway combination shall exceed 32 feet in width without a landscaped break. A parking courtyard may provide an alternative design that departs from this provision in accordance with subsection 21.07.060F.18.



* In cases where a 20' parking space is not provided in front of the garage door, the landscaped separation is to extend at least 8' from the garage facade.

c. *Common Parking Facilities and Driveways*

A foundation planting bed conforming to the requirements of subsection 21.07.110C.4., *Relationship to Parking*, shall be provided along townhouse-style structure elevations that abut common parking and access facilities, including parking bays, circulation aisles, and access driveways shared in common among multiple units.

d. *Landscaping Bed and Planting Material Standards*

Landscaping area required by subsections 8.a. and 8.b. above shall be planted with at least one tree and five shrubs in front of each dwelling. Planting beds shall be separated from parking spaces and driveways by landscape edging.

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9. Utility Meters, Electrical Conduit, and Other Service Utility Apparatus

Utility meters and rooftop mechanical equipment shall comply with the [MULTIFAMILY] utility screening requirements in subsection **21.07.080G.4.** [21.07.110C.9.D. ABOVE.]

E. Standards for Some Single-Family and Two-Family Residential Structures

1. Applicability

The standards of this subsection E. apply to the developments listed below that are constructed after January 1, 2014. This section does not apply to dwellings constructed prior to January 1, 2014, accessory dwelling unit uses, or in Girdwood.

a. Any single-family use except for single-family residential uses on lots of 20,000 square feet or greater.

b. Any two-family use that is not constructed in townhouse-style and is on a lot less than 20,000 square feet.

c. Any multifamily use with single-family or two-family style construction.

2. Mix of Housing Models

Any subdivision or development of five or more units shall have a mix of housing models, as determined during the building permit process, according to table 21.07-10. This applies to abutting or adjacent lots.

TABLE 21.07-10 MIX OF HOUSING MODELS

Number of units	Number of different models required
5-10	2
11-20	4
21-30	5
31 or more	6

Each housing model shall be noticeably different through at least three of the following variations. For the purposes of this provision, “noticeably different” means a change that is easily apparent when looking at building plans and elevation drawings, without resorting to using measurements and scales/rulers in order to determine a difference in design.

a. Window placement and entrance location.

b. Façade detail elements, siding material, or siding colors.

c. Placement of the building footprint on the lot. A four foot setback differential to the closest front corner of the adjacent façade shall be acceptable.

d. Garage placement.

e. Roof design/feature. This includes the main ridgeline being oriented differently, two or more additional roof planes, addition of at least one dormer, or a different roof style.

f. Exterior elevations.

g. Building massing.

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The development (of five or more units) shall be arranged to avoid placing identical housing types, including mirror image floor plans, on lots that share side lot lines.

3. Primary Entrance

- a. A porch or landing with at least 16 square feet shall be provided at the primary entrance. The porch or landing shall be covered by a roof of at least 16 square feet.
- b. The primary entrance of each residence and the walkway to that entrance shall be clearly visible from the street. Primary entrances shall not be located on the rear of the structure.
- c. A hard-surfaced pedestrian walkway shall be provided from the street, sidewalk, or driveway to the primary entrance. Roof drainage shall not fall upon the walkway.

4. Garages

- a. Where a garage (with no habitable floor area above) extends from the rest of the structure towards the street, the width of the non-garage portion of the front building elevation shall be no less than the length that the garage extends from the rest of the structure.
- b. Garage doors facing the street shall comprise no more than 67 percent of the total width of a dwelling's building elevation.
- c. Dwelling units with a street-facing building elevation that is 40 feet wide or narrower and with garage doors that face the street shall feature at least one design element from each of the three lists below.
 - i. *List A:*
 - (A) At least one dormer that is oriented toward the street.
 - (B) The front building elevation has two or more facades that are offset by at least 16 inches. Each façade or a combination of offset facades shall be at least one third of the area of the building elevation.
 - (C) Front-facing balcony, accessible from a habitable room, at least six feet wide, that projects from a façade at least two feet and is enclosed by an open railing.
 - ii. *List B:*
 - (A) A primary entrance area with a covered porch or landing at least eight feet wide, incorporating visual enhancements such as gabled roof forms, roof brackets, fascia boards, side lights, and/or ornamental columns divided visually into top, middle, and bottom.
 - (B) A bay window on the front elevation at least six feet wide that extends a minimum of 12 inches outward from a façade, forming a bay or alcove in the room within.
 - (C) If the garage is more than one car wide, multiple garage doors are used.
 - iii. *List C:*

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(A) Windows and primary entrance door(s) that occupy a minimum of 25 percent of the wall area of the front elevation. Windows in the garage door do not count towards the 25 percent.

(B) Trim (minimum three and one half inches wide) of a different color from the primary siding color, shall outline all windows, doors, and roof edges on the front building elevation, and may outline corners and projections/recesses on the front building elevation.

(C) A minimum of two different siding materials and/or patterns are used on the front building elevation. Doors and trim do not qualify as a type of siding material.

d. The house may encroach into the primary front setback by up to five feet when there is no garage, or where there is a garage (attached or detached) where the front wall of the garage is located at least 8 feet behind the front façade of the house.

5. Windows

a. Windows and primary entrance door(s) shall occupy a minimum of 15 percent of the wall area of a building elevation facing a street or required private common open space. Windows in the garage door do not count towards the 15 percent requirement.

b. Any building elevation with solar orientation shall have at least one window that is a minimum of six square feet.

c. An overall reduction in required window area may be approved if demonstrated by calculation by an energy rater certified by the state of Alaska that the reduction is necessary to achieve an upgraded Energy Star rating of Five Star or Five Star Plus.

F. Prohibited Structures

[RESERVED]

G. Site Design

1. Subdivisions

Subdivisions of land shall comply with the standards of chapter 21.08, *Subdivisions*.

2. Multiple Structures on One Lot

a. Intent

This section regulates the development of multiple residential structures on a single lot. The section is intended to allow flexibility from the subdivision regulations while still achieving neighborhoods that are healthy, safe, and convenient, and meet the goals of the comprehensive plan. The approval processes and standards are intended to result in a development with a cohesive neighborhood identity, an attractive and functional streetscape, a hierarchy of streets and driveways, convenient and safe pedestrian circulation, sufficient parking near each dwelling unit, usable and well-located open space, a positive image of higher density residential development, and well designed and visually pleasing structures and neighborhoods.

b. Applicability and Review Process

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- i. This section applies to the development of three or more principal residential structures on a single lot. It does not apply to the development of an accessory dwelling unit or a caretaker's unit.
 - ii. Multiple residential structures on a single lot are permitted in the R-2M, R-3, R-4, R-4A, B-3, and RO districts.
 - iii. Applicable developments with between **three** **TWO** and 15 dwelling units shall be approved by administrative site plan review pursuant to subsection 21.03.180C. Applicable developments with 16 or more dwelling units shall be approved by major site plan review pursuant to subsection 21.03.180D.
 - iv. All approvals under this section shall use the approval criteria of subsection 2.c. below, in addition to the general site plan review approval criteria. The decision-making body may place conditions on the development as it may deem necessary to meet the approval criteria.
- c. Approval Criteria**
- i. The proposal shall clearly distinguish between streets and driveways. Streets shall allow vehicles to travel into and within the development, and shall be the means for assigning an address to dwelling units. Driveways shall access garages and parking areas. Some small developments may not need a street network.
 - ii. Dwelling units shall be oriented towards streets (either within the development or along the boundary of the development) or towards a courtyard or similar common open space. Buildings with frontage on both a street and a driveway shall be oriented towards the street. If the development is so small that no internal street network is necessary, then buildings and dwelling units shall be oriented towards the local public streets on the boundaries of the development, or towards common open space.
 - iii. The area between the front of a unit facing a street and the street shall include landscaping or lawn, so that the streetscape features green space rather than just paved parking areas. Adequate snow storage area shall be provided. On-street parking shall be accommodated (if provided).
 - iv. Developers should make every effort to design and arrange dwelling units in such a manner as to provide "eyes on the street," take advantage of solar access, and to the extent feasible, provide privacy for neighboring units' yards.
 - v. In addition to sidewalks required by section 21.07.060, pedestrian pathways shall be provided to large open space areas and in the middle of long blocks. Pedestrian circulation should be convenient both within the development and to appropriate neighboring areas outside the development.
 - vi. The development is designed to take advantage of any significant natural features on site, and to provide usable open space and recreation areas.

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d. ***Development Agreement***

The developer shall enter into a development agreement with the department, using the provisions established in subsection 21.03.100E., *Improvements Associated with Land Use Permits*.

e. ***Minimum Standards***

All development with multiple residential structures on a single lot shall meet the following minimum standards, in addition to the applicable standards of this title.

i. ***Open Space***

A minimum of 30 percent of the site shall be reserved as open space which shall meet the standards of section 21.07.030, *Private Open Space*. Any requirement in section 21.07.030 for open space for the individual use of a dwelling shall count towards the total 30 percent requirement. The open space shall not be simply the lot setbacks and leftover fragments such as corner bits that are unusable for other purposes.

ii. ***Buffers for Neighboring Uses***

Common open space with L2 buffer landscaping shall be provided along any lot line abutting a residential neighborhood where the density is less than half the density of the development with multiple residential structures on a single lot.

iii. ***Building Spacing***

Within a development, no portion of any single-, two-, or three-story building shall be closer than 10 feet from any other single-, two-, or three-story building. All portions of any building taller than three stories shall be separated by no less than 20 feet from any other building.

iv. ***Vehicle Plug-In***

Each unit with no garage shall be provided with at least one electrical outlet that is convenient to the required parking space(s).

3. ***Driveway Width***

a. ***Purpose***

This section limits the width of a driveway at the property line and at the street curb. The intent of these limitations is to provide adequate space for snow storage within the right-of-way, to have space for on-street parking where appropriate, and to discourage the majority of the front area of a lot from being paved and/or used for vehicle parking.

b. ***Applicability***

i. This section applies to driveway throat width at the property line and street curb.

ii. Residential driveways are also subject to the municipal driveway standards currently established by the traffic engineer. Where there is a conflict, this section shall govern. Access to streets owned by the state of Alaska requires compliance with state driveway standards, as provided in subsection 21.07.090H.8.d.

iii. When a driveway serves both residential and nonresidential principal uses, the driveway dimensions shall be as required for the nonresidential use, unless approved otherwise by the traffic engineer.

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c. Percent of Lot Frontage

The total width of driveway entrances to a residential lot from a street shall not exceed 40 percent of the frontage of the lot, or 33 percent of the frontage if the platting authority or traffic engineer finds that conditions warrant it.

i. A driveway for multifamily dwellings, mixed-use dwellings, or a group living use may always be at least 14 feet wide.

ii. A driveway for a single-family, two-family, or townhouse dwelling may always be at least ten feet wide, provided the traffic engineer determines snow storage, traffic flow and safety, and the urban context are addressed, and provided townhouse driveways are attached in pairs to the maximum extent feasible.

iii. Flag lots are exempt from the percentage limitations, but shall have a maximum driveway width of 20 feet. Abutting flag lots may share a driveway up to 24 feet wide (12 feet per lot).

d. Exceptions

The traffic engineer may approve a departure from the standards of this section, such as a narrower driveway, if documentation prepared by a traffic engineering professional demonstrates to the satisfaction of the traffic engineer that the change is appropriate. Traffic engineer approval shall be contingent on factors such as street classification, street typology, urban context, traffic volume and speed, curb return radii, street travel lane offset from face of curb, pedestrian and bicycle facilities, snow storage, driveway configuration and length, site and project characteristics, number of vehicles expected to use the driveway, and comprehensive plan policies. The traffic engineer may also be more restrictive than the standards of this section, provided the traffic engineer documents the rationale.

4. Alleys

a. Access to parking for residential uses shall be from the alley when the site abuts an alley, except that street access is permitted in any of the following situations:

i. Access to a townhouse dwelling on a corner lot may be from the street frontage having the secondary front setback or the alley.

ii. Due to the relationship of the alley to the street system and/or the proposed housing density of the development, the traffic engineer determines that use of the alley for parking access would be a significant traffic impact or safety hazard.

iii. The traffic engineer determines that topography or other natural feature or physical barrier makes alley access infeasible.

iv. The alley is not improved and traffic engineer determines that improvement is not feasible.

v. A single-family dwelling, two-family dwelling, or townhouse dwelling with two units, with alley access may have a garage or driveway that faces the street if the garage door is no wider than 10 feet and the driveway no wider than 12 feet at any point.

b. In situations where a group of lots front an entire block on one side of a street between two intersections, abut a mid-block alley, and are being developed

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together, then parking access to the structures shall be from the alley, and building(s) may encroach into the front setback by up to five feet.

- c. If a new development includes alleys, the lot depth requirement is reduced by half the width of the alley and the lot area requirement is reduced by 12 percent for those lots that abut an alley. Vehicular access to all dwelling units on lots abutting alleys shall be from the alley, and vehicular access to such units from the street is prohibited.

H. Affordable Housing

1. Purpose

This subsection provides the minimum acceptable standards for affordable housing units that are intended to be counted towards a bonus incentive or any other requirement of this title, to ensure that affordable housing will provide a benefit to future residents and the community overall.

2. Standards

Affordable housing units shall meet the following standards in order to be credited towards a requirement, menu choice, or as a special feature bonus incentive of this title.

- a. The affordable housing units shall meet the definition of affordable housing in chapter 21.14;
- b. At least 50 percent of the habitable floor area of affordable housing units shall be located in a story above grade plane, as defined in chapter 21.14, except that the finished surface of the floor above the affordable housing unit shall be a minimum of four feet above grade;
- c. The affordable housing units shall be intermingled with all other dwelling units in the development; and
- d. The exterior appearance of the affordable housing units shall be indistinguishable from the other dwelling units in the development, except where the director determines that the exterior is compatible in appearance and consistent in quality with the other dwelling units.

21.07.120 LARGE ESTABLISHMENTS

A. Large Commercial Establishments

Large commercial establishments often have high visibility from major public streets and a great volume of use by many residents and visitors. As a consequence, their design determines much of the character, function, and image of this community and its streetscapes and commercial areas. The purpose of this section is to encourage major commercial developments to contribute to and respect the municipality as a unique place and to physically integrate with the community in a positive and architectural and site design sensitive manner. The standards of this section augment existing basic standards for development found elsewhere in this chapter with more specific interpretations that apply to large commercial establishments. These standards promote: a basic level of architectural variety and interest; a compatible appearance and scale; pedestrian and parking lot access; orientation of buildings and entrances in relation to surrounding streets; provisions for adaptive reuse of prominent vacant buildings; and mitigation of negative impacts of large scale commercial developments.

1. Applicability

The standards of this section 21.07.120 shall apply to any use in the Retail Sales; Animal Sales, Service, and Care; Food and Beverage Services; or Entertainment and Recreation

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use categories, or any combination thereof, occupying more than 20,000 gross square feet of floor area, provided the following limitations:

a. The standards of this section shall apply only to buildings which are intended exclusively or principally for the uses listed above, such as a general merchandise retail store, grocery store, or multi-tenant retail building.

b. This section shall not apply to **distinct floors and/or sections of buildings designed specifically for residential, office, or other uses not listed in subsection 21.07.120A.1. above.** [MIXED-USE BUILDINGS WITH UPPER STORIES, OR DISTINCT SECTIONS DESIGNED SPECIFICALLY FOR RESIDENTIAL, OFFICE, OR OTHER USES NOT LISTED ABOVE.]

c. [RESERVED—POTENTIAL AMENDMENTS TO SELF-STORAGE FACILITIES IN 21.05 TO ADDRESS MULTI-STORY FACILITIES]

2. Relationship to Other Standards

The provisions of this section shall apply in addition to all other generally applicable standards found elsewhere in this chapter and title. Where there is a conflict with generally applicable standards in this chapter, the standards of this section shall apply. Where there is a conflict with district-specific standards in chapter 21.04 of this title, the district-specific standards shall apply.

3. Alternative Equivalent Compliance

The alternative equivalent compliance procedure in subsection 21.07.010D. may be used to propose alternative means of complying with the intent of this section. Applicants for alternative equivalent compliance shall demonstrate design strategies that address each of the mandatory standards set forth below in subsection A.5.

4. Major Site Plan Review

All applicable large commercial establishments shall be approved by major site plan review in accordance with section 21.03.180. The applicable commission shall ensure that the site plan provides architectural variety, compatible scale, access amenities, mitigation of negative impacts, and convenience and safety of patrons.

5. Mandatory Standards

a. Vehicular Access

Primary vehicular access shall be from a street designated collector or greater on the *Official Streets and Highways Plan*. Secondary vehicular access may be from a street designated less than a collector, provided the applicant demonstrates that any traffic and visual impacts on adjacent residential and commercial areas are sufficiently minimized.

b. Parking

Aesthetic features, landscaping, and the design of parking lots shall reduce the appearance of large expanses of parking from neighboring streets, and enhance the view of the establishment from its principal point(s) of access.

c. Weather Protection for Pedestrians

i. Buildings and roofs shall be designed so that drainage from the roof shall not fall on sidewalks, walkways, or building entrances.

ii. All primary entrances shall have a roof, canopy, arcade, overhang, or similar effective weather protection that meets the standards of subsection 21.07.060F.9., *Pedestrian Shelter*.

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iii. Building elevations that face public streets or customer parking lots and that have a walkway along the façade shall provide weather protection meeting the standards of subsection 21.07.060F.9., *Pedestrian Shelter such as a Canopy, Awning, or Marquee*, or subsection 21.07.060F.10., *Arcade (or Building Recess)*, along at least 60 percent of such building elevation. This standard is intended to apply to up to two elevations, but the applicable commission may increase or reduce the requirement.

d. ***Adjacent Residential Development***

L3 screening landscaping shall be provided along property lines that are adjacent to a residential district. The landscaping shall allow for any pedestrian connections provided by this section.

e. ***Community Space***

The establishment shall provide at least one public space, such as a plaza, patio, courtyard, or atrium, either indoors, outdoors, or a combination of indoors/outdoors, at or near the principal customer building entrance. Each public space shall be no less than 5 percent of the gross building area, up to a maximum of 2,000 square feet, and no dimension shall be less than 30 feet. Outdoor community space shall meet the standards for plaza or courtyard in subsection 21.07.060F.6. Indoor community space shall meet the standards for atrium, galleria, or winter garden in subsection 21.07.060F.11. Common spaces are encouraged to provide views of the Chugach mountains or other major landmark(s). Community space fulfills the private open space requirement of section 21.07.030. If any standards of this subsection conflict with subsection 21.07.030, this subsection shall control.

f. ***Wall Modulation***

Each building elevation that faces a street or a customer parking lot shall be modulated. The wall and foundation line shall be offset at intervals so that there is at least one offset every 140 feet of wall length that varies the depth of the building wall by a minimum of 12 feet. Offsets shall comprise at least 20 percent of the length of the elevation, for at least 60 percent of the building height.

g. ***Ground Level Expression***

Each building elevation that faces a public street shall provide, along at least 60 percent of the building length, three of the following features:

- i. Windows with kickplates or projecting sills;
- ii. Architectural bays and mullions dividing windows;
- iii. Pedestrian scale ornamental lighting;
- iv. Tilework, masonry or stone veneer, glass block, or other similar accent materials;
- v. Belt courses or masonry strips of distinct color or texture;
- vi. Columns with plinths; or
- vii. Other façade detail features integrated into the façade design.

h. ***Materials and Colors***

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The buildings shall have exterior building materials and colors which are aesthetically pleasing and compatible with the overall site plan. Construction material shall provide color, texture, and scale.

i. **Roofs**

Provide a modulated roof on each building elevation facing a street or residentially zoned lot, using features such as a terracing parapet, multiple peaks, jogged ridge lines and dormers, with a maximum of 140 feet of uninterrupted roofline between roof modulation elements. Each modulation element shall provide a minimum of three feet of vertical change in the roofline. Modulation elements shall equal at least 20 percent of the roofline on each applicable building elevation.

j. **Entryways**

Primary entrances shall incorporate changes in architectural mass, surface, or finish to provide a clearly defined primary entrance that is easily visible from streets and sidewalks. At least two of the following features shall be provided:

- i. Recessed or projected entrance;
- ii. Peaked, arched, or other entrance roof form;
- iii. Transom or clerestory windows, along with double entry doors and sidelight windows;
- iv. Façade detail features such as tilework, moldings, or lighting, integrated into the building design; or
- v. Integrated planters or wing walls that incorporate landscaped and/or seating areas.

k. **Prohibited Materials**

Exterior building materials shall not include the following as a general field material:

- i. Plywood;
- ii. Unstained or untreated wood, except for cedar or redwood; and
- iii. T-111 siding.

l. **Mechanical and Electrical Equipment Screening**

Large commercial establishments shall comply with the mechanical and electrical equipment screening provisions of subsection **21.07.080G.4.** [21.07.120D.2.]

m. **Outdoor Sales, Display, and Storage**

i. **Intent Statement**

To screen storage and display areas of large commercial establishments from adjacent properties, public streets, and customer entrances, and to mitigate visual and noise impacts, **and to provide different standards for vehicle sales display.**

ii. **Permanent Outdoor Display, Sales, and Storage of Merchandise, Except Vehicles for Sale**

(A) Any outdoor storage, display, or sales location shall be permanently defined on a site plan.

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- (B) The maximum size of permanent outdoor storage, display, and sales areas shall be 10 percent of the footprint of the principal building, or 15,000 square feet, whichever is less.
- (C) Permanent outdoor storage, display, and sales areas shall be contiguous to the building and shall not be within 100 feet of residential property.
- (D) All outdoor storage, display, and sales areas shall have permanent walls and/or screening fences, no more than 15 feet high, made of materials and colors designed to be complementary to those used as predominant materials and colors on the building. Merchandise shall not be stacked above the height of the screening wall or fence.
- (E) Outdoor storage, display, and sales areas shall be counted when calculating required parking.

iii. *Outdoor Sales and Display of Vehicles for Sale*

- (A) The vehicle display area shall be permanently defined on a site plan.
- (B) The vehicle display area shall not occupy required parking or landscaping areas. The vehicle display area may occupy required snow storage areas only from May 1 through September 30.
- (C) The vehicle display area shall comply with subsection 5.b. above. The vehicle display area shall not adversely impact vehicular or pedestrian circulation within the parking lot or access to the parking lot.
- (D) No building shall be erected in the vehicle display area. Any area used for a temporary office shall be shown on the site plan.

n. *Master Site Plan and Secondary Buildings*

- i. *Intent*
To integrate the location, orientation, and appearance of all structures and improvements within a large commercial establishment as a unified, coherent and accessible site development.
- ii. *Master Site Plan*
Large commercial establishments on sites that include more than one building, or that include multiple pad lots or commercial tracts [PLATTED LOTS FOR SEPARATE COMMERCIAL ESTABLISHMENTS], shall, at the time of plat review or major site plan review, be required to establish a master site plan for the location, design and orientation of principal and secondary buildings on site.
- iii. *Applicability of Large Commercial Establishment Regulations*
Building and site design standards for large commercial establishments in this section, unless stated to apply specifically to principal buildings, apply to both principal and secondary buildings on any commercial tract within a large commercial establishment site or site master plan area.

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[USAGE OF COMMUNITY USE AND COMMERCIAL DESIGN STANDARDS]

AS AN ALTERNATIVE TO MEETING THE BUILDING ORIENTATION REQUIREMENTS OF SUBSECTION O.V. BELOW, AND THE REQUIREMENTS OF MANDATORY STANDARDS SUBSECTIONS 5.A. THROUGH 5.M., AND SUBSECTION A.6., *OPTIONAL STANDARDS MENU*, THE DESIGN OF INDIVIDUAL SECONDARY BUILDINGS WITH LESS THAN 20,000 SQUARE FEET OF GROSS FLOOR AREA MAY INSTEAD BE APPROVED THROUGH COMPLIANCE WITH THE STANDARDS OF SUBSECTION 21.07.120, *COMMUNITY USE AND COMMERCIAL DESIGN STANDARDS*.]

iv. *Secondary Building Orientation to Public Streets*

Peripheral secondary buildings located at the edge of the site next to a public street or street corner shall provide windows on the street-facing elevation as follows: visual access windows and/or primary entrances for at least 35 percent of the length and 15 percent of the ground floor wall area. Qualifying windows shall be no more than four feet above finished grade. [ESTABLISHED IN SUBSECTION 21.07.120E.4.B.I.]

6. **Optional Standards Menu**

In addition to the mandatory standards of subsection A.5. above, establishments shall choose two features from the options below.

a. ***Location of Parking Lots***

No more than 50 percent of vehicle parking spaces provided shall be located in the front parking area [LOT] (defined in chapter 21.14).

b. ***Building Placement Close to the Street***

A minimum of 30 percent of the front building elevation of the principal building shall be within 20 feet of a property line abutting a street, and a customer entrance shall be located in the 30 percent.

c. ***Pedestrian-Friendly Entrance***

At least one primary entrance of the principal building is located within 90 feet of the property line abutting the street from which the main access to the site is taken, and connected to the street by a direct walkway.

d. ***Multiple Entrances***

The principal building(s) shall have customer entrances on at least two sides of the building that face an abutting street from which access to the site is taken, with at least one of the required entrances facing the street to which the building is closest. A corner entrance shall be counted as an entrance on either façade.

e. ***Building Walkways***

Walkways a minimum of six feet unobstructed clear width, excluding vehicular overhang, shall be provided along the full length of every building elevation that has a customer entrance or abuts a customer parking lot.

f. ***Street Facing Windows***

Provide visual access windows and/or primary entrances on each street-facing building elevation (up to a maximum of two elevations) comprising at least 15 percent of the ground-floor wall area. An elevation that is more than 150 feet away from the facing street right-of-way shall be exempt, unless it is the only applicable elevation. Qualifying windows shall be no more than four feet above finished grade.

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1 **g. *Screening Vegetation***

2 L3 screening landscaping shall be provided along lot lines that abut public
3 streets, totaling at least 25 percent of the site perimeter.

4 **h. *Foundation Landscaping***

5 Planting beds at least eight feet wide with one tree and six shrubs per 20 linear
6 feet shall be provided along at least 50 percent of each building elevation that
7 faces public streets and/or parking lots.

8 **i. *Ice-free Walkway***

9 Provide an ice-free (snow melting) walkway along a minimum of 35 percent of
10 the length of the building elevation that contains a primary entrance. The
11 walkway shall be a minimum of six feet unobstructed clear width, excluding
12 vehicular overhang. This feature is not applicable for credit where the walkways
13 and entrances are covered.

14 **B. Large Non-Residential Establishments in or Surrounded by Large Lot Residential Districts**

15 Certain non-residential uses that are allowed in large lot residential districts have the potential to
16 create negative impacts on large lot residential neighborhoods when the nonresidential uses are
17 significantly larger and more intensive than the typical development in these areas. This section
18 provides consistent standards for such cases.

19 **1. *Applicability***

20 The standards of this section shall apply to any child care center, neighborhood
21 recreation center, religious assembly, educational facility (elementary, middle, or high
22 school, or instructional services), commercial horticulture, animal boarding, veterinary
23 clinic, cultural facility, or utility facility, or any combination thereof, where the sum of the
24 gross floor area of all applicable buildings on the lot is more than 10,000 square feet, and
25 the use is within a class B zoning district or the parcel under development abuts property
26 in a class B zoning district for more than 50 percent of its boundary. Single-family
27 residential dwelling units associated with such a use (e.g., a rectory) shall not be counted
28 toward the gross floor area size threshold, but shall meet the standards below.

29 **2. *Relationship to Other Standards***

30 The provisions of this section are in addition to other requirements of this title, and may
31 be more stringent than other requirements of this title. Where there is a conflict with
32 other applicable standards, the more stringent standard shall apply.

33 **3. *Setbacks***

34 Structures that are over 35 feet in height shall be setback beyond the underlying side or
35 rear setbacks of the district by one foot per foot of height over 35 feet.

36 **4. *Buffers***

37 **a.** L3 screening landscaping shall be provided along all lot lines that abut a
38 residential zoning district or a street.

39 **b.** The developer shall retain existing vegetation in buffer areas that are in the side
40 and rear setbacks.

41 **c.** The decision-making body may adjust the buffer requirements of subsections
42 4.a. and 4.b. above if the applicant demonstrates that the requirements are
43 unreasonable for the specific situation.

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5. Parking

- a. No parking lot, circulation aisle, driveway, loading area, or vehicular storage area shall be within 25 feet of any side or rear lot line.
- b. Vehicle storage and fleet vehicle parking are not allowed within setbacks equal to those of the abutting property.

6. Vegetated Open Space

A minimum of 35 percent of the lot area shall remain as planted open area, landscaped area, bio-retention area (and other similar vegetated area designed to retain/detain storm water runoff), or natural vegetation area, to exclude buildings, driveways, parking areas, sidewalks, etc., unless the decision-making body determines that retention of less than 35 percent provides a development character in keeping with the surrounding neighborhood.

7. Long Elevations

Building elevations longer than 100 feet that face residential lots or public streets shall provide façade modulations that meet either subsection 21.07.110C.7.a., or 21.07.110C.7.d., or provide an eight-foot wide foundation planting bed along the foundation of the entire elevation (breaks allowed for garage doors and pedestrian entrances), planted with at least one tree and six shrubs per 20 linear feet.

C. Tall Buildings

This section addresses the effects of tall buildings in Alaska's northern climate, including wind downdraft impacts on pedestrian comfort and safety, and shadowing impacts on sunlight access to neighboring properties.

1. Wind

Buildings that exceed 90 feet in building height (as measured in subsection 21.06.030D.), including additions or modifications to the exterior building envelope, shall be designed so that wind speeds on sidewalks, walkways, and other pedestrian spaces surrounding the building will remain within thresholds for outdoor comfort and safety, or at least not add to existing wind problems, as follows:

a. Wind Speed Criteria

Acceptable wind speed thresholds for outdoor comfort and safety shall be provided [AS SPECIFIED] in the title 21 user's guide, or shall be as supported by ASCE publications, and based on the types of pedestrian activity anticipated to occur around the proposed building.

b. Method for Determining Wind Conditions

A wind study by a wind engineering/building aerodynamics expert shall be used to forecast wind conditions and present wind control measures or design modifications as necessary to demonstrate that wind speeds will remain within the accepted thresholds.

c. Incentives for Wind Mitigation

Any development that incorporates a wind tunnel test and the wind speed criteria of this section into the design of a multistory building shall be eligible for a floor area bonus as provided in section 21.04.030H.2.b.

2. Sunlight Access

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Chapter 21.07: Development and Design Standards

Sec. 21.07.130 Skyways and Other Projections Into Public Airspace

3. Exceptions

The director may allow wind speeds to exceed accepted thresholds for comfort, and/or shadowing beyond the accepted minimum threshold for sunlight access, if:

- a. The building avoids worsening pre-existing conditions;
- b. The impact will be insubstantial because of the limited location or time period in which the wind speed or sunlight shadowing threshold is exceeded; or
- c. It has been demonstrated that the proposed development conforms to the maximum extent feasible.

21.07.130 SKYWAYS AND OTHER PROJECTIONS INTO PUBLIC AIRSPACE

[RESERVED: Updated land use regulations to address overpasses, skywalks, building marquees, and similar substantial projections into the public airspace from private property, will be prepared and adopted separately. These development standards will not apply to bridges that are part of the street and trail network. Instead, these development standards will be specific to updating the pre-existing title 21 regulations in order to provide for skywalks and other structures originating from private property and projecting over or across rights-of-way and other public property.]

21.07.140 OPERATIONAL STANDARDS

A. Purpose

The purpose of these operational standards is to prevent land or buildings within the municipality from being used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable condition that would create adverse impacts on the residents, employees, or visitors on the property itself or on nearby properties.

B. Applicability

The provisions of this section 21.07.140 shall apply to all land within the municipality. The director may authorize temporary exemptions from one or more of the standards in this section during construction.

C. Standard

No use may cause excessive noise, vibrations, smoke, dust or other particulate matter, toxic or noxious matter, humidity, heat, or glare at or beyond any lot line of the lot on which it is located. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes a fluctuation in line voltage off the premises.

The term "excessive" is defined for the purpose of this subsection as to a degree exceeding that generated by uses permitted in the district in their customary manner of operation, or to a degree injurious to the public health, safety, welfare, or convenience.