

# EXHIBIT A

## CHAPTER 21.08: SUBDIVISION STANDARDS

### 21.08.010 PURPOSE

#### A. General

These standards are enacted generally to promote the goals of the comprehensive plan as to the health, safety, convenience, quality of life, and welfare of the present and future inhabitants of the municipality; to secure adequate utilities and public facilities, provide for consideration of school and open space needs, and protect sensitive natural areas such as critical habitat, high-value wetlands, and riparian corridors; to enhance or preserve other significant natural features; to ensure the functional and efficient layout and appropriate use of land so as to achieve property lots of reasonable utility and minimize public costs to construct and maintain infrastructure; and to facilitate orderly growth and harmonious development of the municipality.

#### B. Specific

Planning, layout, and design of a subdivision are of the utmost concern. The subdivision should provide safe, efficient, and convenient movement to points of destination or collection. Modes of travel to achieve this objective should not conflict with each other or abutting land uses. Lots and blocks should provide appropriate settings for the buildings that are to be constructed, make use of natural contours, and protect residents from adverse noise and vehicular traffic. Important natural features of the area should be preserved. Schools, parks, and other community facilities should be planned as an integral part of the area. New development should reflect and maintain the character of the neighborhood through layout of roads and lots, consideration of connectivity with minimal cut-through traffic, pedestrian access to neighborhood destinations, and buffers or open space where appropriate to maintain privacy and views.

### 21.08.020 APPLICABILITY

#### A. Generally

This chapter shall be applicable to all subdivision of land within the municipality that results in the partitioning, dividing, combining, or altering of any lot, parcel, or tract of land, including subdivisions created by an exercise of the power of eminent domain by an agency of the state or municipality.

#### B. Approvals Required

##### 1. General

Before a preliminary plat for a subdivision shall be granted, the owner or his or her authorized agent shall apply for and secure approval under the provisions of section 21.03.200, *Subdivisions*.

##### 2. Before Certificate of Zoning Compliance

A certificate of zoning compliance shall not be issued, pursuant to section 21.03.060, and a building or structure shall not be occupied, until and unless all dedications and improvements required by this chapter have been installed or agreements/guarantees made in a satisfactory manner and approved by the municipality.

#### C. *Design Criteria Manual*

Whenever the *Design Criteria Manual* is referenced in this chapter, the reference shall mean the version of the *Design Criteria Manual* in effect at the time of preliminary plat approval.

### 21.08.030 DESIGN STANDARDS

#### A. Subdivision Layout and Design Generally

No subdivision shall be approved unless it complies with all of the following standards:

# EXHIBIT A

**1. Name of Subdivision**

The title under which the subdivision will be recorded shall not duplicate the name of any existing subdivision in the municipality.

**2. Compliance with Comprehensive Plan**

The design of subdivisions shall further the goals and policies of the comprehensive plans as set forth in this title.

**3. Compliance with Other Provisions of this Title**

All subdivisions shall comply with all other applicable zoning, design, and development requirements set forth in this title.

**B. Phasing Schedule**

The platting authority may require that a subdivision conform to a phasing schedule based upon the scheduled availability of infrastructure to serve the subdivision. Submittals for the initial phase of a subdivision shall indicate utility easements and transportation connections to adjacent and undeveloped land/areas that are not part of the initial phase yet are under the same ownership.

**C. Maintenance of Existing Natural Drainage**

The general lot configuration and layout of proposed rights of way, open space tracts, and development setbacks shall be consistent with naturally occurring drainage features and historical drainage patterns within the subdivision and surrounding areas. The subdivider shall demonstrate to the department of public works that reasonable efforts have been made to avoid and/or mitigate the damming, diversion, and/or contamination of natural and historical drainageways or watercourses. The subdivision design shall ensure that neighboring parcels, adjacent rights of way, water bodies, wetlands, and existing storm drainage facilities are not adversely impacted by new or altered drainage resulting from the development.

**D. Drainage Design**

All drainage facilities shall comply with the standards of section 21.07.040, *Drainage, Storm Water Treatment, Erosion Control, and Prohibited Discharges*, as implemented by the *Design Criteria Manual*.

**E. Legal and Physical Access**

A subdivision shall have legal and physical access.

**F. Streets**

All streets shall comply with the standards of this chapter and section 21.07.060, *Transportation and Connectivity*, the specifications of the *Design Criteria Manual*, and the following intent and standards:

**1. Intent**

Streets shall be arranged in relation to topography to provide usable lots, safe streets, safe and convenient pedestrian walkways and crossings, reasonable gradients, and minimum damage to terrain and existing vegetation.

**2. Street Grades**

- a. **Street grades shall be as required by the *Design Criteria Manual*. [EXCEPT AS PROVIDED IN THIS SECTION, CUL-DE-SAC TURNAROUND GRADES SHALL NOT EXCEED FIVE PERCENT, AND OTHER STREET GRADES SHALL NOT EXCEED TEN PERCENT.]**

# EXHIBIT A

b. NOTWITHSTANDING SUBSECTION 2.A. ABOVE, RESIDENTIAL STREET GRADES IN A SUBDIVISION MAY BE UP TO 15 PERCENT. HOWEVER, ANY STREET GRADE EXCEEDING TEN PERCENT REQUIRES MUNICIPAL ENGINEER APPROVAL.]

c. Applicable streets shall comply with the standards of subsection 21.08.030H., *Subdivisions on Slopes*.

## 3. ROW Open Area

All street rights-of-way shall include an open area, which may contain sidewalks, for temporary snow storage. The open area shall extend seven feet outward from the back of curb **or pavement edge**.

## 4. Street Alignment

a. Arterial and collector streets shall be aligned to continue those streets from adjoining areas into the proposed subdivision. Local streets shall be aligned to discourage their use by through traffic. This provision is not intended to encourage cul-de-sacs or dead-end streets. Stub streets with temporary turnaround areas shall be extended to the boundaries of the proposed subdivision, where appropriate, to provide future street connections to adjacent unsubdivided areas.

b. Grade or median separations of street lanes may be permitted to preserve natural features, provide space for landscaping, or facilitate access in subdivisions containing hillside lots.

## 5. Street Intersections

Streets shall intersect at or as near as is feasible to a 90-degree angle and in no event at less than a 75-degree angle. The distance between intersection centerlines shall be at least 150 feet. Corner roundings at intersections shall conform to the standards of the municipal engineer.

## 6. Cul-de-Sacs

a. Where topography and traffic circulation permit, the length of a cul-de-sac right-of-way shall not exceed 900 feet in the R-6, R-8, R-9, R-10, and TA zoning districts, and 600 feet in all other zoning districts. The platting authority may approve longer cul-de-sacs when necessary to accommodate natural features.

b. The length shall be measured from the centerline of intersecting through streets to the radius point of the cul-de-sac bulb.

c. A cul-de-sac right-of-way shall terminate with a turnaround having a minimum radius of 50 feet and a minimum return radius of 50 feet. Commercial/industrial cul-de-sacs shall have a minimum radius of 65 feet. The platting authority may permit a cul-de-sac street to terminate with a T-shaped or Y-shaped turnaround, or other turnaround approved by the traffic engineer, when such a design is required by extreme environmental or topographical conditions or unusually or irregularly shaped boundaries.

## 7. Alleys

Dead-end alleys shall be prohibited.

## 8. Street Names and Addresses

a. The subdivider shall provide names for all new streets in the subdivision, which names shall neither duplicate, nor be subject to confusion with, the spelling or the pronunciation of any existing street name in the municipality. The subdivider's

# EXHIBIT A

selection of street names shall be subject to review by the director, who may reject any proposed street name that does not conform to this section or to any regulation promulgated pursuant to this section. The municipality shall name all streets that are peripheral to the subdivision and all extensions of existing streets into the subdivision.

b. The director may promulgate regulations establishing a uniform street designation terminology. All street names shall conform to the terminology so established.

c. Street names may be modified using the procedure adopted by the director, which shall be approved by the platting board.

## 9. Street Addresses

a. The director shall assign all official street address numbers within the municipality. A permanent address shall be assigned to occupiable buildings, and to other locations at the discretion of the director. Buildings with more than one unit shall be assigned sub-addresses. Addresses shall be displayed as required in section 21.07.010C.

b. The director may promulgate regulations establishing uniform street address numbering technology and procedures. All street addresses shall conform to the numbering technology and procedures adopted by regulation, unless unusual or exceptional circumstances warrant utilization of alternate technology or procedures.

## G. Block Arrangement

1. Blocks shall have sufficient width to provide for two tiers of lots of depth meeting the minimum requirements of this title, except where lots back onto a collector or greater street, natural feature, or subdivision boundary, or where lots face an approved loop road or cul-de-sac.

2. Residential blocks in class A improvement areas (as defined in 21.08.050B) shall not be less than 300 feet nor more than 500 feet long. Residential blocks in class B improvement areas shall not be less than 300 feet nor more than 1,320 feet long. The platting authority may approve a longer block length when necessary to accommodate natural features such as steep slopes, or when the longer block is divided by an improved pedestrian easement that provides connectivity and traffic circulation is not impaired.

## H. Subdivisions on Slopes

### 1. Applicability

This section applies to parcels to be subdivided that are five acres or more, and

a. Have an average slope of 20 percent or greater over the entire property; or

b. 30 percent of the entire property to be subdivided has slopes of 30 percent or greater.

### 2. Additional Submittal Requirements

In addition to the submittal requirements in section 21.03.200, applications for applicable subdivisions shall include a geotechnical engineering report that contains the following information:

a. Geology of the site: description of the geology of the site, including the nature, strength, and stability of the soils, the character and depth of any imported



# EXHIBIT A

material; depth to groundwater and to bedrock; any avalanche and mass wasting areas; fractures; and any other significant geologic features.

b. Slope stability analysis: conclusions concerning the effects of material addition and/or removal, grading, presence of water (both on and offsite), seismic activity, and erosion, on slope stability.

c. Conclusions regarding the adequacy of the site for development, and specific recommendations for procedures for cut and fill slope stability, seepage and drainage control, grading, and all other applicable design criteria to mitigate geologic hazards, slope failure, and soil erosion, and to minimize disturbance to natural ecological and drainage functions.

d. A summary of field exploration methods and tests on which the report is based, such as probings, core drilling, or test pits.

## 3. Design Standards

a. For phases of subdivisions where all the lots created are 40,000 square feet or greater in area, the subdivider shall show for each lot that has an average slope of 20 percent or greater, to the satisfaction of the platting authority, a site disturbance envelope that:

i. Meets the requirements of subsection 21.07.020C.3.c.; and

ii. If applicable, accommodates on-site systems meeting the requirements of AMC title 15.

b. Phases of subdivisions that include any lots less than 40,000 square feet in area shall use the conservation subdivision process at section 21.08.070.

## 4. ROW Reductions

The platting authority may, with the recommendation of the municipal engineer, approve reductions in right-of-way standards in order to keep grading and cut and fill slopes to a minimum.

## 5. Downslope Lots

Road/driveway access to all lots less than 5 acres with an average slope of 30 percent or greater shall be from the upslope side of the lot.

## 6. Sidewalks/Pathways

Requirements for sidewalks or pathways along local streets may be reduced or eliminated by the platting authority. In deciding the extent of pedestrian facilities to be required, the platting authority shall consider negative impacts to the terrain, the cost of improvements in relation to the anticipated use, the needs of pedestrians, and the identification of existing alternate locations for pedestrian facilities.

## 7. Grading

For phases of subdivisions where all the lots created are 40,000 square feet or greater in area, grading shall be limited to the road right-of-way to the maximum extent feasible. Mass grading of the entire subdivision is prohibited, except that previously disturbed areas, such as former gravel pits, may be graded. Lots shall be individually graded, within their site disturbance envelope, at the time of building construction, pursuant to section 21.07.020C. For the purposes of this subsection only, "previously disturbed" means alteration of the natural landform. It does not mean simply the removal of vegetation.

# EXHIBIT A

## 8. Vehicular Routes

The intent of this subsection is to minimize disturbance to the natural landscape in the alpine areas of the municipality to the maximum extent feasible. This can be accomplished by a number of design techniques such as following the natural contour lines both horizontally and vertically, attaching required pedestrian paths to the edge of pavement, adjusting cut and fill slopes, or use of retaining structures.

a. Streets, roads, private access roads, and other vehicular routes shall be designed in accordance with the *Design Criteria Manual* and this subsection.

b. Land disturbance, including vegetation clearing and grubbing, grading, etc., shall be curtailed to the smallest area/extent feasible.

i. Initial land disturbance shall be limited to the proposed travel-way (lanes and shoulders) to accommodate land survey, geotechnical investigation of the in situ materials, and "rough" construction.

ii. The ultimate extent of land disturbance is dependent upon the nature of the subsurface materials. The extent of disturbance shall be the minimum necessary and is limited to within 25 feet of the right-of-way, including utility easements. Disturbance outside of the right-of-way and utility easements shall be re-vegetated using similar native trees and shrubs that were removed for the purpose of constructing the road improvements.

iii. The subdivision agreement shall be used to implement this subsection H.8.

c. Disturbed area abutting the right-of-way on both sides shall be contained within a slope reservation easement, for the purpose of providing and maintaining the lateral support of the constructed street. The slope reservation easement shall be in the form of a general dedication note on the plat.

d. Cut and fill slopes and all disturbed areas shall be stabilized and reinforced using appropriate engineering means. Vertical or near vertical constructed slopes or bedrock slopes shall be no taller than 12 feet. Vegetation employed as a means of stabilization outside of the right-of-way and utility easements shall replicate original native landscape conditions.

e. The platting authority may require common driveways to be shared by two or more lots, with the concurrence of the traffic engineer and the fire department, to avoid excessive and unnecessary disturbance to slopes by multiple and individual lot driveway cuts, and/or to avoid and/or reduce impacts to other natural features, such as wetlands, creeks, etc.

## I. Seismically-Induced Ground Failure Hazard

1. A geotechnical investigation shall be performed to evaluate the potential for seismic-induced ground failures across that portion of the subdivision within seismic zones 4 and 5 of the municipality's seismically-induced ground failure maps. The requirement for a geotechnical investigation shall apply to all zoning districts, unless otherwise waived by the platting authority.

2. A report of the findings and recommendations of the geotechnical investigation shall be prepared by a civil engineer licensed in the state of Alaska and submitted to the platting

# EXHIBIT A

authority. The report shall include a discussion of the suitability of the proposed development and recommendations for any needed mitigation.

3. The scope of the geotechnical investigation shall include subsurface explorations (test borings), laboratory testing, and engineering analysis to evaluate the potential for, and potential magnitude of liquefaction, settlement, and lateral spreading, following methods conforming with the state-of-practice; and stability of existing slopes, natural or man-made, following methods defined in AMC chapter 23.15, section 1802.2.6, paragraph D. These evaluations shall be based on probabilistic ground motion parameters corresponding to 475-year or greater return period.

4. The platting authority may reject a proposed subdivision in its entirety if the geotechnical investigation does not demonstrate that the area can be developed in accordance with this title and AMC title 23.

5. The geotechnical investigation submitted with the plat application may supplement the requirements for geotechnical investigations included in AMC title 23.

## J. Avalanche Zones

No lot shall be created, unless it is restricted to non-structural uses, that is completely in the “high hazard area”, as identified on municipal avalanche maps based on the 1982 *Anchorage Snow Avalanche Zoning Analysis* or on amendments to those maps reviewed and approved by the geotechnical advisory commission.

## K. Lot Dimensions

Subject to the lot dimensions and area requirements of chapter 21.06, all lots shall have the minimum dimensions required by this section.

1. The depth of a lot shall be at least 80 feet.

2. The width of a lot, except for a townhouse lot and a **narrow lot** [SMALL-LOT] subdivision lot, shall be at least one-third the depth of the lot.

3. If a lot is to be served by an on-site wastewater disposal system, the lot shall have the minimum area required for such a lot under AMC chapter 15.65.

4. Notwithstanding any other provision of this section, the width of the flagpole portion of a flag-shaped lot shall be no less than:

a. Thirty feet when both public water and sewer systems are to serve such a residential lot.

b. Forty feet when both public water and sewer systems are to serve such a commercial or industrial lot.

c. Twenty-four feet when only a public water or a public sewer system is to serve such a lot.

d. Twenty-four feet when the lot is located in the R-6, R-8, R-9, R-10 or TA districts and will not be served by either the public water or the public sewer system.

5. The length of the flag pole portion of the lot shall not exceed 300 feet in the R-6, R-8, R-9, R-10 or TA districts or 120 feet in all other districts, and all other measurements shall be consistent with other sections of this title.

# EXHIBIT A

6. To the extent possible, side lot lines shall follow natural terrain and create building sites that integrate into the natural terrain and minimize the need for fill and grading.

7. Lots tracted out for open space, well protection areas, or for undevelopable areas such as wetlands, are exempt from these dimensional requirements and the dimensional standards of chapter 21.06.

## L. Lot Frontage and Access

1. Except when platted under subsection 21.03.200E., *Commercial Tract Plats*, or except for lots tracted out for open space, well protection areas, or for undevelopable areas such as wetlands, all lots shall have frontage on a street.

2. Unless approved by the director, access to a residential use on a residential lot shall not be from a collector or greater street as designated on the *Official Streets and Highways Plan*.

3. Subdivisions shall be designed to minimize lots with access to residential major streets carrying more than 1,000 average daily trips.

4. The frontage of a lot on a cul-de-sac bulb shall be at least 30 feet, except that the frontage on a cul-de-sac bulb of a lot with a side setback abated under subsection 21.06.030C.3., *Construction on Adjoining Lots*, shall be at least 18 feet. This subsection does not apply to flag lots.

5. In class A improvement areas, there shall be no more than one flag lot facing onto each cul-de-sac bulb.

## M. Landscaping

The platting authority shall consider and require, where appropriate, landscaping and screening under section 21.07.080, *Landscaping, Screening, and Fences* to separate property from incompatible uses or structures, including but not limited to streets designated for collector or greater capacity on the *Official Streets and Highways Plan*, commercial, or industrial uses. The area containing the landscaping shall be shown as an easement or open space area on the plat. The landscaping shall be installed before final plat approval, or its installation shall be guaranteed under section 21.08.060, *Subdivision Agreements*, or by other performance guarantees acceptable to the platting authority. The landscaping shall be maintained by the property owner or designee.

## N. Reserve Strips

Privately owned strips may not be reserved to control access to public rights-of-way.

## O. Electrical and Telecommunication Utilities

The width and alignment of transmission easements within subdivisions shall conform to the *Utility Corridor Plan*. The platting authority shall preclude structures or uses of land within or beneath areas of electrical or telecommunications ground or aerial easements that are incompatible with electrical distribution or transmission facilities.

# EXHIBIT A

**P. General Subdivision Standards Are Minimum Standards**

1. The design standards in this chapter are minimum standards. The platting authority may impose more restrictive standards when it finds they are necessary to conform the design of a proposed subdivision to the approval criteria for subdivisions or to meet other requirements set forth in this title.
2. When the platting authority finds that it is not feasible to conform the design of a proposed subdivision to meet the approval criteria for subdivisions or other requirements set forth in this title, the platting authority may reject a proposed subdivision in its entirety.

**21.08.040 DEDICATION**

**A. Streets**

1. All street rights-of-way shall be dedicated to the public, unless a variance for private streets is approved by the platting board. Applicants for a variance for private streets shall demonstrate the following:
  - a. Why a private street is appropriate and preferable to a publicly dedicated street;
  - b. That a private party is willing and able to maintain a private street to public standards; and
  - c. That a private street presents no conflict or obstruction to the orderly expansion of the public street system.
2. Street right-of-way widths shall conform to the *Official Streets and Highways Plan* (OS&HP). These standards are considered to be minimum standards and may be increased in a particular instance, where necessary, to make a proposed street conform to sound traffic engineering standards and principles. When steep slopes or other terrain features dictate, slope easements that exceed normal right-of-way requirements will also be required. Notwithstanding the above, the maximum dedication width that may be required for an arterial or collector street is 70 feet if the entire width of the street is within the subdivision, or 35 feet if the street is on an exterior boundary of the subdivision.
3. The platting authority may approve the dedication of a half-street only when the other half of the street has been dedicated or when the platting authority reasonably anticipates that the other half of the street will be dedicated. When a subdivision borders a dedicated half street, the platting authority shall require the dedication of the other half of the street, unless it determines that the street would be unnecessary or undesirable.

**B. Alleys**

The platting authority may require the dedication of alley rights-of-way where it finds that alleys are necessary for service access, off-street loading, or parking. The minimum width of an alley right-of-way shall be 20 feet.

**C. Walkways**

The platting authority shall require the dedication of pedestrian walkways where it finds that pedestrian walkways are necessary to provide for convenient and safe pedestrian circulation, to protect pedestrians from hazardous traffic, or as required in section 21.07.060, *Transportation and Connectivity*. The minimum width of a walkway dedication shall be 10 feet. The platting authority may require a wider dedication for reasons of topography, project use, or construction needs (if the walkway is to be paved).

# EXHIBIT A

## D. Trails

The platting authority shall require the dedication of access for trails designated on adopted municipal plans, unless an alternative access point within the subdivision is clearly agreed to be preferable for dedication. For pedestrian access, a right-of-way dedication is the preferred method of providing access, but the platting authority may instead approve a public use easement dedication or an access tract where appropriate. If the platting authority approves an alternate location for trail access as a substitute for an existing easement or right-of-way, the existing unused easement or right-of-way shall be vacated, unless the property owner agrees otherwise. The platting authority may modify the alignment, width, and scope of trail access routes as necessary to integrate trail and subdivision design.

### 1. Access to Chugach State Park, Community Use Areas, and Natural Resource Use Areas

a. The platting authority shall require the dedication of public pedestrian access for a trail designated on adopted municipal plans, for connectivity with a trail or access point to a large Community Use Area or Natural Resource Use Area (as defined in the *Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan* or the *Chugiak-Eagle River Comprehensive Plan*), and for connectivity with a trail or access point identified in the most current *Chugach State Park Access Plan*. The platting authority may modify the alignment, width, and scope of trail access routes as necessary to integrate trail and subdivision designs, so long as the resulting trails are of comparable gradient, directness, and utility, and reflect the general locations and patterns of existing or planned public access routes. Acceptable pedestrian access shall be platted in accordance with relevant provisions of this **title** [CODE] and be at least 20 feet wide, centered on an existing, recognized, new, or relocated trail.

b. The platting authority shall require the dedication of a vehicular right-of-way for public access to trails, parks, and other public lands as defined in subsection D.1. above that are identified in an adopted municipal plan or the *Chugach State Park Access Plan*. Acceptable vehicular right-of-way shall be a public street that is platted and dedicated in accordance with relevant provisions of this code.

## E. Riparian Protection and Maintenance Easements

1. The platting authority shall require the dedication of riparian maintenance and protection easements where a stream, water body, or wetland traverses or is adjacent to the subdivision, in accordance with subsection 21.07.020B., *Stream, Water Body, and Wetland Protection*.

2. The easement shall conform substantially to the line of the watercourse. The width of the easement shall be that which the platting authority finds necessary to provide access to widen, deepen, slope, improve, and maintain the stream, and to protect the stream and adjacent property from soil erosion, flooding, water pollution, and destruction of fish and wildlife habitat. At a minimum, the easement shall be the same as the applicable setback required in the zoning district, as set forth in section 21.07.020B.4., *Buffer/Setback Requirements*.

3. Section 21.07.020B., *Stream, Water Body, and Wetland Protection*, sets forth additional restrictions on development and the use of land and structures within the easement and, in some districts, beyond the easement.

4. In cases where two or more easements coincide, the outer limits of the combined easement shall be measured from the outer edge of the outermost watercourse edge in either direction.

# EXHIBIT A

5. Credit towards other open space dedication or private open space set-aside requirements shall be given for the dedication of riparian protection and maintenance easements at a ratio of one-to-one.

## F. Reserve Tracts

### 1. Sites Designated

- a. The platting authority may require that an area designated as a park, playground, or open space in an officially adopted plan, as preservation wetland (as designated in the *Anchorage Wetlands Management Plan*), or as a school site pursuant to AMC subsection 25.25.040 be designated as a reserve tract. The designation shall be supported by a report from the municipal agency or department requesting the reservation, containing a statement that the municipality intends to purchase the designated area within the period allowed under subsection F.2 below.

- b. Special, natural, or manmade features of historical or community significance in a proposed subdivision which enhance or have unique value to the community may be set aside in a reserve tract for acquisition, or voluntarily dedicated to the public.

### 2. Time for Acquisition

- a. Within 24 months of filing of a final plat, or the period of the school site designation provided by AMC subsection 25.25.040B, whichever is earlier, the municipality or any other public or private agency may acquire any parcel designated as reserve tract on the plat, by purchase or as otherwise authorized by law, for the purpose for which the parcel was reserved under subsection F.1. above.
- b. If a reserve tract is not acquired within such time, it shall be released from the reserve tract designation, unless the time for acquisition is extended by the reserve tract's owners, or by another provision of law.
- c. In consideration of the reservation, the municipality shall pay the owners of the reserve tract an amount equal to the municipal real property taxes that accrue on the reserve tract, during the period of reservation.

## G. Utility Easements

1. Public utilities shall be placed in dedicated rights-of-way unless the utility demonstrates that there is a specific need that warrants a location elsewhere. Pad-mounted facilities may be located in easements abutting rights-of-way. Electric and telecommunication utilities are encouraged to co-locate in trenches.
2. In situations where utilities may not be placed within rights-of-way, easements shall be provided for utilities, and shall be centered along or adjacent to lot lines to the greatest extent practicable.
3. Where a utility has demonstrated, pursuant to G.1. above, the need to locate outside the right-of-way, utility easements shall be sized as follows, but the platting authority may approve different standards when justified by demonstrable site conditions or utility needs. The platting authority shall size the easements as small as is feasible. After January 1, 2014, utility easements shall not be placed in tracts set aside to protect environmental features, such as wetlands or steep slopes.

# EXHIBIT A

- a. Utility easements along rear lot or side lot lines where a primary voltage conductor is placed shall be at least ten feet wide, or a total of 20 feet wide along adjoining rear lots.
  - b. Utility easements along rear lot or side lot lines where a service voltage conductor is placed shall be five feet wide, or a total of ten feet wide along adjoining side lots.
  - c. Where a front yard easement is needed to accommodate a transmission utility, which is included in the utility corridor plan, the easement shall generally be ten feet wide.
  - d. The platting authority may require wider utility easements along the rear lot lines of hillside lots.
4. The platting authority shall require the dedication of utility easements when a utility company demonstrates a specific need for them or an easement is needed to accommodate the routing included in the *Utility Corridor Plan*.

## 21.08.050 IMPROVEMENTS

### A. General Requirements

#### 1. Compliance

The subdivider shall construct and install improvements in accordance with this section, the design standards in section 21.08.030, and the *Design Criteria Manual* and *Municipality of Anchorage Standard Specifications*. In the event of a conflict between the design standards in this chapter, the *Design Criteria Manual*, and the *Municipality of Anchorage Standard Specifications*, the design standards in this chapter shall control.

#### 2. Minimum Standards

The improvement standards in this section are minimum standards. The platting authority may require additional or more extensive improvements when it finds they are necessary to conform a proposed subdivision to the standards of section 21.08.030, or the subdivider may provide such additional or more extensive improvements.

#### 3. Eligibility for Warranty

- a. All improvements required under this section shall be constructed under a subdivision agreement as provided in section 21.08.060, *Subdivision Agreements*. Lots in subdivisions shall not be eligible for conditional certificates of zoning compliance or certificates of zoning compliance until the subdivision improvements included in this section have been accepted for warranty by the municipality.
- b. Projects may be placed on warranty in the autumn season without landscaping and/or permanent erosion control provided that:
  - i. All other improvements are accepted for warranty;
  - ii. Temporary erosion control is maintained throughout the winter;
  - iii. The warranty guarantee plus a performance guarantee for landscaping is provided;
  - iv. The subdivider/developer meets all of the criteria to go on warranty; and



# EXHIBIT A

- v. A separate warranty period is provided for the landscaping/permanent erosion control.

## 4. Engineer Registered in the State of Alaska

- a. The subdivider shall have construction plans for the improvements required under this section prepared by an engineer registered in the state of Alaska, in accordance with the requirements of the municipal engineer.
- b. The engineer shall maintain in good standing professional liability insurance in the amount of \$1,000,000 during the term of the agreement. Policies written on a "claims-made" basis shall have a two year tail of coverage from the completion of the subdivision agreement term. The required insurance policy shall provide for no less than 30 days advance notice to the municipality prior to cancellation.

## B. Improvement Areas Defined

For the purpose of this section, the municipality is divided into two distinct improvement areas. The class A improvement area includes areas of more dense population and/or intensive development, and thus requires a more urbanized level of improvements. The class B improvement area includes areas that are less densely populated and/or intensely developed, and thus requires a less urbanized level of improvements. The zoning districts associated with each improvement area are listed in the table below. See subsections 21.09.020B.2. and 21.10.080A. for Girdwood and Chugiak-Eagle River improvement areas.

| TABLE 21.08-1: IMPROVEMENT AREAS DEFINED                                  |   |                                  |
|---|---|----------------------------------|
| District Type   | Class A   | Class B                          |
| Residential   | R-1<br>R-1A<br>R-2A<br>R-2D<br>R-2M<br>R-3<br>R-4<br>R-4A<br>R-5  | R-6<br>R-7<br>R-8<br>R-9<br>R-10 |
| Commercial  | B-1A<br>B-1B<br>B-3<br>DT-1<br>DT-2<br>DT-3<br>RO<br>MC   |                                  |
| Industrial  | I-1<br>I-2<br>MI  |                                  |
| Other Districts   | A   | TA<br>WS                         |
| AF District<br>DR District<br>PCD District<br>PLI District<br>PR District | The platting authority shall place a subdivision within any of these districts in the improvement area that it finds to be most compatible with the proposed use of the parcel and the zoning district classifications of the surrounding area. |                                  |

# EXHIBIT A

## C. Improvement Requirements by Improvement Area

1. The subdivider or developer shall construct and install the required improvements prescribed by this section for the improvement area where the subdivision is located in accordance with the table below:

| TABLE 21.08-2: REQUIRED IMPROVEMENTS BY IMPROVEMENT AREA |         |         |
|--|---------|---------|
| R = Improvement Required                                 |         |         |
| Improvement  | Class A | Class B |
| Paved Interior Streets                                   | R       |         |
| Strip-Paved Access and Peripheral Streets                | R       | R       |
| Strip-Paved Interior Streets                             |         | R       |
| Curbs and Gutters  | R       |         |
| Sidewalks  | R       |         |
| Walkways   | R       | R       |
| Street Lighting  | R       |         |
| Traffic Control Devices                                  | R       | R       |
| Monuments  | R       | R       |
| Drainage   | R       | R       |
| Telephone & Electrical Facilities                        | R       | R       |
| Water Supply Facilities                                  | R       |         |
| Sanitary Sewer Facilities                                | R       |         |
| Landscaping  | R       | R       |

2. Notwithstanding subsection C.1. above, improvements in the *Hillside District Plan* area shall comply with table 4.5 of the *Hillside District Plan* (page 4-16). In the case of any conflict between the standards of this section 21.08.050 and table 4.5 of the *Hillside District Plan*, the plan shall govern.

## D. Interior Streets

### 1. Residential Interior Streets

#### a. Categories

There are two categories of residential interior streets:

#### i. Residential Minor Streets

Residential minor streets have the sole purpose of providing frontage for service and access to individual lots. These streets carry only traffic having either an origin or a destination on the street itself, and include cul-de-sacs or small loops carrying 500 average daily trips.

#### ii. Residential Major Streets

Residential major streets are access streets that provide frontage for service and access to individual lots and may carry a small amount of through traffic from tributary residential minor streets. Residential major streets carry from 500 to 2,000 average daily trips. Lot frontage on residential major streets with average daily trips in excess of 1,000 should be restricted.

#### b. Determination of Average Daily Trips

For the purpose of classifying and designing residential streets, the average daily trips carried by a street shall be determined by applying trip rates from the most current *Institute of Transportation Engineers Trip Generation Manual* or other acceptable estimates approved by the traffic engineer.

# EXHIBIT A

## c. Improvement Design

Interior residential streets, except as provided in subsection 21.08.050E., shall be improved in accordance with table 21.08-3 and table 21.08-4.

**TABLE 21.08-3: PAVED RESIDENTIAL STREETS, MINIMUM STANDARDS**

| A.D.T. <sup>2</sup>             | Street Section <sup>1</sup><br>(feet) |          | Number of Lanes |         | Design Speed <sup>3</sup><br>(mph) <sup>4</sup> | Right of Way<br>(feet) | Spillover Parking <sup>5</sup> | Application   |
|---------------------------------|---------------------------------------|----------|-----------------|---------|---|------------------------|--------------------------------|---|
|                                 | Standard                              | Optional | Moving          | Parking |   |                        |                                |   |
| 0--75<br>Residential minor      | 31                                    |          | 2               | 1       | 20  | 60                     | No                             | Cul-de-sacs, low-volume residential streets                         |
|                                 |                                       | 24       | 2               | 0       | 20  | 60                     | Yes                            |   |
| 76--300<br>Residential minor    | 31                                    |          | 2               | 1       | 25  | 60                     | No                             | Residential minor streets, cul-de-sacs and small loops              |
|                                 |                                       | 24       | 2               | 0       | 25  | 60                     | Yes                            |   |
| 301--600<br>Residential minor   | 33                                    |          | 2               | 2       | 25  | 60                     | No                             | Residential minor streets, loop streets, high-volume cul-de-sacs    |
|                                 |                                       | 24       | 2               | 0       | 25  | 60                     | Yes                            |   |
| 601--1,000<br>Residential major | 33                                    |          | 2               | 2       | 25  | 60                     | No                             | Residential major streets, loop streets and high-volume cul-de-sacs |
|                                 |                                       | 28       | 2               | 1       | 25  | 60                     | Yes                            |   |
| 1,001--2,000                    | 38                                    | 24       | 2               | 0       | 25  | 60                     | Yes                            | Residential limited access  |
|                                 |                                       |          | 2               | 2       | 30  | 60                     | No                             | Residential subconnector  |
|                                 |                                       | 38       | 3 <sup>6</sup>  | 0       | 30  | 60                     | Yes                            | No on-street parking permitted                                      |

### NOTES:

<sup>1</sup> Street dimensions are from back of curb.

<sup>2</sup> See subsection 21.08.050D.1.b., *Determination of Average Daily Trips*.

<sup>3</sup> Horizontal curve design of residential streets requires best judgment of planners and engineers in addition to design analysis.

<sup>4</sup> Design speed (not posted speed) for vertical and horizontal curves.

<sup>5</sup> Spillover parking; homeowners' association required. See subsection 21.08.050E below.

<sup>6</sup> Center turning lane required.

**TABLE 21.08-4: STRIP-PAVED STREETS, MINIMUM STANDARDS**

| A.D.T.   | Street Section <sup>7 9</sup><br>(feet) | Design Speed <sup>8</sup><br>(mph) | Right-of-Way<br>(feet) | Application   |
|--|---|------------------------------------|------------------------|---|
| 0--500   | 20                                      | 20                                 | 50                     | Residential loop streets, rural peripheral/access roads |
| 501--1,000   | 24                                      | 25                                 | 50                     | Residential loop streets, urban peripheral/access roads |
| 1,001--2,000   | 24                                      | 25                                 | 60                     | Major residential streets                               |
| <sup>7</sup> Dimensions are from edge of pavement.   |   |                                    |                        |   |
| <sup>8</sup> Design speed (not posted speed) for horizontal and vertical curves.                           |   |                                    |                        |   |
| <sup>9</sup> Street sections require two-foot shoulders with ten- and 12-foot driving lanes, respectively. |   |                                    |                        |   |

## 2. Commercial and Industrial Interior Streets

Commercial and industrial interior streets shall be improved in accordance with table 21.08-5 below:

# EXHIBIT A

**TABLE 21.08-5: CLASS A COMMERCIAL AND INDUSTRIAL STREETS, MINIMUM STANDARDS**

| Street<br>Section<br><sup>10</sup><br>(feet)                                      | Number of Lanes |                 | Design<br>Speed<br>(mph) | Right-<br>of-<br>Way<br>(feet) | Application  |
|---|-----------------|-----------------|--------------------------|--------------------------------|--|
|   | Moving          | Parking         |                          |                                |  |
| 33  | 2               | 0               | 30                       | 60                             | No on-street parking   |
| 40  | 2               | 2 <sup>12</sup> | 30                       | 60                             | Commercial/industrial streets  |
| 47  | 3(1TL)          | 0               | 35                       | 60                             | Major commercial/industrial streets; no on-street parking permitted; parking shall be provided off-street; turning movements when traffic warrants |
| <sup>10</sup> Street dimensions are from back of curb.                            |                 |                 |                          |                                |  |
| <sup>11</sup> Design speed (not posted speed) for vertical and horizontal curves. |                 |                 |                          |                                |  |
| <sup>12</sup> Parking may be provided off-street when a planter strip is used.    |                 |                 |                          |                                |  |

## E. Optional Residential Interior Streets

- Residential interior streets shall provide for on-street parking unless the platting authority finds it is practical to substitute spillover parking for on-street parking in accordance with subsection E.2. below. If the platting authority so finds, residential interior streets may be improved in accordance with this section and table 21.08-3.
- The platting authority may find that it is practical to substitute spillover parking for on-street parking only in residential subdivisions containing at least five acres or 25 dwelling units with a homeowners' association that is responsible for operating and maintaining spillover parking facilities.
- Spillover parking substituted for on-street parking shall conform to the design standards in section 21.07.090, *Off-Street Parking and Loading*, shall be a designated common area owned and administered by the homeowners' association, and shall not be located within an individually owned lot or tract. The design of spillover parking lots shall be approved by the traffic engineer. The spillover parking lot shall be shown on the plat, and a plat note shall be provided limiting the use of that area to spillover parking. Spillover parking lots shall not be counted toward required open space requirements. Spillover parking spaces in addition to the off-street parking spaces required under section 21.07.090 shall be provided for each lot fronting on a street without on-street parking under the following formula, using the maximum residential density permitted for the lot by its zoning district.

**TABLE 21.08-6: ADDITIONAL SPILLOVER PARKING SPACES REQUIRED FOR EACH LOT FRONTING ON A STREET WITHOUT ON-STREET PARKING**

| Residential Use                                | Number of Spaces Per Unit   |
|--|---|
| Dwelling, single-family detached               | 1.0   |
| Dwelling, single-family attached or two-family | 0.5   |
| Dwelling, multifamily                          | None (instead subject to guest space requirements of Table 21.07-4) |

# EXHIBIT A

## F. Access Streets, Peripheral Streets, and Half Streets

### 1. Access Streets

The platting authority may require access streets when it finds that they are necessary for the efficient flow of traffic or for emergency vehicle access. The platting authority shall determine the length of the access street that the subdivider shall improve. Access streets shall be improved in accordance with table 21.08-4.

### 2. Peripheral Streets

a. The platting authority may require the improvement of peripheral streets when it finds that they are necessary for the efficient flow of traffic or for emergency vehicle access.

b. Peripheral streets whose improvement is required under this subsection shall be improved in accordance with table 21.08-4, provided that peripheral streets used for access to individual lots shall be improved in accordance with tables 21.08-3 and 21.08-5.

### 3. Half Streets

The municipal engineer or the platting authority may require the improvement of an access street or a peripheral street to a half street standard in the urban area in accordance with the half-street standards in the *Design Criteria Manual* [TO ONE-HALF OF THE STREET WIDTH SPECIFIED IN TABLE 21.08-3], if underground utilities will be installed before street construction, or if no utilities are anticipated under the street section.

## G. Curbs and Gutters

Where required, the subdivider shall construct curbs and gutters in accordance with the *Design Criteria Manual* and *Municipality of Anchorage Standard Specifications* (MASS), or, in the case of a state-maintained road, the current standard specifications of the state department of transportation and public facilities. Curbs shall be of the American Association of State Highway and Transportation Officials (AASHTO) vertical type.

## H. Pedestrian Facilities

### 1. Sidewalks

a. Sidewalks are required as determined by the transportation and connectivity standards in section 21.07.060.

b. Sidewalks shall be improved in accordance with table 21.08-7 below.

c. Sidewalks at bus stops shall comply with the specifications of the *Design Criteria Manual*.

### 2. Walkways

a. Walkways are required as determined by the transportation and connectivity standards in section 21.07.060.

b. Walkways shall be improved in accordance with table 21.08-7 below, as determined by the platting authority.

c. Walkways in dedicated pedestrian easements may be improved or unimproved, as determined by the platting authority.

# EXHIBIT A

## 3. Pathways

- a. Pathways shall be located and constructed as determined by the *Anchorage Non-Motorized Transportation Plan: Pedestrian Plan*, the *Anchorage Non-Motorized Transportation Plan: Bicycle Plan*, and other adopted municipal plans.
- b. Where a pathway and a sidewalk are co-located, the facility shall be constructed according to the specifications for a pathway.

## 4. Trails

Trails shall be located and constructed as determined by the *Areawide Trails Plan* and other adopted municipal plans.

TABLE 21.08-7: MINIMUM SIDEWALK, WALKWAY, AND TRAIL IMPROVEMENTS

| Type of material | Minimum width   | Separation from curb | Right-of-way | Notes  |
|------------------|-----------------|----------------------|--------------|--|
| <b>Sidewalks</b> |                 |                      |              |  |
| 4" PCC           | 5               | 0                    | N/A          | As a general rule, sidewalks should only be attached to the curb where on-street parking is allowed.   |
| 4" PCC           | 5               | 7                    | N/A          |  |
| Pavers           | 5               | 0 or 7               | N/A          | Decorative concrete or brick pavers  |
| <b>Walkways</b>  |                 |                      |              |  |
| 4" PCC           | 5               |                      | N/A          | Walkways through commercial developments as required by 21.07.060 and 21.07.090 are generally not located in easements                           |
| 4" PCC           | 5               |                      | 10'          | Not recommended where peat is surcharged   |
| 1 ½" AC          | 5               |                      | 10'          | Generally used for improved walkways creating through-block connections; between cul-de-sac bulbs; connecting to parks, trails, other open space |
| Gravel           | 5               |                      | 10'          | May be used in class B improvement areas   |
| Unimproved       |                 |                      | 10'          |  |
| <b>Pathways</b>  |                 |                      |              |  |
| 1 ½" AC          | 6               | 7                    |              |  |
| <b>Trails</b>    |                 |                      |              |  |
| 1 ½" AC          | See Trails Plan | 7                    |              |  |
| Gravel           |                 | 7                    |              | For class B improvement areas or nature trails   |
| Unimproved       |                 |                      |              | Generally for existing historical trails or trails through parks and open space  |

## I. Street Lighting

1. Street lighting apparatus shall meet municipal standards for materials and design and be provided with underground power. The location of the streetlight poles shall be approved by the traffic engineer and shall comply with standards contained in the *Design Criteria Manual*.
2. Street lighting constructed for neighborhood collector streets within subdivisions located in rural zones defined as class B improvement areas in table 21.08-1 and governed by the *Hillside District Plan* shall be non-continuous and shall provide the collector (low) level lighting specified in table 5.1 of the *Design Criteria Manual* at intersections.

# EXHIBIT A

---

## J. Traffic Control Devices

Traffic and street name signs and traffic signals shall be installed in accordance with the requirements of the traffic engineer and the *Alaska Traffic Manual*, per the requirements of AS 28.01.010.

## K. Monuments

Monuments and lot corner markers for determining the boundaries of subdivisions and lot corners shall be set by a professional registered land surveyor licensed by the state of Alaska. Survey monumentation shall conform to such additional standards as the municipal surveyor may establish by regulation under AMC chapter 3.40.

## L. Drainage System

A drainage system approved by the municipal engineer, including necessary storm drainage facilities, drain inlets, subdrains, footing drain stub-outs, manholes, culverts, bridges and other appurtenances, shall be installed. The design of the drainage system shall provide for the preservation of designated high-quality wetlands critical to water table levels and wildlife habitat within and surrounding the subdivision, shall protect the water quality and the re-charge of groundwater and surface watercourses, and shall comply with the following standards:

1. No surface water drainage from the subdivision shall empty into a sanitary sewer; or directly, without treatment and energy dissipation, into a creek or stream channel.
2. The size, design, and construction of drainage structures shall conform to the *Design Criteria Manual*.
3. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, a storm water or drainage easement shall be provided that substantially conforms with the lines of such watercourse, plus additional width that is adequate and necessary to convey expected storm flows and/or storm water drainage facilities. Streets paralleling such easement may be required in connection therewith. Lakes, ponds, creeks, and similar areas will be accepted for maintenance by the municipality only if sufficient land is dedicated as a public recreation area or park or if such area constitutes a necessary part of the storm water drainage control system.
4. The municipality shall accept no responsibility to maintain any storm drainage structures, except for those lying within a municipal right-of-way, traversing municipally owned property, authorized by permit on state or federal land, or constructed in a publicly dedicated drainage easement of sufficient width to allow access.
5. The drainage system shall comply with the standards set forth in section 21.07.040, *Drainage, Erosion and Sediment Control, Storm Water Runoff, and Prohibited Discharges*.
6. Unless waived by the municipal engineer, footing drain stub-outs shall be provided for each lot where there is a storm drain system.

## M. Telecommunication and Electric Facilities

1. All new telecommunication and electric lines shall be installed in accordance with the specifications of the municipality and the utility providing the service.
2. All new telecommunication and electric utility distribution lines, as defined in chapter 21.14, shall be placed underground:
  - a. As required by section 21.07.050, *Utility Distribution Facilities*; and

# EXHIBIT A

- b. As required by the platting authority in areas with patterns of development similar to those where section 21.07.050 requires that utility distribution lines be placed underground.

## N. Water Supply Facilities

### 1. Access to Public Water System

- a. If the platting authority requires that a subdivision be served by a public water system, the subdivider shall install the system in accordance with the requirements of the state department of environmental conservation and the most current edition of the *Design Criteria for Sanitary Sewer and Water Improvements* of the municipal water and wastewater utility.

- b. Where connection to public water supply systems is required, such systems shall be dedicated to the municipality for operation and maintenance, thus allowing for the orderly expansion of the municipality, its water systems, and fire protection services that protect the health and property of the citizens of the municipality.

### 2. No Access to Public Water System

- a. If the subdivision has no access to a public water system, the platting authority shall require either wells on individual lots or a water system for the common use of the lots in the subdivision, if site conditions require such a system.

- b. If wells on individual lots are authorized, the subdivider need not install water supply facilities. A well serving an individual lot shall conform to the requirements of the municipal on-site water and wastewater program. A common water system serving a portion of the subdivision shall not preclude individual wells for the remaining lots.

- c. If a common system is required, the subdivider shall install the system in accordance with the requirements of the state department of environmental conservation and the specifications of the municipal water and wastewater utility.

## O. Sanitary Sewer Facilities

### 1. Access to Public Sewer System

- a. If the platting authority or provisions of law require that a subdivision be served by a public sewer system, the subdivider shall install the system in accordance with the requirements of the state department of environmental conservation and the most current edition of the *Design Criteria for Sanitary Sewer and Water Improvements* of the municipal water and wastewater utility.

- b. Where connection to public sanitary sewer systems is required, such systems shall be dedicated to the municipality for operation and maintenance, thus allowing for the orderly expansion of the municipality and its sanitary sewer system, which protects the health of the citizens of the municipality.

### 2. No Access to Public Sewer System

- a. If the subdivision has no access to a public sewer system, the platting authority shall require either a sewer system for the common use of the lots, or sewage disposal systems serving individual lots, whichever is more suitable.

- b. If site conditions require a sewer system for the common use of lots in the subdivision, the subdivider shall install such system in conformance with the requirements of the state department of environmental conservation and the municipal water and wastewater utility.



# EXHIBIT A

- c. If the platting authority authorizes sewage disposal systems serving individual lots, the subdivider need not install sewer facilities. In such case, the minimum lot size requirements of AMC title 15 shall apply. The systems shall conform to the requirements of the municipal on-site water and wastewater program.

**P. Natural Gas Facilities**

All new natural gas facilities installed pursuant to this section shall be installed in accordance with the standard specifications of the municipality and the utility providing the service.

**Q. Erosion and Sedimentation Control**

All grading, excavating, and removal or destruction of natural topsoil, trees, or other natural vegetation shall conform to an erosion and sedimentation control plan prepared by the subdivider and approved by the department of public works before the work may commence. The plan shall conform to the requirements of section 21.07.040, *Drainage, Erosion and Sediment Control, Storm Water Runoff, and Prohibited Discharges*, as well as municipal guidelines and policies contained in the *Soil Erosion and Sediment Control Manual*, and any other applicable guidelines and policies approved by the department of public works.

**R. Landscaping**

The subdivider shall be responsible for the provision of landscaping required under section 21.07.080, *Landscaping, Screening, and Fences*, except the tree provisions of subsection 21.07.080F.8., and it shall be installed by the subdivider or guaranteed under the provisions of subsection 21.08.060E.

## 21.08.060 SUBDIVISION AGREEMENTS

**A. Agreement Required; Application; Contents**

**1. Agreement Required**

Before a final plat for a subdivision where improvements are required under section 21.08.050 is approved or filed, the subdivider shall enter into a subdivision agreement with the municipality in accordance with this section.

**2. Application**

Application for a subdivision agreement shall be made to the department [OF COMMUNITY DEVELOPMENT]. The application shall include a copy of the platting summary of action, a copy of the preliminary plat, a tentative schedule of all proposed construction of public improvements and utilities, and an engineer's estimate of the cost of each required public improvement. The engineer's estimate shall be based on the most current average of unit bid prices for capital improvement projects, as tabulated annually and published by the municipal engineer. The municipality may require a showing of the subdivider's financial responsibility.

**3. Contents**

Except as provided in subsection A.4. below, the subdivision agreement shall include but need not be limited to the following provisions:

- a. A designation of the public improvements required to be constructed.
- b. The construction and inspection requirements of the municipality or utility for which the improvements are constructed.
- c. The time schedule for completing the improvements.
- d. The performance guarantee required by subsection 21.08.060G.

# EXHIBIT A

- e. A schedule for any payments required under this section.
- f. The allocation of costs between the municipality and the subdivider for required public improvements.
- g. The warranty required by subsection 21.08.060l.
- h. The consent of the subdivider for the ownership of specified public improvements to vest with the municipality upon final acceptance by the municipality.
- i. A warranty that the subdivider has title to the subdivision property and the authority to execute the subdivision agreement.
- j. Where the subdivision is within the flood hazard **area** [OVERLAY DISTRICT], a requirement that the subdivider will submit certification of floodproofing, information on the elevation of the lowest habitable floor, and information on the elevation to which the structure is floodproofed, for each building or structure to be constructed as part of the subdivision agreement.
- k. A provision requiring the subdivider to submit plans, specifications, descriptions of work, the limits of the work area, the methods to be employed, a traffic control plan, and any other pertinent data and information necessary for the building official to evaluate the proposed installation.
- l. A provision that all designs conform to the *Design Criteria Manual*, and that all work shall be performed pursuant to the *Municipality of Anchorage Standard Specifications*.
- m. A provision that work shall not commence until plans have been approved by the building official and notice to proceed is given.

## 4. Exceptions

If the subdivider elects to complete and obtain acceptance of all required public improvements before the approval or filing of a final plat for the subdivision, the subdivision agreement need not include the guarantee provisions specified in items 3.c. and d. above.

## B. Approval by Assembly

Approval by the assembly shall be required to enter into those subdivision agreements where municipal participation in the cost of the required public improvements is estimated to be \$30,000.00 or more.

## C. Time Limit for Completion of Improvements

1. The building official shall determine the time duration of the subdivision agreement, which shall not be less than two years nor more than three, based on the size, complexity, and possible phasing of the subdivision. The improvements required under the terms of the subdivision agreement shall be fully completed and accepted for warranty within that time period. However, before the expiration of the time allowed for completion, the subdivider may request a time extension from the building official. The building official may grant one time extension, up to two years in length, upon a showing of good cause by the developer and provided such extension does not unreasonably impact adjacent properties or the general public. The building official does not have the authority to modify conditions placed by the platting **authority** [BOARD]. The building official may refer any extension application to the platting board if the project is in default or he or she deems further or more extensive analysis and public comment concerning the

# EXHIBIT A

continuation may be needed. In considering whether an extension should be granted, the following shall be considered: the manner in which safety hazards, drainage problems, sanding, snow removal, grading, and other matters will be handled during the extension period. Performance conditions may be imposed on the extension to ensure that such matters are adequately handled.

2. Requests for subsequent two-year time extensions require platting board approval. All time extensions shall be conditioned to require provision of an adequate performance guarantee when the existing guarantee is inadequate.

## **D. Payment of Costs of Required Improvements Outside the Anchorage Roads and Drainage Service Area**

1. Outside of the Anchorage Roads and Drainage Service Area, the subdivider/developer shall pay 100 percent of all costs associated with construction, including but not limited to design, engineering, project administration and inspection, testing, surveillance, related bank fees and interest payments, fair market value of right-of-way, as well as all work, labor, and materials furnished for the construction of required improvements. The exception shall be those utilities whose tariffs provide cost participation.

2. The subdivider shall retain an independent registered engineer who has no financial interest in the development, to inspect and test the improvement construction. The engineer shall maintain in good standing professional liability insurance in the amount of \$1,000,000 during the term of the agreement. Policies written on a "claims-made" basis shall have a two year tail of coverage from the completion of the subdivision agreement term. The required insurance policy shall provide for no less than 30 days advance notice to the municipality prior to cancellation.

## **E. Payment of Costs of Required Improvements Inside the Anchorage Roads and Drainage Service Area**

The cost of any public improvement shall be defined to include the cost of design, engineering, contract administration, inspection, testing, and surveillance as well as all work, labor, and materials furnished for the construction of the improvement. The subdivision agreement shall provide for the apportionment of the cost of required public improvements between the municipality and the subdivider as follows:

1. **Administrative and Recording Costs Relating to Public Improvement Guaranties**  
The subdivider shall pay 100 percent of all costs incurred in supplying and administering any method of public improvement guarantee provided for in this section 21.08.060.

### **2. Inspection, Surveillance, and Testing**

- a. The subdivider shall pay 100 percent of all costs relating to any inspection, surveillance, and testing by the municipality, necessary for warranty acceptance of any required public improvement or during the warranty period. Surveillance shall be performed by the municipality during the course of construction and up to the point of final acceptance of the completed project.

- b. The subdivider shall retain an independent registered engineer who has no financial interest in the development, to inspect and test the improvement construction. The engineer shall maintain in good standing professional liability insurance in the amount of \$1,000,000 during the term of the agreement. Policies written on a "claims-made" basis shall have a two year tail of coverage from the completion of the subdivision agreement term. The required insurance policy shall provide for no less than 30 days advance notice to the municipality prior to cancellation.

# EXHIBIT A

**3. Administration of Agreement**

The subdivider shall pay 100 percent of all costs of plan review, agreement administration, and attendant costs.

**4. Arterial and Collector Streets**

Reasonable costs incurred in the construction of a street designated on the *Official Streets and Highways Plan* (OS&HP) as a collector, arterial, or greater shall be apportioned as specified in subsections E.4.a. through d. below. For purposes of this subsection, construction costs means only those costs associated with construction, design engineering, project administration and inspection, related bank fees and interest payments, and fair market value of right-of-way dedicated to the street in excess of 70 feet.

**a. Interior Collector Streets**

If a collector street lies within the subdivision, the municipality shall reimburse the subdivider a sum equal to the reasonable construction cost of building to the standard specified by the platting authority, less the estimated cost of construction in accordance with the residential standard approved by the platting authority under tables 21.08-3 and 21.08-5, provided that:

i. When the subdivision agreement is executed:

(A) The street is programmed for improvement to the designated standard in the six-year capital improvement program; and

(B) Sufficient funds (bonds, designated state grants, or mil-levy) have been appropriated for reimbursement in the capital improvement budget for the current fiscal year; or

ii. When the preliminary plat of the subdivision is approved:

(A) Construction to the designated standard is required by the platting authority;

(B) Improvement to the designated standard is programmed in the six-year capital improvement program; and

(C) Sufficient funds (bonds, designated state grants, or mil-levy) have been appropriated for reimbursement in the capital improvement budget for the current fiscal year.

If the conditions set forth in subsections 4.a.i. or ii. are not met at the time specified, then the total cost of construction required by the platting authority shall be borne by the subdivider.

**b. Interior Arterial Streets**

If an interior arterial or greater street is required to be constructed to arterial standards by the platting authority, the municipality shall reimburse the subdivider 100 percent of the reasonable construction cost subject to the availability of bond funds, state grants, or mil-levy funds appropriated for the construction of that street. If the platting authority has not required construction to arterial or greater standards, the subdivider shall construct the street to the standards required under subsection 21.08.050D. and shall bear 100 percent of the construction cost.

**c. Peripheral Streets**

# EXHIBIT A

If the subdivider is required to construct an abutting collector street, the municipality shall reimburse a sum equal to the reasonable construction cost of the standards specified by the platting authority less the estimated cost of construction in accordance with the residential standards under table 21.08-4, subject to the conditions specified in subsection 4.a. above. If a subdivider is required to construct an abutting arterial or greater street to arterial or greater standards, the municipality shall reimburse in a manner and subject to the conditions set forth in subsection b. above. If the subdivider is not required to construct an abutting street to arterial or greater standards, the subdivider shall construct the street to the standards required under subsection 21.08.050F. and shall pay 100 percent of the cost of construction.

**d. Access Streets**

If the platting authority requires the construction of an access street under the authority of subsection 21.08.050F. that is designated as a collector, arterial, or greater, the municipality shall reimburse a sum equal to the reasonable construction cost of the standard specified by the platting authority less the estimated construction cost in accordance with the residential standards under table 21.08-4, subject to the availability of bond funds, state grants, or mil-levy funds appropriated for the construction of that street. If the platting authority has not required construction to collector or greater standards, the subdivider shall construct the street to the standards required under subsection 21.08.050F. and shall pay 100 percent of the construction costs.

**5. Other Streets**

Except as provided in subsection E.4., the subdivider shall pay 100 percent of the cost of streets within the boundaries of the subdivision. The subdivider shall additionally pay 100 percent of the cost of all peripheral streets and access roads except as provided in subsection E.4. [OF THIS SECTION] whose construction may be required by the building official. The property within subdivisions that is later assessed by the municipality for final improvements to access and peripheral streets shall receive credit for the cost of salvageable improvements to those peripheral and access streets. Nonsalvageable improvements will not receive credit. Credit will be provided only when:

- a. The municipality approved the award of the contract which included the work for which the credit is to be issued; and
- b. The subdivider provided the municipality with a sworn notarized statement setting forth the distribution of the costs of salvageable improvements, which he utilized for purposes of establishing lot price, for each lot within his subdivision to which such costs were spread.

The credit will be applied as a reduction of assessment to each applicable lot, except that in no case will the amount of credit given to any lot exceed the amount of the assessment to that lot.

**6. Curbs, Sidewalks, and Walkways Adjacent to Streets**

The subdivider shall pay the cost of constructing curbs, and sidewalks and walkways adjacent to streets, in the same manner as the cost of constructing the streets to which they are adjacent as provided in subsections E.4. and 5.

**7. Sidewalks and Walkways not Adjacent to Streets**

The subdivider shall pay 100 percent of the cost of constructing all sidewalks and walkways not adjacent to streets.

# EXHIBIT A

**8. Storm Drains, Inlets, and Manholes**

The subdivider shall pay 100 percent of the cost of storm drains, inlets, and manholes necessary to serve the subdivision, provided that, within areas where the municipality provides drainage maintenance, the municipality shall reimburse the subdivider those costs attributable to oversizing required by the municipality. In those areas where the municipality does not maintain drainage facilities, the subdivider shall pay all costs, including those for any required oversizing.

**9. Water Improvements**

If the subdivision is to receive water service from a public utility, the subdivider shall provide water facilities, including service connections to all lots, with cost participation as provided in the current approved tariff of the utility. If the subdivision is to receive water service from a community water system, the subdivider shall provide water facilities, including service connections to all lots, and pay 100 percent of the cost of those facilities.

**10. Sanitary Sewer Improvements**

The subdivider shall provide sanitary sewer facilities, including service connections to all lots, with cost participation as provided in the current approved tariff of the municipal sanitary sewer utility.

**11. Electrical and Telecommunication Facilities**

The subdivider shall provide electrical and telecommunication facilities with cost participation as provided in the current approved tariffs of the applicable utility companies.

**12. Deferred Utilities**

When paved street or sidewalk improvements are installed prior to placement of traffic control devices and electrical and telecommunication cable placement, the subdivider shall, at appropriate crossings as directed by the municipality, provide any necessary underground conduit consistent with conduit size, type, and installations standards provided by the utility.

**13. Street Lighting**

The subdivider shall pay the cost of street lighting apparatus in the same manner as the cost of constructing the streets to which it is adjacent as provided in subsections E.4. and 5.

**14. Traffic Control Devices**

The subdivider shall pay 100 percent of the cost of traffic control devices. Traffic control devices, except electric-operated traffic signals, shall be installed prior to any structure being occupied in the subdivision.

**15. Landscaping**

The subdivider is responsible for required landscaping as stated in subsection 21.08.050R. Landscaping shall meet the standards of section 21.07.080, *Landscaping, Screening, and Fences*.

**F. Subsequent Development Reimbursement**

[RESERVED]

**G. Guarantee of Completion of Improvements Required; Amount; Methods**

**1. Guarantee Required**

To ensure the installation of required public improvements that are not accepted at the time the final plat is filed, the subdivision agreement shall require the subdivider to

# EXHIBIT A

guarantee the completion of all such improvements by one or more of the methods specified in this section. The means of a guarantee may be changed during the guarantee period upon approval by the building official. The amount of the guarantee shall be determined on the basis of the subdivider's cost estimate. The guarantee shall remain in effect until warranty acceptance of the public improvements and the posting of an acceptable security for the warranty period.

## 2. Cost Estimate; Overrun Allowance

The engineer's cost estimate shall state the estimated cost of completion for each required public improvement. Cost estimates for each required public improvement shall be approved by the department [OF COMMUNITY DEVELOPMENT]. For purposes of establishing the amount necessary for the guarantee of completion of public improvements, a percentage for overrun allowance shall be added to the total estimated cost of public improvements as follows:

| TABLE 21.08-8: PERCENT FOR OVERRUN ALLOWANCE |                               |
|--|-------------------------------|
| Total Estimated Cost of Improvements         | Percent for Overrun Allowance |
| \$0.00--\$500,000.00                         | 20                            |
| \$500,000.01--\$1,000,000.00                 | 15                            |
| More than \$1,000,000.00 [AND OVER]          | 10                            |

## 3. Methods

The subdivision agreement shall include one or more of the following methods to guarantee the construction of required public improvements:

### a. Performance Bond

The subdivider may elect to provide a surety bond from a company authorized to do such business in the state. The bond shall be in a form acceptable to the municipal attorney and in an amount equal to the estimated cost of all required public improvements, plus an overrun allowance as provided in subsection G.2. above. The bond shall be payable to the municipality if any required public improvements are not finally accepted in accordance with the provisions of this title, and shall be posted by no person other than the subdivider or a contractor obligated by written contract to the subdivider for construction of all the required public improvements. In the event a contractor posts the bond, the subdivider and the municipality may be dual obligees under mutually agreed terms.

### b. Deposit in Escrow

The subdivider may elect to deposit a cash sum equal to the estimated cost of all required public improvements plus overrun allowances as provided in subsection G.2. above, either with the municipality or in escrow with a responsible financial institution authorized to do such business in the state. In the case of an escrow account, the subdivider shall file with the municipality an escrow agreement that includes the following terms:

- i. Funds of the escrow account shall be held in trust until released by the municipality and may not be used or pledged by the subdivider as security in any matter during that period other than payment for the improvements.
- ii. In the case of a failure on the part of the subdivider to complete any improvement within the required time period, the institution shall immediately make all funds in such account available to the municipality for use in the completion of those improvements.

# EXHIBIT A

**c. Letter of Credit**

The subdivider may elect to provide from a bank or other responsible financial institution authorized to do such business in the state an irrevocable letter of credit. Such letter shall be filed with the municipality and shall certify the following:

i. That the creditor irrevocably guarantees funds in an amount equal to the estimated cost of all required public improvements plus overrun allowances as provided in subsection G.2. above, for the completion of all such improvements; and

ii. That in the case of failure on the part of the subdivider to complete any specified improvements within the required time period the creditor shall pay to the municipality immediately and without further action such funds as are necessary to finance the completion of those improvements up to the limit of credit stated in the letter.

**H. Release of Guarantee of Improvements**

1. Inspection **shall** **[WILL]** be made by the municipality prior to acceptance of the improvements for warranty. The municipality shall have 14 days to complete the inspection and provide a list of deficiencies, except that the building official may extend the 14 day period for unusual circumstances such as extreme weather. The 14 day period shall begin on the day the municipality receives written notice from the subdivider that the subdivider's own comprehensive inspection has confirmed that construction of all required improvements is complete, all applicable subdivision agreement requirements are fulfilled, and the project is ready for municipal inspection.

2. After the initial municipal inspection provided for in subsection H.1. has been completed and all listed deficiencies noted in the initial municipal inspection and provided in writing to the subdivider have been corrected, the subdivider shall notify the municipality in writing and the municipality shall perform a final inspection of the listed deficiencies within 7 days of receiving the notification, except that the building official may extend the 7 day period for unusual circumstances such as extreme weather.

3. If the final inspection reveals uncorrected listed deficiencies that were identified in the initial inspection that was provided to the subdivider in writing prior to the final inspection, this procedure shall be repeated until all deficiencies noted in the initial inspection have been corrected. The warranty period shall begin after all the deficiencies in the initial inspection have been corrected.

4. Excepting any new deficiency or deficiencies resulting from the subdivider's activities correcting the deficiency or deficiencies identified above, any new deficiencies that were not discovered and identified in writing and delivered to the subdivider during the initial inspection, but are found in any final or any continuing inspection, shall be noted and corrected by the subdivider during the warranty period. However, these deficiencies shall not delay the commencement of the warranty period.

5. In addition to correcting deficiencies in the work, and prior to being placed on warranty, the subdivider shall also submit:

- a. A complete record of the engineer's daily inspection reports;
- b. Copies of test results;
- c. Reproducible mylar record drawings of the facilities constructed;



# EXHIBIT A

- d. Acceptance letters from electric and telephone utilities that all lots have service available;
  - e. As applicable, acceptance letters from gas and water/wastewater utilities that all lots have service available;
  - f. Certificate of monumentation;
  - g. Certificate of compliance that all suppliers and subcontractors have been paid;
  - h. Payment in full for municipal billings associated with the subdivision agreement; and
  - i. A deposit as required by AMC 24.20.040D. to cover administrative and inspection costs during the warranty period.
6. When all deficiencies in the work have been corrected and all items listed in subsection H.5. above have been submitted, reviewed, and accepted, the project shall be eligible to be placed on warranty.
  7. The municipality shall release the obligation for performance guarantees upon the acceptance of the improvements for warranty, together with the posting of adequate security for warranty.
  8. The municipality may refuse to release the obligation for any particular public improvement if the subdivider or contractor is in present or imminent default in whole or in part on the completion of any public improvement or warranty covered by the subdivision agreement.
- I. Improvement Warranty**
1. The subdivider shall warrant and guarantee that required public improvements constructed under the agreement will remain in good condition and meet operating specifications for two years, commencing with warranty acceptance of each public improvement when it is completed. Such warranty includes defects in design, workmanship, materials, and any damage to improvements caused by the subdivider, his or her agents, or others engaged in work to be performed under the subdivision agreement. If the building official deems appropriate, extensive repairs or modifications made during the warranty period may extend the duration of the warranty period for those repairs or modifications only. The subdivider shall not be responsible for cleaning, snow removal, ditching, grading, dust control, or similar activities during the warranty period. Nothing in this title, however, is intended to waive the requirements of AMC chapter 24.80, pertaining to miscellaneous use provisions.
  2. To secure the warranty:
    - a. The guarantee of performance provided for in subsection G. shall remain in effect until the end of the warranty period. If the guarantee is a performance bond posted by a contractor, the bond cannot secure the warranty unless the subdivider and contractor, by written agreement, elected this option at the time the performance bond was posted; or
    - b. The subdivider shall furnish the municipality with a corporate surety bond, cash deposit, or letter of credit in an amount equal to a percent of the total construction costs as set forth in this subsection. This security shall guarantee the payment of any reconstruction or repair costs that may be undertaken due to failures

# EXHIBIT A

occurring during the warranty period. Responsibility for identifying the necessity of repairs or reconstruction of the improvements shall rest with the municipality.

**TABLE 21.08-9: PERCENT TO SECURE WARRANTY**

| Total Construction Cost               | Percent to Secure Warranty |
|---------------------------------------|----------------------------|
| \$0.00--\$500,000.00                  | 10                         |
| \$500,000.00--\$1,000,000.00          | 7 1/2                      |
| More than \$1,000,000.00 [AND HIGHER] | 5                          |

## **J. Correction of Deficiencies Under Warranty**

1. Within 30 days, or a reasonable extension at the sole discretion of the building official, of notification by the municipality of the need for repair or reconstruction, the subdivider shall correct the deficiencies, satisfactory to the municipality. Such notification shall be made by certified mail. If the subdivider fails to repair or reconstruct the deficiency within the time specified in this section, the municipality will make the repair at the subdivider's sole expense. The municipality may then bill the subdivider for the cost of the repair and associated administrative costs, or declare the bond or deposit forfeited.
2. Notwithstanding subsection J.1. above, if the subdivider or the subdivider's engineer retained through the warranty period first identifies need for repair or reconstruction, the subdivider shall notify the municipality by certified mail, and the subdivider shall make the repair or reconstruction with authorization (in lieu of the above notification) from the municipality.

## **K. End of Warranty Period**

1. The municipality shall inspect the required improvements and provide a list of deficiencies to the subdivider no later than 30 days before the end of the warranty period, except that the building official may extend this time due to inappropriate weather or other conditions that impede complete inspection.
2. All deficiencies identified in the warranty period shall be corrected, inspected, and approved within 30 days, except that the building official may extend the 30 day period for unusual circumstances or inappropriate weather. The municipality is under no obligation to release any remaining security if the subdivider fails to correct any identified deficiencies.
3. Upon final acceptance, the municipality will release the remaining security within 90 days.
4. If the municipality does not timely inspect and provide a report as required in K.1. above, the warranty period ends.

## **L. Default**

If the subdivider defaults on any obligation to construct required public improvements or the obligation to warrant and repair such improvements, the municipality may demand immediate payment on the performance or warranty guarantee. In the case of a performance bond, deposits in escrow, or letter of credit, the municipality may demand immediate payment of a portion of all sums obligated for the performance or warranty of any improvement. All funds received by the municipality shall be used for any construction, repair, or reconstruction necessary to ensure that:

1. All required public improvements are built to specifications necessary to receive warranty acceptance; and
2. The improvements remain in good condition for the completion of the warranty period. The municipality may use guarantee funds for the construction, repair, or maintenance of

# EXHIBIT A

required public improvements from the date of initial default until three years after the funds have become available to the municipality for such use, except that no use shall be made of the funds later than two years after satisfactory completion and warranty acceptance of the work. Following either: (1) the warranty acceptance of all public improvements and posting of the warranty security, or (2) final acceptance, or (3) the three-year period provided for in this subsection, the municipality shall pay to the subdivider all guarantee funds which were not used or obligated for the completion of the improvements.

## M. Agency Coordination

Upon receipt of notification of violation or concern by municipal departments or outside agencies, the building official may suspend approval on work authorized through the subdivision agreement until such time that the issue is resolved.

## N. Standards May Not Be Altered; Enforcement of Chapter

All provisions of this chapter are mandatory and may not be altered by the subdivision agreement. The obligations contained in this chapter shall be enforceable by methods of enforcement of ordinance as well as contract.

## 21.08.070 ALTERNATIVE RESIDENTIAL SUBDIVISIONS

### A. Purpose

This section offers three alternatives from conventional subdivisions for new residential neighborhoods: conservation subdivisions, cluster housing, and narrow lot housing. The intent of these options is to give flexibility to developers to respond to environmental conditions or market preferences.

Each alternative shall be considered through the platting process outlined in section 21.03.200, *Subdivisions*.

### B. Conservation Subdivisions

#### 1. Purpose

A conservation subdivision is an alternative type of residential development in which the lots are allowed to be smaller in area or narrower than otherwise required in the zoning district, but in which the overall number of lots does not exceed the maximum number of lots allowed in a conventional subdivision by the zoning district. Conservation subdivisions are intended to create a more compact residential development to preserve and maintain open areas, high value natural lands, and lands unsuitable for development, in excess of what would otherwise be required by this title.

#### 2. Applicability

The conservation subdivision option may be used on any parcel with a minimum of at least two acres in any residential district in which single-family housing is permitted, provided that the proposal is consistent with the requirements in this section 21.08.070.

#### 3. Conservation Design Process

Conservation subdivisions shall be approved through the procedure set forth in section 21.03.200, *Subdivisions and Plats*.

#### 4. Reduction in Minimum Lot Area Allowed

Conservation subdivisions may include one or more lots that do not conform to the minimum lot size or lot width requirements of chapter 21.06, or the dimensional requirements of subsections 21.08.030K.1. and 2., provided that:

# EXHIBIT A

- a. The amount of any reduction in minimum lot size shall be used for common open space, pursuant to subsection B.6. below;
- b. There shall be no more than one principal single-family structure per lot;
- c. Front and rear setbacks interior to the subdivision are not less than half the depth required by the underlying zoning district, but side setbacks are not less than the width required by the underlying zoning district;
- d. On any lot that is less than the minimum lot size of the underlying zoning district, the principal structure shall have a maximum floor area ratio of not more than 0.5;
- e. In class A improvement areas, street sections shall have vertical curbs;
- f. Driveways shall have a maximum width of 14 feet at the curb;
- g. Where on-street parking is allowed, a minimum 20 foot separation distance between the curb returns of adjacent driveways shall be provided; and
- h. Common open space with level 4 Screening landscaping shall be provided along any lot line abutting a residential neighborhood where any adjoining lot is greater than 150% of the average lot size along that lot line of the conservation subdivision. In class B areas this abutting landscaped open space area shall be one hundred feet wide.

## 5. Lot Coverage Allowed

The maximum lot coverage requirements for lots in a conservation subdivision, as set forth in chapter 21.06, may be increased by no more than 10 percent.

## 6. Minimum Open Space

The amount of lot size reduction of each lot shall, in total, be provided as common open space, except that under no circumstances shall the amount of common open space provided be less than 30 percent of the property shown on the subdivision plat. Open space shall be identified using the standards set forth in subsection 21.07.030D., *Private Open Space, Standards*, except that no portion of the land preserved as common open space may be located within the boundaries of an individual lot for residential development, or in a road right-of-way, and no portion of the land preserved as common open space may be less than 30 feet in its smallest dimension in class A districts or less than 100 feet in its smallest dimension in class B districts, or have less square footage than one-half of the square footage of the minimum lot size for that district. In order that all residents of a development have access, there should be, provided by the developer, a common pedestrian corridor leading into all common open space. Common open space areas in class B improvement areas shall remain undisturbed.

## 7. Dedication and Recording

The required common open space shall be preserved from development in perpetuity through the use of a deed restriction or easement, and shall be conveyed to a property owners' association or other organization with responsibility for maintenance of the open space and the ability to collect assessments or dues for such purpose. The applicant shall submit proof that:

- a. Such deed restriction or easement has been recorded at the district recorder's office; and

# EXHIBIT A

- b. The property owners' association or other organization has been established before any building or land use permits for construction in a conservation subdivision shall be issued.

## C. Cluster Housing

### 1. Intent

- a. A cluster housing development is a design technique that provides open space and other site amenities in a subdivision by permitting individual lots of less area than otherwise permitted in the underlying use district. The community receives the benefits of open space within subdivisions and land developers may provide subdivisions at a somewhat higher density than permitted by the underlying use district.

- b. Cluster housing is intended to provide a development option particularly suited to tracts of land that include marginal areas. Marginal lands may include wetlands, steep slopes, or geophysical hazard areas. By clustering the overall number of units possible on the developable portion, construction and infrastructure costs may be lowered. Correspondingly, open space amenities are provided and environmentally sensitive lands are conserved.

- c. It is also intended to provide a design option in transition density areas, where zones of different densities abut. Lower costs in subdivision development should be reflected in housing costs.

- d. Cluster housing developments may include single-family detached and various types of attached housing.

### 2. General Standards

- a. In addition to a preliminary plat, a cluster housing proposal shall include a site plan, to be approved by the platting authority.

- b. No land use permits shall be issued until a final plat for the cluster housing development has been approved and filed in accordance with this title.

### 3. Maximum Density and Minimum Site Area

- a. There shall be no more than one principal structure per lot.
- b. The maximum number of dwelling units permitted in the cluster housing development shall be based upon the following schedule. The density shall be calculated using gross acreage.

| TABLE 21.08-10: MAXIMUM DENSITY FOR CLUSTER HOUSING SUBDIVISIONS |                         |   |
|--|-------------------------|---|
| Zoning District  | Dwelling Units Per Acre | Minimum Site Area (acres) <sup>13</sup> |
| R-1  | 5.0                     | 2.5                                     |
| R-1A   | 5.0                     | 2.5                                     |
| R-2A   | 10.0                    | 1.5                                     |
| R-2D   | 16.0                    | 1.5                                     |
| R-2M   | 19.0                    | 1.5                                     |
| R-3  | 20.0                    | 1.0                                     |
| R-4  | 24.0                    | 1.0                                     |
| R-5  | 5.0                     | 2.5                                     |
| R-6  | 0.8                     | 5.0                                     |
| R-7  | 2.0                     | 5.0                                     |

# EXHIBIT A

## Chapter 21.08: Subdivision Standards Sec. 21.08.070 Alternative Residential Subdivisions

|   |   |      |
|---|---|------|
| R-8   | 0.2   | 10.0 |
| R-9   | 0.4   | 5.0  |
| R-10  | See 21.04.020O.2.                                   | 10.0 |
| TA  | As provided in the Turnagain Arm Comprehensive Plan | 5.0  |
| GR districts  | As determined by the Platting Board                 | 5.0  |
| <sup>13</sup> The minimum site area may be reduced by up to 5 percent to account for irregular lots or difficult sites. |   |      |

### 4. Review of Housing Type

The pre-application submissions for a cluster housing development in the R-1 or R-1A zoning districts, more than 50 percent of whose dwelling units are attached, are subject to review and approval by the planning and zoning commission for compatibility with surrounding land use patterns.

### 5. Lot Area and Width

The applicant may propose lot areas and widths that are less than the minimum required by chapter 21.06.

### 6. Maximum Lot Coverage

Maximum lot coverage for areas other than common areas is as follows:

- a. Two common walls per dwelling unit: 70 percent
- b. One common wall per dwelling unit: 50 percent
- c. All others: 40 percent

### 7. Minimum Setbacks

- a. Minimum setbacks for the R-6, R-8, R-9 and R-10 zoning districts shall be as follows:
  - i. Front setback: 25 feet
  - ii. Side setback: 10 feet
  - iii. Rear setback: 20 feet
- b. Minimum setbacks for all other zoning districts shall be the same as the underlying district.

### 8. Common Area

#### a. General Standards

- i. Development of the common area in accordance with an approved site plan and subdivision plat shall be guaranteed in the subdivision agreement.
- ii. All areas of the common area not devoted to buildings, structures, parking areas, courts, walkways, improved areas for sport and game activities, and driveways shall be covered by one or more of the following: lawn grass, shrubbery, trees, or undisturbed indigenous vegetation.

# EXHIBIT A

iii. The space between and surrounding clusters is allocated to pedestrian circulation and open space.

b. **Common Open Space**

i. In a cluster housing development, at least 30 percent of the site area shall be common open space. Environmentally sensitive features such as wetlands, natural drainage ways, steep slopes, ponds, lakes, creeks, streams, and the like may be included in the computation of open space provided towards this requirement. Private spaces, such as patios, decks, balconies, yards within individually owned lots, and the like are not included in the definition of common open space.

ii. Of the required common open space, at least 600 square feet per dwelling unit shall be provided as common usable open space within cluster subdivisions that are created with any lots less than 6,000 square feet in area.

c. **Common Usable Open Space**

The cluster housing development shall have a common usable open space area with the following characteristics:

i. Shall not be less than 2,500 square feet.

ii. Shall have no dimension that is less than 30 feet.

iii. Shall be within a distance of 1,000 feet from every lot within the cluster subdivision.

iv. Shall not contain roads, parking facilities, driveways, storage, snow storage, service areas, wetlands, or water bodies (unless they provide or substantially contribute to a recreation area).

v. Shall have a slope equal to or less than five percent when the common usable open space area is 10,000 square feet or less. A common usable open space area of greater than 10,000 square feet may have slopes exceeding 15 percent on no more than ten percent of the area, unless the platting authority finds that a greater slope is consistent with the intent of this section.

vi. Except as provided in subsection c.iv. above, shall be drained to carry away storm and seepage water.

vii. May be retained as natural vegetation. Improvements may include seeding with lawn grass or other seed mix approved by the planning division, with an established access to a source of water for maintenance. Improvements may also include pavement or other appropriate surfaces or complementary structures to allow for active outdoor recreation uses.

9. **Homeowner's Association**

a. A homeowner's association shall be established for all cluster housing developments. All owners of property within the cluster housing development shall automatically become members of the homeowner's association.

b. Any declaration under the Horizontal Property Regimes Act, common wall agreements, declaration of covenants, conditions and restrictions, and

# EXHIBIT A

homeowner agreements proposed to be recorded to govern the use of land and structures within a cluster housing development shall be reviewed for conformity with this title by the director.

- c. The responsibility for the operation and maintenance of the common area facilities shall reside with the homeowner's association.

## 10. Buffer Landscaping

L2 buffer landscaping shall be planted along each lot line abutting a right-of-way designated for collector or greater capacity on the *Official Streets and Highways Plan*. The landscaping shall be maintained by the property owner or his or her designee.

## D. Narrow Lot Housing

### 1. Purpose

Narrow lot housing is a form of small-lot housing that provides fee simple, single-family home lots that are smaller than such lots created by right in various zoning districts, in order to provide more affordable housing choices. As narrow lot housing will be available and frequently used for infill development, there are increased design standards for narrow lot housing in order to mitigate the impacts of increased density on existing neighborhoods.

### 2. Applicability

Narrow lot housing is permitted in the R-2A, R-2D, R-2M, R-3, R-5, and RO districts. The various applicable standards of title 21 apply, unless specifically addressed and replaced below.

### 3. Approval Process

Narrow lot housing shall be platted in accordance with 21.03.200C., and shall not be eligible for the abbreviated plat process.

### 4. Uses

Only detached single-family homes and customary accessory uses/structures may be located on narrow lots, except that ADUs and bed and breakfasts are prohibited accessory uses.

### 5. Size of Narrow Lot Developments

The total contiguous area (including streets) developed with narrow lots shall be no greater than one acre.

### 6. Standards

#### a. Lot Area and Width

Narrow lots shall be at least 30 feet wide, and no less than 80 feet long.

#### b. Setbacks

The setbacks of the underlying zoning district shall apply, as provided in chapter 21.06, except that where an entire block is subdivided with narrow lots in a residential district, the principal structure may encroach into the front setback by up to ten feet.

#### c. Height

Structures are limited to 25 feet and two stories in height.

#### d. Lot Coverage

For one-story structures, the lot coverage is 50 percent. For two-story structures, the lot coverage is 40 percent.



# EXHIBIT A

e. **Floor Area Ratio (FAR)**

The principal structure on each narrow lot shall have an FAR of 0.5.

f. **Access**

Homes on narrow lots shall not be accessed from the street abutting the shorter end of the lot. Access shall be from an alley at the rear of the lot, or for corner lots, from a street abutting the longer side of the lot.

g. **Number of Lots Created**

No more than 12 narrow lots may be created abutting one another.

h. **Design**

i. *Mix of Housing Models*

Any subdivision of three or more units shall have a mix of housing models, as determined during the building permit process, according to the following table:

| TABLE 21.08-11 MIX OF HOUSING MODELS<br>FOR NARROW LOT HOUSING             |                                     |
|--|-------------------------------------|
| Number of units  | Number of different models required |
| 3-6  | 2                                   |
| 7-12   | 3                                   |
| See subsection 21.07.110E.2. for how to determine a mix of housing models. |                                     |

Where only two narrow lots are created, if the same design is proposed for both homes, the homes shall be constructed in a "mirror image."

ii. *Primary Entrance*

Homes on narrow lots shall meet the standards of subsection 21.07.110E.3.

iii. *Street-Facing Façade*

Homes on narrow lots shall feature at least one design element from each of the following subsections: 21.07.110E.4.c.i., E.4.c.ii., and E.4.c.iii.

iv. *Garages*

Garages shall not be longer than 30 feet in length and shall be located facing the rear of the lot, or for corner lots, may face the secondary front setback.

v. *Windows*

Windows facing side lot lines are encouraged to be located in such a manner as to not be directly across from windows in neighboring narrow lot homes.

# EXHIBIT A

## CHAPTER 21.09: GIRDWOOD LAND USE REGULATIONS

---

### **21.09.010 PURPOSE**

The purposes of this chapter 21.09 are to provide standards and regulations to implement the comprehensive plan elements for Girdwood, preserve and enhance the distinctive mountain-resort character and natural environment of the Girdwood area, and avoid overlap with standards and regulations applicable in other districts of the Municipality.

### **21.09.020 APPLICATION OF CHAPTER 21.09**

#### **A. Applicability**

These regulations and standards shall apply only to the Girdwood area of the Municipality as further delineated below.

#### **B. Relationship to Other Title 21 Provisions**

1. To the extent any provision in this chapter conflicts with other provisions of title 21, the provisions of this chapter shall govern. If certain provisions overlap but are not in conflict, then the provisions of this chapter shall be considered to supplement title 21 requirements and are additional requirements.
2. When any section of title 21, with the exception of chapter 21.08, references class A and class B districts, any lot in Girdwood that is less than 40,000 square feet shall be considered a class A district, and any lot in Girdwood that is 40,000 square feet or greater shall be considered a class B district.

#### **C. Girdwood Defined**

This chapter applies to, and the term Girdwood in this chapter refers to, the land in Girdwood Valley shown on the Girdwood map in section 21.09.020D. and having the following real property description:

Those lands lying within the boundary of the Municipality of Anchorage, within the Anchorage Recording District, Third Judicial District, State of Alaska; including all private, municipal and state land and those lands under state selection in Chugach National Forest; more particularly described as follows:

##### **1. Township 10 North, Range 2 East, Seward Meridian, Alaska**

- a. All of Sections 1, 2, 3, 4, 9, 10, 11, 12, 15, 16, 17, 19, 20, 21, 28, 29, 30, 32, 33
- b. All of Sections 5, 7, 8, 18, excluding Chugach State Park
- c. W2 of Section 14; and
- d. N2N2 of Section 22

##### **2. Township 10 North, Range 3 East, Seward Meridian, Alaska**

- a. All of Section 5, excluding the NE4 within Chugach National Forest
- b. All of Section 6
- c. All of Section 7, excluding the SE4 within Chugach National Forest
- d. NW4 of Section 8
- e. N2NW4 of Section 18

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.020 Application of Chapter 21.09

---

### 3. Township 11 North, Range 3 East, Seward Meridian, Alaska

- a. All of Sections 29, 31
- b. SE4 of Sections 20, 30
- c. W2SW4 of Section 21
- d. W2W2 of Section 28
- e. NE4 of Section 32
- f. NW4NW4 of Section 33

### 4. Township 11 North, Range 2 East, Seward Meridian, Alaska

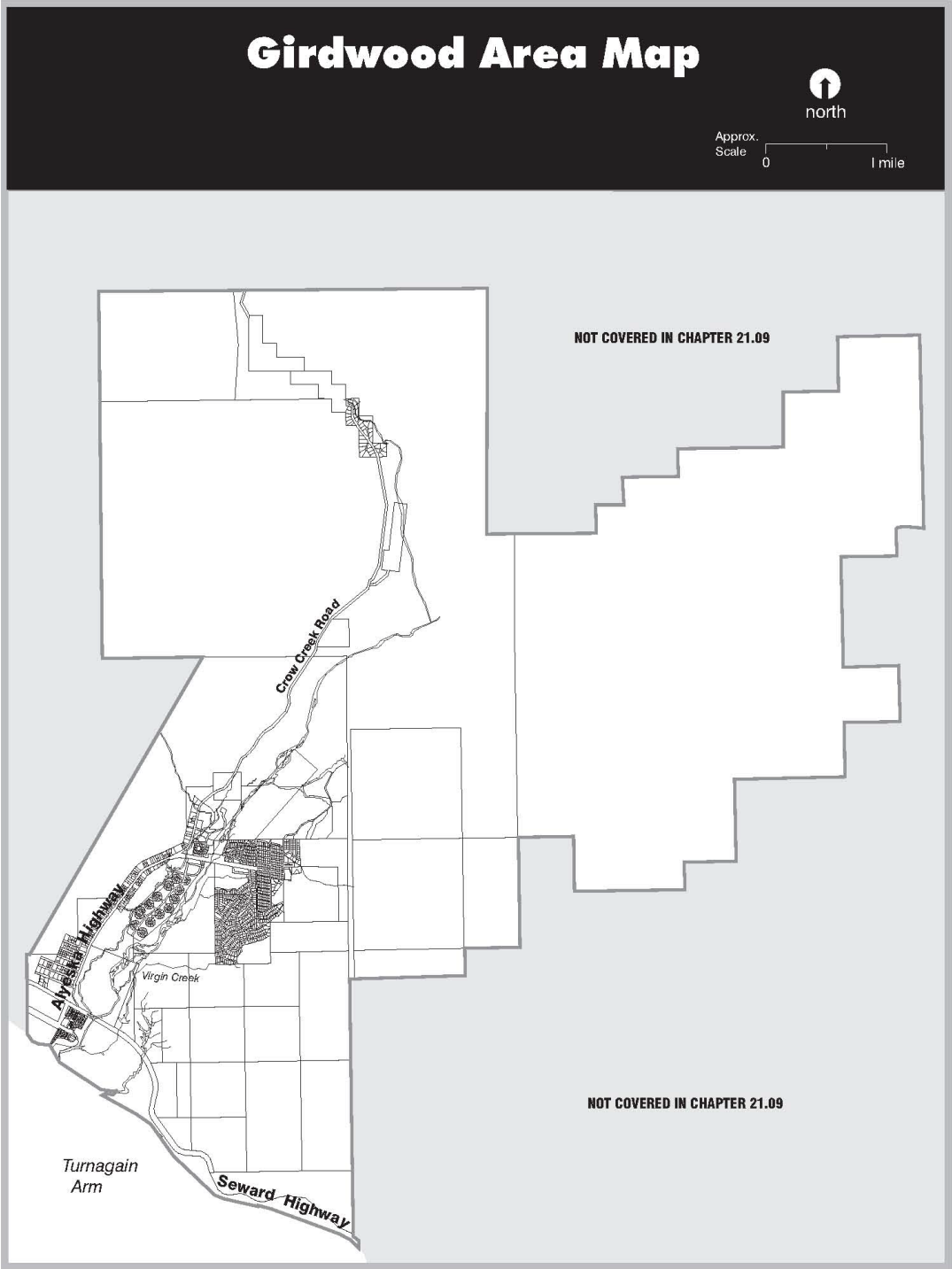
- a. All of Sections 20, 21, 22, 27, 28, 29, 32, 33, 34
- b. E2E2 of Sections 19, 30, 31
- c. W2W2 of Sections 23, 26
- d. All of Section 35, excluding the N2NE4 and NE4NW4 within Chugach National Forest
- e. All of Section 36, excluding the NW4NW4 within Chugach National Forest
- f. Excluding all lands within the boundaries of Chugach State Park and non-state-selected lands with Chugach National Forest

### D. Nonconformity Determinations

Nonconformity determination fees relating to property in Girdwood that has become nonconforming with the adoption of this chapter shall be waived for one year after January 1, 2006.

EXHIBIT A

1 E. Chapter 21.09 Area Map



# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.030 Administration and Review Procedures

### 21.09.030 ADMINISTRATION AND REVIEW PROCEDURES

#### A. Title 21 Administrative Provisions and Procedures Apply

Except as provided specifically in this chapter, all development in Girdwood shall be subject to and reviewed pursuant to the generally applicable administrative and review procedures set forth in chapters 21.02, *Boards, Commissions, and Municipal Administration*, and 21.03, *Review and Approval Procedures*.

#### B. Pre-Application Meetings

A pre-application meeting with the director is required for all applications for rezonings, subdivisions, conditional uses, and master plans, unless waived by the director.

#### C. Use Area and Use District Boundaries to be Established During the Master Planning Process

Where specific boundary lines need to be established between lands in different ownerships, or lands within the same ownership with different land uses as defined by a master plan, the *Girdwood Area Plan*, or the table of allowed uses in this chapter, and no adequate boundaries exist to serve this purpose, the boundaries shall be defined as outlined below. These steps make explicit the intent of a boundary line (for example, to correspond with a stream setback). By clearly defining the intent of these boundaries, the lines may be correctly located during subsequent field surveys. These steps are particularly important in the delineation of areas to remain in the open space district.

1. The master plan process is used to identify the basis for boundaries separating land uses and lands in different ownerships (e.g., boundary between lands to remain in public ownership and lands sold for development). This includes both defining boundaries within the overall master plan area, and refining the external boundaries of the master plan area, particularly important where external boundaries are based on generalized environmental data associated with the *Girdwood Area Plan*.
2. Boundaries shall be based on at least one of the references listed below, suitable for final determination of the boundary at such time as subdivision and the associated survey occurs.
  - a. A surveyed or otherwise readily observed geographic reference point or line (such as a public street, property line or boundary, centerline of a stream channel, etc.);
  - b. A describable environmental condition (such as change in vegetative cover type or slope); or
  - c. A land use objective, including those adopted in the *Girdwood Area Plan* (such as the boundary between an area of low and moderate density residential use, controlled in large part by the total number of residential uses allowed within the master plan area).
3. The master plan process is an appropriate tool to refine the external boundaries of land use districts set by the *Girdwood Area Plan*. In making these refinements, the total amount of land intended for the Open Space district shall not be less than the *Girdwood Area Plan* open space acreage identified within the particular area covered by a specific, single master plan. However the boundaries with the adjoining open space may be shifted to create a more efficient and logical land use pattern.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.030 Administration and Review Procedures

This tool does not preclude requesting a zoning map amendment for a change of use (see section 21.03.160) over a larger area than may be accommodated through the boundary refinement process.

4. The written and mapped description of boundaries of all applicable land use districts shall be determined by master plan analyses and shall be included in the materials submitted as part of the master plan. These boundaries shall not be modified substantially at the time of subsequent development review without a show of cause by the applicant, and following review and approval by the approving agency.

### D. Minor Modifications for Site Constraints

It is the intent of this subsection to allow special consideration to those lots adversely affected by their existing conditions and/or the setbacks set forth in this subsection. The director is authorized to consider and grant the following minor modifications:

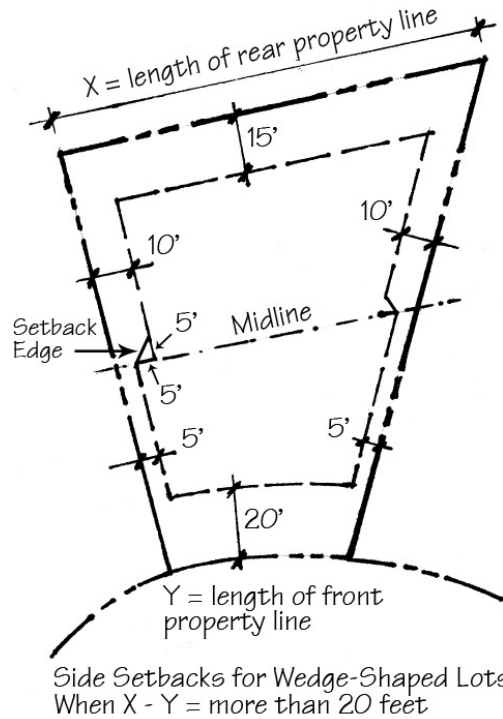
#### 1. Physical Features

If, on lots  $\leq 15,000$  square feet in the residential, commercial, and resort districts, or on lots less than 80 feet wide in residential districts, site constraints, such as stands of mature trees, rock outcroppings, slopes over 30 percent, wetlands, highway setbacks, or other permanent obstacles, are present within the building envelope defined by the setbacks, the building envelope may be shifted on the lot by reducing the rear setback to a minimum of 10 feet, and the side setback to a minimum of five feet on one side, but the total area of the building envelope shall remain the same. However, the front setback shall not be reduced.

#### 2. Lot Shape, Residential Districts

For wedge-shaped lots  $\leq 15,000$  square feet, if the difference in lot width is greater than 20 feet from front to back, the 10 foot side setback in section 21.09.060A.1. shall apply in the wider half of the lot. In the narrower half of the lot, the side setback shall be five feet. For purposes of this subsection, the boundary between the two halves of the lot shall be determined by locating a line midway between the front and rear lot boundaries. The five foot setback in the front half of the lot shall transition into the 10 foot setback in the rear half of the lot as shown in the figure below [21.09-1]. This provision supersedes the side and rear setback flexibility in note 2 of table 21.09-5[.060-1].

# EXHIBIT A



[FIGURE 21.09-1: ]Wedge-shaped Lots

### 3. Narrow Lots, Commercial Districts

On narrow lots, where side setbacks result in a building envelope width of less than 25 feet, the building envelope may be expanded into one or more side setback(s), as needed to provide a 25 foot wide building envelope, but a side setback(s) shall not be reduced to less than five feet, except as provided in the dimensional standards in table 21.09.6[.060-2], nor shall the adjusted building envelope width be greater than 25 feet.

### 4. Corner Lots, Commercial Districts

On corner lots where the secondary front setback reduces the building envelope to less than 25 feet in width, the secondary front setback may be reduced to no less than equal to the side yard setback requirement for the district, as needed to increase the building envelope to no more than 25 feet wide.

## E. Area Master Planning

### 1. Purpose

An area master plan is intended to facilitate the planned development of large tracts of land under unified ownership or control, prior to subdivision or development of entire tracts or parcels within large tracts, in order to provide for land use compatibility and development responding to site-specific environmental constraints and opportunities. The area master plan shall establish the general arrangement of land uses, circulation and infrastructure systems for the identified development areas.

### 2. Applicability

#### a. **Mandatory: Girdwood**

An area master plan review is required prior to development in any of the following Girdwood zoning districts: gR-3, gC-5, GRST-2, GCR-1, GCR-2, GCR-3, GDR, GRR.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.030 Administration and Review Procedures

b. ***Optional***

In addition to the criteria listed above, any other area in joint or single ownership may opt to use the area master plan process on a voluntary basis.

3. **Procedures**

a. ***Pre-Application Conference***

Before filing an application, an applicant shall request a pre-application conference with the director.

b. ***Community Meeting***

A community meeting may be required.

c. ***Initiation***

An application for approval of an area master plan shall be initiated by the owner of the property.

d. ***Application Filing***

Applications for approval of an area master plan shall be submitted to the director and shall contain all information and supporting materials specified in subsection e., below.

e. ***Submittal Requirements***

Submittal requirements are set out below, and shall be in either narrative or illustrative form. The director may waive submittal requirements not relevant to the proposed area master plan. The planning and zoning commission and/or the director may require the submission of other information as may be necessary for the informed exercise of judgment under the criteria for the review of the plan, as set out in subsection 4., below. Where the director determines, as a result of the pre-application conference, that additional information will be needed to evaluate the proposed area master plan, this shall be indicated in writing to the applicant following the pre-application conference, along with the record of pre-application conference discussion required by subsection 21.03.020B.4.c.

i. The legal description, boundaries, and acreage of the petition area, and an explanation of boundary delineation, pursuant to subsection 21.09.030C., if applicable;

ii. The present land use classification of the petition area and abutting property;

iii. The current use, if any, of the petition area and abutting property, including roads, utilities, drainage systems, trails, parks, parking lots, and any structures;

iv. The general topography of the petition area (contours lines shall be shown at intervals of 10 feet or less), including any unique natural or historical features. Mapping shall be at a scale of one inch equals 200 feet, or less;

v. A general description of the existing vegetation, soils, drainage patterns, and habitat in the petition area;

vi. The location of streams, waterbodies, wetlands, drainage courses, riparian areas, critical environmental areas and hazards, and flood plains;



# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.030 Administration and Review Procedures

- 
- vii.** The planning objectives and design considerations used to determine the use and configuration of the proposed development;
- viii.** A conceptual site plan showing the various existing and proposed types of land uses, depicting the relationship to each other and to surrounding uses, proposed acreage, character, and densities/intensity of development for each type of use, and proposed open spaces. The site plan shall be in the form of a “bubble map” locating these “development areas” and other required elements in an approximate fashion;
- ix.** A general description of the traffic and pedestrian circulation system proposed for the petition area, showing connections between land uses, neighborhoods, and proposed public schools, parks, open space areas, and trails/bikeways;
- x.** A traffic study to determine the impacts of the proposed development on the transportation system;
- xi.** A general description of the utility system layout;
- xii.** An explanation of any unique features of the proposed development;
- xiii.** An analysis of offsite impacts to utilities and public services, including schools and fire and police services;
- xiv.** A detailed discussion of conformance with the Girdwood Area Plan, the Girdwood Commercial Areas and Transportation Master Plan, the Areawide Trails Plan, and other applicable Girdwood area planning documents;
- xv.** A general development schedule and phasing plan, if any, and approximate date for commencement of construction; and
- xvi.** If the petition area contains wetlands designated in the *Anchorage Wetlands Management Plan*, the applicant shall submit:
- (A)** A wetlands delineation study based on the evaluation techniques contained in the *Corp of Engineers Wetlands Delineation Manual*;
- (B)** Hydrologic information specifying the quality, amount and direction of flow of surface and subsurface water, as well as information on the drainage impacts of the development on adjacent property;
- (C)** Vegetation information indicating the distribution of wetland, coniferous and deciduous species; and
- (D)** Habitat information on the type, number, and species of animals, including birds.
- xvii.** A general study of existing and proposed drainage, and impacts to natural features, habitat, vegetation, and riparian areas, using baseline climatic and environmental data that reflects Girdwood conditions.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.030 Administration and Review Procedures

**f. *Director Review, Report, and Recommendation***

The director shall review the proposed area master plan in light of the approval criteria of subsection 4., below, and shall distribute the application to other reviewers as necessary. Based on the results of the reviews, the director shall provide a report and recommendation to the planning and zoning commission.

**g. *Public Hearing***

Published, written, and posted notice of public hearings on area master plans shall be provided in accordance with section 21.03.020H.

**h. *Review and Action by Planning and Zoning Commission***

The planning and zoning commission shall hold a public hearing on the proposed area master plan and, at the close of the hearing, act to approve the plan as submitted, approve the plan subject to conditions or modifications, remand the plan to the applicant for modifications, or deny the plan, based on the approval criteria of subsection 4., below.

**4. *Approval Criteria***

An area master plan may be approved if the planning and zoning commission finds all of the following criteria have been met:

**a.** The area master plan substantially conforms to the principles and objectives of the Girdwood Area Plan, any approved neighborhood, district, or area plans, and the general purposes of this chapter as stated in section 21.09.010;

**b.** The streets, roads, and other transportation elements are in conformance with applicable transportation plans;

**c.** The development has no substantial adverse fiscal impact on the Municipality;

**d.** The development provides significant community benefits in terms of design, community facilities, open space, and other community amenities;

**e.** The development is compatible with the character of the surrounding area and minimizes any potential adverse impacts to surrounding areas to the maximum extent feasible; and

**f.** Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property at the proposed level of development, while maintaining sufficient levels of service to existing and anticipated development in surrounding areas.

**5. *Effect of Area Master Plan Approval***

No development rights are granted by the approval of an area master plan. An approved area master plan allows the applicant to file applications for development within the plan area including, but not limited to, site plans, conditional use permits, or preliminary subdivision plans. An approved area master plan also creates a presumption that design density, uses, and site layout set forth in the plan are acceptable to the municipality, subject to further review and application of relevant regulations in the review of subsequent applications. However, approval of the area master plan shall not guarantee such density and uses are attainable.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.030 Administration and Review Procedures

### 6. Modification of Area Master Plan Approval

#### a. *Modification without Public Hearing*

By request of the applicant or subsequent landowner, an approved area master plan may be modified by the planning and zoning commission, without a public hearing, if the modification proposes:

- i. A change to the development schedule or phasing plan of not more than seven years (applicable only if a development master plan is not also required);
- ii. Changes of 10 percent or less to the number of dwelling units or the total combined floor area of commercial and industrial uses;
- iii. A shift between development areas of 10 percent or less of the number of dwelling units or the total combined floor area of commercial and industrial uses;
- iv. A change to the acreage of any development area of 10 percent or less; or
- v. A change the planning and zoning commission determines does not change the impacts on the surrounding neighborhood and public infrastructure and services.

#### b. *Modification with Public Hearing*

By request of the applicant or subsequent landowner, an approved area master plan may be modified by the planning and zoning commission, only after a public hearing, if the modification proposes:

- i. A change to the development schedule or phasing plan of more than seven years (applicable only if a development master plan is not also required);
- ii. A reduction of acreage of open space;
- iii. Changes to the number of dwelling units or the total combined floor area of commercial and industrial uses of more than 10 percent but less than 25 percent;
- iv. A shift between development areas of more than 10 percent but less than 25 percent of the number of dwelling units or the total combined floor area of commercial and industrial uses;
- v. A change to the acreage of any development area of more than 10 percent but less than 25 percent;
- vi. A change to any conditions of approval imposed by the planning and zoning commission at the time of area master plan approval; or
- vii. A change the planning and zoning commission determines changes the type and/or amount of impact on the surrounding neighborhood and public infrastructure and services.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.030 Administration and Review Procedures

### c. ***New Application Required***

The planning and zoning commission shall not consider an application for modification of an area master plan, and the applicant shall be directed to file a new application for area master plan approval, if the modification proposes:

- i. Changes to the number of dwelling units or the total combined floor area of commercial and industrial uses of 25 percent or more;
- ii. A shift between development areas of 25 percent or more of the number of dwelling units or the total combined floor area of commercial and industrial uses;
- iii. A change to the acreage of any development area of 25 percent or more; or
- iv. A change the planning and zoning commission determines substantially changes the types of uses, the intensity of use, or the area of the area master plan.

### 7. **Abandonment of Area Master Plan**

An area master plan approval shall expire if:

- a. Implementation of the area master plan schedule is delayed for more than seven years without a request for a schedule modification as outlined in subsections 21.09.030E.6.a. or 21.09.030E.6.b. (applicable only if a development master plan is not also required); or
- b. The property owner notifies the planning and zoning commission of the abandonment of the area master plan approval.

## F. **Development Master Planning**

### 1. **Purpose**

A development master plan is intended to shape and manage future growth of a site and provide certainty to the community by stating a clearly articulated vision for the character, layout, and design of the development of the site. At a minimum, the development master plan shall establish specific circulation systems; specific land uses; site dimensional, design, and development standards; and building design standards for the identified development areas. The intent of this process is for master planned areas to result in development meeting or exceeding the standards of this chapter, reflecting the character of Girdwood and the purposes of this chapter and title 21.

### 2. **Applicability**

#### a. ***Mandatory: Girdwood***

An approved development master plan is required prior to development in any of the following Girdwood zoning districts: gC-1, GRST-1, GRST-2; GCR-1, GCR-2, GCR-3.

#### b. ***Optional***

A development master plan may be developed through this process for any multi-building development within the Municipality.

### 3. **Procedures**

#### a. ***Pre-Application Conference***

Before filing and application, an applicant shall request a pre-application conference with the director.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.030 Administration and Review Procedures

**b. Community Meeting**

A community meeting may be required.

**c. Initiation**

An application for approval of a development master plan shall be initiated by the owner of the subject property.

**d. Application**

Applications for approval of a development master plan shall be submitted to the director and shall contain all information and supporting materials specified in subsection e., below.

**e. Submittal Requirements**

The design standards proposed in the development master plan may differ from the standards of sections 21.09.060, 070, and 080, as provided in subsection 21.09.030F.4., using the development and design criteria described in subsection 5.g., below.

Submittal requirements are listed below and shall be in either narrative or illustrative form. The director may waive submittal requirements not relevant to the proposed development. The planning and zoning commission and/or the director may require the submission of other information as necessary for the informed exercise of judgment under the criteria for the review of the plan, as set out in subsection 4., below.

i. The legal description, acreage, and boundaries of the proposed petition area, an explanation of boundary delineation, pursuant to subsection 21.09.030C, if applicable, and a depiction of the area surrounding the petition area;

ii. A site plan of any existing development, including buildings, roads, utilities, drainage systems, trails, and a general description of existing vegetation;

iii. The topography of the petition area, with contours lines shown at intervals of four feet or less, including any unique natural or historical features;

iv. The location of existing streams, water bodies, wetlands, drainage courses, and flood plains, and proposed changes to such features;

v. A grading plan and detailed study of existing and proposed drainage, using baseline climatic and environmental data that reflects Girdwood conditions;

vi. A proposed site plan, showing roads, trails, building locations and uses, parking lots, open space, and any other proposed development. The site plan shall include the total number and type of dwelling units, and the total combined floor area of commercial and industrial uses;

vii. A landscape plan, including vegetation retention areas;

viii. Floor plans, building elevations, and renderings for all buildings;

ix. Road cross-sections;

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.030 Administration and Review Procedures

x. Details of any other development proposed; and

xi. An implementation schedule.

f. ***Director Review, Report, and Recommendation***

The director shall review the proposed development master plan in light of the approval criteria of subsection 4., below, and shall distribute the application to other reviewers as necessary. Based on the results of the reviews, the director shall provide a report and recommendation to the planning and zoning commission.

g. ***Public Hearing***

Published, written, and posted notice of public hearings on development master plans shall be provided in accordance with section 21.03.020H.

h. ***Review and Action by Planning and Zoning Commission***

The planning and zoning commission shall hold a public hearing on the proposed development master plan and, at the close of the hearing, act to approve the plan as submitted, approve the plan subject to conditions or modifications, remand the plan to the applicant for modifications, or deny the plan, based on the approval criteria of subsection 4., below.

4. **Development and Design Standards**

The development master plan shall establish specific circulation systems; land uses; site dimensional, design, and development standards; and building design standards for its development areas. These elements may set different development standards than those found in title 21 including sections 21.09.060, 21.09.070, and 21.09.080. The development master plan shall list the specific sections of title 21 for which different standards are to be established. Where different standards are approved in the development master plan, those standards shall be applied instead of the corresponding standards in title 21.

5. **Approval Criteria**

A development master plan may be approved if the planning and zoning commission finds all of the following criteria have been met:

a. The development master plan substantially conforms to the principles and objectives of the *Girdwood Area Plan*, any approved neighborhood, district, or area plans, and the general purposes of this chapter, as stated in section 21.09.010;

b. The streets, roads, and other transportation elements are in conformance with applicable transportation plans;

c. The development has no substantial adverse fiscal impact on the municipality.

d. The development provides significant community benefits in terms of design, community facilities, open space, and other community amenities.

e. The development minimizes any potential adverse impacts to surrounding residential areas to the maximum extent feasible.

f. Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property at the proposed level of development, while maintaining sufficient levels of service to existing and anticipated development in the surrounding areas.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

- g. The design standards are equivalent to or exceed the generally applicable development standards of sections 21.09.060, .070, and .080, and result in high-quality, environmentally sensitive development in keeping with the *Girdwood Area Plan*, the intent of this chapter, and the character of Girdwood.

### 6. Modification of Development Master Plan

The planning and zoning commission shall determine whether a proposed modification to an approved development master plan may be approved without a public hearing, may be approved with a public hearing, or is significant enough to require a new development master plan. **Dimensional variation(s) from an adopted development master plan standard shall only be allowed if approved as a modification of the development master plan by the commission through this process, and not through a variance process.**

### 7. Abandonment of Development Master Plan

A development master plan approval shall expire if:

- a. Implementation of the development master plan schedule is delayed for more than seven years without a request for a schedule modification as outlined in section 21.09.030F.5.; or
- b. The property owner notifies the planning and zoning commission of the abandonment of the development master plan.

## 21.09.040 ZONING DISTRICTS

This section establishes the zoning districts and contains basic information pertaining to zoning districts, primarily general descriptions and district-specific regulations. The following sections 21.09.050 through 21.09.080 set forth the uses allowed within the districts and the dimensional, development, and design standards applying to development in the districts.

### A. Zoning Districts Established

Girdwood is divided into the following zoning districts:

| TABLE 21.09[.040]-1:<br>GIRDWOOD ZONING DISTRICTS ESTABLISHED |               |  |
|---|---------------|--|
| District Type   | District Name | District Description                                   |
| Residential Districts   | gR-1          | Alyeska Highway Mixed Residential                      |
|   | gR-2          | Single-Family/Two-Family Residential                   |
|   | gR-2A         | Single-Family/Two-Family Residential (Crow Creek Road) |
|   | gR-3          | Single-Family/Two-Family Residential                   |
|   | gR-4          | Multiple-Family Residential                            |
| Commercial Districts  | gR-5          | Multiple-Family Residential                            |
|   | gC-1          | Seward Highway/Alyeska Highway Commercial              |
|   | gC-2          | Girdwood Station/Seward Highway Commercial             |
|   | gC-3          | Old Townsite Commercial/Residential                    |
|   | gC-4          | Lower Alyeska Highway Commercial                       |
|   | gC-5          | New Townsite South Commercial                          |
|   | gC-6          | Crow Creek Road Commercial/Residential                 |
|   | gC-7          | Townsite Square Commercial                             |
|   | gC-8          | New Townsite North Commercial                          |
|   | gC-9          | East Hightower Commercial/Residential                  |
|   | gC-10         | Upper Alyeska Highway Commercial                       |

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

|                      |        |   |
|----------------------|--------|---|
| Industrial Districts | gl-1   | Ruane Road Industrial                                 |
|                      | gl-2   | Upper Crow Creek Industrial                           |
| Resort Use Districts | GRST-1 | Original Mountain Base Resort                         |
|                      | GRST-2 | New Base Resort                                       |
| Other Districts      | GA     | Girdwood Airport                                      |
|                      | GOS    | Girdwood Open Space                                   |
|                      | GIP    | Girdwood Institutions and Parks                       |
|                      | GCR-1  | Commercial Recreation (Golf Course/Nordic Ski Course) |
|                      | GCR-2  | Commercial Recreation (Glacier – Winner Creek)        |
|                      | GCR-3  | Commercial Recreation (Crow Creek Historic Mine)      |
|                      | GDR    | Development Reserve                                   |
|                      | GRR    | Recreation Reserve                                    |
|                      | GW     | Girdwood Watershed                                    |

### B. Residential Districts

#### 1. General Description

There are six residential districts in Girdwood. The residential districts primarily permit the development of residential dwelling units of various intensities, although some also permit the development of overnight lodging, child care, religious assembly, community buildings and uses, noncommercial parks, private academic schools and utility facilities. Girdwood-specific site and building design standards are contained in sections 21.09.070 and 21.09.080.

#### 2. Districts

##### a. ***gR-1 (Alyeska Highway Mixed Residential) District***

##### i. *Location*

The gR-1 district is located in two sections along Alyeska Highway from just north of the railroad to just past the junction with Crow Creek Road and encompasses already-sewered, established and largely developed residential neighborhoods characterized generally by single-family detached and two-family development.

##### ii. *Intent*

The intent of this district is to continue the existing pattern of development as dwelling units are constructed on the remaining undeveloped lots, and to permit development of hostels, inns and multiple-family housing.

##### iii. *District-Specific Standard*

More than one principal structure may be allowed on any lot or tract by administrative site plan review.

##### b. ***gR-2 (Single-Family/Two-Family Residential) District***

##### i. *Location*

The gR-2 district is located in the following three areas:

(A) The Mine Roads area west of Alyeska Highway, just north of the railroad;

(B) South of Alyeska Highway, west of Timberline Drive; and



# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

(C) Alyeska Basin Subdivision, lying north and south of Alyeska Highway, at the base of Mt. Alyeska.

ii. *Intent*

These are established and largely developed residential neighborhoods characterized by single-family detached and two-family development. The intent is to allow development to continue in a manner consistent and compatible with existing development patterns.

iii. *District-Specific Standards*

(A) Nonresidential uses may be allowed as provided in table 21.09-2[.050-1], but shall be allowed only on central sewer, not septic systems.

(B) Only one principal structure is allowed on any lot or tract.

c. ***gR-2A (Single-Family/Two-Family Residential—Crow Creek Road) District***

i. *Location*

The gR-2A district is located on both sides of Upper Crow Creek Road in Crow Creek Valley, just south of the Girdwood Mine.

ii. *Intent*

This area consists of an established, sparsely-developed residential neighborhood characterized by single-family detached development. The intent of this district is to allow development to continue in a manner consistent and compatible with existing development patterns.

iii. *Federal Patents to Mineral Estate and Valid State and Federal Mining Claims*

The properties in this district have federal patents to mineral estate and/or valid state and federal mining claims. Mining activity under the auspices of those patents and/or claims shall comply with relevant federal and state regulations.

iv. *District-Specific Standards*

(A) In spite of section 3.a. below, commercial vehicles, shipping containers, construction equipment, and the like may be stored outdoors in this district.

(B) Only one principal structure is allowed on any lot or tract.

d. ***gR-3 (Single-Family/Two-Family Residential) District***

i. *Location*

Discrete areas of the gR-3 district are located in the following areas:

(A) West of Alyeska Highway, west of the gR-1 district and west of the Mine Roads portion of the gR-2 district; and

(B) Both east and west of Crow Creek Road.

ii. *Intent*

The gR-3 district is found in a number of areas and consists of undeveloped land designated primarily for single-family detached and two-family development, although other types of residential uses and visitor accommodations may be allowed pursuant to the master planning process and table 21.09-2[.050-1].

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

### iii. *Area Master Planning Required*

(A) Prior to subdivision or development of any portion of this district, area master planning is required pursuant to section 21.09.030E.

(B) Uses allowed in this district are set forth in table 21.09-2[.050-1]. Area master planning shall not change the allowed uses in this district, unless the master plan is adopted concurrently with amendments to the *Girdwood Area Plan* and this chapter.

(C) Dimensional standards, site development and design standards, and building design standards for this district are set out in sections 21.09.060, 21.09.070, and 21.09.070, respectively. Area master planning shall not change those standards.

### iv. *District-Specific Standard*

Unless determined otherwise through an area master plan, only one principal structure is allowed on any lot or tract.

### e. ***gR-4 (Multiple-Family Residential) District***

#### i. *Location*

The district consists of two already-developed areas at the base of Mt. Alyeska, two, small already-developed areas on the west side of Alyeska Highway, and an area south of Alyeska Highway, just east of Glacier Creek.

#### ii. *Intent*

The intent for the gR-4 district is to continue the existing pattern of multiple-family development on sewers. Single-family and two-family development is allowed on existing lots of less than 20,000 square feet.

#### iii. *District-Specific Standard*

More than one principal structure may be allowed on any lot or tract by administrative site plan review.

### f. ***gR-5 (Multiple-Family Residential) District***

#### i. *Location*

The gR-5 district consists of two areas which are:

(A) West of Crow Creek Road, just north of California Creek; and

(B) East of Crow Creek Road, west of Glacier Creek.

#### ii. *Intent*

This district is intended for multiple-family development on sewers.

#### iii. *District-Specific Standards*

##### (A) *Minimum Density*

The minimum density for residential development where public sewer is available, shall be five dwelling units per acre.

##### (B) *Single-Family Development in gR-5*

One single-family structure is allowed on a parcel only where public sewer is not available. Minimum lot size shall be 50,000 square feet. Subdivision is prohibited for the purpose of providing single-family development.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

### (C) *Multiple Residential Structures*

More than one principal structure may be allowed on any lot or tract by administrative site plan review.

### 3. **District-specific Standards for All Residential Districts**

#### a. ***Prohibited Uses and Structures***

Vehicles, shipping containers, construction trailers, and similar items, shall not be used for habitation or storage. Commercial vehicles, shipping containers, construction equipment, and similar items, shall not be stored outdoors in residential districts.

#### b. ***Use of Setbacks***

i. Structures, including but not limited to fences, trash dumpsters, and storage sheds, shall not be placed within any setback area, except as otherwise provided in this chapter.

ii. Private vehicles, trailers, boats, snow machines, recreational vehicles, other non-commercial vehicles, and similar items, may be stored in the front setback only in the driveway, but shall not be stored closer than five feet to the side or rear property lines.

iii. Architectural elements, such as roof overhangs, eaves, and awnings, shall not project more than two feet into a required setback area.

iv. Decks, unroofed porches, exterior steps, terraces, and similar items, shall not project into setback areas, except exterior steps necessary for site access may project into setback areas.

v. Walkways may be constructed within setback areas.

vi. Bed and breakfast signs and project identification signs may be placed in the front setback area.

### C. **Commercial Districts**

#### 1. **General Description**

There are ten commercial districts in Girdwood, labeled gC-1 through gC-10. The commercial districts permit a varied range of commercial uses, and some of the commercial districts also permit the development of residential dwelling units.

In order to provide adequate review of larger projects, to protect the public interest, prohibit the development of structures out of scale with the character of different parts of Girdwood, and provide flexibility and simplicity of development, certain uses have different review and approval requirements, depending on the size of the use. The sizes and approval requirements are delineated in table 21.09.2[.050-1].

Girdwood-specific site and building design standards are contained in sections 21.09.070 and 21.09.080.

#### 2. **Districts**

##### a. ***gC-1 (Seward Highway/West Alyeska Highway Commercial) District***

##### i. *Location*

The gC-1 district consists of land located north of the Seward Highway, west of the Alyeska Highway, and south of the railroad at the entrance to Girdwood Valley, containing approximately 23 acres.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

### ii. *Intent*

The overall design goal for this district shall be to create a mix of rail, bus, trail, and highway-related commercial uses. This district may be a possible site for a passenger terminal, trailhead for the Iditarod trail and/or a transfer point between private autos and carpools, buses, or other forms of transportation. The district contains intertidal and high value freshwater wetlands, and also has high visibility. Consequently, the master plan for this district needs to carefully consider both environmental and community aesthetics. This district shall become an attractive gateway to Girdwood Valley, with visual character appropriate to the entry to a mountain resort community. Landmark-quality elements are encouraged in any development visible from the highways, and the design of larger buildings shall make every effort to reduce the perception of building mass and make the building appear to be an aggregation of smaller, simple forms.

### iii. *Development Master Planning Required*

(A) Prior to subdivision or development of any portion of this district, development master planning is required pursuant to section 21.09.030F.

(B) Subject to section 21.09.030F., the development master plan may change the dimensional standards, site development and design standards, and building design standards for this district set forth in sections 21.09.060, 21.09.070, and 21.09.080, respectively.

(C) Development proposals that are part of an approved development master plan are exempted from the review and approval requirements of table 21.09-2[.050-1], except when required as a condition of approval.

### iv. *District-Specific Standards*

(A) The façade of any retail commercial development or multimodal facility facing the Seward Highway or Alyeska Highway shall avoid a “back-door” appearance.

(B) Building and landscape materials typical of Girdwood, such as natural wood, native trees and flowers, and local stone, shall be emphasized.

### b. ***gC-2 (Girdwood Station/Seward Highway Commercial) District***

#### i. *Location*

The gC-2 district is comprised of land on the east side of Alyeska Highway, west of Dawson Street, at the intersection of the Alyeska Highway with the Seward Highway. The district fronts both highways.

#### ii. *Intent*

The gC-2 district, along with the gC-1 district, constitutes the entry to Girdwood Valley and shall be developed as part of an attractive gateway to a mountain resort community. Because of the proximity to the Seward Highway, residential uses are not appropriate in this district. Landmark-quality elements are encouraged in any development visible from the highways, and the design of larger buildings shall make every effort to

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

reduce the perception of building mass and make the building appear to be an aggregation of smaller, simple forms.

iii. *District-Specific Standards*

Building and landscape materials, such as natural wood, native trees and flowers, and local stone, shall be emphasized.

c. ***gC-3 (Old Townsite Commercial/Residential) District***

i. *Location*

The gC-3 district is comprised of the land north of the gC-2 district, east of the Alyeska Highway, south of the Alaska Railroad, and west of Glacier Creek at the entrance to Girdwood Valley.

ii. *Intent*

This district reflects the development pattern of early Girdwood, with a mix of houses and small businesses on small lots creating the appearance of a small, historic town. There are still many vacant lots in this district to be developed with either residences or small commercial and craft-oriented businesses to retain the unique scale and visual quality of this district.

iii. *District-Specific Standards*

(A) *Residential Character*

To maintain overall neighborhood integrity, new nonresidential development in the old townsite shall have a residential character, even though the zoning permits commercial uses. Elements of residential character in the old townsite include predominantly pitched roofs, porches and protected entryways, rectangular and vertically oriented windows recessed into the exterior wall or window trim, no blank walls, and special attention to the detailing of windows, doors, porches and protected entries on the ground floor. Siding and trim shall be traditional residential in appearance, and avoid materials associated with industrial uses.

(B) *Parking*

On-street parking may satisfy parking requirements; excessive on-site parking is discouraged. Up to 50 percent of the width of the front setback may be used for parking, provided parking lots allow for sidewalks so pedestrians may comfortably and safely walk by parking stalls.

(C) *Accessory Structures and Outdoor Storage*

Uses shall adhere to residential district standards for outdoor storage and accessory structures.

d. ***gC-4 (Lower Alyeska Highway Commercial) District***

i. *Location*

The gC-4 district consists of three commercially developed lots located on the west side of Alyeska Highway, south of Crow Creek Road, surrounded by residential uses.

ii. *Intent*

This district permits continued commercial use or a variety of residential uses. Use and redevelopment of the lots in this district shall protect the

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

visual quality of the Alyeska Highway corridor by maintaining and enhancing the predominantly natural character of views along the highway.

iii. *District-Specific Standards*

Removal of existing vegetation shall be in accordance with section 21.09.070D.4.b.

e. ***gC-5 (New Townsite South Commercial) District***

i. *Location*

The gC-5 district consists of previously-platted land between Glacier Creek and California Creek, south of Alyeska Highway, owned, at the time this chapter is adopted, by the Municipality. Although this district is identified as a commercial district, it also includes park, open space, and institutional lands, with boundaries proposed to be modified through a detailed master plan process.

ii. *Intent*

This district is the southern extension of the new townsite. Development in this district is intended to include a blending of commercial, institutional and park uses, with new and modified access routes established. Small commercial lots are anticipated along the extension of south Hightower, where a main street character, similar to the north townsite area, is intended. This may differ from larger lot commercial development at the south end of the commercial district, where a larger structure (grocery store) is anticipated. Although buildings are likely to be larger than in new townsite areas north of the Alyeska Highway, the desired character is expected to be compatible with Girdwood's mining town origins, using elements such as human-scale building massing; varied rooflines; protected entries; traditional window forms; well-detailed retail frontages; and use of natural materials.

iii. *Area Master Planning Required*

(A) Prior to subdivision or development of any portion of this district, area master planning is required pursuant to section 21.09.030E.

(B) Uses allowed in this district are set forth in table 21.09-2[.050-1]. Area master planning shall not change the allowed uses in this district, unless the master plan is adopted concurrently with amendments to the *Girdwood Area Plan* and this chapter.

(C) Dimensional standards, site development and design standards, and building design standards for this district are set forth in sections 21.09.060, 21.09.070, and 21.09.070, respectively. Area master planning shall not change those standards.

f. ***gC-6 (Crow Creek Road Commercial/Residential) District***

i. *Location*

The gC-6 district is located north of Alyeska Highway, along both sides of lower Crow Creek Road, and along Hightower Road north of the new Townsite.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

1                   ii.     *Intent*

2                   The intent for this district is to continue the existing pattern of mixed  
3                   residential and commercial uses, while allowing expansion of the new  
4                   townsite core.

5                   g.     ***gC-7 (Townsite Square Commercial) District***

6                   i.     *Location*

7                   The gC-7 district is a square block located north of the Alyeska Highway,  
8                   bounded by Hightower Road, Lindblad Avenue, Holmgren Place, and  
9                   Girdwood Place. This district presently consists of small lots developed  
10                  with commercial uses.

11                  ii.    *Intent*

12                  This district is intended to be the commercial core of Girdwood, with  
13                  commercial uses developed at street level, although residential dwelling  
14                  units may be constructed over the ground floor commercial uses.  
15                  Buildings shall be at human scale and relate strongly to both the street  
16                  front and to the town square park, in order to support the park as a public  
17                  amenity. Site development shall provide strong pedestrian connections  
18                  to neighboring lots.

19                  iii.   *District-specific Standards*

20                  (A)    *Building Orientation*

21                  Buildings shall be oriented perpendicular to, or parallel with,  
22                  public streets and to other buildings.

23                  (B)    *Double-Loaded or Double-Sided Commercial*

24                  Buildings with frontage on Town Square Park shall be designed  
25                  and constructed so ground floor commercial, retail and/or  
26                  restaurant establishments shall have public/customer spaces  
27                  and a public entrance facing Town Square Park, as well as on  
28                  the front side.

29                  (C)    *Rear Setbacks and Relationship to Town Square Park*

30                  Uses allowed in the rear setback, facing Town Square Park,  
31                  shall focus on public activity rather than being fully private or  
32                  service areas. Outdoor spaces and structures, such as terraces,  
33                  porches, and decks, may encroach into the rear setback.  
34                  Service areas or mechanical equipment in the rear are  
35                  discouraged and, if unavoidable, shall be screened from the  
36                  park.

37                  (D)    *Side Setbacks along Public Rights-of-Way Accessing Town  
38                  Square Park*

39                  Building or structural improvements are allowed within the side  
40                  setback if related to the public space, under the following  
41                  standards:

42                  (1)    No blank building walls or sight-obstructing fences are  
43                  allowed.

44                  (2)    There shall be at least one building public entry facing  
45                  the public access right-of-way, with a connecting  
46                  walkway.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

(3) The side of the building facing the public access right-of-way shall meet the design standards for store fronts in subsection 21.09.080F.2.f.

(4) Non sight-obscuring fences, such as picket fences, and garden gates no higher than 42 inches in height are allowed.

(E) *Fences*

Privacy walls or fences, that shall match the materials of the principal building on the lot, are permitted only around private terraces on the ground floor, or to screen service areas. Fences bordering the public rights-of-way into Town Square Park are permitted subject to subsection (D), above.

(F) *Snow Storage Areas*

Snow storage areas in the side and rear setbacks shall be designated to not interfere with or damage public spaces or passageways between buildings.

(G) *Parking*

In addition to the more generally applicable standards for parking, development in the gC-7 district is subject to the new townsite parking provisions of subsection 21.09.070K.3. Driveways are prohibited along side setbacks adjoining the public rights of way accessing Town Square Park.

h. **gC-8 (New Townsite North Commercial) District**

i. *Location*

The gC-8 district is located north of Lindblad Avenue, on both sides of Hightower Road. This district includes the Girdwood Post Office and neighboring lots to the north, east, and west.

ii. *Intent*

The intent of this district is for northward commercial and residential expansion of the new townsite core. Buildings shall continue the human scale and physical character of the new townsite core, and maintain a strong relationship to the street. Properties along Hightower Road shall express a visible transition from the built-up environment around town square to a more forested landscape along the northern extension of Hightower Road. Residential dwelling units are permitted on upper floors above ground-floor commercial uses.

i. **gC-9 (East Hightower Commercial/Residential) District**

i. *Location*

The gC-9 district is located north of Alyeska Highway, east of Hightower Road and west of Glacier Creek. This district presently is a mix of commercial and residential uses.

ii. *Intent*

It is intended to provide expansion area for the new townsite core, continuing a mixture of multiple-family residential and commercial uses. Buildings shall be at human scale. Site development shall have strong street orientation and provide pedestrian connections to neighboring lots.



# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

### j. ***gC-10 (Upper Alyeska Highway Commercial) District***

#### i. *Location*

The gC-11 district is an undeveloped portion of a residentially developed subdivision. This district is located on the south side of Alyeska Highway, west of Timberline Drive.

#### ii. *Intent*

The intent of this district is to permit development of a limited range of non-retail commercial uses along with residential uses in a manner compatible with the surrounding residential land use.

### 3. **District-Specific Standards for Commercial Districts**

The following standards shall apply to commercial districts.

#### a. ***Ground-floor Residential***

In the gC-2, gC-5, gC-7, and gC-8 commercial districts, residential uses are permitted only on an upper story above the ground floor. Commercial and/or other non-residential uses shall occupy the ground floor.

#### b. ***Arcades and Covered Walkways in the New Girdwood Townsite***

In the gC-5, gC-7, gC-8 and gC-9 districts, arcades or roofed walkways are required along the street face of all new buildings and as part of any application for modification or redevelopment. In the gaps between buildings within these districts, privately maintained walkways are required. Development standards for arcades and walkways on building frontages are established in subsection 21.09.080E.5.d.

#### c. ***Use of Setbacks in Commercial Districts***

i. Service facilities, such as trash dumpsters, storage sheds, fuel tanks, and similar facilities, shall not be placed within setback areas.

ii. No parking spaces are permitted within required setbacks, except in the gC-3 district with its small lots and existing businesses, where up to 50 percent of the width of the front setback may be used for parking.

iii. Business signs, walkways, snow protection over walkways and landscape plantings may be placed within, and driveways may cross, setback areas.

iv. Except for arcaded or roofed walkways, no architectural elements attached to a building, such as roofed decks or terraces, roof overhangs, attached exterior stairs and upper-story balconies, shall project more than two feet into a setback area. On lots smaller than 5,000 sq. ft., however, where parking access is only from the rear service alley, the garage and its roof overhang may encroach into the setback to within five feet of the property line.

v. Walkways and terraces may use up to 50 percent of the side and rear setback, and may occupy all of the front setback area not required for snow dumping from roofs and for snow storage from paved areas.

### D. **Industrial Districts**

#### 1. **General Description**

There are two industrial districts in Girdwood, labeled gl-1 and gl-2. The gl-1 district, the Ruane Road industrial area, permits a varied range of commercial and industrial uses.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

The gl-2 district, encompassing the existing industrial mining area along Upper Crow Creek Road, primarily permits continuation of the existing use, along with a limited number of other uses. Girdwood-specific site and building design standards are contained in sections 21.09.070 and 21.09.080.

### 2. Districts

#### a. *gl-1 (Ruane Road Industrial) District*

##### i. *Location*

The gl-1 district consists of the Ruane industrial area east of lower Alyeska Highway.

##### ii. *Intent*

This largely undeveloped area is intended to contain the industrial uses necessary for the future development of Girdwood. In addition, commercial uses requiring large areas for storage, or with potentially more substantial visual and noise impacts than appropriate for the Girdwood commercial districts, are permitted in this district.

#### b. *gl-2 (Upper Crow Creek Industrial) District*

##### i. *Location*

The gl-2 district is an active commercial mine at the upper end of Crow Creek Road.

##### ii. *Intent*

The intent for this district is to permit continuation of existing mining activities and accessory activities thereto.

##### iii. *Federal Patents to Mineral Estate and Valid State and Federal Mining Claims*

The properties in this district have federal patents to mineral estate and/or valid state and federal mining claims. Mining activity under the auspices of those patents and/or claims shall comply with relevant federal and state regulations.

### E. Resort Districts

#### 1. General Description

There are two resort districts in Girdwood, labeled gRST-1 and gRST-2, focused on tourism and alpine skiing. The gRST-1 district consists of the area around the existing day lodge, referred to as the original mountain base resort. The gRST-2 district consists of the Alyeska Resort ski slopes, the Alyeska Prince Hotel area, and undeveloped property for future resort expansion. The resort districts permit a varied range of commercial uses and [THE DEVELOPMENT OF MULTI-FAMILY] residential dwelling units.

In order to provide adequate review of larger projects, to protect the public interest, prohibit the development of structures out of scale with the character of different parts of Girdwood, and provide flexibility and simplicity of development, certain uses have different review and approval requirements, depending on the size of the use. The sizes and approval requirements are delineated in table 21.09.2[.050-1].

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

### 2. Districts

#### a. **GRST-1 (Original Mountain Base Resort) District**

##### i. *Location*

The gRST-1 district consists of the original Alyeska Resort base area, currently in multiple ownership, and already largely developed with commercial uses generally related to the alpine ski facility.

##### ii. *Intent*

The intent of this district is to continue its use as an alpine ski resort base area, particularly for day skiers.

##### iii. *Development Master Planning Required*

(A) Prior to any development of over 20,000 square feet gross floor area, development master planning is required pursuant to section 21.09.030F.

(B) Uses allowed in this district are set forth in table 21.09-2[.050-1]. Development master planning shall not change the allowed uses in this district, unless the master plan is adopted concurrently with amendments to the Girdwood Area Plan and this chapter.

(C) Subject to section 21.09.030F., the development master plan may change the dimensional standards, site development and design standards, and building design standards for this district set forth in sections 21.09.060, 21.09.070, and 21.09.080, respectively.

(D) Development proposals that are part of an approved development master plan are exempted from the review and approval requirements of table 21.09-2[.050-1], except when required as a condition of approval.

#### b. **GRST-2 (New Base Resort) District**

##### i. *Location*

The gRST-2 district consists of the Alyeska Resort ski slopes, the Alyeska Prince Hotel and adjoining parking lot, the undeveloped area between the original mountain base area and the Alyeska Prince Hotel, and an undeveloped area lying north of the Alyeska Prince Hotel, across Moose Meadows Creek. The latter area is suitable for a future resort base development.

##### ii. *Intent*

The intent of this district is to maintain and expand upon the current development for alpine skiing and tourism.

##### iii. *Area Master Planning and Development Master Planning Required*

##### (A) *Area Master Planning*

(1) Prior to any development of over 20,000 square feet gross floor area, area master planning is required pursuant to section 21.09.030E.

(2) Uses allowed in this district are set forth in table 21.09-2[.050-1]. Area master planning shall not change the allowed uses in this district, unless the master plan is

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

adopted concurrently with amendments to the Girdwood Area Plan and this chapter.

**(B) Development Master Planning**

**(1)** Prior to any development of over 20,000 square feet gross floor area, development master planning is required pursuant to section 21.09.030F.

**(2)** Uses allowed in this district are set forth in table 21.09-2[.050-1]. Development master planning shall not change the allowed uses in this district, unless the master plan is adopted concurrently with amendments to the *Girdwood Area Plan* and this chapter.

**(3)** Subject to section 21.09.030F., the development master plan may change the dimensional standards, site development and design standards, and building design standards for this district set forth in sections 21.09.060, 21.09.070, and 21.09.080, respectively.

**(4)** Development proposals that are part of an approved development master plan are exempted from the review and approval requirements of table 21.09-2[.050-1], except when required as a condition of approval.

**F. Other Districts**

**1. General Description**

There are nine miscellaneous districts in this section covering the majority of the land governed by this chapter. Several districts consist of discrete, relatively small areas. For instance, the GA (Girdwood Airport) district consists of State of Alaska property presently used for the Girdwood Airport, and the GCR-3 Commercial Recreation (Crow Creek Historic Mine) district consists of property operated as historic Crow Creek mine commercial/recreational development. On the other hand, some of the districts cover extensive areas of land and/or are located in a variety of areas within Girdwood. For instance, the GIP (Girdwood Institutional and Parks) district includes Girdwood School, U.S. Forest Service ranger station and visitor center, State of Alaska highway maintenance yard, and municipal sewage treatment plant, along with both dedicated and undedicated existing and future parks. Many of the districts are based on intended general uses specified in the Girdwood Area Plan, but require master planning to identify specific uses and development standards, as well as circulation, subdivision and utility requirements. It is anticipated, as required master plans for land in many of the districts in this chapter are completed, the specific district provisions may be refined or the district may be completely redefined.

**2. GA (Girdwood Airport) District**

**a. Location**

The GA district consists of State of Alaska-owned property where the Girdwood airport is currently located. The airport property is located north of Alyeska Highway and straddles Glacier Creek. The airport facility itself is on the east side of Glacier Creek, but much of the airport property is either wetlands or river floodway.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

**b. Intent**

The intent of this district is for continuation of uses that are primarily aviation related, but also for wetlands and river floodway to be minimally disturbed by development within this district.

**3. GOS (Girdwood Open Space) District**

**a. Location**

The GOS district consists of those areas of Girdwood Valley depicted in the Girdwood Area Plan as open space because of generally physically unsuitable or unsafe for development, and/or generally environmentally sensitive with functions or attributes to be protected. The GOS district is located throughout the valley, taking in several types of land area, including wetlands and floodplains, steep slopes and hazardous lands, as well as recommended creek greenbelt areas.

**b. Intent**

The intent of the open space district is to protect lands left predominantly natural.

**c. District-Specific Standards**

Development shall be prohibited, except as related to a recreational use listed in table 21.09-2[.050-1], or if authorized in an approved master plan. Transportation rights of way and utility easements may cross GOS lands.

**4. GIP (Girdwood Institutions and Parks) District**

**a. Location; Parks Designation**

The GIP (Girdwood Institutions and Parks) district consists of land in public use, or projected to be in public use, during the duration of the Girdwood Area Plan. Among other uses, the Girdwood school, the U.S. Forest Service ranger station and visitor center, State of Alaska highway maintenance yard, and municipal sewage treatment plant, along with both dedicated and undedicated existing and future parks, are located in this district.

Within the GIP district, parks, whether dedicated or undedicated, existing or future, are designated on the district map by "GIP-p."

**b. Intent**

The GIP district is intended to include areas of public and quasi-public institutional uses and activities.

**c. Federal Patents to Mineral Estate and Valid State and Federal Mining Claims**

Some properties in this district have federal patents to mineral estate and/or valid state and federal mining claims. Mining activity under the auspices of those patents and/or claims shall comply with relevant federal and state regulations.

**d. Uses**

**i. Permitted Uses**

The following uses are allowed subject to the stated limitations:

**(A)** Park facilities and playgrounds.

**(B)** Community fairs and special events, subject to obtaining any required temporary use permits.

**(C)** Concession facilities not larger than 500 square feet, primarily serving users of the park or open space where located.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

### ii. *Conditional Uses*

- (A) Gallery/ museum/art studio/information center.
- (B) Community buildings and uses.
- (C) Tent campgrounds; only in California Creek Park.
- (D) Communication structures (as listed in table 21.09-2[.050-1]).
- (E) Utility facilities and utility substations.
- (F) Non-motorized general outdoor recreation, commercial.
- (G) Snow disposal site.
- (H) Governmental service.

### e. *District-specific Standards*

- i. The provisions of subsection 21.09.030D.1., *Minor Modifications for Site Constraints*, apply to the GIP district.
- ii. The provisions of subsection 21.09.040C.3.c., *Use of Setbacks in Commercial Districts*, apply to the GIP district.

## 5. **GCR-1 Commercial Recreation (Golf Course/Nordic Ski Course) District**

### a. *Location*

The area encompassed by this district is located in lower Girdwood Valley near Glacier, California, and Virgin Creeks.

### b. *Intent*

The primary use envisioned for the district is an eighteen-hole resort golf course and facilities normally associated with a golf course, including a clubhouse, driving range, pro/retail shop, restaurant/food service, and similar supporting services. A Nordic ski course is also a permitted use. Other uses associated with the course development may include limited related commercial and/or other recreational activities. Residential development may also be allowed as a secondary use, along with other outdoor recreational uses and facilities. While this district provides for commercial recreation development with related residential, the intent is to also maintain the scenic and natural beauty of the area, and to ensure development impacts are minimized. No housing or commercial development shall be constructed until after the golf course is constructed.

### c. *Area Master Planning and Development Master Planning Required*

#### i. *Area Master Planning*

Except for uses listed in subsection d., below, no subdivision or other development of land within this district shall occur before an area master plan is approved pursuant to section 21.09.030.E. The plan shall address protection of important environmental features and natural habitat.

#### ii. *Development Master Planning*

- (A) Except for the three privately owned lots in this district and the uses listed in subsection d., below, the uses allowed in the district, as well as the design and character of the development

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

permitted within the district, shall be established through development master planning pursuant to section 21.09.030F.

- (B) Subject to section 21.09.030F., the development master plan may change the dimensional standards, site development and design standards, and building design standards for this district set forth in sections 21.09.060, 21.09.070, and 21.09.080, respectively.

**d. Uses**

**i. Permitted Uses**

The following uses are permitted, prior to area and/or development master plan approval, subject to compliance with all development and design standards and other applicable regulations:

- (A) Public recreational trails.

- (B) Single family dwelling on Lots 1 and 13, Block 7, and Lot 1, Block 10, First Addition New Girdwood Townsite Alaska Subdivision.

**ii. Conditional Uses:**

The following uses may be permitted as conditional uses, prior to area and/or development master plan approval:

- (A) Community buildings and uses.

- (B) Utility facilities and utility substations.

**6. GCR-2 Commercial Recreation (Glacier – Winner Creek) District**

**a. Location**

The area encompassed by this district is located in the upper portion of Girdwood Valley and includes municipal, as well as state-owned and selected land, in the Glacier and Winner Creek drainages and mountain massif between the two creeks. This undeveloped area is mountainous and heavily forested.

**b. Intent**

The primary use permitted for this area is outdoor commercial recreational use, including associated resort development. While the intent of this district is to provide for commercial recreation and resort development, the emphasis is to maintain the scenic and natural beauty of the area, and to ensure development impacts are balanced with environmental concerns.

**c. Area Master Planning and Development Master Planning Required**

**i. Area Master Planning**

Except for uses listed in subsection d., below, no subdivision or other development of land within this district shall occur before an area master plan is approved pursuant to section 21.09.030E. The plan shall address protection of important environmental features and natural habitat.

**ii. Development Master Planning**

- (A) Except for the uses listed in subsection d., below, the uses allowed in the district, as well as the design and character of the development permitted within the district shall be established through development master planning pursuant to section 21.09.030F.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

(B) Subject to section 21.09.030F., the development master plan may change the dimensional standards, site development and design standards, and building design standards for this district set forth in sections 21.09.060, 21.09.070, and 21.09.080, respectively.

iii. *Master Plan Standards*

Both area and development master planning standards for resort areas shall take into consideration the following:

(A) Traffic into the Four Corners area shall be minimized, and preferably restricted to some form of mass transit, such as shuttle bus, or ultimately an automated system.

(B) Any road into the Four Corners area shall be curvilinear and aesthetically designed and landscaped.

(C) Removal of trees and vegetation shall be kept to a minimum.

(D) Development shall be hidden and designed to fit in with the area.

(E) As much buffer/open space as possible shall be retained between the development and the creeks.

d. *Uses*

i. *Additional Development and Design Standards*

Due to the remote location and natural undeveloped features of this district, all permitted and conditional uses may be subject to additional design and development standards to ensure compatibility with the natural environment.

ii. *Permitted Uses*

The following uses are permitted, prior to area and/or development master plan approval, subject to compliance with all development and design standards and other applicable regulations:

(A) Passive and Active Outdoor Recreation.

(B) Sno-cat skiing.

iii. *Conditional Uses*

The following uses may be permitted as conditional uses, prior to area and/or development master plan approval:

(A) Community buildings and uses.

(B) Small scale lodging or shelters, not to exceed an aggregate total of 5,000 square feet gross building area.

(C) Utility facilities and utility substations.

7. **GCR-3 Commercial Recreation (Crow Creek Historic Mine) District**

a. *Location*

This district is located along the lower portion of Crow Creek a short distance upstream from its confluence with Glacier Creek, in the upper portion of



# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

Girdwood Valley. The area encompassed by this district contains the remains of the historic Crow Creek Mine and surrounding environs.

**b. Intent**

The intent for this district is to allow the current uses to continue. This district contains several restored historic structures being used in a variety of ways, including historical/cultural exhibit, gift shop, overnight accommodations, social/recreational activities and owners' residences. Residences are allowed customary accessory uses, including the keeping of pets and/or livestock. Along with recreational and small commercial mining and overnight camping, these uses make this district a multi-faceted visitor attraction.

**c. Federal Patents to Mineral Estate and Valid State and Federal Mining Claims**

The properties in this district have federal patents to mineral estate and/or valid state and federal mining claims. Mining activity under the auspices of those patents and/or claims shall comply with relevant federal and state regulations.

**d. Area Master Planning and Development Master Planning Required**

**i. Area Master Planning**

Except for the uses listed in e. below, subdivision, new development, or major expansions of existing operations are permitted only in accord with area master planning approval pursuant to section 21.09.030E.

**ii. Development Master Planning**

**(A)** Prior to additional development, development master planning approval, pursuant to section 21.09.030F, is required in order to ensure high-quality, environmentally sensitive development in keeping with the intent of this chapter 21.09 and the character of Girdwood.

**(B)** Subject to section 21.09.030F, the development master plan may change the dimensional standards, site development and design standards, and building design standards for this district that are set forth in sections 21.09.060, 21.09.070, and 21.09.080 respectively.

**e. Uses**

**i. Permitted Uses**

The following uses are permitted subject to compliance with all development and design standards and other applicable regulations:

**(A)** Restoration of existing structures for uses already established on site.

**(B)** Three additional single-family dwellings constructed after the effective date of this chapter.

**(C)** Utility substations.

**ii. Conditional Uses**

The following uses may be permitted as conditional uses:

**(A)** Community buildings and uses.

**(B)** Utility facilities.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

**f. District-Specific Standards**

**i. Additional Development and Design Standards**

The single-family structures, community buildings and uses, and utility facilities shall comply with the dimensional standards for the gR-2 District (Single-Family/Two-Family Residential). Restoration of existing structures shall be based upon original design. For other new structures, development standards shall be determined through the development master plan process.

**8. GDR Development Reserve District**

**a. Location**

This district consists of municipally-owned land located on the eastern side of lower Girdwood Valley, between Virgin Creek and the Seward Highway, municipally-owned land located in the upper Girdwood Valley, between Crow Creek Road and Glacier Creek, and two areas north of Glacier Creek and east of Crow Creek.

**b. Intent**

The intent of this district is to hold lands in reserve for future development.

**c. Prerequisites to Development**

Prior to any development in this district, other than the uses permitted in subsection e., below, this district shall be revised on the Girdwood Area Plan Land Use Plan Map from development reserve to an active classification. In addition, this section shall be amended to either move the land into another district classification, or adopt specific uses and standards for development of the land in this district.

**d. Area Master Planning and Development Master Planning Required**

**i. Area Master Planning**

Except for the uses permitted in subsection e., below, no subdivision or other development of land within this district shall occur before an area master plan is approved pursuant to section 21.09.030E.

**ii. Development Master Planning**

**(A)** Except for the uses listed in subsection e., below, the uses allowed in the district, as well as the design and character of the development permitted within the district, shall be established through development master planning, pursuant to section 21.09.030F.

**(B)** Subject to section 21.09.030F., the development master plan may change the dimensional standards, site development and design standards, and building design standards for this district set forth in sections 21.09.060, 21.09.070, and 21.09.080, respectively.

**e. Uses**

**i. Permitted Uses prior to Master Planning Approval**

Public trails, as depicted in an adopted trails or open space master plan.

**ii. Conditional Uses prior to Master Planning Approval**

The following uses may be permitted as conditional uses:

**(A)** Community buildings and uses.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.040 Zoning Districts

(B) Utility facilities and utility substations.

### 9. GRR (Recreation Reserve) District

#### a. *Location*

This district consists of municipally-owned land located in upper Girdwood Valley, between Glacier Creek on the west and the lower slope of Mount Alyeska on the east. This district is located south of the Four Corners Park and north of the areas designated for resort development. This district is generally a mixed spruce/hemlock-forested upland interlaced with extended, open, wet meadows. Because of its close proximity to current and proposed resort development areas, this district is well located to provide recreational opportunities for visitors, as well as local residents.

#### b. *Intent*

The intent of this district is to hold lands in reserve for future development of recreational opportunities.

#### c. *Prerequisites to Development*

Prior to any development in this district, other than the uses permitted in subsection e., below, this district shall be revised on the *Girdwood Area Plan* land use plan map from recreation reserve to an active classification. In addition, this section shall be amended to either move the land into another district classification, or adopt specific uses and standards for development of the land in this district.

#### d. *Area Master Planning and Development Master Planning Required*

##### i. *Area Master Planning*

Except for the uses permitted in subsection e., below, no subdivision or other development of land within this district shall occur before an area master plan is approved pursuant to section 21.09.030E.

##### ii. *Development Master Planning*

(A) Except for the uses listed in subsection e., below, the uses allowed in the district, as well as the design and character of the development permitted within the district, shall be established through development master planning pursuant to section 21.09.030F.

(B) Subject to section 21.09.030F., the development master plan may change the dimensional standards, site development and design standards, and building design standards for this district set forth in sections 21.09.060, 21.09.070, and 21.09.080, respectively.

#### e. *Uses*

##### i. *Permitted Uses prior to Master Planning Approval*

Public trails, as depicted in an adopted trails or open space master plan.

##### ii. *Conditional Uses prior to Master Planning Approval*

The following uses may be permitted as conditional uses:

(A) Community buildings and uses.

(B) Utility facilities and utility substations.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.050 Use Regulations

### 10. GW (Girdwood Watershed) District

#### a. **Location**

The GW district consists of federally owned, state-selected land within the Crow Creek and Winner Creek watersheds.

#### b. **Intent**

The intent of the watershed district is to identify remote lands generally to be left natural. The primary use of watershed land is water supply protection and recreation.

#### c. **Federal Patents to Mineral Estate and Valid State and Federal Mining Claims**

Some federal patents to mineral estate and/or valid state and federal mining claims exist in this district. Mining activity under the auspices of those patents and/or claims shall comply with relevant federal and state regulations.

## 21.09.050 USE REGULATIONS

### A. Table of Allowed Uses

Table 21.09-2[.050-1] below lists the uses allowed within the base zoning districts in Girdwood. **If a use is not defined in this chapter, the definition in chapter 21.05 shall apply.** When the uses in a district are determined through a master planning process per subsections 21.09.030E. and F., this table shall not apply.

#### 1. Explanation of Table Abbreviations

##### a. **Permitted Uses**

"P" in a cell indicates the use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of title 21.

##### b. **Administrative Site Plan Review**

"S" in a cell indicates the use requires administrative site plan review in the respective zoning district in accordance with the procedures of subsection 21.03.180B., *Administrative Site Plan Review*.

##### c. **Major Site Plan Review**

"M" in a cell indicates the use requires major site plan review in the respective zoning district. Until the provisions for major site plan review are adopted, an "M" in a cell indicates that the use is allowed only if reviewed and approved as a conditional use in accordance with the procedures of subsection 21.03.180C., *Major Site Plan Review*.

##### d. **Conditional Uses**

"C" in a cell indicates, 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 title 21, the term "conditionally allowed" means approval through the conditional use process is required.

##### e. **O (with # inside)**

A circle with a number inside references uses with a different review and approval procedure, depending on the gross floor area of the building, or of the largest building in a multi-building development. The explanation of the sizes and associated review and approval procedures is located at the end of the table.

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.050 Use Regulations

1                   f.       **Prohibited Uses**

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

3                   g.       **Definitions and Use-Specific Standards**

4                   Regardless of whether a use is allowed by right, subject to major or  
5                   administrative site plan review, or permitted as a conditional use, there may be  
6                   additional standards applicable to the use. The existence of most use-specific  
7                   standards is noted through a cross-reference in the last column of the table, but  
8                   there may be other applicable non-referenced portions of municipal code as well.  
9                   Cross-references include, but are not limited to, references to chapter 21.05, *Use*  
10                  *Regulations*; chapter 21.03, *Review and Approval Procedures*; or section  
11                  21.09.050B., *Use-Specific Standards* for Girdwood. These standards shall apply  
12                  in all districts unless otherwise specified.

13                  2.       **Table Organization**

14                  In table 21.09-2[.050-1], land uses and activities are classified into general “use  
15                  categories” and specific “use types”, based on common functional, product, or physical  
16                  characteristics, such as the type and amount of activity, the type of customers or  
17                  residents, how goods or services are sold or delivered, and site conditions. This  
18                  classification provides a systematic basis for assigning present and future land uses into  
19                  appropriate zoning districts. This classification does not list every use or activity  
20                  appropriate within the categories, and specific uses may be listed in one category when  
21                  they may reasonably have been listed in one or more other categories. The use  
22                  categories are intended merely as an indexing tool and are not regulatory.

23                  3.       **Unlisted Uses**

24                  When application is made for a particular use category or use type not specifically listed  
25                  in table 21.09-2[.050-1], the procedure set forth in section 21.03.220, *Use Classification*  
26                  *Requests*, shall be followed.

27                  4.       **Use for Other Purposes Prohibited**

28                  Approval of a use listed in table 21.09-2[.050-1], and compliance with the applicable use-  
29                  specific standards for the use, authorizes the specific use only. Development or use of a  
30                  property for any other use not specifically allowed in table 21.09-2[.050-1] and approved  
31                  under the appropriate process is prohibited.

# EXHIBIT A

## 5. Table of Allowed Uses

**TABLE 21.09-2[.050-1]: TABLE OF ALLOWED USES**

*P = Permitted; C = Conditional; S = Administrative Site Plan Review; M = Major Site Plan Review; O (with # inside) = see end of table  
For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts*

|                  |                                       | Residential |      |       |      |      |      | Commercial |      |      |      |      |      |      |      |      |       | Ind. |      | Resort |        | Other |       |     |  |
|------------------|---------------------------------------|-------------|------|-------|------|------|------|------------|------|------|------|------|------|------|------|------|-------|------|------|--------|--------|-------|-------|-----|--|
| Use Category     | Use Type                              | gR 1        | gR 2 | gR 2A | gR 3 | gR 4 | gR 5 | gC 1       | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST1 | gR ST2 | G A   | G O S | G W | Definitions and Use Specific Standards |
| RESIDENTIAL      |                                       |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        |        |       |       |     |  |
| Household Living | Dwelling, single-family detached      | P           | P    | P     | P    | P    | P    |            |      | P    | P    | P    | P    |      |      |      |       |      |      | P      | P      |       |       |     | 21.09.050B.2.d.<br>21.09.080C.         |
|                  | Dwelling, single-family attached      | S           |      |       | S    |      | S    |            |      |      |      |      |      |      |      |      |       |      |      | P      | P      |       |       |     | 21.09.050B.2.c<br>21.09.080D.          |
|                  | Dwelling, two-family                  | P           | P    | P     | P    | P    |      |            |      | P    | P    |      | P    |      |      |      | P     |      |      | P      | P      |       |       |     | 21.09.050B.2.f.<br>21.09.080 D.        |
|                  | Dwelling, townhouse                   | S           |      |       | S    |      | S    |            |      |      |      |      |      |      |      |      |       |      |      | P      | P      |       |       |     | 21.09.050B.2.e.<br>21.09.080E.         |
|                  | Dwelling, multiple-family (<4 dua)    | P           |      |       |      |      |      |            |      | P    | P    |      | P    |      |      | P    | P     |      |      | P      | P      |       |       |     | 21.09.050B.2.b.<br>21.09.080 E.        |
|                  | Dwelling, multiple-family (4-8 dua)   | C           |      |       |      | S    | S    |            |      | S    | S    | S    | S    |      |      | S    | S     |      |      | S      | S      |       |       |     | 21.09.050B.2.b.<br>21.09.080 E.        |
|                  | Dwelling, multiple-family (>8-20 dua) |             |      |       |      | C    | C    |            |      | C    |      | M    | C    |      |      | C    | C     |      |      | C      | C      |       |       |     | 21.09.050B.2.b.<br>21.09.080 E.        |
|                  | Dwelling, multiple-family (>20 dua)   |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      | C      | C      |       |       |     | 21.09.050B.2.b.<br>21.09.080 E.        |
|                  | Dwelling, mixed-use                   |             |      |       |      |      |      |            |      |      | P    | P    | P    | P    | P    | P    | P     |      |      |        | P      | P     |       |     |  |
| Group Living     | Residential care facility, large      | C           |      |       |      | S    | S    |            |      | S    | S    | S    | S    |      |      | S    | S     |      |      |        |        |       |       |     |  |

# EXHIBIT A

**TABLE 21.09-2[.050-1]: TABLE OF ALLOWED USES**

*P = Permitted; C = Conditional; S = Administrative Site Plan Review; M = Major Site Plan Review; O (with # inside) = see end of table  
For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts*

| Use Category                 | Use Type                         | Residential |      |       |      |      |      | Commercial |      |      |      |      |      |      |      |      |       | Ind. |      | Resort |        | Other |       |     | Definitions and Use Specific Standards |
|------------------------------|----------------------------------|-------------|------|-------|------|------|------|------------|------|------|------|------|------|------|------|------|-------|------|------|--------|--------|-------|-------|-----|--|
|                              |                                  | gR 1        | gR 2 | gR 2A | gR 3 | gR 4 | gR 5 | gC 1       | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST1 | gR ST2 | G A   | G O S | G W |  |
|                              | Residential care facility, small | P           | P    | P     | P    | P    | P    |            |      | P    | P    |      | P    |      |      |      |       |      |      |        |        |       |       |     |  |
|                              | Roominghouse                     | C           |      |       |      | C    | C    |            |      | M    | M    | M    | M    |      |      | M    | M     |      |      | M      | M      |       |       |     | 21.05.030B.4.                          |
| COMMUNITY                    |                                  |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        |        |       |       |     |  |
| Adult Care                   | Adult care facility, 1-8 adults  | P           | P    | P     | P    | P    | P    |            |      | P    | P    | P    | P    |      |      | P    | P     |      |      | P      | P      |       |       |     | 21.05.040A.                            |
|                              | Adult care facility, 9+ adults   | C           |      |       |      |      | C    |            |      | C    | C    | M    | C    |      |      | C    | C     |      |      | C      | C      |       |       |     | 21.05.040A.                            |
| Child Care                   | Child care home, 1-8 children    | P           | P    | P     | P    | P    | P    |            |      | P    | P    | P    | P    |      |      | P    | P     |      |      | P      | P      |       |       |     | 21.05.040B.2.                          |
|                              | Child care facility, 9+ children | C           |      |       |      |      | C    |            |      | C    | C    | M    | C    |      |      | C    | C     |      |      | C      | C      |       |       |     | 21.05.040B.1.                          |
| Community Buildings and Uses | All uses                         | M           | M    | M     | M    | M    | M    | M          | M    | M    | M    | M    | M    | M    | M    | M    | M     | M    | M    | M      | M      | M     | M     | M   | 21.09.050B.3.b                         |
| Community Service            | Religious Assembly               | S           | S    | S     | S    | S    | S    | S          | S    | S    | S    | S    | S    | S    | S    | S    | S     |      |      | S      | S      |       |       |     | 21.05.040C.7.                          |
|                              | Cemetery                         | C           | C    | C     | M    | C    | C    | C          | C    | C    | C    | M    | C    | C    | C    | C    | C     |      |      | C      | C      |       | C     |     | 21.05.040C.1.                          |
| Cultural Facility            | Botanical Gardens                |             |      |       | S    |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        | S      |       | S     |     |  |
|                              | Museum or cultural center        |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    | ③     |      |      | ④      | ④      |       |       |     | 21.05.040D.4.                          |
|                              | Visitor and information center   |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    | ③     |      |      | ④      | ④      |       | C     |     | 21.09.050B.3.e.                        |

# EXHIBIT A

**TABLE 21.09-2[.050-1]: TABLE OF ALLOWED USES**

*P = Permitted; C = Conditional; S = Administrative Site Plan Review; M = Major Site Plan Review; O (with # inside) = see end of table  
For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts*

| Use Category            | Use Type                      | Residential |      |       |      |      |      | Commercial |      |      |      |      |      |      |      |      |       | Ind. |      | Resort |        | Other |       |     | Definitions and Use Specific Standards |
|-------------------------|-------------------------------|-------------|------|-------|------|------|------|------------|------|------|------|------|------|------|------|------|-------|------|------|--------|--------|-------|-------|-----|--|
|                         |                               | gR 1        | gR 2 | gR 2A | gR 3 | gR 4 | gR 5 | gC 1       | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST1 | gR ST2 | G A   | G O S | G W |  |
| Educational Facility    | Boarding school               | C           |      |       | M    |      |      |            |      | C    | C    | M    | C    |      | C    | C    | C     |      |      |        |        |       |       |     | <a href="#">21.05.040E.1.</a>          |
|                         | Private school                | C           |      |       | M    |      |      |            |      | C    | C    | M    | C    |      |      | C    | C     |      |      | C      | C      |       |       |     | 21.09.050B.3.d.                        |
|                         | Vocational or trade school    |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | C    |      |        |        | C     |       |     | <a href="#">21.05.040E.6.</a>          |
| Government Facility     | Governmental Service          |             |      |       |      |      |      | C          |      |      |      |      |      |      |      |      |       | S    | S    |        |        | C     |       |     |  |
|                         | Police/fire station           |             |      |       |      |      |      | P          | P    | P    | P    | P    | P    | P    | P    | P    | P     |      |      | P      | P      | C     |       |     |  |
| Health Care Facility    | Health services               |             |      |       |      |      |      |            | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    | ③     |      |      | ④      | ④      |       |       |     | <a href="#">21.05.040F.1.</a>          |
| Park and Open Area      | Park, public                  | S           | S    | S     | S    | S    | S    | S          | S    | S    | S    | S    | S    | S    | S    | S    | S     |      |      | S      | S      | S     | C     | C   |  |
|                         | Passive and active recreation | P           | P    | P     | P    | P    | P    | P          | P    | P    | P    | P    | P    | P    | P    | P    | P     | P    | P    | P      | P      | P     | P     | C   | 21.09.050B.3.a. and c.                 |
| Transportation Facility | Airport                       |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        |        | C     |       |     | <a href="#">21.05.040I.1.</a>          |
|                         | Transit center                |             |      |       |      |      |      | C          |      |      |      | S    | S    |      | S    | S    |       |      |      | S      | S      |       |       |     | <a href="#">21.05.040I.7.</a>          |
|                         | Heliport                      |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        | P      | P     |       |     | <a href="#">21.05.040I.3.</a>          |
|                         | Railroad passenger terminal   |             |      |       |      |      |      | C          |      |      |      |      |      |      |      |      |       |      |      |        | C      |       |       |     | <a href="#">21.05.040I.6.</a>          |
|                         | Aircraft repair               |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        |        | P     |       |     |  |
|                         | Aircraft storage hangar       |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        |        | P     |       |     |  |
|                         | Aviation services             |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        |        | P     |       |     | Must be aviation related               |



# EXHIBIT A

**TABLE 21.09-2[.050-1]: TABLE OF ALLOWED USES**

*P = Permitted; C = Conditional; S = Administrative Site Plan Review; M = Major Site Plan Review; O (with # inside) = see end of table  
For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts*

| Use Category                 | Use Type                                   | Residential |      |       |      |      |      | Commercial |      |      |      |      |      |      |      |      |       | Ind. |      | Resort |        | Other |       |     | Definitions and Use Specific Standards |
|------------------------------|--|-------------|------|-------|------|------|------|------------|------|------|------|------|------|------|------|------|-------|------|------|--------|--------|-------|-------|-----|--|
|                              |  | gR 1        | gR 2 | gR 2A | gR 3 | gR 4 | gR 5 | gC 1       | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST1 | gR ST2 | G A   | G O S | G W |  |
| Utility Facility             | Utility facility                           |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | P    | P    |        |        |       |       |     | <a href="#">21.05.040J.1.</a>          |
|                              | Utility substation                         | C           | C    | C     | M    | C    | C    | C          | C    | C    | C    | M    | C    | C    | C    | C    | C     | P    | P    | C      | C      | C     | C     | C   | <a href="#">21.05.040J.2.</a>          |
| Communication Structures     | Type 1 tower structure                     | S           | S    | S     | S    | S    | S    | P          | P    | P    | P    | P    | P    | P    | P    | P    | P     | P    | P    | P      | P      |       | C     | C   | 21.05.040K.                            |
|                              | Type 2 tower structure                     | S           | S    | S     | S    | S    | S    | P          | P    | P    | P    | P    | P    | P    | P    | P    | P     | P    | P    | P      | P      |       | C     | C   | 21.05.040K.                            |
|                              | Type 3 tower structure                     | S           | S    | S     | S    | S    | S    | P          | P    | P    | P    | P    | P    | P    | P    | P    | P     | P    | P    | P      | P      |       | C     | C   | 21.05.040K.                            |
|                              | Type 4 tower structure                     | S           | S    | S     | S    | S    | S    | P          | P    | P    | P    | P    | P    | P    | P    | P    | P     | P    | P    | P      | P      |       | C     | C   | 21.05.040K.                            |
|                              | Antenna and/or tower on existing structure | S           | S    | S     | S    | S    | S    | P          | P    | P    | P    | P    | P    | P    | P    | P    | P     | P    | P    | P      | P      |       |       |     | 21.05.040K.                            |
| COMMERCIAL                   |  |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        |        |       |       |     |  |
| Animal Sales, Service & Care | Animal grooming service                    |             |      |       |      |      |      |            | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       |      |      |        |        |       |       |     |  |
|                              | Animal boarding                            |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | P    | P    |        |        | P     |       |     | <a href="#">21.05.050B.1.</a>          |
|                              | Pet shop                                   |             |      |       |      |      |      |            |      | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       |      |      |        |        |       |       |     | <a href="#">21.05.050B.4.</a>          |
|                              | Veterinary clinic                          |             |      |       |      |      |      |            | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    | ③     |      |      |        |        |       |       |     | <a href="#">21.05.050B.5.</a>          |
| Assembly                     | Club/lodge/meeting hall                    |             |      |       |      |      |      |            | ④    | ①    |      | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | 21.09.050B.1.a                         |
| Entertainment and Recreation | Amusement establishment                    |             |      |       |      |      |      | ④          | ④    | ①    |      | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | 21.09.050B.1.a                         |

# EXHIBIT A

**TABLE 21.09-2[.050-1]: TABLE OF ALLOWED USES**

*P = Permitted; C = Conditional; S = Administrative Site Plan Review; M = Major Site Plan Review; O (with # inside) = see end of table  
For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts*

| Use Category              | Use Type   | Residential |      |       |      |      |      | Commercial |      |      |      |      |      |      |      |      |       | Ind. |      | Resort |        | Other |       |     | Definitions and Use Specific Standards                        |
|---------------------------|--|-------------|------|-------|------|------|------|------------|------|------|------|------|------|------|------|------|-------|------|------|--------|--------|-------|-------|-----|---|
|                           |  | gR 1        | gR 2 | gR 2A | gR 3 | gR 4 | gR 5 | gC 1       | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST1 | gR ST2 | G A   | G O S | G W |   |
|                           | Fitness and recreational sports center               |             |      |       |      |      |      | ④          | ④    | ①    |      | ⑤    | ③    | ①    | ③    | ②    | ③     |      |      | ④      | ④      |       |       |     | <a href="#">21.05.050D.3.</a>                                 |
|                           | Nightclub, licensed                                  |             |      |       |      |      |      | ④          | ④    | ①    |      | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | 21.09.050B.1.a  |
|                           | Theater company or dinner theater                    |             |      |       |      |      |      | ④          | ④    | ①    |      | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | <a href="#">21.05.050D.11.</a><br><a href="#">21.05.020A.</a> |
|                           | Alpine ski facility                                  |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      | C      | C      |       |       | C   | 21.09.050B.4.a.   |
|                           | Non-motorized general outdoor recreation, commercial |             |      |       |      |      |      |            |      |      |      | M    |      |      |      |      |       |      |      | C      | C      |       |       |     |   |
|                           | Golf driving range                                   |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        | S      |       |       |     |   |
| Food and Beverage Service | Bar or tavern  |             |      |       |      |      |      | ④          | ④    | ①    |      | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | 21.09.050B.1.a  |
|                           | Brew pub   |             |      |       |      |      |      |            |      | ①    |      | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | 21.09.050B.1.a  |
|                           | Food and beverage kiosk                              |             |      |       |      |      |      | S          | S    | S    |      | S    | S    |      |      |      |       |      |      |        |        |       |       |     | <a href="#">21.05.050E.2.</a>                                 |
|                           | Restaurant   |             |      |       |      |      |      | ④          | ④    | ①    |      | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | 21.09.050B.1.a  |
| Office                    | Office, business or professional                     |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    | ③     |      |      | ④      | ④      |       |       |     | <a href="#">21.05.050F.3.</a>                                 |
|                           | Broadcasting and recording facility                  |             |      |       |      |      |      |            | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       |      |      |        |        |       |       |     |   |

# EXHIBIT A

**TABLE 21.09-2[.050-1]: TABLE OF ALLOWED USES**

*P = Permitted; C = Conditional; S = Administrative Site Plan Review; M = Major Site Plan Review; O (with # inside) = see end of table  
For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts*

| Use Category               | Use Type                             | Residential |      |       |      |      |      | Commercial |      |      |      |      |      |      |      |      |       | Ind. |      | Resort |        | Other |       |     | Definitions and Use Specific Standards                       |
|----------------------------|--------------------------------------|-------------|------|-------|------|------|------|------------|------|------|------|------|------|------|------|------|-------|------|------|--------|--------|-------|-------|-----|--|
|                            |                                      | gR 1        | gR 2 | gR 2A | gR 3 | gR 4 | gR 5 | gC 1       | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST1 | gR ST2 | G A   | G O S | G W |  |
|                            | Financial institution                |             |      |       |      |      |      | ④          | ④    | ①    |      | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | <a href="#">21.05.050F.2.</a>                                |
| Retail (Personal Service)  | Dry cleaning, drop-off site          |             |      |       |      |      |      |            | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       | P    |      | ④      | ④      |       |       |     |  |
|                            | General personal services            |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | <a href="#">21.05.050G.3.</a>                                |
|                            | Instructional services               |             |      |       |      |      |      |            | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       |      |      |        |        |       |       |     | <a href="#">21.05.040E.5.</a>                                |
| Retail (Repair and Rental) | Small equipment rental               |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       | P    |      | ④      | ④      |       |       |     | <a href="#">21.05.050G.4.</a>                                |
|                            | Repair shop                          |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     |  |
| Retail (Sales)             | Business service establishment       |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | <a href="#">21.05.050G.1.</a>                                |
|                            | Convenience store                    |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | <a href="#">21.05.050H.3.</a><br><a href="#">21.05.020A.</a> |
|                            | General retail                       |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | <a href="#">21.05.050H.7.</a>                                |
|                            | Fueling station                      |             |      |       |      |      |      | C          | C    |      |      |      |      |      |      |      |       |      |      |        | S      |       |       |     | <a href="#">21.05.050H.5.</a>                                |
|                            | Grocery or food store                |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | <a href="#">21.05.050H.8.</a>                                |
|                            | Liquor store                         |             |      |       |      |      |      |            | ④    |      |      | ⑤    | ③    | ①    | ③    | ②    |       |      |      | ④      | ④      |       |       |     | 21.09.050B.1.a.  |
|                            | Lumber yard/building materials store |             |      |       |      |      |      |            | ④    | ①    |      | ⑤    | ③    | ①    | ③    | ②    |       | P    |      |        |        |       |       |     | <a href="#">21.05.050H.2.</a>                                |

# EXHIBIT A

**TABLE 21.09-2[.050-1]: TABLE OF ALLOWED USES**

*P = Permitted; C = Conditional; S = Administrative Site Plan Review; M = Major Site Plan Review; O (with # inside) = see end of table  
For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts*

|                       |  | Residential |      |       |      |      |      | Commercial |      |      |      |      |      |      |      |      |       | Ind. |      | Resort |        | Other |       |     |  |
|-----------------------|--|-------------|------|-------|------|------|------|------------|------|------|------|------|------|------|------|------|-------|------|------|--------|--------|-------|-------|-----|--|
| Use Category          | Use Type   | gR 1        | gR 2 | gR 2A | gR 3 | gR 4 | gR 5 | gC 1       | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST1 | gR ST2 | G A   | G O S | G W | Definitions and Use Specific Standards |
|                       | Meat/seafood processing, storage, and sales            |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | P    |      |        |        |       |       |     |  |
|                       | Nursery, commercial                                    |             |      |       |      |      |      |            |      |      | ②    | ⑤    | ③    |      |      |      |       |      |      |        |        |       |       |     | 21.05.050A.1.                          |
| Vehicle and Equipment | Heavy equipment sales and rental                       |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | P    |      |        |        |       |       |     | 21.05.060A.6.                          |
|                       | Impound yard   |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | C    |      |        |        |       |       |     | 21.05.060D.2.                          |
|                       | Parking lot or structure, private (10 or fewer spaces) |             |      |       |      |      |      | S          | S    | S    |      | S    | S    |      | S    | S    |       |      |      | S      | S      | S     |       |     |  |
|                       | Parking lot or structure, private (11+ spaces)         |             |      |       |      |      |      | M          | M    | M    |      | M    | M    |      | M    | M    |       |      |      | M      | M      |       |       |     |  |
|                       | Vehicle parts and supplies                             |             |      |       |      |      |      |            | ④    |      |      | ⑤    | ③    |      |      |      |       | P    |      |        |        |       |       |     | 21.05.050I.4.                          |
|                       | Vehicle-large, sales and rental                        |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | P    |      |        |        |       |       |     | 21.05.050I.5.                          |
|                       | Vehicle-small, sales and rental                        |             |      |       |      |      |      | P          |      |      |      |      |      |      |      |      |       | P    |      | ④      | ④      |       |       |     | 21.05.050I.6.                          |
|                       | Vehicle service and repair, minor                      |             |      |       |      |      |      | P          | P    |      |      |      |      |      |      |      |       | P    |      |        |        |       |       |     | 21.05.050I.7.                          |

# EXHIBIT A

**TABLE 21.09-2[.050-1]: TABLE OF ALLOWED USES**

*P = Permitted; C = Conditional; S = Administrative Site Plan Review; M = Major Site Plan Review; O (with # inside) = see end of table  
For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts*

| Use Category                 | Use Type                                      | Residential |      |       |      |      |      | Commercial |      |      |      |      |      |      |      |      |       | Ind. |      | Resort |        | Other |       |     | Definitions and Use Specific Standards |
|------------------------------|---|-------------|------|-------|------|------|------|------------|------|------|------|------|------|------|------|------|-------|------|------|--------|--------|-------|-------|-----|--|
|                              |   | gR 1        | gR 2 | gR 2A | gR 3 | gR 4 | gR 5 | gC 1       | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST1 | gR ST2 | G A   | G O S | G W |  |
|                              | Vehicle storage yard                          |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | P    |      |        |        |       |       |     |  |
| Visitor Accommodations       | Hostel (small)                                | M           |      |       | M    | M    |      | M          |      | M    | M    | M    | M    |      | M    | M    | M     |      |      | M      | M      |       |       |     | 21.09.050B.4.c.                        |
|                              | Hostel (large)                                | C           |      |       |      | C    |      | C          |      | M    | C    | M    | M    |      | M    | M    | C     |      |      | M      | M      |       |       |     | 21.09.050B.4.c.                        |
|                              | Hotel   |             |      |       |      |      |      | C          | C    | C    |      | M    | C    |      | C    | C    | C     |      |      | C      | C      |       |       |     | 21.09.050B.1.a                         |
|                              | Inn   | M           |      |       | M    |      |      | M          |      | M    | M    | M    | M    | M    | M    | M    | M     |      |      | M      | M      |       |       |     | 21.09.050B.4.d.<br>21.09.050B.1.a      |
|                              | Lodging Reservations/<br>Auto Rental Check-In |             |      |       |      |      |      | ④          | ④    | ①    | ②    | ⑤    | ③    | ①    | ③    | ②    | ③     |      |      | ④      | ④      |       |       |     | 21.09.050B.4.e.                        |
|                              | Motel   |             |      |       |      |      |      | C          | C    | C    |      |      |      |      |      |      |       |      |      |        |        |       |       |     |  |
| <b>INDUSTRIAL</b>            |   |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |        |        |       |       |     |  |
| Industrial Service           | General industrial service                    |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | C    |      |        |        |       |       |     | 21.05.060A.4.                          |
|                              | Governmental service                          |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | C    |      |        |        |       |       |     |  |
| Manufacturing and Production | Cottage crafts                                |             |      |       |      |      |      | ④          | ④    | ①    | ⑤    | ⑤    | ③    | ①    | ③    | ②    |       |      |      |        |        |       |       |     | 21.09.050B.5.a                         |
|                              | Land reclamation                              | C           | C    | C     | M    | C    | C    | C          | C    | C    | C    | M    | C    | C    | C    | C    | C     | C    | C    | C      | C      | C     |       |     | 21.09.050B.5.b.                        |
|                              | Manufacturing, light                          |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | P    |      |        |        |       |       |     | 21.05.060B.5.                          |
|                              | Manufacturing, heavy                          |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | C    | P    |        |        |       |       |     | 21.05.060B.4.                          |

# EXHIBIT A

**TABLE 21.09-2[.050-1]: TABLE OF ALLOWED USES**

*P = Permitted; C = Conditional; S = Administrative Site Plan Review; M = Major Site Plan Review; O (with # inside) = see end of table  
For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts*

| Use Category                             | Use Type  | Residential |      |       |      |      |      | Commercial |      |      |      |      |      |      |      |      |       | Ind. |      | Resort |        | Other |       |     | Definitions and Use Specific Standards |
|--|---|-------------|------|-------|------|------|------|------------|------|------|------|------|------|------|------|------|-------|------|------|--------|--------|-------|-------|-----|--|
|  |   | gR 1        | gR 2 | gR 2A | gR 3 | gR 4 | gR 5 | gC 1       | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST1 | gR ST2 | G A   | G O S | G W |  |
|  | Natural resource extraction, inorganic and/or organic |             |      |       | M    |      |      |            |      |      |      |      |      |      |      |      |       |      | C    |        |        |       |       |     | 21.09.050B.5.c.                        |
| Marine Facility                          | Boat storage facility                                 |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | C    |      |        |        |       |       |     |  |
|  | Cold storage and ice processing for marine products   |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | C    |      |        |        |       |       |     |  |
| Warehouse, Storage, and Freight Movement | Bulk storage of hazardous materials                   |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | C    |      |        |        |       |       |     | 21.05.060D.1.                          |
|  | Self-storage facility                                 |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | S    |      |        |        |       |       |     | 21.05.060D.4.                          |
|  | Storage yard  |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | P    |      |        |        |       |       |     | 21.05.060D.5.                          |
|  | Warehouse   |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | P    |      |        |        |       |       |     |  |
|  | Wholesale establishment                               |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | P    |      |        |        |       |       |     |  |
| Waste and Salvage                        | Composting facility                                   |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | C    |      |        |        |       |       |     | 21.05.060E.1.                          |
|  | Snow disposal site                                    |             |      |       | M    |      |      |            |      |      |      |      |      |      |      |      |       | C    | C    |        |        |       | C     |     | 21.05.060E.6.                          |
|  | Solid waste transfer facility                         |             |      |       |      |      |      |            |      |      |      |      |      |      |      |      |       | C    |      |        |        |       |       |     | 21.05.060E.9.                          |

# EXHIBIT A

**TABLE 21.09-2[.050-1]: TABLE OF ALLOWED USES**

***P = Permitted; C = Conditional; S = Administrative Site Plan Review; M = Major Site Plan Review; O (with # inside) = see end of table  
For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts***

| Use Category   | Use Type | Residential |      |       |      |      |      | Commercial  |      |      |      |      |      |      |      |      |       | Ind. |      | Resort |        | Other |       |     | Definitions and Use Specific Standards |
|--|----------|-------------|------|-------|------|------|------|---|------|------|------|------|------|------|------|------|-------|------|------|--------|--------|-------|-------|-----|--|
|  |          | gR 1        | gR 2 | gR 2A | gR 3 | gR 4 | gR 5 | gC 1  | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST1 | gR ST2 | G A   | G O S | G W |  |
| <p>① Gross floor area; permit/review required:<br/>Permitted (P): &lt; 2,000 sf<br/>Administrative Site Plan Review (S): 2,000-4,000 sf<br/>Major Site Plan Review (M): 4,001-6,500 sf<br/>Prohibited: &gt; 6,500 sf</p> <p>② Gross floor area; permit/review required:<br/>Permitted (P): &lt; 2,000 sf<br/>Administrative Site Plan Review (S): 2,000-4,000 sf<br/>Major Site Plan Review (M): 4,001-7,500 sf<br/>Prohibited: &gt; 7,500 sf</p> <p>③ Gross floor area; permit/review required:<br/>Permitted (P): &lt; 2,000 sf<br/>Administrative Site Plan Review (S): 2,000-4,000 sf<br/>Major Site Plan Review (M): 4,001-10,000 sf<br/>Prohibited: &gt; 10,000 sf</p> |          |             |      |       |      |      |      | <p>④ Gross floor area; permit/review required:<br/>Permitted (P): &lt; 2,000 sf<br/>Administrative Site Plan Review (S): 2,000-4,000 sf<br/>Major Site Plan Review (M): 4,001-20,000 sf<br/>Prohibited: &gt; 20,000 sf</p> <p>⑤ Gross floor area; permit/review required:<br/>Permitted (P): &lt;2,000 sf<br/>Administrative Site Plan Review (S): 2,000-4,000 sf<br/>Major Site Plan Review (M): 4,001-30,000 sf<br/>Prohibited: &gt; 30,000 sf</p> <p>(sf = square feet; dua = dwelling units per acre)</p> |      |      |      |      |      |      |      |      |       |      |      |        |        |       |       |     |  |

# EXHIBIT A

## B. Use-Specific Definitions and Standards

The following 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.

The use-specific standards of this section apply in place of any use-specific standards established in chapter 21.05, unless otherwise specified. If this section does not establish use standards for a certain use, then the use standards, including any generally applicable use standards, established in other sections of title 21 shall apply in Girdwood. Except where stated otherwise in this section 21.09.050, chapter 21.05 standards for accessory and temporary uses shall apply.

### 1. Generally Applicable Use-Specific Standards

#### a. *Uses Involving the Retail Sale of Alcoholic Beverages*

Any use that involves the retail sale of alcoholic beverages is subject to section 21.03.040, *Special Land Use Permit for Alcohol*. That process shall apply to any such use regardless of whether it is listed in table 21.09-2[.050-1] as being permitted as a matter of right or subject to site plan review or the conditional use process. The applicant shall be required to obtain approval through both section 21.03.040, *Special Land Use Permit for Alcohol*, and the separate process referenced in table 21.09-2[.050-1].

#### b. *Premises Containing Uses Where Children are Not Allowed*

Any premise containing uses where children are not allowed shall comply with subsection 21.05.020B.

### 2. Residential Uses

#### a. *Dwelling, Mixed Use*

##### i. *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. *Dwelling, Multi-Family*

##### i. *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.”

##### ii. *Use-Specific Standards*

Children’s play space: Multiple-family projects of more than ten dwelling units shall provide a play space of at least 1,000 square feet.

#### c. *Dwelling, Single-Family Attached*

##### i. *Definition*

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

##### ii. *Use-Specific Standards (also applies to “Dwelling, Townhouse”)*

###### (A) *Purpose*

The purpose of permitted attached single-family and townhouse dwelling unit projects is to preserve significant areas of natural landscape, or to prevent physical development of hazardous and wetlands areas unsuitable for development, by shifting the



# EXHIBIT A

density allowed within an application area to a smaller development area within the application area.

**(B) *Applicability***

The following standards shall apply to all attached single-family and townhouse development projects in Girdwood gR-1, gR-3, and gR-5 districts.

**(C) *Development Standards***

**(1)** Site size: Two acres minimum.

**(2)** Site width: 150 feet minimum.

**(3)** Lot width for individual dwellings: 28 feet minimum.

**(4)** Residential density within development area: Eight dwelling units per acre maximum.

**(5)** Slopes within development area: 15 percent maximum.

**(6)** Building height: 35 feet maximum.

**(7)** Development area: 40 percent maximum (see subsection (D). below).

**(8)** Natural open space: 60 percent minimum.

**(9)** Parking requirements may be met on the lots and/or on common areas within the development area.

**(10)** Public sewers shall be available or provided for an attached single-family dwelling unit project.

**(D) *Development Area***

A maximum of 40 percent of the area included in the proposed project may be developed. The development area includes all private lots, all portions of the common area developed with driveways, parking or other common facilities. The development area shall be located to retain a minimum thirty (30) foot wide section of natural open space around the perimeter, except as needed for public access to the development area.

**(E) *Common Area***

A homeowners' association or other governance entity acceptable to the municipality shall be formed for the purpose of establishing covenants or restrictions, and providing joint responsibility for maintenance of the dwelling structures, and for maintenance and construction within common areas. Common area includes natural open space areas and all shared facilities within the development area, such as parking, storage, drives, trails, walks, play areas, and similar areas.

**(F) *Natural Open Space Requirement***

A minimum of 60 percent of the area included in the proposed project shall be retained as natural open space, and no part shall have a dimension of less than 30 feet. The retained natural

# EXHIBIT A

open space shall include a minimum 30 foot wide buffer, exclusive of utilities and utility easements, around the perimeter of the application area. A minimal number of common access driveways to the lots shall be permitted to cross the buffer, but the driveways shall be counted as part of the development area. Natural open space used to meet minimum requirements shall be located only within common areas and shall not be located on private lots.

**d. Dwelling, Single-Family Detached**

**i. Definition**

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

**e. Dwelling, Townhouse**

**i. Definition**

A building containing more than two single-family dwelling units erected in a single row, on adjoining lots, with each unit having its own separate entrance.

**ii. Use-Specific Standards**

"Dwelling, Townhouse" must comply with the use-specific standards of "Dwelling, Single-Family Attached."

**f. Dwelling, Two-Family**

**i. Definition**

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

**3. Community Uses**

**a. Active Outdoor Recreation**

**i. Definition**

Those outdoor activities with minimal environmental impact, no motors, and use of trails. Activities using trails include dog sledding, Nordic skiing, and trail hiking. Horseback riding and/or mountain biking are only allowed on trails suitable for intensive use and designated for those types of activities. For activities using trails, motorized equipment or tools may be used for trail construction and maintenance.

**b. Community Buildings and Uses**

**i. Definition**

Structures and land uses owned, leased, or operated by a municipal or state agency to serve a public purpose, such as community centers, public schools (elementary, middle, and high), public parking lots, and offices, but excluding private schools, transportation, maintenance, police and fire stations, and utility facilities or substations.

**ii. Use-Specific Standards**

**(A) Intent**

Community buildings frequently used by the general public, such as a school or library, are community landmarks. It is intended

# EXHIBIT A

for landmark public buildings to set a high architectural standard for the community.

**(B) Development and Design Standards**

Community buildings shall meet or exceed the site and building development design standards of sections 21.09.070 and 21.09.080 pertaining to commercial buildings.

**c. Passive Outdoor Recreation**

**i. Definition**

Those outdoor activities with low environmental impact, are not intrusive, do not use motors and may not require trails. Activities not necessarily requiring trails include backcountry skiing, dog sledding, snowshoeing, off trail hiking, paragliding, blueberry picking, birding, and picnicking. This definition does not include activities involving vehicles or games such as paint ball.

**d. Private School**

**i. Definition**

Any building or group of buildings used for academic education for students between the kindergarten and 12<sup>th</sup> grade level, without major funding from any government agency.

**e. Visitor and Information Center**

**i. Definition**

A facility providing information, interpretation, and educational services for visitors.

**4. Commercial Uses**

**a. Alpine Ski Facility**

**i. 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:

- i. Ski and snowboard runs and trails;
- ii. Ski lifts and tows, including towers and structures, related to skiing and snowboarding patrons;
- iii. Snow making equipment/facilities;
- iv. Ski patrol facilities;
- v. Ski area administrative and ticketing offices;
- vi. Special events directly associated with ski areas, such as ski races, snowboard races, snowmachine races, bicycle races, and concerts;
- vii. Alpine slide;
- viii. Nordic ski trails and facilities;
- ix. Tubing hills;

# EXHIBIT A

- x. Ski and equipment rental facilities and ski instruction facilities;
- xi. Ice skating rinks;
- xii. Ski bridges; and
- xiii. Supporting accessory structures.

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

**b. Camper Park—Girdwood Only**

**i. Definition**

A lot or parcel of land, or portion thereof, temporarily occupied or intended for temporary occupancy by recreational vehicles for travel, recreational, or vacation usage for short periods of stay. These establishments may provide laundry rooms, recreation halls, and playgrounds. These uses shall not include vehicle storage.

**ii. Use-Specific Standards**

**(A) Interior Roads**

One-way roads shall be at least 15 feet wide. Two-way roads shall be at least 20 feet wide. The turning radius in loops and turns shall be at least 30 feet.

**(B) Length of Stay**

The occupants of space shall remain in the camper park a period a maximum of 30 days.

**(C) Amenities**

**(1)** Toilet facilities shall be provided as follows: A minimum of one restroom/outhouse per 12 campsites. Each restroom/outhouse facility shall contain at least two toilets, separated for each sex.

**(2)** A water outlet shall be provided in conjunction with each toilet facility. All water taps or outlets serving campsites shall be of a type compatible with garden hose connections.

**(3)** One trash receptacle shall be provided for every four campsites. The receptacles shall be bear-proof.

**(D) Campsite Specifications**

**(1)** Each recreational vehicle campsite shall contain a minimum of 2,000 square feet.

**(2)** No campsite shall have direct vehicular access to a public road.

**(3)** There shall be a vegetated buffer of at least 15 feet between each campsite.

# EXHIBIT A

(4) Each campsite shall contain at least one reinforced surface parking space, level from side to side and with sufficient crown to provide adequate drainage. The dimensions of the parking space shall be at least ten feet wide by 40 feet long.

(5) Each campsite shall have a picnic table.

**c. Hostel**

**i. Definition**

An overnight lodging facility containing between six and 19 guest rooms or up to 60 pillows. Sleeping accommodations may be dormitory-style and shared kitchen facilities may be available to the guests. A **Small Hostel** contains between six and ten guestrooms and up to 30 pillows. A **Large Hostel** contains between 11 and 19 guestrooms and up to 60 pillows.

**d. Inn**

**i. 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 is provided to guests, there is a central meeting room or lounge available to all guests, and there are no shared kitchen facilities.

**e. Lodging Reservations/Auto Rental Check-In**

**i. Definition**

An office where lodging reservations may be made or where a person may check-in and pay for lodging when the lodging is not on site, or an office where an auto may be rented, when the auto is not stored on site.

**f. Tent Campground**

**i. Definition**

A lot or parcel of land occupied or intended for temporary occupancy by tents only for travel, recreational, or vacation usage for short periods of stay. A potable water source is not required. No recreational vehicles are allowed.

**ii. Location**

Tent campgrounds are a conditional use only in the GCR-3 and GIP districts.

**iii. Use Specific Standards**

(A) Each tent site shall contain a minimum of 800 square feet, with no dimension less than 20 feet.

(B) To maintain an aesthetic camping atmosphere, density shall not exceed 20 sites per acre.

(C) Each tent site shall contain at least one automobile parking space; the dimensions shall be at least ten feet wide by 20 feet long.

(D) There shall be a vegetated buffer of at least 15 feet between each tent site.

# EXHIBIT A

- (E) Each tent site shall have a picnic table.
- (F) Toilet facilities shall be provided as follows: A minimum of one restroom/outhouse per 12 campsites. Each restroom/outhouse facility shall contain at least two toilets, separated for each sex.
- (G) One trash receptacle shall be provided for every six campsites. The receptacles shall be bear-proof.

## 5. Industrial Uses

### a. Cottage Crafts

#### i. Definition

An establishment engaged in small-scale assembly and arts-and-crafts production by hand manufacturing, involving the use of hand tools and small-scale equipment. Examples include, but are not limited to, candle making, artisan woodworking, art studio/gallery, artisan pottery and jewelry production, and similar establishments. Cottage crafts are less intensive, and do not have the off-site impacts often associated with general industrial uses.

#### ii. Use-Specific Standards

##### (A) Production and Sale of Cottage Crafts

Cottage crafts shall only be produced within a wholly-enclosed permanent structure. Cottage craft production may occupy up to 1,500 square feet of gross building area, and an additional 150 square feet minimum gross building area on the same lot shall be 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 where the lot is located.

##### (B) Prohibitions

The outdoor storage of materials related to the production and sale of cottage crafts is prohibited. The use of equipment, materials, or processes creating hazards, noise, vibration, glare, fumes, or odors detectable to the normal senses off-site is prohibited.

### b. Land Reclamation

#### i. 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 only include operations of more than one year, 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 in this definition. Reclamation plans that may be required for other activities, such as mining, are not included in this definition.

### c. Natural Resource Extraction, Inorganic and/or Organic

#### i. Definition

The development or extraction of organic and/or inorganic material from its natural occurrences on affected land. This use includes placer mining operations where rock byproduct is removed from the premises. This shall also include commercial or industrial operations involving removal

# EXHIBIT A

of timber, native vegetation, peat, muck, topsoil, fill, sand, gravel or rock, or any other mineral and other operations with similar characteristics. This use includes only multi-year operations of a scale involving 50,000 cubic yards or more of fill material. Site preparation as part of the development of a subdivision under a subdivision agreement is not included in this definition. Mining activity under the auspices of federal patents to mineral estate and/or valid state and federal mining claims is not included in this definition.

## C. Accessory Uses

### 1. Table of Allowed Accessory Uses

Table 21.09-3[.050-2] below lists the accessory uses allowed within all base zoning districts.

#### a. Explanation of Table Abbreviations

##### i. Permitted Uses

"P" in a cell indicates the accessory use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of title 21.

##### ii. Administrative Site Plan Review

"S" in a cell indicates the accessory use requires administrative site plan review in the respective zoning district in accordance with the procedures of subsection 21.03.180B., *Administrative Site Plan Review*.

##### iii. Major Site Plan Review

"M" in a cell indicates the use requires major site plan review in the respective zoning district. Until the provisions for major site plan review are adopted, an "M" in a cell indicates that the use is allowed only if reviewed and approved as a conditional use in accordance with the procedures of subsection 21.03.180C., *Major Site Plan Review*.

##### iv. Conditional Use

"C" in a cell indicates, 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*.

##### v. Prohibited Uses

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

##### vi. Definitions and Use-Specific Standards

Regardless of whether an accessory use is allowed by right or subject to administrative site plan review, additional standards may be applicable to the use. The existence of use-specific standards is noted through a section reference in the last column of the table.

##### vii. Unlisted Accessory Uses or Structures

An accessory use or structure not listed in table 21.09-3[.050-2] may be permitted, subject to compliance with all applicable regulations of this title.

# EXHIBIT A

## b. Table of Allowed Accessory Uses

| TABLE 21.09.050-2: TABLE OF ACCESSORY USES   |             |      |        |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |         |         |       |       |     |  |
|--|-------------|------|--------|------|------|------|------------|------|------|------|------|------|------|------|------|-------|------|------|---------|---------|-------|-------|-----|--|
| P = Permitted; S = Administrative Site Plan Review; M = Major Site Plan Review; C = Conditional Use<br>For GIP, GCR-1, GCR-2, GCR-3, GDR, and GRR districts, see Section 21.09.040, Zoning Districts |             |      |        |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |         |         |       |       |     |  |
| Accessory Uses   | Residential |      |        |      |      |      | Commercial |      |      |      |      |      |      |      |      |       | Ind. |      | Resort  |         | Other |       |     | Definitions and Use Specific Standards |
|  | gR 1        | gR 2 | gR 2 A | gR 3 | gR 4 | gR 5 | gC 1       | gC 2 | gC 3 | gC 4 | gC 5 | gC 6 | gC 7 | gC 8 | gC 9 | gC 10 | gl 1 | gl 2 | gR ST 1 | gR ST 2 | G A   | G O S | G W |  |
| Accessory dwelling unit (ADU)  | P           | P    | P      | P    | P    |      |            |      | P    | P    |      | P    |      |      |      |       |      |      | P       | P       |       |       |     | 21.05.070D.1<br>21.09.050C.2.a         |
| Bed and breakfast (up to 3 guestrooms)   | P           | P    | P      | P    | P    |      |            |      | S    | S    |      | S    |      |      |      | S     |      |      |         |         |       |       |     | 21.05.070D.2.                          |
| Bed and breakfast (4 or 5 guestrooms)  | M           | M    | M      | M    | M    |      |            |      | S    | S    |      | S    |      |      |      |       |      |      |         |         |       |       |     | 21.05.070D.2                           |
| Beekeeping   | P           | P    | P      | P    | P    |      |            |      |      |      |      |      |      |      |      |       |      |      |         |         |       |       |     |  |
| Dormitory  |             |      |        |      |      |      |            |      |      |      |      |      |      |      |      |       |      | P    | C       | C       |       |       |     |  |
| Drive-through service  |             |      |        |      |      |      | C          | C    |      |      | C    |      |      |      |      |       |      |      |         |         |       |       |     | 21.09.050C.2.b                         |
| Garage or carport, private residential   | P           | P    | P      | P    | P    | P    |            |      | P    | P    | P    | P    | P    | P    | P    | P     |      |      | P       | P       |       |       |     |  |
| Home- and garden-related use   | P           | P    | P      | P    | P    | P    |            |      | P    | P    | P    | P    | P    | P    | P    | P     |      |      | P       | P       |       |       |     |  |
| Home occupation  | P           | P    | P      | P    | P    | P    |            |      | P    | P    | P    | P    | P    | P    | P    | P     |      |      | P       | P       |       |       |     | 21.05.070D.12.                         |
| Outdoor keeping of household pets  | P           | P    | P      | P    | P    | P    |            |      | P    | P    |      | P    |      |      |      |       |      |      |         |         |       |       |     |  |
| Paddock, stable or barn  |             |      | P      |      |      |      |            |      |      |      |      | P    |      |      |      |       |      |      |         |         |       |       |     |  |
| Private storage of non-commercial equipment  | P           | P    | P      | P    | P    | P    |            |      | P    | P    | P    | P    |      |      |      |       |      |      |         |         |       |       |     | 21.09.050C.2.c.                        |
| Vehicle repair/rebuilding, outdoor, hobby  |             |      | P      |      |      |      |            |      |      |      |      |      |      |      |      |       |      |      |         |         |       |       |     |  |



# EXHIBIT A

## 2. Use-Specific Standards for Accessory Uses

### a. *Accessory Dwelling Units*

Except as set forth below, the generally applicable Accessory Dwelling Unit regulations contained in subsection 21.05.070D.1., *Accessory dwelling units (ADUs)* shall apply. The regulations set forth below shall apply in addition to those contained in subsection 21.05.070D.1. except, in case of conflict, the regulations below shall govern.

#### i. *Maximum Number of Accessory Units*

Except as provided in subsection ii., below, only one accessory dwelling unit or bed and breakfast unit, as defined in section 21.05.070D., shall be allowed on any single-family residential lot. The accessory dwelling unit may be a rental unit.

#### ii. *Accessory Dwelling Unit as Bed and Breakfast*

The accessory dwelling unit may be used as a bed and breakfast room, but the bed and breakfast facility is then limited to only one guestroom, the accessory dwelling unit.

#### iii. *Location*

An accessory dwelling unit shall be on the same lot as the primary dwelling unit. An accessory dwelling unit shall be attached to the single-family dwelling unit; if the lot is at least 16,800 sq. ft., the accessory dwelling unit may be detached from the primary dwelling unit.

### **[FIGURE 21.09-2: ]***Accessory Dwelling Unit*

#### iv. *Maximum Square Footage*

The minimum square footage for an accessory dwelling unit is 300 sq. ft. The maximum square footage for an accessory dwelling unit is 600 sq. ft., on a lot up to and including 15,000 sq. ft. and 750 sq. ft., on a lot over 15,000 sq. ft.; provided, however, that in the gRST-1 and gRST-2 districts, the maximum square footage for an accessory dwelling unit is 750 square feet on a single-family residential lot. The accessory dwelling unit shall not, however, exceed 50 percent of the gross floor area of the primary dwelling unit.

# EXHIBIT A

v. *Floor Area Ratio; Density*

The floor area of the accessory dwelling unit is included, along with the floor area of the primary dwelling unit, in calculating the floor area ratio on the lot, but the accessory dwelling unit is not included in calculating the average density for a new single-family subdivision.

vi. *Parking*

In addition to the parking requirements for the primary dwelling unit, one off-street parking space shall be provided for each accessory dwelling unit of 600 sq. ft. or less, and two off-street parking spaces shall be provided for an accessory dwelling unit larger than 600 sq. ft.

vii. *Owner Occupancy*

Either the principal dwelling or the accessory unit on any site shall be occupied by the owner of the principal dwelling or owner of the lot where the accessory unit is located.

viii. *Architectural Compatibility*

An accessory dwelling unit, whether attached to or detached from the primary dwelling unit, shall be compatible in style and materials with the primary dwelling unit.

ix. *New Accessory Dwelling Unit Where Single-Family Dwelling Unit Already in Existence*

A new accessory dwelling unit to be constructed on a lot with an existing single-family dwelling unit shall conform to all development and dimensional standards in the applicable zone district regulations.

b. *Drive-Through Service*

i. *Definition*

The physical facilities of an establishment that encourage or permit customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

ii. *Use-Specific Standards*

Restaurants with drive-through service are only permitted in the gC-2 district.

c. *Private Outdoor Storage of Non-Commercial Equipment*

i. *Definition*

The private storage of non-commercial equipment, including non-commercial trucks, recreational vehicles, boats, aircraft, off-road vehicles, or travel trailers.

3. **Prohibited Accessory Uses and Structures**

Connex trailers, railroad box cars, and the like are prohibited in residential districts.

D. **Definitions**

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. **Building Envelope:** The developable space within any lot defined by the setbacks.

2. **Channel Sign:** A sign consisting of letters, symbols, or other shapes, where only such letters, symbols, or other shapes are illuminated.

# EXHIBIT A

- 1        3.        **Commercial Vehicle:** A vehicle with a Gross Vehicle Weight Rating (GVWR) of 11,000  
2                pounds or more.
- 3        4.        **Floor Area Ratio (FAR):** The maximum gross floor area of all buildings on a lot or  
4                parcel, divided by the area of the lot or parcel.

**FIGURE 21.09-3:** ]Floor Area  
Ratio (FAR) Example

Lot Size: 10,400 square feet

FAR: 0.5

Maximum Gross Building Area:  
5,200 square feet

Illustration assumes no useable  
space under the eaves (in the  
attic).

- 6
- 7
- 8        5.        **Permeable Surface:** An area of ground, by reason of its physical characteristics and the  
9                characteristics of materials covering it, able to absorb rain or surface water at a rate  
10              equal or greater than lawn turf. Examples include natural vegetation, lawn turf,  
11              landscape beds, gardens, mulch, decorative gravel, and some types of porous  
12              pavements.

- 13        6.        **Pillow:** A sleeping accommodation for one person.

- 14        7.        **Sight Distance Triangle:** The roadway area visible to the driver; the required length is  
15               the distance necessary to allow safe vehicular egress from a street, driveway, or alley to  
16               a major street. The criteria for determining required sight distance is set forth below.

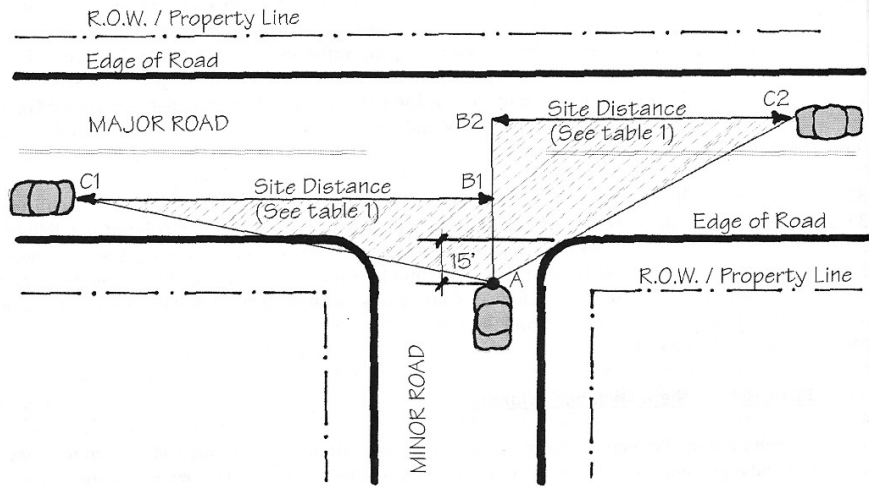
The sight distance triangle is shown **below** [IN FIGURE 21.09-4] and described as  
follows:

- Point A is located on the minor approach 15 feet from the edge of a major road travelway.
- Point B<sub>1</sub> is located in the center of lane 1.
- Point B<sub>2</sub> is located in the center of lane 2.
- Points C<sub>1</sub> and C<sub>2</sub> are located based on the design speed of the major road.
- Point A is connected to points C<sub>1</sub> and C<sub>2</sub> by straight lines.

| Table 21.09-4 [050-3] |                |
|-----------------------|----------------|
| Design Speed          | Sight Distance |
| 60 mph                | 650 ft.        |
| 50 mph                | 515 ft.        |
| 40 mph                | 415 ft.        |
| 30 mph                | 310 ft.        |
| 20 mph                | 210 ft.        |

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.060 Dimensional Standards



**[FIGURE 21.09-4: ]** *Sight Distance Triangle*

8. **Sno-Cat Skiing:** Skiing in remote areas where access is provided by sno-cats or similar vehicles.
9. **Storage:** Items placed in substantially the same location for more than ten days.
10. **Tree:** A woody perennial plant with a single main stem. In Girdwood, a large tree is 18 inches in diameter or more at breast height (DBH).
11. **Tree Canopy:** The area, in square feet, of a tree's spread. Existing tree canopy is determined by measuring the ground's surface area covered by the branch spread of a single tree or clump or grove of trees.

### 21.09.060 DIMENSIONAL STANDARDS

#### A. Applicability

All structures that legally exist on January 1, 2014 shall be considered conforming with respect to setbacks. Any additions to the footprint of those structures, including but not limited to cantilevers, decks over 30 inches, and overhangs, shall conform to this title.

#### B. Dimensional Standards Tables

All primary and accessory structures are subject to the dimensional standards set forth in the following tables. Bracketed numbers refer to additional specific standards at the bottom of each table. These general standards may be further limited or modified by other applicable sections of title 21.

# EXHIBIT A

1

## 1. Table of Dimensional Standards: Residential Districts

| TABLE 21.09-5[.060-1]: TABLE OF DIMENSIONAL STANDARDS<br>GIRDWOOD RESIDENTIAL DISTRICTS |  |                                 |                      |                      |  |                          |  |  |
|---|--|---------------------------------|----------------------|----------------------|--|--------------------------|--|--|
| Uses  | Lot Dimensions   |                                 | Minimum Setbacks     |                      |  | Building Bulk and Height |  |  |
|   | Min Area<br>(sq ft)                                    | Min. Width                      | Front                | Side                 | Rear   | Max Height               | Max Lot Coverage (%)                                 | Max Floor Area Ratio   |
| gR-1: Alyeska Highway mixed residential district  |  |                                 |                      |                      |  |                          |  |  |
| Dwelling, multi-family  | 19,800 for 3 units, add 4,000 for each additional unit | 70 feet                         | 20 feet <sup>1</sup> | 10 feet <sup>2</sup> | 15 feet; or 20 feet for lots > 1 acre <sup>2</sup> | 35 feet                  | 25% for lots larger than 15,000 sq ft; 30% otherwise | 0.45 for lots > 12,500 sq. ft., or 6,250 sq. ft., whichever is greater<br><br>0.50 for lots ≤ 12,500 sq ft |
| Dwelling, single-family attached  | See 21.09.050B.2.c.                                    |                                 |                      |                      |  |                          |  |  |
| Dwelling, single-family detached  | 10,400   | 70 feet                         | 20 feet <sup>1</sup> | 10 feet <sup>2</sup> | 15 feet; or 20 feet for lots > 1 acre [2]          | 35 feet                  | 25% for lots larger than 15,000 sq ft; 30% otherwise | 0.45 for lots > 12,500 sq. ft., or 6,250 sq. ft., whichever is greater<br><br>0.50 for lots ≤ 12,500 sq ft |
| Dwelling, townhouse   | See 21.09.050B.2.c.                                    |                                 |                      |                      |  |                          |  |  |
| Dwelling, two-family  | 16,800   | 70 feet                         | 20 feet <sup>1</sup> | 10 feet <sup>2</sup> | 15 feet; or 20 feet for lots > 1 acre [2]          | 35 feet                  | 25% for lots larger than 15,500 sq ft; 30% otherwise | 0.45 for lots > 12,500 sq. ft., or 6,250 sq. ft., whichever is greater<br><br>0.50 for lots ≤ 12,500 sq ft |
| Roominghouse  | 19,800   | 70 feet                         | 20 feet <sup>1</sup> | 10 feet              | 15 feet; or 20 feet for lots > 1 acre              | 35 feet                  | 25% for lots larger than 15,000 sq ft; 30% otherwise | 0.45 for lots > 12,500 sq. ft., or 6,250 sq. ft., whichever is greater<br><br>0.50 for lots ≤ 12,500 sq ft |
| Community buildings and uses  | 10,400   |                                 |                      |                      |  |                          |  |  |
| Religious assembly  | 20,800   |                                 |                      |                      |  |                          |  |  |
| Hostel or inn   | 1.5 acres  |                                 |                      |                      |  |                          |  |  |
| All other allowed uses  | 10,400   |                                 |                      |                      |  |                          |  |  |
| gR-2: Single-family/two-family residential district                                     |  |                                 |                      |                      |  |                          |  |  |
| gR-2A: Single-family/two-family residential district (Crow Creek Road)                  |  |                                 |                      |                      |  |                          |  |  |
| Dwelling, single-family detached  | 10,400; or 50,000 without sewer                        | 70 feet; 100 feet without sewer | 20 feet <sup>1</sup> | 10 feet <sup>2</sup> | 15 feet; or 20 feet for lots > 1 acre [2]          | 35 feet                  | 25% for lots larger than 15,000 sq ft; 30% otherwise | 0.45 for lots > 12,500 sq. ft., or 6,250 sq. ft., whichever is greater<br><br>0.50 for lots ≤ 12,500 sq ft |
| Dwelling, two-family  | 16,800; or 50,000 without sewer                        |                                 |                      |                      |  |                          |  |  |
| Community buildings and uses  | 10,400   | 70 feet; 100                    | 20 feet <sup>1</sup> | 10 feet              | 15 feet; or 20 feet for lots > 1                   | 35 feet                  | 25% for lots larger than 15,000 sq ft; 30% otherwise | 0.45 for lots > 12,500 sq. ft., or 6,250 sq. ft.   |

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.060 Dimensional Standards

| TABLE 21.09.060-1: TABLE OF DIMENSIONAL STANDARDS<br>GIRDWOOD RESIDENTIAL DISTRICTS |                                     |                                 |   |                      |                      |                          |  |  |
|---|-------------------------------------|---------------------------------|---|----------------------|----------------------|--------------------------|--|--|
| Uses  | Lot Dimensions                      |                                 | Minimum Setbacks  |                      |                      | Building Bulk and Height |  |  |
|   | Min Area (sq ft)                    | Min. Width                      | Front   | Side                 | Rear                 | Max Height               | Max Lot Coverage (%)                                 | Max Floor Area Ratio   |
| Religious assembly  | 20,800                              | feet without sewer              |   |                      | acre                 |                          | 30% otherwise  | whichever is greater   |
| All other allowed uses  | 10,400                              |                                 |   |                      |                      |                          |  | 0.50 for lots ≤ 12,500 sq ft   |
| gR-3: Single-family/two-family residential district                                 |                                     |                                 |   |                      |                      |                          |  |  |
| Dwelling, single-family attached  | See 21.09.050B.2.c.                 |                                 |   |                      |                      |                          |  |  |
| Dwelling, single-family detached  | 8,400; or 50,000 without sewer      | 70 feet; 100 feet without sewer | (same as “Dwelling, two-family” below)  |                      |                      | 35 feet                  | 25% for lots larger than 15,000 sq ft; 30% otherwise | 0.45 for lots > 12,500 sq. ft., or 6,250 sq. ft., whichever is greater<br><br>0.50 for lots ≤ 12,500 sq ft |
| Dwelling, townhouse   | See 21.09.050B.2.c.                 |                                 |   |                      |                      |                          |  |  |
| Dwelling, two-family  | 16,800; or 50,000 without sewer     | 70 feet; 100 feet without sewer | For lots ≤ 21,780 sq ft:<br>front: 20 feet<br>side: 10 feet<br>rear: 15 feet<br><br>For lots 21,781-43,560 sq ft:<br>front: 25 feet<br>side: 15 feet<br>rear: 20 feet<br><br>For lots > 43,560 sq ft:<br>front: 30 feet<br>side: 20 feet<br>rear: 30 feet |                      |                      | 35 feet                  | 25% for lots larger than 15,000 sq ft; 30% otherwise | 0.45 for lots > 12,500 sq. ft., or 6,250 sq. ft., whichever is greater<br><br>0.50 for lots ≤ 12,500 sq ft |
| Community buildings and uses, except educational facilities                         | 8,400; or 50,000 without sewer      |                                 |   |                      |                      |                          |  |  |
| Religious assembly  | 20,800                              |                                 |   |                      |                      |                          |  |  |
| Private schools   | 16,800                              |                                 |   |                      |                      |                          |  |  |
| Inn   | 1.5 acres; or 5 acres without sewer |                                 |   |                      |                      |                          |  |  |
| All other allowed uses  | 8,400; or 50,000 without sewer      |                                 |   |                      |                      |                          |  |  |
| gR-4: Multi-family residential district   |                                     |                                 |   |                      |                      |                          |  |  |
| Dwelling, multi-family  | 12,500                              | 70 feet                         | 20 feet <sup>1</sup>  | 10 feet <sup>2</sup> | 10 feet <sup>2</sup> | 35 feet                  | 40%  | n/a  |
| Roominghouse  | 10,400                              | 70 feet                         | 20 feet <sup>1</sup>  | 10 feet              | 10 feet              | 35 feet                  | 40%  | n/a  |
| Community buildings and uses  | 10,400                              |                                 |   |                      |                      |                          |  |  |
| Religious assembly  | 20,800                              |                                 |   |                      |                      |                          |  |  |
| All other allowed uses  | 10,400                              |                                 |   |                      |                      |                          |  |  |

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.060 Dimensional Standards

| TABLE 21.09-5[.060-1]: TABLE OF DIMENSIONAL STANDARDS<br>GIRDWOOD RESIDENTIAL DISTRICTS  |                     |            |                  |         |         |                          |                      |                      |  |
|--|---------------------|------------|------------------|---------|---------|--------------------------|----------------------|----------------------|--|
| Uses   | Lot Dimensions      |            | Minimum Setbacks |         |         | Building Bulk and Height |                      |                      |  |
|  | Min Area<br>(sq ft) | Min. Width | Front            | Side    | Rear    | Max Height               | Max Lot Coverage (%) | Max Floor Area Ratio |  |
| gR-5: Multi-family residential district  |                     |            |                  |         |         |                          |                      |                      |  |
| Dwelling, multi-family   | 20,000              | 100 feet   | 25 feet          | 15 feet | 20 feet | 35 feet                  | 40%                  | n/a                  |  |
| Dwelling, single-family attached   | See 21.09.050B.2.c. |            |                  |         |         |                          |                      |                      |  |
| Dwelling, single-family detached <sup>3</sup>  | 50,000              | 100 feet   | 25 feet          | 15 feet | 20 feet | 35 feet                  | 40%                  | n/a                  |  |
| Dwelling, townhouse  | See 21.09.050B.2.c. |            |                  |         |         |                          |                      |                      |  |
| Religious assembly   | 20,800              | 80 feet    | 25 feet          | 15 feet | 20 feet | 35 feet                  | 40%                  | n/a                  |  |
| All other allowed uses   | 10,400              |            |                  |         |         |                          |                      |                      |  |
| ADDITIONAL SPECIFIC STANDARDS:   |                     |            |                  |         |         |                          |                      |                      |  |
| <sup>1</sup> <u>Alyeska Highway Setbacks</u> : Minimum setback of 25 feet is required from any property line abutting the Alyeska Highway, but if the property extends into the road, the 25 foot setback shall be measure from the edge of the road easement.   |                     |            |                  |         |         |                          |                      |                      |  |
| <sup>2</sup> <u>Side and rear setback flexibility</u> : Side setbacks may be reduced by five feet on one side of the lot, but the amount of setback reduction shall be added to the opposite side setback. Rear setbacks may be reduced by five feet, but the amount of reduction shall be added to the front setback. |                     |            |                  |         |         |                          |                      |                      |  |
| <sup>3</sup> <u>Single-family dwellings in gR-5</u> : Single-family detached dwellings in the gR-5 are subject to the provisions of 21.09.040B.f.iii.(B).  |                     |            |                  |         |         |                          |                      |                      |  |

1

2

### 2. Table of Dimensional Standards: Commercial Districts

| TABLE 21.09-6[.060-2]: TABLE OF DIMENSIONAL STANDARDS<br>GIRDWOOD COMMERCIAL DISTRICTS |                  |            |                       |                 |                 |                               |  |                           |
|--|------------------|------------|-----------------------|-----------------|-----------------|-------------------------------|--|---------------------------|
| Uses   | Lot Dimensions   |            | Minimum Setbacks (ft) |                 |                 | Bulk, Height and Density      |  |                           |
|  | Min Area (Sq Ft) | Min. Width | Front                 | Side            | Rear            | Max. Height                   | Max. Lot Coverage                              | Max Dwelling Units / Acre |
| <b>gC-1: Seward Highway/West Alyeska Highway Commercial District</b>                   |                  |            |                       |                 |                 |                               |  |                           |
| All uses   | 6,000            | 50 ft      | 20 <sup>5</sup>       | 20 <sup>6</sup> | 20              | 2 stories not to exceed 35 ft | 70%  | n/a                       |
| <b>gC-2: Girdwood Station/Seward Highway Commercial District</b>                       |                  |            |                       |                 |                 |                               |  |                           |
| All uses   | 6,000            | 50 ft      | 13 <sup>5</sup>       | 10 <sup>6</sup> | 20 <sup>7</sup> | 2 stories not to exceed 35 ft | 70%  | n/a                       |
| <b>gC-3: Old Townsite Commercial/Residential District</b>                              |                  |            |                       |                 |                 |                               |  |                           |
| All uses   | 6,000            | 50 ft      | 13 <sup>5</sup>       | 10 <sup>6</sup> | 10 <sup>7</sup> | 4                             | 2,500 square feet or 50%, whichever is greater | n/a                       |

# EXHIBIT A

Chapter 21.09: Girdwood Land Use Regulations  
Sec. 21.09.060 Dimensional Standards

| TABLE 21.09-6.060-2: TABLE OF DIMENSIONAL STANDARDS<br>GIRDWOOD COMMERCIAL DISTRICTS |                                |            |                             |  |   |                          |                   |                           |
|--|--------------------------------|------------|-----------------------------|--|---|--------------------------|-------------------|---------------------------|
| Uses   | Lot Dimensions                 |            | Minimum Setbacks (ft)       |  |   | Bulk, Height and Density |                   |                           |
|  | Min Area (Sq Ft)               | Min. Width | Front                       | Side   | Rear  | Max. Height              | Max. Lot Coverage | Max Dwelling Units / Acre |
| gC-4: Lower Alyeska Highway Commercial District                                      |                                |            |                             |  |   |                          |                   |                           |
| All uses, ≤ 21,780 Sq Ft   | 10,400                         | 80 ft      | 25 <sup>5</sup>             | 10 <sup>6</sup>  | 15 if lot size < 1 acre; 20 if lot size is ≥ 1 acre | 35 ft                    | 40%               | 20                        |
| All uses, > 21,781 Sq Ft   |                                |            |                             | 10 <sup>6</sup>  |   |                          |                   |                           |
| gC-5: New Townsite South Commercial District   |                                |            |                             |  |   |                          |                   |                           |
| All uses, ≤ 21,780 Sq Ft   | 8,400                          | 80 ft      | 16 <sup>5</sup>             | 10 <sup>6</sup>  | 20  | 35 ft                    | 50%               | 20                        |
| All uses, 21,781 Sq Ft – 5 acres   |                                |            | 16 <sup>5</sup>             | 20 <sup>6</sup>  | 25  |                          |                   |                           |
| All uses, > 5 acres  |                                |            | 16                          | 30 <sup>6</sup>  | 30  |                          |                   |                           |
| gC-6: Crow Creek Road Commercial/Residential District                                |                                |            |                             |  |   |                          |                   |                           |
| All uses   | 8,400; or 50,000 without sewer | 70 ft      | 18                          | 10; or 15 if lot size > 21,781 sq ft <sup>6</sup>  | 15  | 35 ft                    | 40%               | 20                        |
| gC-7: Townsite Square Commercial District  |                                |            |                             |  |   |                          |                   |                           |
| All uses   | 6,000                          | 50 ft      | 16 min; 20 max <sup>8</sup> | Zero setback permitted on one side [3] and in accordance with 21.09.040C. 2.g.iii.(D). if applicable; otherwise 10 | 15  | 4                        | 70%               | 20                        |
| gC-8: New Townsite North Commercial District   |                                |            |                             |  |   |                          |                   |                           |
| All uses   | 6,000                          | 50 ft      | 16 min; 20 max <sup>8</sup> | 10 <sup>6</sup>  | 10  | 35 ft                    | 60%               | 20                        |



# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.060 Dimensional Standards

| TABLE 21.09-6[.060-2]: TABLE OF DIMENSIONAL STANDARDS<br>GIRDWOOD COMMERCIAL DISTRICTS  |                  |            |                                |                 |      |                          |                   |                           |
|---|------------------|------------|--------------------------------|-----------------|------|--------------------------|-------------------|---------------------------|
| Uses  | Lot Dimensions   |            | Minimum Setbacks (ft)          |                 |      | Bulk, Height and Density |                   |                           |
|   | Min Area (Sq Ft) | Min. Width | Front                          | Side            | Rear | Max. Height              | Max. Lot Coverage | Max Dwelling Units / Acre |
| gC-9: East Hightower Commercial/Residential District  |                  |            |                                |                 |      |                          |                   |                           |
| All uses  | 6,000            | 50 ft      | 16 min;<br>20 max <sup>8</sup> | 10 <sup>6</sup> | 10   | 35 ft                    | 60%               | 20                        |
| gC-10: Upper Alyeska Highway Commercial District  |                  |            |                                |                 |      |                          |                   |                           |
| All uses,<br>≤ 21,780 Sq Ft   | 8,400            | 60 ft      | 20 <sup>5</sup>                | 15 <sup>6</sup> | 20   | 35 ft                    | 70%               | 20                        |
| All uses,<br>21,781 Sq Ft – 5 acres   |                  |            | 20 <sup>5</sup>                | 20 <sup>6</sup> | 20   |                          |                   |                           |
| All uses,<br>> 5 acres  |                  |            | 30 <sup>5</sup>                | 30 <sup>6</sup> | 30   |                          |                   |                           |
| <b>ADDITIONAL SPECIFIC STANDARDS:</b>   |                  |            |                                |                 |      |                          |                   |                           |
| <sup>4</sup> For structures with only commercial uses: Two stories not to exceed 35 feet.<br>For structures with only residential uses: 35 feet.<br>For structures with commercial uses on the ground level and residential uses above: second story may include loft space not a separate dwelling unit and maximum height is 35 feet. |                  |            |                                |                 |      |                          |                   |                           |
| <sup>5</sup> <u>Alyeska Highway Setbacks</u> - Minimum setback of 25 feet is required from any property line abutting the Alyeska Highway, but if the property extends into the road, the 25 foot setback shall be measured from the edge of the road easement.   |                  |            |                                |                 |      |                          |                   |                           |
| <sup>6</sup> <u>Zero Lot Line Setbacks</u> - Where adjoining property owners agree to connect buildings or cooperate in the design of a public passageway or courtyard between them, a zero lot line side set-back is allowed on one side.  |                  |            |                                |                 |      |                          |                   |                           |
| <sup>7</sup> <u>Alley Exemption</u> - Where a platted alley right-of-way abuts a parcel, there shall be no required setback along the property line.  |                  |            |                                |                 |      |                          |                   |                           |
| <sup>8</sup> <u>Maximum Front Setback Exception</u> – Limited portions of building frontage may, subject to administrative site plan review, be allowed to step back further than the maximum allowed front setback to create small usable public spaces in the front of a building.  |                  |            |                                |                 |      |                          |                   |                           |

### 3. Table of Dimensional Standards: Industrial Districts

| TABLE 21.09-7[.060-3]: TABLE OF DIMENSIONAL STANDARDS<br>GIRDWOOD INDUSTRIAL DISTRICTS |                  |            |                       |      |      |                          |                |
|--|------------------|------------|-----------------------|------|------|--------------------------|----------------|
| Use  | Lot Dimensions   |            | Minimum Setbacks (ft) |      |      | Building Bulk and Height |                |
|  | Min Area (Sq Ft) | Min. Width | Front                 | Side | Rear | Maximum Lot Coverage     | Maximum Height |
| <b>gl-1: Ruane Road Industrial District<sup>9</sup></b>                                |                  |            |                       |      |      |                          |                |
| All uses,<br>≤ 1 acre  | 10,400           | 80 ft      | 20                    | 10   | 10   | Unrestricted             | 25 feet        |
| All uses,<br>> 1 acre  |                  |            | 25                    | 15   | 15   |                          |                |

# EXHIBIT A

## Chapter 21.09: Girdwood Land Use Regulations Sec. 21.09.060 Dimensional Standards

**TABLE 21.09-7[.060-3]: TABLE OF DIMENSIONAL STANDARDS  
GIRDWOOD INDUSTRIAL DISTRICTS**

| Use   | Lot Dimensions   |            | Minimum Setbacks (ft) |      |      | Building Bulk and Height |                |
|---|------------------|------------|-----------------------|------|------|--------------------------|----------------|
|   | Min Area (Sq Ft) | Min. Width | Front                 | Side | Rear | Maximum Lot Coverage     | Maximum Height |
| <b>gl-2: Upper Crow Creek Industrial District<sup>9</sup></b> |                  |            |                       |      |      |                          |                |
| All uses  | 50,000           | 150 ft     | 25                    | 15   | 15   | Unrestricted             | 35 feet        |

**ADDITIONAL SPECIFIC STANDARDS:**

<sup>9</sup> Minimum setback along any property line contiguous with the GOS district is 20 feet for lots less than or equal to one acre in gl-1 and 30 feet for all other lots in gl-1 and gl-2 districts.

### 4. Table of Dimensional Standards: Resort Districts

**TABLE 21.09-8[.060-4]: TABLE OF DIMENSIONAL STANDARDS  
GIRDWOOD RESORT DISTRICTS**

| Use   | Lot Dimensions   |            | Minimum Setbacks      |  |         | Building Bulk and Height |                   |                          |
|---|------------------|------------|-----------------------|--|---------|--------------------------|-------------------|--------------------------|
|   | Min Area (Sq Ft) | Min. Width | Front                 | Side   | Rear    | Max. Height              | Max. Lot Coverage | Maximum Floor Area Ratio |
| <b>gRST-1: Original Mountain Base Resort District</b> |                  |            |                       |  |         |                          |                   |                          |
| All uses  | 8,400            | 60 feet    | 13 feet <sup>10</sup> | 10 feet; or 20 feet if lot size > 0.5 acre <sup>11</sup> | 20 feet | 40 feet                  | 50%               | 0.7 <sup>12</sup>        |
| <b>gRST-2: New Base Resort District</b>               |                  |            |                       |  |         |                          |                   |                          |
| All uses  | 8,400            | 80 feet    | 13 feet <sup>10</sup> | 10 feet; or 20 feet if lot size > 0.5 acre <sup>11</sup> | 20 feet | 75 feet                  | 50%               | 0.7 <sup>12</sup>        |

**ADDITIONAL SPECIFIC STANDARDS:**

<sup>10</sup> Arlberg Road Setbacks - The minimum setback along any property line abutting Arlberg Road is 30 feet.

<sup>11</sup> Zero Lot Line Setbacks - Where adjoining property owners agree to connect buildings or cooperate in the design of a public passageway or courtyard between them, a zero lot line setback is allowed on one side. Buildings connecting on the property line shall appear on the exterior to be two different buildings.

<sup>12</sup> FAR Incentives for Structured Parking - Maximum FAR may be increased from 0.7 to 1.35 for uses in where structured or underground parking is provided.

# EXHIBIT A

## 5. Table of Dimensional Standards: Other Districts

| TABLE 21.09-9.060-5: TABLE OF DIMENSIONAL STANDARDS<br>OTHER GIRDWOOD DISTRICTS   |                              |               |                       |                  |                  |                                      |                      |
|---|------------------------------|---------------|-----------------------|------------------|------------------|--------------------------------------|----------------------|
| Use   | Lot Dimensions               |               | Minimum Setbacks (ft) |                  |                  | Building Bulk and Height             |                      |
|   | Min Area<br>(Sq Ft)          | Min.<br>Width | Front                 | Side             | Rear             | Max. Height                          | Max. Lot<br>Coverage |
| GA: Girdwood Airport District   |                              |               |                       |                  |                  |                                      |                      |
| All uses,<br>≤ 1 acre   | 10,400                       | 80 ft         | 20                    | 10 <sup>13</sup> | 10 <sup>13</sup> | 25 feet                              | Unrestricted         |
| All uses,<br>> 1 acre   |                              |               | 25                    | 15 <sup>13</sup> | 15 <sup>13</sup> |                                      |                      |
| GOS: Girdwood Open Space District   |                              |               |                       |                  |                  |                                      |                      |
| All uses  | 10,400                       | 70 ft         | 25                    | 25               | 25               | 2 stories, not<br>to exceed 35<br>ft | 10%                  |
| GIP: Girdwood Institutions and Parks District   |                              |               |                       |                  |                  |                                      |                      |
| All uses  | 8,400                        | 70 ft         | 25                    | 25               | 25               | 2 stories, not<br>to exceed 35<br>ft | 30%                  |
| GCR-1: Commercial Recreation (Lower Valley Development Reserve) District  |                              |               |                       |                  |                  |                                      |                      |
| All uses  | All dimensions same as gR-2. |               |                       |                  |                  |                                      |                      |
| GCR-2: Commercial Recreation (Glacier-Winner Creek) District  |                              |               |                       |                  |                  |                                      |                      |
| All uses  | 50,000                       | 100 ft        | 25                    | 25               | 25               | 2 stories, not<br>to exceed 35<br>ft | 10%                  |
| GCR-3: Commercial Recreation (Crow Creek Historic Mine) District  |                              |               |                       |                  |                  |                                      |                      |
| All uses  | 50,000                       | 100 ft        | 25                    | 25               | 25               | 2 stories, not<br>to exceed 35<br>ft | 10%                  |
| GDR: Development Reserve District   |                              |               |                       |                  |                  |                                      |                      |
| All uses  | 10,400                       | 70 ft         | 25                    | 25               | 25               | 2 stories, not<br>to exceed 35<br>ft | 10%                  |
| GRR: Recreation Reserve District  |                              |               |                       |                  |                  |                                      |                      |
| All uses  | 10,400                       | 70            | 25                    | 25               | 25               | 2 stories, not<br>to exceed 35<br>ft | 10%                  |
| GW: Girdwood Watershed District   |                              |               |                       |                  |                  |                                      |                      |
| All uses  | 50,000                       | 100 ft        | 25                    | 25               | 25               | 2 stories, not<br>to exceed 35<br>ft | 10%                  |
| <b>ADDITIONAL SPECIFIC STANDARDS:</b><br><sup>13</sup> In the Girdwood Airport district, the minimum setback along any property line contiguous with the GOS district shall be 20 feet, if the lot is less than or equal to one acre, and shall be 30 feet, if the lot area is greater than one acre. |                              |               |                       |                  |                  |                                      |                      |

# EXHIBIT A

## 21.09.070 SITE DEVELOPMENT AND DESIGN STANDARDS

### A. Purpose and General Goals

The purpose of the standards is to ensure new development avoids adverse impacts on the environment and natural resources while maintaining and enhancing the appearance and character of the valley. Specific purposes of the standards include:

1. To help maintain high quality living environments, small-town character, and the presence of the natural landscape within Girdwood neighborhoods;
2. To preserve and reinforce the unique natural qualities of the site, to fit the building into the land to leave its natural landforms and features intact; and
3. To treat the building as an integral part of the natural environment and an attractive addition to the Girdwood community.

### B. Applicability

Except as specified below, all development in Girdwood shall comply with the following development and design standards. The standards shall apply in addition to any standards contained in chapter 21.05, *Use Regulations*, and the following sections of chapter 21.07: 21.07.020, *Natural Resource Protection*; 21.07.040, *Drainage, Storm Water Treatment, Erosion Control, and Prohibited Discharges*; 21.07.050, *Utility Distribution Facilities*; 21.07.070, *Neighborhood Protection*; 21.07.090, *Off-Street Parking and Loading*; and 21.07.140, *Operational Standards*. In case of any conflict, the standards in this section shall apply.

Alternative development standards proposed through the master area planning and/or master development planning process shall be equivalent to or exceed the generally applicable development standards and shall result in high-quality, environmentally sensitive development, keeping with the intent of this chapter and the character of Girdwood.

### C. Hazard Areas

All development lots, except for lots to be developed with ski slopes, platted after [date of adoption] shall comply with the following standards:

1. No lot shall be located entirely within a high hazard avalanche area or rockfall area, or have an average slope of greater than 35 percent; and
2. A lot located so that portions of the lot are within a high hazard avalanche area or a rockfall area, or where portions of the lot are steeper than 35 percent, shall be designed so that there is an adequate building site which is outside of the above-listed areas.

### D. Grading and Drainage

#### 1. Intent

This section is intended to set basic standards for grading and drainage, to reduce the drainage impacts from new development on existing development.

#### 2. Applicability

This section shall apply to all new development in Girdwood.

#### 3. Grading

Grading required for development shall mimic natural forms and blend into the existing landscape on the site. After completion of grading, restoration of slopes to natural-appearing conditions is required.

# EXHIBIT A

## 4. Drainage and Storm-Water Run-off

Run-off from a site shall be controlled and directed to drainage ditches in the road right-of-way or to drainage swales at the property line. Pre-existing drainage patterns onto neighboring lots may be maintained, but additional drainage shall not be directed onto neighboring lots as the result of new development.

## E. Landscaping, Vegetation, and Tree Retention

### 1. Intent

An important characteristic of Girdwood is the forested landscape and the continuity of natural habitats. The purpose of this section is to retain trees and natural vegetation by specifying the quantity of vegetation required in a development.

### 2. Permit Required

Clearing and grubbing of any lot or tract shall not exceed 6,000 square feet without first obtaining a land use permit and, if necessary, any other development approvals required by this chapter and title 21.

### 3. Applicability

This section establishes the minimum vegetation coverage standards for multifamily residential and non-residential development, and for any residential subdivision of two or more lots. Except for subsections 6.b. and 8, below, these standards shall not apply to existing single-family lots or in the gR-1, gR-2, gR-2A, and gR-4 districts.

### 4. Minimum Vegetation Coverage

#### a. Amount

The standards given in table 21.09-10[.070-1] are the minimum percentage of any lot to be maintained as natural vegetation, as defined at 21.09.070E.3.c, and permeable surface, as defined at 21.09.050D.5.

TABLE 21.09-10[.070-1]: Minimum Vegetation Coverage, by Use

|   | Single-family<br>or Two-family<br>Residential | Multifamily<br>Residential | Commercial<br>or Public /<br>Institutional | Industrial |
|---|---|----------------------------|--|------------|
| Natural Vegetation  | 30%   | 20%                        | 10%  | 5%         |
| Total Permeable<br>Surface, including<br>Natural Vegetation | 50%   | 40%                        | 20%  | 10%        |

#### b. Location and Dimensions

Required vegetated areas may be located anywhere on the site or lot. Individual vegetated areas shall be a minimum of 200 square feet, with no dimension less than 10 feet.

#### c. Natural Vegetation

Natural vegetation means either existing vegetation left in its natural state, or landscaping provided according to the following:

- Evergreen trees a minimum of five feet high, with a ratio of height to spread no less than five to three, and deciduous trees a minimum of eight feet high, with a caliper no less than one and one-half inches,

# EXHIBIT A

planted at average intervals not greater than 15 feet on center. No more than 50 percent of the trees may be deciduous.

- ii. Three shrubs per tree, each shrub a minimum of 18 inches in height, and ground cover or mulches, placed so that the ground will be covered within three years.

## 5. Planting Materials

All new trees planted for required landscaping shall have the following characteristics:

### a. *Evergreen Trees*

Evergreen trees shall be native Alaska species. Sitka spruce and hemlock are encouraged to be used because of their predominance and adaptability for survival in Girdwood. If nursery grown, the trees shall be a minimum of five feet in height, with a ratio of height to spread not less than five to three. Field collected specimens shall be a minimum of 24 inches in height.

### b. *Deciduous trees*

Deciduous trees shall be a minimum of eight feet in height and 1 ½ inches caliper.

## 6. Setback Area Vegetation

**[FIGURE 21.09-5:]**  
*Critical Root Zone*

### a. *General*

The purpose of this section is to retain vegetation in setbacks and along street frontages. Required vegetation for setbacks may be used to count toward vegetation coverage requirements in subsection 3., above.

### b. *Alyeska Highway Frontage Setback Vegetation*

All vegetation within 25 feet of the Alyeska Highway right-of-way shall be retained, except to accommodate a driveway, a utility easement, or utilities located by permit.

### c. *Buffering Non-Similar Uses*

Setbacks between commercial/ industrial and residential properties, and between multifamily and single/ two-family residential properties, shall be retained as natural vegetation areas.

## 7. Tree Protection During Construction

### a. *Ski Trail Construction*

Trees designated to be retained to comply with this section shall be delineated through such methods as paint marking or flagging.

### b. *Other Construction*

Trees designated to be retained to comply with this section shall be protected during construction by use of sturdy fencing or other firm barriers placed at the drip line. Grading is not permitted within 10 feet of the trunk, or within the critical root zone (drip line), whichever is greater, of any tree to be retained as part of the natural vegetation requirement.

# EXHIBIT A

**8. Re-vegetation of Disturbed Areas**

All ground surfaces on the site, disturbed during construction and not to be occupied by buildings, structures, storage yards, drives, walks, pedestrian areas, off-street parking or other authorized installations, shall be re-vegetated with plant material of the landowner's choice. However, the plant materials shall not be invasive plants as listed in the Selected Invasive Plants of Alaska booklet produced by the United States Department of Agriculture and the Forest Service, Alaska Region. To promote re-vegetation, biodegradable erosion control netting or mulch blanket shall be used on disturbed slopes steeper than 3:1 (run to rise). Slopes shall be stabilized and re-seeded before September 1. The re-seeding material shall be erosion control vegetation, such as those with aggressive, non-sod-forming, rooting habits. Ski slopes are exempted from this provision.

**F. Transportation and Connectivity**

**1. Street Types**

The three street types are arterial, collector, and local, as set forth in the *Official Streets and Highways Plan*.

**2. Municipal Street Standards**

All collector and local streets shall meet the standards and requirements set forth in the *Design Criteria Manual*, except as specifically provided otherwise in this chapter, to preserve and enhance the unique character and aspirations of Girdwood.

**3. Collector Streets – General**

Except as provided in section 4. below, a collector street has the following attributes:

- a. The street shall be paved over an engineered base; and
- b. Paved shoulders shall be provided; and
- c. Swales or drainage ditches on each side of the street shall be provided to accommodate surface drainage and snow storage; and
- d. Swales and drainage ditches shall be planted with natural grasses and/or hardy perennials; and
- e. A paved pedestrian path/bikeway shall be provided on at least one side of the street and detached if possible; and
- f. Buffers of native vegetation shall be retained on both sides of the street; and
- g. On-street parking shall be prohibited, except where allowed in subsection 4., below; and
- h. Driveways, subject to subsection 21.09.070N., are permitted as follows: Swale and drainage ditch crossings shall use culverts.
- i. The dimensions of the collector street cross-section shall be as illustrated below:

# EXHIBIT A

**[FIGURE 21.09-6: ]** *Collector Street Dimensions*

**4. Townsite Commercial Area Streets**

Streets in commercial townsite areas shall differ in design from the general street standards in order to support the main street commercial and mixed-use environments intended for the old and new townsite areas. Townsite streets have the following attributes:

- a. The street shall be paved over an engineered base; and
- b. Curb and gutter shall be provided where practicable; and
- c. The street shall be designed to accommodate on-street parking to the maximum extent feasible; and
- d. A paved sidewalk seven feet or greater in width shall be provided on both sides of the street, and may be back-of-curb; and
- e. Individual driveways for each individual lot are discouraged, in order to limit the number of curb cuts, minimize pedestrian-vehicle conflicts, increase the continuity of main street pedestrian networks, and maximize the number of on-street parking spaces.

**5. Local Residential Streets**

A local residential street has the following attributes:

- a. The street shall be paved, or shall be a non-dust-generating non-porous material, such as RAP or chip-seal, over an engineered base; and
- b. Swales or drainage ditches on each side of the street shall be provided to accommodate surface drainage and snow storage; and
- c. Swales and drainage ditches shall be planted with natural grasses and/or hardy perennials; and
- d. A pedestrian path/bikeway of at least five feet in width and either paved, or treated with a non-dust-generating material, shall be provided on at least one side of the street and detached if possible; and
- e. Driveways, subject to section 21.09.070N., are permitted.



# EXHIBIT A

- f. The dimensions of the local street cross-section shall be as illustrated below:

**[FIGURE 21.09-7: ]** *Local Residential Street Dimensions*

## 6. Neighborhood Connectivity and Distribution of Traffic

### a. **Purpose**

The purpose of the standards is provide a well-connected street grid. The design requirements do not mandate a rectilinear or uniform grid; the requirements shall, however, result in a network distributing traffic evenly and equitably, and ensuring good access for emergency services equipment. Such a street network reduces the daily miles of vehicular travel in the valley by providing direct, non-circuitous routes for drivers and by encouraging walking and bicycling.

### b. **Connectivity Standards**

- i. Within contiguous residential and commercial developments, no local street may be developed longer than 450 feet, unless the street is connected to another street at each end.
- ii. Within contiguous residential and commercial developments, local streets shall have at least nine intersections per mile.

## G. Lighting

### 1. Street and Trail Lighting Standards

#### a. **Applicability**

This section applies to street and trail lighting, and is subject to the provisions of the Design Criteria Manual, except as specifically provided in this section, in order to preserve and enhance the unique character and aspirations of Girdwood. This section does not apply to site lighting, including alpine ski slope lighting. The lighting standards in this section do not apply to state-maintained roads.

#### b. **Location**

Street lights shall be installed where required by the Traffic Engineer for vehicle and/or pedestrian visibility and safety. Street lighting on local residential streets should be avoided if possible.

#### c. **Lighting Color**

Fixtures for street and trail lighting shall use white light sources with a color rendering index (CRI) of 65 or greater.

# EXHIBIT A

d. **Poles**

i. **Local Streets and Intersections**

Street light poles at intersections of local streets with local streets, and along local streets, shall not exceed 20 feet in height.

ii. **Collector Streets and Intersections**

Street light poles at intersections of collector streets with collector streets, and of collector streets with local streets, shall not exceed 25 feet in height.

iii. **Arterial Streets**

Street light poles along arterial streets shall not exceed 35 feet in height.

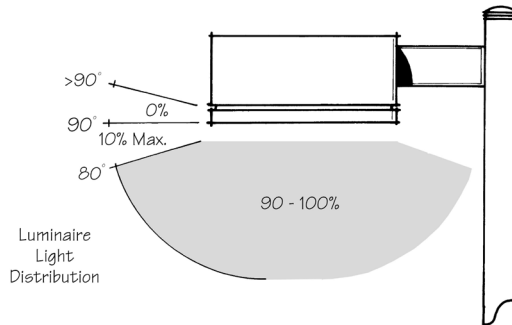
iv. **Trails**

Trail light poles shall not exceed 16 feet in height. Poles shall be of treated wood or painted metal.

e. **Fixtures**

Street and trail lighting shall be full cut-off, as defined by the Illuminating Engineering Society of America (IESNA).

**[FIGURE 21.09-8:]**  
**Full Cut-off**  
**Luminaire**



f. **Trail Lighting**

Pedestrian trails along collectors and arterials shall be lit.

2. **Exterior Site Lighting**

a. **Applicability**

This section shall apply to site lighting, building lighting, and parking lot lighting in all developments, except for alpine ski slopes and single- and two-family developments.

b. **Light Poles**

Light poles shall not exceed 14 feet in mounting height, except light poles for parking lots in the gC-1, gC-2, gl-1, and gl-2 districts may be up to 20 feet in mounting height. Poles shall be non-reflective, neutral and dark in color, blending into the site's nighttime backdrop.

c. **Shielding, Glare and Light Trespass**

Exterior site and building wall lighting shall be designed and located to direct light toward the ground, to minimize glare or light trespass onto adjacent properties or light pollution in the valley. The light source shall not be visible at the property

# EXHIBIT A

line, provided, however, light fixtures for walkways may have a visible light source if diffused by a translucent cover, such as frosted glass. Upward-directed exterior lighting is prohibited, unless the light beam is directed only toward, and is contained within, the mass of the ceiling, wall, tree or other feature to be illuminated.

**d. *Lighting Color***

Fixtures for area lighting shall use white light sources, such as one of the following, without limitation: Color corrected metal halide, induction, compact fluorescent, incandescent (tungsten-halogen), or high-pressure sodium with a color rendering index (CRI) of 65 or greater. Lights at building entrances, steps, stairs, ramps, driveway crossings and entrances to parking structures or garages may be incandescent. Aesthetic landscaping or building facade lighting is exempt from color restrictions.

**e. *Parking Lot and Display Lot Lighting***

Parking lot and display lot lighting fixtures shall be full cut-off fixtures, as defined by the Illumination Engineering Society of North America.

**f. *Athletic Playing Fields***

The standards set forth in this section shall not apply to lighting of public athletic playing fields.

**H. Pedestrian Circulation**

**1. Applicability**

All multiple-family residential and non-residential developments shall meet the minimum standards of this section.

**2. Walkway System – Residential**

In multifamily projects, and in attached single-family and two-family dwelling projects containing more than two residential buildings, paved and lighted walkways shall be provided from individual units or common building entries to parking lots and to paved public trails or sidewalks abutting the property. The maximum grade on pedestrian walkways is five percent without a handrail, or eight percent if a handrail is provided.

**3. Walkways System – Community and Commercial Uses**

Walkways shall connect parking lots to sidewalks and building entrances. There shall be a connecting walkway between all buildings in a multiple building development. Walkways and sidewalks shall have an unobstructed width of no less than five feet. When walkways adjoin areas used by vehicles for driving or parking, walkways shall be defined by curbs, plant beds, bollards, or other materials, to create a well-defined physical separation between the uses.

**4. Weather Protection**

Exterior stairways to habitable upper levels, and any pedestrian walkways exposed to snow shedding from roofs, shall be covered.

**I. Fences and Walls**

**1. Fences in Residential Districts**

Fences up to eight feet in height are permitted in side and rear setback areas, where needed for child safety, privacy, security, or animal control. However, in no case shall fences extend into the setbacks for more than 30 percent of the total linear perimeter of the lot. Fences are prohibited in the front setback.

# EXHIBIT A

2. **Walls in Nonresidential Sites**

Low walls on any nonresidential site shall be of local stone, or stone of comparable appearance, or heavy timber wide enough to allow for comfortable seating when located adjacent to walkways. When connected to a building, the wall shall duplicate the building base material.

3. **Fences and Walls in Commercial Districts**

Fences less than 42 inches in height may be constructed in front setbacks. Except as otherwise provided in the gC-7 district-specific standards, fences and free-standing walls, up to six feet high, may be constructed within the side and rear setbacks. Fences associated with golf driving ranges are exempt from this section.

4. **Fences and Free-Standing Walls in Industrial Districts**

Fences and freestanding walls up to eight feet high may be constructed within side and rear setbacks. A fence up to eight feet high may be constructed in the front setback, but it shall not be sight-obscuring.

J. **Utilities and Utility Equipment Standards**

1. **Commercial, Industrial, and Multiple-Family Residential**

a. ***Undergrounding of Utilities***

New utilities, including electrical distribution lines, shall be placed underground. Utility easements shall be dedicated to allow future access to the underground lines. Existing and proposed utility lines shall be depicted on the site plan.

b. ***Location of Underground Utilities in gR-3 and gR-5 Districts***

Underground utility lines in the gR-3 and gR-5 districts shall avoid disturbing natural vegetation, and shall be placed in the right-of-way in front of lots, and not along side or rear lot lines, except where needed to create looped systems. Pad-mounted facilities may be located in easements abutting rights-of-way.

c. ***Location of Above-Ground Utilities***

Above-ground utility enclosures, such as transformers, major telephone equipment boxes, and similar facilities, shall be located a minimum of 20 feet from entrances to dwelling units, driveways, or garage entrances. Above-ground utilities shall be located to minimize visibility from entries, and above-ground utilities not mounted on the building shall be screened with vegetation. Electric and gas meters and fire sprinkler risers shall be located within the building service area for structures with a separate service entry or, in the absence of a separate service entry, on side or rear walls.

d. ***Design Standards for Above-Ground Utilities***

Except as necessary for safety and maintenance, above-ground utility boxes shall be screened from the road right-of-way with vegetation or with screening constructed of stone, wood, or textured concrete block.

2. **Single-Family Residential**

a. ***Undergrounding of Utilities***

New utilities, including electrical distribution lines, shall be placed underground. Utility easements shall be dedicated to allow future access to the underground lines. Existing and proposed utility lines shall be depicted on the site plan.

b. ***Alyeska Highway Utilities***

Utilities to be extended to lots along Alyeska Highway shall be placed under driveways, to the maximum extent practicable.

# EXHIBIT A

## K. Snow Management

### 1. Commercial, Community, Industrial, and Residential Uses

#### a. *Applicability*

i. Single-family, two-family, and townhouse dwellings on individual lots are exempt from this section.

ii. Applicants in Girdwood may instead comply with the generally applicable snow storage provisions of section 21.07.040F., except that storage of snow is prohibited in natural vegetation areas required by subsection 21.09.070E.4.

#### b. *Snow Storage Area*

Snow storage space adjacent to surface parking lots and pathways shall be identified on the site plan. To facilitate snowplowing and snow removal, snow storage areas equal to at least 20 percent of the total area of the site used for parking, access drives, walkways, and other surfaces needing to be cleared of snow, shall be designated on the site plan.

#### c. *Exemptions and Alternatives*

i. Minimum snow storage area requirements may be waived for properties within the boundaries of a public parking, local improvement, or snow management district where district-wide snow removal services is provided.

ii. If snow will be removed off-site to an approved snow disposal site, or another alternative snow management strategy is used, then the minimum snow storage area requirement may be reduced or waived, subject to the standards of subsection 21.07.040F.5., *Alternative Snow Management Strategies*.

iii. Vehicle driveway and parking lots and pedestrian walkways with heated surfaces for melting snow shall be exempt from snow storage area requirements.

#### d. *Snow Storage and Drainage*

The location of snow storage areas shall be coordinated with drainage plans so the stored snow does not block meltwater from swales and drains.

#### e. *Snow Storage and Landscaping*

Areas designated for snow storage shall be landscaped only with groundcovers and shall have positive drainage away from structures and pavements. Storage of snow is prohibited in required natural vegetation areas.

## L. Off-Street Parking Standards

### 1. General

Required parking shall be provided in accordance with section 21.07.090, except as specified in this section. The director may waive an off-street parking requirement if sufficient public parking in the district satisfies off-street parking requirements.

### 2. gC-5, gC-8, and gC-9 Districts

Required parking for any non-residential use in the gC-5, gC-8 or gC-9 districts may be located off-site within the adjoining right-of-way or within 600 feet of the site in community parking facilities under a municipal parking agreement. Properties may also use the reduced parking requirements and parking reductions provided in section 21.07.090. (RESERVED: Tailored parking requirements and reductions for the new townsite area)

# EXHIBIT A

will be further developed in coordination with the update to the *Girdwood Area Plan* and adopted as an amendment to this section.)

## 3. gC-7 District

In the gC-7 district, on-site parking for new commercial development is prohibited. Parking for new commercial development shall be located within the adjoining right-of-way, or in community parking lots under a municipal parking agreement. Required parking for upstairs dwelling units in the gC-7 district may also be located off-site. Any on-site parking for residential units shall be located on the side or rear of the principal building and enclosed within a garage architecturally compatible with the principal building and no closer to the street than the building's primary front façade. On-site parking in the rear setback is prohibited.

## 4. Parking Lot Location – Residential

Parking for multifamily dwellings or multiple residential dwelling structure projects is prohibited in any required setback. All surface parking lots shall be screened from adjacent streets, properties, and public trails through the use of retained vegetation and/or landscaping encompassing the front setback, with breaks for driveways and walkway access.

## 5. Parking Lot Location – Nonresidential

Parking is prohibited in any required setback, except in the gC-3 district as provided in subsection 21.09.040C.2.c.iii.(B).

## 6. Parking Lot Landscaping

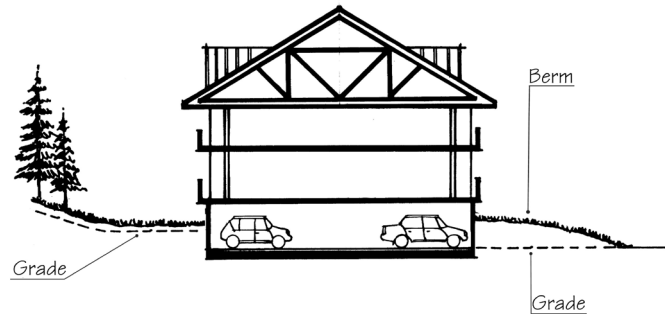
Public and private parking lots shall have a 20 foot landscaped break in any line of parking spaces over 20 cars long and a minimum 15 foot landscaped strip between every other double-loaded bay of cars.

### **[FIGURE 21.09-9: ]***Parking Lot Landscaping*

## 7. Parking Within Multifamily and Non-Residential Structures

Parking structures for more than two cars within multifamily and nonresidential structures, shall be constructed at least half a level below grade or, if constructed at grade, shall be earth covered using berming at least a half level on all sides. Vegetative and/or architectural screening of multiple level parking structures is required. The mechanical equipment required to vent enclosed parking shall be located away from outdoor play areas or entries, public rights-of-way and pedestrian spaces, and shall be completely screened from view.

# EXHIBIT A



**[FIGURE 21.09-10:]**  
*Parking within  
Multifamily and Non-  
Residential Structures*

## 8. Parking Surfacing Materials

Interior roads, driveways, and parking lots shall be paved, except paving of driveways and surface parking lots for single-family and two-family residences is not required.

## M. Signage

Except as set forth below, the generally applicable sign standards contained in chapter 21.11, *Signs*, shall apply. The regulations set forth below shall apply in addition to those contained in chapter 21.11, except in case of conflict, in which case the regulations below shall govern.

### 1. Commercial and Industrial Signs

The following standards apply to signage for any commercial or industrial use, except for Fueling Stations, as set forth in subsection 4., below. Directional and wayfinding signs are exempt from this section.

#### a. Freestanding Signs

##### i. Number

A single, freestanding sign is allowed, but shall not be placed in the right-of-way, or in the sight distance triangle as defined in subsection 21.09.050D.

**[FIGURE 21.09-11:]** *Freestanding Commercial Sign*

##### ii. Maximum size and height

The maximum size shall be 12 square feet per face. The sign shall be monument-style, ground mounted, and shall not exceed a maximum height of eight feet. There may be lettering on both sides. The total area of each face of the sign, including the structural base, shall not exceed 28 square feet.

# EXHIBIT A

iii. *Materials*

Signage materials shall be complementary to the architectural character and materials of the principal building.

iv. *Style and Color*

The letter style and color of freestanding identification signs shall be consistent with those used on other signs close to or attached to the building. If the sign is internally illuminated, the background shall be a translucent darker color, with a lighter contrasting color for the letters and symbols.

v. *Electronic Changeable Copy Signs*

Electronic changeable copy signs or signs with flashing lights or highly reflective elements are prohibited.

vi. *Icon Signs*

Developments subject to a master plan requirement may have one icon sign exceeding the size and height limits specified in this section. An icon sign is a sign using natural materials, such as logs or stone, and is designed to keep with the character of a mountain resort community and emblematic of the primary use on the site (e.g., skiing). The dimensions of the icon sign shall be determined and approved as part of the master planning process.

b. *Building Signs*

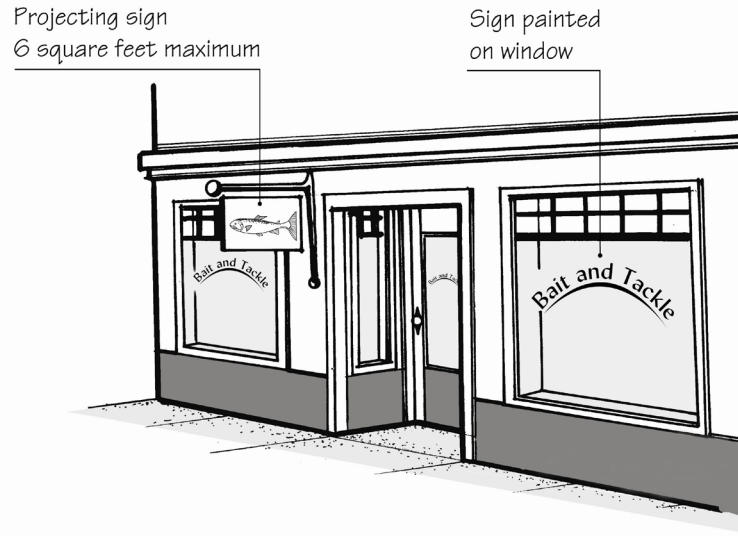
i. *Maximum Area*

In addition to freestanding signs, each commercial building on a lot shall have a total building signage area allowance for each side of the building facing a public right-of-way, based upon the width of the building frontage as follows:

| Building Frontage Width (ft.) | Square Feet Allowed |
|-------------------------------|---------------------|
| < 20                          | 10                  |
| 20-30                         | 15                  |
| 31-40                         | 20                  |
| 41-50                         | 30                  |
| >50                           | 40                  |



# EXHIBIT A



**[FIGURE 21.09-12:]** Commercial Building Signage

ii. *Types of Signs*

The total area of all signs shall not exceed the amount set forth above.

(A) *Projecting Sign*

Each occupant of a commercial building is allowed a single projecting sign. The maximum size of a hanging or projecting sign shall be six square feet. Projecting signs shall be at least 6' 10" above a walkway and may not extend more than five feet from the building façade. The lettering may be on both sides.

**[FIGURE 21.09-13:]**

*Lighted Projecting Sign*

(B) *Window Signs*

Permanent window signs shall cover no more than 30 percent of the window area, but 50 percent of that sign area must be transparent.

(C) *Other Signs*

Other allowed signs may be flush-mounted, painted on doors or windows, mounted on awnings, canopies and arcades, or

# EXHIBIT A

attached to railings. Flush-mounted or painted signs shall be at the ground floor level.

iii. *Materials and Colors*

Permitted sign materials are wood, metal, stone, ceramic, glass, or plastic surface mounted on a wood or metal backing. The surface shall be painted, stained or treated to ensure durability.

iv. *Lighting*

Internally lit signs are not permitted, except logos and channel signs consisting of individual letters may be internally lit. External illumination shall be shielded and be directed downward to shine only on the sign area to be illuminated.

v. *Electronic Changeable Copy Signs*

Building signs with electronic changeable copy are prohibited in Girdwood.

vi. *Operational Information Signs*

If window or door space used to display operational information, such as phone numbers, address, hours of operation, charge cards accepted, or similar information, is less than a rectangle 12 by 18 inches in size, the sign does not count against the maximum area specified above.

vii. *Temporary Sign*

The display of temporary sales signs, advertisements or other signage is prohibited on the outside of buildings.

2. **Residential Uses**

a. ***Multiple-Family***

The standards for signs for multifamily buildings in residential districts (section 21.11.050) shall apply to multiple-family residential.

b. ***Single-Family, Two-family and Townhouse***

The sign standards of section 21.11.050 shall apply to a single-family dwelling, duplex or townhome, except only one freestanding identification sign shall be allowed for any residential subdivision.

3. **Community Uses**

The sign regulations set forth in section 21.09.070M.1. (*Commercial and Industrial Signs*) shall apply to community uses. Signage for public buildings that are intended as civic landmarks shall be compatible and integrated with the architectural character, proportions, and details of the building.

4. **Fueling Station Signage**

a. ***Primary Freestanding Signage Height and Area Maximums***

A fueling station may have a primary freestanding sign up to 25 feet in height, not to exceed 30 square feet in area, and one road front entrance sign on each road frontage, each sign not to exceed eight feet in height or 20 square feet in area.

b. ***Fuel Price Signs***

One sign identifying fuel prices is permitted, not to exceed four panels four feet square, to be arranged in a square or vertical format, not to exceed 12 feet in height.

# EXHIBIT A

**c. Instructional Signs**

Up to six instructional signs are permitted, each not to exceed two feet square, to guide traffic movement and parking.

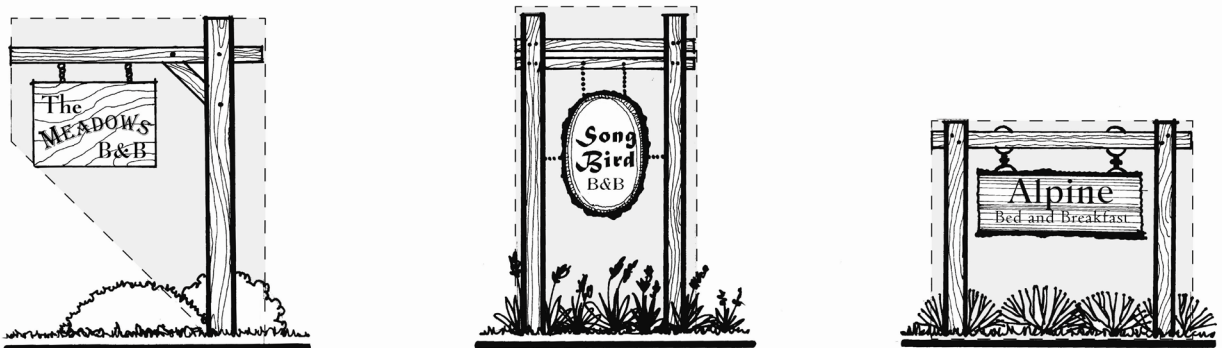
**5. Grocery Store Signage**

In spite of subsection 1. above, a grocery store with 15,000 or more square feet gross floor area and with multiple points of vehicle site access may have two freestanding signs, each sign shall not to exceed a total of 20 square feet. No more than 25 percent of window area may be used for signage, including signs located inside but readable from four feet away from the building.

**6. Bed and Breakfast Signage**

A bed and breakfast shall have and maintain the appearance of a single-family detached dwelling unit or a dwelling unit of a two-family dwelling. No more than one non-illuminated sign is permitted to reflect the operation of a bed and breakfast, and the sign may be one of the following:

- a. A maximum one square foot sign, mounted flat against the principal building; or
- b. A post and sign located on the property, no more than ten feet from the driveway. The sign area is limited to two and one-half square feet, and the framing area is limited to 15 square feet.



Framing area, defined by the combined outer limits of the sign and all frames and supports.

**FIGURE 21.09-14:** *Bed and Breakfast Signs*

**N. Driveway Standards**

**1. Intent**

To maintain the natural qualities of the site, driveways shall be of minimum width, follow site contours, and be routed to preserve amenities such as rock outcroppings and stands of mature trees. Driveways shall be designed with safety as a priority, with as little gradient as practicable.

**2. Driveway Standards for Residential Uses**

**TABLE 21.09-11, .070-2: DRIVEWAY STANDARDS FOR RESIDENTIAL USES**

|               | Single-family/ Two-family Uses | Multiple-family Residential |
|---------------|--------------------------------|-----------------------------|
| Minimum width | 10 feet                        | 12 feet                     |

# EXHIBIT A

**TABLE 21.09-11, 070-21: DRIVEWAY STANDARDS FOR RESIDENTIAL USES**

|  | Single-family/ Two-family Uses   | Multiple-family Residential  |
|--|--|--|
| Maximum width per driveway<br>This applies to the length of the driveway within a setback and public right-of-way. | 20' wide maximum   | one-way driveway – 14' max. width<br>two-way driveway – 24' max. width   |
| Two driveways  | If two driveways are used for either a single family or a two family lot, they each shall be no more than 10 feet wide.  | The total width of both driveways measured within a setback and public right-of-way shall not exceed 40 percent of the frontage of that lot on the street. |
| More than two driveways  | Not allowed.   | Allowed if it is shown that they will substantially improve circulation safety both on and off site. All other standards of this subsection apply.         |
| Separation between driveways on a single lot   | A minimum 10' wide vegetated separation required where there is more than one driveway to the same street.   |  |
| Slope  | Slopes of up to 10 percent are allowed on all residential driveways. Driveways with slopes greater than 10 percent require prior approval by the municipal traffic engineer. |  |
| Materials  | Compactable material suitable for intended use. Surface course or pavement of any type is optional.  | Concrete or asphalt compound to the standards prescribed by the traffic engineer.  |

## 3. Driveway Standards for Commercial Districts and Nonresidential Uses in Residential Districts

**TABLE 21.09-12, 070-31: DRIVEWAY STANDARDS FOR COMMERCIAL DISTRICTS**  
(sf = square feet)

|  | gC-1, gC-2   |               | gC-3, gC-4   |               | gC-5 through gC-104   |                       |                |
|--|--|---------------|--|---------------|---|-----------------------|----------------|
|  | ≤5,000 sf lot  | >5,000 sf lot | ≤5,000 sf lot  | >5,000 sf lot | ≤5,000 sf lot   | 5,000 - 43,560 sf lot | >43,560 sf lot |
| Minimum width  | 12 feet  | 12 feet       | 12 feet  | 12 feet       | 12 feet   | 12 feet               | 12 feet        |
| Maximum width per driveway <sup>14</sup>   | 24 feet  | 28 feet       | 24 feet  | 24 feet       | 24 feet   | 24 feet               | 24 feet        |
| Maximum width of each driveway for two driveways <sup>14</sup>                               | Not allowed  | 28 feet       | Not allowed  | 14 feet       | Not allowed   | 14 feet               | 24 feet        |
| More than two driveways  | Lots are allowed a maximum of two driveways per frontage.  |               | Lots are allowed a maximum of two driveways per lot. |               | Allowed if it is shown to improve circulation safety, on and off site |                       |                |
| Separation between driveways   | Where separate driveways are provided on a lot in a GC district, there shall be a naturally vegetated or landscaped area at least 20 feet wide between the driveways. The separation area may not be used for the parking of vehicles. |               |  |               |   |                       |                |
| Slope  | Slopes of up to 10% are allowed on all commercial driveways. Driveways with slopes of 10-15 percent require prior approval of the municipal traffic engineer.  |               |  |               |   |                       |                |
| Orientation  | Within the required front setback on any lot, driveways shall run perpendicular to the street.   |               |  |               |   |                       |                |
| Materials  | Concrete or asphalt compound to the standards prescribed by the traffic engineer. Permeable materials are allowed if approved by the municipal traffic engineer.   |               |  |               |   |                       |                |
| <sup>14</sup> Maximum width may be exceeded when approved by the municipal traffic engineer. |  |               |  |               |   |                       |                |

# EXHIBIT A

## 4. Driveway Standards for Industrial Districts

TABLE 21.09-13 [070-4]: DRIVEWAY STANDARDS FOR INDUSTRIAL DISTRICTS

|                                | gl-1   | gl-2         |
|--------------------------------|--|--------------|
| Maximum width<br>One driveway  | 30 feet  | 30 feet      |
| Maximum width<br>Two Driveways | 30 feet each   | 30 feet each |
| More than two driveways        | Not allowed  |              |
| Separation between driveways   | Where separate driveways are provided on a lot, there shall be a naturally vegetated or landscaped area at least 20 feet wide between the driveways. The separation area may not be used for parking vehicles. |              |
| Slope                          | Driveways shall not exceed a slope of 10 percent.  |              |
| Orientation                    | Within the required front setback on any lot, driveways shall run perpendicular to the street.   |              |
| Materials                      | Concrete or asphalt compound to the standards prescribed by the municipal traffic engineer.  |              |

## 5. Driveway Standards for Other Districts

### a. Number and Width

#### i. GA District

A lot in the GA district may have up to two driveways with a maximum width of 30 feet.

#### ii. GOS and GIP Districts

The maximum width and maximum number of driveways shall be as specified below.

(A) Up to 5,000 square foot lot: One driveway, maximum 24 feet wide; or

(B) Greater than 5,000 square foot lot: One driveway, maximum 24 feet wide; or two driveways, maximum 14 feet wide.

#### iii. GDR and GRR Districts

One driveway, maximum 24 feet wide; or two driveways, maximum 14 feet wide.

### b. Separation Between Driveways

#### i. GA district

If two driveways are on the lot, there shall be a minimum 20 foot separation between the two driveways.

#### ii. GOS, GIP, GDR and GRR Districts

Where separate driveways are on a lot, there shall be a vegetated area (either natural or landscaped) at least 20 feet in width between the two driveways. The vegetated area between sections of driveway may not be used for the parking of vehicles.

### c. Orientation

#### i. GA, GOS, GIP, GDR and GRR Districts

Within the required front setback on any lot, driveways shall run perpendicular to the street.

# EXHIBIT A

d. **Slope**

i. *GOS, GIP, GDR, and GRR Districts*

Driveways shall not exceed a slope of 10 percent.

**O. Trash Management in Multi-Family, Commercial, Industrial, and Resort Districts**

1. The placement of refuse containers in the front setback is prohibited.
2. All refuse containers stored outdoors shall be bear-proof.
3. Refuse containers shall be screened from public view within a three-sided structure. Enclosures shall be durably constructed and designed to be consistent with the primary structure(s) on the property.

**21.09.080 BUILDING DESIGN STANDARDS**

**A. Purpose and General Goals**

The design standards establish control over certain aspects of the design of multiple-family, commercial, and resort development in order to retain the visual beauty and character of Girdwood Valley's natural landscape and to reduce the visual and physical problems arising from poor site planning. Except as modified by an approved development master plan, these standards apply to new or remodeled development, as noted in the specific applicability statements, and related new accessory structures. Specific purposes include:

1. To preserve and reinforce the unique natural qualities of the site;
2. To fit the building into the land in a way to keep natural landforms and features intact; and
3. To treat the building as an integral part of the natural environment and an attractive addition to the Girdwood community.

No part of chapter 21.09, is meant to preclude, discourage, or inhibit the design, installation, or implementation of ecologically sound methods of harnessing and utilizing wind, solar, hydro, or other sources of renewable energy in Girdwood.

**B. Alternative Equivalent Compliance**

**1. Purpose**

Alternative equivalent compliance is a procedure that allows development to meet the intent of the design-related provisions of this chapter through an alternative design. It is not a general waiver or weakening of regulations. Rather, the procedure permits a site-specific plan that is equal to or better than the strict application of a design standard specified in this chapter. This procedure is not intended as a substitute for a variance or administrative modification or a vehicle for relief from standards in this chapter.

**2. Applicability**

The alternative equivalent compliance procedure shall be available only for this section 21.09.080.

**3. Procedure**

See subsection 21.07.010D. for the alternative equivalent compliance procedure.

**C. Single-Family (Detached) Building Design Standards**

**1. Applicability**

The following design standards shall apply in the gR-3 district.

# EXHIBIT A

## 2. Mix of Housing Models

a. Any development of 10 or more units shall have at least three different types of housing models. Each housing model shall have at least two of the following differentiations:

i. Different floor plans;

ii. Different placement of the building footprint on the lot;

iii. Different garage placement; or

iv. Different roof lines.

b. The development shall be arranged in such a way so whenever any four houses are next to each other along a street, at least one of each of the three required models shall be included in the group of four.

## D. Two-Family and Attached Single-Family Building Design Standards

### 1. Applicability

The following design standards shall apply to all two-family and attached single-family development.

### 2. Roof Forms and Materials

#### a. Height

Roofs shall vary in height and, with the exception of shed roofs, the majority of roof ends shall be lower than the center of the structure.

#### b. Overhangs

Roof overhangs shall be sufficient to provide weather protection for building walls. Overhangs on the gable end shall be a minimum of 12 inches. Overhangs on the eave ends shall be a minimum of 24 inches, except the upper eave end of a shed roof is not required to have an overhang. This standard shall not apply to solariums. Flat-roofed structures shall provide an appropriate means of managing runoff to protect exterior walls.

#### c. Snow and Rain Protection

Roof forms shall be designed to protect the areas where people stand or enter the building from snow and rain. Roof forms shall protect doorways, exterior stairs, balconies, parking lots, deck entrances, and garage entrances.

#### d. Roofing Materials

Roofing materials shall be non-reflective.

### 3. Two-Family Dwelling Building Style

A two-family structure shall appear to be a single-family dwelling unit in architectural form, style, materials and color. "Mirror image" two-family dwellings are prohibited. There shall be a common front entrance or, if separate entrances are desired, the entrances shall be on different sides of the building.

## E. Multiple-Family and Townhouse Building Design Standards

### 1. Applicability

Development of any multifamily residential structure shall, except as specifically provided herein, comply with the standards of this section. When a structure contains both residential and commercial uses, section 21.09.080D., *Commercial Building Standards*, shall apply.

# EXHIBIT A

## 2. Building Style, Massing, and Size

### a. ***Building Style—General***

Although no specific architectural style is required, it is intended the design of buildings take into consideration the Girdwood climate and physical setting. The Girdwood physical environment requires structures to be built for its special circumstances.

### b. ***Mass***

The mass of a single building or group of buildings shall be organized so it appears to be an arrangement of smaller-sized connected structures. Large roof forms shall step or be broken by dormers. Upper level residential floors may be incorporated into the roof form to reduce the apparent height and mass of buildings.

### c. ***Scale and Size***

No wall shall be longer than 42 feet without a change or alteration in alignment of at least four feet in depth from the plane of the referenced wall. For building sides longer than 64 feet, the combined length of the segments not in plane with the primary wall plane of the building side shall equal at least one-third of the building side length. Curved walls that include a change in wall plane of at least four feet depth in 40 feet of wall length shall satisfy this requirement. Where two arms or elevations of a building are separated by a change in wall plane of six degrees or more, these shall be considered as separate building sides for the measurement purposes of this provision.

### d. ***Building Façades***

There shall be trim around openings and windows. Exterior corridors to room entrances are prohibited for buildings with more than eight dwelling units.

## 3. Roof Form

### a. ***Shed or Pitched Roofs***

Sloping roof forms are encouraged.

### b. ***Flat Roofs***

Flat-roofed buildings shall be permitted only if the roof areas are divided into separate segments, each no more than 3,000 square feet in area, and separated from adjoining segments by at least four feet in vertical elevation.

### c. ***Cornices***

Flat portions of roofs shall have distinctive cornice features.

### d. ***Roof Overhangs***

Roof overhangs shall be sufficient to provide weather protection for building walls. Overhangs on the gable end shall be a minimum of 12 inches. Overhangs on the eave ends shall be a minimum of 24 inches, except an upper eave end of a shed roof is not required to have an overhang. Flat-roofed structures shall provide an appropriate means of managing runoff to protect exterior walls. Solariums are exempt from this subsection.

### e. ***Snow and Rain Protection***

Roof structures shall be designed to protect doorways, exterior stairs, emergency exits, balconies, vehicle service bays, and garage entrances from snow, ice and rain. Balconies shall be designed to avoid drainage onto other balconies or pedestrian spaces below.



# EXHIBIT A

**f. Roofing Materials**

Roofing materials may be asphalt shingle, metal, slate, or built-up materials on flat sections. Brightly colored enameled, reflective metal, and wood shakes are prohibited roofing materials.

**g. Projections from Roofs**

**i. Location on the Roof**

Chimneys, flues, vents and antennae shall penetrate the roof near the ridge or only where protected from snow movement off the roof. Vent pipes and flues shall be consolidated into orderly clusters or incorporated into chimney structures.

**ii. Cladding Material**

Chimneys and metal flue pipes shall be clad in wood, stone, or stone veneer.

**4. Porches and Entrances**

**a. Landing Height**

Where landings are used, they shall be a minimum of six inches higher than adjacent walkways or streets.

**b. Entrances**

Common building entryways shall be a minimum of 12 feet in width or 20 percent of the width of the building wall, whichever is greater. Fire exits are not considered building entrances for the purpose of this section. The entrance shall be weather protected and well lit.

**c. Porte Cocheres**

Porte cocheres and porticoes may extend outward from the building entrance over driveways or drop-off areas to provide weather protection. Exterior materials and design shall be consistent or compatible with the building.

**5. Building Materials**

**a. Durability**

Durable, weatherproof materials shall be used for foundations and the lower sections of building facades subject to the affects of snow accumulations and rain splashback.

**b. Alternative Façade Materials**

On multistory buildings, façade materials may include pre-cast concrete or plaster surfaces, if such surfaces are heavily ribbed, textured, or brush hammered, and colored to fit the overall building design and mountain setting. No more than 35 percent of any building façade shall consist of textured or treated concrete.

**c. Remodels**

The architectural design and the materials used in an addition to an existing structure, or accessory structure, shall be compatible with the architectural style and building materials used in the existing structure, unless an entire facade is to be remodeled in a uniform architectural style.

**d. Restricted Materials**

No more than 20 percent of any given building façade may be composed of aluminum, untextured vinyl or plastic siding, T-111 siding, or brick. Up to 35 percent of any given building façade may be composed of stucco, treated or

# EXHIBIT A

textured CMU, or simulated stone veneer. No more than five percent of any given building facade may be painted brick.

**e. Prohibited Materials**

The following exterior materials are prohibited:

- i. Shiny, reflective metal surfaces anywhere on the building;
- ii. Highly reflective or mirrored glass;
- iii. Untreated or untextured concrete or masonry;
- iv. Unstained or untreated wood, except for cedar or redwood; all other wood elements shall be treated with oil, stain, or other weathering agent, or painted to resist weathering and discoloration from water;
- v. Plywood siding without board and batten; and
- vi. White roof gravels.

**6. Building Colors**

**a. Principal Colors**

Principal colors on buildings shall generally be natural color tones, such as browns, tans, wood colors, green, rust, barn red and gray. White or cream shades of color are permitted on not more than 35 percent of each facade. Bright, primary colors are permitted on not more than 15 percent of each facade.

**b. Trim Colors**

Brighter colors than principal building colors are permitted for trim and highlight details, such as cornices, window frames, handrails, and entrance doors.

**7. Accessory Elements**

**a. Detached Parking, Garages, and Carports**

Detached garages, carports and parking garages shall be designed with architectural elements and materials related to the principal residential building or buildings, and shall be screened from view from public roads and primary common areas with landscaping and/or berming.

**b. Resident Storage and Other Accessory Buildings**

A multiple-family project shall provide a minimum of 40 square feet per dwelling unit of covered, enclosed, and secure storage areas for bikes and other belongings typically cannot be accommodated within individual dwelling units. This storage area may be provided as part of a garage. Storage and other accessory buildings shall be designed with materials and/or architectural elements related to the principal buildings.

**F. Commercial, Resort and Public/ Institutional Building Design Standards**

**1. Applicability**

- a. Development of any structure containing a use categorized in table 21.09.050-1 as a community or commercial use shall, except as specifically provided herein, comply with the standards of this subsection. Where a structure contains both residential and commercial uses, the standards of this section shall apply.

- b. The following community uses shall meet the industrial building design standards in subsection 21.09.080G. below rather than the commercial, resort, and

# EXHIBIT A

community building design standards of this section: aircraft repair, aircraft storage hangar, aviation services, utility facility, and utility substation.

## 2. Building Style, Massing and Size

### a. *Mountain Building Style – Intent*

The design of new buildings shall have the appearance of structures appropriate for Girdwood's climate, mountain valley setting, and small western mining town character. Commercial and resort buildings shall utilize a mountain style defined primarily by the materials, roof pitches, use of porches, and street treatment as set forth below and in section 21.09.070F.

### b. *Residential Building Style – Intent*

New buildings in the old and new Girdwood townsite commercial areas shall have a residential character, even though the zoning permits and encourages commercial uses. Building forms and detail elements shall have predominantly pitched roofs, porches, traditional rectangular windows with a vertical orientation (on the ground floor), avoidance of blank walls or materials associated with industrial uses. Buildings shall consist of relatively small, human-scaled or appear to be an aggregation of smaller, simpler forms. Residential apartments on upper stories are encouraged.

### c. *Mass*

The mass of a single building or group of buildings shall be organized so it appears to be an arrangement of smaller-sized connected structures. Upper level residential floors may be incorporated into the roof form to reduce the apparent height and mass of buildings.

### d. *Scale and Size*

No wall shall be longer than 42 feet without a change or alteration in alignment of at least four feet in depth from the plane of the referenced wall. For building sides longer than 64 feet, the combined length of the segments not in plane with the primary wall plane of the building side shall equal at least one-third of the building side length. Curved walls that include a change in wall plane of at least four feet depth in 40 feet of wall length shall satisfy this requirement. Where two arms or elevations of a building are separated by a change in wall plane of six degrees or more, these shall be considered as separate building sides for the measurement purposes of this provision.

### e. *Building Façade Elements*

Windows on the ground floor shall be rectangular and vertically oriented, and recessed into the exterior wall or window trim, rather than appear as continuous areas of glass flush with the wall plane. Balconies shall be recessed or covered. There shall be trim around openings and windows. Exterior corridors to upper floor room entrances are prohibited for buildings with more than eight dwelling units.

### f. *Store Fronts*

#### i. *Design Elements*

The front facade for all retail/commercial uses shall be organized to display merchandise in visible and attractive ways. This requirement shall be met by providing:

(A) Horizontal and vertical mullions and sashes to subdivide the windows into smaller panes;

(B) Sturdy and weather resistant storefront base materials;

# EXHIBIT A

(C) One or more angled windows, such as bay windows, or recessed doorways; and

ii. *Entries*

Entries extending from the main facade, such as arctic entries, are permitted where these areas are designed as an integral part of the structure and do not impede pedestrian movement along the building façade.

iii. *Glass Windows*

Except for the gC-4 district, commercial buildings shall have a high percentage of glass windows with interior views in the facades, as specified below.

(A) Retail/bar/restaurant uses at ground floor: At least 50 percent glass.

(B) Retail/commercial use with a sideyard entrance, the portion of the store facing the street: At least 50 percent glass designed as display windows.

(C) Ground floor offices facing streets or pedestrian areas: At least 30 percent glass.

(D) Ground floor of grocery store facing streets, pedestrian areas or major parking lots: At least 50 percent glass.

3. **Roof Form**

a. *Pitch*

Roofs visible from a public way shall be primarily pitched. The pitch for the primary roof structure shall be between 8:12 and 12:12, but may be as shallow as 5:12, as long as the eave overhangs are at least two and one half feet. Segments of the roof may be flatter or steeper slopes, however, to achieve a specific design effect. Wherever a portion of the roof has a shallower pitch than the standard, or if it is flat, provision shall be made to avoid glaciation.

b. *Flat Roofs*

Flat portions of roofs shall have distinctive cornice features, to create visual interest and provide sufficient overhang to protect walls from the weather. Large visible flat roof forms shall step or be broken by dormers. Design elements may also be used on flat roofs to create the appearance the building has a pitched or shed roof. The canopy sheltering cars at fueling stations may be flat but shall have distinctive cornice detailing. Fueling station canopies shall not be significantly larger and out of proportion to the fueling station building.

c. *Overhangs*

Roof overhangs shall be sufficient to provide weather protection for building walls. Overhangs on the gable end shall be a minimum of 12 inches. Overhangs on the eave ends shall be a minimum of 24 inches, except the upper eave end of a shed roof is not required to have an overhang. Solariums are exempt from this subsection.

d. *Snow and Rain Protection*

Roof structures shall be designed to protect doorways, exterior stairs, balconies, vehicle service bays, and garage entrances from snow, ice and rain. Balconies

# EXHIBIT A

shall be designed to avoid drainage onto other balconies or pedestrian spaces below.

**e. Roofing Materials**

Roofing materials may be asphaltic shingle, metal, or built-up materials on flat sections. Brightly colored enameled, reflective metal, and wood shakes are prohibited roofing materials.

**f. Projections from Roofs**

**i. Location on Roof**

Chimneys, flues, vents, and antennae shall penetrate the roof near a ridgeline or only where protected from snow movement off the roof. Vent pipes shall be collected into orderly clusters or incorporated into chimney structures.

**ii. Cladding Material**

Chimneys and metal flue pipes shall be clad in wood, stone, or stone veneer.

**4. Porches, Entrances, Arcades, and Roofed Walkways**

A key element of Girdwood mountain style for commercial, community and resort buildings is the use of porches with shed roofs to define entrances. To the maximum extent feasible, all buildings shall utilize porches constructed in accordance with the following standards:

**a. Landing Height**

Where landings are used, they shall be a minimum of eight inches higher than adjacent walkways or streets.

**b. Rails**

Porch rails shall be semi-open and/or transparent. Details shall be consistent with other building detailing.

**c. Entry Size**

Building entrances shall be at least eight feet in width, weather protected, and well lit.

**d. Arcades and Roofed Walkways**

**i. Relationship to Buildings**

Arcades or roofed walkways shall be fully attached to the building front and be of uniform design along the street frontage. Arcades may vary and step along the street frontage with the line and style of the buildings to which they belong. Arcade form, width, scale, materials and colors shall be compatible the adjacent building.

**ii. Relationship to Streets**

A landscaped strip for snow storage at least eight feet in width shall be provided parallel to the arcade and shall separate it from the sidewalk edge.

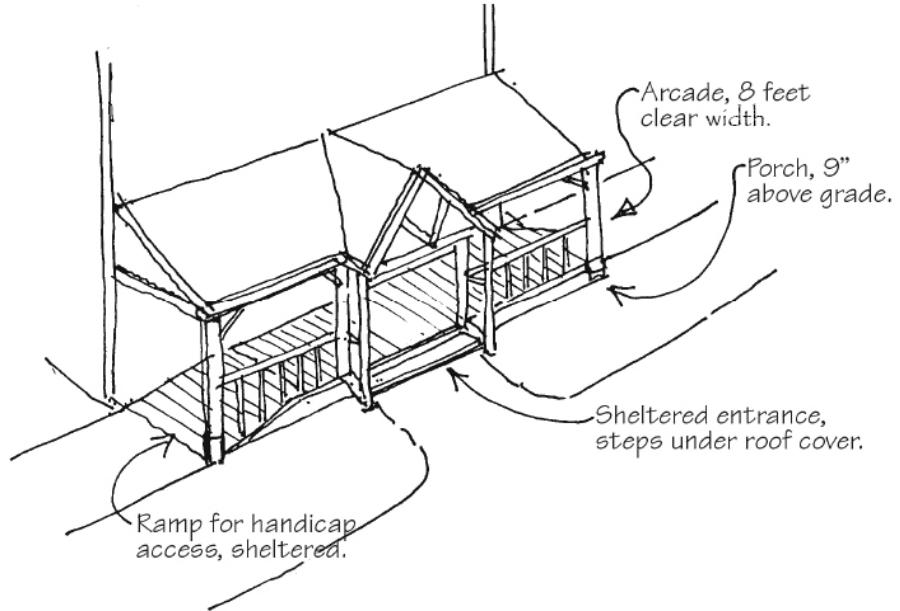
**iii. Upper Floor Buildable Area**

After an administrative review and sign-off by the director, the upper story areas above the arcade may be enclosed as part of the building area. The director will review the proposal for conformity with design goals of this chapter and applicable Girdwood area plans.

# EXHIBIT A

iv. *Clear Space*

Arcades and roofed walkways shall have a minimum of eight feet clear space between arcade columns and the building wall. The arcade of a grocery store shall allow a minimum of 10 feet clear space. The arcade shall be continuous between all entrance/exit doors.



**FIGURE 21.09-15:** Arcades and Roofed Walkways

v. *Columns*

Arcade columns shall be in scale with the overall building but shall not obscure ground level storefronts from adjacent pedestrian areas.

vi. *Roofs*

Arcade and walkway roofs may be flat or sloped to complement other roof forms on the building, but the roof form shall be designed to provide adequate drainage and prevent snow dump, icicle build-up, or rainwater dripping over points of entry to the arcade or walkway. Canvas, metal, or acrylic awnings in lieu of structural covered walkways are not acceptable.

vii. *Elevation above Grade*

Arcaded or roofed walkways shall be elevated at least eight inches above grade.

viii. *Pedestrian Scale Lighting*

Arcade and roofed walkway lighting shall be adequate to provide for safety and aesthetic quality. Pedestrian scaled lighting, including but not limited to bollards, ceiling or post-mounted, or attached to the building, shall be required as part of the design of covered walkways. Light sources shall be shielded, recessed, and/or directed so glare is avoided.

# EXHIBIT A

## 5. Building Materials

### a. *Primary Building Materials*

It is intended for wood and stone to be the primary exterior building materials. Vertical or horizontal patterns, rough or resawn wood, board and batten, and round or square cut logs are permitted. Stone is also permitted. Materials at the base of buildings shall be resistant to damage from snow or water.

### b. *Columns, Posts, and Beams*

Primary exterior materials of columns, posts and beams shall consist of heavy timbers, peeled log poles, steel, concrete, or stone cladding, or a combination of these materials.

### c. *Alternative Façade Materials*

On multistory buildings, façade materials may include pre-cast concrete or plaster surfaces, if such surfaces are heavily ribbed, textured, architecturally treated to resemble natural materials, or brush hammered, and are colored to fit the overall building design and mountain setting.

### d. *Remodels*

The architectural design and the materials used in an addition to an existing structure, or accessory structure, shall be compatible with the architectural style and building materials used in the existing structure, unless an entire facade is to be remodeled in a uniform architectural style.

### e. *Restricted Materials*

No more than 20 percent of any given building facade may be composed of aluminum, untextured vinyl or plastic siding, T-111 siding, brick or exposed concrete. Stucco, treated or textured CMU, or simulated stone veneer may comprise up to 35 percent of any given building façade. No more than five percent of any given building facade may be painted brick.

### f. *Prohibited Materials*

The following materials are prohibited:

- i. Shiny, reflective metal surfaces anywhere on the building;
- ii. Mirrored or highly reflective glass;
- iii. Untreated concrete or masonry;
- iv. Unstained or untreated wood, except for cedar and redwood; all other wood elements shall be treated with oil, stain, or other weathering agent, or painted to resist weathering and discoloration from water;
- v. Plywood siding without board and batten; and
- vi. White roof gravels.

## 6. Building Colors

### a. *Principal Colors*

Principal colors on a building shall generally be natural color tones, such as browns, ochre yellows, tans, wood colors, green, rust, barn red and gray. White and cream shades of color are permitted on not more than 35 percent of each facade. Bright, primary colors are permitted on not more than 15 percent of each facade.

# EXHIBIT A

**b. Trim Colors**

Brighter colors than primary building colors are permitted for trim and highlight details, such as cornices, window frames, handrails, and entrance doors. Neon tubing or an equivalent illumination technique is prohibited as a building/roofline outline feature.

**7. Accessory Elements**

**a. Parking**

Detached garages, carports, and parking garages shall be designed with architectural elements and materials related to the principal commercial building or buildings, and shall be screened from view from public roads and primary common areas with landscaping and/or berming.

**G. Industrial Building Design Standards**

Building and roof colors shall be forest shades, such as dark green, dark brown, or dark gray, to blend into Girdwood's forest setting from both the ground and the air.

[RESERVED: Design standards for industrial buildings in Girdwood will be further developed in coordination with the update to the *Girdwood Area Plan* and adopted as an amendment to this section.]

**21.09.090 ZONING MAPS**

The following zoning maps are provided:

- A.** Girdwood Zoning Districts
- B.** Girdwood Zoning Districts (Lower Valley Enlargement)
- C.** Single-Family/Two-Family Residential Districts
- D.** Multiple-Family Residential Districts
- E.** Commercial Districts
- F.** Industrial Districts
- G.** Resort Districts
- H.** Girdwood Airport, GIP, and GIP-p Districts
- I.** Girdwood Commercial Recreation Districts 1,2 and 3
- J.** Girdwood Development Reserve and Recreation Reserve Districts
- K.** Open Space and Girdwood Watershed Districts



# EXHIBIT A

## CHAPTER 21.10: CHUGIAK-EAGLE RIVER

### 21.10.010 PURPOSE

The purposes of chapter 21.10 are to provide standards and regulations to implement the comprehensive plan elements of Chugiak-Eagle River, preserve and enhance the distinctive rural character, abundant natural environment, and unique lifestyle(s) of the community, while planning for growth and development, and to avoid overlap with standards and regulations applicable to other districts of the municipality.

### 21.10.020 APPLICATION OF CHAPTER 21.10

#### A. Applicability

These regulations and standards shall apply only to the Chugiak-Eagle River area of the municipality as further delineated below.

#### B. Relationship to Other Title 21 Provisions

1. To the extent any provisions in this chapter conflict with other provisions of title 21 the provisions of this chapter shall govern. If certain provisions overlap but are not in conflict, then the provisions of this chapter shall be considered to supplement title 21 requirements and are additional requirements. Unless modified by this chapter, the other chapters and provisions of title 21 apply to the Chugiak-Eagle River area.
2. Where provisions of chapters 21.01 through 21.08 and 21.11 through 21.14 apply and reference a specific zoning district, the following table shall be used to apply the applicable provision in Chugiak-Eagle River.

| TABLE 21.10-1: APPLICATION OF ZONING DISTRICT PROVISIONS                |  |
|---|--|
| Zoning District in Chapters 21.01 through 21.08 and 21.11 through 21.14 | Zoning District in Chugiak-Eagle River |
| R-1   | CE-R-1                                 |
| R-1A  | CE-R-1A                                |
| R-2A  | CE-R-2A                                |
| R-2D  | CE-R-2D                                |
| R-2M  | CE-R-2M                                |
| R-3   | CE-R-3                                 |
| R-4   | N/A                                    |
| R-4A  | N/A                                    |
| R-5   | CE-R-5                                 |
| R-6   | CE-R-5A and CE-R-6                     |
| R-7   | CE-R-7                                 |
| R-8   | CE-R-8                                 |
| R-9   | CE-R-9                                 |
| R-10  | CE-R-10                                |
| B-1A  | N/A                                    |
| B-1B  | N/A                                    |
| B-3   | CE-B-3 and CE-RC                       |
| DT-1, DT-2, DT-3  | N/A                                    |
| RO  | CE-RO                                  |
| MC  | N/A                                    |
| I-1   | CE-I-1                                 |
| I-2   | CE-I-2 and CE-I-3                      |
| MI  | N/A                                    |
| A   | CE-AD                                  |
| AF  | AF                                     |

# EXHIBIT A

|       |        |
|-------|--------|
| DR    | CE-DR  |
| PCD   | CE-PCD |
| PLI   | CE-PLI |
| PR    | CE-PR  |
| TA    | N/A    |
| TR    | CE-TR  |
| WS    | WS     |
| [AHO] | [AHO]  |
| CCO   | N/A    |
| [FHO] | [FHO]  |

## C. Chugiak-Eagle River Defined

This chapter applies to, and the term Chugiak-Eagle River in this chapter refers to, the land in Eklutna, Peters Creek, Birchwood, Chugiak, Eagle River, Eagle River Valley, and South Fork as shown on the map in subsection 21.10.020E., and having the following real property description:

Those lands lying within the boundary of the Municipality of Anchorage, within the Anchorage Recording District, Third Judicial District, State of Alaska; including all private, municipal and state land and those lands under state selection in Chugach National Forest; more particularly described as follows:

1. Township 13 North, Range 1 East, Seward Meridian, Alaska: Sections 3 through 6 inclusive, 9, 10 & 15, excepting those lands covered by the Chugach State Park;
2. Township 13 North, Range 1 West, Seward Meridian, Alaska: Sections 1, 3, 4, 9, 10 & 15, excepting those lands covered by the Chugach State Park;
3. Township 14 North, Range 1 East, Seward Meridian, Alaska: Sections 30, 31, 32, & 33, excepting those lands covered by the Chugach State Park;
4. Township 14 North, Range 1 West, Seward Meridian, Alaska: Sections 5, 6, 7, 8, 9, 14 through 29 inclusive, 33, 34, 35, & 36, excepting those lands covered by the Chugach State Park;
5. Township 14 North, Range 2 West, Seward Meridian, Alaska: Sections 1, 2, 11, 12, 13, 14, 22, 23, & 24, excepting those lands covered by the Chugach State Park and Joint Base Elmendorf Richardson;
6. Township 15 North, Range 2 East, Seward Meridian, Alaska: Section 6, excepting those lands covered by the Chugach State Park;
7. Township 15 North, Range 1 East, Seward Meridian, Alaska: Section 1, excepting those lands covered by the Chugach State Park;
8. Township 15 North, Range 1 West, Seward Meridian, Alaska: Sections 2 through 11 inclusive, 14 through 20 inclusive, 29, 30, 31, & 32, excepting those lands covered by the Chugach State Park and the Knik Arm of the Cook Inlet;
9. Township 15 North, Range 2 West, Seward Meridian, Alaska: Sections 12, 13, 24, 25, 26, 34, 35, & 36, excepting those lands covered by Joint Base Elmendorf Richardson and the Knik Arm of the Cook Inlet;
10. Township 16 North, Range 1 East, Seward Meridian, Alaska: Sections 15, 16, 19, 20, 21, 22, 26, 27, 28, 29, 30, 32, 33, 34, & 35, excepting those lands covered by the Chugach State Park and the Knik Arm of the Cook Inlet; and

# EXHIBIT A

Chapter 21.10: Chugiak-Eagle River  
Sec.21.10.020 Application of Chapter 21.10

---

1           11.       Township 16 North, Range 1 West, Seward Meridian, Alaska: Sections 23, 24, 25, 26,  
2                   27, 32, 33, 34, 35, & 36, excepting those lands covered by the Knik arm of the Cook Inlet.

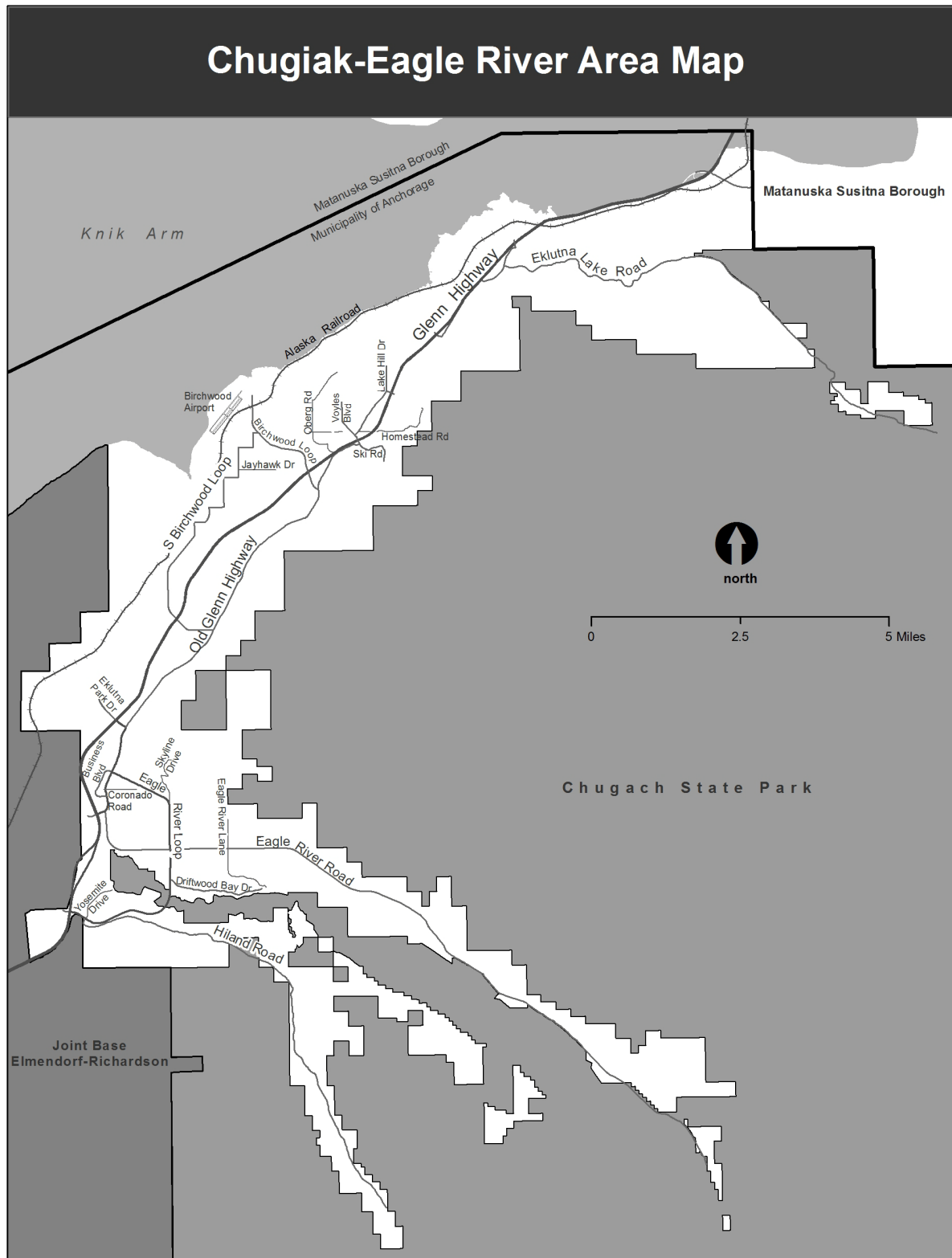
3   **D.       Verification of Nonconforming Status**

4           The fees associated with verification of nonconforming status pursuant to section 21.03.250  
5           relating to structures, uses, and lots in the Chugiak-Eagle River area which have become  
6           nonconforming with the adoption of this chapter shall be waived for a period of two years,  
7           beginning January 1, 2014. Those properties that have received non-conforming determinations  
8           may continue pursuant to the provisions of chapter 21.12.

# EXHIBIT A

Chapter 21.10: Chugiak-Eagle River  
Sec.21.10.020 Application of Chapter 21.10

## 1 E. Chapter 21.10 Area Map



2

# EXHIBIT A

## 21.10.030 ADMINISTRATION AND REVIEW PROCEDURES

### A. Title 21 Administrative Provisions and Procedures Apply

Except as specifically provided in this chapter, all development in the Chugiak-Eagle River area shall be subject to and reviewed pursuant to the generally applicable administrative and review procedures set forth in chapters 21.01, *General Provisions*; 21.02, *Boards, Commissions and Municipal Administration*; and 21.03, *Review and Approval Procedures*.

### B. Chugiak-Eagle River Advisory Board

1. An advisory board shall be constituted to review and make recommendations on actions addressed in section 21.02.020 which affect Chugiak-Eagle River. The advisory board shall be constituted from representatives appointed by each of the community councils that represent the Chugiak-Eagle River area described in section 21.10.020. Each community council shall be represented with one seat on the advisory board, with one additional representative from the Native Village of Eklutna.
2. The Chugiak-Eagle River advisory board is voluntary, similar to service boards, which serves as the focus for areawide concerns. Its authority as an advisory body does not amend or abridge the ability of individual community councils to provide input to any other board or commission, or to the administration, on any matters for which it exercises review authority.
3. The advisory board shall provide review and make recommendations to the municipality and its boards and commissions on matters including the following:
  - a. Changes to the *Chugiak-Eagle River Comprehensive Plan* and changes to the other comprehensive plans and studies which impact the Chugiak-Eagle River area.
  - b. Actions involving the platting board, planning and zoning commission, zoning board of examiners and appeals, and the urban design commission that require public notice to multiple community councils in the Chugiak-Eagle River area.
  - c. Code changes, public facility site selection, overlay districts, and large retail establishments in the Chugiak-Eagle River area.

## 21.10.040 ZONING DISTRICTS

This chapter establishes the zoning districts and contains basic information pertaining to zoning districts, including statements of purpose and district-specific regulations. The following sections 21.10.050 through 21.10.070 set forth the uses allowed within the districts, the dimensional standards, and the design standards, where they differ from chapters 21.05, 21.06, and 21.07, to be applied to development in the districts. Upon approval of chapter 21.10, the director shall amend the Chugiak-Eagle River zoning map to reflect that all zoning districts are now designated with the prefix "CE". If a district is designated as having special limitations, SL, the new designation shall be CE-x-x-SL with the special limitations remaining as authorized by the enacting ordinance.

### A. Purpose

The municipality, including the Chugiak-Eagle River area, is divided into zoning districts in order to achieve the purposes of this title established in 21.01. Included in the general provisions of chapter 21.01 are the implementation of the *Chugiak-Eagle River Comprehensive Plan*, and particularly its land use plan map and other relevant elements of this plan. The Chugiak-Eagle River zoning districts are intended to implement the land use plan map of the *Chugiak-Eagle River Comprehensive Plan*.

# EXHIBIT A

## B. Zoning Districts Established

1. Chugiak-Eagle River is divided into the following zoning districts as shown on table 21.10-2:

| TABLE 21.10-2:<br>CHUGIAK-EAGLE RIVER ZONING DISTRICTS ESTABLISHED |              |  |
|--|--------------|--|
| District Type  | Abbreviation | District Name                            |
| Residential Districts  | CE-R-1       | Single-Family Residential                |
|  | CE-R-1A      | Single-Family Residential                |
|  | CE-R-2A      | Single- and Two-Family Residential       |
|  | CE-R-2D      | Two-Family Residential                   |
|  | CE-R-2M      | Mixed Residential                        |
|  | CE-R-3       | Multifamily Residential                  |
|  | CE-R-5       | Suburban Residential with Mobile Homes   |
|  | CE-R-5A      | Rural Residential with Mobile Homes      |
|  | CE-R-6       | Low-Density Residential                  |
|  | CE-R-7       | Medium-Density Single-Family Residential |
|  | CE-R-8       | Low-Density Residential                  |
|  | CE-R-9       | Low-Density Residential                  |
|  | CE-R-10      | Low-Density Residential, Alpine/Slope    |
| Commercial Districts   | CE-B-3       | General Business                         |
|  | CE-RO        | Residential Office                       |
|  | CE-RC        | Rural Commercial                         |
| Industrial Districts   | CE-I-1       | Light Industrial                         |
|  | CE-I-2       | Heavy Industrial                         |
|  | CE-I-3       | Rural Industrial                         |
| Other Districts  | CE-AD        | Airport Development (Birchwood)          |
|  | CE-DR        | Development Reserve                      |
|  | CE-PCD       | Planned Community Development            |
|  | CE-PLI       | Public Lands and Institutions            |
|  | CE-PR        | Parks and Recreation                     |
|  | CE-TR        | Transition                               |
| Overlay Zoning Districts   | CE-DO        | Downtown Eagle River Overlay             |
|  | CE-EVO       | Eklutna Village Overlay                  |

2. Only Chugiak-Eagle River zoning districts and the AF and WS districts are intended to be applied within the Chugiak-Eagle River area as defined by subsection 21.10.020E. above through any rezoning process.

## C. Residential Districts

### 1. General Purpose

The Chugiak-Eagle River area contains a diverse mix of residential development. The residential districts provide a wide variety of lifestyle choices of varying land use intensity. The purpose of this section is to protect the diverse residential lifestyles of the area and to implement the Chugiak-Eagle River Comprehensive Plan by providing districts which

conform to the residential densities of the plan. The residential zoning districts established in this section are generally intended to:

- a. Provide appropriately located areas for residential development this is consistent with the comprehensive plan and standards of public health and safety established by this code;
- b. Designate areas for residential living that offer a broad range of lot sizes, dwelling types, densities, and housing choices, and that offer a range of living environments;
- c. Conserve residential lands for housing by limiting conversion of the residential land base to non-residential uses;
- d. Allow for a variety of housing;
- e. Protect the scale and character and unique appeal of existing residential neighborhoods and community areas;
- f. Provide light, air, privacy, and open space for each residential dwelling, and protect residents from the harmful effects of excessive noise, glare and light pollution, traffic congestion, and other significant adverse effects;
- g. Protect residential areas from commercial and industrial hazards such as fires, explosions, and toxic fumes and substances;
- h. Where appropriate, minimize the location of residences in high natural hazard areas, and mitigate the risk in those areas where development may be allowed;
- i. Facilitate the provision of appropriate public and institutional services and facilities, such as schools, parks and recreation uses, religious assembly, utility substations, and telecommunications and transportation infrastructure, which are needed to accommodate densities recommended in the comprehensive plan, while maintaining the residential character of the district;
- j. Protect stream corridors, wetlands, and other important natural resources from the adverse impacts of residential development; and
- k. Designate areas for residential living that support neighborhood identity and economic vitality and thus give predictability to residential settings and encourage investments and enhancements.

**2. CE-R-1: Single-Family Residential District**

**a. Purpose**

The CE-R-1 district is intended primarily to provide for detached single-family residential areas with gross densities up to six dwelling units per acre. These areas generally are intended to have well-developed infrastructure and municipal services.

**3. CE-R-1A: Single-Family Residential District**

**a. Purpose**

The CE-R-1A district is intended primarily for detached single-family residential areas with gross densities up to four dwelling units per acre, and minimum lot size is slightly larger than the CE-R-1 district. These areas generally are intended to have well-developed infrastructure, and municipal services generally are intended to be provided.

4. **CR-R-2A: Two-Family Residential District**

a. ***Purpose***

The CE-R-2A district is intended primarily for single- and two-family residential areas with gross densities up to ten dwelling units per acre. These areas generally are intended to have well-developed infrastructure, and municipal services generally are intended to be provided.

b. ***District-Specific Standard***

- i. Multiple detached dwelling units built on the same lot or tract which do not qualify as an ADU, shall be allowed through the planned unit development (PUD) process in accordance with subsection 21.03.080H.

5. **CE-R-2D: Two-Family Residential District**

a. ***Purpose***

The CE-R-2D district is intended primarily for single- and two-family residential areas with gross densities up to 12 dwelling units per acre. These areas generally are intended to have well-developed infrastructure, and municipal services generally are intended to be provided.

b. ***District-Specific Standard***

- i. The CE-R-2D district shall conform to the district specific standards of the CE-R-2A district.

6. **CE-R-2M: Mixed Residential District**

a. ***Purpose***

The CE-R-2M district is intended primarily for residential areas that allow for a variety of single-family, two-family, and multifamily dwellings, with gross densities up to 15 dwelling units per acre. The CE-R-2M district provides residential neighborhoods with a greater diversity of housing by allowing a mix of both detached and a variety of attached dwelling types in close proximity to each other, rather than separated into different use districts. The CE-R-2M district is to be located in established or redeveloping residential neighborhoods. The design of new development, such as building scale and setbacks, parking facility size and location, and yard landscaping, should be complementary to the existing neighborhood and mix of dwelling types.

b. ***District-Specific Standards***

- i. Multifamily buildings shall contain no more than eight dwelling units per building.
- ii. On lots of one acre or more where more than one principal structure is allowed (see table 21.10-6), the development of two to four principal structures on a lot requires an administrative site plan review.
- iii. On lots of one acre or more where more than one principal structure is allowed (see table 21.10-6), the development of five or more principal structures on a lot shall be allowed through the planned unit development (PUD) process in accordance with subsection 21.03.080H.

7. **CE-R-3: Multifamily Residential District**

a. ***Purpose***

The CE-R-3 district is intended primarily for residential areas that allow for a variety of multifamily, two-family, and single-family dwellings, with gross densities up to 30 dwelling units per acre. The design of CE-R-3 development, including building appearance, location of parking, setbacks, and landscaping, should be complementary to the existing neighborhood and mix of dwelling types.



b. ***District-Specific Standard***

- i. Multiple detached dwelling units built on the same lot or tract, which do not qualify as an ADU, shall be allowed through the planned unit development (PUD) process in accordance with subsection 21.03.080H.

8. **CE-R-5: Suburban Residential District with Mobile Homes**

a. ***Purpose***

The CE-R-5 district is intended for single- and two-family residential areas with gross densities up to six dwelling units per acre where public sewer and water are generally available, and to encourage affordable housing. Mobile homes on individual lots are allowed in this district.

9. **CE-R-5A: Rural Residential District with Mobile Homes**

a. ***Purpose***

The CE-R-5A district is intended for single- and two-family residential areas with gross densities up to one dwelling unit per acre, where public sewer and water are generally not available, to encourage affordable housing, and to protect the rural setting by maintaining large lots and low population densities in the Chugiak-Eagle River area. Mobile homes on individual lots are allowed in this district.

10. **CE-R-6: Low-Density Residential District**

a. ***Purpose***

The CE-R-6 district is intended for those land areas where large lot development is desirable. The CE-R-6 district is designed to encourage low-density residential development with gross densities of up to one dwelling unit per acre, while at the same time protecting and enhancing those physical and environmental features which add to the desirability of rural residential living. Availability of infrastructure and municipal services may vary.

11. **CE-R-7: Medium-Density Single-Family Residential District**

a. ***Purpose***

The CE-R-7 district is intended primarily for single- and two-family residential areas with gross densities up to two dwelling units per acre. This district may also be applied to areas between larger lot districts and higher density districts while at the same time protecting and enhancing those physical and environmental features which add to the desirability of rural residential living.

12. **CE-R-8: Low-Density Residential District**

a. ***Purpose***

The CE-R-8 district is intended primarily for single- and two-family residential areas with gross densities up to one dwelling unit per four acres, where topographic or other natural conditions are such that higher-density development would be unfeasible. In addition to topography, some of the natural conditions which could exist to render land desirable for the densities proposed in this zone are wind hazards, marginal soils, landslide susceptibility, potential for groundwater pollution, and groundwater availability.

13. **CE-R-9: Low-Density Residential District**

a. ***Purpose***

The CE-R-9 district is primarily for single- and two-family large lot residential areas with gross densities up to one dwelling unit per two acres, where public sewer and water are unlikely to be provided, or where topographic or other natural conditions are such that higher-density development would be unfeasible.

14. **CE-R-10: Low-Density Residential, Alpine/Slope District**

a. ***Purpose***

The CE-R-10 district is intended for use in those areas where natural physical features and environmental factors such as slopes, alpine and forest vegetation, soils, slope stability, and geologic hazards require unique and creative design for development.

b. ***District-Specific Standards***

District-specific standards are as established in subsection 21.04.020O.2.

D. **Commercial Districts**

1. **General Purpose**

The Chugiak-Eagle River commercial districts established in this section are generally intended to:

- a. Provide appropriately located areas consistent with the comprehensive plan that provide a full range of retail and service establishments and convenience and office uses, and protect such uses from the adverse effects of incompatible uses;
- b. Provide adequate area to meet the needs of future commercial development;
- c. Encourage the redevelopment, conversion, and reuse of underused commercial areas, and discourage further geographic expansion of commercial areas not designated in the comprehensive plan;
- d. Promote the location of higher intensity commercial uses and traffic into those area of Chugiak-Eagle River that are best developed for traffic and access;
- e. Strengthen the economic base of the Chugiak-Eagle River area and provide employment opportunities;
- f. Provide for commercial land uses that meet the needs of local residents, while providing for development of regional services and businesses;
- g. Minimize land use impacts of commercial development on adjacent residential districts; and
- h. Provide sites for public and semi-public uses such as utilities and telecommunications infrastructure needed to compliment commercial development.

2. **CE-B-3: General Business District**

a. ***Purpose***

The CE-B-3 district is intended primarily for uses that provide commercial goods and services to residents of the community in areas that are dependent on automobile access and exposed to heavy automobile traffic. These commercial uses are intended to be located on collector or greater roads and to be provided with adequate public services and facilities. They are subject to the public view and should provide an attractive appearance with landscaping, sufficient parking, and controlled traffic movement. Adjacent residential areas should be protected from potentially negative impacts associated with commercial activity.

b. ***District-Specific Standard***

Outside of the downtown Eagle River overlay district, maximum height of structures shall be 45 feet.

**c. District Location Requirements**

- i. Establishment of the CE-B-3 district or changes to existing district boundaries shall meet the general rezoning criteria of this code and shall not be expanded along street corridors or into surrounding neighborhoods unless consistent with the comprehensive plan.
- ii. Future rezonings to CE-B-3 shall take into consideration the desirability of CE-B-3 being located on collector or greater roads and being served with adequate public services and facilities.

**3. CE-RO: Residential Office District**

**a. Purpose**

The CE-RO district is intended to support residential use while extending professional, business, and office uses, or areas with a compatible mix of office and residential uses to the Chugiak-Eagle River area. The district provides for small to medium sized office or residential buildings, often in transition areas. The district allows multifamily residential, group living, and visitor accommodations.

**b. District-Specific Standards**

- i. *Height*  
Outside of the downtown overlay district, maximum height of structures shall be 35 feet.
- ii. *Landscaping*  
Landscape buffering shall not be required between residential uses in the CE-RO district and adjacent residential CE-R-2M or CE-R-3.

**c. District Location Requirements**

- i. New CE-RO districts shall be located in areas where the development buffers residential neighborhoods from heavy volumes of traffic or more intense commercial uses.
- ii. The CE-RO district shall not be expanded into areas designated residential in the Chugiak-Eagle River Comprehensive Plan.

**4. CE-RC: Rural Commercial District**

**a. Purpose**

The CE-RC District is intended for uses that provide a range of commercial goods and services including some light manufacturing, processing, retail service, and services performed on site for residents of the community. The district is primarily located in areas where concentration of development is prevented by lack of public water and/or sewer. The commercial and light industrial service uses are intended to be of lower density than other commercial use districts. Development within the CE-RC district will be where commercial goods and services are generally focused at intersections or in a linear manner along streets of collector or greater classification. The CE-RC district is not intended for moderate or high density commercial or light industrial developments.

**b. District-Specific Standards**

- i. *Landscaping, Screening, and Fencing*
  - (A) L3 screening landscaping shall be required along any right-of-way designated as a freeway in the *Official Streets and Highways Plan*.
  - (B) L2 buffer landscaping shall be required along any lot line abutting residential lots.

ii. *Prohibited Uses*

Business-industrial parks (BIP-PUDs) are not permitted in the CE-RC district.

**E. Industrial Districts**

**1. General Purpose**

The Chugiak-Eagle River industrial districts are generally intended to:

- a. Create suitable environments for various types of industrial uses;
- b. Reserve appropriately located areas for industrial purposes and limit non-industrial uses that may erode the supply of industrial lands;
- c. Provide adequate space to meet the needs of future industrial development, including off-street parking and loading;
- d. Strengthen and diversity the economic industrial base of Chugiak-Eagle River and provide employment opportunities;
- e. Minimize land use impacts of industrial development on abutting non-industrial districts; and
- f. Protect stream corridors, wetlands, and other important natural resources from the adverse impacts of industrial development.

**2. CE-I-1: Light Industrial District**

**a. Purpose**

The CE-I-1 district is intended primarily for public and private light manufacturing, processing, service, storage, wholesale, and distribution operations along with limited commercial uses that support and/or are compatible with industrial uses. Business-industrial parks and single-commodity bulk retail sales and building supply stores and services are allowed.

**3. CE-I-2: Heavy Industrial District**

**a. Purpose**

The CE-I-2 district is intended primarily as an industrial activity area and reserve for public and private heavy manufacturing, warehousing and distribution, equipment and materials storage, vehicle and equipment repair, major freight terminals, waste and salvage, resource extraction and processing, and other related uses. Non-industrial uses are limited to prevent land use and traffic conflicts and to maintain and protect the supply of industrial lands within the Chugiak-Eagle River area.

**b. District-Specific Standards**

- i. Heavy industrial uses shall be encouraged to locate along the Alaska Railroad corridor adjacent to Knik Arm or the Old Glenn Highway corridor adjacent to existing industrial-zoned property. If an overriding public interest is served by another location, adequate separation or buffering of less intense uses should be provided.
- ii. Any use in the CE-I-2 district shall be at least 50 feet away from any residential use on a different lot.

4. **CE-I-3: Rural Industrial District**

a. ***Purpose***

The CE-I-3 district is intended for certain rural areas which, because of their topography, soil conditions, or location, or any combination of these factors, are better suited for industrial rather than residential or commercial development.

b. ***District-Specific Standards***

- i. All development in the CE-I-3 shall retain a 100-foot vegetated buffer along any lot line abutting a residential district. Where the buffer area does not generally meet the plant material requirements of buffer landscaping in table 21.07-1, such plant material shall be provided, unless the director approves a different buffer where plant material cannot be provided.

F. **Other Districts**

1. **CE-AD: Airport District (Birchwood)**

a. ***Purpose***

The CE-AD district is intended to provide for the Birchwood Airport, a transportation facility operated by the state of Alaska, Department of Transportation and Public Facilities.

b. ***District-Specific Standards***

- i. All development in the airport district shall be governed by a state of Alaska master plan.
- ii. Type(s) of structures(s) shall be determined by the approved master plan.

2. **CE-DR: Development Reserve District**

a. ***Purpose***

The CE-DR district may be applied to lands intended for future development, undesignated municipal lands, municipal and state tidelands and waters, and military lands.

b. ***District-Specific Standard***

Large lot single-family development may exist by-right; CE-DR areas shall be rezoned to an active zoning classification prior to any other development.

3. **CE-PCD: Planned Community Development District**

a. ***Purpose***

The CE-PCD district is intended to accommodate large-scale acreage for residential, commercial, industrial, or other land use developments and activities, including combinations of uses. It allows for flexibility under controlled conditions not possible with the other defined districts. The flexibility permitted must demonstrate that the final development will be compatible with the intents and purposes of this title and the goals and policies of the *Chugiak-Eagle River Comprehensive Plan*, and do not compromise public health, safety, and welfare. A CE-PCD district should include design features to ensure that the CE-PCD district is integrated with the surrounding neighborhood through features such as transition densities, external boundary buffering, and pedestrian and street connectivity. The CE-PCD district is limited to unified, comprehensively planned developments which are of substantial public benefit, consistent with the holding capacity of the land, and which conform to and enhance the policies of the *Chugiak-Eagle River Comprehensive Plan*.

**b. Application**

- i. The CE-PCD district shall be applied as described in subsection 21.03.160I, and the standards listed here.
- ii. Where areas zoned CE-PCD are larger than 100 acres, the CE-PCD zoning strategy may be approved in phases no smaller than 40 acres.
- iii. When a large CE-PCD area is master planned in phases, each phase shall address how the current phase relates to other phases of the same CE-PCD area with regard to transportation, utilities, land use, environmental characteristics, and buffering.

**c. Record-Keeping**

The regulatory zoning provisions for each CE-PCD district shall be kept on file in the department.

**4. CE-PLI: Public Lands and Institutions District**

**a. Purpose**

The CE-PLI district is intended to include major public and quasi-public civic, administrative, and institutional uses and activities as well as areas designated as a park use (but not dedicated as park) or natural resource use designated by an adopted local plan, and lands under the management of the Eagle River-Chugiak Parks and Recreation Service District. This district also is intended for municipal lands of high natural value or that are environmentally sensitive.

**5. CE-PR: Parks and Recreation District**

**a. Purpose**

The CE-PR district is intended to include municipal lands dedicated by the Assembly as parks in accordance with AMC 25.10.080.

**6. CE-TR: Transition District**

**a. Purpose**

The CE-TR district is intended to include suburban and rural areas that, because of location in relationship to other development, topography or soil conditions, are not developing and are not expected to develop in the immediate future along definitive land use lines. The permitted uses in these districts are intended to be as flexible as possible consistent with protection from noxious, injurious, hazardous, or incompatible uses.

**b. District-Specific Standard**

Parcels zoned transition (T) as of January 1, 2014 shall continue under the transition zoning provisions of the title 21 land use regulations that existed prior to the implementation of the Title 21 Rewrite Project (2002-2012) and were current as of December 31, 2013, until such time as they are rezoned to a more appropriate classification in accordance with the Chugiak-Eagle River Comprehensive Plan. Where the transition-zoned areas are identified in the comprehensive plan as "Development Reserve" or some similar holding classification, the intent of this code is that such areas be rezoned into the development reserve district (CE-DR).

**G. Overlay Zoning Districts**

**1. General Purpose**

The Chugiak-Eagle River overlay districts are intended to support specific uses and services within the Chugiak-Eagle River area. The requirements of an overlay district are intended to augment the district regulations and standards. Whenever there is a conflict

between the district regulations and those of the overlay district, the requirements of the overlay district shall apply.

**2. Creation, Alteration, or Elimination of Overlay Districts**

The creation, alteration, or elimination of an overlay district is a rezoning and is governed by the provisions of section 21.03.160H., *Rezoning to Create, Alter, or Eliminate Overlay Districts*.

**3. CE-DO: Downtown Eagle River Overlay District**

**a. Scope**

The underlying area encompassed by the downtown Eagle River overlay district is within either the CE-RO residential office district or the CE-B-3 general business district. This chapter superimposes a unique set of supplemental land use restrictions, and implements certain site and architectural design requirements, in support of the community goals established for the downtown Eagle River overlay district. Developments within the area designated by this chapter as the downtown Eagle River overlay district are required to conform to the requirements of the underlying district and the modifications imposed by the overlay district requirements, as set out in this section.

**b. Community Goals for the CE-DO District**

- i. Create a cohesive town center.
- ii. Foster a sense of place as a unique, vibrant business district and community center.
- iii. Maintain a small-town character consistent with community values expressed through community meetings.
- iv. Promote incremental improvements in a manner that encourages business development and investment without creating additional costs or undue hardship to existing uses and businesses.
- v. Promote residential and commercial development that is distinctive, compatible with the town center of Eagle River, and provides a transition between single-family residential neighborhoods and the commercial core of the town center.
- vi. Provide variety and visual interest in the exterior design of residential buildings.
- vii. Promote a more pedestrian oriented town center.
- viii. Promote commercial and public buildings that reflect a human scale of limited height.
- ix. Promote a commercial design vocabulary compatible with our Alaskan setting that can serve as a unifying theme.
- x. Establish alternative local business resources to the Anchorage business community and encourage the development of a local economic base.

**c. Boundary Description of the District**

The Eagle River overlay district shall encompass the area described within the following bounds, as identified below: Map of the Downtown Eagle River overlay district.

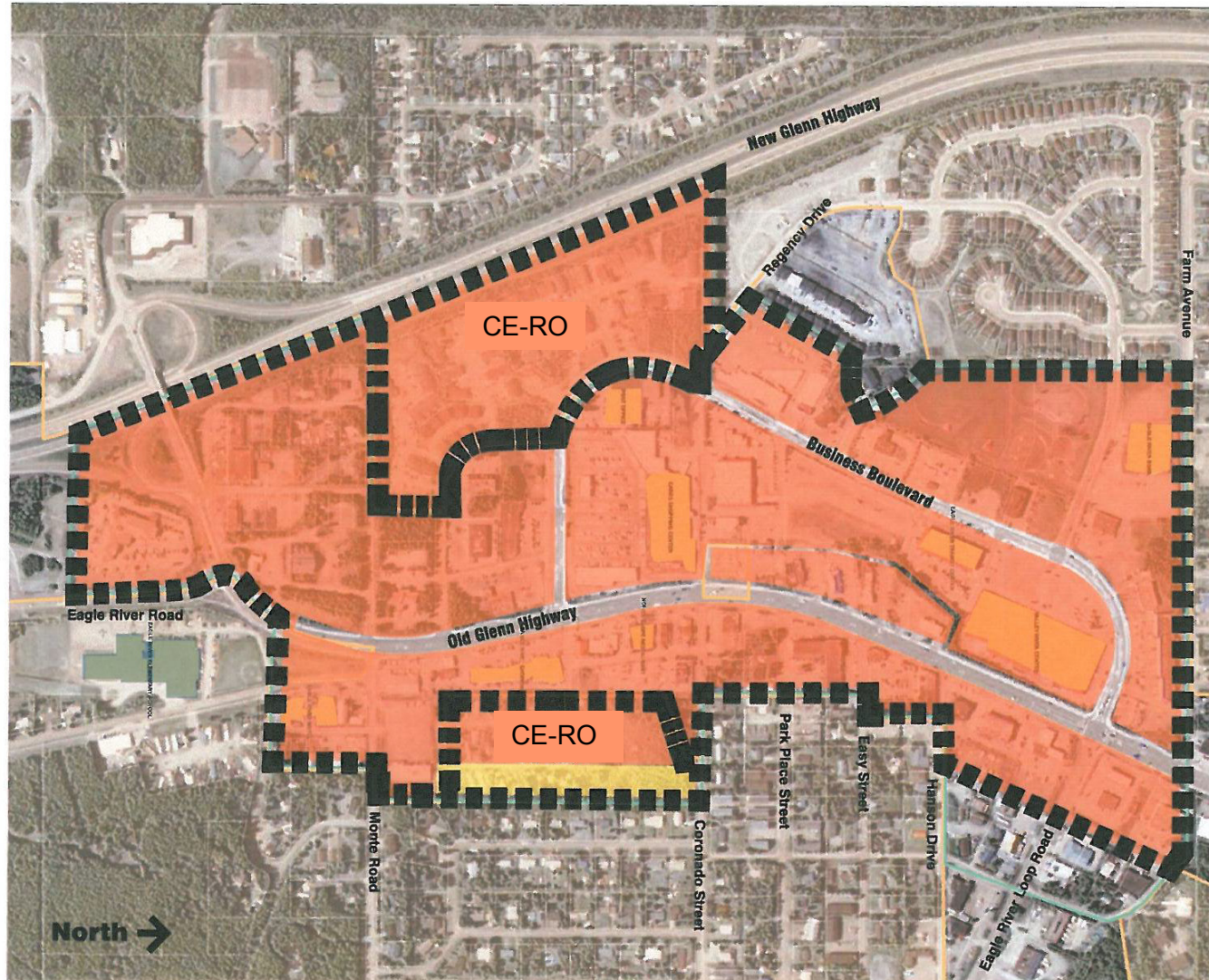
# EXHIBIT A

From a point of beginning at the northwest corner of Tract S-1-B of Timber Ridge Units Subdivision, as found on Grid NW0251, proceeding east on the south side of Farm Avenue, crossing the Old Glenn Highway and continuing east along the north property line of lot 1-B, Block 12, Walter G Pippel Subdivision, Addition 2, to the northeast corner of lot 1-B, then proceeding southwest along the eastern boundaries of lots 1-B and 1-A to the intersection with North Eagle River Loop Road, then crossing North Eagle River Loop Road to the northeast corner of lot 7C1 of Block 11, then proceeding southwest along the eastern boundaries of lots 7C1 and 7B2 to the intersection with Hanson Drive, then crossing Hanson Drive to the northeast corner of lot 10 of Block 7, then west along the south side of Hanson Drive to the intersection with the northeast corner of Tract A of the Martin Business Park, then south along the eastern boundary of Tract A to the intersection with Easy Street, then crossing Easy Street to the northwest corner of Lot 12 of Block 5 and then south along the western boundary of lots 12 and 1 of Block 5, crossing Park Place Street and proceeding south along the western boundaries of 1 and 12 of Block 6 to the intersection with Coronado Road, then proceeding east on the south side of Coronado Road to the northwest corner of Lot 5 of the Sunny Slopes Subdivision, then south along the western boundaries of lots 5, 6, 15, 16, 25, 26, 35, 36, 47, 48, 49, and 65 to the intersection with Monte Road, then crossing Monte Road to the south side, then proceeding west on Monte Road to the **northeast** [NORTHWEST] corner of lot 17 of **the Dale Briggs** [ASHLEY PARK] Subdivision, then proceeding south along the **eastern** [WESTERN] boundaries of lots 17, 16, 15, 14, 13, and 12 to the intersection with Lynne Drive, then west on Lynne Drive to the Old Glenn Highway, then proceeding south on the west side of Eagle River Elementary School and continuing south along the east side of Eagle River Road to the southwest corner of the Eagle River Elementary School property, then proceeding west across Eagle River Road to the eastern edge of the New Glenn Highway Right-of-Way, then north northwest along the eastern edge of the New Glenn Highway to the intersection with the southwest corner of Tract B-5 of Eagle Glenn South Subdivision, then east to the intersection with Regency **Drive** [ROAD], then north across Regency **Drive** [ROAD] and continuing northwest along the west side of Regency **Drive** [ROAD] to the **southwest** [NORTHWEST] corner of Tract B-9, then following the **eastern** [NORTHERN] boundary of Tract B-9 **north-northeast and east** to [THE INTERSECTION WITH] the southwest corner of **Tract B of Timber Ridge, Unit 3, then following the eastern boundaries of Tract B to Tract B's intersection with Tract B-9, then north** [TRACT A-1, THEN CONTINUING NORTH AND WEST] along the **western boundaries of Tract H and Tract R-2 of Timber Ridge, Unit 3, [BOUNDARY OF TRACT A-1]** to the intersection with Regency Drive, then crossing Regency Drive to the **southwest corner of Tract S-1-B, then** [NORTH AND] proceeding north along the western boundary of Tract S-1-B to the point of beginning at the northwest corner of Tract S-1-B.



# EXHIBIT A

Chapter 21.10: Chugiak-Eagle River  
Sec.21.10.040 Zoning Districts



## Eagle River Overlay District

Overlay District Boundary and  
Height Restriction Map

### LEGEND

- Eagle River Overlay District Boundary
- CE-RO Underlying zoning designation of CE-RO, as identified in AMC 21.10.040.
- Height Restricted to 4 Stories within 66 feet
- Height Restricted to 3 Stories within 40 feet

Note: All underlying zoning within the overlay district bears the designation of CE-B-3, as identified in AMC 21.10.040, except for those areas specifically identified as CE-RO.

Where building height restriction is identified by stories, basements are excluded

d. **Overlay District Uses and Standards**

i. *Purpose and Intent*

(A) *Overlay Over CE-RO District Areas*

The downtown Eagle River overlay CE-RO district is intended to include urban and suburban residential and professional office uses that are needed and appropriate in areas undergoing a transition, or in areas where commercial uses might be damaging to established residential neighborhoods. The downtown Eagle River overlay CE-RO district is further intended to provide a mix of low to medium density residential uses with certain specified business, personal and professional services. The regulations and restrictions in the downtown Eagle River overlay CE-RO district are intended to protect, preserve and enhance the residential uses while permitting uses characterized principally by consultative services or executive, administrative or clerical procedures.

(B) *Overlay Over CE-B-3 District Areas*

The downtown Eagle River overlay CE-B-3 district is intended for general commercial uses in areas exposed to heavy automobile traffic. The district specifically is intended for areas at or surrounding major arterial intersections where personal and administrative services, convenience stores and retail shops, and automobile-related services are desirable and appropriate land uses. The extension of the downtown Eagle River overlay CE-B-3 district commercial uses along arterials, except as identified in the comprehensive development plan, is to be discouraged.

ii. *Permitted Uses and Structures*

See tables 21.10-4 and 21.10-5 for permitted uses and structures.

iii. *Dimensional Standards*

See table 21.10-7 for dimensional standards.

iv. *Landscaping*

In the area overlaying the CE-B-3 district,

(A) L2 buffer landscaping shall be planted along each lot line adjacent to a residential district.

(B) Except adjacent to collector or arterial streets, visual enhancement landscaping shall be planted along the perimeter of all outdoor areas used for vehicle circulation, parking, storage or display.

(C) L1 visual enhancement landscaping shall be planted along all collector or arterial streets.

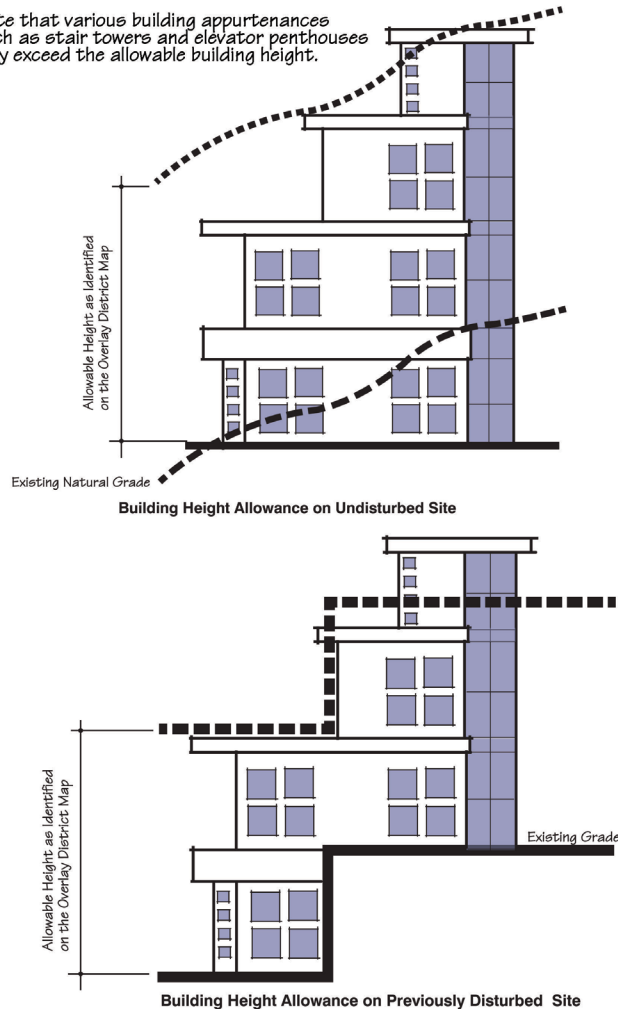
v. *Rules for Measuring Height*

(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** [FIGURE 21.10-3,] following this section.

# EXHIBIT A

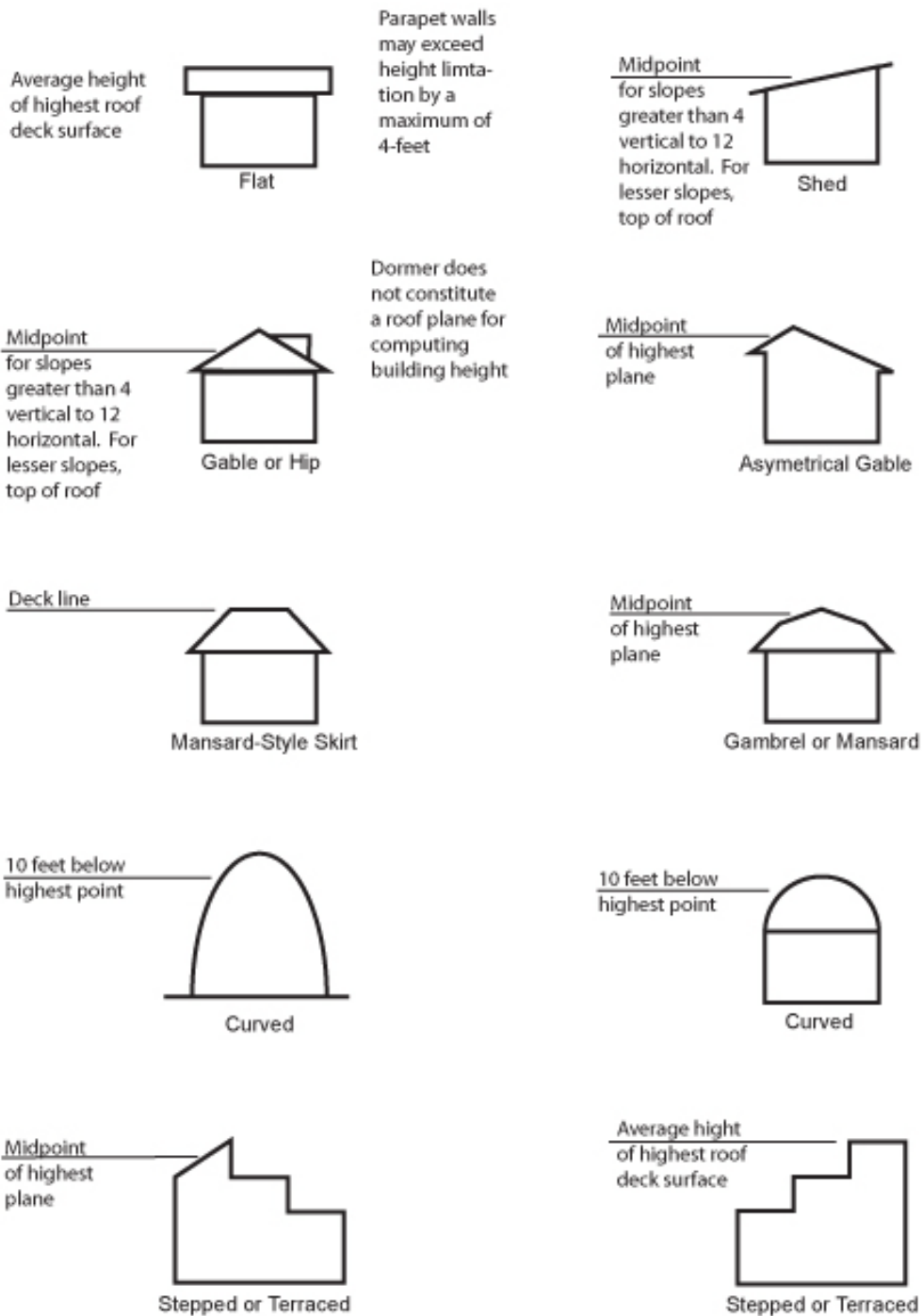
- (B) Structures that are not buildings shall be measured as the vertical distance from grade plane to the highest point of the structure.
- (C) Where maximum height is measured in terms of stories, any story below grade plane shall be excluded from calculation of the number of stories for determining building height.

Note that various building appurtenances such as stair towers and elevator penthouses may exceed the allowable building height.



**Measurement of Allowable Building Height**

[FIGURE 21.10-2: ]Building Height Allowance



[FIGURE 21.10-3:] Building Height Measurement

vi. *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



# EXHIBIT A

is more than six feet from the building, between the building and a point six feet from the building.

**vii. Establishment of Grade**

**(A)** The grade plane shall be calculated using the more restrictive of either the existing grade or the finished grade.

**(B)** 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.

**(C)** 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 not, in the judgment of the director, be detrimental to the general health, safety, and welfare; result in the loss of any public views and shall be reasonable and comparable with the grades of surrounding properties and streets; consistent with the character of the surrounding neighborhood; and necessary for the preservation and enjoyment of substantial property rights of the applicant.

**e. Repairs and Maintenance**

**i.** On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done within any three-year period that does not exceed 50 percent of the value of the existing structure, as determined by the municipality. Improvements that include repositioning the building or reconfiguring the site are not allowed under this standard, unless the change brings the site closer to or into conformity with the standards of this chapter. Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

**ii.** The standards herein do not apply to remodels that do not change the exterior appearance of the building. Improvements that include interior and exterior work shall be valued as the sum of all of the work.

**iii.** Preexisting tower structures shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower structure of like construction and height) shall be permitted on such preexisting towers. New construction other than routine maintenance on a preexisting tower structure shall comply with the requirements of this ordinance.

**iv.** Notwithstanding abandoned community interest and local interest towers and/or antennas, bona fide nonconforming tower structures or antennas that are damaged or destroyed may be rebuilt without having to meet the separation requirements. The type, height, and location of the tower structure on-site shall be of the same type and intensity as the original facility. Building permits to rebuild the facility shall comply with the then applicable building codes and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the community interest or local interest tower or antenna shall be deemed abandoned.

**f. Design Modifications**

- i. Design modifications shall not undermine the intent of the design standards and guidelines.
- ii. The director shall have the authority to:
  - (A) Require changes in project design to meet these standards,
  - (B) Allow deviation from certain standards of this chapter, pursuant to "alternative equivalent compliance" and if necessary to allow for the reasonable development of the site, and
  - (C) Modify the design standards and guidelines as they apply to individual properties, pursuant to "alternative equivalent compliance" and if necessary to allow for the reasonable development of the site.

**g. Alternative Equivalent Compliance for Permitted Uses**

- i. This alternative process is to promote creative design approaches resulting in development equal or superior to development that fully meets all requirements.
- ii. A proposal to modify development standards or requirements shall not undermine the intent of the core design standards.
- iii. This alternative process differs from the variance procedure because approval is based upon meeting or exceeding the intent of the standard by an alternate method, instead of allowing non-compliance based on unusual circumstances.
- iv. An applicant proposing alternative equivalent compliance shall request and attend a pre-application conference before submitting the site plan for the development. Based on the director's preliminary response, an applicant shall include in the site plan application explanation and justification, written and graphic, sufficient to support the alternative equivalent compliance requested by the applicant.
- v. An applicant may propose to deviate from the design standards if the proposal satisfies the evaluation criteria of this section.
  - (A) Aspects of property development which can be modified, including the core design standards and building setbacks.
  - (B) No other standards can be modified, including building height, uses permitted by the zone in which the property is located, and regulations for nonconforming uses.
- vi. The director shall have the authority to approve or disapprove designs that seek alternative compliance.
  - (A) The director shall not approve a request for modification unless it provides architectural and urban design elements equivalent or superior to what would likely result from compliance with the core design standards and guidelines.
  - (B) The director shall consider the following criteria in evaluating proposals:

- (1) The unique characteristics of the subject property, its surroundings and how they will be protected or enhanced by modifying the design standards.
- (2) The positive characteristics of the proposed development and whether such characteristics could be provided by compliance with the design standards proposed to be modified.
- (3) The arrangement of buildings and open spaces as they relate to other buildings and/or uses on the subject property and on surrounding properties.
- (4) Visual impact to surrounding properties caused by parking facilities in the proposed development and whether such impacts are less than would result from compliance with the design standards to be modified.
- (5) Whether the proposed design mitigates the impacts that could be caused by the proposed modification of the standards.

- vii. An applicant may appeal the director's decision to the planning and zoning commission. An applicant shall file an appeal within 30 days of the director's decision.

**h. Residential Design Standards**

**i. Pedestrian Access Intent**

- (A) Orient development to the pedestrian by making pedestrian access convenient, safe, and inviting.
- (B) Encourage walking and bicycling within the core of Eagle River.
- (C) Enhance the character of development within the downtown Eagle River overlay district.
- (D) Minimize impact of development on residential privacy.

**ii. Pedestrian Access Requirements**

An on-site pedestrian circulation system meeting the following standards shall be provided for all multifamily developments:

- (A) Pathways between dwelling units and the street are required to meet the material standards in subsection h.iv. below. Pathways between the street and dwelling units fronting on the street shall be a direct route. The director may allow exceptions where steep slopes prevent a direct connection, or where an indirect route would enhance the design or use of a common open space.
- (B) The pedestrian circulation system shall connect all main entrances on the site. For townhouses or other residential units fronting on the street, the sidewalk may be used to meet this standard. For multifamily developments, pedestrian connections to other areas of the site such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities are required.

- (C) Elevated external walkways and external stairways which provide primary pedestrian access to dwelling units located above the bottom occupied floor are prohibited. (See [illustration below](#) [FIGURE 21.10-4.]) The director may allow external stairways and walkways located within or facing interior courtyard areas if they do not compromise visual access from the units into the courtyard.



[FIGURE 21.10-4:] Example of Prohibited External Walkway and External Access Stairway

- (D) Appropriate screening or buffering shall provide a physical separation between pedestrians, vehicle access areas, and the windows of residential units. Acceptable treatments include landscaped beds that separate the pathway from a building facade by a minimum distance of six feet where the facade has windows; placement of windows to maximize privacy without obstructing surveillance capability from within the dwelling unit; raising the ground floor units above the level of the walkway; and equivalent treatments which limit pedestrian view into dwelling unit windows.

iii. *Pedestrian Circulation Standards for Multiple Detached Dwellings on One Development Site*

Clear pedestrian access shall be provided between all dwelling units and the street to meet the material standards pathways included in this section.

iv. *Pedestrian Access: Material Standards for Pathways*

- (A) The pedestrian circulation system shall be hard-surfaced and at least five feet wide (clear width).

- (B) The pedestrian circulation system shall be clearly defined and designed so as to be separated from driveways and parking or loading areas. At least two of the following design features shall be used to accomplish this:

- (1) Raised curbs;
- (2) Elevation changes;



# EXHIBIT A

- 1 (3) Bollards;
- 2 (4) Landscaping;
- 3 (5) Decorative fencing;
- 4 (6) Use of paving material other than asphaltic concrete;
- 5 and
- 6 (7) Other methods, as approved by the director.
- 7 (C) Striping does not meet the separation requirement for pedestrian
- 8 circulation. If a raised path is used it shall be at least four inches
- 9 higher than adjacent paving with a transition to the adjacent
- 10 paving that will allow snow removal. Bollard spacing shall be no
- 11 farther apart than ten feet on center.
- 12 (D) No portion of the building may shed snow or meltwater onto the
- 13 pedestrian circulation system.
- 14 v. *Open Space Intent*
- 15 (A) Provide accessible, safe, convenient, and usable on-site open
- 16 space for the enjoyment of residents of the development;
- 17 (B) Create open space that enhances the residential setting; and
- 18 (C) Maintain some (not unlimited) views for adjacent residential
- 19 neighborhoods.
- 20 vi. *Open Space Requirements for Detached Single-Family Uses*
- 21 Detached single-family uses shall provide at least 300 square feet of
- 22 private open space adjacent to each unit. Areas with any dimension less
- 23 than 15 feet in width shall not be counted in this total.
- 24 vii. *Open Space Requirements for Attached Single-Family Units*
- 25 *(Townhouses Or Site Condominiums) and Duplexes*
- 26 Attached single-family uses and duplexes shall meet the on-site open
- 27 space requirements for multifamily buildings, except that private patios
- 28 and private landscaped areas directly adjacent and accessible to the
- 29 single-family unit may be used to meet 100 percent of the on-site open
- 30 space requirements.
- 31 viii. *Open Space Required For Multifamily Buildings*
- 32 Multifamily buildings shall provide 100 square feet of on-site open space
- 33 per dwelling unit. Areas with any dimension less than 15 feet in width
- 34 shall not be counted in this total. Acceptable types of open space include
- 35 common open space, and private open space in combination with
- 36 common open space as described in these standards. Except for spaces
- 37 meeting the dimensional and design requirements of these standards,
- 38 setbacks and parking areas shall not count towards meeting open space
- 39 requirements.
- 40 ix. *Common Open Space*
- 41 Where accessible to all residents, common open space may count for up
- 42 to 100 percent of the required open space. This includes landscaped
- 43 courtyards or public decks, gardens with pathways, children's play areas,
- 44 or other multi-purpose recreation and green spaces meeting these
- 45 standards:

# EXHIBIT A

- (A) Common open space shall be large enough to provide functional leisure or recreational activity. Except for porches and balconies, no dimension shall be less than 15 feet in width. Alternative configurations may be considered by the director where the applicant can successfully demonstrate that the common open space meets the intent of these standards.
- (B) Common open space shall include pedestrian amenities, with at least two of the following:
- (1) Paths.
  - (2) Lighting.
  - (3) Seating.
- (C) The requirement for pedestrian amenities is fully met by the installation of play equipment in common open space, without installation of other amenities.
- (D) Common open space shall be separated from ground floor windows, streets, service areas, and parking lots with landscaping, low-level fencing, or other treatments to enhance safety and privacy as may be approved by the director.

x. *Design Standards for Single- and Two-Family Residential Structures Intent*

- (A) Reduce the dominance of garages and blank facades in residential design on Eagle River streetscapes.



[FIGURE 21.10-5: ]Example of Garage and Blank Façade to be Avoided

- (B) Encourage the incorporation of pedestrian scale design details into building facades.
- (C) Promote architectural variety that adds visual interest to Eagle River core neighborhoods.

xi. *Design Standards For Single- and Two-Family Residential Structures Requirements*

- (A) Housing mix by model: Any development of five or more units shall have a mix of housing models.

# EXHIBIT A

**TABLE 21.10-3: CE-DO MIX OF HOUSING MODELS FOR  
RESIDENTIAL DESIGN STANDARDS**

| Number of units | Number of different models required |
|-----------------|-------------------------------------|
| 5-10            | 2                                   |
| 11-20           | 4                                   |
| 21-30           | 5                                   |
| 31 or more      | 6                                   |

(B) Variation for adjacent lots: The development shall be arranged to avoid placing identical housing types, including mirror-image floor plans, on adjacent lots. Each housing model shall have at least two of the following variations:

- (1) Noticeably different exterior elevations and massing.
- (2) Noticeably different placement of the building footprint on the lot. A four-foot setback different between the two longest planes of adjacent homes on the side of the homes facing the street will be acceptable.
- (3) Noticeably different garage placement.
- (4) Noticeably different rooflines.

(C) Garages: Garage doors facing the street shall comprise no more than 65 percent of the total length of the dwelling facade and, except for single story residences, garage doors shall not comprise more than 30 percent of the overall square footage of the dwelling facade facing the street. Garage doors that face the street and comprise more than 50 percent of the width of the dwelling facade shall be articulated forward or back from other portions of the front facade by at least four feet.

(D) Windows: Transparent windows or doors facing the street are required. Buildings shall have a minimum of 15 percent of the facade facing the street composed of transparent windows.

(E) Detail to enhance the primary facade: All residential buildings shall be enhanced with at least three of the following details on the primary facade:

- (1) For double garages, provide two individual garage doors rather than a single double-wide door.
- (2) Prominent front entrance distinguished by a separate roof, double doors, focal stairs or deck, fenestration, decorative porch design, or other means as approved by the director.
- (3) Decorative roof line to include multiple dormers, hip roofs and multiple rooflets.
- (4) Decorative use of building material, textural variation, and color to include shingles, tile, stone, wood siding, or other materials as approved by the director.
- (5) Decorative molding and framing details to include exposed decorative trusses, special moldings for attic

and roof peak vents, balconies, and decorative or unique moldings for windows and doors.

(6) Use of trellises, decorative retaining walls, or other elements as approved by the director that help to integrate the building to the site.

(7) Other elements that meet the intent of the standards, as approved by the director.



[FIGURE 21.10-6: ] Details that Enhance the Primary Façade

xii. *Design Standards For Zero-Lot-Line, Townhouse Residential Development, And Multifamily Development*

(A) No more than six townhouse units may be attached in a single row or cluster.

(B) The building shall be given architectural and visual interest through at least three of the following methods:

(1) Repeating distinctive window patterns at intervals less than 30 feet on center.

(2) Vertical building modulation: Building modulation is a repeated pattern of changes in plane or articulation along the length of a building facade (See [horizontal and vertical modulation illustration below](#) [FIGURE 21.10-7]). If the vertical modulation is coordinated with a change in color, texture, or roofline, the minimum depth and width of modulation is 18 inches for depth and four feet for width, and the minimum distance between articulated elements is four feet (See [modulation requirements illustration below](#) [FIGURE 21.10-8]). If there is no change in color, texture, or roofline, the minimum depth is four feet, the minimum width is ten feet, and the minimum distance between articulated elements is ten feet (See [modulation requirements for residences](#)

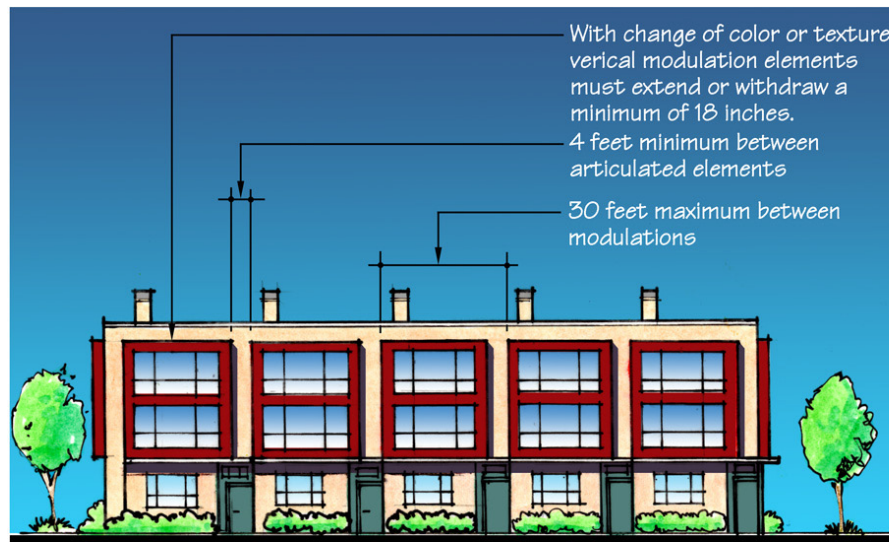
# EXHIBIT A

illustration below [FIGURE 21.10-9]). In both circumstances, the maximum distance between modulations is 30 feet. Balconies may be counted as modulation if they are either recessed or extended from the main facade in accordance with the dimensions identified above.



[FIGURE 21.10-7:] Horizontal and Vertical Modulation

- (3) Articulation of the building's top, middle, and bottom: This calls for a ground floor that is distinctive from the middle floors of the building and a top floor that is distinguished by changes in roofline, materials, texture, or fenestration (window placement).



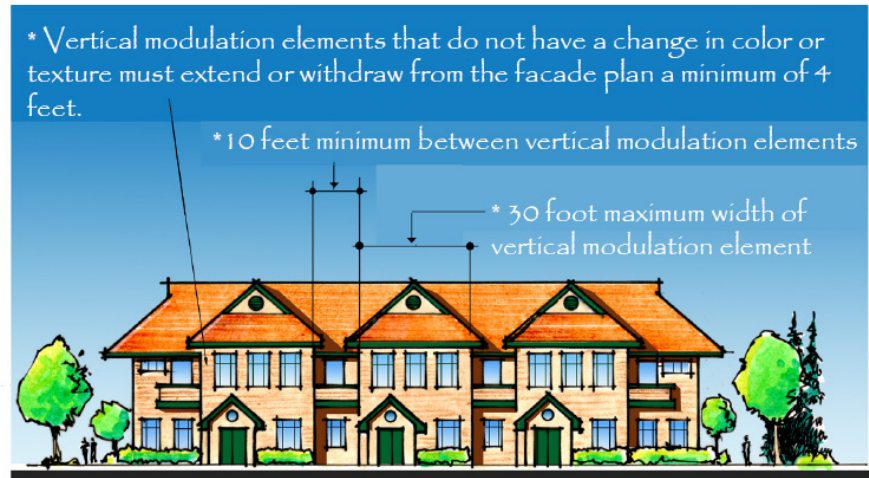
Modulation with Change of Color or Texture

[FIGURE 21.10-8:] Modulation Requirements



# EXHIBIT A

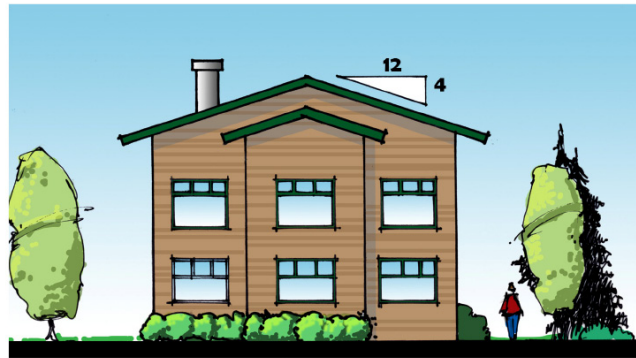
- (4) Horizontal modulation: (either a step-back or extension of the building along a horizontal line), minimum horizontal modulation is four feet.



**Building Modulation for Buildings Without Changes in Color or Texture**

**[FIGURE 21.10-9: ]**Modulation Requirements for Residences without Changes in Color and Texture

- (5) Change in building material or siding style (may be coordinated with vertical or horizontal modulation). Use of different materials, such as wood siding, shingles, metal siding, Stucco or EFIS (exterior finish and insulation system), stone, tile, or other materials or texture as approved by the director.
- (6) Use of sloped roofs or change in roofline. To qualify, sloped roofs shall have a minimum slope of 4:12 (vertical to horizontal). The use of gables, hips and other changes in the slope are encouraged. (See use of sloped roofs illustration below [FIGURE 21.10-10]). For buildings with flat roofs, or a combination of flat and sloped roofs, the roofline shall be modified by a minimum of 1/10th of the wall height. The change in roofline shall occur at a frequency of no greater than 30 feet as measured horizontally on the front facade. (See changes in roofline for flat roofs illustration below [FIGURE 21.10-11]).
- (7) Other methods, as approved by the director that reduce the scale of multifamily buildings or add visual interest.



## USE OF SLOPED ROOFS

To qualify, use of sloped roofs must have a minimum slope of 4:12 (vertical to horizontal) the use of gables, hips and other changes in the slope are encouraged.

[FIGURE 21.10-10: ]Use of Sloped Roofs



## FLAT ROOFS OR COMBINATION OF FLAT & SLOPED ROOFS

For buildings with flat roofs or a combination of flat and sloped roofs, the roofline shall be modified by a minimum of 1/10th of the wall height. This change in roofline shall occur at a frequency of no greater than 30 feet, as measured horizontally on the front facade.

[FIGURE 21.10-11: ]Changes in Roofline for Flat Roofs

### i. Commercial Design Standards

The following commercial design standards implement recommendations of the *Eagle River Central Business District Revitalization Plan* (2003).

#### i. Intent

- (A) Ensure that commercial buildings add to the liveliness of streets and the overall community character by making buildings, pedestrian spaces and landscaping more prominent than parking lots and free-standing signs.
- (B) Encourage walking and bicycling within the core of Eagle River by making pedestrian access convenient, safe and inviting.

#### ii. Building Orientation, Pedestrian, And Open Space Requirements

- (A) All new commercial buildings within the Eagle River overlay district that front on the Old Glenn Highway, Business Boulevard,

# EXHIBIT A

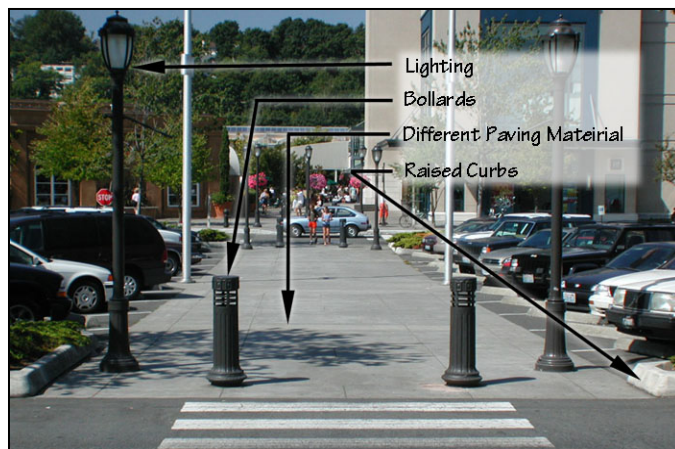
or Eagle River Loop Road shall be set back not more than 20 feet from the street right-of-way.

(B) An on-site pedestrian circulation system meeting the following standards shall be provided for all new commercial development:

(1) Pathways between individual commercial developments and the street shall meet the material standards for pathways in this section where buildings are not directly adjacent to the public sidewalk. Such pathways shall form a direct connection between the street and buildings fronting on the street. Exceptions may be allowed by the director where conditions merit other consideration.

(2) The pedestrian circulation system shall connect all main building entrances on the site. For commercial buildings with multiple entrances to individual retail stores, the community sidewalk may be used to meet this standard.

(3) Elevated external walkways and external stairways which provide pedestrian access to commercial units located above the ground floor are prohibited. The director may allow exceptions for external stairways or walkways located in or facing interior courtyard areas.



[FIGURE 21.10-12: ]Design Features to Clearly Delineate Pedestrian Walks from Adjacent Parking Areas

(C) Material standards for pathways are as follows:

(1) The pedestrian circulation system shall be hard-surfaced and at least six feet wide (clear width).

(2) The pedestrian circulation system shall be clearly defined and designed so as to be separated from driveways and parking or loading areas through the use of at least two of the following design features:

- Raised curbs;
- Elevation changes;



# EXHIBIT A

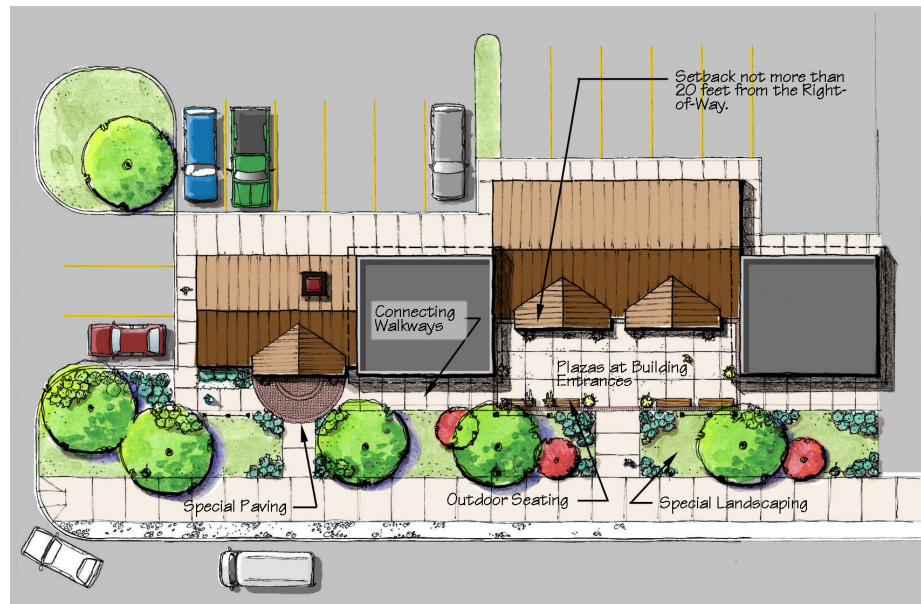
- Bollards;
- Landscaping;
- Paving materials other than asphaltic concrete.

(3) If a raised path is used it shall be at least four inches higher than adjacent paving with a transition to the adjacent paving that allows snow removal.

(4) Pedestrian connections shall be illuminated with pedestrian scale lighting no higher than 14 feet, meeting the requirements of the [MUNICIPALITY OF ANCHORAGE] *Design Criteria Manual*.

(5) No portion of the building may shed snow or meltwater onto the pedestrian circulation system.

(D) Plazas and other open space improvements shall meet the following standards (See **illustration below** [FIGURE 21.10-13]):



Commercial Development, Plan View

[FIGURE 21.10-13: ]Plaza Improvements

(1) New or renovated buildings shall have plazas, courtyards, or other pedestrian spaces at or near the building main entrance. At a minimum, these spaces shall be sized at a ratio of one square foot of plaza or other open space per 100 square feet of interior building area.

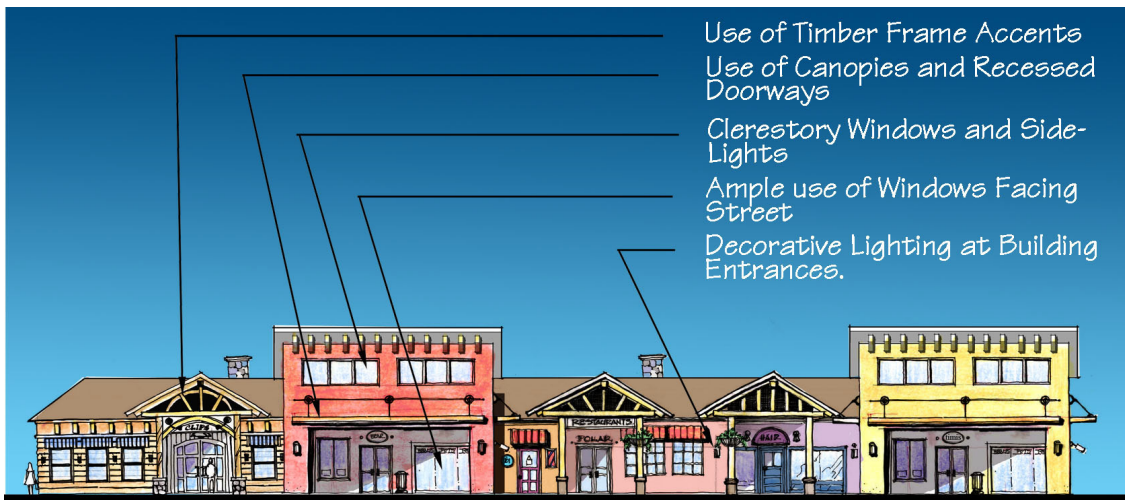
(2) Plazas or other open spaces shall include at least three of the following:

- Permanent special interest landscaping that exceeds the requirements of section 21.07.080 by at least ten percent;

- Special paving, to include colored/stamped concrete, brick, stone, or other unit pavers;
- Public art with a valuation of at least one-half of one percent of the total construction cost;
- A coordinated set of site furnishings used throughout the site to include benches, trash receptacles, bike racks, and may include tables. Site furnishings shall be commercial grade and fabricated of durable and weather resistant materials;
- Other elements that meet the intent of the standards, as approved by the director.

### iii. *Building Design Standards*

- (A) The intent of the building design standards is to ensure that commercial buildings add to the liveliness of streets and the overall community character, and to create a design vocabulary that helps to establish continuity within the Eagle River core area.



### Commercial Development, Front Elevation

[FIGURE 21.10-14: ]Commercial Building Articulation, Entrance, and Material Treatments

- (B) Building entrances: The principal building entry shall be prominently visible from the street and marked by at least one element from each of the following groups:
- (1) Group A, articulation:
- Recess of at least three feet;
  - overhang extending at least five feet;
  - Canopy extending at least five feet;
  - Portico extending at least five feet;
  - Porch protruding at least three feet;

- Other elements that meet the intent of the standards, as approved by the director.



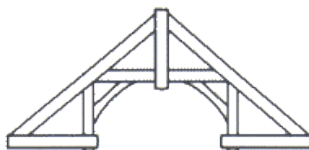
[FIGURE 21.10-15:] Wood Porticos and Canopies are Desired Features

(2) Group B, fenestration and lighting:

- Clerestory window;
- Sidelights (clear glass windows flanking the entry);
- Ornamental light fixtures flanking the entry that are unique to the entry;
- Double entry doors;
- Other elements that meet the intent of the standards, as approved by the director.

(3) Group C, materials:

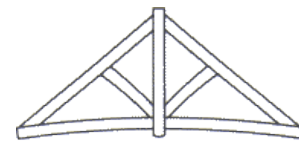
- Exposed timber or log columns and trusses for overhangs, canopies, and porticos with stained wooden soffits (See [illustration below](#) [FIGURE 21.10-16.]);
- Special paving at entry;
- Other elements that meet the intent of the standards, as approved by the director.



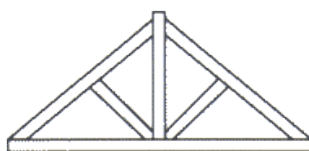
Hammer Beam



Barrel Truss w/Full Arch



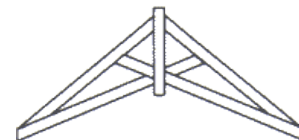
Arched King Post



Standard King Post



Arched Queen Post



Scissor

[FIGURE 21.10-16:] Examples of Exposed Timber Trusses

(C) Ground floor transparency requirements:

(1) A minimum of 60 percent of any ground floor facade (the portion of the facade between two and 12 feet above grade) facing the Old Glenn Highway, Business Boulevard, or Eagle River Loop Road shall be comprised of windows with clear glass allowing views into the interior of the building. Display windows may be used to meet half of this requirement.

(2) A minimum of 15 percent of any ground floor facade parallel to any street other than those named in paragraph a, above, shall be clear glass allowing views into the interior of the building.

(D) Building massing and articulation requirements:

(1) Buildings shall include horizontal and vertical articulation along the facades parallel to public streets.

(2) Horizontal facades higher than a single story and longer than 100 feet shall be modulated above the ground floor into smaller units at intervals of no more than 30 feet. Modulation shall be accomplished through at least two of the following methods:

- Changes in roof form;
- Changes in depth of at least two feet for a width of at least eight feet;
- Changes in materials or texture.

iv. *Screening Standards*

(A) Intent: To screen utilitarian elements, such as mechanical equipment, refuse collection receptacles (dumpsters), and service areas from public view

(B) Items that require screening:

(1) Roof top mechanical equipment;

(2) Outdoor storage areas used in connection with trade, service, or manufacturing activities that do not constitute retail display;

(3) Snow removal and maintenance equipment storage;

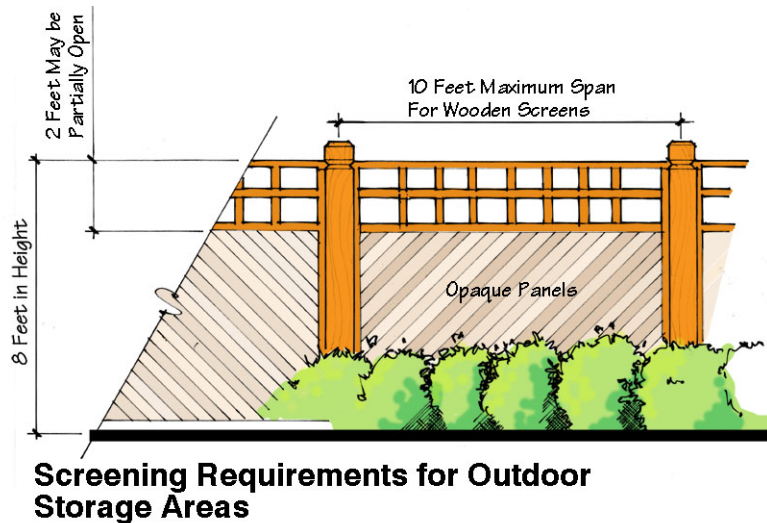
(4) Storage of recreational vehicles for longer than 48 hours;

(5) Refuse collection receptacles (dumpsters);

(6) Chillers and other mechanical equipment at grade.

(C) Screening requirements:

- (1) Roof-top mechanical equipment: Roof top mechanical equipment shall be placed in such a way that it is not visible from public streets. It may be screened by parapet walls for flat roofed buildings, or it may be enclosed in an attic for buildings constructed with sloped roofs. The placement of chillers or other mechanical equipment on grade shall have sight-obscuring screening, six feet in height.
- (2) Storage items requiring screening under subsection iv.(B). above require screens that are eight feet in height and shall be opaque for six of the eight feet (See illustration below [FIGURE 21.10-17]).



[FIGURE 21.10-17: ]Example of Acceptable Required Screening for Storage Areas

- Screens may be constructed of masonry, wood, metal, or may use the same building material used for the exterior of an adjoining building.
  - Screens that are more than 25 feet in length shall be articulated. Articulation may be accomplished by clearly delineating between posts and panels with a change in depth of one inch or greater or a change in materials.
  - The use of chain-link fencing and unfinished plain concrete masonry units is prohibited.
  - Where space allows, use of landscaping is encouraged.
- (3) Refuse collection receptacles (dumpsters): Each refuse collection receptacle shall be screened from view on three sides by a durable sight-obscuring enclosure consisting of a solid fence or masonry wall six feet in height. Coordinating the materials used in the screen with the materials and colors of the associated building

is encouraged. The use of chain-link fencing and unfinished plain concrete masonry units is prohibited.

**4. CE-EVO: Eklutna Village Overlay District**  
[RESERVED]

**21.10.050 USE REGULATIONS**

**A. Table of Allowed Uses**

Table 21.10-4 below lists the uses allowed within the base zoning districts in Chugiak-Eagle River. Each of the listed uses is defined in chapter 21.05. When the uses in a district are determined through a CE-PCD district this table shall not apply.

**1. Explanation of Table Abbreviations**

**a. Permitted Uses**

"P" in a cell indicates the use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of title 21.

**b. Administrative Site Plan Review**

"S" in a cell indicates the use requires administrative site plan review in the respective zoning district in accordance with the procedures of subsection 21.03.180C., *Administrative Site Plan Review*.

**c. Major Site Plan Review**

"M" in a cell indicates the use requires major site plan review in the respective zoning district in accordance with the procedures of subsection 21.03.180D., *Major Site Plan Review*.

**d. Conditional Uses**

"C" in a cell indicates, 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 title 21, the term "conditionally allowed" means approval through the conditional use process is required.

**e. Multiple Abbreviations**

Where table 21.10-4 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.

**f. Prohibited Uses**

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

**g. Use-Specific Standards**

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 applicable to the use. The existence of most use-specific standards is noted through a cross-reference in the last column of the table; however, there may be other applicable non-referenced portions of municipal code as well.

**2. Table Organization**

In table 21.10-4, 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



# EXHIBIT A

1 services are sold or delivered, and site conditions. This classification provides a  
2 systematic basis for assigning present and future land uses into appropriate zoning  
3 districts. This classification does not list every use or activity appropriate within the  
4 categories, and specific uses may be listed in one category when they may reasonably  
5 have been listed in one or more other categories. The use categories in such cases are  
6 intended as indexing tools.

7 **3. Unlisted Uses**

8 When application is made for a particular use category or use type not specifically listed  
9 in table 21.10-4, the procedure set forth in section 21.03.220 shall be followed.

10 **4. Use for Other Purposed Prohibited**

11 Approval of a use listed in table 21.10-4, and compliance with the applicable use-specific  
12 standards for the use, authorizes the specific use only. Development or use of a property  
13 for any other use not specifically allowed in table 21.10-4 is prohibited.

# EXHIBIT A

Chapter 21.10: Chugiak-Eagle River  
Sec.21.10.050 Use Regulations

## 5. Table of Allowed Uses

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.  
All other uses not shown are prohibited.

|                  |   | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        | COMMERCIAL |        |       | INDUSTRIAL |        |        | OTHER  |       |       | OV     |                    |  |
|------------------|---|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|------------|--------|-------|------------|--------|--------|--------|-------|-------|--------|--------------------|--|
| Use Category     | Use Type  | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10    | CE-B-3 | CE-RO | CE-RC      | CE-I-1 | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards |
| RESIDENTIAL USES |   |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            |        |        |        |       |       |        |                    |  |
| Household Living | Dwelling, mixed-use                                   |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          |        |        |        |       |       |        | P-B                | 21.10.050C.1<br>21.05.030A.1.          |
|                  | Dwelling, multifamily                                 |             |         |         |         | P       | P      |        |         |        |        |        |        |            | P      | P     | P          |        |        |        |       |       |        | P                  | 21.10.050C.2.<br>21.05.030A.2.         |
|                  | Dwelling, single-family, attached                     |             |         | P       | P       | P       |        |        |         |        |        |        |        |            |        |       |            |        |        |        |       |       |        | P-R                | 21.05.030A.3.                          |
|                  | Dwelling, single-family, detached                     | P           | P       | P       | P       | P       | P      | P      | P       | P      | P      | P      | P      | P          |        |       |            |        |        |        | P     |       |        | P-R                | 21.05.030A.4.                          |
|                  | Dwelling, townhouse                                   |             |         | P       | P       | P       | P      |        |         |        |        |        |        |            |        |       |            |        |        |        |       |       |        | C-R                | 21.05.030A.5.                          |
|                  | Dwelling, two-family                                  |             |         | P       | P       | P       | P      | P      | P       | P      | P      | P      | P      |            |        |       |            |        |        |        |       |       |        | P-R                | 21.05.030A.6.                          |
|                  | Dwelling, mobile home                                 |             |         |         |         |         |        | P      | 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-R                | 21.05.030B.1.                          |
|                  | Assisted living facility (9 or more residents)        | C           | C       | C       | C       | P       | P      | C      | C       | C      | C      |        |        |            | P      | P     |            |        |        |        |       |       |        | P                  | 21.05.030B.1.                          |
|                  | Correctional community residential center             |             |         |         |         |         |        |        |         |        |        |        |        |            | C      |       | C          | C      | C      | C      |       |       | C      | C-B                | 21.10.050C.3.<br>21.05.030B.2.         |
|                  | Habilitative care facility, small (up to 6 residents) | P           | P       | P       | P       | P       | P      | P      | P       | P      | P      |        |        |            |        | P     | P          |        |        |        |       |       |        |                    |  |



# EXHIBIT A

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.

All other uses not shown are prohibited.

|                   |   | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        | COMMERCIAL |        |       | INDUSTRIAL |        |        | OTHER  |       |       | OV     |                    |  |
|-------------------|---|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|------------|--------|-------|------------|--------|--------|--------|-------|-------|--------|--------------------|--|
| Use Category      | Use Type  | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10    | CE-B-3 | CE-RO | CE-RC      | CE-I-1 | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards |
|                   | Habilitative care facility, medium (7-25 residents) | 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          |        |        |        |       |       |        |                    | 21.05.030B.3.                          |
|                   | Roominghouse  |             |         |         |         | C       | P      | P      | C       | C      | C      | C      | C      |            |        |       |            |        |        |        |       |       |        | P                  | 21.05.030B.4.                          |
|                   | Severe alcohol dependent housing                    |             |         |         |         |         |        |        |         |        |        |        |        |            | C      | C     |            | C      |        |        |       |       | C      |                    | 21.05.030B.5.                          |
|                   | Transitional living facility                        |             |         |         |         |         | C      |        |         |        |        |        |        |            | P      |       |            |        |        |        |       |       | C      | P                  | 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-B                | 21.05.040A.                            |
|                   | Adult care facility (9 or more persons)             | C           | C       | C       | C       | C       | C      | C      | C       | C      | C      | C      | C      | C          | P      | C     | C          |        |        |        |       |       | C      | P-B                | 21.05.040A.                            |
| Child Care        | Child care center (9 or more children)              | C           | C       | C       | C       | C       | C      | C      | C       | C      | C      | C      | C      | C          | P      | C     | C          |        |        |        |       |       | C      | 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                  | 21.05.040B.2.                          |
| Community Service | Cemetery or mausoleum                               |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            |        |        |        |       |       | C      |                    | 21.05.040C.1.                          |
|                   | Community center                                    |             |         |         |         |         | S      |        |         |        |        |        |        |            |        | S     | S          |        |        |        |       |       | S      |                    | 21.05.040C.2.                          |
|                   | Crematorium   |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       |            | P      | P      | P      |       |       | C      | P-B                | 21.05.040C.3.                          |

# EXHIBIT A

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.

All other uses not shown are prohibited.

|                      |  | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        |         | COMMERCIAL |       |       | INDUSTRIAL |        |        | OTHER |       |        | OV                 |  |
|----------------------|--|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|---------|------------|-------|-------|------------|--------|--------|-------|-------|--------|--------------------|--|
| Use Category         | Use Type                                     | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10 | CE-B-3     | CE-RO | CE-RC | CE-I-1     | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards |
|                      | Government administration and civic facility |             |         |         |         |         |        |        |         |        |        |        |        |         | M          | M     | M     |            |        |        |       |       | M      | 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     |            |        |        |       |       | S      | C-R                | 21.05.040C.6.                          |
|                      | Religious assembly                           | S           | S       | S       | S       | S       | S      | S      | S       | S      | S      | S      | S      | S       | P          | S     | S     | P          | P      |        |       |       | S      | P                  | 21.05.040C.7.                          |
|                      | Social service facility                      |             |         |         |         |         | C      |        |         |        |        |        |        |         | P          | C     |       |            |        |        |       |       | P      |                    | 21.05.040C.8.                          |
| Cultural Facility    | Aquarium                                     |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       |            |        |        |       |       | M      |                    | 21.05.040D.1.                          |
|                      | Botanical gardens                            |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       |            |        |        |       | S     | S      |                    | 21.05.040D.2.                          |
|                      | Library                                      | S           | S       | S       | S       | S       | S      | S      | S       |        |        |        |        |         | S          | S     | S     |            |        |        |       |       | M      | S-R                | 21.05.040D.3.                          |
|                      | Museum or cultural center                    |             |         |         |         |         |        |        |         |        |        |        |        |         | M          | M     | M     |            |        |        |       |       | M      | M                  | 21.05.040D.4.                          |
|                      | Zoo  |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       |            |        |        |       | C     | C      |                    | 21.05.040D.5.                          |
| Educational Facility | Boarding school                              |             |         |         |         |         | M      |        |         |        |        |        |        |         | S          | S     | S     |            |        |        |       |       | M      | S                  | 21.05.040E.1.                          |
|                      | College or university                        |             |         |         |         |         |        |        |         |        |        |        |        |         | M          | M     | M     |            |        |        |       |       | M      | P-B                | 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                | 21.05.040E.3.                          |
|                      | 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                | 21.05.040E.4.                          |
|                      | Instructional services                       | C           | C       | C       | C       | C       | C      | C      | C       | C      | C      | C      | C      |         | P          | P     | P     | P/C        |        |        |       |       |        | C                  | P-B                                    |

# EXHIBIT A

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.  
All other uses not shown are prohibited.

|                         |                                | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        |         | COMMERCIAL |       |       | INDUSTRIAL |        |        | OTHER |       |        | OV                 |  |
|-------------------------|--------------------------------|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|---------|------------|-------|-------|------------|--------|--------|-------|-------|--------|--------------------|--|
| Use Category            | Use Type                       | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10 | CE-B-3     | CE-RO | CE-RC | CE-I-1     | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards |
|                         | Vocational or trade school     |             |         |         |         |         |        |        |         |        |        |        |        |         | C          | C     | C     | C          |        |        |       |       | C      | P-B                | 21.05.040E.6.                          |
| Health Care Facility    | Health services                |             |         |         |         |         |        |        |         |        |        |        |        |         | P          | P     | P     |            |        |        |       |       | C      | P                  | 21.05.040F.1.                          |
|                         | Hospital/Health care facility  |             |         |         |         |         |        |        |         |        |        |        |        |         | P          | P     | P     |            |        |        |       |       | C      | P                  | 21.05.040F.2.                          |
|                         | Nursing facility               |             |         |         |         |         |        | C      |         |        |        |        |        |         | P          | C     | C     |            |        |        |       |       |        | P                  | 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                  | 21.05.040G.2.                          |
| Public Safety Facility  | Community or police substation | S           | S       | S       | S       | S       | S      |        | M       | M      | M      | M      | M      | M       | S          | S     | S     | P          | P      |        |       |       | S      | S-B                | 21.05.040H.1.                          |
|                         | Correctional institution       |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       |            |        |        |       |       | C      |                    | 21.05.040H.2.                          |
|                         | Fire station                   |             |         |         |         |         |        |        | M       | M      | M      | M      | M      | M       | M          | M     | M     | M          | M      | M      |       |       | M      | M-B                | 21.05.040H.3.                          |
|                         | Public safety facility         |             |         |         |         |         |        |        |         |        |        |        |        |         | C          |       |       | P          |        |        |       |       | C      |                    | 21.05.040H.4.                          |
| Transportation Facility | Airport                        |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       | M          | P      | C      |       |       | M      |                    | 21.05.040I.1.                          |
|                         | Airstrip, private              | C           | C       | C       | C       |         |        |        | C       | C      | C      | C      | C      |         |            |       |       | C          |        | C      |       |       | C      |                    | 21.05.040I.2.                          |
|                         | Heliport                       | C           | C       | C       |         |         |        |        | C       | C      | C      | C      | C      |         | M          | M     |       | M          | M      | C      |       |       | M      | C-B                | 21.10.050D.1.<br>21.05.040I.3.         |
|                         | Rail yard                      |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       | P          | P      |        |       |       |        |                    | 21.05.040I.4.                          |
|                         | Railroad freight terminal      |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       | P          | P      |        |       |       |        |                    | 21.05.040I.5.                          |
|                         | Railroad passenger terminal    |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       | P          | P      |        |       |       | M      |                    | 21.05.040I.6.                          |

# EXHIBIT A

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.

All other uses not shown are prohibited.

|                              |   | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        | COMMERCIAL |        |       | INDUSTRIAL |        |        | OTHER  |       |       | OV     |                    |  |               |
|------------------------------|---|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|------------|--------|-------|------------|--------|--------|--------|-------|-------|--------|--------------------|--|---------------|
| Use Category                 | Use Type                                      | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10    | CE-B-3 | CE-RO | CE-RC      | CE-I-1 | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards |               |
|                              | Transit center                                |             |         |         |         |         |        |        |         |        |        |        |        |            | S      | S     | S          |        |        |        |       |       | S      | S-B                | 21.05.040I.7.                          |               |
| Utility Facility             | Tower, high voltage transmission              | P/C         | P/C     | P/C     | P/C     | P/C     | P/C    | P/C    | P/C     | P/C    | P/C    | P/C    | P/C    | P/C        | P/C    | P/C   | P/C        | P/C    | P/C    | P/C    | P/C   | P/C   | P/C    | P/C                | P/C                                    | 21.05.040J.1. |
|                              | Utility facility                              |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | C      | P      | P      |       |       | 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      | S     | S     | S      | C                  | 21.05.040J.3.                          |               |
|                              | Wind energy conversion system (WECS), utility |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            |        | C      |        |       |       | C      |                    | 21.05.040J.4.                          |               |
| Telecommunication Facilities | Type 1 tower                                  | S           | S       | S       | S       | S       | S      | S      | S       | S      | S      | S      | S      | S          | S      | S     | S          | S      | S      | S      | S     | S     | S      | P                  | 21.05.040K.                            |               |
|                              | Type 2 tower                                  |             |         |         |         |         |        |        |         |        |        |        |        |            | C      | C     | C          | C      | C      | C      | C     |       | C      | C-R, P-B           | 21.05.040K.                            |               |
|                              | Type 3 tower                                  | C           | C       | C       | C       | C       | C      | C      | C       | C      | C      | C      | C      | C          | C      | C     | C          | C      | C      | C      | C     | C     | C      | P                  | 21.05.040K.                            |               |
|                              | Type 4 tower                                  | S           | S       | S       | S       | S       | S      | S      | S       | S      | S      | S      | S      | S          | S      | S     | S          | S      | S      | S      | S     | S     | S      | P                  | 21.05.040K.                            |               |
| COMMERCIAL USES              |   |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            |        |        |        |       |       |        |                    |  |               |
| Agricultural Uses            | Commercial horticulture                       | C           | C       |         | C       |         |        | C      | P/C     | P/C    | P/C    | P/C    | P/C    | P/C        | P      |       | P          | P      | P      | P      |       |       | C      | P-B                | 21.10.050E.1<br>21.05.050A.1.          |               |
| Animal Sales, Service & Care | Animal boarding <sup>2</sup>                  |             |         |         |         |         |        |        |         | C      |        | C      | C      | C          | P      |       |            | P      | P      | P      |       |       |        | P-B                | 21.10.050E.2.<br>21.05.050B.1.         |               |
|                              | Animal shelter <sup>2</sup>                   |             |         |         |         |         |        |        |         |        |        |        |        |            | S      |       |            | P      | P      | P      |       |       | M      | P-B                | 21.10.050E.3.<br>21.05.050B.2.         |               |

# EXHIBIT A

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.

All other uses not shown are prohibited.

|                              |  | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        | COMMERCIAL |        |       | INDUSTRIAL |        |        | OTHER  |       |       | OV     |                    |   |
|------------------------------|--|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|------------|--------|-------|------------|--------|--------|--------|-------|-------|--------|--------------------|---|
| Use Category                 | Use Type   | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10    | CE-B-3 | CE-RO | CE-RC      | CE-I-1 | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards        |
|                              | Large domestic animal facility, principal use <sup>2</sup> |             |         |         |         |         |        |        |         |        |        |        |        |            |        | C     | P/C        | C      | C      |        | C     | P/C   | P/C    |                    | 21.10.050E.4.<br>21.05.050B.3.                |
|                              | Retail and pet services <sup>2</sup>                       |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          | P      | C      |        |       |       |        | P-B                | 21.10.050E.5.<br>21.05.050B.4.                |
|                              | Veterinary clinic <sup>2</sup>                             |             |         |         |         |         |        |        | C       | C      | C      | C      | P      | C          | P      | P     | P          | P      | C      |        |       |       |        | P                  | 21.10.050E.6.<br>21.05.050B.5.                |
| Assembly                     | Civic / convention center                                  |             |         |         |         |         |        |        |         |        |        |        |        |            | C      |       |            |        |        |        |       |       | C      | C-B                | 21.05.050C.1.<br>21.05.020A.                  |
|                              | Club / lodge / meeting hall                                |             |         |         |         |         | C      |        |         |        |        |        |        |            | P      | P     | P          |        |        |        |       |       | S      | P                  | 21.05.050C.2.<br>21.05.020A.                  |
| Entertainment and recreation | Amusement establishment <sup>2</sup>                       |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          |        |        |        |       |       | C      | P-B                | 21.05.050D.1.<br>21.05.020A.                  |
|                              | Entertainment facility, major <sup>2</sup>                 |             |         |         |         |         |        |        |         |        |        |        |        |            | C      |       |            | C      |        |        |       |       | C      | C-B                | 21.05.050D.2.<br>21.05.020A.                  |
|                              | Fitness and recreational sports center <sup>2</sup>        |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          | C      |        |        |       |       | S      | P-B                | 21.05.050D.3.                                 |
|                              | General outdoor recreation, commercial <sup>2</sup>        |             |         |         |         |         |        |        |         |        |        |        |        | C          | C      |       | C          | C      |        |        |       | C     | C      | C-B                | 21.05.050D.4.                                 |
|                              | Golf course <sup>2</sup>                                   |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            |        |        |        |       | C     | C      |                    | 21.05.050D.5.                                 |
|                              | Motorized sports facility <sup>2</sup>                     |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | C      | C      |        |       | C     | C      |                    | 21.05.050D.6.<br>21.05.020A.                  |
|                              | Movie theater <sup>2</sup>                                 |             |         |         |         |         |        |        |         |        |        |        |        |            | S      |       | M          | S      | C      |        |       |       |        | P/C-B              | 21.10.050E.7.<br>21.05.050D.7.<br>21.05.020A. |
|                              | Nightclub <sup>2</sup>                                     |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | M          |        |        |        |       |       |        | P-B                | 21.05.050D.8.<br>21.05.020A.                  |
|                              | Shooting range, outdoor <sup>2</sup>                       |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | C      | C      |        |       | C     | C      |                    | 21.05.050D.9.                                 |

# EXHIBIT A

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.

All other uses not shown are prohibited.

|                                       |  | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        | COMMERCIAL |        |       | INDUSTRIAL |        |        | OTHER  |       |       | OV     |                    |  |
|---------------------------------------|--|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|------------|--------|-------|------------|--------|--------|--------|-------|-------|--------|--------------------|--|
| Use Category                          | Use Type                                       | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10    | CE-B-3 | CE-RO | CE-RC      | CE-I-1 | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards |
|                                       | Skiing facility, alpine <sup>2</sup>           |             |         |         |         |         |        |        |         |        |        |        |        | C          |        |       |            |        |        |        |       | C     | C      |                    | 21.05.050D.10                          |
|                                       | Theater company or dinner theater <sup>2</sup> |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          |        |        |        |       |       |        | P-B                | 21.05.050D.11<br>21.05.020A.           |
| Food and Beverage Service             | Bar <sup>2</sup>                               |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          |        |        |        |       |       | P      | P-B                | 21.05.050E.1.<br>21.05.020A.           |
|                                       | Food and beverage kiosk <sup>2</sup>           |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          | P      | P      | P      |       | P     | P      | P-B                | 21.05.050E.2.<br>21.05.020A.           |
|                                       | Restaurant <sup>2</sup>                        |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          | P      |        |        |       |       | P      | P-B                | 21.05.050E.3.<br>21.05.020A.           |
| Office                                | Broadcasting facility                          |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | C     | P          | P      | P      |        |       |       | P      | P-B                | 21.05.050F.1.                          |
|                                       | Financial institution                          |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          | P      |        |        |       |       |        | P                  | 21.05.050F.2.                          |
|                                       | Office, business or professional               |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          | P      |        |        |       |       | P      | P                  | 21.05.050F.3.                          |
| Personal Services, Repair, and Rental | Business service establishment                 |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          | P      | C      |        |       |       |        | P-B                | 21.05.050G.1.                          |
|                                       | Funeral/mortuary services                      |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          | P      |        |        |       |       |        | P                  | 21.10.050E.8.<br>21.05.050G.2.         |
|                                       | General personal services                      |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          | P      |        |        |       |       |        | P                  | 21.05.050G.3.                          |
|                                       | Small equipment rental                         |             |         |         |         |         |        |        |         |        |        |        |        |            | P      | P     | P          | P      | P      |        |       |       |        | P-B                | 21.05.050G.4.                          |
| Retail Sales                          | Auction house <sup>2</sup>                     |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | P      | P      |       |       |        | P-B                | 21.05.050H.1.                          |
|                                       | Building materials store <sup>2</sup>          |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | C      | C      |       |       |        | P-B                | 21.05.050H.2.                          |
|                                       | Convenience store <sup>2</sup>                 |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      |        |        |       |       |        | P-B                | 21.05.050H.3.<br>21.05.020A.           |

# EXHIBIT A

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.

All other uses not shown are prohibited.

|                        |   | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        | COMMERCIAL |        |       | INDUSTRIAL |        |        | OTHER  |       |       | OV     |                    |  |
|------------------------|---|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|------------|--------|-------|------------|--------|--------|--------|-------|-------|--------|--------------------|--|
| Use Category           | Use Type  | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10    | CE-B-3 | CE-RO | CE-RC      | CE-I-1 | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards |
|                        | Farmers market <sup>2</sup>                     |             |         |         |         |         |        |        | P       | P      | P      | P      | P      | P          | P      |       | P          | P      |        |        |       |       | P      | P-B                | 21.05.050H.4.                          |
|                        | Fueling station <sup>2</sup>                    |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | P      |        |       |       |        | P-B                | 21.05.050H.5.<br>21.05.020A.           |
|                        | Furniture and home appliance store <sup>2</sup> |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | P      | P      |       |       |        | P-B                | 21.05.050H.6.                          |
|                        | General retail <sup>2</sup>                     |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | P      | P      |       |       |        | P-B                | 21.05.050H.7.                          |
|                        | Grocery or food store <sup>2</sup>              |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      |        |        |       |       |        | P-B                | 21.05.050H.8.<br>21.05.020.A.          |
|                        | Liquor store <sup>2</sup>                       |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | C      |        |       |       |        | P-B                | 21.05.050H.9.<br>21.05.020.A.          |
|                        | Pawnshop <sup>2</sup>                           |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          |        |        |        |       |       |        | P-B                | 21.05.050H.10<br>.                     |
| Vehicles and Equipment | Aircraft and marine vessel sales                |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | P      | P      |       |       |        | P-B                | 21.05.050I.1.                          |
|                        | Parking lot or structure (50+ spaces)           |             |         |         |         |         | C      |        |         |        |        |        |        |            | P      |       | C          | P      | P      |        |       |       | P      | C-R                | 21.05.050I.2.<br>or I.3.               |
|                        | Parking lot or structure (less than 50 spaces)  |             |         |         |         |         | C      | C      |         |        |        |        |        |            | P      | C     | C          | P      | P      |        |       |       | P      | C-R                | 21.05.050I.2.<br>or I.3.               |
|                        | Vehicle parts and supplies <sup>2</sup>         |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | P      | P      |       |       |        | P-B                | 21.05.050I.4.                          |
|                        | Vehicle-large, sales and rental <sup>2</sup>    |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | P      |        |       |       |        | P-B                | 21.05.050I.5.                          |
|                        | Vehicle-small, sales and rental <sup>2</sup>    |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | P      |        |       |       |        | P-B                | 21.05.050I.6.                          |
|                        | Vehicle service and repair, major               |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | P      |        |       |       |        | P-B                | 21.05.050I.7.                          |

# EXHIBIT A

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.  
All other uses not shown are prohibited.

|                              |                                   | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        |         | COMMERCIAL |       |       | INDUSTRIAL |        |        | OTHER |       |        | OV                 |   |
|------------------------------|-----------------------------------|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|---------|------------|-------|-------|------------|--------|--------|-------|-------|--------|--------------------|---|
| Use Category                 | Use Type                          | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10 | CE-B-3     | CE-RO | CE-RC | CE-I-1     | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards        |
|                              | Vehicle service and repair, minor |             |         |         |         |         |        |        |         |        |        |        |        |         | P          |       | P     | P          | P      |        |       |       |        | P-B                | 21.05.050I.8.                                 |
| Visitor Accommodations       | Camper park                       |             |         |         |         |         | C      |        |         |        |        |        |        |         | C          |       | C     | C          |        |        |       | C     | C      |                    | 21.05.050J.1.                                 |
|                              | Extended-stay lodgings            |             |         |         |         |         |        |        |         |        |        |        |        |         | P          | S     | P     | S          |        |        |       |       |        | P-B                | 21.05.050J.2.                                 |
|                              | Hostel                            |             |         |         |         | C       | C      |        |         |        |        |        |        |         | P          | S     | P     |            |        |        |       |       |        | P-B                | 21.05.050J.3.                                 |
|                              | Hotel/motel                       |             |         |         |         |         |        |        |         |        |        |        |        |         | P          | M     | P     | P          |        |        |       |       |        | P                  | 21.10.050E.9.<br>21.05.050J.4.<br>21.05.020A. |
|                              | Inn                               |             |         |         |         |         |        |        |         |        |        |        |        |         | P          | S     | P     | P          |        |        |       |       |        | P-B                | 21.05.050J.5.<br>21.05.020A.                  |
|                              | Recreational and vacation camp    |             |         |         |         |         |        |        |         | C      |        | C      | C      | C       |            |       |       | S          |        |        |       | C     | C      |                    | 21.05.050J.6.                                 |
| INDUSTRIAL USES              |                                   |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       |            |        |        |       |       |        |                    |   |
| Industrial Service           | Data processing facility          |             |         |         |         |         |        |        |         |        |        |        |        |         | P          | P     | P     | P          | C      | C      |       |       | P      | P-B                | 21.05.060A.1.                                 |
|                              | Dry cleaning establishment        |             |         |         |         |         |        |        |         |        |        |        |        |         | P          |       | P     | P          | P      | P      |       |       |        | P-B                | 21.05.060A.2.                                 |
|                              | General industrial service        |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       | P          | P      | P      |       |       |        |                    | 21.05.060A.3.                                 |
|                              | Governmental Service              |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       | P          | P      | P      |       |       | C      |                    | 21.05.060A.4.                                 |
|                              | Heavy equipment sales and rental  |             |         |         |         |         |        |        |         |        |        |        |        |         |            |       |       | P          | P      | P      |       |       |        |                    | 21.05.060A.5.                                 |
|                              | Research laboratory               |             |         |         |         |         |        |        |         |        |        |        |        |         |            | P     |       |            | P      | P      | P     |       |        | S                  | P-B   |
| Manufacturing and Production | Commercial Food Production        |             |         |         |         |         |        |        |         |        |        |        |        |         | C          |       | P     | P          | P      |        |       |       | P      |                    | 21.05.060B.1.                                 |



# EXHIBIT A

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.

All other uses not shown are prohibited.

|                       |  | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        | COMMERCIAL |        |       | INDUSTRIAL |        |        | OTHER  |       |       | OV     |                    |  |                                |
|-----------------------|--|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|------------|--------|-------|------------|--------|--------|--------|-------|-------|--------|--------------------|--|--------------------------------|
| Use Category          | Use Type   | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10    | CE-B-3 | CE-RO | CE-RC      | CE-I-1 | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards |                                |
|                       | Cottage crafts                                     |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      |        |        |       |       |        | P-B                | 21.05.060B.2.                          |                                |
|                       | Manufacturing, heavy                               |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | C      | P      | P      |       |       |        |                    | 21.05.060B.3.                          |                                |
|                       | Manufacturing, light                               |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | P      | P      | P      |       |       |        |                    | 21.05.060B.4.                          |                                |
|                       | 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      |                    |  | 21.05.060B.5.                  |
|                       | Natural resource extraction, placer mining         |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | C      | C      | C      | C     |       | C      |                    |  | 21.05.060B.6.                  |
| Warehouse and Storage | Bulk storage of hazardous materials                |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | C      | C      | C      |       |       |        |                    |  | 21.05.060D.1.                  |
|                       | Impound yard                                       |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | P      | P      | P      |       |       | C      |                    |  | 21.05.060D.2.                  |
|                       | Motor freight terminal                             |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | P      | P      | P      |       |       |        |                    |  | 21.05.060D.3.                  |
|                       | Self-storage facility                              |             |         |         |         |         |        |        |         |        |        |        |        |            | P      |       | P          | P      | P      | P      |       |       |        |                    |  | 21.05.060D.4.                  |
|                       | Storage yard                                       |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | P      | P      | P      |       |       |        | C                  |  | 21.10.050F.2.<br>21.05.060D.5. |
|                       | Warehouse  |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | P      | P      | P      |       |       | C      |                    |  | 21.05.060D.6.                  |
|                       | Wholesale establishment                            |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | P      | P      | P      |       |       |        |                    |  | 21.05.060D.7.                  |
| Waste and Salvage     | Composting facility                                |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            |        | P      | P      |       |       | C      |                    |  | 21.05.060E.1.                  |
|                       | Incinerator or thermal desorption unit             |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            |        | C      | C      |       |       | C      |                    |  | 21.05.060E.3.                  |

# EXHIBIT A

**TABLE 21.10-4: TABLE OF ALLOWED USES – CHUGIAK-EAGLE RIVER 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 CE-TR and CE-AD districts, see section 21.10.040.  
All other uses not shown are prohibited.

|              |                               | RESIDENTIAL |         |         |         |         |        |        |         |        |        |        |        | COMMERCIAL |        |       | INDUSTRIAL |        |        | OTHER  |       |       | OV     |                    |  |
|--------------|-------------------------------|-------------|---------|---------|---------|---------|--------|--------|---------|--------|--------|--------|--------|------------|--------|-------|------------|--------|--------|--------|-------|-------|--------|--------------------|--|
| Use Category | Use Type                      | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3 | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10    | CE-B-3 | CE-RO | CE-RC      | CE-I-1 | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>1</sup> | Definitions and Use-Specific Standards |
|              | Junkyard or salvage yard      |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            |        | C      | C      |       |       |        |                    | 21.05.060E.4.                          |
|              | Land reclamation              | C           | C       | C       | C       | C       | C      | C      | C       | C      | C      | C      | C      | C          | C      | C     | C          | S      | S      | S      |       | S     | C      |                    | 21.05.060E.5.                          |
|              | Landfill                      |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            |        | C      | 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      | C      | C      | C          |        |       | C          | S      | S      | S      |       |       | C      | C                  | 21.05.060E.8.                          |
|              | Solid waste transfer facility |             |         |         |         |         |        |        |         |        |        |        |        |            |        |       |            | C      | P      | P      |       |       | C      |                    | 21.05.060E.9.                          |

<sup>1</sup> For uses allowed in the CE-DO (Downtown Eagle River Overlay District), when the abbreviation of the approval process is followed by a "-R", that indicates the use is allowed only in the portion of the overlay district where the underlying zoning is RO. When the abbreviation of the approval process is followed by a "-B", that indicates the use is allowed only in the portion of the overlay district where the underlying zoning is B-3. If the abbreviation of the approval process has no suffix, then the use is allowed anywhere in the overlay district. For example, "P-R" means that the use is permitted only in the portion of the overlay district where RO is the underlying district.

<sup>2</sup> 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*.

**B. Generally Applicable Use Standards**

See section 21.05.020.

**C. Residential Uses: Definitions and Use-Specific Standards**

Except for those uses listed below, see section 21.05.030. For those uses listed below, the use-specific standards or applicable portions of such standards of this chapter shall apply instead of the use-specific standards of chapter 21.05.

**1. Dwelling, Mixed-Use**

In the CE-DO area overlaying the CE-B-3 district, commercial structures that also include dwelling units shall have a gross floor area of at least 5,000 square feet.

**2. Dwelling, Multifamily**

a. In the CE-DO area overlaying the CE-RO district, multifamily developments with eleven or more units may only be constructed on lots of at least 14,000 square feet and at least 100 feet of frontage on a street of class I or greater designation in the *Official Streets and Highways Plan*.

b. Notwithstanding subsection 21.10.070B.1.c., multifamily dwellings in the CE-DO area overlaying the CE-RO district shall provide 100 square feet of private open space per dwelling unit.

**3. Correction Community Residential Center**

In the CE-DO area overlaying the CE-B-3 district, CCRCs shall not have more than 30 residents.

**D. Community Uses: Definitions and Use-Specific Standards**

Except for those uses listed below, see section 21.05.040. For those uses listed below, the use-specific standards or applicable portions of such standards of this chapter shall apply instead of the use-specific standards of chapter 21.05.

**1. Park, Public or Private**

a. Any master plan created for a municipal park in Chugiak-Eagle River shall be reviewed and approved as follows:

i. 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.

ii. 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.

iii. 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.

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

# EXHIBIT A

i. 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.

ii. Any discrepancies with an approved park master plan shall be described and justified.

iii. 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 21.03.180D. 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.

iv. 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 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 21.03.180C. 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.

c. 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.

## 2. Heliport (Replaces 21.05.040I.3.b.)

a. In the Chugiak-Eagle River area, heliports are considered accessory to hospitals and airports.

b. Applications for heliports shall be accompanied by a determination letter from the Federal Aviation Administration (FAA).

c. Heliports in nonresidential districts shall be at least 200 feet from a residential district.

## E. Commercial Uses: Definitions and Use-Specific Standards

Except for those uses listed below, see section 21.05.050. For those uses listed below, the use-specific standards or applicable portions of such standards of this chapter shall apply instead of the use-specific standards of chapter 21.05.

### 1. Commercial Horticulture

In those districts where, in table 21.10-4, "P/C" is indicated for this use, commercial horticulture uses up to 10,000 square feet are allowed by-right, whereas uses over 10,000 square feet require conditional use approval in accordance with section 21.03.080.

2. **Animal Boarding**

Animal boarding establishments providing care for six or more animals shall comply with the use-specific standards for “animal shelter,” below.

3. **Animal Shelter (Replaces Subsection 21.05.050B.1.)**

a. ***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 domestic animals that are associated with this use shall meet the setback standards of subsection 21.10.050D.4.d. below.

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

A facility's outdoor runs shall be located on site and shall be screened from the view of all adjacent streets and properties by fencing or vegetation.

c. ***Standards When Use is On Lot of 40,000 Square Feet or Larger***

Facilities, including outdoor runs, shall be located on site with a minimum of 25-foot setbacks and fenced.

d. ***Waste Management***

Waste shall be managed in accordance with AMC title 15.

4. **Large Domestic Animal Facility**

a. ***Minimum Lot Size and Number of Animals***

Large domestic animal facilities are allowed as a principal or accessory use in nonresidential districts in accordance with table 21.10-4, and as an accessory use in residential districts in accordance with table 21.10-5, with a minimum of 10,000 square feet of land per animal. Structures are allowed up to 8,000 square feet. The number of animals and/or the structure size may be exceeded through conditional use approval in accordance with section 21.03.080 and subsection 4.g. below.

b. ***Lot Coverage***

Lot coverage shall be that of the underlying zoning district except that the planning and zoning commission may allow up to 10 percent additional lot coverage above the maximum allowed in the district through the conditional use process.

c. ***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 common interior lot lines and a primary use need not be located on the adjacent lot.

d. ***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:

- i. Twenty-five feet from any abutting neighbor's lot line; or

# EXHIBIT A

1                   ii.       Seventy-five feet from residences existing on February 28, 2006, not  
2                   including any residence in common ownership with the large domestic  
3                   animal facility; or

4                   iii.       Ten feet from any abutting lot line, not including interior lot lines between  
5                   lots in common ownership, if the separation area is vegetated with L2  
6                   buffer landscaping.

7                   e.       **Fences**

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

9                   f.       **Other Requirements**

10                  Large domestic animal facilities shall:

11                  i.       Meet the requirements of AMC chapter 15.20 regarding animal waste;  
12                  AMC subsection 15.55.060B., concerning separation requirements from  
13                  water supply wells; and section 21.07.020 concerning stream protection  
14                  setbacks.

15                  ii.       Obtain an animal control facility license per title 17 requirements.

16                  iii.       Obtain certification of compliance with a state of Alaska, Anchorage Soil  
17                  and Water Conservation District conservation plan, or obtain a letter of  
18                  intent from the district showing demonstrated intent to come into  
19                  compliance with a conservation plan within one year.

20                  iv.       Comply with licensing and other laws concerning the keeping of animals  
21                  as set forth in AMC titles 15, 17, 21.

22                  g.       **Conditional Use Standards**

23                  If animal density exceeds one large domestic animal per 10,000 square foot of  
24                  land or structure size exceeds 8,000 square feet, the following shall also apply  
25                  during the conditional use process:

26                  i.       **Access**

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

29                  ii.       **Parking Standards**

30                  In the event arena seating is provided, the required parking shall be one  
31                  space per every four seats, or one parking space per stall, whichever is  
32                  greater.

33                  iii.       **Lot Coverage**

34                  Lot coverage shall be that of the underlying zoning district unless the  
35                  planning and zoning commission allows additional lot coverage above  
36                  the maximum allowed in the district, not to exceed a ten percent  
37                  increase.

38                  iv.       **Additional Conditions**

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

**5. Retail and Pet Services**

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

**6. Veterinary Clinic**

a. Veterinary clinics that offer animal boarding shall comply with the use-specific standards above for "animal shelter."

b. In the CE-DO overlay district, all facilities used for animal care shall be completely enclosed within a building.

**7. Movie Theater**

Drive-in movie theaters in the CE-DO area overlaying the CE-B-3 district require a conditional use approval. Enclosed movie theaters are a permitted use.

**8. Funeral/Mortuary Services**

In the Chugiak-Eagle River area, funeral/mortuary services are considered accessory to hospitals and to some governmental functions (such as the state crime lab).

**9. Hotel/Motel**

a. In the CE-DO area overlaying the CE-RO district, this use is allowed on sites with a minimum lot area of 14,000 square feet, provided that principal access the use is from a street of class I or greater designation on the *Official Streets and Highways Plan*.

b. In the CE-DO area overlaying the CE-RO district, hotels/motels with 20 or more rooms may have general personal services and restaurants as accessory uses, when they are clearly incidental to the operation of the hotel/motel.

**F. Industrial Uses: Definitions and Use-Specific Standards**

Except for those uses listed below, see section 21.05.060. For those uses listed below, the use-specific standards or applicable portions of such standards of this chapter shall apply instead of the use-specific standards of chapter 21.05.

**1. Natural Resource Extraction, Organic and Inorganic**

In the Chugiak-Eagle River area, this use is conditionally allowed in the CE-R-10 district only in areas where the slope is less than ten percent, and the planning and zoning commission finds that use of that area is appropriate in terms of sufficient contiguous usable area, access to the usable area, minimization of negative impacts to more steeply sloped areas of the same parcel, minimization of negative impacts to neighboring parcels, and suitable post-extraction remediation that results in a suitable interface between the usable areas and the more steeply sloped areas.

**2. Storage Yard**

In the CE-DO overlay district, this use is limited to storage of no more than four pieces of equipment used to provide essential services to property within the downtown Eagle River overlay district, to include snow plowing, snow removal, parking lot clearing, and property maintenance equipment. All equipment storage areas shall be screened in accordance with subsection 21.10.040G.3.i.iv.

**3. Snow Disposal Site**

In the Chugiak-Eagle River area, this use is conditionally allowed in the CE-R-10 district only in areas where the slope is less than ten percent, and the planning and zoning commission finds that use of that area is appropriate in terms of sufficient contiguous usable area, access to the usable area, minimization of negative impacts to more steeply

sloped areas of the same parcel, and minimization of negative impacts to neighboring parcels.

## G. Accessory Uses and Structures

Table 21.10-5 below lists the accessory uses and structures allowed within all base zoning districts in the Chugiak-Eagle River area.

### 1. Explanation of Table Abbreviations

#### a. **Permitted Uses**

"P" in a cell indicates that the accessory use or structure 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 of this section and the development and design standards set forth in chapter 21.07 and section 21.10.070.

#### b. **Administrative Site Plan Review**

"S" in a cell indicates that the accessory use or structure requires administrative site plan review in the respective zoning district in accordance with the procedures of section 21.03.190C., *Administrative Site Plan Review*.

#### c. **Conditional Uses**

"C" in a cell indicates that, in the respective zoning district, the accessory use or structure is allowed only if reviewed and approved as a conditional use in accordance with the procedures of section 21.03.180, *Conditional Uses*.

#### d. **Multiple Abbreviations**

Where table 21.10-5 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.

#### e. **Prohibited Uses**

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

#### f. **Use-Specific Standards**

Regardless of whether an accessory use or structure 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 existence of these use-specific standards is noted through a section reference in the last column of the table. These references apply in all Chugiak-Eagle River districts unless otherwise specified.

#### g. **Unlisted Accessory Uses or Structures**

An accessory use or structure that is not listed in table 21.10-5 shall comply with all standards set forth in subsection 21.05.070B.



# EXHIBIT A

## 2. Table of Allowed Accessory Uses and Structures

| TABLE 21.10-5: TABLE OF ACCESSORY USES – CHUGIAK-EAGLE RIVER RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS |                |                |         |         |         |                                     |        |         |        |        |        |        |         |                            |       |       |        |        |        |       |       |        |                     |  |
|---|----------------|----------------|---------|---------|---------|-------------------------------------|--------|---------|--------|--------|--------|--------|---------|----------------------------|-------|-------|--------|--------|--------|-------|-------|--------|---------------------|--|
| P = Permitted   |                |                |         |         |         | S = Administrative Site Plan Review |        |         |        |        |        |        |         | C = Conditional Use Review |       |       |        |        |        |       |       |        |                     |  |
|   | RESIDENTIAL    |                |         |         |         |                                     |        |         |        |        |        |        |         | COMMER.                    |       |       | INDUS. |        |        | OTHER |       |        | O<br>V              |  |
| Accessory Uses  | CE-R-1         | CE-R-1A        | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3                              | CE-R-5 | CE-R-5A | CE-R-6 | CE-R-7 | CE-R-8 | CE-R-9 | CE-R-10 | CE-B-3                     | CE-RO | CE-RC | CE-I-1 | CE-I-2 | CE-I-3 | CE-DR | CE-PR | CE-PLI | CE-DO <sup>3</sup>  | Definitions<br>and Use-<br>Specific<br>Standards |
| Accessory dwelling unit (ADU)   | P <sup>4</sup> | P <sup>4</sup> | P       | P       | P       |                                     | P      | P       | P      | P      | P      | P      | P       |                            |       |       |        |        |        | P     |       |        |                     | 21.10.050H.1.<br>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-<br>R             | 21.05.070D.2.                                    |
| Bed and breakfast (4 or 5 guestrooms)   | S              | S              | S       | S       | S       |                                     | S      | S       | S      | S      | S      | S      | S       |                            |       |       |        |        |        | S     |       |        | S-<br>R             | 21.05.070D.2.                                    |
| Beekeeping  | 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      |                     | 21.05.070D.4                                     |
| Dormitory   |                |                |         |         |         |                                     |        |         |        |        |        |        |         |                            |       |       | C      |        |        |       |       | P      |                     | 21.05.070D.5.                                    |
| Drive-through service   |                |                |         |         |         |                                     |        |         |        |        |        |        |         |                            | P     | P     | P      | P      | P      |       |       |        | P-<br>B/<br>C-<br>R | 21.10.050H.2.<br>21.05.070D.6.                   |
| FAMILY SELF-SUFFICIENCY SERVICE   |                |                |         |         |         | P                                   |        |         |        |        |        |        |         |                            | C     | C     |        |        |        |       |       |        | P                   | 21.05.070D.7.]                                   |
| Farm, hobby   | P              | P              | P       | P       | P       | P                                   | P      | P       | P      | P      | P      | P      | S       |                            |       |       |        |        |        | P     |       |        |                     | 21.05.070D.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      |                     | 21.10.050H.3.<br>21.05.070D.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      |                     | 21.10.050H.4.<br>21.05.070D.10.                  |
| Home occupation   | P              | P              | P       | P       | P       | P                                   | P      | P       | P      | P      | P      | P      | P       | P                          | P     | P     | P      | P      | P      | P     |       | P      |                     | 21.10.050H.5.<br>21.05.070D.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      |                     | 21.10.050H.6.<br>21.05.070D.12                   |

# EXHIBIT A

**TABLE 21.10-5: TABLE OF ACCESSORY USES – CHUGIAK-EAGLE RIVER RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND OTHER DISTRICTS**

P = Permitted

S = Administrative Site Plan Review

C = Conditional Use Review

|   | RESIDENTIAL |         |         |         |         |                       |         |         |         |         |         |         | COMMER. |        |         | INDUS.  |         |         | OTHER  |         |         | O<br>V  |                    |  |
|---|-------------|---------|---------|---------|---------|-----------------------|---------|---------|---------|---------|---------|---------|---------|--------|---------|---------|---------|---------|--------|---------|---------|---------|--------------------|--|
| Accessory Uses  | CE-R-1      | CE-R-1A | CE-R-2A | CE-R-2D | CE-R-2M | CE-R-3                | CE-R-5  | CE-R-5A | CE-R-6  | CE-R-7  | CE-R-8  | CE-R-9  | CE-R-10 | CE-B-3 | CE-RO   | CE-RC   | CE-I-1  | CE-I-2  | CE-I-3 | CE-DR   | CE-PR   | CE-PLI  | CE-DO <sup>3</sup> | Definitions<br>and Use-<br>Specific<br>Standards |
| Large domestic animal facility  |             |         |         |         |         |                       | P/<br>C | P/<br>C | P/<br>C | P/<br>C | P/<br>C | P/<br>C | P/<br>C |        | P/<br>C | P/<br>C | P/<br>C | P/<br>C |        | P/<br>C | P/<br>C | P/<br>C |                    | 21.05.070D.13.                                   |
| Outdoor keeping of animals  | P           | P       | P       | P       | P       | P <sup>5</sup><br>[4] | P       | P       | P       | P       | P       | P       | P       |        |         |         |         |         |        | P       |         | P       |                    | 21.05.070D.14.                                   |
| Outdoor display accessory to a commercial use   |             |         |         |         |         |                       |         |         |         |         |         |         |         | P      | P       | P       | P       | P       | P      |         |         |         |                    | 21.05.070D.15.                                   |
| Outdoor storage accessory to a commercial use   |             |         |         |         |         |                       |         |         |         |         |         |         |         | P      |         | P       | P       | P       | P      |         |         |         |                    | 21.05.070D.16.                                   |
| Parking of business vehicles, outdoors,<br>accessory to a residential use             | P           | P       | P       | P       | P       | P                     | P       | P       | P       | P       | P       | P       | P       | P      | P       |         |         |         |        | P       | P       | P       |                    | 21.05.070D.17.                                   |
| Private outdoor storage of non-commercial<br>equipment accessory to a residential use | P           | P       | P       | P       | P       | P                     | P       | P       | P       | P       | P       | P       | P       |        |         |         |         |         |        | P       | P       | P       |                    | 21.05.070D.18.                                   |
| Vehicle repair/rebuilding, outdoor, hobby   | P           | P       | P       | P       | P       | P                     | P       | P       | P       | P       | P       | P       | P       |        |         |         |         |         |        |         |         | P       |                    | 21.10.050H.7.<br>21.05.070D.19.                  |
| Wind energy conversion system (WECS),<br>freestanding small                           | S           | S       | S       | S       | S       | S                     | S       | S       | S       | S       | S       | S       | S       |        | S       | S       | S/O     | S/O     | S/O    |         |         | S/O     |                    |  |
| Wind energy conversion system (WECS),<br>building mounted small                       |             |         |         |         |         |                       |         |         |         |         |         |         |         | S      |         | S       | S       | S       | S      |         |         | S       |                    |  |

<sup>3</sup> For uses allowed in the CE-DO (Downtown Eagle River Overlay District), when the abbreviation of the approval process is followed by a “-R”, that indicates the use is allowed only in the portion of the overlay district where the underlying zoning is RO. When the abbreviation of the approval process is followed by a “-B”, that indicates the use is allowed only in the portion of the overlay district where the underlying zoning is B-3. If the abbreviation of the approval process has no suffix, then the use is allowed anywhere in the overlay district. For example, “P-R” means that the use is permitted only in the portion of the overlay district where RO is the underlying district.

<sup>4</sup> Accessory dwelling units in the CE-R-1 and CE-R-1A districts are limited to attached ADUs, which are added to or created within single-family dwellings.

<sup>5</sup> In the CE-R-3 district, outdoor keeping of animals is only permitted accessory to a single-family detached dwelling.

## H. Accessory Uses and Use-Specific Standards

Except for those uses listed below, see section 21.05.070. For those uses listed below, the use-specific standards or applicable portions of such standards of this chapter shall apply instead of the use-specific standards of chapter 21.05.

### 1. Accessory Dwelling Unit (ADU)

#### a. Size

i. Detached ADUs on lots of one acre or more shall have a maximum gross floor area of 1,000 square feet. (Amends subsection 21.05.070D.1.b.iii.(C).(6).(a).)

ii. Notwithstanding subsection 1.a. above, the gross floor area of an ADU (excluding a garage) shall not exceed 40 percent of the gross floor area of the principal dwelling (excluding any garage). (Replaces subsection 21.05.070D.1.b.iii.(C).(6).(b).)

#### b. Additional Requirements for Detached ADUs

i. Subsection 21.05.070D.1.b.iii.(D). shall not apply in the Chugiak-Eagle River area. Detached ADUs shall not exceed the height of the principal structure.

ii. ADUs in the Chugiak-Eagle River area shall share a common driveway with the principal dwelling unit or have access from an alley.

### 2. Drive-Through Service

In the CE-DO area overlaying the CE-RO district, two or more drive-through stations associated with a financial institution requires a conditional use approval pursuant to section 21.03.080.

### 3. Garage or Carport, Private Residential

a. In class A zoning districts, on lots less than 40,000 square feet in class B zoning districts, and in the CE-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, up to maximum lot coverage permitted in the underlying zoning district. (Replaces subsection 21.05.070D.9.b.iii.)

b. On lots of 40,000 square feet or greater in class B zoning districts except for the CE-R-7 district, all garages or carports accessory to a single residential use are restricted in size to the maximum percentage of lot coverage shown in tables 21.10-6 and 21.10-7 or 10 percent of the lot area, whichever is less. (Replaces subsection 21.05.070D.9.b.iv.)

### 4. Home- and Garden-Related Use

In class B zoning districts except for the CE-R-7 district, all detached accessory structures under this use are restricted in size to the maximum percentage of lot coverage shown in tables 21.10-6 and 21.10-7 or 10 percent of the lot area, whichever is less. (Replaces subsection 21.05.070D.10.b.iii.)

### 5. Home Occupation (Replaces Subsection 21.05.070D.11.b.)

A home occupation may be conducted in a dwelling unit or in a building accessory to a dwelling unit, but not an ADU, provided that:

a. Each property is limited to two home occupations. The restrictions of this section apply cumulatively to both, unless specified otherwise.

# EXHIBIT A

- b. A permanent resident of the dwelling unit is engaged in the home occupation(s) on the premises. Only one nonresident may be engaged in the home occupation(s) on the premises.
- c. On lots less than 40,000 square feet the use of a dwelling unit for a home occupation(s) shall be clearly incidental and subordinate to its residential use. This standard is met by and limited to one of the following:
- i. No more than the lesser of 25 percent or 500 square feet of the floor area of the principal dwelling is devoted to the home occupation(s); or
  - ii. No more than 300 square feet of an accessory building is devoted to the home occupation(s); or
  - iii. No more than 250 square feet of the principal dwelling and 250 square feet of an accessory building are devoted to the home occupation(s).
- d. On lots 40,000 square feet or greater the use of a dwelling unit for a home occupation(s) shall be clearly incidental and subordinate to its residential use. This standard is met by and limited to one of the following:
- i. 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(s); or
  - ii. No more than 100 percent of a single accessory structure, not to exceed the square footage of the principal structure, is devoted to the home occupation(s); or
  - iii. No more than 25 percent of the principal dwelling and 60 percent of an accessory building are devoted to the home occupation(s).
- e. Except 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(s) to the outside of the building or the premises.
- f. Vehicles making deliveries shall not be parked at the site for a period exceeding one hour.
- g. No traffic or deliveries shall be generated by such home occupation(s) in greater volume than would normally be expected in a residential neighborhood.
- h. All visible vehicles used in connection with the home occupation(s) shall, except for delivery vehicles allowed above, be of the type commonly used for personal non-commercial transportation.
- i. On lots less than 40,000 square feet home occupations shall comply with the requirements of subsection 21.05.070D.17.
- j. On lots of 40,000 square feet or greater, no more than two motor vehicles bearing visible evidence of the home occupation are allowed for each home occupation.
- k. The peace and quiet of the neighborhood shall not be disturbed. No equipment or process shall be used in such home occupation(s) that creates noise, vibration, glare, fumes, or odors detectable to the normal 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(s).

I. 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.

m. 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."

**6. Intermodal Shipping Container (Connex Unit) (Replaces Subsection 21.05.070D.12.)**

The use of a connex unit is allowed in all zoning districts subject to the following:

**a. Standards When Use Is Within Class A Residential Districts**

i. Connex shall be screened from view by other structures or by L2 buffer landscaping, and be sided with materials similar to those of the principal structure or as approved by the director; and

ii. Shall obtain a land use permit.

**b. Standards When Use Is Within Class B Residential Districts**

i. Connex shall be screened from view by other structures or by L2 buffer landscaping, or be sided with materials similar to those of the principal structure or as approved by the director; and

ii. Shall obtain a land use permit.

**c. Standards When Use Is Within Commercial or Other Districts**

i. Connex shall be screened from view by other structures or by L2 buffer landscaping, or be sided with materials similar to those of the principal structure or as approved by the director; and

ii. Shall obtain a land use permit.

**d. Standards When Use Is Within Industrial Districts**

Up to four connex units may be placed on a lot without a land use permit.

**e. General Standards**

i. All connex units shall meet the setbacks of the zoning district.

ii. Self-storage establishments in compliance with the development standards of subsection 21.05.060D.4. are exempt from this section.

iii. Loading or unloading a connex unit, or the use of a connex during construction is exempt from this section.

iv. In residential districts on lots of less than 40,000 square feet, connex units existing on January 1, 2014 that are not in compliance with this section shall be brought into compliance, removed, or relocated within two years of January 1, 2014 without charge for the associated land use permit(s).

**7. Vehicle Repair/Rebuilding, Outdoor, Hobby (Replaces Subsection 21.05.070D.19.b.)**

a. In the Chugiak-Eagle River area, this use includes repair and rebuilding of boats and airplanes.

# EXHIBIT A

- b. On lots less than 40,000 square feet:
  - i. Only one inoperative vehicle may be 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 a sight obscuring fence between six and eight feet in height, or by L1 visual enhancement landscaping as described in 21.07.080E.
- c. On lots 40,000 square feet or larger:
  - i. Up to three inoperable vehicles may be 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 be screened from view of all property lines and adjacent rights-of-way by sight obscuring fencing or L2 buffer landscaping as described in 21.07.080E.

## I. Prohibited Accessory Uses

- 1. **Parking of Commercial Vehicles, Outdoors (Replaces Subsection 21.05.070E.7.)**

The outdoor storage or parking of a commercial vehicle or trailer for less than 48 hours is permitted in all residential districts, if the vehicle or trailer is licensed to the homeowner, is regularly used for business purposes, and is:

  - a. On lots less than 40,000 square feet:
    - i. A vehicle for which a commercial driver's license is not required by state law; and
    - ii. A vehicle or trailer having two axles or less; and
    - iii. Any trailer not bearing commercial signage, logo, or carrying commercial or industrial equipment or supplies; and
    - iv. A vehicle or trailer having a height of 90 inches or less.
  - b. On lots 40,000 square feet or larger:
    - i. A vehicle or trailer having no more than three axles; and
    - ii. Any trailer not carrying commercial or industrial equipment or materials; and
    - iii. A vehicle or trailer having a height of 160 inches or less.

## J. Structures

- 1. **Fabric Structures (Replaces Subsection 21.05.070E.2.)**
  - a. Fabric structures that are engineered, commercially manufactured, and designed to meet wind and snow loads of the Chugiak-Eagle River area are an allowed

structure type for any permitted or conditional principal or accessory use on parcels of 40,000 square feet or larger in class B districts, or in the CE-I-1, CE-I-2, CE-I-3, CE-RC, CE-AD, CE-PLI, CE-PR, and CE-PCD districts.

b. Maximum square footage of the structure shall be 8,000 square feet. Structures may exceed 8,000 square feet through a conditional use approval in accordance with section 21.03.080.

c. Setbacks and height restrictions shall be as per the underlying zoning district.

## 2. Quonset Hut

a. In the class B commercial, industrial, CE-PLI, and CE-PR zoning districts, Quonset huts are an allowed structure type for any permitted or conditional principal or accessory use.

b. In the class B residential zoning districts, Quonset huts are an allowed structure type for any permitted accessory use.

c. Quonset huts are not an allowed structure type in the CE-DO overlay district.

## 21.10.060 DIMENSIONAL STANDARDS

### A. Purpose

The purpose of this section is to implement the goals and objectives of the *Chugiak-Eagle River Comprehensive Plan*. This section is also intended to preserve light, air, water quality, and quality of life in all areas of Chugiak-Eagle River. Specific purposes of this section include:

1. Avoiding congestion in residential areas;
2. Promoting fire protection through appropriate separation of structures;
3. Ensuring setbacks which promote a reasonable relationship between residences and the streetscape;
4. Reinforcing a pedestrian oriented streetscape in class A improvement districts;
5. Controlling the overall building bulk and lot coverage to help define the character of different zoning districts;
6. Promoting reasonable building scale that is consistent with the function of local commercial areas and surrounding neighborhoods; and
7. Promoting the efficient use of service capacity in areas with the highest levels of public services and intended development.

### B. Applicability

This section is applicable to all development within the area encompassed by this chapter.

### C. Dimensional Standards Tables

1. This section contains tables listing the requirements for lot dimensions, building bulk, density, and height for all development. General rules for measurement and exceptions are set forth in section 21.06.030. However, in the Chugiak-Eagle River area, the following dimensional standards apply to Chugiak-Eagle River zoning districts. These general standards may be further limited or modified by other applicable section of this title.

# EXHIBIT A

Chapter 21.10: Chugiak-Eagle River  
Sec.21.10.060 Dimensional Standards

---

- 1           2.       Where no dimensional standards are provided for a district, the dimensional standards  
2                   shall be found in section 21.06.020 in accordance with table 21.10-1.



# EXHIBIT A

## 3. Residential Districts

**TABLE 21.10-6: TABLE OF DIMENSIONAL STANDARDS – CHUGIAK-EAGLE RIVER RESIDENTIAL DISTRICTS**

*(Additional standards may apply.)*

*See district-specific standards in section 21.10.040 and chapter 21.04, and use-specific standards in section 21.10.050 and chapter 21.05.)*

| Use  | Minimum lot dimensions <sup>5</sup> |                        | Max lot coverage (%) | Minimum Setback Requirements (ft) |  |      | Max number of principal structures per lot or tract <sup>6</sup> | Maximum height of structures (ft)   |
|--|-------------------------------------|------------------------|----------------------|-----------------------------------|--|------|--|---|
|  | Area (sq ft)                        | Width (ft)             |                      | Front                             | Side                                   | Rear |  |   |
| CE-R-1: Single-Family Residential District           |                                     |                        |                      |                                   |  |      |  |   |
| Residential uses                                     | 6,000                               | 50                     | 30                   | 20                                | 5                                      | 10   | 1  | Principal: 30<br>Accessory<br>garages/carports: 20<br>Other accessory: 12 |
| All other uses                                       | 6,000                               | 50                     | 30                   | 20                                | 5                                      | 10   | N/A  |   |
| CE-R-1A: Single-Family Residential District          |                                     |                        |                      |                                   |  |      |  |   |
| Residential uses                                     | 8,400                               | 70                     | 30                   | 20                                | 5                                      | 10   | 1  | Principal: 30<br>Accessory<br>garages/carports: 20<br>Other accessory: 12 |
| All other uses                                       | 8,400                               | 70                     | 30                   | 20                                | 5                                      | 10   | N/A  |   |
| CE-R-2A: Single- and Two-Family Residential District |                                     |                        |                      |                                   |  |      |  |   |
| Dwelling, single-family detached                     | 7,200                               | 60                     | 40                   | 20                                | 5                                      | 10   | 1  | Principal: 30<br>Accessory<br>garages/carports: 25<br>Other accessory: 12 |
| Dwelling, two-family                                 | 8,400                               | 70                     | 40                   | 20                                | 5                                      | 10   | 1  |   |
| Dwelling, single-family attached                     | 4,500                               | 35 (40 on corner lots) | 40                   | 20                                | N/A on common lot line;<br>otherwise 5 | 10   | 1  |   |
| All other uses                                       | 7,200                               | 60                     | 40                   | 20                                | 10                                     | 10   | N/A  |   |
| CE-R-2D: Two-Family Residential District             |                                     |                        |                      |                                   |  |      |  |   |
| Dwelling, single-family detached                     | 6,000                               | 50                     | 40                   | 20                                | 5                                      | 10   | 1  | Principal: 30<br>Accessory<br>garages/carports: 25<br>Other accessory: 12 |
| Dwelling, two-family                                 | 6,000                               | 50                     | 40                   | 20                                | 5                                      | 10   | 1  |   |
| Dwelling, single-family attached                     | 3,250                               | 35 (40 on corner lots) | 40                   | 20                                | N/A on common lot line;<br>otherwise 5 | 10   | 1  |   |

# EXHIBIT A

**TABLE 21.10-6: TABLE OF DIMENSIONAL STANDARDS – CHUGIAK-EAGLE RIVER RESIDENTIAL DISTRICTS**

*(Additional standards may apply.)*

*See district-specific standards in section 21.10.040 and chapter 21.04, and use-specific standards in section 21.10.050 and chapter 21.05.)*

| Use   | Minimum lot dimensions <sup>5</sup> |                        | Max lot coverage (%) | Minimum Setback Requirements (ft) |  |      | Max number of principal structures per lot or tract <sup>6</sup>           | Maximum height of structures (ft)   |
|---|-------------------------------------|------------------------|----------------------|-----------------------------------|--|------|--|---|
|   | Area (sq ft)                        | Width (ft)             |                      | Front                             | Side                                   | Rear |  |   |
| All other uses                                  | 6,000                               | 50                     | 40                   | 20                                | 10                                     | 10   | N/A  |   |
| <b>CE-R-2M: Mixed Residential District</b>      |                                     |                        |                      |                                   |  |      |  |   |
| Dwelling, single-family detached                | 6,000                               | 50                     | 40                   | 20                                | 5                                      | 10   | 1  | Principal: 30<br>Accessory<br>garages/carports: 25<br>Other accessory: 12 |
| Dwelling, two-family                            | 6,000                               | 50                     | 40                   | 20                                | 5                                      | 10   | 1  |   |
| Dwelling, single-family attached                | 3,250                               | 35 (40 on corner lots) | 40                   | 20                                | N/A on common lot line;<br>otherwise 5 | 10   | 1  |   |
| Dwelling, townhouse                             | 2,400                               | 24 (30 on corner lots) | 60                   | 20                                |  | 10   | 1  |   |
| Dwelling, multifamily                           | 8,500 + 3,000 for every unit over 3 | 50                     | 50                   | 20                                | 10                                     | 10   | More than 1 principal structure allowed only on lots greater than one acre |   |
| All other uses                                  | 6,000                               | 50                     | 40                   | 20                                | 5                                      | 10   | N/A  |   |
| <b>CE-R-3: Multifamily Residential District</b> |                                     |                        |                      |                                   |  |      |  |   |
| Dwelling, single-family                         | 6,000                               | 50                     | 40                   | 20                                | 5                                      | 10   | 1  | Principal: 35<br>Accessory<br>garages/carports: 30<br>Other accessory: 12 |
| Dwelling, townhouse                             | 2,400                               | 24 (30 on corner lots) | 60                   | 20                                | N/A on common lot line;<br>otherwise 5 | 10   | 1  |   |
| Dwelling, two-family                            | 6,000                               | 50                     | 40                   | 20                                |  | 10   | 1  |   |
| Dwelling, multifamily                           | 6,000                               | 50                     | 40                   | 20                                | 10                                     | 10   | More than 1 principal structure allowed only on lots greater than one acre |   |
| All other uses                                  | 6,000                               | 50                     | 40                   | 20                                | 10                                     | 20   | N/A  |   |

# EXHIBIT A

**TABLE 21.10-6: TABLE OF DIMENSIONAL STANDARDS – CHUGIAK-EAGLE RIVER RESIDENTIAL DISTRICTS**

*(Additional standards may apply.)*

*See district-specific standards in section 21.10.040 and chapter 21.04, and use-specific standards in section 21.10.050 and chapter 21.05.)*

| Use   | Minimum lot dimensions <sup>5</sup> |            | Max lot coverage (%) | Minimum Setback Requirements (ft) |      |      | Max number of principal structures per lot or tract <sup>6</sup> | Maximum height of structures (ft) |
|---|-------------------------------------|------------|----------------------|-----------------------------------|------|------|--|-----------------------------------|
|   | Area (sq ft)                        | Width (ft) |                      | Front                             | Side | Rear |  |                                   |
| CE-R-5: Suburban Residential with Mobile Homes District   |                                     |            |                      |                                   |      |      |  |                                   |
| Dwelling, single-family detached or one manufactured home | 7,000                               | 50         | 30                   | 20                                | 5    | 10   | 1  | Principal: 30                     |
| Dwelling, two-family                                      | 13,000                              | 100        | 30                   | 20                                | 5    | 10   | 1  | Accessory garages/carports: 25    |
| All other uses  | 7,000                               | 50         | 30                   | 20                                | 10   | 10   | N/A  | Other accessory: 12               |
| R-5A: Rural Residential with Mobile Homes District        |                                     |            |                      |                                   |      |      |  |                                   |
| Dwelling, single-family detached or one manufactured home | 43,560                              | 150        | 30                   | 25                                | 10   | 20   | 1  | Principal: 35                     |
| Dwelling, two-family                                      | 87,120                              | 150        |                      |                                   |      |      | Accessory garages/carports: 30                                   |                                   |
| All other uses  | 43,560                              | 150        |                      |                                   |      |      | N/A  | Other accessory: 25               |
| CE-R-6: Low-Density Residential District                  |                                     |            |                      |                                   |      |      |  |                                   |
| Dwelling, single-family detached                          | 43,560                              | 135        | 30                   | 25                                | 25   | 50   | 1  | Principal: 35                     |
| Dwelling, two-family                                      | 87,120                              | 150        | 30                   | 25                                | 25   | 50   | 1  | Accessory garages/carports: 30    |
| All other uses  | 43,560                              | 135        | 30                   | 25                                | 25   | 50   | N/A  | Other accessory: 25               |
| CE-R-7: Medium-Density Single-Family Residential District |                                     |            |                      |                                   |      |      |  |                                   |
| Dwelling, single-family detached                          | 20,000                              | 120        | 30                   | 25                                | 10   | 20   | 1  | Principal: 35                     |
| Dwelling, two-family                                      | 40,000                              |            |                      |                                   |      |      |  | Accessory garages/carports: 30    |

# EXHIBIT A

**TABLE 21.10-6: TABLE OF DIMENSIONAL STANDARDS – CHUGIAK-EAGLE RIVER RESIDENTIAL DISTRICTS**

*(Additional standards may apply.*

*See district-specific standards in section 21.10.040 and chapter 21.04, and use-specific standards in section 21.10.050 and chapter 21.05.)*

| Use   | Minimum lot dimensions <sup>5</sup> |            | Max lot coverage (%)               | Minimum Setback Requirements (ft) |  |      | Max number of principal structures per lot or tract <sup>6</sup> | Maximum height of structures (ft)                                      |
|---|-------------------------------------|------------|------------------------------------|-----------------------------------|--|------|--|--|
|   | Area (sq ft)                        | Width (ft) |                                    | Front                             | Side   | Rear |  |  |
| All other uses  | 20,000                              |            |                                    |                                   |  |      | N/A  | Other accessory: 25  |
| CE-R-8: Low-Density Residential District                |                                     |            |                                    |                                   |  |      |  |  |
| Dwelling, single-family detached                        | 174,240                             | 300        | 5                                  | 25                                | 15   | 25   | 1  | Principal: 35  |
| Dwelling, two-family                                    | 261,360                             |            |                                    |                                   |  |      |  | Accessory garages/carports: 30   |
| All other uses  | 174,240                             |            |                                    |                                   |  |      | N/A  | Other accessory: 25  |
| CE-R-9: Low-Density Residential District                |                                     |            |                                    |                                   |  |      |  |  |
| Dwelling, single-family detached                        | 87,120                              | 180        | Up to 163,350 sf: 15; otherwise 10 | 25                                | 15   | 25   | 1  | Principal: 35  |
| Dwelling, two-family                                    | 130,680                             | 180        | 10                                 |                                   |  |      |  | Accessory garages/carports: 30   |
| All other uses  | 87,120                              | 180        | 10                                 |                                   |  |      | N/A  | Other accessory: 25  |
| CE-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: 35<br>Accessory garages/carports: 30<br>Other accessory: 25 |

<sup>5</sup> For other lot dimensional standards, see section 21.08.030K.

<sup>6</sup> For those residential uses where only one principal structure is allowed on a lot, no additional nonresidential principal structures are allowed.

# EXHIBIT A

## 4. Commercial, Industrial, and Overlay Districts

**TABLE 21.10-7: TABLE OF DIMENSIONAL STANDARDS – CHUGIAK-EAGLE RIVER COMMERCIAL, INDUSTRIAL, AND OVERLAY DISTRICTS**  
(Additional Standards May Apply. See district specific standards in section 21.10.040 and chapter 21.04, and use-specific standards in section 21.10.050 and chapter 21.05.)

| Use                                       | Minimum lot dimensions <sup>1</sup> |            | Max lot coverage (%) | Minimum setback requirement (ft)  |  |   | Maximum height (ft)  |
|---|-------------------------------------|------------|----------------------|---|--|---|--|
|   | Area (sq ft)                        | Width (ft) |                      | Front   | Side   | Rear  |  |
| CE-B-3: General Business                  |                                     |            |                      |   |  |   |  |
| Residential household living uses         | 6,000                               | 50         | 50                   | 10  | 5  | 10  | Principal: 45<br><br>Accessory garages/carports: 30<br><br>Other Accessory: 25 |
| Mixed-use develop- ment                   | 6,000                               | 50         | Unre- stricted       | Min: 0<br>Max: 20<br>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 |  |
| All other uses                            |                                     |            |                      | 10  |  |   |  |
| CE-RO: Residential Office District        |                                     |            |                      |   |  |   |  |
| Allowed residential household living uses | 6,000                               | 50         | 50                   | 10  | 5  | 10  | Principal: 35<br><br>Accessory garages/carports: 30<br><br>Other Accessory: 25 |
| 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              |  |
| CE-RC: Rural Commercial District          |                                     |            |                      |   |  |   |  |
| Dwelling, single- family detached         | 43,560                              | 150        | 50                   | 10  | 5  | 10  | Principal: 35<br><br>Accessory: 25   |
| Commercial uses                           | 43,560                              | 150        | Unre- stricted       | 10  | 5  | 10  |  |
| All other uses                            | 43,560                              | 150        | 50                   | 10  | 5  | 10  |  |

# EXHIBIT A

**TABLE 21.10-7: TABLE OF DIMENSIONAL STANDARDS – CHUGIAK-EAGLE RIVER COMMERCIAL, INDUSTRIAL, AND OVERLAY DISTRICTS**  
(Additional Standards May Apply. See district specific standards in section 21.10.040 and chapter 21.04,  
and use-specific standards in section 21.10.050 and chapter 21.05.)

| Use  | Minimum lot dimensions' |            | Max lot coverage (%) | Minimum setback requirement (ft) |  |                                    | Maximum height (ft)  |
|--|-------------------------|------------|----------------------|----------------------------------|--|------------------------------------|--|
|  | Area (sq ft)            | Width (ft) |                      | Front                            | Side   | Rear                               |  |
| CE-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  | Principal: 45<br><br>Accessory: 25 |  |
| CE-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  | 45                                 |  |
| CE-I-3: Rural Industrial   |                         |            |                      |                                  |  |                                    |  |
| All uses   | 87,120                  | 100        | N/A                  | 10                               | 100 if adjacent to a residential district; otherwise 0 or at least 5 | 45                                 |  |
| CE-DO: Downtown Eagle River Overlay District – for areas where underlying zoning is RO |                         |            |                      |                                  |  |                                    |  |
| Dwelling, single-family  | 6,000                   | 50         | 50                   | 10                               | 5, plus one foot for each 5 feet in height exceeding 35 feet         | 10                                 | 4 stories within 66 feet; except where abutting existing single-family development, 3 stories within 40 feet (see overlay map in subsection 21.10.040G.3. above) |
| Dwelling, two-family   |                         |            |                      |                                  |  |                                    |  |
| Dwelling, multifamily, up to ten units   |                         |            |                      |                                  |  |                                    |  |
| Dwelling, multifamily, eleven or more units  | 14,000                  | 50         | 50                   |                                  |  |                                    |  |

# EXHIBIT A

**TABLE 21.10-7: TABLE OF DIMENSIONAL STANDARDS – CHUGIAK-EAGLE RIVER COMMERCIAL, INDUSTRIAL, AND OVERLAY DISTRICTS**  
(Additional Standards May Apply. See district specific standards in section 21.10.040 and chapter 21.04,  
and use-specific standards in section 21.10.050 and chapter 21.05.)

| Use   | Minimum lot dimensions <sup>7</sup> |                        | Max lot coverage (%) | Minimum setback requirement (ft) |  |   | Maximum height (ft)  |
|---|-------------------------------------|------------------------|----------------------|----------------------------------|--|---|--|
|   | Area (sq ft)                        | Width (ft)             |                      | Front                            | Side   | Rear  |  |
| Dwelling, townhouse   | 2,400                               | 24 (30 on corner lots) | 60                   | 20                               | N/A on common lot line; otherwise 5                                  | 10  | 4 stories within 66 feet; except where abutting existing single-family development, 3 stories within 40 feet (see overlay map in subsection 21.10.040G.3. above) |
| All other uses  | 6,000                               | 50                     | Unre-stricted        | 10                               | 15 if adjacent to a residential district; otherwise 0 or at least 10 | 10  |  |
| CE-DO: Downtown Eagle River Overlay District – for areas where underlying zoning is B-3     |                                     |                        |                      |                                  |  |   |  |
| For residential uses except for mixed-use dwellings, see the R-4 district in table 21.06-1. |                                     |                        |                      |                                  |  |   | 4 stories within 66 feet   |
| All other uses, including mixed-use dwellings   | 6,000                               | 50                     | Unre-stricted        | 10                               | 15 if adjacent to a residential district; otherwise 0 or at least 10 | 15 if adjacent to a residential district; otherwise 0 |  |
| <sup>7</sup> For other lot dimensional standards, see section 21.08.030K.                   |                                     |                        |                      |                                  |  |   |  |

1  
2  
3

## 21.10.070 DEVELOPMENT AND DESIGN STANDARDS

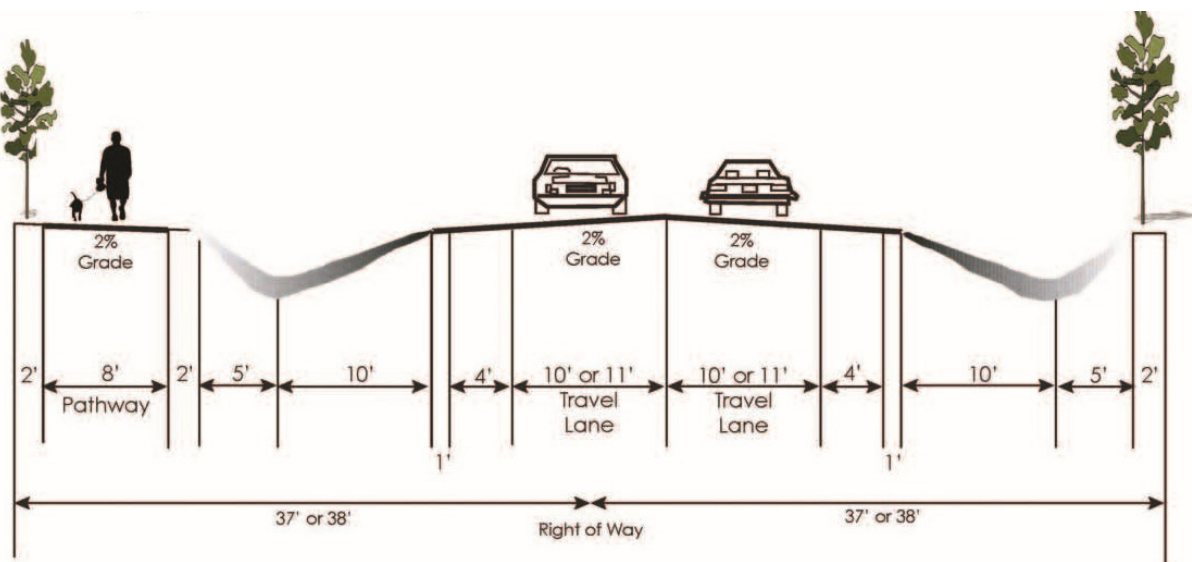
### A. Purpose

The development and design standards set forth section 21.10.070 apply to the physical layout and design of development within the Chugiak-Eagle River area. These provisions govern the physical attributes of a development and its relationship with adjacent properties and the natural environment. The unique rural life style within the community is expressed in the comprehensive plan and is reflected in the provisions of this section. Unless otherwise provided the provisions of chapter 21.07 apply in the Chugiak-Eagle River area.

### B. Transportation and Connectivity

#### 1. Streets in Class B Zoning Districts

- a. Streets located in class B zoning districts should be considered primarily rural, unless the anticipated average daily traffic dictates a higher standard. They should be designed to maintain the rural character of their neighborhoods. Street typology in Chugiak-Eagle River calls for minimizing the disturbance during construction so that native vegetation will be maintained as much as possible. Rural roads are to serve low numbers of local residents, so are narrower, typically two-lane, with wide shoulders and ditch drainage. Pedestrian traffic occurs on adjacent paths or in the street shoulder. Street lighting is not typical, but can be installed when there is a specific safety-related need. Rural streets are typically strip paved or gravel, with no curbs or sidewalks.
- b. Rural residential local streets shall have a 50-foot right of way, unless the traffic engineer determines that the anticipated average daily traffic warrants a 60-foot right-of-way. The street section shall be as narrow as possible to comply with safe and efficient design.
- c. Rural collectors shall have a right-of-way between 60 and 80 feet wide. The street section (including shoulders) shall be between 28 and 30 feet wide. Rural collectors in the Chugiak-Eagle River area shall not have vertical curbs.
- d. Rural streets shall meet higher standards if the traffic engineer determines that average daily trip data warrants.



[FIGURE 21-10.18.] Typical Section for a Rural Collector



**C. Landscaping, Screening, and Fences**

**1. Refuse Collection Screening (Replaces Subsection 21.07.080G.2.f.)**

In class B districts, each refuse collection receptacle shall be screened from view from streets abutting the property, if the receptacle is to be stored within 300 feet of the street. The screening may be achieved by buildings and structures, fences, vegetation/landscaping, topography, or a refuse collection receptacle screening enclosure.

a. 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.

b. The enclosure need not be gated provided the trash receptacle is not visible from the abutting street.

**D. Off-Street Parking and Loading**

**1. Paving (Amends Portions of Subsection 21.07.090H.12.b.)**

a. Commercial parking lots of 20 or fewer spaces in class B districts may be surfaced with a layer of crushed rock. The first 20 feet of a driveway, as measured from the edge of the street travelled way, shall be paved if connecting to a paved public street.

b. Residential class B areas may be surfaced with a layer of crushed rock to include the area of the apron.

**E. Exterior Lighting**

Before any lighting standards adopted in section 21.07.100 are applied in the Chugiak-Eagle River area, a public process including public meetings and hearing shall be held in the Chugiak-Eagle River area to determine any needed modifications to section 21.07.100 for the Chugiak-Eagle River area.

**F. Large Establishments**

**1. Prohibited Materials**

Subsection 21.07.120A.5.k. shall not apply in the Chugiak-Eagle River area.

**2. Outdoor Sales, Display, and Storage (Amends subsection 21.07.120.A.5.m.ii.(D).)**

Outdoor storage display and sales areas shall have a permanent walls and/or screening fences no more than the height of the structure or 25 feet high.

**21.10.080 SUBDIVISION STANDARDS**

**A. Improvement Areas Defined**

Chugiak-Eagle River districts are divided into the following improvement areas. See section 21.08.050 for improvement standards.

# EXHIBIT A

| TABLE 21.10-8: CHUGIAK-EAGLE RIVER<br>IMPROVEMENT AREAS DEFINED  |  |  |
|--|--|--|
| District Type  | Class A  | Class B  |
| Residential <sup>7</sup>   | CE-R-1<br>CE-R-1A<br>CE-R-2A<br>CE-R-2D<br>CE-R-2M<br>CE-R-3<br>CE-R-5 | CE-R-5A<br>CE-R-6<br>CE-R-7<br>CE-R-8<br>CE-R-9<br>CE-R-10 |
| Commercial <sup>7</sup>  | CE-B-3<br>CE-RO  | CE-RC  |
| Industrial <sup>7</sup>  | CE-I-1<br>CE-I-2   | CE-I-3   |
| Other  | CE-AD<br>CE-DR<br>CE-PLI<br>CE-PR                                      |  |
| <sup>7</sup> Entire areas (zoning polygons) of class A residential, commercial, or industrial zones that are less than five acres in size and completely surrounded by class B zoning may use the class B improvement standards of this title. |  |  |

1  
2  
3

# EXHIBIT A

## CHAPTER 21.11: SIGNS

---

### 21.11.010 PURPOSE

The purpose of this chapter is to promote the public health, safety, and welfare by establishing standards and criteria for the construction, installation, maintenance, and operation of signs in the municipality, which are subject to the provisions of this chapter. It is the further purpose to provide for the removal of those signs that do not comply with these regulations. More specifically, this chapter is intended to:

- A. Enhance and protect the physical appearance of the municipality.
- B. Protect property values.
- C. Promote and maintain visually attractive, high value residential, retail, commercial, and industrial districts.
- D. Promote the economic well being of the community by creating a favorable physical image.
- E. Ensure that signs are located and designed to:
  - 1. Provide an effective means of way finding in the community.
  - 2. Afford the community an equal and fair way to advertise and promote its products and services.
  - 3. Reduce sign clutter and the distractions and confusion that may be contributing factors in traffic congestion and accidents, and maintain a safe and orderly pedestrian and vehicular environment.
  - 4. Minimize the disruption of the scenic views which when maintained protect important community values.
  - 5. Respect the unique climatic conditions such as the amount of snow fall and the effect of sustained snow piles, the amount of daylight, and the acute shadows regularly occurring on the landscape.
  - 6. Afford businesses, individuals, and institutions a reasonable opportunity to use signs as an effective means of communication.
- F. Provide review procedures that assure that signs are consistent with the municipality's objectives and within the municipality's capacity to efficiently administer the regulations.
- G. Prohibit all signs not expressly permitted by this chapter.

### 21.11.020 APPLICATION OF THIS CHAPTER

- A. The regulations contained in this chapter shall apply to signs outside of the public right-of-way and on the property to which the standard or regulation refers, except when specifically stated otherwise. A sign may only be erected, established, painted, created, or maintained in conformance with the standards, criteria, procedures, and other applicable requirements of this chapter.
- B. Unless otherwise stated in this chapter, all determinations, findings, and interpretations shall be made by the director or other appropriate municipal officials called upon or designated by the director.
- C. The following signs and displays are exempted from this chapter:

# EXHIBIT A

## Chapter 21.11: Signs

### Sec. 21.11.030 Relationship of This Chapter to State Law

1. Any sign displaying a public notice or warning required by a valid and applicable federal, state, or local law, ordinance, or regulation;
  2. Flags of any nation, government, or non-commercial organization;
  3. Any sign inside a building that is not attached to the window or door and is not legible from a distance of more than three feet beyond the lot on which the sign is located;
  4. Any work of art that does not display a commercial message;
  5. Any religious symbol that does not display a commercial message;
  6. Any traffic control sign, such as "STOP" or "YIELD," located on private property that meets applicable governmental standards pertaining to such signs and does not display a commercial message;
  7. Signs erected by state or local government agencies, or their contractors, to facilitate the construction, maintenance, or operation of transportation facilities;
  8. Product dispensers and trash receptacles;
  9. Holiday and community special event decorations that do not display a commercial message;
  10. Mascots for educational institutions with primarily academic curricula;
  11. Signs on athletic fields and scoreboards intended for on-premises viewing;
  12. Construction signs of up to 32 square feet; and
  13. Temporary signs of six square feet or less in area, except as regulated elsewhere in this chapter.
- D. Regulations for nonconforming signs are located in chapter 21.12.
- E. Regulations regarding sign permits are located in section 21.03.170.
- F. Regulations regarding sign variances are located in section 21.03.240.

### **21.11.030 RELATIONSHIP OF THIS CHAPTER TO STATE LAW**

No provision of this chapter shall be interpreted as authorizing the erection or maintenance of any sign or display within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of an interstate, primary, or secondary highway, or the erection or maintenance of any sign or display beyond 660 feet of the nearest edge of the right-of-way of the main-traveled way of an interstate, primary, or secondary highway with the purpose of the message displayed being read from that travel way, in a manner that would conflict with the provisions of Alaska statutes sections 19.25.075 – 19.25.180.

### **21.11.040 COMPUTATIONS AND RULES OF MEASUREMENT**

The following regulations shall control the computation and measurement of sign area, sign height, building frontage, and public street frontage:

#### **A. Determining Sign Area or Dimension of Signs**

1. The sign area shall include the face of all the display area(s) of the sign. The sign area shall include the frame and structural support unless such structural support is determined to be an architectural feature as defined in chapter 21.14, or the structural

# EXHIBIT A

## Chapter 21.11: Signs

### Sec. 21.11.040 Computations and Rules of Measurement

support is located below the sign face area and its accompanying frame, does not contain a message, and is clearly distinguishable from the sign face area. Architectural features that are either part of the building or part of a freestanding structure are not considered signs and are thus exempt from these regulations.

2. For a sign that is framed, outlined, painted, or otherwise prepared and intended to provide a background for a sign display, the area of the sign shall be the area of not more than three geometric shapes that encompass the entire area of the sign including the background or frame.

3. For a sign comprised of individual letters, figures, or elements on a wall or similar surface of a building or structure, or an irregular shaped freestanding sign, the area of the sign shall be the area of not more than three regular geometric shapes that encompass the perimeter of all the elements in the display.

a. When separate elements are organized to form a single sign, but the elements are separated by open space, the area of the sign shall include all the display areas, including the space between the elements.

b. Up to five percent of the permitted sign area may be considered minor protrusions, and extend outside of the maximum limitation of three geometric shapes and are, therefore, exempted from being included as part of the sign area.

4. For freestanding and projecting signs the sign area shall be computed by the measurement of one of the faces when two display faces are joined, are parallel, or are within 30 degrees of being parallel to each other and are part of the same sign structure. For any sign that has two display surfaces that do not comply with the above regulation, or has more than two display surfaces, then each surface shall be included when determining the area of the sign.

5. In determining the area of freestanding signs the following shall be exempted from being considered as part of the maximum permitted area:

a. One half square foot of sign area shall be exempted for each digit of the street number, up to a maximum of three square feet.

b. The portion of a solid sign base or other sign support, up to a maximum height of four feet that is at least 50 percent screened by landscaping.

c. The air space under a freestanding sign between supporting posts and air space between a projecting sign and the wall to which it is attached.

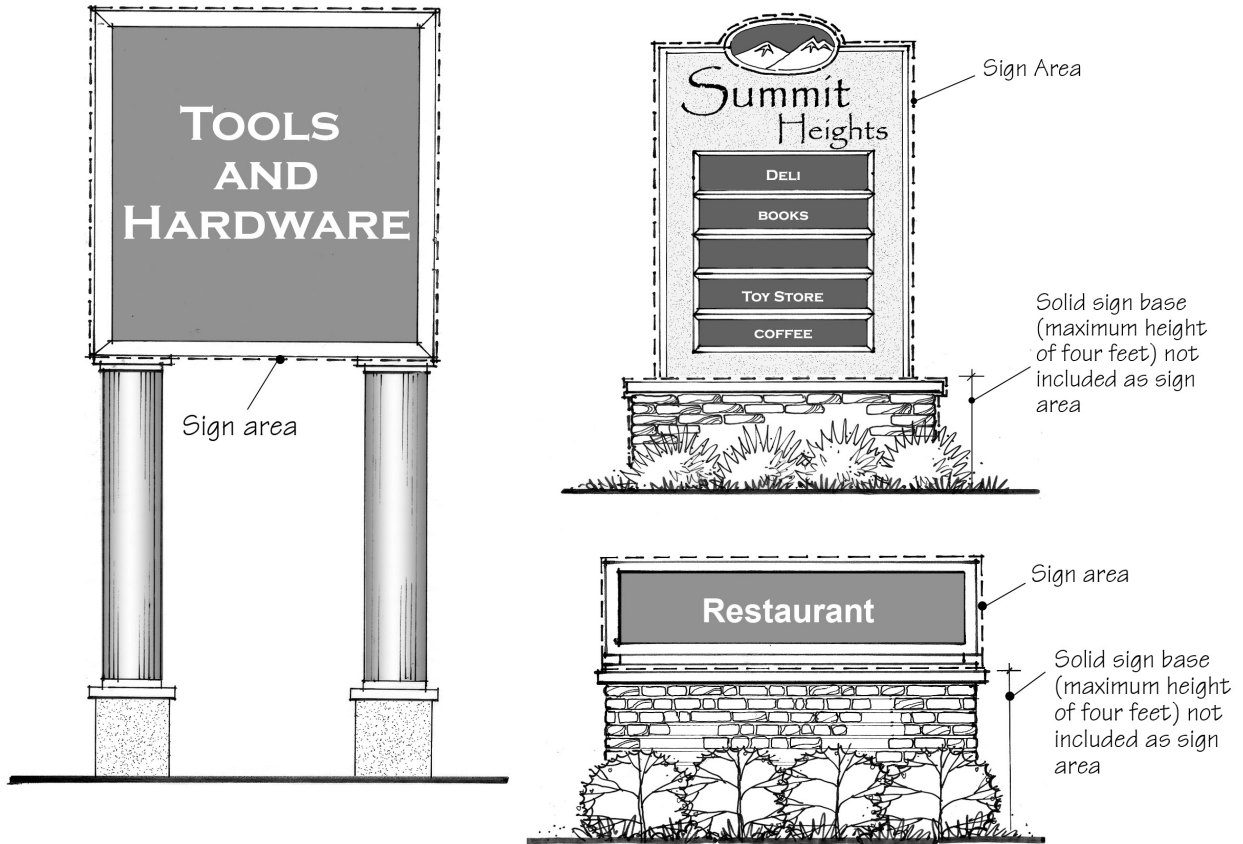
All other exemptions to the area of a sign may only be approved by the urban design commission.

6. Except as provided in table 21.11-1 for non-residential uses located within residential districts, the height of a freestanding sign shall be measured from the elevation of the edge of the public right-of-way immediately adjacent to, or nearest the sign structure, to the highest point of the sign, its frame, or decorative features.

# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.040 Computations and Rules of Measurement



### B. Determining Building Frontage and Building Unit

For the purposes of this chapter and for determining allowable wall sign area, the building frontage shall include the building walls that: face a public street, face a parking lot which serves the use, or contains a public entrance to the uses therein. For the purposes of these regulations, a public alley is not considered a public street.

1. The building frontage shall be measured along such building wall between the exterior faces of the exterior sidewalls.
2. In the case of an irregular wall surface, a single straight line approximating such wall surface shall be used to measure the wall's length.
3. For multi-occupant buildings, the portion of a building that is owned or leased by a single occupant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.
4. The primary frontage shall be the portion of a frontage that serves as the main access point to a building or building unit. (See figure 2)
5. The secondary frontage shall be all other frontages. (See figure 2)

### C. Determining Public Street Frontage for Freestanding Signs

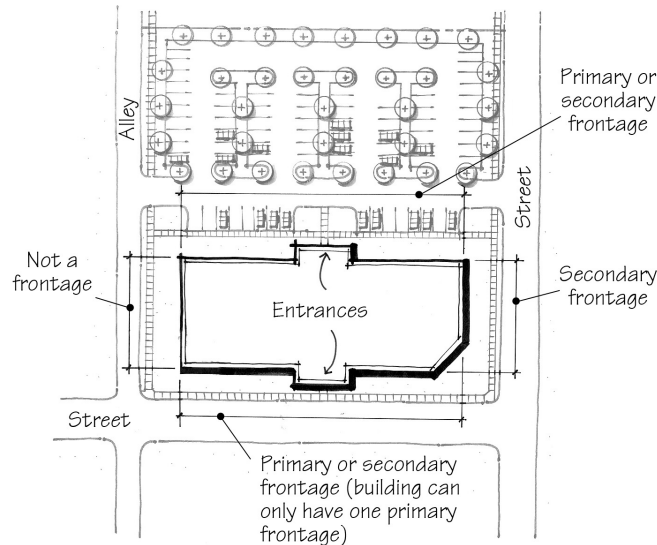
For the purposes of this chapter and for determining allowable freestanding sign area, public street frontage is the length of a lot line, measured between two corners of the lot, which abuts

# EXHIBIT A

## Chapter 21.11: Signs

### Sec. 21.11.050 Signs In Residential Districts AND THE DEVELOPMENT RESERVE DISTRICT (dr)

the public street along which the sign is to be located. The length of public street frontage along one lot line shall only be used to calculate the allowable freestanding sign size for a sign to be located on that lot line. Lots with more than one public street frontage shall not add these street frontages together to calculate an allowable freestanding sign area. For the purposes of these regulations a public alley is not considered a public street. For the purposes of this section, standards, which are based on a minimum length of the public street frontage, shall also apply to "any portion thereof" unless the specific section states otherwise. For signs placed at the intersection of two streets, equidistant from two lot lines, the length of either lot line, but not both, may be used to determine the allowable sign size.



#### D. Determining Sign Setbacks

The required setbacks for the sign shall apply to all elements of the sign including its frame and base.

### 21.11.050 SIGNS IN RESIDENTIAL DISTRICTS AND THE DEVELOPMENT RESERVE DISTRICT (DR)

#### A. Applicability

Signs for all residential and nonresidential uses in residential districts shall comply with the standards set forth in this section. In the TA district, the standards in this section apply only to residential parcels.

#### B. Basic Regulations for Signs in the Residential Districts and the Development Reserve District (DR)

Signs for all residential and nonresidential uses in residential districts shall be limited in number, area, height, and setback based on the type of use, as set forth in table 21.11-1.

#### C. Supplemental Standards for All Changeable Copy Signs

- Signs for permitted nonresidential uses may have up to 100 percent of the sign area devoted to changeable copy, except as provided in subsections C.2. and C.3. below.
- Electronic changeable copy is prohibited for all building signs and [IS PROHIBITED FOR] freestanding signs except as provided in subsection C.3. below.

# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.050 Signs In Residential Districts AND THE DEVELOPMENT RESERVE DISTRICT (dr)

3. Electronic changeable copy is permitted for freestanding and building signs on parcels that are nine acres or greater with a minimum of 500 feet of frontage on a street of class II or greater classification in the *Official Streets and Highways Plan*. Electronic changeable copy shall not [CANNOT BE] change[D] more than one time per 20-second period. Electronic changeable copy freestanding signs are permitted up to a maximum of 80 percent of the actual sign area. One electronic changeable copy building sign per 300 linear feet of frontage is permitted up to a maximum of 20 square feet per sign.

### D. Multi-Occupant Facilities

When a freestanding sign is permitted on a site that has more than one occupant, it is the property owner's responsibility to determine if the sign area shall be devoted to identification of the building(s), the anchor occupant, all occupants, or some combination thereof.

### E. Instructional Signs

Instructional signs that are clearly intended for instructional purposes shall be permitted as needed on a lot in a residential district when the lot is devoted to a multifamily or nonresidential use provided such signs comply with the following:

1. The signs are not larger than necessary to serve the intended instructional purpose, but in any event do not exceed six square feet in area;
2. The number of instructional signs located on the site are the minimum needed to serve the intended instructional purpose;
3. The signs are not located or designed to be legible or serve to attract attention beyond the perimeter of the site.
4. The signs may be placed on the base of a permitted freestanding sign without the area of such instructional sign, or the background, being considered as part of or added to the area of the freestanding sign.

**TABLE 21.11-1: SIGNS IN THE RESIDENTIAL DISTRICTS AND THE DEVELOPMENT RESERVE DISTRICT (DR)**

| Type   | Maximum Number Permitted   | Maximum Area Per Sign  | Standards for Freestanding Signs |                          |
|--|--|------------------------|----------------------------------|--------------------------|
|  |  |                        | Maximum Height                   | Minimum Setback from ROW |
| Signs for Each Single Family Dwelling, Two-Family Dwelling, or Townhouse |  |                        |                                  |                          |
| Permanent Signs  |  |                        |                                  |                          |
| Building Signplates  | 1 per dwelling unit  | 2 sq. ft. <sup>2</sup> | --                               | --                       |
| Freestanding Signs   | 1 per building   | 2 sq. ft. <sup>5</sup> | 5 ft.                            | 0                        |
| Temporary Signs <sup>1</sup>   | 2 per dwelling unit  | 6 sq. ft.              | 5 ft.                            | 0                        |
| Signs for Residential Subdivisions                                       | 2 per subdivision entrance   | 30 sq. ft.             | 8 ft.                            | 5 ft.                    |
| Multifamily Buildings  |  |                        |                                  |                          |
| Permanent Signs  |  |                        |                                  |                          |
| Building Signplates  | 1 per public entrance to building  | 2 sq. ft. <sup>2</sup> | --                               | --                       |
| Freestanding Signs   | 1 per development entrance or per 500 feet of public street frontage, whichever is greater | 30 sq. ft.             | 8 ft.                            | Equal to height of sign  |



# EXHIBIT A

**TABLE 21.11-1: SIGNS IN THE RESIDENTIAL DISTRICTS AND THE DEVELOPMENT RESERVE DISTRICT (DR)**

| Type                            | Maximum Number Permitted   | Maximum Area Per Sign   | Standards for Freestanding Signs |                          |
|---------------------------------|--|---|----------------------------------|--------------------------|
|                                 |  |   | Maximum Height                   | Minimum Setback from ROW |
| Temporary Signs                 |  |   |                                  |                          |
| Freestanding Signs <sup>1</sup> |  | 6 sq. ft.   |                                  |                          |
| Permitted Nonresidential Uses   |  |   |                                  |                          |
| Permanent Signs                 |  |   |                                  |                          |
| Building Signplates             | 1 per address  | 2 sq. ft. <sup>2</sup>  | --                               | --                       |
| Primary Building Signs          | Not Applicable   | ½ sq. ft. of sign for every lineal ft. of primary building frontage | --                               | --                       |
| Freestanding Signs              | 1 per 500 feet of public street frontage   | 40 sq. ft. <sup>3</sup>   | 8 ft. <sup>4</sup>               | 10 ft.                   |
| Temporary Signs                 |  |   |                                  |                          |
| Freestanding Signs <sup>1</sup> | 2  | 6 sq. ft.   |                                  |                          |
| Instructional Signs             | Shall be exempt from requirements when in compliance with subsection 21.11.050E. |   |                                  |                          |

<sup>1</sup> Temporary signs are also subject to provisions of subsection 21.11.050F.

<sup>2</sup> A sign plate is not in violation of these regulations if a larger sign is determined to be necessary to accommodate identification as mandated by the municipality.

<sup>3</sup> A sign which is located within 40 feet of a property line of a parcel which is either occupied by, or is zoned for, a single-family or two-family dwelling unit shall be limited to a maximum area of 30 square feet.

<sup>4</sup> Sign height is measured from the natural grade at the base of the sign.

<sup>5</sup> For parcels larger than one acre located within the R-6, R-7, R-8, R-9, R-10, and TA residential zoning districts, one freestanding sign no greater than eight square feet shall be permitted.

1



*Figure 3. Non-residential Uses  
Illustration: 7 ft height, 27 sq ft area  
Maximum Permitted: 8 ft height, 40 sq ft area*



*Figure 4. Subdivision Entrance Sign  
Illustration: 5 ft height, 24 sq ft area (Approx.)  
Maximum Permitted: 8 ft height, 30 sq ft area*

## F. Temporary Signs

### 1. For Single-Family Dwellings, Two-Family Dwellings, or Townhouses

Two temporary signs are permitted at any given time on any one parcel. These temporary signs may be displayed for an unspecified amount of time provided these signs do not contain any commercial messages except for the sale or leasing of the property on which the sign is located.

### 2. For Multifamily Developments and Nonresidential Uses

Two temporary freestanding signs that do not exceed six square feet each may be erected for an unspecified time.

# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.060 Signs in the Public Lands and Institutions (PLI), Residential Office (RO), Watershed (WS), and Parks and Recreation (PR) Districts

### 3. Vacant Parcels

The following signs are permitted for an unspecified period of time:

- a. For a parcel equal to or less than one acre, one temporary sign is permitted up to a maximum of 16 square feet.
- b. For a parcel greater than one acre, one temporary sign is permitted up to 32 square feet. A parcel that also has frontage on a second public street is entitled to a second sign, not to exceed 32 square feet, provided that the length of the frontage along the second public street is a minimum of 300 feet.

Such signs may not be used to display commercial messages referring to products or services that are unrelated to current or pending activities on or uses of the property.

## 21.11.060 SIGNS IN THE PUBLIC LANDS AND INSTITUTIONS (PLI), RESIDENTIAL OFFICE (RO), WATERSHED (WS), AND PARKS AND RECREATION (PR) DISTRICTS

### A. Applicability

Signs in the PLI, RO, WS, and PR districts shall conform to the standards set forth in this section.

### B. Basic Standards for Building Signs

#### 1. Maximum Area of Permanent Building Signs

Building signs shall conform to the maximum area limitations set forth in table 21.11-2.

TABLE 21.11-2: BUILDING SIGNS IN THE PLI, RO, WS, AND PR DISTRICTS

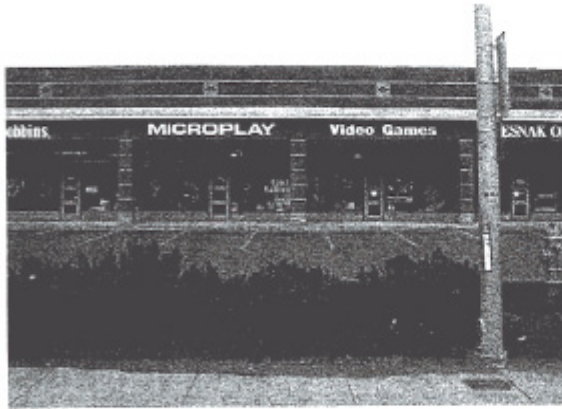
| Sign Type  | Maximum Number Permitted  | Base Area Permitted on a Single Building Frontage             |
|--|---|---|
| Signplate  | 1/address   | 2 square feet   |
| Building Sign on Primary Frontage <sup>6</sup>     |   | 1 sq. ft. per lineal ft. <sup>8</sup> of primary frontage     |
| Building Sign on Secondary Frontage <sup>6,7</sup> |   | 0.6 sq. ft. per lineal ft. of secondary frontage <sup>8</sup> |
| Instructional Sign                                 | Shall be exempt from regulations when in compliance with subsection 21.11.060F. |   |

<sup>6</sup> See subsection 21.11.040B.  
<sup>7</sup> The maximum sign area that is permitted for primary frontage may be transferred to a secondary frontage provided that the maximum sign area on any secondary frontage does not exceed one square foot for each lineal foot of frontage.  
<sup>8</sup> The maximum building sign area for a building or any portion of the building which is setback more than 200 feet from the right-of-way that provides primary access to the site may be increased by 25 percent, provided the building is visible from any portion of the adjacent street.

# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.060 Signs in the Public Lands and Institutions (PLI), Residential Office (RO), Watershed (WS), and Parks and Recreation (PR) Districts



*Figure 5. Building Signs  
Illustration: 1.0 sq ft per lineal ft of frontage  
Maximum Permitted: 1.0 sq ft per lineal ft of frontage*

### 2. Placement of Building Signs

- a. The building signs permitted in table 21.11-2 may be placed on the wall, awnings, canopies, parapets, or be a projecting sign in compliance with subsection 2.b. below.
- b. Projecting signs shall be limited to occupants that have a minimum of ten feet of occupant building frontage provided that:
  - i. All projecting signs shall have a maximum height of 14 feet and a minimum clearance of eight feet from the ground to the bottom of the sign. A projecting sign may be a minimum of six feet from the ground when it is located above a landscaped area or other area that does not permit pedestrian traffic beneath the sign.
  - ii. Projecting signs shall be placed on the building so the signs are intended to be viewed by the pedestrians on the abutting street or pedestrian way.

### C. Basic Standards for Permanent Freestanding Signs

#### 1. Maximum Number, Area and Height, Minimum Setback of Permanent Freestanding Signs

Permanent freestanding signs shall comply with the maximum number, area, and height limitations, and minimum setback from the street right-of-way set forth in table 21.11-3.

#### 2. Sign Area Proportions

For any freestanding sign, the horizontal portion (width) of the face shall not exceed four times the height of the face.

**TABLE 21.11-3: FREESTANDING SIGNS STANDARDS IN THE PLI, RO, WS, AND PR DISTRICTS**

|                    | PLI, WS, and PR                               | RO         |
|--------------------|---|------------|
| Maximum Height     | 15 ft.  | 15 ft.     |
| Maximum Area       | 120 sq. ft.                                   | 80 sq. ft. |
| Number/Frontage    | 1 per 300 ft. frontage up to a maximum of two |            |
| Minimum Separation | 200 ft.                                       |            |

# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.060 Signs in the Public Lands and Institutions (PLI), Residential Office (RO), Watershed (WS), and Parks and Recreation (PR) Districts

**TABLE 21.11-3: FREESTANDING SIGNS STANDARDS IN THE PLI, RO, WS, AND PR DISTRICTS**

|   |  |
|---|--|
| Minimum Setback from ROW  | None on a class II or greater street; otherwise 10 ft. |
| Minimum Setback from Side Lot Line <sup>10</sup>  | 10 ft.   |
| Entrance and Exit Signs <sup>9</sup>  |  |
| Maximum Area  | 6 sq. ft.  |
| Maximum Height  | 5 ft.  |
| <sup>9</sup> Entrance and exit signs, which are permitted in addition to the above freestanding signs, shall be limited to two for each entrance/exit driveway. |  |
| <sup>10</sup> If the side lot is adjacent to a residential district then the minimum setback from the side lot line is 30 feet.                                 |  |

### D. Supplemental Standards for Freestanding Signs

#### 1. Number of Freestanding Signs Allowed

- a. Lots with less than 300 lineal feet of frontage on any one street may have only one freestanding sign per that street frontage.
- b. Lots with 300 or more lineal feet of frontage on any one street may have two freestanding signs per that street frontage.
- c. No more than two freestanding signs are allowed along any one frontage. Freestanding signs must be separated by a minimum distance of 200 [150] feet. On corner lots, the property frontage on both streets shall be considered when measuring the separation.

#### 2. Wrapping Structural Steel Supports

- a. Signs that are eight feet or less in height with exposed structural steel support: The structural steel supports shall have a covering that totals at least four times the width of the structural steel at its widest point and is parallel to the sign face.
- b. Signs that are greater than eight feet in height: All structural steel supports shall have coverings that collectively total at least 33 percent of the width of the sign at its widest point.
- c. The width of the covering shall be symmetrical for all supports. (See figure 6)
- d. The depth of the support coverings shall not exceed the depth of the sign unless the supports are located on the perimeter of the sign. (See figure 6)
- e. In all circumstances, the covering shall extend from four inches above the ground to the base of the sign face.
- f. The following materials shall not be the visible covering for structural steel supports:
  - i. T-111
  - ii. Plywood
  - iii. Particle Board

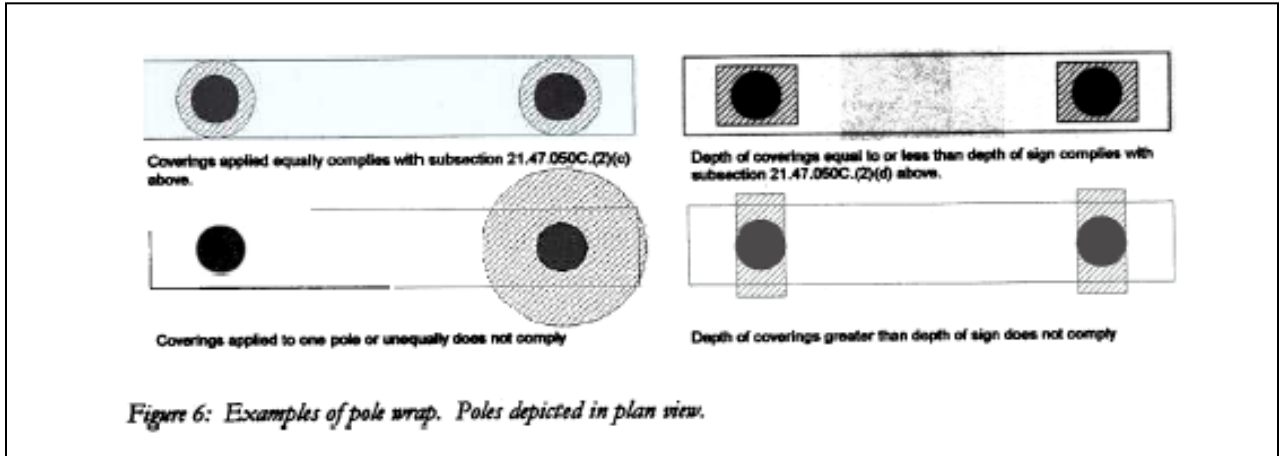
# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.060 Signs in the Public Lands and Institutions (PLI), Residential Office (RO), Watershed (WS), and Parks and Recreation (PR) Districts

iv. Sheet Metal of less than 24 gauge

v. Aluminum of less than .063 inches



### E. Supplemental Standards For All Changeable Copy Signs

1. Freestanding signs may have up to 30 percent of the actual sign area devoted to changeable copy. Building signs and projecting signs may have up to 30 percent of the actual sign area or 120 square feet, whichever is less, devoted to changeable copy.
2. Changeable copy may only be changed manually, provided, however, if the business or institution has frontage on a street of class II or greater classification, the copy may be changed electronically or mechanically as well as manually.
3. Copy which is changed electronically or mechanically shall not be changed more than one time per 20-second period, however, if the business or institution has frontage on a street of class II or greater classification in the *Official Streets and Highways Plan*, the changeable copy shall not change more than one time per two seconds.
4. Scrolling copy is allowed if these requirements are met:
  - a. The message is completed within no less than two seconds and no more than five seconds.
  - b. The complete message remains static before scrolling recommences for no less time than required for other changeable copy signs in the district.

# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.060 Signs in the Public Lands and Institutions (PLI), Residential Office (RO), Watershed (WS), and Parks and Recreation (PR) Districts

*Figure 7. Freestanding sign in PLI Zone  
Illustration: 3 ft. height, 45 sq ft area (approx.)  
Maximum Permitted: 15 ft height, 120 sq ft area*



### F. Instructional Signs

Signs that comply with the definition of “instructional sign” shall be permitted as needed provided such signs comply with the following:

1. The signs are not larger than necessary to serve the intended instructional purpose.
2. The number of instructional signs located on the site are the minimum needed to serve the intended instructional purpose.
3. Instructional signs shall not exceed six square feet in area.
4. The signs may be placed on the base of a permitted freestanding sign without the area of such instructional sign, or the background, being considered as part of or added to the area of the freestanding sign.

### G. Temporary Signs

Temporary signs in the PLI, RO, WS, and PR districts are permitted pursuant to table 21.11-4 as set forth below:

| TABLE 21.11-4: TEMPORARY SIGNS IN THE PLI, RO, WS, and PR DISTRICTS   |  |
|---|--|
| Maximum Area  | 100 sq. ft. (32 sq. ft. rigid material)                |
| Maximum Number of Signs Per Principal Use   | 1  |
| Maximum Number of Display Days  | 60 <sup>11</sup>                                       |
| Lighting  | Internally illuminated or lighted signs are prohibited |
| Motion  | Animation or flashing is prohibited                    |
| Maximum Height (Freestanding)   | Same as permanent signs                                |
| Setbacks  | Same as permanent signs                                |
| <sup>11</sup> For temporary signs involving the sale, rent, or lease of the property on which the sign is located, the time limit is unlimited. |  |

### H. Display of Commercial Flags

In the PLI, RO, WS, and PR districts, a maximum of three flagpoles may be erected on any parcel provided that:

1. A maximum of three commercial flags may be displayed simultaneously.

# EXHIBIT A

## Chapter 21.11: Signs

### Sec. 21.11.070 Signs in the Commercial, Industrial, Turnagain Arm (TA), Transition (TR), and Airport (A) Districts

2. The maximum length of the flag pole shall be 30 feet.
3. The total maximum size of all commercial flags displayed shall not exceed 120 square feet. Subject to the total maximum size of commercial flags, a commercial or non-commercial organization may display alongside a national or governmental flag, one organizational flag not larger than the national or governmental flag.
4. The corporate or commercial flag may only display the name, trademark, or logo of the business on the parcel and such flag may not be used for other business or advertising purposes.

#### I. Unified Sign Plan

To recognize and accommodate irregular site shapes (which are typically characterized by narrow lot frontages resulting in some buildings with large setbacks and limited visibility to a public street), multiple contiguous lots and/or tracts may be considered as a single site for the purposes of determining the size, number, and placement of freestanding signs permitted pursuant to this section. Solely for the purposes of this section:

1. The number and area of the freestanding signs permitted, pursuant to table 21.11-3, shall be determined based on size and frontage of the multiple properties being considered as a single parcel.
2. After a unified sign plan has been approved by the municipality and a permit has been issued, the sign rights or limitations shall be recorded with the state district recorder's office as a deed restriction.
3. Revocation of a unified sign plan must be approved by all participants in the plan; all signs on the affected properties must be in compliance with this code before the plan can be revoked.
4. This section shall not be interpreted as authorizing the erection or maintenance of any sign or display within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of an interstate, primary, or secondary highway, or the erection or maintenance of any sign or display beyond 660 feet of the nearest edge of the right-of-way of the main traveled way of an interstate, primary, or secondary highway with the purpose of the message displayed being read from that travel way, in a manner that would conflict with the provisions of Alaska statutes sections 19.25.075 – 19.25.180.

### **21.11.070 SIGNS IN THE COMMERCIAL, INDUSTRIAL, TURNAGAIN ARM (TA), TRANSITION (TR), AND AIRPORT (A) DISTRICTS**

#### A. Applicability

Signs in the commercial and industrial districts, as well as the transition (TR) and airport (A) districts shall conform to the standards set forth in this section. The standards of this section apply only to the nonresidential parcels in the TA district.

#### B. Basic Standards for Building Signs

##### 1. Maximum Area of Permanent Building Signs

Building signs shall conform to the maximum area limitations set forth in table 21.11-5.

##### 2. Placement of Building Signs

- a. The building signs permitted in table 21.11-5 may be placed on the wall, awnings, canopies, parapets, or be a projecting sign in compliance with subsection 2.b. below.

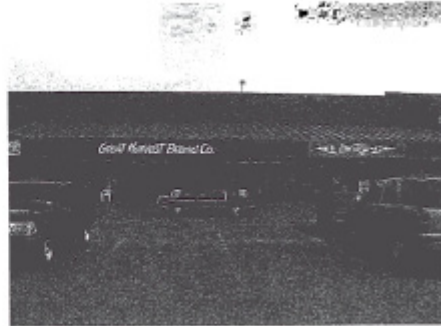


# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.070 Signs in the Commercial, Industrial, Turnagain Arm (TA), Transition (TR), and Airport (A) Districts

*Figure 8. Building Signs-General  
Illustration: 1.77 sq ft per lineal ft. frontage  
Maximum Permitted: 2.00 sq ft per lineal ft. frontage*



- b. Projecting signs shall be limited to occupants that have a minimum of ten feet of occupant building frontage provided that:
  - i. All projecting signs shall have a maximum height of 14 feet and a minimum clearance of eight feet from the ground to the bottom of the sign. A projecting sign may be a minimum of six feet from the ground when it is located above a landscaped area or other area that does not permit pedestrian traffic beneath the sign.
  - ii. Projecting signs shall be placed on the building so that the signs are intended to be viewed by the pedestrians on the abutting street or pedestrian way.

### 3. Additional Building Signs for Multiple Story Buildings

In addition to the building signs in subsection 21.11.070A, one additional sign is permitted on each of the building's primary and secondary frontages, and on each building wall which faces a major arterial street regardless of the proximity of the major arterial street to the multiple story building lot, according to the following. For a building with two floors the additional permitted sign area is 40 square feet for an eligible building wall. This additional sign area may be increased by ten square feet for each additional floor in the building provided that the sign is placed at the floor height for which the bonus is given.

**TABLE 21.11-5: BUILDING SIGNS IN THE COMMERCIAL, INDUSTRIAL, TURNAGAIN ARM (TA)<sup>12</sup>, TRANSITION (TR), AND AIRPORT (A) DISTRICTS**

| Sign Type                                       | Maximum Permitted   | Number | Base Area Permitted on a Single Building Frontage <sup>13</sup>   |
|---|---|--------|---|
| Signplate                                       | 1/address   |        | 2 square feet   |
| Building Sign on Primary Frontage <sup>14</sup> |   |        | <ul style="list-style-type: none"><li>1.2 sq. ft. per lineal ft. of primary frontage in the DT, districts.</li><li>2 sq. ft. per lineal ft. of primary frontage in all other districts regulated in this section<sup>15</sup></li></ul> |
| Building Sign on Secondary Frontage             |   |        | 1.2 sq. ft. per lineal ft. of secondary frontage  |
| Building Sign on Door of Rear Entrance          |   |        | 2 sq. ft. per each door   |
| Instructional Sign                              | Shall be exempt from regulations when in compliance with subsection 21.11.070F. |        |   |



# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.070 Signs in the Commercial, Industrial, Turnagain Arm (TA), Transition (TR), and Airport (A) Districts

**TABLE 21.11-5: BUILDING SIGNS IN THE COMMERCIAL, INDUSTRIAL, TURNAGAIN ARM (TA)<sup>12</sup>, TRANSITION (TR), AND AIRPORT (A) DISTRICTS**

| Sign Type | Maximum Permitted | Number | Base Area Permitted on a Single Building Frontage <sup>13</sup> |
|-----------|-------------------|--------|---|
|-----------|-------------------|--------|---|

<sup>12</sup> The standards of this subsection only apply to nonresidential parcels in the TA district.

<sup>13</sup> See subsection 21.11.040B.

<sup>14</sup> The maximum sign area that is permitted for primary frontage may be transferred to a secondary frontage provided that the maximum sign area on any secondary frontage does not exceed two square feet for each lineal foot of frontage.

<sup>15</sup> The maximum building sign area for a building or any portion of the building that is setback more than 200 feet from the right-of-way that provides primary access to the site may be increased by 25 percent, provided the building is visible from the street.

### C. Basic Standards for Permanent Freestanding Signs

#### 1. Maximum Area and Height, Minimum Setback of Permanent Freestanding Signs

Permanent freestanding signs shall comply with the maximum area and height limitations and minimum setback from the street right-of-way set forth in table 21.11-6.

#### 2. Sign Area Proportions

For any freestanding sign greater than 15 feet in height but less than 20 feet, the horizontal portion (width) of the face shall not exceed four times the height of the face. For any freestanding sign between 20 feet and 25 feet in height, the horizontal portion (width) of the face shall not exceed three times the height of the face.

### D. Supplemental Standards for Freestanding Signs

#### 1. Number of Freestanding Signs Allowed

a. Lots with less than 300 linear feet of frontage on any one street may have only one freestanding sign per that street frontage.

**TABLE 21.11-6: FREESTANDING SIGN REGULATIONS**

|   | B-1A, B-1B                 | TA<br>(nonresidential<br>parcels) and TR | DT-1, DT-2, DT-3 | B-3, I-1, I-2, MC,<br>MI, and A                               |
|---|----------------------------|--|------------------|---|
| Maximum Height                                      | 12 ft.                     | 12 ft.                                   | 8 ft.            | 25 ft.  |
| Maximum Area  | 80 sq. ft.                 | 80 sq. ft.                               | 64 sq. ft.       | 0.7 sq. ft. per 1<br>lineal foot of<br>frontage <sup>18</sup> |
| Number/Frontage                                     | See subsection 21.11.070D. |  |                  |   |
| Separation  | 150 ft.                    |  |                  |   |
| Minimum Setback from<br>R.O.W.                      | 0 ft.                      | 10 ft.                                   | 0 ft.            | 0 ft.   |
| Minimum Setback from side lot<br>line <sup>17</sup> | 10 ft.                     |  |                  |   |
| Entrance and Exit Signs <sup>16</sup>               |                            |  |                  |   |
| Maximum Area  | 6 sq. ft.                  |  |                  |   |
| Maximum Height                                      | 5 ft.                      |  |                  |   |

<sup>16</sup> Entrance and exit signs, which are permitted in addition to the above freestanding signs, shall be limited to two for each entrance/exit driveway.

<sup>17</sup> If the side lot line is adjacent to a residential district then the minimum setback from the side lot line is 30 feet.

<sup>18</sup> The maximum allowable area shall not be less than 70 square feet nor greater than 200 square feet.

# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.070 Signs in the Commercial, Industrial, Turnagain Arm (TA), Transition (TR), and Airport (A) Districts

- 1           **b.**       Lots with 300 or more lineal feet of frontage on any one street may have two  
2               freestanding signs per that street frontage.
- 3           **c.**       Except in a commercial development as described in subsection 1.d. below, no  
4               more than two freestanding signs are allowed along any one frontage.  
5               Freestanding signs must be separated by a minimum distance of 150 feet. On  
6               corner lots, the property frontage on both streets shall be considered when  
7               measuring the separation.
- 8           **d.**       If a commercial development comprises more than a single platted lot, and one  
9               or more of the platted lots or commercial tract lots of the commercial  
10              development has frontage on a classified street of class III or greater, then each  
11              platted lot or commercial tract lot having a building and frontage of 100 feet or  
12              more on the class III or greater street shall be permitted a freestanding,  
13              monument style sign, subject to the limitations of this subsection. In addition, if a  
14              building central to the commercial development has frontage of less than 100  
15              feet on the class III or greater street, then one freestanding, monument style sign  
16              adjacent to each entrance to the property from the class III or greater street shall  
17              be permitted subject to the limitations of this subsection. The height limitation  
18              shall be eight feet, excluding the base; the total area of each sign shall not  
19              exceed 120 square feet; pole signs are prohibited; and each sign shall comply  
20              with all other requirements of this chapter. Signs permitted by this subsection  
21              are in addition to all other signage within the commercial development permitted  
22              by this chapter including freestanding signs along frontage on classified streets of  
23              less than class III, and building signs.

## 24           **2.       Wrapping Structural Steel Supports**

- 25           **a.**       Signs that are eight feet or less in height with exposed structural steel support:  
26               The structural steel supports shall have a covering that totals at least four times  
27               the width of the structural steel at its widest point and is parallel to the sign face.
- 28           **b.**       Signs that are greater than eight feet in height but less than 15 feet in height: All  
29               structural steel supports shall have coverings that collectively total at least 33  
30               percent of the width of the sign at its widest point and are parallel to the sign  
31               face.
- 32           **c.**       Signs 15 feet or greater in height that have a single structural steel support: The  
33               structural steel support shall have a covering that totals at least 25 percent of the  
34               width of the sign at its widest point and is parallel to the sign face.
- 35           **d.**       Signs 15 feet or greater in height that have more than one structural steel  
36               support: The structural steel supports shall have coverings that collectively total  
37               at least 33 percent of the width of the sign at its widest point.
- 38           **e.**       The width of the covering shall be symmetrical for all supports. (See figure 9)
- 39           **f.**       The depth of the support coverings shall not exceed the depth of the sign unless  
40               the supports are located on the perimeter of the sign. (See figure 9)

# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.070 Signs in the Commercial, Industrial, Turnagain Arm (TA), Transition (TR), and Airport (A) Districts

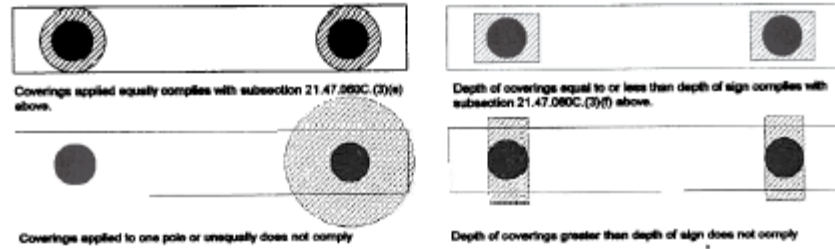


Figure 9: Examples of pole wrap. Poles depicted in plan view.

- g. In all circumstances, the covering shall extend from four inches above the ground to the base of the sign face.
- h. The following materials shall not be used for covering for structural steel supports:
- i. T-111
  - ii. Plywood
  - iii. Particle Board
  - iv. Sheet metal of less than 24 gauge
  - v. Aluminum of less than .063 inches



Figure 10. Freestanding sign  
Illustration: 21 ft height, area unknown  
Maximum Permitted: 25 ft height



Figure 11. Freestanding sign  
Illustration: 14 ft height, 85 sq ft area  
Maximum Permitted: 25 ft height, 200 sq ft area

### 3. Multi-Occupant Facilities

When a freestanding sign is constructed on a site that has more than one occupant, it is the property owner's responsibility to determine if the sign area shall be devoted to identification of the building(s), the anchor occupant, all occupants, or some combination thereof.

# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.070 Signs in the Commercial, Industrial, Turnagain Arm (TA), Transition (TR), and Airport (A) Districts

### E. Supplemental Standards for All Changeable Copy Signs

1. Freestanding signs may have up to 50 percent of the actual sign area devoted to changeable copy. Building signs and projecting signs may have up to 50 percent of the actual sign area or up to 150 square feet, whichever is less, devoted to changeable copy.
2. Copy which is changed electronically or mechanically shall not be changed more than one time per two-second period.
3. Scrolling copy is allowed if these requirements are met:
  - a. The message is completed within no less than two seconds and no more than five seconds.
  - b. The complete message remains static before scrolling recommences for no less time than required for other changeable copy signs in the district.

### F. Instructional Signs

Signs that comply with the definition of "instructional sign" shall be permitted as needed provided such signs comply with the following:

1. The signs are not larger than necessary to serve the intended instructional purpose;
2. The number of instructional signs located on the site are the minimum needed to serve the intended instructional purpose;
3. Instructional signs shall not exceed six square feet in area; and
4. The signs may be placed on the base of a permitted freestanding sign without the area of such instructional sign, or the background, being considered as part of or added to the area of the freestanding sign.

### F. Unified Sign Plan

To recognize and accommodate irregular site shapes (which are typically characterized by narrow lot frontages resulting in some buildings with large setbacks and limited visibility to a public street) multiple contiguous lots and/or tracts may be considered as a single site for the purposes of determining the size, number, and placement of freestanding signs permitted pursuant to this section. Solely for the purposes of this section:

1. The number and area of the freestanding signs permitted, pursuant to table 21.11-6, shall be determined based on size and frontage of the multiple properties being considered as a single parcel.
2. After a unified sign plan has been approved by the municipality and a permit has been issued, the sign rights or limitations shall be recorded with the state district recorder's office as a deed restriction.
3. Revocation of a unified sign plan must be approved by all participants in the plan; all signs on the affected properties must be in compliance with this code before the plan can be revoked.
4. This subsection shall not be interpreted as authorizing the erection or maintenance of any sign or display within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of an interstate, primary, or secondary highway, or the erection or maintenance of any sign or display beyond 660 feet of the nearest edge of the right-of-way of the main traveled way of an interstate, primary, or secondary highway with the

# EXHIBIT A

## Chapter 21.11: Signs

Sec. 21.11.070 Signs in the Commercial, Industrial, Turnagain Arm (TA), Transition (TR), and Airport (A) Districts

purpose of the message displayed being read from that travel way, in a manner that would conflict with the provisions of Alaska statutes sections 19.25.075 – 19.25.180.

### G. Display of Commercial Flags

In the districts listed in table 21.11-5, a maximum of three flagpoles may be erected on any parcel provided that:

1. A maximum of three commercial flags may be displayed simultaneously.
2. The maximum length of the flag pole shall be 30 feet.
3. The total maximum size of all commercial flags displayed shall not exceed 120 square feet. Subject to the total maximum size of commercial flags, a commercial or non-commercial organization may display alongside a national or governmental flag, one organizational flag not larger than the national or governmental flag.
4. The corporate or commercial flag may only display the name, trademark, or logo of the business on the parcel and such flag may not be used for other business or advertising purposes.

### H. Temporary Signs

Temporary signs in nonresidential districts are permitted pursuant to table 21.11-7 as set forth below.

1. Banners shall not be deemed signs for purposes of sign permitting requirements under title 23 and the temporary sign removal cash bond requirement in AMCR 21.20.007, provided that these conditions are met:
  - a. The banner is maintained in an “as new” condition at all times and is displayed and secured so as not to encroach into a public right-of-way.
  - b. Notice is filed with the municipality, land use enforcement division, at commencement of each display period.
  - c. The banner is displayed for no more than 30 consecutive days from the commencement date specified in the notice, and for no more than 120 total days annually.
2. Balloons, pennants, ribbons, and streamers are considered decorative display and not signs for purposes of sign permitting under title 23 and the temporary sign removal cash bond requirement in AMCR 21.20.007. Balloons, pennants, ribbons, and streamers shall meet these requirements:
  - a. Balloons, pennants, ribbons, and streamers shall be maintained in an “as new” condition at all times and shall be displayed and secured so as not to encroach into the public right-of-way.
  - b. Balloons, pennants, ribbons, and streamers are decoration within the scope of enforcement of AMC 15.20.020B.11. and shall not create a public nuisance by reason of condition or inappropriate location.
3. Poster advertisement and other window applications that are affixed or attached to a window or door, or are applied or attached within a building and located near a window for the purpose of being visible to and read from the outside of the building, are permitted without being subject to number, sign permitting under title 23, and the temporary sign

# EXHIBIT A

removal cash bond requirement in section 21.20.007. The total combined area of poster advertisement and other window application shall not exceed 50 percent of the window area.

**TABLE 21.11-7: TEMPORARY SIGNS**

|  |  |
|--|--|
| Maximum Area   | 100 sq. (32 sq. ft. rigid material)                    |
| Maximum Number of Signs Per Principal Use  | 2 <sup>19</sup>  |
| Maximum Number of Display Days   | 120 <sup>20 21</sup>                                   |
| Lighting   | Internally illuminated or lighted signs are prohibited |
| Motion   | Animation or flashing is prohibited                    |
| Maximum Height (Freestanding)  | Same as permanent signs                                |
| Setbacks   | Same as permanent signs                                |
| <sup>19</sup> Ideological and political signs are exempt.<br><sup>20</sup> For decorative display, window poster/other window application, and temporary signs involving the sale, rent, or lease of the property in which the sign is located, the number of days is unlimited.<br><sup>21</sup> Maximum number of display days per year for all temporary signage if not subject to specific exception or exemption. |  |

## **21.11.080 PROHIBITED SIGNS**

The following signs are prohibited:

- A. Roof signs, except for signs with no more than 20 percent of the actual sign area extending no more than 20 percent of the building height above the roof or parapet wall.
- B. Billboards and other off-premise signs. Signs may not be used to display commercial messages relating to products and services that are not offered on the property.
- C. Any sign or display within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of an interstate, primary, or secondary highway, or any sign or display beyond 660 feet of the nearest edge of the right-of-way of the main traveled way of an interstate, primary, or secondary highway erected or maintained with the purpose of the message displayed being read from that travel way, that would conflict with the provisions of Alaska statutes sections 19.25.075 – 19.25.180.
- D. Portable signs.
- E. Flashing, moving, animated, coursing, blinker, racer-type, intermittent, moving or revolving signs and/or devices except as allowed in compliance with subsection 21.11.090E. [DEFINED IN CHAPTER 21.14], whirligig devices, inflatable signs and oversize tethered balloons, spinners, and other similar types of attention-getting devices except for pennants, ribbons, streamers, and latex balloons not exceeding 16 inches in diameter, when maintained in an “as new condition”. Pennants, ribbons, streamers, and latex balloons not maintained in “as new condition” shall be deemed unsightly and subject to enforcement under subsection 15.20.020B.11. Changeable copy signs are not prohibited when in compliance with the applicable regulations in this chapter.
- F. Signs in the AF district except for warning signs and identification placards required in subsection 21.05.040K.2.g.v.

## **21.11.090 SUPPLEMENTAL SIGN STANDARDS**

### **A. Illumination of Permanent and Temporary Signs**

Permanent and temporary signs shall be permitted to be illuminated in compliance with the following:

# EXHIBIT A

## Chapter 21.11: Signs

### Sec. 21.11.090 Supplemental Sign Standards

- 1           **1.**       Signs shall not include animated, flashing, moving, or intermittent illumination except that  
2                   the messages may change no more frequently than the rates specified in subsections  
3                   21.11.050C., 21.11.060E., and 21.11.070E.
- 4           **2.**       Temporary signs shall not be internally illuminated. Any external illumination of these  
5                   signs shall be permitted only in commercial and industrial zones.
- 6           **3.**       All internally illuminated building or free-standing signs with the exception of neon-lighted  
7                   signs with exposed neon tubes shall comply with the following:
  - 8                   **a.**       Except as provided in subsection 3.c. below, the sign shall be constructed with  
9                           either: an opaque background and translucent letters and symbols; or, a  
10                           translucent darker colored background with a lighter contrasting color for the  
11                           letters and symbols. Registered trademarks and logos are exempt from this  
12                           provision.
  - 13                   **b.**       No internal lighting shall include exposed incandescent or fluorescent bulbs.
  - 14                   **c.**       A changeable copy sign with dark colored letters or symbols on a lighter  
15                           contrasting translucent background may be internally illuminated if the internally  
16                           illuminated area of the sign does not exceed 20 square feet.
  - 17                   **d.**       During daylight hours between sunrise and sunset, luminance shall be no greater  
18                           than 5,000 candelas per square meter for LED signs. At all other times, LED  
19                           luminance shall be no greater than 800 candelas per square meter.
- 20           **4.**       Freestanding signs more than 15 feet high shall only be internally illuminated. Signs less  
21                   than or equal to 15 feet in height may be either internally or externally illuminated.
- 22           **5.**       The external illumination of freestanding signs shall comply with the following:
  - 23                   **a.**       Any external lighting of signs that have a height of between eight feet and 15 feet  
24                           shall be from the top of the sign and directed downward;
  - 25                   **b.**       The lighting of signs that have a height of eight feet or less may be illuminated  
26                           from the top of the sign or from the ground.
- 27           **6.**       Externally illuminated building signs may only be illuminated from the top of the sign.
- 28           **7.**       Light sources for externally illuminated signs must be shielded and directed so that the  
29                   light shines on the sign and that the light source is not visible beyond the property line.
- 30           **8.**       Freestanding signs accessory to a single-family dwelling, two-family, or townhouse use in  
31                   a residential district shall not be illuminated.
- 32           **9.**       Signs on a building or parcel in a residential district that has multifamily uses shall not be  
33                   internally illuminated.
- 34           **10.**      For signs on permitted nonresidential uses in residential districts the illumination may be  
35                   from external sources or by internal illumination of the letters and logos only; internal  
36                   illumination of the background portion of the sign is prohibited.
- 37           **11.**      [RESERVED.]

# EXHIBIT A

## B. Preservation of Sight Lines

For the purpose of assuring that drivers and pedestrians have adequate visibility at the intersection of a roadway, street, driveway, trail, or alley, no sign or portion of a sign between a height of two and one-half feet and eight feet shall conflict with the American Association of State Highway and Transportation Officials (AASHTO) sight distance triangle specifications.

## C. Construction Standards

1. The construction, erection, safety, and maintenance of signs shall comply with the uniform sign code as amended.
2. Signs shall be structurally sound and located so as to pose no threat to pedestrian or vehicular traffic.
3. Permanent signs shall be fabricated on and of materials that are of good quality and good durability.
4. Electric signs and all permanent signs involving structural requirements of the building code shall be installed, repaired, altered, and serviced only by a contractor licensed to perform such tasks.
5. No sign shall be erected so as to obstruct any window, door, fire escape, balcony, platform, stairway, ladder, vent, or other means of ingress and egress of any building.
6. No sign shall be attached to a utility pole, tree, trash receptacle, bench, or other structure not intended or approved as a sign support.
7. Temporary signs shall be durable and weather-resistant and fastened or anchored sufficiently, whether attached to the building or positioned in the ground.
8. No sign regulated by any of the provisions of this section shall be erected in the right-of-way, in proximity to railroad crossings, or at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with, any authorized traffic sign signal or device; or which makes use of the words "STOP," "LOOK," "DANGER," or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.
9. In the event there is a conflict between the provisions of this section and the provisions of any applicable building codes, the provisions of the applicable building code shall govern.

## D. Maintenance

All signs shall be maintained in accordance with the following:

1. The property owner, occupant, or other person responsible for the sign shall maintain the sign in a condition fit for the intended use, and he or she shall have a continuing obligation to comply with all building code requirements.
2. If the director finds that any sign is unsafe, insecure, or a menace to the public, notice shall be given in writing by the director to the owner. The owner of the business shall, within 48 hours of such notification, correct such unsafe condition or remove the sign. If the correction has not been made within the 48 hours, the sign may be removed or altered by the municipality to comply with these regulations at the expense of the owner or occupant of the property upon which the sign is located. The director may cause any



# EXHIBIT A

sign, which, in the municipality's opinion, creates a danger to persons or property to be removed immediately and without notice.

3. Whenever any sign, either conforming or nonconforming to these regulations, is required to be removed for the purpose of repair, refurbishing, or repainting, the same may be done without a permit or any payment of fees provided that all of the following conditions are met:

a. There shall be no enlargement or increase in any of the dimensions of the sign or its structure.

b. The sign shall be accessory to a legally permitted, conditional or nonconforming use.

4. The director may order any sign to be repaired whenever needed to keep the sign in a safe condition. All supports, guys, braces, and anchors for such signs shall be maintained in a safe condition.

5. The sign face of any permanent sign which advertises a business that has not been conducted on the premises for 180 consecutive days or fails to serve the purposes for which it was intended, or evidences a lack of maintenance, shall be removed by the owner, agent, or person having the beneficial use of the building, structure, or land upon which such sign is located, within 30 days after written notice by the director and the sign area shall be replaced by a neutral, single background color panel or similar cover. If the sign is comprised of individually raised letters then the letters shall be removed. Upon failure to comply with such notice within the time specified in such order, the director is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the property on which such sign is located.

## **E. Rotating Signs**

Where permitted, rotating signs shall revolve no more than four times per minute.

# EXHIBIT A

## CHAPTER 21.12: NONCONFORMITIES

---

### 21.12.010 GENERAL PROVISIONS

#### A. Purpose

1. The purpose of this chapter is to regulate continued existence of legal uses, structures, lots, and signs established prior to the effective date of this title, or the effective date of future amendments to this title, that no longer conform to the requirements of this title. All such situations are collectively referred to in this chapter as “nonconformities.” It is the intent of this chapter to permit these nonconformities to continue until they are removed or brought into conformance with this title, and to encourage their re-use and movement towards conformity. The acknowledgement and relief granted to existing property, land uses, and structures provided in this chapter are intended to minimize negative economic effects on development that was lawfully established prior to the effective date of this title and any subsequent amendments.
2. This chapter also regulates characteristics of use such as parking and landscaping. Section 21.12.060 addresses the requirements for developments that don't comply with the district-specific standards of chapter 21.04, the use-specific standards of chapter 21.05, or the design and development standards of chapter 21.07 (except for section 21.07.020B., *Stream, Water Body, and Wetland Protection*).

#### B. Authority to Continue

##### 1. Generally

Any nonconformity that lawfully existed as of the effective date of this title and that remains nonconforming, and any nonconformity that is created as a result of any subsequent rezoning, amendment to the text of this title, or by the acquisition of property for a public purpose, may be continued or maintained as a nonconformity only in accordance with the terms of this chapter, unless such nonconformity falls within the exception set forth in subsection 21.12.010B.2.

##### 2. Exception Due to Variances or Minor Modifications

This chapter shall not apply to any development standard or feature that is the subject of a variance or minor modification granted under this title. Where a variance or minor modification has been granted that results in a development standard or feature that does not otherwise conform to the requirements of this title, that development standard or feature shall be deemed conforming.

##### 3. Conditional Uses and Site Plan Reviews

- a. A use that lawfully existed as of the effective date of this title that is allowed by conditional use or through an administrative or major site plan review in the district in which it is located under this title, but which lacks a conditional use approval or an approved site plan review, shall not be deemed a nonconforming use, but rather shall be considered to exist as a conditional use or to have an approved site plan. Associated nonconforming structures or lots and characteristics of use that are out of compliance with this title shall be governed by the provisions of this chapter, and if applicable, shall be modified under the provisions of this chapter. Other modifications shall be in accordance with the appropriate modification processes in chapter 21.03.
- b. A conditional use or use with an approved site plan, existing prior to the effective date of this title that is permitted in its entirety as a principal use in the district in which it is located under this title shall not be deemed a nonconforming use. Such use shall be deemed a permitted principal use and the conditional use permit or the approved site plan shall be null and void.

# EXHIBIT A

## Chapter 21.12: Nonconformities

### Sec. 21.12.020 Single- and Two-Family Structures and Mobile Homes

#### C. Determination of Nonconformity Status

In all cases, the burden of establishing the existence of a legal nonconformity shall be solely upon the owner of the nonconformity, not the municipality. Verification of nonconforming status may be established through the process set forth in section 21.03.250, *Verification of Nonconforming Status*. The municipality shall waive all fees for a period of two years after January 1, 2014 for verification of nonconforming status for nonconformities generated by the changes in this version of title 21.

#### D. Government Agency Property Acquisitions

If a structure, use of land, use of structure, or characteristic of use does not comply with the requirements of this title solely as a result of an acquisition of land by a government agency for a public purpose, then such structure, use of land, use of structure, or characteristic of use on land not acquired by the government shall be deemed conforming. At the time of such acquisition, the municipality shall provide documentation of conformity to the affected property owner(s).

#### E. Change of Ownership or Tenancy

Legal nonconformities are not affected by changes of ownership, tenancy, or management of property.

#### F. Maintenance and Repair

1. Ordinary maintenance and repair of nonconformities shall be permitted, and a nonconforming use, structure, lot, or site may be occupied, operated, and maintained in a state of good repair and in a safe condition, provided that no nonconformity is increased. Repair and maintenance of nonconforming signs is set forth in section 21.12.070. Subsections 21.12.030D. and 21.12.040D. govern the replacement of damaged or destroyed nonconforming uses and structures.

2. Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

#### G. Replacement Cost

Where the term "replacement cost" is used in this chapter, it shall be determined by the building official pursuant to municipal code.

#### H. Willful Destruction

In the event of arson or other willful destruction, any rights to reinstate, replicate, rebuild, or otherwise reestablish the nonconforming use or structure, as allowed in this chapter, shall be prohibited if such casualty is traceable to the owner or his or her agent. Such instances shall result in loss of the nonconforming status.

### 21.12.020 SINGLE- AND TWO-FAMILY STRUCTURES AND MOBILE HOMES

#### A. Damage or Destruction

Any lawfully erected nonconforming single- or two-family structure that is damaged or destroyed may be rebuilt in the same location and to the same dimensions so that the nonconformity of the damaged or destroyed structure is not increased, but the structure may be rebuilt in a manner that moves towards conformity.

#### B. Mobile Homes

1. Lawfully erected nonconforming mobile homes may be repaired or replaced, as long as the nonconformity is not increased.

# EXHIBIT A

## Chapter 21.12: Nonconformities

### Sec. 21.12.030 Nonconforming Uses of Land or Structures

2. Lawfully erected nonconforming mobile homes on individual lots may be moved within the lot in compliance with setback regulations.

3. Mobile homes in nonconforming manufactured home communities may be repaired or replaced, in compliance with setback regulations.

#### **21.12.030 NONCONFORMING USES OF LAND OR STRUCTURES**

##### **A. Limitations on Continuation of Nonconforming Uses of Land or Structures**

Nonconforming uses of land or structures may continue, subject to the general provisions of section 21.12.010 and the following limitations, or as provided in subsections B. and D. below:

1. No nonconforming use of land shall be enlarged or increased or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of the regulations that make the use nonconforming. Any nonconforming use on a lot or portion thereof may be altered to decrease its nonconformity.

2. No nonconforming use of land shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of the regulations that make the use nonconforming.

3. No existing structure devoted to a use not permitted by this title in the district in which it is located shall be enlarged, extended, or constructed except in changing the use of the structure to a use permitted in the district in which it is located. (For example: a self-storage facility that is a nonconforming use in a district may not construct new storage units.)

4. Any nonconforming use may be moved or extended throughout any parts of a building that are reasonably adaptable for such use at the time of adoption or amendment of the applicable regulations, but no such use shall be extended to occupy any land outside such buildings. If a nonconforming use is moved to another part of the building, the space vacated shall not be filled with another nonconforming use. (For example: a warehouse that is a nonconforming use in a district and occupies half of a building may expand into the other half of the existing building, but may not begin to store items outside the building.)

5. No additional structure not conforming to the requirements of this title shall be erected in connection with the nonconforming use of land or structure.

##### **B. Commercial Uses in Industrial Districts**

The municipality recognizes that some existing commercial establishments may become nonconforming in the I-1 and I-2 districts as a result of the adoption of the Title 21 Rewrite Project (2002-2012). The intent of this section is to allow continued investment and moderate expansion of such establishments in their existing location for a period of 20 years following the effective date of the rewrite project.

1. This subsection 21.12.030B. applies to existing commercial or community uses in the I-1 and I-2 districts that are made nonconforming and cannot achieve improvements or expansions as a result of amendments to the land use regulations on January 1, 2014. Where in conflict with other provisions of this section 21.12.030, this subsection B. shall apply.

2. The gross floor area of the use or land area of the use on the site (for non-structural uses) may be expanded by up to 20 percent during a 20 year period ending on January

# EXHIBIT A

## Chapter 21.12: Nonconformities

### Sec. 21.12.030 Nonconforming Uses of Land or Structures

1, 2034, through construction or placement of a structure, addition to an existing structure, or increase in land area used.

3. The nonconforming use of land may be enlarged or increased or extended to occupy a greater area of the site, only as necessary to provide for required parking and other improvements associated with the permitted expansion of gross floor area.

#### C. Change of Use

1. Any nonconforming use may be changed to another nonconforming use if all of the following criteria are met:

- a. The director finds that the proposed nonconforming use is more appropriate to the district than the existing nonconforming use;
- b. Any characteristics of use that are out of compliance with this title are not changed to become less compliant with the requirements of this title; and
- c. No structural alterations are made other than those required by title 23, or minor interior structural alterations, such as cutting a door into a shear wall.

Appeals of the director's decision shall be made to the zoning board of examiners and appeals in accordance with subsection 21.03.050B.

2. If a nonconforming use is superseded by a permitted use, the nonconforming use may not thereafter be resumed.

#### D. Damage or Destruction

Any person wishing to replicate a nonconforming use that has been damaged or destroyed to an extent of more than 50 percent of the replacement cost at the time of destruction shall apply as stated in D.1. below.

##### 1. Administrative Approval

- a. An application for administrative approval to rebuild a nonconforming use shall contain the information specified in the title 21 user's guide, and shall be submitted to the director.
- b. Notice of the application shall be published, mailed, and posted in accordance with section 21.03.020H.
- c. There shall be a 30 day comment period, starting from the date of notice, before the director acts on the application as provided in subsection D.1.d. below.
- d. The director shall review the application and act to approve, approve with conditions, or deny the application based on the approval criteria of subsection D.2. below. Findings of the director shall be in writing. The director may impose limitations or conditions as may be necessary to meet the approval criteria or to reduce or minimize any potential adverse impact on other property in the area.
- e. Appeals of the director's decision may be made to the zoning board of examiners and appeals, pursuant to section 21.03.050B.
- f. If the application is approved or approved with conditions, the use shall continue to be a nonconforming use and be subject to the provisions of this chapter.

# EXHIBIT A

## Chapter 21.12: Nonconformities

### Sec. 21.12.030 Nonconforming Uses of Land or Structures

#### 2. Approval Criteria

- a. The nonconforming use is or shall be made compatible with uses allowed on adjacent properties, in terms of site design and operating characteristics (such as lighting, noise, odor, dust, and other external impacts);
- b. The nonconforming use will not limit, impair, or impede the normal and orderly development and improvement of surrounding property for uses permitted on those properties;
- c. Utilities, access roads, drainage, and other necessary facilities are sufficient to service the use, or will be provided;
- d. Adequate measures have been or will be taken to provide ingress and egress that are designed to minimize traffic congestion on the streets; and
- e. The nonconforming use will not result in the creation of additional nonconformities or the need for any variances.

#### E. Abandonment or Cessation of Use

1. A nonconforming use shall be presumed abandoned and its nonconforming rights extinguished where any one of the following has occurred:
  - a. The owner has indicated, in writing, an intent to abandon the use.
  - b. A conforming use, or a less intensive nonconforming use approved by the zoning board, has replaced the nonconforming use.
  - c. The building or structure that houses the nonconforming use has been removed.
  - d. The use has been discontinued, has been vacant, or has been inactive for a continuous period of at least one year, unless the owner can demonstrate that the owner has been making substantial efforts to continue the use.
2. Once abandoned, the prior legal nonconforming status of the use shall be lost and any subsequent use of the property shall comply with all applicable provisions of this title, unless the nonconforming use is reestablished through the process described in F. below.

#### F. Overcoming Presumption of Abandonment

A presumption of abandonment based on evidence of abandonment, as provided in E. above, may be rebutted upon a showing of all of the following, to the satisfaction of the zoning board of examiners and appeals, that:

1. The owner has been maintaining the land and structure in accordance with all applicable regulations, including applicable building and fire codes;
2. The owner has been maintaining or pursuing all applicable permits and licenses;
3. The owner has filed all applicable tax documents; and
4. The owner has been engaged in activities that would affirmatively prove there was no intent to abandon, such as actively and continuously marketing the land or structure for sale or lease.

# EXHIBIT A

## 21.12.040 NONCONFORMING STRUCTURES

### A. Continuation of Nonconforming Structures Generally

Nonconforming structures may continue, subject to the general provisions of section 21.12.010 and the following limitations:

1. No nonconforming structure may be enlarged or altered in a way that increases its nonconformity, except as allowed pursuant to B.2. below. Any structure or portion thereof may be altered to decrease its nonconformity, or may be altered or enlarged if the alteration does not intensify the nonconformity. This subsection shall not be construed to allow the expansion of a nonconforming use of structure, which is governed by section 21.12.030 above.
2. Should a nonconforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
3. Tenant improvements or renovations within an existing structure shall not be considered an enlargement or an alteration as described in subsection A.1. above.

### B. Overheight Buildings

The municipality recognizes that some existing buildings may become nonconforming as a result of the adoption of the Title 21 Rewrite Project (2002-2012). It also recognizes that other existing buildings that conform but were engineered for future additional stories may not be able to be increased in height as planned. The intent of this section is to allow continued investment, upgrades, and expansion of existing buildings affected by changes to height limits in the title 21 rewrite. This section applies to existing buildings that may become nonconforming as to height or that cannot achieve planned and engineered future increased height as a result of amendments to the land use regulations on or after January 1, 2014.

1. If a lawful building erected prior to January 1, 2014 does not comply with the requirements of this title with regard to height, such building shall be deemed conforming with regard to height.
2. Where a lawful building, existing on January 1, 2014, is engineered and constructed for enlargement by the addition of one or more stories, such structure may be enlarged within the full plan dimensions of the existing structure by the addition of not more than two stories. This provision shall apply to buildings that conform to the height limitations as well as to overheight buildings.

### C. Buildings Exceeding Maximum Setback

If a lawful building erected prior to January 1, 2014 does not comply with the requirements of this title with regard to maximum structure setbacks, such building shall be deemed conforming with regard to setbacks.

### D. Damage or Destruction

A person wishing to replicate a nonconforming structure that has been damaged or destroyed to an extent of more than 50 percent of the replacement cost at the time of destruction, may be able to replicate the structure according to either of the two methods in subsection D.1. below. The application shall be made within one year of the damage or destruction. The director, with the concurrence of the building official, may approve an extension upon written request showing good cause.

# EXHIBIT A

1. **Application and Approval Methods**

a. ***Administrative Approval***

- i. An application for administrative approval to rebuild a nonconforming structure shall contain the information specified in the title 21 user's guide and shall be submitted to the director.
- ii. Notice of the application shall be published, mailed, and posted in accordance with section 21.03.020H.
- iii. There shall be a 30 day comment period, starting from the date of notice, before the director acts on the application as provided in subsection a.iv. below.
- iv. The director shall review the application and act to approve, approve with conditions, or deny the application based on the approval criteria of subsection D.2. below. Findings of the director shall be in writing. The director may impose limitations or conditions as may be necessary to meet the approval criteria or to reduce or minimize any potential adverse impact on other property in the area.
- v. Appeals of the director's decision may be made to the zoning board of examiners and appeals, pursuant to section 21.03.050B.
- vi. If the application is approved or approved with conditions, the structure shall continue to be a nonconforming structure and be subject to the provisions of this chapter.

b. ***Conditional Use Approval***

- i. An application for conditional use approval shall contain the information specified in the title 21 user's guide, and shall be submitted to the director.
- ii. The conditional use application shall be processed in accordance with the procedures of section 21.03.080C., except that a community meeting is not required, and the planning and zoning commission shall base their decision on the approval criteria of subsection D.2. below. The commission may impose limitations or conditions as may be necessary to meet the approval criteria or to reduce or minimize any potential adverse impact on other property in the area.
- iii. An approved replication conditional use shall expire if start of construction has not begun within one year of the planning and zoning commission's approval. The director may approve an extension of up to one year upon written request showing cause. For the purposes of this section, "replicate" shall mean to rebuild to the same dimensions and in the same location as the damaged or destroyed structure, but this shall not prevent moving towards conformity.
- iv. A nonconforming structure that is approved to be rebuilt per this conditional use process shall henceforth be considered a conditional use and shall no longer be subject to the provisions of this chapter.

2. **Approval Criteria**

- a. The nonconforming structure is or can be made compatible with uses allowed on adjacent properties, in terms of site design and operating characteristics (such as lighting, noise, odor, dust, and other external impacts);



# EXHIBIT A

- b. The nonconforming structure will not limit, impair, or impede the normal and orderly development and improvement of surrounding property for uses permitted on those properties;
- c. The parking, landscaping, and lighting either conform to the requirements of this title, or are moving towards conformity to the maximum extent feasible;
- d. Utilities, access roads, drainage, and other necessary facilities are sufficient to service the use, or will be provided; and
- e. Adequate measures have been or will be taken to provide ingress and egress that are designed to minimize traffic congestion on the streets.

## E. Legalization of Nonconforming Dimensional Setback Encroachments

### 1. Generally

Structures that encroach into required setbacks and were built before January 1, 1986, may continue in existence provided the following requirements are met:

- a. An application for the registration of nonconforming encroachment is submitted to the department; and
- b. The encroachment is determined not to be a life safety hazard by the director.

### 2. Procedures for Registration

- a. Application for the registration of nonconforming encroachment shall be submitted to the department, on a form provided by the department. The application shall require an as-built drawn by a land surveyor registered in the state of Alaska, which shows all structures existing on the lot at the date of application. The application shall also require information supporting the assertion that the structure and encroachments were constructed prior to January 1, 1986. The director may require the petitioner to provide additional information to support this application.
- b. Within 30 days of receipt of all requested information, and upon an adequate showing that the requirements stated in subsection 21.12.040E.1. above are met, the director shall issue or deny a certificate permitting the continued use and existence of the encroachment. The director may impose such conditions on the certificate as he/she may determine are appropriate to protect the general welfare. The certificate shall note the size and characteristic of the setback encroachment and the structure. A copy of the required as-built shall be attached thereto.

### 3. Operation

Once registered, the encroachment shall enjoy all the protections and privileges afforded to a nonconforming structure under the provisions of this chapter.

### 4. Appeal

Any aggrieved person may appeal the grant or denial of a certificate to the zoning board of examiners and appeals.

# EXHIBIT A

## 21.12.050 NONCONFORMING LOTS OF RECORD

### A. Nonconforming Lots

#### 1. Setbacks

Setback and lot coverage requirements applicable to nonconforming lots of record shall be those of the zoning district with the largest lot area requirement within which the lot would be conforming. A lot which fails to be conforming in any zoning district shall maintain a front setback of 20 feet, side setbacks of five feet, a rear setback of five feet, and a maximum lot coverage of 50 percent.

#### 2. Residential Districts

a. Except as restricted in subsection B. below, in any residential zoning district [EXCEPT THE R-3, R-4, AND R-4A], notwithstanding limitations imposed by other provisions of this title, [ONE SINGLE-FAMILY DETACHED] dwelling<sup>s</sup> and customary accessory buildings may be erected on lots that fail to meet the requirements for minimum area and/or width, provided all of the following conditions are met:

i. Any district-specific standards, use-specific standards, and dimensional and design standards such as setbacks, parking, landscaping, etc. are met; and

ii. The lot is of record as of the effective date of the original adoption or amendment of applicable regulations.

b. [EXCEPT AS RESTRICTED IN SUBSECTION B. BELOW, IN THE R-3 ZONING DISTRICT, NOTWITHSTANDING LIMITATIONS IMPOSED BY OTHER PROVISIONS OF THIS TITLE, ONE TWO-FAMILY DWELLING AND CUSTOMARY ACCESSORY BUILDINGS MAY BE ERECTED ON LOTS THAT FAIL TO MEET THE REQUIREMENTS FOR MINIMUM AREA AND/OR WIDTH, PROVIDED ALL OF THE FOLLOWING CONDITIONS ARE MET:

I. ANY DISTRICT-SPECIFIC STANDARDS, USE-SPECIFIC STANDARDS, AND DIMENSIONAL AND DESIGN STANDARDS SUCH AS SETBACKS, PARKING, LANDSCAPING, ETC. ARE MET; AND

II. THE LOT IS OF RECORD AS OF THE EFFECTIVE DATE OF THE ORIGINAL ADOPTION OR AMENDMENT OF APPLICABLE REGULATIONS.

c. EXCEPT AS RESTRICTED IN SUBSECTION B. BELOW, IN THE R-4 AND R-4A ZONING DISTRICTS, NOTWITHSTANDING LIMITATIONS IMPOSED BY OTHER PROVISIONS OF THIS TITLE, ONE MULTIFAMILY STRUCTURE CONTAINING NOT MORE THAN THREE DWELLING UNITS, AND CUSTOMARY ACCESSORY BUILDINGS MAY BE ERECTED ON LOTS THAT FAIL TO MEET THE REQUIREMENTS FOR MINIMUM AREA AND/OR WIDTH, PROVIDED ALL OF THE FOLLOWING CONDITIONS ARE MET:

I. ANY DISTRICT-SPECIFIC STANDARDS, USE-SPECIFIC STANDARDS, AND DIMENSIONAL AND DESIGN STANDARDS SUCH AS SETBACKS, PARKING, LANDSCAPING, ETC. ARE MET; AND

II. THE LOT IS OF RECORD AS OF THE EFFECTIVE DATE OF THE ORIGINAL ADOPTION OR AMENDMENT OF APPLICABLE REGULATIONS.]

# EXHIBIT A

## 3. Nonresidential Districts

Except as restricted in subsection B. below in any nonresidential zoning district, notwithstanding limitations imposed by other provisions of this title, any use allowed in the district by table 21.05-1 may be erected on lots that fail to meet the requirements for minimum area and/or width, provided all of the following conditions are met:

- a. The review and approval process indicated in table 21.05-1 is applied;
- b. The use does not have a minimum lot size greater than the minimum lot size required by the underlying zoning district;
- c. Any district-specific standards, use-specific standards, and dimensional and design standards, such as setbacks, parking, open space, landscaping, etc. are met; and
- d. The lot is of record at the effective date of the original adoption or amendment of applicable regulations.

## B. Undivided Parcels

1. If two or more **abutting** **[CONTIGUOUS]** lots in single ownership, either of which contains less than 5,500 square feet of area are of record on or after November 27, 1990, and either is nonconforming by virtue of this title or any amendment thereto, the lands involved shall be considered to be an undivided parcel for the purpose of this title, and no portion of such parcel shall be sold or used that does not contain a lot area and lot width equal to or greater than the minimum lot area and width required in the zoning district it is in. If a lot that results from being combined through this provision does not meet the dimensional requirements of the zoning district or of chapter 21.08, the lot shall be considered a legal nonconforming lot at the time of recordation.
2. This provision shall not apply to those lots legally created as part of a townhouse development, a cluster housing development, a zero lot line development, or a planned unit development.

## C. Legalization of Lots Created Prior to September 16, 1975

1. Lots existing prior to September 16, 1975, that do not meet the district requirements for minimum area and/or width, and that were not created in accordance with the regulations of the federal, state, or municipal government, may continue in existence provided the following requirements are met:
  - a. An application for the registration of nonconforming lot is submitted to the department; and
  - b. The lot is determined to be sufficient in size to allow construction of a structure and comply with associated district-specific, dimensional, and development and design standards such as setbacks, parking, landscaping, etc.
2. The application shall be on a form provided by the department, and shall be accompanied by an as-built drawn by a land surveyor registered in the state of Alaska, which shows the lot boundaries. The department may require additional information to support the application. **The director shall cause notice of the application, including the street address and legal description of the property, to be published on the municipal public notice web page of the municipal website within seven days of the request.**
3. Within 30 days of receipt of all requested information and upon an adequate showing that the requirements stated in subsection C.1. above are met, the director shall issue or deny

# EXHIBIT A

a certificate for the lot. The director may impose such conditions on the certificate as he or she determines appropriate to protect the general welfare. A copy of the required as-built shall be attached to the certificate.

4. Once registered, the lot shall enjoy all the protections and privileges afforded to a nonconforming lot under the provisions of this chapter.

5. Any aggrieved person may appeal the grant or denial of a certificate to the zoning board of examiners and appeals within 30 days of the director's determination.

6. Nothing in this section shall preclude relief for nonconforming lots by means of a variance.

7. Nothing in this section shall exempt any lots from the provisions of subsection B. above.

8. [THE DEPARTMENT SHALL PUBLISH THE REGISTRATION OF A NONCONFORMING LOT INCLUDING THE STREET ADDRESS AND LEGAL DESCRIPTION OF THE PROPERTY IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITY WITHIN SEVEN DAYS OF THE ISSUANCE OF THE CERTIFICATE.]

## 21.12.060 CHARACTERISTICS OF USE

### A. Developments Are Conforming

1. Development that was legally established before January 1, 2014 that does not comply with the district-specific standards of chapter 21.04, the use-specific standards of chapter 21.05, or the design and development standards of chapter 21.07 (except for section 21.07.020B., *Stream, Water Body, and Wetland Protection*) shall be considered conforming on January 1, 2014, and subject to this section. Development that does not conform to section 21.07.020B., *Stream, Water Body, and Wetland Protection*, shall be considered nonconforming.

2. No change shall be made to any development unless the change is in the direction of conformity to the requirements of this title.

### B. Parking Out of Compliance

Notwithstanding section C. below, if changes to a use or development increase the minimum number of required parking spaces, the number of spaces related to the increase shall be provided. For example, if a use or development that is required to have 30 spaces only has 20 spaces, and changes to the use or development allowed through this title create a total minimum requirement of 35 spaces, the use or development shall, at a minimum, provide the additional 5 spaces. The addition of more spaces may be negotiated through the process outlined in section C. below.

### C. Bringing Characteristics into Compliance

#### 1. Applicability

This section 21.12.060 applies to all multifamily, commercial, mixed-use, community use, and industrial development projects that:

a. Do not comply with the district-specific standards of chapter 21.04, the use-specific standards of chapter 21.05, or the design and development standards of chapter 21.07 (except for section 21.07.020B., *Stream, Water Body, and Wetland Protection*);

# EXHIBIT A

b. Involve a development project costing more than 10 percent of the assessed value of the structure (or, if no structure over 150 square feet exists, the assessed value of the land); and

c. Require a permit through title 21 and/or title 23.

## 2. Standard

a. An applicant for a building or land use permit for a multifamily, commercial, mixed-use, or industrial development that meets the applicability thresholds of section C.1. above, shall be required to spend 10 percent of the total project costs on bringing the development towards compliance with the district-specific standards of chapter 21.04, the use-specific standards of chapter 21.05, and/or the design and development standards of chapter 21.07 (hereafter called "characteristics").

b. If the applicant can bring the development into full compliance with title 21 for less than 10 percent of the total project costs, then no additional monies need be spent. The municipality shall not require more than 10 percent, but the applicant may choose to spend more.

c. If the applicant chooses to spend more than 15 percent, the amount in excess of 15 percent may be credited, as outlined in the user's guide, towards future improvements under this section.

d. The director, in consultation with the applicant, shall determine which characteristics shall be addressed, within the expenditure requirements noted herein. The director and the applicant shall consider how to maximize the public benefit and minimize the economic impact to the property owner. The director shall not require compliance with a standard that would create non-compliance with a different standard (i.e., the director shall not require the addition of landscaping that would cause the development to fall under the minimum required number of parking spaces).

e. The applicant may appeal the director's decision to the urban design commission, which shall hold a non-public hearing on the appeal.

f. For the purposes of this section, "total project costs" shall be determined by the building official pursuant to municipal code, and shall be exclusive of all costs of improvements that move the development in the direction of conformity to the requirements of this title. The costs of remodeling, renovation, or repair that are interior to a structure not subject to site plan review shall also be excluded where the value of those improvements are less than 50 percent of the replacement value of the structure. The portion of the total project costs that are related to increases in conformity shall be credited toward the percentages required in subsections C.2.a. and C.5.

## 3. Insignificant Change

If the director and the applicant concur that 10 percent of project costs is not enough money to result in a significant change to any characteristic, the applicant shall place the required 10 percent of project costs as outlined in subsection C.4. below.

## 4. No Applicable Characteristics

If no characteristics can be brought towards conformity without causing other characteristics to come out of compliance, or if the only characteristics left to be addressed are so major as to require relocating the structure, or something of similar magnitude, then the applicant shall not be required to perform such work. Instead, the

# EXHIBIT A

applicant shall place the required 10 percent of project costs in a municipal account dedicated to public improvements (such as pedestrian or landscaping improvements) in the **community council area** [CENSUS BLOCK GROUP (BASED ON THE 2000 CENSUS)] that the development is in[, OR AN ADJACENT CENSUS BLOCK GROUP].

## 5. Large Commercial Establishment

If the development project is a Large Commercial Establishment, as defined in section 21.07.120, then the applicant shall spend an additional 10 percent of the total project costs on bringing the structure into compliance with the design standards of section 21.07.120. If the structure already complies with section 21.07.120, then this subsection C.5. shall not apply.

## 6. Timing of Work

The characteristics of use shall be brought towards compliance with all applicable provisions of this title prior to the issuance of the building or land use permit or shall be included in the work to be accomplished under the permit.

## 21.12.070 NONCONFORMING SIGNS

### A. Effective Date

The effective date of this section 21.12.070 is October 1, 2003.

### B. Amortization Provisions

#### 1. Legal Nonconforming Permanent Signs

Any permanent freestanding or building sign lawfully built prior to the adoption of this title that does not comply with the maximum height, maximum area, **location**, or the number of signs permitted as set forth in this title shall be considered a legal nonconforming sign.

#### 2. Amortization of Permanent Signs

Any permanent sign exceeding current size or height requirements by greater than 50 percent must be brought into compliance with this title before May 16, 2016, which is ten years from the date of adoption of this provision.

#### 3. Amortization of Illuminated Signs

Any illuminated sign that does not meet the requirements of subsection 21.11.090A., with the exception of subsection 21.11.090A.3.a., shall be altered to comply with the requirements of this title by May 31, 2008. All LED signs shall comply with the luminance standards of subsection 21.11.090A.3.d. by November 30, 2005.

#### 4. Amortization of Animated Signs

Any sign that contains non-complying animation, changeable copy, or flashing or moving parts shall be altered to comply with the requirements of this title within 180 days from the effective date of this section.

### C. Termination

Except as provided in subsection 21.11.090D., a nonconforming sign shall immediately lose its legal nonconforming status, and therefore shall be brought into conformance with this title or removed, when any of the following occur:

1. The size or shape of the sign is changed.
2. The location of the sign is changed.

# EXHIBIT A

3. The business is sold and there is a change of use of the premises. A change of use occurs when the type of use is not within the same use category as the immediate prior allowable use type, determined by reference to the tables of allowed uses under this title.

4. The nonconforming sign is accessory to a nonconforming use that has lost its nonconforming status.

5. If more than 50 percent of the assessed value of the principal structure on a property is replaced, repaired, or renovated, the existing sign(s) for the principal structure shall be removed or brought into compliance with the provisions of this title at the time of replacement, repair, or renovation.

6. Change is permitted in the direction of conformity to the requirements of this title. A sign will lose its legal nonconforming status immediately upon any change which increases nonconformity. Municipal permit fees are waived for nonconforming signs to be brought into full conformity, if an estimate by a licensed and bonded contractor with a designated date of completion of the new conforming sign is provided by May 16, 2008, which is two years from the date of passage of this provision.

## D. Maintenance of Nonconforming Signs

Nonconforming signs shall continue to be maintained in safe condition pursuant to the building regulations of the municipality until such sign is required to be removed as set forth in this section.

## E. Reconstruction of Damaged Sign

If a sign and/or its support are damaged to the extent where the repair costs exceed 50 percent of the replacement cost of the sign, the sign shall be removed or brought into compliance. If the repair costs do not exceed 50 percent of the replacement cost of the sign, the director may authorize the sign to be repaired, provided all repair work is completed within 90 days, subject to the director extending the time for good cause, of the date the director determines the damage requires replacement or permits repair. In no event may a sign be maintained in an unsafe condition during the process of this determination or the period necessary for repairs.

## F. Historic Signs

The urban design commission may grant exceptions to these standards whenever a sign or property has been designated an historic sign pursuant to the guidelines and criteria established and adopted by the urban design commission.

## G. Extension of Time to Comply

The dates established in this section for a sign to be brought into compliance with the requirements of these regulations may be appealed to the zoning board of examiners and appeals by the owner or lessee of the nonconforming sign pursuant to section 21.03.050B., *Appeals to Zoning Board of Examiners and Appeals*. In evaluating the extension of time for a nonconforming use, the zoning board of examiners and appeals shall consider the following factors to determine whether the owner of the sign has had reasonable amount of time to recoup his or her investment:

1. The value of the sign at the time of construction and the length of time the sign has been in place;

2. The life expectancy of the original investment in the sign and its salvage value, if any;

# EXHIBIT A

**Chapter 21.12: Nonconformities**  
**Sec. 21.12.070 Nonconforming Signs**

---

- 1           **3.**     The amount of depreciation and/or amortization of the sign already claimed for tax or  
2                 accounting purposes;
- 3           **4.**     The length of the current tenant lease or expected occupancy compared to the date the  
4                 sign is to be brought into compliance;
- 5           **5.**     The extent to which the sign is not in compliance with the requirements of this chapter;  
6                 and
- 7           **6.**     The degree to which the board determines that the sign is consistent with the purposes of  
8                 this chapter.
- 9
- 10



# EXHIBIT A

## CHAPTER 21.14: RULES OF CONSTRUCTION AND DEFINITIONS

### 21.14.010 INTERPRETATIONS

#### A. General

The director has final authority to determine the interpretation or usage of terms used in this title, pursuant to this section. Any person may request an interpretation of any term by submitting a written request to the director, who shall respond in writing within 30 days. The director's interpretation shall be binding on all officers and departments of the municipality.

#### B. Record of Interpretations

The director shall maintain a file of all interpretations made pursuant to this subsection.

#### C. Appeal

Any person may appeal an interpretation by the director regarding a term used in this title to the zoning board of examiners and appeals in accordance with section 21.03.050B.

### 21.14.020 RULES OF CONSTRUCTION AND INTERPRETATION

The following rules shall apply for construing or interpreting the terms and provisions of this **title** [CHAPTER].

#### A. Meanings and Intent

All provisions, terms, phrases, and expressions contained in this title shall be construed according to the general purposes set forth in section 21.01.030 and the specific purpose statements set forth throughout this title. When, in a specific section of this title, a different meaning is given for a term defined for general purposes in this chapter 21.14, the specific section's meaning and application of the term shall control.

#### B. Purpose Statements

Statements of purpose or intent in this title are provided to guide interpretation and understanding of the legislative intent behind the substantive regulations of this title. Purpose and intent statements are not substantive requirements, but rather provide a context whereby the provisions of this title are understood.

#### C. Headings, Text, and Illustrations

##### 1. Headings and Text

In the event of a conflict or inconsistency between the text of this title and any heading, caption, figure, illustration, table, or map, the text shall control.

##### 2. Illustrations

Unless otherwise indicated, illustrations in this title are provided for purposes of describing, clarifying, or providing examples. Such illustrations are not to scale and do not replace, limit, or expand the meaning of the text.

#### D. Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities. Unless stated otherwise, a list does not imply a priority or chronological order.

# EXHIBIT A

**E. Computation of Time**

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the municipality, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the municipality. References to days are calendar days unless otherwise stated.

**F. Title 21 User's Guide**

The user's guide is a non-regulatory document, with the exception of the fees and submittal requirements. It provides explanations, examples, and illustrations to assist with usage and interpretation of the code, but it shall not contain additional land use and development requirements.

**G. References to Other Regulations/Publications**

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

**H. Delegation of Authority**

Any act authorized by this chapter to be carried out by a specific official of the municipality may be carried out by a designee of such official.

**I. Technical and Non-Technical Terms**

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that have acquired a peculiar and appropriate meaning in law or practice shall be construed and understood according to such meaning.

**J. Public Officials and Agencies**

All public officials, bodies, and agencies to which references are made are those of the municipality, unless otherwise indicated.

**K. Mandatory and Permissive Terms**

The word "shall" is mandatory in nature, establishing an obligation or duty to comply with the particular provision. The word "may" is permissive, indicating compliance is optional. The word "should" indicates that compliance is highly recommended and encouraged, but not mandatory.

**L. Conjunctions**

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

1. "And" indicates that all connected items, conditions, provisions or events apply; and
2. "Or" indicates that one or more of the connected items, conditions, provisions or events apply.

**M. Tenses, Plurals, and Gender**

Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

# EXHIBIT A

## N. Measurement of Distances For Separation of Land Uses

Except where stated otherwise, whenever this title requires measurement of distance between use types, development sites, or lots, such measurement shall be made from the nearest property line of the first reference point to the nearest property line of the second reference point.

## O. Fractions

### 1. Generally

Except where stated otherwise, when any calculation for determining a number of items (such as parking spaces, trees, etc.) results in a fraction, any fraction less than one-half (0.5) shall be rounded down to the preceding whole number, and any fraction of one-half (0.5) or greater shall be rounded up to the next consecutive whole number. Where the calculation results in a fraction less than one, the fraction shall be rounded up to one.

### 2. Dimensions

When any calculation for determining required minimum or allowed maximum dimensions (such as height, lot coverage, open space, etc.) results in a fraction, the dimension shall be measured to the nearest inch. Any fraction of an inch shall be rounded as provided in O.1. above.

### 3. Floor Area Ratio

Any calculation for determining required minimum or allowed maximum floor area ratio shall be rounded to two numbers past the decimal point. For example, 2.4287 is rounded to 2.43, and 4.5324 is rounded to 4.53.

## 21.14.030 COMMON ACRONYMS AND ABBREVIATIONS

|                      |   |       |   |
|----------------------|---|-------|---|
| AAC                  | Alaska administrative code                  | HLB   | Heritage Land Bank                              |
| AC                   | Asphalt concrete                            | HUD   | US department of housing and urban development  |
| ADA                  | Americans with Disabilities Act             | HVAC  | Heating, ventilation, and air conditioning      |
| ADT                  | Average daily trips                         | LED   | Light emitting diode                            |
| ADU                  | Accessory dwelling unit                     | MHC   | Manufactured home community                     |
| AIM                  | Assembly informational memorandum           | MS4   | Municipal separate storm sewer system           |
| AMC                  | Anchorage municipal code                    | NESC  | National Electrical Safety Code                 |
| AMCR                 | Anchorage municipal code of regulations     | NFPA  | National Fire Protection Act                    |
| AO                   | Assembly ordinance                          | NPDES | National Pollutant Discharge Elimination System |
| AR                   | Assembly resolution                         | OS&HP | Official Streets and Highways Plan              |
| AS                   | Alaska statute                              | OV    | Overlay district                                |
| ATV                  | All terrain vehicle                         | PB    | Platting board                                  |
| BLM                  | Bureau of land management                   | PCC   | Portland cement concrete                        |
| BOA                  | Board of adjustment                         | PUD   | Planned unit development                        |
| CATV                 | Community access television (cable TV)      | PZC   | Planning and zoning commission                  |
| CCRC                 | Community correctional residential center   | RAP   | Recycled asphaltic pavement                     |
| CFR                  | Code of federal regulations                 | RFP   | Request for proposals                           |
| CMU                  | Concrete masonry unit                       | ROW   | Right-of-way                                    |
| CRI                  | Color rendering index                       | RV    | Recreational vehicle                            |
| dBA                  | Decibel adjusted                            | sf    | Square feet                                     |
| DBH                  | Diameter at breast height                   | SL    | Special limitation                              |
| du                   | Dwelling unit                               | TDU   | Thermal desorption unit                         |
| EPA                  | Environmental Protection Agency             | TIA   | Traffic impact analysis                         |
| FAR (in 21.04.080C.) | Federal aviation regulations                | UDC   | Urban design commission                         |
| FAR                  | Floor area ratio                            | USC   | United States code                              |
| FEMA                 | Federal Emergency Management Administration | WECS  | Wind energy conversion system                   |

# EXHIBIT A

## Chapter 21.14: Rules of Construction and Definitions Sec. 21.14.040 Definitions

|      |                                |      |                                       |
|------|--------------------------------|------|---------------------------------------|
| GAAB | Greater Anchorage area borough | ZBEA | Zoning board of examiners and appeals |
| gfa  | Gross floor area               |      |                                       |

### 21.14.040 DEFINITIONS

When used in this title, the following words and terms shall have the meaning set forth in this section, unless other provisions of this title specifically indicate otherwise.

#### **Abutting**

Touching or bordering. (See illustration under “adjacent”)

#### **Abutting Lots**

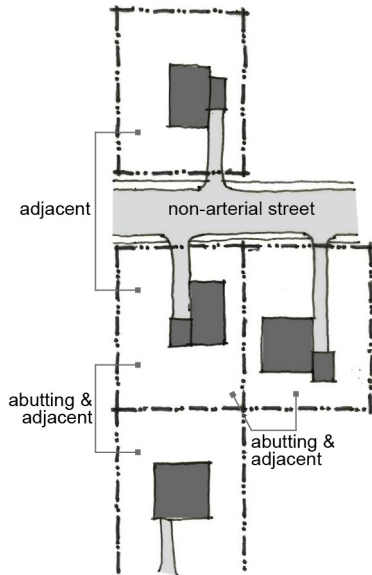
Two lots abut when they share a common lot line.

#### **Access**

A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

#### **Adjacent**

Abutting or across an alley, a street (public or private, local and collector classification on the *Official Streets and Highways Plan*), or pedestrian right-of-way.



#### **Adjacent Lots**

Two lots are adjacent where they have a common lot line (abutting) or where they are separated only by an alley or a local or private street or pedestrian right-of-way.

#### **Affordable Housing**

See **Housing, Affordable**.

#### **Airport Elevation**

The highest point of an airport's usable landing area, measured in feet above mean sea level.

# EXHIBIT A

1 **Aisle, Circulation**

2 A private travel way within a parking facility, providing motor vehicle access to parking bays.

3 **Aisle, Parking**

4 A circulation aisle that abuts parking spaces, providing automobile access and permitting maneuvering of  
5 automobiles entering and leaving such spaces.

6 **Alley**

7 A permanent service right-of-way providing a secondary means of access to abutting properties.

8 **AMC**

9 Anchorage Municipal Code.

10 **Amortization**

11 A process where a nonconformity is required to be brought into compliance with the requirements of this  
12 title after a specified period of time. Amortization allows the owner of a legal nonconformity to recoup the  
13 value of the nonconformity within the particular time period. After that time, the municipality may require  
14 the owner to come into compliance without the payment of compensation.

15 **Antenna or Antenna Array**

16 Any exterior transmitting or receiving device mounted on a tower, building, or structure and used in  
17 communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio  
18 frequencies (excluding radar signals), amplitude modulation arrays, wireless telecommunications signals,  
19 or other communications signals.

20 **Approach, Transitional, Horizontal, and Conical**

21 Surfaces or zones that are airspace zones defined as set forth in FAR part 77, subpart C, paragraph  
22 77.25.

23 **Appurtenance**

24 The visible, functional, or ornamental objects accessory to, and part of, building or structures.

25 **Architectural Feature** (as used in chapter 21.11, *Signs*)

26 Any construction attendant to, but not an integral part of the sign, which may consist of landscape,  
27 building, or structural forms that enhance the site in general; also, graphic stripes and other architectural  
28 painting techniques applied to a structure that serves a functional purpose, or when the stripes or other  
29 painting techniques are applied to a building provided such treatment does not include lettering, logos or  
30 pictures.

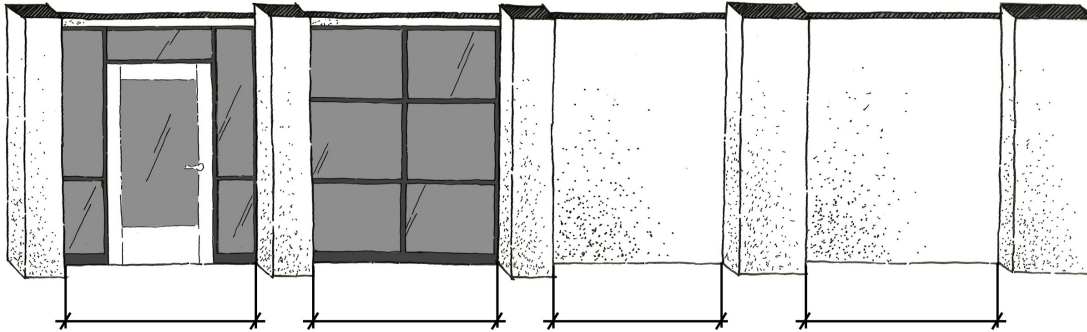
31 **Architectural Feature**

32 A part, portion, or projection that contributes to the aesthetic quality of a building or structure, exclusive of  
33 signs, that is not necessary for the structural integrity of the building structure or to make the building or  
34 structure habitable.

# EXHIBIT A

## Architectural Bay

A spatial division of a wall, roof, or other part of a building. It is usually repeated at intervals as part of a series, and is defined as the zone or wall plane between the outside edges of engaged columns, pilasters, posts, or projecting vertical wall areas. In an exterior building façade, a bay is often simply an opening in a wall, usually occupied by windows or a doorway.



four architectural bays

## Area, Building

The total of areas taken on a horizontal plane in plan view of the principal building and all accessory buildings or structures exclusive of exterior steps.

## Area Lighting

Lighting located on public or private property that is designed to light outdoor spaces. Area lighting does not include façade or landscape lighting.

## Assembly

The assembly of the municipality.

## Attendant Parking (also Valet Parking)

A parking facility that relies on attendants (or valets) to park and retrieve vehicles rather than on drivers to park and retrieve their own vehicles.

## Average

The arithmetic mean.

## Average Slope

Average slope is calculated by the following formula:

$$S = (I \times L \times 0.0023) / A$$

Where:

S = Average slope of lot or tract in percent.

I = Contour interval (20 feet or less).

L = Sum of the length of all contours on lot or tract in feet.

A = Area of the lot or tract in acres.

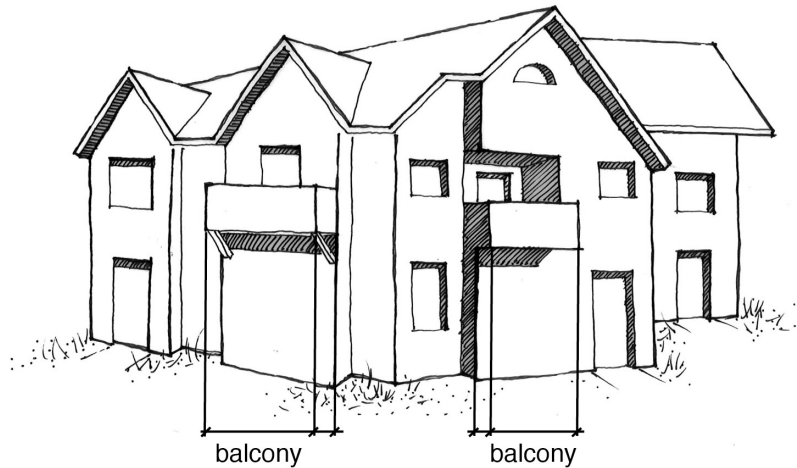
# EXHIBIT A

**Backlight**

For an exterior luminaire, flux radiated in the quarter-sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as frontlight.

**Balcony**

An elevated platform projecting from the wall of a building, enclosed by a railing or parapet, and supported entirely by the building without support on the ground by posts, columns, or similar structural members. For the purposes of this title, common access passageways are not balconies.



**Base Flood (100-Year)**

The flood having a one percent chance of being equaled or exceeded in any given year.

**Basement**

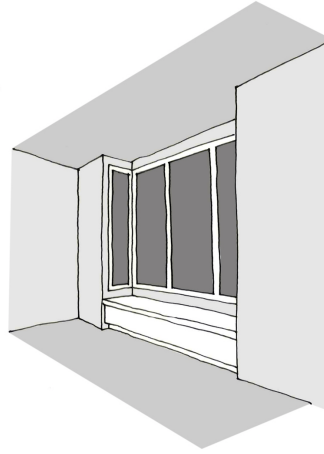
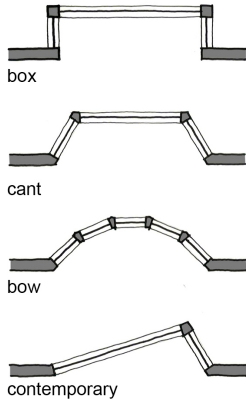
See **Story Below Grade Plane**

# EXHIBIT A

## Bay Window

A window or series of windows projecting outward from the wall plane of a building and forming a habitable space such as a bay or alcove in a room within.

Types of Bay Windows



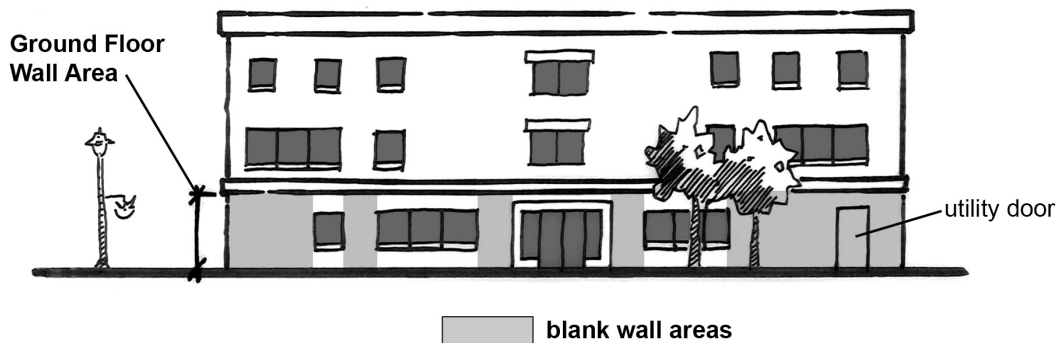
Box bay window forming an alcove in a room.  
A seat may be built into the window recess.

## Billboard

A sign structure advertising an establishment, merchandise, event, service or entertainment that is not sold, produced, manufactured or furnished at the property on which the sign is located. Any other outdoor advertising prohibited by the provisions of Alaska statutes sections 19.25.075 – 19.25.180 shall also be considered billboards.

## Blank Wall

A section of the ground-floor building wall, as measured horizontally across the building elevation, without windows or primary entrances. [ANY PORTION OF A WALL THAT IS NOT A WINDOW OR A PRIMARY ENTRANCE.]



## Block

A block is defined by an area of land bounded by streets, or a combination of streets, railroad utility corridor, shorelines of waterways, or municipal boundary lines.

## Block Length

The distance between intersections of through streets, such distance being measured along the longest street bounding the block and from right-of-way line to right-of-way line of the two intersecting streets.



# EXHIBIT A

1 **Brightness**

2 The human perception of luminance. See **Luminance** and **Candela**

3 **Buffer, Perimeter**

4 A unit of land and any plants and structures (i.e., walls, fences) thereon that is used to separate land uses  
5 from each other.

6 **BUG**

7 A luminaire classification system that evaluates backlight (B), uplight (U), and glare (G).

8 **Building**

9 Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any  
10 kind.

11 **Building, Accessory**

12 A building that is on the same lot as, and of a nature customarily incidental and subordinate to, a principal  
13 building or structure, and the use of which is clearly incidental and subordinate to that of the principal  
14 building or structure.

15 **Building Code**

16 The building code which is adopted in the AMC title 23.

17 **Building Envelope**

18 The three-dimensional space within which a structure is permitted to be built on a lot and which is defined  
19 by regulations governing setbacks, maximum height and bulk; by other regulations; or any combination  
20 thereof.

21  
22 **Building Interface Zone**

23 The space located between the pedestrian movement zone of an enhanced sidewalk and the street-  
24 facing building façade. The building interface zone protects pedestrians walking on the sidewalk from  
25 opening doors and objects protruding from buildings. It can accommodate window shopping and building

# EXHIBIT A

1 egress and ingress. It may also provide space for features along the building wall such as seating,  
2 foundation landscaping, or residential front stoops.

3  
4 *Enhanced Sidewalk in a Commercial Setting (left) and a Residential Setting (right)*  
5

6 **Building, Principal**

7 A structure in which is conducted the main use of the lot on which the structure is situated.

8 **Building Permit**

9 See **Permit, Building**

10 **Building Wall** (as used in chapter 21.11, *Signs*)

11 Any vertical surface of a building or structure (other than a pitched roof) that is integral to and could  
12 reasonably be constructed as part of the architecture of the building when a sign(s) is not being  
13 contemplated. Examples of building walls include but are not limited to: awnings, canopies, marquees,  
14 the vertical portion of gable roofs, parapets, mechanical penthouses, etc.

15 **Business**

16 An enterprise that for consideration will provide for the sale or the rental of any article, substance, or  
17 commodity, including but not limited to business services and personal services.

18 **Caliper**

19 The diameter of a tree trunk measured at six inches above the ground, unless this dimension exceeds  
20 four inches; then the diameter is measured at four and one-half feet above the ground.

21 **Camper**

22 A portable structure mounted on a truck or truck chassis or a converted hearse, bus, station wagon or  
23 panel truck designed for use as a temporary travel dwelling.

24 **Candela**

25 A unit measuring luminous intensity of a lighting source. An ordinary candle has a luminous intensity of  
26 one candela. See **Luminance**

27 **Canopy**

28 A fixed and permanent roof-like structure; either an architectural element projecting out from the wall of a  
29 building or a freestanding cover that shelters an outdoor area from precipitation or wind.

# EXHIBIT A

**CATV**

A utility that operates non-broadcast facilities that distribute to subscribers the signals of one or more television broadcast stations.

**Certificate to Plat**

A certificate prepared by a title company authorized by the laws of the state to write the title, showing the names of all persons having any record title interest in the land to be platted, together with the nature of their respective interests therein.

**Certificate of Occupancy**

A certificate of zoning compliance issued by the municipality allowing the occupancy or use of a building in the building safety service area, and certifying that the structure or use has been constructed and will be used in compliance with all applicable municipal codes and ordinances.

**Certificate of On-Site Systems Approval**

A written confirmation signed by an engineer and the development services department certifying that the on-site sewer and water system serving a single-family dwelling is functional and complies with all state and local regulations and codes.

**Certificate of Zoning Compliance**

A document issued by the municipality indicating that a structure or use meets the applicable zoning requirements at the time of issuance. A certificate of occupancy is considered a certificate of zoning compliance.

**Certificate of Zoning Compliance, Conditional**

A temporary certificate of zoning compliance, issued before the completion of the entire work covered by the land use permit, providing that the building or portions of the building may be occupied safely.

**Certified Lighting Professional**

A professional who is Lighting Certified (LC) by the National Council on Qualifications for the Lighting Professions.

**Change of Use**

A change of use occurs when the type of use is not the same as the immediate prior use type, as determined by table 21.05-1, *Table of Allowed Uses*, [OR] table 21.05-3, *Table of Accessory Uses*, table 21.09-1, *Table of Allowed Uses (Girdwood)*, table 21.09-2, *Table of Accessory Uses (Girdwood)*, table 21.10-4, *Table of Allowed Uses (Chugiak-Eagle River)*, or table 21.10-5, *Table of Accessory Uses (Chugiak-Eagle River)*.

**Characteristic of Use**

Improvements or amenities required by this title in relation to specified uses of land, water areas, structures, or premises such as parking, lighting, landscaping, or other such features.

**Civil Penalty**

A fine levied by the municipality for a violation of this title.

**Class A Districts**

A group of zoning districts where more dense population and/or intensive development exists or is allowed, requiring a more urbanized level of improvements. See subsection 21.08.050B.

**Class B Districts**

A group of zoning districts that are less densely populated and/or intensively developed, requiring a less urbanized level of improvements. See subsection 21.08.050B.

**Clear Width, Walkway**

See **Walkway Clear Width**

# EXHIBIT A

## **Clearing**

The removal of woody plants over six inches above the ground using any method that does not disturb the vegetative mat.

## **Collocation**

The location of antennae on existing structures, including but not limited to towers occupied by another provider, buildings, water towers, utility substations, utility poles, and church steeples.

## **Color Rendering Index (of a light source) (CRI)**

A measure of the degree of color shift that objects undergo when illuminated by the light source as compared with those same objects when illuminated by a reference source of comparable color temperature.

## **Commercial**

An enterprise involved in the production, processing, or merchandising of a commodity for, usually but not necessarily, a profit. Generally, wholesale, retail trade, and services are considered commercial.

## **Community Council**

Established as part of Anchorage municipal government in Anchorage Charter Article VIII to 'afford citizens the opportunity for maximum community involvement and self determination', community councils are nonprofit, voluntary, self-governing associations composed of residents, property owners, business owners, and representatives from nonprofit associations and other entities located within geographical areas designated as districts by the assembly.

## **Compatible (or Compatibility)**

The characteristics of different uses, activities, or designs which allow them to be located near or next to each other in harmony. Some elements affecting compatibility include the height, scale, mass, bulk, and setbacks of structures. Other characteristics include traffic, parking, access and circulation, landscaping and buffering, drainage and storm water runoff, exterior lighting, dust, noise, hours of operation, and demand on public facilities and services. Compatible does not necessarily mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of the surrounding context and avoiding adverse impacts on neighboring uses.

## **Comprehensive Plan**

The adopted official statement(s) of the municipal assembly that sets forth (in words, maps, illustrations, and/or tables) a collection of goals, objectives, policies, and strategies to guide the physical, social, and economic development of the municipality, including the provision of its public infrastructure and services. The comprehensive plan is comprised of a series of distinct plans adopted by the assembly as comprehensive plan elements, each of which address specific geographic management areas or specific functional aspects of community planning. When practically applied to decision-making, the term is intended to mean those comprehensive plan elements that are applicable and pertinent to the decision at hand, in terms of specific geographic area and/or functional topic.

## **Comprehensive Plan Amendment, Cosmetic**

An amendment that affects the appearance, style, wording, or presentation of the comprehensive plan, but does not alter its meaning, interpretation, or recommendations. Examples of cosmetic amendments include, but are not limited to: revising map or document style, format, or layout to enhance clarity; revising map or text content to accurately reflect additions to municipal facilities or revisions to adjoining jurisdictions' adopted plans; adding explanatory text or labels; and correcting spelling or grammar.

## **Comprehensive Plan Amendment, Substantive**

An amendment that affects the intent of the comprehensive plan. Examples of substantive amendments include, but are not limited to: revising text to address a new policy direction or the addition of a new zoning district.

# EXHIBIT A

## Comprehensive Plan Map

An element of the Anchorage Comprehensive Plan, comprised of one or more land use plan maps, residential intensity maps, and other maps, as well as supporting text and tables. The comprehensive plan map provides a geographically explicit statement of the adopted plan's policies for future land use and growth. It designates the ultimate future location, density, and general character of land uses in the community. It also serves as a guide for the official zoning map.

## Construction

On-site fabrication, installation, alteration, erection, or placement of materials in a permanent fashion for an improvement.

## CRI

See **Color Rendering Index**

## Cupola

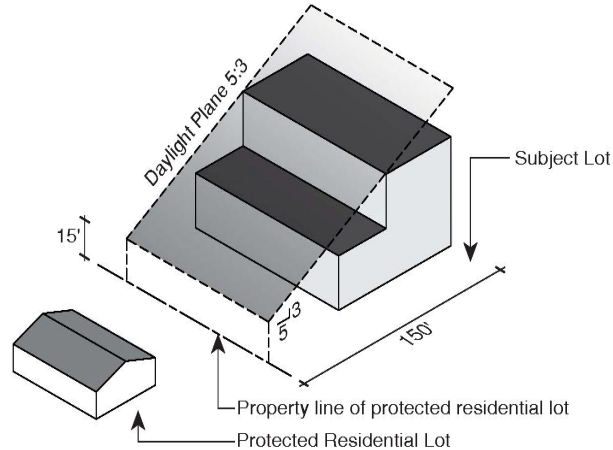
A small roof tower, usually rising from the roof ridge.

## Date of Service

The date that the secretary mails or otherwise distributes the summary of action or approved resolution to the applicant.

## Daylight Plane

A virtual sloping plane that begins at a specified height and rises inward over a site at a specified ratio of vertical distance to horizontal distance. It is designed to provide light, air and openness to the sky at ground floor level.



## Decision-Making Body

The person, board, or commission with the authority to approve, modify, or deny an entitlement application, as stated in section 21.02.020 and elsewhere in this title.

## Deck

A platform, either freestanding or attached to a building, and supported on the ground by pillars, posts, columns, or similar structural members.

## Dedication

The devotion of land or an interest in land by the owner to a public use, which is accepted and used presently or in the future for such public purpose.

# EXHIBIT A

**Defined Bank**

The usual boundaries, not the flood boundaries, of a stream channel.

**Density, Gross**

The total number of dwelling units per acre within any defined geographic area.

**Density, Net**

The total number of dwelling units per acre on a particular tract or parcel of land, not taking into account portions of the tract or parcel that contain rights-of-way for streets, water bodies, wetlands, or other areas restricted from development.

**Department**

Unless otherwise indicated in the text of this code, the **community development** **[PLANNING]** department (or successor organization) of the municipality.

**Developer**

That person or entity improving or developing land, who may or may not be the owner of the property.

**Development**

The initiation, construction, change, or enlargement of any use or structure, the disturbance of land, or the division of land into two or more parcels. "Development" shall include, but not be limited to, the following:

- Construction or enlargement of a building or structure;
- Change in the type of use of a building, structure, or land;
- Material increase in the intensity of use of land, such as an increase in the number of businesses, offices, manufacturing establishments, or dwelling units located in a building or structure or on the land;
- Commencement or expansion of resource extraction, agricultural, horticultural, or forestry activities on a parcel of land;
- Demolition of a structure or the clearing of vegetation from a parcel of land;
- Deposition of refuse, solid or liquid waste, or fill on a parcel of land;
- Alteration of the shore, bank, or channel of any stream, lake, or other body of water or alteration of any wetland; and
- Any land-disturbing activity that adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

**Director**

Unless otherwise indicated in the text of this code, the director of the **community development** **[PLANNING]** department or designee.

**Double-Frontage Lot**

See **Lot, Double-Frontage**

**Drainageway**

A watercourse that does, or under developed conditions is likely to, convey storm water flows for short durations. Drainageways include constructed channels and conduits (including storm drain pipes), ephemeral channels, and non-channelized drainage paths along topographic flow lines whether constructed or natural, vegetated, or non vegetated.

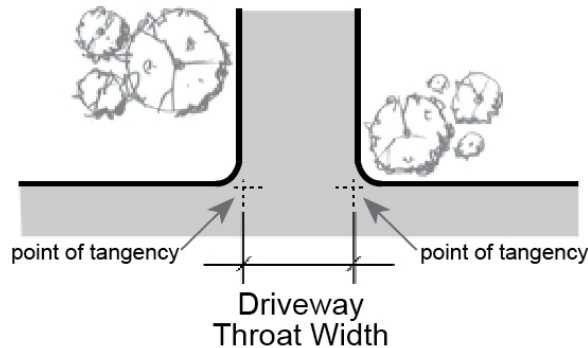
# EXHIBIT A

## Driveway

A private travel way providing motor vehicle access from a parking space or parking facility to a street. A driveway is not a street. It does not provide primary frontage or address for buildings, nor is it primarily designed for non-motorized pedestrian access.

## Driveway Throat Width

The width of a driveway at the property line or street curb, measured from face of curb to face of curb (or, where there are no curbs, between the edges of the driveway travel way surface), at the point of tangency. The measurement does not include any medians contained in the driveway. For driveways with a curb return design at the opening of the street curb, the measurement does not include additional width at the driveway opening created by the curb return radii.



## Dwelling or Dwelling Unit

A building or portion thereof designed or used exclusively as the separate residence for one household and providing independent and complete living facilities, generally including provisions for sleeping, eating, cooking, and sanitation.

## Easement

A non-possessory interest in land owned by another that entitles the easement holder to a specified limited use or enjoyment.

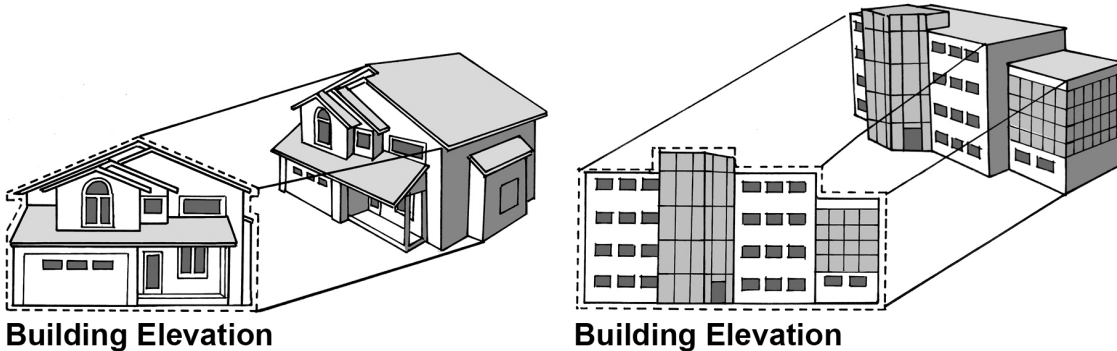
## Efficiency Dwelling

A dwelling unit that has only one combined living and sleeping room. The dwelling may have a separate room containing only kitchen facilities, and a separate room containing only sanitary facilities.

# EXHIBIT A

## **Elevation, Building**

A scale drawing of one side or view angle of a building, such as the front, rear, or side.



## **Encroachment**

The projection or intrusion of a building, structure, or other land-disturbing activity into an area where such projections or intrusions are typically prohibited.

## **Entitlement**

Any permit or approval granted under this title, including, but not limited to zoning map amendments, conditional use permits, preliminary or final plat approval, site plan approval, and variances. For purposes of administering and enforcing this title, the term also includes building and land use permits.

## **Entrance, Primary**

A principal entry through which people, including customers, residents, or members of the public enter a building. For any commercial or community establishment which serves the visiting public, a primary entrance is open to the public during all regular business hours and directly accesses lobby, reception, retail, or other interior areas designed to receive the public. Fire exits, service doors, vehicle entrances, doors leading directly into a garage or storage space accessory to the use, and employee entrances are not primary entrances. A building or establishment may have more than one primary entrance.

## **Ephemeral Channel**

A natural drainageway that is channelized over part or all of its length and conveys surface water flows for short durations only. Ephemeral channels are transitional to streams but lack the overall geomorphic, hydrologic, and biologic characteristics commonly associated with stream features. Prolonged flow may occur along very short and isolated segments of an ephemeral channel.

## **Erosion**

The wearing away of land surface by the action of wind, water, gravity, or any combination thereof.

## **Erosion Control**

A measure, structure, or device that controls the soil material within the land area under responsible control of the person conducting a land-disturbing activity.

## **Existing Vegetation**

Vegetation that predates a development application by at least two years.

## **Extent Reasonably Feasible**

Feasible in light of overall project purposes after considering cost, existing technology, and logistics of compliance with the standard. Under the circumstances, reasonable efforts have been undertaken to comply with the regulation; the costs of full compliance clearly outweigh the potential benefits to the public and would unreasonably burden the proposed project based on the percentage of total project costs; and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from noncompliance with the regulation.



# EXHIBIT A

**[FAÇADE, BUILDING**

**A VERTICAL WALL PLANE OF A BUILDING.]**

**Family**

One or more persons occupying premises and living as a single housekeeping unit, as distinguished from a group occupying a roominghouse, club, fraternity house, or hotel.

**FAR**

See **Floor Area Ratio**

**Feature, Architectural**

See **Architectural Feature**

**Fence**

A constructed barrier which is erected to enclose, screen, buffer, enhance, or separate areas.

**Fence, Open**

A fence constructed with openings between materials used in its construction, such that 75 percent or more of a visual image or light source may be seen through the fence.

**Fence, Ornamental**

A fence that utilizes wood, metal, or other permanent materials and is primarily designed for its beauty, or for decorative purposes, although it may also serve other purposes, such as a screening structure. Ornamental fences do not include chain link fences.

**Fence, Screening (Opaque)**

A fence, including any gates, constructed of solid material, typically consisting of wood, through which no visual images or light sources may be seen.

**Fence, Semi-Open**

A fence constructed with openings between materials used in its construction, such that less than 75 percent of a visual image or light source may be seen through the fence.

**Fence, Sight Obscuring**

A fence constructed such that less than 25 percent of a visual image or light source may be seen through the fence. Openings in such fence shall not exceed 25 percent in any one square foot of vertical surface area that is more than eight inches above grade.

**Final Acceptance**

Acceptance by the municipality, at the successful completion of the warranty period, of a public improvement, constructed under terms of a subdivision agreement or development agreement.

**Flag**

Any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision, corporate or commercial entity, or institution. A corporate or commercial, or institutional flag may only display the name, trademark, or logo of the business or institution on the parcel and such flag may not be used for other business or advertising purposes.

**Flag Lot**

See **Lot, Flag**

**Fleet Vehicle**

A group of vehicles owned or operated as a unit, used for operation of an establishment, and often parked and/or maintained on the premises. Examples include tow trucks, taxis, buses, limousines, commercial trucks or vans, and police and fire vehicles.

# EXHIBIT A

## **Flood and Flooding**

A general and temporary condition of partial or complete inundation of normally dry land areas from:

- The overflow of inland or tidal waters.
- The unusual or rapid accumulation or runoff of surface waters from any source.
- Mudslides that are proximately caused or precipitated by accumulations of water on or under the ground.
- The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tide surge, or by some similarly unusual or unforeseeable event which results in flooding as defined in this subsection.

## **Flood Insurance Rate Map (FIRM)**

The official map on which the Federal Insurance Administration has delineated both areas of special flood hazards and the risk premium zones applicable to the community.

## **Flood Insurance Study**

The official report provided by the Federal Insurance Administration that includes flood profiles, the flood boundary/floodway map, and the water surface elevation of the base flood.

## **Flood Hazard Area**

Land adjacent to a watercourse that includes the streambed, floodway, flood fringe, and the floodplain.

## **Floodplain**

That area of land adjoining the channel of a river, stream or other similar body of water which may be inundated by a flood that can reasonably be expected to occur. The floodplain [SHALL] includes all the land within the limits of the 100-year flood[,] and the floodway within it if such floodway is delineated.

## **Floodproofing**

Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

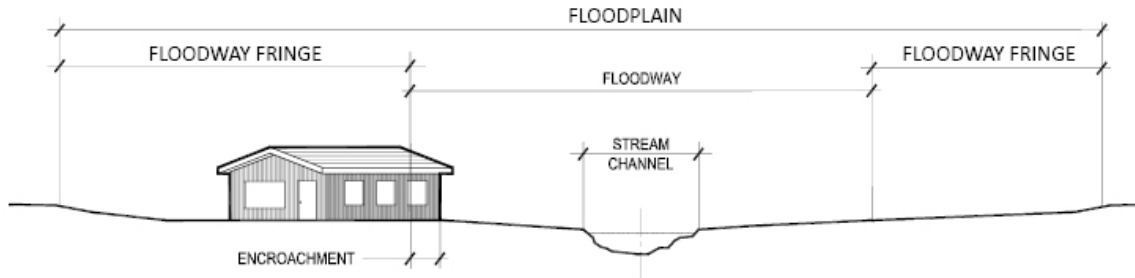
## **Floodway, Regulatory**

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. The boundaries of this area shall be established on the basis of the maps and reports adopted by subsection 21.07.020E., *Flood Hazard Area Regulations* [21.04.070E., *FLOOD HAZARD OVERLAY DISTRICT*].

# EXHIBIT A

## Floodway Fringe

That area of land lying between the outer limit of the regulatory floodway and the outer limit of the base flood elevation. The boundaries of this area shall be established on the basis of the maps and reports adopted by subsection 21.07.020E., Flood Hazard Area Regulations [21.04.070E., FLOOD HAZARD OVERLAY DISTRICT].



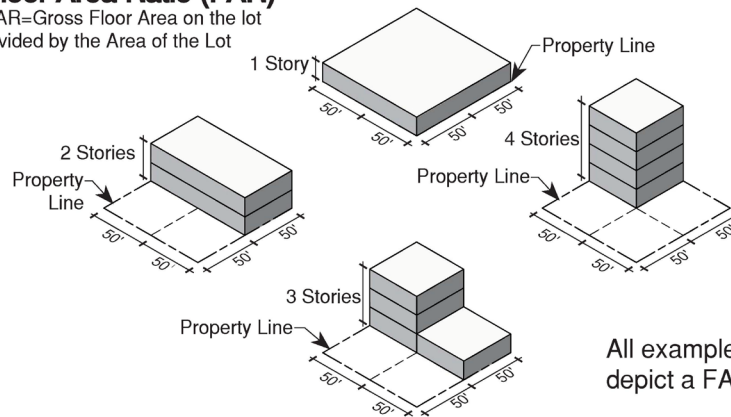
FLOOD PLAIN CROSS SECTION

## Floor Area Ratio (FAR)

The ratio of the total gross floor area of all building(s) on a lot, to the area of the lot. Floor area ratio is calculated by dividing the total gross floor area of all buildings on a lot by the area of the lot. For example, a floor area ratio of 1.0 yields 12,000 square feet of building gross floor area on a lot with an area of 12,000 square feet. A floor area ratio of 2.0 on the same lot would yield 24,000 square feet of building gross floor area.

### Floor Area Ratio (FAR)

FAR=Gross Floor Area on the lot  
divided by the Area of the Lot



All example figures  
depict a FAR of 1.0.

## Floor Plate

The total indoor and outdoor horizontal floor area of any given story of a building, measured to the exterior of the wall, terrace, or balcony, and including the horizontal area of any open air interior space such as a multistory atrium that is open to the floor(s) below.

## Footcandle

A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot and originally defined with reference to a standardized candle burning at one foot from a given surface.

## Fragment Lot

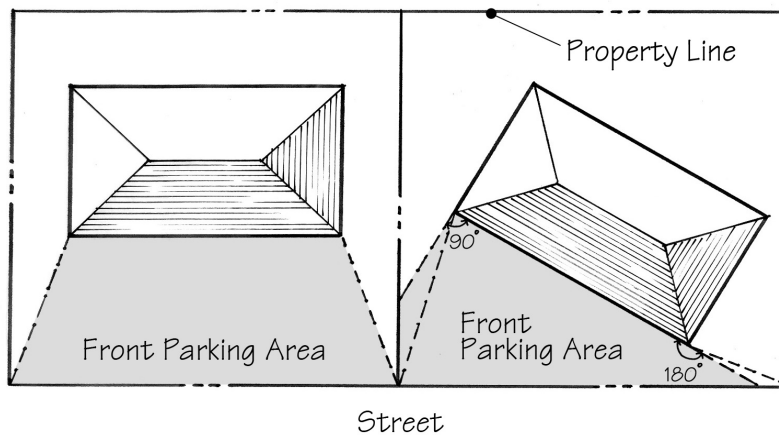
A division of a commercial tract for purposes of facilitating construction or financing of a commercial development requiring multiple phases of construction. The term "fragment lot" does not include

# EXHIBIT A

properties outside of the boundaries of an approved commercial tract. Fragment lots may be described in metes and bounds descriptions.

## Front Parking Area [LOT]

The portion of a site's parking lot that is between the façade of the principal building and an abutting street. The front parking area [LOT] shall be determined by drawing a line from the front corners of the building to the nearest property corners. If any such line, when connected to the plane of the front façade of the building, creates an angle that is greater than 180 degrees, then the line shall be adjusted to create an angle of 180 degrees. If any such line, when connected to the plane of the front façade of the building, creates an angle that is less than 90 degrees, then the line shall be adjusted to create an angle of 90 degrees when connected to the plane of the front façade of the building. The front parking area [LOT] includes all parking spaces that fall at least halfway into the boundaries of the front parking area [LOT], and all parking spaces associated with any pad sites located within the front parking lot boundaries.



## Frontage

The edge of something, usually a lot, building, or parking lot, that abuts a street. Also see **Frontage, Lot**.

## Frontage, Lot

All property abutting a street or road easement, measured as the uninterrupted length of the lot line along the right-of-way between the side lot lines of a lot. The measurement of lot frontage in the case of a corner lot shall extend to the point of intersection of the front lot lines abutting the rights-of-way. In no case shall the line along an alley be considered as frontage.

## Frontage Road

A street adjacent to an arterial or higher order street that is intended to serve lots adjacent to the arterial.

## Frontage, Street

See **Frontage, Lot**

## Full Cutoff

See **Luminaire, Full Cutoff**

## Full Membership

The total number of seats on a board or commission.

## Glare

Lighting that causes visual discomfort or reduced visibility.

# EXHIBIT A

- 1 **Grade**  
2 The elevation of the surface of the ground, paving, or sidewalk around a building or structure.
- 3 **Grade, Existing**  
4 The elevation of the surface of the ground or paving around a building or structure, prior to land-disturbing  
5 activity or grading.
- 6 **Grade, Finished**  
7 The final elevation of the surface of the ground or paving around a building or structure, after grading or  
8 completion of a development.
- 9 **Grade Plane**  
10 The reference plane representing the average grade around a structure, as measured in subsection  
11 21.06.030D., which is used to determine the height of the structure.
- 12 **Grading**  
13 Any stripping, cutting, excavation, filling, or stockpiling of earth or land, including the land in its cut or filled  
14 conditions, to create a new grade.
- 15 **Grid**  
16 The 100-scale grid designation as established by the municipality.
- 17 **Gross Floor Area**  
18 The total horizontal area of all of the floors of a building, measured to the exterior of the wall, including  
19 mezzanines, stairwells, hallways, elevator shafts, and ventilation shafts, etc.
- 20 **Ground Cover**  
21 Grasses or other low-growing plants and landscaping.
- 22 **Ground Floor**  
23 That portion of a building that is the first story above grade plane.
- 24 **Ground Floor Wall Area**  
25 Exterior wall areas up to the ceiling height of the first floor, or 10 feet above finished grade, whichever is  
26 less.
- 27 **Grubbing**  
28 Removal, by any method, of stumps, roots, and vegetative matter from the ground surface, exposing bare  
29 soil.
- 30 **Guest**  
31 Any person hiring or occupying a room for living or sleeping purposes.
- 32 **Guest Parking Space**  
33 See **Parking Space, Guest**
- 34 **Guestroom**  
35 A room intended or designed to be used for sleeping purposes.
- 36 **Habitable Floor Area**  
37 In the case of residential uses, habitable floor area means floor area designed and used for living,  
38 sleeping, eating or cooking, or combinations thereof. Bathrooms, closets, storage rooms, unfinished  
39 attics, utility spaces and similar areas are not considered habitable floor area. In the case of non-  
40 residential uses, habitable floor area means building space, such as office, industrial or retail floor space,  
41 which use involves human presence, excluding parking garages, storage facilities, utility rooms,  
42 bathrooms, or display windows separated from retail activity.

# EXHIBIT A

## 1 **Hard Surfaced**

2 Covered with a material that provides a flat and stable surface. Concrete, asphalt, brick pavers, large  
3 stone pavers, and wood pavers are examples of hard surfacing. Gravel, river rock, mulch, and bare dirt  
4 are not hard surfacing.

## 5 **Hardscape**

6 For the purposes of the exterior lighting section in 21.07.100, paved areas of a site, including but not  
7 limited to parking lots, driveways, plazas, sidewalks, steps, and similar construction.

## 8 **Hardscape Area**

9 For the purposes of the exterior lighting section in 21.07.100, area in square feet of all hardscape  
10 including any medians, walkways, and landscape areas 10 feet or less in width within the hardscape  
11 area, which is used to calculate allowed lumens for the complete site method.

## 12 **Hardscape Perimeter**

13 For the purposes of the exterior lighting section in 21.07.100, perimeter in linear feet of all site hardscape  
14 plus perimeter of landscape areas, buildings, and structures that are greater than 10 feet in width, which  
15 is used to calculate allowed lumens for the complete site method.

16 **Height** (as used in subsection 21.06.030D.9., *Airport Height Regulations* [SECTION 21.04.070C.,  
17 *AIRPORT HEIGHT OVERLAY DISTRICT*])

18 For the purpose of the airport height map, the distance above mean sea level, unless otherwise specified.

## 19 **Height**

20 When viewed from the front of an object or a three-dimensional space, the measurement of the vertical  
21 distance from a horizontal plane to another horizontal plane.

## 22 **Height, Building**

23 The height of a building as measured in subsection 21.06.030D.

## 24 **High Rise**

25 A building or portion of a building that exceeds 75 feet in building height.

## 26 **Household**

27 A domestic unit consisting of a person or group of people who share living arrangements. Members of a  
28 household have common access to, and common use of, all living areas and all facilities within the  
29 dwelling unit. A household occupies a single dwelling unit, so that its members live and eat separately  
30 from any other persons in the building, and have access to the outside of the building either directly or  
31 through a common hall.

## 32 **Housing, Affordable**

33 Housing that has a sales price or rental amount that is within the means of a household with a low or  
34 moderate income as defined by federal code. In the case of dwelling units for rent, affordable housing  
35 means housing for which the rent and utilities constitute no more than 30 percent of the gross annual  
36 income of households earning less than 80 percent of the median annual income adjusted for household  
37 size, as determined by the Federal Department of Housing and Urban Development. In the case of  
38 dwelling units for sale, affordable housing means housing for which principal, interest, taxes, insurance,  
39 homeowners association fees, and assessments are no more than 30 percent of the gross annual income  
40 of households earning less than 80 percent of the median annual income, adjusted for household size, as  
41 determined by the Federal Department of Housing and Urban Development.

## 42 **Housing, Senior**

43 Senior housing is defined as follows, or according to successor portions of the federal code of definitions  
44 as adopted by the community development [PLANNING] department. Housing that is (a) provided under  
45 any State or Federal program that the Federal Department of Housing and Urban Development  
46 determines is specifically designed and operated to assist elderly persons (as defined in the State or

# EXHIBIT A

Federal programs); or (b) intended for and solely occupied by persons 62 years of age or older; or (c) intended and operated for occupancy by persons 55 years of age or older and at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older. A housing facility or community meets the definition of category (c) only if it publishes and adheres to policies and procedures that demonstrate the intent of category (c), and complies with rules issued by the Federal Department of Housing and Urban Development for verification of occupancy (which shall provide for verification by reliable surveys and affidavits) and includes examples of the types of policies and procedures relevant to a determination of compliance with such rules issued by the Federal Department of Housing and Urban Development.

## IESNA

Illuminating Engineering Society of North America.

## Illuminance

The measure of light intensity striking a surface, measured in footcandles.

## Impervious (or Impermeable) Surface

A surface that permits insignificant or no infiltration of runoff water over the duration of a single rainfall or water runoff event; any surface with little or no capacity to transmit water.

## Improvement Areas

Portions of the municipality divided up into geographic areas for the purposes of determining public improvement requirements and providing public services.

## Improvements

Any construction incident to servicing or furnishing facilities for a subdivision, such as grading, street surfacing, curb and gutter, driveway approaches, sidewalks, crosswalks, water mains and lines, sanitary sewers, storm sewers, culverts, bridges, utilities, waterways, lakes, bays and other appropriate items with an appurtenant construction.

## Industrial

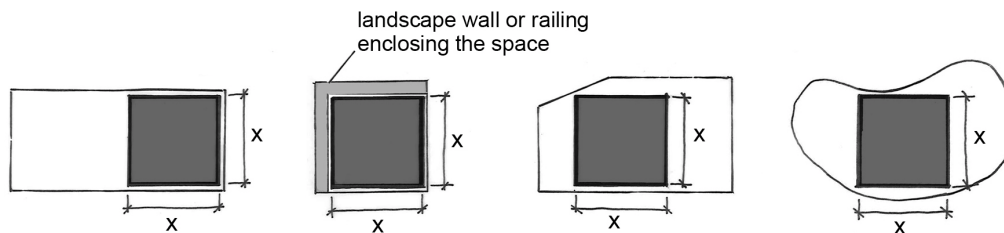
An activity which may involve manufacturing, processing, warehousing, storage, distribution, shipping, and/or other related or similar uses.

## Initial Lamp Lumens

Lumen rating of a lamp when the lamp is new and has not depreciated in light output (rated lamp lumens). Light loss factor equals 1.0.

## Inside Dimension

The minimum dimensions of an area or space such as a private open space or parking space, not including the width of walls, fences, railings, or other physical boundaries defining the perimeter of the area. For example, a private open space with a minimum inside dimension of 15 feet is such that a 15 by 15 foot square will fit entirely within it.



x = minimum inside dimension

# EXHIBIT A

**Joint Trench**

A trench excavated for the underground placement of utility distribution lines owned or operated by two or more utilities.

**Junk**

Any worn-out, wrecked, scrapped, partially or fully dismantled, discarded tangible material, or combination of materials or items, including junk vehicles as defined in AMC 15.20.010. Also included are machinery, metal, rags, rubber, paper, plastics, chemicals, and building materials which cannot, without further alteration and reconditioning, be used for their original purpose.

**LED**

See **Light Emitting Diode**

**Land-Disturbing Activity**

Any use of the land by any person for any activity that results in a change in the natural cover or topography and that may cause or contribute to sedimentation or other forms of environmental degradation.

**Landowner**

Any owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns, and agent or personal representative of the owner. The person shown on the records at the Anchorage recording district shall be presumed to be the person in control of the property.

**Landscaping**

Trees, shrubs, ground covers, and related improvements, including furniture and other facilities intended to enhance public activity spaces both within and outside the affected development. This definition shall include spaces of varying degrees of enclosure from interior spaces to transitional spaces and outdoor spaces.

**Large Domestic Animal**

Domestic or semi-domestic animals such as horses, ponies, miniature ponies, cows, pigs, llamas, musk oxen, and other similar animals of similar size, but not dogs (*canis familiaris*).

**Legal Access**

Having legal access means abutting a vehicular right-of-way.

**Legal Nonconforming Status**

A state or condition where a documented nonconforming use, structure, lot, or sign, is allowed to remain and be maintained pursuant to chapter 21.12, *Nonconformities*.

**Light Emitting Diode (LED)**

A semiconductor device that emits visible light when an electric current passes through it.

**Light Trespass**

Unwanted light that falls on neighboring properties or produces glare or distraction for observers away from the area for which the light is intended (also called “nuisance glare”).

**Loading Space, Off-Street**

A space located on premises for pickup and delivery at the premises.

**Lot**

A unit of land within a subdivision, bounded by streets and/or other lots, that is described and fixed on the most recent plat of record.

**Lot Area**

The amount of horizontal land area contained inside the lot lines of a lot or site.



# EXHIBIT A

**1 Lot Coverage**

2 That percentage of the total lot area covered by buildings, except as provided in subsection  
3 21.06.030B.2., *Structures Not Considered in Measuring Lot Coverage*.

**4 Lot, Corner**

5 A lot located at the intersection of two or more streets. A lot abutting on a curved street shall be  
6 considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost  
7 point of the lot meet at an interior angle of less than 135 degrees.

**8 Lot, Depth of**

9 The mean horizontal distance between the front and rear property lines of a lot, measured in the general  
10 direction of its side property lines between the midpoint of such lines, except that such measurement shall  
11 not extend outside the lot lines of the lot being measured.

**12 Lot, Double-Frontage**

13 A lot other than a corner lot with frontage on more than one street.

**14 Lot, Flag**

15 An irregularly shaped lot in which the buildable section typically has no street frontage, but has an arm  
16 that provides street access, called the "flag pole." The width of the arm does not meet the minimum lot  
17 width standards in the zoning district in which it is located.

**18 Lot Frontage**

19 See **Frontage, Lot**

**20 Lot, Interior**

21 A lot other than a corner lot, with frontage only on one street.

**22 Lot Line**

23 The fixed boundaries or property lines of a lot described by survey located on a plat filed for record.

**24 Lot Line, Front**

25 Any boundary line of a lot along the edge of a right-of-way of a dedicated street, private street or road  
26 easement that abuts that line.

**27 Lot Line, Rear**

28 That boundary of a lot that is most parallel to the front lot line and does not intersect the front lot line.

**29 Lot Line, Side**

30 That boundary of a lot that is neither a front or rear lot line.

**31 Lot Line, Street**

32 A lot line abutting a street.

**33 Lot, Nonconforming**

34 A lot that met all legal requirements when it was platted or otherwise recorded but that does not comply  
35 with the minimum lot area or minimum lot dimensions of this title, or a subsequent amendment hereto, for  
36 the zoning district in which it is located.

**37 Lot of Record**

38 A lot that is recorded by the district recorder's office.

**39 Lot, Townhouse**

40 A lot subdivided for a townhouse use.

# EXHIBIT A

## Chapter 21.14: Rules of Construction and Definitions

### Sec. 21.14.040 Definitions

#### **Lot Width**

The distance between straight lines connecting the front and rear lot lines at each side of the lot, measured between the midpoints of such lines, provided that such measurement shall extend to the side property lines and shall not extend beyond the lot lines of the lot being measured. Flag-shaped lot width shall be measured at the midpoint of the lot excluding the flagpole area of the lot.

#### **Lowest Floor**

The lowest floor of the lowest enclosed area, including basement or crawl space. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in any area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of section 21.04.070E.

#### **Lumen**

The unit of luminous flux (radiant energy): a measure of the amount of light emitted by a lamp. See also

#### **Illuminance**

#### **Luminaire**

A complete lighting unit consisting of one or more electric lamps, the lamp holder, reflector, lens, ballast, and/or other components and accessories.

#### **Luminaire, Full Cutoff**

A luminaire emitting a light distribution where zero candela intensity occurs at or above an angle of 90 degrees above nadir. Additionally, the candela per 1,000 lamp lumens does not numerically exceed 100 (10 percent) at a vertical angle of 80 degrees above nadir. This applies to all lateral angles around the luminaire.

#### **Luminance**

The luminous intensity (photometric brightness) of a light source or reflecting surface, measured in candelas per square meter.

#### **M.A.S.S.**

An abbreviation for the "*Municipality of Anchorage Standard Specifications*," which is a manual that identifies the approved common construction practices associated with subdivision development and public works projects.

#### **Maintenance Easement**

An easement on a lot or parcel permitting entry to that lot or parcel for the purpose of maintaining, repairing, or reconstructing a structure or other feature on the lot or parcel, or an abutting lot or parcel.

#### **Major Drainageway**

That portion of any drainageway, constructed or natural, that either does, or will under full development, carry a significant peak flow; all ephemeral channels are major drainageways; all constructed or natural drainageways with total contributing areas larger than 40 acres are major drainageways.

#### **Manual of Uniform Traffic Control Devices (MUTCD)**

The most current manual or successor document(s) addressing the design and use of traffic control devices, as published, amended and/or interpreted by the U.S. Department of Transportation.

#### **Manufactured Home**

A transportable, factory-built dwelling unit constructed after June 15, 1976, in conformance with the federal Manufactured Home Construction and Safety Standards, as evidenced by an affixed certification label in accordance with 24 CFR 3280.11.

# EXHIBIT A

**1 Manufactured Home Community**

2 A parcel, or contiguous parcels, of land which is used for occupancy by more than two mobile homes or  
3 manufactured homes.

**4 Maximum Extent Feasible**

5 That no feasible and prudent alternative exists, and all possible efforts to comply with the regulation or  
6 minimize potential harm or adverse impacts have been undertaken. "Feasible and prudent" means  
7 consistent with sound engineering practice and not causing environmental, social, or economic problems  
8 that outweigh the public benefit to be derived from compliance with the standard which is modified by the  
9 term "feasible and prudent."

**10 Mean Sea Level**

11 The average height of the sea for all states of the tide. Datum is Greater Anchorage Area Borough, Post  
12 Quake, U.S. Geodetic Survey of 1972.

**13 Mechanical Penthouse**

14 An enclosed structure above the roof of a building used exclusively for the shelter of mechanical  
15 equipment or shelter of vertical shaft openings in the roof.

**16 Minor Amendment**

17 An amendment to an approved permit or other form of approval granted under this title that involves a  
18 relatively small amount of change from the original approval. Specific rules for granting minor  
19 amendments are set forth in chapter 21.03, *Review and Approval Procedures*.

**20 Minor Modification**

21 A minor deviation from otherwise applicable standards of this title approved under section 21.03.120.

**22 Mixed-Use Development**

23 A single building containing two or more residential units and another classification of land use (office,  
24 retail, community use, etc.) or a single development of more than one building which includes at least two  
25 residential units and another use (office, retail, community use, etc.), where the uses of different  
26 classifications (office, retail, community use, etc.) are in a compact urban form, planned as a unified  
27 complementary whole, and functionally integrated to facilitate the use of shared vehicular and pedestrian  
28 access and parking lots.

**29 Modify Fuels**

30 Reduce the amount of non-fire-resistant vegetation or alter the type of vegetation to reduce the fire risk.

**31 Monument**

32 A permanent survey control point.

**33 Mounting Height**

34 The height of a luminaire above grade.

**35 Multimodal**

36 Having or involving more than one mode of transportation.

**37 Municipal Attorney**

38 The official legal representative for the municipality.

**39 Municipal Engineer**

40 The chief engineer of the municipality; often the director of the public works department.

**41 Municipality**

42 The municipality of Anchorage.

# EXHIBIT A

**National Electrical Safety Code (NESC)**

The most current national electrical safety code or successor code, as published, amended, and/or interpreted by the federal government.

**New Structures** (as used in subsection 21.07.020E., *Flood Hazard Area Regulations* [SECTION 21.04.070E., *FHO: FLOOD HAZARD OVERLAY DISTRICT*])

Structures for which the start of construction commenced on or after September 25, 1979. The start of construction means the first placement of a permanent foundation and appropriate structural framing.

**Nonconforming Lot**

A lot, the area and/or dimensions of which were lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fail by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

**Nonconforming Structure**

A structure or building, the size, dimensions, and/or location of which were lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fail by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning ordinance.

**Nonconforming Use**

A use or activity that was lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

**Nonconformity**

Any legally approved structure, lot, sign, or use of land that no longer conforms with the requirements of this title.

**Nursing Facility**

Has the same meaning as set forth in Alaska Statutes chapter 18.20.

**OS&HP**

*Official Streets and Highways Plan.*

**Obstruction** (as used in section 21.07.020E., *Flood Hazard Area Regulations* [21.04.070E., *FHO: FLOOD HAZARD OVERLAY DISTRICT*])

Any dam, wall, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse or regulatory flood hazard area which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the material downstream to the damage of life or property.

**Off-Street**

Located outside the street or the right-of-way of a street.

**On-Site Remediation**

Removal of volatile and semi-volatile contaminants from soils, sediments, slurries and filter cakes within 300 feet of the location where the material was originally contaminated.

**Open Space, Common**

Open space for the common use and enjoyment of the owners and occupants of the subdivision, building, planned unit development or condominium. Common means shared by all tenants and is distinguished from space designated for private use.

# EXHIBIT A

## **Ordinary High Water Mark (OHWM)**

The line on a shore or bank of a body of water established by the normal fluctuations of water and indicated by a relatively abrupt change in observable physical, hydrologic, and biologic characteristics above and below the line. For a stream or lake the OHWM is approximately equivalent to the 'bank.' For a marine shoreline, the OHWM is approximately equivalent to the 'mean high water line.' In all cases, an appropriate mix of indicators used to establish the OHWM at a particular location are selected using means and methods that consider the type of water body and the characteristics of the surrounding area.

## **Outdoor Trash Container**

A container used for the temporary storage of rubbish, pending collection, that is stored outside of a walled structure for one or more nights per week.

## **Overlay District**

A unique set of zoning regulations that are superimposed on one or more established zoning districts and shown on the zoning map, and subsequently impose additional or replacement regulations to those of the underlying district. The overlay district may be used to impose supplemental restrictions on uses in these districts, permit uses otherwise disallowed, or implement some form of site or architectural design program. Developments within an overlay district must conform to the requirements of the underlying district as modified by the overlay district and as set forth in the enacting ordinance.

## **Owner**

Any person, agent, firm, corporation, or partnership that alone, jointly, or severally with others:

- 1) Has legal or equitable title to any parcel, premises, dwelling, or dwelling unit, with or without accompanying actual possession thereof; or
- 2) Has charge, care, or control of any parcel, premises, dwelling, or dwelling unit, as agent of the owner or as executor, administrator, trustee, or guardian of the estate of the beneficial owner. The person shown on the records of the district recorders office of the state of Alaska to be the owner of a particular property shall be presumed to be the person in control of that property.

## **Parapet**

A low, protective wall at the edge of a roof that is part of an exterior wall, fire wall, or party wall that rises above the roof.

## **Parcel**

A generic descriptive term used to refer to a lot, a tract, a group of lots and/or tracts, or a contiguous quantity of land, under the same ownership.

## **Parking Angle**

The angle formed by a parking space and the wall or centerline of the facility, ranging from ninety degrees (perpendicular) to zero degrees (parallel).

## **Parking Bay**

A section or module of a parking facility that consists of a parking aisle and a row of parking spaces on one or both sides of the aisle. Parking bays are not loading berths.

## **Parking Cash-Out**

Allowing commuters to choose cash instead of a free parking space. For example, a commuter who is offered a parking cash-out might be able to choose to receive \$50 per month in cash if they use an alternative mode besides a single-occupancy vehicle.

## **Parking District, Municipally Recognized**

An area recognized or designated by the municipal Assembly in which a central authority such as an area improvement district or a parking authority supplies one or more centralized parking facilities, manages

# EXHIBIT A

- 1 the parking supply and/or implements other parking management strategies to serve the area, rather than  
2 each individual development site having to supply all of its own parking.
- 3 **Parking Facility**  
4 An area for off-street parking of motor vehicles, either a surface parking lot or structured parking, and  
5 including associated driveways, circulation and parking aisles, parking spaces, queuing lanes, and  
6 passenger loading areas.
- 7 **Parking Lot**  
8 An at-grade, surface parking facility built directly on the ground.
- 9 **Parking, On Street**  
10 Parking spaces within the street or street right-of-way and abutting the curb of a street.
- 11 **Parking, Shared**  
12 A parking facility that serves multiple uses or destinations.
- 13 **Parking Space**  
14 A space for the parking of one automobile.
- 15 **Parking Space, Bicycle**  
16 An area and facility such as a rack or locker used for parking and securing one bicycle.
- 17 **Parking Space, Guest**  
18 A parking space that is intended for use by guests in a residential development, and not exclusive to or  
19 physically associated with any individual dwelling.
- 20 **Parking, Stacked**  
21 Vehicles parked one above the other using a mechanical car stacker.
- 22 **Parking Structure, Automated**  
23 A parking structure operated by automatic mechanical parking equipment such as automobile elevator or  
24 lift systems.
- 25 **Parking, Structured**  
26 A parking facility that is a multistory building or structure, under a building or structure, or a portion of a  
27 building, such as occupying a story within a multifamily building. Structured parking may be either on,  
28 above, or below grade.
- 29 **Parking, Tandem**  
30 One vehicle parked behind another.
- 31 **Parking, Unbundled**  
32 Parking rented and sold separately from building space, so occupants only pay for the amount of parking  
33 they want.
- 34 **Party of Interest**  
35 The applicant, the owner of the subject property, the owner of property within the notification area for the  
36 subject application, and anyone that presented oral testimony at a public hearing or written testimony on  
37 the application.
- 38 **Pathway**  
39 A stable surface, usually paved, located along a roadway, for multiple pedestrian and non-motorized uses  
40 and purposes.

# EXHIBIT A

## **Pedestrian Feature**

A permanent object that provides pedestrians with increased convenience, comfort, and utility, and which is publicly accessible and not limited to a tenant or establishment such as seating for a restaurant. Pedestrian features include:

- Seating such as benches accommodating several people;
- Secondary/informal seating opportunities such as steps, pedestals, low walls, or edges of fountains, accommodating several people;
- A space for standing with objects to lean against, such as bollards, short fences, or irregular building facades, accommodating several people;
- A tree or raised planter;
- A work of art such as a water feature, sculpture, cultural exhibit, or clock feature;
- A winter city feature such as a wind screen, or outdoor stove or space heater; or
- Other object supporting pedestrian utility, such as a gazebo or kiosk.

## **Pedestrian Movement Zone**

The middle portion of an enhanced sidewalk, located between the sidewalk's street interface and building interface zones. The pedestrian zone provides for the primary function of sidewalks, and is kept clear of any obstructions to pedestrian movement.

## **Pedestrian Oriented**

A characteristic of a development or district that emphasizes the street sidewalk and/or connecting pedestrian access to the site and building(s), such that a person can comfortably walk from one location to another, and optional pedestrian activities such as strolling, window shopping, or relaxing can take place. Pedestrian oriented characteristics include: buildings placed within a short setback distance from the sidewalk; primary entrances and windows on building facades which face the street; a mix of civic, commercial, and/or residential uses; shared open spaces and plazas; architectural details and visual interest at the pedestrian scale; pedestrian features such as wide walkways, seating, bicycle facilities, public art, landscaping, lighting, and wayfinding signs; and northern climate features such as atriums, canopies, transit shelters, wind protection, and orientation for sunlight access.

## **Permit, Building**

A land use permit issued by the municipality pursuant to the municipal code and the building code authorizing the erection, construction, reconstruction, restoration, alteration, enlargement, conversion, remodeling, demolition, moving, or repair of a building or structure within the building safety service area.

## **Permit, Land Use**

An official document issued by the municipality pursuant to this title required for the erection, construction, establishment, moving, alteration, enlargement, repair, placement, or conversion of any building, structure, or land in any district established under this title.

## **Permit, Sign**

An official document issued by the municipality pursuant to this title required for the construction, installation, maintenance, and operation of signs within the municipality.

## **Permit, Flood Hazard**

An official document issued by the municipality pursuant to this title for uses, structures, or activities listed in the floodplain regulations.

## **Person**

Any individual, lessee, firm, partnership, association, joint venture, corporation, or agent of the aforementioned groups, or the state of Alaska or any agency or political subdivision thereof.

# EXHIBIT A

**Pharmacy**

An establishment offering only to prepare, preserve, compound, and dispense prescribed and nonprescribed medication and drugs, medical supplies, and health care items.

**Physical Access**

For the purposes of chapter 21.08, having physical access means being adjacent to a street suitable for travel by passenger automobiles that is connected to the publicly dedicated and improved transportation network of the municipality.

**Pillow**

A sleeping accommodation for one person.

**Plan, Landscape**

A plan, drawn to scale, showing dimensions and details of the portion of a site devoted to planting materials and their maintenance.

**Plan, Master**

The maps, illustrations, and supporting text associated with a planned development which conveys the allowable uses, densities, non-residential intensities, and arrangement of uses within the boundaries of the planned development along with any associated conditions, phasing schedules, and other agreements.

**Plan, Site**

A plan depicting the proposed development of a property, in terms of the location, scale, and configuration of buildings, uses, and other features containing all the information required by this title. A site plan may include but is not limited to lot lines, adjacent lots and streets, building sites, required open space, buildings, interior vehicular, pedestrian, and bicycle access, parking lot design (calculations and layout), signage, lighting, screening devices, existing and proposed landscaping, topography, drainage, and, depending on requirements, floor plans, building elevations and locations of proposed utility services and lines, and any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

**Plan, Subdivision**

A proposed plan of development to establish a subdivision that contains all information such as lot lines, streets, easements, and other features required by this title.

**Planning Commission**

The planning and zoning commission of the municipality.

**Plat**

A map and associated text prepared by a registered surveyor that delineates property lines and related information, prepared in compliance with the regulations of this title.

**Plat, Final**

A map and associated text of a subdivision of land, meeting all the requirements of this code, and ready for approval and recording.

**Plat, Preliminary**

A map and associated text prepared by a registered surveyor showing the required features of a proposed subdivision of land and submitted to the platting authority for purposes of preliminary consideration and approval.

**Platting Authority**

The platting officer, municipal platting board, or any other board so designated by the assembly.



# EXHIBIT A

## **Porch**

A covered or partially enclosed exterior entrance space projecting from the façade of a building, having a floor and roof, and forming a covered approach or vestibule to an entrance doorway. The front of the porch is open, with only supporting posts, railings, and roof, or partially enclosed with solid walls or railings up to 36 inches high measured from the floor of the porch.

## **Pre-Application Conference**

A meeting between an applicant and the municipal staff intended to familiarize both parties with conceptual plans or proposals presented by the applicant and applicable code provisions.

## **Primary Pedestrian Walkway**

A walkway meeting the standards of subsection 21.07.060F.4.

## **Principal Building/Structure**

A building/structure in which is conducted the main use of the lot on which the building/structure is located.

## **Prisoner**

The same meaning as defined in AS 33.30.901 as to state prisoners, and includes persons convicted of a felony described in AS 11.41, *Offenses Against the Person*, in Alaska or of an offense with the same or substantially similar elements in another jurisdiction until they have successfully completed all conditions of parole and probation and are no longer under the supervision of the court, the Alaska department of corrections, another state or municipal agency, or contractor to those entities. The term "prisoner" also includes federal offenders in the custody, control or under the care of supervision of the United States attorney general or the bureau of prisons.

## **Private Enforcement Action**

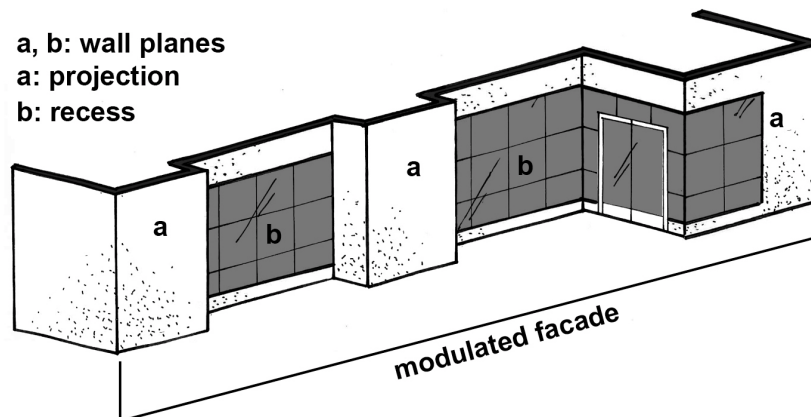
A process by which a private individual, homeowner's association, or community council can request that the administrative hearings officer hear and investigate charges that another person or owner of land has violated the requirements of this title.

## **Profession**

An occupation, such as law, medicine, or engineering, which requires considerable training and specialized study.

## **Projection, Wall Plane**

A portion of a building wall—i.e., a wall plane or façade wall—that extends outward beyond the face of the adjacent wall plane or façade wall on the building, so as to create articulation of the building wall.



# EXHIBIT A

- 1 **Property Line**  
2 A demarcation limit of a lot dividing it from right-of-way, or other lots or parcels of land.
- 3 **Public Enforcement Action**  
4 An action brought by the municipality against owners or users of land for violating the provisions of this  
5 title.
- 6 **Public Facility**  
7 Any buildings and structures (including streets and highways) owned or leased by a government agency  
8 not exempt by law from municipal land use regulation
- 9 **Public Utility**  
10 Any person or organization subject to regulation under AS 42.05.
- 11 **Publicly Accessible**  
12 Open to the general public during regular business hours.
- 13 **Quonset Hut**  
14 A prefabricated structure usually made of corrugated metal, in the shape of a longitudinal half cylinder.
- 15 **Recess, Wall Plane**  
16 A portion of a building wall—i.e., a wall plane or façade wall—which is set back from the adjacent wall  
17 plane or façade wall on the building, creating articulation of the building wall.
- 18 **Record of Survey Map**  
19 A map prepared by a professional land surveyor that reestablishes survey controls, boundaries, locations  
20 of improvements, or the alignment of right-of-ways for recording.
- 21 **Recreational Vehicle**  
22 A vehicle primarily designed as temporary living quarters for travel, camping, recreational, or vacation  
23 usage, which either has its own motive power or is mounted on or drawn by another vehicle. The basic  
24 entities are travel trailer, camping trailer, pickup truck camper, fifth-wheel, and motor home.
- 25 **Redevelopment**  
26 The rehabilitation, adaptive reuse, or removal and replacement of an existing structure or structures, or of  
27 land from which previous improvements have been removed.
- 28 **Reflectance**  
29 The fraction of solar radiation reflected by a material.
- 30 **Regulatory Floodway**  
31 See **Floodway, Regulatory**
- 32 **Reinforcement**  
33 Repair, replacement, or addition of a crossarm, guy, pole, stub, or conductor for a utility distribution  
34 facility.
- 35 **Relocation** (as used in section 21.07.050, *Utility Distribution Facilities*)  
36 A change in alignment of more than six spans.
- 37 **Reserve Strips**  
38 Narrow strips of privately-owned land adjacent and parallel to a street.
- 39 **Residential**  
40 Activity involving the occupation of buildings for living, cooking, sleeping, and recreation.

# EXHIBIT A

**Residential Subdivision**

A subdivision, or that part of a subdivision, in a residential zoning district.

**Restoration**

Putting or bringing back into a former, normal, or unimpaired state or condition.

**Rezoning (Zoning Map Amendments)**

An amendment to the official zoning map to effect a change in the boundaries of any zoning district or the zone classification of any parcel of land in the municipality.

**Right-of-Way**

A defined area of land, reserved or dedicated for a street, alley, walkway, trail, utility, or other public purpose.

**Roof**

The cover of any building or structure, including the eaves and similar projections.

**Runway**

A defined area on land or water intended for use for landing and takeoff of aircraft.

**Salvageable Improvements**

As used in section 21.08.060, *Subdivision Agreements*, and describes those portions of street improvements constructed within a dedicated right-of-way that are usable as a part of the finally constructed street. Salvageable improvements include such items of work as clearing and grubbing, removal of unsuitable material and placement of classified backfill, but do not include temporary surfacing and other work that would not be usable or beneficial to final street construction. This definition applies only to those streets that are not, during their initial construction, improved to the final paved standard of the municipality.

**Senior Housing**

See **Housing, Senior**

**Setback**

The horizontal distance between any structure and a lot line, or some other feature or object. A required setback establishes a minimum required separation distance with the exception that a required maximum setback establishes a maximum allowed separation distance.

**Setback, Front**

A setback that extends across the frontage of a lot or tract on a right-of-way of a street.

**Setback, Rear**

A setback that extends across the full rear of a lot or tract. The rear setback is defined by the rear lot line. Lots with two or more frontages do not have rear setbacks.

**Setback, Side**

Any setback that is not a front or rear setback. Generally, side setbacks extend from the inner boundary of the front setback (or from the front property line of the lot or tract where no front setback is required) to the inner boundary of the rear setback (or to the rear property line of the lot or tract where no rear setback is required.) For lots with two or more frontages, setbacks remaining after front setbacks have been established shall be considered side setbacks.

**Service Connection**

Conductors transmitting utility service from a utility distribution line to a customer's riser or service entrance.

# EXHIBIT A

**Sidewalk**

A concrete surface within a vehicular right-of-way, aligned with a road and constructed either adjacent to the curb or separated from the curb, for multiple pedestrian and non-motorized uses and purposes. Sidewalks are generally found in class A zoning districts.

**Sight Distance Triangle**

The land area regulated to ensure unobstructed visibility for motorists entering or leaving an intersection or driveway.

**Sight Obscuring**

As applied to landscaping, sight obscuring means that within three years of installation, the landscaping shall visually obscure the target to the extent that the majority of the field of view is plant material, rather than the target.

**Sign**

Any visual communication display, object, device, graphic, structure or part, situated indoors or outdoors, or attached to, painted on or displayed from a building or structure, in order to direct or attract attention to, or to announce or promote, an object, product, place, activity, person, institution, organization, or business or the like, by means of letters, words, model, banner, flag, pennant, insignia, device, designs, colors, symbols, fixtures, images, illuminations or representation used as, or which is in the nature of an announcement, direction, or advertisement.

**Sign, Animated**

A sign that contains animation or animated effects, changeable copy, flashing, or moving parts.

**Sign, Banner**

A sign made of lightweight fabric or similar material with no enclosing framework that is mounted to a building or other structure at one or more edges.

**Sign, Building**

Any sign attached to any part of a building [AND] including wall, awning, canopy, and projecting signs, and excluding window signs. A wall sign is a building sign that is parallel to and does not extend from the wall more than 12 inches.

**Sign, Changeable Copy**

A portion of a sign with letters, characters, or graphics that are not permanently affixed to the structure, framing, or background allowing the letters, characters or graphics to be modified from time to time manually or by electronic or mechanical devices, such as a bulletin board or electronic message board, and includes scrolling copy.

**Sign, Construction**

A temporary sign identifying a project or facility during the time of construction. Such signs typically include the name of an architect, engineer, and/or contractor for a building or project located on the parcel.

**Sign, Entrance or Exit**

A sign located at the driveway entrance or exit and intended to provide for safe ingress and egress.

**Sign, Freestanding**

A sign supported from the ground and not attached to any building. A freestanding sign is a sign [MAY BE] supported by one or more poles or a solid base. Pole signs and monument style signs are considered freestanding signs.

**Sign, Historic**

Any sign that has been designated as historic by the urban design commission.

# EXHIBIT A

**Sign, Ideological or Political**

Any temporary sign displaying or advocating an idea, opinion, or position on any social, cultural, religious, or political issue and containing no commercial message.

**Sign, Illuminated**

Any sign which is partially or entirely illuminated internally or externally so as to make the sign more visible.

**Sign, Inflatable**

Any inflatable shape or figure designed or used to attract attention to a business event or location. Inflatable promotional devices shall be considered to be temporary signs under the terms of this chapter and, where applicable, subject to the regulations thereof.

**Sign, Instructional**

A sign that has a purpose secondary to the use on the lot and that is intended to instruct employees, customers, or users as to matters of public safety or necessity such as specific parking requirements, the location or regulations pertaining to specific activities on the site or in the building, and including a sign erected by a public authority, utility, public service organization, or private industry that is intended to control traffic; direct, identify or inform the public; or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy.

**Sign, Nonconforming**

A sign which was legally erected, but which is no longer in compliance with the requirements of this title.

**Sign, Off-Premises**

See **Billboard**

**Sign Plate**

A building sign which does not exceed two square feet indicating the street number, the name of the person, business, profession or activity occupying the lot, building, or part thereof; or other information pertaining to the use on the lot.

**Sign, Portable**

Any sign that is not permanently attached to the ground or other permanent structure, or a sign designed to be transported on wheels, skids, a bench, runners, brackets, or has a frame to which wheels, skids, runners, brackets, or similar mechanical devices can be attached to or support the sign. A portable sign also includes inflatable devices and mobile signs such as parked trailers or vehicles, which include signs which are visible from the public right-of-way unless such vehicle is used in the normal day-to-day operations of the business.

**Sign, Pole**

A sign that is mounted on a freestanding pole or poles, or other support structure that is visible.

**Sign, Projecting**

A sign that is attached to a building wall and extending perpendicular to (or approximately perpendicular to) the building wall and 12 inches or more beyond the face of the wall.

**Sign, Roof**

A sign, or any portion thereof, erected, constructed, painted, or placed on the roof and includes any sign extending higher than [ , OR PROJECTING UPON OR EXTENDING ABOVE] the roof or parapet wall of any building if [WHETHER] the principal support for the sign is on the roof, wall or any other structural element of the building.

**Sign, Rotating**

A sign that revolves on a vertical axis.

# EXHIBIT A

**Sign, Temporary**

A sign that is designed to be used only temporarily and is not intended to be permanently attached to a building, structure or permanently installed in the ground. These include, but are not limited to, political signs, special event signs, and for sale or leasing signs. Mobile and portable signs are temporary signs. Temporary signs may be displayed as window signs.

**Sign, Traffic**

A sign indicating federal, state, or municipal regulations for automobile, truck, bicycle, and/or pedestrian movement.

**Sign, Window**

A sign that is applied or attached to a window or door, or a sign located near a window within a building for the purpose of being visible to and read from the outside of the building except for signs that are not legible from a distance of more than three feet beyond the building in which such sign is located.

**Single-Family Style Structure**

A residential building containing one dwelling unit for one household and not attached to any other dwelling by any means—i.e., a house.

**Site**

A lot or group of contiguous lots that is proposed for development and is in single ownership or has multiple owners, all of whom join in an application for development.

**Site Plan**

See **Plan, Site**

**Site Plan Review**

The review of a site plan of a project, public or private, to ensure compliance with the development and design standards and provisions of this title, to ensure consistency with previous approvals, to minimize or mitigate negative impacts on adjacent properties, and to encourage quality development reflective of the goals, policies, and objectives of the comprehensive plan.

**Site Selection**

The process by which the municipality shall review and decide the selection of a site for specified public facilities.

**Skylight**

An opening in a roof or ceiling, glazed with a transparent or translucent material, for admitting daylight.

**Soil Management**

Maintenance of the soil to preserve and enhance the capacity of soil to function within ecosystem boundaries to sustain biological productivity, maintain environmental health, and promote plant and animal health.

**Slope**

The change in vertical elevation of a land area between two points, divided by the horizontal distance between those points, and multiplied by 100 to be expressed as a percentage.

**Solar Access (Sunlight Access)**

The availability of, or access to, unobstructed direct sunlight.

**Solar Orientation**

A south facing orientation of a property line, street frontage, right-of-way, fence, building wall, or window surface where the line, frontage, wall, or window faces within 30 degrees of south. This orientation of a surface in relation to the path of the sun may be used to maximize the amount of sunlight and heat gained from solar radiation.

# EXHIBIT A

## **Solar Reflector**

An appurtenance designed to reflect the light and heat of the sun so that it augments the amount of solar radiation entering an interior habitable space, solar collector, or outdoor open space.

## **Space** (as used in section 21.05.030A.8., *Manufactured Home Community*)

A defined land area in a manufactured home community on which a mobile home or manufactured home may be placed and which is described by boundary lines measured in terms of:

- Its depth expressed as a mean distance between the front and rear of the space, measured in the general direction of the side space lines.
- Its width expressed as a mean distance between the side lines of the space, measured in the general direction of the front and rear space lines.

## **Space, Reverse-Frontage** (as used in section 21.05.030A.8., *Manufactured Home Community*)

A space which abuts a local street on one side and a street of Class I or greater classification on the opposite side.

## **Special Limitation**

A provision of a rezoning ordinance which restricts some aspects of development to a greater degree than otherwise allowed by the applied zoning district.

## **Start of Construction**

Includes substantial improvement, and means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets or walkways; nor does it include excavation for a basement, footings, piers or foundation, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

## **Step-Back**

A terrace in the vertical rise of a building form such that the upper mass or wall plane of the building is set back or recessed from the lower building mass or wall plane.

## **Storage**

Temporary or permanent containment, holding, leaving, stockpiling, or placement of products, goods, or materials, usually with the intention of retrieving them at a later time; overnight parking of commercial vehicles.

## **Storm Water**

Surface water runoff originating from surface water, rain, snowmelt, wash waters, street wash, subsurface drainage, or other drainage but excludes wastewater as defined in AMC title 15.

## **Story**

That portion of a building included between the upper surface of a floor and the upper surface of the next floor or roof above.

## **Story Above Grade Plane**

Any story having its finished floor surface entirely above finished grade plane, except that a basement shall be considered as a story above grade plane where the finished surface of the floor above the basement is:

- a. More than six feet above grade plane; or
- b. More than 12 feet above the finished grade at any point.

# EXHIBIT A

## **Story Below Grade Plane**

Any story having its finished floor surface below finished grade plane, unless it meets the definition of story above grade plane.

## **Story, One-Half**

A story under a gable, shed, or hipped roof that contains habitable floor area, including floor area under dormers, not exceeding 50 percent of the floor area of the floor below.

## **Stream**

A watercourse conveying perennial or intermittent surface waters not solely the result of constructed subsurface drainage. When a stream does flow it conveys more water than that contributed from a single storm runoff event and includes natural ground water discharge as a component in its flow. A stream may be intermittent in time or space. However it must generally retain its identity as a hydraulically continuous drainage feature along its whole length, even though its surface flow may periodically break up or disappear along its alignment.

Overall a stream displays a distinctive combination of geomorphic, hydrologic, and biologic characteristics, though some of these features may be absent where flow is intermittent or where the stream has been piped or otherwise modified. Principal defining characteristics include:

- Unique geometric, sedimentary, and other physical characteristics, including bed and banks, along part or all of the stream's alignment;
- Prolonged flow from natural sources conveyed along continuous surface channels, or along a discontinuous but hydraulically connected series of surface channels; and
- Biologic characteristics representative of prolonged surface flows along the open channel segments of the stream.

## **Stream Bed**

That portion of a stream utilized for water flow during nonflood periods, normally extending from the thalweg (low point) to each bank.

## **Street**

A thoroughfare improved or intended to be improved for vehicular and pedestrian travel permanently open to general public use, that affords the principal means of access, frontage and address to individual buildings, lots and blocks. Streets include a road, avenue, place, drive, boulevard, highway or any other similar means of public thoroughfare, except an alley. A street is not a driveway. Unless otherwise indicated, the term street shall refer to both public and private streets. A street may be located on private property and not be publicly owned or maintained, if it performs the roles of a public street.

## **Street, Access**

A street constructed to provide physical access to a subdivision.

## **Street, Arterial**

Higher order streets with controlled access that are intended for through or regional traffic moving between urban centers and not intended for local or residential neighborhood traffic. These streets have multiple travel lanes, provide access to regional travelways, and carry high volumes of traffic. Arterials are either "major arterials" or "minor arterials," as designated in the *Official Streets and Highways Plan*.

## **Street, Collector**

Streets that penetrate various land use classifications to provide both land access and mobility within neighborhoods and commercial areas. Their primary function is traffic service, collecting traffic from intersecting streets and funneling it to major thoroughfares. A major collector roadway/street has limited direct access from individual lots/parcels. A minor collector roadway/street allows direct access of individual lots/parcels.



# EXHIBIT A

**Street, Cul-de-Sac**

A street having only one outlet, with provision for a turnaround at its termination, and which is not intended to be extended or continued to serve future subdivisions or adjacent land.

**Street, Dead End**

A right-of-way that terminates without a cul-de-sac or a temporary turnaround and the terminus of which has the same width as the width of the right-of-way.

**Street Facing Building Elevation**

The building elevation facing upon the street, comprised of all façade walls that are oriented toward the street at an angle of less than 90 degrees, and not separated from the street by another principal structure or site.

**Street, Half**

A portion of a right of way, including the street pavement that is directly adjacent to a lot's frontage as measured from the ultimate street centerline.

**Street Interface Zone**

The portion of an enhanced sidewalk that lies between the street curb and the pedestrian movement zone, providing a buffer between vehicular traffic and pedestrians. The street interface zone accommodates streetscape objects to be kept out of the movement zone portion of the sidewalk, such as street trees, landscaping, street furniture, street signs, light poles, and/or utility boxes.

**Street, Interior**

A street contained entirely within the boundaries of a subdivision.

**Street, Local**

A street whose primary function and design is to provide access to abutting property. Local streets feed traffic into collector and arterial street systems.

**Street, Loop**

A street that originates and terminates at intersections with the same street.

**Street Lot Line**

See **Lot Line, Street**

**Street, Peripheral**

A street parallel to the boundary of a subdivision and whose right-of-way abuts that boundary.

**Street, Private**

A street located on privately owned real property, whether owned by an individual or subject to Horizontal Property Regimes and Common Ownership Acts, and absent dedication of an overlapping public use easement. A private street is often memorialized by plat note.

**Street, Stub**

A dead-end interior street provided for eventual extension onto unplatted land.

**Street Typology**

A street classification system that augments the functional classifications (arterials, collectors, local streets) with designations that relate the street design to the adjacent land use, development pattern, and its functions for users in addition to automobile traffic—pedestrians, bicyclists, and transit riders. Examples of street typology designations include residential street, main street, transit street, commercial street, and mixed-use street.

# EXHIBIT A

## Structure

Anything that is constructed or erected and located on or under the ground, or attached to something fixed to the ground, including a walled and roofed building, and/or a gas or liquid storage tank that is principally above ground.

## Structure, Accessory

A structure that is on the same lot as, and of a nature customarily incidental and subordinate to a principal building or structure, and the use of which is clearly incidental and subordinate to that of the principal building or structure.

## Subdivider

A person, firm, association, partnership, corporation, governmental unit, or combination of any of these that may hold any recorded or equitable ownership interest in land being subdivided. The terms shall also include all heirs, assigns, or successors in interest, or representatives of the subdivider, owner, proprietor, or developer.

## Subdivision

The division of a tract or parcel of land into two or more lots, sites or other divisions for the purpose, whether immediate or future, of sale, lease or building development, including any combining or resubdivision, and, when appropriate to the context, the process of subdividing or the land subdivided.

## Subdivision Agreement

A document which is approved by the department of public works which specifies the tentative location, construction schedule, and estimated costs of public improvements to be constructed as part of subdivision development.

## Survey, As-Built

A plan prepared by a professional land surveyor in such a manner as to accurately identify and depict the location of all on-site improvements.

## Substantial Improvement

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- Before the improvement or repair is started; or
- If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:
  1. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to ensure safe living conditions; or
  2. Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

## Surrounding Development

Immediately adjacent development on the same block face or on facing blocks as the subject site, as well as prevalent patterns established in the existing neighborhood located within one-quarter mile of the subject development site.

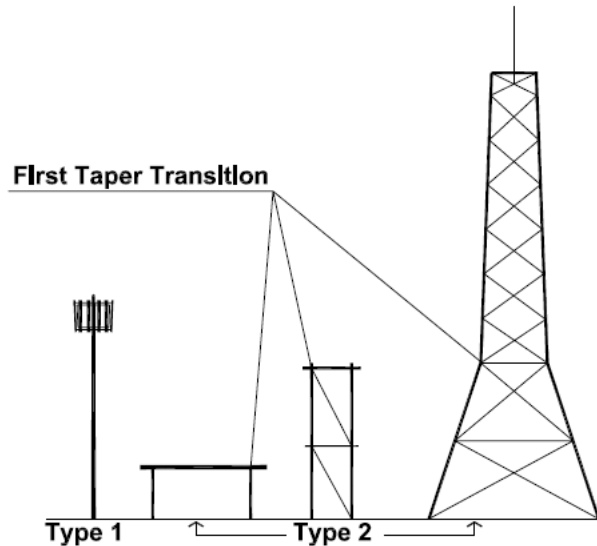
## Take Action

To approve, approve with conditions, deny, refer to another body, or postpone a decision on an application for entitlement.

# EXHIBIT A

## **Taper Transition**

A point on a telecommunication tower where the angle of the structure form changes, or the top of the tower, whichever point is lower.



## **Target Area**

An area designated under section 21.07.050 as a location in which overhead distribution lines are to be placed underground as provided in this chapter.

## **Topographic Flow Line**

A topographically-defined surface drainage path; a line of continuous fall in elevation across a land surface that will tend to accumulate and concentrate overland runoff from an area; the local flow path likely to be taken across a land surface by surface runoff as it integrates into a concentrated flow; any actual line of major surface flow conveyance. A topographic flow line is present solely as a result of the topography of the land surface itself and exists independent of the infiltration characteristics of the land surface or the presence or absence of vegetation along the flow line.

## **Topographic Map**

A map showing the landform by the use of contour lines.

## **Tower, Amateur Radio**

An antenna and structure of any type used exclusively by an amateur radio operator licensed by the Federal Communications Commission.

## **Tower, Community Interest**

Any structure principally designed to support an antenna(e) where the height of the structure (not including any building height, if installed on top of a building) exceeds 100 feet, measured to the top of any antennae.

## **Tower, Local Interest**

Any structure principally designed to support antennae and not meeting the definition of a community interest tower.

# EXHIBIT A

**1 Tower Site**

2 A lot, tract, or aggregate of abutting lots or tracts that has been planned and coordinated for development  
3 with separate community interest towers and/or local interest towers in any combination, including  
4 subordinate and related equipment and buildings in accordance with the applicable zoning district.

**5 Townhouse Style Structure**

6 A residential building with two or more dwelling units in a row attached primarily at the sidewall or  
7 rearwall, in which each dwelling unit has its own primary entrance to the outside, its own ground-floor and  
8 roof, and is separated from the other units by common fire-resistant walls.

**9 Tract**

10 A parcel of land which has been reserved for future development, future subdivision, or protection of open  
11 space or a specific natural feature(s).

**12 Traffic Control Device**

13 Includes all physical, mechanical and electrical equipment that directs, channelizes, commands or  
14 controls traffic movement. These devices include but are not limited to signs (including street name  
15 signs), channelization, signals, and striping.

**16 Traffic Engineer**

17 The municipal official and practicing engineer responsible for the duties established in AMC title 9.

**18 Trail**

19 A stable surface, often either paved or consisting of compacted granular fill, for the purposes of  
20 pedestrian and nonmotorized use (unless specifically designated for motorized use). A trail is not aligned  
21 with a road.

**22 Trailer**

23 Has the same meaning as set forth in AMC title 9.

**24 Travel Trailer**

25 A motor vehicle, or portable vehicular structure capable of being towed on the highways by a motor  
26 vehicle, designed and intended for casual or short-term human occupancy for travel, recreational and  
27 vacation uses, identified by a model number, serial number and vehicle registration number, equipped  
28 with limited water storage and other self-contained living facilities.

**29 Tree, Deciduous**

30 A tree that loses its leaves annually.

**31 Tree, Evergreen**

32 A tree that retains its foliage throughout the year.

**33 Tree, Landmark**

34 A healthy tree with at least a 12 inch caliper; or a tree that has significant historical or cultural value.

**35 Tree Protection Zone**

36 The area around a tree or grouping of trees in which no grading or construction activity may occur,  
37 including the storage of materials. The minimum tree protection zone is measured as a radius around the  
38 tree or grouping of trees which is a minimum of 1.5 feet from the trunk of a tree for every one inch of tree  
39 caliper.

**40 Tributary**

41 Any branch, fork, or channel that flows into and connects to a stream and also meets the basic definition  
42 of a stream.

# EXHIBIT A

**Unified Sign Plan**

A comprehensive site plan where contiguous lots and or tracts are considered as a single site for the purposes of determining the size, number, and placement of freestanding signs.

**Uplight**

For an exterior luminaire, flux radiated in the hemisphere at or above a horizontal plane.

**Use, Accessory**

As applied to a use, building, or structure, customarily subordinate or incidental to and located on the same lot with a principal use, building, or structure.

**Use, Conditional**

A use or occupancy of a structure, or a use of land, permitted only upon issuance of a conditional use permit and subject to the limitations and conditions specified therein.

**Use, Principal**

Any main activity permitted by this title.

**Use, Temporary**

Those land uses and structures that are needed or are in place for only short periods of time.

**Use District**

See **Zoning District**

**Utility**

A public utility as defined in Alaska Statutes title 42.

**Utility Distribution Line**

All or any part of a conductor and supports owned or operated by a utility and used:

- To transmit electrical power from a main source substation to consumers, at a voltage of 34.5 kV or less; or
- To transmit messages, impressions, pictures, or signals by means of electricity or electromagnetic waves; between a distribution substation or central office and the lot line of a customer's premises, excluding auxiliary equipment such as aboveground transformers, switching devices, pad-mounted distribution facilities, and CATV power supplies.

**Utility Transmission Line**

A line used for electrical power transmission between utility substations and switching yards, usually at a voltage of 34.5 kV or greater.

**Vacation**

The act of making legally void any right-of-way, easement, public area, or other public interest.

**Variance**

A grant of relief from the requirements, or a relaxation of the strict application of the terms of this chapter that permits construction in a manner that would otherwise be prohibited by this title. This definition shall not be construed to permit a use in any district which use is prohibited therein.

**Verification of Nonconforming Status**

A document issued by the municipality confirming the legal nonconforming status of a use, structure, or characteristic of use.

**Violator**

A violator of this title is a person who:

# EXHIBIT A

- Occupies, maintains, alters, constructs, or establishes a structure, or use of land or a structure, in violation of this title;
- Owns, controls, or has the right to control land or a structure where a structure, or use of land or a structure, is occupied, maintained, altered, constructed, or established in violation of this title; or
- As principal or agent, violates this title under section 21.13.030, *Violations*.

## **Walkway**

A stable surface, usually either paved or consisting of compacted granular fill, for the purpose of pedestrian and other non-motorized use. A walkway connects two points and is not aligned along a vehicular public right-of-way. A walkway may be in a dedicated pedestrian easement. Examples include pedestrian linkages within one site, mid-block, between subdivisions, and leading from roads to public amenities such as schools or parks.

## **Walkway Clear Width**

That portion of the total width of a walkway, trail, pathway, or sidewalk cross-section which is unobstructed and kept clear for pedestrian movement.

## **Walkway, Primary Pedestrian**

See **Primary Pedestrian Walkway**

## **Wall**

The vertical exterior surface of a building or structure, or a constructed barrier typically consisting of masonry or stone, which is also used to enclose, screen, buffer, enhance, or separate areas.

## **Wall, Ornamental**

A freestanding wall that is primarily designed for its beauty or decorative purposes, although it may also serve other purposes such as a screening structure. Ornamental walls do not include smooth-faced concrete masonry units.

## **Wall Plane**

A flat wall surface that is within a single two-dimensional plane.

## **Wall Plane Projection**

See **Projection, Wall Plane**

## **Wall Plane Recess**

See **Recess, Wall Plane**

## **Warranty Acceptance**

Agreement by the municipality, at the completion of construction of a public improvement, constructed under terms of a subdivision agreement or development agreement, that the project is ready to be placed on warranty.

## **Warranty Period**

The period for which a subdivider's warranty remains in effect under section 21.08.060, *Subdivision Agreements*.

## **Water Body**

Any area of water with a permanent minimum surface area measured at ordinary high water of 2,500 square feet, that is not actively maintained for, or constrained to, a single specific human use (e.g., wastewater treatment pond or flood detention pond).

## **Watercourse**

A natural channel or other surface pathway produced wholly or in part by the flow of surface water or that is likely to carry flows of surface water, or any artificial channel or surface pathway constructed for the

# EXHIBIT A

1 conveyance of surface water. Also any topographic flow line that either does, or under developed  
2 conditions is likely to, accumulate and convey storm water runoff as a concentrated flow. Also any  
3 conveyance, whether an open channel or closed conduit, constructed wholly or in part for the transport of  
4 storm water runoff. Watercourses include all surface water conveyance features and are further classified  
5 as either “streams” or “drainageways”.

## 6 **Water-Dependent**

7 Any use or activity which can be carried out only on, in, or adjacent to water areas because the use  
8 requires direct access to a water body.

## 9 **Water-Related**

10 Any use or activity which is not directly dependent upon access to a water body, but which provides  
11 goods or services that are directly associated with water dependence and which, if not located adjacent to  
12 water, would result in a public loss of quality in goods or services offered.

## 13 **Window**

14 An opening in the wall of a building for admitting light to the interior, usually fitted with a frame containing  
15 panes of transparent or translucent material. A display case on an exterior wall is not a window.

## 16 **Window Area**

17 The exterior area of a window on a building elevation, including the window pane, muntins, sash and  
18 frame, but excluding shutters, trim (including sill, molding, and dressing), flower boxes, or other  
19 architectural features beyond the window frame and trim itself. This definition is used in provisions such  
20 as those requiring a certain percentage of the building wall area to consist of windows, or requiring a  
21 maximum portion of the window area that may be covered by a sign.

## 22 **Window, Providing Visual Access (or Visual Access Window)**

23 Windows that allow views between the outdoors and interior habitable space such as working areas,  
24 lobbies, entrances, sales areas, or other public areas. The window is transparent enough to permit views  
25 between activities within a building and public space such as nearby streets and sidewalks, and so that  
26 objects beyond or behind the window can be distinctly seen.

## 27 **Zoning District**

28 A specifically delineated area or district within which uniform standards govern the use, placement,  
29 spacing, size, and form of land and buildings.

## 30 **Zoning Map**

31 The map or maps that are a part of this title and that delineate the boundaries of all mapped zoning  
32 districts within the physical boundaries of the municipality.